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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
The Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

Respondent,

vs.

COURTNEY SHANTE THOMPSON,

Appellant.

Appellate Case No. 2014-001198
Consolidated Case For Record On Appeal:
State v. Robert Guinyard, Sr.
Appellate Case No. 2012-001203

SUPPLEMENTAL RECORD ON APPEAL

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1 I could approach.

2 THE COURT: Okay.

3 (WHEREUPON, there was a bench conference.)

4 THE COURT: All right. Anything further?

5 MS. PINNOCK: Your Honor, I don't believe --- oh,

6 I'm sorry:

7 THE COURT: Go ahead.

8 MS. PINNOCK: Ms. McDuffie, are you all done?

9 MS. McDUFFIE: Yes, I am.

10 MS. PINNOCK: I don't believe we rested

11 yesterday.

12 THE COURT: You'll need to rest when they come

13 in.

14 MS. PINNOCK: Okay. Instead of --- I'm just
15 going to ask Your Honor how you want to handle it ---

16 renewing objections and motions?

17 THE COURT: Do it right now.

18 MS. PINNOCK: Okay.

19 THE COURT: Go ahead.

20 MS. PINNOCK: Your Honor, at this time we would
21 renew our motion for a directed verdict. Because
22 Ms. Thompson decided to testify because we did decide
23 to put up a defense for her, it's my opinion that Your
24 Honor is now required to look at all the evidence that
25 has been presented by the State and by Ms. Thompson

1 when considering whether or not the State has produced
2 substantial circumstantial evidence for the homicide
3 by child abuse for Ms. Thompson's actions.

4 I think considering it as a whole, I would ask
5 Your Honor to look at it again because I don't think,
6 based on everything that we heard yesterday, that
7 there is any more than a suspicion that Ms. Thompson
8 was the person that was responsible for causing the
9 injury or that she failed to act when the injury
10 occurred.

11 I think that --- because those are two essential
12 elements of the charge, Judge, I think based on
13 everything that you've heard from the State from
14 Ms. Thompson's defense, I don't think that it rises to
15 more than a suspicion of Ms. Thompson's guilt and I
16 don't think it should be given to the jury.

17 THE COURT: All right. You're motions are
18 denied. Even based upon her testimony yesterday, she
19 essentially confessed to the unlawful conduct towards
20 the child. The legal argument could be made that she
21 confessed to the homicide by child abuse on the
22 witness stand yesterday, so the evidence as it sits
23 before me, and all I'm required to look at is the
24 existence of the evidence, not the weight of the
25 evidence, that's supposed to be taken in the light

1 most favorable to the State, the case is sufficient to
2 go forward to the jury. You can rest when they come
3 in.

4 MS. PINNOCK: Yes, sir.

5 THE COURT: Okay.

6 MS. PINNOCK: One last renewal, I'm sorry, our
7 motion for a mistrial based on the defense that was
8 put up by Mr. Li and Mr. Guinyard, Your Honor, I do
9 think it violated Ms. Thompson's right to get a fair
10 trial. She is guaranteed that right under the due
11 process clause of the Constitution. I think it has
12 turned into a character case with nothing but an
13 assassination on Ms. Thompson, based on prior bad acts
14 that were not relevant to this case whatsoever.

15 So I think with recognizing his constitutional
16 right and Ms. Thompson's constitutional right to a
17 fair trial has been violated, and I'd ask you to grant
18 a mistrial as to Ms. Thompson.

19 THE COURT: All right. Your motion is denied
20 based upon my previous reasoning.

21 THE COURT: All right. Anything further?

22 (There was no response.)

23 THE COURT: Okay. Let's bring them in.

24 (WHEREUPON, the jury entered the courtroom at
25 9:48 a.m.)

1 aware that the autopsy didn't match the reenactment
2 prior to making that statement, correct?

3 A Yes, sir, she was and also Antonio was.

4 Q And it was only after that that she gave this
5 second statement?

6 A It was --- we had talked to her, tried to talk to
7 actually both parties for several hours before she
8 said, "If you put us together, I'll tell you what
9 happened."

10 Q Thank you.

11 MR. LI: No further questions, Your Honor.

12 THE COURT: Yes, ma'am.

13 MS. PINNOCK: No questions, Your Honor.

14 THE COURT: Redirect?

15 MS. McDUFFIE: No, Your Honor.

16 THE COURT: Thank you, sir. You may step down.

17 You may call your next witness.

18 MS. McDUFFIE: Your Honor, that's the extent of
19 the rebuttal testimony the State will offer.

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

21 All right, ladies and gentlemen. That's the
22 extent of the reply testimony that you will have from
23 the State at this time. If you will now retire to
24 your jury room. We are going to order some lunch, so
25 they will bring you your menus. I have a matter of

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CERTIFICATE OF COUNSEL

The undersigned certifies that this Supplemental Record on Appeal complies with Rule 211(b), SCACR, and 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."

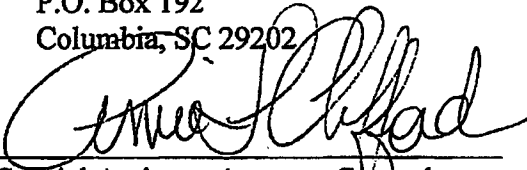
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December 10, 2015

STATE OF SOUTH CAROLINA
In the Court of Appeals

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PROOF OF SERVICE

I, Anne A. Mueller, certify that I have served the within Supplemental Record On Appeal on Appellants by depositing two copies of the same in the United States mail, postage prepaid, addressed to their counsel of record as follows:

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I further certify that all parties required by Rule to be served have been served.
This 10th day of December, 2015.


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