

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

HOLLY JO THOMPSON,

APPELLANT

APPELLATE CASE NO 2016-000340

RECORD ON APPEAL

KATHRINE H. HUDGINS
Appellate Defender

ALAN WILSON
Attorney General

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

SHERRIE BUTTERBAUGH
Assistant Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEY FOR APPELLANT

DANIEL E. JOHNSON
Solicitor, Fifth Judicial Circuit

ATTORNEYS FOR RESPONDENT

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SC Court of Appeals

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STATE OF SOUTH CAROLINA	)	
	)	FAMILY COURT
COUNTY OF RICHLAND	)	2016-GS-40-02072
	)	
	)	
	)	
	)	
STATE OF SOUTH CAROLINA,	)	
PLAINTIFF,	)	
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
HOLLY JO THOMPSON,	)	
DEFENDANT.	)	
	)	

February 16 - 19, 2016
Columbia, South Carolina

B E F O R E:

THE HONORABLE ROBERT E. HOOD, JUDGE.

A P P E A R A N C E S:

LUCK CAMPBELL, ESQ.
MEGHAN WALKER, ESQ.
LAURA GREGG, ESQ.
Attorney for the Plaintiff

ROBERT BANK, ESQ.
ALICIA GOODE, ESQ.
RHODES BAILEY, ESQ.
Attorney for the Defendant

KAREN AMBROZIAK
Circuit Court Reporter

I N D E X

(PW) - Denotes Plaintiff's Witness

(DW) - Denotes Defense Witness

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2	Photograph	128	142
3	Photograph	128	142
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39	Photograph	128	143
40	Photograph	128	143
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44	Photograph	128	144
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<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
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71	Photograph	128	146
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82	Photograph	128	144
83	Photograph	128	144
84	Photograph	128	151
85	Photograph	128	151
86	Photograph	128	151
87	Photograph	128	151
88	Photograph	128	151

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Plaintiff's Exhibits cont'd)			
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103	Photograph	128	151
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131	Photograph	128	183
132	Photograph	128	183

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Plaintiff's Exhibits cont'd)			
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137	Photograph	128	183
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171	Photograph	128	191
172	Photograph	128	191
173	Photograph	128	191
174	Photograph	128	191
175	Photograph	128	191
176	Photograph	128	191

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Plaintiff's Exhibits cont'd)			
177	Photograph	128	191
178	Photograph	128	191
179	Photograph	128	191
180	Knife	128	184
181	Hair	128	199
182	Swabs	128	198
183	Swabs	128	483
184	Vase	128	184
185	Blow-up	128	152
186	Photograph	182	250
187	Photograph	182	250
188	Photograph	182	250
189	Photograph	182	250
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191	Photograph	182	250
192	Photograph	182	244
193	Photograph	182	244
194	Photograph	182	244
195	Photograph	182	275
196	Photograph	182	275
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212	Photograph	182	275
213	Photograph	182	275
214	Photograph	182	275
215	Photograph	182	488
216	Photograph	182	488
217	Photograph	182	488
218	Photograph	182	488
219	Photograph	182	488
220	Fingerprint	182	247

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Plaintiff's Exhibits cont'd)			
221	Fingerprint	182	357
222	Item from Trailer	182	249
223	Nail Scraping	182	273
224	Tank Top & Jeans	182	277
225	Bedsheet	182	268
226	Black Jacket	182	277
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230	Purse	182	
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233	Swab	182	270
234	Swab	182	270
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241	Phone Records	305	345
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246	Photograph	305	314
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251	Photograph	305	314
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260	Maps	249	486
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262	Advice of Rights	595	631
263	Statement	598	631

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
(Plaintiff's Exhibits cont'd)			
264	Photograph	604	643
265	Photograph	604	643
266	Photograph	604	643
267	Photograph	604	643
268	Photograph	604	643
269	Photograph	604	643
270	Photograph	604	643
271	Photograph	604	643

(Defendant's Exhibits)

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
1	Photograph	129	
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3	Photograph	129	
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6	Photograph	129	
7	Photograph	129	282
8	Photograph	129	282
9	Photograph	129	282
10	Photograph	129	
11	Photograph	129	207
12	Photograph	129	207
13	Photograph	129	
14	Photograph	129	
15	Photograph	129	
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22	Photograph	129	
23	Photograph	129	217
24	Photograph	129	217
25	Photograph	129	
26	Photograph	129	
27	Photograph	129	
28	Photograph	129	
29	Photograph	129	
30	Photograph	129	
31	Photograph	129	282
32	Photograph	129	215

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
33	Photograph	129	
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35	Photograph	129	
36	Photograph	129	
37	Photograph	129	
38	Photograph	129	
39	Photograph	129	
40	Photograph	129	
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42	Photograph	129	
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64	Photograph	129	
65	Photograph	129	
66	Photograph	129	
67	Photograph	129	
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(Court's Exhibits)

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
1	Note		

All Exhibits were retained by the Clerk of Court for Richland County.

P R O C E E D I N G S

Tuesday, February 16, 2016

THE COURT: All right. We're on the record in 2014-GS-40-2072, the State of South Carolina vs. Holly Jo Thompson. The State is present represented by Luck Campbell, Meghan Walker and Laura Gregg, and the Defendant --

Are you Ms. Thompson?

THE DEFENDANT: Yes, sir.

THE COURT: Hey, how are you?

THE DEFENDANT: I'm fine. How are you?

THE COURT: Good, good. Have a seat. Thank you very much.

She is present represented by Bobby Bank, Alicia Goode and Rhodes Bailey of the public defender's office.

Do we need to talk about the plea offer and make sure that's on the record before we go forward?

MS. CAMPBELL: Yes, Your Honor.

THE COURT: So she's charged with one count of murder?

MS. CAMPBELL: Yes, Your Honor.

THE COURT: All right. And what was the plea offer?

MS. CAMPBELL: We offered to let her plead to the lesser included of voluntary manslaughter for a 15 to 25 year range within your discretion and that was rejected.

1 THE COURT: All right. Ms. Thompson, stand up.
2 Raise your right hand.

3 HOLLY JO THOMPSON, after being
4 duly sworn, testified as follows:

5 THE COURT: Okay. Now, listen, I don't know anything
6 about your case, okay. I've never seen you. I've never
7 done one of your hearings. I don't remember you. I
8 literally know nothing about your case at all, okay, so
9 I'm not trying to coerce you into doing anything or talk
10 you into doing anything. That's not the purpose of this.
11 The purpose is for me to make sure that you understand
12 what the plea offer is that you're rejecting, okay?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Okay. So you're charged with murder, do
15 you understand that.

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Do you understand that the mandatory
18 minimum sentence you could receive if convicted on murder
19 would be 30 years day for day?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: All right. You understand that the
22 maximum you could receive if convicted after trial would
23 be life without the possibility of parole. Do you
24 understand that?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: How far did you go in school?

2 THE DEFENDANT: I have my GED, sir.

3 THE COURT: Okay. Are you under the influence of any
4 alcohol or drugs right now?

5 THE DEFENDANT: No, sir.

6 THE COURT: Have you ever been treated for any mental
7 health issues?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Okay. Do you understand what's going on
10 here today?

11 THE DEFENDANT: Yes, sir, I do.

12 THE COURT: Are you on any medication for mental
13 health?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Have you taken that correctly?

16 THE DEFENDANT: Yes.

17 THE COURT: Have you understood your conversations
18 with your attorneys?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Has, at least, one of your attorneys
21 relayed the State's plea offer to you?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Okay. So the plea offer is that you
24 plead to a lesser charge, that is voluntary manslaughter,
25 for a range of 15 to 25 years. That would be no parole

1 time. That means you would serve, at least, 85 percent of
2 it before you could even be eligible to be released. It
3 would be deemed a violent offense.. It would be deemed a
4 most serious answers. And upon your release from
5 incarceration, you would be released on what is known as
6 the community supervision program and could be monitored
7 for two years, and you would have a strike against you and
8 were you to receive one more strike in your life, you
9 would be at mandatory life without parole. Do you
10 understand all that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Okay. Now, I know you don't know me.
13 This is the way I work. So if they negotiate a range of
14 15 to 25 for you, I -- I know you don't know me and you
15 have no reason to trust me, but I'm telling you from human
16 being to human being, there would be no chance, even
17 though I could give you more than 25 years, that I would
18 give you more than 25 years based upon that range. Do you
19 understand that?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: I don't think it's fair for people that
22 have recommendations of ranges to go out higher than what
23 the expected number is, okay?

24 THE DEFENDANT: Okay.

25 THE COURT: I don't have to tell you that. The law

1 as the plea stands wouldn't make me required to do that.
2 I'm just telling you that from person to person that I
3 wouldn't give you any more than that based upon the
4 negotiations in the case. Does that make sense?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Do you believe you understand what the
7 plea offer is?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: When does the plea offer expire?

10 MS. CAMPBELL: I guess now would be a good time, Your
11 Honor.

12 THE COURT: Okay. If you're going to make a decision
13 to plead, you need to make it --

14 Before the end of the day?

15 MS. CAMPBELL: Yes, Your Honor.

16 THE COURT: Okay. Before the end of the day. Do you
17 understand?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: All right. Thank you very much.

20 Okay. All right. Anything we need to take up before
21 jury selection?

22 MS. CAMPBELL: Yes, Your Honor, just a few things.

23 THE COURT: Okay.

24 MS. CAMPBELL: There was a scrivener's error on the
25 indictment as far as the date. It says the 29th. It

1 should be on or about the 24th.

2 THE COURT: Okay.

3 MR. BANK: There's no objection from the Defense.

4 THE COURT: Okay. I'm going to amend the indictment
5 without objection to January 24, 2014.

6 All right. Next?

7 MS. CAMPBELL: Your Honor, in qualifications this
8 morning, one woman was asked to come up on Ms. Bellamy.

9 THE COURT: Ms. Bellamy.

10 MS. CAMPBELL: Ms. Bellamy. I don't know if she's on
11 the list.

12 THE COURT: Spell the last name for me.

13 MS. WALKER: She denied having a prior record. It
14 would disqualify her.

15 THE COURT: Is it Bellamy, like B-E-L-L-A-M-Y?

16 MR. BAILEY: Lisa Bellamy, Juror No. 21?

17 MS. CAMPBELL: Yes.

18 THE COURT: Spell her last name, please, Mr. Bailey.

19 MR. BAILEY: B-E-L-L-A-M-Y.

20 THE COURT: She's not in your panel.

21 MS. CAMPBELL: Okay. Never mind.

22 THE COURT: Anything else from the State?

23 MS. CAMPBELL: Not before jury selection.

24 THE COURT: Okay. All right.

25 Mr. Bank?

1 MR. BANK: Thank you, Your Honor. May it please the
2 Court. We have several housekeeping things. The only
3 thing that needs to be heard before jury selection is I
4 think the typical situation that the Court is aware of or
5 that a lot of judges here are aware of that the
6 solicitor's office runs rap sheets of the entire jury
7 potential panel. Those rap sheets are provided to the
8 qualifying judge, to the clerk of court. They obviously
9 retain a copy. We never received a copy.

10 We're asking for the Court to order them to have one
11 or to give us one. We don't necessarily need the rap
12 sheets of every single person, but if we could, at least,
13 have the information of who has been convicted of crimes
14 that don't exclude the jurors. It begins to be an issue
15 in Batson issues when we don't know why they're excluding
16 someone until later.

17 Again, in all fairness, it doesn't seem fair that
18 everybody in the courtroom has a copy of this information
19 except the Defendant. So we just ask for that information
20 to be provided for people who do, in fact, have some type
21 of conviction.

22 MS. CAMPBELL: State vs. Childs, Your Honor, State
23 vs. Casey, I believe addresses this issue.

24 THE COURT: I assume it says you don't have to give
25 that over to them?

1 MS. CAMPBELL: That would be correct, Your Honor.

2 THE COURT: Don't ever say fundamental fairness.

3 It's not right in the bar exam, it's not right in here.

4 You can look it up if you want to. Denied.

5 Let's go to Defendant's voir dire.

6 MS. CAMPBELL: Your Honor, the only thing we would

7 ask is to make reciprocal number two and add in the

8 Innocence Project --

9 THE COURT: I'm asking that.

10 MS. CAMPBELL: And then prisoners rights, number

11 three.

12 THE COURT: Yes, ma'am, I'm asking that.

13 MS. CAMPBELL: We have no other problems.

14 THE COURT: On number four and number five, do you

15 want to do reciprocal -- or does it say accused?

16 MS. CAMPBELL: Five, I believe -- did I misread that?

17 THE COURT: Yeah, five says accused. That's fine.

18 You're okay with the prostitution question and the drugs

19 question?

20 MS. CAMPBELL: Yes.

21 THE COURT: All right. Bring up the panel.

22 MS. CAMPBELL: Yes, Your Honor.

23 (Pause.)

24 MS. WALKER: Your Honor, can we add one name to the

25 witness list?

1 I'm going to ask a couple more questions, and that's going
2 to cause people to form a line. When that line forms, you
3 just get in it.

4 PROSPECTIVE JUROR: Okay.

5 THE COURT: Thank you very much. You can sit down.
6 Okay. Anybody else on the drug question?

7 (There was no response.)

8 THE COURT: Okay. Now, the next questions that I'm
9 going to ask you, I'm going to ask them together, and I
10 want you to listen. I'm trying to ask one major question,
11 so just listen to it closely.

12 So has any member of the jury panel or any member of
13 your family ever been a victim of a violent crime,
14 including, but not limited to murder?

15 Okay. So does anybody have a connection to a murder
16 case essentially? Or somebody that was --

17 Just stay seated.

18 PROSPECTIVE JUROR: Okay.

19 THE COURT: Somebody that was close to you was a
20 victim of or a defendant or accused of some type of
21 violent crime? Okay. So that question is what I call
22 reciprocal. So one side of the question is do you have
23 any connection to somebody that has been the victim of a
24 violent crime? This could be you, could be a family
25 member, could be a very close personal friend. I don't

1 mean like the person that sits down the hall from you at
2 the office that you talk once a year to, I mean somebody
3 that you really know, okay. A victim of or accused of or
4 charged with, actually arrested -- not even arrested, but
5 just accused of or arrested or charged with or convicted
6 of a violent crime?

7 Okay. So I'm kind of asking one question both ways.
8 So, basically, if you have any connection to a violent
9 crime at all, okay. On either side of the case, I want
10 you to form a line right here where Mr. Tolbert is, okay.

11 My gentleman on the drug question, if you will get in
12 that line, too.

13 THE COURT: All right. Let's do the doctor, first.
14 Come on up, Doc.

15 THE CLERK: No. 169, Fordyce Mason.

16 THE COURT: Come on over. Don't be shy. Come over
17 close. How are you doing?

18 PROSPECTIVE JUROR: Good. I was just held up in the
19 park one time, armed robbery. That's it. That's it.

20 THE COURT: Would that affect your ability to be fair
21 and impartial?

22 PROSPECTIVE JUROR: Not at all.

23 THE COURT: Are you willing to base your decision off
24 the evidence and the law?

25 PROSPECTIVE JUROR: Absolutely.

1 THE COURT: Thank you very much.

2 PROSPECTIVE JUROR: Thank you.

3 THE COURT: Next.

4 THE CLERK: No. 109, Rita Hammond.

5 THE COURT: Yes, ma'am?

6 PROSPECTIVE JUROR: A very close coworker of mine was
7 murdered last year.

8 THE COURT: Okay. Would that affect your ability to
9 be fair and impartial?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Are you willing to base your decision off
12 the evidence and the law?

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: Thank you.

15 Next?

16 THE CLERK: No. 208, Ronda Pratt.

17 THE COURT: Hi.

18 PROSPECTIVE JUROR: Hey. I had a nephew who was
19 killed, he was murdered. And I have one that was
20 convicted of murder.

21 THE COURT: Okay. So you have one on each side?

22 PROSPECTIVE JUROR: Uh-huh.

23 THE COURT: Would that affect your ability to be fair
24 and impartial?

25 PROSPECTIVE JUROR: No.

1 THE COURT: Are you willing to base your decision off
2 the evidence and the law?

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: Thank you.

5 THE CLERK: No. 278, Paula Vinson.

6 MS. WALKER: She said convicted of murder?

7 THE COURT: Nephew.

8 Ms. Vinson.

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Yes, ma'am.

11 PROSPECTIVE JUROR: My sister-in-law was a victim of
12 domestic violence. She was killed. And my nephew was a
13 victim. He was murdered.

14 THE COURT: All right. Would that affect your
15 ability to be fair and impartial?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Are you willing to base your decision off
18 the evidence and the law?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Thank you.

21 No. 79, Kimyaiah Eargle.

22 THE COURT: Hey.

23 PROSPECTIVE JUROR: How are you doing?

24 THE COURT: Good.

25 PROSPECTIVE JUROR: My mother was shot by her

1 boyfriend.

2 THE COURT: How long ago was that?

3 PROSPECTIVE JUROR: I was 17 years old.

4 THE COURT: Would that affect your ability to be fair
5 and impartial?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Are you willing to base your decision off
8 the evidence and the law?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Will you do so?

11 PROSPECTIVE JUROR: Yes.

12 THE CLERK: No. 143, Alfred Jones.

13 THE COURT: Yes, sir.

14 PROSPECTIVE JUROR: I'm a registered pharmacist.

15 THE COURT: Yes.

16 PROSPECTIVE JUROR: I've been robbed seven times. I
17 got broken into last Tuesday.

18 THE COURT: Okay.

19 PROSPECTIVE JUROR: They found the two guys, armed
20 robbery six times.

21 THE COURT: Does that affect your ability to be fair
22 and impartial?

23 PROSPECTIVE JUROR: I ain't got a lot of use for
24 them.

25 THE COURT: Just don't say anything else. I'll

1 excuse you.

2 PROSPECTIVE JUROR: Okay.

3 THE COURT: He's out. Everybody got that?

4 MS. WALKER: Yes, sir.

5 THE COURT: Okay.

6 THE CLERK: No. Eight, Lynda Bailey.

7 THE COURT: Hi.

8 PROSPECTIVE JUROR: My ex-husband of about 25
9 years -- he and his wife were both murdered in Lancaster
10 County.

11 THE COURT: How long ago was that?

12 PROSPECTIVE JUROR: Gosh, I don't even know.

13 THE COURT: More than 10 years?

14 PROSPECTIVE JUROR: Yeah.

15 THE COURT: Would that affect your ability to be fair
16 and impartial?

17 PROSPECTIVE JUROR: No.

18 THE COURT: Are you willing to base your decision off
19 the evidence and the law?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Thank you.

22 Next?

23 THE CLERK: No. 15, William Beasley.

24 THE COURT: Hey.

25 PROSPECTIVE JUROR: Hey. I just have a cousin, a

1 first cousin that was convicted for rape.

2 THE COURT: How long ago was that?

3 PROSPECTIVE JUROR: Ten years.

4 THE COURT: Would that affect your ability to be fair
5 and impartial?

6 PROSPECTIVE JUROR: Not at all.

7 THE COURT: Are you willing to base your decision off
8 the evidence and the law?

9 PROSPECTIVE JUROR: Yes, sir.

10 THE COURT: Will you do that?

11 PROSPECTIVE JUROR: Yes, I will.

12 THE CLERK: Number 97, Pamela George.

13 THE COURT: Hey.

14 PROSPECTIVE JUROR: My daughter has been beaten by a
15 boyfriend.

16 THE COURT: Okay. Would that affect your ability to
17 be fair and impartial?

18 PROSPECTIVE JUROR: No.

19 THE COURT: Are you willing to base your decision off
20 the evidence and the law?

21 PROSPECTIVE JUROR: Yes.

22 THE COURT: Will you do that?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Thank you.

25 All right. Does any member of the jury panel know of

1 any other reason whatsoever why you should not serve as a
2 juror in this case? What I have told you before is what
3 all the parties want and what I expect is 12 people to
4 come into this case with nobody to reward, nobody to
5 punish, to sit there impartially and fairly, make their
6 decision based upon the evidence and the law. Is there
7 anybody in the room other than those who have not already
8 told me that does not believe they can do that?

9 (There was no response.)

10 THE COURT: Thank you very much.

11 Any further questions from the State?

12 MS. CAMPBELL: None from the State, Your Honor.

13 THE COURT: From the Defense?

14 MR. BANK: None, Your Honor.

15 THE COURT: It's five and 10. We'll do two
16 alternates, strikes will be one and two on each.

17 This is how it's going to work, okay. In a moment,
18 the clerk is going to call your name. This is Ms. Pat
19 right down here. She's going to call your name. You're
20 going to come up to this microphone where Mr. Tolbert was
21 just standing. You're going to face that way, face out
22 towards the audience. The only thing you need to state is
23 your occupation. I did not get to hear your occupations
24 this morning, so I want to hear what your occupations are.
25 So if I came up, I would say my name is Robert Hood and

1 (Karen Newsome, a white female, came forward.)

2 PROSPECTIVE JUROR: Karen Newsome. I'm a pastor.

3 THE CLERK: What says the State?

4 MS. CAMPBELL: Please present the juror.

5 THE CLERK: Does the Defense challenge for cause?

6 MR. BANK: We do not.

7 THE CLERK: Please have a seat in the jury box.

8 THE COURT: All right. All right. Just to double
9 check. All right. As I call your number, raise your
10 hand, 136, 133, 8, 294, 130, 190, 237, 83, 152, 79, 23,
11 65, 127, 89?

12 Is that you, Ms. Newsome?

13 PROSPECTIVE JUROR: Actually, I'm 189.

14 THE COURT: Yes, ma'am. I may have written through
15 it. Okay. 189.

16 All right. Any exceptions to the selection process
17 from the State?

18 MS. CAMPBELL: Beg the Court's indulgence.

19 THE COURT: Okay.

20 (Pause.)

21 MS. CAMPBELL: We're good, Your Honor.

22 THE COURT: Defense?

23 MR. BANK: No objection, Your Honor.

24 THE COURT: Okay.

25 All right. Ladies and gentlemen, if you are seated

1 out in the audience, thank you very much for your
2 willingness to serve this week.

3 I probably will not see you again this week, so on
4 behalf of all the judges in the building, let me say thank
5 you for your service this week.

6 I hope your time here is educational and enjoyable.
7 You will not be on this jury, so you will be excused to
8 return back downstairs to the jury assembly room and
9 receive instruction from them.

10 Thank you very much.

11 (Whereupon, the unselected members of the jury
12 left the courtroom.)

13 THE COURT: Okay. All right. Y'all give me your
14 undivided attention for about the next 60 seconds. Then
15 what I'm going to do is release you back to the jury room
16 that you'll be using this week. I need to discuss some
17 timing issues with the attorneys, how much different
18 things do I need to take up and how far do they want to
19 make it today. As soon as I finish that, we'll get a
20 message to you or get you back in here depending on that.

21 I'm going to tell you three things right now. Okay.
22 Number one, the alternates, ma'am and gentleman, you all
23 have to sit on the back row, so always sit on the back
24 row, okay.

25 Where is Mr. Estes? Mr. Estes, you're going to be

1 when she needs to take a break, I take a break, okay.

2 If the lawyers or the parties or the witnesses or
3 somebody is talking over each other, you will frequently
4 see me say time out, stop, everybody stop talking. Okay.
5 She can only take down one voice at a time. So in an
6 effort to make sure the record is as clean and as correct
7 as possible, you will hear me stop people from talking
8 throughout the trial to make sure that the record is
9 accurate.

10 So right now, I'm going to release you just back to
11 your jury room. I want you to get acquainted with each
12 other. You can talk about the basketball game tonight or
13 baseball starting this weekend or how was it 25 this
14 weekend and it's going to be 70 this weekend, whatever you
15 want to. Do not talk about the case in any way, shape, or
16 form.

17 We'll be back with you in just a few moments. Thank
18 you very much.

19 (Whereupon, the jury left the courtroom at 2:55
20 p.m.)

21 THE COURT: All right. How much do we have to take
22 up before we get started from the State?

23 MS. CAMPBELL: Your Honor, the only thing -- I think
24 there's no ID issues in this case. The only issue is
25 there was a statement taken from the Defendant. At this

1 time, we do not intend to use it. That may change after
2 opening or some other way, but we are at this point not
3 intending to offer it. It's something we could take up
4 now or later if we need to.

5 THE COURT: Okay. Is that it?

6 MS. CAMPBELL: The State would also have records we
7 need to settle prior to the witnesses taking the stand.

8 THE COURT: Are any of those testifying today?

9 MS. CAMPBELL: One might.

10 THE COURT: Okay.

11 MS. CAMPBELL: Mr. Middleton. He has nothing
12 impeachable.

13 THE COURT: Okay. Do they have a copy of his record?

14 MS. CAMPBELL: It's my understanding it was ran on
15 Friday.

16 MR. BANK: That's correct, Your Honor.

17 THE COURT: And do you know of anything impeachable
18 on Mr. Middleton or do you want to argue anything?

19 MR. BANK: No, sir, not at this time.

20 THE COURT: All right. From the Defense, what do we
21 need to take up?

22 MR. BANK: Just the standard motion to sequester
23 witnesses.

24 THE COURT: Okay. And that will be reciprocal. I
25 don't know who these people are, so.

1 MS. CAMPBELL: Are you doing it for lay witnesses or
2 for everyone?

3 MR. BANK: For everybody, Your Honor.

4 THE COURT: Everybody, but the lead investigator is
5 out or experts. I don't know who these people are so
6 you'll have to tell me. Okay.

7 MS. CAMPBELL: Your Honor, Ms. Solomon is in the
8 courtroom. She is the daughter of the victim in the case.
9 I believe she can stay in regardless.

10 THE COURT: She can.

11 MS. CAMPBELL: In addition to that, Mr. Middleton
12 would be one of our first witnesses and our lead
13 investigator is Mr. Johnson. That would be it.

14 THE COURT: Okay. Next?

15 MS. CAMPBELL: Of course, there is an exception for
16 experts.

17 THE COURT: Right.

18 MS. CAMPBELL: Yes, sir.

19 THE COURT: Next?

20 MR. BANK: Oh, yes, sir. The second motion we have
21 is just a renewal of Rule 5, Riddle. My understanding is
22 the State has provided us with everything for that. I
23 have no reason to doubt that. We just want to put on the
24 record that we are asking the State if there is anything
25 else at this time.

1 THE COURT: Ms. Campbell?

2 MS. CAMPBELL: We've met a number of times to ensure
3 that they have everything.

4 THE COURT: Great.

5 MR. BANK: And finally, Your Honor, I think that
6 there may be some issues with some autopsy pictures. I've
7 already spoken with the State. We're planning on meeting
8 either tonight or tomorrow morning to see if we can
9 resolve that on our own. I don't know that you would be
10 comfortable ruling on it this early anyway.

11 THE COURT: Okay. No one is going to be flashing
12 them in opening statements, are they?

13 MS. CAMPBELL: No.

14 THE COURT: We'll deal with that as we get closer to
15 it and as I learn a little bit more about the case.

16 MR. BANK: Yes, sir. That's everything from the
17 Defense.

18 THE COURT: All right. How many witnesses do you
19 want to try to get through today?

20 MS. CAMPBELL: I have my first two witnesses here,
21 Your Honor. I didn't get any more than that because I
22 didn't think we would get any further.

23 THE COURT: You forgot how fast I was?

24 MS. CAMPBELL: Yes, obviously.

25 THE COURT: We can do openings and two witnesses,

1 will that suit you?

2 MR. BANK: Okay. That's fine.

3 THE COURT: All right. Let's take -- we've been in
4 here for a little while now. Let's take 15, 20 minutes.
5 Everybody gather your thoughts, get yourselves together
6 and we'll come back in.

7 MR. BANK: Thank you.

8 THE COURT: Mr. Tolbert, will you tell them we'll be
9 with them in about 20 minutes, and we'll be ready to go.

10 THE BAILIFF: All right.

11 (WHEREUPON, a short break was taken.)

12 THE COURT: Anything from the State?

13 MS. CAMPBELL: No, Your Honor.

14 THE COURT: From the Defense?

15 MR. BANK: No.

16 THE COURT: Okay. Bring them in.

17 (Whereupon, the jury entered the courtroom at
18 3:21 p.m.)

19 THE BAILIFF: The jury is seated, Your Honor.

20 THE COURT: All right. Welcome back, ladies and
21 gentlemen. The first thing that we're going to do in this
22 trial is you're going to be sworn in. I know you've
23 already taken a couple of oaths today. This will be the
24 third oath that you take today. And this is an oath to
25 try this case fairly and impartially. Please listen

1 as necessary. It will also be your duty to write the
2 verdict, but I'll explain that to you at a later time.

3 One thing I forgot to tell you earlier today that I
4 normally do tell my juries is kind of my schedule for the
5 week. I like to stop somewhere between 5:00 and 5:30 at
6 the end of each day. That means if we're at 5:00 o'clock
7 and the next witness is long, I'll go ahead and stop. If
8 we're at 5:00 o'clock and the next witness is short or
9 they don't expect it to be very long, I'll go ahead and
10 finish it up to push through. We usually start each day
11 at 9:30. We take a morning break, we take an afternoon
12 break, and we take a lunch break.

13 So for your planning purposes this week, that will be
14 the general schedule that we'll follow. If we go into
15 something else where it would involve staying later at
16 night, I'll give you as much warning as I can. That
17 usually doesn't come until the end of the trial.

18 Any exceptions to the charge from the State?

19 MS. CAMPBELL: Nothing from the State, Your Honor.

20 THE COURT: From the Defense?

21 MR. BANK: Nothing from the Defense, Your Honor.

22 THE COURT: Thank you very much. Who is making
23 opening statements?

24 Ms. Gregg, the floor is yours.

25 MS. GREGG: Thank you, Your Honor.

Opening Statement by Ms. Gregg

MS. GREGG: On a cold night in January 2014, Holly Jo Thompson, the Defendant in this case, committed murder. She beat James Solomon, a 71-year-old man, to the point of death in his own home. Using a glass vase as her weapon, she hit him over and over again in his face, his head and his body. She walked out with a few scratches. He was left to die from his injuries, and he took his last breath in his living room.

Ladies and gentlemen, my name is Laura Gregg, and along with Luck Campbell and Meghan Walker, we represent the State of South Carolina. It's our job to prosecute criminals and seek justice for the victims of crimes, and that's exactly what we're here to do today.

The Defendant is charged with murder, and that's defined as the unlawful killing of a human with malice aforethought, whether that malice is expressed or implied.

Now, the State must prove the Defendant murdered James beyond a reasonable doubt. Now, that doesn't mean we have to prove that beyond all doubt. It's just a doubt that leaves you firmly convinced of her guilt. And that's a burden the State accepts because we'll be able to do just that. The evidence will show that James and the Defendant were together at his house on the night of January 24, 2014.

Now, I'm not going to stand up here and act like they

1 were at a Bible study. You're going to hear some evidence
2 that there was some drug use that night, but I want you to
3 remember that just because James used drugs doesn't mean he
4 deserved to be murdered in his own home.

5 When a man is brutally beaten and killed in his own
6 home, justice is needed, and that's what I ask you to give
7 him and his family members today and this week is justice.

8 As you listen to the evidence, you're going to realize
9 this isn't a whodunit. Two people will testify for the
10 State that the Defendant was with James that night.

11 Most importantly, you're going to hear from
12 investigators who analyzed the crime scene and they're going
13 to tell you that the Defendant's bloody palm print was found
14 on the murder weapon, the glass vase she used to beat him.

15 What's also important is that the Defendant admitted in
16 a conversation that she got into a fight with James.

17 Now, when I imagine a fight, I picture both parties
18 walking away at the end of it with some injuries because
19 both parties got some punches in. That's not what you're
20 going to hear. That's not what the evidence is going to
21 show.

22 What the evidence will show is that this was an attack,
23 that the Defendant attacked James Solomon, and she brutally
24 bludgeoned him to death because James ended up dying
25 bleeding out from his injuries. That's how he died. The

1 Defendant walked away with a couple of scratches. That's
2 not a fight. That's an attack. And investigators will
3 testify his body was found in his home, his living room, and
4 it had been there a couple of days.

5 Now, the Defendant never called 911, and she didn't
6 talk to police until they came knocking at her door. Now,
7 the police were there, and they asked her some questions
8 about James' death, and they were asking about the
9 whereabouts of some possible witnesses. At that time, she
10 didn't say anything about a fight or even that she was with
11 James. But after the police found her bloody palm print and
12 after she was arrested, she had a conversation with a
13 relative, and she did admit to being in a fight.

14 You know, how the old saying goes, there's always two
15 sides to a story. You'll never get to hear James' side of
16 the story. The Defendant made sure you will never get to
17 hear his story about what happened the night he was murdered
18 because his story died with him, but the forensic evidence
19 lives on. That evidence will tell you what James no longer
20 can.

21 You'll get to see photos taken by crime scene analysts.
22 And those photos will include pictures of the crime scene
23 and they'll show you that blood was spattered on the walls
24 of his home. They'll show you that blood was on the floor,
25 and he was found lying in a pool of blood. That's going to

1 show you just how violent this attack was.

2 You'll also hear testimony from the doctor who
3 performed his autopsy. She's going to testify about all the
4 injuries he sustained that night to the face, to the back of
5 the head and to the body. It's going to show you just how
6 brutal a crime this was.

7 The evidence you'll hear will convince you that this
8 wasn't a fight. This was a cold-blooded attack by the
9 Defendant, and it ended with his murder.

10 Ladies and gentlemen, this week I'll prove -- we'll
11 prove to you the events I talked to you about. And at the
12 end of this trial, we'll come back in front of you, and
13 we'll ask you to hold the Defendant responsible for her
14 vicious crime. Not only that, but to give justice to James
15 Solomon and his family. We are going to ask you to find her
16 guilty of murder. And after hearing the evidence, I'm
17 confident you'll be able to do just that. Thank you.

18 THE COURT: Thank you, Ms. Gregg.

19 Ms. Goode.

20 MS. GOODE: Thank you, Your Honor. May it please the
21 Court?

22 THE COURT: Yes, ma'am.

23 Opening Statement by Ms. Goode

24 MS. GOODE: I'm going to kill you. These are the
25 last words that Holly Jo Thompson heard as she ran in a

1 panic from the house of James Solomon. She runs out
2 barely clothed, battered and with tears in her eyes.

3 Ladies and gentlemen, my name is Alicia Goode and
4 along with Mr. Bank and Rhodes Bailey, we proudly
5 represent Holly Jo Thompson in this case.

6 Holly Thompson is not guilty of murder. She acted in
7 self-defense. She did what she had to do that night to
8 survive.

9 January 24th, 2014 starts out as any other night for
10 Holly. It's a Friday night. It's cold. It's wet. She
11 gets a message around 7:00 o'clock that night that
12 Mr. Solomon wants her to stop by, wants her to come by his
13 trailer.

14 She has known Mr. Solomon for just shy of a year at
15 this point. They'd spent quite a few times together,
16 roughly two or three times a week. She knows Mr. Solomon
17 as the Grill Man. He lives just down the road from her on
18 Lower Richland Boulevard from the house that she's staying
19 in at the time. It's a single-wide trailer, lives there
20 by himself. He works right there in his backyard, makes
21 these massive cookers, cookers so big that you can cook an
22 entire hog on. He makes these cookers, these steel
23 cookers, 71 years old with his bare hands.

24 He's welding this metal, he's stretching this metal,
25 he's bending this metal into massive cookers. Cookers so

1 big, they have to be hauled out from his property behind a
2 truck. They have big wheels. They're on trailers.
3 They're big cookers.

4 Mr. Solomon sends a message for Holley, come over.
5 So Holly finds herself making that familiar trip walking
6 down Lower Richland Boulevard to Mr. Solomon's trailer.
7 Holly knows what's to be expected when she arrives. They
8 have an arrangement, these two, an arrangement that's been
9 in place pretty much since they met each other about a
10 year ago. She gives him sex. He gives her drugs. She's
11 a prostitute. He's a john.

12 So going to his house this Friday night,
13 January 24th, 2014 would be no different. They would have
14 this arrangement. This would be what would happen.

15 She gets to Mr. Solomon's house. She walks up to the
16 front doors, knocks. He comes to the door, lets her in,
17 pleasantries exchanged. She gets there about 7:30. She
18 goes right into the living room, has a seat on the couch.
19 They sit and talk.

20 Now that Holly is there, Mr. Solomon needs some
21 drugs, makes a phone call. Within about 20 minutes, he
22 has some guy delivering about \$40 worth of crack to the
23 front door. That's the deal, right? She gives him sex.
24 He provides the drugs. She's a prostitute. He's a john.

25 So in the living room, Mr. Solomon and Holly, they

1 begin smoking crack. Everything is fine. Now, it's time
2 for Holly to hold up her end of the deal. It's time for
3 her to give sex because he's giving the drugs while she
4 gives the sex.

5 Unfortunately, on this night for some reason,
6 Mr. Solomon has trouble sexually performing. He is unable
7 to achieve an erection. Holly tries to help him. She
8 tries to encourage him. She tries to relax him, let him
9 know it's okay, but nothing happens.

10 So they go back to smoking crack, that \$40 they had,
11 \$40 worth is gone. Mr. Solomon makes another phone call,
12 has another \$40 worth of crack delivered to the house.

13 That's around 9:30, so we're about two hours in at
14 this point. So he and Holly start smoking that crack
15 again sitting on the couch in his living room, and she
16 tries again to help Mr. Solomon, to encourage him, to help
17 him, to relax him, but the situation is making him angry.
18 He still can't sexually perform. He still can't get an
19 erection. That's the whole point of this arrangement with
20 Holly. She provides the sex. He provides the drugs.
21 That's their arrangement.

22 She tries switching it up, going to the bedroom,
23 maybe a change of scenery will help. Still nothing.
24 Frustration is setting in. Mr. Solomon and Holly go back
25 out to the living room. They smoke more crack.

1 As Mr. Solomon brings the crack pipe away from his
2 face, he starts yelling at Holly accusing her of stealing
3 his crack. "I know you stole my drugs."

4 At this point, Holly thinks to herself, "That's my
5 cue. It's time to go. The night is over." She quickly
6 tries to gather her things up, and that's when it happens.

7 Holly sees Mr. Solomon swinging a knife at her, the
8 knife he had just used to cut the crack that they were
9 smoking all the while accusing her of stealing his crack.
10 He's threatening her. He is coming at her. He's got a
11 knife. She notices her arm. It's cut. It's hurt. She's
12 trying to convince him any way that she can. "I didn't
13 take your crack." She asked him to please put the knife
14 down. She is pleading with him, but he won't stop. He
15 won't quit yelling at her, and he won't quit accusing her.

16 He is coming towards her, 191 pounds. Holly weighing
17 all of 130 pounds -- 35 pounds at this point. He is big
18 and he's burly and he's strong with a knife in his hand.
19 Holly has got to save herself. She has to make it out of
20 there. She has to make him stop. Her survival instincts
21 kick in. She grabs a vase sitting nearby on a piece of
22 furniture.

23 Mr. Solomon, he sees her pick this vase up. He
24 recognizes it. It's the vase he had been using throughout
25 the night as a bathroom, a man so paranoid to leave his

1 crack alone, he wouldn't walk down the hall in his own
2 house to use the bathroom. He would urinate in a vase
3 made for flowers.

4 The sight of Holly with this vase makes Mr. Solomon
5 back up, and she's able to breathe a sigh of relief.
6 Maybe there is enough room for her to safely get out of
7 there, get her things, but Mr. Solomon wasn't going to let
8 her leave. He's convinced Holly has stolen his drugs.
9 And no matter how many times she denies it or adamantly
10 pleads with him to listen, he will not let up.

11 She tries to grab her stuff. As soon as she does, he
12 comes at her with this knife. And in an instant with her
13 adrenaline pumping and her heart racing, Holly swings the
14 vase. With his urine"spilling out, she hits Mr. Solomon
15 in the face. "Maybe that's enough to stop him", she
16 thinks. "Maybe now I can get out of here. Maybe he won't
17 hurt me anymore," but no, he just keeps coming, swinging
18 the knife, threatening her.

19 At this point, he grabs Holly, slams her into a wall
20 in the hallway, into the cramped hallway in his trailer.
21 The exit was so close, but so far away.

22 Now, she's thinking, "How do I get out of this? How
23 do I survive this?" She remembers the vase. She's still
24 got it. She swings it, and she swings it again, and she
25 swings that vase until it breaks, until he's not coming at

1 her anymore, until she's safe. What felt like an eternity
2 lasted for a few seconds. It all happened so fast.

3 Holly quickly gathers her things. Mr. Solomon is
4 down. She feels like she can safely get out of there, and
5 she runs for her life to the front door, the nightmare
6 that is Mr. Solomon's trailer. He might be down, but he
7 was still yelling at her as she runs away threatening her,
8 screaming, "I know you stole my drugs. I'm going to kill
9 you when I get up."

10 And out into the cold, frigid January night, Holly
11 runs. She is frantically putting her clothes on, but she
12 doesn't stop running until she's far enough away from that
13 trailer before a sense of safety washes over her.

14 Holly knew that she had just fought for her life.
15 She had fought to survive. She made it out of there. But
16 what she didn't know was that later Mr. Solomon would die
17 because of that fight because of those injuries. When she
18 found out, she couldn't believe it. She didn't mean to
19 kill him. She only meant to make him stop. She only
20 meant to make him stop coming at her, to stop swinging the
21 knife at her, to stop attacking her.

22 Ladies and gentlemen, Holly Thompson is not guilty of
23 murder. She was in danger. She feared for her life. She
24 acted in self-defense.

25 At the end of the case after you have heard

1 everything, we ask that you have the courage to say "not
2 guilty".

3 THE COURT: Thank you, Ms. Goode.

4 MS. GOODE: You're welcome.

5 THE COURT: All right. You may call your first
6 witness.

7 MS. CAMPBELL: The State calls Mr. Odell Middleton.

8 THE COURT: All right. Mr. Middleton, please come
9 forward and be sworn.

10 ODELL MIDDLETON, after being duly
11 sworn, testified as follows:

12 THE CLERK: Thank you. Please have a seat in the
13 witness stand, and state your name for the record.

14 THE WITNESS: Odell Middleton.

15 DIRECT EXAMINATION

16 BY MS. CAMPBELL:

17 Q Mr. Middleton, where are you from?

18 A I'm from Hopkins, South Carolina.

19 Q How long have you lived in Hopkins, South Carolina?

20 A All my life. I just had a birthday, which was on the
21 11th of February. I'm 70 years old.

22 Q Seventy years old?

23 A Yes, ma'am.

24 Q You've been living there pretty much all your life?

25 A Yes, ma'am.

1 Q Did you know the victim in this case, Mr. Solomon?

2 A Yes, ma'am.

3 Q How did you know Mr. Solomon?

4 A Well, I met Solomon some years ago when I came from
5 Vietnam. Off of Atlas Road, a little place called The
6 Bottom, Lovers Lane, my wife and him is from the same
7 area. If I'm not mistaken, I think he was in school
8 during the time I was in school. He was in a much higher
9 grade than I was.

10 Q So he was a little bit older than you?

11 A Yes, ma'am.

12 Q And you met you said when you got back from Vietnam?

13 A Well, I got -- yeah, yeah, when I came back from
14 Vietnam. We were --

15 Q So you actually served your country?

16 A -- living in the same community, yes.

17 Q You actually served our country in Vietnam?

18 A Yes, ma'am.

19 Q In fact, how many years ago would that be?

20 A I was in Vietnam in '68 and '69. I came back in '69,
21 April of '69.

22 Q So it would have been sometime after 1969?

23 A Yes, ma'am.

24 Q And over the years, what kind of relationship did you
25 have with James Solomon?

1 A I had a close relationship with him. He built my
2 first barbecue grill.

3 Q He built your first barbecue grill?

4 A Yes, ma'am. In fact, he taught me how to do it. I
5 learned a lot from him. I took a little welding in high
6 school.

7 Q Uh-huh.

8 A But for doing that kind of work, he taught me a lot.
9 So I was able to catch on and start building my own.

10 Q What kind of grills were these we're talking about
11 that you and Mr. Solomon built for people?

12 A The ones that would be -- most of them are the ones
13 you pull behind your vehicles.

14 Q Uh-huh.

15 A You have them on trailers.

16 Q Yeah.

17 A He mostly built the little ones you put in the yard,
18 you know, out of 55-gallon barrels and these 300-gallon
19 barrels. That's the ones you put on the trailer.

20 Q Did you build some of those, too?

21 A Yes.

22 Q And did y'all sometimes help each other?

23 A Right, yes.

24 Q And typically, would y'all get paid for doing these
25 grills?

1 A Yes, yes.

2 Q And how much would a grill cost or was in it a range?

3 A Depends on, you know, what a person want on it. If
4 you put one on a trailer and cook like -- like you could
5 cook a whole hog on it, you're looking at anywhere from 15
6 to 16, \$1,700, or depends on what's on it.

7 Q And would you often get paid in cash for these?

8 A Yes.

9 Q I want to turn your attention back to that January
10 of 2014. When was the last time you actually saw James
11 Solomon alive, do you remember?

12 A It should have been that -- it should have been that
13 Monday or that Tuesday.

14 Q The Monday or Tuesday before he died?

15 A Yes.

16 Q And what had y'all been doing that day?

17 A Well, that day, I got him to go to Charlotte with me.
18 I had built some handicapped ramps. And I got him to go
19 up there with me to install them. And we went up there,
20 got back home about 9:30 that night, and that was the last
21 time I seen him.

22 Q And so he went with you to help you build some
23 handicapped ramps?

24 A Well, I had already built them. The only thing we
25 had to do was go up there and erect them.

1 Q So you actually installed them?

2 A Yes.

3 Q And were those made out of metal, too?

4 A Yes, wrought iron.

5 Q Typically, you work with metal?

6 A Yes.

7 Q At some point that weekend after you dropped him off
8 that Tuesday night or Monday night, whenever it was, did
9 you see him anymore through that weekend?

10 A No.

11 Q What were you doing that weekend?

12 A I normally would come by and check and see what he's
13 doing because I like to -- that kind of work and I like to
14 be around him when he's working because I learn something
15 from him.

16 That weekend, I had intended to get back over to him,
17 but I didn't. That Saturday, we had a family reunion
18 meeting at the library up here on Garner's Ferry, so I
19 didn't get over that Saturday.

20 Q Uh-huh.

21 A And that Sunday, we had friends and family day down
22 in Charleston. So me and my wife and the children went
23 down to Charleston. And we got back late, so I didn't get
24 a chance to see him that Sunday. So that Monday morning,
25 I had to go up to the VA to take my medicine scripts to

1 turn them in to order more medicine.

2 Q Your prescriptions?

3 A Yes.

4 Q To the VA?

5 A Yes.

6 Q And where is the VA located?

7 A On Garner's Ferry Highway.

8 Q Once you dropped those off, what, if anything, did
9 you do?

10 A It should have been around lunchtime. I stopped and
11 got me a hamburger or something. I went on over. When I
12 got over there, I pulled up in the yard.

13 Q And where were you when you got over where?

14 A On Lower Richland Boulevard at Solomon's house.

15 Q At Mr. Solomon's house?

16 A Yes.

17 Q What did you see when you pulled up right there at
18 the yard? What did you notice?

19 A I noticed the light was on the porch. And I got out
20 of my vehicle and knocked on the door. It was -- you
21 know, the door was locked. I called out his name, and I
22 didn't get an answer.

23 Q Which door were you at?

24 A That was the front door.

25 Q Was that the front door where the light was on?

1 A Yes.

2 Q And when you got there, you said you knocked, but you
3 couldn't get in?

4 A I twisted the door, but it was, you know, locked, and
5 I didn't try to go inside. I knocked and I called out his
6 name.

7 Q And you couldn't get in the front door because it was
8 locked?

9 A Yeah.

10 Q Okay. So you called out his name. What did you do
11 next?

12 A I started to get in the car, but I walked off the
13 porch and something just told me to go to the back of the
14 house because sometimes like I have went over there, and
15 he would be in the house on the sofa taking him a break
16 or, you know, taking him a little nap. Like I say, he was
17 a diabetic. And he would be taking a little break, you
18 know.

19 So as I walked in the back, he got a little fence
20 there, a little gate there and it was opened. And I seen
21 the welding machine sitting up there and his helmet and
22 everything. It looked like he was out there working. So
23 when I looked towards the porch, the back door was open,
24 you know.

25 I walked in the backyard and, you know, like I say,

1 it looked like he would have been out there working
2 because everything, his helmet, welding machine and stuff,
3 you know, the hammer, chipping hammer. So I goes into the
4 house, knocked on the side of the door, the back door is
5 open. The heater is blowing and heat is coming out.

6 You know, I smelled a little odor. And as I'm
7 knocking on the door, I started calling his name, I said,
8 Boo Boo, Boo Boo, I'm coming in.

9 Q And who is Boo Boo?

10 A That's James. I called him Boo Boo. And I walked up
11 on the porch, like I said, I smelled an odor. And as I
12 walked in the back door, I looked down the hallway. The
13 bedroom is down this way. And the -- I could see the
14 sheets there looked like it was tore up on the bed. There
15 was a rug in front of the door. It was all tangled up. I
16 turned and walked towards the living room, and it was a
17 rug up there. I kept knocking, Boo Boo, I'm coming in,
18 man.

19 Q Take your time, okay.

20 A And I looked out on the sofa -- because when you come
21 up the hallway, the sofa is here. And, you know, a lot of
22 time he be laying on the sofa and I didn't see him on the
23 sofa. And as I walked on up in the door, I saw him laying
24 down on his stomach.

25 I know he was a diabetic. I thought he had went into

1 a diabetic comma. And I touched him. I said Boo Boo, get
2 up. And when I touched him, his body kind of rolled a
3 little bit, and I knowed something was wrong. I saw the
4 blood behind his head there, and the bottle glass on the
5 floor.

6 Q Okay.

7 A And I ran out and called 911.

8 Q Let me back just a minute, okay. You said that when
9 you first walked up to the door, you could feel the heat
10 coming out?

11 A Yeah, the heater was on, and the heat was blowing out
12 off the porch.

13 Q Why do you remember the heat so much?

14 A Because I could smell an odor. I could smell the
15 body.

16 Q When you got in the house, was it hot?

17 A Yeah.

18 Q You mentioned that you saw in the hallway a rug or
19 something you said something about?

20 A It was a rug like leading to the bedroom, going down
21 the end where the bedroom was at. It was tangled up and
22 kicked up. And you could see in the bedroom there, the
23 sheets and stuff was tore up on the bed. It was another
24 rug just before you get into the living room where he was
25 lying. It was all kicked up.

1 Q Did you see any glass or anything like that?

2 A Yeah, there was some bottle glass down by his head.

3 Q And what room was he in when you found him?

4 A It was in the front living room. He was in the front
5 living room laying against the -- like this thing right
6 here would lead into the living room.

7 Q Uh-huh.

8 A And you can't see him until you get past the corner.
9 His feet were here towards the window.

10 Q And then you ran out?

11 A Yeah.

12 Q And you called 911?

13 A Yes. After I touched him, he just rolled. Like the
14 body kind of shook when I touched him. He was swollen.

15 Q And then you noticed the blood?

16 A Huh?

17 Q And you said you noticed the blood?

18 A Yeah, the blood was up by his head. I seen it.

19 Q All right. And when you said you ran out of the
20 house, who did you call?

21 A 911.

22 Q Did you stay there?

23 A Yes. They tried to ask me where I was located, where
24 the address was at. I told them I didn't know. So I ran
25 out to the mailbox out there. There wasn't nothing on the

1 mailbox. It seems like she was getting a signal or
2 something that I was somewhere on -- I can't remember the
3 street, but it was Lower Richland and something road Neil.
4 She asked me for a little street sign, but I can't
5 remember the name of it that she asked me. You seem like
6 you located in that area. So she said, I'll have someone
7 there in a little bit.

8 Q Did the police come?

9 A Yeah.

10 Q Did EMS come?

11 A Yeah, and a fire truck.

12 Q And a fire truck?

13 A Yeah.

14 Q Did you go back in the house after you came out?

15 A No. I didn't go there for that. I went there to see
16 him.

17 Q And when you found him, you didn't know how long he
18 had been there?

19 A No.

20 Q But you could --

21 A But I could tell he had been there for a while
22 because -- I was in Vietnam and I could tell that he had
23 been there for a while. Like I said, I could smell the
24 stench coming out of the house.

25 Q You mentioned that Mr. Solomon had diabetes?

1 A Yes.

2 Q Did he have any other issues?

3 A Yeah.

4 Q As far as his health?

5 A One of his eyes, he couldn't see out of that left --
6 I think it was the left eye. He had no vision in that
7 left eye.

8 MS. CAMPBELL: Thank you, sir. I don't have anything
9 further.

10 THE COURT: Cross?

11 MR. BANK: Thank you, Your Honor.

12 CROSS-EXAMINATION

13 BY MR. BANK:

14 Q Mr. Middleton, how are you doing today?

15 A I'm okay.

16 Q We've never spoken before, have we, sir?

17 A Not that I know. Someone called me the other day,
18 and I told them I was talking to the prosecutor.

19 Q And that's all, right?

20 A Yeah.

21 Q I just want to summarize a couple quick points, okay?
22 Was Mr. Solomon's house, was that the Leesburg area, right
23 off of Leesburg Road?

24 A No. It's on Lower Richland Boulevard. Lower
25 Richland runs into Leesburg.

1 Q Runs into Leesburg. So right in that area; is that
2 right?

3 A Yeah.

4 Q Now, the day you got there was a Monday; is that
5 right, sir?

6 A Yeah.

7 Q And you said from your experience in Vietnam that you
8 could tell from an unfortunate odor that he had been there
9 for a while; is that right?

10 A Yeah.

11 Q But you don't know how long?

12 A No.

13 Q And the back door was open?

14 A Yeah.

15 Q So it was already a little bit ajar; is that right?

16 A Yeah.

17 Q Was it wide open or was it just ajar?

18 A It was -- had a good crack in it. It was wide
19 enough, you know, for me to get in without opening it.

20 Q I understand.

21 A So it was already opened.

22 Q Okay. Was it -- what I guess I'm asking, was it all
23 the way open? Was it swung as far into the house as it
24 could be?

25 A No, no.

1 Q And you noticed the temperature; is that right, sir?

2 A Yeah.

3 Q Was that coming from the heating unit in the house?

4 A Yeah, the furnace was running.

5 Q And you noticed a scrunched up rug?

6 A Yeah, it was two of them. One down the hallway where
7 the bedroom was at and another one just beyond the living
8 room, just before you get to the living room.

9 Q Okay. Did you have any idea whether there was a
10 struggle or not? Did it look like there had been a
11 struggle on the rugs?

12 A Well, they were kicked up. I don't know what had
13 happened.

14 Q I understand. And then you called 911, correct?

15 A Yeah. After I shook him and he didn't respond, yeah.

16 Q All right. Now, you were a friend of Mr. Solomon's;
17 is that right?

18 A Yes.

19 Q And you mentioned on direct that he worked with
20 welding, with these metal grills; is that right?

21 A Yeah.

22 Q Were you aware of him having some nickname other than
23 BoBo?

24 A Boo Boo.

25 Q Boo Boo, excuse me. I'm sorry, sir. Were you aware

1 of him having some other nickname besides Boo Boo that
2 some people called him by?

3 A Not that I know of.

4 Q Okay. In your experience with him, did you ever see
5 him using alcohol or drugs?

6 A I saw him smoke some beer -- I mean, drink some beer,
7 smoke a little reefer. Other than that, that's about it.

8 Q And have you seen him spending time with females?

9 A He had one girlfriend that I knew personally because
10 I met her up on Atlas Road.

11 Q Anybody else?

12 A No. I had been by the house on one occasion, and as
13 I pulled up in the yard, he came out on the porch and told
14 me he had company.

15 Q Okay.

16 A And I could see from looking in the glass door, it
17 was a Caucasian, but I couldn't make her out, so I don't
18 -- you know, I don't know who it was.

19 Q He didn't introduce you to her?

20 A No, he just told me he had company, and I left.

21 Q Now, you said when you were walking from the backyard
22 before you got to the house, that there was some welding
23 equipment; is that right?

24 A Welding machine, the helmet and a little chipping
25 hammer, stuff like that.

1 Q Are you pretty familiar with how his back work space
2 is set up?

3 A Pretty much.

4 Q Did it appear that any major equipment was missing or
5 anything of that nature?

6 A Not that I could notice, no. I didn't pay attention
7 to that. It just looked like he had been out there
8 working, so...

9 Q It looked like he had been out there working, you
10 said?

11 A Yeah.

12 MR. BANK: Okay. So thank you for coming here today.

13 I don't have any further questions.

14 MS. CAMPBELL: Nothing further, Your Honor.

15 THE COURT: Thank you very much.

16 Have a nice day.

17 You may call your next witness.

18 MS. GREGG: Deputy Collins Harper.

19 COLLINS HARPER, after being duly
20 sworn, testified as follows:

21 THE CLERK: Thank you. Please have a seat in the
22 witness stand and state your full name for the record.

23 THE WITNESS: Collins Harper, Sr., deputy.

24 DIRECT EXAMINATION

25 BY MS. GREGG:

1 Q Deputy Harper, what's your occupation?

2 A I'm a deputy sheriff at the Richland County Sheriff's
3 Department.

4 Q How long have you been with the sheriff's department?

5 A A little over five years.

6 Q What are your present duties?

7 A I'm on the traffic safety unit at the sheriff's
8 department.

9 Q And in January 2014, what were your duties? Were
10 they the same?

11 A No, ma'am. I worked regional patrol in Regional I
12 area, which is like lower Richland.

13 Q And on January 27th, 2014, were you on duty?

14 A I was.

15 Q And were you dispatched to [REDACTED] Lower Richland
16 Boulevard?

17 A Yes, ma'am.

18 Q Is that in Richland County?

19 A It is.

20 Q And was that in response to a 911 call?

21 A It was.

22 Q Do you know who the caller was?

23 A We just -- it's usually pretty vague over the radio.

24 Q What was the call in reference to?

25 A A natural death.

1 Q And when you -- so you said a natural death?

2 A That's the -- the code that they put over the radio,
3 that's what it meant is a natural death.

4 Q Is that odd for you to get a call for a natural
5 death?

6 A We don't respond to natural deaths usually. It's
7 usually the coroner's office.

8 Q So when you arrived, who was on the scene?

9 A A fire unit and EMS were already on scene and I
10 believe some civilians.

11 Q Were you the only law enforcement officer there when
12 you arrived?

13 A I was the first one on the scene.

14 Q What did you do when you got there?

15 A I immediately cleared the residence through the back
16 door and then came out the front door.

17 Q Why did you use the back door?

18 A The back door was already opened.

19 Q Did you try to go through the front door?

20 A It was shut. And I usually -- to contain the crime
21 scene, if there's a door open, we try to use that one
22 door.

23 Q And you said the call was in reference to a natural
24 death. At what point did you realize this wasn't a
25 natural death?

1 A The way that the house was left, unsecured, the
2 carpet, the rug in the back.

3 Q Let's start when you entered through the back door,
4 just describe what you saw right when you walked in.

5 A It was very dark. I mean, it was in the middle of
6 the day. It wasn't late at night when we got on the
7 scene. The house was real dim and dark.

8 Immediately when we walked in the back door, there's
9 like a rug, like a -- I guess, a hallway rug. It was
10 bunched up from one side of the hallway.

11 Q Is that to your left or to your right when you walk
12 in?

13 A I believe it was to the left. I can't quite --

14 Q You can't be sure. So once you got inside, you
15 noticed the rug bunched up is what you said?

16 A Yes, ma'am.

17 Q All right. Where did you find James Solomon's body?

18 A When you walk in the back door, you take a left, go
19 down a short hallway, and you go into the living room.
20 There's couches and then there's -- I believe it was like
21 an entertainment system maybe or a dresser. He was lying
22 down, face down in the living room.

23 Q And can you describe the position the body was in?

24 A It was face down. He was just wearing boxers and I
25 think a t-shirt, one arm underneath him, I believe, and

1 that's it.

2 Q So you could see his back?

3 A I could see his back, yes, ma'am.

4 Q And you mentioned he was wearing -- did he have on a
5 shirt?

6 A From what I remember, it's just like a t-shirt and
7 like boxer briefs as well.

8 Q Was there any blood that you noticed?

9 A There was quite a large amount from what I could tell
10 on the parts of his body, like his head, his arms, his
11 legs.

12 Q So there was blood around his body?

13 A Around his head area from what I can remember.

14 Q Okay. And so I think you mentioned you cleared the
15 house. Why do y'all do that?

16 A We just want to make sure no one else is in there.
17 Once we cleared it and saw everything and made sure there
18 was no one else in the residence besides law enforcement
19 and the victim. It's just part of the way we work --
20 train.

21 Q So take me through you clearing the house. Once you
22 saw his body, where did you go from there?

23 A First off, we go to the known is what we call it. So
24 if there's a door that opens inwards, we're going to leave
25 that door blocking part of the hallway and go left. So

1 when we went in the back door, we went left first and
2 that's when we saw the victim. Cleared the kitchen, and
3 then came back through the hallway where the back door
4 was. That's heading towards the bedroom. And you could
5 see a little bit of blood. Then went into the bedroom,
6 there was a little bit more blood there into the bedroom.
7 We didn't see anyone else.

8 Q So you noticed blood. Blood in how many rooms?

9 A It was kind of all over.

10 Q Approximately?

11 A Like living room, hallway and bedroom.

12 Q Okay. And did you notice that -- where was the most
13 blood? You said the lighting was poor, so I don't want
14 to --

15 A The most blood I saw was on the victim.

16 Q I'm sorry?

17 A On the victim.

18 Q Okay.

19 A Around him.

20 Q And did you notice anything on the ground when you
21 were clearing the house?

22 A By the back door, there was glass.

23 Q There was glass?

24 A Yes, ma'am.

25 Q Can you describe the glass?

1 A I just remember there being shards of glass at the
2 back door near where that rug was all scrunched up and the
3 washer and the dryer.

4 Q Would that be in the hallway?

5 A Yes, 'ma'am.

6 Q How big were the shards of glass?

7 A I can't truly recall.

8 Q Big enough to notice?

9 A Big enough to notice, yes, ma'am.

10 Q Okay. When you went through the hallway and you got
11 to the bedroom, how was the lighting?

12 A It was very dark. There was like curtains and drapes
13 over the windows, so it was real dim. We had to use a
14 flashlight in there first.

15 Q And what did you notice about -- what were your
16 observations about the bedroom?

17 A It was messy. I mean, it didn't look like it had
18 just been -- the bedroom had just been set up or anything.
19 Stuff was moved around.

20 Q Was there blood in the bedroom?

21 A From what I can remember, there were blood drops,
22 along those lines, yes, ma'am.

23 Q Was there anything on the floor?

24 A I can't truly recall. I mean, I remember there being
25 blood drops leading from the bedroom to the living room,

1 so...

2 Q And the -- the only weapon -- I'm sorry, the only
3 thing that you found in the floor that looked suspicious,
4 you had said the glass shards?

5 A The glass shards, yes, ma'am.

6 Q And when you were inside the house when you were
7 clearing, did you touch anything?

8 A I don't touch anything. I just secure the scene.

9 Q Is that protocol?

10 A It is. The integrity of the crime scene.

11 Q And did you touch the body of the victim in this
12 case?

13 A No, ma'am.

14 Q Did you begin a crime scene log?

15 A Well, after we clear the house, we secure the crime
16 scene. The first thing we do is tape it up, set a
17 perimeter around it and create a crime scene log. It
18 basically notates who all's been in there and when.

19 Q Why do y'all do that?

20 A Integrity.

21 Q What does that mean, integrity?

22 A To properly document, make sure everything stays as
23 strong as possible. The evidence is secured and nothing
24 can be tampered with.

25 Q Did you speak to anyone on the scene?

1 A I did speak to the complainant, Mr. Middleton.

2 Q And did you speak with -- were there onlookers at
3 this point?

4 A There's a couple of houses around. Everyone wonders
5 what's going on when there's fire, EMS and a large law
6 enforcement presence, so.

7 Q Did you speak with any neighbors?

8 A I just spoke with the complainant and was making sure
9 everyone needed to be notified through my chain of
10 command.

11 Q Is there anything else you would like to tell the
12 jury at this time?

13 A No.

14 MS. GREGG: Beg the Court's indulgence.

15 (Pause.)

16 MS. GREGG: No further questions at this time.

17 THE COURT: Cross-examination?

18 MR. BAILEY: Thank you, Your Honor.

19 CROSS-EXAMINATION

20 BY MR. BAILEY:

21 Q Deputy Harper, how are you doing?

22 A Doing good. How about you, sir?

23 Q Very well. You don't have to call me, sir. We go
24 way back.

25 Deputy, you were the first on the scene on

1 January 27th, 2014; is that right?

2 A Yes, sir, first law enforcement.

3 Q I'm sorry, thank you. You were the first law
4 enforcement on the scene at [REDACTED] Lower Richland,
5 Mr. Solomon's residence?

6 A Yes, sir.

7 Q Okay. So the scene wasn't secured until you were
8 there; is that right?

9 A At a law enforcement perspective, it was not secured
10 until I got there.

11 Q So from a law enforcement perspective, it wasn't
12 secured until you got there?

13 A For what we thought, yes, sir.

14 Q Okay. So you arrived there, and you entered the
15 residence; is that right?

16 A Yes, sir.

17 Q Is it kind of like a trailer? Would you call it a
18 trailer?

19 A Modular home.

20 Q Okay. So you entered the modular home?

21 A Yes, sir.

22 Q And at some point, you entered the hallway; is that
23 right?

24 A When you go into the back door, it's immediately the
25 hallway.

1 Q Okay. So immediately upon entering this modular home
2 or entering this trailer, you're in the hallway?

3 A Yes, sir.

4 Q Okay. And in the hallway, you observed a hallway
5 rug; is that right?

6 A That's what I would call it, yes, sir.

7 Q And that hallway rug was bunched up?

8 A Appeared to be, yes, sir.

9 Q And there were pieces of glass, I believe you
10 testified?

11 A Yes, sir.

12 Q I think you said shards of glass?

13 A Yes.

14 Q So there were signs of a struggle right there in this
15 hallway?

16 A I guess you could infer that, yes, sir.

17 Q And it was a tight space? This is a tight little
18 hallway?

19 A It's not large.

20 Q Not large?

21 A Yes.

22 Q I'll take that. This was not a large hallway. Now,
23 there were knives found in the houses, too; is that right?

24 A I can't testify to that.

25 Q Deputy Collins, do you remember filling out a

1 supplemental report in which you said that you observed a
2 small knife in the house?

3 A In the bedroom, yes, sir. I do recall that, yes,
4 sir.

5 Q Okay. So do you remember observing any other knives,
6 too? It's okay if you don't remember.

7 A Reviewing my incident report from that time, a
8 screwdriver was also observed.

9 Q Well, would you be surprised to hear that there were
10 other -- there were multiple knives in this houses spread
11 around?

12 A It's a residence.

13 Q Okay. Would you -- but this knife you found, it was
14 not in a drawer; is that right?

15 A Could you repeat what you said? I'm sorry.

16 Q I'm sorry. The knife you saw, you didn't find it in
17 a drawer; is that correct?

18 A It was on the floor.

19 Q Okay. So it was on the floor?

20 A Yes, sir.

21 Q Okay.

22 MR. BAILEY: Beg the Court's indulgence just a
23 second, Your Honor.

24 (Pause.)

25 MR. BAILEY: Thank you very much, Deputy.

1 THE COURT: Redirect.

2 MS. GREGG: Just a couple questions, Your Honor.

3 REDIRECT EXAMINATION

4 BY MS. GREGG:

5 Q I just want to go over what was -- what you observed
6 in the bedroom?

7 A Certainly.

8 Q I believe you testified that there was a small knife
9 you found?

10 A From what I recall, it was like a real small, shorter
11 blade. It wasn't anything massive from what I can
12 remember.

13 Q And where was that?

14 A It was on the floor next to the bed from what I can
15 recall.

16 Q I'm sorry, on the floor next to the bed?

17 A Yes, sir -- yes, ma'am, I'm sorry.

18 Q And just going back to the bedroom itself, when you
19 walked in there, where was the blood you saw?

20 A I believe there was some spatter on the actual
21 bedsheets and then on the floor, so...

22 Q And how much?

23 A Enough for me to notice.

24 Q And was that just the blood on the bed? Was it
25 anywhere else in the room?

1 A I believe there was some on the floor and then
2 leading back towards the hallway as well.

3 Q So there was some on the floor in the bedroom and
4 then you noticed some more toward the hallway?

5 A Like heading back towards the hallway, some actually
6 on the bedsheets from what I can recall as well.

7 Q Okay. So you saw it in a couple of areas in the
8 bedroom?

9 A Yes, ma'am.

10 MS. GREGG: No further questions.

11 THE COURT: All right. Thank you. You can step
12 down.

13 THE WITNESS: Thank you.

14 THE COURT: All right. Ladies and gentlemen, we're
15 going to go ahead and stop there for the day. It's always
16 hard for the attorneys to gauge how many witnesses we'll
17 get to on the first day depending on what time we start
18 and how fast we'll make it through jury selection.
19 There's a million different factors that always go into
20 the first day of court for a week. We're going to go
21 ahead and stop here today and we're going to start
22 tomorrow morning at 9:30. The bailiffs will show you how
23 to come in, how to go out, what you're supposed to be
24 doing and what you're not supposed to be doing.

25 Let me take this opportunity to remind you that I've

1 told you in great detail that you must decide this case
2 based solely on the evidence that is presented in this
3 courtroom. Because we're about to take a break for
4 overnight, I'm now reminding you of that warning. I want
5 you to fully again commit to each other, to the parties
6 and to the Court that you're not going to use any type of
7 cell phone, smart phone, blackberry, any type of
8 electronic device or any other form of communication,
9 verbal or otherwise, to get or send information about this
10 case or discuss with it anyone in any way, shape, or form.

11 That is the oath that you have sworn to this Court,
12 and I expect you to uphold that. We will see you tomorrow
13 morning at 9:30. Do not discuss the case with anyone in
14 any way, shape, or form and keep an open mind.

15 We'll see you tomorrow morning at 9:30. Thank you.

16 (Whereupon, the jury left the courtroom at 4:31
17 p.m.)

18 THE COURT: All right. Anything before we break for
19 the State?

20 MS. CAMPBELL: No, sir.

21 THE COURT: From the Defense?

22 MR. BANK: No, sir.

23 THE COURT: Okay. We'll see you at 9:30.

24 (Whereupon, court adjourned for the day to be
25 reconvened on Wednesday, February 17, 2016.)

Wednesday, February 17, 2016

THE COURT: Okay. We're back on the record.
Apparently, one of the jurors came in here this morning.
Did any of you see that?

MS. GOODE: Yes, Your Honor.

THE COURT: And what was going on when he came in?

MR. BANK: He came in through the front door, came straight down. I believe there were two officers there. He walked straight to the jury box. Me and Ms. Goode were here, kind of minding our own business. It got their attention and they kind of ushered him through the door right there pretty immediately. As soon as Ms. Campbell came down here, we warned her. We saw him, didn't speak to him. And I didn't see any exhibits that were out on either side that would have been available for him to see.

THE COURT: I mean, Mr. Tolbert brought it to my attention this morning.

Mr. Tolbert, tell us what you saw for the record.

THE BAILIFF: The deputy brought it to my attention that one of the jurors was coming through the courtroom. When I came through the door, he was standing right here. And I immediately told him to come to the back and explained to him that he was instructed not to come through. We had a designated area for them to come in and out of the courtroom.

1 THE COURT: All right. Does anybody have any belief
2 that he saw anything inappropriate?

3 MR. BANK: Not from us, Your Honor.

4 THE COURT: Okay. What about from you, Ms. Campbell?

5 MS. CAMPBELL: We have no indication that he saw
6 anything.

7 THE COURT: Okay. I'm going to leave it -- since Mr.
8 Tolbert has explained to him how to come in and come out,
9 I'm going to leave it at that. I'm sure Mr. Tolbert read
10 him the riot act a little bit. I was more concerned that
11 y'all may have been holding up stuff or Ms. Thompson, you
12 know, I don't want them to see her in shackles or being
13 escorted around by the police or anything. We don't
14 believe any of that occurred.

15 Is that right, Mr. Bank?

16 MR. BANK: Right.

17 THE COURT: Ms. Goode?

18 MS. GOODE: Right, she wasn't in here.

19 THE COURT: And Ms. Campbell, you don't think
20 anything was out that was --

21 MS. CAMPBELL: We didn't have any of our things out
22 here. And I walked down to their table and it kind of
23 appears as it does now and I did not see anything they
24 wouldn't have seen during the course of the trial.

25 THE COURT: Okay. I just wanted to double check all

1 that out of an interest of protecting the integrity of it.

2 Do you believe now, Mr. Tolbert, that he understands
3 how to come in and come out?

4 THE BAILIFF: Yes, Your Honor, I kind of read him the
5 riot act.

6 THE COURT: Okay. That's fine. Good. Got that
7 issue resolved.

8 Do we need to take up anything before we bring the
9 jury in, Ms. Campbell?

10 MS. CAMPBELL: Not from the State, Your Honor.

11 THE COURT: Mr. Bank?

12 MR. BANK: Not from the Defense.

13 THE COURT: Okay. Welcome back, Ms. Thompson. I did
14 all that to make sure -- one of the biggest things that
15 would concern me was him seeing you in custody or anything
16 like that. I don't want anybody to draw any negative
17 inference from that. Does that make sense?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: That's why I was asking all those
20 questions.

21 All right. Let's bring them in.

22 THE BAILIFF: Yes, sir.

23 (Whereupon, the jury entered the courtroom at
24 9:42 a.m.)

25 (Whereupon, State's Exhibit Nos. 1 through 185

1 were marked for identification only.)

2 (Whereupon, Defendant's Exhibit Nos. 1 through
3 67 were marked for identification only.)

4 THE BAILIFF: The jury panel is seated, Your Honor.

5 THE COURT: Okay. Welcome back, ladies and
6 gentlemen. Thank you for being on time this morning. If
7 anything happens in the mornings and you're running a
8 little bit behind or something like that, please call the
9 clerk of court's office and let us know so that I don't
10 have to send a search party out for you. Okay. I
11 understand sometimes life happens and kids forget lunch
12 boxes and things like that, so if you are running a little
13 bit behind, just call us and let us know so that way I
14 don't have everybody panicking up here that we lost a
15 juror, okay.

16 Thank you very much. I appreciate your being back
17 and being on time.

18 The State may call its next witness.

19 MS. CAMPBELL: May it please the Court?

20 THE COURT: Yes, ma'am.

21 MS. CAMPBELL: The State calls Amanda Adams.

22 THE COURT: All right. Please come forward,
23 Ms. Adams.

24 AMANDA ADAMS, after being duly
25 sworn, testified as follows:

1 THE CLERK: Please have a seat in the witness stand
2 and state your full name for the record.

3 THE WITNESS: You want me to state what now?

4 THE CLERK: Your full name for the record.

5 THE WITNESS: Amanda Adams.

6 DIRECT EXAMINATION

7 BY MS. CAMPBELL:

8 Q Ms. Adams, where are you employed?

9 A Richland County Emergency Medical Services.

10 Q What do you do there?

11 A I'm a paramedic.

12 Q How long have you been in this field?

13 A Twenty years.

14 Q Twenty years. I want to turn your attention back to
15 this event back in January of 2014. Did you have an
16 occasion to respond to a call on Lower Richland Boulevard?

17 A Yeah, we responded to [REDACTED] Lower Richland Boulevard.

18 Q [REDACTED] Lower Richland Boulevard?

19 A Uh-huh.

20 THE COURT: Would you scoot a little closer to that
21 microphone?

22 THE WITNESS: Yes. Yes.

23 THE COURT: Thank you, ma'am.

24 THE WITNESS: Do you want me to repeat that?

25 BY MS. CAMPBELL:

1 Q Yes, if you don't mind.

2 A [REDACTED] Lower Richland Boulevard.

3 Q All right. And what kind of call were you responding
4 to that day?

5 A It was an unconscious.

6 Q And approximately what time was it when you were
7 actually dispatched out?

8 A We arrived on scene at 13:12, so it took us about 10
9 minutes to get there.

10 Q Around 1:00 o'clock in the afternoon?

11 A Yeah.

12 Q When you got there, what, if anything, did you
13 observe?

14 A When we got there, the fire department was there
15 before us.

16 Q Yes, ma'am.

17 A And they couldn't get into the door. And one of them
18 went around the back --

19 Q You're talking about the front door?

20 A Yes. And one of them went around the back and let us
21 in through the front door.

22 Q And let you in through the front door?

23 A Yes.

24 Q So when you got there at first, the front door was
25 still secured, but they went around and came through and

1 unlocked the front door?

2 A Right.

3 Q Once you were able to get inside the house, what, if
4 anything, did you observe?

5 A A black male laying on the floor face down.

6 Q Was there anything you noticed in addition to that?

7 A He was laying face down in a pool of blood.

8 Q All right. In a pool of blood?

9 A Yes.

10 Q What, if anything, did you do?

11 A All we did was check for a pulse, a radial pulse,
12 that's in your wrist area, and we put him on what we call
13 our MRX machine, which is basically a cardiac monitor just
14 to see if he had any cardiac activity.

15 Q And what were the results when you tested him to see
16 if he had cardiac activity or a pulse?

17 A He was asystole, pulseless. Asystole is what a lot
18 of people know as flat line.

19 Q And at that point, did you try to do anything to
20 resuscitate him in any manner?

21 A No.

22 Q Why not?

23 A Because he already had rigor mortis, lividity and
24 mottling on the body.

25 Q And when you say mottling on the body, what does that

1 indicate to you?

2 A It's old blood that pools in certain areas of the
3 body.

4 Q Was there anything as you entered the house that you
5 noticed about the air in the house?

6 A No. The only thing I noticed was an odor.

7 Q An odor?

8 A Yes.

9 Q And the odor that you smelled in the house, was that
10 consistent with what you observed as far as the body
11 having been there?

12 A Yes.

13 Q While you were in there, you mentioned that you used
14 your machine to check him. Is there something you
15 actually put on a person or how does that work?

16 A Yes, it's EKG leads. You put them on the proximal
17 area of the right arm, left arm, and one to the lower
18 abdomen or, in his case, towards the lower back towards
19 the lower side.

20 Q And are those those little blue round things?

21 A Correct.

22 Q That's what you actually test to see if he has any
23 type of pulse or activity?

24 A Right. Yes, and we check them in three different
25 leads that shows three different parts of the heart.

1 Q So your assessment was he had been dead?

2 A Yes.

3 Q At that point, did you then leave the scene?

4 A We went back out. We had to wait for law enforcement
5 to give them our report.

6 Q When you say we, who was with you that day?

7 A Michelle Presnell was my partner that day as well as
8 the fire department.

9 Q While you were in the house with the fire department
10 and with Ms. Presnell, did anybody try to alter the scene
11 in any way or tamper with anything?

12 A No.

13 Q And, in fact, you take steps to make sure you disturb
14 the body as little as possible?

15 A That's right.

16 Q And, in fact, the only time you actually checked for
17 anything was the pulse, as well as putting the leads on?

18 A That's correct.

19 Q But you didn't move it in any way?

20 A No.

21 Q Again, you don't collect or alter any of the evidence
22 in the case?

23 A No.

24 MS. CAMPBELL: Thank you. I don't have anything
25 further.

1 THE COURT: Cross?

2 MR. BANK: Very briefly.

3 CROSS-EXAMINATION

4 BY MR. BANK:

5 Q Ma'am, what type of structure was this?

6 A If I'm not mistaken, it looked like a trailer, it
7 looked like some type of trailer. Is that what you mean,
8 the dwelling?

9 Q Go ahead.

10 A You're asking me what type of dwelling it was?

11 Q Yes, ma'am.

12 A It looked like a trailer.

13 Q Trailer. Do you remember whether it was a
14 single-wide trailer or a double-wide trailer?

15 A No.

16 Q Do you remember being in a tight spot?

17 A Yes.

18 Q A tight spot?

19 A I mean, it was like an older model trailer that's not
20 really -- wasn't big anyway.

21 MR. BANK: Thank you. No further questions.

22 THE COURT: Ms. Campbell.

23 MS. CAMPBELL: Your Honor, may she be excused?

24 THE COURT: Have a nice day.

25 Call your next witness.

1 MS. CAMPBELL: The State calls Kerri McClary.

2 KERRI MCCLARY, after being duly
3 sworn, testified as follows:

4 THE CLERK: Please take a seat in the witness stand,
5 state your full name for the record and please spell your
6 first name.

7 THE WITNESS: My name is Kerri, K-E-R-R-I, last name
8 McClary, M-C-C-L-A-R-Y.

9 DIRECT EXAMINATION

10 BY MS. CAMPBELL:

11 Q Investigator McClary, where are you employed?

12 A I'm employed with the Richland County Sheriff's
13 Department.

14 Q And what do you do there?

15 A I am an investigator assigned to the crime scene and
16 latent fingerprint unit.

17 Q How long have you been in law enforcement?

18 A Twenty years.

19 Q And how long have you actually been working crime
20 scenes?

21 A Twenty years.

22 Q Can you tell this jury a little bit about your
23 education, your continuing education in order to become
24 qualified to process crime scenes?

25 A Yes, I have an Associate's Degree and also a

1 Bachelor's Degree in criminal justice. And when I started
2 in 1995 with the State Law Enforcement Division, I became
3 an agent with them. They had an in-house training program
4 that took a total of two years where we were required to
5 have readings that we would take, practical tests,
6 exercises that we would have to be tested on. And we went
7 through the various disciplines as far as crime scene
8 documentation, how we would document crime scenes through
9 notes, photographs, videos, diagrams. We also had to be
10 tested periodically on just the different crime scene
11 evaluations, reconstruction, blood stain, just the various
12 disciplines involved in crime scene investigation and
13 crime scene work.

14 I'm also certified through the International
15 Association for Identification as a crime scene analyst,
16 and that requires extensive reading and a written test.
17 Then to be recertified every five years, we have to do
18 additional reading and take formal tests for that.

19 I also teach across the United States crime scene
20 personnel in crime scene investigation, photography,
21 latent print development, things -- excuse me, things
22 related to crime scene investigation and crime scene work.

23 Q I want to turn your attention back to January 27th,
24 2014. Did you have an opportunity to respond to an
25 address on Lower Richland Boulevard?

1 A Yes, I did.

2 Q And what address did you respond to that day?

3 A Let me refer to my report, please.

4 Q Uh-huh.

5 A It was [REDACTED] Lower Richland Boulevard.

6 Q And how did you get notified as far as going to that
7 crime scene?

8 A I was notified by phone by another investigator
9 within the crime scene unit, Investigator Franklin
10 Rainsford. He called me and asked me to respond and meet
11 him to process this particular scene.

12 Q That day, were there multiple people from the crime
13 scene unit there?

14 A Yes.

15 Q Is it unusual in a homicide investigation for more
16 than one crime scene investigator to respond?

17 A Absolutely not.

18 Q What were your duties that day once you got to the
19 scene?

20 A The primary duties to begin with were the overall
21 documentation through photographs of the crime scene. We
22 start outside of the -- this was a particular residence,
23 so we start outside of the residence and we photograph our
24 way into the scene and then to do all photography while
25 inside scene.

1 Any areas, objects, items, anything of interest, we
2 just want to make sure we're doing a thorough job through
3 notes and through photographs of documenting the scene in
4 its entirety.

5 Q And what time was it that you initiated your
6 investigation that day?

7 A I arrived on scene at 14:04, which is 2:04 in the
8 afternoon.

9 Q When you got there, were other police officers there?

10 A Yes.

11 Q Had the scene been secured in any manner?

12 A Yes, there was a crime scene tape perimeter
13 established, and we did have an officer maintaining -- who
14 had started a crime scene log, and he was maintaining that
15 while we were there.

16 Q Were you aware -- when you got there, had EMS or the
17 fire department already been there?

18 A I was informed that EMS had already been in there to
19 check the victim.

20 Q Once you arrived, can you tell this jury what your
21 observations were?

22 A Observations outside of the scene, you know, we were
23 looking for anything that might have been out of place,
24 any signs of a forced entry into the residence. You know,
25 it was just general documentation of the outside.

1 Once we actually made entry into the scene, we made
2 entry through the front door of the residence, and it was
3 entering into the living room area.

4 As I made entry into the door or the threshold of the
5 door and looked to my left, I noticed the victim lying
6 face down on the floor in the living room.

7 Q And were you able to get information from a Sergeant
8 Lindler as far as his observations when he initially got
9 there that day?

10 A Yes.

11 Q You mentioned that part of your job is once you get
12 there is to document things by photographing the scene as
13 it appears when you get there? /

14 A Yes.

15 Q Did you do that in this case?

16 A Yes, sir.

17 Q Can you walk the jury generally through what areas
18 you photographed and the order they were photographed that
19 day?

20 A Well, as we began our photography, as I stated
21 earlier, we begin photographing outside of the scene and
22 we photograph our way into the scene. So I photographed
23 the exterior of the residence starting out from the
24 roadway, all the way up to and around the entire
25 residence.

1 Once we moved into the interior of the scene, we just
2 want to make sure that we document everything in what we
3 call our general or our overall crime scene photographs.
4 We want to make sure that every aspect of that scene in
5 its entirety is captured through our photographs before
6 anything is moved, anything is altered or anything of that
7 nature.

8 So I began photographing my way into the threshold of
9 the front door. There was a kitchen located immediately
10 to my right. The living room was in front of me. The
11 decédent was on the floor to the left. There was a
12 hallway that went down off of the living room. And there
13 were two bedrooms off of that hallway, a bathroom and then
14 in the hall was a washer and dryer set up.

15 Q Okay. I want to show you what's been marked as
16 State's Exhibit No. 1 through 21. Do you recognize these
17 photos?

18 A Yes. These are the photographs that I took of the
19 exterior perimeter.

20 Q These are photographs of exterior?

21 A Yes.

22 Q All right. And the perimeter.

23 MS. CAMPBELL: Your Honor, at this time, I'd offer
24 State's Exhibits 1 through 21, I believe without
25 objection. And all of these have been turned over.

1 MS. GOODE: Without objection, Your Honor.

2 THE COURT: Okay. State's Exhibit Nos. 1 through 21
3 are admitted without objection.

4 (Whereupon, State's Exhibit Nos. 1 through 21
5 were admitted into evidence.)

6 THE COURT: Ladies and gentlemen, these exhibits
7 which are being introduced, all lawyers do it differently.
8 Some of them will want to pass them out to you, some will
9 want to just show them to you. Regardless of whatever
10 tactic the lawyers use, when it comes time for
11 deliberation, these exhibits will be with you in your jury
12 room so you'll be able to look at them as much as you want
13 to, okay.

14 MS. CAMPBELL: Thank you, Your Honor.

15 THE COURT: Yes, ma'am.

16 BY MS. CAMPBELL:

17 Q And then I show you State's Exhibit 22 through 41 and
18 then 72. Do you recognize those?

19 A Yes, these are photographs I took from the inside of
20 the scene.

21 Q From the interior?

22 A Yes.

23 MS. CAMPBELL: Your Honor, at this time, I'd offer
24 State's Exhibit Nos. 22 through 41 and 72.

25 MS. GOODE: No objection, Your Honor.

1 THE COURT: State's 22 through 41 and No. 72 without
2 objection.

3 (Whereupon, State's Exhibit Nos. 22 through 41
4 and State's Exhibit No. 72 were admitted into evidence.)
5 BY MS. CAMPBELL:

6 Q And I show you State's Exhibits 48 through 55, ask
7 you if you recognize those?

8 A Yes, these were photographs I took inside the scene.

9 Q And then I show you State's Exhibits 73 through 83
10 and ask you to look through these while I offer these into
11 evidence.

12 MS. GOODE: No objection.

13 THE COURT: The State's 48 through 55 admitted
14 without objection.

15 (Whereupon, State's Exhibit Nos. 48 through 55
16 were admitted into evidence.)

17 THE WITNESS: Yes, these are also photographs from
18 the interior.

19 BY MS. CAMPBELL:

20 Q And then I'm going to show you State's Exhibits 42
21 through 47 and ask you to look and ask you to look at
22 those.

23 MS. CAMPBELL: And, Your Honor, I would offer into
24 evidence 73 through 83.

25 MS. GOODE: No objection.

1 THE COURT: No objection to 42 through 47.

2 THE WITNESS: Yes, those are pictures that I took of
3 the kitchen area inside the scene.

4 MS. CAMPBELL: I believe 42 through 47, we just
5 looked at. She did not object to 73 through 83.

6 THE COURT: Okay.

7 MS. GOODE: No objection.

8 THE COURT: So 42 through 47 are in without objection
9 and 73 through 83 are in without objection.

10 MS. CAMPBELL: Thank you, Your Honor.

11 (Whereupon, State's Exhibit Nos. 42 through 47
12 were admitted into evidence.)

13 (Whereupon, State's Exhibit Nos. 73 through 83
14 were admitted into evidence.)

15 BY MS. CAMPBELL:

16 Q Now, I show you State's Exhibit 58 and 59. Were
17 those photographs you took?

18 A Yes.

19 Q And what area of the house do those show?

20 A Those were the bar area. It was a little bar area,
21 between the living room and the kitchen area.

22 Q And then I show you 56 and 57?

23 MS. GOODE: No objection.

24 THE COURT: So that was 58 and 59?

25 MS. CAMPBELL: Yes, sir.

1 THE COURT: Fifty-eight and 59 in without objection.

2 (Whereupon, State's Exhibit Nos. 58 and 59 were
3 admitted into evidence.)

4 THE WITNESS: Yes, those are photographs I took of
5 the bathroom area.

6 MS. GOODE: No objection.

7 THE COURT: Fifty-six and 57 in without objection.

8 (Whereupon, State's Exhibit Nos. 56 and 57 were
9 admitted into evidence.)

10 BY MS. CAMPBELL:

11 Q I'm going to show you State's Exhibits 60 and 61. Do
12 you recognize those?

13 A Yes, these are photographs I took from the first
14 bedroom down the hallway to the left.

15 Q How many bedrooms are actually in this trailer? This
16 was a trailer, right?

17 A Yes.

18 Q Okay.

19 A It had two bedrooms. As you left the living room
20 heading down the hallway, the first bedroom on the left
21 was, I assume, a guest bedroom. The main bedroom was down
22 at the end of the hallway.

23 Q And I'm going to show you State's Exhibits 62 through
24 71 and let you look at those.

25 MS. CAMPBELL: And we would offer State's 60 and 61

1 into evidence.

2 MS. GOODE: No objection.

3 THE COURT: So 60 and 61 are in without objection.

4 (Whereupon, State's Exhibit Nos. 60 and 61 were
5 admitted into evidence.)

6 THE WITNESS: Yes, these are photographs that I took
7 of the main bedroom area, which is the bedroom located at
8 the end of the hallway.

9 MS. CAMPBELL: At this time, we would offer 62
10 through 71.

11 MS. GOODE: No objection.

12 THE COURT: State's 62 through 71 without objection.

13 (Whereupon, State's Exhibit Nos. 62 through 71
14 were admitted into evidence.)

15 BY MS. CAMPBELL:

16 Q Once you have photographed the house as it appears,
17 do you then go back in certain cases -- and at some point
18 while you were there, was the body actually removed in
19 this case?

20 A The body was eventually removed, yes.

21 Q Do you then sometimes go back and photograph things
22 that may or may not be -- do you know what's going to be
23 significant especially?

24 A No, a lot of times while you're at the scene, you
25 don't know what may turn up as being something important

1 or of value later on in the investigation. So that's why
2 we need to be very thorough when we're there on that
3 original scene making sure that we're doing a good job
4 documenting everything.

5 Q But in your experience as a crime scene investigator,
6 do certain things catch your attention that may be
7 significant?

8 A Yes, they do, absolutely.

9 Q In this case, did you go back and using markers, mark
10 certain areas you thought may be significant in this case?

11 A Yes, we did.

12 Q And, specifically, did you use some letters first to
13 mark several things?

14 A Actually, I believe the first thing we marked were
15 with green evidence markers, and they should have been
16 numbers.

17 Q Let me get back to that. What numbers did you use in
18 this case?

19 A I believe it was one through five.

20 Q Could it have been one through four?

21 A Let me look at my diagram. Yes, it was one through
22 four.

23 Q I'm going to show you State's Exhibits 104 through
24 110. Do you recognize those?

25 A Yes.

1 Q And are those the markers and the items you were
2 trying to kind of orient with the markers?

3 A Yes.

4 Q And that's after you put the markers out?

5 A Yes, ma'am.

6 MS. CAMPBELL: Your Honor, at this time, we'd offer
7 State's Exhibits 104 through 110.

8 MS. GOODE: No objection.

9 THE COURT: What items are they, Ms. Campbell?

10 MS. CAMPBELL: 104 through 110.

11 THE COURT: Okay. 104 through 110 without objection.

12 (Whereupon, State's Exhibit Nos. 104 through 110
13 were admitted into evidence.)

14 BY MS. CAMPBELL:

15 Q And then, finally, at the house that day, did you
16 also then highlight certain areas -- was there certain
17 areas that had a certain stain to them that were
18 significant to you?

19 A Yes, throughout the house, yes, there were.

20 Q How do you describe the stain that you were trying to
21 memorialize in these pictures or highlight?

22 A In those particular pictures, we are documenting
23 different stain patterns that can help tell us sequence of
24 events or what happened in the scene. And so we will try
25 and kind of generalize in the grouping.

1 In the groups of stains that we saw within the house
2 were pooling, which is where the victim was steady in one
3 position or lying in one position and blood continued to
4 leave his body, so it just kind of saturates into an area.

5 We also saw a pattern called flow, where if it's a
6 liquid, it's going to follow the rules of gravity. So if
7 I have a liquid up high and I'm in an upright position,
8 you would expect it to just flow down, okay. If I lean
9 against the wall or something like that, you would see
10 where it would just run down the wall, so it's following
11 gravity. So we saw flow patterns.

12 We also saw spatter, which is consistent with
13 impacts. And the spatter patterns were located up and
14 down the hallway, both sides. And we also saw just drip
15 patterns. Drip patterns were noticed back in the bedroom
16 on the floor, on the bedsheet in the main bedroom, and
17 there were some drips that were also noticed leading up to
18 where the victim was found on the floor.

19 Q Okay. When you're talking about drip and you're
20 talking about spatter, what do you mean by that?
21 Typically, how does it show up?

22 A Spatter?

23 Q Let's talk about drips first.

24 A Drips. Drips, once again, liquid is going to follow
25 the flow of gravity. And so if you have a wound or

1 something on you, it's not anything more than gravity
2 pulling that liquid from wherever the surface is that the
3 injury was created to where it lands.

4 So if I had a cut on my hand, and I was walking down
5 the street, gravity -- as that blood comes to the surface
6 of the skin, the gravity would actually pull the blood
7 just as it builds up enough weight and it would leave the
8 surface of my skin and just fall down.

9 Q Typically, how do those appear?

10 A They just appear just when the blood comes to the
11 surface and they're just falling straight down.

12 Q Okay.

13 A It's not something where someone was hit and it was
14 caused with some force. It's just a passive drip.

15 Q And typically, you also talked about -- was it
16 castoff, you said, or what was the term you used?

17 A Spatter?

18 Q Spatter.

19 A Impact spatter, the spatters that we were seeing
20 along both sides of the wall in the hall are consistent
21 with spatter, meaning something with force was causing
22 those to leave the surface of the skin and fly out and
23 away because of force.

24 Q And I want to show you State's Exhibits 84 through
25 103. Are those photographs you took the day after you put

1 up markers to note some of these patterns we're talking
2 about?

3 A Yes.

4 MS. CAMPBELL: Your Honor, State we'd offer these
5 into evidence, 84 through 103.

6 MS. GOODE: No objection.

7 THE COURT: Eighty-four through 103 without
8 objection.

9 (Whereupon, State's Exhibit Nos. 84 through 103
10 were admitted into evidence.)

11 BY MS. CAMPBELL:

12 Q And during the course of your investigation in this
13 case, did you also do a diagram of the actual interior of
14 the trailer?

15 A Yes, I did.

16 Q And I want to show you what's been blown up as
17 State's Exhibit No. 185. Do you recognize that?

18 A Yes.

19 Q And does that show -- not to scale, but does that
20 show basically the interior layout and some of the markers
21 where you placed them?

22 A Yes, it does.

23 MS. CAMPBELL: Your Honor, at this time, we'd offer
24 State's Exhibit 185 into evidence?

25 MS. GOODE: No objection.

1 THE COURT: State's 185 without objection.

2 (Whereupon, State's Exhibit No. 185 was admitted
3 into evidence.)

4 MS. CAMPBELL: Your Honor, may the witness step down?

5 THE COURT: Yes, ma'am.

6 Just keep your voice up, okay, Investigator?

7 THE WITNESS: Yes, sir.

8 MS. CAMPBELL: Come on over on this side so the court
9 reporter can hear you better. Get over on that side.

10 Thank you. You can use this if you need it.

11 BY MS. CAMPBELL:

12 Q Basically, you mentioned that when you got there, you
13 had observations and then you actually -- the front door
14 had been unlocked prior to you getting there?

15 A Yes.

16 Q So you made entry into the front door?

17 A Yes.

18 Q Where is the front door noted on this diagram?

19 A The front door is located right here off of this
20 little porch.

21 Q And you mentioned that when you entered into the
22 front door, what area of the home did you enter into?

23 A We actually made entry into the living room area.
24 This is the kitchen off to the right.

25 Q What other areas are shown in here that you mentioned

1 earlier in your testimony as far as where the two bedrooms
2 are located and the hallway that's in question?

3 A The living room area is here. The victim was on the
4 floor here, designated with the marker A. We have the
5 hallway coming down this area off of the living room.
6 This is that first bedroom I was talking about that I
7 guess was a guest bedroom. The washer and dryer is
8 located here. This is the bathroom area and this is what
9 I would refer to as the main bedroom area.

10 Q Okay. I want to show and publish the pictures to the
11 jury. Let me get them in order.

12 Starting with the exterior. In State's Exhibit No. 1
13 and No. 2, what does this show?

14 A Those are exterior shots where I actually walked out
15 to the roadway, the main road, and was photographing back
16 towards the front of the residence.

17 You should see the photograph -- or excuse me, the
18 mailbox that's documented. We're just showing the
19 particular address and trying to identify where this
20 location was.

21 Q You mentioned the front door here in State's Exhibit
22 No. 3. What does that show?

23 A That is showing the steps leading up to the front
24 deck porch area and showing where the front door was
25 located to the residence.

1 Q Do you also document just the general area around the
2 house?

3 A Yes.

4 Q I'm going to show you State's Exhibit No. 4 and 5.
5 What area does this show?

6 A Those are showing you around the side, the exterior
7 side of the residence leading towards the back of the
8 residence area.

9 Q And State's Exhibit No. 6, what does that show?

10 A That is showing -- that was taken from this side on
11 the exterior of the trailer, and it's just showing the end
12 of the trailer. And I'm kind of trying to lead the viewer
13 back around behind the trailer.

14 Q And I notice there's an animal in this picture. Was
15 there an animal on the scene?

16 A Yes, there was a large dog. He was chained out here
17 around the shed.

18 Q And did y'all take steps to get him taken care of?

19 A Yes, we had family members that said they would take
20 care of him.

21 Q State's Exhibit No. 8 and 9, what areas do those
22 show?

23 A Those are showing the back porch. This one on your
24 left is taken from this particular area showing the back
25 porch area. And then the other one, I believe I'm

1 actually up on the porch photographing back out so you can
2 see.

3 Q Towards the shed?

4 A Uh-huh.

5 Q And when you got there, was the back door still open?

6 A Yes.

7 Q I show you State's Exhibits 10 and 11?

8 A Yes.

9 Q What do those show?

10 A Those are photographs from the other end of the
11 trailer showing just a different vantage point of the
12 backyard and also picking up a little bit of the front
13 yard and the front porch area.

14 Q I'm going to show you State's Exhibits No. 13 and 14.
15 What area does that show?

16 A Those are both showing you -- they're taken from over
17 here on this particular end of the trailer, and they're
18 showing you that backyard area.

19 Q And specifically, a closer one on State's Exhibit No.
20 15, what items were in the backyard?

21 A Grills.

22 Q All right. And looking back at State's Exhibit
23 No. 17, does that show another?

24 A Yes, that's showing more areas of the grills in the
25 backyard.

1 Q And then State's Exhibit 18 is what?

2 A That's just photographing into that shed, the
3 exterior shed.

4 Q And then, finally, State's Exhibits 16 and 19 show
5 what?

6 A Those are showing the back porch area. I'm standing
7 out here photographing up towards the back door.

8 Q State's Exhibit No. 20 shows what door?

9 A That is just a closer view of looking into the back
10 door of the residence.

11 Q And State's Exhibit 21, you're documenting that door
12 for what purpose?

13 A Just documenting to show that it did not appear that
14 there were any signs of forced entry.

15 Q In either of the doors, was there any signs of forced
16 entry that you observed?

17 A Not that we observed.

18 Q As you entered the house, you went into, I believe
19 you said the living room area?

20 A Yes.

21 Q In State's Exhibit No. 22, what does that show?

22 A That is inside the living room area, photographing in
23 this direction. When you walked into the living room
24 area, there was a couch. Immediately to my left, there
25 was a television, and there was another couch located on

1 the opposite wall we made entry into.

2 Q And the TV that day when you got there?

3 A It was on.

4 Q State's Exhibit No. 23 and 24, what do these show?

5 A Those are just part of the general documentation or
6 overall documentation of the entirety of the living room.

7 In one, you see the decedent on the floor. The other one,
8 this is the couch that was immediately to my left when I
9 made entry into the front door.

10 Q And again, when you got there, had EMS already been
11 there?

12 A Yes. Let me see that. I made a mistake. That couch
13 is the one that's along this opposite wall, and that
14 photograph was actually taken from the hallway towards the
15 couch.

16 Q Okay.

17 A So the kitchen area is behind it. My apologies.

18 Q State's Exhibit No. 25, what does that show?

19 A That is showing the victim lying on the floor in the
20 position that we located him when we arrived.

21 Q In your observations of the victim as you were doing
22 your photographing, did you notice any obvious signs of
23 injury?

24 A There appeared to be trauma around the head and neck
25 area. I did see what appeared to be some type of injuries

1 on the arms and on the legs.

2 Q And I show you State's Exhibits 26 and 27. Are these
3 closer-ups of the extremities?

4 A Yes.

5 Q State's Exhibits 28 and 29, what do these show?

6 A Those are just closer views of the injuries to the
7 head and neck area. There was a lot of dried blood around
8 the head area, so it obscured us being able to see
9 anything with detail. We just have to make sure we
10 document it before anything is moved.

11 Q And again, do you perform the autopsy or anyone in
12 your department?

13 A No, we do not perform autopsies. We are not medical
14 professionals. Forensic pathologists will perform the
15 autopsy.

16 Q State's Exhibits No. 30 and 31, what do those show?

17 A Those are showing the forearm area and the hand of
18 the victim. There appeared to be a significant amount of
19 a reddish-brown substance, apparent blood on the forearm
20 and the hand areas.

21 Q Specifically, again, as far as State's Exhibit
22 No. 32, you're trying to document injuries?

23 A Documenting injuries and in that particular
24 photograph, there -- we will bag the hands of the victim
25 to preserve any possible evidence that may be under their

1 fingernails or in their hands prior to them being placed
2 in a body bag and taken away.

3 When we knelt down to begin bagging the hands,
4 placing paper bags over the hands, I observed what
5 appeared to be a hair in his hand and so I was
6 photographing that prior to collecting it.

7 Q State's Exhibit No. 34, again, what does that show?

8 A That's showing the -- one of the victim's hands and
9 just trying to show an overall significance or the amount
10 of blood that was present.

11 Q And State's Exhibit Nos. 35 and 36 -- I'll do 36
12 first. What does that show?

13 A That's showing the leg area, the lower legs of the
14 decedent.

15 A lot of times, it's very important for us to
16 photograph -- when we have a deceased individual on a
17 scene, we will photograph the bottoms of their feet,
18 especially if we have a scene where blood has been shed.
19 It can be very significant as to whether or not the
20 individual has blood on the bottoms of their feet.

21 Q Okay. State's Exhibits 35 and 37, what do those
22 show?

23 A Those are showing the lower legs individually. Once
24 again, just trying to thoroughly document every aspect
25 that I could physically see prior to moving -- removing

1 anything.

2 Q State's Exhibit No. 38, again, shows what area?

3 A This is in the living room area. There was
4 actually -- I don't know if that's a bookshelf or what,
5 but it was located at the end of that burgundy couch,
6 along that pantry, so it was over in the corner.

7 Q State's Exhibit 39 and 40 show what?

8 A Once again, just overall documentation of the living
9 room. The light-colored couch is the one that was just to
10 the left when we made entry into the front door. And so
11 we're just documenting overall this way and then across
12 the room.

13 Q You mentioned earlier in your testimony that the
14 kitchen, I believe, is adjacent; is that correct?

15 A Yes, the kitchen area.

16 Q State's Exhibit 41 is that from what angle?

17 A Yes, that was taken from me standing at the end of
18 the hallway here photographing towards the kitchen area.

19 Q And then State's Exhibit No. 72, what are you
20 photographing there?

21 A I am photographing the apparent blood stains on the
22 floor. This was me standing at the end of the hallway
23 photographing this floor area.

24 Q And then, finally, the victim was face down in the
25 living room; is that correct?

1 A That is correct.

2 Q But prior to him leaving -- or being removed from the
3 scene, did you try to document his facial injuries?

4 A Yes, we're trained when we are doing photography of a
5 decedent that we want to get a face shot prior to them
6 being removed from the scene.

7 Although, it was kind of obscured, once we rolled him
8 over to place him in a body bag, we went ahead and
9 obtained a closer view of the front of the face.

10 Q And that's State's Exhibit 33?

11 A Yes.

12 Q So that was after he was rolled over?

13 A Yes.

14 Q And you said it was somewhat obscured. What was it
15 obscured by?

16 A Dried blood, a pretty significant amount.

17 Q Did you also document the kitchen area?

18 A Yes.

19 Q And I want to show you State's Exhibit No. 42. What
20 angle was that showing if you can refer back to the
21 diagram?

22 A That is me standing pretty much near the front door
23 photographing this way. That's picking up that bar area
24 that I was talking about.

25 Q And then State's Exhibits 43 and 44 are looking in

1 from what area?

2 A Forty-three is me standing in the doorway or the
3 threshold of the kitchen photographing to where the
4 refrigerator was located. And 44 is me standing just
5 inside the threshold of the kitchen photographing back
6 out.

7 Q And then for purposes of documentation, 45 and 46,
8 what areas of the kitchen are those?

9 A Those are me standing in this vicinity near the
10 refrigerator photographing towards the table and also --
11 that's a stove -- yeah, a stove area on that opposite
12 wall.

13 Q And then, finally, State's Exhibit 47, what were you
14 documenting there?

15 A Just various amounts of medicine bottles. There was
16 a white cabinet that was located right here at the end of
17 the pantry -- or excuse me, the bar area --

18 Q Uh-huh.

19 A -- just a little white cabinet. And when we opened
20 that up and observed those, it's just procedure for us to
21 photograph all of that. Typically, we'll photograph
22 refrigerator contents, all kinds of stuff. So it's just
23 part of the documentation.

24 Q As far as in the kitchen, as far as what appeared to
25 be reddish-brown stains or blood stains, did you observe

1 anything in the kitchen?

2 A No, not in the kitchen.

3 Q But you photographed and documented it anyway?

4 A Yes.

5 Q Also, on the bar, I'm going to show you State's
6 Exhibits 58 and 59. Did you also document that?

7 A Yes, I did.

8 Q What is that?

9 A Well, I didn't show the significance of it. It
10 appeared to be syringes and stuff of that nature. It was
11 located right here on the top of the bar -- or at the --
12 yeah, the bar area.

13 Q So at that point, you didn't know anything about
14 these?

15 A No, I was not familiar with that, no.

16 Q Did you also document the bathroom area?

17 A Yes, just general overall documentation, yes.

18 Q State's Exhibits 56 and 57?

19 A Sorry, yes. I was standing at the door, the
20 threshold of the door of the bathroom photographing in
21 just trying to document.

22 Q And as far as any evidence or reddish-brown stains or
23 anything of that nature, was there anything significant in
24 the bathroom?

25 A Yes.

1 Q Okay. But you did document -- there are more
2 pictures than this?

3 A Oh, yeah.

4 Q You also mentioned what you referred to as the second
5 bedroom or the guest bedroom, did you also document it?

6 A Yes.

7 Q And I show you State's Exhibits 60 and 61. Let me
8 look at this one. What does that show?

9 A I'm standing in the hall -- or in the bedroom
10 photographing back out towards the hall. And the one in
11 your left hand, I'm standing at the threshold of the door
12 photographing in towards the room.

13 Q And as far as any reddish-brown stains or other
14 evidence significant in this case to your investigation,
15 was there anything of that -- that was significant?

16 A There was nothing located in the bedroom itself, no.

17 Q We'll get back to that, yeah. What you've referred
18 to as the main bedroom or the master bedroom, did you also
19 photograph that?

20 A Yes.

21 Q I want to show you State's Exhibits No. 62 and 63.
22 Let me get them right sided. Do you recognize this?

23 A Yes, I was standing --

24 Q Where is this, where are you standing and what are
25 you looking at?

1 A At the end of the hall photographing my way into that
2 main bedroom area, the master bedroom area.

3 Q State's Exhibit Nos. 64 and 65, what does that show?

4 A Just me moving in closer standing in the threshold of
5 the door and beginning to photograph the room in its
6 entirety. And that's showing the bed.

7 Q State's Exhibit Nos. 66 and 67 is a close up of --
8 what does this show?

9 A This is actually showing where you come in the door
10 and immediately to the left on the floor, there was a
11 knife located on the floor, and so that's just an overall
12 photograph. And then the second photograph is just me
13 moving in a little bit closer so you can more readily
14 identify and see what that particular item or object was.

15 Q And again, this is in which bedroom?

16 A This is in the main bedroom, the master bedroom. It
17 was located near the foot of the bed on the floor.

18 Q State's Exhibit Nos. 68 and 69. Do you recognize
19 those?

20 A Yes, those are photographs of the bed itself. There
21 were reddish-brown stains observed on the sheets, so those
22 were photographed. And then the other photograph, I'm
23 actually standing over here photographing back towards the
24 bedroom door, towards the hallway.

25 Q And the reddish-brown stains that you observed on the

1 sheet, they were consistent with what kind of pattern as
2 far as --

3 A Drips.

4 Q And State's Exhibits 70 and 71 are close-ups of the
5 same?

6 A Yes. We will photograph things from various angles
7 to make sure that it's thoroughly documented.

8 Q The hallway, did you also document it prior to
9 putting markers up?

10 A Yes.

11 Q I'm going to show you State's Exhibit No. 48. Where
12 is that showing?

13 A That is standing at the beginning of the hall and
14 photographing back towards the back of the hall towards
15 the bedroom area.

16 Q And what is this in here?

17 A That is the back porch door. Actually, it was in the
18 open position at that point. And so we photograph things
19 as we find them before anything is moved.

20 Q And State's Exhibit No. 49, what area does that show?
21 Is this the door?

22 A Yes. This is actually standing at the beginning of
23 the hallway.

24 Q Okay. Now, where is it? The beginning of the
25 hallway?

1 A The beginning of the hallway.

2 Q From the living room?

3 A From the living room. The rug is kind of bunched up.
4 You can just see the threshold of that guest bedroom door
5 in the photograph.

6 Q And as far as what's in this photograph, what do you
7 observe?

8 A Had broken glass fragments, also had some
9 reddish-brown stains there on the floor in front of that
10 floor.

11 Q I'm going to show you State's Exhibit No. 50, is that
12 what you're talking about the reddish-brown stains.

13 A Right. That is just a closer view of the stains that
14 were present there.

15 Q Again, this is the doorway into the living room that
16 leads there?

17 A Yes.

18 Q And specifically, this item that appears shiny here,
19 these items?

20 A That is a piece of glass.

21 Q Near the back door in State's Exhibit 51, did you
22 observe -- what was that?

23 A Yes, that was a screwdriver. We were concerned at
24 where it was located and if it was possibly -- we were
25 given information that he actually used that to help

1 secure his back door closed. We visually examined it and
2 there was no blood or anything of that nature on it.

3 Q That's what I was going to say. State's Exhibit
4 No. 52 is from a different angle, where is located, and
5 53?

6 A Those are standing back just outside of the bathroom
7 door photographing back in this direction towards the
8 living room in the hallway, the hallway area.

9 Q State's Exhibit No. 54, again, shows what? Where?

10 A This is the doorway to that guest bedroom door, so
11 this is just a different angle of the reddish-brown
12 stains, blood stains that were on the floor just at the
13 threshold of that door.

14 Q But again, to be clear, all of these stains we're
15 talking about are in the hallway, just at the doorway?

16 A Yes, in the hallway.

17 Q Finally, State's Exhibit 55 shows what area. I guess
18 that's the door?

19 A Yes. This is showing the carpet that was bunched up
20 in the hallway. This area is out in the hallway kind of
21 in this vicinity, and there were several pieces of thick
22 broken glass. At first, we weren't sure what it was. It
23 appeared to be a vase or something of some kind. It was
24 some pretty thick glass, and it appeared to have
25 reddish-brown stains on it.

1 Q State's Exhibit No. 73 and 74, what does that show?

2 A That is once again showing the hallway area. I was
3 actually standing at the threshold of the back porch door
4 photographing in this vicinity. There was a door located
5 next to where the washer and dryer were. In that
6 particular photograph, it's closed. We were able to
7 ascertain it was just closing off the furnace area.

8 Q Okay. And what's significant in these pictures to
9 you as an investigator?

10 A The reddish-brown stains, the apparent spatter that
11 were located on the wall.

12 Q And the spatter you observed is consistent with what?

13 A Spatter that we were observing is consistent with
14 some form of impact spatter.

15 Q I'm going to show you State's Exhibit No. 75. What
16 area does that show?

17 A That is, once again, in the hallway area just outside
18 of the guest bedroom door. I believe it's that interior
19 wall. And it's pretty low to the floor. You can see
20 where the carpet is on the floor, so it was pretty low to
21 the floor.

22 Q And again, on this wall, what do you observe?

23 A More spatter, reddish-brown stains.

24 Q State's Exhibit No. 76. Where is that?

25 A This is in the hallway. And that is actually the

1 outer side of the door, the exterior side of the door in
2 the hallway to that guest bedroom.

3 Q State's Exhibit No. 77, where is that?

4 A That is on the exterior wall of the hallway, so it
5 was along this wall.

6 Q The outside wall?

7 A In the hall, just outside that guest bedroom area
8 where that rug was all bunched up and all those broken
9 glass fragments were found.

10 Q And I believe State's Exhibit 78 is a little further
11 away?

12 A Yes, just more of an orientation view of that same
13 area.

14 Q Are there any reddish-brown stains noted in these?

15 A Yes. You'll notice what I was referring to earlier
16 as a flow pattern where we have contact made here, and
17 then we just have directionality down where gravity was
18 pulling that liquid substance towards the floor.

19 Q State's Exhibit 79 shows, I believe, a different
20 angle?

21 A Yes, that's just a closer view. This is where that
22 flow pattern was located, and then this was some kind of
23 air register or something. And there was spatter noted on
24 that side of it.

25 Q State's Exhibit No. 80, what does that show?

1 A That is showing the interior side of the back porch
2 door, so that would be this inside side of the door in the
3 hallway.

4 Q And the reddish stains that you see on the inside of
5 the door to the outside are what type of stains?

6 A We have some that were a little bit of flow, and then
7 you had what appeared to be spatter, impact spatter.

8 Q State's Exhibit No. 81 shows what?

9 A Showing blood stains there at the threshold of the
10 guest bedroom door, and also that additional blood stain
11 that's on the hall side of that guest bedroom door.

12 Q And then, finally, in the hallway, State's Exhibits
13 82 and 83, what do you see?

14 A Additional blood stains. Those were observed very
15 low on the front of the washer and dryer here in the
16 hallway.

17 Q What kind of stains would these be categorized as?

18 A Once again, it's just additional spatter. It could
19 be from impact. It could be from just any kind of force
20 coming off of the victim or off of an object.

21 Q Once you had photographed the interior of the house,
22 did you then use markers and what you were telling the
23 jury earlier?

24 A Yes, once we thoroughly document the interior and
25 exterior of the scene, then we add -- we want to

1 photograph everything before we add anything to or take
2 anything away from the scene. So once that overall
3 documentation is done to begin with, then we will go back
4 in and place evidence markers by areas or objects, items
5 of interest.

6 Q And I'm going to show you State's Exhibit No. 104 and
7 105. Do you recognize those?

8 A Yes.

9 Q What are you trying to note, to memorialize?

10 A That was the knife that was located at the foot of
11 the bed in the main bedroom or the master bedroom area.
12 So that was designated the evidence marker No. 1.

13 Q Ultimately, we'll get to this, did you collect this
14 item?

15 A Yes.

16 Q Did you observe anything on the blade of the knife
17 when it was submitted to you?

18 A There were reddish-brown stains on it. It appeared
19 to be blood. So that was something that was collected and
20 taken back to the lab for further processing.

21 Q So somebody else would test for blood?

22 A Yes.

23 Q State's Exhibit No. 106 and 107, Marker 2?

24 A Evidence Marker 2, this is in the hallway area. And
25 what we're trying to document with that particular

1 evidence marker were the various glass fragments, glass
2 pieces that we collected. As we began collecting them,
3 once we picked them up off the ground, I observed what
4 appeared to be ridge detail in the dried blood. So that
5 was pretty significant, and I wanted to make sure to take
6 it back for further processing in the lab.

7 Q And when you say you observed ridge detail that was
8 significant to you, what is ridge detail? What does that
9 mean?

10 A Ridge detail, we all have friction ridge skin on the
11 palms of our hands, tips of our fingers, soles of your
12 feet. It allows us to have traction so that we can grasp
13 things and hold onto things. If you've watched any TV
14 over the years, you've heard people refer to fingerprints
15 or, you know, there may have been times that you were
16 fingerprinted for an application for a job or maybe
17 something for school, graduate school or something like
18 that.

19 But the raised areas that you typically see on a
20 fingerprint card are your ridges. Typically, those will
21 be inked black, so you'll see them black on a white
22 fingerprint card. But we can make out those ridges when a
23 person either has blood that is transferred to their hand
24 and then they grasp something, or if there's some blood
25 already on a surface and they grab it, they're pulling

1 away blood. So what it's going to leave behind is the
2 pattern of that friction ridge skin or the fingerprints of
3 the person that touched that. And so that's what I
4 observed on several of those pieces of the glass vase.

5 Q Okay. State's Exhibit No. 108, after the body was
6 removed, did you note something in this?

7 A We will always take a photograph of the area where
8 the victim or the decedent was laying. That's just part
9 of our standard procedure. Once the body is removed,
10 we'll photograph the area where the body was lying. So
11 we're just photographing that particular area. You can
12 also see Evidence Marker No. 3 in the background --

13 Q Uh-huh.

14 A -- and that is showing the shirt that was located on
15 the floor near where the victim was lying.

16 Q And then State's Exhibits 109 and 110 are in what
17 area?

18 A Evidence Marker No. 4 is notating a cigarette butt
19 that was located next to the bed in the main bedroom or
20 the master bedroom area. It was located next to the bed
21 on the floor.

22 Q I want to move your attention to several other
23 markers, I believe A through I?

24 A A through I.

25 Q What were you trying to memorialize with these

1 markers as far as just highlighting them?

2 A Well, we'll place these adhesive markers on the
3 different areas in the scene where there was some type of
4 blood stain evidence. What we have to do is mark those
5 areas. We photograph that area because those are areas
6 that we actually go through and take a swab from. Now, it
7 looks like blood. We have a -- you know, we had someone
8 who was bleeding at the scene. All of these stains looked
9 like they were blood, but we didn't know whose blood it
10 was. So we wanted to make sure and take collections from
11 the various samples or the various stain patterns in the
12 hallway and the bedroom and also the living room. So each
13 one of those adhesive labels is documenting a particular
14 area where that swab was taken from. When we take those
15 swabs back to the lab, they're logged in and then
16 additional testing is done by another unit.

17 Q And you photographed these areas, but did someone
18 else collect the swabs?

19 A Yes.

20 Q Okay. We'll get to that. State's Exhibit No. 84.
21 What area does that show?

22 A That is the bedsheet in the main bedroom.

23 Q State's Exhibit Nos. 85 and 86. I'll do 85 first.

24 What area is this?

25 A That is the threshold here in the main bedroom, the

1 master bedroom door, so you're looking at the floor and I
2 believe part of the bed is picked up now.

3 Q But in State's Exhibits 86 and 87?

4 A That's adhesive label B and that is designating blood
5 stains where they were collected from on the floor there.

6 Q And that's the floor in the bedroom?

7 A In the bedroom, yes, the main bedroom, the master
8 bedroom.

9 Q State's Exhibits 88 and 89 show what?

10 A That is showing adhesive label C, which is the
11 interior side of the back door there in the hallway.

12 Q And it's shown there State's Exhibit, I believe, 90?

13 A Yes. So that was just photographed to show the
14 location of where those particular stains were located and
15 collected from.

16 Q Were those on the top half of the door or the bottom
17 half?

18 A They were on the lower section of the door.

19 Q And again, where you find these blood stain pattern
20 can be significant?

21 A Yes.

22 Q State's Exhibits 91 and 92, what do those show?

23 A Those are showing that door in the hallway that
24 actually was in front of where the furnace area was, so
25 it's on this wall, on the interior wall of the hallway

1 area. It's showing the blood stains in that particular
2 area and where they were collected from.

3 Q Then I believe this is --

4 A That is going to be --

5 Q That's a better shot of it?

6 A That's the opposite wall.

7 Q Okay.

8 A So this one would be this wall. That one is the
9 sister wall.

10 Q So on both sides of that hallway?

11 A Yes.

12 Q And again, these are the blood stain patterns you
13 were trying to memorialize?

14 A Yes.

15 Q State's Exhibit No. 95, is that a closer-up shot?

16 A Yes. That was on that exterior wall in the hall low
17 down near that heat return vent. I'm not sure what it
18 was.

19 Q And then State's Exhibit No. 96 shows this right
20 here?

21 A Right. That's just showing a glass fragment, but
22 it's also showing where that blood was flowing down the
23 wall and where it had started pooling there at the --
24 where the wall and the floor meet.

25 Q And Marker G, and State's Exhibit 98 and 99 and 100?

1 A G is documenting those blood stains that were noted
2 on the floor in the hall at the threshold of that guest
3 bedroom door.

4 Q State's Exhibit 101 and 102, Marker H?

5 A Those were the blood stains that were observed on
6 this -- the hall side of that guest bedroom door.

7 Q And then, finally, Marker 103 -- State's Exhibit 103,
8 Marker I, where is this located?

9 A That was located near where the decedent's head was
10 lying on the floor in the living room, and so a swab was
11 collected from that. It had soaked into the rug.

12 Q Okay. You can have a seat.

13 A (The witness complied.)

14 Q That day, were there other crime scene investigators
15 there assisting you?

16 A Yes.

17 Q And did one of those other crime scene investigators
18 collect the swabs of the areas we just noted, A through I?

19 A Yes, that was Investigator Franklin Rainsford.

20 Q And that day, did you actually collect any evidence?

21 A I collected what appeared to be hairs from the
22 victim's hand and elbow, a hair and a possible fiber.

23 Q Uh-huh. Did you also collect any other evidence or
24 just the fibers?

25 A I collected those, and I believe I turned those over

1 to Investigator Rainsford. I did not actually collect
2 anything at that time.

3 Q Okay. So that was actually Rainsford who collected
4 those items?

5 A Yes.

6 Q And that would include the bedsheet, the knife and
7 all those items we talked about?

8 A Yes.

9 Q And the glass shards?

10 A Yes.

11 Q Was that the extent of your involvement on that day?

12 A Yes.

13 Q How long were you actually at the scene doing this,
14 you and the others?

15 A We arrived at 2:04 and we cleared the scene at
16 6:01 p.m.

17 Q The next day, did you do any further testing or
18 evidence processing in this case?

19 A Yes, I did.

20 Q Where did that take place and when did it take place
21 and what did you do?

22 A The glass pieces and the knife that were actually
23 collected by Investigator Rainsford, he transferred those
24 with a chain of custody form to document that they went
25 from his possession to mine so that I could begin

1 photographing the -- what appeared to be the blood stains
2 on the knife blade. We want to photograph everything
3 before I begin any kind of processing in case we lose
4 something during the processing of those items.

5 So I began to photographically document those two --
6 those glass pieces and the knife approximately 8:30 that
7 morning until about 12:30 that afternoon.

8 Q And you mentioned that you collected swabs from
9 those?

10 A Once I completed processing, I believe it was the
11 following day, I got interrupted during my photography of
12 these particular items, but I eventually did collect swabs
13 from those items, yes.

14 Q But that day, you just photographed?

15 A I was photographing, yes.

16 Q I want to show you what's been marked as State's
17 Exhibits 111 through 143 and ask if you recognize those?

18 MS. CAMPBELL: Your Honor, while she is looking at
19 those, may we approach?

20 (Whereupon, a bench conference was held.)

21 THE COURT: Stand up, stretch you legs.

22 Let's -- I wasn't sure how much longer they were
23 going to be with this witness. Let's go ahead and take
24 our break. We've been going for a while. Do not discuss
25 the case, keep an open mind. We'll be back with you in

1 about 15 minutes or so. Okay.

2 (Whereupon, the jury left the courtroom at 10:59
3 a.m.)

4 THE COURT: All right. Ms. McClary, you are allowed
5 to step down during the break, but you are not allowed to
6 discuss your testimony with anybody. Do you understand
7 that?

8 THE WITNESS: Yes, sir.

9 THE COURT: Thank you, ma'am.
10 What do y'all need? Come on up.

11 MS. CAMPBELL: If I can say --

12 THE COURT: Go ahead.

13 MS. CAMPBELL: Your Honor, Ms. Annie Bell is here.
14 She is the decedent's aunt.

15 THE COURT: Okay.

16 MS. CAMPBELL: We had brought her in because she's a
17 family member.

18 THE COURT: Okay.

19 MS. CAMPBELL: They're objecting.

20 THE COURT: What's the issue?

21 MR. BAILEY: Your Honor, if they intend to call her
22 as a witness, we would ask she be sequestered like all the
23 witnesses, that's all.

24 THE COURT: She's a witness?

25 MS. CAMPBELL: All she's going to testify to is the

1 last time she saw him was that Friday.

2 THE COURT: I think we should --

3 MS. CAMPBELL: She's a family member under the Bill
4 of Rights.

5 THE COURT: She's in.

6 MR. BAILEY: Your Honor, for the record, we think a
7 witness is a witness. They can testify to an array of
8 things, so we would object to her being in here while
9 there's other factual witness testimony.

10 THE COURT: Do you have anything that contradicts the
11 constitution of the State of South Carolina that says
12 that?

13 MR. BAILEY: Your Honor, I just -- I mean --

14 THE COURT: The answer is yes or no.

15 MR. BAILEY: No, sir.

16 THE COURT: Okay. 15-minute break.

17 (Whereupon, a short break was taken.)

18 (Whereupon, State's Exhibit Nos. 186 through 237
19 were marked for identification.)

20 THE COURT: All right. Everybody ready?

21 MS. CAMPBELL: Yes, Your Honor.

22 MR. BAILEY: Yes, sir.

23 All right. Bring them in.

24 THE BAILIFF: Yes, sir.

25 (Whereupon, the jury entered the courtroom at

1 11:22 a.m.)

2 THE COURT: All right. Welcome back, ladies and
3 gentlemen.

4 Ms. Campbell, you may continue.

5 MS. CAMPBELL: Thank you, Your Honor. We would offer
6 State's Exhibit Nos. 111 through 143.

7 MS. GOODE: No objection.

8 THE COURT: Without objection, State's 111 through
9 143.

10 (Whereupon, State's Exhibit Nos. 111 through 143
11 were admitted into evidence.)

12 CONTINUED DIRECT EXAMINATION

13 BY MS. CAMPBELL:

14 Q In addition to processing the glass shards and
15 things, did you also process a knife that day?

16 A I photographed it, and I did eventually process it,
17 yes.

18 Q I'm going to show you State's Exhibits 144 through
19 151, do you recognize those?

20 A Yes, these are the photographs I took of the knife.

21 MS. CAMPBELL: Your Honor, they had the opportunity
22 to review these and we would offer them at this time.

23 MS. GOODE: No objection.

24 THE COURT: Without objection, 144 through 151.

25 (Whereupon, State's Exhibit Nos. 144 through 151

1 were admitted into evidence.)

2 BY MS. CAMPBELL:

3 Q I'm going to show you State's Exhibit No. 180 and ask
4 if you recognize this?

5 A Yes. This is the box I placed the knife in. It has
6 my initials and my signature on it.

7 Q Is this what's shown in the photographs we just
8 talked about?

9 A Yes.

10 Q And then, finally, State's Exhibit 184. Do you
11 recognize that?

12 A Yes. This is the box that I placed the glass vase
13 pieces this. It's got my signature and my initials on it.

14 MS. CAMPBELL: Your Honor, at this time, we would
15 offer State's Exhibits 180 and 184.

16 MS. GOODE: No objection.

17 THE COURT: State's 180 and State's 184 without
18 objection.

19 (Whereupon, State's Exhibit No. 180 and State's
20 Exhibit No. 184 was admitted into evidence.)

21 BY MS. CAMPBELL:

22 Q And we went ahead and put in all the photographs you
23 took of the glass bottle, but if you can look through
24 these photographs, 111 through 143, you talked about the
25 ridge detail that was significant that you even saw at the

1 scene. Can you show the jury some photographs that show
2 that?

3 A Yes. That's what I was trying to document on State's
4 Exhibit 112, 113, 114, the ridge detail.

5 Q This is State's Exhibit 112. And again, this ridge
6 detail in your experience comes from where?

7 A It is a transfer from either blood being on someone's
8 hand and touching an item or blood being on the surface of
9 an item and the hand, the ridge detail coming in contact
10 with that.

11 Q And when you're looking in State's Exhibits 113 and
12 114, when you're looking at this, are you able to tell how
13 it's deposited, whether it comes from the blood being on
14 the item or the blood being on the hand?

15 A It actually had both. We could see areas where --
16 when you had a heavy saturation of a substance such as
17 blood, as you grab something and force that pressure from
18 the hand surface -- the surface of the hand to that item
19 or object, it will force that liquid substance actually
20 into the furrows or the valleys, the spaces in between the
21 ridges on the hands. And so you could actually see both,
22 where it was transferred from the top of the ridge, but
23 also, we had some areas where there was blood that had
24 been pushed into the furrows.

25 Q So there were areas in the ridge detail we're

1 referring to where blood would have been on the hand when
2 it grasped the item?

3 A Yes.

4 Q And then there were areas where the blood would have
5 been on the item when the hand grasped it?

6 A Yes.

7 Q In State's Exhibit No. 184, the ridge detail we're
8 talking about, where is that located on the glass pieces
9 you recovered?

10 A Primarily, it's observed around the neck region, the
11 lower portion of the neck where you've got the top of the
12 vase, and then as it starts getting wider along the neck.

13 Q It may not be on this side.

14 A Yes. I actually marked it with a black Sharpee
15 designated by point one, point two and point three.

16 Q That's actually on the side. You don't have to touch
17 this. In this bag, are these the rest of the glass
18 shards?

19 A Yes.

20 Q But we're talking about these prints that came from
21 the neck area?

22 A Yes.

23 Q And those are denoted with your black markers?

24 A Yes.

25 Q And once you photographed these items and everything,

1 did you forward these photographs for comparison purposes?

2 A I did forward the photographs. Also, before I got
3 too involved with the photography of the stains and the
4 ridge detail on them, I actually walked the item of
5 evidence into our AFIS room and let our AFIS operator
6 enter it directly from that ridge detail that you see on
7 the base of the neck. I knew it was going to take me a
8 significant amount of time to photograph it properly. And
9 because we did not know who this ridge detail belonged to,
10 we wanted to begin searching it.

11 Q And again, this is the next day after you've been to
12 the crime scene and collected all this?

13 A Yes, that is correct.

14 Q At this point, is there any suspect in this case?

15 A No, not at this time that I was aware of.

16 Q So this print in blood would be significant?

17 A Yes.

18 Q And then you -- but you weren't the one that actually
19 ran it through the AFIS system?

20 A No.

21 Q All right. That day you also photographed a knife,
22 State's Exhibit No. 180; is that correct?

23 A Yes. I began photographing it. Like I said, I got
24 interrupted because I had to take additional photographs.

25 Q Of?

1 A The apparent suspect that they had identified.

2 Q Okay. And I show you what's on the box of State's
3 Exhibit No. 180 is. Is this the knife that was found next
4 to the bed?

5 A Yes.

6 Q And you mentioned that there was what type of
7 substance on the blade?

8 A There was a reddish-brown in color substance on the
9 blade, appeared to be blood.

10 Q And where was this knife found in the house?

11 A The blood was -- excuse me, the knife was found at
12 the foot of the bed in that main master bedroom at the
13 foot of the bed. It was designated by evidence Marker No.
14 1 one on the diagram.

15 Q And this reddish-brown -- I'll show you State's
16 Exhibit 148 and more pictures of that. Is that what we're
17 talking about?

18 A That is what we're talking about, yes.

19 Q And that's how it appeared before you actually
20 swabbed it that day?

21 A Yes.

22 Q And again, when you're swabbing these items, you
23 don't know whose blood it is, you don't do that testing?

24 A I do not do that testing. I just know that it has
25 value and it needs to be photographed, and then it needs

1 to be collected.

2 Q And those are the items that you photographed that
3 day?

4 A Yes.

5 Q That day, also, did you get called -- this is on the
6 28th, did you get called in to photograph an actual
7 person?

8 A Yes.

9 Q Who were you asked to photograph later that day?

10 A I was asked to take photographs of a female, Holly Jo
11 Thompson.

12 Q And what time was that when you were asked to do
13 those photographs?

14 A It was approximately 1:00 o'clock, 1:15 in the
15 afternoon.

16 Q And what time was it that you had actually walked
17 this print over to the AFIS department for them to run
18 through their system?

19 A I pulled that item of evidence out of my locker about
20 8:30 in the morning, so it was shortly thereafter.

21 Q Okay. So it would have been around 8:30, 9:00,
22 10:00, somewhere in there?

23 A Uh-huh.

24 Q So this is some four hours later?

25 A Uh-huh.

1 Q Where was Ms. Thompson located when you were asked to
2 photograph her?

3 A She was actually with one of our investigators, and
4 they had her over in our CID area, which is the office
5 area where our investigators have their offices.

6 Q And what was the purpose of you doing photographs
7 that day of Holly Jo Thompson on January 28th, some four
8 days after this occurred?

9 A Wanted to get overall documentation of -- from head
10 to toe of her on all sides. There were also what appeared
11 to be some discolorations observed on her arms. And so
12 they had asked me to photograph any injuries that may have
13 been present at that time.

14 Q Anything, everything?

15 A Yes.

16 Q And I show you State's Exhibit 152 through 179. Do
17 you recognize those?

18 A Yes, these are the photographs I took that day of
19 Holly Jo Thompson.

20 MS. CAMPBELL: Your Honor, at this time, we'd offer
21 152 through 179 into evidence.

22 MS. GOODE: No objection.

23 THE COURT: Without objection, 152 through 179.

24 (Whereupon, State's Exhibit Nos. 152 through 179
25 were admitted into evidence.)

1 BY MS. CAMPBELL:

2 Q And I'll show you State's Exhibit 152. What does
3 that show?

4 A That is a tattoo that was located on the upper left
5 shoulder area. That's just closer view of it.

6 Q 153. State's Exhibit No. 154 and 155?

7 A That's a photograph and a closer photograph of a
8 tattoo located on the upper right shoulder.

9 Q State's Exhibit 157, what does that show?

10 A That was a tattoo that was located near the ear on
11 the neck area on the right side.

12 Q State's Exhibit No. 158, what does that show?

13 A That is showing an area of the right arm, the right
14 elbow and the right wrist. I did observe some
15 discoloration in that area, and I did observe a very small
16 possible cut to the elbow area.

17 Q State's Exhibit 159, what does that show?

18 A That is just an overall of the front head-to-toe of
19 Holly Jo Thompson.

20 Q State's Exhibit No. 160, what does that show?

21 A Once again, that's showing the right arm and shoulder
22 area, just an overall. We will take overall photographs
23 and a little closer view before we begin moving in to take
24 extreme close-ups where we'll use a scale where we're
25 documenting.

1 Q State's Exhibit No. 161, what is that showing?

2 A That is showing an overall head-to-toe view of the
3 right side of Holly Jo Thompson.

4 Q State's Exhibit No. 167, what does that show? You
5 can't really see it.

6 A It is showing discoloration around the wrist area.

7 Q State's Exhibit 168?

8 A It was a very slight discoloration observed around
9 the knuckle area, the top of the -- I believe that was her
10 left hand.

11 Q And did you even check her legs to make sure you
12 noted anything?

13 A I did.

14 Q State's Exhibit 169, what does that show?

15 A She directed my attention to a very small possible
16 cut to the inner right knee area.

17 Q State's Exhibit 170, what does that show?

18 A That was a very apparent -- just small cut at the
19 base of the left fingers, like the little finger and the
20 ring finger.

21 Q State's Exhibit 171?

22 A That is showing an area of discoloration on the
23 forearm area. And I don't know if those were older cuts
24 or scars. I don't know what they were, I just
25 photographed them.

1 Q Appears to be scars?

2 A Uh-huh.

3 Q You just photographed everything?

4 A Yes.

5 Q State's Exhibit 173 again?

6 A Just photographing real faint discoloration observed
7 on the forearm/wrist area.

8 Q State's Exhibit 174?

9 A That was a photograph showing a little bit of
10 discoloration and very small scabbed over. -- I don't know
11 if it was a cut or what on the right elbow.

12 Q State's 175 and 176?

13 A Those are just overall views of the back and the side
14 of Holly Jo Thompson.

15 Q 177 and a closer-up of 178?

16 A Those are closer views of that scabbed-over cut to
17 the inner right knee area.

18 Q So these are closer-ups of the same knee?

19 A Yes.

20 Q Just one cut.

21 A Yes.

22 Q Finally, State's Exhibit 179?

23 A That is a discoloration on, I believe that was the
24 wrist area.

25 Q The same one we've already seen?

1 A Yes, just a closer view of it.

2 Q And the person you photographed that day, is she
3 present here in the courtroom?

4 A Yes.

5 Q Can you point her out for the jury?

6 A She's sitting at the table with the pink sweater on.

7 Q Has her appearance changed somewhat?

8 A It has, yes.

9 Q How has it changed?

10 A It appears that she's put on a little weight.

11 Q But that's the person you photographed?

12 A Yes.

13 Q Then moving back to several days later, did you have
14 an opportunity to go back and further process -- you said
15 you were interrupted because you had to take photographs?

16 A Yes.

17 Q The two items, 180 and 184?

18 A Yes.

19 Q And can you tell the jury what you did on that day?

20 A I photographed -- I started photographing that first
21 day some hairs and possible fibers that were noted on
22 those items. I wanted to photograph those before I
23 collected them. So I just examined to make sure I hadn't
24 missed any additional hair or fiber evidence. I marked
25 those two additional areas .2 and .3 of ridge detail so

1 that I could make sure to photograph those for a latent
2 print examiner to do any comparisons with.

3 The knife had a reddish-brown substance, appeared to
4 be blood, on it. I wanted to process that to see if I
5 could develop -- I could not see any visible ridge detail
6 on the knife, so I wanted to process it and see if we
7 could develop any possible ridge detail or anything.

8 And so what I did with this particular item, the
9 knife, was apply a protein dye solution called amido
10 black. It's a very dark blue-black in color solution.
11 It's a liquid substance. We apply it. And what it will
12 do is when it comes in contact with proteins, it will
13 stain them a darker blue, kind of blue-black in color.

14 So I created some known standards. We use horse
15 blood in our laboratory. We want to make sure -- validate
16 and make sure the solution is properly working before we
17 ever put it on any item of evidence. So I had created
18 some fingerprints with my fingerprints in horse blood, had
19 let those dry. I applied that solution before applying it
20 to the evidence to make sure it developed as it should.

21 So it did, and then I began applying it to the knife.
22 I did not see any further development of any ridge detail
23 on the knife, and so that was where I concluded my
24 processing on that particular item.

25 Q On the knife as far as processing for fingerprints?

1 A Correct.

2 Q Is that unusual, even if a knife is held by someone,
3 for you not to get a fingerprint?

4 A No, that is not unusual.

5 Q And what are the factors -- like if I come up and
6 touch this piece of wood, am I going to leave my
7 fingerprint?

8 A There's a lot of factors if the person is going to
9 deposit any kind of latent print residue, if they have
10 anything on their hands. Surface factors are very
11 important as to whether or not we'll deposit any kind of
12 fingerprints on a surface.

13 Clean touch and release. So if there's pressure, or
14 there's slippage or movement of any kind, oftentimes, we
15 won't get anything what we refer to as identifiable. So
16 it won't be of good quality. It won't be of good clarity
17 that we can actually make out that one, it is ridge
18 detail; and two, that we have the ability to either
19 identify or eliminate someone as having been the person
20 that touched and left that particular print. So there's a
21 lot of factors.

22 Q A lot of factors?

23 A Yes.

24 Q And when you're talking about how it's touched, a
25 clean touch versus a smudge, how it's referred to --

1 A Yes.

2 Q -- it just may not be left properly?

3 A Correct.

4 Q Did you also take any swabs that day?

5 A Yes.

6 Q And, specifically, what did you swab?

7 A I swabbed the knife, and I also swabbed the largest
8 piece of glass that had a heavy saturation of a
9 reddish-brown in color substance. The visible ridge
10 detail that was present in the reddish-brown stains, I did
11 not want to move forward with further processing at this
12 time because we were -- they were identifiable. Our AFIS
13 operator was able to identify someone through that ridge
14 detail, so I just wanted to leave that intact. I didn't
15 want to risk applying a solution that may be detrimental
16 and cause that very valuable evidence to disappear.

17 So I didn't do anything with the areas that had the
18 visible ridge detail. I just swabbed a -- it was a larger
19 piece of glass that had a heavy saturation of the apparent
20 blood on it, swabbed that and submitted that into
21 evidence.

22 Q I show you State's Exhibit 182, do you recognize
23 that?

24 A Yes, this is the package where I submitted those two
25 swabs, one from the knife and one from the glass piece, to

1 our evidence and property room. It's got my signature and
2 my initials on it.

3 Q When you packaged these items, were they packaged
4 separately so the integrity of the evidence was preserved?

5 A Yes. When we take a swab of any kind of stain, it's
6 actually packaged inside of a small cardboard box. And
7 both of those boxes are separate inside that envelope and
8 they're both submitted.

9 Q To prevent any transfer from one to the other?

10 A Yes.

11 Q And then once this was properly packaged and
12 everything, was it submitted into evidence?

13 A It was submitted into evidence, yes.

14 MS. CAMPBELL: Your Honor, at this time, we'd offer
15 182 into evidence.

16 MS. GOODE: No objection.

17 THE COURT: State's 182 without objection.

18 (Whereupon, State's Exhibit No. 182 was admitted
19 into evidence.)

20 BY MS. CAMPBELL:

21 Q I want to show you finally State's Exhibit No. 181.
22 Did you also collect possible hair and fiber evidence in
23 this case?

24 A Yes.

25 Q Where did that come from?

1 A This was the possible hair and fiber evidence
2 collected from the glass pieces which we had collected
3 from the hall floor there at the incident location at the
4 crime scene.

5 Q From the hall floor?

6 A Yes.

7 Q In that same area?

8 A Yes. And those hairs and fibers were collected from
9 those glass fragments during my photography process.

10 MS. CAMPBELL: Your Honor, at this time, we'd offer
11 State's Exhibit 181.

12 MS. GOODE: No objection.

13 THE COURT: State's 181 without objection.

14 (Whereupon, State's Exhibit No. 181 was admitted
15 into evidence.)

16 BY MS. CAMPBELL:

17 Q I want to turn back. At the crime scene, I believe
18 on the kitchen floor and maybe on that a white cabinet,
19 were there other knives there at the crime scene?

20 A Yes.

21 Q Were those collected? You photographed them, but
22 were they collected? Do you know?

23 A They were not collected that I'm aware of, not while
24 I was there. They were visually examined to see if there
25 was any kind of possible forensic evidence, any

1 reddish-brown stains, any hairs, fibers, anything that
2 might look like it didn't belong there, but there was
3 nothing noted, so that's why I did not collect.

4 Q And, finally, to be clear, on the knife that was
5 collect that was found there on the bedroom floor, you
6 said you swabbed the reddish-brown stain?

7 A Yes.

8 Q What area of the knife did you swab and then,
9 ultimately forward to DNA for testing?

10 A I swabbed the blade, as well as the handle area.

11 Q Can you check your notes?

12 A I stand corrected.

13 Q Okay.

14 A The knife, I examined visually, swabbed the RBS on
15 the -- which is reddish-brown substance on the knife
16 blade.

17 Q On the knife blade?

18 A Yes.

19 Q So at that point, you're trying to collect what may
20 be possible blood evidence from the knife blade?

21 A Yes.

22 Q And that's the only part of the knife that was
23 swabbed?

24 A Yes.

25 Q All right. And as far as testing that substance to

1 see whether it was blood and/or whose DNA it matches, that
2 would have been done by somebody else in another
3 department?

4 A Yes.

5 Q And just for clarification, the only other knives in
6 the residence, I believe there was one you can't really
7 see, State's Exhibit 45, on the floor here?

8 A It was on the floor in front of the stove area.

9 Q Was there any other evidence pertinent to this in
10 that area that you found?

11 A No.

12 Q You did do a visual look at that knife?

13 A Yes.

14 Q As well as, I believe there was one on top of the
15 white cabinet?

16 A Yes.

17 Q And those did not appear to have any evidence
18 significant in this case?

19 A No.

20 MS. CAMPBELL: Thank you, ma'am. I don't have
21 anything further.

22 THE COURT: Did you say --

23 MS. CAMPBELL: I'm good. Thank you, Judge.

24 THE COURT: All right. Ms. Goode.

25 MS. GOODE: Thank you, Your Honor. May it please the

1 Court?

2 THE COURT: Yes, ma'am.

3 CROSS-EXAMINATION

4 BY MS. GOODE:

5 Q We've covered a lot of stuff here. I don't want to
6 go back over everything, but there are some questions I do
7 have for you.

8 So at the scene itself, your specific job was to
9 photograph, photograph the scene, observe and photograph?

10 A Yes.

11 Q And there were other crime scene personnel there that
12 were maybe given other jobs?

13 A Yes.

14 Q Evidence collecting, scene processing, other people
15 did those jobs, right?

16 A Yes.

17 Q And it's -- photographs, they're pretty important
18 whenever you're investigating a case, right?

19 A Photographic documentation, yes.

20 Q They're important because not every investigator
21 makes it out to the scene that's involved in a case?

22 A Correct.

23 Q They need to be able to see what you saw while you're
24 investigating, while you're in what is called a crime
25 scene, right?

1 A Yes.

2 Q And also for juries, too, because they won't get a
3 chance to actually go and see the crime scene?

4 A That's correct.

5 Q So you're taking pictures. You don't know what's
6 important. You don't know what's going to be relevant to
7 someone's investigation?

8 A That's correct.

9 Q And if you're not thorough and accurate in
10 documenting the scene, then something could be lost?

11 A That's always possible, yes.

12 Q It could be detrimental to an investigation?

13 A I mean, I guess it could be, yes.

14 Q Because the purpose of photographing is to document
15 where potential evidence is in a scene, where it is in
16 relation to a victim, right?

17 A Yes.

18 Q Whether it's obviously connected to the crime or not
19 and because it's better to have too many pictures than not
20 enough, right?

21 A Correct.

22 Q So you get to the scene. It's about 2:00 o'clock in
23 the afternoon. It's sunny out, right?

24 A Uh-huh.

25 Q And you start taking pictures of the front part of

1 the house. You start with the road and work your way up
2 to the house. Nothing really stands out. There was -- I
3 believe there was some things processed not by you, but
4 nothing in the pictures that you and the solicitor went
5 over today as far as the front of the house?

6 A That was -- I'm sorry, I don't understand what your
7 question was.

8 Q Okay. That was like 12 in one there. You took
9 pictures of the front of the house?

10 A Yes.

11 Q And the front of the house has a porch?

12 A Yes.

13 Q And there are items on the porch, right?

14 A Yes.

15 Q But nothing for you to take any pictures of at that
16 point? You didn't believe that anything on the porch was
17 important to the investigation?

18 A Not anything that I recall catching my attention, no,
19 just overall documentation.

20 Q And then you make your way around to the back of the
21 house. And in the -- I want to talk about the backyard a
22 little bit. The backyard had several things, lots of
23 grills and equipment, right?

24 A Yes.

25 Q And these grills are pretty big, right?

1 A As I recall, yes.

2 Q And you took some pictures of them. I believe we've
3 already gone through those. They were kind of
4 cooker-style grills, right?

5 A I'm not exactly sure what you're referring to as
6 cooker-style, it's just a heavier duty grill.

7 Q Right. And it's not the type of grill that you -- if
8 you're just wanting to cook a hot dog or a hamburger?
9 That is the type of grill that's massive, you're putting
10 large amounts of meat on it, right? I don't know where
11 the pictures are.

12 A I guess that could be accurate.

13 Q And you took pictures of those?

14 A Yes, in my overall just general documentation of the
15 backyard area.

16 Q Let's see if I can find this. Also, in the backyard
17 is a dog, right?

18 A Yes.

19 Q And the dog is chained up in the backyard?

20 A Yes, he was chained up.

21 Q And -- here we go. And you did take a picture of the
22 dog as well?

23 A He was included in the photographs I took back there,
24 yes.

25 Q And he's -- I want to refer you to State's Exhibit 9

1 here. If you can show us where the dog is in the picture
2 there?

3 A He's actually -- you can just catch his ear behind
4 the post while I was up on the porch.

5 Q And that's the post on the back porch?

6 A Yes, that's one of them, yes.

7 Q And you're standing right here on the back porch.
8 This would be the door of the trailer?

9 A Yes.

10 Q Your back would have been to the door and you would
11 come down these steps and the dog would be right here?

12 A Yes, that's correct.

13 Q Let's see. And then you head inside the house and
14 start documenting things through photographs that way?

15 A Yes.

16 Q And again, you're taking pictures of things that
17 could be important, right?

18 A Just documenting the scene, everything in its
19 entirety, yes.

20 Q Even things that you don't -- you have no idea at
21 that point what could be or what isn't important, right?

22 A That's correct.

23 Q And you took several pictures. You go through each
24 room, pretty much every room of the house?

25 A Correct.

1 Q And you even make your way into the bathroom?

2 A Yes, that's correct.

3 Q And there were a couple of pictures of the bathroom
4 that were admitted earlier?

5 A Yes.

6 Q I do have some additional pictures here that I just
7 want to show to you. They're Defendant's Exhibit 12 and
8 11?

9 MS. CAMPBELL: No objection.

10 MS. GOODE: These photographs --

11 THE COURT: Do you want to admit those?

12 MS. GOODE: Yes, at this time, the Defense would
13 admit 12 and 11.

14 THE COURT: Okay.

15 BY MS. GOODE:

16 Q And we'll check out these pictures for me here and
17 just tell me what you see.

18 A It's a photograph of the counter in the bathroom and
19 a piece of paper, rolled paper that appeared to be burned
20 at one end.

21 THE COURT: All right. So Defendant's Exhibit Nos.
22 11 and 12 are admitted without objection.

23 (Whereupon, Defendant's Exhibit Nos. 11 and 12
24 were admitted into evidence.)

25 BY MS. GOODE:

1 Q And so this is -- when you walk into the door of the
2 bathroom, this is looking in and that's the counter where
3 the sink is?

4 A That's correct.

5 Q And this looks like maybe a heater right here? I'm
6 not sure.

7 A I'm not sure what it was.

8 Q Okay. Something with a plug coming out from it and
9 it's sitting there on the counter?

10 A Uh-huh.

11 Q And underneath that plug is what appears to be
12 some -- a rolled-up either cigarette or a blunt, joint of
13 some sort?

14 A I just observed that it was a piece of paper rolled
15 up, looked like some kind of cigarette with a burned end
16 on it.

17 Q And are you aware of anybody collecting that at the
18 scene?

19 A I did not collect it at the scene, no.

20 Q I want to go back just a second, when you arrived on
21 scene, you arrived around the same time as Investigator
22 Rainsford in this case, right?

23 A Yes.

24 Q You were notified to be there by Investigator
25 Rainsford?

1 A That's correct.

2 Q And at that point, you're not the first law
3 enforcement officer there?

4 A No, I was not the first.

5 Q And at that point -- you get there about 2:00 o'clock
6 in the afternoon, about how many officers are on the scene
7 or people at this point?

8 A I do not recall off the top of my head how many
9 officers were there. I know there were officers, law
10 enforcement officers and coroner personnel were also
11 present.

12 A crime scene log had been established, and so
13 anybody who had gone into the scene or was in that
14 vicinity should be on that crime scene log. But I don't
15 recall exactly how many people were outside of the
16 perimeter.

17 Q Were there -- okay. There's at least three crime
18 scene personnel there that day, right?

19 A Eventually, there were, yes.

20 Q And you guys are all inside kind of working together
21 trying to figure out what's important -- could be
22 important to the investigation?

23 A Well, our goal in there is to photograph, to document
24 and to process and to collect.

25 Q But it's a team effort, right?

1 A Yes.

2 Q You're taking pictures, someone else may be
3 collecting the evidence, and then someone else may be
4 processing the scene?

5 A Right.

6 Q And again, your job, specifically, as it relates to
7 the scene in this case is to document photographically?

8 A To observe and to photographically document, yes.

9 Q And you did talk about pictures that you took that
10 were in your opinion possible hair fibers on Mr. Solomon's
11 hand, that you could see visibly on his hand?

12 A Yes, on one of his hands and also on the other elbow.

13 Q And those hairs were collected?

14 A Yes.

15 Q And you photographed both the hair on the elbow and
16 the hair on his wrist or elbow?

17 A In his hand.

18 Q I'm sorry?

19 A Yes, in his hand.

20 Q Okay. And that hair is then turned over to another
21 department for analysis?

22 A That's correct. It would be submitted to the
23 evidence and property section and then go out to any other
24 department that they were requiring testing be done on it.

25 Q And I want to talk a little bit about the structure

1 itself. It's been called -- it's single-wide trailer,
2 right?

3 A That's what it appeared to be, yes.

4 Q Right. And you went in through the back door, right?

5 A No.

6 Q You went in through the front door, I apologize?

7 A I made entry into the front door.

8 Q You went through the front door. And the front door
9 opens -- if you walk up to the front door, it opens to the
10 right?

11 A I believe it did.

12 Q And it opened to the right and you're in the living
13 room?

14 A Right.

15 Q And it would -- the back of the door would be opening
16 into the kitchen. If you walk in the door, the interior
17 of the door would open into the kitchen?

18 A Yes.

19 Q Or that direction?

20 A It's a right swing door, yes.

21 Q And you did photograph the back of the -- the back of
22 that front door at some point in your investigation?

23 A In the general overall photographs?

24 Q Or you were asked to photograph the door, the back
25 of --

1 MS. GOODE: Beg the Court's indulgence.

2 BY MS. GOODE:

3 Q Just a second. I apologize. I believe it might have
4 been someone else who photographed those?

5 A Yes.

6 Q You were asked to photograph several stains, what you
7 believed to be red-brownish, potentially blood stains,
8 throughout the house. And there were several areas that
9 you photographed. I believe it was a total of -- well,
10 the markers was A through I, I believe?

11 A I believe the last adhesive label was I.

12 Q And each area was swabbed?

13 A Not by me.

14 Q Not by you. Were those the only areas in the
15 house -- let me rephrase my question. Just one second.

16 (Pause.)

17 Okay. Let me regroup here. All right. So you come
18 in the front door of the house -- of this trailer?

19 A Yes.

20 Q You go in the front door, you're in the living room,
21 just like you described?

22 A Yes.

23 Q There's a couch on the back of the trailer which
24 would be backed up to the backyard?

25 A Yes.

1 Q And then there's another couch when you immediately
2 walk in to the left?

3 A Immediately to the left, yes.

4 Q And just next to the couch that's -- that would be
5 sitting against the outward wall, I guess is what I'll
6 call it, the wall to the exterior?

7 A The wall opposite from the front door?

8 Q There you go. That works. Does that help?

9 A Okay.

10 Q There is a -- I guess, a bookshelf right there next
11 to the couch, right?

12 A A white bookshelf, yes.

13 Q And it's in between the couch and the bar area that
14 you had described earlier?

15 A Yes, it was in the corner.

16 Q And you did photograph some of the items on that
17 shelf?

18 A Yes.

19 Q And one of the items that you photographed was a
20 knife?

21 A There was a large butcher-type knife laying on the
22 top shelf.

23 Q And I want to show you what's been marked as
24 Defendant's Exhibit 20. If you can tell me what you see
25 there.

1 A That appears to be the knife that was laying there.
2 I did examine it visually, but did not observe any
3 reddish-brown stains on it. This appears to be an extreme
4 enlargement of my overall photograph.

5 Q It's your photograph. I think there's different
6 scales possibly that you took, maybe a little further out.
7 And that's just the one that's the closest that you took.

8 I can see if I can find the photo with the cabinet.
9 I'll see if I can find it here.

10 MS. GOODE: Beg the Court's indulgence.

11 (Pause.)

12 BY MS. GOODE:

13 Q Okay. I apologize. I want to show you what's been
14 previously marked as Defendant's Exhibit 32. If you can
15 just tell me what you see there.

16 A Yes, that's a photograph of the white cabinet. And
17 this just appears to be an extreme enlargement taken from
18 this overall photograph.

19 Q Okay.

20 A I didn't actually take a close-up that looked like
21 that.

22 MS. GOODE: Your Honor, the State -- or the Defense
23 would seek to introduce Defendant's Exhibit No. 32 into
24 evidence.

25 THE COURT: Is 20 in? Twenty is not, okay, so now

1 we're on 32?

2 MS. GOODE: Yes, we'll go with 32.

3 THE COURT: Any objection?

4 MS. CAMPBELL: No objection to 32.

5 THE COURT: Okay. Defendant's No. 32 without
6 objection.

7 (Whereupon, Defendant's Exhibit No. 32 was
8 admitted into evidence.)

9 MS. GOODE: Thank you. And we'll go back to 20 in a
10 second, Your Honor.

11 BY MS. GOODE:

12 Q So this is the couch, his couch on the back porch
13 side of his trailer?

14 A Yes.

15 Q And next to that is the -- I'll do it so the jury can
16 see. Next to that is the white cabinet that we were just
17 talking about?

18 A Bookshelf.

19 Q Bookshelf. And the bar here?

20 A Yes.

21 Q All right. And right here on top of this -- on top
22 of this bookshelf, can you tell me what it is that you see
23 there?

24 A It was a large knife that was just laying there.

25 Q Okay. And you said you visually inspected the knife?

1 A Just visually examined it, yes.

2 Q And you say you didn't see anything on it that was
3 visible to you?

4 A No.

5 Q Okay. You're not -- you don't know if that knife was
6 collected by anybody at the scene?

7 A I do not. I did not collect that knife.

8 Q And again, it was -- you took a picture of it,
9 visually inspected it, but didn't see anything on it?

10 A I did not, no.

11 Q And you know -- you're a crime scene investigator,
12 you know what touch DNA is?

13 A I'm familiar with it, yes.

14 Q And I think Ms. Campbell maybe touched on it a little
15 earlier, if someone touches something, they may or may not
16 leave a fingerprint, but could potentially leave DNA
17 behind?

18 A It's always a possibility, but I'm not a DNA expert.

19 Q Right. They may not leave a fingerprint, but they
20 may leave touch DNA behind, skin cells, sweat, otherwise?

21 A It's possible, yes.

22 Q And you took several photographs of the kitchen?

23 A Yes, it was documented overall through my overall
24 documentation.

25 Q And I want to show you what's been marked as

1 Defendant's Exhibits 24 and 23. If you would, tell me
2 what you see there.

3 A These appear to be enlarged areas, enlargements of my
4 overall scene documentation showing a very large knife
5 laying on the floor of the kitchen in front of the stove
6 area.

7 MS. GOODE: Defense would at this time move to enter
8 23 and 24 Defendant's Exhibits?

9 MS. CAMPBELL: Your Honor, I don't believe that she
10 said that fairly and accurately. If she lays the
11 foundation, we have no problem.

12 MS. GOODE: These are the pictures we received from
13 the State printed up from the pictures --

14 THE COURT: Do those fairly and accurately depict
15 what you took a picture of that day?

16 THE WITNESS: They're enlargements of a smaller
17 portion in my overall photograph.

18 THE COURT: Is there an objection, Ms. Campbell?

19 MS. CAMPBELL: No, Your Honor, not with that caveat.

20 THE COURT: Okay. Defendant's 23 and 24 without
21 objection.

22 (Whereupon, Defendant's Exhibit Nos. 23 and 24
23 were admitted into evidence.)

24 MS. GOODE: Thank you, Your Honor.

25 BY MS. GOODE:

1 Q And you took several pictures while you were in the
2 kitchen, right?

3 A Just photographing the overall interior of the
4 kitchen area, yes.

5 Q And you didn't stay in one spot when you took those
6 pictures?

7 A No.

8 Q You would move into different areas to take pictures?

9 A Yes, that's correct.

10 Q You may have bent down to take this picture?

11 A No, I didn't take a close-up of that nature.

12 Q So this is Mr. Solomon's kitchen, this is the kitchen
13 at [REDACTED] Lower Richland Boulevard, the crime scene that you
14 investigated that day?

15 A It appears to be the kitchen, the photograph I took
16 in the kitchen, yes.

17 Q And in that photograph, there's a knife right here on
18 the floor?

19 A Yes.

20 Q And there's a close-up picture here of this knife on
21 the floor?

22 A I did not take a close-up of that. That appears to
23 be a photographic enlargement where somebody went in and
24 took a small portion of that overall photograph and then
25 enlarged it bigger.

1 Q Okay. And who else that day had a camera? Were all
2 crime scene personnel with a camera or was it just you
3 that had a camera?

4 A We were using just one camera that day as best as I
5 can recall it, yes.

6 Q And that is close-up picture of the knife that's
7 found here in the kitchen?

8 A It appears to be an enlargement of a portion of that
9 overall photograph.

10 Q Okay.

11 A I did not take a specific close-up.

12 Q Did you see this knife?

13 A I saw a long, butcher-type knife laying on the floor.

14 Q Did you visually inspect this knife?

15 A I visually examined it, yes.

16 Q But this knife, you're not sure if it was collected?

17 A I did not collect it, no.

18 Q All right. Let's move on from the crime scene.

19 Let's move on to the next day. You're back at
20 headquarters -- is your lab at headquarters?

21 A Yes.

22 Q And at that point, you began processing the knife and
23 the glass pieces?

24 A That next day, I began photographing first and then
25 the glass pieces.

1 Q Okay. So you began photographing the knife and the
2 glass pieces and visually examining them?

3 A Yes.

4 Q You're interrupted, right?

5 A Yes.

6 Q And then that's when you start taking pictures of
7 Ms. Thompson?

8 A Yes, that is correct.

9 Q You stop what you're doing with your photographs of
10 the knife and of the glass pieces?

11 A Yes. And the items were resecured in my evidence
12 locker in the lab.

13 Q And at that point, you -- Ms. Thompson is at
14 headquarters already?

15 A I didn't visibly see her until I walked over there to
16 photograph her --

17 Q So you --

18 A -- so I don't know if she was at headquarters or not.

19 Q And Mr. Johnson, Investigator Johnson, he is the one
20 that requested you take these pictures of her?

21 A I believe he made the request. I was actually
22 informed about the request from Investigator Harold
23 Bouknight.

24 Q Okay. And you guys are -- you're in a room at the
25 sheriff's department, right?

1 A We're in a location inside the sheriff's department,
2 yes.

3 Q And it's not just you and Holly while the pictures
4 are being taken?

5 A No. I made sure that Investigator Johnson stayed
6 present while I was doing the photography.

7 Q And he was telling you what he wants documented.

8 A He asked that we do overall -- or that I do overall
9 documentation, any injuries. I asked Holly Jo if she had
10 any injuries other than what I could visibly see to
11 photograph. That's where she directed my attention to the
12 little small cut on the inner right knee. And then
13 Investigator Johnson did ask me to make sure I documented
14 the tattoos that were present.

15 Q And this is on the 28th of January?

16 A Yes, that is correct.

17 Q So this would have been the next day after you
18 visited the crime scene?

19 A Yes.

20 Q And roughly, about five days after the alleged
21 incident?

22 A I don't know the actual date of the alleged incident.

23 Q But it was much -- it was later than -- it was after
24 Mr. Solomon was found, after you visited the crime scene?

25 A Yes. I was at the crime scene on the 27th, and I was

1 photographing Holly Jo Thompson on the 28th.

2 Q And you mentioned on direct that was later in the
3 evening on the 28th?

4 A What was later on the evening?

5 Q Seven, 8:00 o'clock? I don't remember exactly what
6 time it was that you said it was that you photographed
7 her.

8 A That I took photographs of her?

9 Q Yes.

10 A No, I actually -- it was approximately 1:15 to 1:30.

11 Q Okay.

12 A It was only approximately 15 minutes.

13 Q So in the afternoon?

14 A Yes.

15 Q On the 28th?

16 A Yes.

17 Q Thank you. And you noted injuries and got pictures
18 of injuries to her right forearm?

19 A I have listed in my report right forearm, right
20 elbow, left forearm and wrist, the knuckles of the left
21 hand and the left palm area under the left little finger
22 and the right leg/knee area.

23 Q Okay. And you go -- at that point, you don't then go
24 back to the lab the same day and start processing those
25 items again?

1 A No.

2 Q It's roughly four, five days later that you pick up
3 the work on that?

4 A The analysis was reinitiated on February 2nd.

5 Q Okay. And you had already taken the photographs of
6 the knife, right?

7 A Yes.

8 Q And you had already taken photographs of the glass
9 pieces?

10 A Yes, that is correct.

11 Q And you had already taken pictures of -- let's see.
12 Did you --

13 A I took additional photographs on that day, the 2nd,
14 yes.

15 Q And that's the pictures you took showing the ridge
16 detail on the largest piece of the vase?

17 A Uh --

18 Q I'm sorry, the neck of the vase?

19 A Showing the additional -- in my notes, I have two
20 additional areas of visible ridge detail and a
21 reddish-brown substance were noted on the neck region of
22 the largest piece of glass. The two areas were marked as
23 .2 and .3 and then photographed.

24 Q Thank you. And you -- you say you processed the
25 knife. I want to ask -- get a little more information

1 about that. It sounds like the processing of the knife
2 was of a swab of what appeared to be a blood stain on the
3 blade?

4 A No. I actually processed the knife with the protein
5 dye stain solution, Amido Black, to see if any possible
6 ridge detail could be developed and become visible when
7 the solution was applied.

8 Q And the Amido Black is a dye that's applied to blood
9 stains, right, to process the protein that might be
10 present if a fingerprint would be mixed in with blood
11 stain? Am I right on that?

12 A Amido Black is a protein dye solution. So what it is
13 doing, it will stain the protein properties. Now, it's
14 not necessarily specific to blood, but it's designed to
15 stain protein properties.

16 It is used very frequently when we're dealing with
17 any kind of impression evidence, whether it be fingerprint
18 impressions, footwear impressions, anything where -- when
19 we have an incident or an item where bloodshed has
20 occurred, very, very commonly, we will follow up
21 processing with Amido Black. Because even though
22 something may not be visible readily, the Amido Black is
23 so sensitive to the proteins in the blood, that it will
24 cause -- the staining will cause any potential impression
25 evidence to become visible so that we can photograph it

1 and document it.

2 Q And that's what you were looking for in -- the
3 processing on the blade with the Amido Black, you were
4 looking for any potential impressions or protein,
5 something that might develop that would give you a little
6 more information?

7 A Well, we were dealing with an event where bloodshed
8 had occurred. You know, I saw a reddish-brown substance
9 on the knife blade. I saw visible ridge detail in a
10 reddish-brown substance appearing to be blood on the glass
11 pieces. And so something of that nature, because the
12 knife handle was darker then the silver of the blade, I
13 wanted to apply the solution just to see if anything would
14 become visible. I didn't know if any possible ridge
15 detail was going to be there or not. So that's why I
16 chose to process the item with the Amido Black solution.

17 Q And you took a swab of the reddish-brown stain that
18 was on the blade of the knife?

19 A That is correct.

20 Q You took one swab?

21 A Yes.

22 Q Did you swab any other areas of the knife?

23 A No, not at that time, I did not.

24 Q You began processing the glass pieces, right?

25 A I actually didn't do any processing. I photographed

1 them, and the decision was made to not go any further with
2 additional processing techniques.

3 Q You did collect some hair and fiber evidence from the
4 glass pieces, though, right?

5 A Possible hair and fibers, yes.

6 Q And you did take a swab of one piece of glass, right?

7 A Yes.

8 Q And that's processing, right?

9 A That's more collection than processing.

10 Q And you take pictures of the neck piece with the
11 ridge detail?

12 A Uh-huh, that's correct.

13 Q And everything gets submitted to another department
14 to actually process and analyze?

15 A Any items of evidence that we collect are submitted
16 to our evidence and property section, and then it is up to
17 the investigators or -- well, primarily the investigators
18 to make the determination on what they want processed or
19 analyzed. So there are other departments that would do
20 such as DNA or anything like that.

21 Q Okay. And just quickly, I want to ask you -- you
22 mentioned on direct that you swabbed the largest piece of
23 glass that was there.

24 Can you tell us what you considered the largest piece
25 of glass? It wasn't the neck piece. Was it a different

1 piece of the glass or the vase that you -- that you
2 actually swabbed?

3 A In my notes, I have written the large glass piece
4 with neck in parentheses, visual swab RBS, marked three
5 areas of visible ridge detail .1, .2, and .3 photo. So
6 the swab was taken from that.

7 Q Okay.

8 A Large area was the neck piece.

9 Q Would that be -- if you're making this vase, what
10 part of the case do you think is the largest piece?

11 A What I have documented here is large glass piece with
12 the neck.

13 Q Okay. And did you swab any other pieces of glass at
14 that time?

15 A Not at that time, no.

16 Q And that was one swab?

17 A One swab, yes.

18 MS. GOODE: Beg the Court's indulgence.

19 (Pause.)

20 MS. GOODE: I have no further questions. Thank you.

21 MS. CAMPBELL: Just short?

22 THE COURT: Short?

23 MS. CAMPBELL: Short.

24 REDIRECT EXAMINATION

25 BY MS. CAMPBELL:

1 Q During this time period when you were interrupted
2 photographing the knife and the pieces of glass up until
3 when you were able to get back to it three or four days
4 later?

5 A Yes.

6 Q Did it remain secure?

7 A Yes, it was secured in my evidence locker in our
8 secured laboratory.

9 Q Did anyone alter it or tamper with it in any way?

10 A No.

11 Q Did anyone else have any access to it in any way
12 before you collected those swabs?

13 A No.

14 MS. CAMPBELL: Thank you.

15 THE COURT: Okay. Thank you very much. Have a nice
16 day.

17 THE WITNESS: Thank you.

18 THE COURT: You are excused.

19 Ladies and gentlemen, we're going to break for lunch.
20 Thank you for paying attention this morning.

21 Everyone stay quiet, please, in the courtroom.

22 At this time, I'm going to release you for lunch.

23 You're not allowed to discuss the case with anyone in any
24 way, shape, or form. You are to keep an open mind about
25 the case. It is a little bit before 12:30. We will start

1 back at 1:30. Thank you very much.

2 Everyone remain seated.

3 Oh, not you all. Sorry. I meant everybody else. I
4 apologize.

5 (Whereupon, the jury left the courtroom at 12:25
6 p.m.)

7 THE COURT: Okay. Anything before we break?

8 MS. CAMPBELL: (Indicating in the negative.)

9 THE COURT: All right. 1:30.

10 (WHEREUPON, a lunch break was taken.)

11 THE COURT: All right. We've had a juror that's gone
12 home sick. Hold on. Let me find my notes. Her name was
13 Ms. Counts.

14 Is that right, Ms. Sutton?

15 THE BAILIFF: Yes.

16 THE COURT: Why can't I find her?

17 THE CLERK: Sixteen.

18 THE COURT: All right, Ms. Counts. Okay. All right.
19 Apparently when she left for lunch, she was sick and got
20 sicker over lunch. I think she was at the point of either
21 passing out or she did pass out. She has gone home. The
22 clerk's office has confirmed that she is sick. We will
23 need to seat an alternate.

24 The appropriate way to seat an alternate in a
25 criminal case is by drawing out of the hat.

1 THE CLERK: Cup.

2 THE COURT: A cup will work. All right. Do you want
3 to draw for us?

4 THE CLERK: I will.

5 THE COURT: All right. So Ms. Newsome, Juror No.
6 189, will be seated as a normal juror. All right.

7 Anything else before we start?

8 MS. WALKER: Nothing from the State, Your Honor.

9 THE COURT: Okay.

10 MR. BANK: Nothing from the Defense.

11 THE COURT: All right. Bring them in.

12 THE BAILIFF: Yes, sir.

13 (Whereupon, the jury entered the courtroom at
14 1:41 p.m.)

15 THE BAILIFF: The jury is present, Your Honor.

16 THE COURT: Okay. Ladies and gentlemen, one of your
17 fellow jurors has gone home sick due to some illness
18 issues.

19 So Ms. Newsome, you will be seated as a normal juror.
20 We do that by a drawing process, so the criminal rules
21 require that we draw for that. It doesn't go in order.
22 In civil cases, it goes in order, but in criminal cases
23 you draw. So Ms. Newsome, you will be seated. Thank you
24 very much for your service.

25 Now, you know why I draw alternates because things

1 like this happen.

2 All right. You may call your next witness.

3 MS. GREGG: The State calls Annie Bell.

4 THE BAILIFF: Face the clerk, raise your right hand.

5 ANNIE BELL, after being duly
6 sworn, testified as follows:

7 THE CLERK: Thank you. Please have a seat in the
8 witness stand and state your name for the record.

9 THE BAILIFF: Watch your step, ma'am.

10 Thank you.

11 DIRECT EXAMINATION

12 BY MS. GREGG:

13 Q Ms. Bell, can you state your name for the record?

14 A State my full name?

15 Q Full name, yes, ma'am.

16 A Annie Bell.

17 Q And Ms. Bell, how old are you?

18 A (There was no response).

19 Q You should be proud?

20 A I'm 83.

21 Q Congratulations.

22 A (Nods in the affirmative.)

23 Q And what did you do for a living?

24 A Well, right now, I just stay around at home and do a
25 little yard work and stuff.

- 1 Q Where do you live?
- 2 A Atlas Road, [REDACTED] Hobbs Street.
- 3 Q How far away is that from the victim, James Solomon?
- 4 Is that close?
- 5 A It's a good piece from James Solomon.
- 6 Q About how far away would you say?
- 7 A Oh, about five -- five -- somewhere -- I don't know.
- 8 Q And do you live alone? Do you live with somebody?
- 9 A Do I live with somebody?
- 10 Q Yes, ma'am.
- 11 A Me and my mentally retarded daughter.
- 12 Q And tell the jury how you know or are related to
- 13 James Solomon?
- 14 A Well, that's -- he was -- we was two sisters. That's
- 15 my sister's child. And I used to visit him every other
- 16 day.
- 17 Q So that's your nephew?
- 18 A Yes.
- 19 Q Were you close to him?
- 20 A Ma'am?
- 21 Q Were you close to him?
- 22 A Yes.
- 23 Q So you had a close relationship with him?
- 24 A Right.
- 25 Q You said you saw him about every day?

- 1 A Yeah.
- 2 Q So would you consider him like a son to you?
- 3 A Yeah.
- 4 Q Did you help raise him?
- 5 A Yes, I did. His mother died when he was small.
- 6 Q How old was he when that happened?
- 7 A When his mother died?
- 8 Q Yes, ma'am.
- 9 A I can't tell you.
- 10 Q But he was small?
- 11 A Yes.
- 12 Q So did you act like a mother to him?
- 13 A Me and my sister.
- 14 Q And what's her name?
- 15 A Carrie.
- 16 Q And did James go by any nicknames?
- 17 A Boo Boo.
- 18 Q Boo Boo. Is that what the family called him?
- 19 A Yes.
- 20 Q Did he have -- did he have any other nicknames he
- 21 went by or just Boo Boo?
- 22 A No other ones. His real name was James, but we loved
- 23 to call him Boo Boo.
- 24 Q And how many times a week would you talk to him?
- 25 A Close to every day.

1 Q Every day?

2 A Uh-huh.

3 Q Was that on the phone?

4 A Yes.

5 Q Did you go up -- how many times did you see him a

6 week?

7 A About two or three times.

8 Q And do you know what kind of work he did?

9 A He dos a lot of welding.

10 Q Was he making grills?

11 A Yes.

12 Q Did he do that out of his home?

13 A Right.

14 Q Okay. And let me turn your attention to 2014,

15 when -- or, I guess, how did you learn about his passing?

16 A About what?

17 Q How did you learn that he had died? Did somebody

18 tell you? Did somebody call you?

19 A About his death?

20 Q Yes, ma'am.

21 A Yes.

22 Q Who called you?

23 A I think the man in the audience called my brother.

24 Q Okay.

25 A And he got in touch with me.

1 Q And so you received that phone call. Can you
2 remember what time of day it was?

3 A No, I can't.

4 Q Can you describe how you felt when you got that phone
5 call?

6 A I felt bad.

7 Q Yeah. And what did you do after you got that phone
8 call?

9 A Well, we went on down there and stand around. They
10 asked us questions.

11 Q So you went to his house?

12 A Yes.

13 Q Were the police there at that time?

14 A Yes.

15 Q Did you talk to the police?

16 A Yes.

17 Q Did you -- did they talk to you there and did you
18 fill out a statement or did you go with them somewhere?

19 A I didn't go with them. I sat in the yard in the car
20 with them.

21 Q And did you talk to them a little about the last time
22 you saw him?

23 A Yes.

24 Q Tell me a little about that. When was the last time
25 that you saw --

1 A That Friday morning about 10:00 o'clock.

2 Q Friday morning, would that be January 24th?

3 A Yes.

4 Q And where did you see him?

5 A At his house.

6 Q Did he call you and tell you to come over there or
7 did you just go over there to see him?

8 A I just stopped by.

9 Q Why did you go over there, just to say hi?

10 A No, I just go to see him often. I go about every
11 weekend.

12 Q Did you bring him anything?

13 A I brought him shoes and a suit.

14 Q Did you do that often, bring him some clothes?

15 A Yeah, every now and then, we would get each other
16 little things.

17 Q Well, that was very nice of you. I'm sure he
18 appreciated it. Did Mr. Solomon live alone?

19 A Yes.

20 Q So when you went over there, do you remember what --
21 you said about 10:00 a.m.?

22 A Uh-huh.

23 Q How long did you stay?

24 A I didn't stay long. I just briefly went through and
25 give him his suit and shoes and I kept going. I didn't

1 want to hold him up.

2 Q Was there anyone else in the house at that time?

3 A No.

4 Q It was just him?

5 A Just him.

6 Q What was he doing when you got there?

7 A Well, he was a welder. He was in the backyard
8 welding.

9 Q So he was working?

10 A Uh-huh.

11 Q Did you speak to him at all?

12 A Yes, I hollered at him.

13 Q You said hey?

14 A Uh-huh.

15 Q And when you were there, did anything seem out of
16 place, outside of the ordinary?

17 A Do what now?

18 Q Was there anything, you know, unusual about anything
19 that day?

20 A No, no, nothing.

21 Q I think the police might have asked you something, do
22 you know if he was seeing anybody at the time?

23 A No.

24 Q No girlfriends that you know of?

25 A (Indicating in the negative.)

1 Q Do you know if James had any enemies?

2 A Not as I know of.

3 Q Not that you know of. You don't know of anybody that
4 would want to hurt him?

5 A No.

6 Q All right. Is there anything else you would like to
7 tell the jury about that day?

8 A No.

9 Q Just to clarify, you did see him about 10:00 a.m.,
10 January 24th, that Friday?

11 A Uh-huh.

12 Q All right.

13 MS. GREGG: Beg the Court's indulgence. No further
14 questions at this time.

15 MR. BANK: No cross.

16 THE COURT: Have a nice day.

17 All right. Next witness.

18 MS. WALKER: State calls Investigator Harold
19 Bouknight.

20 HAROLD BOUKNIGHT, after being
21 duly sworn, testified as follows:

22 THE CLERK: Thank you. Please have a seat in the
23 witness stand and state your name for the record. Please
24 spell your last name.

25 THE WITNESS: Sergeant Harold Bouknight,

1 B-O-U-K-N-I-G-H-T.

2 MS. WALKER: May it please the Court, Your Honor?

3 THE COURT: Yes, ma'am.

4 DIRECT EXAMINATION

5 BY MS. WALKER:

6 Q Sergeant Bouknight, can you tell me where you're
7 currently employed?

8 A The Richland County Sheriff's Department crime scene
9 unit.

10 Q And how long have you been with the sheriff's
11 department?

12 A I've been with the sheriff's department for 13 and a
13 half years and in crime scene for 10 and a half.

14 Q And as a member of the crime scene unit, can you tell
15 the jury a little bit about your duties?

16 A My primary duties are to respond to and process,
17 document and collect evidence at crime scenes. During
18 that, we'll process for latent fingerprints, collect
19 possible DNA, photograph and document footwear
20 impressions, tire wear impressions. And I also do
21 comparisons in latent fingerprints, footwear, tire wear
22 evidence, blood stain analysis and crime scene
23 reconstruction.

24 Q Can you tell me a little bit about your training and
25 background that allows you to do those things?

1 A I have a criminal justice degree from Midlands
2 Technical College and have gone through an in-house
3 training program, which took approximately a
4 year-and-a-half to complete. It was reading, taking
5 written tests and practical tests in all of the areas I
6 just spoke about.

7 In 2014, I was recertified as a crime scene
8 investigator by the International Association for
9 Identification. And in 2011, I was certified as a blood
10 stain pattern examiner.

11 During the time in crime scene, I've taken several
12 classes in fundamentals of crime scene investigation,
13 bloodstain pattern analysis, advanced bloodstain pattern
14 analysis, crime scene reconstruction, shooting incident
15 reconstruction and other classes, forensic photography and
16 forensic art.

17 Q And I want to turn your attention back to this
18 particular incident back in January of 2014. Did you have
19 the occasion to go to this crime scene located at [REDACTED]
20 Lower Richland Boulevard?

21 A Yes, ma'am. The day in question, January 27th, I was
22 the supervisor on call. What that means is I was
23 available for any type of major scene. We have people
24 that are investigators, like Investigator McClary, she
25 covers shift and any calls that come in. If there's

1 something that comes in that's a major scene or something
2 she may need assistance with, they give the supervisor on
3 call a call and we go out and assist them in whatever way
4 we can.

5 Q Can you tell the jury what you initially observed
6 once you arrived on the scene?

7 A Whenever I got there, the crime scene was secured.
8 It was roped off and only essential personnel were in
9 there. There was a crime scene log being maintained.
10 It's basically just a list of who enters a crime scene and
11 why and what time they enter and when they exit.

12 The victim, Mr. Solomon, was on the floor face down
13 in the living room and there was some reddish-brown
14 stains, which we believed to be blood, pooling around his
15 head, and there was a flow pattern from his face and head.

16 Q And when you say there was a flow pattern, what do
17 you mean by that?

18 A In bloodstain analysis, we have different types of
19 stains that we look at. Flow pattern is just that. If
20 you pour water onto the floor or something like that, it's
21 going to flow with gravity along the floor. Blood is
22 going to do the same thing. It's a liquid. It's going to
23 follow the same thing fluid dynamics as water does.

24 Some of the other stains we may deal with, pooling.
25 Same thing, whenever you pour that water, it's going to

1 make a puddle, that's pooling. If we have any type of
2 spatter -- spatter can come from force applied to blood.
3 And depending on the amount of force and how fast the
4 object is traveling can determine the size of the spatter.
5 Generally, we just refer to it as spatter.

6 Those are well-rounded or elliptical-type stains that
7 come from force being applied to blood. It could be from
8 a blunt force object or it could be from -- aspirated
9 blood can appear to be spatter, also. That is force being
10 applied.

11 Q And that was in the living room of the home?

12 A The victim, yes, ma'am, was in the living room.

13 Q What other areas of the home did you observe?

14 A Down the hallway, there was a flow pattern on the
15 wall and also some spatter. Like I say -- I explained
16 what the spatter stains were. And then there was a broken
17 vase in the hallway and the rug that was on the floor, it
18 had been bunched up.

19 There were drips on the bed. And a drip is if you
20 ever cut your finger or something like that and the blood
21 starts to flow and only gravity is affecting it and it
22 just drips down, that's what we call a drip pattern.
23 Sometimes it can be a drip trail or it would just be a
24 drip in an area. You can tell because it's a large stain
25 and it's pretty well rounded usually, depending on the

1 surface that it contacts.

2 Q Did you also -- I guess what else -- what, if
3 anything, else did you observe in the bedroom?

4 A In the bedroom, there was a cigarette on the floor
5 next to the bed and there was a bent knife on the floor of
6 the bedroom.

7 Q Now, in terms of your role that day at the crime
8 scene, were there other crime scene investigators present?

9 A Investigator McClary and Investigator Rainsford were
10 also there.

11 Q And what were your duties that day at the crime
12 scene?

13 A That day, I mainly did processing for latent prints
14 with black powder. Just the hard and nonporous surfaces
15 that are smooth and good for latent prints, we would dust
16 them. Anything that was developed, we would lift and take
17 it back.

18 That day, I did develop two latent prints, one from
19 the front door handle and one from the interior of the
20 front door.

21 Q I want to show you what's been marked as State's
22 Exhibits 192, 193 and 194 and ask you if you recognize
23 this?

24 A Yes, ma'am. These are photographs of the latent
25 print developed on the door.

1 Latent print is a term that's used to mean evidence
2 print. We say that a lot interchangeably. Latent
3 actually means invisible. And the way we make it visible
4 is by processing with powders or chemicals and things like
5 that.

6 Q Can you tell -- well, before you do that.

7 MS. WALKER: Your Honor, at this point, the State
8 seeks to submit 192 through 194 into evidence.

9 MS. GOODE: No objection, Your Honor.

10 THE COURT: Without objection.

11 (Whereupon, State's Exhibit Nos. 192 through 194
12 were admitted into evidence.)

13 MS. WALKER: Thank you, Your Honor.

14 THE COURT: I'm sorry. Without objection, I
15 apologize.

16 BY MS. WALKER:

17 Q When you go to make these prints visible, can you
18 explain that process to the jury?

19 A The typical method we use probably for 95 percent of
20 our items of evidence is black powder. It's just finely
21 ground powder that we get from different manufacturers.
22 Usually, they have their own proprietary recipes. You
23 take a brush and you get a little bit of black powder on
24 there and go across the evidence or the surface that
25 you're trying to process. And if there's something

1 there -- fingerprints are 99 -- approximately 99 percent
2 water. And whenever you process something, the powder
3 adheres to the moisture or the oils in that fingerprint
4 and then it becomes visible.

5 We'll examine it while it's in place. If there's a
6 chance it could be destroyed when we attempt to lift it,
7 then we'll photograph it.

8 Q And you did that in this case?

9 A Yes, ma'am.

10 Q And what area of the home was this?

11 A It's the interior of the front door.

12 Q Is this a different angle of that?

13 A Those were close-up photographs depicting the print
14 with and without a scale marker. Yes, ma'am, that shows
15 the area on the panel of the door.

16 Q Once you were able to locate and make visible these
17 prints, was it your job to make any sort of comparisons
18 with those prints that day?

19 A No, ma'am, I didn't.

20 Q What did you do after photographing the prints?

21 A After I photographed the prints, they were lifted and
22 turned into evidence and reported to our latent print
23 section, which what they do is latent print work. They
24 examine, analyze and compare latent fingerprints.

25 Q When you say they were lifted, can you explain that

1 'to the jury?

2 A Yes.

3 Q Do you want some water?

4 A If you could, please.

5 Q Sure. Sure. There you go.

6 A Thank you, ma'am. To lift a print, we use clear
7 tape. It looks like your normal packing tape and things
8 like that, but it's wound, pressure wound on there. And
9 we just stretch out some of it, lay it down over the print
10 so you get the most of that print as you can under the
11 tape, wipe it down -- or rub it down, make sure there's no
12 air bubbles in it, and then lift it and place it on a
13 backing card, which is just a white -- most of them are
14 white three-by-five cards. Place it on the shiny side and
15 then we fill out the information on the other side as to
16 case number, the date we lifted it, the victim's name,
17 where we lifted it from and the sketch of where we lifted
18 it from.

19 Q I want to show you what's been marked as State's
20 Exhibit No. 222 -- or 220. Do you recognize that?

21 A Yes, ma'am. This is an envelope where I placed the
22 latent print card.

23 Q From these pictures we just looked at?

24 A From the prints I lifted, yes, ma'am.

25 Q Okay.

1 MS. WALKER: Your Honor, at this point, the State
2 seeks to admit No. 220 into evidence.

3 MS. GOODE: No objection.

4 THE COURT: Without objection, 220.

5 MS. WALKER: Thank you, Your Honor.

6 (Whereupon, State's Exhibit No. 220 was admitted
7 into evidence.)

8 BY MS. WALKER:

9 Q And then moving back to the back bedroom, you said
10 there was a bent knife --

11 A Yes, ma'am.

12 Q -- that you observed? When you say bent, it looks
13 like the blade is bent?

14 A Yes, ma'am.

15 Q Was there anything other than the bent blade that was
16 significant about this knife that you observed that day?

17 A Not that I recall, no, ma'am.

18 Q And was it your job to collect this evidence or were
19 you just observing?

20 A I just observed that. I didn't collect the knife.

21 Q In terms of other pieces of evidence or other things
22 that you observed that day, was that the -- I guess, was
23 that the extent of your involvement with the crime scene
24 on that day?

25 A Yes, ma'am.

1 Q Did you return to the crime scene at a later time?

2 A The next day, yes, ma'am.

3 Q And what was your purpose for returning to the crime
4 scene?

5 A Many times, especially in a case involving a death,
6 if we don't know how the person died or anything else,
7 we'll hold the scene until after autopsy. That way, we
8 can go back in case there's any evidence that we may need
9 that we find out -- if we don't know how the person is
10 killed, we don't know if they're stabbed or shot or what
11 until they do the autopsy, then we want to make sure that
12 we get all the evidence possible.

13 So we went back the next day, and I searched for some
14 paperwork and collected some cell phones and also
15 processed an area in the bathroom with Amido Black, which
16 is a chemical we use that -- it's a 'dye stain that stains
17 the amino acids in blood a dark blue-purple color and can
18 enhance any latent impressions, footwear or fingerprints,
19 palm prints, anything like that that could be in blood.
20 Then we can enhance those photographs and remove them for
21 later comparison. And whenever I processed it, there were
22 negative results. I didn't -- no enhancement was found.

23 Q You said you collected a number of items. I want to
24 show you what's been marked as State's Exhibit No. 222 and
25 ask you if you recognize that?

1 A Yes, ma'am, that's two cell phones, some Allsouth
2 Federal Credit Union receipt and paperwork, two pieces of
3 a rug and a Clear Talk receipt.

4 MS. WALKER: Your Honor, at this point, the State
5 would like to move Exhibit No. 222 into evidence.

6 MS. GOODE: No objection.

7 THE COURT: State's 222 without objection.

8 (Whereupon, State's Exhibit No. 222 was admitted
9 into evidence.)

10 BY MS. WALKER:

11 Q And on the second day when you actually returned to
12 the residence, was the residence still being secured by
13 law enforcement at that point?

14 A Yes, ma'am. Whenever we hold a scene, there's a
15 rotation set up where a deputy is present at all times to
16 make sure no one who's not supposed to be there or even if
17 they are, they don't enter the crime scene without being
18 on that log.

19 Q I also want to show you State's Exhibit 186 through
20 191 and ask you if you recognize these?

21 A Yes, ma'am. It's photographs of the front of the
22 location, the front door and the living room, hallway and
23 another photograph of the living room.

24 Q And that front door is where these lifts were?

25 A The inside of the front door.

1 Q The inside of the front door is where these lifts
2 were taken?

3 A Yes, ma'am.

4 MS. WALKER: Your Honor, at this point, the State
5 seeks to move Exhibits No. 186 through 191 into evidence.

6 MS. GOODE: No objection, Your Honor.

7 THE COURT: State's 186 through 191 without
8 objection.

9 (Whereupon, State's Exhibit Nos. 186 through 191
10 were admitted into evidence.)

11 BY MS. WALKER:

12 Q This is the front -- the outside of the front door
13 that we've been talking about?

14 A Yes, ma'am.

15 Q All right. And you mentioned the hallway earlier,
16 State's Exhibit No. 190?

17 A Yes, ma'am, that's the hallway.

18 Q These two days that you went to the crime scene to
19 observe and document the crime scene, was that the extent
20 of your involvement with the investigation in this case?

21 A I did verify some latent prints at a later time, but
22 as far as the crime scene goes?

23 Q Right.

24 A This is the extent of my involvement.

25 MS. WALKER: Beg the Court's indulgence, Your Honor.

1 THE COURT: Yes, ma'am.

2 MS. WALKER: No further questions.

3 THE COURT: Cross-examination?

4 MS. GOODE: May it please the Court?

5 THE COURT: Yes, ma'am.

6 CROSS-EXAMINATION

7 BY MS. GOODE:

8 Q Good afternoon, Sergeant Bouknight now?

9 A Yes, ma'am.

10 Q I want to make sure I say that right. Okay. So
11 specifically for this case, your duties the day of the --
12 the day that you arrived at the crime scene the first day
13 was processing the scene?

14 A Assisting the investigators there.

15 Q Right.

16 A And I processed.

17 Q Making observations and assisting with whatever they
18 needed?

19 A Yes, ma'am.

20 Q And you -- you were talking about the black powder
21 dusting to see if there was any usable prints that you may
22 be able to see, right?

23 A Yes, ma'am.

24 Q I want to ask a couple of questions. I know you said
25 you found -- or that you had processed the front door

1 handles inside and outside. I believe that may be in your
2 report, but you processed --

3 A Yes, ma'am, front door handles.

4 Q And you processed the inside of the front door?

5 A Yes, ma'am.

6 Q And the outside of the front door?

7 A Yes, ma'am.

8 Q You also processed the knob on the back door.

9 A Yes, ma'am.

10 Q Inside and out?

11 A Yes, ma'am.

12 Q The inside of the back door?

13 A Yes, ma'am.

14 Q And the outside of the back door?

15 A Yes, ma'am.

16 Q And so of those, I guess, it's six places you were
17 only able to lift the two prints?

18 A Yes, ma'am.

19 Q And there were no other areas in the house that you
20 dusted for prints?

21 A No, ma'am.

22 Q And the print that you were able to get from the
23 front door, that was from the inside of the front door?

24 A Yes, ma'am.

25 Q And I believe it was the middle -- the door, if we're

1 looking at it, it's the middle panel?

2 A It's just above and to the left of the door handle.

3 Q I don't know if we have a full picture here, but if
4 this -- this is the door, it's opening into the living
5 room, the fingerprint is here?

6 A It's right there, yes, ma'am.

7 Q This one right here?

8 A Yes, ma'am.

9 Q Okay. And it was just the one fingerprint that was
10 found on that door?

11 A Yes, ma'am.

12 Q And the one that you found, you didn't process the
13 fingerprints found at the scene, right? You didn't
14 examine them, I guess I should say?

15 A Correct, I did not examine them.

16 Q Those are submitted to a person in the latent print
17 department and they analyze it and examine the prints?

18 A Yes.

19 Q Okay. Are those the only places that you were asked
20 to process or?

21 A There were other items, but they were collected for
22 later processing by Investigator McClary, the broken vase,
23 and things like that. Doors and those kind of things, we
24 tend to process at a scene.

25 If an item can be transported back to our

1 headquarters for further processing without risking any
2 damage to the evidence that may be on it, we'll do that
3 because it's a more controlled environment than at a crime
4 scene.

5 Q But anything else bigger that couldn't have been
6 transported from the crime scene, you weren't asked to
7 process?

8 A No, ma'am.

9 Q And the next day, you are asked to head back out to
10 ██████ Lower Richland Boulevard?

11 A Yes, ma'am.

12 Q And you head out there with, I believe it's Sergeant
13 Richards?

14 A Yes, ma'am.

15 Q And you're asked to look for certain items?

16 A Yes, ma'am.

17 Q And I know you said it's -- at this point, nobody
18 really knows what's happened. They're trying to still
19 investigate. They ask about anything specific that you're
20 looking for or...

21 A We were looking for any type of phone records or
22 anything like that, any cell phones to maybe find out who
23 the victim had been calling.

24 Q Okay. And you did find two phones in this case?

25 A Yes, ma'am.

1 Q And one you found in the -- what's been called the
2 master bedroom?

3 A Yes, ma'am.

4 Q And was the other phone found in the second bedroom
5 or where was that phone?

6 A They were both in the master bedroom.

7 Q They were both in the master bedroom. And you were
8 able to find the chargers that go with those as well?

9 A Yes, ma'am.

10 Q And additionally, you took two cuttings from the rugs
11 that were in the hallway?

12 A Yes, ma'am.

13 Q The ones that were kind of bunched up originally?

14 A Yes, ma'am, just as reference samples in case they
15 needed anything for trace.

16 Q Okay. And at that point after you had gone and
17 collected the phones and the chargers, the rug pieces and
18 this -- these documents, the -- I believe it was an
19 Allsouth Federal Credit Union receipt or something of that
20 nature and a Clear Talk wireless receipt?

21 A Yes, ma'am.

22 Q You don't collect anything else that day?

23 A No, ma'am.

24 Q And per Sergeant Lindler is who sent you out there to
25 indicate that nothing else needed to be collected?

1 A Correct.

2 MS. GOODE: Beg the Court's indulgence.

3 (Pause.)

4 MS. GOODE: No further questions.

5 MS. WALKER: No questions, Your Honor.

6 THE COURT: Have a nice day.

7 THE WITNESS: Thank you, sir.

8 THE COURT: Call your next witness.

9 MS. WALKER: Your Honor, the State calls Chris
10 Lindler.

11 CHRIS LINDLER, after being duly
12 sworn, testified as follows:

13 THE CLERK: Please have a seat in the witness stand
14 and state your name for the record.

15 THE WITNESS: Chris Lindler.

16 DIRECT EXAMINATION

17 BY MS. WALKER:

18 Q Sir, can you tell me where you're currently employed?

19 A I'm currently employed at the Richland County
20 Sheriff's Department. I'm the sergeant over the robbery
21 division.

22 Q Sergeant Lindler, how long have you been with the
23 sheriff's department?

24 A I've been there -- this May will be 18 years.

25 Q I want to take your attention back to January

1 of 2014. Did you have reason to respond to [REDACTED] Lower
2 Richland Boulevard?

3 A I did. I was notified by Sergeant Strange of a body
4 that had been found at [REDACTED] Lower Richland Boulevard.

5 Q And did you respond to that location?

6 A I did.

7 Q Once you got to that location, can you tell the jury
8 what, if anything, you observed?

9 A The responding officers were on scene. I believe EMS
10 had already been there. I went around to the back of the
11 property -- entered the crime scene, went around to the
12 back of the property. The back door was open.

13 Once I got to the back door, opened the back door,
14 walked in, I noticed it was very hot inside of the
15 residence. A check of the thermostat inside the residence
16 showed that the thermostat was set on 90 degrees. I got a
17 latex glove at that point, put it on one of my hands and
18 turned the thermostat down to 60.

19 Q And while on the scene, did you also -- without
20 telling me what anyone else said, speak with a number of
21 people on scene?

22 A I did.

23 Q Can you tell me who you spoke with?

24 A Yes, ma'am. I spoke with Odell Middleton, a David
25 Hudson and a Warren Young and Annie Bell, who was the

1 victim's aunt.

2 Q And after speaking with those people, what did you
3 do?

4 A I took Mr. Odell Middleton back to the Region I
5 substation where I got a statement from him.

6 Q And after taking that statement from Mr. Middleton --
7 again, you can't tell me what he said, did your
8 investigation continue?

9 A It did. We went back out to the scene, got back out
10 on scene. I walked back into the crime scene again where
11 our crime scene units were processing the scene. I stuck
12 my head in the door at that point to make sure they didn't
13 need anything else from us or the other investigators on
14 scene.

15 Q And over the course of your investigation, did
16 members of the sheriff's department speak with neighbors
17 and other people in the area?

18 A We did. It's normal for us when we get out on scene
19 if we have any type of murder or any type of call like
20 this, you would canvas the neighbors. You would go house
21 to house, door to door, knock on the door seeing if
22 anybody saw anything, heard anything, saw any vehicles
23 leave or any other type of suspicious activity.

24 Q Was anyone able to give y'all any information
25 regarding that?

1 A No.

2 Q And what did you do after returning to the crime
3 scene?

4 A When I stuck my head in, I was talking with
5 Investigator Kerri McClary from our crime scene unit, as
6 well as Investigator Bouknight. And with the door open, I
7 noticed that there was sunlight that lit the room up.
8 Where the body lay in the room, there was -- you could see
9 a hair, and I pointed this out to Kerri McClary, who also
10 noticed it. There was a hair in the dried blood on the
11 body. It was a longer hair. And I believe I notated in
12 my notes that the body -- he had short hair, dark hair,
13 short hair, and that was a long light-colored hair.

14 Q Lighter than the victim's?

15 A Correct.

16 Q And what did you spend the remainder of your evening
17 doing at that point?

18 A I assisted Investigator Kerri Johnson and the rest of
19 the investigators in trying to locate a young lady by the
20 name of Amy Norris who lived in the area.

21 Q Were you successful in doing that?

22 A When I left that afternoon, we had not found her.

23 MS. WALKER: Thank you, Sergeant. I don't have any
24 other questions.

25 THE COURT: Cross-examination?

1 MR. BANK: Thank you, Your Honor. May it please the
2 Court?

3 CROSS-EXAMINATION

4 BY MR. BANK:

5 Q How are you doing this afternoon?

6 A Good. How are you?

7 Q I'm doing all right. I believe that the government
8 covered most of what I wanted to, but just to make a
9 couple of things clear, you arrived at the incident
10 location after you were called to the scene, right?

11 A Correct.

12 Q And this incident location, how would you describe
13 this house? Was this a trailer, a freestanding home?

14 A Yeah, it was trailer, yeah.

15 Q And right when you entered, you noticed some bunched
16 up rugs; is that right?

17 A Yes.

18 Q As if there had been some type of struggle; is that
19 right?

20 A Well, I wouldn't say a struggle, but I noticed the
21 rugs in the room where the body was laying were bunched
22 up.

23 Q Okay.

24 A I mean, that could have occurred at any time, I would
25 guess.

1 Q I understand. And you noticed there's multiple
2 knives around the house; is that right?

3 A Yeah, there was a lot of knives in the kitchen. I
4 noticed one in the bedroom.

5 Q Let me ask it to you this way, did you notice several
6 knives that seemed to be out of place?

7 A No. I believe I notated one in my report. There was
8 one knife laying on the floor of the bedroom.

9 Q Okay. Did you notice any other knives in the house?

10 A In the kitchen.

11 Q In the kitchen?

12 A Yeah, in the drawers where they would normally be.

13 Q Okay. The only knives you noticed in the kitchen
14 were in the drawers?

15 A Yes.

16 Q And you saw Mr. Solomon on the ground, right?

17 A Yes.

18 Q And I think you noted something about him being --
19 you'd seen a lot of blood and a lot of dirt; is that fair?

20 A Yes.

21 Q And the other thing I think you noticed and you
22 mentioned was that the temperature was at 90 degrees?

23 A It was, it was at 90 degrees.

24 Q And the thermostat's at 90, right?

25 A Yes.

1 Q Did it feel like it was 90 degrees?

2 A It felt like it was 90 degrees in there, yes. It
3 literally took your breath away when you walked in. It
4 was hot.

5 Q Now, as the State mentioned, you interviewed some
6 people and investigated in the early part of this
7 investigation; is that right?

8 A Yes.

9 Q And in the course of this investigation, you found
10 out some information, I guess, Mr. Solomon engaged in some
11 drinking or drug use; is that right?

12 A Yes.

13 Q And that he was sometimes seen in the company of
14 women, possibly an Amy Norris; is that right?

15 A That would be correct.

16 Q And do you know anything about Amy Norris?

17 A I do not.

18 Q Okay. Now, you mentioned the hair that you found and
19 that it was a light-colored hair; is that right?

20 A Correct.

21 Q I want to just be real clear about that. So it's not
22 only that it was a different color than Mr. Solomon's
23 hair, it's -- would you say it was a Caucasian person's
24 hair?

25 A I wouldn't be able to answer that. I wouldn't have

1 that scientific knowledge, but I would say it was not his.

2 Q Not his. Okay. Well, let me ask it to you a
3 different way then. Would you say that the hair was
4 lighter than his hair or was it just a light-colored hair?

5 A It was very much lighter than his hair, yes.

6 Q Very much lighter than his. And you have no idea how
7 long that hair had been there?

8 A No, sir.

9 Q All right. And then, finally, these notes -- I
10 believe you made some handwritten notes --

11 A I did.

12 Q -- is that right? I've been trying to figure out
13 whose they are. I thought they were yours because of the
14 90 degrees. I believe you noted some drops of blood that
15 were on the door -- on one of the doors; is that right?

16 A I believe so. I notated in my notes that there was
17 blood on the bedspread and the blood -- there were blood
18 droplets that led from the bedroom through the hallway.

19 Q Right.

20 A And then I also notated that there was blood on the
21 door, and it looked as if it was wiped or smeared like it
22 was transferred to the door.

23 Q Right. And you said something about as if he had
24 stopped momentarily?

25 A Yeah, like you had stopped momentarily or possibly

1 stumbled and fell up against the door.

2 Q All right.

3 MR. BANK: Beg the Court's indulgence.

4 (Pause.)

5 MR. BANK: No further questions.

6 MS. WALKER: No questions, Your Honor.

7 THE COURT: Have a nice day, Sergeant.

8 THE WITNESS: Thank you, sir.

9 THE COURT: Call your next witness.

10 MS. WALKER: Your Honor, the State calls Franklin
11 Rainsford.

12 THE COURT: Will you send Mr. Rainsford in, please,
13 Sergeant?

14 (Indicating in the affirmative).

15 THE COURT: Thank you.

16 FRANKLIN RAINSFORD, after being
17 duly sworn, testified as follows:

18 THE CLERK: Thank you. Please have a seat in the
19 witness stand and state your name for the record.

20 THE WITNESS: Investigator Franklin Rainsford with
21 the Richland County Sheriff's Department.

22 DIRECT EXAMINATION

23 BY MS. WALKER:

24 Q Sir, can you tell me how long you've been employed
25 with the sheriff's department?

1 A I've been working there since 2007.

2 Q And what do you do?

3 A Currently, I'm with the crime scene division.

4 Q And what are your duties at the crime scene division?

5 A I respond to the crime scenes, document evidence,
6 collect evidence for preservation purposes and photograph.

7 Q Can you tell me a little about the training that
8 allows you to do those things?

9 A Yes, ma'am. You have fairly extensive in-house
10 training. It typically goes for about a year to two years
11 before we're signed off on our duties to work solo.

12 Would you like me to go --

13 Q Sure. Go ahead.

14 A In 2011, I had a bloodstain analysis offered by Bevel
15 Gardener; 2012, crime scene photography from Sirchie;
16 2012, narc two drug identification, basic skills from
17 Sirchie; 2012, crime scene technology and evidence
18 collection from Sirchie; 2012, crime scene reconstruction
19 one from Bevel Gardener; 2013, ethics and forensics
20 science, West Virginia University; 2014, clandestine lab
21 certification/safety from DEA at Quantico; 2014, crime
22 scene reconstruction from forensic pieces; 2014, CSI
23 certification preparation course; and 2014, I was
24 certified as a crime scene investigator through the
25 International Association of Identification; 2014,

1 advanced bloodstain pattern analysis through Kish; 2015,
2 examination and comparison of footwear evidence, forensic
3 ITC services; and 2015, shooting analysis and
4 reconstruction training from forensic training source.

5 Q Thank you. Did you respond to the crime scene in
6 this case located at [REDACTED] Lower Richland Boulevard?

7 A I did.

8 Q And what was the purpose of responding to that crime
9 scene?

10 A The initial response was for -- excuse me a moment.
11 Let me find it. Oh, it was -- a death investigation was
12 the initial contact for this case.

13 Q And what, if anything, did you observe upon
14 responding to that crime scene?

15 A When I responded to the scene, the scene was secured
16 with crime scene tape and a crime scene log had been
17 started at this point by one of the first responding
18 deputy -- deputies at the scene. Overall, just...

19 Q Yeah, just what did you observe?

20 A In the living room of the incident location, which
21 was [REDACTED] Lower Richland Boulevard, I observed a black male
22 in the living room unresponsive, face down.

23 Q And at -- what were your duties in terms of
24 responding to that crime scene?

25 A I documented -- obviously, responding to the scene,

1 looked for evidence around the person, around the body and
2 throughout the rest of the house.

3 Q And did you also collect the evidence that you
4 observed at that point?

5 A I did. At that point, I collected -- we observed a
6 knife in the back bedroom or in the bedroom which was
7 labeled one -- the photographs are already in?

8 Q Right.

9 A Okay. A knife that was located in the bedroom floor,
10 several glass pieces in the hallway. Next to the victim,
11 I located a t-shirt.

12 Q What color was the t-shirt?

13 A It was a -- I believe it was a gray t-shirt..

14 Q Let me show you what's been marked as State's
15 Exhibit 229 and ask you if you recognize this?

16 A I do. That is my handwriting for gray t-shirt.

17 Q Okay.

18 MS. WALKER: State's Exhibit No. 229, Your Honor, the
19 State seeks to move it into evidence.

20 MS. GOODE: No objection.

21 THE COURT: Without objection, 229.

22 MS. WALKER: Okay.

23 (Whereupon, State's Exhibit No. 229 was admitted
24 into evidence.)

25 BY MS. WALKER:

1 Q And when you say it was by the victim's body, can you
2 describe kind of the proximity to the jury?

3 A Actually, I don't have those photographs.

4 Q Okay. Was it -- I guess, was it close enough to be
5 pertinent to you?

6 A Correct. It would have been on the living room floor
7 in the proximity of the victim.

8 Q Is this the shirt in question?

9 A Yes, ma'am.

10 Q And the other items that you observed and collected?

11 A There was a cigarette butt from the bedroom floor,
12 and then we also collected the bedsheet from the bed.

13 Q And what was significant about the bedsheet?

14 A The bedsheet, it had a red-brown stain on it.

15 Q Let me show you what's been marked as State's
16 Exhibit 225 and ask if you recognize this?

17 A It's a bedsheet from the incident location.

18 MS. WALKER: Your Honor, the State seeks to move
19 Exhibit No. 225 into evidence.

20 MS. GOODE: No objection.

21 THE COURT: 225, without objection.

22 (Whereupon, State's Exhibit No. 225 was admitted
23 into evidence.)

24 BY MS. WALKER:

25 Q So there were reddish-brown stains on it?

1 A Yes, ma'am.

2 Q And what's significant about reddish-brown stains as
3 a crime scene investigator?

4 A It could possibly be blood or some other substance.

5 Q Those were on the sheets where now?

6 A The sheet was on the bed in the bedroom.

7 Q And the other items that were collected, that you
8 personally collected that day included what?

9 A I also collected swabs of several red-brown stains
10 that were located between the bedroom and into the living
11 room.

12 Q You said there was a piece of glass that you noticed
13 as well?

14 A Yes, ma'am.

15 Q Where was that?

16 A It was found in the hallway.

17 Q Let me show you State's Exhibit Nos. 232 and 234 and
18 ask if you recognize these?

19 A This would be the glass shard and these are swabs of
20 the reddish-brown stains located throughout the bedroom,
21 hallway and living room.

22 MS. WALKER: Your Honor, the State seeks to move
23 Exhibits No. 232 and 234 into evidence.

24 MS. GOODE: No objection.

25 THE COURT: Both admitted without objection.

1 (Whereupon, State's Exhibit No. 232 and State's
2 Exhibit No. 234 were admitted into evidence.)

3 MS. WALKER: Thank you, Your Honor.

4 BY MS. WALKER:

5 Q When you say the -- can you tell the jury how you
6 swabbed these blood stains?

7 A Yes, ma'am. We take sterile cotton swabs and
8 distilled water. The cotton swabs are individually
9 wrapped, sterilized. Give them a drop or two of distilled
10 or sterile water, rub the stain in question to pick up
11 trace evidence or debris and place that sterile -- or that
12 swab into a single-use box, seal the box and submit it to
13 evidence.

14 Q And did you do -- did you follow that same process
15 for State's Exhibit No. 233?

16 A Yes, ma'am.

17 MS. WALKER: Your Honor, the State seeks to move
18 State's Exhibit No. 233 into evidence, the swab from the
19 reddish-brown stains.

20 MS. GOODE: No objection.

21 THE COURT: 233, without objection.

22 (Whereupon, State's Exhibit No. 233 was admitted
23 into evidence.)

24 BY MS. WALKER:

25 Q Approximately how long were you at the home

1 processing the scene that day?

2 A That day, got there around 2:00 o'clock and left
3 around 6:00 o'clock that afternoon.

4 Q Was that the extent of your involvement with the
5 investigation at the actual crime scene?

6 A At that house, correct.

7 Q And on the following day, did your investigation into
8 this case continue?

9 A It did.

10 Q And where was that?

11 A I attended the autopsy.

12 Q And what is the purpose of law enforcement attending
13 an autopsy?

14 A To witness the autopsy itself and then to collect any
15 additional information or evidence from the victim's body.

16 Q Can you describe what you actually do during the
17 autopsy to the jury?

18 A I observe the pathologist perform the autopsy along
19 with the coroner's office there. I also routinely collect
20 postmortem prints, a buccal swab from the victim,
21 fingerprints and palm prints, and then depending on the
22 case, you know, whatever else, evidence might come up.

23 Q I want to show you what's been marked as State's
24 Exhibit Nos. 223, 231, 227 and 228 and ask you if you
25 recognize this?

1 A These are the bags from the hands, used to cover in
2 transport.

3 Q What's the purpose of bagging a victim's hands during
4 transport?

5 A To preserve any evidence that might be underneath his
6 fingernails or on his hands as the victim is moved from
7 the crime scene to the hospital and then to the autopsy
8 itself. Then we can collect that at the autopsy for
9 later.

10 Q Okay.

11 A And then the buccal swab, nail scrapings, and
12 postmortem prints.

13 Q What's is a buccal swab?

14 A It's a swab typically from the mouth, just for DNA
15 purposes.

16 Q What kind of -- like a cotton swab?

17 A It's very similar to DNA swabs at the scene itself.
18 It's a sterile swab. You rub the inside of the cheek,
19 package that inside a single-use box and submit to it DNA
20 for analysis.

21 Q And postmortem prints, those were taken off the
22 victim in this case?

23 A The victim at the autopsy, yes, ma'am.

24 MS. WALKER: Your Honor, at this point, the State
25 seeks to move Exhibit Nos. 223, 227, 228 and 231 into

1 evidence.

2 MS. GOODE: No objection.

3 THE COURT: So that's State's 223, 227, 228 and 231
4 admitted without objection.

5 (Whereupon, State's Exhibit Nos. 223, 227, 228
6 and 231 were admitted into evidence.)

7 BY MS. WALKER:

8 Q Do you also take photographs at the autopsy?

9 A I do.

10 Q Did your investigation in this case continue?

11 A Yes, ma'am, it did.

12 Q And what was your next step?

13 A I went -- at the request of Investigator Truluck, I
14 responded to [REDACTED] Lower Richland Boulevard.

15 Q At the crime scene?

16 A No, ma'am, that was the scene -- or the house of
17 Ms. Holly Thompson.

18 THE COURT: All right. We need to take a break.
19 We've got a juror that needs to go to the restroom.

20 Is that right, Mr. Tolbert?

21 THE BAILIFF: Yes, sir.

22 THE COURT: All right. Do not discuss the case.
23 Keep an open mind. We'll be back with you in a few
24 minutes.

25 Deputy Rainsford, stay right there.

1 Everyone else remain seated. Thank you very much. \

2 (Whereupon, the jury left the courtroom at 2:40
3 p.m.)

4 THE COURT: Okay. We're going to take about a
5 10-minute break. Do not discuss your testimony -- you are
6 allowed to step down. Don't discuss your testimony.
7 Thank you.

8 (WHEREUPON, a short break was taken.)

9 THE COURT: All right. Everybody ready?

10 MS. WALKER: The State is ready.

11 MS. GOODE: The Defense is ready.

12 THE COURT: All right. Let's go.

13 (Whereupon, the jury entered the courtroom at
14 2:55 p.m.)

15 THE BAILIFF: The jury is seated, Your Honor.

16 THE COURT: All right.

17 Ms. Walker, you may continue.

18 MS. WALKER: Thank you, Your Honor.

19 BY MS. WALKER:

20 Q Okay. I think when we left off, you were at the
21 Defendant's home?

22 A Right.

23 Q And that address location you said [REDACTED] Lower
24 Richland Boulevard?

25 A Yes, ma'am.

1 Q I want to show you what's been marked as State's
2 Exhibits 195 through 214 and ask you if you recognize
3 these?

4 A These appear to be the photos I took of the
5 Defendant's house.

6 MS. WALKER: Your Honor, the State seeks to move
7 Exhibits 195 through 214 into evidence.

8 MS. GOODE: That's the house?

9 MS. WALKER: Yes.

10 MS. GOODE: No objection.

11 THE COURT: 195 through 214 without objection.

12 (Whereupon, State's Exhibit Nos. 195 through 214
13 were admitted into evidence.)

14 BY MS. WALKER:

15 Q You took the roadway going up to the home?

16 A Those photos, the roadway -- not...

17 Q From the roadway?

18 A Yes, ma'am.

19 Q Did you take photos from the outside of the home?

20 A Yes, ma'am.

21 Q Did you take Exhibit 197?

22 A Yes, ma'am, that is mine.

23 Q And did you take pictures of a back bedroom?

24 A Yes, ma'am, I took photos of two rear bedrooms.

25 Q Okay. Exhibit Nos. 199 and 200 in one of the

1 bedrooms?

2 A Yes, ma'am, that would have been the second rear
3 bedroom.

4 Q And then the one with the stop -- 125, this is a
5 different bedroom?

6 A Yes, ma'am, that's the first bedroom.

7 Q And on 202 through 205, is that that same bedroom?

8 A Let me check. Yes, ma'am, that would have been the
9 first bedroom.

10 Q Okay. Additionally, did you collect items from this
11 home?

12 A I did.

13 Q Okay. And what items did you collect from this home?

14 A From the first bedroom, I collected a Kyocero cell
15 phone, a Samsung cell phone, a cell phone charger and also
16 a black purse with wallet.

17 Q A black purse and a wallet?

18 A Yes, ma'am.

19 Q I show you what's been marked as State's 230. I'll
20 ask if you recognize that?

21 A The black purse and the black wallet.

22 Q Why did you collect that item?

23 A With the direction of Investigator Truluck and the
24 wallet also contained an ID for Ms. Thompson.

25 Q Which bedroom was that in, if you recall?

1 A The first bedroom.

2 Q And clothing, did you collect clothing from that
3 residence as well?

4 A I did. The clothing was collected from the second
5 bedroom. I collected a black tank top, a pair of blue
6 jeans, a black McDonald's jacket and a pair of gray shoes.

7 Q All right. Let me show you State's Exhibits 224, 226
8 and 235?

9 A This would be the gray New Balance shoes, a black
10 jacket and black tank top and blue jeans.

11 MS. WALKER: Your Honor, at this point, the State
12 seeks to admit Exhibit Nos. 224, 235 and 226 into
13 evidence.

14 MS. GOODE: No objection.

15 THE COURT: 224, 235, 226, State's Exhibits without
16 objection.

17 (Whereupon, State's Exhibit Nos. 224, 226 and
18 235 were admitted into evidence.)

19 BY MS. WALKER:

20 Q And you said one of them was a black McDonald's
21 jacket?

22 A Yes, ma'am.

23 Q And were you collecting just random clothing inside
24 of the home or how did you determine which articles of
25 clothing to collect?

1 A Investigator Truluck kind of pointed out which items
2 he wished me to collect.

3 Q This black jacket with the McDonald's insignia on it?

4 A Yes, ma'am.

5 Q Black tank top?

6 A Yes, ma'am.

7 Q And jeans?

8 A Yes, ma'am.

9 Q As well as a pair of gray New Balance tennis shoes?

10 A Yes, ma'am.

11 Q As well as collecting those shoes, did you also take
12 pictures of them?

13 A Yes, ma'am, I did.

14 Q Let me show you State's Exhibit 215 through 219 and
15 see if you recognize these?

16 A These are the photographs of the shoes I collected
17 from the residence.

18 Q The shoes I just held up?

19 A Yes, ma'am.

20 Q Additionally, State's Exhibit No. 236, did you
21 collect this item?

22 A Yes, ma'am, I did.

23 Q Okay. And where did you collect this item from?
24 Does it has a location on there?

25 A Oh, from [REDACTED] Lower Richland Boulevard. That's the

1 incident location.

2 Q Is that the incident location?

3 A Uh-huh.

4 MS. WALKER: Your Honor, the State seeks to move 236
5 into evidence; clothes from the incident location?

6 MS. GOODE: No objection.

7 THE COURT: 236 without objection.

8 (Whereupon, State's Exhibit No. 236 was admitted
9 into evidence.)

10 BY MS. WALKER:

11 Q These are from Mr. Solomon's home?

12 A Actually, that was collected from the autopsy.

13 Q I'm sorry, from the autopsy. I guess that explains
14 the cut?

15 A Yes, ma'am.

16 Q In terms of the items you collected, does this
17 include all of those items?

18 A I believe so, yes, ma'am.

19 Q In processing the -- I guess going to the home, the
20 autopsy and -- the victim's home, the autopsy and the
21 Defendant's home, was that the extent of your
22 investigation in this case?

23 A Yes, it was.

24 MS. WALKER: Beg the Court's indulgence.

25 Thank you, sir, I don't have any further questions.

1 THE COURT: Cross?

2 MS. GOODE: Thank you, Your Honor. May it please the
3 Court?

4 CROSS-EXAMINATION

5 BY MS. GOODE:

6 Q Hi. How are you?

7 A Good afternoon. Doing well.

8 Q Good. So let's go back to the scene.

9 A All right.

10 Q You arrived, you are collecting evidence in the case?

11 A Yes, ma'am.

12 Q And besides the swabs, the physical items taken
13 actually out of Mr. Solomon's trailer that you took that
14 day were pieces of glass, right?

15 A Uh-huh.

16 Q One knife, right?

17 A Right.

18 Q I believe it was entered maybe as a t-shirt, but it's
19 a gray sweatshirt?

20 A Yes, ma'am.

21 Q Hair and fiber evidence was collected from a glass
22 piece, I guess from -- I'm sorry, from Mr. Solomon, from
23 his hand and from his elbow?

24 A Yes, ma'am, a hair and fiber.

25 Q And a cigarette butt?

1 A Yes, ma'am.

2 Q And other than that, there were no physical items
3 taken out?

4 A No, ma'am, all I collected was the knife, glass
5 pieces, t-shirt, cigarette butt, the bedsheet as well and
6 the hair fiber.

7 Q Yes, bedsheet. I apologize. I skipped right over
8 that one. All right. I would ask that you take a look at
9 these photos for me marked as Defendant's 8, 9, 31 and 7.
10 If you'll look at those for me.

11 (Pause.)

12 BY MS. GOODE:

13 Q Is that a fair and accurate representation of what
14 you saw when you were there that day, items in the house?

15 A Yes, ma'am, in the hallway, Mr. Solomon's feet and
16 it's a photo of a box with some items in it.

17 MS. GOODE: And, Your Honor, the Defense would seek
18 to move these in as evidence at this time.

19 If you want to take a look.

20 MS. WALKER: Sure. Thank you.

21 No objection.

22 THE COURT: What are the numbers, please?

23 MS. GOODE: Thirty-one, 8, 9 and 7, Your Honor.

24 THE COURT: Nine and seven?

25 MS. GOODE: Yes.

1 THE COURT: Without objection.

2 (Whereupon, Defendant's Exhibit Nos. 7, 8, 9 and
3 31 were admitted into evidence.)

4 BY MS. GOODE:

5 Q Okay. Thank you. If you could just -- we'll start
6 with this, you said this was the hallway. Do you remember
7 where this was exactly? And this is Defense Exhibit No.
8 31?

9 A The hallway between the living room and the bedroom.

10 Q Okay. And this would be the back door right here?

11 A Yes, ma'am.

12 Q And several clothing items and things here?

13 A Yes, ma'am.

14 Q And this would be the master bedroom at the very back
15 of the hallway?

16 A Correct.

17 Q And then this picture here, Defendant's Exhibit No.
18 7, you may not know -- you were in there about four hours
19 that day, I know someone else may have taken the
20 photograph, but this is -- can you kind of describe for
21 the jury what's in here?

22 A That looks to be --

23 Q Or what items were in there?

24 A The pill bottle of some sort, Smuckers grape jelly
25 and a can of biscuits, some sort of wrapper at the bottom.

1 Q None of these items were collected?

2 A Not from myself, no.

3 Q And then just some pictures here of Mr. Solomon's
4 feet, right?

5 A Correct.

6 MS. GOODE: No other questions, Your Honor.

7 THE COURT: Ms. Walker?

8 MS. WALKER: No other questions, Your Honor.

9 THE COURT: Have a nice day.

10 THE WITNESS: Thank you, sir.

11 THE COURT: Thank you.

12 You may call your next witness.

13 MS. CAMPBELL: May it please the Court, the State
14 calls Sergeant Richards.

15 STAN RICHARDS, after being duly
16 sworn, testified as follows:

17 THE CLERK: Thank you. Please have a seat in the
18 witness stand and state your name for the record.

19 THE WITNESS: Stan Richards, R-I-C-H-A-R-D-S.

20 DIRECT EXAMINATION

21 BY MS. CAMPBELL:

22 Q Sergeant Richards, where are you employed?

23 A Richland County Sheriff's Department crime scene
24 latent print section.

25 Q What do you do there, sir?

1 A Well, I was the sergeant. Now, Sergeant Bouknight is
2 the sergeant. I am the lieutenant for the crime scene
3 latent print. I think my duties will probably remain the
4 same, however, and I operate under Captain Cavanaugh. My
5 duties are to make sure that the operational aspect of the
6 crime scene and latent prints go on every day. I
7 supervise in that respect. I am in charge of the training
8 and also in charge of just about anything else.

9 Q Can you tell this jury a little bit about your
10 background and your education?

11 A Yes, ma'am. I was in the military for 20 something
12 years. While in there, I went to school at St. Leo to get
13 my degree in criminal justice, so I could go to officer
14 candidate school, which I did. When I got my commission,
15 I had the opportunity to go to the U.S. Army, Army command
16 general staff college and graduated from there with a
17 certificate in quantitative analysis.

18 After I retired, I came to work with Richland County
19 in 1994. I've been with the crime scene unit for the past
20 16 years.

21 Q Can you tell the jury a little bit about your
22 education and your training with crime scene analysis
23 specifically for this case and blood pattern analysis?

24 A Specifically for this case, I've been trained with
25 both basic and advanced courses in most all the

1 disciplines, which would include photography, latent print
2 development, footwear, crime scene reconstruction,
3 bloodstain pattern analysis, multiple times and multiple
4 courses.

5 I am certified as a crime scene investigator. I am
6 certified as footwear examiner, and I'm also certified as
7 a bloodstain pattern examiner through the International
8 Association for Identification.

9 Q Have you been qualified before in areas of crime
10 scene investigation?

11 A Yes, I have.

12 Q In court?

13 A In court.

14 MS. CAMPBELL: Your Honor, at this time, we'd offer
15 him as an expert in crime scene investigation,
16 specifically, in this case of bloodstain pattern analysis?

17 MS. GOODE: We have no objection.

18 THE COURT: All right. Ladies and gentlemen,
19 normally a person is not allowed to give opinion
20 testimony. Normally, when a person testifies before you,
21 they must testify as to what they saw, heard, sensed by
22 smell, something of that nature. However, there is an
23 exception under the rules when someone is qualified
24 because of education or experience. That person is
25 permitted to give their opinion in certain areas if I

1 qualify them in that way.

2 This witness will be qualified as an expert in the
3 area of crime scene analysis and blood --

4 MS. CAMPBELL: Bloodstain pattern analysis.

5 THE COURT: Bloodstain pattern analysis. He will be
6 allowed to give opinion testimony in that area. That does
7 not mean that you have to accept his opinion, but it is
8 evidence for you to use in any way you see fit and give it
9 the weight and the credibility that you believe is
10 appropriate as you're required to do with each and every
11 witness that appears before you.

12 MS. CAMPBELL: Thank you, Your Honor.

13 THE COURT: Yes, ma'am.

14 BY MS. CAMPBELL:

15 Q Lieutenant, did you have an opportunity to respond to
16 this crime scene back on January 27th?

17 A I responded with Sergeant Bouknight on the 28th.

18 Q The 28th, I'm sorry.

19 A Yes.

20 Q Did you have the opportunity to observe some of the
21 things we're going to talking about today at that point?

22 A Yes, ma'am.

23 Q In addition to that, have you had an opportunity to
24 review some of the photographs that were taken in this
25 case?

1 A I have.

2 Q I'm going to hand you what's been marked as State's
3 104 -- I'm going to hand you the photographs from the
4 crime scene, both with markers and without, and I'm going
5 to ask you specifically to look through those as we go
6 through what we're talking about.

7 A Now, these are some of the photographs I reviewed.

8 Q In addition, I have the ones without the markers from
9 the hallway area.

10 A I'm familiar with these photographs, also.

11 Q Did you also have the opportunity to review some
12 photographs from the master bedroom?

13 A Yes.

14 Q I'm going to hand you those photographs as well.

15 A Yes, ma'am, I'm familiar with these photographs as
16 well.

17 Q Finally, the photographs from the living room area
18 with the body in them?

19 A Yes, ma'am.

20 Q Were you able to come up with some conclusions based
21 on your analysis of this crime scene?

22 A Yes, I looked at the photograph that were marked A
23 through I in particular. That was because this, in my
24 opinion, was the bloodstain -- the blood letting event
25 within the home itself. The whole tragic scene, of

1 course, was an incident, but the event itself was the
2 blood letting portion of it. In my opinion, it began in
3 the bedroom and ended with Mr. Solomon on the floor in the
4 living room.

5 Q Tell the jury why you came to that opinion in
6 reviewing State's Exhibit 84 and 85, which are markers A
7 and B.

8 A Okay. These are photographs of the bed with the
9 blood stains on the bed. They are marked A and B. A is
10 on the bed itself. B is on the floor at the bottom of the
11 bed. This is the reason I come to this conclusion.
12 There's a reason that you look at that place most likely
13 as the beginning of the blood letting event, particularly
14 if the event itself is something like a blunt force. If
15 it happens to be high velocity, force or something like
16 that, which would be a gunshot, you would have a lot of
17 blood, I mean, a lot of blood in that particular area. If
18 you have a small amount, then you start looking for
19 something other than that, like a cutting event or a blunt
20 trauma event, which in the autopsy, that was what it was
21 called. But you've got to have something naturally that
22 begins the blood dripping or flowing to begin with.

23 So unless you have a dramatic type of blunt force
24 trauma to begin with, you're going to have small injuries
25 or injuries to begin flowing. That's what you're going to

1 see in the very beginning like the blood drops that you
2 have on the bed, on the floor, going into the hallway. In
3 my opinion, this was absolutely the beginning of the blood
4 letting event.

5 Q And in conjunction with that, you were also aware of
6 the knife that was found on the bedroom floor where these
7 droplets started?

8 A Yes, I saw the photographs of the knife that was on
9 the floor.

10 Q And you didn't do the DNA testing, but was DNA
11 testing done on the blood of that knife blade?

12 A Yes, it was.

13 Q And were your findings in the bedroom consistent with
14 some type of cutting, such as with a knife?

15 A It could be, yes.

16 Q Moving on down into the hallway at area C, which I
17 believe is the door across from the dryer in the hallway?

18 A The jury has been over these before and see it's
19 going to be on the door, of course. What you're going to
20 have predominately down the hallway is the beginning of
21 the volume of blood that starts from Mr. Solomon. That is
22 all the way down on both sides of the wall and on the
23 floor. It's going to progressively get more and more as
24 the volume, as the flow progressively comes out of the
25 decedent.

1 Starting with C on the door, you're going to have
2 blood stain. These patterns are going to be -- I don't
3 want to say unremarkable because they're very, very
4 important in a reconstruction aspect, but there are things
5 that you're going to see in anything similar to this,
6 whether it's a blunt force trauma and you have a blood
7 source, which would have been Mr. Solomon or whoever was
8 injured, in motion going from point A to point B. The
9 blood is going to flow. There's going to be blood on both
10 sides. There's going to be smears. There's going to be
11 transfers. There's going to be the same thing. Even I
12 saw on one of them where there was a transfer up against
13 the wall and then blood flow. There's that much of a
14 volume. So those are the things I expected to see and
15 that's what I saw on a majority of these.

16 Q Showing you State's Exhibit 91, which is on down the
17 hall with D?

18 A Now, it continued, as I pointed out to you like that,
19 but when I got to D, these are the things that I was
20 looking for besides normality of what I expected to find
21 down the hallway.

22 On D, I saw some spatter. Now, the difference
23 between what I was seeing, those types of stains, which
24 are transfer, and those kinds are nonspatter stains, okay.

25 Spatter stains are going to be impact or they're

1 going to be projected of some kind. You have linear. You
2 have nonlinear spatter.

3 When an item that is bloody is flung, whether it be a
4 hand, a stick, a bat, no matter what it is, but it's flung
5 and that blood that's on the end of it is projected away
6 from it -- I think all of us has probably done something
7 like that against a wall and you'll see a linear pattern
8 develop as it comes off and is projected off of that item.
9 That's what I see on D, which is I believe on the
10 interior -- one of the interior walls.

11 Q On the hallway?

12 A Hallway, yes.

13 Q And as you continued down the hallway to E and,
14 ultimately, to F, which is further down the hallway
15 towards --

16 A Yes, that's a continuation of flow, transfer and
17 smears, smears could be swipes. I won't go into that, but
18 there's smears. That's what you would generally expect to
19 see in a close quarter like down the hallway from a blood
20 letting event with the blood source in motion.

21 Q And, specifically, as to the marker F?

22 A Yes.

23 Q Is that significant?

24 A It's significant because you have -- like I say,
25 marker F is a volume of blood and that blood is now

1 flowing down to the floor, so at that point, this
2 individual was probably stationary for a little while in
3 order for that much blood to be saturated through whatever
4 brought him on his back or whatever it might have been and
5 that much blood flowing down the side down to the floor.

6 Q Okay. And, specifically, at point G, were there
7 certain fragments found?

8 A Yes. It appears that there was fragments in this
9 photograph at point G. But I was interested, basically, a
10 lot in the blood stains itself?

11 Q The blood stains itself?

12 A Yes.

13 Q And then H, which is on another doorway?

14 A H is on another doorway and it's a continuation of
15 swipes and smears on the doorway where, again, the blood
16 source was in motion.

17 These are not unrealistic that you would find this in
18 this type of a blood letting event.

19 Q I'm going to show you some from the other wall, too,
20 that weren't actually marked, State's Exhibit 83 and 82,
21 which are the machines that are right there --

22 A The washing machine and dryer that was in the
23 hallway, this is going to be a type of spatter. This type
24 of spatter can fall from gravitational pull or they can be
25 projected or falling, of course, as they are projected.

1 But they are a type of spatter that would come with -- it
2 could be off of the hand. It could be -- as a matter of
3 fact, expired, but you'd have to see it a whole lot
4 better than what it is to tell that's what it was. But
5 it's still a continuation of the blood letting down the
6 hallway, which is really unremarkable at that time. You
7 would expect to see that.

8 Q And as far as him ending up in the living room area,
9 was there a significant pooling that was consistent with
10 where his body was found?

11 A Yes, absolutely.

12 Q As far as the height of where the -- you're talking
13 about blunt force trauma and you're talking about the
14 spatter off of that as you observed it off the hallway,
15 what type of height are we talking about that some of this
16 occurred?

17 A Can I look at one of those?

18 Q You can look at anything you want.

19 A There's particularly one -- there was an HVAC.

20 Q This is State's Exhibit 79?

21 A Yes. There was an HVAC in the hallway at the very
22 end of the hallway and adjacent to the living room. Now,
23 I call it an HVAC. Kind of like a heater, probably an air
24 conditioner, also. It was on the wall itself, going down
25 the living room on the left side of the wall. Now, this

1 HVAC comes out, I don't know, several inches. If anyone
2 has ever seen one before, flat against the wall, comes out
3 several inches.

4 What I found -- and it wasn't marked -- what I found
5 and you can tell from the photographs very clearly that
6 this is spatter on the inside, which is the hallway side
7 of that HVAC is spatter. This spatter is not linear.
8 This spatter is radiated. That means this is impact
9 spatter. It's not impact spatter from the viewpoint of a
10 gunshot or high velocity, but it is a little larger type
11 of impact spatter.

12 Now, what's important about this is that this impact
13 spatter is spherical. It's round. You don't see any of
14 that oblong or pear shape. Like if blood drops hit a
15 target at an angle, they look like tear drops. These are
16 spherical. They're round. That means that these drops
17 hit the side of this HVAC at a 90-degree angle, right
18 straight on.

19 So however tall this HVAC was, this is where the
20 impact to the blood source was, and it hit straight on the
21 HVAC. That HVAC was not above mid height. It was below
22 mid height.

23 Q And when you say below mid height, below waist level?

24 A I'd say below waist level, yes.

25 Q So if someone were, for example, hit in the head with

1 a blunt object, that's the height where his --

2 MS. GOODE: Objection, Your Honor.

3 MS. CAMPBELL: -- blood source would have been?

4 MS. GOODE: She's leading.

5 THE COURT: I sustain, rephrase your question.

6 BY MS. CAMPBELL:

7 Q Can you give the jury an example of what that would
8 be?

9 A This is like -- in order to hit a 90-degree spatter
10 on the side of that HVAC, the blood source or the person
11 or whatever is getting hit would have to be down that low,
12 whatever portion of the body that was driving or
13 projecting that blood. If it was the head, the head would
14 have to be down that low to get a 90-degree projection
15 onto that HVAC.

16 Q And as far as your findings, those are the
17 significant ones as far as analysis at this scene?

18 A Three significant findings that I found was number
19 one, the beginning and the end of that type of blood
20 letting event. Number two, it was the castoff. And I'm
21 sorry, I failed to tell you that that's called castoff
22 when something is flung from an item. And those do hit at
23 an angle, not straight on.

24 So you can tell what they are when they're linear,
25 they follow each other. They change their shape as it

1 goes because the volume of blood decreases as it comes
2 off, and you can tell that's what it is. It's called
3 castoff. That was the second thing. Then, of course, the
4 third being the HVAC itself.

5 MS. CAMPBELL: Thank you. I don't have anything
6 further.

7 THE COURT: Cross-examination?

8 MS. GOODE: Thank you, Your Honor. May it please the
9 Court?

10 THE COURT: Yes, ma'am.

11 CROSS-EXAMINATION

12 BY MS. GOODE:

13 Q Good afternoon. Lieutenant now, right?

14 A Yes, ma'am. That's what they tell me.

15 Q All right. So I know we got a chance to speak last
16 week?

17 A Yes, ma'am.

18 Q I know you didn't have the pictures in front of you
19 when we got to speak, but it's -- it's something that, you
20 know, we came to talk to you about ahead of time?

21 A Yes.

22 Q It's a very -- like you said, it's pretty easy to
23 understand, but there's some -- you know, there's science
24 behind it --

25 A Sure.

1 Q -- to figure out how blood lands when it comes out of
2 the human body and what could have the potential effects
3 and how it would -- you know, how that would affect how
4 the blood would land somewhere, what kind of surface and
5 things like that. So I appreciate you speaking with us.
6 I'm sure you have a lot going on.

7 So your conclusion is that the blood flow starts in
8 the bedroom, ends where, like in the hallway?

9 A That's my opinion, yes.

10 Q Your opinion, yes.

11 A Yes.

12 Q And you're basing that solely on the amounts of blood
13 that you see and the way it is, I guess?

14 A I'm basing that on, number one, I took -- I tried to
15 articulate that. I looked at the blood stains solely.
16 That was what I was looking for, the blood letting event
17 itself because I have no further information that there
18 was blood anywhere else in the house. I didn't see any.
19 I was out there for a little while myself. Besides
20 helping Sergeant Bouknight looked for receipts, I was also
21 looking for blood because that's what I do.

22 Q Okay.

23 A So it was based on it being like that, I was looking
24 solely at the blood stains.

25 Q Okay.

- 1 A Yes --
- 2 Q As they were provided to you -- I'm sorry, as you saw
3 them in the pictures?
- 4 A As I was shown in the photographs, that's correct.
- 5 Q Okay.
- 6 A I did not do that on the scene.
- 7 Q Okay.
- 8 A But yes, that's one of the reasons.
- 9 Q Okay. So I want to start in the bedroom.
- 10 A Okay.
- 11 Q Because that's where -- I believe you did say that's
12 where you started, not for any reason, but you did start
13 your investigation with that area, right?
- 14 A Yes.
- 15 Q And do you still have the pictures up there?
- 16 A I do not.
- 17 Q Okay. So I want to go back over that with you. And
18 those would be markers A and B, specifically, in the
19 bedrooms?
- 20 A Correct.
- 21 Q Or in the bedroom, I'm sorry. So here, this is
22 State's Exhibit 84 and that is a picture of Mr. -- the
23 bedsheet and --
- 24 A Yes.
- 25 Q -- it's on the bed?

1 A Yes.

2 Q And you describe these?

3 A As stains.

4 Q As stains?

5 A Yes.

6 Q And they're more like drips?

7 A They could be, but when you are working with cloth,

8 there's things called saturation.

9 Q Right.

10 A So it's a stain.

11 Q It has to do with the surface and how it lands?

12 A Yes.

13 Q Well, the floor here is not cloth, right?

14 A That's correct.

15 Q It has B here, and this is State's Exhibit 85 and 86.

16 A Yes.

17 Q And 87 here. And there are several drops?

18 A Those appear to be drops.

19 Q Drops, okay. Thank you. I appreciate that. And

20 those drops are -- they're coming out at more of a

21 straight angle, right?

22 A Yes.

23 Q Like a 90-degree angle?

24 A Yeah, pretty much it gravitates when drops --

25 Q -- as you described?

1 A -- yes.

2 Q If they were coming out at possibly a different
3 angle, there might be --

4 A There could be, it depends. If it's coming off a
5 person --

6 Q Uh-huh.

7 A -- or an item being carried by a person, it depends
8 on the velocity of the walk, the gait, how fast someone is
9 moving, how much they're swinging their arms. They could
10 be moving and still get a drop.

11 Q Okay. So again, it depends, it's just you trying to
12 look at these stains to figure out possibly -- you know,
13 describe, I guess, what kind they are --

14 A Yeah.

15 Q -- and how one might -- how this stain might get
16 there?

17 A Yes.

18 Q This is a drip or a drop?

19 A I was not so much concerned on how they got there --

20 Q Right.

21 A -- is that they were there.

22 Q They were there. And these --

23 A And there was only those there.

24 Q And these, you classified as drop stains?

25 A Yes.

1 Q And drop stains because of the way they are?

2 A Yes.

3 Q Again, I'm not a blood pattern expert, but these
4 are -- there's not -- these are the straight down. It's
5 coming out from maybe off of something, that, you know,
6 the gravitational pull from it drops it down. It is not
7 coming from an angle from what you see here to where it
8 would be sort of -- if there's any angle to it?

9 A It doesn't appear to be on the photographs.

10 Q Right.

11 A Blood drops can fool you. You have to get down and
12 look at them really, really closely to see if there is
13 some evidence of some type of angle at all.

14 Q Okay.

15 A Like I said, there could be some. There could be
16 none.

17 Q Right.

18 A But it depends on the amount of blood being dropped,
19 how fast the blood source is moving and what it's dropping
20 from --

21 Q Uh-huh.

22 A -- and what it's hitting.

23 Q And in this case, you looked at the photographs?

24 A I did.

25 Q You weren't able to get there and look closely?

1 A No.

2 Q You were just looking at the photographs?

3 A That's right.

4 Q So your opinion is based solely off of the
5 photographs?

6 A Right.

7 Q And then you mentioned -- let's see here. Just try
8 to put them back in order for me. Well, the HVAC unit?

9 A Yes.

10 Q On that, you noticed what you thought was a blood
11 stain or a blood spatter on the HVAC, right?

12 A Yeah, it was impact spatter.

13 Q Impact spatter. I can't find a picture of it. You
14 noticed it in the photographs?

15 A Yes.

16 Q It wasn't marked?

17 A No.

18 Q And to your knowledge, there was no swab taken?

19 A I don't know that either way. I don't know.

20 Q Okay. So just from the way it looks potentially on
21 the HVAC, you believe it would be blood?

22 A Yes.

23 Q But we don't know for sure?

24 A I don't know for sure. I couldn't say that.

25 Q You mentioned on direct that in the hallway, there

1 appeared to be some swipes and smears in certain places?

2 A Yes.

3 Q And you mentioned that that would mean that the blood
4 source -- and can you -- I know you told me what the blood
5 source was last week, kind of explained it. Is that
6 the --

7 A That's where --

8 Q Where the blood is coming from?

9 A That's where the blood is coming from, yes, you're
10 right.

11 Q Okay. So you said that those types of blood stains
12 indicate that the blood source is in motion?

13 A I said because there was blood flowing all the way
14 down the hallway --

15 Q Uh-huh.

16 A -- that that indicates that the blood source was in
17 motion. Or if it was stationary, it would only be blood
18 at the bedroom side.

19 Q Right.

20 A Or the living room side, wherever he might have wound
21 up.

22 Q Okay.

23 A But because there was blood all the way down, and it
24 was quite a volume of it on both sides, yeah, that
25 indicated he was in motion.

1 Q Okay. And you got to visit the scene. The hallway
2 there is quite tight, right?

3 A Yeah, it is.

4 Q Okay.

5 MS. GOODE: Beg the Court's indulgence.

6 THE COURT: Yes, ma'am.

7 (Pause.)

8 MS. GOODE: Thank you very much. I don't have
9 anything further.

10 THE COURT: Ms. Campbell?

11 MS. CAMPBELL: I don't have anything further.

12 THE COURT: Thank you. Have a nice day, Lieutenant.

13 All right. Let's take about a 10-to-15-minute break.
14 You've been going quite a while now. Do not discuss the
15 case. Keep an open mind. We'll be back with you in about
16 10 or 15 minutes. Thank you very much.

17 (Whereupon, the jury left the courtroom at 3:41
18 p.m.)

19 THE COURT: Okay. Anything before we break?

20 MS. CAMPBELL: Not before we break, Your Honor, but
21 we are putting our next witness up. We need to take
22 Dr. Durso out of order.

23 THE COURT: Okay.

24 MS. CAMPBELL: So we do have the autopsy pictures.

25 MR. BAILEY: We can talk about it now.

1 MS. CAMPBELL: We can talk and see if we can agree on
2 it.

3 THE COURT: Okay.

4 (Whereupon, a short break was taken.)

5 (Whereupon, State's Exhibit Nos. 238 through 255
6 were marked for identification only.)

7 THE COURT: Where are we?

8 MS. WALKER: We're about to call Dr. Durso to the
9 stand.

10 THE COURT: Where are we on the pictures?

11 MS. WALKER: Oh, I'm sorry. We're fine on them.

12 MR. BAILEY: That's what I was going to tell you
13 earlier.

14 MS. WALKER: Thank you.

15 (Whereupon, the jury entered the courtroom at
16 4:00 p.m.)

17 THE BAILIFF: The jury seated, Your Honor.

18 THE COURT: Welcome back.

19 You may continue.

20 MS. WALKER: Thank you, Your Honor. The State calls
21 Dr. Amy Durso.

22 THE COURT: All right. Come on up Dr. Durso.

23 AMY DURSO, M.D., after being duly
24 sworn, testified as follows:

25 THE CLERK: Please have a seat in the witness stand

1 and state your full name for the record and please spell
2 your last name.

3 THE WITNESS: Amy Durso, D-U-R-S-O.

4 DIRECT EXAMINATION

5 BY MS. WALKER:

6 Q Dr. Durso, can you tell me where you're currently
7 employed?

8 A I'm currently employed at Professional Pathology
9 Services as a forensic pathologist.

10 Q Can you tell me what a forensic pathologist does?

11 A Yes. A forensic pathologist is a medical doctor that
12 specializes in examining bodies after death.

13 Q And can you tell me a little about your training and
14 background that makes you a forensic pathologist?

15 A Sure. So I received a Bachelor's Degree first at
16 Emory University. I then went on to the University of
17 North Carolina in Chapel Hill, where I received my
18 four-year medical degree, my MD.

19 So after medical school, I did a four-year residency
20 training program at Wake Forest University in general
21 pathology, and then I spent an additional year at Wake
22 Forest doing a fellowship specifically in the forensic of
23 forensic pathology.

24 Q And when you say forensic pathology, you say that's
25 an examination of the body after death?

1 A Yes.

2 Q What all does that examination include?

3 A So the examination is called an autopsy. And so that
4 includes examination of the outside of the body
5 documenting everything from hair color, body weight,
6 length, any injuries seen on the outside, identifying
7 marks, scars. And then we actually make large incisions
8 over the body, make an incision from the shoulders, down
9 to the sternum and downwards, kind of a Y-shaped incision,
10 reflect that back, remove the front of the rib cage. And
11 at that point, we can pretty much see all the major organs
12 in the body.

13 So again, we take note of collections of blood,
14 fluid. Then we remove each organ, weigh it and dissect
15 it, and again, note any abnormalities, any significant
16 findings. For the head, we actually reflect back the
17 scalp and remove the top of the skull so we can view the
18 brain and remove the brain and dissect that as well.

19 MS. WALKER: Your Honor, at this point, the State
20 seeks to have Dr. Durso admitted as an expert in forensic
21 pathology.

22 MR. BAILEY: No objection, Your Honor.

23 THE COURT: Ladies and gentlemen, as I told you
24 before, normally a person cannot give opinion testimony.
25 When a person testifies, they have to testify to what they

1 heard, saw, did, something of that nature. However,
2 there's an exception when someone is qualified because of
3 education or experience, that witness is permitted to give
4 their opinion in certain areas. If I qualify them that
5 way, Dr. Durso will be qualified as an expert in the area
6 of forensic pathology. She will be allowed to give
7 opinion testimony in that area. That doesn't mean that
8 you have to accept her opinion, but it is evidence for you
9 to use in any way that you see fit. Give it the weight
10 and the credibility that you believe is appropriate as you
11 are required to do with each and every witness that
12 appears before you.

13 MS. WALKER: Thank you, Your Honor.

14 BY MS. WALKER:

15 Q The procedure that you just described?

16 A Yes.

17 Q Did you perform that sort of autopsy on one James
18 Solomon?

19 A Yes, I did on January 28th, 2014.

20 Q And at that point in time, how tall was the victim in
21 this case?

22 A He was 70 inches, so 5 feet 10 inches.

23 Q And how much did he weigh?

24 A 191 pounds.

25 Q Five feet, 10 inches and 191 pounds?

1 A Yes.

2 Q And how old was he?

3 A Seventy-one.

4 Q Can you -- once you initially observed the body, what
5 was the first thing that you observed at that point?

6 A So some of the significant findings I noted most
7 immediately upon opening the body bag were multiple
8 injuries about the head.

9 Q And did you document those injuries in any way?

10 A Yes. So every autopsy, we have these standard kind
11 of diagrams that we go and describe some of our findings
12 that kind of just aids us when we go back to write our
13 report. It's just something to refer to.

14 MS. WALKER: Your Honor, at this point, the State
15 seeks to move -- I'm sorry.

16 BY MS. WALKER:

17 Q Do you recognize these?

18 A Yes.

19 Q And how do you recognize these?

20 A Those are the diagrams I made at autopsy blown into
21 much larger dimensions.

22 Q Is this to document what you were just discussing?

23 A Yes.

24 MS. WALKER: Your Honor, at this point, the State
25 seeks to move Exhibit Nos. 238, 239 and 240 into evidence.

1 MR. BAILEY: No objection, Your Honor.

2 THE COURT: 238, 239 and 240 without objection.

3 (Whereupon, State's Exhibit Nos. 238, 239 and
4 240 were admitted into evidence.)

5 MS. WALKER: Your Honor, may the witness step down?

6 THE COURT: Yes, ma'am.

7 Just keep your voice up, okay, Doctor?

8 THE WITNESS: Yes.

9 BY MS. WALKER:

10 Q You said the first thing you did was document
11 injuries to the head?

12 A Yes.

13 Q Let's start with -- which one do you want to start
14 with?

15 A Either.

16 Q Okay. Let's start with Exhibit No. 239. What, if
17 any, injuries -- can you actually tell us what you're
18 looking at right here?

19 A Right. So we have different diagrams we use based on
20 what we want to explain and document.

21 So this is the right side of the head. And like I
22 said, these are standard diagrams, nothing particular to
23 the decedent in this case, Mr. Solomon. But I drew in --
24 there are three different lacerations there. So
25 lacerations are caused by what we call a blunt force

1 injury. Blunt force injuries are caused by a blunt object
2 striking the skin and actually tearing it. So that's a
3 laceration. It can also -- blunt force injuries can also
4 cause contusions, also known as bruises.

5 So there were three lacerations, so some kind of
6 blunt force, some blow to the head would have caused these
7 three lacerations. So at least three blows to the head on
8 the right side here above the ear.

9 Q This would have been --

10 A Right.

11 Q -- right above the ear?

12 A Yes.

13 Q Okay.

14 A Kind of further back, though, but, yeah, in that
15 general area.

16 Q Okay. So further back?

17 A Yeah.

18 Q Okay. And did you document anything else on this
19 side?

20 A No, those are just the sutures of the skull.

21 Q But that's the only documentation?

22 A Yes.

23 Q State's Exhibit No. 240, can you tell me what, if
24 anything, is documented here?

25 A So this one I concentrated more just on the back of

1 the head. So up here, I documented six different
2 lacerations, so six blows to the head up on kind of the
3 upper back of the head. So there were, at least, six
4 blows to the head in this area. And then there were two
5 here a little bit lower down in the back of the head and
6 then three blunt force injuries, three lacerations down
7 here, kind of going towards the neck, the lower side of
8 the head.

9 Q All to the back of the head?

10 A Yeah, these are all to the back. And then, in
11 addition, there were two sharp force injuries. So as
12 opposed to a blunt force injury that's like a flattened or
13 a rounded object, a sharp force injury is something like a
14 knife or anything that would be as sharp as a knife, and
15 instead of tearing the skin, it actually slices into the
16 skin. So there were actually in addition sharp force
17 injuries caused by a knife or other sharp object also
18 noted on the back of the neck.

19 Q The blunt force injuries that you were discussing,
20 were they anywhere else on the body other than the head?

21 A The blunt force injuries were only on the head.

22 Q And the sharp --

23 A The sharp force injuries, the cuts were on the other
24 portions of the body as well.

25 Q Did you document those as well?

1 A Yes.

2 Q State's Exhibit No. 238?

3 A So this is the overall body diagram that we pretty
4 much use on every autopsy. And so on this one, I'll just
5 start at the top and kind of move down.

6 Q Yes, ma'am.

7 A There were three lacerations. There was one here on
8 the forehead, one here a little bit more to the right on
9 the forehead, so two blows here, and then an additional
10 blow -- there was a laceration over the nose and it was
11 actually a fracture of the nose, the nasal bone here.
12 There was also a sharp force injury, so a cut, here on the
13 right side of the chin. So there were three blunt force
14 injuries and one sharp force injury on the face.

15 Q And were pictures taken of those injuries as well?

16 A Yes.

17 Q Would these pictures help you in explaining these
18 injuries to the jury?

19 A Yes.

20 Q Let me show you what's been marked as State's Nos.
21 242 through 253 and ask you if recognize these?

22 A Yes. These are all photographs taken at the time of
23 autopsy.

24 MS. WALKER: Your Honor, at this point, the State
25 seeks to move State's Exhibit Nos. 242 through 243 into

1 evidence.

2 MR. BAILEY: No objection.

3 THE COURT: Just two?

4 MS. WALKER: 242 through 253.

5 THE COURT: Oh, you said 243.

6 MS. WALKER: Oh, I'm sorry.

7 THE COURT: 242 through 253.

8 MS. WALKER: Yes, Your Honor.

9 THE COURT: Okay. Without objection.

10 (Whereupon, State's Exhibit Nos. 242 through 253
11 were admitted into evidence.)

12 BY MS. WALKER:

13 Q Okay. State's Exhibit -- you said there was a mark
14 where?

15 A So there's two here on the forehead, as well as a
16 laceration over the nose.

17 Q I'm sorry. Did you want --

18 A No, no, you're good.

19 Q Okay. And does this picture depict that in your --

20 A Yes. So you can kind of see in this picture of Mr.
21 Solomon, this stuff up here, this is skin slippage.

22 That's a post mortem effect. He was starting to
23 decompose.

24 But he did have -- there's a laceration here, you can
25 see the center of the blow here. That's why the skin just

1 kind of tore out from the center of the force. There's
2 also a laceration here more towards the middle of the
3 forehead. I don't know if you can really see the
4 laceration over the nose as well, but there's a laceration
5 there, and then there's a cut or a sharp force injury down
6 here towards the chin.

7 Q These are all documented?

8 A Yes.

9 Q And going -- continuing down the body?

10 A Right. Do you want to go back and we can do that one
11 first?

12 Q Okay. Yes, ma'am. Back to State's Exhibit No. 240?

13 A So this is a picture of the back of the head. You
14 can see this back here. Again, those areas are skin
15 slippage. That's not injuries. This is postmortem
16 after-death change, starting to decompose. Again, you see
17 the multiple lacerations to the back of the head. You can
18 see my artwork isn't as accurate as that. You can see
19 there's other lacerations down here, here. Here are the
20 ones to the upper kind of portion of the head that I think
21 are -- we have another photograph of those, as well as the
22 sharp force injuries lower down here on the neck.

23 Q And on State's Exhibit No. 245?

24 A Right. So this is the top of the head here. You're
25 kind of looking towards -- here's his right ear, kind of

1 looking down on top of his head. Again, these are the
2 large group of lacerations that are kind of in this area
3 here towards the top and kind of back right portion of the
4 head.

5 Q You said towards the top?

6 A Top.

7 Q Okay.

8 A Right. This is kind of shooting down on top of his
9 head is where that picture was taken from.

10 Q You said he was 5'10", right?

11 A Yes. These are kind of the ones to the right side.

12 Q Okay.

13 A This is also -- this is another picture. This is
14 State's Exhibit 246. This is another one kind of
15 including more of these because they were kind of to the
16 top and right, so this is kind of taken more from an
17 angle. This is the right ear, but I think it depicts some
18 of the same injuries that were in that last photo as well.

19 Q And this is State's 246, this area?

20 A Yes.

21 Q On State's 240?

22 A And this is the right side of Mr. Solomon's head.
23 And again, this is showing these lacerations here to the
24 right side of the head that you couldn't see really from
25 the one taken from the back. This is 247.

1 Q State's Exhibit 247 correlates where with State's
2 Exhibit No. 239?

3 A This area here on the right, kind of back toward the
4 head. Like I said, it's kind of above the ear and kind of
5 back towards the backside of the head there.

6 Q And in terms -- when you said you reflect the scalp
7 back, can you tell the jury why you do that?

8 A Yes. Well, especially in darker-skinned individuals,
9 but also if people are decomposing, there's a darkness to
10 the scalp that we really can't see bruises very well, so
11 again, from the blunt force injuries, you would expect
12 bruising, contusions. So I really needed to reflect the
13 scalp back in order to view and look for bruising.

14 Q Did you see that in this case?

15 A Yes.

16 Q Is that depicted in State's Exhibit No. 243?

17 A Yes.

18 Q Can you describe those to the jury?

19 A So this is during the internal part of the autopsy,
20 so here's his ear. This is his chin up here. And again,
21 we kind of make an incision that can be hidden for funeral
22 purposes, but we kind of pull the skin, the scalp down in
23 the back and also up here on the front. But this is the
24 right side of his head and so this is how -- all of this
25 red is dark red blood. This is a contusion. These are

1 all bruises that occurred, so this is bleeding underneath
2 the skin and within the skin.

3 Q Is that related to blunt force trauma?

4 A Yes.

5 Q Continuing now with State's Exhibit No. 238, going
6 down the body.

7 A Right. So on the right lower chest were two sharp
8 force injuries, so two cuts.

9 Q Is that consistent with a knife or something like
10 that?

11 A A knife or something generally as sharp as a knife
12 that would cut instead of tear or crush. And all of these
13 sharp force injuries did not go through all of the skin.
14 They just went through the superficial layers of skin. It
15 did not go all the way through. It did not penetrate any
16 of the major organs.

17 Q These are shallow cuts?

18 A Shallow cuts to the body, yes.

19 Q Is that depicted in State's Exhibit No. 253?

20 A Yes. So this is a picture from the right lower chest
21 showing these two sharp force injuries. So these are two
22 cuts to the body.

23 Q And continuing down the victim's body?

24 A Right. There were five, kind of a cluster of five of
25 these sharp force wounds, these cuts on the left leg here.

1 Q On the upper leg?

2 A Left upper leg, yes, kind of on the thigh.

3 Q State's Exhibit No. 248?

4 A Yes.

5 Q Okay.

6 A So this is kind of the knee down here, and this is
7 the upper portion of the thigh and you can see this is the
8 cluster of sharp force injuries. You can see they're not
9 very deep, it's through the superficial part of the skin.

10 Q And then the hand?

11 A Yes.

12 Q What, if anything, did you note about the hands?

13 A So on the right hand, there were seven different
14 sharp force injuries, so seven different cuts to the hand.
15 Some on the fingers, some on the back of the hands
16 primarily.

17 Q On the --

18 A Well, this is what I consider the back.

19 Q And there were cuts to the back of the hand?

20 A Cuts on the back of the hand and cuts on the fingers
21 as well.

22 Q Are those depicted in State's Exhibit 249 and 250?

23 A So this is the right hand and you can see here this
24 is the thumb being pulled down, so between the thumb and
25 the first finger, there's a little cut there. And that is

1 in a location typical of someone trying to grab a knife or
2 a sharp object in order to defend themselves from the
3 injuries that they're sustaining.

4 Q So these are defensive wounds?

5 A Right. So defensive wounds are basically sharp force
6 injuries, cuts to the lower arms and hands. Usually,
7 people would put their arms or hands up in order to defend
8 themselves and oftentimes, they do try to grab the knife,
9 the sharp -- they grab the sharp part, that's what's
10 coming at them, and they end up with cuts on their hands,
11 oftentimes, in this location.

12 And this is the other one, No. 250, which shows again
13 two additional cuts on the back of his hand. You can
14 start to see some of the other smaller cuts on his fingers
15 over here as well.

16 Q And that is defensive wounds as well?

17 A Yes, those would all be considered defensive wounds.

18 Q And --

19 A There were also -- let's see, on the right lower arm
20 three more sharp force wounds, three more cuts on the
21 right lower arm. And again, those would be in areas still
22 considered to be defensive wounds. On the right shoulder,
23 there is -- here's one and then there were two more cuts
24 or sharp force wounds. And then on the left lower arm and
25 wrist were an additional nine more cuts, nine more sharp

1 force injuries.

2 Q And State's Exhibit Nos. 251 and 252?

3 A Yes.

4 Q Go down. I'm sorry.

5 A So this is the -- I think we're at the left lower arm
6 now. This is the elbow, the arc going down lining this.
7 It's little dark in the area, but you can see there's
8 several sharp force injuries in this area. And this is
9 the left lower arm on the front. You can see there's a
10 sharp force wound here. This one kind of has a little
11 skip pattern. But oftentimes, as you're dragging the
12 sharp blade, your skin kind of wrinkles and it forms that
13 kind of pattern. Since it's a sharp object being dragged
14 over the skin and the skin wrinkling would be that kind of
15 pattern with injury.

16 Q And this is what area of the body?

17 A This is the left lower arm, the front, this part of
18 the left lower arm.

19 Q Okay.

20 A And then also on the left foot here, kind of the
21 inside part of the left foot in this area are two more
22 cuts, sharp force injuries.

23 Q And I guess we've gone -- we've already gone over
24 these injuries over here?

25 A Yes.

1 Q And you said the sharp force trauma injuries are
2 shallow in nature?

3 A They were all shallow in nature, yes.

4 Q Thank you, Dr. Durso. You can take a seat.

5 A (The witness complied.)

6 Q Okay. After documenting the injuries that you were
7 able to observe on the outside of the body, what was your
8 next step in this autopsy?

9 A We continued with the entire internal examination,
10 again, looking at the heart, lungs, liver, all of the
11 major organs.

12 Q Was there anything to note about any of those organs?

13 A He had some coronary artery disease, but nothing
14 severe enough to cause his death.

15 Q So that did not contribute to his death?

16 A No.

17 Q Were you able to make a conclusion as to the cause of
18 death in this case?

19 A Yes.

20 Q And what was that?

21 A Exsanguination, which is a fancy medical term for
22 extreme blood loss. So exsanguination due to multiple
23 blunt and/or sharp force injuries primarily involving the
24 head.

25 Q Is that commonly referred to as bleeding out?

1 A Yes.

2 Q And how long does it take the body to succumb to
3 those type of injuries?

4 A Well, the scalp has a very rich blood flow. I don't
5 know if anyone has ever cut their head or even their face.
6 If you know, it bleeds a lot. So there's a very rich
7 blood supply to the head and face as well. I don't know
8 which of these wounds came first and over -- if it
9 happened over a period of an hour or a few minutes, I have
10 no way to tell that by autopsy.

11 But once all of those blows had happened and he was
12 bleeding profusely, it's hard for me to say exactly.
13 Anywhere from a few minutes up to an hour, just depending
14 for the range of how fast these occurred.

15 Q So anywhere from a few minutes to an hour would have
16 been --

17 A Roughly.

18 Q A rough estimate?

19 A It's really hard to say exactly. There's no real
20 scientific way to pinpoint that exactly.

21 Q And are you able to determine how long someone has
22 been dead once you receive their body?

23 A We can document changes after death such as
24 decomposition, but there are a lot of variables that go
25 into decomposing, including the temperature that the

1 person was left in, their temperature right before they
2 died as well. So if the room or building he was in was
3 very warm, it would certainly accelerate the decomposition
4 process. But there were signs of decomposition, so I
5 would estimate at least two or three days.

6 Q Okay. At that point in time -- actually, let me ask
7 the question this way. In terms of defensive wounds, can
8 you tell me exactly how you can determine whether or not
9 something is a wound that is defensive in nature versus
10 something else?

11 A Well, defensive wounds are just characterized -- we
12 see them a lot in people that have been stabbed or cut
13 with a sharp instrument because it's typical that people
14 would put their hands up to defend themselves and so they
15 end up getting cut often on their lower arms primarily,
16 both the front and the back, as well as on their hands.
17 And as I said, often, especially with their dominant hand,
18 they will be trying to grab the knife. And they end up
19 grabbing the blade and they often have a lot of cuts on
20 their hands and fingers as well.

21 So those are all considered areas typical of defense
22 wounds, meaning the person was trying to defend themselves
23 from whatever sharp object was coming at them.

24 Q And the wounds that you observed in this case, were
25 there any that were inconsistent with being defensive

1 wounds?

2 A As far as the sharp force?

3 Q Right.

4 A Well, any of the sharp force injuries that weren't on
5 the lower arms and hands would not be considered defensive
6 wounds by the definition.

7 Q They would be considered defensive wounds or not?

8 A So the defensive wounds by definition are the ones on
9 the hands and lower arms. So he did have cuts other
10 places on the body. That's not to say -- sometimes people
11 put their feet up if they're on the floor to defend
12 themselves and he did have some cuts on his feet. That's
13 the way they're defending themselves as well. But by
14 definition, forensically speaking, we define them by cuts
15 on the hands and forearms.

16 Q And the cause of death in this case was what?

17 A Exsanguination due to multiple blunt and sharp force
18 injuries primarily involving the head.

19 Q In terms of his ability to, I guess, function or
20 communicate once he received these blows to the head, how
21 would that have been affected?

22 A After all of those blows to the head, I would have
23 expected him to have been knocked unconscious, especially
24 with all the blood loss, he definitely would have been
25 unconscious prior to death.

1 Q Is toxicology something that y'all routinely do?

2 A Yes, all of our forensic cases, all of our autopsies
3 done for the coroner's office, we always collect samples
4 to send off to the lab for toxicology testing and we did
5 so in this case. We sent blood from the aorta, which is
6 the main vessel that comes off the heart, so yes.

7 Q And what were the results from that?

8 A It was positive for ethanol .05, 1 percent, so .08 is
9 the legal limit for drinking and driving, so it was below
10 that. It was also positive for cocaine, as well as
11 benzoylecgonine, which is the major metabolite of cocaine.
12 It was positive for amitriptyline and nortriptyline. And
13 amitriptyline is a tricyclic antidepressant and
14 Nortriptyline is its metabolite. It's broken down in the
15 body to that. But that was way below therapeutic levels,
16 so it was just a very small amount. It was also positive
17 for Butalbital, which is barbiturate, like a sedative and
18 that was fairly low as well.

19 Q And you aren't -- are you personally aware of what
20 prescriptions may have been -- that he may have had at the
21 time of death?

22 A I'm not aware of them at this point, no.

23 MS. WALKER: Thank you, Dr. Durso, I don't have any
24 further questions.

25 THE COURT: Cross-examination.

1 MR. BAILEY: Thank you, Your Honor. May it please
2 the Court?

3 THE COURT: Yes, sir.

4 CROSS-EXAMINATION

5 BY MR. BAILEY:

6 Q All right. Dr. Durso, how are you doing?

7 A Good. How are you?

8 Q Good. I'm going to move some of this stuff around.
9 So Dr. Durso, today and also in your report, you found
10 that Mr. Solomon died due to exsanguination -- did I say
11 that, right?

12 A Yes.

13 Q Exsanguination due to multiple blunt and sharp force
14 injuries to the head; is that right?

15 A Yes.

16 Q And as you said kind of in regular folks' terms
17 earlier, it's loss of blood?

18 A Yes, extreme loss of blood, yes.

19 Q Now, we looked at the injuries earlier. Mr. Solomon
20 was hit in the front of the head; is that right?

21 A Yes, there were three -- I believe three blunt force
22 injuries to the head.

23 Q Okay.

24 A Yeah, three to the face. Three to the face.

25 Q Okay. Three blunt force injuries to the face, to the

1 head?

2 A Yes.

3 Q Okay. I'm going to show you a picture that the
4 prosecution didn't show you. I'm sure you've seen it
5 anyway.

6 A Yes.

7 (Whereupon, Defendant's Exhibit No. 68 was
8 marked for identification only.)

9 BY MR. BAILEY:

10 Q This is Defendant's Exhibit 68. Does this look like
11 an accurate reflection of Mr. Solomon's face at the time
12 of the autopsy?

13 A Yes.

14 Q Okay.

15 MR. BAILEY: At this time, Your Honor, I'd like to
16 move that Defendant's Exhibit 68 be moved into evidence.

17 MS. WALKER: No objection.

18 THE COURT: Without objection.

19 (Whereupon, Defendant's Exhibit No. 68 was
20 admitted into evidence.)

21 BY MR. BAILEY:

22 Q All right. All right. So Mr. Solomon was definitely
23 hit in the front of the face; is that right?

24 A That is correct.

25 Q I'm going to ask you if you wouldn't mind, Dr. Durso,

1 step down.

2 MR. BAILEY: Your Honor, may I have the witness step
3 down?

4 THE COURT: Sure.

5 MR. BAILEY: Thank you.

6 BY MR. BAILEY:

7 Q Now, earlier when you were pointing out -- or when
8 the prosecutor, the solicitor, had you point out the
9 injuries to the front of his face, I believe you were
10 pointing at Exhibit 238; is that right?

11 A That's 238?

12 Q Yes, State's Exhibit 238. These are the injuries
13 here, right?

14 A Yes.

15 Q Some of the three blunt force injuries in the front?

16 A Yes.

17 Q Okay. I'm going to look at Exhibit 240, and this
18 one -- for some reason, you know, this one doesn't
19 actually show the actual injuries to the front of the
20 face, but Mr. Solomon did have injuries on the front of
21 his face?

22 A Right. I started out on that diagram. I ran out of
23 the room and I pulled another diagram to do the back.
24 That's why it's so crowded.

25 Q If it's okay with you, could we amend that

1 temporarily, could you review the injuries and have you
2 put this little tab on the front?

3 A Sure.

4 Q And I'm not going to try to put it there because I'm
5 not going to get it as right. Could I swap spots with
6 you?

7 A Sure.

8 MS. WALKER: Your Honor, the only objection I have is
9 I don't want the exhibit, since it's already been admitted
10 into evidence, to be altered in any way.

11 MR. BAILEY: We're not going to permanently alter it,
12 Your Honor. She's basically pointing and putting a marker
13 on it.

14 THE COURT: She can point at it, but she can't put a
15 marker on it.

16 MR. BAILEY: Okay.

17 BY MR. BAILEY:

18 Q I tell you what we're going to do, since we can't fix
19 this chart, I'm going to have you put the stickers on my
20 head; is that all right?

21 A Sure.

22 Q I don't think my head's going to be entered into
23 evidence.

24 A Okay.

25 Q So Dr. Durso, do you need to consult this -- do you

1 need to consult this picture of the front of his face
2 while we do this or can I go ahead and hand this to the
3 jury?

4 A It would be more accurate if I have that.

5 Q Okay. Well, I want you to have everything that you
6 need. You can pick any color. Let's go with red, unless
7 you just like blue?

8 A Whatever one.

9 Q Okay. So when we're talking about the wounds in the
10 front of Mr. Solomon's head, you described lacerations?

11 A Yes.

12 Q And I think you said lacerations are like wounds, but
13 they're -- can you give that to us one more time?

14 A Right. So lacerations are tearing of the skin from a
15 blunt or flatter object actually tearing the skin, not a
16 cut, but the actual tearing of the skin from a blunt force
17 injury like a blow to the head.

18 Q Okay. The first one you said on the face just above
19 the right eyebrow --

20 A Yes.

21 Q -- is a 3 by 1.2-centimeter Y-shaped laceration; is
22 that right?

23 A Let me see. Yes.

24 Q Okay. Can you mark where that would be on my face?
25 Let me move my glasses.

1 A Okay.

2 Q I'm going to try to keep them on, but if I need to
3 move them, I will.

4 A Do you want me to put the red part on you?

5 Q You can put it anywhere.

6 A The red part is there.

7 Q Okay.

8 A Okay. Thanks.

9 Q Now -- and then I believe you wrote medial to this --

10 A That means towards the midline of the body.

11 Q So medial moving towards the middle?

12 A Right.

13 Q Medial to this is a 3.5-centimeter Y-shaped
14 laceration?

15 A That is here.

16 Q That's number two?

17 A Yeah.

18 Q Can you mark that one for me?

19 A Okay.

20 Q And then I think the third one on the front of Mr.
21 Solomon's face, I think you labeled it as a 1.1 centimeter
22 vertically-oriented laceration?

23 A Yeah.

24 Q With underlying nasal fracture. We all know what
25 that means, the nose, right?

1 A The nose is broken.

2 Q Okay, with a broken nose. So the last one, could you
3 point that out on my face, which I wasn't expecting this?

4 A You don't want a sticker there?

5 Q Let's put a sticker there. I won't wear them all
6 day.

7 A I'll stick it to your glasses.

8 Q So this is about right?

9 A Yeah.

10 Q So that's three blows to the front of his face?

11 A Yes.

12 Q And a broken nose?

13 A Right, the nose is broken, yes.

14 Q All right. So he was hit head on the front of the
15 face with a blunt object?

16 A Yes, three times.

17 Q All right. Thank you, Dr. Durso.

18 A Do you want the notes?

19 Q No, I'll go ahead and pass this on to the jury.

20 Okay. I'll tell you what, you can take your seat again.

21 Thank you.

22 A Okay.

23 Q I'm going to take the stickers off my face. That's a
24 good idea. All right. So Dr. Durso, Mr. Solomon was hit
25 on the front of the face and also in the back of the head,

1 too?

2 A Back and right side of the head, yes.

3 Q And I think you testified earlier that the head is a
4 heavy bleeding area; is that right?

5 A Yes.

6 Q So when you're wounded or hit in the head, you can
7 bleed profusely?

8 A Yes.

9 Q And sometimes, you can bleed even if your skull isn't
10 cracked, you'll still bleed?

11 A Right. It's separate from the skull fractures,
12 right.

13 Q Okay.

14 A You bleed because of the skin and the rich vascular
15 supply, the rich blood flow that goes to the skin.

16 Q And you just testified for Ms. Walker that
17 although -- although, it's a heavy bleeding area,
18 Mr. Solomon might not have died immediately; is that
19 right?

20 A That's correct.

21 Q Okay. And he could have stayed alive after he had
22 been hit?

23 A Yes.

24 Q And he could have stayed alive, I believe you said,
25 even up to an hour?

1 A Right.

2 Q Not necessarily?

3 A Not necessarily. I don't have any way to determine
4 that exactly.

5 Q Sure.

6 A Roughly estimating about an hour, at most.

7 Q Okay. So he could have remained alive for a
8 significant amount of time after being hit in the face
9 with a blunt object or hit in the head, in general?

10 A What do you mean by significant?

11 Q Okay. Well, okay, I guess I'm phrasing it that way.
12 He could have been conscious -- not conscious -- he could
13 have been alive for up to an hour after he had been hit?

14 A Yes.

15 Q Okay. And he technically -- he could have been
16 conscious; is that right? We don't know, but he could
17 have been conscious?

18 A I think he likely would have lost consciousness
19 pretty soon after he had sustained all of these blows.
20 Like I say, I can't determine from autopsy how quickly in
21 succession these occurred. If they occurred very quickly,
22 he would have lost consciousness pretty much immediately.
23 I just don't know which blows came when.

24 Q And you also testified you don't know which of these
25 blows came first?

1 A That's correct.

2 Q In fact, you don't know which injuries at all on
3 Mr. Solomon came first?

4 A I have no way to tell that from autopsy, no.

5 Q We talked earlier -- or you talked earlier about the
6 sharp force injuries involving the skin and subcutaneous
7 tissue only, right?

8 A Yes.

9 Q Can you explain to the jury what subcutaneous tissue
10 is?

11 A So just underneath your skin, you have soft tissue,
12 usually kind of fatty tissue, that sort of thing. And
13 under that lies your deeper tissues. You know, in your
14 arms, it would be muscles. In your body, it would be some
15 of your major organs, in your body cavities. But none of
16 those penetrated into the muscle. It was fairly
17 superficial. You know, it didn't penetrate deep enough to
18 perforate any kind of major structure.

19 Q And the superficial wounds could have been caused by
20 a knife like the prosecutor said, but they could have also
21 been caused by something else like glass; is that right?

22 A A sharp piece of glass, yes, it's possible.

23 Q Okay. So glass could have caused these superficial
24 injuries?

25 A Yes.

1 Q I believe we were talking about these other
2 superficial cuts. Some of them occurred in places that
3 are not typical for defensive wounds; is that right?

4 A Right. They're just not by definition a defensive
5 wound. I can't say whether or not he was defending
6 himself when he got them. It's just not typical of the
7 pattern.

8 Q Okay. So you can't say with 100 percent certainty
9 that these were defensive wounds?

10 A I'm sorry --

11 Q I'm sorry, you can't --

12 A -- you can't say which wounds are defensive wounds?

13 Q You can't say that all these superficial wounds were
14 defensive wounds?

15 A Right, not by the definition of what we categorize as
16 defensive wounds.

17 Q Okay. I want to talk a little bit about Holly
18 Thompson's injuries, but just one more thing for now on
19 Mr. Solomon. You can't offer an opinion on the events
20 leading up to Mr. Solomon's death, can you?

21 A As?

22 Q I'm sorry. Before he sustained the wounds that
23 eventually led him to bleed to death, you can't give an
24 opinion as to what happened, can you?

25 A No.

1 Q And you can't say that Mr. Solomon was not killed in
2 self-defense, can you?

3 A I don't think I have enough information. No, I'm
4 not --

5 Q So you can't?

6 A -- in a position to determine that, no.

7 Q Okay. Thank you.

8 Now, you had a chance to review some photos of
9 Ms. Holly Thompson; is that right?

10 A Yes.

11 Q And I apologize for the delay. We've already got
12 quite a lot of photos in here.

13 (Pause.)

14 BY MR. BAILEY:

15 Q All right. Dr. Durso, I'm going to show you State's
16 Exhibits 171, 172, 158, 160 and 170.

17 A Okay.

18 Q Thank you, Dr. Durso. Now, have you received
19 these -- I'm sorry, received and reviewed these pictures
20 before?

21 A I don't know about all of them, but some of them
22 definitely.

23 Q Okay.

24 A The arm ones, yes.

25 Q Okay. So there are some injuries. There's some

1 contusions and scratches on Ms. Thompson's arms here; is
2 that correct?

3 A Yes, there do appear to be some bruises and some
4 healed or healing injuries.

5 Q Okay. So there's scratches here. She's in the
6 process of healing here, her body is healing, right?

7 A Yes. There's definitively -- so bruises turn yellow
8 after healing and it looks like the scratches have some
9 scar to it already, scar formation, yes.

10 Q Okay.

11 A Some of them, yes.

12 Q And when it comes to -- I'm sorry, please tell the
13 jury what a contusion is.

14 A It's our word for bruise.

15 Q A fancy word for bruise?

16 A Yes.

17 Q And you can't date a contusion; is that right?

18 A Right. You can say if it's healing, so anything
19 that's turning yellow has to have occurred, at least, 18
20 hours before, but other than that, it's just variations,
21 especially in adults. Some people heal faster than
22 others. Especially as you get older, you tend to heal
23 slower. It also depends on the severity of the injury, so
24 lighter bruises, more superficial cuts and stuff would
25 heal a lot faster than obviously a deep bruise or a really

1 significant wound. I'm sure if you notice on yourself
2 even how fast things heal kind of varies depending on how
3 bad the wound is.

4 Q Now, these are contusions and scratches on
5 Ms. Thompson's arms and hands. Those would be wounds that
6 could be consistent with defensive wounds; is that right?

7 A Right. So it fits the definition of a wound and
8 usually with sharp force injury. So excluding the bruise
9 or contusion, the scratches could be -- would be in a
10 place considered to be defensive wounds, yes.

11 Q And the bruises could be from somebody grabbing you
12 or holding you?

13 A Possibly. It could be from a lot of things, yes.

14 MR. BAILEY: Just a moment, Court's indulgence.

15 (Pause.)

16 BY MR. BAILEY:

17 Q Just one more thing, Dr. Durso. Mr. Solomon had a
18 few injuries on the back of his head, right?

19 A Let's see. He had six kind of to the top back and
20 five to the back, three to the right, three to the face as
21 well as the one stab wound -- or not stab wound, but cut
22 on his chin and two on the back of his neck.

23 Q Okay. Now, some of the injuries in the back of the
24 head could be consistent with hitting your head against a
25 wall, couldn't they?

1 A Possibly, one or two, at most. If he fell back and
2 struck the wall, yes.

3 MR. BAILEY: Thank you very much. No further
4 questions.

5 REDIRECT EXAMINATION

6 BY MS. WALKER:

7 Q So there are three to the face and how many to the
8 back?

9 A Well, I guess -- so three to the face, a total of 11
10 to the back if you count the ones kind of towards the top
11 of the head and back of the head and three to the right
12 side.

13 Q I think he showed you pictures of a cut to the hands
14 of the Defendant in this case?

15 A Yes.

16 Q Let's say I am beating someone to death with
17 something made of glass and it breaks?

18 A Yes.

19 MR. BAILEY: Objection, Your Honor. Leading.

20 THE COURT: Overruled.

21 BY MS. WALKER:

22 Q Could I obtain those injuries that way?

23 A Yes.

24 Q And in terms of dating when any injuries to the
25 Defendant in this case occurred, can you do that?

1 A Not to a specific date, no.

2 Q Okay. And I got kind of confused about his
3 consciousness. You said if there's a rapid succession of
4 blows --

5 A I'm just saying that I can't determine, you know, if
6 he had one blow and that took a while before he had
7 another blow. I can't determine exactly which of the
8 blows would have caused him to lose consciousness, but all
9 of the blows together -- I think there were a total of
10 about 17 blows to the head, and that would be more than
11 enough for someone to be knocked unconscious, as well as
12 to lose consciousness from the blood loss. So when you
13 die from bleeding out, first, you would pass out from
14 blood loss and then die from not having any blood left or
15 enough blood left, yes.

16 Q And I guess like on State's Exhibit No. 171, these
17 red marks?

18 A Yes.

19 Q If I were to scratch, can I leave marks like that as
20 well?

21 A Yes.

22 MS. WALKER: Thank you, Dr. Durso. I don't have any
23 further questions.

24 THE COURT: Thank you, ma'am. You may step down.

25 MR. BAILEY: I'm sorry.

1 THE COURT: No recross.

2 You may step down.

3 MR. BAILEY: I'm sorry, Your Honor.

4 THE COURT: How long is the next witness?

5 MR. BAILEY: I'm sorry, for the record, I would like
6 to say the Defense would like to recross the witness.

7 THE COURT: Under Rule 611, no recross.

8 MS. WALKER: We can do a very short witness, Your
9 Honor.

10 THE COURT: Okay. Go ahead.

11 MS. GREGG: The State calls Calli Keep.

12 CALLI KEEP, after being duly
13 sworn, testified as follows:

14 THE CLERK: Thank you. Please have a seat in the
15 witness stand, state your name for the record and please
16 spell your first and last name.

17 THE WITNESS: My name is Calli Keep, C-A-L-L-I,
18 K-E-E-P.

19 DIRECT EXAMINATION

20 BY MS. GREGG:

21 Q Ms. Keep, tell us what you do for a living.

22 A I'm work for Sprint Corporation. I'm a supervisor in
23 naval compliance and in that capacity serve as a records
24 custodian.

25 Q How long have you been employed with Sprint?

1 A Fifteen years.

2 Q And what do your duties consist of at Sprint?

3 A We provide call records when requested via subpoena,
4 search warrant, court order.

5 Q Did you receive a subpoena in this case?

6 A I'm not sure what demand we received.

7 Q I'm sorry. Did you receive a subpoena to produce
8 certain documents in this case?

9 A We responded with records.

10 Q Okay. Can you just describe the procedure for how
11 phone call records are made at Sprint?

12 A Sure. They're kept in the normal course of business
13 and they're created when the actual event takes place, so
14 they're stored in a computer database.

15 Q And what is the event we're talking about with calls?

16 A When we receive an incoming call or an outgoing call
17 is placed or if a text message is sent or received, we
18 keep that information.

19 Q Are those maintained for a certain amount of time,
20 kept indefinitely?

21 A We store incoming and outgoing call records,
22 including text detail, not the content, for 18 months.
23 Anything older than 18 months is stored in an archive
24 database. It's very difficult to get into that database.
25 But in the normal course of business, we have records for

1 18 months.

2 Q I'm showing you what's marked State's Exhibit 241.

3 Do you recognize that?

4 A I do.

5 Q All right. Can you describe what these phone records
6 are?

7 A Included in this packet is the subscriber information
8 for phone number (803 [REDACTED]) and incoming, outgoing call
9 records, including cell signal information.

10 Q Were those generated in the way you previously
11 described?

12 A Yes.

13 MS. GREGG: The State offers to move State's Exhibit
14 241 into evidence.

15 MR. BANK: Without objection.

16 THE COURT: 241 without objection.

17 (Whereupon, State's Exhibit No. 241 was admitted
18 into evidence.)

19 MS. GREGG: Thank you. No further questions.

20 THE COURT: Cross?

21 MR. BANK: No cross.

22 THE COURT: Have a nice day.

23 Is she excused? Does anybody need her?

24 MR. BANK: No, sir.

25 THE COURT: Okay. Have a great day, ma'am. You're

1 excused from your subpoena.

2 All right. Ladies and gentlemen, we're going to go
3 ahead and stop there for the evening. You've been through
4 a lot of witnesses today and absorbed a lot of
5 information. I appreciate everybody paying attention,
6 staying awake, giving the attorneys and the witnesses your
7 undivided attention. I know they sincerely appreciate it.

8 As I've told you before, you are not to do any
9 research on this case. You're not to communicate with
10 anybody about this case in any way, shape, or form.
11 You've made that oath to each other, to the parties and to
12 the Court and I expect you to uphold it as you take a
13 break for overnight.

14 Is there anybody that does not know how to come into
15 the building tomorrow morning? If so, please raise your
16 hand.

17 (There was no response.)

18 THE COURT: There's a designated way for jurors to
19 come in and go out. That is done for multiple different
20 reasons. You'll need to follow those instructions that
21 the bailiffs have given you. Thank you very much. Do not
22 discuss the case in any way, shape or form. Keep an open
23 mind. We'll see you tomorrow morning at 9:30. Thank you
24 very much.

25 (Whereupon, the jury left the courtroom at 4:58

1 p.m.)

2 THE COURT: Okay. Anything from the State?

3 MS. CAMPBELL: Your Honor, I did speak to the Defense
4 about settling the records on two witnesses. I think we
5 can work that out if they want to stay with me and just do
6 that so it's not a delay tomorrow.

7 THE COURT: Good.

8 MR. BAILEY: Your Honor, I just would like for the
9 record the grounds stated for denying us recross of Dr.
10 Durso, the reason why for the record.

11 THE COURT: It's called Rule 611. It says I control
12 cross-examination. I'm the only one in this room that
13 controls it. You're not allowed to recross.

14 MR. BAILEY: May I ask what the basis is on why we're
15 not entitled to recross or the reason for it, Your Honor,
16 for the record?

17 THE COURT: I just told you.

18 MR. BAILEY: I don't think you gave me a reason, but
19 I think you gave me authority.

20 THE COURT: Excuse me? I just told you that the
21 reason your motion for recross was denied is because based
22 upon the Rules of Evidence under Rule 611, I control
23 cross-examination. You are not entitled to recross. If
24 you want to find me some law that says you're entitled to
25 recross, I'll be happy to revisit my opinion and make Dr.

1 Durso come back up here. Until then, find something that
2 says I'm wrong.

3 MR. BAILEY: Thank you, Your Honor. I didn't mean to
4 upset you.

5 THE COURT: I mean, I ruled on the record. I ruled
6 clear again. I've ruled clear as day. The reason for the
7 ruling is a very specific rule of evidence, period.

8 MR. BAILEY: Thank you, Your Honor.

9 THE COURT: 9:30.

10 (Whereupon, the proceedings were adjourned to be
11 reconvened on Thursday, February 18, 2016.)
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1 Thursday, February 18, 2016

2 (Whereupon, Plaintiff's Exhibit Nos. 256
3 through 260 were marked for identification only.)

4 THE COURT: Did y'all lose some photos?

5 MS. WALKER: Yes, sir.

6 THE COURT: What are you going to do about it?

7 MS. WALKER: We're going to reprint them and insert
8 them back in.

9 THE COURT: Okay. Is that okay?

10 MR. BANK: That's absolutely fine.

11 THE COURT: Okay. Great. Do you know which ones
12 they are?

13 MS. WALKER: Yes, sir. We've spoken about it and I
14 think we're in agreement.

15 MR. BANK: We're in agreement, Your Honor.

16 THE COURT: Okay. Good. Just make sure -- there's a
17 lot of exhibits, so just make sure when you -- I'm not
18 opposed to y'all using them, moving them around, showing
19 them to people. You do all that as you need to. Just
20 make sure they end up back in here. When they're in your
21 file, sometimes they get misplaced. And we're at such a
22 high number now, we don't want to be here trying to find
23 exhibits. Do your best to keep up with them if you would,
24 please.

25 All right. Ms. Campbell, you're standing up?

1 MS. CAMPBELL: Yes, sir, Your Honor. We potentially
2 have a couple of records we need to settle.

3 THE COURT: Okay. Great.

4 MS. CAMPBELL: One of the potential witnesses is
5 Moses Warren. I don't know of anything impeachable right
6 now.

7 THE COURT: Moses Warren?

8 MS. CAMPBELL: Yes, sir.

9 THE COURT: Okay.

10 MS. CAMPBELL: And then the second person is Michael
11 Richardson. We talked to Mr. Bank. He has a 2012 strong
12 arm robbery, assault and battery first conviction, and
13 that would be the extent of what we go into with him. We
14 don't think the drugs and all that is probative.

15 MR. BANK: That's fine with the Defense Your Honor.

16 MS. CAMPBELL: And then I've got her record, too,
17 Your Honor, but we'll take that up later.

18 THE COURT: Who's her?

19 MS. CAMPBELL: The Defendant.

20 THE COURT: We're not to her yet, are we?

21 MS. CAMPBELL: No, we're not to her yet.

22 THE COURT: So you're good on the lay witnesses that
23 are going to be called today and their potential records
24 for impeachment, Mr. Bank?

25 MR. BANK: Yes, sir.

1 THE COURT: Great.

2 MS. CAMPBELL: Thank you.

3 THE COURT: Okay. Let's go.

4 Bring them in.

5 (Whereupon, the jury returned to open court at
6 9:43 a.m.)

7 THE COURT: All right. Welcome back. Thanks for
8 being on time and ready to go.

9 You may call your next witness.

10 MS. WALKER: Thank you, Your Honor. The State calls
11 Trish Odom.

12 THE COURT: Okay.

13 TRICIA ODOM, after being duly
14 sworn, testified as follows:

15 THE CLERK: Please a seat in the witness stand, and
16 state your name for the record.

17 THE WITNESS: Tricia Collins Odom. The spelling of
18 my last name is O-D-O-M.

19 DIRECT EXAMINATION

20 BY MS. WALKER:

21 Q Good morning.

22 A Good morning.

23 Q Can you tell me where you're currently employed?

24 A At the Richland County Sheriff's Department.

25 Q And what do you do at the sheriff's department?

1 A I am a latent print analyst for the crime scene
2 latent print section.

3 Q What are latent prints?

4 A Well, for our purposes, we use the umbrella term
5 latent to describe any kind of fingerprint evidence we
6 discover on evidence or at a crime scene.

7 Q And can you tell me the background and training you
8 have that allows you to examine those prints and come to
9 any conclusions you may reach?

10 A Sure. I am a certified law enforcement officer, and
11 have been since 1995. When I came to the sheriff's
12 department in 1999, I was promoted to what we called the
13 forensics unit pack then. It's the crime scene latent
14 print section now.

15 During that time, I've been through an internal
16 training course and a number of courses outside at other
17 agencies put on by other experts. Those include a complex
18 latent prints examination course, the recovery of
19 fingerprint evidence from human skin, a forensic
20 ridgeology course, a basic ID tech school, basic
21 fingerprint training, advanced palm print --

22 THE COURT: Can you step outside the courtroom,
23 please?

24 MS. CAMPBELL: Thank you, Your Honor.

25 THE COURT: I apologize. I thought I recognized him,

1 wasn't sure, just didn't want to have an issue. Go ahead.

2 MS. WALKER: Thank you, Your Honor.

3 BY MS. WALKER:

4 Q Please continue.

5 A Basic fingerprint training, advanced palm print
6 training and the chemical development and enhancement of
7 the latent prints. In addition, in 2014, I was qualified
8 as a certified latent print examiner through the
9 International Association for Identification.

10 Q And have you testified as an expert in court before?

11 A I have.

12 Q In the field of latent prints?

13 A Yes, ma'am.

14 MS. WALKER: Your Honor, at this point, the State
15 offers this witness as an expert in the field of latent
16 examination.

17 MS. GOODE: No objection, Your Honor.

18 THE COURT: All right.

19 Ladies and gentlemen, as I've told you before,
20 certain witnesses are qualified as experts based upon
21 education or experience. They will be permitted to give
22 their opinion in certain areas. This witness will be an
23 expert in the area of latent examination. She will be
24 allowed to give opinion testimony in that area. That does
25 not mean that you must accept her opinion, but it is

1 evidence for you to use in any way you see fit and give it
2 the weight and the credibility that you believe is
3 appropriate as you are required to do with each and every
4 witness that appears before you.

5 Thank you.

6 BY MS. WALKER:

7 Q Can you tell the jury a little about the process that
8 you go through when you first receive evidence in a case
9 in terms of examining latent prints for comparison?

10 A For the purposes of latent prints, if you look at
11 your hands and your palms, you see they're covered with
12 all these little lines. These little lines, we call
13 ridges. They're friction ridges. And what we believe
14 they're for is to help you grip things. Along with that,
15 they also are individual, not just each person, but also
16 to each finger. On these ridges, we have certain minutia
17 points, small details that we're looking for.

18 There's -- you have a ridge that if it's flowing and
19 it breaks off into two, we call it a bifurcation. We also
20 have a feature that we look forward that is where a ridge
21 ends. We call that a ridge ending or an ending ridge.

22 We also have what looks like a dot. It's just a very
23 very short ridge, and we refer to it as a dot. Those are
24 three of the minutia points that we look for when we're
25 trying to determine the source of a fingerprint.

1 The first thing we look for when we get a latent
2 print from a crime scene whether it's on a piece of
3 evidence or it's on a latent print card is we try to
4 determine whether or not there is sufficient quality and
5 quantity of these individual points that will help us to
6 come to a determination of who made that print. So that's
7 the first thing that we do.

8 If we have a name that's given to us to compare to,
9 we just go directly to a known fingerprint source and do a
10 direct comparison that way. Most of the time, what we
11 have to do is submit the fingerprint or the palm print
12 into our AFIS system, which is the automatic fingerprint
13 identification system. It's statewide and also
14 nationwide. And we search for any possible candidates
15 that might have donated that fingerprint impression.

16 Q Now, if I touch something, am I necessarily -- do I
17 have to leave a fingerprint just because I've touched
18 something?

19 A Not necessarily.

20 Q What are some of the factors that go into whether or
21 not I will leave a fingerprint on an object that I touch?

22 A Well, one of the biggest things is the surface of the
23 object. Like this counter right here, it's nice and flat,
24 so that would be something that would go in the favor of
25 leaving a fingerprint behind. But because it's a wood

1 surface, even though it's a finished wood surface, it's
2 got a grain in it. So that could interfere with whether
3 or not we're able to develop a fingerprint or even leave
4 one mind.

5 Something else that goes into play for that would be
6 the temperature of your hands. I don't know about y'all,
7 but right now my hands are really cold, so my fingers are
8 not sweating. Even though you have those ridges on your
9 fingers, you have to have something akin to ink to leave
10 that fingerprint behind. Typically, that's going to be
11 the sweat that comes from the pores on your fingertips.
12 If there isn't some sort of moisture -- it's like having a
13 fingerprint stamp that you would get -- oh, I'm sorry, an
14 ink stamp that you would get from a craft store. If you
15 don't have ink to put on it, it doesn't matter how many
16 times you touch that surface, you're not going to leave
17 anything behind. You need that ink to leave the
18 impression behind.

19 Q In terms of this case, did you receive a number of
20 items for analysis?

21 A I did.

22 Q Can you tell me what those items were?

23 A I received a couple of fingerprint cards and I
24 received -- I actually didn't receive it. It was in
25 Investigator McClary's custody when I captured an image of

1 the palm print that was on a glass vase. .

2 Q In terms of these prints, do I have the same
3 fingerprints as anyone else?

4 A No.

5 Q What if I have a twin sister?

6 A No.

7 Q Okay. I want to show you what's been marked as
8 State's Exhibit Nos. 255, 221 and 254 and ask you if you
9 recognize these items?

10 A Yes.

11 Q And how do you recognize these items?

12 A I have either my signature or my initials on each
13 item.

14 MS. WALKER: Your Honor, at this point, the State
15 would move Exhibit Nos. 255, 221 and 254 into evidence.

16 MS. GOODE: No objection.

17 THE COURT: Would you give me the numbers, please?

18 MS. WALKER: 255, 221, 254.

19 THE COURT: Okay. Without objection. Thank you.

20 (Whereupon, State's Exhibit No. 221, 254 and 255
21 were admitted into evidence.)

22 BY MS. WALKER:

23 Q Okay. In terms of the investigation in this case,
24 what was the first thing you did once receiving items for
25 analysis?

1 A The first thing I received, I believe, was the latent
2 fingerprint card that was lifted by Investigator
3 Bouknight.

4 Q And then what was the next item that you received?

5 A After I had submitted one fingerprint from that card,
6 Investigator McClary notified me that she had a visible
7 print on a glass vase.

8 Q Okay. Once you received that information, what was
9 your next step. Is this --

10 A Right. That is actually the photograph that
11 Investigator McClary took of that image. What I did was
12 Investigator McClary actually kept the item in her
13 custody, and I was able to capture an image with the AFIS
14 camera in our AFIS room.

15 Q Do you know what that item was that she was able to
16 identify a print on?

17 A Yeah, it was a glass vase, like the neck part of the
18 glass vase.

19 Q I want to show you what's been marked as State's
20 Exhibit 184?

21 A Yes.

22 Q Okay. So there was a visible print on this item?

23 A Yes.

24 Q And once you learned that there was a visible print
25 on that item, please walk the jury through the steps that

1 you took in visualizing that item yourself?

2 A Okay. Investigator McClary brought the item to me,
3 and she had photographed it, but we were -- we thought
4 perhaps it would be easier -- it would be easier to
5 actually photograph it in place on our AFIS system. The
6 AFIS system itself, the way you capture the images to
7 submit is you take a digital photograph of them. And
8 that's exactly what we did with this item as well.

9 We took a photograph of the print on the bottle, and
10 then I was -- once I got that one into our system, I was
11 able to mark the individual minutia points. Just like on
12 your finger tips -- this was a palm print. We could tell
13 immediately it was a palm print image. And I was able to
14 plot the individual minutia points and submit it to the
15 South Carolina known database.

16 A short time later, it gave me back a list of
17 possible candidates. I found one that I believed to be
18 identical, and -- we call that a hit. And at that point,
19 once I got that hit information, I took the photograph
20 that Investigator McClary had taken.

21 Q Is this item No. 254?

22 A Yes, ma'am. And used it, obtained a known
23 fingerprint card of the subject that the name and the SID
24 number was given back, it's a State Identification Number,
25 was given to me through the AFIS system. And then I did a

1 one-to-one comparison on that palm print and the known
2 palm prints of that individual.

3 Q When you say a one-to-one comparison, can you explain
4 what that means?

5 A That just means instead of -- I don't take just the
6 say-so of the computer system. What I do is I actually
7 take, in this case, a photograph and the known
8 fingerprints, and I look at them side by side and
9 determine if one was made by the other.

10 Q Okay. And what conclusions were you able to come to
11 about that palm print?

12 A I was able to determine that it was made by the right
13 palm of Holly Jo Thompson.

14 Q And that was the palm print that was on this broken
15 glass vase?

16 A Yes, ma'am.

17 Q In terms of -- could you tell if it was -- there was
18 anything significant about how that palm print was placed
19 there?

20 A Not that I recall, no.

21 Q Was there any -- excuse me one moment. And after
22 making that determination that it was the -- you said it
23 was the right palm print?

24 A Yes, ma'am.

25 Q What was your next step?

1 A I had someone verify that finding. That just means
2 that another examiner that's qualified through our
3 training program looked at it and determined that he was
4 able to make the same determination that I did. I'm
5 sorry, it was actually she in this case.

6 Q Is that routine course of business to have someone
7 there --

8 A Yeah, every comparison we come to a conclusion on is
9 verified.

10 MS. WALKER: Beg the Court's indulgence, Your Honor.

11 (Pause.)

12 BY MS. WALKER:

13 Q If I were to have paint or blood or something of that
14 nature on my hand, would that affect your ability to see a
15 palm print that I left while that substance was on my
16 hand?

17 A Well, that's just called a visible print.

18 Q A visible print.

19 A Right. When I discussed latent prints earlier, I
20 guess I should have gone into a little more detail. We
21 use that as a term, like I said, for crime scene prints,
22 any crime scene print, but they actually come in three
23 types.

24 You have the typical latent print, which is the one
25 that you can't see. You have to do something to it to be

1 able to see it. And that is you have to put a powder on
2 it or a chemical or even some lighting techniques.

3 We also have another one that's called a patent print
4 or a visible print and that's the one that it's in paint
5 or grease or blood or something like that. Something that
6 you don't have to apply a powder to to make it visible.

7 Then we have what we call plastic print, which is a
8 3-D impression that you can leave in something like
9 Play-Dough or silly putty or even something like cheese or
10 chocolate that makes a 3-D impression of the ridge detail
11 on the finger or palm.

12 Q Were you able to see any of those -- anything that
13 would enhance it from being an invisible print in this
14 case?

15 A Well, I believe it was a visible print to begin with
16 and it was in a reddish-brown substance.

17 Q And it's not your job to determine what that
18 reddish-brown substance is, right?

19 A That's right.

20 Q And in your expert opinion, whose palm print were you
21 able to identify on that glass vase?

22 A It was the right palm print of Holly Jo Thompson.

23 Q And you said initially before you went into this
24 glass vase there was another fingerprint you were able to
25 analyze?

1 A That's correct. I actually -- the first one I
2 submitted was on a latent fingerprint card that was
3 submitted by Sergeant Bouknight.

4 Q And the steps that you took to identify that print
5 were the same as the ones you've been discussing with us?

6 A That's correct.

7 Q And the print that was given to you from Investigator
8 Bouknight, were you able to make a match to that
9 fingerprint?

10 A I was.

11 Q Who were you able to make a match?

12 A Brandon Rashard Burden.

13 Q And do you know where that prior was lifted?

14 A From the back of the fingerprint card that was
15 submitted to me, the latent card, it was from the exterior
16 front door handle -- no, I'm sorry, it was from the
17 interior of the front right middle panel.

18 Q Of the door -- or do you -- it doesn't say?

19 A I'm sorry. What was written on the back of the card
20 was the interior of the front door right middle panel.

21 MS. WALKER: Okay. Thank you. I don't have any
22 further questions.

23 MS. GOODE: Thank you, Your Honor. May it please the
24 Court.

25 THE COURT: Yes, ma'am.

CROSS-EXAMINATION

BY MS. GOODE:

Q Good morning.

A Good morning.

Q Investigator Odom?

A Yes, ma'am.

Q All right. Okay. So your involvement as it relates to this case, you actually did three things, right, or issued three reports?

A I did issue three reports, that's right.

Q The initial one that we have was the -- we were talking about here with the bottle with the palm print?

A That's right.

Q And the second report had to do with the print you received from Investigator Bouknight or Sergeant Bouknight?

A Yes, ma'am.

Q And that print was a match to Brandon Burden?

A Yes, ma'am.

Q And that was a print that was, according to the print card, found on the interior of the front door?

A Yes, ma'am.

Q The interior would be the inside of the front door?

A That's right.

Q And that was actually a lifted print?

1 A That's right.

2 Q Not a photograph of a print?

3 A That's right.

4 Q So you in this case specifically analyzed a total of
5 five prints; is that right?

6 A Yes.

7 Q You analyzed a print lifted by Sergeant Bouknight
8 from the interior front door?

9 A That's right.

10 Q And a palm print from a bottle -- from a glass piece?

11 A Yes.

12 Q And an additional print also was lifted from the
13 scene of the exterior front door?

14 A Yes.

15 Q The handle?

16 A That's right.

17 Q But you weren't able to make a match on that?

18 A That's right.

19 Q And the third analysis that you did was for two
20 additional prints?

21 A Right.

22 Q And two additional prints from photographs that were
23 taken of the bottle?

24 A That's correct.

25 Q And those were visible prints?

1 A Yes, ma'am.

2 Q And you examined those items and compared them to the
3 fingerprints and palm prints of Ms. Thompson?

4 A Yes, ma'am.

5 Q And then also compared those prints to a James Leon
6 Solomon?

7 A Yes, ma'am.

8 Q Date of birth, [REDACTED], according to your report?

9 A Correct.

10 Q And the results of that analysis were inconclusive?

11 A Yes, ma'am.

12 Q And inconclusive means what exactly?

13 A I can't make a determination one way or the other.

14 Q And you wrote here due to incomplete known prints.
15 Can you explain to us what that means?

16 A That just means that the known prints available to us
17 didn't have complete ridge detail. A lot of times when
18 you take known prints, especially of the palm area because
19 it's a curved surface, sometimes you don't get all of it.

20 Q Okay.

21 A And in this case, I just didn't have enough of that
22 to make a complete determination.

23 Q Based on the information you had?

24 A Yes, ma'am.

25 Q Okay. And that was inconclusive to one of the

1 prints?

2 A Yes, ma'am.

3 Q And then another print -- because there were two
4 prints on the bottle or photograph of two prints?

5 A Right.

6 Q And the second print was of no value?

7 A That's correct.

8 Q Did that mean that it just -- there wasn't enough
9 detail for you to form an opinion or to compare it, I
10 guess.

11 A Literally, there was nothing there that -- nothing I
12 could say -- when you talk about inconclusive, it means
13 that it could be that there's enough there that you could
14 say okay, it could be, but I can't tell.

15 Q Okay.

16 A But I also can't say it's not --

17 Q Okay.

18 A -- one way or the other. With no value, it's
19 typically there's just nothing there.

20 Q Okay. So your -- again, your involvement in this
21 case was a total of five prints?

22 A Right.

23 Q And you only analyzed what was provided to you?

24 A That's correct.

25 MS. GOODE: Okay. Beg the Court's indulgence.

1 (Pause.)

2 BY MS. GOODE:

3 Q Just couple more questions.

4 A Sure.

5 Q For the last two prints that you analyzed, you were
6 asked to compare the prints to the fingerprints and palm
7 prints of a James Leon Solomon, date of birth [REDACTED]?

8 A Yes, ma'am.

9 Q You were not asked to compare those to a James
10 Solomon with a date of birth November 1941?

11 A The request that I have probably only lists -- let me
12 pull it out and I'll tell you for sure. It may only list
13 the name of James Solomon. It only list the name, not the
14 date of birth, but that's the correct date of birth on the
15 cards that I have in my file.

16 Q Okay. And that report -- that examination that you
17 did and the conclusions in your report, those, again, were
18 verified by someone else in your department?

19 A Yes, ma'am.

20 Q And that was Sergeant Harold Bouknight?

21 A Yes.

22 MS. GOODE: No further questions.

23 THE COURT: Okay.

24 REDIRECT EXAMINATION

25 BY MS. WALKER:

1 Q The palm print in the blood -- in the reddish-brown
2 substance on the vase, who does that belong to?

3 A Holly Jo Thompson.

4 MS. WALKER: Thank you.

5 THE COURT: Thank you very much.

6 Call your next witness.

7 MS. CAMPBELL: May it please the Court, the State
8 calls Gray Amick.

9 MS. WALKER: Your Honor, may the witness be excused?

10 THE COURT: Sure.

11 GRAY AMICK, after being duly
12 sworn, testified as follows:

13 THE CLERK: Have a seat in the witness stand and
14 state your full name for the record.

15 THE WITNESS: My name is Gray Amick.

16 DIRECT EXAMINATION

17 BY MS. CAMPBELL:

18 Q Where are you employed?

19 A Richland County Sheriff's Department.

20 Q What do you do there, sir?

21 A I'm currently the laboratory director.

22 Q As the laboratory director, what do your duties
23 include?

24 A Overseeing the operation of the laboratory from
25 quality control to accreditation, equipment protocols,

1 personnel, supervising the laboratory.

2 Q When did you become the laboratory director?

3 A I became the laboratory director this month.

4 Q Prior to doing that, what did you do for Richland
5 County?

6 A I was a DNA technical leading.

7 Q And as a DNA technical leader, what did your duties
8 include, prior duties?

9 A As a DNA technical leader, basically, the supervisor
10 of the DNA department, so -- as well as analyze cases,
11 method development, validation and then personnel stuff,
12 as well.

13 Q Can you tell the jury a little about your education
14 and training in the field of DNA analysis?

15 A Sure. I have a BS Degree in biology in 1989 and a
16 Ph.D in biochemistry in 1993 from the University of South
17 Carolina. I was hired at the State Law Enforcement
18 Division in '93. I worked there for 11 years. In 2004, I
19 was hired by Richland County Sheriff's Department to start
20 their DNA lab with John Barron and other analysts. We
21 started the DNA lab in Richland County in 2004 and got
22 accredited in 2006 and have been doing testing ever since.

23 Q And when you say you got accredited in 2006, what
24 does that mean, sir?

25 A Basically, that means you subscribe to a set of

1 quality standards, international standards that at this
2 point all labs have to adhere to to be a part of the FBI's
3 database. We successfully completed all of those quality
4 standards and an external body comes to do your
5 accreditation.

6 Q When you talk about that, is that to ensure the
7 quality of your work?

8 A That's correct.

9 Q Prior to issuing any report, are your reports peer
10 reviewed in any way?

11 A Yes, it's 100 percent technical and administrative
12 review.

13 Q And your results are also available if anyone wants
14 to review them?

15 A That's correct.

16 Q Have you been qualified before as an expert in DNA
17 analysis?

18 A I have.

19 Q How many times have you been qualified in court as an
20 expert in DNA analysis?

21 A Approximately 80 or 90 times.

22 Q Eighty or 90 times?

23 A Correct.

24 Q That you've actually testified and been qualified?

25 A That's correct.

1 MS. CAMPBELL: Your Honor, at this time, we offer him
2 as an expert in DNA analysis.

3 MS. GOODE: No objection.

4 THE COURT: All right. Ladies and gentlemen, this
5 witness will be an expert in the area of DNA analysis. He
6 will be allowed to give opinion testimony in that area.
7 As I told you before, just because he's an expert does not
8 mean that you have to accept his opinion, but it is
9 evidence for you to use in any they you see fit. Give it
10 the weight and the credibility that you believe is
11 appropriate as you are required to do with each and every
12 witness that appears before you.

13 BY MS. CAMPBELL:

14 Q All right. Can you explain to the jury a little bit
15 about what evidence you get and how you make a comparison
16 and how the DNA is compared?

17 A Yeah. We get a range of different types of evidence.
18 A lot of it is swabs, Q-tip swabs. Those are collected
19 from usually the crime scene team that goes out to a crime
20 scene. They can also be collected by deputies. We also
21 get items of evidence, completing, sheets, cuttings from
22 those. So it can come in any form really, hairs.
23 Depending on the case, it depends on the type of evidence,
24 but that's kind of the range of evidence that we see.

25 Q And once you get the evidence, say, from a crime

1 scene, be it a swab, a sheet or whatever it may be, once
2 you collect that evidence, do you then have to have
3 something to compare it to?

4 A Yes. So another component of that would be any
5 standards of people that are involved, victims, suspects,
6 elimination standards. So we'll get a swab from that
7 person, that individual from their mouth.

8 Q From their mouth?

9 A So we can develop their DNA profile to include or
10 exclude them from the evidence.

11 Q So basically, you're kind of doing a one-on-one
12 comparison. If you have a known standard, you compare it
13 to evidence on a scene to see if they actually match or
14 exclude the person?

15 A That's correct.

16 Q And you mentioned that you actually get what's called
17 a -- what was the term for that?

18 A We call them standards, known standards.

19 Q How is that collected?

20 A From the mouth. It's called a buccal swab.

21 Q A buccal swab. And typically, is it unusual for you
22 to get more than one known standard to compare to evidence
23 from a crime scene?

24 A It depends. We can get one, two, three, whoever or
25 whatever is involved. It depends on the number of people

1 involved.

2 Q There's also been reference in this case to blood
3 evidence versus touch DNA. Does that mean those are
4 different kinds of DNA or can you explain that to the
5 jury?

6 A It's still the same DNA, it's just the source. Blood
7 is an obvious source of DNA. In your blood, actually the
8 white the blood cells, they contain the DNA from you, as
9 well as skin cells, they have DNA in them, as well. That
10 comes from your fingers or your collar, you know, your
11 neck or your saliva. And then stuff like hair, there's
12 cells on the roots of hair that we can analyze as well.

13 Q Say if I have a strand of hair, can you test at any
14 point on that strand of hair?

15 A No, I have to test the root, which is the part
16 attached to your scalp. For the tests that we run, and
17 that is it has to have a root on it and that root has the
18 cells on it that have the DNA.

19 Q And you mentioned blood was a good source of DNA.
20 Why do you get the actual buccal swab from the mouth, what
21 is that?

22 A Because that's the least invasive way to collect a
23 sample. We used to have to draw blood from individuals
24 involved. Now, we can just swab a person's mouth, there's
25 plenty of cells there.

1 Q So body fluids are a good source?

2 A Yep.

3 Q Such as -- typically, in some cases, blood, saliva,
4 semen even, things of that nature?

5 A Those are the top three.

6 Q You mentioned on touch DNA, it comes from skin cells.
7 If I walk up and I put my whole hand here and put them
8 down like that, am I going to leave DNA there?

9 A You might.

10 Q I might?

11 A You might.

12 Q Does that also mean I might not?

13 A That's correct, you might not.

14 Q What are some of the factors as far as touch DNA?

15 A It's a lot like fingerprints in that it depends on
16 the person. It depends on the state that they're in. If
17 they're sweating. Some people just shed cells more than
18 other people. It depends on the surface. It depends on
19 the environment. So lots of factors involved whether you
20 may or may not leave a print there.

21 Q And as you just said, some people shed cells more
22 than others; is that correct?

23 A That's right.

24 Q So one person may walk up, touch something and leave
25 touch DNA; is that correct?

1 A That's correct.

2 Q But another person can touch the same surface in the
3 same manner and won't?

4 A That's right.

5 Q As far as a source of DNA, body fluids typically --
6 you typically get more results?

7 A There's more DNA in the body fluid than would be
8 touch generally, yes.

9 Q And as part of your protocol, do y'all also request
10 tests for the presence of blood?

11 A We can do that, as well, yes.

12 Q And that can be done without further damaging or
13 destroying any results you may get from the DNA testing?

14 A For the most part, yes. We will screen visually for
15 blood, depending on the case type and what we hear about
16 the case. We will screen, just like I say, an item of
17 clothing, we'll look for blood if we see what we think
18 looks like blood, which it's not unusual. Anybody here
19 could look at something and see it looks like blood. So
20 if you see that, then we have a chemical test we can run
21 to confirm -- well, go towards confirming whether it's
22 blood or not.

23 Q Does that alter or contaminate your process of DNA
24 testing in any way?

25 A No. So we would either make a sample of that stain

1 or swab that stain, just take a little bit of it and test
2 that and what's remaining, we would cut or swab for the
3 DNA test.

4 Q If evidence is collected and then packaged correctly
5 and kept say in an evidence room or wherever for a period
6 of time, does that affect your ability to get results?

7 A No. The DNA is an extremely robust molecule and it
8 can survive if properly packaged and stored for almost
9 indefinitely.

10 Q Especially if it's a body fluid such as blood?

11 A That's correct.

12 Q I want to turn your attention to this case. Were you
13 asked to do some DNA testing?

14 A Yes, I was.

15 Q Did you receive any known samples in this case to do
16 DNA testing on or buccal swabs?

17 A I did. I received I think three, a buccal swab from
18 Amy Norris, one from James Solomon and one from Holly Jo
19 Thompson.

20 Q And the buccal swab from James Solomon would have
21 been actually one taken at autopsy; is that correct?

22 A If you say so, I don't recollect. It doesn't really
23 matter for me, so it's probably in the notes somewhere,
24 yes.

25 Q So if a buccal is collected at autopsy, you're still

1 able to use it, though?

2 A Yes.

3 Q I want to show you what's been marked as 256 and 257,
4 do you recognize these?

5 A Yeah, it looks like a blown-up version of a chart
6 that I reviewed of a summary of my results.

7 Q Does this accurately reflect your results?

8 A As far as I could tell it did, yes.

9 MS. CAMPBELL: Your Honor, at this time, we offer
10 them into evidence.

11 MS. GOODE: No objection.

12 THE COURT: 256 and 257 without objection.

13 (Whereupon, State's Exhibit No. 256 and 257 were
14 admitted into evidence.)

15 BY MS. CAMPBELL:

16 Q Let me ask you before you step down, when you do DNA
17 comparison, can you tell the jury what you're looking at
18 and what your comparison is of?

19 A Yeah. So a DNA profile, we look at many different
20 locations on the DNA molecule. What we get is basically a
21 numerical value that as a whole, when we look at all of
22 those locations together represent a DNA profile, so it
23 looks like a bunch of numbers in the end. We look at that
24 set of numbers that represents the DNA profile from the
25 evidence and we compare it to the standards involved to

1 say whether this person's included or excluded in this
2 stain.

3 Q The DNA I have in my body and the DNA you have in
4 your body, is that unique to you?

5 A Yes. So every individual's DNA is unique, unless you
6 have an identical twin, then this test would not tell the
7 difference between identical twins. So everybody's DNA
8 profile is unique except for identical twins.

9 Q So even if my sister may be different from me as long
10 as I'm not an identical twin?

11 A Yes, you will be different from any sibling, any
12 parent, any relative, except for an identical twin.

13 Q How do you get your DNA test?

14 A You get half from your mom and half from your dad.

15 Q But it still is different even amongst siblings?

16 A That's correct.

17 Q In this case, I believe you said you got three --

18 MS. CAMPBELL: Your Honor, may he step down?

19 THE COURT: Yes, ma'am.

20 MS. CAMPBELL: Thank you.

21 BY MS. CAMPBELL:

22 Q If you can come on this side. Come over here.

23 Is that better?

24 THE COURT REPORTER: Yes. Thank you.

25 BY MS. CAMPBELL:

1 Q Basically at the top, there are three items. And the
2 numbers to the left of these, where do those numbers come
3 from?

4 A Those are the item numbers that are assigned by our
5 evidence property room. So when evidence is entered or
6 brought to the sheriff's department, they're entered into
7 a computer and they're given these unique item numbers.

8 Q So those wouldn't have any significance other than
9 the random way they're assigned?

10 A Right.

11 Q But that's the way you can track it?

12 A They're sequentially assigned, but yeah, that's how
13 we do it.

14 Q The first three items on here under the heading of
15 item received, items number 17, 28 and 39, what were
16 those?

17 A Those are the three buccal swabs I mentioned from
18 these three individuals, Amy Norris, James Solomon and
19 Holly Jo Thompson.

20 Q On this chart, the next column indicates blood and
21 that's testing for the presence of blood?

22 A That's right.

23 Q Was that done on any of the buccal swabs?

24 A No.

25 Q There is no reason to do that?

1 A No.

2 Q But was DNA extracted from the buccal swabs?

3 A Yes.

4 Q As far as the results, the result column means the
5 results were compared. So these are the three standards
6 used to compare to the rest of the evidence?

7 A That's correct.

8 Q Okay. Taking them, starting with number one, and
9 these are labeled as the swab from the rear door, was any
10 testing done on that as far as any presence of blood?

11 A No, there was no test for blood there and we got no
12 DNA extracted from that.

13 Q Is that unusual for a swab to be collected from a
14 scene and then no DNA be on it?

15 A No, it's not unusual. I mean, a lot of touch
16 samples, you will not get DNA. Just like we were talking
17 about some you will, some you won't.

18 Q Okay. Moving on to item number two, which is a swab
19 from the stain from marker A from the bedsheet, did you
20 test for the presence of blood?

21 A Yes.

22 Q And what was the result of that testing on the
23 bedsheet at point A?

24 A So the test for blood we use is a presumptive test,
25 so we report that as blood indicated on item two in this

1 particular item.

2 Q And once that testing was done, did you also compare
3 it to the three known standards that were submitted to
4 your laboratory?

5 A Yes. So after we see there is blood in a sample,
6 then we extract the DNA and run a DNA profile. Once we
7 did that, the DNA profile from A matched James Solomon.

8 Q And whenever we're talking about these matches in
9 this case, if it matches James Solomon, did it also match
10 anyone else?

11 A No. Because you have a unique DNA profile, unless he
12 has an identical twin, it's going to exclude everybody
13 else if it matches him.

14 Q Okay. So it matched him. And you mentioned earlier
15 that you can put a statistical probability of it matching
16 someone else unrelated other than their identical twin?

17 A Yes.

18 Q And what was the probability of this being someone
19 else's DNA?

20 A All right. The way I reported this was it's called
21 an identity statement. So the statistics were so high or
22 so rare that it would match somebody else, that we
23 basically say he is the source of that stain, so that
24 number has to be above 385 billion.

25 Q 385 billion?

1 A That's correct.

2 Q And how many people are there on earth?

3 A There's only seven billion on earth.

4 Q Seven billion on earth?

5 A Yes, that's correct.

6 Q When you ran the statistics of this sample as far as
7 the probability of matching another individual, what were
8 the statistics?

9 A They were no less than one in 130 quintillion.

10 Q What's a quintillion?

11 A It's like 18 zeros.

12 Q So could this be anyone else on earth?

13 A Right. So that's -- we basically compress that
14 statement into he's the source of that stain. The
15 identity -- in my opinion, there's one -- his DNA is on
16 that stain.

17 Q Okay. Because of -- your item number three, which is
18 the swab from the stain from marker B from the bedroom
19 floor. What were your results when you ran that against
20 the three known standards submitted to you?

21 A That's exactly the same results. So we got blood
22 indicated, we extracted the DNA and it also matched James
23 Solomon.

24 Q And again, that was --

25 A That's correct, it's going to be the same statistical

1 statements apply.

2 Q Okay. Item number four, the swab from the stain at
3 marker C from the inner rear door, did it test for blood?

4 A Yes, it was positive for blood.

5 Q You were able to extract DNA?

6 A Yep. And got the same result that it matched James
7 Solomon.

8 Q And item number five, the swab from the sample marker
9 D from the interior hall wall?

10 A Yeah, number five, it was negative for blood.
11 However, we did get some DNA from it, but it was too weak
12 to match to anybody.

13 Q And even if there is blood at the scene, depending on
14 how the swab is gathered, is it always going to test
15 positive?

16 A No, I mean, perhaps, it wasn't blood. Maybe it was
17 too little for our test to pick up or it wasn't blood
18 there at all.

19 Q So those were the options?

20 A Right.

21 Q But it was just too weak to do any matching?

22 A The DNA profile was too weak, correct.

23 Q Moving on to the swab from the stain marker E from
24 the interior hall wall, was it tested for blood?

25 A Yep, it was positive for blood and the DNA profile

1 matched James Solomon.

2 Q Moving on to marker, where are we, F?

3 A Yes, ma'am.

4 Q Swab from the stain on the exterior hall wall, was it
5 tested for blood?

6 A Yes.

7 Q Were you able to extract DNA?

8 A Yep.

9 Q Who did it match?

10 A It matched James Solomon as well.

11 Q To the exclusion of everyone else?

12 A Yes.

13 Q Moving on to marker G from the hallway floor, was it
14 tested for blood?

15 A Yes.

16 Q And DNA was extracted?

17 A Yes.

18 Q And it matched whom?

19 A James Solomon again.

20 Q Moving on to marker H from the spare room door, was
21 it tested for blood?

22 A Yep.

23 Q What was the result?

24 A It indicated blood.

25 Q And DNA was extracted?

1 A That's correct.

2 Q And who did it match?

3 A Again, James Solomon.

4 Q Moving on to item number 10, a swab from the stain on
5 marker I from the living room carpet, was blood indicated?

6 A Yes.

7 Q And who did that match?

8 A James Solomon.

9 Q Item number 11, which was a cigarette butt, did y'all
10 do any testing for blood?

11 A No.

12 Q If there's no indication of any blood, y'all don't do
13 any testing?

14 A That's right, on that type of item, unless -- you
15 know, if circumstances say there may be blood on it, we'll
16 look at it and if there's no blood, we won't test it.

17 Q Who did that match?

18 A Again, that matched James Solomon.

19 Q Moving on to some hair and fiber evidence that was
20 submitted to y'all, were there certain hairs from the
21 right palm?

22 A Yes.

23 Q And this is broken down into 13.1 and 13.2, explain
24 to the jury why it's numbered that way just for your
25 purposes of your testing?

1 A Okay. So item 13 would be submitted, again, probably
2 from the crime scene people. They'll package it as hair
3 from the right palm, so they got hair probably at autopsy
4 or maybe at the scene, I don't know. It doesn't matter to
5 me. And then when we opened it up in the lab, there was
6 actually two hairs here, so we just divide them .1 and .2.
7 Each of which had a root, which means I'm going to go
8 forward and do DNA testing.

9 Q And again, you have to have root on a hair to do DNA
10 testing?

11 A The type of testing we do, yes.

12 Q Unless there's blood or something else on the hair?

13 A Correct. If there's some other body fluid on the
14 hair, we can get DNA from that body fluid.

15 Q In this case, when you tested the roots on those two
16 items, were you able to -- did you test them for the
17 presence of blood?

18 A Yes, evidently they appeared to have blood and we
19 tested for the blood on the hair. And it was positive for
20 blood.

21 Q And those two -- the DNA from those -- and again, is
22 the DNA going to be -- it could be from the blood or the
23 root?

24 A Correct.

25 Q And those two matched James Solomon?

1 A That's correct, both of those matched James Solomon.
2 The DNA profile from those two matched James Solomon.

3 Q Moving onto item number 14, the sheet itself, was
4 that submitted to your department for examination?

5 A I'd have to check my notes. I don't know. Usually,
6 when we itemize, that means it was submitted as an entire
7 sheet. We make these cut.

8 Q And on the sheet, if they say, you know, 20 or 30
9 more different spots, do y'all just take representative
10 samples?

11 A We try. It depends on what the stain looks like on
12 the item and what the story is. We will take like you
13 said some representative samples of areas if there's just
14 spatter of blood everywhere and then can go back and
15 sample if needed. Or if there's only four spots of blood,
16 we would take those four spots.

17 Q You refer to these, 14.1 through 14.4 as cuttings.
18 Is the sheet actually cut -- little pieces of it cut out
19 to do the testing?

20 A Yep.

21 Q That's how it's done?

22 A That's correct.

23 Q And then 14.1, the cutting, did you test for the
24 presence of blood?

25 A Yes, and it was positive for blood.

1 Q And what was the result when you compared it to the
2 three known samples submitted to you?

3 A So we developed a DNA profile from that item and it
4 matched James Solomon.

5 Q Moving onto 14.2, which was a cutting?

6 A Same result, positive for blood, DNA profile matched
7 James Solomon.

8 Q 14.3, which was a cutting?

9 A Again, positive for blood and the DNA profile matched
10 James Solomon.

11 Q And then finally, 14.4, an additional cutting from
12 the sheet?

13 A Positive for blood and the DNA profile matches James
14 Solomon.

15 Q Were you also submitted fingernail scrapings from the
16 autopsy?

17 A Yes, I was.

18 Q And do you know how fingernail scrapings are
19 typically collected at autopsy?

20 A I do.

21 Q How is that done?

22 A Similar to the way they do it in a rape kit. They
23 have a little stick is what it's called. They take that
24 little stick like you're cleaning your fingernails and
25 scrape it under the fingernails, then wrap that stick in a

1 piece of paper and submit that into evidence. So we would
2 get the paper, any debris and that stick usually.

3 Q And when that was collected, you that into sub-items
4 as much?

5 A Right.

6 Q Explain that to the jury.

7 A So item 27 would just be one envelope submitted to
8 evidence and that got labeled as fingernail scrapings. So
9 when we open that up, there's two sticks, left and right,
10 for left and right hand.

11 Q And those are actually packaged separately within the
12 package?

13 A That's right. So they would be folded up separately.
14 And then when we opened up say the left hand, it was just
15 the stick. When we opened the right hand up, there was
16 the stick, which is what this says, 27.22, swab on the
17 stick, and then there was what looked like a piece of
18 glass in there and that's what this sub-item is
19 describing, apparent glass that looked like it had blood
20 on it and, indeed, it did. So we sub-itemed that and
21 tested it separately.

22 Q And as far as when you tested 27.1, which were the
23 fingernail scrapings from the left hand?

24 A Yes.

25 Q Did you test for blood on those?

1 A No.

2 Q Okay. But you did do testing?

3 A We did develop a DNA profile.

4 Q Okay. And then on 27.2, you actually tested the
5 glass piece and the stick?

6 A That's correct.

7 Q That was collected with the fingernail scrapings?

8 A That's correct.

9 Q And you tested the glass piece for blood?

10 A That's right. It did indicate blood there.

11 Q Were you able to match that?

12 A Both of those items from the right hand, fingernail
13 scrapings were both matched to James Solomon.

14 Q And that was a swab from the stick and the glass?

15 A Yes, the stain on the glass, the blood on the glass.

16 Q Moving on to State's Exhibit 257. Is this just a
17 continuation?

18 A Yep, that's right.

19 Q Did you do some testing on some items that were
20 submitted, some clothing from autopsy?

21 A Yes.

22 Q And items number 32 and 33, were they tested for the
23 presence of blood, the t-shirt and the boxers?

24 A They were.

25 Q And what was the result of that?

1 A Both indicated blood. Both DNA profiles extracted
2 matched James Solomon.

3 Q Moving onto item 34, was this additional hair and
4 fiber evidence submitted?

5 A It was, yes.

6 Q Where did it indicate it was collected?

7 A From the floor in the hallway.

8 Q And in that, it was broken down into various things,
9 34.1 through 34.5

10 A Yes.

11 Q Were all the items submitted actually hair or just --

12 A No. John Barron actually looked at these. There
13 were basically two hairs that had roots.

14 Q And those are the first two items?

15 A Those are the first two, 34 one and two. And then
16 there was a fiber, I say fiber like maybe a carpet fiber
17 or clothing fiber, but not a hair. And then there were
18 two hair fragments, which means they didn't have a root.
19 They were kind of broken off or had fallen off of
20 something and weren't suitable for the DNA analysis that
21 we performed and talked about.

22 Q And in doing this testing again, you didn't test
23 those for the presence of blood, but if blood had been
24 there, could you have picked that up in your DNA testing?

25 A Yes, we could have tested it for blood, but we did

1 not.

2 Q But you did do DNA extractions on the two with roots?

3 A I did.

4 Q And again, those could be the root and/or if it had
5 blood on it?

6 A Correct.

7 Q And the first item, 34.1, were you able to get DNA
8 from that?

9 A We did get a profile from that, but it was too weak
10 to match to it anybody or exclude anybody.

11 Q Is that unusual with hair?

12 A No. When you look at a hair, even if it has a root,
13 it may be in such a state that there's not enough DNA from
14 that root. It depends on how long it was since it kind of
15 came out.

16 Q All right. And 34.2, which was a brown hair, were
17 you able to extract DNA from that?

18 A Yes.

19 Q And on this brown hair, the DNA was a mixture?

20 A That's correct.

21 Q Explain to the jury, how can we get a mixture?

22 A On a hair? All right. So --

23 Q On the floor.

24 A So it could be a number of things. A mixture means
25 there was more than one individual present there.

1 Q The DNA?

2 A The DNA, correct. So when we look at the DNA
3 profile, that's one thing you can tell right away. You
4 can tell whether it's male or female, okay, and you can
5 tell whether it's one or more individuals there from the
6 actual profile, the printout from the instrument.

7 So this being a mixture could be several different
8 things. One there is another substance on that hair that
9 has DNA on it that also extracted and was analyzed at the
10 same time as the hair root itself. Okay, so you have the
11 hair root DNA and you have some other substance on the
12 hair that contributed DNA.

13 Q When we're talking about mixtures, it could be blood,
14 skin cells, saliva, any combination?

15 A Correct. It could be -- just like the solicitor
16 said, it could be a body flood on there, it could be skin
17 cells on there. It depends on -- you know, sometimes hair
18 in a case could be found clutched in somebody's hand. It
19 could be the skin from somebody's hand in circumstances.
20 So like I said, there was more than one individual there,
21 and those -- the source is either the root and/or the
22 substance on the hair.

23 Q Okay.

24 A But you can't get -- if it's just a single hair you
25 pluck out of your scalp, you're not going to get two DNA

1 profiles, you just get your own DNA profile. So there was
2 something else.

3 Q And again, when you did this and it came up as a
4 mixture, are you able to then further analyze it as far as
5 major contributor and minor contributor? And what do
6 those terms mean?

7 A Yeah. So when we look at a DNA profile, you can
8 tell -- just based on abundance of the signal, you can
9 say, okay, this profile, this DNA profile in here is here
10 in greater abundance. It's the major contributor. And
11 then the lower one, they could be minor contributors.

12 So the results on this would be that it is a mixture,
13 I can tell that right away, and that the major
14 contributor, the more abundant profile matched James
15 Solomon. And then I would look at the other -- the stuff
16 that's there that's not James Solomon, kind of take his
17 profile out and look at what's left, I can say in this
18 case, looking at the other people involved, that Holly Jo
19 Thompson was excluded from this mixture.

20 Q Were you able to say anything about the other
21 standard?

22 A I don't think I did a comparison with that one.

23 Q With that one?

24 A I could, but I didn't report that one.

25 Q But in this case, Thompson was excluded. And when

1 you -- when evidence is gathered at the scene, you can't
2 tell how long it's been there or anything like that?

3 A No.

4 Q As far as 34.3, that was a black fiber. Can you do
5 any DNA testing on fibers?

6 A We cannot.

7 Q It has to be a human source?

8 A Correct.

9 Q And 34.4, which was a brown hair fragment, again,
10 were you able to do any DNA on that?

11 A Our test does not -- cannot do a profile from a hair
12 fragment.

13 Q And 34.5 is the black hair fragment?

14 A Same thing.

15 Q So that's not suitable for DNA analysis?

16 A That's right.

17 Q Moving onto item number 35, this is a swab from the
18 stain on the knife blade. What was the result of that?

19 A That was indicated blood and the DNA profile matched
20 James Solomon.

21 Q James Solomon?

22 A Correct.

23 Q So the blood on the knife was James Solomon's?

24 A Correct.

25 Q Item number 36, the swab from the stain on a piece of

1 glass at the scene, did you indicate whether or not that
2 tested positive for blood?

3 A It did indicate blood.

4 Q And were you able to get DNA?

5 A Yes, the DNA profile matched James Solomon.

6 Q Moving onto item number 40, which was the swab from a
7 shoe, were you able to do testing on that shoe?

8 A I was. The shoe indicated blood, and we got a
9 mixture on item 40, so -- it's easier for me to look at my
10 report. So the DNA result from item 40 is a mixture.

11 Holly Jo Thompson matches the major contributor in this
12 mixture. Then it hits statistic and then Amy Norris and
13 James Solomon were excluded from this mixture.

14 Q So on her shoe, it would have been her blood?

15 A On that shoe, the major contributor matched Holly Jo
16 Thompson.

17 Q Okay. Did you also get evidence from a jacket, item
18 number 44?

19 A Forty-four, yes.

20 Q Was anything of serological value found?

21 A No.

22 Q What does that mean to someone like me?

23 A Well, it means we look at an item -- we look at all
24 these items the same. If we see nothing on there at all,
25 then that's how we report that.

1 Q Especially if ownership of the item is not in
2 question?

3 A Correct. So if there's no stain to swab or cut or
4 test, then we'll just report it as nothing of serological
5 value found.

6 Q Moving onto item number 45?

7 A That's the shoes?

8 Q Uh-huh.

9 A Forty-five was a mixture. I don't know whose shoes
10 these were without looking at the notes. And that all
11 three individuals were excluded from these shoes. So the
12 profile developed was a mixture. When I compared the
13 three people that I have in this case to that mixture,
14 none of them were included, didn't match anyone.

15 Q Just like the sheet, you got a swab on the sheet and
16 the sheet was submitted. It's not unusual to get a swab
17 from the sheet?

18 A Correct.

19 Q And in that swab that y'all did, it was blood, but
20 all three people were excluded?

21 A That's correct.

22 Q Finally, 46, the tank top, and 47, the blue jeans
23 that were submitted?

24 A All right. So again, processed these and found no
25 blood. Therefore, we went no further with DNA tests, did

1 not extract any DNA or attempt to because there was no
2 blood.

3 Q Okay.

4 MS. CAMPBELL: Thank you.

5 THE COURT: I think she's done.

6 MS. GOODE: Thank you, Your Honor. May it please the
7 Court.

8 THE COURT: Yes, ma'am.

9 CROSS-EXAMINATION

10 BY MS. GOODE:

11 Q Good morning.

12 A Good morning.

13 Q Let me get organized here. You testified you're the
14 lab director now?

15 A That's correct.

16 Q And that's just recently happened?

17 A That's correct.

18 Q And the swabs in the case are usually collected and
19 submitted to your department by the crime scene personnel?

20 A Most of them do come from the crime scene personnel.

21 Q Sometimes, it might be deputies?

22 A Correct.

23 Q Other law enforcement involved?

24 A Possibly, yes.

25 Q And you test items that are collected?

1 A We try to test. Well, in a case like this, that
2 seems like a simple question.

3 Q Right. I guess I can narrow it down. You test the
4 items submitted to you?

5 A Again --

6 Q Okay.

7 A -- it seems like a simple question. In a case like
8 this, we would probably interface with an investigator and
9 crime scene people, and we will ask them -- because they
10 were at the scene, what do they think is probative, you
11 know, what do we need to test here. Then we would have
12 some input into that as experts in our field to say, okay,
13 this probably needs to be tested, too. So we would look
14 at all the evidence in that meeting probably or some kind
15 of correspondence and try to decide what to test.

16 Q Okay.

17 A So everything may not get tested.

18 Q Got you. So it's a collaboratively effort with law
19 enforcement to decide what items get tested that have
20 already been collected. Is that my understanding?

21 A That's pretty accurate, yes.

22 Q Okay. And the items that you did test -- and we went
23 through that piece by piece here earlier, you tested for
24 blood?

25 A On some of them, yes.

1 Q On some of them. And were you asked to test for
2 blood or you said that's because you saw blood on each of
3 these items?

4 A What -- we may have been asked.

5 Q Uh-huh.

6 A But whether we're asked or not, with the knowledge of
7 the case, we will look at an item and -- and process it
8 for body fluids and DNA, so if we see the blood, we'll
9 test for that.

10 Q With the knowledge of the case?

11 A Correct. So if we know -- say, for example, it's a
12 homicide and somebody's bleeding, then we're going to look
13 for blood on certain items.

14 Q Okay.

15 A But we need to know, for instance, you know, whose
16 clothes are whose as to whether it's a probative item or
17 not.

18 Q And the crime lab that you're the director of, there
19 is several -- there's a variety of evidence that can be
20 tested through the crime lab?

21 A That's correct.

22 Q Drugs, fire debris?

23 A Correct.

24 Q There's even a firearms and tool marks division, I
25 guess you would call it?

1 A That's correct.

2 Q And you weren't asked -- those areas, those areas of
3 the crime lab weren't asked to analyze anything?

4 A I don't know.

5 Q Okay.

6 A I don't know.

7 Q Because at that time, you were over DNA?

8 A That's correct.

9 Q Okay.

10 A It could have been. I think I saw the fingerprint
11 expert testifying before.

12 Q Right, yeah, fingerprint. Other than blood -- and
13 you testified that there are several other sources of DNA,
14 other biological material, body fluids that can provide
15 DNA?

16 A Correct.

17 Q That includes blood that we've talked about, skin
18 through touch, saliva, your hair, urine?

19 A It is a very dilute source that we don't usually
20 test, but it can have some DNA.

21 Q It can have. And as far as any sort of other testing
22 for anything other than blood, you didn't do that testing?

23 A That's correct. We don't have a saliva test any more
24 in our lab --

25 Q Okay.

1 A -- to clarify. We did have the ability to test for
2 saliva, but found there's not a lot of requests for it.
3 And after we answer the question is it saliva, the logical
4 next question is well, whose saliva is it. So we normally
5 just test for the DNA, whose is it. So it's usually not a
6 probative question for us.

7 Q And you received, I believe it was item 13, if you
8 have your report, the hair from the right thumb?

9 A Yes.

10 Q And you noticed there were two hairs in there when
11 you received it?

12 A That's correct.

13 Q And they both had roots?

14 A Yes.

15 Q And you tested for blood on those hairs, right?

16 A That's what I indicated, correct.

17 Q And you may have -- did you test the root for DNA?
18 You'll maybe have to explain this to me on the report.
19 You tested for blood and it was positive for blood, right?

20 A You're talking about 13.1?

21 Q We're talking about 13.1 and 13.2?

22 A Hang on a second, let me look at this.

23 Q Okay.

24 A Okay. My notes indicate I did not test for blood on
25 those items.

1 Q You did not test for blood?

2 A That chart is incorrect, correct.

3 Q Okay. You did not test for blood on there, but you
4 were able to extract DNA?

5 A Wait a minute, wait a minute. All right. Item 13,
6 there was a blood test for 13.

7 Q Uh-huh.

8 A 13.1 and 13.2, which are listed differently, they're
9 listed as the roots.

10 Q Roots?

11 A And that's not indicated for blood, so there was a
12 blood test for 13.

13 Q Okay.

14 A Yes, sorry.

15 Q Okay. For the -- I guess that would be the entire
16 hair?

17 A Yes.

18 Q So the entire hair, blood was indicated, but the
19 roots are not -- they were not tested for that?

20 A Well, I don't have that in here. Basically, just
21 look, if there's blood on it -- we don't designate, okay,
22 it's on the root or on the shaft.

23 Q Okay.

24 A So we would just test that blood. That's what I have
25 indicated for item 13. And then, since there were two, we

1 cut the two roots and sub-item those.

2 Q Okay.

3 A My mistake.

4 Q That's fine. You receive the entire hair; is that
5 correct?

6 A That's right. We would receive that item of evidence
7 and then cut the root off of that hair.

8 Q And before anything like that is done, do you -- are
9 you taking pictures of anything?

10 A Usually not. We can and do take pictures sometimes
11 of evidence, but not usually of a hair.

12 Q Are you documenting color, length, anything like
13 that?

14 A No, I do not because I am not a hair expert.

15 Q Right.

16 A It used to be a whole and still is a field of hair
17 analysis that does that. Now, my colleague, John Barron,
18 was a hair and is a hair expert and can do that.

19 Q Okay.

20 A I do not do that. In fact, the technician who looked
21 at this is not either, so that's not indicated.

22 Q Okay. And we talked about testing for the presence
23 of other fluids and we -- primarily, it was blood here
24 that was tested?

25 A That's correct.

1 Q And the items received went through those. You
2 received a swab from the rear door of the house -- or the
3 scene, I guess?

4 A You'll have to give me the item number.

5 Q That is item one?

6 A Yes.

7 Q Did you receive a swab of the front door or an item
8 labeled swab from front door?

9 A I don't know without looking.

10 Q Okay.

11 A I don't see one from the front door.

12 Q Okay.

13 A So I would say no.

14 Q Okay. And again, you're testing -- these items are
15 submitted to you for testing. You're not going out and
16 getting this done yourself?

17 A That's correct.

18 Q And I'll wrap it up. The sheet -- you mentioned that
19 you get the entire sheet, and then you pick certain spots
20 to test based on maybe grouping or things of that nature,
21 right?

22 A That's correct. Depending on the nature of the stain
23 or the item, yes.

24 Q So not every stain on the sheet is tested?

25 A It could be. It just depends. It depends on, like I

1 said, how many stains are there, the nature of what we've
2 been told happened with that sheet. You know, if it's a
3 sheet where like a body is wrapped up in it and one giant
4 stain, then that's different.

5 Q Right. And as it relates to this case, not every
6 stain was tested?

7 A I don't know that.

8 Q Looks like there were four cuttings and those were
9 tested?

10 A Yes.

11 Q Okay.

12 A We generally look at every stain.

13 Q Okay.

14 A And pick, like I said, the most probative. So there
15 could have been a stain there, and usually is on a sheet,
16 that is not blood that we would test and just, you know,
17 mark on the sheet it's negative or whatever. So we would
18 look at all the stains on the whole sheet and pick the
19 best stains.

20 Q Do you count on the sheets, you know, if there's more
21 than one?

22 A We'll sub-item the ones that we end up analyzing
23 further. If there's a sheet full of blood and we analyze,
24 say, 20 spots on it and only four of them are blood, then
25 we would mark on the sheet circle negative, circle

1 negative. It wouldn't show up on this evidence worksheet.
2 So we would inventory the ones that were positive and went
3 forward in our analysis. Does that make sense?

4 Q Right. And a stain, a blood stain can -- you can't
5 date the blood that's on an item?

6 A That's correct.

7 Q You can't tell how the blood got on an item?

8 A That is correct.

9 Q You can just determine that it is blood?

10 A Can do that, yes.

11 Q And with further testing, who it came from?

12 A That's correct.

13 MS. GOODE: Beg the Court's indulgence.

14 (Pause.)

15 BY MS. GOODE:

16 Q Two more things. And you tested item -- I believe it
17 was item -- item 40, correct?

18 A Correct.

19 Q Swab from a shoe, right?

20 A Yes.

21 Q And the major contributor to that DNA was Holly Jo
22 Thompson?

23 A That's correct.

24 Q And that item indicated for her blood?

25 A Yes, that's correct.

1 MS. GOODE: No further questions.

2 THE COURT: Have a nice day.

3 THE WITNESS: Thank you.

4 MS. GREGG: State calls Sergeant Waters.

5 MR. BANK: Your Honor, we might have a matter of law
6 to take up briefly.

7 THE COURT: Okay. Ladies and gentlemen, let's take a
8 morning break. Do not discuss the case. Keep an open
9 mind. We'll be back with you in about 15 minutes. Thank
10 you very much.

11 (Whereupon, the jury left the courtroom at 10:55
12 a.m.)

13 THE COURT: Okay.

14 MR. BANK: Yes, sir. Thank you. My understanding
15 from some information I got last night is that there may
16 be some jail calls. I assume that's why Sergeant Walters
17 is being called.

18 They indicated to us -- last night, they gave us two
19 new phone calls that they had just apparently found and
20 gave to us, and they sent us a third one, which had
21 already been provided to us some months ago, and indicated
22 that the one they had previously given us a few minutes
23 ago was one call that they were considering introducing.

24 If that's still the call they intend to introduce --
25 to give you kind of a context to it, Your Honor,

1 Ms. Thompson doesn't have quite as many jail calls as most.
2 of the people we deal with. But throughout all her jail
3 calls from the time she is put in at booking until the
4 very last phone call a few months ago, she says something
5 to the effect of being in a fight and using self-defense.
6 She also gives a statement to Kerri Johnson right when she
7 is arrested saying that she was in a fight, but that she
8 acted in self-defense.

9 My point is that her story has always been this has
10 been a self-defense case as we indicated in our opening.
11 The one call they want to introduce is a three-minute
12 call. I believe it's about a year into her incarceration.
13 It's a very short call. In it, she says there was a
14 fight, but she doesn't have enough time -- or, at least,
15 during those three minutes doesn't further characterize it
16 as self-defense. She just says I've been in a fight.

17 What concerns me is I believe they're picking the one
18 call where it was so short that she doesn't say it was
19 self-defense. And I think the purpose of them doing that
20 is -- they're trying to imply that any testimony she gives
21 now is some new fabrication of self-defense.

22 Your Honor, specifically, I'm pointing to Rule 801,
23 subsection (d), (b). And our only objection would be --
24 and it's not really an objection. I think they can put
25 the jail call in, but if they do, I believe under

1 801(1)(d), (1)(b), that we would then be able to put in
2 her statement if she takes the stand.

3 THE COURT: Ms. Campbell has no problem with that.

4 MS. CAMPBELL: No.

5 THE COURT: I don't even need to ask her that.

6 MS. CAMPBELL: If she takes the stand, everything is
7 game.

8 MR. BANK: I just wanted to make sure that was clear.

9 THE COURT: The issue with her statement coming in at
10 this point would be is it self-serving. And there's case
11 law directly on that point. If she takes the stand, you
12 can ask her how many people, you know, she ever told. I
13 mean, you know, her statement is fair game at that point.

14 MR. BANK: Yes, sir..

15 THE COURT: If she's exposed herself in
16 cross-examination, and so yeah, I think that's fine.

17 MR. BANK: And then like the one call they were
18 trying to get in, the three-minute call --

19 MS. WALKER: The other one that we gave you, I didn't
20 know if you could tell, she was using a different inmate's
21 pin number. That's why it was so late.

22 MR. BANK: Yes, absolutely.

23 MS. CAMPBELL: We're not using that.

24 MS. WALKER: But we're not using that.

25 THE COURT: Great. We'll take 15 minutes.

1 MR. BANK: Sorry about the interruption.

2 THE COURT: No, no, it was a good time to take a
3 break and clear that up. Sounds good.

4 MR. BANK: Your Honor, we'd just like for
5 Ms. Thompson to go to the bathroom right now. We're not
6 trying to slow you down.

7 THE COURT: Absolutely.

8 (WHEREUPON, a short break was taken.)

9 THE COURT: Okay.

10 MS. GREGG: State calls Sergeant Walters.

11 THE COURT: We have to have a jury first.

12 MS. GREGG: That would be a good thing.

13 THE COURT: Hold on. We have to get a jury first.

14 THE WITNESS: Oh.

15 (Whereupon, the jury entered the courtroom at
16 11:13 a.m.)

17 THE BAILIFF: The jury panel is all seated, Your
18 Honor.

19 THE COURT: Okay. Welcome back.

20 You may call your next witness now, Ms. Gregg.

21 MS. GREGG: The State calls Sergeant Waters.

22 ROBERT WATERS, after being duly
23 sworn, testified as follows:

24 THE CLERK: Thank you. Have a seat in the witness
25 stand and state your full name for the record.

1 THE WITNESS: Robert Larue Waters.

2 DIRECT EXAMINATION

3 BY MS. GREGG:

4 Q Sergeant Waters, where are you employed?

5 A At that time Alvin S. Glenn Detention Center.

6 Q How long have you been working there?

7 A Sixteen years.

8 Q And what's the nature of your duties?

9 A I work in professional standards, which is more or
10 less like our internal affairs. I monitor phone calls,
11 videos, handle any paperwork for lawsuits, subpoenas.

12 Q And does your duty include responsibility for
13 recordings, specifically, jail phone calls produced by
14 inmates?

15 A Yes, I monitor and record phone calls.

16 Q And when inmates make a phone call from the jail, is
17 that recorded?

18 A Yes, ma'am.

19 Q All the time?

20 A Yes.

21 Q Are they aware of that?

22 A Yes.

23 Q How are they aware of that?

24 A When they make a phone call, it lets them know that
25 the phone call is coming from the Alvin S. Glenn Detention

1 Center and that it's recorded.

2 Q Can you just describe the procedure of how these
3 recordings are made?

4 A Well, it goes -- every inmate is assigned a pin
5 number. Once they put their inmate number in, which is a
6 six-digit number, into the system, then it asks them to
7 put in their four-digit pin number and then it will say
8 this is a collect call from. And once they put in that
9 four-digit code, it will say the inmate's name, and then
10 it goes through and says the call has been accepted. And
11 once it's accepted, it will tell them to hold on
12 momentarily and then it repeats the person's name. And
13 once it does that, then they can go ahead and starts
14 speaking, which is a 15-minute call.

15 Q And all that's recorded?

16 A Yes.

17 Q Are those recordings made at the time of the phone
18 call?

19 A Yes, ma'am.

20 Q Are those recordings maintained?

21 A Yes.

22 Q For how long are they maintained?

23 A Well, the company that we work with, which is Intel,
24 it's currently three years.

25 Q Are they made and kept in the ordinary course of

1 business?

2 A, Yes. (

3 Q And are we here today about a -- are you here today
4 about a phone call in reference to the Defendant,
5 Ms. Thompson?

6 A Yes.

7 Q Was this phone call made December 20th, 2014?

8 A Yes.

9 Q I'm showing you what's marked State's Exhibit 258.
10 Do you recognize this?

11 A Yes.

12 Q Have you had an opportunity to listen to this?

13 A I have.

14 Q When was that?

15 A Today.

16 Q Just earlier today?

17 A Earlier today.

18 Q And was this recording created and maintained the way
19 you just described?

20 A Yes.

21 MS. GREGG: The State offers Exhibit 258 in evidence.

22 MR. BANK: Without objection.

23 THE COURT: 258, without objection.

24 (Whereupon, State's Exhibit No. 258 was admitted
25 into evidence.)

1 MS. GREGG: Thank you. No further questions.

2 THE COURT: Cross?

3 MR. BANK: Very briefly.

4 CROSS-EXAMINATION

5 BY MR. BANK:

6 Q Sir, inmates aren't limited to just one call during
7 their stay at Alvin S. Glenn Detention Center, are they?

8 A You say they're only limited to one, you said?

9 Q I'm sorry. Inmates aren't limited to just one call
10 at Alvin S. Glenn Detention Center, are they?

11 A No, sir.

12 Q They're allowed more than one call?

13 A As long as they have money on the post, they're
14 allowed more than one.

15 Q And you're here for one call, though, right?

16 A Yes.

17 Q Do you know if Ms. Thompson made more than one call
18 at Alvin S. Glenn Detention Center?

19 A She has.

20 Q And I know this might sound like a stupid question,
21 you have to be an inmate to be making a call from Alvin S.
22 Glenn Detention Center, right, sir?

23 A That's correct.

24 MR. BANK: Thank you. No further questions.

25 THE COURT: Anything else?

1 MS. GREGG: Nothing further from the State.

2 THE COURT: Have a nice day.

3 Call your next witness.

4 MS. CAMPBELL: The State would call Amy Norris.

5 Beg the Court's indulgence.

6 MS. WALKER: Your Honor, can we take a witness out of
7 order?

8 THE COURT: Yes.

9 MS. WALKER: The State calls Michael Richardson.

10 THE COURT: Okay.

11 MICHAEL RICHARDSON, after being
12 duly sworn, testified as follows:

13 THE CLERK: Please have a seat in the witness stand
14 and state your full name for the record.

15 THE WITNESS: Michael Thomas Richardson.

16 DIRECT EXAMINATION

17 BY MS. WALKER:

18 Q Mr. Richardson, where are you from?

19 A Sumter.

20 Q Where do you live now? You don't have to give me an
21 address, just what city?

22 A Hopkins.

23 Q And what do you do for a living?

24 A I was taking care of my mother, but right now, I'm
25 unemployed.

1 Q And do you know Holly Jo Thompson?

2 A Yeah.

3 Q And how do you know her?

4 A Well, she used to live with me.

5 Q She was like your roommate or your girlfriend or
6 what?

7 A Both.

8 Q She was your roommate and girlfriend?

9 A (Nods in the affirmative.)

10 Q And that was the case back in 2014?

11 A Yeah.

12 Q Do me a favor, speak up a little bit. And when you
13 answer, you have to say yes or no so the court reporter
14 can take it down, okay?

15 A Okay.

16 Q And how long had y'all been dating at that point in
17 time?

18 A Probably about four or five years.

19 Q Four or five years?

20 A Uh-huh.

21 Q And I want to take your attention back to January
22 of 2014?

23 A Uh-huh.

24 Q Did you know a man who went by either Boo Boo or the
25 Grill Man or James Solomon?

1 A Yeah.

2 Q And how did you know him?

3 A He's -- I used to go down there and help him put the
4 grills together and stuff like that, so I knew him for a
5 while, a couple years anyway.

6 Q When you say go down there, would you go to his
7 house?

8 A Yeah.

9 Q Did y'all live close to each other?

10 A Yeah, it was approximately less than half a mile.

11 Q Were y'all on the same street?

12 A Yeah.

13 Q At some point, did you know that Holly and
14 Mr. Solomon became friends?

15 A Yeah.

16 Q Did you know what the nature of their relationship
17 was?

18 A Yeah.

19 Q Would you know her to spend the night with him on
20 occasion?

21 A I wouldn't say spend the night, but, you know.

22 Q Or go visit him at his house?

23 A Yeah.

24 Q And in January, did she do that?

25 A Yeah.

1 Q And how did you know that's what she was doing?

2 A He called me and asked me where she was, and I told
3 her she was home, and he asked me to ask her to come down
4 there.

5 Q And did you do that?

6 A Yeah.

7 Q Do you remember when that was?

8 A I can't remember the exact date or nothing, you know.
9 It was either a Thursday or a Friday, I think.

10 Q And do you remember giving a statement to law
11 enforcement in this case?

12 A Yeah.

13 Q Would having a copy of that statement refresh your
14 memory?

15 A Yeah.

16 MS. WALKER: Your Honor, may I approach the witness?

17 THE COURT: Yes, ma'am.

18 BY MS. WALKER:

19 Q You say it was that Thursday or Friday?

20 A I think, yeah.

21 Q And does that statement refresh your memory?

22 A Yeah, it's Thursday, the 23rd, or Friday, the 24th.

23 Q Thursday, the 23rd, or Friday, the 24th?

24 A Yeah.

25 Q And how long was she down there, if you remember?

1 A Probably four or five hours, you know.

2 Q I'll take that back now that your memory has been
3 refreshed. And did she at some point return to your
4 house?

5 A Yeah.

6 Q And how did she get back to your house?

7 A Walk, I think, I guess.

8 Q Did you pick her up or anything like that?

9 A No.

10 Q Okay.

11 A I don't have a car.

12 Q Okay. And once she returned back home, what, if
13 anything, did you notice about her?

14 A She looked like she was kind of upset or something.
15 She told me she had been in a fight, but I didn't -- I
16 didn't ask her with who or what happened, you know.

17 Q Well, her physical appearance, had that changed?

18 A I mean, I didn't see nothing that night, no. She
19 didn't stay that long. She left shortly after that.

20 Q Okay. Let me hand you your statement again, okay?

21 A Uh-huh.

22 Q It's right under here, just to refresh your memory.
23 Because this was a long time ago.

24 A Okay.

25 Q Okay. So had her physical appearance changed a

1 little bit?

2 A I mean, she had some scratches and stuff on her,
3 yeah.

4 Q Nothing major?

5 A No, ma'am.

6 Q Okay. And you said she said she needed to go?

7 A Yeah.

8 Q And do you know where she went?

9 A She left going down the street, supposedly, to meet
10 -- another friend of mine named Moses supposed to pick her
11 up. To my knowledge, he did and so...

12 Q And was that -- that's your recollection of what
13 happened back in January of 2014?

14 A Yes, ma'am.

15 Q And did you give a statement about this?

16 A Yes, ma'am.

17 Q The woman who lived with you and told you that -- and
18 you knew she was going down to Mr. Solomon's house, do you
19 see her in the courtroom?

20 A Yeah.

21 Q Can you point her out for me?

22 A Holly Thompson.

23 Q And what is she wearing?

24 A A white sweater, burgundy shirt.

25 Q Has her appearance changed since January 2014?

1 A Yeah.

2 Q How has it changed?

3 A She has gained some weight.

4 MS. WALKER: Thank you, sir. I don't have any
5 further questions.

6 THE COURT: Cross?

7 MR. BANK: Thank you, Your Honor, may it please the
8 Court.

9 THE COURT: Yes, sir.

10 CROSS-EXAMINATION

11 BY MR. BANK:

12 Q Mr. Richardson, how are you doing today?

13 A Pretty good.

14 Q Are you under subpoena to be here today?

15 A Yes.

16 Q And who issued subpoenas for you today?

17 A Prosecution and the Defense.

18 Q Both sides did?

19 A Yes.

20 Q All right. Now, your statement is that you -- it was
21 your knowledge that Holly went to Mr. Solomon's house that
22 night, right?

23 A Yeah.

24 Q Now, did you know him by any nicknames?

25 A I call him the Grill Man.

1 Q The Grill Man. And why was he called the Grill Man?

2 A Because that's what he used to do, he used to weld
3 grills, make grills.

4 Q He used to weld grills?

5 A Yes.

6 Q Did you ever know him by the nickname of Boo Boo or
7 Bo Bo?

8 A No. I know him by Grill Man and Solomon.

9 Q How close did you live to him?

10 A It was approximately four minutes to walk from my
11 house to his house.

12 Q Four minutes?

13 A Less than half a mile.

14 Q Less than half a mile. You're both on the same
15 street, right?

16 A Yes.

17 Q That's right at that Leesburg area?

18 A Right. Lower Richland.

19 Q Lower Richland, yes, sir, which runs right into
20 Leesburg, right, sir?

21 A Yeah.

22 Q Now, you said that you knew that Mr. Solomon and
23 Holly knew each other, right?

24 A Yes, sir.

25 Q And that they engaged in some type of activity I

1 think you said indirectly?

2 A More or less.

3 Q More or less. Could you explain what that activity
4 was?

5 A Alcohol and drugs.

6 Q Alcohol and drugs?

7 A Yeah.

8 Q Anything else?

9 A Sex, I would imagine, but I couldn't say. I wasn't
10 an eyewitness to it.

11 Q I understand. I understand. I'm just asking if you
12 had knowledge of the activity involved?

13 A Uh-huh.

14 Q You said drugs, alcohol and sex; is that right, sir?

15 A Yes, sir.

16 Q Now, Holly came back that night; is that right?

17 A Yes, sir.

18 Q And you said that she was acting differently?

19 A It was like she was upset and then when she told me
20 she had been in a fight, I kind of understood that. I was
21 like okay.

22 Q All right. Did she want to go into any other details
23 besides saying it was a fight?

24 A No, she didn't.

25 Q And Holly left pretty quick, you said?

1 A Yeah, she might have stayed there five or 10 minutes,
2 I imagine. I wasn't -- I couldn't say for sure, but to my
3 recollection, it was something like that.

4 Q And it was your understanding that she was going to
5 see Moses?

6 A Yes, sir.

7 Q And did she leave on foot again or did she have a
8 car?

9 A She left walking.

10 Q Does she typically -- is that how she typically gets
11 places, she either walks or she gets a ride?

12 A Yes, sir.

13 Q Now, let me ask you this, did you see Moses at all
14 that day, the fellow that we're talking about? I don't
15 think I've said his last name. Moses Warren is the Moses
16 that you've been talking about, right?

17 A Yeah.

18 Q Did you see Moses Warren personally earlier that day?

19 A Yeah, earlier that night.

20 Q And what was the nature of that interaction or that
21 meeting?

22 A He stopped by and asked me if I knew where Holly was.

23 Q Did he tell you why he was looking for her?

24 A No.

25 Q And what did you tell him?

1 A I told him that she was at Mr. Solomon's house, at
2 the Grill Man's house.

3 Q Did you see him again?

4 A Not that night.

5 Q Not that night.

6 MR. BANK: Beg the Court's indulgence.

7 (Pause.)

8 BY MR. BANK:

9 Q And just finally and I'll be done with you. You
10 mentioned that you saw scratches or some type of marks on
11 Holly; is that right?

12 A Yes, sir.

13 Q Where were those marks on her body that you saw?

14 A Just kind of on her arms and legs.

15 Q On her arms and legs?

16 A Yes, sir.

17 Q All right. Thank you.

18 MR. BANK: No further questions.

19 REDIRECT EXAMINATION

20 BY MS. WALKER:

21 Q In order to get in touch with Holly that day,
22 Mr. Solomon called you?

23 A Yes, sir -- yes, ma'am.

24 Q And then you sent her down there?

25 A Well, I --

1 Q Or you relayed the message?

2 A I relayed the message.

3 Q And Mr. Warren, did he call you to get in touch with
4 Holly that day as well?

5 A I can't remember if he called me or not, but he came
6 by the house.

7 Q He came by your house?

8 A Yeah.

9 MS. WALKER: Thank you, sir. I don't have any
10 further questions.

11 THE COURT: Anything, Mr. Bank?

12 MR. BANK: No, sir.

13 THE COURT: Okay. Have a good day.
14 Call your next witness.

15 MS. CAMPBELL: We call Amy Norris.

16 MS. WALKER: Your Honor, may this witness be excused?

17 THE COURT: Any objection?

18 MR. BANK: No, we don't need him anymore.

19 THE COURT: Okay. Sir, you are excused from your
20 subpoena.

21 THE WITNESS: Thank you.

22 THE COURT: Thank you for being here.

23 THE WITNESS: All right.

24 AMY NORRIS, after being duly
25 sworn, testified as follows:

1 THE WITNESS: Amy Alyssa Norris.

2 DIRECT EXAMINATION

3 BY MS. CAMPBELL:

4 Q Ms. Norris, how old are you?

5 A Forty-one.

6 Q And you live here in the Columbia area?

7 A Yes, ma'am.

8 Q How long have you lived in Columbia?

9 A Forty-one years.

10 Q I want to turn your attention back to January
11 of 2014. Do you remember the police making contact with
12 you?

13 A Yes.

14 Q And when they made contact with you, had you just
15 returned from a certain area?

16 A Charlotte.

17 Q And how long had you been in Charlotte when the
18 police made contact with you?

19 A Oh, it was probably about two weeks.

20 Q And who had you been in Charlotte with?

21 THE COURT: Two what? I'm sorry.

22 THE WITNESS: Two weeks.

23 THE COURT: Can you get a little closer to the
24 microphone.

25 I apologize, Ms. Campbell.

1 MS. CAMPBELL: No problem.

2 BY MS. CAMPBELL:

3 Q Who had you been in Charlotte with?

4 A My boyfriend.

5 Q And what was his name?

6 A Robert Snow.

7 Q And had you been in Charlotte over that weekend prior
8 to the police contacting you?

9 A Yes.

10 Q Did you give them that information?

11 A Yes, ma'am.

12 Q Had you not returned to Columbia until that Sunday
13 night?

14 A Right.

15 Q And when you returned back to Columbia that Sunday
16 night, did you go visit a relative who was in the
17 hospital?

18 A Yes, ma'am.

19 Q And who was that relative?

20 A My Aunt Barbara.

21 Q Your Aunt Barbara?

22 A Uh-huh.

23 Q And has she since died?

24 A Yes, ma'am.

25 Q So from, at least, that Friday of that weekend before

1 they contacted you through that Sunday night, you were in
2 Charlotte, North Carolina?

3 A Yes, ma'am.

4 Q Did you have your phone with you that weekend?

5 A Yes, ma'am.

6 MS. CAMPBELL: Thank you. I don't have anything
7 further.

8 MR. BANK: No questions.

9 THE COURT: Any objections to her being excused?

10 MR. BANK: No objection.

11 THE COURT: Have a nice day. Thank you.

12 Call your next witness, please.

13 MS. CAMPBELL: Thank you, Your Honor. The State
14 would call Moses Warren.

15 MOSES WARREN, after being duly
16 sworn, testified as follows:

17 THE CLERK: Thank you. Please have a seat in the
18 witness stand and state your name for the record.

19 DIRECT EXAMINATION

20 BY MS. CAMPBELL:

21 Q Hi, what's your name?

22 A Moses Warren.

23 Q Are you from here in Columbia?

24 A Excuse me?

25 Q Do you live here in Columbia?

- 1 A Yes, I do.
- 2 Q What part of Columbia do you live in?
- 3 A I live out on Leesburg Road.
- 4 Q Out on Leesburg Road?
- 5 A Currently.
- 6 Q How long have you been living there?
- 7 A About six months.
- 8 Q Six months?
- 9 A Yes.
- 10 Q Prior to that, did you still live in that same area
- 11 before that?
- 12 A No, I was over on Rosewood, Arch Street.
- 13 Q Arch Street?
- 14 A Yes.
- 15 Q I want to turn your attention back -- do you know why
- 16 you're here today?
- 17 A Yes.
- 18 Q About Ms. Thompson?
- 19 A Yes.
- 20 Q Where were you living at the time all this happened
- 21 with Ms. Thompson?
- 22 A Twenty-three Clayton Court.
- 23 Q Where is that here in Columbia?
- 24 A Excuse me?
- 25 Q Is that here in Columbia?

1 A Yeah, that's by Owens Field over there.

2 Q Owens Field?

3 A Yes.

4 Q I want to turn your attention back, do you remember
5 the police making contact with you and taking a statement?

6 A Yes, ma'am, I do.

7 Q And they were asking you about your interaction with
8 Ms. Thompson that Thursday or Friday before, Saturday
9 before?

10 A Initially, he didn't ask me that. He asked me who I
11 was. It was on the telephone.

12 Q It was on the telephone?

13 A Yes.

14 Q Then did you meet him face-to-face?

15 A I was leaving my house and they surrounded my truck.

16 Q Okay. And they came to talk to you?

17 A Yes.

18 Q And you gave them a statement?

19 A Yes.

20 Q I'm going to talk a little bit about what you told
21 them. Were they asking you about the last time you had
22 seen Holly Thompson?

23 A Yes.

24 Q When was that, do you remember?

25 A I don't know the exact date. I know it was last --

1 about two years ago.

2 Q About two years ago?

3 A Yes.

4 Q Would it have been a few days before the police made
5 contact you?

6 A I think it been on a Friday, I think.

7 Q You think it was that Friday before?

8 A Excuse me?

9 Q You think it was on a Friday?

10 A I think it was on a Friday.

11 Q Tell the jury -- how do you know Ms. Thompson?

12 A I knew her from my friend, Mike, about seven years
13 before this incident occurred, you know. We was always
14 friends.

15 Q You were friends?

16 A Yeah, we was friends.

17 Q Would she keep things at your house?

18 A Yes.

19 Q What would she keep at your house?

20 A Excuse me?

21 Q What did she keep at your house?

22 A What did she keep over there?

23 Q Yes.

24 A She had some of her belongings over there, personal
25 belongings.

1 Q At your house?

2 A Yes.

3 Q And that Friday, were you trying to find
4 Ms. Thompson?

5 A Yes.

6 Q And why were you trying to find her?

7 A She called me previous to that week and asked me
8 could I bring her clothes down to Mike's house. And I
9 told her yes, I would.

10 Q So that Friday, what did you do to try to find her?

11 A First, I went over to my sister's that live in that
12 same area.

13 Q Okay.

14 A But I forgot to bring the clothes, so I went to
15 Mike's house to find her. Mike says she was down at
16 Mr. Bailey's house. I don't know the guy. I never met
17 him until that day I went over there.

18 Q So once you made contact with Mike, he told you she
19 was at another house?

20 A She was at a house down the street. He told me what
21 house to look for and what was in the yard, a trailer.

22 Q Did you go there?

23 A Excuse me?

24 Q Did you go there?

25 A Yes, I did.

1 Q And what happened when you got to the trailer where
2 Mike told you to go?

3 A I got there. I didn't get out of the truck. I
4 blowed my horn about four or five times, nobody came to
5 the door. After I got ready to leave, this man came --
6 this older man came to the door and I asked him was Holly
7 there. He told me, No. And I said, Well, she asked me to
8 bring some clothes down here. He said, Well, she's not
9 here.

10 Q Did you have the clothes with you at that time?

11 A No, I came to pick her up --

12 Q Okay.

13 A -- to take her so she can get her things because I
14 have daughters that have clothes there, so I didn't know
15 what was what.

16 Q And you said you had contact with this man that you
17 didn't know before that?

18 A Excuse me, ma'am?

19 Q You never knew him before that?

20 A No, that was the first time I ever seen him.

21 Q And he told you Holly wasn't there?

22 A That's what he told me.

23 Q And then what happened?

24 A I went back to Mike's house. And I told Mike, I
25 said, Well, I talked to the man at the trailer down there.

1 He said that she weren't there. I said, Well, you tell
2 her to call me if she comes back, and I come back and pick
3 her up and take her so she can get her things.

4 Q Okay. Where did you go after that?

5 A I left, went back home.

6 Q Okay. Later that night, did you hear from anybody?

7 A Yes.

8 Q And who did you hear from?

9 A Holly called me.

10 Q Holly called you?

11 A Yeah.

12 Q What time of night was that?

13 A It should have been about 10:30, 11:00 o'clock. I
14 know it was late, raining, cold.

15 Q Would reviewing your statement maybe help you
16 remember the time you put in your statement?

17 A Well, that's two years ago. You know, I can't
18 remember the time way back then, but I know it was late.

19 Q Can I let you look at your statement?

20 A Yes.

21 Q Okay.

22 A (Witness reviewed statement.)

23 Q Does that help refresh your memory?

24 A Not really, I know it was late.

25 Q Do you remember putting in your statement it was

1 around 12:00?

2 A Can I clarify something?

3 Q Sure.

4 A You're asking me questions about something that
5 happened two years ago.

6 Q I know.

7 A Now, I can't remember real well what happened
8 yesterday.

9 Q I know, but you're doing pretty good.

10 A But you're asking about a time two years ago and that
11 don't seem right to me. I can't remember -- can you
12 remember where you've been that time --

13 Q No, sir.

14 A -- two years ago?

15 Q And that's why we take a statement.

16 A Oh, okay. Now, I see.

17 Q Do you remember putting in your statement it was
18 about 12:30 or 1:00 o'clock at night?

19 A I remember putting in the statement what?

20 Q That it was around 12:30 or 1:00 o'clock that night
21 that she called?

22 A Like I told you earlier, I don't remember the time.
23 I know it was late.

24 Q How did she sound when she called?

25 A Seemed like Holly. She said, Moses, can you come

1 pick you up? I said, Where are you?. I said, I been out
2 there earlier looking for you. She said, Well, I'm coming
3 down Padgett Street.

4 Q She told you she was coming down what street?

5 A Padgett.

6 Q Padgett?

7 A I guess it's Padgett Street. By the pond over there
8 off of Trotter Road. I'm not too familiar with that area
9 because I didn't live out there.

10 Q Okay. What did you do after she told you she was --

11 A Got in my truck and went to pick her up.

12 Q Where did you pick her up?

13 A On Padgett Road, right across from the pond.

14 Q How did she seem when you picked her up?

15 A How did she what?

16 Q How did she appear? How did she seem? What was her

17 --

18 A It was raining. She was wet and cold. And I thought
19 she was kind of cold from being out there in that weather.

20 Q Thought she was cold --

21 A And I pulled up to her and opened the door and she
22 got in the truck.

23 Q And once she got in the truck, what happened?

24 A Nothing. I just turned around. And I think I
25 offered her some water or a cigarette or something or she

1 offered me one. You know, went on to my house.

2 Q What happened once you got to your house?

3 A We went upstairs, and I told her, I said, You look
4 like you're about to freeze to death. You need to take a
5 shower. For a minute, she just sit there. And she got up
6 and she proceeded to take a shower.

7 Q She got up and she took a shower?

8 A Yes.

9 Q Did she tell you anything about what had happened
10 that night?

11 A No.

12 Q After she took a shower, what happened?

13 A Hold up. Hold up. No, I asked her, I asked her, I
14 said, What's the matter? You seem mighty quiet. Because
15 we was always playing solitaire, you know, between me and
16 her.

17 Q Solitaire?

18 A On the computer, we played solitaire.

19 Q Oh, okay.

20 A So I was asking her, I was like, you know, What's the
21 matter? She said she had been into a fight.

22 Q Did she tell you who she had been fighting with?

23 A No. I asked her -- if I'm allowed to say it in the
24 courtroom.

25 Q I don't know what you're going to say?

1 A No, what I asked her. You want to know the truth?

2 Q Yes, sir, we want the truth.

3 THE WITNESS: Can I say it, Your Honor?

4 THE COURT: (Nods in the affirmative.)

5 THE WITNESS: I asked her was she in a fight and she
6 didn't say anything. So I said, Mike must be kicked your
7 ass.

8 BY MS. CAMPBELL:

9 Q Mike must have kicked your ass?

10 A No, I said -- when she said she was in a fight, I
11 know she was living with Mike and I told her, I said,
12 Well, Mike must be kicked your ass. Mike just was in here
13 a few minutes ago.

14 Q Okay. Got it. And then what did y'all do after you
15 said that?

16 A She proceeded to take a shower. And I noticed when
17 she was taking a shower, she had all these blue marks on
18 her, looked like somebody was throwing her around or
19 knocking her out or something.

20 Q Okay. And then what do you remember?

21 A Huh?

22 Q What happened next?

23 A She got --

24 Q What was she wearing when you saw the blue marks on
25 her?

- 1 A On her arms, back, legs.
- 2 Q Okay. And was that when she was getting out of the
- 3 shower?
- 4 A Huh? I'm hard of hearing, lady, you got to speak up.
- 5 Q I got that. Was that when she was getting out of the
- 6 shower that you saw her?
- 7 A Before she went into the shower, I saw her.
- 8 Q Before she went in. Then what did y'all do?
- 9 A Huh?
- 10 Q Then what happened?
- 11 A She got into her bed clothes. She got back in the
- 12 bed and went to sleep.
- 13 Q Where did she sleep that night?
- 14 A In my bed.
- 15 Q Did she tell you why she wanted to sleep with you in
- 16 your bed?
- 17 A No. She told me the next day that she will be coming
- 18 back for her clothes.
- 19 Q Okay.
- 20 A And she left.
- 21 Q So y'all slept in the same bed that night?
- 22 A Yeah, she slept over there and I slept over there.
- 23 Q The next morning, what happened?
- 24 A She left and she told me she would be back in a
- 25 couple of days to get her clothes, which she did come

1 back, I think it was that Monday or Tuesday. She came
2 back with her son and another guy.

3 Q That Monday or Tuesday --

4 A And she got her clothes.

5 Q -- later? And she got her clothes?

6 A Yes.

7 Q Do you remember giving a statement to police officers
8 back on January 28th of 2014?

9 A Ma'am, you know, not being mean or anything, but I
10 don't remember that day. I know I gave them a statement.

11 Q I'm going to show you this. Do you recognize this?

12 A I read this here the other day. There's lot of
13 things I didn't put in here. They did it on a rough
14 draft, this cop, he wrote it. Then when I got it again,
15 it was typed.

16 Q Well, that is your signature?

17 A I signed it, but when I signed it, I thought that
18 good police work would be where they won't switch
19 anything. And I think they did a lot of switching in here
20 because there's things in here I didn't say.

21 Q Let me get back to that in a minute. Is that your
22 signature on the bottom right here?

23 A Yes, it is.

24 Q And did you sign --

25 A No, that's my signature up top there.

1 Q Yeah. Right here at the bottom of the page on top?

2 A Yeah.

3 Q Did you sign that?

4 A Yes, I did.

5 Q Did you read it when you signed it?

6 A No, I didn't.

7 Q Okay. Do you remember talking to them?

8 A He wrote that statement, and I read the one that
9 he -- that he wrote in the rough draft. Then when I
10 got -- they brought this back, I signed it. So I'm
11 thinking that these guys playing fair, but I don't know.
12 I guess just society comes to believe that police officers
13 do commit perjury and lie, we have bad things down the
14 road. This guy must be switched up on me because some
15 things on there after I got it three or four days ago,
16 there's some things in there I didn't even say.

17 Q Do you remember telling the police back when you gave
18 this statement on January 28th at 1:50 in the afternoon --
19 do you remember where you gave the statement, where you
20 were when you gave it?

21 A I was at the police department.

22 Q At the police department. Do you remember telling
23 them that when she called you she sounded panicked?

24 A I said what?

25 Q That she sounded panicked?

1 A No, I didn't tell that guy that.

2 Q Do you remember when you picked her up, she was
3 wearing a dark-colored reflective jacket?

4 A She was wearing a blue jacket with reflection on it.

5 Q Do you remember telling them she seemed disturbed?

6 A No, I didn't tell him that.

7 Q Do you remember telling him that she was coughing a
8 lot?

9 A I guess in that cold weather, it would make you
10 cough. I was coughing, also.

11 Q Do you remember when she woke up the next day that
12 she was angry?

13 A No.

14 Q Was getting on you about some stuff?

15 A No. What he asked me was do she get angry. I don't
16 know a woman that don't get angry.

17 Q And what's your relationship with Ms. Thompson, have
18 y'all been friends for a while?

19 A We was roommates.

20 Q Do you remember they specifically asked you did you
21 see any marks or scratches on her, and you told them I saw
22 some red marks on her hand?

23 A No, I didn't tell him nothing like that.

24 Q And she said her hands were sore?

25 A I didn't tell him nothing like that. I told him

1 there were some blue marks on her, but I didn't tell that
2 she had any red marks. Of course, he kept asking me did
3 she have a wallet or did she have blood on her hands. And
4 I wasn't going to lie on her. She didn't have it.

5 Q No wallet, no blood?

6 A No wallet, no blood.

7 Q You didn't tell him I saw a red mark on her hand and
8 her hand --

9 A No, I didn't tell him that. Where he at, I'll tell
10 him that, too. He shouldn't do that.

11 Q Did you know that Holly got arrested in this case?

12 A Excuse me?

13 Q Did you know Holly Thompson got arrested in this
14 case?

15 A Yeah, I heard about it about three or four days after
16 the arrest.

17 Q Did she know that you had given a statement in this
18 case?

19 A I told her I was giving a statement.

20 Q And that she threatened to cut off your electricity
21 for giving a statement?

22 A She can't cut off my electricity.

23 MR. BANK:~ Objection.

24 THE COURT: What's the objection?

25 MR. BANK: I --

1 THE WITNESS: You believe that --

2 THE COURT: Be quiet.

3 THE WITNESS: You believe that --

4 THE COURT: Stop. When I say stop, you stop. Got
5 it?

6 THE WITNESS: Yeah.

7 THE COURT: Excuse me?

8 THE WITNESS: I heard you.

9 THE COURT: That's yes, sir.

10 THE WITNESS: Yes, sir.

11 THE COURT: Do you have an objection or not?

12 MR. BANK: No, sir, withdrawn.

13 THE COURT: Thank you very much.

14 You may ask the question if you need to.

15 BY MS. CAMPBELL:

16 Q Did you know that Holly was very upset you had given
17 a statement in this case?

18 A Excuse me?

19 Q Did you know that Holly Jo Thompson was very upset
20 that you had given a statement in this case?

21 A I didn't know anything about that. It's something
22 new to me.

23 MS. CAMPBELL: Thank you, sir. I don't have anything
24 further.

25 THE COURT: Yes, ma'am -- yes, sir, excuse me.

1 MR. BANK: Thank you, Your Honor. May it please the
2 Court.

3 CROSS-EXAMINATION

4 BY MR. BANK:

5 Q Mr. Warren?

6 A Yes, sir.

7 Q I'm going to come right up here so you can hear me,
8 okay?

9 A All right. Good job.

10 Q Can you hear me right now?

11 A Yeah, I can hear you.

12 Q Now, on this day that we've been talking about, you
13 remember going to Mike's house to look for Holly, right?

14 A Right.

15 Q And he told you that she was down at James Solomon's
16 house?

17 A Mike told me she was at Mr. Bailey's house. I don't
18 even know Mr. Bailey. Mike told me that. She didn't tell
19 me that.

20 Q Did you know anything about a Grill Man? Have you
21 ever heard that nickname before?

22 A You know, when I said Grill Man, they said that he
23 made barbecue grills --

24 Q Yes, sir.

25 A -- or do iron work, so I term it as a Grill Man.

1 Q And is that the person's house you believed you were
2 going to?

3 A Yes, sir. I expected to see a lot of grills, but I
4 didn't see none. All I seen was an 18-wheeler, the back
5 part, the big part, and a trailer.

6 Q You were just at the front of the trailer, right?

7 A I really didn't pay too much attention to that
8 trailer. You know, I just pulled in the yard.

9 Q Yes, sir. And a man came to the door and said that
10 Holly wasn't there?

11 A Yeah, because I asked him about two times. He said,
12 She is not here.

13 Q All right.

14 A Because he asked me to bring the clothes inside,
15 which I didn't have the clothes.

16 Q So the man came to the door, told you Holly wasn't
17 there, but you could bring the clothes to him?

18 A Yeah.

19 Q Okay. Now, sir, after that, you went back to Mike's
20 house, right?

21 A I went back to Mike's house, yes, I did.

22 Q And then back to your house, right?

23 A Yes, sir.

24 Q Later you heard from Holly and she asked you to pick
25 her up; is that right?

1 A Yes.

2 Q Now, coming from Arch Street, which is the Rosewood
3 area?

4 A Yes.

5 Q What road would you take to get to Padgett? Would
6 you take Leesburg Road?

7 A Yes, I would.

8 Q And then from Leesburg Road, you'd get to Padgett or
9 Trotter Road?

10 A It's Trotter Road, I make a right on Trotter Road.

11 Q Yes, sir. And Holly was walking somewhere along that
12 path and you picked her up?

13 A I guess that way, Trotter Road turns into Padgett
14 Road?

15 Q Yes, sir.

16 A On that road.

17 Q Now, did you see Ms. Thompson like rubbing her hands?

18 A Same way she would do when we be playing solitaire.

19 Q Yes, sir. And you believed that she had gotten into
20 a fight with Mike?

21 A Right.

22 Q That he had kicked her ass, is that what you said?

23 A That's what I said to her, you know, because when she
24 told me, she said, I've been into a fight.

25 Q Yes, sir.

1 A And I just said, Mike must be kicked your ass.

2 That's what I said.

3 MR. BANK: Thank you, sir. That's all the questions
4 I have.

5 Actually, can I beg the Court's indulgence?

6 THE COURT: Sure.

7 MR. BANK: I'm sorry.

8 (Pause.)

9 BY MR. BANK:

10 Q And, sir, I'm sorry --

11 MR. BANK: And thank you, Judge.

12 BY MR. BANK:

13 Q Just to be clear, whether it's blue, red, whatever,
14 you saw injuries or marks on Holly that night?

15 A Blue, wasn't no red. It was blue, you know, like
16 somebody was throwing her around, you know.

17 Q Yes, sir.

18 MR. BANK: Thank you for coming in today.

19 That's all the questions I have.

20 THE COURT: Okay. Thank you.

21 Ms. Campbell.

22 REDIRECT EXAMINATION

23 BY MS. CAMPBELL:

24 Q Just to clarify, the marks you saw, what were they --
25 what was she wearing -- how did you see the marks?

1 A Ma'am?

2 Q With the jacket on, how did you see the marks?

3 A I told you, she got -- took off her clothes to take a
4 shower.

5 MS. CAMPBELL: Thank you. I don't have anything
6 further.

7 MR. BANK: No, sir, I don't have anything further.

8 THE COURT: Have a nice day.

9 Any objection to him being excused from his subpoena?

10 MR. BANK: No objection from the Defense.

11 MS. CAMPBELL: No objection.

12 THE WITNESS: Am I through for the day?

13 THE COURT: You are excused from your subpoena.

14 THE WITNESS: Yes, sir.

15 THE COURT: Thank you very much, Mr. Warren.

16 All right. How long is the next witness?

17 MS. WALKER: About 15 minutes, Your Honor.

18 THE COURT: Okay. Let's go ahead and knock that one
19 out and we'll take a lunch break.

20 MS. WALKER: Your Honor, the State calls Captain
21 Scott McDonald.

22 SCOTT MCDONALD, after being duly
23 sworn, testified as follows:

24 THE CLERK: Thank you. Please have a seat in the
25 witness stand and state your full name for the record.

1 State your name for the record.

2 DIRECT EXAMINATION

3 BY MS. WALKER:

4 Q Will you state your name for the record.

5 A Scott McDonald.

6 Q Is it Captain McDonald?

7 A It is.

8 Q Captain, where are you currently employed?

9 A Richland County Sheriff's Department.

10 Q And what do you do at the sheriff's department?

11 A I'm a captain at the major crimes division charged
12 with supervising and investigating all assaults,
13 robberies, deaths, homicides, suicides.

14 Q And how long have you been at the sheriff's
15 department?

16 A Next month will be 28 years.

17 Q Did you become involved in the investigation of this
18 case?

19 A Very briefly. I returned on the 28th of January and
20 was briefed by Major Stan Smith on the case thus far. He
21 requested I get involved with some phone records regarding
22 an Amy Norris.

23 Q Is that something you routinely do, analyze phone
24 records?

25 A Yes, I do.

1 Q For what agencies do you analyze phone records?

2 A I've done it for the Lexington County Sheriff's
3 Department, solicitor's office. I've done it for
4 Dorchester County, Calhoun County, Columbia Police
5 Department, several agencies around the state.

6 Q Can you tell this jury your background and training
7 that allows you to analyze cell phone records?

8 A I first got involved back in November of 2001 with
9 cell phone investigations, a murder case I was working
10 back then. Since that time, I've attend numerous classes
11 over the years trying to get further knowledge and as new
12 technology comes out continually seeking that knowledge to
13 assist us in these investigations.

14 Q In the classes that you attend, do they -- have you
15 ever attended classes focusing on being able to pinpoint
16 cell phone locations?

17 A Yes.

18 Q Have you been qualified as an expert in court before
19 in cell phone analysis, specifically, with being able to
20 pinpoint cell phone locations?

21 A I have nine times in general sessions court in this
22 state, yes.

23 MS. WALKER: Your Honor, at this point, the State
24 offers Captain McDonald as an phone in cell phone
25 analysis.

1 THE COURT: All right.

2 MR. BANK: No objection, Your Honor.

3 THE COURT: Ladies and gentlemen, this will be
4 qualified as an expert in the area of cell phone analysis.
5 He will be allowed to give opinion testimony in that area.
6 That does not mean that you must accept his opinion, but
7 it is evidence for you to use in any way you see fit and
8 give it the weight and the credibility you believe is
9 appropriate as you are required to do with each and every
10 witness that appears before you.

11 MS. WALKER: Thank you, Your Honor.

12 BY MS. WALKER:

13 Q In terms of being able to locate the -- being able to
14 pinpoint the location of a cell phone, why is that
15 important to law enforcement?

16 A It's one tool we use to either help rule people in or
17 rule people out possibly being involved in an incident.
18 By the use of their phone, we're able to tell
19 geographically where they were at a given date and time.
20 That's important when you are looking at murders and
21 robberies and other things like that.

22 Q Did you prepare like a PowerPoint presentation to
23 help you explain this to the jury?

24 A I did.

25 THE COURT: Have you seen this?

1 MR. BANK: Yes, sir, they made it available.

2 MS. WALKER: I'm sorry. Your Honor, we provided this
3 to the Defense.

4 THE COURT: Very good.

5 MS. WALKER: Your Honor, may the witness step down?

6 THE COURT: Yes.

7 MS. WALKER: Thank you.

8 BY MS. WALKER:

9 Q Can you see? If you want us to back it up, I'll be
10 glad to. Is that better?

11 A (Witness nods in the affirmative.)

12 Q Okay. Okay. In terms of your ability to give a cell
13 phone location, can you explain how this process works to
14 the jury?

15 A This is a very basic simple way of how cell phones
16 work. When your cell phone is on, it's always sending out
17 a signal anticipating a call that you may make or receive,
18 so it's always searching for the closest, strongest tower.
19 Generally, that's going to be the closest tower to your
20 location.

21 When someone places a call, caller A here places a
22 call, it immediately bounces to that tower. It then
23 switches in -- gets sent into a switch, which is a central
24 location where the call is then dispersed. In this
25 switch, it verifies that this is a valid subscriber with

1 whatever company it may be. It then sends a signal out
2 looking for the caller B's phone, and it has to verify
3 that that's a valid subscriber to whatever company that
4 may be. Once it locates that, the signal is sent out to
5 the cell phone tower strongest or closest to wherever
6 caller B is. All of this takes place in hundredths of a
7 second.

8 Q Okay. In terms of the cell phone tower
9 configuration, can you explain what that is and how that
10 helps you analyze the records?

11 A Generally, cell phone towers are configured in a
12 360-degree range. Each side, in general, is 120 degrees.
13 Sometimes that varies a little bit depending on population
14 and call volume, things like that. But, in general, it's
15 going to be 120 degrees on each side.

16 When you place that call and it hits that tower, it
17 hits on one of these sides. If it hits on this side,
18 you're over in this general area -- if it hits on this
19 side, you're in this general area. It hits over here,
20 you're in that general area. And that's going to be shown on
21 a map putting people in a general area.

22 Call detail records are records we obtain from the
23 cell phone companies themselves. They're kept as business
24 records. Some of the things in these records help us
25 greatly in law enforcement as far as being able to

1 geographically locate where a phone may be. It gives us a
2 paper trail. We can request a certain date to a certain
3 date, certain time, that type thing. And that's provided
4 to us by cell phone companies. It's my job to sit down
5 and look at them, look at the date and time and the towers
6 and the sectors involved and try to put that on a map for
7 you.

8 What you see here is just an example of, you know, a
9 date and time, 3/15 of '12 at 7:00 o'clock p.m., this
10 phone was -- I'm sorry, I keep hitting it.

11 Q It's a touch board. It's okay. So?

12 A We know this phone was somewhere in this general area
13 on this side of this tower at that point. Obviously, if
14 your at a crime scene or somewhere inside, that would be
15 highly significant.

16 Q This map right here, is that for this case or is this
17 just an example?

18 A No, that's just an example.

19 Q Did you receive a number of cell phones records from
20 this case?

21 A I did. This is the first page of these records.
22 There might have been 20 or 30 pages of these records. As
23 you can see, when it first comes into you, it may just
24 look like a bunch gobbly goop with a bunch of numbers on
25 there. What does all this mean? But at the top of each

1 column, it tells what that particular information is.
2 This is the calling number.

3 So in this particular case, Ms. Norris' cell phone
4 number was [REDACTED], so 505 here, this is her number
5 calling this number, 704 number, showing that this is an
6 outgoing call and this happened on the 24th at 10:44 a.m.
7 Going on across, the duration of seconds you hear -- did I
8 do that?

9 Q All right.

10 A Over here, you see the duration in seconds is zero.
11 All these ones with zeros are going to be text messages.
12 Text messages don't have a duration. They also don't
13 provide us a cell tower that they hit on. That's just
14 technology that's used on these text messages. The repoll
15 number, that's just a switch number that that particular
16 text message went through wherever that particular
17 location may be.

18 Generally, on phones calls, these are the most
19 important, the first cell and the last cell. What that
20 is, you begin a conversation on the first cell. A lot of
21 times, if you're traveling, you may leave that cell phone
22 tower and end up on another cell phone tower at the
23 completion of your call. And we can demonstrate that in
24 mapping, you know, it began here and ended up over here.

25 As you can see in these records here, all of these

1 are text messages. Down here is where you get starting
2 times, ending times, the duration of 25 seconds. These
3 are always going to be in seconds.

4 The repoll number, which is going to be the switch
5 number, it's a regional geographic type number. This is
6 the actual cell phone tower up here itself.

7 Now, on Sprint's records, the very first number, the
8 three, is going to be the sector number. And the way
9 their sectors run, instead of one, two, three, it's two,
10 three, four. So we know that this particular tower here
11 wherever it may be located, that that call was hitting in
12 sector three or the second kind of triangle area around.

13 Q And using these records, with your able to determine
14 the location of Amy Norris' cell phone?

15 A Yes. I was asked to look from the 24th through the
16 27th to see where this phone was. During the
17 investigation, it came up that Ms. Norris may have been in
18 the Charlotte area during this time. So when I looked at
19 these records -- and this has been plugged into a program
20 I have at work where I import these phone records and then
21 the computer assists in mapping them out as to the
22 locations.

23 In this particular case, this phone stays in the
24 Charlotte, North Carolina area between 1/24/14, all the
25 way through the 26th at 8:22 p.m. when it begins to move

1 south, which is down here. There's Fort Mill right there.
2 From this, you could probably reasonably assume it may
3 have been traveling down 77.

4 The first time this phone hits in the Columbia area
5 is going to be on the 26th at 9:58 p.m. and it's over in
6 the West Columbia area at a tower there hitting in this
7 general area.

8 Q And our incident location was where?

9 A Over here at [REDACTED] Lower Richland Boulevard in
10 Hopkins. So it's quite a distance away from where her
11 phone was hitting.

12 Q And would these two distances be on the same tower?

13 A No.

14 Q Okay.

15 A There could be 10 or 15 towers in between these two
16 locations or more. This is just further showing later
17 that same day, 10:18 p.m., there's that 9:58 p.m. call.
18 We've got some more down here, 10:00, 10:17, 10:21, still
19 in that West Columbia area and down in the Spring Dale
20 area. Still miles away from the Lower Richland area. And
21 this would be consistent with a couple of days after this
22 incident was thought to have occurred. And this was just
23 further later in the night, 10:47, 10:51 down on the lower
24 end of Richland County, closer to the crime scene area,
25 but not over in the lower Richland area. Additionally,

1 down here, 11:07 p.m.

2 Q Okay.

3 A I think this goes into -- yeah, 11:40 p.m., still
4 down in the Gaston area hitting off a tower down there.
5 And the 27th, just after midnight at 1:00 in the morning,
6 7:00 a.m., still down in that Gaston area. So at no time
7 do we have this phone in the area around the crime scene
8 during this time frame.

9 Q And then lastly?

10 A This is just 5:22 a.m. on the 27th, 5:13, 4:54, 4:54,
11 still in that area down there. 8:30 a.m., still in that
12 area down there around Gaston.

13 Q Okay. Thank you, Captain. You can return to the
14 stand.

15 A (The witness resumed the witness stand.)

16 Q So for the date that you were analyzing cell phone
17 records, did they ever hit off a tower close to the
18 incident location?

19 A No.

20 Q The majority of the time, they were in what city?

21 A They were in the Charlotte area around the time this
22 incident was believed to have occurred, the 24th, 25th,
23 that phone never leaves the Charlotte area.

24 Q And those phones belong to who?

25 A Amy Norris.

1 MS. WALKER: Thank you, Captain. I don't have
2 anything further.

3 CROSS-EXAMINATION

4 By MR. BANK:

5 Q Was that the only phone you were asked to examine,
6 sir?

7 A That's the only phone I was asked to.

8 MR. BANK: That's the only question I have.

9 THE COURT: Okay. Thank you, Captain. Have a nice
10 day.

11 Okay, ladies and gentlemen, we're going to break for
12 lunch. It is, we'll call it 12:15. We'll start back at
13 1:30. Do not discuss the case with anyone in any way,
14 shape, or form. Keep an open mind. You still have not
15 heard all the evidence in the case. I thank you very much
16 for staying with us this morning. We pushed through and
17 got through a lot of witnesses. So we'll continue at
18 1:30. Thank you that much. We'll see you at 1:30.

19 (Whereupon, the jury left the courtroom at 12:12
20 p.m.)

21 THE COURT: Okay. Anything before we break for
22 lunch?

23 MS. CAMPBELL: No, Your Honor.

24 MR. BANK: Nothing from the Defense.

25 THE COURT: Okay. See y'all at 1:30.

1 (WHEREUPON, a lunch break was taken.)

2 THE COURT: Are we ready?

3 MS. CAMPBELL: Your Honor.

4 THE COURT: Yes.

5 MS. CAMPBELL: I just want to make it clear we are
6 not offering any of her statements once she's being placed
7 under arrest or afterwards. The only statements we are
8 going into are the ones that she made when they initially
9 made contact, just saying this is where you can find Amy
10 Norris. We will not be going into any of her self-serving
11 statements that she makes at the time of her arrest or
12 after.

13 THE COURT: Okay.

14 MS. CAMPBELL: We just want the Defense on notice
15 that we consider them self-serving and, therefore, they
16 would not be able to get into them at that point either.

17 MR. BANK: Your Honor, as long as the statement
18 they're limiting it to, I believe it's law enforcement's
19 first interaction with Ms. Thomas, which -- and the State
20 can correct me if I'm wrong, that statement would consist
21 of do you know BoBo and what is your social security for
22 my notes. They didn't ask her anything about the death or
23 anything like that. As long as we're on the same page on
24 that.

25 MS. CAMPBELL: That's not what she said, but I would

1 limit it to what she said on that occasion.

2 MR. BANK: I guess I need to know --

3 MS. CAMPBELL: It's in the notes. And Kerri
4 Johnson's --

5 MR. BANK: And what --

6 MS. CAMPBELL: Basically, he's asking do you know Amy
7 Norris, where she is. She gives them information about
8 where they can find Amy Norris.

9 MR. BANK: Right. I'm sorry. She's absolutely,
10 correct.

11 MS. CAMPBELL: That would be limited to that
12 occasion, which is the day before she gets arrested.

13 MR. BANK: That's fine with us.

14 THE COURT: Okay.

15 MR. BANK: We're under notice that that's all it will
16 be.

17 THE COURT: Great. Okay. Let's bring them in.

18 MS. CAMPBELL: Do you want to advise her, take a
19 break after we rest?

20 THE COURT: We'll get through your two and then stop.

21 MS. CAMPBELL: Okay.

22 (Whereupon, the jury entered the courtroom at
23 1:34 p.m.)

24 THE BAILIFF: The jury is seated, Your Honor.

25 THE COURT: Thank you very much.

1 Welcome back. I hope you enjoyed your lunch. I saw
2 some of you walking. It's a nice day. It's not too cold
3 to get out and stretch your legs. Welcome back. Thank
4 you for being on time.

5 You may call your next witness.

6 MS. WALKER: Thank you, Your Honor. The State calls
7 Investigator Laurita.

8 THE COURT: Investigator Laurita, please come forward
9 and be sworn.

10 MICHAEL LAURITA, after being duly
11 sworn, testified as follows:

12 THE CLERK: Please have a seat in the witness stand,
13 state your name for the record and please spell your last
14 name.

15 THE WITNESS: Senior Investigator Michael Laurita,
16 L-A-U-R-I-T-A.

17 DIRECT EXAMINATION

18 BY MS. WALKER:

19 Q I'm sorry, Investigator. Can you tell me where
20 you're currently employed?

21 A The Richland County Sheriff's Department.

22 Q And how long have you been with the sheriff's
23 department?

24 A About nine years now.

25 Q And what is it that you do at the sheriff's

1 department?

2 A Currently, I'm an investigator in major crimes. I've
3 been -- done just about everything there. I was on the
4 road for five years. I worked in narcotics. I worked in
5 burglary, but currently investigating.

6 Q Back in January of 2014, did you become involved with
7 the investigation into the murder of James Solomon?

8 A Yes.

9 Q Tell me how you became involved.

10 A I was contacted by, I believe it was Captain McDonald
11 at that time to make contact with Investigator Johnson in
12 reference to the homicide he was working.

13 Q Is it unusual for multiple investigators to work a
14 homicide?

15 A That's pretty common. You usually have a primary and
16 then a secondary investigator that works homicides.

17 Q Would you be the primary or the secondary?

18 A I was the secondary.

19 Q Can you tell me the first thing you did once you
20 became involved in this investigation?

21 A The first thing I did when I became involved in this
22 investigation, I made contact with Investigator Johnson.
23 And we were actually trying to make contact with a lady by
24 the name of Amy Norris that was at that time a possible
25 suspect in this.

1 Q And were y'all able to make contact with Amy Norris?

2 A Yes, we did.

3 Q As part of y'all's investigation, are you both trying
4 to include and exclude possible witnesses or suspects in
5 the case?

6 A Yes.

7 Q And with Ms. Norris, were y'all able to include or
8 exclude her as a suspect in this murder?

9 A We were able to exclude her.

10 Q How were you able to do that?

11 A She came in and gave us a statement. She was in
12 Charlotte the weekend that the homicide actually occurred.

13 Q And after excluding Ms. Norris as a suspect in this
14 case, what was your next step?

15 A That next step -- actually, while we were talking to
16 Ms. Norris, we were notified that there was a fingerprint
17 found on the crime -- on the weapon that was used.

18 Q And were you told whose fingerprint that was?

19 A Yeah, it was Holly Thompson's.

20 Q And did y'all then make contact with Ms. Thompson?

21 A Yes, we did.

22 Q As a part of your investigation -- I'm sorry, going
23 back to Ms. Norris, I want to show you what's been marked
24 as State's Exhibit 237 and ask if you recognize that?

25 A I do. It's an evidence form that I filled out for a

1 buccal swab, which is a DNA swab for Ms. Amy Norris.

2 MS. WALKER: Your Honor, at this point, the State
3 seeks to move Exhibit No. 237 into evidence.

4 MR. BAILEY: Without objection.

5 THE COURT: All right. 237, without objection.

6 (Whereupon, State's Exhibit No. 237 was admitted
7 into evidence.)

8 BY MS. WALKER:

9 Q In addition to what you've already told us, did you
10 interview a Moses Warren in this case?

11 A I did.

12 Q And where did this interview take place?

13 A I believe this interview took place at our
14 headquarters on Two Notch Road.

15 Q Can you explain to the jury the interview process
16 when you're speaking with a witness in a case?

17 A When we speak with a witness in a case, how we do it
18 is we ask questions. Everything is typed out. So we'll
19 type out the question, we'll type out their answer. When
20 that process is complete, when we've asked all our
21 questions and gotten their answers complete, then what
22 we'll do is we'll give it to them, let them read over it,
23 make sure everything is correct. If we need to make any
24 changes, I'll go back and make changes, let them read it
25 again, make sure the changes are what he wanted, so on and

1 so forth. When they say that's what they said, they write
2 their signature and we witness it.

3 Q And did you follow this process with Mr. Warren?

4 A I did.

5 Q I want to show you -- actually, let me get an exhibit
6 for identification purposes only.

7 MS. WALKER: It's for identification purposes only.

8 (Whereupon, State's Exhibit No. 261 was marked
9 for identification only.)

10 BY MS. WALKER:

11 Q I want to show you what's been marked as State's
12 Exhibit No. 261 for identification purposes only and ask
13 you if you recognize that?

14 A Yes. This is the statement I took from Moses Warren
15 that day.

16 Q In taking this statement, is this a depiction of what
17 Mr. Moses told you?

18 A Yes.

19 Q Did you change his words in any way?

20 A No.

21 Q Did you make additions to it?

22 A No.

23 Q Did you leave things out of it?

24 A No.

25 Q Did you give him an opportunity to review it before

1 he signed it?

2 A Yes.

3 MS. WALKER: Beg the Court's indulgence, Your Honor?

4 THE COURT: Yes, ma'am.

5 (Pause.)

6 MS. WALKER: Thank you, Investigator. I don't have
7 any further questions.

8 THE COURT: Cross?

9 MR. BAILEY: Thank you, Your Honor. May it please
10 the Court?

11 THE COURT: Yes, sir.

12 CROSS-EXAMINATION

13 BY MR. BAILEY:

14 Q Good afternoon, Investigator Laurita?

15 A Good afternoon.

16 Q How are you doing?

17 A Good.

18 Q So Investigator, you were assigned as the second lead
19 on this case; is that correct?

20 A Yes.

21 Q Okay. And you were present when Holly Thompson was
22 arrested; is that correct?

23 A I was present, yes.

24 Q You interviewed Mike Richardson as part of this
25 investigation; is that right?

1 A I did.

2 Q And you were there when Mike Richardson gave his
3 consent for y'all to search his home?

4 A He gave his consent, but we did end up going back and
5 getting a search warrant anyway.

6 Q Okay. So y'all entered Mr. Richardson's home, right?

7 A Yes.

8 Q And at that time, Holly was staying with Mike
9 Richardson; is that right?

10 A Yes.

11 Q And you found Holly's shoes in Mr. Richardson's home;
12 is that right?

13 A Yes.

14 Q And those shoes were taken into evidence?

15 A I believe so, yes.

16 Q And those shoes, Holly's shoes had blood on them; is
17 that correct?

18 A I can't say whether they had blood on them or not.

19 Q You wouldn't dispute that those shoes had blood on
20 them?

21 A I could say it's possible.

22 Q You are the second lead investigator in this case; is
23 that right?

24 A Yes.

25 Q And it was Holly's blood on those shoes; is that

1 right?

2 A I have no idea whose blood was on the shoes.

3 Q Do you have any reason to believe after the results
4 came back, which this jury has heard about, that this
5 blood on Holly's shoes was not Holly's blood?

6 A No, I don't know whose blood it was.

7 Q Investigator Laurita, a lot gets sent from the crime
8 scene to get tested in the county's crime lab; is that
9 right?

10 A Yes.

11 Q It's stuff like DNA, right?

12 A Yes.

13 Q Or blood?

14 A Yes.

15 Q Do you sometimes send evidence in to be tested into
16 the lab?

17 A Do I personally send it?

18 Q Yes, sir.

19 A Yep.

20 Q Okay. And sometimes other folks from your team send
21 it in?

22 A Yes.

23 Q In this case, there wasn't any -- there weren't any
24 items that were sent into the lab to be tested for crack,
25 were there?

1 A Not that I'm aware of.

2 Q Okay. And there weren't any items sent into the lab
3 specifically to be tested for urine either, were there?

4 A Again, I'm not aware if there were or wasn't.

5 Q You wouldn't dispute that no items were sent to the
6 lab to be tested for urine, would you?

7 A I wouldn't dispute it. I wouldn't know.

8 MR. BAILEY: Just a moment. Court's indulgence.

9 THE COURT: Yes, sir.

10 MR. BAILEY: No further questions. Thank you.

11 MS. WALKER: No questions, Your Honor.

12 THE COURT: Call your next witness.

13 MS. CAMPBELL: The State calls Kerry Johnson.

14 THE COURT: Please come forward, Investigator
15 Johnson.

16 KERRY JOHNSON, after being duly
17 sworn, testified as follows:

18 THE CLERK: Thank you. Please have a seat in the
19 witness stand and state your full name for the record.

20 THE WITNESS: My name is Kerry, K-E-R-R-Y, Johnson.

21 DIRECT EXAMINATION

22 BY MS. CAMPBELL:

23 Q Sir, where are you employed?

24 A I'm employed with the Richland County Sheriff's
25 Department as an investigator.

1 Q And what do your current duties include?

2 A Just recently, I was named the supervisor over the
3 larceny unit, deal with larceny, vandalism, harassment,
4 things such as that.

5 Q Back in January of 2014, were you also working at the
6 sheriff's department?

7 A I was. At that time, I was assigned to the burglary
8 unit with extra duties also as a homicide investigator.

9 Q And how does that work? How does a person get
10 assigned as a homicide investigator?

11 A Well, you basically prove your worth, so to speak,
12 and you ask to work homicides. You start off as a
13 secondary, as Investigator Laurita was, and then you
14 eventually work your way up to being the lead investigator
15 once you've shown that you can handle such a case.

16 Q How long have you been in law enforcement?

17 A Next month will be 30 years.

18 Q I want to turn your attention back to January 27th
19 of 2014. How did you become involved in this case?

20 A I was actually in a training class that day, and I
21 got a call from Major Stan Smith. I had originally worked
22 that area when I first started with the sheriff's
23 department. I was very familiar with that area. The
24 Major thought it would be a good idea for me to work this
25 particular case because I was familiar with the area, as

1 well as the people in there. So he asked that I come out
2 of the training class to be the lead detective on that
3 case.

4 Q And that day, did you actually go to the scene?

5 A I did.

6 Q And approximately what time was it when you got to
7 the scene that day?

8 A That day -- I left my notes in the chair. I
9 apologize. Sometime right after lunch.

10 Q Sometime right after lunch?

11 A Yes.

12 Q When you got to the scene, what was going on?

13 A Well, as in anything like this, it had been roped
14 off. In other words, the crime scene tape had been set
15 up.

16 Q There you go, sir.

17 A Thank you. There was crime scene investigators,
18 already inside the house processing. There were some
19 uniformed police officers there. I noticed that in the
20 adjacent lot, there were several people gathered over
21 there, which I later found out to be some family members
22 that had come. But the investigation was underway when I
23 got there.

24 Q Okay. And when you got there, you mentioned there
25 were some family members. Did that include Ms. Annie

1 Bell?

2 A Yes.

3 Q At that point, are you making inquiries about any
4 possible acquaintances of the deceased?

5 A Yes.

6 Q You can't say what anybody said to you, okay?

7 A That's correct.

8 Q As a result of your conversations there at the scene,
9 did you start looking for anybody?

10 A I did.

11 Q And who was that?

12 A I was looking for a white female by the name of Amy.

13 Q Amy?

14 A I believe that's correct, yes.

15 Q Were you able to get additional information or more
16 identifying information about a possible person?

17 A I was.

18 Q That could be connected to this?

19 A I was.

20 Q And what information were you able to develop?

21 A Well, we first were given information that she lived
22 on Lower Richland Boulevard at an address. I went to that
23 particular address and nobody lived there. The
24 electricity was off.

25 I was later provided information that she lived

1 possibly in the Hopkins area, but I was able to locate a
2 family member, also. And another investigator had gotten
3 that information off one of our databases.

4 Q In interviewing people and talking to people looking
5 for Amy, did you become aware of someone who might have
6 knowledge as to where she was?

7 A I did and that was Ms. Thompson.

8 Q When you developed this information as far as Ms. --
9 is that Holly Jo Thompson?

10 A Holly Jo Thompson, yes.

11 Q Is she here in the courtroom?

12 A Yes, sitting there in the white sweater.

13 Q What, if any, efforts did you make to contact Holly
14 Jo Thompson.

15 A On this particular day after talking to some people,
16 I made contact with Holly Jo Thompson for the purpose of
17 looking for Amy.

18 Q At that point, was Holly Jo Thompson a suspect in
19 this case?

20 A She was not.

21 Q Okay. Continue.

22 A Got some information from Holly Jo Thompson of where
23 Amy may be, just a lead, so to speak, to follow up on. I
24 followed up on that, but I was able to later make contact
25 with a family member, which through that family member, I

1 was able to get in touch with Amy.

2 Q Let me back up a little bit. You said you made
3 contact with Holly Jo Thompson. Are we still talking
4 about while this is on January 27th?

5 A Yes, the day the individual was found, the victim,
6 yes.

7 Q The victim, Mr. Solomon, was found?

8 A Yes.

9 Q So this is later that afternoon?

10 A Correct.

11 Q And you made contact with Ms. Thompson, where did
12 that take place?

13 A Actually, at her house, which is about half a mile
14 away from Mr. Solomon's house. Knocked on the door. I
15 think she might have been in the backyard talking to some
16 people there or either she came out the back door, but our
17 conversation was held in her driveway at the house there.

18 Q And what was the extent of conversation? Did you
19 tell her who you were looking for and why you were there?

20 A I explained to her I was looking for Amy and that we
21 were investigating a crime and she kind of gave me some
22 information where I might look for her.

23 Q Is that the extent of your conversation with Holly Jo
24 Thompson that day?

25 A Well, as I like to do, anybody that I speak to, I

1 like to get their name and their date of birth and their
2 address, which is what I did. I wrote it down on a pad
3 that I had so if I needed to refer back to it, I had it.

4 Q And that day, did you continue to look for Amy
5 Norris?

6 A I did.

7 Q Were you able to find her that day?

8 A That day, I did not.

9 Q That day, did you also try to get some information
10 about the phone belonging to the victim?

11 A Yes. Another investigator was actually working on
12 trying to track the phone, so to speak. We were asking if
13 he had a phone. We knew that he did. I spoke with
14 someone that I got some information from, but we were
15 unable to find the phone that day.

16 Q Let me back up. You were unable to find
17 Mr. Solomon's phone?

18 A Correct.

19 Q But you were able to determine he did have a phone?

20 A That's correct.

21 Q Was it ever found in the house?

22 A Never found.

23 Q Has it ever been located?

24 A No.

25 Q What other information were you trying to get as far

1 as possible activity on that phone?

2 A Certainly, any calls that had been made, any recent
3 calls that had been made, so, you know, obviously, we
4 thought that maybe whoever had committed the crime had
5 possession of the phone. So if we could find out where
6 the phone calls were being made that we would be able to
7 locate who had the phone.

8 Q Were you able to develop any information to assist
9 you in this?

10 A We were not.

11 Q And the phone was never recovered?

12 A That's correct.

13 Q That next morning, did you continue with the
14 investigation in this case?

15 A I did.

16 Q Who were you looking for the next morning?

17 A My priority that morning was to locate Amy Norris,
18 and I was able to do that.

19 Q Did you, in fact, find -- where did you find her?

20 A I actually was able to get her phone number and I
21 knew that she was somewhere in the Eastover, Hopkins area,
22 so when I got in that area, I called her; And for
23 whatever reason, she wanted to meet me down the road, so I
24 met her down the road. I don't remember what road it was.
25 And she agreed to go with me to our Region I headquarters

1 so that we could talk to her and take a statement from
2 her.

3 Q Did you, in fact, transport her to Region I
4 headquarters that morning?

5 A I did.

6 Q While you were talking to her at Regional I
7 headquarters, what happened?

8 A I actually got a phone call from Major Stan Smith,
9 who informed me that we had gotten a palm print match from
10 the vase and that the palm print match was to Holly Jo
11 Thompson.

12 Well, obviously, that name was familiar to me because
13 I had just spoken to her the day before, so I checked my
14 notes back real quick. Sure enough, this was the same
15 person that I had spoken to her in her driveway the day
16 before, so I knew exactly where to find her.

17 Q And the day before, had Ms. Thompson given you any
18 information about Mr. Solomon or knowing him or anything
19 of that sort?

20 A No, she did not.

21 Q Once you got the information about the bloody palm
22 print on the vase, what, if anything, did you do?

23 A The law says that if we have probable cause to make
24 an arrest knowing that a felony had been committed, we can
25 make an arrest without having a warrant. And because I

1 was literally only minutes away from her house, I
2 immediately stopped interviewing Amy Norris and went to
3 the house and made contact with Holly Jo Thompson and
4 placed her under arrest.

5 Q And once you placed her under arrest, was she then
6 transport to headquarters?

7 A In my vehicle, yes.

8 Q And once you got to headquarters, did you collect any
9 evidence from her?

10 A I did. You've probably heard of a buccal swab or a
11 swab of the mouth in order to get DNA from her.

12 Q And I show you State's Exhibit 183?

13 A Yes, that's my handwriting. That's my handwriting on
14 the box. This is the actual box that contains the long
15 Q-tip-looking swab that we use standardly and that was
16 entered into evidence.

17 MS. CAMPBELL: Your Honor, at this time, we'd offer
18 183 into evidence.

19 MR. BANK: Without objection.

20 THE COURT: State's 183 without objection.

21 (Whereupon, State's Exhibit No. 183 was admitted
22 into evidence.)

23 BY MS. CAMPBELL:

24 Q Once you got that swab from Ms. Thompson, did you --
25 while it was in your possession, did you alter it or

1 tamper with it in any way?

2 A Oh, no.

3 Q That day, did you also take measures to document any
4 possible injuries on Ms. Thompson?

5 A I did. I contacted -- I think it was at the time
6 Mr. Bouknight and asked him to -- I was in a -- Don
7 Robinson, a sergeant at the time, his office, and I asked
8 them to meet me there to take some photographs of Holly Jo
9 Thompson, wanted to document how she looked exactly at
10 that time.

11 Q And while you were waiting for the person to come
12 take the photographs, which ended up being, I think,
13 Investigator McClary?

14 A Correct.

15 Q Did you notice anything about her?

16 A Yes, I asked her -- I knew she had some type of tank
17 top up underneath. It was cold. She had a coat on or
18 either some type of outer layer. I asked her if she would
19 take that off, of course, without being disrobed, so I
20 could look at her arms. As soon as she took her clothes
21 off, she began kind of scratching at her arms. And she
22 said, Yeah, I've got some scratches here. I actually had
23 to say stop, I don't want you scratching because they were
24 kind of scabbed up at the time.

25 Q Did Investigator McClary actually take photographs of

1 all the areas of her body?

2 A She did.

3 Q During the course of your investigation, were you
4 also looking for additional property of the victim,
5 specifically, any information about his wallet?

6 A Yes. Pretty much everybody has a wallet and we
7 wanted to know if the wallet could be located. We
8 couldn't find it in the house. Throughout the entire
9 investigation, his wallet was never recovered.

10 Q To your knowledge, were any crack pipes recovered at
11 the scene?

12 A Not to my knowledge. I don't remember.

13 Q The area -- you mentioned that these two residences
14 where Holly Thompson was staying, at Mr. Richardson's, I
15 believe?

16 A Correct.

17 Q And -- are close?

18 A Oh, yes. I would guesstimate a quarter to half a
19 mile apart.

20 Q Okay. I'm going to show you two maps. Do these
21 represent this general area?

22 A Yes, Lower Richland Boulevard near Padgett Road,
23 correct.

24 MS. CAMPBELL: Your Honor, at this time, I would
25 offer State's Exhibits 259 and 260 into evidence.

1 MR. BAILEY: No objection.

2 THE COURT: 259 and 260 without objection.

3 (Whereupon, State's Exhibit Nos. 259 and 260
4 were admitted into evidence.)

5 BY MS. CAMPBELL:

6 Q And I note the address where this murder occurred was
7 what address?

8 A That was at [REDACTED] Lower Richland Boulevard.

9 Q This is actually a tax map. [REDACTED]

10 A Correct.

11 Q And what was the address where Ms. Thompson was
12 staying?

13 A Let me just confirm that. That was [REDACTED] Lower
14 Richland Boulevard.

15 Q That would be right here?

16 A Right near Padgett and Lower Richland, correct.

17 Q And this is where Mr. Solomon lived?

18 A That's correct.

19 Q In fact, on the second map, State's Exhibit No. 260,
20 does it actually denote the distance between --
21 approximately between the two?

22 A Yes, could I see a little closer, please?

23 Q I'm sorry.

24 A Yes, it does.

25 Q This is actually the road around the corner, next to

1 it, so it's actually a little further. How far is this
2 distance if you go actually to the corner beyond the
3 house?

4 A According to that, 0.3 miles, six-minute walk.

5 Q What boulevard is this?

6 A That's Lower Richland Boulevard. Lower Richland runs
7 from Leesburg Road all the way over to Bluff Road.

8 Q Once she had been taken into custody, did y'all also
9 take steps to get a search warrant?

10 A Yes, we did for her home.

11 Q For her home. And you didn't participate in that,
12 but did other officers actually execute that search
13 warrant?

14 A That's correct.

15 Q And evidence was collected there?

16 A Correct.

17 Q As a housekeeping matter, I'm going to show you
18 State's Exhibit Nos. 215 through 219. These are photos of
19 the shoes of Ms. Thompson?

20 A That's correct.

21 Q That were collected with the search warrant?

22 A Yes.

23 MS. CAMPBELL: Your Honor, at this time, we'd offer
24 these into evidence.

25 MR. BAILEY: No objection.

1 THE COURT: All right. 215 through 219 without
2 objection.

3 MS. CAMPBELL: Thank you.

4 (Whereupon, State's Exhibit Nos. 215 through 219
5 were admitted into evidence.)

6 MS. CAMPBELL: Are we good?

7 THE COURT: Yes, ma'am.

8 BY MS. CAMPBELL:

9 Q And there is a jail phone call. Have you listened to
10 that?

11 A I have.

12 Q And the person talking, the female talking on that,
13 is that Holly Jo Thompson?

14 A It is.

15 MS. CAMPBELL: Your Honor, at this time, we'd ask
16 permission to publish?

17 THE COURT: Granted.

18 (Whereupon, the jail phone call was played for the
19 jury.)

20 BY MS. CAMPBELL:

21 Q The address on Lower Richland Boulevard, is it [REDACTED]
22 where this occurred?

23 A [REDACTED] Lower Richland Boulevard.

24 Q Is that in Richland County?

25 A It is.

1 MS. CAMPBELL: Thank you, sir. I don't have anything
2 further.

3 MR. BANK: Thank you, Your Honor. May it please the
4 Court?

5 THE COURT: Yes, sir.

6 CROSS-EXAMINATION

7 BY MR. BANK:

8 Q Investigator Johnson, I'm going to kind of go back
9 through a little bit, but while this is fresh on our
10 minds, this jail call, you were just listening to that
11 jail call, right, sir?

12 A I was just listening to that jail call.

13 Q In that jail call, Ms. Thompson didn't deny being in
14 some type of fight with James Solomon, did she?

15 A She actually stated I was in a fight with him.

16 Q Now, sir, you were called to the scene at
17 Mr. Solomon's house, right?

18 A Correct.

19 Q And could you describe the house? I know we heard a
20 lot about that, but what type of home was this?

21 A It's what I would call a single-wide mobile home. It
22 was on a fairly big size piece of property, good size lot.

23 Q And it was a pretty standard trailer for folks down
24 in the south that have seen these trailers, right?

25 A In the south, yeah.

1 Q Now, there was some type of business going in the
2 back; is that right?

3 A The investigation showed that he was A/K/A, the Grill
4 Man. He made grills that you would see at tailgating
5 events with 55-gallon drums. He would weld those in his
6 backyard and sell them was my understanding.

7 Q So he was a welder from what y'all found out; is that
8 correct?

9 A That's right.

10 Q Now, sir, when you entered the home, where did you
11 enter? There's a front door, and there's a back door,
12 right?

13 A Correct. If I remember correctly, I entered into the
14 back door.

15 Q The back door. And it was apparent there had been
16 some form of struggle there?

17 A It was apparent that -- to me, the first thing I
18 noticed was a lot of blood in the hallway, even on the
19 wall of the hallway.

20 Q The wall of the hallway?

21 A The lower wall down towards the floor, actually.

22 Q Were the rugs scrunched up at all that you remember?

23 A I remember a rug, like you would call an area rug,
24 and I do remember it being not exactly in the direction of
25 the hallway path to -- like a rectangular rug. It was

1 askew. I don't exactly recall to what manner it was in
2 without looking at some pictures.

3 Q All right. Well, let me go ahead and hand this to
4 you because I'm going to ask you some questions about it.
5 I'll let you just take a look at it. This is State's
6 Exhibit 39. Does that pretty much accurately reflect what
7 you saw when you came in?

8 A You were asking me about the hallway. This is the
9 living room area. This does not depict the hallway.

10 Q All right. Well, let's leave the hallway alone for a
11 second. I'm going to get to that next, so hold that with
12 you. Now, when you entered the home, was the heat still
13 on? We heard some things about the heat.

14 A I don't know if it was still on. It was a cold day
15 and the back door had been open. I was not particularly
16 very uncomfortable in the house. It was -- I got there
17 sometime around 2:15 that afternoon.

18 Q Okay. So there were multiple, what I'll call out of
19 place knives around the house. Would you agree with that
20 statement?

21 A No, sir. I saw one knife in the bedroom that I would
22 consider to be out of place. I think that was a knife
23 that was presented as evidence. I saw a knife on the
24 kitchen floor. I think maybe a butcher knife. Other than
25 that, I don't remember seeing what we would call out of

1 place -- what I would call out of place knives.

2 Q You wouldn't consider it to be out of place to find a
3 knife on the kitchen floor?

4 A I mentioned that just a minute ago.

5 Q Yes, sir.

6 A Other than that one and the one found in the bedroom,
7 I don't remember seeing many what I would call out of
8 place knives.

9 Q Do you remember a third knife being found in the
10 living room?

11 A I do recall a knife, not on the floor, I remember it
12 being on a piece of furniture somewhere.

13 Q Yes, sir.

14 A I was -- let me add that I was -- most of my role on
15 this particular day was to interview people in the area.
16 I did not spend much time inside of the house, although I
17 did go in.

18 Q Was this a kitchen knife that was found in the living
19 room?

20 A From what I remember, it was like a butcher knife,
21 yes.

22 Q And you don't consider it out of place to find a
23 butcher knife in the living room of the home?

24 A I don't really understand your definition of out of
25 place.

1 Q Well -- and that's fair?

2 A Yeah.

3 Q Now, sir, when you entered the home and this is -- if
4 you need to take a look at the picture, go ahead and do
5 so. Did it appear to you from where the broken vase was
6 -- and you see that against the wall there, right, sir?

7 A Can you point it out to me, sir? These pictures are
8 kind of hard to see. It was kind of dark in the house.

9 Q I understand. Well, do you remember the area that
10 the broken vase was in even if you can't see it here?

11 A There was some glass in the hallway for sure I know.

12 Q Okay.

13 A In fact, if I remember correctly, most of the glass
14 was in the hallway.

15 Q All right. Did it appear to you that Mr. Solomon had
16 crawled away from where the vase was broken?

17 A What I saw in the hallway, the amount of blood in the
18 hallway and the blood that was from the hallway into where
19 he was found, where there was more blood, it was easy for
20 me to deduce that he had crawled from one area to another,
21 yes, sir.

22 Q Yes, sir. Did you ever see an unconscious man be
23 able to crawl?

24 A Personally I have not, no.

25 Q Now, sir, we also find eventually in the course of

1 the investigation some type of fingerprint of Brandon
2 Burton; is that correct?

3 A Correct.

4 Q And did you -- that was found on the inside front
5 door?

6 A That's correct.

7 Q Did you attempt to locate or investigate anything
8 with Brandon Burton -- I'm sorry. Excuse me. I think it
9 might be Burden. I think I might be mispronouncing it?

10 A Burden, B-U-R-D-E-N.

11 Q Yes, sir.

12 A I had done some checking on Mr. Burden. One of the
13 things I checked was to see whether or not he was on
14 probation. Turned out he was. I made contact with the
15 department of probation, and it was -- I learned that he
16 was actually supposed to be at a school bus maintenance
17 shop on Rabbit Run doing some community service. I think
18 it was actually his first day.

19 He had cut out early on his first day of community
20 service. I went to go locate him. He had already left.
21 I was able to get a phone number number from the probation
22 officer. I called, introduced myself as Investigator
23 Johnson.

24 Q Did your investigation take you anywhere else with
25 Mr. Burden?

1 A Do you mean the conversation?

2 Q Did you speak with Brandon Burden?

3 A Yes. As I just mentioned, I spoke to him on the
4 phone. I called him, got his phone number and explained
5 to him that I was Investigator Johnson, yes.

6 Q And were you able to gather any information from that
7 conversation?

8 A None whatever, he didn't want to talk.

9 Q Okay. Now, sir, just to make sure that we're clear,
10 the dates we're working with -- we've got a lot of
11 numerical dates, so let's use weekdays if we can. What
12 day of the week did your investigation began? When were
13 y'all called to the scene?

14 A I'm pretty sure that was a Monday on the 27th of
15 January 2014.

16 Q All right. And throughout the course of the
17 investigation, I think it's safe to say, and tell me if
18 I'm wrong, that we believe that this happened on Friday?

19 A We know that he was last seen on Friday. He was
20 found on a Monday. Based on some other factors, it was
21 likely on a Friday.

22 Q Now, between the time that he died, assume that would
23 be a Friday, until the time that y'all get there on
24 Monday, we would consider that an unsecured scene from a
25 law enforcement perspective, correct?

1 A There was not a police officer standing by. I'm not
2 really sure what you mean by an unsecured scene. There
3 was no -- I mean, I'm not sure what you're asking.

4 Q What I'm asking is if anybody were to perhaps come or
5 go from the residence say Friday night, Saturday or
6 Sunday, law enforcement wouldn't have any information or
7 knowledge or way to account for that?

8 A That's correct, we would not, no.

9 Q Now, sir, throughout the course of your
10 investigation, you also determined that Mr. Solomon
11 engaged, at least, somewhat in drugs and prostitution; is
12 that correct?

13 A That was information that we got from his nephew.

14 Q All right. Did you have any reason to doubt that
15 finding of information?

16 A Not based on -- no. The answer is no.

17 Q Now, sir, how long have you been -- and I know that
18 you went over this in the beginning, so I apologize. I'm
19 asking you the question again, but how long have you been
20 investigating violent crimes, murders?

21 A I've been an investigator for more than five years --
22 well, I've been investigating even as a first responder
23 for over -- March will be 30 years. As an investigator, a
24 homicide investigator, a couple of years now.

25 Q Sir, in your experience, is it a common fact or a

1 common situation where someone would use vase full of
2 urine as a weapon?

3 A I've seen all kinds of weapons.

4 Q I'm asking you about --

5 A There's really no definition of a weapon. Whatever
6 can be used to take someone's life. Obviously, in this
7 case, a vase is what can be used as a weapon.

8 Q Well, sir, I'm asking you about this type of weapon,
9 have you ever seen this type of object, a vase full of
10 urine be used as a weapon in other different cases that
11 you've investigated?

12 A We describe weapons as blunt objects. I've seen
13 blunt objects used many times. Have I ever worked a case
14 where a vase filled with urine has been used, no, but
15 blunt objects where someone was beat to death, numerous
16 times, yes.

17 Q Now, we've heard and you're familiar with some of the
18 DNA evidence?

19 A Correct.

20 Q And some of the forensic evidence involved in this
21 case, sir?

22 A Yes.

23 Q We've heard that there is some type of palm print on
24 this vase that's attributed to Ms. Thompson; is that
25 correct?

1 A That is correct.

2 Q Is there any DNA physical evidence linking Holly,
3 Ms. Thompson, to any other object, weapon or anything else
4 in the house?

5 A Not that I recall. The DNA on the knife, of course,
6 was the victim's and, of course, the palm print was on the
7 vase that was used to kill Mr. Solomon. No, sir to answer
8 your question.

9 Q And you only collected that one knife in the bedroom;
10 is that right, sir?

11 A I believe that's correct.

12 Q And y'all did no testing for urine or anything in
13 this case?

14 A Not that I'm aware of.

15 Q Now, sir, I'm not going to ask you to stand down. I
16 think I might be able to do it the same way Ms. Campbell
17 did. You're familiar with this area, Padgett Road?

18 A Very, yes.

19 Q Before looking at this map, could you point out
20 again -- I'm trying to figure it out myself.

21 Mr. Richardson lived in this area; is that right?

22 A Mr. Richardson, yes. They lived at the corner of
23 Padgett and Lower Richland Boulevard.

24 Q And Mr. Solomon lived more to the south here right,
25 sir?

1 A Correct. As you can see, it's marked there as [REDACTED]
2 Lower Richland Boulevard.

3 Q Right. Now, if you took Padgett or what later turns
4 into Trotter Road, would that eventually get you up to
5 Leesburg?

6 A Trotter ends up into Leesburg, also, as well as Lower
7 Richland Boulevard. They both dead end into Leesburg.

8 Q Either way, if you're at Mr. Richardson's house and
9 you're going toward Leesburg, you're essentially moving
10 away from Mr. Solomon's house?

11 A Say that again.

12 Q If you're at Mr. Richardson's house and you're headed
13 towards Leesburg, whether it be on Padgett and Trotter or
14 whether it be continuing on Lower Richland, you're going
15 towards Leesburg, that is putting more distance in between
16 yourself and Mr. Solomon's house?

17 A Correct.

18 Q Is that right? Now, we spoke earlier and I asked you
19 earlier about the scene being unsecured from a law
20 enforcement perspective from that Friday until y'all were
21 called that Monday afternoon, right, sir?

22 A That's correct.

23 Q A conclusion that can be taken from that is that law
24 enforcement, at least, through the course of the
25 investigation and what y'all were able to find has no idea

1 what occurred in that house between that Friday and that
2 Monday?

3 A Between that Friday and that Monday, we would have no
4 way of knowing what occurred in that house.

5 MR. BANK: Beg the Court's indulgence.

6 BY MR. BANK:

7 Q All right. Sir, very briefly and we'll be finished.
8 When y'all did the search warrant of Mr. Richardson's
9 house -- which she also gave consent for you to search as
10 well, right, sir?

11 A Correct.

12 Q Not only did y'all find Holly's shoes with her own
13 blood on them; is that correct?

14 A That's correct.

15 Q Right, did you find a wallet belonging to
16 Mr. Solomon?

17 A We did not.

18 Q Did you find any item belonging to Mr. Solomon?

19 A We did not.

20 MR. BANK: Thank you, sir. No further questions.

21 MS. CAMPBELL: Briefly.

22 THE COURT: (Nods in the affirmative.)

23 REDIRECT EXAMINATION

24 BY MS. CAMPBELL:

25 Q And by the time y'all searched, how many days had

1 elapsed since the attack?

2 A Well, we know that he was seen that Friday morning,
3 so the rest of that day Friday, Saturday, Sunday and
4 Monday when we found Mr. Solomon, and then Tuesday, which
5 was the day that we did the search warrant. So that many
6 days had elapsed.

7 Q In your experience as an investigator for whatever
8 crime, is it usual for people to get rid of the evidence
9 prior to the police finding it?

10 A Absolutely.

11 Q He asked you about you don't know what happened
12 between Friday and Monday when y'all found the body. Had
13 anyone called you to say they had bludgeoned some person
14 17 times in the head, would you have responded?

15 A Absolutely, we would have responded. We got no such
16 call.

17 Q He also asked you about going into the house the
18 afternoon and your observations. Did you go into the
19 house prior to crime scene doing their job?

20 A No.

21 Q So when you got in the house, had they already done
22 their job?

23 A Correct.

24 Q And had the body been moved?

25 A No, the body was still there when I went in the

1 house, yes.

2 Q But as far as the photographing and evidence
3 collection --

4 A All that -- most of that had been done, yes.

5 MS. CAMPBELL: I don't have anything further, Your
6 Honor.

7 MR. BANK: Nothing further.

8 THE COURT: Okay. Thank you, Investigator Johnson.

9 THE WITNESS: Thank you.

10 THE COURT: You may step down.

11 You may call your next witness.

12 MS. WALKER: Your Honor, at this time the State
13 rests.

14 THE COURT: Okay. Ladies and gentlemen, the State
15 has concluded its case. I have some matters of law which
16 I have to discuss with the parties. You are still not
17 allowed to discuss the case in any way, shape, or form.
18 Keep an open mind. We'll be back with you in just a few
19 moments. Thank you.

20 (Whereupon, the jury left the courtroom at 2:23
21 p.m.)

22 THE COURT: Okay. Motions?

23 MS. GOODE: Your Honor, at this time, Defense would
24 move the Court for a directed verdict. Taking the
25 evidence in the light most favorable to the State, I

1 believe that there has not been enough evidence -- they
2 failed to present enough evidence to convince a reasonable
3 juror of Ms. Thompson's guilt of murder beyond a
4 reasonable doubt.

5 Specifically, there's been no evidence presented for
6 the element of malice in this case. I would ask that Your
7 Honor direct a verdict in this case.

8 THE COURT: All right. Ms. Campbell.

9 MS. CAMPBELL: Your Honor, if you follow this
10 testimony alone, the types of injuries in this case are
11 more than adequate to prove malice.

12 In addition to that, the knife on -- the actual blade
13 of the knife was his blood. We feel like the crime scene
14 itself reeks of malice. He was left there to die and
15 bleed out in his own living room.

16 THE COURT: Okay. Your motion for a directed verdict
17 under Rule 19 is denied. I am to consider the existence
18 of the evidence and not the weight of the evidence. There
19 has been sufficient evidence shown by the State taken in
20 the light most favorable to the State considering the
21 existence of it and not the weight of it to meet the
22 elements of murder and therefore your motion for a
23 directed verdict is denied.

24 Okay.

25 MS. GOODE: We would just renew all objections and

1 motions.

2 THE COURT: Very well. Those are all noted for the
3 record. I'm ruling on them as the same for reasons as
4 I've stated before.

5 All right. Ms. Thompson, stand up. Raise your right
6 hand.

7 HOLLY JO THOMPSON, after being
8 duly sworn, testified as follows:

9 THE COURT: Okay. All right. Put your hand down.
10 What we have to do now is you and I have to have a
11 conversation, okay.

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Do you understand me, okay?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Have you understood me throughout this
16 trial when I speak?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: How far did you go in school?

19 THE DEFENDANT: I got my GED, sir.

20 THE COURT: Good. I remember you told me that
21 earlier in the week, I remember that now. And you're not
22 under the influence of any illegal alcohol or drugs; is
23 that correct?

24 THE DEFENDANT: No, sir.

25 THE COURT: Are you still on some mental health

1 medication?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Have you taken that correctly?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: As prescribed by a licensed medical
6 professional?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Does it help you or hurt your ability to
9 understand what's going on?

10 THE DEFENDANT: It helps.

11 THE COURT: Okay. Very well. And have you
12 understood your attorneys okay this week?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: What we have to talk about now is your
15 right to testify, okay. There's this script that I read
16 from. I want you to know if at any time you want to ask
17 me any questions, feel free to do so. Also, if you want
18 to stop and ask your attorneys any questions, I'll let you
19 do that, too.

20 You're not going to bother me or upset me. I want to
21 make sure and I want you to make sure you understand what
22 you're doing and that you had had enough time to discuss
23 with your attorneys, okay.

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Now, I don't need to know the substance

1 of the conversations, but have you and your attorneys
2 talked about your right to testify --

3 THE DEFENDANT: Yes, sir.

4 THE COURT: -- prior to right now?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: All right. Very good. At this time, I'm
7 going to explain to you some of your rights. If you do
8 not understand anything that I say, just let me know,
9 okay?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: If you want me to explain anything in
12 more detail, just let me know that, too, okay?

13 THE CLERK: Yes, sir.

14 THE COURT: Do you understand everything I've said so
15 far?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: We now have reached the stage of the
18 trial where you may present your own defense. You have
19 the right to claim the protections given to you by the 5th
20 amendment to the constitution of the United States. And
21 this amendment states in part that no person shall be
22 compelled in any criminal case to be a witness against
23 himself.

24 This means that you cannot be required to testify in
25 this case. You have the right to testify on your own

1 behalf; however, no one can make you testify. This is a
2 personal right and no one else can waive this right except
3 you.

4 If you decide to testify, you will be subject to the
5 same rules that govern other witnesses and you may be
6 examined or cross-examined on any relevant issue in the
7 case. In addition, if you have any convictions that
8 involve dishonesty or false statements or for crimes
9 punishable by imprisonment for more than one year and I
10 determine that the probative value of admitting this
11 evidence outweighs its prejudicial effect to you, the
12 solicitor will be able to introduce your record to attack
13 your credibility.

14 If you decide to testify, this decision on your part
15 must be made freely, voluntarily and intelligently with
16 the knowledge of the protections given to you by the 5th
17 amendment and the consequences of your decision to
18 testify.

19 If you decide not to testify, I will tell the jury
20 that they cannot give the fact that you did not testify
21 any consideration whatsoever, and that there is to be
22 absolutely no prejudice to you because you did not
23 testify.

24 It is left entirely up to you whether or not you
25 testify. You may talk about it with your attorneys, your

1 family or anyone else, but the final decision is yours and
2 yours alone.

3 Do you understand what I've explained to you?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Okay. Do you have any questions about
6 what I've explained to you?

7 THE DEFENDANT: No, sir.

8 THE COURT: Okay. And have you discussed this with
9 your lawyers as to whether or not you should testify?

10 THE DEFENDANT: We have discussed it.

11 THE COURT: And do you wish to talk any more with
12 them at this time?

13 (Pause.)

14 THE DEFENDANT: Very briefly just a moment, sir.

15 THE COURT: All right. I'm going to let y'all talk.
16 We're going to take a short little break, not long.

17 Just give a sign to one of the bailiffs or Ms. Pat
18 when y'all are ready and we'll come back in.

19 Now, listen, you're not limited on time, okay. So I
20 don't want you to feel like -- you said brief, that's why
21 I said brief. If you need to take longer than that,
22 that's okay, too. Just let me know when you're ready,
23 okay?

24 THE DEFENDANT: Thank you, sir.

25 THE COURT: You're welcome.

1 We'll be in recess until they're ready.

2 (WHEREUPON, a short break was taken.)

3 THE COURT: Okay. Ms. Thompson, you're still under
4 oath, do you understand that?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Did you have enough time to talk with
7 your attorney?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Do you need any more time to talk to
10 them?

11 THE DEFENDANT: No, sir.

12 THE COURT: Do you wish to testify or not?

13 MS. CAMPBELL: Yes, sir.

14 THE COURT: What's her criminal history?

15 MS. WALKER: Your Honor, in the last 10 years, as far
16 as things that we think are admissible, she has from 2008,
17 a breach of trust conviction that's over -- I guess it
18 would be over 2,000. It looks like it's a five-year
19 maximum. Then in 2010, she has a burglary, grand larceny,
20 but to be safe, we would just be offering the grand
21 larceny.

22 THE COURT: Okay.

23 MS. CAMPBELL: And then another breach of trust.
24 In 2013, a shoplifting and a second shoplifting. That
25 would be the extent of what we intend to offer.

1 THE COURT: So in 2013, there's a breach of trust and
2 two shopliftings.

3 MS. CAMPBELL: The second breach of trust, Your
4 Honor, I believe from 2010.

5 THE COURT: 2010.

6 MS. CAMPBELL: And the grand larceny and breach of
7 trust from 2010.

8 THE COURT: Okay.

9 MS. CAMPBELL: And the two shopliftings are from '13.

10 THE COURT: Okay.

11 MR. BANK: Just to make sure I'm clear, the grand
12 larceny, the breach of trust, 2010, and the shoplifting
13 2013?

14 MS. CAMPBELL: The first breach of trust is 2008, but
15 that's all within the last 10 years that we think is
16 admissible.

17 THE COURT: Okay.

18 MS. CAMPBELL: For impeachment.

19 THE COURT: Do you understand that?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Okay. Thank you very much.

22 Mr. Bank, are you standing up to say something?

23 MR. BANK: Yes, sir, just for -- kind of time keeping
24 for Ms. Thompson, I believe on our witness list we had
25 Moses Warren and Michael Richardson, they both obviously

1 have been called. Thus far, we haven't had any need to
2 call our investigator. Ms. Thompson indicated she wishes
3 to testify. And we would also be calling Mr. Tim Grambow.
4 He works for SLED.

5 THE COURT: Okay.

6 MR. BANK: He actually did the toxicology in this
7 case on Mr. Solomon. He is under State subpoena and he is
8 under our subpoena as well.

9 THE COURT: Okay.

10 MR. BANK: I've spoken with him twice now, I believe.
11 When I spoke with him earlier this week, he wasn't sure if
12 the State was going to call him. He told us if we needed
13 him to just try to give him a couple hours notice. I
14 guess my question is --

15 THE COURT: Cut to the case.

16 MR. BANK: I really have no idea how long her
17 testimony is going to be. Is it all right if we plan for
18 him being here first thing in the morning and then go into
19 closings and charge?

20 THE COURT: There's no reason he can't go today.

21 MS. CAMPBELL: Luckily, I talked to him a little
22 while ago, Your Honor, and he's available.

23 MR. BANK: That's fine.

24 MS. CAMPBELL: I'll get him here.

25 THE COURT: Let's just get him here. I mean, unless

1 -- I mean, is he a toxicologist?

2 MS. CAMPBELL: He's a toxicologist.

3 MR. BAILEY: It should not be long.

4 THE COURT: I'm not trying to rush anybody, but if
5 he's available and he's not working a crime scene or
6 something.

7 MS. CAMPBELL: I talked to him over lunch. He's
8 available.

9 THE COURT: Let's go ahead and get him up here. He
10 can wait for a little bit without too much distress.

11 MR. BANK: Okay. And the second brief issue I had is
12 Ms. Thompson is obviously in leg chains right now.

13 THE COURT: Yeah, I'm going to take those things off
14 her.

15 MR. BANK: We would ask that she be allowed to walk
16 up here. I might have her come up and stand --

17 THE COURT: That's fine.

18 You can take those off of her for the purposes of her
19 testimony.

20 She has appeared before the Court and been very
21 respectful and her behavior has been very appropriate for
22 courtroom demeanor this week. I'll allow those security-
23 chains to come off of her for purposes of her testimony.

24 MS. CAMPBELL: Judge, we would ask is it okay if the
25 deputy sits closer to her?

1 THE COURT: Yes, we'll keep somebody close to her.

2 MS. CAMPBELL: Or just stay up near the wall.

3 THE COURT: She hasn't done anything crazy this week
4 that would lead me to believe she would do anything out of
5 order now, so I will allow that.

6 So we have somebody calling the SLED guy?

7 MS. CAMPBELL: Yes, Your Honor.

8 THE COURT: Okay. Great.

9 Okay, let's bring them in.

10 You rested on the record, right?

11 MS. WALKER: Yes, Your Honor.

12 THE COURT: All right. I'm trying to remember.

13 (Whereupon, the jury entered the courtroom at
14 2:45 p.m.)

15 THE BAILIFF: The jury is seated, Your Honor.

16 THE COURT: Thank you very much. Welcome back,
17 ladies and gentlemen. When we took a break, the State had
18 rested its case. The Defense now has an opportunity to
19 present a case if they want to. They do not have to
20 because as I told you before, the burden of proof lies
21 upon the State in this case. That burden of proof is
22 beyond a reasonable doubt. The Defense may if they choose
23 present a case, but they do not have to.

24 All right. Mr. Bank, do you wish to call any
25 witnesses?

1 MR. BANK: We do. The Defense calls Holly Jo
2 Thompson.

3 THE COURT: All right. Thank you, Ms. Thompson,
4 please come up, be sworn.

5 HOLLEY JO THOMPSON, after being
6 duly sworn, testified as follows:

7 THE CLERK: Thank you. Please have a seat in the
8 witness stand and state your name for the record.

9 THE WITNESS: My name is Holly Jo Thompson.

10 THE COURT: Okay. You've got to get a little closer
11 to that microphone, okay?

12 THE WITNESS: Better?

13 THE COURT: One of the witnesses earlier was really
14 loud and I turned it down a little. Let me -- I'm going
15 to turn you up a little bit, okay. Thank you, Ms.
16 Thompson.

17 I apologize for interrupting you, Mr. Bank.

18 DIRECT EXAMINATION

19 BY MR. BANK:

20 Q Ms. Thompson, can you introduce yourself to the jury,
21 tell them where you're from, where you were born?

22 A I'm Holly Thompson. I was born June 23rd, 1973 to
23 two parents. One was in the military and one was an unfit
24 mother. And I was --

25 Q I'm going to stop you. If you could have that .

1 microphone moved a little closer to you.

2 A Better?

3 Q That's good. Are you nervous, Ms. Thompson?

4 A Yes, very.

5 Q All right. Go ahead. I didn't mean to interrupt
6 you.

7 A My grandfather got custody of me because my dad
8 couldn't keep me because of military. He was the only one
9 trying to take care of me, so he couldn't do that and my
10 grandparents got custody of me at that time.

11 At seven, my dad come back into my life and took
12 custody over. That's when a lot of --

13 Q I'm going to slow you down. Where were you living at
14 this time? You said you lived with your grandparents and
15 your father came back?

16 A I lived in Lyons, Indiana.

17 Q Lyons, Indiana?

18 A Yes, sir.

19 Q Okay. Ms. Thompson, I can already tell that you're
20 wanting to say a lot. Let me just try to ask you a simple
21 way. Would you say -- what type of stability or lack
22 thereof did you have in your childhood?

23 A With my grandparents, I had all the stability of any
24 child. I had a grandmother and a grandfather that I
25 looked to for guidance, for growth. And when I got with

1 my dad, it was totally different. There was no love
2 there, so to speak.

3 Q Ms. Thompson, how many places would you say you lived
4 during the course of your childhood? How many different
5 households?

6 A I have lived in probably over 20 different
7 households.

8 Q Now, Ms. Thompson, you've heard -- you've been
9 sitting here in trial every day?

10 A Yes, sir.

11 Q Since we started; is that right?

12 A Yes, sir.

13 Q There's been some conversation about drug use; is
14 that right?

15 A Yes, sir.

16 Q Have you done drugs in your past, Ms. Thompson?

17 A Yes, at 11 years old, 11 years old, I was a full
18 blooded alcoholic and a drug addict.

19 Q Eleven years old. Did that affect your youth or your
20 education in any way?

21 A It affected me in so many ways. I actually got in
22 trouble in school and at 17, I dropped out of school. I
23 joined the military and dropped out of school.

24 Q All right. So let's start with 17, 18 years old,
25 what did you do as a young adult?

1 A I was -- I went to school, but then I wanted to do
2 the military. And I was living with my grandparents at
3 the time, and they got -- they helped me going through the
4 process of the military. And I found out where my real
5 mother was, and I ran away from home, so to speak, to go
6 live with her in Kansas where she was with my high school
7 sweetheart. Things weren't good there. They were really
8 bad.

9 Q Now, how did you get down to South Carolina?

10 A When I joined the military at 17, they had sent me to
11 Fort Jackson to do my basic and my AIT training.

12 Q So you came to Columbia, South Carolina because of
13 Fort Jackson?

14 A Yes, sir.

15 Q Now, how long were you in the military at Fort
16 Jackson?

17 A I was only in the military six months.

18 Q And we don't need all the details. What was the
19 general reason that it was such a short period? What was
20 your discharge?

21 A It was a general discharge, uncharacterized medical.

22 Q Was it your plan for your military career to be that
23 short?

24 A No, sir, it wasn't.

25 Q Now, after that discharge, did you stay in South

1 Carolina?

2 A I went back to Kansas briefly to turn my uniforms in,
3 and then I come right back to Columbia.

4 Q Now, Ms. Thompson, did you ever end up -- when you
5 came back, did you settle into Columbia? Did you settle
6 into Columbia?

7 A Yes, I made Columbia my home. I met my children's
8 father.

9 Q What was his name?

10 A His name is John Brisby.

11 Q John Brisby?

12 A Uh-huh.

13 Q Did you have any kids?

14 A We had three.

15 Q Is he the only person that you had any children with?

16 A Yes.

17 Q What are the names of your children?

18 A I have John, I have Ernest, and I have Cheyenne.

19 Q How old are they?

20 A Twenty-three, 21 and 18.

21 Q Ms. Thompson, do you love your kids?

22 A I love them to death.

23 Q Now, did you stay in your relationship with John
24 forever?

25 A No. He and I only stayed together six-and-a-half

1 years.

2 Q When you left, did the kids come with you?

3 A No. I didn't have a place to go, actually. I was
4 from pillar to post, so to speak. So my kids had water,
5 they had lights, they had a roof over their head. They
6 had what they needed with their father.

7 Q And about what year was that when you left John?

8 A February of '98.

9 Q Ninety-eight. All right. Was the next kind of phase
10 of your life pretty much the phase of your life you're in
11 going into 2014?

12 A In 1998, I got back on drugs real bad, and I started
13 prostituting.

14 Q Was that the first time in your life that you had
15 ever prostituted?

16 A No. I had done it as a teenager as well.

17 Q What type of drugs were the most common that you
18 would use during this time?

19 A Crack cocaine, powder cocaine, marijuana and alcohol.

20 Q And what were the type of people you were hanging out
21 with in the late 90's, 2000's?

22 A Very different people than most people do, street
23 people, people with records, people like me, so to speak.

24 Q Now, Ms. Thompson, during this time, actually, going
25 into the mid to late 2000's, you actually have some

1 criminal convictions, don't you?

2 A Yes, sir, I do.

3 Q I believe it's a 2008 breach of trust conviction?

4 A Yes, sir.

5 Q And then in 2010, there's a grand larceny and another
6 breach of trust?

7 A Yes, sir.

8 Q And a couple of shopliftings in 2013?

9 A Yes, sir.

10 Q Ms. Thompson, are you proud of those convictions?

11 A No, I'm not.

12 Q Are you proud of that lifestyle?

13 A No.

14 Q Now, during this time, was there any man in
15 particular that you got to know real well?

16 A I got to know Mike Richardson and Moses Warren very
17 well.

18 Q Were they both here earlier today?

19 A Yes, sir, they were.

20 Q When's the last time that you physically have seen
21 Mike or Moses?

22 A It's been two years and a month since I've seen Mike
23 and it's been since May of 2014 that I've seen Moses.

24 Q What's significant about two years and one month?

25 A That's how long I've been locked up.

1 Q That's when you were arrested for what we've been
2 talking about all week?

3 A Yes, sir. Yes, sir.

4 Q Now, Ms. Thompson, I'm going to be very careful with
5 this question. I was raised in a house full of women, mom
6 and a whole a bunch of sisters. Do you look different
7 today than you looked during this time of your life going
8 into 2014?

9 A Yes, sir, I do. I weighed -- I weighed -- my
10 paperwork said 136 pounds when I was arrested to
11 218 pounds, which I weigh now, a total of 83 pounds in two
12 years and one month.

13 Q So you've gained some weight, Ms. Thompson?

14 A Yes, sir.

15 Q What do you think that's attributed to?

16 A Not doing drugs, eating, resting.

17 Q Living a healthy lifestyle, I should say?

18 A Yes, sir.

19 Q Now, Ms. Thompson, do you ever remember meeting a
20 James Solomon?

21 A Yes, sir.

22 Q And can you tell the jury how you met Mr. Solomon?

23 A I met -- I met James through Amy Norris.

24 Q And I don't want to interrupt you, but is Amy Norris,
25 is that the young lady that was here earlier today?

1 A Yes, sir.

2 Q And I'm sorry, continue. When did you meet?

3 A I met him in March or April of 2013. Amy and I had
4 been hanging out, and we had turned a trick, had sex for
5 drugs.

6 Q Ms. Thompson, is that what that means? Can you
7 explain what trick means?

8 A Trick is a term used for men who pick up women off
9 the streets and have sex with them, oral sex, vaginal sex,
10 anal sex, whatever kind of sex that they want and they pay
11 for it.

12 Q And how do they pay for it, Ms. Thompson?

13 A They pay money or they pay drugs.

14 Q I'm just getting some water. If you need any water,
15 please just let me know, okay?

16 A Yes, sir.

17 Q Now, you said something about March of 2013 is when
18 you believe --

19 A Yes, sir.

20 Q -- you met him; is that correct?

21 A Yes, sir.

22 Q So approximately how long had you known Mr. Solomon
23 between when you met him and between when this incident
24 happened?

25 A About nine months.

1 Q About nine months?

2 A Nine months to a year.

3 Q And can you tell me and tell the jury a little about
4 who Mr. Solomon was? What did he do for a living? What
5 was he like?

6 A Mr. James was a -- he built grills. And that's how I
7 knew him, as the Grill Man. I also called him Mr. James.
8 He was one of my clients, so to speak, that when he wanted
9 sex or wanted someone to get high with him, he would call
10 on me to come to his house and fulfill obligations.

11 Q Now, we've heard a few times, I think mostly family
12 members have used the nickname Boo Boo. Have you ever --
13 had you ever heard that nickname for him prior to your
14 arrest?

15 A No, sir.

16 Q What was Mr. Solomon's physical characteristics?

17 A He was kind of a big man, very strong, it seemed, you
18 know. He was -- he was a good guy. He really was.

19 Q Did you guys see each other regularly or did you just
20 meet that one time in March?

21 A No. I was going to his house sometimes two and three
22 times a week. He would get messages to me or call Mike,
23 tell Mike to send me to his house. Sometimes it would be
24 three times. Sometimes it would be twice a week.
25 Sometimes it would be once a week. You know, it just

1 depended on him.

2 Q Is that how he would typically do it, he would get a
3 message to you, you said?

4 A Yes, sir.

5 Q Now, Holly, do you remember the night we've been
6 talking about this week?

7 A Yes, sir, I do.

8 Q Do you remember if it was a Thursday, Friday,
9 Saturday?

10 A A Friday.

11 Q A Friday?

12 A Yes, sir.

13 Q Now, could you tell the jury how it came to be that
14 you saw Mr. Solomon?

15 A I was given a message that James wanted me to come to
16 his house.

17 Q What you just said was fairly typical?

18 A Yeah, so it was normal for me to go down, walk a
19 quarter mile and spend time with him.

20 Q Where were you walking from, Ms. Thompson?

21 A I was walking from [REDACTED] Lower Richland Boulevard to
22 his address.

23 Q What address did you just say? Whose house was that?

24 A That's Mike's house.

25 Q Mike?

1 A Mike Richardson, yes.

2 Q Did you also stay there?

3 A Yes.

4 Q While you were going there or walking there, what
5 were you wearing that day? What did you have on you?

6 A I had on my gray New Balance tennis shoes. I had on
7 my Mudd jeans and I had on my tank top that had a built-in
8 bra in it and I had my bra underneath it and my McDonald's
9 jacket.

10 Q Have you seen a couple of those items out here?

11 A Yes, sir.

12 Q This was January, right?

13 A Yes, sir.

14 Q Do you remember the temperature? Not the exact
15 temperature.

16 A It was cold.

17 Q It was cold. Now, when you got to Mr. Solomon's
18 house, did you typically go through the front, the back?
19 Did he meet you outside? What would you do when you got
20 to his house?

21 A I went through the front door. He had a big dog in
22 the backyard and I wasn't messing with that dog, so I
23 always used the front door.

24 Q You always used the front door so you wouldn't mess
25 with that dog?

1 A Yes, sir.

2 Q And when you get there, is the door typically locked
3 or unlocked? Do you have to knock?

4 A It's locked and I have to knock.

5 Q Hue does the lock on that front door work, do you
6 remember?

7 A You can keep it -- it will open from the inside
8 without having to turn the lock, if my memory serves me
9 correctly. When you shut it, it will be locked if the
10 little lock knob hasn't been turned.

11 Q Are you saying that it would be locked on the
12 outside?

13 A Yeah.

14 Q But open on the inside?

15 A Yeah.

16 Q Now, once you got inside -- did he open the door for
17 you?

18 A Yes, sir.

19 Q And you went inside?

20 A Yes, sir.

21 Q Tell me what happened from there.

22 A I got in the house. It was very hot. He had on his
23 shorts and his t-shirt, which was mostly normal because he
24 kept his house so hot. I took my jacket off, took my
25 shoes off, talked to him for a minute. We got to

1 conversating a little bit. I ended up taking the rest of
2 my clothes off.

3 Q Ms. Thompson, do you remember what his demeanor was
4 that evening?

5 A He was a little funny acting. I hadn't never seen
6 him like that. I thought maybe he had been drinking or
7 something from the way he was acting.

8 Q Now, did y'all engage in any drug use or
9 prostitution?

10 A Yes, both.

11 Q Tell me about that.

12 A He had some crack, and he hit a piece. I hit a
13 piece. I had a stem. He didn't have one before I got
14 there, so he wanted to use mine, which I always took it
15 with me because I knew if he had crack, you know, he would
16 want to smoke it probably on mine, so I had my crack stem
17 --

18 Q And I'm sorry again, but there's some words that
19 you're using, I don't know if everybody is familiar with.
20 You said a crack stem?

21 A It's a metal or a glass pipe with Chore Boy scouring
22 pads that you put the crack on and you light it with a
23 lighter and you smoke it.

24 Q Is is something that's small or big?

25 A It can be either.

1 Q What was the size of the one you had?

2 A Mine was small.

3 Q Okay. All right. Now, I believe I cut you off,
4 Ms. Thompson. You said that y'all were using your stem?

5 A We were using my stem. James just didn't -- he just
6 didn't seem right. Something just wasn't clicking with
7 me, and I didn't understand what it was. And -- oh, Lord.

8 Q It's okay. Slow down, take a breath. Are you all
9 right, Ms. Thompson?

10 A Yeah. He -- he was smoking more dope than I was, but
11 we -- I got over that because crack is not a big deal to
12 me. I got it all the time, so it wasn't a real big deal
13 with me.

14 So he -- I went -- I got up and went to the bathroom,
15 and someone come to the door -- he opened the front door
16 for some reason when I went in the bathroom. And when I
17 come out, I sat back down on the couch.

18 He never said anything, who it was or whatever, and
19 he hit some more dope. I tried to give him an erection.
20 It wouldn't work, so we smoked more dope. We just kept
21 trying and trying and trying to smoke dope and to have
22 sexual relations, which never happened, and he got angry
23 about that.

24 Q He got angry about what?

25 A That he couldn't perform, that he couldn't get an

1 erection.

2 Q Now, tonight, this night isn't the first time that
3 y'all had some type of sexual relations before, right?

4 A No.

5 Q Had that ever been an issue or a problem before?

6 A Never.

7 Q And how was he acting, did that make him act in any
8 way?

9 A He was getting angry and -- I don't know, he just
10 wasn't James.

11 Q Do you know if anybody else ever came into the house
12 that evening while you were there?

13 A A dope dealer come by house, someone who sells crack
14 cocaine come to the house that night. And he had me go in
15 a little room, a small bedroom off the living room, so I
16 didn't see the drug dealer and the drug dealer didn't see
17 me.

18 Q Did that seem unusual that he would have you go to
19 the bedroom?

20 A Yeah, because he had never done that before.

21 Q Now, Ms. Thompson, did you stay there all night or
22 was there a point that you decided to leave?

23 A No, sir. James and I had -- after the dope dealer
24 came, James and I went to the back bedroom, tried oral sex
25 again, tried vaginal sex. It just wouldn't work. So I

1 went to the living room and started putting my clothes on.
2 I had my jeans on, had my tennis shoes on. And when I was
3 putting my tennis shoes on, James started talking about,
4 Bitch, give me my money back or give me my crack back.
5 I'm going to shoot you, all kinds of craziness. And he
6 just kept repeating it.

7 He had a knife that he was cutting the crack with
8 because crack is hard. You have to have a hard surface to
9 cut it, something like a knife to cut it with. And he
10 started swinging the knife. And when he swung it the
11 first time, he caught my hand, my right hand, where I was
12 trying to jump out of the way of it. Well, I come around
13 the table --

14 Q What room are you in?

15 A We're in the living room.

16 Q Okay.

17 A I come around the coffee table and the only thing I
18 see I can protect myself with is a glass vase, and the
19 vase is full of pee.

20 Q The vase is full of pee?

21 A Yes.

22 Q Explain to me where this vase is again.

23 A There's a little cabinet that sits at the end of the
24 bar in the kitchen.

25 Q All right. And you say that it was filled with pee?

1 A Yes, sir.

2 Q Do you know whose pee it was?

3 A James.

4 Q How do you know that it was his?

5 A He had told me earlier in the night that it --
6 because I asked him about the vase. It was a pretty vase.
7 And I couldn't figure out what was in it. He said that
8 was urine. I said, Why did you pee in your vase? He said
9 because he didn't want to go to the bathroom.

10 Q Now, is that typical?

11 A No.

12 Q You said that you grabbed the vase after he swung the
13 knife at you; is that right?

14 A Yes, sir.

15 Q And what happened after you grabbed the vase?

16 A I turned it upside down and urine went all over my
17 pant leg. I swung the vase at him, and he swung at me
18 again. The next thing I know, we're fighting with a vase
19 and a knife.

20 Q Now, Ms. Thompson, what I'm going to do --

21 MR. BANK: Your Honor, can I have her step down?

22 THE COURT: Sure.

23 BY MR. BANK:

24 Q I'm going to show you a chart and ask you if it's
25 familiar to you, okay?

1 A Okay.

2 MR. BANK: Just for the record, this is State's
3 Exhibit 185.

4 BY MR. BANK:

5 Q If you could come on this side, Ms. Thompson.

6 THE DEPUTY: Right there.

7 BY MR. BANK:

8 Q Does this drawing look familiar to you, Ms. Thompson?

9 A Yes, that is James's trailer.

10 Q James's trailer?

11 A Yes, sir.

12 Q I'm going to give you this, okay. I just want you to
13 point where I tell you -- where I'm -- I'm going to ask
14 you where something is and you point to where it is, all
15 right?

16 A Okay.

17 Q Where is the kitchen?

18 A The kitchen is here.

19 Q Where's the front door?

20 A Front door is here.

21 Q All right. And what room is that?

22 A That's the living room.

23 Q And where is the hallway we keep hearing about?

24 A This is the hallway.

25 Q All right. And the guest room?

1 A This room.

2 Q The bathroom?

3 A The bathroom.

4 Q And then the room that James sleeps in?

5 A (Indicating).

6 Q Excuse me, Mr. Solomon?

7 A Right there.

8 Q Is there a back door?

9 A Yes, it's here.

10 Q Where would that dog usually be?

11 A He was out here somewhere. I never seen him. I
12 didn't look at that dog. I was scared of him.

13 Q Now, can you point to where -- at the time you
14 grabbed the vase, I want you to one --

15 THE COURT: Okay. She's going to have to speak up
16 for me.

17 All right. Now, listen, Ms. Thompson, we all want to
18 be able to hear you, okay?

19 THE WITNESS: Okay.

20 THE COURT: Make sure you're projecting to where even
21 Mr. Dye there on the back row can hear you, okay?

22 THE WITNESS: Okay. I'm sorry, Your Honor.

23 THE COURT: I apologize for interrupting, Mr. Bank.

24 MR. BANK: That's okay.

25 BY MR. BANK:

1 Q At the time that you grabbed the vase, where was
2 Mr. Solomon?

3 A He was on -- coming around the end of the coffee
4 table that was sitting here.

5 Q All right. Where was the vase located?

6 A The vase was located here at the end of the bar.

7 Q All right.

8 A Right there.

9 Q When you picked up the vase, what was his reaction?

10 A He just kept saying, Bitch, I'm going to kill you.
11 Bitch, I'm going to shoot you. Give me my crack back.
12 And just craziness.

13 Q Now, did you have all your clothes at this point?

14 A No.

15 Q All right.

16 A I had my jeans and my shoes on, but I didn't have my
17 shirt, my bra or my jacket.

18 Q Where were those located?

19 A At the end of the couch that was here.

20 Q So at this point, what is your feeling?

21 A I'm scared.

22 Q What are you scared of, Ms. Thompson?

23 A I'm scared for my life.

24 Q At this point, has he made any contact with you with
25 the knife?

1 A Yes, he cut my hand in a couple of places.

2 Q Now, what happened? What did you after you grabbed
3 the vase?

4 A I went to try to get my clothes so I could get on
5 through and get my crack stem because I never left it
6 anywhere, and he dropped it in the floor. So when I bent
7 to pick it up, he swung and hit me in my left hand
8 bruising my left hand real bad.

9 Q Okay.

10 A Causing my knuckle to swell making it look like it
11 was broke.

12 Q What did you do?

13 A I swung vase back.

14 Q And where were you when this happened?

15 A We was right about here.

16 Q All right. Do you remember exactly how many times
17 that you hit him with the vase?

18 A No, sir, I don't.

19 Q Do you have an idea of how many times that you hit
20 him with the vase?

21 A Not -- I mean, I thought five or six, but it's...

22 Q Do you remember where you hit him with the vase on
23 his body?

24 A His face and his head.

25 Q When did you stop swinging the vase?

1 A We both fell. We lost momentum. He fell and I fell
2 on top of him.

3 Q What was going on with the vase at that point?

4 A The vase had broke.

5 Q All right. After that, what happened?

6 A I got up real quick, grabbed my clothes, went out the
7 front door. And his front porch door, the -- his glass
8 door, you had to lift it up to close it all the way. And
9 I couldn't get it lifted up and closed, so I just left it.
10 It probably came back open. But I went out the front.

11 Q Did you close the main door?

12 A Yes.

13 Q What was he doing as you were going out the front
14 door?

15 A He was getting up off the floor. He was on his hands
16 and knees getting up.

17 Q Was he saying anything?

18 A He was just, Give me my crack back. Bitch, I'm going
19 to kill you.

20 Q And at that point, that's when you ran out the front
21 door?

22 A Yes, sir.

23 Q Come have a seat back here.

24 A (The witness complied.)

25 Q Ms. Thompson, when you swung that yase, did you mean

1 to swing that vase to hit him?

2 A Yes, to protect myself.

3 Q Did you feel like you had any other option at that
4 point?

5 A No.

6 Q Did you feel that you did anything to cause his
7 aggression?

8 A No.

9 Q And when did you stop hitting him with the vase?

10 A When we both fell and the vase broke.

11 Q Now, we've heard some testimony that he's got some
12 injuries on the back of the head?

13 A Yes, sir.

14 Q Do you have any idea how those injuries got there if
15 you hit him in the face?

16 A It's possible I hit him in the back of the head with
17 that vase as well.

18 Q How was he coming -- was he coming at you at all?

19 A Yes, he did.

20 Q And how was his head situated when he was coming at
21 you?

22 A His head would be up. A couple times, he lowered his
23 head down, though, and that's when I hit him in the head.

24 Q Did you hit him anymore with anything after the vase
25 broke?

1 A No, sir. I was trying to get out of there.

2 Q Now, Ms. Thompson, did any of this fighting happen in
3 the bedroom?

4 A No.

5 Q Nothing in the back bedroom with any fighting?

6 A No, sir.

7 Q That's always been your position, hasn't it?

8 A Yes, sir.

9 Q Now, when you left, where did you go?

10 A I went back to Mike's house.

11 Q And how long were you there for?

12 A I got there before 12:00, and I didn't leave until
13 like 1:00 o'clock.

14 Q Why did you leave?

15 A Because of Mike, Mike Richardson, we had gotten into
16 an argument.

17 Q Was he upset about something?

18 A He was upset because I didn't have any crack, and I
19 didn't have any money for him. Mike Richardson was my
20 pimp, slash, boyfriend.

21 Q When you say you didn't get any money or crack, that
22 would be presumably from Mr. Solomon?

23 A Yes, sir.

24 Q Where did you go after Mike?

25 A I call Moses Warren on the phone, and he come and

1 picked me up.

2 Q And where did he pick you up?

3 A On Padgett Road.

4 Q Is that going towards Leesburg?

5 A Yes.

6 Q And when Moses picked you up, where did you and Moses
7 go?

8 A Back to Moses's house.

9 Q And what did you do at Moses's house?

10 A I took a shower and put my night clothes on and got
11 in the bed.

12 Q Now, either Mike or Moses, did you tell them that
13 anything had happened that night?

14 A The only thing I told either one of them was that I
15 had been in a fight. That's all I said.

16 Q No more details beyond that?

17 A No, sir.

18 Q At this point, did you think Mr. Solomon was dead or
19 alive?

20 A I didn't know.

21 Q Ms. Thompson, on that night, did you call 911?

22 A No, sir.

23 Q Tell me why -- tell the jury why you didn't call 911?

24 A Being a prostitute and a known crack addict, the
25 police don't look too kindly on either one. I have had

1 instances where I have called the police before, and they
2 get out to take my statement or whatever and they'll say
3 well, just let it go. They don't believe the story. They
4 don't want to hear it. It's just unfathomable to them
5 that a female could be a prostitute and a drug addict.

6 Q Now, Ms. Thompson, that's a Friday night this all
7 happened, right?

8 A Yes, sir.

9 Q The first time that you ever talked to a police
10 officer at all or the next time you ever see a police
11 officer is that Monday, right?

12 A Yes, sir.

13 Q Mr. Johnson?

14 A Yes.

15 Q Is that correct?

16 A Detective --

17 Q I'm sorry?

18 A Detective --

19 Q That's my fault?

20 A I'm sorry.

21 Q That leaves Saturday and Sunday?

22 A Uh-huh.

23 Q What were you doing Saturday and Sunday?

24 A I was at Moses's house Saturday until I left there,
25 and then I went back to Mike's house. And I stayed there

1 until that Sunday afternoon and my son and I and his
2 roommate's friend went to pick my clothes up from Moses's
3 house.

4 Q Did you ever go back to check on Mr. James?

5 A No.

6 Q Why not?

7 A After that ordeal that I went through on Friday night
8 with him, I had already decided that I wouldn't be going
9 to see him anymore because it was too much.

10 Q Did you still have any idea that he was dead?

11 A No, sir.

12 Q Now, that Monday we just mentioned, did Investigator
13 Johnson come speak with you?

14 A Yes.

15 Q Tell me about that.

16 A Mr. Johnson and Sergeant Robinson had come. They had
17 stopped by the house, and they was asking about a white
18 girl, you know, first name Amy. I told them, Yeah, I know
19 Amy Norris. Because she frequent the area. She, as well
20 was prostitute, but -- they had asked if we knew where she
21 lived because Mike and I was both talking to them. My son
22 come around the corner, and he was standing there. They
23 wanted to know if we knew where Amy was or anything about
24 Boo Boo. And I didn't know James as Boo Boo so that name
25 didn't ring a bell with me. And they never said his real

1 name or where the trailer was where all this had gone on
2 at.

3 Q All right. Now, later that day, did you kind of put
4 together what Mr. Johnson might be wanting to talk to you
5 about?

6 A Yes, sir.

7 Q What did you find out later that day or evening?

8 A On the news, it had showed the house, the trailer,
9 the front of the trailer, and I knew exactly what they was
10 talking about. It was the same night that -- he died the
11 same night that we got into this fight.

12 Q Now, when you were watching the news, that's Monday
13 night?

14 A Yes.

15 Q At that point, you finally figured it out, did you
16 call the police then?

17 A/ No, sir.

18 Q Why didn't you call the police then?

19 A Scared.

20 Q And what happens the next day?

21 A Tuesday, I clean up the house real well. Mike's
22 mother was at home, so I was helping her do some stuff in
23 her room. Mike was outside. He come in and he called for
24 me. I go outside, and Detective Johnson was there to
25 arrest me for the murder of James Solomon.

1 Q Now, did Mr. Johnson take you somewhere?

2 A Yes, he took me to headquarters.

3 Q Now, Investigator Johnson, did you give him a
4 statement?

5 A Yes, I did.

6 Q Did you sign that statement?

7 A Yes, I did.

8 Q Did you provide him with your DNA?

9 A Yes, I did.

10 Q And maybe your fingerprints, palm prints?

11 A Yes, sir.

12 Q Ms. Thompson, did you ever ask for a lawyer?

13 A No.

14 Q And is what you're saying today essentially what was
15 in that statement?

16 A Yes, sir.

17 Q The day that you were arrested?

18 A Yes, sir.

19 Q So this has been your recollection since day one?

20 A Yes, sir.

21 Q Have you taken any -- have any pictures taken of you
22 that day?

23 A Yes.

24 Q How many days after the incident is this at that
25 point for the pictures?

1 A Everything happened on Friday, so it will be
2 Saturday, Sunday, three days, three-and-a-half days.

3 Q Now, we're almost done. At least, I'm almost done,
4 all right. You've been in jail since this happened; is
5 that correct?

6 A Yes, sir.

7 Q And you can make phone calls at the jail, right?

8 A Yes, sir.

9 Q We just heard one of them. You were in the
10 courtroom?

11 A Yes, sir.

12 Q Have you made more phone calls than just that one
13 phone call?

14 A Oh, yes, sir.

15 Q Now, would you as well as calling this self-defense,
16 also characterize this as a fight, also?

17 A Yes, sir.

18 Q Are there any phone calls where you say that you
19 didn't kill or murder Mr. Solomon, that it couldn't have
20 been you? Were there phone calls like that?

21 A Yes, sir, there was.

22 Q And what do you mean when you're saying those things?

23 A Because when I left the house, he was getting up. He
24 was still cussing me out, still talking about I stole his
25 dope, his crack cocaine, and I had no reason to believe

1 that he had passed away from a fight that we got into.

2 Q Ms. Thompson, at the jail, you can also get visits;
3 can't you?

4 A Yes, sir.

5 Q Has Moses Warren ever come to visit you?

6 A Yes.

7 Q When is the last time he came to visit you?

8 A The last time he came was May of 2014.

9 Q So a few months after your arrest?

10 A Yes, sir.

11 Q Has Mike Richardson ever come to visit you?

12 A No, sir.

13 Q But you have talked to him on the phone?

14 A Yes, sir.

15 Q Now, Ms. Thompson, I want you to be real clear, okay.

16 On that Friday, did you go to Mr. Solomon's house with a
17 plan to fight or kill Mr. Solomon?

18 A No.

19 Q Did you hit him with that vase because you had to?

20 A Yes, sir, I did.

21 Q Ms. Thompson, did you murder Mr. Solomon?

22 A No.

23 MR. BANK: Beg the Court's indulgence.

24 (Pause.)

25 MR. BANK: No further questions. Please answer any

1 questions that the prosecutors may have for you.

2 THE COURT: All right. Thank you, Mr. Bank.

3 MS. CAMPBELL: Beg the Court's indulgence.

4 THE COURT: Yes, ma'am.

5 (Pause.)

6 CROSS-EXAMINATION

7 BY MS. CAMPBELL:

8 Q And just up front before we go back over things,
9 Ms. Thompson, you aren't telling this jury here today that
10 what you did -- you understand what you did to him caused
11 his death?

12 A Yes, I do.

13 Q So your attack or your fighting him that night caused
14 his death. There's no dispute there?

15 A I'm guessing so.

16 Q Well, was anybody else in the house?

17 A Not that I know of.

18 Q Did anybody else attack James Solomon that night?

19 A Not that -- I don't know. I can't answer that.

20 Q Are you the only one that was armed with a vase and
21 beat in his head?

22 A I was the only one that had a vase.

23 Q And you realize that that attack, as you've testified
24 a little while ago --

25 A Uh-huh.

1 Q -- caused his death?

2 A I didn't know that that is what caused his death.

3 Q Until later, is your testimony?

4 A Yes.

5 Q But you realize that now here in this courtroom?

6 A Could have been contributed to his death, yes.

7 Q Well, other than, as you blame James Solomon, who
8 else contributed to his death?

9 A I wouldn't know.

10 Q So you're -- this isn't a self-defense case. This is
11 a somebody-else-did-it case?

12 A I was in fear for my life.

13 Q So you killed him in self-defense, is that what
14 you're telling this jury?

15 A Yes.

16 Q No question there? That's your story?

17 A (There was no response).

18 Q You mentioned that you met Mr. Solomon through Amy?

19 A Yes.

20 Q And that you met him after you and Amy had gone to a
21 drug dealer's house and turned a trick?

22 A No, he come to Amy's house, but, yes.

23 Q But before that, you had done a threesome with
24 someone else or something to that effect? Do you remember
25 saying that to the police?

1 A No.

2 Q That's in your statement and some other things in
3 your statement?

4 A Amy, Bowleg and I had a threesome. That's what the
5 threesome was about. That's the one that was at Amy's
6 house.

7 Q And then you would meet with Mr. Solomon on a regular
8 basis?

9 A Yes.

10 Q Had he ever been violent with you before?

11 A No.

12 Q Had Mike Richardson ever been violent with you before
13 that night?

14 A Yes.

15 Q And, in fact, Mike Richardson would beat you up on a
16 lot of occasions?

17 A He has a couple of times..

18 Q Say, if you didn't show up with the money or the
19 drugs?

20 A He was my pimp.

21 Q But you also referred to him as your boyfriend?

22 A Yes.

23 Q Did you love him?

24 A I thought I did.

25 Q Did he love you?

1 A No.

2 Q You know that now, but at the time, did you think he
3 did?

4 A At the time, I thought he did, yes.

5 Q That's why in all these statements and your statement
6 to the police, you refer to him as your boyfriend?

7 A Yes.

8 Q In fact, you never told the police that he was your
9 pimp, not until here in this court today; did you?

10 A My attorneys knew about it.

11 Q I'm talking about just what you told the police?

12 A No, I never said anything to them.

13 Q In fact, you refer to him as your boyfriend?

14 A Yes.

15 Q I want to go back through what you said -- what were
16 you wearing that day?

17 A My jeans, my tank top, my tennis shoes and my jacket.

18 Q And that's the clothing that we have here in
19 evidence?

20 A Yes, ma'am.

21 Q And that's what you wore over there that day, right?

22 A Yes, ma'am.

23 Q And earlier that day, what had you been doing?

24 A Smoking crack.

25 Q How much crack had you smoked that day?