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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Laurens County

Honorable Donald B. Hocker, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DARRELL ERWIN RAINES JR.,

APPELLANT

APPELLATE CASE NO 2016-000142

RECORD ON APPEAL

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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

STATE'S #3-5 – FACEBOOK MESSAGES
STATE'S #12 – DIAGRAM ON BOARD
STATE'S #26 – BOARD WITH PHOTO
STATE'S # 29 – PHOTO
STATE'S #32- PRINTOUT ON BOARD
STATE'S #36 – CD VIDEO
STATE'S #37 – MAP ON BOARD
STATE'S #38 – DELETED CALLS ON BOARD
STATE'S #47 – CD OF INTERVIEW

KATHERINE LEISY: CROSS-EXAMINATION

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1 THE COURT: And what says the --

2 MR. ABLE: Without objection.

3 THE COURT: Without objection, 16 is in evidence for
4 the State.

5 (Whereupon, State's Exhibit No. 16 was admitted into
6 evidence.)

7 Q Now, State's Exhibit 16 is, as you testified earlier,
8 the swabs from toothbrush and hair brush belonging to the
9 victim; is that correct?

10 A That is how it was identified to us, yes.

11 Q Now, did you also receive something in this case to
12 match that against?

13 A I did.

14 Q And what did you receive?

15 A I received a portion of tissue that was identified as
16 liver from a Jane Doe FA13-595.

17 Q And what were your findings in this case?

18 A I was able to develop DNA profiles from both of those
19 items, and if the DNA profile defile developed from the
20 toothbrush that I tested is from Myranda Southern, then the
21 DNA developed from the liver matches the DNA profile of
22 Myranda Southern. And the probability of randomly selecting
23 an unrelated individual having a DNA profile matching this
24 item is approximately 1 in 330 quadrillion.

25 Q So is it safe -- would you be able to say that this

KATHERINE LEISY: CROSS-EXAMINATION

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1 was, in fact, Miranda Southern?

2 A I'm comfortable saying within a reasonable degree of
3 scientific certainty it is opinion that if the DNA profile
4 from the toothbrush is from Miranda Southern, then the DNA
5 profile developed from the liver is that of Miranda
6 Southern.

7 MS. BOYKIN: Thank you.

8 THE COURT: Cross-examination?

9 MR. ABLE: Thank you, sir.

10 CROSS-EXAMINATION

11 BY MR. ABLE:

12 Q Odds are 1 in 330 quadrillion?

13 A That is the rarity of that particular DNA profile.
14 When we make a comparison such as this we generate a
15 frequency or probability of how likely we are to see that
16 profile if we randomly select an individual from the
17 population for testing.

18 Q So that's the numbers 330 followed by 15 zeros?

19 A That's correct.

20 Q That's very accurate?

21 A It's a very large number. Yes, sir. It's a very rare
22 profile.

23 Q Now, you also did some other tests, I believe, in this
24 case?

25 A I did.

KATHERINE LEISY: CROSS-EXAMINATION

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1 Q And you have a copy of your report?

2 A Yes, sir. I do.

3 Q And it's dated on January 30, 2014?

4 A Correct.

5 Q And you also received as part of evidence you reviewed
6 some swabs from -- is it buccal, b-u-c-c-a-l?

7 A We usually pronounce it buccal.

8 Q Buccal.

9 A Either way is acceptable, yes.

10 Q Buccal. And what is that, a buccal swab from Darrell
11 Raines, Jr.?

12 A Correct. A buccal swab is what we typically use for a
13 known standard for an individual. It's basically just a
14 sterile cotton swab that looks just like a Q-tip. We rub it
15 against the inside of an individual's cheek in their mouth
16 to collect cells. We then develop a DNA profile from those
17 cells to use as that individual's profile.

18 Q And what's the purpose of that? Why do you do that?

19 A Once we've been able to develop a DNA profile from an
20 item of evidence we use the individual's known standard in
21 comparison, and if that particular standard matches the
22 standard from the evidence we can identify them as the
23 contributor to that particular profile.

24 Q And so, the way I would state it is you know Darrell
25 Raines' DNA profile?

KATHERINE LEISY: CROSS-EXAMINATION

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1 A That's correct, yes.

2 Q Based upon those swabs?

3 A As it was identified and submitted to us, it is the DNA
4 profile of Darrell Raines. Yes, sir.

5 Q Now, on your report you have item number five listed as
6 fingernail scrapings from the left hand of Jane Doe?

7 A That's correct.

8 Q And then number six, fingernail scrapings from the
9 right hand of Jane Doe?

10 A Correct.

11 Q Now, Jane Doe being who you now identified as Myranda
12 Southern?

13 A Yes, sir.

14 Q Now, what -- the results here. I'm looking at the
15 results of your exam. It says the partial Y/STR. What is a
16 Y/STR?

17 A Y/STR refers to a type of testing that we can perform
18 to focus solely on male DNA. So in a case just as this
19 where we have fingernail scrapings from a female victim,
20 what we typically see is just the female profile when we run
21 the type of testing that I ran on the liver and on the
22 toothbrush and the hair brush. We know that there may be
23 lower levels of male DNA present that might not be available
24 to us because there's so much female DNA because it's a
25 sample directly from her body. So Y/STR testing allows us

KATHERINE LEISY: CROSS-EXAMINATION

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1 to focus solely on any male DNA that may be present to try
2 and develop just that male profile for comparison to a known
3 standard.

4 Q And your results show that the partial Y/STR profile
5 developed from item five is not suitable for reliable
6 interpretation. What does that mean?

7 A That means at the 16 locations in the DNA that I tested
8 I received information from only two of them, and that's not
9 enough information for me to make a reliable comparison
10 between that particular profile and any known male
11 individual.

12 Q And then item six, the fingernail scrapings from the
13 right hand of Myranda Southern. It says Darrell Raines, Jr.
14 is excluded as a possible contributor to the partial Y/STR
15 profile developed from item six. What does that mean?

16 A For the fingernail scrapings that were identified as
17 from the right hand of this particular Jane Doe I received
18 information at eight of the 16 locations I tested using the
19 Y profile. And based on what I can see, there's not enough
20 consistency for me to indicate that Mr. Raines is a
21 contributor. Therefore, he is excluded as being the
22 contributor of the profile I developed from those fingernail
23 scrapings.

24 Q So you took the DNA -- known DNA from Darrell Raines
25 and compared it to these item -- item six, the fingernail

KATHERINE LEISY: REDIRECT EXAMINATION

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1 scrapings from Myranda Southern, and what you're saying is
2 that the fingernail scrapings taken from Myranda Southern
3 are not -- does not contain the DNA of Darrell Raines?

4 A Correct. Based on the profile I developed, that
5 profile did not come from Mr. Raines.

6 Q Would that have the same odds of probability that 1 in
7 330 quadrillion?

8 A No. A statistic only applies to a match or an
9 inclusion. Of an individual who is excluded we don't apply
10 a statistic to it. It just means that in our opinion they
11 are not a contributor to that profile.

12 Q So you're saying a fingernail scraping. It was
13 something under the nails?

14 A As it was submitted to me they were basically nail
15 clippings. I took portions of some visible debris that was
16 present, as well as small portions of the clippings and
17 extracted material from those items.

18 Q Now, you also ran -- let's see. You were also -- there
19 was also submitted to you swabs from the base of the
20 magazine which was item -- your item 1.1 and item 1.2, swabs
21 from the head stamps of the cartridges?

22 A That's correct.

23 Q And as concerning those pieces of evidence your results
24 were there -- no DNA profile was developed from items 1.1
25 and 1.2. Does that mean it was not tested or you couldn't

KATHERINE LEISY: REDIRECT EXAMINATION

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1 develop a profile, or what?

2 A I did test both the swabs from the base of the magazine
3 and the swabs from the head stamps of the cartridges. I was
4 not able to develop a DNA profile from either item which
5 would indicate either that there was not enough DNA present
6 when the items were tested to develop a profile, or that any
7 DNA that may have been there had been wiped away or been
8 degraded and was not in good enough shape for us to develop
9 a profile.

10 MR. ABLE: Thank you.

11 THE COURT: Solicitor, any redirect?

12 MS. BOYKIN: Briefly, Your Honor.

13 THE COURT: Sure.

14 REDIRECT EXAMINATION

15 BY MS. BOYKIN:

16 Q Now, you just testified that no DNA was found on the
17 magazine and bullets; is that correct?

18 A That's correct.

19 Q Why is that? What's a possible reason why?

20 A Again, there are lower -- limits to level of
21 sensitivity of the test. It could be that there just was
22 not enough DNA present when the items were swabbed to
23 develop a DNA profile. And it also could be that due to
24 environmental factors the DNA had been degraded or broken
25 down and was not in good enough shape for us to develop a

1 profile. If an individual wore gloves when they held it and
2 it prevented the transfer of their DNA to that item. That
3 would also prohibit us from developing a profile.

4 Q So being outside for four days would have a big impact
5 on whether DNA was found?

6 A It certainly could. Environmental factors such as
7 sunlight, heat and humidity, moisture, as well as bacteria
8 and enzymes that are naturally found outdoors can have quite
9 an impact on quality of DNA and can cause severe
10 degradation.

11 MS. BOYKIN: Thank you.

12 THE COURT: Thank you for your testimony. You can step
13 down and you're free to leave or you're welcome to stay with
14 us.

15 THE WITNESS: Thank you.

16 (Whereupon, the witness stepped down from the witness
17 stand.)

18 THE COURT: Any further witnesses for today?

19 MR. SCOTT: None for today, Your Honor.

20 THE COURT: Okay. Mr. Foreman, ladies and gentleman of
21 the jury, it looks like we're going to go ahead and
22 concluded for the day. As I understand it, they -- the
23 State may have another witness or two that could not be here
24 today and will testify in the morning. So we're going to go
25 ahead and adjourn for today and I need for you to be back

1 here promptly at 9:30. You all have done a very good job of
2 being prompt and I appreciate that very much. And I hope
3 you have a good evening. Again, refrain from discussions
4 with anyone about this case. And if you happen to come
5 across any video coverage, newspaper, TV, Internet, radio
6 about this case then refrain from looking at that. And
7 we'll see you in the morning at 9:30. Okay?

8 (Whereupon, the jury was released for the day at 4:38
9 p.m.)

10 THE COURT: Anything we need to put on the record
11 before we conclude for the day?

12 MR. SCOTT: Nothing from the State, Your Honor.

13 THE COURT: Mr. Able?

14 MR. ABLE: No, sir. Thank you.

15 THE COURT: We'll be at recess until 9:30 in the
16 morning. If I could see the lawyers for just a second.

17 (Whereupon, court was adjourned at 4:39 p.m.)

18 TRIAL DAY 5-12/11/15

19 THE COURT: Anything we need to put on the record
20 before we bring the jury out?

21 MR. ABLE: Judge, right -- before we bring the jury out
22 I'd like to go ahead and -- it's my understanding that the
23 next witness will be the Greenville County sheriff's deputy
24 or lab technician, or whatever, who is going to testify
25 concerning the cell tower location information. And in

DAN KELLY: DIRECT EXAMINATION

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1 light of that I just wanted to go ahead and renew the
2 motions that I had made earlier in the week, Monday.

3 THE COURT: Right.

4 MR. ABLE: I think they've been marked as Court's
5 Exhibits 1. I think all three were marked as Court's
6 Exhibit 1.

7 THE COURT: Three motions.

8 MR. ABLE: Yes, sir. And, of course, I'm not going to
9 go into detail because we've already argued them, but I did
10 want to renew them. The first one being the argument
11 concerning the Fourth Amendment search. South Carolina
12 Constitution Article 1 Section 10 and the Fourth Amendment
13 of the Federal Constitution. The second one being what my
14 client's position is as far as procurement of these records
15 by court order as opposed to a search warrant as required by
16 the Fourth Amendment. Arguing on that motion the Graham
17 case which, of course, we're familiar with.

18 THE COURT: Right.

19 MR. ABLE: And then, of course, the last one being the
20 internal inconsistency of the secured -- or Stored
21 Communications Act, the SCA, arguing it was inconsistent
22 based upon the internal -- it was unconstitutional based
23 upon the internal inconsistency. So I would renew those
24 motions at this time, given the fact of the next witness.

25 THE COURT: Okay. And certainly those motions are

DAN KELLY: DIRECT EXAMINATION

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1 noted for the record and, once again, overruled. Thank you
2 very much.

3 Anything further before we bring the jury out?

4 MR. ABLE: No, sir. Not at this time. No, sir.

5 THE COURT: From the State?

6 MR. SCOTT: Nothing from the State, Judge.

7 THE COURT: All right. Mr. Bolt, you can bring the
8 jury out.

9 (Whereupon, the jury entered the courtroom at 9:39
10 a.m.)

11 THE COURT: Good morning ladies and gentlemen.
12 Solicitor, are you ready to call your next witness?

13 MR. SCOTT: I am, Your Honor. The State calls Dan
14 Kelly.

15 DAN KELLY, having first been duly
16 sworn, testified as follows:

17 DIRECT EXAMINATION

18 BY MR. SCOTT:

19 Q Mr. Kelly, where are you employed?

20 A With the Greenville County Sheriff's Office.

21 Q What do you do there?

22 A Currently I'm the sergeant over the technical services
23 unit.

24 Q So what does that mean? What do you do on a day-to-day
25 basis?

DAN KELLY: DIRECT EXAMINATION

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1 A For lack of a -- in a nutshell we pretty much are
2 investigative support. So we support all aspects of
3 day-to-day operations, special investigations for the
4 sheriff's office.

5 Q Do you remember August 2013 a missing persons case that
6 originated in Greenville County?

7 A Yes, sir.

8 Q Involving Myranda Southern?

9 A Yes, sir.

10 Q Were you asked to do some things in the investigation
11 of that case?

12 A I was.

13 Q Pertaining to cell phone records of Ms. Southern and
14 Darrell Raines what were you asked to do?

15 A I was asked to utilize a program that we had just
16 recently acquired to incorporate those programs in there, or
17 the records from the call detail records of the tower keys
18 to plot the cell towers on that for visualization.

19 Q Let me show you State's 23. Do you recognize that?

20 A Yes, sir. These are the call detail records.

21 Q For which provider?

22 A These are for Sprint.

23 Q That would be Myranda Southern's provider?

24 A Correct.

25 Q And then State's 21 and 22, do you recognize that?

DAN KELLY: DIRECT EXAMINATION

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1 A Yeah. These are the Verizon records, or call detail
2 records.

3 Q Where you also given the information contained in
4 State's 24?

5 A Yes. This is the Verizon tower key.

6 Q So in those records you would get phone calls made by
7 those people, by Myranda and Darrell, and phone calls they
8 received?

9 A Correct.

10 Q And tell me about the tower key. What information did
11 you get from the tower keys provided by the cell phone
12 service providers?

13 A I think it would help to explain that -- what the tower
14 key does. Basically when you make a phone call you're
15 taking -- your cell phone is talking to a tower and a
16 certain site of that tower.

17 MR. ABLE: Judge, I'm going to object at this point. I
18 think it requires an expert's testimony for him to describe
19 how a cell phone works and how they connect to a tower.
20 There's been no information provided as to this gentleman's
21 expertise in that area.

22 THE COURT: Do you want to lay a little bit of
23 foundation concerning his -- and I'm not sure this is a
24 situation where I necessarily have to qualify him as an
25 expert. I may or may not. I don't know. But at least as

1 far as his qualifications to discuss how cell phones work,
2 if you'll lay a little bit of foundation, Solicitor.

3 MR. SCOTT: Yes, sir.

4 Q The cell phone providers gave you a tower key. Is that
5 what you were talking about?

6 A Correct.

7 Q And the tower key is what, the cell phone towers?

8 A It is the cell phone towers that were active during the
9 time that those calls were made to each others handsets, and
10 those are the actual tower keys, because the tower key shows
11 which towers were utilized by those phones.

12 Q So during the time period those phone records were
13 displayed the towers that Darrell Raines' phone was hitting
14 off of, and then during that same time period it would show
15 towers that Myranda Southern's phone was hitting off of?

16 A Correct.

17 Q So that's helpful for what reason? If you pull my
18 phone records from yesterday and you look at the phone
19 towers that my phone was hitting off of, you can tell what
20 about me?

21 A I can tell you where that handset was, in the general
22 area.

23 Q When you're talking about handset you're talking about
24 cell phone?

25 A The cell phone, correct.

DAN KELLY: DIRECT EXAMINATION

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1 Q So you can determine within the general location where
2 I was yesterday when I was using my phone?

3 A The general location, yes. They can tell from that
4 handset, yes.

5 Q So you did that -- you were asked to do that with
6 Darrell Raines' phone in this case?

7 A Correct.

8 Q And you were asked to do that with Myranda Southern's
9 phone on that case -- in this case?

10 A Yes, sir.

11 Q And you were able to generate using this system -- tell
12 me about this software you used. What's it called?

13 A It's called GeoTime. It's from a company called
14 Uncharted and they're out of Toronto, Canada. And it is
15 pretty much state of the art software program that takes the
16 mirror at a day that it's in a call detail record and a
17 tower key and it imports them into the system, into the
18 program, and automatically plots the data for you.

19 Q So tell me how it works. Verizon sends you in a
20 digital format --

21 A Yes.

22 Q -- all this information?

23 A Correct.

24 Q And then all you do is plug it into the software and it
25 spits out an animation for you?

DAN KELLY: DIRECT EXAMINATION

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1 A That's it.

2 Q You were able to run one on Mr. Raines' phone and Ms.
3 Southern's phone, you said?

4 A Correct.

5 Q Let me show you State's 51. Do you recognize this?

6 A Yes. Yes. That's the animation that I made for you.

7 Q You recorded that and provided that to the Solicitor's
8 office?

9 A Correct.

10 Q What's on this?

11 A Basically it shows the track of the two phones.

12 Q And you brought your software here; is that right?

13 A Yes, sir.

14 Q And in reviewing here the cell phone records, were you
15 able -- or do you have personal knowledge that different
16 providers will use different cell phone towers?

17 A Yes.

18 Q So Verizon will have a set of cell phone towers and
19 Sprint would have a set of cell phone towers?

20 A That's correct.

21 MR. SCOTT: I think, Your Honor, at this time I would
22 ask that Mr. Kelly be allowed to step down, and for
23 demonstrative purposes he's going to show the software, and
24 using these coordinates he talked about he's going to
25 provide some animation for the jury to see.

DAN KELLY: DIRECT EXAMINATION

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1 THE COURT: All right. Mr. Kelly, when you do that,
2 since you'll be away from the microphone, just make sure
3 that you speak up loud enough if you're talking while the
4 animation is showing. Okay?

5 THE WITNESS: Yes, Your Honor.

6 (Whereupon, the witness stepped down from the witness
7 stand.)

8 A This is basically a map of Greenville with the
9 extension going down into Laurens County.

10 Q You're talking about right here is Laurens County?

11 A Yeah.

12 Q And this would be, I guess, the greater Greenville
13 area?

14 A Correct.

15 Q And then is that 385?

16 A Yes, that's 385.

17 Q And then the pink icon up here, that would -- and
18 you've got the name beside it. But that would indicate
19 Myranda Southern's cell phone?

20 A Correct. This is -- basically if you looked on your
21 left, you have a timeline with the dates and the times. And
22 as you stretch this timeline out it actually starts showing
23 where they are hitting towers. Where those phones are
24 hitting towers and how they're moving through.

25 Q What date are you on right there?

DAN KELLY: DIRECT EXAMINATION

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1 A That is August 17th.

2 Q For purposes of what we're doing right now I'm going to
3 ask you to go to the morning of August 18th. That's Sunday
4 August 18th. And if you could start at the beginning of the
5 day and let's kind of see where these people were going that
6 day.

7 A This is -- this is Sunday, August 18th at 0120.

8 Q What's that, 1:20 p.m.?

9 A No. I believe that's going to be 0120 in the morning.
10 Yes, 1:20 a.m. So you can see they're hitting towers in
11 different areas.

12 Q It looks like he's -- where is that? Is that downtown
13 Greenville?

14 A Yeah. That's going to be close to downtown Greenville.

15 Q And then she's in Taylors? Is that where that is?

16 A That looks like Taylors. Yes, that's Taylors.

17 MR. ABLE: Judge, if I could. There's something I need
18 to take up outside the presence of the jury very quickly.

19 THE COURT: If you'll just stop that animation, Mr.
20 Kelly. Ladies and gentleman of the jury, I have a matter of
21 law that needs to be dealt with, unfortunately outside your
22 presence, if that's okay. And so, I ask that you go back to
23 your jury room, and hopefully it won't take long and we'll
24 bring you back out. Okay?

25 (Whereupon, the jury exited the courtroom at 9:50 a.m.)

DAN KELLY: DIRECT EXAMINATION

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1 THE COURT: Okay, Mr. Able.

2 MR. ABLE: Yes, sir. Your Honor, I would object to
3 Officer Kelly testifying in the fashion that he is. I
4 believe now he has crossed into the field of interpreting
5 the results. Before when I objected and the Solicitor had
6 him testify, basically he testified that what he did was
7 take the information that was provided to him from the
8 exhibits. There was a -- there was a computer program. He
9 plugs that into the computer program. I agree that --
10 that's why I didn't re-raise the objection at that time
11 because basically it wasn't anything -- any technical
12 requirements, or any scientific requirements, any special
13 knowledge other than to import that information from the
14 cell tower to the cell phones into the program. His
15 testimony a few moments ago was that, you know, if he plus
16 this information in and the software generates an animation,
17 which we're reviewing now. My objection is directed toward
18 Mr. Kelly interpreting those results. I believe the results
19 are what they are. He's now taking the position of looking
20 at the results from the computer program and saying this is
21 what it shows. I think like any other exhibit, it would
22 plainly speak for itself. It could be run. The jury could
23 draw from that what conclusions they want to. But for him
24 to sit here and basically testify that he has this whatever
25 special training, he has an expertise and a special

1 knowledge to be able to sit and interpret what these records
2 are showing. That would be my objection. I think he has to
3 be qualified as an expert to do that.

4 THE COURT: Solicitor.

5 MR. SCOTT: I don't think he's interpreted really
6 anything. I've asked him general locations on this map
7 which is labeled. And he's plugged in this data and he's
8 basically testifying to what he's showing as he's showing
9 it. I don't -- I don't know that that's any kind of
10 scientific or any kind of expert-based testimony.

11 THE COURT: Let me ask you this, Mr. Kelly. You can
12 just keep your seat right where you are.

13 THE WITNESS: Yes, sir.

14 THE COURT: Have you -- what sort of training have you
15 had in order to utilize this particular GeoTime software and
16 then interpreting what the software shows?

17 THE WITNESS: Just training online with the company
18 that creates this program, and working on several different
19 cases in the past with -- in conjunction with those trainers
20 up in Toronto. And we worked closely with that and they,
21 you know, train you on how to use the software.

22 THE COURT: All right. Have you testified in court
23 using this particular software before?

24 THE WITNESS: No, sir. This is relatively new.

25 THE COURT: How much training has that consisted of

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1 insofar as training online and in conjunction with the
2 company up in Toronto?

3 THE WITNESS: I would say probably six to seven hours
4 of online training. And the phone conversations with their
5 technical people is many more hours, because we've used it
6 in several different cases.

7 THE COURT: So you have -- even though you may not have
8 testified in court using this, you have utilized it in other
9 cases?

10 THE WITNESS: Yes, Your Honor.

11 THE COURT: All right. Solicitor, do you have any
12 questions of Mr. Kelly insofar as the qualifications to
13 utilize this software?

14 MR. SCOTT: No, sir. I haven't intended on calling him
15 as an expert because I don't think any of his testimony
16 rises to the level of requiring an expert opinion. But if I
17 get a -- if I have a minute, I might be able to think of
18 what I'll qualify him as an expert in, because I certainly
19 think he would qualify. Then I would ask opinions of him at
20 that point.

21 THE COURT: Well, just take a few minutes and just look
22 at something real quick.

23 (Whereupon, a brief recess was held.)

24 THE COURT: Solicitor, while you're going whatever
25 you're doing there I'll ask Mr. Able, are there any

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1 questions you want to ask, Mr. Kelly concerning
2 qualifications or visibility or inability to explain this
3 animation?

4 MR. SCOTT: Yes, sir. Thank you.

5 THE COURT: Mr. Kelly, why don't you just have a seat
6 back in the witness stand.

7 THE WITNESS: Thank you.

8 (Whereupon, the witness stepped back from the witness
9 stand.)

10 IN-CAMERA EXAMINATION

11 BY MR. ABLE:

12 Q Sergeant.

13 A Yes, sir.

14 Q Sergeant Kelly, okay. Sergeant, as it concerns the
15 software, the Geotime software you said it's relatively new?

16 A Yes, sir.

17 Q And I believe from what I've read, that when this
18 information was brought to you it was the first time you'd
19 ever used this?

20 A No.

21 Q Oh, it wasn't?

22 A No, sir.

23 Q One of the first times.

24 A I was one of the first few times that we've used it.

25 Yes.

DAN KELLY: DIRECT EXAMINATION

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1 Q And when you got this information involved in this case
2 you called one of the representatives from -- I don't
3 remember the name.

4 A GeoTime.

5 Q GeoTime, and had they help you import that information
6 into the program, correct?

7 A Correct.

8 Q I think the young lady's name was Dale Commessa?

9 A His name, yeah.

10 Q So you needed assistance to even import it into the
11 program?

12 A No. We needed assistance to port it in. I called him
13 to make sure that I was doing it correctly just to make sure
14 there were no errors.

15 Q You believe it prudent to get some help?

16 A Correct.

17 Q So once you get this information into the -- do you
18 manually get it in there? Do you have to type it in or you
19 just --

20 A It's a program. There's a call records translator, and
21 it actually pulls the tower key and the call detail record.
22 You have to have both of those in order for it to work. And
23 it actually translates those. Pulls that into the system
24 and plots it in on the map for you.

25 Q So it imports that data and then the software just

1 makes a map?

2 A Correct.

3 Q And you said you had received six or seven hours of
4 online training. Has that been since the entire time that
5 your office has utilized this GeoTime software?

6 A Yes, sir.

7 Q So back in August of 2013 how much training had --
8 online training had you used -- had you had at that time?

9 A Probably three to four hours.

10 Q And when the judge was questioning you a moment ago you
11 said you had been trained those six or seven hours, and now
12 back in August of 2013 three or four hours you were trained
13 on how to use the software?

14 A On how to use certain aspects of the software.

15 Q You weren't trained on how to interpret the results of
16 the software?

17 A Well, you have to know how to interpret the results to
18 know what you're looking at when you get it and that's part
19 of the training.

20 Q So there's three or four hours that you're discussing
21 was not just how to --

22 A How to import the data. It was also discussing the
23 results that you see. Where the towers are. The direction
24 that the tower is being utilized. Which side the handset it
25 is hitting off of. That sort of thing.

DAN KELLY: DIRECT EXAMINATION

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1 Q And that was all inclusive of that three or four hours?

2 A Yes, sir.

3 Q And you've not testified concerning this software
4 before?

5 A No, sir.

6 Q And you've not been qualified as an expert in any court
7 on the use of the GeoTime software?

8 A No, sir.

9 MR. ABLE: One moment, Your Honor.

10 THE COURT: Sure.

11 MR. ABLE: That's all I have. Thank you.

12 THE COURT: Any questions concerning qualifications,
13 Solicitor?

14 MR. SCOTT: Yes, sir.

15 IN-CAMERA EXAMINATION

16 BY MR. SCOTT:

17 Q About how many hours do you think in today you spent
18 using this program?

19 A Total in all the cases that we've worked? Probably
20 more than 100 hours.

21 Q That's using -- it's called GeoTime?

22 A GeoTime.

23 Q And that's the GeoTime software?

24 A Yes. You have the records translator and everything in
25 order to do all the -- all the information that's needed and

DAN KELLY: DIRECT EXAMINATION

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1 all the data that's needed to get it into the system.

2 Q And then you say seven hours or so of training to use
3 the software?

4 A Correct.

5 Q And then you're -- you're in what unit at the
6 Greenville Sheriff's Department?

7 A Technical Services Unit.

8 Q About how many cases have you used this software on?

9 A We've used it in about nine cases for the Greenville
10 County Sheriff's Office. I've done four for the Greenville
11 City Police Department.

12 Q So 13 in all.

13 MR. SCOTT: I hadn't intended on doing it, but I would
14 offer Dan Kelly as an expert in cell tower plotting using
15 the GeoTime software.

16 THE COURT: Sergeant Kelly, I want to ask you. The
17 part of tech support that you've managed, does that utilize
18 just in general the use of computers and different
19 functions?

20 A. Yes, sir. Every day.

21 Q. And how long have you been in this division or
22 this department?

23 A. I've been a sergeant over that unit for 15 years.

24 Q. Would you consider yourself to be computer savvy?

25 A. Yes, sir.

DAN KELLY: DIRECT EXAMINATION

606

1 Q. And in order to operate this software and
2 interpret the results do you have to have computer
3 expertise?

4 A. Yes, sir.

5 Q. What we'll -- I'm going to find him to be an
6 expert for the very limited purpose of utilizing and
7 analyzing and interpreting using this GeoTime software, and
8 analyzing and interpreting the results. For that limited
9 purpose. What you're going to need to do, Solicitor, is
10 when we bring the jury out we're going to need to go through
11 this qualification. So, Mr. Able, if you want to re-ask any
12 questions you would like to ask, and he would need to be in
13 front of the jury found to be an expert for this limited
14 area.

15 MR. ABLE: Yes, sir.

16 THE COURT: Okay. Mr. Bolt, bring the jury out,
17 please. Under Rule 702 I think that it's necessary that he
18 be qualified as an expert to provide some assistance to the
19 jury to understand what that animation is showing.

20 (Whereupon, the jury entered the courtroom at 10:07
21 a.m.)

22 THE COURT: Ladies and gentleman, the Solicitor is
23 going to -- and Mr. Able will want to as well, kind of go
24 into Sergeant Kelly's background and qualifications as it
25 relates to this particular computer software. You may

DAN KELLY: DIRECT EXAMINATION

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1 proceed.

2 MR. SCOTT: Yes, sir.

3 VOIR DIRE

4 DIRECT EXAMINATION

5 BY MR. SCOTT:

6 Q Sergeant Kelly, you are over -- tell us the division
7 again at the Greenville Sheriff's Department.

8 A The unit I'm over is the Technical Services Unit.

9 Q And how long have you been over that unit?

10 A For 15 years.

11 Q And tell us again your day-to-day activities? You were
12 --

13 A For an Investigative Support Unit we utilize several
14 different technical programs to assist in investigations.
15 Some of them are Internet based. Others are stand alone
16 programs such as GeoTime. We use whatever we have necessary
17 to help an investigation come to fruition.

18 Q Let's get back to GeoTime. This software that kind of
19 tracks cell phone tower locations. Did you have to have
20 some training in order to learn how to use this system?

21 A Yes.

22 Q Approximately how many hours have you had?

23 A Approximately six to seven hours.

24 Q And that's through the company that manufacturers the
25 software?

DAN KELLY: DIRECT EXAMINATION

608

1 A Yes, sir.

2 Q But then real time training, or as far as your use of
3 the program, about how many hours do you think you spent
4 using this program?

5 A On and off probably over 100 hours.

6 Q And approximately how many cases have you used this
7 program on?

8 A Right around 13, 14.

9 MR. SCOTT: Your Honor, at this time we would offer
10 Sergeant Kelly as an expert in cell tower plotting using the
11 GeoTime software.

12 THE COURT: Okay. And, Mr. Able, any examination to
13 Sergeant Kelly related to qualifications?

14 MR. ABLE: Yes.

15 VOIR DIRE CROSS-EXAMINATION

16 BY MR. ABLE:

17 Q Sergeant, as to the GeoTime software, it's my
18 understanding you get the information, you import the data
19 into the software and the software plots out these
20 locations?

21 A Correct.

22 Q And it doesn't take any expertise or special knowledge
23 in how to import the information to the software?

24 A You have to have a working knowledge of Microsoft Word
25 Excel, PDF, TXT files. And all of those are used in

1 conjunction with the CRT program which imports that software
2 in there. And the CRT portion is actually new as of about a
3 year ago. Everything else we had to do by hand in Microsoft
4 Excel to import it into GeoTime.

5 Q Now, the training you said you had, the six or seven
6 hours of training, that's online training?

7 A Correct, sir.

8 Q And back in August of 2013 you would have had about
9 three or four hours online training in this particular
10 software?

11 A That's correct, sir.

12 Q And you've never testified in court before about this
13 software?

14 A No, sir.

15 Q You've never been qualified as an expert before?

16 A No, sir.

17 MR. ABLE: That's all I have, Judge, on that point.

18 THE COURT: All right. Thank you very much. I'm going
19 to find that Sergeant Kelly is an expert in the limited area
20 of cell phone tower location as it relates to the use and
21 interpretation of the GeoTime software program.

22 MR. SCOTT: Thank you, Your Honor. And again, I'm
23 going to ask Sergeant Kelly to leave the witness stand and
24 step down here to demonstrate some of the GeoTime software.

25 THE WITNESS: With your permission, Your Honor.

DAN KELLY: DIRECT EXAMINATION

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1 THE COURT: Yes, sir.

2 (Whereupon, the witness stepped down from the witness
3 stand.)

4 Q Sergeant Kelly, what is the time -- what is the date
5 and the time period we're looking at right now?

6 A It shows the time range up here. You'll see that the
7 first time that you see on the map would be August 17th at
8 22:21 and the last time would be August 18th at 0213.
9 That's the window of timeframe that we're looking at.

10 Q If you would, just for purposes of this demonstration,
11 what we're really interested in as the comings and goings of
12 both these phones on the 18th and the 19th. If you could,
13 go to the August 18th.

14 A This is August 18th at 0120.

15 Q So what we're seeing there is at 1:03 Mr. Raines' phone
16 is --

17 A Yes. That's at 3:59 in the afternoon. 15:59 hours.

18 Q Sunday, August 18th at about 4:00 p.m. he's up here in
19 the --

20 A Greer.

21 Q -- Greer area?

22 A Correct.

23 Q Now, then I'm seeing that Myranda is located right here
24 off of 385. Is that around Simpsonville?

25 A I believe that's right around the Mauldin, Simpsonville

DAN KELLY: DIRECT EXAMINATION

611

1 area, around -- I think when we look at the map, I can zoom
2 in there. I think that's around where Charter
3 Communications is.

4 Q And that would -- that's around her working hours, I
5 guess. So that's consistent with being near Charter
6 Communications just off 385 in the Mauldin, Simpsonville
7 area?

8 A Yes, sir.

9 Q If you would --

10 A I'm trying to rebuild.

11 Q It looks like -- is that Mr. Raines, the blue?

12 A Yes.

13 Q Has he hit a tower yet, or do you need to let the
14 animation --

15 A There's the tower that he hit here.

16 Q That's an event. And that is at -- what's the time?
17 What is 19:29?

18 A That's 7:29 p.m.

19 Q 7:29 p.m. on August 18th. 7:29 p.m. his tower is
20 hitting down in the Gray Court area?

21 A Yes, sir.

22 MR. ABLE: Judge, I object to the leading.

23 Q Zoom in on that, please, if you could.

24 THE COURT: Try to rephrase it a little bit, Solicitor.

25 Q Sergeant Kelly, are you familiar with that general area

DAN KELLY: DIRECT EXAMINATION

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1 where that would be located?

2 A I'm vaguely familiar with that. It's 385 and 14. Also
3 known as the Gray Court area.

4 Q Would you continue the animation, please. And that's
5 7:29?

6 A Yes, sir.

7 Q 7:29 on the 18th and he's down in the Gray Court area?

8 THE COURT: That's p.m. or a.m., Solicitor?

9 MR. SCOTT: P.m., Your Honor.

10 Q And you continued the animation. He is tracked where?

11 A It looks -- it appears he's going up 385. He's hitting
12 towers along 385.

13 Q So he hit the tower on 385 at what time?

14 A At 20:02 hours, which is 8:02 p.m.

15 Q So about 8:00 p.m. he's coming back up 385 is what the
16 animation is showing?

17 A Yes, sir.

18 Q What's Myranda up to?

19 A She's going -- it looks like she's back around Charter.

20 Q She's still at work. Could you continue the animation,
21 please? What event was that?

22 A Sunday, August 18th at 23:03 hours, which is 11:03 p.m.

23 Q 11:00 p.m., one hour before Myranda gets off work,

24 where was -- where was Darrell Raines? What general area?

25 A In the same general area.

DAN KELLY: DIRECT EXAMINATION

613

1 Q What same general area?

2 A This was in downtown Greenville where this tower was
3 hit.

4 Q So it's your testimony at 7:30 he's down in Gray Court,
5 and then 11:00 he's back in downtown Greenville --

6 A Correct.

7 Q -- and Myranda is at Charter?

8 A Yes.

9 Q What's his next event?

10 A Monday, August 19th at 0003 hours, which is three
11 minutes after midnight.

12 Q Three minutes after midnight where is Darrell Raines?

13 A Right near Charter.

14 Q Right near where?

15 A Charter Communications.

16 Q Midnight, the 18th going into the 19th, Darrell Raines
17 is using a tower right near Charter Communications. Where's
18 Myranda's phone?

19 A Her phone at 0009 hit right there at the Charter
20 Communications. Right in that area.

21 Q So about nine minutes after midnight she's around the
22 general vicinity of Charter Communications?

23 A Correct.

24 Q If you could, I guess, zoom back out and let the
25 animation play. 12:51 a.m.

DAN KELLY: DIRECT EXAMINATION

614

- 1 A Correct.
- 2 Q And that is event on whose phone?
- 3 A Myranda's phone.
- 4 Q And what is the general area she's in?
- 5 A That is over in Laurens County.
- 6 Q Laurens County, just shy of 1:00 a.m., her phone --
- 7 A Near Woodruff.
- 8 Q Sorry?
- 9 A Near Woodruff.
- 10 Q Near Woodruff. Her phone is using a tower near
- 11 Woodruff. Where's his phone at this point?
- 12 A It shows the last hit on his phone at 0003 hours.
- 13 Q So the last time his phone used a tower was that
- 14 midnight range right around the Charter Communications you
- 15 testified to?
- 16 A Yes, sir.
- 17 Q And then what does her phone do after that event?
- 18 A It moves back towards Greenville city.
- 19 Q So her phone, just shy of 1:00 a.m., is -- you're
- 20 saying Laurens County?
- 21 A Yes.
- 22 Q And then what does it do?
- 23 A Then it -- the next time it hit was downtown
- 24 Greenville.
- 25 Q What time was that?

DAN KELLY: DIRECT EXAMINATION

615

- 1 A I'll have to zoom in. 03:30.
- 2 Q 3:30 a.m. 3:30 a.m. Where is Mr. Raines' phone at
- 3 3:30 a.m.?
- 4 A 3:30 a.m., right there in downtown Greenville.
- 5 Q Thereafter where does his phone go?
- 6 A Let me zoom out. It heads towards Berea.
- 7 Q After 3:30 downtown Greenville it goes up to Berea. Do
- 8 you have any idea how long it takes to get from Greenville
- 9 up to Berea?
- 10 A From downtown to Berea it's probably six to seven
- 11 minutes in light traffic.
- 12 Q Does Myranda's phone ever move again from this area?
- 13 A At 04:05 -- that one's 04:05, and that is -- it does
- 14 not move from that area.
- 15 Q Myranda's phone tracks to downtown Greenville and never
- 16 moves again?
- 17 A Correct.
- 18 Q And now we're seeing the movements of Mr. Raines when?
- 19 A After. After he went to Berea. 10:50 in the morning.
- 20 Q All right. 10:50 the next morning he goes where? Back
- 21 downtown Greenville?
- 22 A He's on the outskirts on the west side of Greenville.
- 23 Q And then where does he go the next day?
- 24 A That's 11:52 a.m., over towards -- let's see. It looks
- 25 like the Saluda area. After that he heads back into

DAN KELLY: DIRECT EXAMINATION

616

1 downtown Greenville, then out Wade Hampton Boulevard into
2 Greer.

3 Q Were's that? Where's he back down to? What is that?

4 A 3:56 in the afternoon on the 19th.

5 Q Hold on one second. 3:56 on the 19th he goes back down
6 to Gray Court. 3:56 in the afternoon on the 19th you're
7 saying he's back down in Gray Court?

8 A Yes, sir. Then back to Greer. In the Greer area, and
9 then back over towards this area here, which is back in the
10 Simpsonville area.

11 Q So, in analyzing the software, is it your testimony
12 that on the 18th Mr. Raines' phone around 7:30 p.m. was down
13 in Gray Court?

14 A I'm sorry. What time?

15 Q Around 7:30 p.m. on the 18th his phone was down in Gray
16 Court?

17 A Yes, sir.

18 Q And then the next afternoon around 4:00 p.m. his phone
19 was back down in Gray Court?

20 A Correct.

21 Q I think that's -- I think that's all I have as far as
22 -- let me ask you just a couple more questions since -- I
23 think we can hear okay. Now, if I have my cell phone and I
24 drive up to Greenville and I make a phone call, presumably
25 I'd use a cell phone tower in the Greenville area?

DAN KELLY: CROSS-EXAMINATION

617

1 A Yes, sir.

2 Q What affect would it have if I turn my phone on the
3 airplane mode and then traveled up to Greenville?

4 A You wouldn't hit any cell towers because it's not
5 sending out a cell signal.

6 Q So that's one way to avoid hitting towers is to just
7 switch it to the airplane mode?

8 A Yes, sir.

9 Q Likewise, if I took my battery out would I hit the
10 towers?

11 A No, sir.

12 Q But if I cut my phone off it would still hit towers?

13 A It would still try and track towers in the area if the
14 phone was off.

15 Q If I turn to airplane mode or took the battery out I
16 could avoid hitting towers and being tracked?

17 A Yes, sir.

18 Q State's 51. Does this demonstrate some of the
19 animation you just showed up there?

20 A Yes, sir.

21 MR. SCOTT: Your Honor, State would offer State's 51
22 for admission into evidence.

23 THE COURT: Mr. Able --

24 MR. ABLE: Subject to my prior objections.

25 THE COURT: Right. 51 is into evidence for the State.

DAN KELLY: CROSS-EXAMINATION

618

1 That is a CD?

2 MR. SCOTT: Yes, sir.

3 (Whereupon, State's Exhibit No. 51 was admitted into
4 evidence.)

5 THE COURT: Are you finished with this witness,
6 Solicitor?

7 MR. SCOTT: I am, Your Honor.

8 THE COURT: Mr. Able, cross-examination?

9 MR. ABLE: Yes, sir.

10 THE COURT: Do you want the witness where he's seated
11 or you want him back at the witness stand?

12 MR. ABLE: He can return to the stand.

13 (Whereupon, the witness returns to the witness stand.)

14 CROSS-EXAMINATION

15 BY MR. ABLE:

16 Q Sergeant, we're not talking about GPS here, Global
17 Positioning System? We're not talking about that type
18 technology, are we?

19 A No, sir.

20 Q When the Solicitor was asking you questions concerning
21 your animation up here, most of his questions -- not all of
22 them, but most of his questions were prefaced upon the words
23 general area. That's what we're talking about. And I think
24 during your direct examination when you were on the stand,
25 we're just talking about general areas here, right?

DAN KELLY: CROSS-EXAMINATION

619

1 A Correct.

2 Q For something like GPS that's more sophisticated. You
3 can pinpoint a person's location with GPS?

4 A You can pinpoint it to within a degree of accuracy,
5 yes.

6 Q And what this software is doing, the GeoTime software,
7 to tell you -- to figure out where a cell phone is based
8 upon what cell tower it's connected to?

9 A Correct.

10 Q Again, in a very broad general area?

11 A Within a general area around that tower, yes.

12 Q And because a cell phone, or someone's cell phone is
13 connected to a particular tower it doesn't give their exact
14 location. It just says it was connected to that tower?

15 A Correct.

16 Q And a lot of different variables go into what tower a
17 cell phone connects to?

18 A Yes, sir.

19 Q And as I understand it, a cell phone will usually try
20 to connect to a tower that has the most strength or -- I
21 don't know if that's the correct word or not, but wherever
22 can get the strongest signal?

23 A Correct. The one it's closest to is usually the one it
24 will hit first.

25 Q Usually but not always?

DAN KELLY: CROSS-EXAMINATION

620

1 A Right.

2 Q So it can -- a cell phone can get a stronger tower from
3 a -- a stronger signal from a tower many miles away?

4 A Yeah. Certain towers have different wattage
5 capabilities where they can put out more power. A tower
6 such as downtown Greenville would not have as much strength
7 because it has a large population that it could serve by not
8 having much power. But a tower out in the country would be
9 -- would have a further range.

10 Q So you're saying then you would get better reception in
11 a rural area than you would in a --

12 A No. You'd be able to connect to the tower. It's not
13 that you would get better reception.

14 Q So this software doesn't provide us with a pinpoint of
15 --

16 A No, sir.

17 Q -- anything but -- and it doesn't show where -- for
18 example, it doesn't show the location or the final
19 destination of the cell phone. It just shows where the
20 tower it was connected? I mean, for somebody to connect to
21 a Gray Court tower or a Laurens tower doesn't mean you have
22 to be in either Gray Court or Laurens?

23 A If you're going to connect with that tower you have to
24 be within range of that tower.

25 Q You have to be within range of the tower, but it

DAN KELLY: REDIRECT EXAMINATION

621

1 depends upon how -- the strength of the signal and what
2 range that tower has?

3 A Correct.

4 Q So you can be many miles from a tower and still connect
5 to that tower?

6 A Yes, sir.

7 Q My point is, where you're showing the terminus of these
8 lines, that doesn't mean that's where the phone was or a
9 person with that phone?

10 A It shows the handset was connected to that tower at
11 that time.

12 Q That's right. Not where it was. It's showing it was
13 connected to a tower?

14 A Correct.

15 Q Now, as I would view the animation it shows that Mr.
16 Raines' cell phone was no further south than a Simpsonville
17 tower during the early morning hours of August 19th.

18 A Correct.

19 Q It doesn't show him in the Gray Court area?

20 A No, sir.

21 Q And this animation doesn't show him on Bramlett Church
22 Road?

23 A No, sir.

24 Q And this animation doesn't show him in a field on
25 Bramlett Church Road?

DAN KELLY: REDIRECT EXAMINATION

622

1 A No, sir.

2 Q So from this animation you cannot say Darrell Raines
3 was on Bramlett Church Road in Laurens County during the
4 early morning hours of August 19th, 2013?

5 A The only thing the animation shows is where the handset
6 was.

7 Q Shows where the handset was in relation to connection
8 to that tower?

9 A Right. While it was on, yes.

10 MR. ABLE: That's all I have.

11 THE COURT: Anything on redirect, Solicitor?

12 REDIRECT EXAMINATION

13 BY MR. SCOTT:

14 Q Mr. Able asked you, you answered the tower that you hit
15 on could be many miles away and you said yes?

16 A Yes, sir.

17 Q And an urban area generally has -- what's the range of
18 a cell phone tower?

19 A It varies depending on the cell phone company and their
20 service that they have. If they have 100,000 clients in
21 that area it wouldn't a very strong tower to do that. The
22 further you get out the stronger they need in order to hit a
23 good customer base.

24 Q Well, do you have a general idea of what the range is?

25 A It could be anywhere from three to five miles downtown

DAN KELLY: REDIRECT EXAMINATION

623

1 to 50 to 100 miles out in the country.

2 Q Do you have an explanation while on the same night Mr.
3 Raines' phone would be hitting in the greater Greenville
4 area and then down in the Gray Court area?

5 A If it was in airplane mode or if it was turned off or
6 the battery was out. That's the only reason that it would
7 --

8 MR. ABLE: I don't think that was the testimony, Judge,
9 on the night of August 19th.

10 THE WITNESS: I'm sorry. I may have misunderstood the
11 question.

12 MR. SCOTT: Let me ask again.

13 THE COURT: Repeat the question.

14 Q Let's use, for example, the day of the 18th. Was there
15 any reason, or what's your explanation for his phone using
16 towers in Greenville, Berea and then down in Gray Court
17 around 7:30 p.m.? What's that indicate, in your opinion as
18 an expert in this software, what is your opinion of why his
19 phone would hit down in Gray Court?

20 A That phone hit that tower if it was there.

21 Q So it's your opinion that his handset was in the
22 general vicinity of Gray Court, South Carolina?

23 A If that's where the handset shows on that tower, then
24 that handset was nearby.

25 Q Now, Mr. Able asked you, in the early morning hours of

DAN KELLY: REDIRECT EXAMINATION

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1 the 19th, between midnight -- well, the midnight on the 18th
2 leading into the 19th, your testimony was that his phone was
3 near Simpsonville; is that right?

4 A Near the Mauldin area, where Charter was at midnight.
5 Near there.

6 Q You live up in Greenville, don't you?

7 A Yes, sir. Mauldin.

8 Q Are you familiar with the Bi-Lo on Highway 14 in
9 Simpsonville?

10 A Yes, sir.

11 Q And what -- how far away is that from the Charter
12 Communications?

13 A I couldn't give you an exact distance, but it's
14 probably five to 10 miles.

15 Q Is it the general vicinity -- or is it near the Charter
16 Communications?

17 A It's not far.

18 Q So it's in Simpsonville, I guess you'd say?

19 A Yes, sir.

20 Q So is it your testimony that around midnight, 12:03,
21 that there was an event using Darrell Raines' phone right in
22 Simpsonville area?

23 MR. ABLE: Judge, I think that was elicited on direct
24 examination.

25 THE COURT: But it's in response. I'll overrule it.

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1 He's allowed to ask it. Repeat your question, Solicitor.

2 Q Mr. Able asked you the last time there was an event on
3 Raines' phone, or the 12:03 a.m. event, and that was where?

4 A That was near Charter in Mauldin, just north of
5 Simpsonville.

6 Q In your animation it appears that his icon sort of
7 drifts a little bit while Myranda's continues down to Gray
8 Court.

9 A Yes, sir.

10 Q Is there an explanation for that?

11 A Yes. When -- if her -- if her cell phone continues on
12 further south and hits a tower down there and his stays
13 there and slowly moves north towards Greenville City, what
14 it's doing is it's tracking to its next point. To the next
15 time it hits a tower. So based on the time and difference
16 in time, it's going to click on the next tower. So it's
17 slowly going to move in that direction until it hits that
18 time.

19 Q So it doesn't mean that at that time he's actually
20 moving north. Is that your --

21 A Correct.

22 Q And again, what effect would it have setting your phone
23 to airplane mode?

24 A No cellular signals go out --

25 MR. ABLE: Asked and answered, Your Honor.

1 THE COURT: That's been asked and answered.

2 MR. SCOTT: Nothing further, Your Honor.

3 THE COURT: Is there anything on recross?

4 MR. ABLE: No, sir. Thank you.

5 THE COURT: Thank you, Sergeant Kelly, for your
6 testimony. You can step down. You are free to leave or
7 you're welcome to remain with us.

8 THE WITNESS: Thank you, Your Honor.

9 MR. SCOTT: Your Honor, the State rests.

10 THE COURT: Thank you very much, Solicitor.

11 Mr. Foreman, ladies and gentlemen of the jury, this is
12 kind of the part of the case we're going to take a break.
13 The State has rested. In other words, they're not putting
14 up any other evidence or witnesses in their case in chief.
15 So I'm going to ask you go to back to the jury room. Take a
16 morning break. And we'll bring you back out shortly. Once
17 again, don't begin any discussions among yourselves about
18 this case. Okay?

19 (Whereupon, the jury exited the courtroom at 10:38
20 p.m.)

21 THE COURT: We'll take a short recess and I'll come
22 back and entertain any motions that need to be made.

23 (Whereupon, a recess was held from 10:38 a.m. to 10:54
24 a.m.)

25 THE COURT: We're back on the record. Mr. Able, do you

1 first and then Mr. Able will make his argument. After
2 that's done we'll probably take a short break and then I
3 will charge you on the law of the case. So please give
4 these lawyers, who have worked extremely hard in this case,
5 please give them your undivided attention.

6 Solicitor, you may proceed, sir.

7 MR. SCOTT: Thank you, Your Honor. If it please the
8 Court.

9 CLOSING ARGUMENT

10 BY MR. SCOTT: Obsession, deception and a completely
11 senseless act. That's what we told you this case was about.
12 Have you not learned that during the course of this
13 testimony? It is a frightened tale of what man can be
14 capable of. It is truly frightening what Darrell Raines
15 proved himself capable of doing in order to somehow in his
16 mind, in his warped reality, obtain Lisa Hamlett. It's
17 truly frightening. In 2013 -- August 2013 he was
18 unraveling. He was coming undone. He woke up thinking
19 about Lisa Hamlett. Moped around his mom's house
20 daydreaming about Lisa Hamlett. He saw her face in complete
21 strangers. He talked about her to anyone who would listen.
22 He wrote letters. He did Face book searches. He used her
23 name as a password. He set goals to obtain her. He left
24 things on her doorstep. Drove around her house all hours of
25 the day and night. He was completely and utterly fixated

1 and obsessed. Just like pulling the thread on a sweater, he
2 was becoming unraveled layer by layer, and that was his life
3 in August 2013.

4 To his friends he seemed forlorn, detected, a hurt
5 puppy. He was everyone's little brother in this group of
6 friends he had. He surrounded himself with these women who
7 had their own issues. They had marital problems and this
8 and that and they looked down at him as kind of like the
9 little brother who was a hurt puppy. Of course, to them,
10 the story he described about Lisa was they had this just red
11 hot romance. They had dated for over a year. He had moved
12 in with her. Things just didn't work out and, for whatever
13 reason, they went their separate ways, but he was going to
14 get her back. He was going to get her back. That's the
15 story all these people knew about Lisa because that's --
16 that was his warped reality. That's what I think was in his
17 mind, because that's certainly what he was trying to sell
18 other people. He was the harmless forlorn love sick
19 Darrell. But beware of those who would come to you in
20 sheep's clothing, because inwardly they are ravenous wolfs.
21 Is that not who he was? Did he not appear to be harmless
22 Darrell to everyone? Just a love sick guy?

23 He truly caught Myranda at the lowest point of her
24 life. Financially she seemed to be in dire straights. She
25 was the mother to two small children. In the process of

1 being evicted from her apartment. Far away from her home in
2 Florida. Recently separated and just found out her
3 estranged husband had gotten another woman pregnant. This
4 was a low point in Miranda Southern's life, and that's what
5 all the testimony has been. And she was the wounded lamb.
6 She was the wounded lamb the wolf could use.

7 He never saw this lonely woman as a real person. He --
8 as prolific on Face book as he was, he didn't even friend
9 her on Face book. It's telling to me in his cell phone
10 she's saved as Jessica. None of his friends knew about
11 Miranda. He's keeping her aside. I submit to you there's a
12 reason for that. He never saw her as a person. She was
13 just a means to an end. The lamb for the wolf to use up and
14 spit out.

15 He couldn't really care less about Miranda because he
16 was so focused on Lisa. And Miranda, without knowing, had
17 fallen into a place where she was being used by Raines. She
18 wasn't the first. There had been others who had let
19 themselves think that Mr. Raines cared about them and then
20 had to swallow hard when time after time he would mention
21 this Lisa person and ask them, well, what do you think.
22 What's my best change at getting back with Lisa. You heard
23 Mia McCarter up here. She said that they started this
24 romantic relationship, via text message mostly, after he
25 befriended her and sent pictures and this, that and the

1 other. But then ultimately he'd say, well, you know, I got
2 this other girl Lisa. You know, what do you think about
3 this letter I'm thinking about sending her? And this was a
4 theme. And Myranda had fallen into this same pattern where
5 she let herself think that the wolf cared for her, but all
6 he wanted was for her to be a means to an ultimate end.

7 You know, the strong woman wouldn't put up with this.
8 The strong woman would not put up with his whining and his
9 sniveling about Lisa. A strong would say, I could care less
10 about your past love life and the one that got away. But
11 Myranda, in August 2013 -- and I'm sorry. I mean no
12 disrespect. But Myranda, she was not a strong woman, at that
13 point. She was weak. She was vulnerable. And at times,
14 I'm sorry to say this, but she was pitiful. The perfect
15 prey for the wolf in sheep's clothing.

16 The fact that their paths crossed at this time, August
17 2013, it's the saddest kind of fate to me, because she's at
18 her lowest point and he's at his most desperate at this
19 point. And Lisa Hamlett, none of this is your fault. I
20 want you to know that. You didn't ask for this. You know,
21 they say Cleopatra was the face that launched 1,000 ships.
22 For Darrell Raines was Lisa Hamlett not the face that
23 launched 1,000 letters, text messages, Face book searches.
24 Just a complete object of obsession.

25 It was so interesting to me to hear the order of

1 witnesses. You hear these friends of his, and they would
2 get up on the stand and they'd say I've known him since
3 childhood. He's just always been harmless and just -- it's
4 just Darrell. And I would ask them, tell me what he told
5 you about his relationship with Lisa Hamlett. And they'd
6 say, oh, well, yeah. That was his girl. I mean, you know,
7 of course they lived together and they dated for over a year
8 and, I mean, it was just the one that got away for him. He
9 really loved her and he talked about her all the time, and
10 he'd send me letters and ask me to proof read them and ask
11 me, you know, should I send this to Lisa. And you would
12 just oppose that with Lisa's testimony, because she got up
13 there and she said, you know, what. I knew the guy when we
14 grew up. He lived in my neighborhood. His mother and my
15 mother were friends. We went our separate ways after high
16 school. To whatever extent we knew each other in high
17 school, when high school was done I was here and he went
18 there. I lost touch with him until he friended me on Face
19 book and asked me to go to Applebee's. I went to
20 Applebee's. He kissed me in the parking lot that night.
21 That was it. Sometime later he came to her house. They
22 watched a Clemson game. And I'm sure she regrets it to this
23 day, but she had sex with him that night. But shortly after
24 that, that was it. I mean, she finds out he's not divorced.
25 He's supposed got some other woman pregnant. She said I had

1 enough, you know. I tried it. It didn't work, you know.
2 Thank you, but no thank you. And she was able to move on.
3 Darrell was not. You heard about the progression. How he
4 ran things up. You know, it started with just these -- a
5 letter here, there, and at some point it was a letter every
6 morning. She'd come out of her house and there's be a
7 letter there written by Darrell Raines that he had left some
8 -- under the cover of darkness the night before. She had
9 offhandedly mentioned that she liked Jolly Ranchers, so he
10 filled up her whole porch with Jolly Ranchers, handcrafted
11 some vase made out of Jolly Ranchers. All the texts. The
12 money left on the porch. The ATM cards. Texting her saying
13 I'm outside of your house. Come talk to me. I can't
14 remember everything. But it had an affect on Lisa. When I
15 die bury me under a cherry tree. Is that something you say
16 to somebody you went on two dates with? This was not
17 romance. This was a sick, sick obsession.

18 And I want you all to remember this is August 2013
19 where all of our events happen. Their two dates happened
20 back in 2012. So in the eighth month of 2013 he's still
21 carrying on like this.

22 He sent the Face book message to Lisa Hamlett on the
23 17th. Did he know then the next day he'd march Myranda down
24 to the killing field? He bought the gun that same day. He
25 bought the .380 on the 17th. Did he know then he'd use it

1 on Myranda down in the killing fields? He met her after
2 work, midnight on the 18th going into the 19th. He knew
3 then he was taking her down to the killing fields, because
4 earlier that same night he drove all the way from his home
5 in Greenville down to Bramlett Church Road, 7:30 that night.
6 Do you all remember that? You all remember that? The cell
7 phone animation. While she's at work at Charter trying to
8 earn a living he drives his truck down to Gray Court. Was
9 he scouting the killing fields? Drove back up to
10 Greenville. She's still at work. The same time period,
11 8:00 -- 8:00 that night she goes on break. I want you all
12 to remember this. 8:00 she's using her bank card at the
13 Hickory Point on Wade Hampton Boulevard. That's such an
14 important fact. All right? Uses her card at the ATM at
15 Hickory Point. Midnight -- we watch the animation. We saw
16 it. He comes back down through Greenville. His phone
17 travels down 385 right there at Mauldin, right there where
18 the Bi-Lo and the Charter Communications are, and his phone
19 has an event on a cell tower right there at 12:03 a.m. And
20 we all know what time Myranda got off work. We all know the
21 last time anybody other than Darrell Raines saw her alive
22 and that was midnight at Charter. What's Darrell tell
23 investigators? I was at home that night. His cell phone
24 says otherwise. We saw Myranda's phone at the same time
25 using cell towers right there, which is expected because she

1 works at Charter. When he met her at the Bi-Lo what did he
2 tell her? What did he tell her that they were going?

3 There are so many questions, you know. Why couldn't he
4 let Lisa go? Why couldn't he get over it? She didn't want
5 you. Why did you have to bring Myranda into it? She didn't
6 deserve it. I'm going to wake up for -- just like I have
7 for months. I wake up in the middle of the night wondering
8 why. Why did he do that? Which pales in comparison for
9 that family who will spend the rest of their life wondering.
10 Why did he do it? Why? I can't tell you. I can give you
11 all theories. The good news is this, you don't have to
12 worry yourselves about it so much. Motive never has been
13 and never will be an element of murder. It's enough that we
14 know that he did it, and we certainly know he did it beyond
15 any and all doubt. Not just beyond a reasonable doubt.
16 Beyond a shadow of a doubt we know he did it. We know it
17 was those cold eyes that set the pistol on her neck. It was
18 those fingers that pulled the trigger on that .380 that he
19 bought the day before. We know these things. We want to
20 know why. Ladies and gentlemen, I don't think I can answer
21 that for you. The why.

22 He spooked that night though, didn't he? When he
23 pulled the trigger on that .380 that he had been longing
24 for. You saw the texts. He'd been talking about wanting a
25 gun. If he could only come up with \$200 he was going to get

1 him a gun. I don't know why. Why did he suddenly in August
2 want that gun so bad. The novice. He talked about not
3 really having experience with guns. And that explains why
4 he dropped the clips. He panicked. He hit the eject
5 button, dropped the magazine and in the darkness couldn't
6 find it. But he had to get out of there because he'd just
7 fired off a .380. He got back on 385. Had her phone still
8 in his car. Had his phone with him. Drove on up 385. Got
9 to Greenville. I submit to you that's when he ditched her
10 phone. But only after he did something. Used her phone to
11 dial his phone. He's starting to cover his tracks now. The
12 man with the background in computer technology. The man who
13 describes his background as being able to make computers
14 talk to one another. Remember that interview? The man who
15 fixes other peoples' phones. The man who knows if he turns
16 his phone on airplane mode you can't track him down there
17 that night. So what he does is he uses her phone to call
18 his. So he's establishing the fact that he's on the phone
19 with Miranda at midnight, and the phone records show that.
20 The problem is, they're also showing that he -- his phone
21 and her phone are in the exact same area at 3:00 a.m. We
22 know Miranda ain't there. We know she's down in the killing
23 field. We know that because the gun shots between 1:00 a.m.
24 and 1:30 a.m. He's in Greenville. He's on the phone. All
25 right? But guess what? There ain't nobody on the other end

1 because the phone is sitting right beside him in the truck.
2 He gets 500 bucks out, after doing two balance inquiries.
3 That's interesting, too, because -- we're going to get to
4 his story about the ATM in a minute. But two balance
5 inquires. In other words, he's checking to see how money
6 she has before he draws out the maximum. Thereafter he goes
7 on back up to Berea. And then the next day was interesting.
8 You all remember that? The next day Dan Kelly testified --
9 what's his phone do? Goes up to Greer and goes to a couple
10 other places. Around 4:00 p.m. he's going back down 385.
11 Going back down to the killing field. You all want to know
12 why? He's got to find the clip. He knows he dropped that
13 clip there. Still can't find it. It's in that high grass.
14 He leaves a clip behind. Now he's ready to -- he needs to
15 start coming up with covering his tracks. And it's so
16 interesting to see the steps he did to try to cover his
17 tracks. You remember the dummy Face book post that
18 everybody said that ain't Myranda? Hey, everybody, it's me,
19 Myranda. I decided to go on down to Florida. Okay. Well,
20 then he -- right after that he sends a Face book message to
21 Myranda's mother. I'm coming down to Florida to see you.
22 Well, about 7:00 that night he realizes, well, that bought
23 me a little bit of time. But, you know, Ms. Smithers,
24 Myranda's mom, is probably going to become suspicious when
25 she doesn't show up down in Florida. Then he has to regear.

1 He has to regroup and he sends the next Face book message
2 out. Everyone, don't worry about me. I'm going to Savannah
3 to hang out with some friends. That'll buy him some more
4 time, won't it? Because, you know, if she doesn't show up
5 down in Florida, well, she'd already sent that message that
6 said she's in Savannah. The problem is, people were still
7 getting worried because they knew those message didn't sound
8 like Myranda. That wasn't Myranda talking. Something was
9 wrong. And she didn't know anybody in Savannah anyway, and
10 she wasn't going to miss her daughter's eighth birthday,
11 which tragically is the day she was killed.

12 What else does he do? He takes that .380 and he ships
13 it off to Hi-Point to get retooled. To get reworked. And
14 then he uses some of that money that he took from Myranda.
15 And I'll be damned if he doesn't buy another gun on the
16 20th. He bought the nine millimeter on the 20th. So you
17 got him buying the .380 on the 17th, killing her on the
18 19th, and buying another gun on the 20th. He begins leaving
19 calls and text messages. And that's so significant. You
20 all are going to have this, by the way. You all remember we
21 went over it with Antonio Bailey? He went by text by text.
22 You all are going to have that back there, so you call can
23 look at it. Look at the ones he deletes. First of all, do
24 you all delete your phone calls and your text messages?
25 That's not very common. And if you're picking out certain

1 ones to delete. I want you all to look at the ones he
2 deleted on there. He's covering his tracks. He tries to
3 craft a story of why he's at the ATM when police ultimately
4 talk to him. And in his statement on the 29th he made the
5 following statement. "There's details I didn't pay
6 attention to." And he is right. He's right. Because the
7 first time Darrell Raines comes up as a suspect is when they
8 go looking at her bank records to see where did she go. She
9 left work. Where did she go. Oh, okay, well, it looks like
10 she made some transactions here in Berea at 3:30 a.m. the
11 night she went missing. \$500 withdrawn. Let's go look at
12 surveillance. Well, what's Darrell Raines doing there?
13 That's not Myranda Southern. So his story when law
14 enforcement says what were you doing up there using this
15 woman's card. Oh, oh, there's a great explanation for that.
16 On the morning of the 18th, which by the way is the last
17 time I saw her, she gave me that card and she said she
18 wanted to loan me \$200 and she just gave me her card and the
19 pin number and just told me take it out whenever you feel
20 like it.

21 First of all, who does that? If she was going to loan
22 him 200 bucks -- this woman who's in the process of getting
23 evicted from her apartment, this woman who's having to pawn
24 her jewelry off because she's having so much financial
25 difficulties, first of all, is not going to loan him \$200.

1 Second of all, the way you loan money to somebody is you go
2 get the money out yourself from the ATM and then you hand it
3 to them. You don't give them the ATM card. Aside from
4 that, if he's getting the card from her the morning of the
5 18th how in the hell is she using it at 8:00 p.m. that
6 night? Four hours before she gets off work. You all saw
7 the surveillance. How could that be? And then he's using
8 it at 3:30 in the morning. Between 8:00 p.m. and 3:30 he
9 had contact with her. We know this. So why is he saying
10 the last time he saw her was the morning of the 18th? I
11 submit to you that alone is enough evidence for you to go
12 back there and deliberate for 15 minutes and convict him of
13 murder. That alone.

14 This calendar, it's so important. The rules of law --
15 you know, we had to argue outside of your all's presence and
16 we got to talk about the law all the time. We're governed
17 by the rules of law. This book, plus however many cases are
18 out there that have decided all these things. But the rules
19 say y'all can't take the calendar back there with you. And
20 I built it. I hope -- I know you all saw every time I put
21 something up there. But there's so many important things in
22 here. And when you look at it as a whole it just knocks
23 this case out of the water. I want to take a minute to go
24 over some things with you guys with the calendar. And I've
25 got this up here. You may not be able to see it from where

1 you are. But if I could, I want to go over some important
2 dates for you guys and explain some significance. And I
3 don't want to reiterate what we've gone through in trial,
4 but there's some important things here that I want to show
5 you.

6 This is August 2013, and I want to talk about the
7 testimony. August 6th Darrell Raines and Myranda Southern
8 meet on Plentyoffish. And this is when they meet online.
9 They have not yet met in person. Seven days after that they
10 meet in person. Seven days after that is the same day that
11 Myranda drops her kids off with her mother down in Florida.
12 They meet in person for the first time. Darrell spends the
13 night. The 17th. They've only known each other four days.
14 Okay? This is when Myranda and Darrell send the Face book
15 message to Lisa. Make no mistake about it. The message was
16 sent by Darrell, and the way we know this is if you look at
17 the message and then you look at the text messages you can
18 see in the text message thread that Face book message was
19 sent, and you can see what they're saying to one another.
20 Right after it's sent from her account. Look, he had her
21 Face book password. Okay? He'd been working on her
22 computer. We know this. Right after it's sent Myranda text
23 him and says you didn't tell me you were going to send it to
24 her, which tells us Darrell was the one who sent it. Why
25 would Darrell send a message like that to Lisa? Because

1 Lisa's got a boyfriend named Jason Gillespie and Darrell
2 doesn't want Lisa seeing Jason Gillespie. If Darrell can
3 drive Jason Gillespie away maybe Lisa will come running back
4 to good ole Darrell Raines. I'm sorry, but that is the
5 warped reality of an obsessed man, and that is what he
6 wanted to do.

7 Jason Gillespie, by the way, is the one who he'd been
8 doing all those Face book searches on. When law enforcement
9 asked who Lisa's new boyfriend was he said I don't know. I
10 have no idea. Well, his Face book searches tell otherwise
11 because he'd been looking up Jason Gillespie quite a bit.

12 Same day he buys the .380. You all are going to have
13 his purchase records here and the date, but the date that he
14 bought the .380 was on the 17th. The next day Myranda uses
15 her bank card at the 7-Eleven on Wade Hampton at 1:20 p.m.
16 You all saw the video. There she is. There's the prove of
17 her using her bank card. If you look at the bank records,
18 it gives a time when she was using her card. If you pull
19 the surveillance at the gas station, there she is plain as
20 day using her card. Lauren Searcy sees Myranda leave for
21 work around 2:00 p.m. And again, like I said, Myranda uses
22 her bank card again at 8:00 p.m. This is well after Darrell
23 says -- he's saying that morning is when she gave the card
24 to him. That's a lie because here she is at 8:00 p.m. using
25 that card at another -- at Hickory Point on Wade Hampton.

1 Myranda gets off work at midnight. We heard that from her
2 supervisor. We knew that was her work hours. We know
3 that's the last time anybody can account for her, midnight
4 on the 18th. Then we get to the 19th. Nikki Yates hears
5 gunshots between 1:00 a.m. and 1:30 a.m. That was Myranda
6 Southern's last moment on this earth, between 1:00 a.m. and
7 1:30 a.m. Then what do we have? We've got Darrell Raines
8 at the ATM using Myranda's bank card at 3:30 a.m. Then
9 comes the first Face book post at 4:07 a.m., "So tired, but
10 I don't care. I'm heading to see my babies. Florida, here
11 I come." That's Darrell Raines typing that from Myranda
12 Southern's Face book page. 4:07. Penny Smithers receives a
13 Face book message at 5:16 a.m., "I'm driving down there. I
14 know it's crazy but I need to be away from all this for a
15 day or two. See you soon. Kiss them for me." He's trying
16 to cover his tracks. He's trying to throw off suspicion at
17 this point. Finally the Face book post at 7:29, because
18 this is when he realizes they're going to be looking for
19 down in Florida. Now I'd better try to say she's down in
20 Savannah. "Just want to let everyone know I'm okay. I'm
21 just having a tough time dealing with everything right now.
22 I need time to figure everything out. I'm staying with a
23 friend in Savannah until I'm ready. I love you all and I'll
24 see you all soon." Myranda didn't know anybody down in
25 Savannah. The next day Darrell decides to buy another gun.

1 A nine millimeter. Because at this point he's got to ship
2 this .380 off to Hi-Point and get it reworked. We heard the
3 testimony regarding that. Officers begin to get bank
4 records on the 21st. They first see Darrell at the ATM.
5 That's an interesting picture. I think that's an
6 interesting picture. You got a clear image. It's from the
7 same time as the one with his face but it's just a different
8 angle. But you clearly see there's nobody else in the car.
9 Remember the story he told Crystal Smith, his friend when he
10 was in jail? And she said they're showing you on the news
11 at the ATM using that girl's card. What's up with that?
12 Oh, well, she was in the car with me. She was just -- she
13 was scared to get out. And there's Crystal Smith sitting
14 over there and she's a friend of Darrell's. I submit to you
15 she has no reason to make something like that up. That's
16 what Darrell told her because he still can't really explain
17 it. She's in the car with him but she's too scared to get
18 out. I want you all to look closely at these pictures and
19 see if there's anybody else in the car with him. The 22nd
20 he gives his first statement. They do a search of his
21 phone. He gives consent, but then they say, well, I'm going
22 to get a search warrant. They dump the contents of his
23 phone and that's where we get all this information. And
24 that's when he first tells officers -- well, at that point
25 he's telling them he got the card on Saturday. So he's

1 still trying to figure out what his excuse is. At that
2 point he says he got the -- it's that second statement he
3 says he got it on the 18th. Both of them are lies though,
4 so don't even worry about it. The 23rd, the search warrant
5 for Myranda's phone. That's where we get her coordinates
6 where we can see where she is on the 18th. Her body is
7 found on the 23rd. What else is found out in the killing
8 field? Do you all remember? The clip to a .380. A clip
9 that fits two guns in the world. One of them is the
10 Hi-Point .380 that Darrell bought on the 17th and the other
11 is a specific nine millimeter that Hi-Point manufactures.
12 Found some seven feet away from Myranda's body. Hi-Point
13 received the .380 that same day to be worked on. Myranda's
14 car is found at the Bi-Lo. Nobody has any idea where
15 Myranda's car is until this date. All right?

16 I want to show you all -- again, I want to remind you
17 all her car is found on the 23rd. Look on the 19th who
18 Darrell is calling? Why on earth did he make two calls the
19 day Myranda gets killed to the very Bi-Lo on Highway 14 in
20 Simpsonville, South Carolina where her car is found four
21 days later? Was that apparent to you all when it came out
22 in testimony? Why would he do that? Was it to say, hey,
23 there's a car out there. Don't tow it. Don't tow it.
24 Leave it there. It's my car. I'm going to come get it
25 later. I don't know. Was it to ask is anything going on

1 out in the parking lot out there that I should know about?
2 I don't know. I think it is incredibly compelling that on
3 the 19th he's calling that Bi-Lo twice. Two different
4 numbers that are both linked to that Bi-Lo.

5 The autopsy is performed on the 24th. There's Myranda.
6 There's the .380 slug that left the .380 that Darrell
7 purchased on the 17th and was ultimately found in her neck.

8 Phone records are continued to be reviewed on the 26th.
9 The body is identified as Myranda's on the 29th. Darrell's
10 interviewed and arrested on the 29th. Then we start to get
11 some of Darrell's greatest hits. I hated to have to play
12 that whole thing for you all, but you all deserved to hear
13 his interview in its entirety. You all are going to have it
14 back there. You all can listen to Darrell's greatest hits,
15 but I'm going to play a couple for you. You got this gem.
16 Remember when he's talking in that first and he volunteered,
17 "Well, I knew you guys would want to talk to me because I
18 was the last person to talk to her." How did he know that?
19 He says that without being told. How did he know he was the
20 last person to talk to Myranda?

21 (Whereupon, excerpt of audio of police interview was
22 played.)

23 "I was the last person to talk to her." He's right.
24 But how did he know that at that point? What about this?
25 This is what I was talking about. This is his explanation

1 of when he got her bank card.

2 (Whereupon, excerpt of audio of police interview was
3 played.)

4 That's a lie. We know when she was using her card,
5 1:20 and then 8:00 p.m. that night. He says it again.

6 (Whereupon, excerpt of audio of police interview was
7 played.)

8 What about this one? "Darrell, where's the ATM card
9 now? Where's the 500 bucks?"

10 (Whereupon, excerpt of audio of police interview was
11 played.)

12 What about this one. "Do you own a gun?" Now's the
13 time to talk about the .380 when the officer asks do you own
14 a gun. Here's what he said.

15 (Whereupon, excerpt of audio of police interview was
16 played.)

17 He didn't say anything about a ..380. He'll talk about
18 that nine millimeter. He conveniently forgot to mention the
19 .380 that he had just sent off to Hi-Point to get reworked.
20 They do the search warrant. They go up there and they find
21 the little drawer he's talking about right next to the couch
22 he sleeps on. They find this notepad. It's got two
23 columns. There's his want column. He wants a house. He
24 wants a new car. He wants a motorcycle, and he wants Lisa.
25 Then the other column is how to get there. He says he needs

1 the new job to get the new car and he needs to save to get
2 the motorcycle. He hadn't figured out how he's going to get
3 Lisa. Now, that's on top of the dresser. So then they open
4 the drawer because that's where he says the bank card and
5 the money can be found. Surprise, there's no money.
6 There's no bank card. The next day officers speak with
7 Traders because -- and this is kind of confusing but I hope
8 you all understood it. When he says I have a nine
9 millimeter. They said, "We'll, where did you get it?"
10 "Traders gun store up in Greenville." Officers like
11 McIntosh are trained to do this kind of stuff. They're
12 trained to follow-up on tips like this. So he takes -- he
13 and Cheek, the other guy in the interview, they go up to
14 Traders and they speak with the guys at Traders gun shop and
15 they say, I remember that guy. Yeah, he came in and bought
16 a nine millimeter, then he tried to return it a couple days
17 later and we told him sorry, we don't do exchanges, but
18 Hi-Point has a good warranty program. And Darrell Raines,
19 he remembered this and volunteered this. "I'm familiar with
20 Hi-Point's warranty. I just sent a .380 up there to get
21 reworked." Shear luck they were speaking with that guy and
22 just shear luck he happened to remember that, because he
23 tells law enforcement that. They get on the phone with
24 Hi-Point and say, hey, you all got a .380 up there you all
25 are working on for a Darrell Raines? They say, as a matter

1 of fact we do. We just sent it back. They get a search,
2 warrant. They go to intercept it just as it's getting to
3 his house, just as his mom's receiving it. What do they
4 find? A FedEx box addressed to Darrell Raines with a copy
5 of his driver's license on it with his request for work to
6 be done on it. Inside that box is the .380. The murder
7 weapon. Isn't that neat? That's how they came to get the
8 gun. The gun which is one of only two that fit the clip
9 that was found in the killing field. You all see how that
10 worked?

11 This is a circumstantial case. We don't have anybody
12 who watched him shoot her. We know he did it, but that's
13 direct evidence. We got circumstantial evidence, and we've
14 got more than I think I've ever had in a case. I mean, if
15 you think about it, everything, if you think about all this
16 stuff put together it's like a puzzle. It really is. And I
17 think that's kind of how I described it in opening. You
18 take all these little hints and clues and everything and you
19 put them together and then the puzzle is just kind of built
20 right before your eyes. Piece by piece this circumstantial
21 evidence comes together until the picture is so clear you
22 can't avoid it. It's unmistakable. It's undeniable. How
23 did Myranda get to the killing fields? How did she become
24 -- how did she come to be left out there like a piece of
25 trash like Ms. Boykin said in opening. Put the puzzle

1 together. It's just one minor piece in the puzzle. You got
2 his financial difficulties. If you look through the text he
3 -- if I can only get \$200 I'll get what? What does he want
4 that \$200 so bad for? He wants a gun. He's suddenly become
5 -- he's got to have a gun. He hasn't described why. But
6 for whatever reason in this time period he needs a gun, and
7 if he can only get \$200 he can get a gun. Look at that
8 information. Look at that chart. Why is he calling
9 Hi-Point nonstop all day on the 19th, the day she's killed,
10 and then on the 20th? Hi-Point, the manufacturer of the
11 magazine he left in the field from the gun he bought on the
12 17th? Why is he calling them nonstop? The .380 Hi-Point,
13 that this kind of links in with it. Isn't that just so
14 coincidental that he bought that gun the day before she's
15 killed? And isn't that so coincidental that he shipped it
16 off? You all remember what the Post Master said? It would
17 have either been sent -- had it been shipped -- sent
18 priority, which is what guns are sent by? Either on the
19 20th or the 21st, the day after she's killed. It's a
20 puzzle. We're building a puzzle. And we've got to use all
21 these clues and all this great information. ATM at 3:30. I
22 don't care how you bend it. His story never makes any
23 sense. Not one shred of sense. The lies about the ATM.
24 She gave me the card. I was going to use it to get money
25 that this broke woman was going to loan me 200 bucks. The

1 last minute she changed it to 500. She called me on the
2 phone and said go ahead and take 500 out. This woman that
3 was broke. She gave it to me on the morning of the 18th.
4 And by the way, I forgot to use it all day on the 18th. But
5 suddenly at 3:30 a.m. in the morning on the 19th I woke up
6 and said I got to go to the ATM. So I jumped in my car and
7 drove across town to the ATM at 3:30 a.m. It doesn't make
8 any sense. Location, location, location.

9 Why is his car -- his cell phone down right near
10 Bramlett Church Road in Gray Court earlier in the day on the
11 18th? I don't know. Was he scouting? I don't know. But
12 it was down there. The phone records don't lie. The cell
13 towers don't lie. Why was his phone hitting on a tower
14 right by Charter at midnight the night she went missing?
15 Midnight, the last time anybody saw her. Those towers don't
16 lie. Then the next day, after she had been killed, why was
17 his phone hitting down here in Gray Court again? I submit
18 he was trying to find that magazine. It's a puzzle, and
19 it's a puzzle that we put together. And as I said, it's
20 unmistakable. It's undeniable. It's right there in front
21 of you.

22 You know, there's an idea that circumstantial evidence
23 is no good evidence. Now, this Judge is going to tell you,
24 you don't give any different weight between direct evidence
25 -- direct evidence would be a witness saying I saw Darrell

1 Raines shoot her. You give no more weight to that kind of
2 evidence than you do circumstantial evidence. But there's
3 a, I guess, idea. I expect Mr. Able, who's one of the best
4 lawyers money can buy, to get up here and talk about all
5 they have is circumstantial evidence. It's just
6 circumstantial. Circumstantial evidence alone. If I only
7 told you that there was a clip found in that field and it
8 was of the same type of gun he had. That would admittedly
9 be pretty flimsy evidence. But then when you take piece
10 after piece, after piece after piece, after piece after
11 piece, after piece after piece, after piece of
12 circumstantial evidence, what it does is it forms the kind
13 of evidence that is so strong it's unbreakable. You can't
14 break it. If you take any of them on their own, yeah. You
15 can snap it in half. But when you bind them altogether
16 sometimes the evidence is so strong it cannot be broken. It
17 is so strong you can't deny it. And that's what the puzzle
18 is, ladies and gentlemen. That's what the circumstantial
19 evidence is showing you. I hope you're saying to yourself
20 -- and if you are, is it just me or does all this stuff just
21 point in one direction, that Mr. Raines did this horrendous
22 act. That he killed this poor woman in the early morning
23 hours of August 19th, 2013. If you're saying that to
24 yourself, it's not just you. It is there, and it is clear,
25 and it is unmistakable, and there is no other logical

1 reason, no other reasonable explanation of how this thing
2 came to be. This horrible thing came to be. He's going to
3 get up there and say you don't have any video. Let's don't
4 let Darrell Raines get away with this just because a video
5 camera didn't catch him. He's going to say you got no
6 eyewitness. Let's don't let Raines get away with this just
7 because Nikki Yates couldn't see him through the 1:30 a.m.
8 darkness. He's going to say you don't have any DNA. What
9 would he have said if I said they pulled DNA out of his
10 truck? If they pulled DNA out of his truck that belonged to
11 Myranda Southern. What would that have shown that he didn't
12 already admit to. He said she rode in the truck with him.
13 It's a Law And Order argument. The Law And Order argument
14 is an hour. They show the crime, and then they get the
15 fingerprints off everything and they get the DNA and it's
16 all wrapped up. That's the Law And Order argument. This is
17 the real world, ladies and gentlemen. You don't get
18 fingerprints off a clip that's left out in the August sun
19 and the August rain for about a week. You don't get DNA off
20 of evidence that's left out there in the elements for a
21 week. That's the Law And Order argument. We're talking
22 about the real world here. We're talking about ATM videos
23 at 3:30 a.m. We're talking about cell phone towers. We're
24 talking about .380s.

25 The Judge is going to say that murder is killing

1 another person with malice aforethought. He's going to say
2 malice is hatred, ill will or hostility toward another
3 person, and that it is the intentional doing of a wrongful
4 act without just cause or excuse. Tell me what just cause
5 or excuse Darrell Raines had for killing this mother of two?
6 I've heard no just cause or excuse. With the intent to
7 inflict an injury or under circumstances that the law will
8 infer an evil intent. What was his intent when he bought
9 that .380 the day before he killed her? What was his intent
10 when he went down to the killing field while she was at
11 work? I want you to think about him out there in the
12 killing field. I know it's unpleasant. I want you to
13 think about him leaving her out there like a piece of trash.
14 Ask yourself why would he do that. But don't expect your
15 mind to give you any kind of reason that makes any sense.
16 That's justified in any way. At some point you've just got
17 to realize that people do terrible things. People do
18 unthinkable things to other people. And it's very rarely a
19 good reason for it. I say again, we don't have to know why
20 he did it. I got in my head it has something to do with
21 this Face book post. I got in my head that if you look at
22 the calendar, this happened on the 17th and he killed her
23 the next night, that maybe Myranda got a little bit of
24 strength. Maybe that broken woman, maybe that weak woman
25 finally said I ain't dealing with this anymore. I'm not

1 going to be your helper in this sick game you're playing.
2 Maybe Myranda said I think I'm going to tell Lisa about this
3 thing. We don't know why Raines did this, but we know for
4 certain he did it. Think about him down there in the
5 killing field, and go back there and render the only verdict
6 that is just. Go back there and find him guilty of having
7 that gun when he committed that murder, and then go back
8 there and find him guilty of the murder itself. That is the
9 only verdict that is just in this case, ladies and
10 gentlemen. That is the only verdict that all this evidence
11 tells you is right. Thank you.

12 THE COURT: Thank you, Solicitor. Mr. Able, are you
13 ready, sir?

14 MR. ABLE: Yes, sir.

15 CLOSING ARGUMENT

16 BY MR. ABLE: Good afternoon. Darrell Raines murdered
17 -- sorry, Myranda Southern because of his desire for Lisa
18 Hamlett. That's the State's theory. Darrell Raines
19 murdered Myranda Southern because of his desire for Lisa
20 Hamlett. As hard as I think about that and as hard as I
21 thought about it over the past week, and over the past
22 couple of years, I can't make it connect up. I can't make
23 it happen. I know the State has this pretty little
24 animation up here of the puzzle pieces going together. But
25 think about that. Think about the State's theory in this

1 case. What would have Darrell Raines had to gain by harming
2 Myranda Southern? Nothing. He would have nothing to gain.
3 This theory that he was going to hurt her because he wanted
4 this woman to come running back to him, Lisa come running
5 back to him and fall in his arms, it doesn't make sense. It
6 doesn't make sense. If you look at the messages they were
7 sending back and forth, Myranda and Darrell, when you look
8 at these, she was helping him fashion these messages to
9 Lisa. They were talking about those things. She was
10 complicit in these things. He wasn't trying to get Lisa
11 back. He was trying to hurt Lisa by having her break up
12 with her boyfriend. Darrell had a girlfriend. Myranda.
13 They were conspiring and working together on that. It
14 wasn't just him, and I'm going to hurt Myranda to try to get
15 back Lisa. That's not at all. He was wanting to hurt Lisa
16 and Myranda was willingly helping him do that. He didn't
17 want to hurt her. He needed her. So the State's theory of
18 -- about this love affair that wouldn't die. It was dead.
19 It was gone. He was trying to hurt her. Now, that might
20 make Darrell Raines a bad person, and it might make Myranda
21 Southern a bad person for going along with it, but it
22 doesn't make Darrell Raines a murderer.

23 Now, we've been at trial now for five days. What has
24 the State shown based upon all this evidence, this
25 voluminous pile of evidence they have here? They've shown,

1 number one, that Miranda Southern died as a result of a
2 homicide. That's uncontested. Number two, it's shown that
3 Darrell knew Miranda Southern. It goes without question.
4 They met on Plentyoffish. They met a week later and started
5 having an affair. Started having sex. They were boyfriend
6 and girlfriend pretty quickly. Three, they've shown to you
7 that Darrell Raines owned a gun. He owned a Hi-Point .380.
8 It goes without saying. They have the gun. They got the
9 gun. And number four, they show that Darrell Raines used
10 Miranda Southern's bank card. Those are the four things I
11 think that they've proven and shown you. Once you boil down
12 all this evidence that the State has those are the four
13 things they can show you.

14 Now, I want you to think back. I know you've heard a
15 lot over the past five days. There's so much here to take
16 in. But I want you to think back to Monday afternoon when I
17 first had a chance to talk to you and address you in my
18 opening statement. I told you, I said, I think this case is
19 going to be important about the things that the State cannot
20 show you, and I listed a laundry list of things that I
21 didn't think they're going to be able to show you in this
22 case. Now, I appreciate the Solicitor pointing out the
23 weaknesses in its case. But that's just what he was doing.
24 He was telling you, well, Mr. Able's going to get up here
25 and he's going to say this, and he's going to say this.

1 Well, you're darn right I'm going to say that. Because
2 that's where the State has failed. That's where the State
3 has failed to carry that burden of proof that I discussed
4 with you Monday afternoon. He was pointing out -- he was
5 saying it in a clever way. Mr. Able is the best lawyer
6 money can buy in this case. He's going to get up here and
7 say the State doesn't have this and it doesn't have this.
8 Well, he was pointing out the weaknesses in his case, and he
9 was saying it in that way rather than saying this is where
10 our case is weak and I'm going to tell you about it. I'm
11 going to tell you about them again because I told you about
12 them Monday afternoon, and I told you that I believe the
13 State would not be able to produce a witness, an eyewitness,
14 that put Myranda Southern and Darrell Raines together during
15 the early morning hours of August 19th, 2013, and they
16 didn't do it. The closest they came to it was Christian
17 Nicole Yates who lived in the house next-door to the field.
18 She said she heard some gunshots. She got up. She looked
19 out the window. She was not very far from the field. She
20 didn't see anything. It was dark. Of course it was. It
21 was 1:00, 1:30 in the morning. It was dark. But remember I
22 asked her. I said, you didn't see a vehicle. From her
23 window you could see the entire field. You could see the
24 house next-door, you could see the road. She didn't see a
25 vehicle, ladies and gentlemen. So there's no eyewitness

1 that can put Darrell Raines and Myranda Southern together.
2 And I appreciate the Solicitor pointing that out to you.
3 I also appreciate him pointing out to you the fact that
4 they don't have any vide evidence. Now, you remember --
5 remember Officer Cheek when we watched the video. I think
6 it was Wednesday afternoon. He kept pointing up in the --
7 up in the corner of the room saying, "You see that there?
8 You see that there?" He was pointing to that camera. You
9 can't make a move without somebody seeing you on those
10 cameras nowadays. Mr. McIntosh came back in and said it.
11 "We can't make a move in this world anymore without somebody
12 seeing you on a camera." They told him, they said, "We got
13 pictures of you going up and down 385. We got a --" Mr.
14 Cheek said, "I got a picture of you in your car with your
15 tag going up and down 385." I submit to you, you don't have
16 any evidence submitted to you in this case where the State
17 can show you a picture of my client going up or down 385 in
18 the early morning hours of August 19th, 2013. There are no
19 videos. They were saying there were videos, but there
20 weren't. There are no videos from the Bi-Lo on Highway 14
21 up there in Simpsonville where they found this young lady's
22 car. There's no video from Kellett's Store which sits right
23 there at the intersection of Highway 101 and Bramlett Church
24 Road. Right there at that intersection. You remember I
25 asked Mr. McIntosh. I said, they got cameras outside all

1 over the place. Yeah. I couldn't see anything but the
2 headlights. So they don't have any video. And again, I
3 appreciate the Solicitor pointing that out to you because
4 it's a weakness in this case, and I told you that Monday
5 that they weren't going to be able to produce that.

6 He was talking about the DNA evidence, or lack thereof,
7 in the vehicle. And I'll get to that in a minute. But I
8 think the first thing I said Monday afternoon about DNA was
9 they would not be able to produce for you any DNA evidence
10 showing that my client was in that field that night. And
11 you're going to have two pieces of evidence there with you.
12 You're going to have State's Exhibit 14, that clip, and
13 you're going to have State's Exhibit 18, the cartridges.
14 And you'll recall that the State's experts, and I'll talk a
15 little bit more about this in a minute. But the State's own
16 witnesses, their experts said there was no DNA on it. The
17 State's own experts says there's no fingerprints on these.
18 They can't place him in that field that night, ladies and
19 gentlemen. They can't do. No matter how hard they try, nor
20 how hard they want to, they can't do it. The evidence is
21 just not there. So you'll have this back there with you.
22 And you heard the testimony. You heard the State's experts
23 say there's nothing on either of these pieces of evidence
24 linking these to Darrell Raines.

25 Now, the Solicitor wants to say, Your Honor, I really

1 appreciate -- his use -- his words, but there's only two
2 guns in the world this fits. Only two guns in the world
3 this clip would fit into. Now, that's not what Mr. Deeb
4 said when he was up there testifying. He meant to tell you,
5 the Solicitor did, there's only two models of Hi-Point
6 firearms that this will fit. And I'll come back to this in
7 a moment. But you remember Mr. Deeb testifying, the creator
8 of these weapons and the creator of these clips, that he
9 produces about 2,000 guns per week that that clip will fit
10 into. He produces about 1,500 nine millimeters every week
11 and about 500 .380s, but that clip will fit into both of
12 them. So in just the year of 2013 I think he said he
13 produced 80 to 85,000 weapons that that clip will fit into.
14 So the Solicitor saying there's only -- this is only one of
15 two guns this clip will fit in. No. This clip will fit
16 into a lot more than just one or two. It's one or two
17 models, but he produced 100,000 that are 80 to 85,000 that
18 year alone. Mr. Deeb also testified that it was an
19 affordable weapon. And that's how he designed it. I was
20 really fascinated with his testimony. I'd never heard
21 somebody testify who had actually been the person who
22 designed the gun that we're talking about in this courtroom.
23 But it was fascinating to hear him. But you heard him say
24 it was an affordable weapon. And Hi-Point firearms has
25 approximately 50 dealers only in the state of South

1 Carolina. Just in this state they have 50 dealers. And I
2 asked him about within 100 miles of Greenville I think there
3 were like 57 within 100 miles of Greenville. So there's a
4 lot of these guns. It's not unique. I think I asked him
5 that. I said it's not a unique weapon, and it's not. I
6 think I asked that of the Trader gun fellow, too. I can't
7 remember his name right off the top of my head. But it's
8 not a very uncommon weapon for somebody in this area to own.

9 I also told you Monday afternoon that the State would
10 not be able to produce any DNA evidence that shows that Mr.
11 Raines had any contact with Ms. Southern. And that's going
12 back to, again, one of the State's -- the State's own expert
13 witnesses talked about the fingernail scrapings, and I'll
14 talk about that in a minute.

15 And then also I pointed out Monday that there was no
16 evidence, DNA, hair, fiber, blood, anything else that these
17 forensic people look for. Nothing to put Ms. Southern in
18 Mr. Raines' car. Nothing. And then, of course, after I
19 pointed that out to you in the direct -- in my opening
20 statement, the State, of course, asked Investigator Bailey
21 from Greenville. Oh, that wasn't important. That's not
22 important. We didn't look for that. Well, why did they
23 haul his car off. He said he took the car to forensics.
24 Why did they go through it if that wasn't important?
25 Because that's what they were looking for. That's what they

1 wanted. That's what they hoped to find in that car. That's
2 why they did that. But all of a sudden when there was
3 nothing there to show the jury, well, that's not important.
4 We weren't -- we weren't -- we really didn't care about
5 that.

6 And as I pointed out a few moments ago, no matter how
7 hard they try, no matter how hard they try and no matter how
8 hard they want to do it, and no matter how hard they want
9 it, they cannot put Darrell Raines on Bramlett Church Road
10 that night. They can't do it. You heard Mr. Kelly -- Mr.
11 Dan Kelly talk about it this morning. He testified about
12 it. I asked him specifically.

13 Now, you know, if you listen to the questions that were
14 asked this morning of Mr. Kelly, general area, everything.
15 Well, it's a general area. I'm not worried about a general
16 area. I'm worried about what happened on Bramlett Church
17 Road in that field at Bramlett Church Road. That's
18 what you should be interested in.

19 Now, the reason that I pointed those things out to you
20 Monday and the reason I go back to them now is I had
21 mentioned to you during my opening argument about reasonable
22 doubt. And the judge is going to tell you about that in a
23 moment. He's going to define what reasonable doubt is. I
24 would do it, but I don't want to do it wrong. That's his
25 job, not mine. So I'm going to let him tell you about

1 reasonable doubt. And the reason I pointed them out to you
2 then, the different things that I'd talked about Monday, and
3 I'll point them out to you again because each of those are
4 reasonable doubt. Each of those are reasonable doubt in
5 this case.

6 Now, let's turn -- and I've touched on some of this,
7 but I want to go back around to it. About the State's case.
8 The science in this case. And I've talked about it a little
9 bit. I want to talk about it a little bit more. The
10 science in this case. And remember, these are all the
11 State's witnesses. We had Agent Cromer from SLED, the
12 ballistics expert. Now, what did Agent Cromer tell us.
13 You're going to have this back with you in evidence, State's
14 Exhibit 19. The bullet that was taken from Ms. Southern.
15 And the Agent, Ms. Cromer, told you -- she did not tell you
16 that bullet came from this gun. She said it several times.
17 She did not tell you that. The tests that she had run were
18 inconclusive. Now, the State wants to say, well, all right,
19 well, that's a problem for us. That's a big problem that we
20 don't have our own State's expert from SLED that can put
21 this bullet in this gun. She couldn't do it. So since
22 we've got that problem, oh, yeah. Yeah, he sent that gun
23 off. That will remedy this problem. He sent this gun off.
24 And they took this gun up at Hi-Point and they reamed out
25 that barrel, and that's why you're not going to be able to

1 tell that bullet came out of that gun. That'll fix that for
2 us. Well, you're going to have -- back in your chambers
3 when you deliberate you're going to have State's Exhibit No.
4 45, and I asked two of the witnesses, including Mr. Deeb
5 from Hi-Point, I said, you know, this second page of this
6 document. I'm going to read it for you. I asked Mr. Deeb,
7 I said, you know, right here it says, "Please state the
8 nature of your request." And this where Darrell Raines took
9 the gun back. Think about that. He took the gun back
10 saying it was jamming. And he said, "State the nature of
11 your request." "Gun consistently jams. I've been able to
12 get the rounds out manually. Spent casings consistently
13 become lodged in exit as well." Mr. Raines didn't tell them
14 -- they didn't -- he didn't send this gun back and say, hey,
15 Hi-Point, here's my .380 weapon. Ream out that barrel for
16 me real good. Fix this problem. No, he didn't say that.
17 That's what the State's saying. We've got to remedy the
18 problem we've got. The gentleman who -- the gunsmith named
19 Rocky reamed chamber. That's what they decided to do. But
20 the State's wanting you to believe, oh, he sent the gun back
21 and had it worked on because that gun was somehow involved.
22 It wasn't. I submit to you it wasn't. And the fact that it
23 was sent back to Hi-Point for repairs, if he had wanted that
24 gun that's what he would have said to do. He was just
25 saying my gun's not working right.

1 Now, we also had Agent Hezel. I think it was the
2 second day of trial. The forensic expert who was out there
3 on the site. Do you remember? Her testimony was, you
4 know, she reviewed everything, photographed everything. But
5 specifically, no footprints, no shoe prints, no tire tracks.
6 And I'm pretty sure it was her who testified there were no
7 fingerprints on the magazine or on the shells. She also
8 testified that there were no shell casings. Now, the
9 Solicitor again talking about -- I think it was up on the
10 screen showing the -- oh, right here. I'm sorry. I'm
11 sorry. The -- Mr. Raines is back down in Gray Court. Well,
12 again, we're talking about general areas that day or that
13 afternoon. He's looking for that -- he was back down there
14 looking for that magazine. You remember when I asked Agent
15 Hezel - Hezel. I'm sorry if I can't remember her name.
16 Hezel. I said there was a metal detector going over that
17 ground and they were looking for some spent shells. They
18 didn't find any. Well, they're wanting to say he was down
19 there looking for a magazine that he dropped. That he
20 dropped a magazine. How in the world did he find those
21 shells. It just doesn't make sense. There were no shells
22 found. Where were those. And then you had the State's DNA
23 expert, Agent Leisy. And remember she talked about those
24 fingernail scrapings from Myranda Southern's hands and how
25 she'd developed -- how she utilized those and developed

1 certain profiles on them. And if you remember, she said the
2 one that -- I can't remember if it was the one on the right
3 hand or the left hand, but it excluded -- the fingernail
4 scrapings, what they had scraped out from underneath her
5 fingernails, excluded Darrell Raines as a contributor saying
6 it wasn't his DNA under her fingernails. And then the last
7 expert witness the State had testify was Sergeant Kelly from
8 the Greenville County Sheriff's Office.

9 And again, going back to what I said already, I believe
10 twice in this argument, no matter how hard they try, because
11 I asked him, they can't place him in that field during the
12 early morning hours -- on Bramlett Church during the early
13 morning hours of August 19, 2013. Remember his testimony
14 was as far as towers hit -- and again, we're talking -- make
15 sure you understand. And I know you do. You've heard this
16 testimony and you've listened very attentively. But we're
17 talking about location of a cell phone, not a person but a
18 cell phone, to a tower. And Sergeant Kelly's testimony was
19 it doesn't always connect to the closest tower. It can
20 connect to the next closest tower because it might be a
21 stronger signal. And that can be many miles away. Many
22 miles away. And then if you take that from the tower to
23 that particular phone and then make a radius of it and put
24 it on the other side, too, it's many more miles away to that
25 particular tower. But he couldn't put him on Bramlett

1 Church Road in that field. He could say his phone was
2 connected to a tower near Gray Court -- or, I mean, I'm
3 sorry, Simpsonville, but no further. Now, you remember at
4 one point he said that Ms. Southern's phone was connected to
5 a tower where? In Woodruff, in a different county. I don't
6 know what that's all about. But her phone was connected by
7 signal to a tower in Woodruff, South Carolina. But all
8 that, ladies and gentlemen, I submit to you is reasonable
9 doubt. And these are the State's four expert witnesses.

10 Now, he also talks about -- the Solicitor, about the
11 testimony of -- well, he talked about the fact that Darrell
12 Raines' had Myranda Southern's card that night -- or that
13 morning, and that she'd used that card at 1:20 on the 18th.
14 -- 1:20 p.m. on the 18th and at 8:00 p.m. that night on her
15 lunch break. Showed the videos. And you remember the
16 testimony of Ms. Sarah Duckworth, the lady who worked for
17 BB&T. And right up at the end of my cross-examination of
18 her I asked her about someone had used that card at 11:56 on
19 the evening of August 18th, that Sunday. I was asking her
20 about that record I'd shown. And she said that was possible
21 that someone had used that card at 11:56 that evening the
22 18th, and that was the time -- during the time Ms. Southern
23 would have still been at work. That was her testimony.
24 Again, just another reasonable doubt.

25 As I told you Monday afternoon when I spoke to you,

1 Darrell Raines has to prove nothing. That's not the way our
2 system works. In criminal cases the burden always remains
3 and rests on the State. That's just the way it is. The
4 State has to prove Darrell Raines did this. They have to
5 prove his guilt of both of these crimes beyond a reasonable
6 doubt. I told you the Judge is going to define that.

7 THE COURT: Speak up.

8 MR. ABLE: I'm sorry, sir. I'm sorry. But listen to
9 him and pay close attention to him, because you're going to
10 take the facts that you find in this case and you're going
11 to apply it to that law and you're going to deliberate.

12 I also told you Monday afternoon that we all, the
13 citizens of this country and of this state, enjoy our
14 presumption of innocence whenever we're charged with a
15 crime. Each of us, Darrell Raines included, comes into this
16 courtroom with a cloak of innocence wrapped around him.
17 It's just the way it is. It's a privilege that each of us
18 enjoy, because that burden never leaves the State and they
19 have to remove that cloak. I believe that once you examine
20 the evidence in this case and the shortcomings of the
21 evidence that I pointed out to you today and I pointed out
22 to you Monday, that you'll decide that the State hasn't
23 carried their burden in this case, and that cloak will
24 remain upon the shoulders of Darrell Raines. Thank you.

25 THE COURT: Thank you, Mr. Able.

1 MR. ABLE: Thank you.

2 THE COURT: We'll be off the record, and as soon as Mr.
3 Bolt comes back you can give him all that.

4 (Whereupon, the jury was in deliberations as from 3:22
5 p.m. to 4:10 p.m.)

6 THE COURT: We're back on the record, and it's my
7 understanding from Mr. Bolt that we have a verdict.
8 Anything we need to put on the record before I bring the
9 jury out and we receive the verdict?

10 MR. SCOTT: Nothing from the State, Your Honor.

11 MR. ABLE: No, sir.

12 THE COURT: We've got a lot of people in this
13 courtroom. Certainly these kinds of cases have a lot of
14 emotion to it, and I can understand that and I can
15 appreciate that. Tragedy both ways. But I can't have any
16 -- any showing of, or any outburst of emotion with the
17 verdict is published. So if you feel like, anybody, you
18 feel like you cannot contain your emotions when the verdict
19 is published, then I would really ask that you exit the
20 courtroom at this time. Otherwise, if you cannot contain
21 your emotions when the verdict is published then, you know,
22 you're going to put the Court in a difficult situation to do
23 something about that. Okay?

24 All right. Seeing none, Mr. Bolt, if you would bring
25 the jury out, please.

1 (Whereupon, the jury entered the courtroom at 4:19
2 p.m.)

3 THE COURT: Mr. Foreman, it's my understanding that you
4 have reached a verdict; is that correct?

5 MR. FOREMAN: Yes, sir.

6 THE COURT: And without telling me what the verdict is,
7 was and is the verdict unanimous?

8 MR. FOREMAN: It is, Your Honor.

9 THE COURT: Would you hand the verdict form to Mr.
10 Bolt, please.

11 Mr. Raines, if you will please stand with your
12 attorney. I'm going to ask the Clerk to publish the
13 verdict.

14 MADAM CLERK: Your Honor, in the case of State of South
15 Carolina vs. Darrell Ervin Raines, Jr., case number
16 2013-GS-30-1932 and 1933, as to question number one, as to
17 indictment number 2013-GS-30-1932 which charges the
18 Defendant, Darrell Ervin Raines, Jr., with murder, we the
19 jury find the Defendant guilty. As to question two, as to
20 indictment number 2013-GS-30-1033 which charges the
21 Defendant, Darrell Ervin Raines, Jr., with possession of a
22 weapon during the commission of a violent crime, we the jury
23 find the Defendant guilty. Signed by the Foreman, Kenneth
24 Wright, dated December 11th, 2015.

25 Ladies and gentlemen, if that be your verdict, please

1 indicate by raising your right hand.

2 (Whereupon, jury panel raises right hand.)

3 MADAM CLERK: Thank you.

4 THE COURT: Thank you, Madam Clerk. You can have a
5 seat Mr. Able, Mr. Raines. Does either side wish for
6 individual polling of the jury? State?

7 MR. SCOTT: Not from the State, Your Honor.

8 THE COURT: Defense?

9 MR. ABLE: Yes, sir. We would.

10 THE COURT: Okay. Madam Clerk, if you could handle
11 that for us, please ma'am.

12 MADAM CLERK: Ladies and gentlemen, the verdict that I
13 have just published was the verdict you reached in the jury
14 room. I ask you was it your verdict then and is it your
15 verdict now. As I call your name, please answer yes or no.

16 Katrina A..Moulder?

17 JUROR: Yes.

18 MADAM CLERK: David M. Rice?

19 JUROR: Yes.

20 MADAM CLERK: Billy C. Copeland?

21 JUROR: Yes, ma'am.

22 MADAM CLERK: Doris A. Jones?

23 JUROR: Yes.

24 MADAM CLERK: Maxie Richey Rice?

25 JUROR: Yes, ma'am.

1 MADAM CLERK: Jack M. Pepper?

2 JUROR: Yes.

3 MADAM CLERK: Charles A. Richter?

4 JUROR: Yes.

5 MADAM CLERK: Paul E. Dellinger?

6 JUROR: Yes.

7 MADAM CLERK: Linda Michelle Meier?

8 JUROR: Yes.

9 MADAM CLERK: Kenneth W. Wright?

10 JUROR: Yes.

11 MADAM CLERK: Catherine A. Streeter?

12 JUROR: Yes.

13 MADAM CLERK: And Tonya Littleton? Sorry.

14 JUROR: Yes.

15 THE COURT: Thank you, Madam Clerk. Ladies and

16 gentlemen of the jury, I want to extend to you the Court's

17 sincere appreciation for your hard work in this case. The

18 verdict that you reach is of no concern to the Court. What

19 I want is for the jury to conscientiously and diligently

20 perform jury service. I believe that you have. It's been a

21 long case. A five day case. It's a long case. We've spent

22 a lot of time in here. And I can only just thank you enough

23 for your service on this jury in this case.

24 Before I can get -- Mr. Wright, you will need to stay

25 here for just a moment. We've got the two indictments that

1 will have to be signed by you as the Foreman. The checks
2 for your service, the Clerk has those. And you are free at
3 this time to speak with anybody about this case, if you want
4 to. You don't have to. Certainly if someone -- and I'm not
5 suggesting this will happen, but if someone insists on
6 talking to you about this case and you do not want that to
7 happen and they continue to insist -- and I'm not
8 suggesting, again, that this will happen. You need to
9 notify the Court so the Court can take care of that. But if
10 you want to talk with someone about this case, you certainly
11 can.

12 I like to shake the hands of my jury, so I'm going to
13 come down there and shake your hand as you leave. And,
14 Madam Clerk, would you come with me and hand out the checks.
15 And I hope -- this has been a very difficult case. I
16 realize that, and I can understand that. But I hope that
17 the experience has been a good experience for you. One that
18 was educational and that you learned something about our
19 judicial system. As I told you the very first day, we have
20 the greatest justice system in the world and I hope that you
21 agree with that.

22 (Whereupon, the jury was released.)

23 THE COURT: We're going to take about a five minute
24 break before we go into sentencing proceedings.

25 THE COURT: This is now the sentencing phase of this

1 proceeding and let's just handle it -- come on up like we
2 do, please.

3 MR. ABLE: Judge, can he be accompanied by his mother?

4 THE COURT: Sure. And I -- let me go and say, I'll be
5 glad to hear from anybody on behalf of the State. I'll be
6 glad to hear from anybody on behalf of the Defendant.
7 Typically what I do in these situations, I'll hear
8 everything from the State first, and then everything from
9 the Defense.

10 Solicitor Scott, I'll be glad to hear from you.

11 MR. SCOTT: Judge, after considering the full week's
12 testimony and seeing all the evidence, looking into the mind
13 of Mr. Raines there's some information we got. I read a
14 saying the other day. It said "Some crimes speak to you.
15 Murder shrieks out." And we know that to be true. But this
16 particular murder, it was the most senseless and the most
17 meaningless and without reason killing I've ever seen. I
18 mean, did he do it for 500 bucks and an ATM card or did he
19 do it for some unattainable goal, being Lisa Hamlett? I
20 don't know. But to kill the mother of two, to leave her in
21 a field in the hot August sun for a week, to go to the field
22 the day of the murder before doing it shows a complete
23 premeditated and cold blooded thought process. And then to
24 do it. And then to be cruel enough to send these Face book
25 posts and these Face book messages to these family members

1 while they're out looking for this woman is the cruelest
2 most unthinkable, most senseless murder I've ever dealt
3 with. And, Judge, based on that, I'm asking you to give him
4 the max. He took it to trial. He was found guilty,
5 overwhelmingly. I'm asking you to give him life in prison,
6 Judge. I've got the victim's mother here, Penny Smithers,
7 and she's going to address the Court. This is the mother of
8 Miranda Southern.

9 THE COURT: Okay. Ms. Smithers, I'll be glad to hear
10 from you, ma'am.

11 MS. SMITHERS: Thank you, Your Honor. Miranda was
12 filled with life, love and laughter and a sense of -- a very
13 strong sense of family. She had two lovely children she
14 adored and loved them dearly. And our family has a huge
15 void now that she's gone. I still to this day find myself
16 reaching for my phone to either call her or text her and
17 then I realize she's no more. Darrell chose to take her
18 life from us. He knew she had Alex and Abby. He also knew
19 that he murdered her on Abby's eighth birthday because he
20 referenced Miranda not liking Abby not being home on her
21 birthday when he spoke to me. The children were in Florida
22 with me on a different week than normal because of our work
23 schedules. We do the best we can to make Abby's birthday
24 special to her, but every year she looks at it as this is a
25 sad day. She tries to enjoy her birthday but at some point

1 she simply escapes. She cannot escape that it was the day,
2 that her mommy was murdered. And he did this to these
3 children. I took great care in order to bring Myranda into
4 this world. I had to stay in bed and I was not allowed to
5 get out except to go to the bathroom for three months or I
6 would have lost her. And in an instant Darrell took her
7 life as if she never mattered. Alex was his mommy's boy.
8 She was his best friend. His confidant. His peaceful place.
9 In an instance Darrell took that from Alex. Myranda did
10 bring laughter and warmth to everyone. She has friends that
11 are still grieving for her two years later. I will never be
12 able to hold my daughter, kiss her, have girl talk with her,
13 go shopping, out to lunch, anything ever again. Darrell
14 took that from me and her. Myranda told me about meeting
15 Darrell and that they talked via the Internet a week before
16 physically meeting. She was very depressed over Shawn
17 leaving and there was going to be a baby. She needed
18 someone to confide in. She had moved away from her family.
19 And Darrell learned this and told Myranda he was going
20 through the same situation with his ex, Lisa. She said,
21 Mom, we're just there for each other. I was happy for her
22 because she was laughing again. She was smiling. She had a
23 spring in her step, so to speak. She knew the marriage that
24 she had tried to hold together was over. She needed to feel
25 loved and wanted by someone kind. Darrell presented himself

1 as that person. She told me that she felt they'd always be
2 friends but nothing serious would become of it. She knew
3 they both loved other people that they couldn't be with.
4 She was all about helping people feel better about
5 themselves. She showed him all this kindness and
6 understanding and he killed her in an instant. She was
7 extremely vulnerable and Darrell knew it. Our families
8 mourn for her daily. Even though it's over two years after
9 her death our family cannot get past the huge void that is
10 her absence. She and my niece were like sisters. My niece
11 cries every time she has something she wants to call Myranda
12 about. To this day there are times, I told you, I pick up
13 the phone and remember she's no more. My heart breaks over
14 and over. It's as if somebody ripped my chest open and my
15 heart out and yet I'm still walking around without her. I
16 know I will never wake up from this nightmare and see my
17 baby girl's face. Her children will never feel another hug
18 or kiss from their mommy. They will never hear her voice
19 say I love you or read a story to them. They will never get
20 all excited again that mommy is chaperoning one of their
21 field trips. They don't understand why he took their mommy
22 from them. There will never be a day that I will forget
23 those babies cries when they were told their mommy was an
24 angel now and lived in Heaven. They didn't understand why a
25 friend did that to their mommy. Alex, at 10-years-old, said

1 to me, "Mimi, do they know what his motive was?" No
2 10-year-old should ever have to ask such a question. No
3 eight-year-old little girl should learn that on her birthday
4 her mommy was murdered. I could go on and on, Your Honor,
5 but the bottom line is in an instant Darrell took their
6 mommy, my only child from us without a second thought. He
7 discarded her as if she was a bag of trash. Someone that
8 did not matter. And she did matter. And her life mattered.
9 Your Honor, I believe in an eye for an eye, and I believe in
10 the death penalty. That is what I would like to see Darrell
11 Raines, Jr. receive. Since in this case the State of South
12 Carolina will not allow this, I feel he has earned nothing
13 less than a lifetime in prison without absolutely no chance
14 of parole so the world can be sure he can never take another
15 mommy's life away again.

16 THE COURT: Thank you, ma'am, for your comments, and
17 I'm truly sorry for your loss.

18 MS. SMITHERS: Thank you.

19 THE COURT: Solicitor Scott, anything further from the
20 State before I go to the Defense?

21 MR. SCOTT: No, Your Honor.

22 THE COURT: Okay. Thank you very much. Mr. Able, I
23 would be glad to hear from you and anybody on behalf of the
24 Defendant, and if Mr. Raines wishes to address the Court I'd
25 be glad to hear from him, too. I'll leave it up to you.

1 MR. ABLE: Thank you, Judge. Judge, I have not a lot
2 to add right now. This has been a very emotional case for
3 everybody on both sides. In my time as an attorney it's one
4 of the most difficult cases I've been engaged in. Not
5 because of the work involved, but just because of the
6 emotion that had been involved for everyone. I will mention
7 that my client is 36-years-old. And this -- these are
8 things you've already learned through the testimony. He has
9 a daughter. And I think the most striking thing is that up
10 to this point he has no criminal history: Nothing. So
11 based upon that, Judge, we would ask that you afford him the
12 liberty and grant a minimal sentence as allowed by statute.
13 Thank you, sir.

14 THE COURT: Thank you. Anybody on his behalf? Does
15 the mother want to speak?

16 MR. ABLE: Yes, sir.

17 DEFENDANT'S MOTHER: I have three sons. He's never
18 ever showed any hatred, any. He never fought with his
19 brothers. He's always broke the other two up. He -- when
20 his nieces and nephews were going through a bad rough spell
21 with their parents fighting, one leaving and the other
22 abandoning them anywhere, he's the one who would go pick up
23 the kids even if it wasn't for just to take them to
24 McDonald's to make them smile. He's not a monster. He's
25 never been a monster. I don't know what's what. All I know

1 is he's a good person. And I ask you to be lenient on him.
2 He's one of my kids I never had to punish. He's always the
3 best one. He's never had -- he doesn't have a record. He's
4 never fought. It just --

5 THE COURT: Thank you, ma'am, for your comments, and
6 I'm sorry for your loss as well.

7 Mr. Able, do you want Mr. Raines to -- does he want to
8 say anything to the Court?

9 MR. ABLE: Judge, I spoke to Mr. Raines this afternoon.
10 He's indicated to me he would not.

11 THE COURT: All right. Everybody be at ease for just
12 one moment.

13 (Whereupon, a brief recess was held.)

14 THE COURT: This whole week I've tried to -- well, let
15 me first say publicly for the record, I commend all three
16 attorneys for the -- not only the excellent representation
17 on each side, your respective sides, but all the work that
18 you all put into this. All three of you. A ton of work.
19 And I commend you for that. I really do. And I told you
20 back in my office I'm proud of all three of you. I truly
21 am.

22 Mr. Raines, I've tried to get my arms around this case
23 all week long. I have given it a ton of thought. And
24 trying to -- and I think maybe Solicitor Scott alluded to
25 this in some fashion during his closing argument, you know,

1 why. Why did this happen. I don't know. But it's very
2 clear from the evidence, extremely clear from the evidence,
3 that there was a tremendous amount of preparation, a
4 tremendous amount of effort before and after. It's not --
5 not to minimize a killing that takes place on the spur of a
6 moment after a fight between two individuals. I'm not
7 minimizing that at all. But in this particular situation
8 there was a lot that you did in planning this and carrying
9 it out and then trying to cover it up. That's clear from
10 all the evidence that's in the record. But again, I can't
11 understand why. Why you did it. But the jury has come back
12 and has found that you have.

13 On the indictment 13-GS-30-1933, which is the
14 possession of a weapon during a violent crime, even though
15 I'm not required to necessarily sentence you on this I am
16 going to commit you to the State Department of Corrections
17 for five years, and that will run consecutive to the other
18 sentence.

19 On indictment 13-GS-30-1932, which is the charge of
20 murder, you'll be committed to the State Department of
21 Corrections for the remainder of your life. Good luck to
22 you, sir. That concludes this hearing.

23 (Whereupon, the proceeding was concluded.)

24

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- - - END OF TRANSCRIPT OF RECORD - - -

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Certificate of Reporter

I, the undersigned, Tara T. Scott, CVR, Official Court Reporter for the Eighth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Laurens County, South Carolina, on the 7th-11th day of December, 2015.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

Tara T. Scott

Tara T. Scott, CVR
Circuit Court Reporter
June 11, 2016

THE STATE OF SOUTH CAROLINA

INDICTMENT FOR

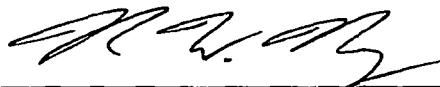
COUNTY OF LAURENS

Murder
§16-03-0010

At a Court of General Sessions, convened on the 1st day of November, 2013, the Grand Jurors of Laurens County present upon their oath:

That Darrell Ervin Raines Jr., in Laurens County, on or about August 19, 2013 willfully, feloniously, and with malice aforethought kill Myranda Southern by means of shooting her in the back of the neck and that Myranda Southern did die in Laurens County as a proximate result thereof on or about August 19, 2013, in violation of Section 16-3-10 of the South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such cases made and provided.



Deputy Solicitor

WITNESSES

Keith McIntosh
Laurens County Sheriff

WARRANT NUMBER

2013A3010101185

*Truebill**Randall S. Shell*

Foreman of the Grand Jury

Date: *11-1-13*

VERDICT

*Guilty**Herbert Wright*Foreman *12-11-15*

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

COURT OF GENERAL SESSIONS

November Term, 2013

Indictment # 13GS30-1932

THE STATE

vs.

Darrell Ervin Raines Jr.

INDICTMENT FOR

Murder
§16-03-0010

CDR: 0116

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

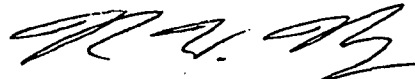
INDICTMENT FOR

Possession of Weapon During the
Commission of a Violent Crime
§16-23-490

At a Court of General Sessions, convened on the 1st day of November, 2013, the Grand Jurors of Laurens County present upon their oath:

That Darrell Ervin Raines Jr., in Laurens County, on or about August 19, 2013 possess a firearm or visibly displayed what appeared to be a firearm, during the commission of a violent offense, to wit: Murder, or any lesser included violent offense, in violation of Section 16-23-490 of the South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such cases made and provided.



Deputy Solicitor

WITNESSES

Keith McIntosh
Laurens County Sheriff

WARRANT NUMBER

2013A3010101186

*true bill**Randall Spence*

Foreman of the Grand Jury

Date: *11-1-13*

VERDICT

*Guilty**Bennett Wright*

Foreman

12-11-15

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

COURT OF GENERAL SESSIONS

November Term, 2013

Indictment # 13GS30-1933

THE STATE

vs.

Darrell Ervin Raines Jr.

INDICTMENT FOR

Possession of Weapon During the
Commission of a Violent Crime
§16-23-0490

CDR: 0549



CERTIFICATE OF RECORDS

Date: August 20, 2015

Re: Case# 1532481 Target# 864-380-5121

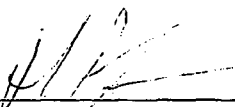
On behalf of Verizon Wireless, I, **John Profaca**, Court Order Supervisor, hereby certify, under oath subject to the penalty of perjury the following:

I am the custodian of records for Verizon Wireless:

The attached records are a true, correct, and complete copy of the original records requested.

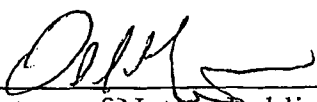
The records:

- a) Were made at or near the time of the occurrence of the matter set forth in the records, by a person with knowledge of those matters
- b) Are made in and kept in the course of regularly conducted business activity, and
- c) Were made and kept by the regularly conducted business activity as a regular practice.

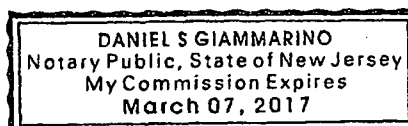


Signature of Records Custodian

Sworn and subscribed to me this 20th day of August 2015



Signature of Notary Public



STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

CASE#01-2013-129430)

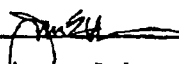
ORDER FOR PRODUCTION OF RECORDS

TO: Verizon (Records)
1800 Washington Valley Rd.
Bedminister NJ 07921

The attached affidavit of Deputy Chad Ayers of the Greenville County Sheriff's Office demonstrates probable cause to believe that the records sought are necessary and relevant to an ongoing criminal investigation and copies of said records should be immediately compiled and released to the Greenville County Sheriff's Office.

THEREFORE YOU ARE ORDERED to immediately, laying all other business aside, compile and release to Deputy Chad Ayers, of the Greenville County Sheriff's Office copies of any and all documents in your custody and/or control relating to any and all phone records to include subscriber information, all incoming and outgoing calls and text messages for cell number (864) 380-5121, also cell tower sites during the calls and texts and a list of Verizon tower locations. The dates requested are beginning with August 17th at midnight to August 22, 2013 at 11:00 a.m.
Tower Sites and Locations Requested Reference to Title 18, United States Code, Section 2703(d)

IT IS SO ORDERED!


Magistrate Judge
Greenville County

Dated: 8/22/13
Greenville, South Carolina

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

AFFIDAVIT

CASE# 01-2013-129430)

Personally appeared before me, Deputy Chad Ayers of the Greenville County Sheriff's Office, who first being duly sworn, states the following as true:

I am employed by the Greenville County Sheriff's Office as Deputy. The Greenville County Sheriff's Office is currently conducting an investigation into the disappearance of Myranda Southern. The listed phone number is associated with this case, and the information is necessary to complete a thorough investigation.

which occurred in Greenville County on or about 08/17/13 - 8/22/13, 2001.

My investigation reveals the cell phone number (864) 380-5121, is a Verizon number associated with the boyfriend of the missing person.

In order to conduct a fair and complete investigation of the above incident it is necessary for me to obtain copies of the following records:

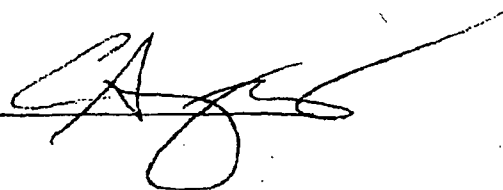
any and all phone records to include subscriber information, all incoming and outgoing calls and text messages for cell number (864) 380-5121, also cell tower sites during the calls and texts and a list of Verizon tower locations. The dates requested are beginning with August 17th at midnight to August 22, 2013 at 11:00 a.m.

My investigation reveals further that Verizon (Records) is the Custodian of said records and will not release copies of them without an Order of this Court.

FURTHER AFFIANT SAYETH NOT.

Dated: August 22nd, 2013

Greenville, South Carolina

Deputy Chad Ayers 

Sworn to and subscribed before me
this 22nd day of August 2013

Notary Public for South Carolina

My Commission Expires: _____

Network	El Mobile Directory Number Dialed	Digit Number	Call Directic	Seizure Dt Tm	Seizure Duration	First Serving Cell Si	First Serving Ce
Greenville2	8643805121	8646319211	1	8/17/2013 5:50	1088	546 2 = Beta	
Greenville2	8643805121	8646319211	1	8/17/2013 6:13	725	32 1 = Alpha	
Greenville2	8643805121	8646319211	1	8/17/2013 11:40	734	57 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/17/2013 12:08	255	84 2 = Beta	
Greenville2	8643805121	8643805121	0	8/17/2013 13:09	17	264 3 = Gamma	
Greenville2	8643805121	8646319211	1	8/17/2013 13:19	1064	135 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/17/2013 14:57	193	135 1 = Alpha	
Greenville2	8643805121	8644770848	1	8/17/2013 17:20	31	552 2 = Beta	
Greenville2	8643805121	8642925800	1	8/17/2013 17:30	22	551 2 = Beta	
Greenville2	8643805121	8643805121	0	8/17/2013 18:00	44	54 1 = Alpha	
Greenville2	8643805121	8646319211	1	8/17/2013 18:06	34	54 3 = Gamma	
Greenville2	8643805121	18643805121 F		8/17/2013 18:06	6	0	0
Greenville2	8643805121	8643805121 F		8/17/2013 18:14	41	0	0
Greenville2	8643805121	8644770848	1	8/17/2013 18:14	4	551 1 = Alpha	
Greenville2	8643805121 *86		1	8/17/2013 18:15	16	535 3 = Gamma	
Greenville2	8643805121 *86	F		8/17/2013 18:15	16	0	0
Greenville2	8643805121	8644770848	2	8/17/2013 18:15	400	535 3 = Gamma	
Greenville2	8643805121	18643805121	2	8/17/2013 18:19	83	535 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/17/2013 19:22	895	135 1 = Alpha	
Greenville2	8643805121	8646403584	1	8/17/2013 20:21	35	532 1 = Alpha	
Greenville2	8643805121	8643805121	2	8/17/2013 20:24	41	552 3 = Gamma	
Greenville2	8643805121	8643805121	2	8/18/2013 0:13	44	552 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/18/2013 0:13	4031	552 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/18/2013 14:12	448	264 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/18/2013 14:24	111	135 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/18/2013 14:26	673	264 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/18/2013 14:43	755	552 2 = Beta	
Greenville2	8643805121	4197479444	1	8/18/2013 15:59	38	76 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/18/2013 19:29	41	75 1 = Alpha	
Greenville2	8643805121	8646319211	1	8/18/2013 20:02	147	9 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/18/2013 23:03	33	551 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/19/2013 0:03	378	7 3 = Gamma	
Greenville2	8643805121	8643805121	0	8/19/2013 3:30	2129	552 1 = Alpha	
Greenville2	8643805121	8646319211	1	8/19/2013 10:50	32	264 3 = Gamma	
Greenville2	8643805121	8646319211	1	8/19/2013 11:52	10	135 1 = Alpha	
Greenville2	8643805121	8643549917	1	8/19/2013 12:04	218	264 3 = Gamma	

Greenville2	8643805121	8643805121	0	8/19/2013 12:50	329	551 2 = Beta
Greenville2	8643805121	8646319211	1	8/19/2013 13:05	8	55 1 = Alpha
Greenville2	8643805121	8643805121	2	8/19/2013 13:34	1182	532 1 = Alpha
Greenville2	8643805121	8646319211	1	8/19/2013 14:10	4	15 3 = Gamma
Greenville2	8643805121	4197479444	1	8/19/2013 14:40	2	15 3 = Gamma
Greenville2	8643805121	4197476095	1	8/19/2013 14:41	2	546 1 = Alpha
Greenville2	8643805121	8646319211	1	8/19/2013 14:44	5	15 3 = Gamma
Greenville2	8643805121	8644770848	2	8/19/2013 14:45	749	15 3 = Gamma
Greenville2	8643805121	4197479444	1	8/19/2013 14:59	1	522 3 = Gamma
Greenville2	8643805121	4197476095	1	8/19/2013 14:59	2	522 3 = Gamma
Greenville2	8643805121	4197479444	1	8/19/2013 15:03	2	12 3 = Gamma
Greenville2	8643805121	4197476095	1	8/19/2013 15:03	2	12 3 = Gamma
Greenville2	8643805121	4194683746	1	8/19/2013 15:04	83	12 3 = Gamma
Greenville2	8643805121	4197479444	1	8/19/2013 15:05	2	12 2 = Beta
Greenville2	8643805121	4197476095	1	8/19/2013 15:05	2	12 2 = Beta
Greenville2	8643805121	4197479444	1	8/19/2013 15:06	2	12 2 = Beta
Greenville2	8643805121	4197476095	1	8/19/2013 15:16	2	424 3 = Gamma
Greenville2	8643805121	4197479444	1	8/19/2013 15:17	2	424 3 = Gamma
Greenville2	8643805121	4197476095	1	8/19/2013 15:33	2	7 2 = Beta
Greenville2	8643805121	4197479444	1	8/19/2013 15:33	2	434 1 = Alpha
Greenville2	8643805121	4197479444	1	8/19/2013 15:34	2	527 1 = Alpha
Greenville2	8643805121	4197479444	1	8/19/2013 15:34	2	527 1 = Alpha
Greenville2	8643805121	4197479444	1	8/19/2013 15:34	2	527 1 = Alpha
Greenville2	8643805121	8646319211	1	8/19/2013 15:36	4	527 1 = Alpha
Greenville2	8643805121	8649679029	1	8/19/2013 15:54	90	9 2 = Beta
Greenville2	8643805121	8649674986	1	8/19/2013 15:56	121	75 1 = Alpha
Greenville2	8643805121	8643549917	1	8/19/2013 16:18	71	66 2 = Beta
Greenville2	8643805121	4197479444	1	8/19/2013 16:21	2	66 2 = Beta
Greenville2	8643805121	4197476095	1	8/19/2013 16:21	2	66 1 = Alpha
Greenville2	8643805121	4197479444	1	8/19/2013 16:22	2	66 1 = Alpha
Greenville2	8643805121	8646403584	2	8/19/2013 16:23	192	66 1 = Alpha
Greenville2	8643805121	4197479444	1	8/19/2013 16:26	3	527 1 = Alpha
Greenville2	8643805121	8644770848	2	8/19/2013 16:48	84	437 1 = Alpha
Greenville2	8643805121	8644770848	1	8/19/2013 17:09	29	76 1 = Alpha
Greenville2	8643805121	8643805121	2	8/19/2013 17:43	113	15 2 = Beta
Greenville2	8643805121	8644770848	1	8/19/2013 18:11	35	76 3 = Gamma
Greenville2	8643805121	8646319211	1	8/19/2013 19:09	6	64 3 = Gamma

Greenville2	8643805121	8643805121	0	8/19/2013 19:25	738	531 2 = Beta	
Greenville2	8643805121	8643805121	2	8/19/2013 20:06	36	76 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/19/2013 20:38	221	7 2 = Beta	
Greenville2	8643805121	8643805121 F		8/19/2013 20:38	58	0	0
Greenville2	8643805121 *86	F		8/19/2013 20:42	28	0	0
Greenville2	8643805121 *86		1	8/19/2013 20:42	28	66 1 = Alpha	
Greenville2	8643805121	8646403584	1	8/19/2013 20:42	5	9 3 = Gamma	
Greenville2	8643805121	8646403584	1	8/19/2013 20:43	50	527 1 = Alpha	
Greenville2	8643805121	8643549917	1	8/19/2013 20:45	31	7 2 = Beta	
Greenville2	8643805121	8643805121	0	8/19/2013 20:46	201	7 3 = Gamma	
Greenville2	8643805121	8643805121	2	8/19/2013 20:58	220	39 2 = Beta	
Greenville2	8643805121	8643805121	0	8/19/2013 21:03	122	552 2 = Beta	
Greenville2	8643805121	8643805121	0	8/19/2013 21:07	387	552 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/19/2013 21:16	865	264 3 = Gamma	
Greenville2	8643805121	4076209906	1	8/19/2013 21:43	85	70 1 = Alpha	
Greenville2	8643805121	8646403584	2	8/19/2013 22:04	377	32 1 = Alpha	
Greenville2	8643805121	4076209906	1	8/20/2013 9:46	1338	264 3 = Gamma	
Greenville2	8643805121	4076209906	1	8/20/2013 10:09	1754	264 2 = Beta	
Greenville2	8643805121	8643805121	0	8/20/2013 12:53	533	264 3 = Gamma	
Greenville2	8643805121	4197479444	1	8/20/2013 13:37	2	551 2 = Beta	
Greenville2	8643805121	4197476095	1	8/20/2013 13:37	2	551 2 = Beta	
Greenville2	8643805121	4197479444	1	8/20/2013 13:45	2	54 2 = Beta	
Greenville2	8643805121	4197476095	1	8/20/2013 13:45	2	54 2 = Beta	
Greenville2	8643805121	4192258297	1	8/20/2013 13:45	857	54 1 = Alpha	
Greenville2	8643805121	4197476095	1	8/20/2013 15:21	2	15 2 = Beta	
Greenville2	8643805121	4197479444	1	8/20/2013 15:21	2	531 2 = Beta	
Greenville2	8643805121	18644728846	1	8/20/2013 15:24	308	522 2 = Beta	
Greenville2	8643805121	8649799934	2	8/20/2013 15:50	336	15 2 = Beta	
Greenville2	8643805121	8643805121	0	8/20/2013 18:22	35	264 3 = Gamma	
Greenville2	8643805121	8644696481	1	8/20/2013 20:58	654	546 3 = Gamma	
Greenville2	8643805121	8643805121 F		8/21/2013 5:20	16	0	0
Greenville_	8643805121	8289899238	1	8/21/2013 8:28	58	640 1 = Alpha	
Greenville_	8643805121	8286289763	1	8/21/2013 8:29	51	628 2 = Beta	
Greenville_	8643805121	8282000589	0	8/21/2013 8:41	531	699 2 = Beta	
Greenville2	8643805121	8643805121	5	8/21/2013 8:41	531	0	0
Greenville_	8643805121	18643630349	1	8/21/2013 8:50	21	630 2 = Beta	
Greenville_	8643805121	8033223645	1	8/21/2013 8:55	63	630 2 = Beta	

Greenville_	8643805121	8282157616	1	8/21/2013 8:57	99	630 2 = Beta
Greenville_	8643805121	8644198593	1	8/21/2013 8:59	36	630 2 = Beta
Greenville_	8643805121	8644198593	1	8/21/2013 9:02	68	631 3 = Gamma
Greenville_	8643805121	4197479444	1	8/21/2013 9:12	188	631 1 = Alpha
Greenville_	8643805121	8289899238	2	8/21/2013 9:21	166	605 1 = Alpha
Greenville_	8643805121	8288089616	1	8/21/2013 10:13	58	631 1 = Alpha
Greenville2	8643805121	8643805121	5	8/21/2013 10:27	51	0 0
Greenville_	8643805121	8282000583	0	8/21/2013 10:27	49	617 3 = Gamma
Greenville_	8643805121	8288089616	2	8/21/2013 10:41	80	617 2 = Beta
Greenville_	8643805121	8286696005	1	8/21/2013 11:55	37	617 2 = Beta
Greenville_	8643805121	8286696005	1	8/21/2013 12:00	61	617 2 = Beta
Greenville_	8643805121	8285452552	1	8/21/2013 12:22	54	602 1 = Alpha
Greenville2	8643805121	8643805121 F		8/21/2013 12:31	37	0 0
Greenville_	8643805121	8282000527	0	8/21/2013 12:31	30	705 3 = Gamma
Greenville_	8643805121	8644675060	1	8/21/2013 12:37	8	705 3 = Gamma
Greenville_	8643805121	8644675060	1	8/21/2013 12:37	5	705 3 = Gamma
Greenville_	8643805121	8644675060	1	8/21/2013 12:38	11	705 3 = Gamma
Greenville_	8643805121	8643549917	1	8/21/2013 12:39	532	705 3 = Gamma
Greenville2	8643805121	8643805121 F		8/21/2013 12:43	76	0 0
Greenville_	8643805121	8282000518	0	8/21/2013 12:43	24	705 3 = Gamma
Greenville_	8643805121	8644675129	1	8/21/2013 12:49	63	601 1 = Alpha
Greenville_	8643805121 *86		1	8/21/2013 12:50	40	601 1 = Alpha
Greenville2	8643805121	8643805121 F		8/21/2013 12:50	39	0 0
Greenville_	8643805121	8285452552	1	8/21/2013 12:57	166	601 1 = Alpha
Greenville_	8643805121	8644675129	1	8/21/2013 13:00	56	601 1 = Alpha
Greenville_	8643805121	8642715333	1	8/21/2013 13:02	251	601 1 = Alpha
Greenville_	8643805121	8643549917	1	8/21/2013 13:06	86	601 1 = Alpha
Greenville_	8643805121	8644675139	1	8/21/2013 13:08	51	601 1 = Alpha
Greenville_	8643805121	4076209906	1	8/21/2013 13:12	41	601 1 = Alpha
Greenville_	8643805121	8283339767	1	8/21/2013 13:28	123	601 1 = Alpha
Greenville_	8643805121	8283339767	1	8/21/2013 13:42	39	606 3 = Gamma
Greenville_	8643805121	8644675139	1	8/21/2013 13:48	200	606 3 = Gamma
Greenville_	8643805121	8282743700	1	8/21/2013 13:53	29	606 3 = Gamma
Greenville_	8643805121	8283375746	2	8/21/2013 13:53	50	606 3 = Gamma
Greenville_	8643805121	8282742906	1	8/21/2013 14:26	29	609 1 = Alpha
Greenville_	8643805121	8033223645	1	8/21/2013 14:59	176	609 1 = Alpha
Greenville_	8643805121	8283339767	1	8/21/2013 15:18	6	609 3 = Gamma

Greenville_	8643805121	8033223645	1	8/21/2013 15:18	85	609 3 = Gamma	
Greenville_	8643805121	8649012432	1	8/21/2013 16:09	29	639 3 = Gamma	
Greenville2	8643805121	8643805121	5	8/21/2013 16:18	85	0	0
Greenville_	8643805121	8282000561	0	8/21/2013 16:18	84	640 1 = Alpha	
Greenville2	8643805121	8643805121	0	8/21/2013 18:46	30	75 1 = Alpha	

Last Serving Cell Site	Last Serving Cell Face	Calling Party Number
546 2 = Beta		8643805121
32 1 = Alpha		8643805121
57 1 = Alpha		8643805121
84 2 = Beta		8646319211
264 3 = Gamma		8558539465
135 1 = Alpha		8643805121
135 1 = Alpha		8646319211
552 2 = Beta		8643805121
551 2 = Beta		8643805121
54 1 = Alpha		8646319211
54 3 = Gamma		8643805121
0	0	8646403584
0	0	8644770848
551 1 = Alpha		8643805121
535 3 = Gamma		8643805121
0	0	8643805121
535 3 = Gamma		8643805121
535 3 = Gamma		8646403584
135 1 = Alpha		8646319211
532 1 = Alpha		8643805121
552 3 = Gamma		8646403584
552 1 = Alpha		8646403584
552 1 = Alpha		8646319211
264 3 = Gamma		8646319211
135 1 = Alpha		8646319211
264 3 = Gamma		8646319211
552 2 = Beta		8646319211
76 3 = Gamma		8643805121
75 1 = Alpha		8647873216
9 3 = Gamma		8643805121
551 3 = Gamma		8646319211
7 3 = Gamma		8646319211
436 3 = Gamma		8646319211
264 3 = Gamma		8643805121
135 1 = Alpha		8643805121
264 3 = Gamma		8643805121

551 2 = Beta	8643549917
55 1 = Alpha	8643805121
532 1 = Alpha	8646403584
15 3 = Gamma	8643805121
15 3 = Gamma	8643805121
546 1 = Alpha	8643805121
15 3 = Gamma	8643805121
15 3 = Gamma	8643805121
522 3 = Gamma	8643805121
522 3 = Gamma	8643805121
12 3 = Gamma	8643805121
12 3 = Gamma	8643805121
12 3 = Gamma	8643805121
12 2 = Beta	8643805121
12 2 = Beta	8643805121
12 2 = Beta	8643805121
424 3 = Gamma	8643805121
424 3 = Gamma	8643805121
7 2 = Beta	8643805121
434 1 = Alpha	8643805121
527 1 = Alpha	8643805121
527 1 = Alpha	8643805121
527 1 = Alpha	8643805121
527 1 = Alpha	8643805121
9 2 = Beta	8643805121
75 1 = Alpha	8643805121
66 2 = Beta	8643805121
66 2 = Beta	8643805121
66 1 = Alpha	8643805121
66 1 = Alpha	8643805121
66 1 = Alpha	8643805121
527 1 = Alpha	8643805121
437 1 = Alpha	8643805121
76 1 = Alpha	8643805121
15 2 = Beta	8644770848
76 3 = Gamma	8643805121
64 3 = Gamma	8643805121

531 2 = Beta		4076209906
76 1 = Alpha		8644770848
66 1 = Alpha		8644675060
0	0	8646403584
0	0	8643805121
66 1 = Alpha		8643805121
9 3 = Gamma		8643805121
527 1 = Alpha		8643805121
7 2 = Beta		8643805121
7 3 = Gamma		8643549917
39 2 = Beta		8646403584
552 2 = Beta		8644675060
552 1 = Alpha		8643549917
264 3 = Gamma		8643549917
70 1 = Alpha		8643805121
32 1 = Alpha		8643805121
264 3 = Gamma		8643805121
264 2 = Beta		8643805121
264 3 = Gamma		8644675060
551 2 = Beta		8643805121
551 2 = Beta		8643805121
54 2 = Beta		8643805121
54 2 = Beta		8643805121
54 1 = Alpha		8643805121
15 2 = Beta		8643805121
531 2 = Beta		8643805121
522 2 = Beta		8643805121
15 2 = Beta		8643805121
264 3 = Gamma		7037569967
546 3 = Gamma		8643805121
0	0	8643630349
640 1 = Alpha		8643805121
628 2 = Beta		8643805121
699 2 = Beta		8289899238
0	0	8289899238
630 2 = Beta		8643805121
630 2 = Beta		8643805121

630 2 = Beta		8643805121
630 2 = Beta		8643805121
631 3 = Gamma		8643805121
631 1 = Alpha		8643805121
605 1 = Alpha		8643805121
631 1 = Alpha		8643805121
0	0	8644198593
617 3 = Gamma		8644198593
617 2 = Beta		8643805121
617 2 = Beta		8643805121
617 2 = Beta		8643805121
602 1 = Alpha		8643805121
0	0	8644675060
705 3 = Gamma		8644675060
705 3 = Gamma		8643805121
705 3 = Gamma		8643805121
705 3 = Gamma		8643805121
705 3 = Gamma		8643805121
0	0	8285452552
705 3 = Gamma		8285452552
601 1 = Alpha		8643805121
601 1 = Alpha		8643805121
0	0	8643805121
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606 3 = Gamma		8643805121
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609 1 = Alpha		8643805121
609 1 = Alpha		8643805121
609 3 = Gamma		8643805121

609 3 = Gamma

639 3 = Gamma

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640 1 = Alpha

75 1 = Alpha

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PERSON	DATE	TIME	MESSAGE	
			Thought... If he isn't there tonight (he's home right now), and we send the messages tonight, and she confronts him, I know how I'd react to something like that and want to drive over immediately.	
Darrell	8/16/2013	9:33 PM	Think we should plant phase 2 either way?	DELETED
Myranda	8/16/2013	9:33 PM	I know.	DELETED
Myranda	8/16/2013	9:34 PM	I can't use my computer	DELETED
Darrell	8/16/2013	9:35 PM	Huh?	DELETED
Myranda	8/16/2013	9:36 PM	I can't use my computer here to plug in the charger and hmmm I need to think about that.	DELETED
Darrell	8/16/2013	9:41 PM	Only two more hours before you get off	DELETED
Darrell	8/16/2013	9:41 PM	If your battery is low, turn your data off and it might save some battery.	DELETED
Myranda	8/16/2013	9:42 PM	Yay!!!	DELETED
Darrell	8/16/2013	9:42 PM	Settings> more under networks > mobile networks > unchecked data enabled. Just turns off the internet portion.	DELETED
Myranda	8/16/2013	9:42 PM	Are you anxiously awaiting me to get off lol	DELETED
Darrell	8/16/2013	9:44 PM	Yes lol.	DELETED
Myranda	8/16/2013	9:48 PM	Lol	DELETED
Myranda	8/16/2013	9:49 PM	I will when I get a sec	DELETED
Darrell	8/16/2013	9:49 PM	Will what? Lmao	DELETED
Myranda	8/16/2013	9:50 PM	The thing about my battery	DELETED
Darrell	8/16/2013	9:51 PM	Oh lol	DELETED
Myranda	8/16/2013	9:51 PM	Lol	DELETED
Darrell	8/16/2013	9:51 PM	:-P	DELETED
Myranda	8/16/2013	9:52 PM	I can't even find settings, lmao	DELETED
Myranda	8/16/2013	9:54 PM	Lauren and miss J don't have my key :hmm	DELETED
Myranda	8/16/2013	9:56 PM	I turned off my wifi	DELETED
Darrell	8/16/2013	10:02 PM	Lol. So gotta teach you how to use that thing. Want me to run by and walk her?	DELETED
Myranda	8/16/2013	10:03 PM	If you really wouldn't mind and then remind me to look for that key.	DELETED
Darrell	8/16/2013	10:04 PM	Headed there now	DELETED
Myranda	8/16/2013	10:05 PM	Thank you	DELETED
Darrell	8/16/2013	10:06 PM	Np	DELETED
Darrell	8/16/2013	10:42 PM	Cable doesn't work.	DELETED
Myranda	8/16/2013	10:43 PM	Yes it just needs a signal sent to the box.	DELETED
Myranda	8/16/2013	10:45 PM	Hang on	DELETED
Darrell	8/16/2013	10:45 PM	No rush. It just shows ref code s0900	DELETED
Myranda	8/16/2013	10:46 PM	I know, hang tight	DELETED
Darrell	8/16/2013	10:56 PM	Haha.	DELETED

Myranda	8/16/2013	10:57 PM	It would be funny except I just realized it and it is completely true but also kind of funny now that I don't have to worry about it	DELETED
Darrell	8/16/2013	10:58 PM	What's there to worry about? It's a tv	DELETED
Myranda	8/16/2013	11:00 PM	I meant shawn would be yelling and losing his temper with me and now I don't have to worry about it :)	DELETED
Myranda	8/16/2013	11:04 PM	And I need a contact picture for you and more than half my phone. I thought it would sownload from FB for some people	DELETED
Darrell	8/16/2013	11:04 PM	Facebook doesn't do that on android.	DELETED
Darrell	8/16/2013	11:05 PM	I'll have to wait til I have a decent signal	DELETED
Myranda	8/16/2013	11:05 PM	Didn't it used to?	DELETED
Darrell	8/17/2013	5:50 AM	***Darrell calls Myranda***	
Darrell	8/17/2013	6:13 AM	***Darrell calls Myranda***	
Myranda	8/17/2013	6:38 AM	***Myranda Facebook messages Lisa***	
Darrell	8/17/2013	10:42 AM	** Searches Lisa on Facebook **	
Darrell	8/17/2013	11:40 AM	***Darrell calls Myranda***	
Myranda	8/17/2013	12:08 PM	***Myranda calls Darrell***	
Darrell	8/17/2013	1:19 PM	***Darrell calls Myranda***	
Myranda	8/17/2013	2:56 PM	You didn't tell me you msgd her back	DELETED
Darrell	8/17/2013	2:57 PM	Oh sorry. Yeah. Too much?	DELETED
Myranda	8/17/2013	2:57 PM	***Myranda calls Darrell***	
Darrell	8/17/2013	3:02 PM	** Searches Jason Gillespie on Facebook **	
Darrell	8/17/2013	3:18 PM	** Searches Lisa on Facebook **	DELETED
Darrell	8/17/2013	3:36 PM	Couldn't sleep. Oh well. I'm OK by the way. :-)	DELETED
Myranda	8/17/2013	3:40 PM	So what are you up to?	DELETED
Darrell	8/17/2013	3:46 PM	Watching Netflix.	DELETED
Myranda	8/17/2013	3:58 PM	We have both had shitty days, wish I didn't have to be here	DELETED
Darrell	8/17/2013	4:00 PM	True. And wish you didn't either. On the plus side, there is doubt on her side now. Who knows, things can still go either way	DELETED

Myranda	8/17/2013	4:00 PM	TRUE	DELETED
Myranda	8/17/2013	4:01 PM	Just don't drive by there today	DELETED
Darrell	8/17/2013	4:02 PM	Wasn't planning on it. Even if I did, it wouldn't be in my truck lok	DELETED
Myranda	8/17/2013	4:03 PM	Lol what would you be in?	DELETED
Darrell	8/17/2013	4:07 PM	Left the house and came to the gun show. Not that I can really afford any of these even as cheap as they are but still	DELETED
Myranda	8/17/2013	4:08 PM	I didn't know there was a gun show and are they really cheaper at a sale	DELETED
Myranda	8/17/2013	4:08 PM	Show?	DELETED
Myranda	8/17/2013	4:10 PM	The weather fits my mood	DELETED
Darrell	8/17/2013	4:11 PM	Oh yes. And it'd bug convention for sellers	DELETED
Myranda	8/17/2013	4:11 PM	Where?	DELETED
Darrell	8/17/2013	4:12 AM	On pleasant burg at the td convention center	DELETED
Darrell	8/17/2013	4:14 PM	They have bullet proof backpacks	DELETED
Myranda	8/17/2013	4:15 PM	I never saw it when I was over there today	DELETED
Myranda	8/17/2013	4:15 PM	What? Seriously backpacks?	DELETED
Darrell	8/17/2013	4:18 PM	Yup and it'd even popular kids stuff like Mario Kart lol	DELETED
Darrell	8/17/2013	4:18 PM	If I had 200 extra right now I swear	DELETED
Myranda	8/17/2013	4:19 PM	Lol what kairi would go to school with a bullet proof backack?	DELETED
Darrell	8/17/2013	4:21 PM	Lol that too. Found a nice one I would love	DELETED
Myranda	8/17/2013	4:25 PM	I want to go shooting but I haven't shot a gun since I was a kid	DELETED
Darrell	8/17/2013	4:26 PM	If I can ever afford one, I'll take ya	DELETED
Myranda	8/17/2013	4:27 PM	Lol thank you and you will be able to afford one soon	DELETED
Darrell	8/17/2013	4:28 PM	I wish lol. They do have stun guns lol	DELETED
Myranda	8/17/2013	4:28 PM	Lok	DELETED
Myranda	8/17/2013	4:28 PM	Lol	DELETED
Myranda	8/17/2013	4:29 PM	Just think positive thoughts	DELETED
Darrell	8/17/2013	4:30 PM	Nothing but lol	DELETED
Myranda	8/17/2013	4:35 PM	Yeah me too lol	DELETED
Darrell	8/17/2013	4:37 PM	Lol people keep playing with the stun guns. Waiting for someone to get their assets stunned	DELETED
Myranda	8/17/2013	4:37 PM	Lol you should be ready to record and post in Youtube when they do	DELETED
Darrell	8/17/2013	4:39 PM	Who's says I'm not lmfao	DELETED
Myranda	8/17/2013	4:40 PM	I'm sorry but that would be awesome!!	DELETED
Darrell	8/17/2013	6:09 PM	So what's up?	
Myranda	8/17/2013	6:10 PM	I was just on break no biggie	
Myranda	8/17/2013	6:12 PM	Just going to chat, you?	

Darrell	8/17/2013	6:13 PM	Nothing much. Ginny and them are practically begging me to go out tonight.
Myranda	8/17/2013	6:14 PM	Maybe you would have fun?
Darrell	8/17/2013	6:14 PM	Maybe. I am definitely thinking about it.
Myranda	8/17/2013	6:16 PM	It may be just what you need. If you needed a sober ride you know I'd get you.
Myranda	8/17/2013	6:19 PM	Or not. I'm not trying to invade your space.
Darrell	8/17/2013	6:22 PM	LOL haven't decided yet.
Myranda	8/17/2013	6:23 PM	What? I just don't want you to think I'm trying to monopolize your time or something crazy.
Darrell	8/17/2013	6:24 PM	LOL I know.
Myranda	8/17/2013	6:25 PM	Lil just making sure. You are still invited to that hit shower though either way lol
Darrell	8/17/2013	6:25 PM	Hrmmmm :-)
Myranda	8/17/2013	6:28 PM	You don't have to choose. I'm just like drinking darrell. Lmfao
Darrell	8/17/2013	6:28 PM	Lmao. Driving
Myranda	8/17/2013	6:28 PM	K
Myranda	8/17/2013	6:30 PM	Is it ok if I call you on lunch?
Darrell	8/17/2013	6:31 PM	Yeah. May be in shower then just fair warning.
Myranda	8/17/2013	6:51 PM	Hmmmm. Lol
Myranda	8/17/2013	6:56 PM	I'm sorry I feel like maybe I am being clingy to you, you would say something to me if you felt like that right?
Myranda	8/17/2013	7:06 PM	Or maybe I'm just crazy and over exhausted :-)
Darrell	8/17/2013	7:11 PM	LOL you're fine. And maybe crazy but definitely exhausted.
Myranda	8/17/2013	7:12 PM	Lol
Myranda	8/17/2013	7:14 PM	I'm sorry.
Darrell	8/17/2013	7:19 PM	For?
Darrell	8/17/2013	8:01 PM	Hitting downtown
Myranda	8/17/2013	8:02 PM	HAVE FUN!!!! I got a few monaters lol
Darrell	8/17/2013	8:02 PM	Lol.
Myranda	8/17/2013	8:03 PM	Monsters
Darrell	8/17/2013	8:51 PM	Save me....
Darrell	8/17/2013	8:51 PM	Lol
Myranda	8/17/2013	8:51 PM	Lol... already?
Myranda	8/17/2013	8:52 PM	Stop being a party pooper
Darrell	8/17/2013	9:16 PM	Lol.
Myranda	8/17/2013	9:17 PM	Are you having any fun?
Darrell	8/17/2013	9:19 PM	Not really. Mind still stuck on other things even after two beers.

Myranda	8/17/2013	9:21 PM	((its still early, maybe it will get better or you have to at least stay a polite amount of time
Myranda	8/17/2013	9:22 PM	Right?
Darrell	8/17/2013	9:23 PM	True. Dinner is finishing and they want to go to a bar. They want slushies that are 180 proof
Myranda	8/17/2013	9:25 PM	WOW! They're serious and remember they don't know about your shitty day.
Darrell	8/17/2013	9:29 PM	Day isn't over with yet...
Myranda	8/17/2013	9:30 PM	So maybe it won't turn out to be a shitty day!
Darrell	8/17/2013	9:31 PM	Ten to one it does
Myranda	8/17/2013	9:33 PM	Ughh, why is it you will not let me be in a crappy mood but you are allowed
Darrell	8/17/2013	9:46 PM	Lmao. There's a difference in crappy moods and the truth.
Myranda	8/17/2013	9:51 PM	There is no way to know if you got the truth today and yes it does suck and you are allowed the rest of today but then no more ((
Myranda	8/17/2013	9:54 PM	I understand how you feel but you always make me smile when I'm down and I just want you to smile
Darrell	8/17/2013	9:59 PM	:-P
Darrell	8/17/2013	9:59 PM	Vodka slushie
Myranda	8/17/2013	10:00 PM	Oh boy, having a better time?
Darrell	8/17/2013	10:00 PM	Not cold anymore. Lmao. Still stuck on my mind
Myranda	8/17/2013	10:03 PM	Lmao, I know it doesn't go away but I'm glad you seem more chipper and aren't cold you're a hot mess!!! ;)
Darrell	8/17/2013	10:06 PM	No I'm still cold.... Not enough vodka lol. 180 proof everclear in my future.
Myranda	8/17/2013	10:08 PM	Wow, sounds like quite the party.
Darrell	8/17/2013	10:08 PM	Not really.
Myranda	8/17/2013	10:09 PM	((
Darrell	8/17/2013	10:10 PM	Oh well. Maybe one more drink and that's it for me.... The slushies suck. Waitress is cute though.... Too bad she looks a lot like lisa
Myranda	8/17/2013	10:11 PM	Geez
Myranda	8/17/2013	10:11 PM	I could possibly get out at 11 if you need/want company.
Darrell	8/17/2013	10:12 PM	I dunno.
Myranda	8/17/2013	10:13 PM	Maybe you need some alone time
Myranda	8/17/2013	10:16 PM	Try a different type of slushie
Darrell	8/17/2013	10:19 PM	The slushies are 750 each lol.

Myranda	8/17/2013	10:20 PM	Lol, grab a beer
Myranda	8/17/2013	10:33 PM	Any improvement?
Darrell	8/17/2013	10:38 PM	I'm feeling the Clemson orange everclear slushie. It tastes like crap but oh well.
Myranda	8/17/2013	10:39 PM	Uh oh, enjoy! Do you dance?
Darrell	8/17/2013	10:48 PM	Meh... Not enough ever clear. And no I don't dance.
Myranda	8/17/2013	10:58 PM	Are you enjoying yourself at all?
Darrell	8/17/2013	11:00 PM	Not really. It's what we discussed before. All I am doing is thinking of why I am there to begin with. Sure the alcohol is kicking in, but it's not taking my mind off thing which I knew it wouldn't.
Myranda	8/17/2013	11:02 PM	Of course it won't, I wish I could say something to help. I know how you're feeling.
Darrell	8/17/2013	11:05 PM	It's OK... I just need time to adjust and heal a bit.
Myranda	8/17/2013	11:06 PM	True but you always help me feel at least a little better.
Darrell	8/17/2013	11:07 PM	:-)
Myranda	8/17/2013	11:11 PM	That's a fake smile
Darrell	8/17/2013	11:15 PM	Maybe. Liquor and I typically do not get along.
Myranda	8/17/2013	11:16 PM	Oh, sounds like your night might get interesting.
Darrell	8/17/2013	11:17 PM	Maybe. Who knows.
Myranda	8/17/2013	11:18 PM	Only you know. :-D
Darrell	8/17/2013	11:20 PM	We will see
Myranda	8/17/2013	11:21 PM	I can't tell if your bwing sarcastic
Darrell	8/17/2013	11:22 PM	I'm not sure myself. Like I said, liquor and I don't get along.
Myranda	8/17/2013	11:23 PM	Would you prefer to just stop texting?
Darrell	8/17/2013	11:24 PM	No its fine. It's good to talk to someone who isn't trying to make me happy and avoid the subjects.
Myranda	8/17/2013	11:27 PM	I don't see the point in that, acting like your not upset when you have a right to be is silly. You have to work through it
Darrell	8/17/2013	11:27 PM	Yup.
Myranda	8/17/2013	11:28 PM	You'll figure it out for yourself in your own way and time, and if you need someone to listen or talk to you know how to find me.
Darrell	8/17/2013	11:29 PM	:-)
Myranda	8/17/2013	11:31 PM	Bella has been at lauren and miss j house since my lunch so she had some company. :)
Myranda	8/17/2013	11:46 PM	Be safe

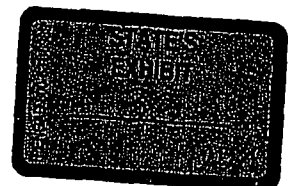
Darrell	8/17/2013	11:50 PM	I will. You too.	
Myranda	8/17/2013	11:51 PM	I will	
Darrell	8/17/2013	11:51 PM	You better.	
Myranda	8/17/2013	11:52 PM	Or what?	
Darrell	8/17/2013	11:52 PM	I won't spank you lol	
Myranda	8/17/2013	11:53 PM	Lol, that's not nice and remember I can stop using my talent too	
Darrell	8/17/2013	11:54 PM	True	
Myranda	8/17/2013	11:54 PM	But its doubtful I would :)	
Darrell	8/17/2013	11:55 PM	Lol	
Myranda	8/17/2013	11:57 PM	Cause I'm a cheap whore remember lol	
Darrell	8/17/2013	11:58 PM	True that lol	
Myranda	8/17/2013	11:59 PM	Lol your an ass	
Darrell	8/17/2013	11:59 PM	Lol. :-P	
Darrell	8/18/2013	12:01 AM	2 bud light, followed by a vodka slushie and then a 180 proof everclear slushie = what the fuck was I thinking?!?!	
Myranda	8/18/2013	12:01 AM	Unless you plan on using that tongue keep it in your mouth	
Myranda	8/18/2013	12:01 AM	Oh shit	
Myranda	8/18/2013	12:02 AM	Can you drive	
Darrell	8/18/2013	12:03 AM	Yes. :-)	
Darrell	8/18/2013	12:03 AM	You still at work?	
Myranda	8/18/2013	12:04 AM	Leaving now	
Darrell	8/18/2013	12:04 AM	Care to drive by?	DELETED
Myranda	8/18/2013	12:05 AM	Where?	DELETED
Darrell	8/18/2013	12:05 AM	Her house. Just curious if there was any impact	DELETED
Myranda	8/18/2013	12:11 AM	Where are you?	DELETED
Myranda	8/18/2013	12:13 AM	*** Myranda calls Darrell. Call lasts for 1 hour 6 minutes 54 seconds ***	
Myranda	8/18/2013	12:08 PM	Hi	
Darrell	8/18/2013	1:11 PM	Hey	
Darrell	8/18/2013	1:11 PM	Just woke up lol	
Darrell	8/18/2013	1:11 PM	And its 111	
Myranda	8/18/2013	1:14 PM	Lol, I figured you whre ssleep and tge time is weird	
Darrell	8/18/2013	1:14 PM	Lol.	
Darrell	8/18/2013	1:25 PM	Hoping in shower	
Myranda	8/18/2013	1:25 PM	Me too lol	
Darrell	8/18/2013	1:59 PM	It made an impact. She has posted more on Facebook in the last few hours than all week.	
Myranda	8/18/2013	2:00 PM	Hmmm	

Darrell	8/18/2013	2:05 PM	Thoughts?
Myranda	8/18/2013	2:06 PM	What has she posted?
			Nothing relationship wise but has liked a ton of stuff today and is commenting a fair amount on her stuff and others. Stuff she hasn't done in a while.
Darrell	8/18/2013	2:07 PM	
Myranda	8/18/2013	2:08 PM	Trying to take her mind off of things maybe.
Darrell	8/18/2013	2:09 PM	Maybe.
Myranda	8/18/2013	2:10 PM	Maybe debating messaging me?
Darrell	8/18/2013	2:20 PM	Good question
Myranda	8/18/2013	6:04 PM	Lol
Myranda	8/18/2013	6:04 PM	Bored at work
Darrell	8/18/2013	6:17 PM	Lol. It'll be over soon.
Myranda	8/18/2013	6:18 PM	Are you having fun?
Darrell	8/18/2013	6:18 PM	Yes we are :-)
			Heading home shortly and then going to take a long nap. Will you call and wake me up around eleven?
Darrell	8/18/2013	6:43 PM	
Myranda	8/18/2013	6:44 PM	Sure, not a problem
Myranda	8/18/2013	6:45 PM	I want a nap, I'm jealous!!!
Darrell	8/18/2013	6:45 PM	Awesome :-) you get off at 12 right?
Myranda	8/18/2013	6:46 PM	:-) yes 12
Darrell	8/18/2013	6:46 PM	Good. :-)
Myranda	8/18/2013	6:47 PM	Will I be seeing you sir?
Darrell	8/18/2013	6:48 PM	Who knows.... Lol
Myranda	8/18/2013	6:48 PM	Lol
			No pressure just thought you seemed glad I got out at 12 lol
Myranda	8/18/2013	6:49 PM	
Darrell	8/18/2013	6:49 PM	Lol
			This night is moving slow and I don't think my lunch will ever get here.
Myranda	8/18/2013	6:50 PM	
Myranda	8/18/2013	6:50 PM	Are you driving out past my job this evening?
Darrell	8/18/2013	6:57 PM	I don't plan on passing your work tonight. Why?
			Lol, because you conf'd what time I got off and I'm waking you up at 11 :-). I was curious.
Myranda	8/18/2013	6:59 PM	
Darrell	8/18/2013	6:59 PM	;-)
			And I can't wait to get pot off this phone. It didn't send notifications to my iPhone.
Myranda	8/18/2013	7:00 PM	
Darrell	8/18/2013	7:01 PM	Lol. I'll get it fixed for you.
Myranda	8/18/2013	7:01 PM	Thank you, lol
Myranda	8/18/2013	7:16 PM	Finally lunch hour!!
Darrell	8/18/2013	7:16 PM	Wahoo lol

Darrell	8/18/2013	8:02 PM	***Darrell calls Myranda. Call lasts 2 minutes 26 seconds***
Myranda	8/18/2013	11:03 PM	*** Myranda calls Darrell. Call lasts 24 seconds***
Darrell	8/18/2013	11:49 PM	You off?
Myranda	8/18/2013	11:49 PM	Hey you
Myranda	8/18/2013	11:50 PM	10 minutes
Darrell	8/18/2013	11:50 PM	K. :-)
Myranda	8/19/2013	12:03 AM	*** Myranda calls Darrell. Call lasts 6 minutes 12 seconds***
Darrell	8/19/2013	2:56 AM	I can't sleep. You?
Myranda	8/19/2013	3:00 AM	I'm still with shawn. Hes being an ass. I'm not giving him what he wants. Ill call you tomorrow.
Darrell	8/19/2013	3:05 AM	OK. Just let me know when you make it home. I'm headed to bed. Goodnight.
Myranda	8/19/2013	3:16 AM	OK goodnight :-)
Darrell	8/19/2013	3:23 AM	Oh I forgot to run by the bank like you asked. I'm gonna do it real quick before I go to bed.
Myranda	8/19/2013	3:26 AM	Thsts fine and thank you so much for doing that. I'm heading home now.
Darrell	8/19/2013	3:27 AM	Your'ee welcome. What are friends for.
Darrell	8/19/2013	3:27 AM	Be careful
Myranda	8/19/2013	3:30 AM	*** Myranda's phone calls Darrell. Call lasts for 35 minutes 22 seconds***
Darrell	8/19/2013	10:49 AM	Good morning :-)
Darrell	8/19/2015	11:55 PM	Hey you OK? All my calls are going to voice mail and you haven't text back. Lauren and Mrs V said they haven't heard from you either. Call me. I'm worried.

Date	Time	Number	Business	
8/18/2013	3:59 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	2:20 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	2:21 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	2:59 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	2:59 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	3:03 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	3:03 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	3:04 PM	(419) 468-3746	Hi-Point	DELETED from phone
8/19/2013	3:05 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	3:05 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	3:06 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	3:16 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	3:17 PM	(419) 747-9444	Hi-Point	DELETED from phone
8/19/2013	3:33 PM	(419) 747-6095	Hi-Point	DELETED from phone
8/19/2013	3:33 PM	(419) 747-9444	Hi-Point	DELETED from phone
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8/20/2013	1:45 PM	(419) 225-8297	Hi-Point	DELETED from phone
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8/21/2013	9:12 AM	(419) 747-9444	Hi-Point	DELETED from phone

Total	Hi-Point	30
	Bi-Lo	2

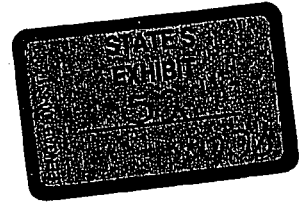




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HAMLETT EXHIBIT 1
Page 1 of 2

**Myranda Southern**

Hi, I've been debating telling you this for a couple of days and I hate that I didn't know but being someone who has been cheated on and found out too late, I thought you should know. You're boyfriend Jason cheated on you with me a few nights ago. I didn't know at the time he had a girlfriend or I would never have slept with him. I'm sorry that I did it now that I know. If I had known I wouldn't have done it. I hate cheaters and can't stand that he did this to you and me. I felt like I had to say something, I do have children and if you could please not mention my name as he and I have many mutual friends or at least be as discreet as possible I would greatly appreciate it. I'm truly sorry.

**Lisa Hamlett**

where did this happen...and when

**Myranda Southern**

His house Wednesday night.

**Myranda Southern**

I was hoping you'd be discreet. I just blocked him. I see his house is up for sale now. I hope you don't end up realizing things a little too late. Again I am so sorry. If I had known I wouldn't have.

**Lisa Hamlett**

If someone told you your boyfriend was cheating you would confront him with a name. Anyone would. He denies even knowing you.

**Myranda Southern**

We went to wade Hampton together. I'm just worried about my kids. I've known too many crazy people in my life and don't want it all coming back on them.

Lisa Hamlett

1 of 24 (24)



Show Older

**Myranda Southern**

My ex is bipolar. I don't know if you know what that is like but I'm just worried something bad might happen.

**Lisa Hamlett**

Yes im familiar with mental disorders, its my profession. Tell me how this happened with Jason. I need to know.

He denies everything. Says its his exgirlfriend, Robyn

**Lisa Hamlett**

I would appreciate it if you could explain this to me. Im not angry with you in the least. I just want to know how this happened...

**Myranda Southern**

We ran into each other Wednesday and started chatting. He invited me over and we sat and talked a good bit. Then he kissed me and I just kind of went with it.

**Lisa Hamlett**

Where did you run into him?

If I end our relationship I have to know this is the truth. I dont give second chances. I realize you didnt know about me...but he and I have known eachother for a long while.

**Myranda Southern**

At the gas station near his house. I live a little further down the road than he does so I stop there a lot.

**Lisa Hamlett**

So, thats it? Like a one night stand or something? Or had it been going on longer?

**Myranda Southern**

Well I had hoped it would be longer but I saw he was in a relationship with you on Facebook and obviously I didn't want anything to do with him afterwards.

**Lisa Hamlett**

Lets confront the cheater.

**Myranda Southern**

Listen this is making me feel worse about the whole thin. I feel terrible as is and kind of want to forget it. I'm sorry about all of it and I hope you can forgive me.

**Lisa Hamlett**

Are you not angry?

**Myranda Southern**

Very but that's not the point. My job is to keep my kids lives as stable and protected as possible. I told you because I thought that was what was right. But I'm donenow. I have you the information and it's your choice what to do with it. I'm sorry but I can't risk my kids happiness or their safety.

**Lisa Hamlett**

I understand. This will be something we discuss with the counselor for sure. Jason is selling the house bc we are starting a life together. Im not sure where this goes from here. But tk you for your messages I needed to know.

**Myranda Southern**

Wow. Well good luck. I wouldn't give him another chance but I've been cheated on before many times and finally had to say enough. You are much more forgiving than I am. Maybe really foolish too but that's just looking at it through my experiences. You're welcome though. Maybe a counselor will help. I hope for your sake it does.

Sent from Mobile

1 Chat (24)

Hamlett Exhibit 1
Page 2 of 2

STATE OF SOUTH CAROLINA)
COUNTY OF LAURENS) IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA)
))
))
vs.) ORDER
) 2013-GS-30-1932/1933
DARRELL RAINES)
))
Defendant)
_____)

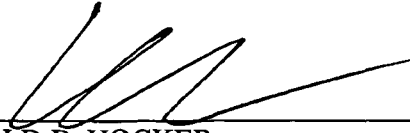
The Defendant was found guilty, by jury, on December 11, 2015, on the charges of Murder (#1932) and Possession of a Weapon During the Commission of a Violent Crime (#1933). The Defendant was sentenced to Life without Parole on the Murder charge and Five (5) years on the Possession of a Weapon charge and the sentences to run consecutive.

Based upon Section 16-23-490(A) and State vs. Palmer, Opinion No. 5382 (CA., Filed February 24, 2016), it is Ordered:

- (1) The Five (5) year Sentence on the Possession of a Weapon Charge is vacated
- (2) The conviction on the Possession of a Weapon charge and the conviction and sentence of Life without Parole on the Murder Charge all remaining in full force and effect.

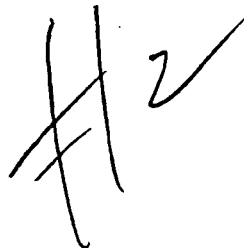
(Note: The Defendant appealed his convictions, however, in order to effectuate the above, the Court of Appeals issued an Order, on April 19, 2016, remanding for resentencing.)

SO ORDERED.



DONALD B. HOCKER
CIRCUIT COURT JUDGE
EIGHTH JUDICIAL CIRCUIT

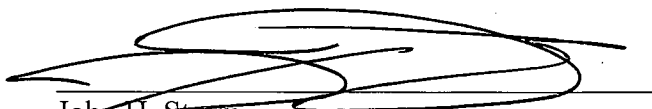
Laurens, South Carolina
Date: 4-26-16



CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



John H. Strom
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 15th day of May, 2017.

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MAY 15 2017
SC Court of Appeals