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SC Court of Appeals

Vol. II of II

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMIE L. STROMAN,

APPELLANT

APPELLATE CASE NO 2017-000823

RECORD ON APPEAL

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***THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:**

STATE'S EXHIBIT NO. 3 (DVD OF FORENSIC INTERVIEW)

STATE'S EXHIBIT NO. 6 (DVD OF APPELLANT'S INTERROGATION)

1 A Yes, ma'am.

2 Q All right. What date was that?

3 A March 11th, 2014.

4 Q March 11th of 2014?

5 A Yes, ma'am.

6 Q All right. And what contact did you have?

7 A We spoke on the phone.

8 Q And what did you tell Detective Ellisor -- or did he
9 call you or did you call him?

10 A He called me.

11 Q And that was March 11th?

12 A Yes, ma'am.

13 Q All right. And what did he tell you?

14 A That he had spoken with Sarah and Sharon.

15 Q Did he say anything else?

16 A And that he had --

17 MS. PATTERSON: Objection, hearsay.

18 MS. ZMROCZEK: Your Honor, this is in direct response
19 to a question that was asked earlier.

20 THE COURT: Overruled. That's for impeachment
21 purposes?

22 MS. ZMROCZEK: Correct.

23 THE COURT: Admitted.

24 Answer the question, please.

25 BY MS. ZMROCZEK:

1 Q I'm sorry.

2 A I'm sorry. He told me that he had told Sharon not to
3 have any more contact with Sarah and that he was going to
4 suggest to Sarah that she get a restraining order. And he
5 said he was going to keep me updated on the case and
6 e-mail me a copy of his report.

7 Q Did you ever receive a copy of that report?

8 A I'd have to look. I don't think I did.

9 MS. ZMROCZEK: Please answer any questions the State
10 may have.

11 THE WITNESS: Yes, ma'am.

12 CROSS-EXAMINATION

13 BY MS. PATTERSON:

14 Q Detective Stoner, you don't have anything to do with
15 the investigation of the State of South Carolina versus
16 Jamie Stroman, do you?

17 A No, ma'am.

18 MS. PATTERSON: Thank you. No further questions.

19 THE COURT: Have a nice day, ma'am.

20 THE WITNESS: Thank you, sir.

21 Call your next witness.

22 MS. ZMROCZEK: Beg the Court's indulgence.

23 THE COURT: Yes.

24 (Pause.)

25 MS. ZMROCZEK: Your Honor, may we approach?

1 THE COURT: Sure.

2 Y'all stand up and stretch, stretch your legs.

3 (WHEREUPON, a bench conference was held.)

4 THE COURT: All right. Ladies and gentlemen, let's
5 go ahead and take an afternoon break. Do not discuss the
6 case. Keep an open mind. It's 3:30. We'll be back with
7 you at 3:45. Thank you very much.

8 (WHEREUPON, the jury left the courtroom at 3:30
9 p.m.)

10 MS. ZMROCZEK: Your Honor, I believe that I just need
11 to consult, but I don't believe that we will be calling
12 any more witnesses. I'll let the Court know as soon as we
13 get back in.

14 THE COURT: Okay. All right.

15 MS. ZMROCZEK: Thank you.

16 (Pause.)

17 THE COURT: All right. What's the word?

18 MS. ZMROCZEK: Your Honor, it appears I may need to
19 call one more witness, a DSS worker to talk about the and
20 the number of contacts that they had between March and
21 May.

22 The problem is Mr. Shealey and I have been in
23 contact. The person who I thought I would need to call is
24 on maternity leave, and so he's trying to figure out what
25 to do to get her here, or in the alternative, bring in

1 another of the workers. That person's name wasn't --
2 actually, I don't know if I put all the DSS workers' names
3 on the list. It might have just -- because we did get him
4 reserved. I'm sure you remember the issue with the
5 subpoena. But that would be the only witness. And I
6 mean, Mr. Shealey, if I can have time to talk to him, I
7 think we can have that resolved by the morning. So that
8 would be the last witness. So if we would do the charge
9 conference --

10 THE COURT: So what is this witness going to say?

11 MS. ZMROCZEK: Just the days that she went to go
12 visit at [REDACTED] Apartments and who was there.

13 THE COURT: Are there not records of that?

14 MS. ZMROCZEK: There are. I mean, I can put the
15 records in, but I have to put them in through somebody.

16 THE COURT: I mean, if they're official DSS
17 records -- if there's DSS records to say, you know, DSS
18 agent showed up, the following set of people were here.

19 MS. ZMROCZEK: Yes.

20 THE COURT: Why can't we just stipulate to it?

21 MS. PATTERSON: Your Honor, we can. We beat this
22 dead horse. We went over who was there. And she
23 said that she didn't always say who was there, but Jamie
24 lived there and Jamie even said he lived there during
25 these days.

1 THE COURT: I mean, I assume these records show that
2 sometimes Jamie was there and sometimes Mr. Stroman was --

3 MS. ZMROCZEK: It never shows that he was there.

4 THE COURT: I mean, if that's what the DSS records
5 show, then I don't know -- I mean, the witness isn't going
6 to add anything --

7 MS. ZMROCZEK: Right, except for what the records
8 show.

9 THE COURT: He was there and he was the dad of the
10 year, or he was there and he was drunk and high. I mean,
11 the records are --

12 MS. ZMROCZEK: That they showed up --

13 THE COURT: -- that they visited the house from --

14 MS. ZMROCZEK: On this date, this date. And I can
15 list the dates and if they contest it, then --

16 MS. PATTERSON: I mean, I don't care about that.

17 THE COURT: Right.

18 MS. ZMROCZEK: Then if I can just make that a
19 stipulation for tomorrow.

20 THE COURT: Do you have the records?

21 MS. ZMROCZEK: We do. We both do.

22 THE COURT: Okay.

23 MS. ZMROCZEK: I'll just type out the stipulation for
24 you.

25 THE COURT: Sure, that's fine.

1 MS. ZMROCZEK: And I'll send to it them, of course.

2 THE COURT: Are you going to have any reply
3 witnesses?

4 MS. PATTERSON: No, sir.

5 THE COURT: Okay. So I'm going to bring the jury
6 back in here and release them and tell them to be back at
7 9:30 tomorrow morning.

8 MS. PATTERSON: Yes, sir.

9 THE COURT: We can read that stipulation and then
10 argue and charge.

11 MS. PATTERSON: Yes, sir.

12 THE COURT: Is that okay?

13 MS. PATTERSON: Sounds good. Thank you.

14 THE COURT: Do you understand what I'm trying to do
15 with the DSS thing, Mr. Stroman?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: So, apparently, DSS came to the house a
18 bunch of times and you weren't there.

19 THE DEFENDANT: Yes, sir.

20 THE COURT: All right. So the records are what the
21 records are. So instead of having to call a witness just
22 to say that, I'm just going to tell the jury DSS came to
23 the house on these dates and on these dates, you weren't
24 there.

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Is that okay with you?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: It accomplishes the same thing.

4 MS. ZMROCZEK: Absolutely, Your Honor. I appreciate
5 that.

6 (WHEREUPON, the jury entered the courtroom at 3:48
7 p.m.)

8 THE COURT: All right. So here's what we're going to
9 do, so we're going to stop for the day. So we have one
10 more stipulation that we're going to work on this
11 afternoon that we're going to read to you first thing in
12 the morning. Then when you come back first thing in the
13 morning, we're going to read you that stipulation. And
14 then the lawyers are going to give you their closing
15 arguments and I'm going to tell you what the law is and
16 you can begin deliberating.

17 So we could do that tonight. I will tell you, I
18 don't like to start deliberating this late because, you
19 know, I don't know how long you're going to take and I
20 don't want you to feel pressured as in we have to finish
21 by a certain time or anything like that. So I like to do
22 it this way. We can come back in the morning.
23 Everybody's fresh, ready to go. You've had a good night's
24 sleep. That way, you can take as long as you need to to
25 deliberate without anybody feeling like I've got to get to

1 soccer or this has got to happen or anything like that.
2 All right. I'm not a big fan of being at courthouses at
3 9:00 or 10:00 o'clock at night, although we've all done
4 it. But I'm not going to put you in that situation
5 tonight.

6 So you're still not allowed to discuss the case in
7 any way, shape, or form with anybody. You're still not
8 allowed to do any research about the case. And you are
9 still to keep an open mind about the case. There's one
10 more stipulation that we're going to need to read to you
11 and then the attorneys are going to have the opportunity
12 to come before you and make their closing arguments from
13 their respective points of view. And then I still have to
14 tell you what the law is that you are to apply to this
15 case.

16 So you're still to keep an open mind. You're still
17 not allowed to discuss the case. You're still not allowed
18 to have any contact with anybody, and you're still not
19 allowed to discuss the case in any way, shape, or form.
20 We'll see you tomorrow morning at 9:30 ready to go.

21 Now, what are my lunch choices for tomorrow,
22 Ms. Hope?

23 THE CLERK: We can have the Jimmy Johns brought in,
24 sandwich lunch boxes.

25 THE COURT: Yes.

1 THE CLERK: We can have that. We can go to Cribbs
2 and order sandwiches or salads from Cribbs.

3 THE COURT: Okay. Y'all want to do Cribbs tomorrow
4 for lunch and the clerk of court will get your lunch for
5 you? Is that okay? Okay. So lunch tomorrow will be on
6 us while you're deliberating and that way we don't have to
7 take a major break for everybody to go eat lunch.

8 Okay. So 9:30 tomorrow morning. Do not discuss the
9 case. Keep an open mind. Thank you very much.

10 (WHEREUPON, the jury left the courtroom at 3:51
11 p.m.)

12 THE COURT: All right. Let's go through this charge.
13 All right. So y'all are not used to my charges,
14 Ms. Patterson. So I start off with this is what he's
15 charged with. This is not evidence or proof of anything.
16 You and I have certain duties to perform. It's my duty to
17 tell you the law. It's your duty to find the facts.
18 Let's see. I say he's presumed innocent. I go through,
19 you know, the robe of righteousness placed about his
20 shoulders, which remains with him. My reasonable doubt
21 charge is Victor versus Nebraska. Firmly convinced. I
22 then go through what is not evidence. I remind them of
23 that.

24 I then explain direct and circumstantial evidence and
25 I give a new circumstantial evidence charge. All of

1 circumstances must be consistent with each other and when
2 taken together point conclusively to the guilt of the
3 accused. I then go through credibility of witnesses. You
4 can believe all, some or none. I'll do a charge on expert
5 witnesses, just a standard charge for that.

6 I'll go through the statement of the Defendant. They
7 have to consider the statement. They have to determine
8 whether it was freely, voluntarily given without pressure,
9 force, fear, threats, coercion or intimidation, that
10 normal standard language. They can consider his age, his
11 lack of education, his mental capacity, his IQ or
12 intelligence, all that kind of stuff. The State has the
13 burden of proving that the statement was voluntary.

14 I then go through criminal intent with the standard
15 intent charge, a mental state, a conscious wrongdoing, an
16 act or a failure to act. And then I go straight into
17 first degree criminal sexual conduct with a minor. We'll
18 add a paragraph at this point that says you have to
19 consider each of the indictments separately.

20 MS. ZMROCZEK: The multiple charges.

21 THE COURT: The multiple charges charge. That they
22 have to look at each one of them and consider them
23 separately. Then the CSC with a minor says the defendant
24 is charged with two counts of first degree criminal sexual
25 conduct with a minor. The State must prove beyond a

1 reasonable doubt that he engaged in a sexual battery with
2 the **minor** . Then defines sexually battery as intercourse,
3 cunnilingus, fellatio, anal intercourse or any intrusion,
4 however slight, of any body part of a person's body or any
5 object into the genital or anal openings of another
6 person's body except when the intrusion is accomplished
7 for medically recognized treatment or diagnostic purposes.

8 The State must then prove beyond a reasonable doubt
9 that the **minor** was less than the age of 11 at the time of
10 the sexual battery. And it says consent, willingness,
11 indifference or ignorance on the part of a minor, if any,
12 was to what was taking place does not in any way affect
13 the charge because an unmarried woman under the age of 14
14 cannot legally consent to sexual intercourse.

15 And then I have this kind of thing I do at the end
16 where I say let me tell you about your deliberations.
17 Deliberation is defined as a careful consideration
18 weighing up with a view to a decision. The genius of this
19 system is that it allows 12 people of totally different
20 backgrounds to reach a verdict. You are to do it
21 carefully, consider it deliberately and discuss the case
22 calmly, thoroughly, in a courteous manner. Listen to each
23 other's views and points of view, discuss the case and
24 reach an agreement. Your verdict must be unanimous. You
25 should impartially consider all the evidence, discuss it

1 fully with each other and listen to each other's views.
2 Do not be afraid to change your opinion if the discussion
3 persuades you that you should, but do not come to a
4 decision simply because everyone else thinks it's right.

5 I'll say there are four possible verdicts in this
6 case. There's no significance in the order in which I
7 state these. Your verdict must be unanimous. Sign it and
8 then give it back to us. And then the verdict form says
9 we, the jury, by unanimous consent find the Defendant as
10 to the charge of, and we put the charge and the indictment
11 number and guilty or guilty. And then put the second
12 indictment number, guilty or not guilty, and then a place
13 to sign.

14 All right. Anybody know of anything else they want
15 added or taken out or discussed?

16 Ms. Patterson?

17 MS. PATTERSON: Sir, it sounds fine. Thank you.

18 THE COURT: Okay.

19 MS. ZMROCZEK: And, Judge, I think -- was there --
20 and you might have said it or gone over it. Do you give a
21 charge about -- come on, Aimee. His record, the prior
22 record of a --

23 THE COURT: What do you think -- tell me what you --
24 I'm not saying no. I'm saying tell me what you think it
25 is.

1 MS. ZMROCZEK: I thought it said you're only to
2 consider the prior record as to --

3 THE COURT: Pull it up and see if you can find that.

4 I'm not opposed to giving that and I'm not saying it
5 doesn't exist. Just before we go on to anything else, let
6 us both sit here and go through it.

7 MS. ZMROCZEK: Okay.

8 THE COURT: All right. You have heard evidence that
9 the Defendant was convicted of a crime other than the one
10 for which he is now on trial. This evidence may be
11 considered by you if you conclude it is true only in
12 deciding whether the Defendant's testimony is believable
13 and for no other purpose. You must not consider the
14 Defendant's prior as any evidence of the Defendant's guilt
15 of the charge we are trying today.

16 MS. ZMROCZEK: That's the --

17 THE COURT: All right. That's fine. So I will
18 insert that in -- hold on. Let me go back to the charge
19 and see where I want to put it. Let's put it -- I'm going
20 to put it right after statement of Defendant.

21 MS. ZMROCZEK: Okay.

22 THE COURT: All right. So I'll put it right after
23 statement of Defendant, right before intent. We'll send
24 y'all an e-mail of this and an e-mail of the verdict form
25 so you can look at it overnight.

1 Anything else.

2 MS. ZMROCZEK: I know that you had marked down -- I
3 thought you had marked down, I know I marked it down about
4 stipulations, that maybe you were going do a charge on
5 stipulations.

6 THE COURT: I think we have the stipulation.

7 MS. ZMROCZEK: And I'm sure that probably covers it
8 once -- I think those were the two notes that I had, Your
9 Honor. And I will not send a 2:00 a.m. e-mail, Your
10 Honor. I'll make sure I look at it as soon as I get back.

11 THE COURT: You want me to write that down.

12 MS. ZMROCZEK: Yes, for the record.

13 THE COURT REPORTER: Got it.

14 MS. ZMROCZEK: Judge, may I have one more question?

15 THE COURT: Yeah, I'm not finding your stipulation on
16 the --

17 MS. ZMROCZEK: I don't know that there is one. I
18 just -- I know that I remember like you saying something
19 about a stipulation and I wrote down stipulation charge,
20 question mark.

21 THE COURT: In the normal charge, it says you are to
22 consider only the testimony which has been presented from
23 the witness stand and any exhibits which have been made a
24 part of this case and the stipulations of the parties
25 which have been previously read to you.

1 MS. ZMROCZEK: Okay. That's good.

2 THE COURT: Okay.

3 MS. ZMROCZEK: And then, Your Honor, I believe --
4 well, I know I've tried, at least, two cases since the new
5 Beatty closing arguments thing.

6 THE COURT: Right.

7 MS. ZMROCZEK: I just want to make sure that I have
8 it correct, that the State opens on the law and the facts
9 and then I do my case and they're allowed to respond to
10 something that wasn't covered. Is that your
11 understanding?

12 THE COURT: Yes. So, basically, so you're moving for
13 the State to open in full.

14 MS. ZMROCZEK: Thank you.

15 THE COURT: Is that right?

16 MS. ZMROCZEK: Yes.

17 THE COURT: So everybody understand how it's going to
18 work?

19 MS. PATTERSON: Not exactly, can you explain it to
20 me?

21 THE COURT: So you have to open in full, okay. All
22 right. Then she's allowed to close. And then you are
23 allowed to -- you are allowed to reply to what she says,
24 essentially.

25 MR. POGUE: My understanding, Your Honor, is our

1 reply is limited to what was in her closing.

2 MS. ZMROCZEK: Right.

3 THE COURT: Yes. You can't bring up something new.
4 Then in reply you may respond to the other party's
5 arguments, but you may not raise a new matter.

6 MS. PATTERSON: Yes, sir.

7 THE COURT: Does that make sense?

8 MS. PATTERSON: Yes, sir.

9 MR. POGUE: Yes, sir, Your Honor.

10 THE COURT: That's the way -- it's the way it is in
11 civil court in every case. That's State vs. Beatty with
12 two T's, if you want to read that tonight. Since the
13 Defense put up a defense, they can require the State to
14 open in full. The Defense is allowed to close and the
15 State is allowed to reply to something that the Defense
16 said, but can't go back and give your whole closing again.

17 What else?

18 MS. ZMROCZEK: I believe that covered it, Your Honor.
19 I'll be using my demonstratives, the calendars I've been
20 using the whole time. I may or may not have a power
21 point. I know I'll be using the demonstratives. I'll
22 make sure I get here way early to make sure I have no
23 issues with that.

24 THE COURT: Anything else, Ms. Patterson?

25 MS. PATTERSON: Nothing from the State, Your Honor.

1 THE COURT: All right. 9:30.

2 (WHEREUPON, Court was adjourned for the day to be
3 reconvened on Thursday, March 30, 2017.)

4 THURSDAY, MARCH 30, 2017

5 THE COURT: All right. Are we good to go?

6 MS. PATTERSON: The State is, Your Honor.

7 MS. ZMROCZEK: The Defense is, Your Honor. I spoke
8 with the prosecutor this morning, and she advised me she
9 was fine with the stipulations.

10 THE COURT: Okay. I'm going to change it up a little
11 bit.

12 MS. ZMROCZEK: Okay.

13 THE COURT: I'll say Ms. Sarah Stoudemayer and I'll
14 say Jamie Stroman, not just Stroman.

15 MS. ZMROCZEK: Oh, okay. Sorry.

16 THE COURT: All right. Let's bring them in.

17 (WHEREUPON, the jury entered the courtroom at 9:43
18 a.m.)

19 THE COURT: All right. Welcome back, ladies and
20 gentlemen. Thank you very much for being on time. As I
21 told you at the end of the day yesterday, we would have
22 another set of stipulations to read to you. Remember that
23 stipulations are an agreement by the lawyers on facts and
24 you are to take these facts as they are and no further
25 proof for them is necessary. Okay.

1 So stipulation number one. Number one is a DSS plan
2 was implemented on or about -- on March the 6th of 2014.
3 On March the 19th of 2014 at 6:50 p.m., DSS did a home
4 visit Sarah Stoudemayer and the children were present
5 only. On April 21st of 2014, at 8:49 p.m., DSS did a home
6 visit with Sarah Stoudemayer and the children were present
7 only. On April 28th of 2014 at 10:00 p.m., there was a
8 home visit where no one answered. Sarah Stoudemayer
9 called and said the children were home with her brother.
10 On April 29th of 2014 at 4:00 p.m., DSS met with the
11 family. Jamie Stroman was not present and the mother said
12 the safety plan was being followed.

13 Okay. At this point in time, Ms. Zmroczek, does the
14 Defense have any further witnesses?

15 MS. ZMROCZEK: We do not, Your Honor. The Defense
16 rests.

17 THE COURT: Okay. And Do you renew your previous
18 motions?

19 MS. ZMROCZEK: I do, Your Honor.

20 THE COURT: My ruling upon them is the same based on
21 the reasons given earlier.

22 Does the State have any reply witnesses,
23 Ms. Patterson?

24 MS. PATTERSON: No, sir, the State does not.

25 THE COURT: All right. Ladies and gentlemen, at this

1 point in time, we're at the point of the trial known as
2 closing arguments, okay. So this is the attorney's
3 opportunity to give you the case from their respective
4 points of view. Some judges say they hold lawyers to time
5 limits. I don't. Sometimes I wish I did, but I don't, so
6 this is their case. They lived with it now for a long
7 period of time and been involved in it, so this is their
8 opportunity to come before you and give you their closing
9 arguments.

10 So there's an order. I don't just make up these
11 things. The State goes first, and then the Defense goes
12 and then the State is allowed to reply to what the Defense
13 has. Okay. So it goes State, Defense, State.

14 Now, depending on how long that takes, I may or may
15 not take a break, okay. I may just say stand up and
16 stretch where you are. Because once all three of those
17 arguments are done, I have a jury charge that I have to
18 read to you, okay. So it will just depend on how long
19 they are before I decide to take a break before giving you
20 the charge. Once I've given you the charge, I'll give you
21 the instructions on what you're supposed to do at that
22 point.

23 Now, all week, you all have done a great job.
24 Everybody has stayed awake. You've stayed with me.
25 You've paid attention. You've watched the witnesses. You

1 watched the attorneys. And I ask now that you give the
2 attorneys your undivided attention as they come before you
3 to make your closing arguments.

4 All right. Ms. Patterson, are you closing for the
5 State?

6 MS. PATTERSON: Yes, sir, Your Honor. Thank you.
7 May it please the Court.

8 THE COURT: All right. Yes, ma'am.

9 CLOSING STATEMENT BY MS. PATTERSON

10 MS. PATTERSON: Good morning.

11 THE JURY: Good morning.

12 MS. PATTERSON: A little girl's childhood should be
13 all smiles and giggles. She should only have to
14 concentrate on being a little girl, playing dress up,
15 having tea parties, playing with her friends. They're all
16 little princesses. Little girls shouldn't have to worry
17 about the pain of sexual assault, the torment of keeping
18 painful secrets and the betrayal of the men in her life,
19 that is her father, or like the Defendant said in his own
20 words, a father figure.

21 Eleven-year-old **Minor** , in her short 11
22 years on this earth, has endured more pain, guilt and
23 shame than most people will have to endure in a lifetime.
24 And this week, Jamie Stroman is on trial for his part in
25 **Minor** 's stolen innocence.

1 He's on trial for criminal sexual conduct with a
2 minor in the first degree. The Judge will instruct you
3 later with respect to the law, but this is my opportunity
4 to tell you about the law and how its applied in this
5 case.

6 Our state legislature has defined criminal sexual
7 conduct with a minor in the first degree as the actor
8 engages in a sexual battery with a minor who is less than
9 11 years of age. The actor being the Defendant, Jamie
10 Stroman, engaging in a sexual battery, which is further
11 defined as sexual intercourse, cunnilingus, fellatio, anal
12 intercourse or any intrusion, however slight, of any part
13 of a person's body or of any object into the genital or
14 anal openings of another person's body.

15 Let's go back for a second. **Minor** told
16 you her age. She was six, seven and eight during these
17 assaults. Her birthday, her age was well established with
18 her, with the Defendant himself when he talked about how
19 hold she was.

20 Sexual battery, **Minor** told you what he did to her
21 body. She described it in details a child of her age and
22 mental capacity should not know. She told you how it
23 hurt. That is proof that it, however slight, entered her
24 body.

25 The Defendant, even if you believe his account only,

1 he told you he fingered her. And I asked him what does
2 that mean. And he said put his finger inside of a
3 female's body, however slight.

4 We submit to you that we have proof that a sexual
5 battery occurred and that the Defendant engaged in a
6 sexual battery with six, seven and eight-year-old **Minor**

7
8 Now, the Judge will also instruct you about
9 reasonable doubt and that it is the State's burden of
10 proof to prove this case beyond a reasonable doubt. This
11 is a burden that we welcome and this is a burden that we
12 submit to you that we have met. And reasonable doubt is
13 not beyond all doubt, because nothing, very little things
14 are beyond all doubt. But if this evidence and the
15 testimony leaves you firmly quince that he's guilty, then
16 you must find him guilty.

17 Now, on behalf of the solicitor's office, Mr. Pogue
18 and I, and the Solicitor, Rick Hubbard, I do thank you for
19 your attention this week. It's not that I don't think you
20 weren't paying attention, but I would be remiss if I
21 didn't go over the testimony and the points that I think
22 are key to you finding the Defendant guilty. So just bear
23 with me and be patient.

24 First of all, let's just get the Defense's witnesses
25 out of the way, and let's talk about Alan Hirsch. Y'all

1 remember Mr. Alan Hirsch, that well-paid expert they put
2 up here from Massachusetts that flew in, that charges
3 \$3,000 for his testimony to appear in court, \$300 an hour
4 for his consultation fee, flew here on an airplane, had to
5 get a limousine to the airport. I guess they don't have
6 Uber in Massachusetts. But y'all remember him.

7 No law enforcement experience, no interviewing
8 technique background, no certification, hasn't taken a
9 class in law enforcement interviewing techniques. He's
10 only read books, yet he sat up there and had the audacity
11 to critique Detective Ellisor's interviewing techniques.
12 Admitted that his testimony has been excluded. It's been
13 included in some courts, but it's also been excluded in,
14 at least, three courts and one of them being federal
15 court. And I ask you to do like the courts in United
16 States vs. Michael Jacques and don't give his testimony
17 any consideration. He was a very well paid hired gun. He
18 has no credibility.

19 I asked him about his opinions and he admitted they
20 were due to a lot of books and things that he read, no
21 scientific studies. The only study he could talk about
22 was something about college students pushing an Alt
23 button. That doesn't even compare to what we are here for
24 this week. Someone was interviewed about something that
25 carries serious consequences, not anything that was about

1 a computer key. And that was the best example he could
2 give me. Don't pay his testimony any weight.

3 I submit to you that the Defendant's confession was
4 not a false confession. He told you false confessions can
5 happen. Yeah, they can and we know that. That's common
6 sense. But he also admitted there were more times where
7 there were true confessions than false confession. Again,
8 I submit to you that the Defendant's confession was a true
9 confession.

10 She put Sarah Stoudemayer on the stand. And I'll
11 kind of talk about her a little later as we go through,
12 but Sarah didn't know this was going on. And when she
13 found out, she did what she was supposed to do. She got
14 her baby help. She made sure her baby went to those
15 counseling sessions. She took her baby for those sexual
16 assault exams. And she's brought her baby up here to
17 testify this week.

18 And you saw her emotion on that stand. That was
19 sincere. And you heard Lacy Musgrave talk about her
20 sincerity that office.. Those were natural responses that
21 a mother has when they discover that something so horrific
22 has happened to their baby.

23 And then she put up a detective that has something to
24 do with the other case. And I can guarantee you that
25 other case is pending and I can certainly guarantee you

1 that will be coming to trial. But this week, it's about
2 Jamie Stroman.

3 Now, let's talk about **Minor** . She's 11 years old
4 now, but you got the benefit of seeing her video when she
5 was eight years old when she gave her forensic interview,
6 still a little thing. But you saw her talk about it then,
7 and you heard and saw her talk about it now. She tells
8 what happens. And she does not get it mixed up what
9 happened with her daddy. And at no point did she say it
10 was daddy only or Jamie only. She has always said it was
11 both of them.

12 Let's talk about how this disclosure came out. She
13 was at her counseling session due to what her daddy did to
14 her. Ms. Lacy brought up the Defendant's name. Nobody
15 brought that up, but her. Ms. Lacy was just wondering how
16 she felt about him coming home. And you heard what she
17 said, **Minor** looked surprised. She didn't even know
18 that that was happening. You also heard her say Sarah was
19 excited because Jamie helped her with the kids, which he
20 admits to doing on the video. **Minor** looked surprised,
21 then she starts crying uncontrollably. She didn't want
22 that monster back home. And she had had, at least, six
23 sessions with Lacy at this point, so she felt safe enough
24 to tell.

25 Just as our expert, Heather Smith, talked about,

1 sometimes things come up later in counseling because
2 children feel like that's a safe environment and they
3 start feeling comfortable with their counselor. And
4 that's just what happened here.

5 Then when Sarah came in the room and she heard what
6 happened, again, panic attack. Brooke Wymer had to come
7 in and help calm things down. And then Lacy made the
8 report to law enforcement because she's a mandatory
9 reporter. So she followed procedure, reported it and
10 that's what got forensics interviews scheduled, got
11 Detective Ellisor assigned. That's what happened.

12 And what did **Minor** do, she told Lacy it was both
13 of them. She told Ms. Brooke it was both of them. She
14 told Kate Chappell it was both of them. She told us this
15 week it was both of them. She's always maintained it was
16 both of them. She's never wavered on that. So don't let
17 the Defense throw that confusion and distraction at you
18 when they talk about nana told her to only say that Knot
19 did it. Nana may have told her that, but that's certainly
20 not what she did. She's always maintained it was both of
21 them.

22 She also told you why she didn't tell her mama.
23 Sarah admitted what her reaction was when she found out
24 about Eric. Yes, she went over there to confront him, as
25 a lot of people would have. And **Minor** was there when

1 she did it. She saw how upset her mother was. She saw
2 her mother about to get into a confrontation. And she
3 didn't want that to happen, so she wasn't going to tell
4 about the Defendant, Jamie Stroman, at that point because
5 she saw her mom's reaction. She didn't want that to
6 happen. And she still knew he was at home.

7 Heather Smith told you, children, they freeze. They
8 don't have flight or fight responses like adults because
9 they're helpless. They're literally, utterly helpless
10 because they live with these people and these people are
11 responsible for them. They discipline them. So she
12 froze. She wasn't going to tell. And she probably wasn't
13 going to tell about her daddy either if she had not
14 contracted gonorrhea. These are crimes of secrecy. Kids
15 don't tell. She also said that he threatened her not to
16 tell.

17 And again, Lacy, she had been seeing **Minor** for six
18 sessions. I think she ultimately said she ended up seeing
19 her 12, 14 times. And again, just think about how she
20 described what happened when she brought his name up.

21 And Brooke Wymer, she came in here. She did the
22 forensic interviews. She did both of them with **Minor**.
23 But go back, you can go back and you can watch these
24 videos. Go back and watch her interview with Brooke.
25 Brooke asked her all these nonleading questions, may I

1 add, and she admitted to, again, both of them doing it.
2 She didn't say one or the other. When Brooke would get
3 things wrong, Minor would correct her. She described
4 again in great detail, way beyond information that a child
5 her age should have known. She told you what it felt
6 like. It was nasty, it was wet. What it looked like. It
7 was yellow, it was sticky. What she did with it. She
8 wiped herself off, cleaned it up. She described how he
9 was sitting on the bed, how she was laying down. She
10 described these things to a T.

11 And let's talk about Dr. Potter, because y'all saw
12 the Defendant's interview. One of his excuses was well, I
13 would have had the same thing she had. Well, y'all
14 remember Dr. Potter, the nonpaid expert from DHEC that we
15 brought in, who is getting nothing but a handshake to be
16 here this week. But he explained away -- he could explain
17 away the Defendant's flimsy excuse as to why he would have
18 had gonorrhoea.

19 First of all, let's talk about Dr. Potter. He is the
20 Midlands Regional Director for DHEC, went to medical
21 school, practiced medicine and not just read books about
22 it. He's on the team that develops standing orders on how
23 to treat gonorrhoea for the preventive health nurses so
24 that it is in compliance with the Centers for Disease
25 Control. But he also consults on the difficult cases that

1 are hard to treat.

2 He testified that gonorrhea is almost always
3 transmitted through sexual intercourse. He also stated
4 that the incubation period is two to seven days if someone
5 were to be symptomatic. And even if a male came in
6 contact with a female, there's only a 20 percent chance of
7 the male contracting it.

8 So even if the Defendant would have come in contact
9 with **Minor** during that short period, because you
10 remember she got treatment, it would only have been
11 20 percent chance he would have gotten it anyway. After
12 she got her treatment, Dr. Potter said once a person
13 receives treatment, usually, within hours, they're no
14 longer infectious. They may have symptoms, but they're no
15 longer infectious. So the likelihood of him getting it in
16 that time period would be very, very little.

17 But I submit to you that the timeframe he even talked
18 about, which would have been a year prior, she didn't even
19 have gonorrhea. And we have these calendars just so you
20 can kind of follow along timeframes. So even if the
21 Defendant talked about his July -- that it happened two to
22 three times July to August 2013. That's the dates he
23 gives. **Minor** did not begin experiencing vaginal
24 discomfort until March 4th, 2014, after she had a weekend
25 visit with her daddy.

1 The Defendant got tested. Sarah said she went and
2 took him. This was **Minor** 's birthday. So all this,
3 again, a little girl shouldn't even have to be thinking
4 about this around her birthday. She should be thinking
5 about her parties, thinking about her friends. And then
6 **Minor** had the interview March 18th.

7 So after she got her treatment this week, she has
8 March, April, May before the Defendant is out of her
9 house, before he is arrested and he's out of her house.
10 So even if she's treated back in March, he had
11 opportunity, just like she said, because she remembered
12 her being eight. The last time it happened, she
13 remembered her being eight. So I submit to you even if --
14 even when he had sexual contact with her, she was not
15 infectious.

16 Now, Heather Smith, she was our delayed disclosure
17 expert. She testified about 60 times in court. And she
18 outlined some of these factors which would make a child
19 delay disclosure. She said it was more common than not
20 for children to delay and she talked about that. Again,
21 they don't react and they don't things like we do. If
22 something happens to us, we're going to tell it, but
23 little kids don't do that. She talked about the personal
24 factors, just fear. She talk about the guilt. The family
25 factors. She wants to protect her mama.

1 And that child talked about her mama all the time.
2 She cares about her mama and her mama cares about her.
3 They can say what they want to about Sarah, but y'all see
4 the connection. They love each other. They try to
5 protect each other. Sarah said how they were both trying
6 to assign blame to each other, but **Minor** was one
7 comforting her. And those are reasons that she wouldn't
8 tell.

9 And then there are perpetrator reasons. She's scared
10 of that big grown man over there. He lives with them. He
11 disciplines her. He's an adult. He threatened her. And
12 again, Ms. Smith talked about how kids may not react in
13 fight or flight, but instead they freeze, which is exactly
14 what happened. That child didn't feel safe enough to
15 disclose until about a month after he was out of the house
16 and she learned he may be coming back. Look at this
17 timeline.

18 Now, Kate Chappell, she did **Minor** 's sexual abuse
19 examination on June 26th. And again, two perpetrators
20 were identified. And she talked about the process of the
21 exam and how it's a head-to-toe exam. And how 95 percent
22 of the sexual abuse exams on children are normal because
23 children heal quickly. Thank God for that. They heal
24 even if it's a penetrating injury like **Minor** described,
25 like the Defendant himself described. They heal quickly.

1 Now, the Defense tried to get her to talk about like
2 all the things wasn't disclosed, but later we were able to
3 say that yes, what **Minor** disclosed was what she
4 disclosed in her report, just in another section. And she
5 also talked about some behavioral concerns that **Minor**'s
6 mom had, which are common among children who are sexually
7 abused.

8 Now, the Defense went on and on with Detective
9 Ellisor. When a cop gets a confession that matches the
10 allegations that the victim has said and a lot of time has
11 passed, there's not a lot left to do. Point blank. Cops
12 rarely get that. He even told you if anything was
13 collected and he sent it to SLED, it probably wouldn't
14 have been tested because too much time has passed.

15 The Defendant said July, August of 2013. **Minor**
16 said when she was six or seven, and then she said when she
17 was eight. But however, **Minor** also said she wiped the
18 yellow stuff off her leg with a towel, put it in her dirty
19 clothes and her mom washed the clothes. So that was gone.
20 That evidence was gone. There was no need. Don't let
21 them distract you with these things.

22 And they will also try to say Detective Ellisor
23 employed some kind of trickery to get a false confession.
24 Again, y'all saw that video. No offense Detective
25 Ellisor, but, y'all, he ain't that intimidating. As a

1 matter of fact, he was polite. He asked any questions.
2 He made sure the Defendant understood his Miranda rights.
3 He made sure, read it to him. Told him to read the waiver
4 out loud, initial it. The Defendant himself said he
5 understood it. He knows how to read, write. He don't any
6 mental deficiencies. Y'all could even hear on the video
7 he's reading it. Never did he have any questions about
8 this. Never did he ask Detective Ellisor to explain his
9 rights, never.

10 Detective Ellisor was talking to him. As a matter of
11 fact, he gave Detective Ellisor information that **Minor**
12 hadn't even told him. He told him why he would go in that
13 child's room at night, because Sarah didn't want to have
14 sex with him, so he would just go wake the child and have
15 sex with her and get off and masturbate and go in the
16 bathroom, he said. **Minor** described that. She
17 described it with her mouth. She described it with her
18 hand gestures. Because Sarah didn't want to have sex with
19 him, he felt like he could go in and bother that child.

20 And he also said what time he would do it, 10:30,
21 11:00 o'clock at night, when he had thought everybody was
22 asleep. Because remember, he put the kids to bed. He got
23 their clothes off, even though he wanted to say he laid
24 them out. Again, we're going to play some sections of the
25 video again. Y'all can hear what he said. He got their

1 clothes off. I guess bath time, bedtime was probably his
2 favorite time because he knew it was about time for him to
3 go in there and mess with Minor .

4 Let's just listen to a couple of things he admitted
5 to.

6 (WHEREUPON, the video was played for the jury.)

7 MS. PATTERSON: Stop it.

8 I get their clothes off for them. That's what he
9 did. Then he later gave more information. I mean,
10 because he denied it first. After all, he knew the
11 detective was coming to see him because Sarah told him,
12 right. At first, he was going to ride out that lie. I
13 didn't touch her. I didn't touch her. I swear on my
14 grandfather's grave, I ain't touched that girl. But then
15 later on, 31:24, let's listen to what he said.

16 (WHEREUPON, video was continued for the jury.)

17 MS. PATTERSON: But I have touched her. 31:24, I
18 have touched her. And again, that wasn't long into the
19 interview because he was alone sitting in there by himself
20 for about five minutes, and then Detective Ellisor had to
21 get some background information from him. So probably 20
22 some minutes, he came off of it just a little bit. But,
23 you know, he was saying some stuff and when y'all go back
24 -- like I said, you can go back, you can watch this video,
25 you can stop it, you can pause it. But don't just listen

1 to what's coming out of his mouth. As Detective Ellisor
2 pointed out, look at his hand gestures. He's saying a lot
3 more. And again, at 34:30, he tells you why he did this.

4 (WHEREUPON, video was continued for the jury.)

5 MS. PATTERSON: I'd go in there and rub on her. Mama
6 didn't want to have sex, I'd go in there and rub on her.
7 How disgusting. Sorry excuse for a man.

8 MS. ZMROCZEK: Objection, Your Honor.

9 THE COURT: Sustained. Move on.

10 MS. PATTERSON: 39:44, he tells you a little more he
11 did.

12 (WHEREUPON, video was continued for the jury.)

13 MS. PATTERSON: I'm going to be honest with you, I
14 fingered her. Again, I asked him what that means. He put
15 his finger inside of her, point blank, just like she
16 described. And then at 41:33, he tells you what he would
17 do after he did this to this child.

18 (WHEREUPON, the video was continued for the jury.)

19 MS. PATTERSON: He tells you what he did. That
20 confession was not false. That confession was not false.
21 What man would admit to that unless he did it. His excuse
22 is bull, that he wanted to get out of jail. Well, he was
23 about to get out of jail in 20 days. Don't let him insult
24 your intelligence, your common sense.

25 And again, he gave more -- a lot more information

1 than **Minor** gave. She just told what happened to her.
2 He gave time and why. The Defendant, Jamie Stroman, is
3 the only person who has motive to come in here and lie
4 this week. **Minor** doesn't have a motive. Sarah doesn't
5 have a motive. None of our other witnesses have a motive
6 to lie. He's the only one with a motive.

7 Now, the Defense will have you believe this is an
8 either/or situation and that it couldn't have been both.
9 It was both. There were two. There were two people
10 praying on her, on her as a vulnerabilities and on her
11 innocence. And again, rest assured, Eric Stroman's [sic]
12 time is coming, but this week is Jamie Stroman's. And we
13 have put up proof. We have put up witnesses. We have put
14 up explanations and we have put up his own words as to
15 what he did to **Minor**. And we feel like we have
16 met our burden of proof. No, we know we have met our
17 burden of proof. And we ask you found him guilty of both
18 counts of criminal sexual conduct with a minoring in the
19 first degree.

20 Now, I will be back to respond Ms. Zmroczek's
21 closing, but I ask you again, don't get distracted. Thank
22 you.

23 THE COURT: All right. Thank you very much
24 Ms. Patterson.

25 All right. Ms. Zmroczek.

1 MS. ZMROCZEK: Thank you, Your Honor. May it please
2 the Court?

3 THE COURT: Yes, ma'am.

4 CLOSING STATEMENT BY MS. ZMROCZEK

5 MS. ZMROCZEK: Again, good morning.

6 THE JURY: Good morning.

7 MS. ZMROCZEK: When I say good morning to you and you
8 say good morning back, just as you did to Ms. Patterson,
9 that's the only time that y'all have gotten to talk so far
10 in this courtroom. And I know that must be frustrating.
11 There must be questions that you haven't been able to ask
12 that are floating around in your mind. And that's our
13 job. That's our job to ask those questions.

14 Closing arguments, like the Judge told you, are kind
15 of our way to say what we think the evidence proved. The
16 State talk a little bit about -- well, they talked a lot
17 about what they think I'm going to say and how everything
18 I say should be ignored and our witnesses should be
19 ignored, but remember what the Judge charged you at the
20 beginning is that presumption of innocence. He'll tell
21 you it's like a robe of righteousness wrapped around the
22 Defendant. But I submit, ladies and gentlemen, in a
23 criminal sexual conduct with a minor where the people in
24 charge of seeking justice are just referring to defendants
25 as disgusting human beings, sick individuals, they don't

1 have that presumption in these cases. They don't. They
2 never do. But regardless of that, it's not our job to
3 prove him innocent because he is innocent until proven
4 guilty.

5 We put up witnesses. And the Judge will tell you,
6 even though we put up witnesses, that doesn't shift the
7 burden back to us. That doesn't mean that we have to have
8 some burden of proof. It always remains with them. And
9 the things -- there is one thing that the State and I
10 agree on and that is that **Minor** is a **minor** .
11 And what her father did to her is unspeakable and
12 disgusting, but that doesn't make it any better to blame
13 Jamie Stroman.

14 Now, I want to talk about this timeline. And I wrote
15 down some notes and I'm going to try not to jump all over
16 the place. But one thing that Ms. Patterson said two or
17 three times that's incorrect and that needs to be
18 corrected -- and the Judge read you the stipulations. She
19 said never ever did she only say it was one person. And
20 that is incorrect. The stipulation that both parties
21 agreed on and that the Judge read was that on March 18th,
22 when **Minor** sat with Brooke Wymer, we didn't get
23 to see that hour-long Dickerson interview, but they went
24 through the same truth/lie. They went through the same
25 protocols. They went through the same questions. And

1 **Minor** said that one person did that. And that
2 one person was Eric English. So to say that she's always
3 said it's two people is an incorrect statement of the
4 facts. Not a fact that you have to find, but a fact that
5 we've already agreed upon. And the Judge will remind you
6 about those stipulations.

7 Start with March. March of 2014, when this nightmare
8 finally comes to light because the weekend before,

9 **Minor** is at her father's. Two days later,
10 she's at school with gonorrhoea. Their own expert told
11 you, two-to-seven-day incubation period. Jamie goes to
12 the hospital, gets tested. **Minor** has her birthday.
13 March 11th, we put the detective up to talk about a
14 conversation with Detective Ellisor, and we'll come back
15 to that. March 18th, her interview, one suspect, the
16 person who did this to her.

17 They talked about Heather Smith and how she's
18 testified 60 times. And I submit she is an expert. Her
19 opinion is on social sciences based on no scientific data.
20 That doesn't mean she's not an expert. Just because you
21 don't have scientific data in a social sciences case, that
22 doesn't mean you're not an expert. And just like Heather
23 Smith sat up there and told you, there are reasons and
24 ways that people are -- especially people **Minor** 's age,
25 young children, she falls into that category, are

1 susceptible. Who do I blame for this new disclosure?
2 Nana. **Minor** told you herself from the stand,
3 nana said say Knot did it. Nana, who Sarah Stoudemayer
4 had to take out a restraining order. She's beating down
5 the door of their apartment. You don't think that child
6 is being influenced? Absolutely. She went through those
7 factors about family and protection. Absolutely, she was
8 being influenced. She talked about Sarah Stoudemayer and
9 her credibility. And I do believe she was doing the best
10 that she could. She admitted that she lied about her
11 section eight housing. She has no problem lying to the
12 government.

13 But remember this timeline, ladies and gentlemen,
14 March 18th and then 60 some odd days later on June 3rd,
15 after seven treatments, on her seventh treatment after
16 conversations with nana, conversations with dad, all of a
17 sudden, Jamie Stroman, too. And you get to watch the
18 interview, the one interview that happened on June 16th.
19 The one interview where Ms. Wymer says, I'm confused. Can
20 you explain that to me? And then **Minor** says, Wait, I'm
21 confused. And then they pull out the dolls. She said,
22 Show me what happened. Oh, I can't remember what I said.
23 Because she's confused because she's trying to save her
24 family.

25 She was up there on the stand and they asked her --

1 the State asked her, And what did Jamie say to you?
2 Nothing. But what they were looking for was what she had
3 said in the video, which is you'll get in trouble or
4 something like that.

5 _Is she lying? No, absolutely not. Does she know the
6 truth at this point? There's been so many things fed in
7 that poor child's little head, but doesn't mean that's
8 enough to find Jamie Stroman guilty.

9 And they talked about Detective Ellisor and how our
10 expert was some hired gun. But remember this hired gun
11 has been hired in over 100 cases and testified in 26. And
12 he talked about this method and these methods. And
13 Detective Ellisor with over 200 hours a year of training
14 in investigation and interrogations says I don't know
15 anything about the Reid Method. Finally, or begrudgingly
16 admits that he attended an 18-and-a-half hour seminar with
17 someone who was trained in the Reid Method of
18 interrogation. It's not a secret. They need a
19 confession. They want a confession. From the time
20 Detective Ellisor picked -- or had Mr. Stroman picked up
21 and sat down, he knew he was guilty. That's why he called
22 him a liar. And Jamie Stroman saw him as an authority
23 figure who had and controlled the keys to his freedom.

24 You heard about the petty crimes he had been charged
25 with. Is he a perfect human? No. Is anybody a perfect

1 human? No. Did he do this to **Minor** ? No.

2 What we have is a video and the testimony of a then
3 eight, now 11-year-old girl. We have the video and the
4 testimony of a then 35, now 38-year-old man. Detective
5 Ellisor has 200 hours a year of training. That includes
6 collecting evidence. Well, I didn't any more evidence.
7 At least, photographs? At least, photographs because in
8 the video in the interview, **Minor** says well, I have a
9 Hello Kitty bed. Mom got me a Hello Kitty bed now. Well,
10 when did that happen?

11 Remember when he asked Jamie, What color was the
12 bedspread? Pink. Hello Kitty. He's feeding him facts.
13 How did he know all these disgusting facts?. Well, the
14 parts of the interrogation video that they chose not to
15 show you, those facts are all fed from Detective Ellisor.
16 And you'll get to take that back with you. And I implore
17 that you watch it. And I know that you will. The Judge
18 tells you that you have to consider all of the evidence.
19 And I know that you're going to watch that and I know that
20 you're going to know what to look for.

21 Remember Brooke Wymer on the stand and talking about
22 -- and we watched the hour interview. But remember that
23 same process occurred in March, the truth/lie, did anybody
24 else do this to you, who do you tell? Was she lying in
25 March? Is she lying in June? Lying is such a harsh word

1 with children. Is she confused? Absolutely. Was she
2 confused on March 18th? No. And just to play on your
3 emotions, the family keeps wanting to say Sarah
4 Stoudemayer took her baby, her baby and her baby.
5 Remember what Sarah Stoudemayer testified to, the first
6 place she took her baby when she found out about this was
7 to Eric English's house, not to the hospital. She took
8 her baby to Eric English's house, the person she said did
9 this, who **Minor** was then confronted by all of his
10 family members on March 4th -- or -- yeah, March 4th, the
11 first place she takes her is to Eric English's house.

12 They talk about don't believe Professor Hirsch. And
13 the Judge will instruct you on the law of credibility and
14 what things you can look for, how people answer questions,
15 how they chose not to answer some questions. These are
16 things that you get to decide. Their expert talked about
17 suggestiveness. Their expert talked about scripted
18 disclosures. She said most young children could remember
19 the last incident. And you remember **Minor**, tell me
20 about the last time it happened with Jamie or Knot. I
21 can't remember that time. Because it didn't happen.
22 She's trying to fill in those blanks with the facts of the
23 awful things her father did to her.

24 Nana. The State -- talk about trying to throw red
25 herrings or play games, well, she has three nanas. Ladies

1 and gentlemen, the one nana passed away when she was five
2 months old. That's not the nana we're talking about.
3 We're talking about the nana who is the mama of Eric
4 English, the father with gonorrhoea, the father who was the
5 first person identified, and the mother of the person who
6 says say Knot did it. Those were **Minor** 's words.

7 You'll get to take the video. There's no point in
8 bringing the video back and letting you watch that. But
9 today, you heard another stipulation and that stipulation
10 is very important. Because remember, on May 7th, Jamie
11 Stroman is out of that apartment. But he testified that
12 he wasn't staying there all the time because why? There's
13 a DSS plan in place. But we don't just have to take his
14 worth for it. The State agrees with these facts, that on
15 March 6th, there was a safety plan in place.

16 On March 19th, they do a home visit. Jamie is not
17 there. On April 21st, they do a home visit. Jamie is not
18 there. On April 26th or April 29th, they do another --
19 April 29th, they do a home visit. And Sarah calls. She's
20 not there, nobody answered, and she says, My brother, Joel
21 Stoudemayer, my brother is with the children. They go
22 back the next day, do a home visit. He is not there.

23 They talked about and focused on the any intrusion.
24 It's because they want you to just believe bits and pieces
25 of things that will help you get a conviction, not seek

1 justice and not seek the truth. They talked about this
2 burden of reasonable doubt. And the Judge will describe
3 it for you.

4 It's always been a hard concept for anybody to grasp.
5 It's been a harder concept for a defense lawyer to explain
6 because soon, I'm going to sit down and be quiet, and I
7 assure you, this is the hardest time for a defense
8 attorney because when the State comes up and they get to
9 respond to what I say, I have no other opportunity to jump
10 up and say wait, what about this and what about that. But
11 I know you will because what's you're charged to do.

12 The best way that I can explain reasonable doubt is
13 this. I told you when we started this case about my
14 sisters and me always getting in trouble. And I'll never
15 forget this Sunday. I was 11 or 12. No, I was 11. It
16 was still warm. It was a Sunday. We're all downstairs.
17 I had gotten home from swim practice, helping my mom cook
18 dinner. I'm from Louisiana, it's hot. We have all the
19 windows open. Windows open, crawfish cooking. It's a
20 great Sunday afternoon. And it gets even better for me
21 because my sister mouths off to my father and he gives her
22 that look, a look that I had seen many times before. And
23 I was just -- I knew because it couldn't have been blamed
24 on me this time. He saw it happen. It happened to him.
25 And she goes running up the stairs. And I know what's

1 coming because I've been on the receiving end of that one
2 before.

3 And my dad follows her up the stairs, he's stomping.
4 And my mom comes out of the kitchen and she's like, John,
5 no, do not do that. And I'm running behind my mom going,
6 Do it, do it, do it. My dad gets upstairs and that door
7 slams shut. And now he is super mad, because not only has
8 she mouthed off, but she just slammed the door. He said,
9 that's it. I was coming to yell, now, you're getting a
10 whooping. And I'm jumping behind, Whoop, whoop. My dad
11 swings that door open to her room and I'm there and I'm
12 cheering him on and my mom is pulling me off.

13 And he raises that hand and just as he's able to give
14 her that first whooping, the door slams shut. The window
15 was open. Slammed the door shut. And my dad drops his
16 hand because he had a reason to doubt that she slammed the
17 door. It's the best way that I can explain reasonable
18 doubt. A hesitation to act. It's true. We know nothing
19 for certain. But is it reasonable that he would succumb
20 to these methods?

21 Sure, we think about coercion and we think about
22 traditional ways that officers used to get confessions,
23 the phone book and beating them over the head. That's not
24 what we're talking about. It's worse now. It's mental.
25 Watch the parts where Jamie says no, no, no, no 26 times.

1 And he says, Look, I can help you, but only if you tell
2 me.

3 One thing that Detective Ellisor and I agree on is
4 the one thing he says to Jamie before any of this is
5 confess to. It's a lie that's going to put you away for
6 life.

7 Ladies and gentlemen, the Judge is going to instruct
8 you on the law and he's going to instruct you that we're
9 not here to reward anyone and you have to set your
10 emotions aside for the awful things that happened to
11 **Minor** because Eric's day will come. And you were
12 selected because I know you will do your duty and look at
13 the facts without emotions and apply the appropriate law.
14 You will find not only has the State not met their burden,
15 but that Mr. Stroman is innocent of these charges. Thank
16 you.

17 THE COURT: Thank you, Ms. Zmroczek.

18 All right. Ms. Patterson, would you like to reply?

19 MS. PATTERSON: Of course. Thank you, Your Honor.

20 CLOSING ARGUMENT BY MS. PATTERSON

21 MS. PATTERSON: Thank you, Your Honor.

22 Ladies and gentlemen, this did happen. Jamie Stroman
23 did violate **Minor**. This was not anything that
24 was conjured up Sarah or nana. **Minor** told you herself
25 that she didn't tell nana until after she told Lacy, after

1 she told her mama, and then she told nana. She loves her
2 nana. Nana didn't say go tell this. Nana didn't take that
3 child to the police department to report this. Sarah didn't
4 take her to the police department to report this. No, this
5 was not conjured up by nana, who now, by the way, lives in
6 Florida. This was not conjured by Eric English. And yes, I
7 may have misspoke earlier, but what I mean was ever since
8 she disclosed that the Defendant, Jamie Stroman did this,
9 she has never said it has only been him. She's never said
10 that ever since she disclosed to Lacy in June of 2014.

11 And she talked about Detective Ellisor saying that he
12 didn't do something. He said he didn't remember it. He's
13 working about 30 cases at one time. He don't remember
14 somebody calling about harassing calls. She talked about a
15 method that Detective Ellisor, he must know about. He ain't
16 certified in the Reid Method. He may have went to a
17 training given by a Reid instructor, but that don't mean
18 that was the only thing taught and he certainly didn't get
19 certified in that. Don't let her distract you.

20 And y'all can go back and watch the video. Jamie
21 Stroman talks about **Minor** having a Tinkerbell bedroom
22 even before Detective Ellisor talked about it. And that's
23 the same thing that the child described her bedroom. She
24 said she had Tinkerbell first and then she started talking
25 about some princesses, referring to Tinkerbell as a

1 princess, and then she talked about Hello Kitty.

2 And Sarah talked about -- that ain't the first place
3 she went. She took her child to the doctor. But by the
4 time **Minor** told her who did it, she went to Eric to
5 confront him and then she went to the doctor. But she was
6 taking her child to the doctor.

7 This happened just the way **Minor** described, just the
8 way -- well, Jamie didn't describe everything, but hand
9 gestures and what he said with his mouth, put two and two
10 together. Nobody would put their child up to this. No
11 nana, no mama. This hasn't been a walk in the park for her.
12 Trials are no fun. Kids can't keep their stories straight.

13 Ms. Zmroczek wants to talk about her past. Let me tell
14 you about my family. I've got an eight-year-old little
15 girl. She can't keep her story straight. She can't lie.
16 You catch her in it just like that. And something so
17 serious and something so detailed three years later, she
18 certainly couldn't keep a lie straight. She's never waived
19 ever since that June disclosure. I submit to you she's
20 never changed her story. She said both of them did it. And
21 Eric will have his week and this week is Jamie's and I ask
22 that you find him guilty on both counts. Thank you.

23 THE COURT: All right. Thank you, Ms. Patterson.

24 CHARGE ON THE LAW

25 THE COURT: All right. Ladies and gentlemen, we have

1 now reached the point in the trial where it's my
2 responsibility to explain the law to you in this case. So
3 now this isn't --

4 Yeah, you can take that down. Thank you.

5 This isn't always the most exciting time, okay, but I
6 need to go over all this with you. I'll do my best to
7 keep you engaged, but please stay with me. It's an
8 18-page charge and I'll go through it the best that I can
9 to keep you engaged, okay.

10 All right. Now, the indictments have charged the
11 Defendant with two counts of criminal sexual conduct with
12 a minor under the age of 11 in the first degree.

13 I remind you that the fact that the Defendant was
14 arrested, charged and indicted in this case is not
15 evidence and it cannot be considered by you as evidence of
16 guilt in this case. Nor does it create any presumption or
17 inference of guilt. The indictments are simply the formal
18 written instruments that contain the charges made against
19 the Defendant. They are the formal documents by which
20 this case is brought into this court.

21 Now, you and I have certain duties to perform, and I
22 told you this in the beginning. As the trial Judge, it is
23 my responsibility to reside over the trial and also have
24 the duty to rule on the admissibility of the evidence
25 offered during the trial. You are to consider only the

1 competent evidence before you.

2 If there was any testimony that I ordered stricken
3 from the record in this case, you must disregard that
4 testimony. You are to consider only the testimony which
5 has been presented from the witness stand, any exhibits
6 which have been made a part of the record in the case and
7 the stipulations of counsel which had been previously read
8 to you by the Court.

9 I have the additional duty to charge you on the law
10 applicable to this case. As the presiding Judge, I am the
11 sole judge of the law in this case. And it is your duty
12 as jurors to accept it and to apply it as I now give it to
13 you. If you have an idea as to what you think the law is
14 or what you think the law ought to be and it does not
15 agree with what I now tell you the law is, you must
16 abandon your own idea because you are sworn to accept the
17 law and apply it exactly as I give it to you.

18 In every case tried in this case before a jury, the
19 jury becomes the sole and exclusive judge of the facts. A
20 trial judge cannot state, comment on or make any statement
21 to a trial jury about the facts in a case. You are the
22 sole judge of the facts in this case. You are not to
23 infer from anything that I have said during this trial in
24 ruling upon the admissibility of evidence or otherwise or
25 anything that I say now that I have any opinion about the

1 facts. The law does not allow me to have an opinion about
2 the facts. This is a matter for you to determine. As
3 jurors, it is your duty to determine the effect and the
4 value and the weight of the evidence presented during this
5 trial.

6 Now, the Defendant has pled not guilty to these
7 indictments and that plea puts the burden of proof upon
8 the State to prove the Defendant guilty. A person charged
9 with committing a criminal offense in South Carolina is
10 never required to prove himself innocent.

11 I charge you that it is an important rule of law that
12 the defendant in a criminal trial, no matter what the
13 seriousness of the charge may be will always be presumed
14 to be innocent for the crime for which the indictment was
15 issued unless guilt has been proven by evidence that
16 satisfies you of that guilt beyond a reasonable doubt.

17 This presumption of innocence does not end when you
18 begin your deliberations. It accompanies the Defendant
19 throughout the trial until you reach a verdict of guilt
20 based upon evidence that satisfies you of that guilt
21 beyond a reasonable doubt.

22 The presumption of innocence is like a robe of
23 righteousness placed about the shoulders of the Defendant,
24 which remains with him until it has been stripped from the
25 Defendant by evidence that satisfies you of the

1 Defendant's guilt beyond a reasonable doubt.

2 The presumption of innocence is not a mere legal
3 theory. It's not just some legal phrase. This is
4 substantial right to which every single defendant is
5 entitled unless you, the jury, are satisfied from the
6 evidence of the Defendant's guilt beyond a reasonable
7 doubt.

8 So what is beyond a reasonable doubt? The State has
9 the burden of proving the Defendant guilty beyond a
10 reasonable doubt. Some of you may have served as jurors
11 in civil cases where you were told that it is only
12 necessary to prove that a fact is more likely true than
13 not true, such as by the greater weight or the
14 preponderance of the evidence.

15 In criminal cases, the State's proof must be more
16 powerful than that. It must be beyond a reasonable doubt.
17 Proof beyond a reasonable doubt is proof that leaves you
18 firmly convinced of the Defendant's guilt.

19 There are very few things in this world that we know
20 with absolute certainty. And in criminal cases, the law
21 does not require proof that overcomes every possible
22 doubt. If, based upon your consideration of the evidence,
23 you are firmly convinced that the Defendant is guilty of
24 the crime charged, you must find the Defendant guilty.

25 If, on the other hand, you think there is a real

1 possibility that the Defendant is not guilty, you must
2 give the Defendant the benefit of the doubt and find him
3 not guilty.

4 Now, some things that you have heard this week are
5 not evidence and you must not consider them as evidence in
6 deciding the facts of this case.

7 Number one, the statements and the arguments of the
8 attorneys are not evidence. Number two, the questions and
9 the objections of the attorneys are not evidence. Number
10 three, anything that I told you to disregard. While the
11 arguments of counsel are beneficial, they are a beneficial
12 part of every trial, you should remember that the
13 statements made by the attorneys are not evidence.

14 In presenting arguments, counsel often refer to
15 evidence. However, you should base your verdict on the
16 evidence as you remember it. Therefore, if there are any
17 conflicts between the recollection of counsel about the
18 evidence and your own recollection, you should rely upon
19 your own understanding of the evidence.

20 Now, there are two types of evidence which are
21 generally presented during a trial, direct evidence and
22 circumstantial evidence. Direct evidence directly proves
23 the existence of a fact and does not require deduction.
24 Circumstantial evidence is proof of a chain of facts and
25 circumstances that indicate the existence of a fact.

1 Crimes may be proven by circumstantial evidence. The
2 law makes no distinction between the weight or value to be
3 given to either direct or circumstantial evidence.
4 However, to the extent that the State relies upon
5 circumstantial evidence, all of the circumstances must be
6 consistent with each other and when taken together point
7 conclusively to the guilt of the accused beyond a
8 reasonable doubt. If these circumstances merely portray
9 the Defendant's behavior as suspicious, the proof has
10 failed.

11 The State has the burden of proofing the Defendant
12 guilty beyond a reasonable doubt. This burden rests with
13 the State regardless of whether the State relies upon
14 direct evidence, circumstantial evidence or some
15 combination of the two.

16 Now, as I told you in the beginning, you must
17 determine the credibility of the witnesses who have
18 testified in this case. Credibility simply means
19 believability. It becomes your duty as jurors to analyze
20 and to evaluate the evidence and determine which evidence
21 convinces you of its truth.

22 In determining the believability of the witnesses who
23 have testified in this case, you may believe one witness
24 over several or several over one. You may believe a part
25 of the testimony of a witness and reject the remaining

1 part of the testimony of that same witness. You may
2 believe the testimony of a witness entirely or reject it
3 entirely. You may consider whether any witness has
4 exhibited to you any interest, bias, prejudice or other
5 motive in the case. You may also consider the appearance
6 and the demeanor of the witness while on the witness
7 stand.

8 Now, you have heard from expert witnesses in this
9 case and I need to explain that to you. So the Rules of
10 Evidence ordinarily do not permit witnesses to testify to
11 opinions or conclusions. An exception to this rule exist
12 for witnesses that we call experts. A witness, who by
13 education and experience has become an expert in some art,
14 science, profession or calling, may state an opinion as to
15 relevant and material matters in which the witnesses
16 claim -- the witness claims to be an expert and may also
17 stay their reasons for that opinion.

18 You should consider any expert opinion received in
19 evidence in this case, and like any other evidence, give
20 it the weight that you believe it deserves. If you decide
21 that the opinion of an expert witness is not based upon
22 sufficient education and experience, or if you conclude
23 that the reasons given in support of the opinion are not
24 sound or that the opinion is outweighed by the other
25 evidence you believe, you may disregard the opinion

1 entirely.

2 An expert witness's testimony is to be given no
3 grater weight than that of other witnesses simply because
4 the witness is an expert. You are not required to accept
5 an expert's opinion even though it is not contradicted.

6 Now, there is a statement that is alleged to have
7 been made by the Defendant that has been admitted into
8 evidence in this case. While I have -- or the Court has
9 determined that the statement is admissible, you make the
10 ultimate decision of whether or not the Defendant made the
11 statement.

12 If the Defendant did make the statement, you must
13 determine whether the statement was made by the Defendant
14 voluntarily and of his own free will. This means that the
15 statement was not caused by pressure, force, fear,
16 threats, coercion, intimidation or by hope or a promise of
17 leniency or a reward of any kind.

18 In determining whether or not the statement was
19 voluntarily, you should consider both the characteristics
20 of the Defendant and the details of the questioning. Some
21 of the factors that you must consider are the age of the
22 Defendant, the Defendant's education or lack thereof, the
23 Defendant's mental ability or capacity, the Defendant's IQ
24 or intelligence, the Defendant's background or
25 environment, the place and the length of the detention,

1 the nature of the questioning and the advice or lack
2 thereof to the Defendant of his Constitutional rights,
3 including, but not limited to the right to remain silent,
4 that any statement could be used against him in a court of
5 law, the right to have a lawyer, that if he could not
6 afford a lawyer, a lawyer would be appointed to represent
7 him without any cost, and that he could stop making the
8 statement at any time. You must carefully consider all of
9 the surrounding circumstances before you give any weight
10 to an alleged statement.

11 The State has the burden of proving beyond a
12 reasonable doubt that the alleged statement was voluntary.
13 If you determine it was, you may give the statement any
14 further consideration that you deem proper. You must
15 decide what weight, if any, should be given to the alleged
16 statement. If you determine that the alleged statement
17 was not the free and voluntary statement of the Defendant,
18 you should not consider it at all.

19 Now, you have heard evidence that the Defendant was
20 convicted of crimes other than the one for which he is now
21 on trial. This evidence may be considered by you if you
22 conclude it is true only in deciding whether or not the
23 Defendant's testimony is believable and for no other
24 purpose. You must not consider the Defendant's prior
25 record as any evidence of the Defendant's guilt of the

1 charge that we are trying here today.

2 Now -- so I'm almost done, okay. All right. The
3 next thing I need to explain to you is there are multiple
4 charges in this case. So the indictments in this case
5 allege several different offenses against Defendant.

6 The charges are two counts of criminal sexual conduct
7 with a minor under the age of 11 first degree. Each
8 indictment charges a separate and distinct offense. You
9 must decide each indictment separately on the evidence and
10 the law applicable to it uninfluenced by your decision on
11 the other indictment. The Defendant may be convicted or
12 acquitted on any or all of the offenses charged. You will
13 be asked to write a separate verdict of guilt -- guilty or
14 not guilty for each indictment.

15 All right. Now, I'm going to explain the charge to
16 you and the elements that the State must prove. So in
17 order to establish criminal liability, the State must
18 prove criminal intent. For example, these are examples,
19 the mental state required to be proven by the State for a
20 particular crime could be or might be purpose, intent,
21 knowledge, recklessness or criminal indifference to duty
22 or consequences -- or consequences that is considered by
23 the law to be the equivalent of criminal intent.

24 Hold on one second.

25 (Pause.)

1 THE COURT: Pull up the criminal intent charge.

2 MS. PATTERSON: Your Honor, I have my copy.

3 THE COURT: Yes. Okay. All right. I knew there was
4 something missing.

5 Okay. So in order to establish criminal liability,
6 criminal intent is required. For example, the mental
7 state required to be proven by the State for a particular
8 crime might be purpose, intent, knowledge, recklessness or
9 criminal negligence. Criminal intent must be proven by
10 the State beyond a reasonable doubt.

11 Criminal intent is always a matter that must be
12 determined by the jury from the circumstances that
13 surround the situation. There is no way to prove intent
14 to a mathematical certainty. There is no way that medical
15 science can dissect a person's brain and determine what
16 the person had in mind. So the law says that criminal
17 intent may be inferred from the circumstances shown to
18 have existed.

19 This is how you make a determination of whether or
20 not the element that requires intent was present. It is
21 not necessary to establish intent by direct and positive
22 evidence, but intent may be established by inference in
23 the same way as any other fact by taking into
24 consideration the acts of the parties and all the facts
25 and circumstances of the case.

1 Criminal intent is a mental state. It is a conscious
2 wrongdoing. It is up to you to determine what the
3 Defendant intended to do based upon the circumstances
4 shown to have existed. Criminal intent can arise for an
5 action or a failure to act. It may arise from negligence,
6 recklessness or an indifference to duty or to consequences
7 that are considered by law to be the equivalent of
8 criminal intent.

9 All right. Now, so what is first degree criminal
10 sexual conduct with a minor turned age of 11? So the
11 Defendant is charged with two counts of criminal sexual
12 conduct with a minor under the age of 11 first degree.

13 So what does the State have to prove? So the State
14 must prove beyond a reasonable doubt that the Defendant
15 engaged in a sexual battery with the victim. So what is a
16 sexual battery? A sexual battery is sexual intercourse,
17 cunnilingus, fellatio, anal intercourse or any intrusion,
18 however slight, of any part of a person's body or of any
19 object into the genital or anal openings of another
20 person's body except when the intrusion is accomplished
21 for medically recognized treatment or diagnostic purposes.

22 The State must then prove beyond a reasonable doubt
23 that the victim was less than 11 years old at the time of
24 the sexual battery. Consent, willingness, indifference or
25 ignorance on the part of the minor, if any, as to what was

1 taking place does not in any way affect the charge of
2 criminal sexual conduct with a minor because an unmarried
3 woman under the age of 14 cannot legally consent to sexual
4 intercourse.

5 Now, let me say something to you about your
6 deliberations. Deliberation is define as a careful
7 consideration weighing up with a view to a decision. The
8 genius to this system is that it allows 12 good men and
9 woman from 12 totally different backgrounds, life
10 experiences and perspectives to consider the evidence,
11 talk about it and reach a verdict.

12 We call them deliberations for a reason. You are to
13 consider the evidence in this case carefully and
14 deliberately, and you are to discuss it in a calm,
15 thorough and courteous manner. Listen to the views of
16 your fellow jurors. Consider other people's points and
17 their points of view, talk through and discuss the
18 evidence. Remember, if you're doing something
19 deliberately, you are not in a big hurry. And you should
20 not be in a big hurry here. This case is very important
21 to both sides. This is their only day in court.

22 When you retire to your jury room, you should discuss
23 the case with each other to reach agreement if you can do
24 so. Your verdict must be unanimous. Each of you must
25 decide the case for yourself, but you should do so only

1 after you have impartially considered the evidence,
2 discussed it fully with each other and listened to each
3 other's views. Do not be afraid to change your opinion if
4 the discussion persuades you that you should, but do not
5 come to a decision simply because everyone else thinks
6 it's right.

7 It is important that you attempt to reach a unanimous
8 verdict, but, of course, only if each of you can do so
9 after having made your own decision. Do not change an
10 honest belief about the weight and the effect of the
11 evidence simply to reach a verdict. In other words, do
12 not change your opinion simply for the sake of reaching a
13 unanimous verdict.

14 Okay. Now, so here's how this is going to work. All
15 right. So in just a moment, I'm going to send you back to
16 your jury room. Okay. You are still not allowed to talk
17 about the case, okay. I have one more legal issue that I
18 have to discuss with the attorneys. So the sign that you
19 can start talking about the case is when the alternates
20 come out and the evidence comes in, okay. So when the
21 bailiffs start handing you the exhibits in this case, that
22 is your sign that you can begin deliberating, okay. All
23 12 of you must be in the room to deliberate. So if
24 someone needs to smoke or somebody needs to make a phone
25 call or somebody needs to go to the restroom, you must

1 stop deliberating, okay.

2 We have your lunch already ordered. When it comes,
3 you can stop deliberating and eat lunch or you can eat and
4 deliberate through lunch. That's your decision to make,
5 okay.

6 Now, my three alternates will come out, the evidence
7 will come back in. That's your sign that you can start.

8 Now, there are videos in this case.

9 Do y'all have a computer?

10 MS. PATTERSON: Yes, sir.

11 THE COURT: We'll have what we call a clean computer
12 that you'll have back there with you so you can play the
13 videos. And my law clerk will make sure somebody in the
14 room knows how to operate the videos if you want to fast
15 forward or rewind or whatever you want to do. Okay. Does
16 that make sense?

17 Now, this is your verdict form, okay. So it says,
18 the case caption, of course, and it says we, the jury, by
19 unanimous consent find the Defendant, and then as to the
20 first indictment, guilty or not guilty. As to the second
21 indictment, guilty or not guilty, okay. Remember, you
22 must consider both separately from each other. And then
23 there's no -- there's no reasoning to why I put not guilty
24 first and not guilty second. I have to put one first and
25 one second. So I usually just switch it up ever single

1 trial I do.

2 Once you've checked the appropriate box, Mr.
3 Foreperson, you sign and date and then knock on the door
4 and let the bailiffs know.

5 All right. So your verdict must be unanimous.
6 Everyone must be in the room to deliberate. You still
7 can't begin deliberating until I check with the lawyers
8 and make sure I told you everything that I'm supposed to
9 tell you. All right. Retire to your jury room. Do not
10 discuss the case. We'll be back with you in just few
11 moments. Okay.

12 (WHEREUPON, the jury left the courtroom at 11:06
13 a.m.)

14 THE COURT: All right. Any exception to the charge
15 from the State?

16 MS. PATTERSON: Nothing from the State, Your Honor.

17 THE COURT: From the Defense?

18 MS. ZMROCZEK: No, Your Honor, there's no exception
19 to the charge, however, I do feel like at this point
20 before the jury begins deliberation, I need to put on the
21 record that I move for a mistrial regarding the improper
22 statement with the solicitor injecting her personal
23 opinion about the Defendant in this case.

24 This particular circuit -- this particular courthouse
25 and county has been numerous times told to stop doing

1 that. Most recently, the fourth circuit struck down
2 Johnny Bennett for the client being call a gorilla or
3 referred to as some less than human thing. And in here,
4 the personal interjection comments were disgusting human
5 being or something like that.

6 And I believe that the Court sustained my objection,
7 however, maybe we should tell the jury -- add a curative
8 instruction regarding that that -- I know it's not
9 evidence, but that portion of her closing argument should
10 be struck or some sort of cautionary don't take the
11 solicitor's personal comments about the Defendant into
12 consideration. That's all that we would put on the record
13 this time, Your Honor.

14 THE COURT: Okay.

15 MS. PATTERSON: Your Honor, you told me to move on.
16 I quickly moved on. I don't think it's prejudicial. It
17 was just a moment -- it was just moment that I said
18 something. I don't think it's prejudicial to this case,
19 Your Honor. I think it's harmless error.

20 Ms. Zmroczek has interjected her belief as she talked
21 about sentencing and that was improper, as well, in front
22 of the jury, Your Honor. She said that's what she agreed
23 with with Detective Ellisor, so she said something
24 improper in her closing, as well, Your Honor.

25 THE COURT: All right. Your motion for a mistrial is

1 granted -- I mean, is denied, excuse me.

2 MS. PATTERSON: Oh, gosh.

3 THE COURT: I was thinking about the next thing I was
4 going to say. Your motion for a mistrial is denied. The
5 prejudicial effect of that statement does not rise to the
6 level of a manifest necessity. The issue is do you want
7 me to bring it up again and tell them to ignore it or not?

8 MS. ZMROCZEK: I do, Your Honor. I would as for a
9 curative instruction on that issue.

10 THE COURT: All right. Bring them back in.

11 THE CLERK: You said bring them back?

12 THE COURT: Yes. All of them.

13 (WHEREUPON, the jury entered the courtroom at
14 11:09 a.m.)

15 THE COURT: Okay. All right. Ladies and gentlemen,
16 during the closing arguments, the solicitor made kind of
17 a -- what I would call a personal interjection. That was
18 a comment on Mr. Stroman about being some type of
19 individual. I'm not sure -- I don't remember exactly what
20 she said, but you are -- the Defense attorney objected and
21 I sustained that objection. You are to disregard that
22 part of the solicitor's closing argument. Personal
23 interjections like that are not for closing arguments.

24 Now, the closing arguments and opening statements of
25 the attorneys are not evidence, so that should not be

1 something that you are considering as evidence anyway.
2 But you are to disregard that statement and it should be
3 struck from the record.

4 All right. Thank you. You're still not allowed to
5 deliberate. The food is set to be here at noon. As soon
6 as we make sure all the evidence is gathered, we'll bring
7 it in to you, but don't deliberate until it comes in.
8 Thank you very much.

9 (WHEREUPON, the jury left the courtroom at 11:12
10 a.m.)

11 THE COURT: Okay. So make sure the right exhibits go
12 back with the court reporter. Make sure -- show Alexa how
13 to use the computer.

14 MS. ZMROCZEK: Your Honor.

15 THE COURT: I'm sorry.

16 MS. ZMROCZEK: I think just for preservation, just
17 because I've been schooled on this before, I think that I
18 accept curative instruction. I think I have to renew my
19 motion for a mistrial and I still think you have to rule
20 on it even after the curative instruction.

21 THE COURT: Your motion for a mistrial is denied.
22 You asked for a curative instruction. If you have issues
23 with the mistrial at that point, that's your issue on
24 appeal if it exists.

25 MS. ZMROCZEK: Thank you.

1 THE COURT: Now, make sure the exhibits are back in
2 the back, the correct ones. Make sure Alexa knows how to
3 show them how to use the DVDs on the thing and make sure
4 the clerk's office has your phone number.

5 (WHEREUPON, the jury began deliberations at 11:15 a.m.)

6 THE COURT: All right. Question number one, Why are there
7 two counts? Question number two, Can we have the calendars
8 from both sides? Question number three, Can we have
9 transcripts of the testimony of the witnesses?

10 All right. So the answer to question number -- can we
11 have the calendars, the answer is no, they are not in
12 evidence, period.

13 Question number one, Why are there two counts?

14 MS. ZMROCZEK: Your Honor, It's the Defense position
15 that, obviously, any answer on that would be a comment on
16 the facts.

17 THE COURT: Right.

18 MS. PATTERSON: Yeah.

19 THE COURT: I'll put I cannot answer that question.
20 Is that okay?

21 MS. ZMROCZEK: That's perfect.

22 THE COURT: I'm not allowed or something.

23 Number three, Can we have transcripts of the
24 testimony of witnesses?

25 MS. PATTERSON: They could rehear it, I guess.

1 THE COURT REPORTER: Transcripts are not
2 instantaneous. They have to be prepared.

3 THE COURT: We have recordings, is that right, Karen?

4 THE COURT REPORTER: I mean, I would have to have --
5 you know, we have 60 days to prepare a transcript, so I
6 don't think they want to wait that long.

7 THE COURT: I'll put we can play recordings of
8 people's testimony if you desire.

9 MS. ZMROCZEK: Yes.

10 MS. PATTERSON: Yes.

11 THE COURT: Okay. Any objection to these answers?
12 Answer number one, I put I cannot answer that question.
13 Question number two, no, they are not in evidence. Number
14 three, we can play recordings of the witnesses, if you
15 desire that.

16 MS. PATTERSON: Sir, with number one, can you -- I
17 don't think I like I can't answer that question. It makes
18 it look like -- can you just say I'm not permitted or
19 something?

20 THE COURT: Okay.

21 MS. PATTERSON: I'm sorry. We're just sitting here
22 thinking out loud as if, you know, I can't answer that.
23 She's crazy.

24 THE COURT: All right. So this is marked as Court's
25 Exhibit No. 6. I already wrote the answer on there, so

1 I'm going to create a new exhibit that we'll mark as
2 Court's Exhibit No. 7 so I can rewrite the answer to
3 number one appropriately.

4 (WHEREUPON, Court's Exhibit No. 6 was marked for
5 identification only.)

6 THE COURT: I'll put number one, I am not permitted
7 to answer that question. Is that what you want?

8 MS. PATTERSON: Yes, sir. Thank you.

9 THE COURT: How about I'm not allowed?

10 MS. PATTERSON: Yes, sir, that's fine.

11 THE COURT: Any objection to that, Ms. Zmroczek?

12 MS. ZMROCZEK: No, Your Honor.

13 Number two, no, they are not in evidence.

14 Number three, we can play recordings.

15 For the record, Court's Exhibit No. 6 is not being
16 sent back into the jury room. The one that says I cannot
17 answer that question, I am creating a new exhibit, Court
18 Exhibit No. 7, which says -- number one, I am not allowed
19 to answer that question. Number two, no, they are not in
20 evidence. Number three, we can play recordings of the
21 witnesses if you so desire.

22 Okay. Any objection?

23 MS. PATTERSON: None from the State, Your Honor.

24 MS. ZMROCZEK: None from the Defense.

25 Okay. Mr. Jones, we need to make sure we get this

1 back from them because it is a Court Exhibit. At the end,
2 whenever things are over, that's one thing we need to make
3 sure we get back.

4 Okay. Thank you very much.

5 (WHEREUPON, Court's Exhibit No. 7 was marked for
6 identification only.)

7 THE COURT: Back on the record. So we got a note
8 from the jury that said they wanted to hear Mr. Stroman's
9 testimony and Ms. Stoudemayer's testimony. So we're going
10 to play that for them.

11 Any objection from the State.

12 MS. PATTERSON: No, sir, Your Honor.

13 THE COURT: From the Defense?

14 MS. ZMROCZEK: None.

15 THE COURT: Okay. Are you ready to go, Karen?

16 THE COURT REPORTER: Yes, I'm ready.

17 (WHEREUPON, Court's Exhibit No. 8 was marked for
18 identification only.)

19 THE COURT: Okay. Let's bring them.

20 (WHEREUPON, the jury entered the courtroom at
21 12:10 p.m.)

22 THE COURT: All right. Ladies and gentlemen, you
23 requested the testimony of Mr. Stroman and of
24 Ms. Stoudemayer, so we're going to play both of those for
25 you. Now, I know she's typing. Her converting that into

1 something you can read is not as simple as it just
2 automatically, poof, appears today. We have audio
3 recordings of them, so we're going to play both of those
4 for you now.

5 All right. If you can't hear it, just wave at me and
6 let me know. It's pretty loud, but if you can't hear it,
7 just let me know.

8 (WHEREUPON, the testimony of Jamie Stroman and
9 Sarah Stoudemayer was played for jury.)

10 THE COURT: All right. Thank you very much. You may
11 retire to your jury room and continue your deliberations.
12 Thank you.

13 (WHEREUPON, the jury left the courtroom at 12:55
14 p.m.)

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

16 MS. PATTERSON: Thank you.

17 MR. POGUE: Thank you, Your Honor.

18 (WHEREUPON, a short break was taken.)

19 THE COURT: There's a verdict.

20 MS. PATTERSON: My victim's advocate is bringing them
21 in.

22 THE COURT: No problem. You got everybody you need?

23 MS. PATTERSON: Yes, sir, Your Honor.

24 THE COURT: Let's bring them in.

25 (WHEREUPON, the jury returned to open court with a

1 verdict at 1:12 p.m.)

2 THE COURT: All right. Mr. Foreman, it's my
3 understanding you have verdict; is that correct?

4 THE FOREMAN: Yes, we have.

5 THE COURT: Okay. Would you please pass it to the
6 bailiff? Thank you.

7 Thank you, ma'am.

8 All right. The verdict is in its proper form, and
9 the clerk may publish.

10 THE CLERK: Indictment 2014-GS-32-02423, the State
11 vs. Jamie L. Stroman. We, the jury, by unanimous find the
12 Defendant, Jamie L. Stroman, as to the charge of criminal
13 sexual conduct with a minor first degree, on indictment
14 2014-GS-32-02423, guilty. As to indictment
15 2016-GS-32-02501, the State vs. Jamie L. Stroman, we, the
16 jury, by unanimous consent find the Defendant, Jamie L.
17 Stroman as to the charge of criminal sexual conduct with a
18 minor first degree, on indictment 2016-GS-32-02501,
19 guilty. So signed by the Foreperson March 30th, 2017.

20 Mr. Foreman, ladies and gentlemen of the jury, if
21 this is your verdict, please indicate, each of you, by
22 raising your right hand.

23 (All responded affirmatively.)

24 THE COURT: Thank you very much.

25 Any one request polling?

1 MS. ZMROCZEK: We do, Your Honor.

2 THE COURT: You're going to be asked two questions.
3 The first question is, is this your verdict? The second
4 question is, is this still your verdict? And you will be
5 call out by number, by your juror number. Okay.

6 THE CLERK: No. 56, if you'll hole your hand up for
7 me. I apologize.

8 When I call your number, if you'll hold your hand
9 where I can recognize you. I will then ask you the
10 two-prong question as to the verdicts, were those your
11 verdict, are they still your verdicts, then give me your
12 response, please.

13 THE CLERK: Juror No. 56, as to the verdicts, were
14 these your verdicts and are they still your verdicts?

15 JUROR: Yes.

16 THE CLERK: Thank you.

17 No. 147, as to the verdicts, were these your verdicts
18 and are they still your verdicts?

19 JUROR: Yes.

20 THE CLERK: No. 131, as to the verdicts, were these
21 your verdicts and are they still your verdicts?

22 JUROR: Yes, ma'am.

23 THE CLERK: No. 196, as to the verdicts, were these
24 your verdicts and are they still your verdict?

25 JUROR: Yes, ma'am.

1 THE CLERK: No. 154, as to the verdicts, were these
2 your verdicts and are they still your verdict?

3 JUROR: Yes, ma'am.

4 THE CLERK: No. 2, as to the verdicts, were these
5 your verdicts and are they still your verdicts?

6 JUROR: Yes.

7 THE CLERK: No. 72, as to the verdicts, were these
8 your verdicts and are they still your verdicts?

9 JUROR: Yes, ma'am.

10 THE CLERK: No. 35, as to the verdicts, were these
11 your verdicts and are they still your verdicts?

12 JUROR: Yes.

13 THE CLERK: No. 183, as to the verdicts, were these
14 your verdicts and are they still your verdicts?

15 JUROR: Yes.

16 THE CLERK: No. 213, as to the verdicts, were these
17 your verdicts and are they still your verdicts?

18 JUROR: Yes, ma'am.

19 THE CLERK: No. 119, as to the verdicts, were these
20 your verdicts and are they still your verdicts?

21 JUROR: Yes, ma'am.

22 THE CLERK: No. 184, as to the verdicts, were these
23 your verdicts and are they still your verdicts?

24 JUROR: Yes, ma'am.

25 THE CLERK: All jurors are polled, Judge.

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

2 All right, ladies and gentlemen, this concludes your
3 service. I want to say on behalf of all the judges in the
4 building and the parties in this case, thank you very much
5 for your service. You've done a great job this week. You
6 all stayed awake. You were all on time. You all showed
7 up. If you knew all the issues that I deal with with
8 jurors, some of which don't even show up or show back up
9 or fall asleep or can't follow along, you would be simply
10 amazed. So thank you all very much. You've been a great
11 group. You've been on time. You've been prompt. You
12 have been courteous to all the lawyers and the parties and
13 you have paid attention throughout this trial. And I
14 thank you very much for your service.

15 You are now free to discuss this case with anyone you
16 see fit. Sometimes lawyers like to call jurors and say
17 hey, what did we do right, what did we do wrong?. What
18 made sense, what didn't make sense? If they call you and
19 you want to talk to them, you feel free to talk to them.
20 If you do not want to talk to them, just say I don't want
21 to talk to you and the conversation should end. If the
22 conversation doesn't end, just call the clerk of court's
23 office and one of your circuit court judges here in
24 Lexington will deal with the issue quickly.

25 But I want to say thank you very much for your

1 service. You are now excused. You may retire to your
2 jury room. We'll get anybody work excuses that needs
3 them. There is no further court this week for a jury
4 trial, so you do not need to call in tonight. And you
5 have an exemption for the rest of this year, all of 2018
6 and 2019. So if you get called for circuit court jury
7 duty again, just let them know you served with me in 2017
8 and they will excuse you. All right. Thank you very
9 much. You may retire to your jury room.

10 (WHEREUPON, the jury left the courtroom at 1:17
11 p.m.)

12 THE COURT: All right. I'll be back in just a few
13 minutes. Don't go far.

14 (Pause.)

15 THE COURT: All right. Is everybody ready to
16 proceed?

17 MS. PATTERSON: The State's ready.

18 MS. ZMROCZEK: Your Honor, we would move set aside
19 the verdict based on the previous objections that we made.
20 Also, the length of the time that the jury deliberated,
21 which included listening to two different testimonies,
22 Your Honor. There was no way they could have even watched
23 the two videos they were sent back. Each of them -- one
24 was a little over an hour, one was a little under an hour.
25 And so for those reasons, we would move to set aside the

1 verdict.

2 THE COURT: All right. Ms. Patterson?

3 MS. PATTERSON: Yes, sir, Your Honor. The State will
4 ask that motion to be denied, Your Honor. They saw the
5 videos during the trial. They didn't find it significant
6 to look at any more viewing of the videos. They asked to
7 rehear the testimony that they had concerns or they wanted
8 to rehear, so this was very competent jury. We think they
9 did their deliberations as required under the law. And we
10 ask that motion be denied.

11 THE COURT: All right. That motion is denied. This
12 jury was one of the most attentive juries I've ever seen.
13 We had absolutely no issues with any juror staying awake
14 or staying with us or being late or appearing to not pay
15 attention. They were very attentive. They followed along
16 very well. Both sides did a good job of showing them the
17 things that needed to be shown. They clearly understood
18 they could rehear testimony if they wanted to rehear
19 testimony. They had a computer available to them and the
20 disc available to them to be able to play in the jury room
21 if they wanted to watch any portions of the videos. And
22 that motion is hereby denied. The motions on the previous
23 rulings that the Defense has made, the motion is hereby
24 denied based upon the same reasons I stated earlier.

25 MS. ZMROCZEK: Thank you.

1 THE COURT: Okay. All right. Victim impact?

2 MS. PATTERSON: Your Honor, the **minors** are here, but
3 they're just too emotional to speak.

4 THE COURT: Okay. All right. That's perfectly fine.
5 You know, I'm actually glad that Ms. Stoudemayer was
6 called as a witness so I could hear from her and kind of
7 hear things that were going on in her life and her
8 reactions and emotions during that time. And so I
9 appreciate that. And I understand that they don't want to
10 speak and they're very emotional.

11 I thank you all for being here. This has been a very
12 long time for this case to come. Okay. Frankly, if I was
13 the **minor** or if I was a parent of a **minor** in this case,
14 I would think it's way too long for this case to have any
15 type of resolution. I don't control that,
16 Ms. Stoudemayer, but I do thank you for staying with the
17 case and staying involved in the case and continuing to be
18 a part of the case after all these years. So thank you
19 very much. I know that's difficult to do. And I know
20 this isn't a full and final closure for either one of you
21 on this matter, but I --

22 MS. PATTERSON: Your Honor, I do think --

23 THE COURT: -- hope it helps with your processing.

24 **Minor** , you want to speak?

25 **MINOR** : (Nods in the affirmative.)

1 THE COURT: Okay. You can say anything you want to,
2 okay. You don't have to say anything at all, but if you
3 want to speak, you may.

4 MINOR : Thank you.

5 THE COURT: You're welcome. You did a good job. And
6 thank you for being here, I know it's tough. And I
7 appreciate you continuing to be involved in the case.

8 Okay. Ms. Zmroczek, anything on behalf of
9 Mr. Stroman?

10 MS. PATTERSON: Your Honor, I did want to give you
11 his entire criminal record.

12 THE COURT: Oh, that would be great. I'm sorry. I
13 don't even know what it is other than the couple of things
14 we mentioned.

15 MS. PATTERSON: In 1991, he had a possession with
16 intent to distribute crack cocaine, three counts. He was
17 violated on that probation in 2001. 2002, simple
18 possession of marijuana; 2008, simple possession of
19 marijuana second; 2009, obtaining property under false
20 pretenses and receiving stolen goods; 2013, criminal
21 conspiracy, which was pled from a burglary second.

22 THE COURT: Okay. Thank you, Ms. Patterson.
23 Anything further from the State as to sentencing?

24 MS. PATTERSON: No, sir, Your Honor.

25 THE COURT: Ms. Zmroczek, anything?

1 MS. ZMROCZEK: Yes, thank you, Your Honor.
2 Obviously, we respect the process of the jury listening to
3 our arguments. We know that these are difficult cases.
4 Certainly, I don't enjoy crossing children on the stand,
5 but I think the Constitution requires me to do the best of
6 my job and to kind of point out the areas that we think,
7 you know, warrant attention.

8 Mr. Stroman's record, as you have in front of you or
9 have heard, is drug charges and petty crimes.

10 THE COURT: Right.

11 MS. ZMROCZEK: It -- obviously, one of the concerns,
12 and I believe I raised this throughout the trial, was his
13 word against her word. And my other concern, Your Honor,
14 was the fact that, you know, he had this indictment that
15 covered the time period. And I know we discussed that.
16 Now, he's facing two 25 mandatory minimums to life versus
17 the one, which he was originally charged with.

18 With all that being said, Your Honor, my client is 38
19 years old. You have his psychological report up there
20 where he has an IQ of 78. By no means are we saying that,
21 you know, he's unable to function. In fact, he has the
22 very basics -- and it's always been my position that he
23 has the very basics of functioning. And we did offer to
24 plead this case three times. But every time -- you know,
25 we tried to do it under Alford, which the Court -- the

1 State wouldn't allow us to do because the offer was CSC
2 third. And, you know, every time, I said we can do it if
3 we can do it under Alford, but every time the Judge came
4 to that point, after hearing the facts, you know, are you
5 pleading guilty because these are the facts that you're
6 pleading guilty to, that's where we would always get hung
7 up and it would be no. So -- which is how we ended up
8 here. It certainly wasn't our intention to try to drag
9 this out or have to put the family through anymore.

10 At one point, we had even tried to try these two
11 cases together so they didn't have to go through this
12 twice. And, obviously, I was told I can't -- I have no
13 control over which case the State calls. That's not my
14 prerogative and that was an improper motion.

15 So, Your Honor, those -- all that being said, it
16 wasn't our intention to ever have to put anybody through
17 any extra difficulties. I agree with you that this case
18 has gone on way longer than it should have. Of course,
19 it's no fault of the court.

20 Mr. Stroman, again, is 38 years old. His family --
21 his mom, who I'm in contact with frequently, has the same
22 kind of level of functioning that he does. She was way
23 too emotional to be in the courtroom. His sister is
24 really the only person who kind of functions above a
25 normal limit, Your Honor, but she is also the only one who

1 has a job and she can't miss or she would lose her job.
2 He does have family support. It's just it was either
3 inappropriate or they couldn't be here. So just because
4 they haven't been here this week -- I can show you two
5 years worth of text messages and phone call logs to show
6 you that they do care about Mr. Stroman.

7 That being said, we know that 25 years at 85 percent
8 is an extremely long time for someone who is 38 years old,
9 for anybody, and that he would have to serve 85 percent of
10 that and be on the Tier 1 registry when he -- if he
11 survives prison and is released. And then also faces the
12 possibility of being a sexually violent predator after
13 that, Your Honor, based on the convictions. So he could
14 have involuntary civil commitment for the rest of his life
15 after even receiving the minimum.

16 All that being said, Your Honor, we ask that you do
17 sentence him to the mandatory minimum, for both cases to
18 run currently, especially given the facts of this case. I
19 mean, 25 years is a long time. He obviously will never
20 have any contact with the **minor** or their family again.

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

22 Anything you'd like to say, Mr. Stroman? You don't
23 have to, but you're welcome to if you'd like to.

24 THE DEFENDANT: No, sir.

25 MS. ZMROCZEK: And I advised him not to.

1 THE COURT: That's fine. I just wanted to give him
2 the opportunity to speak if he would like to.

3 Anybody else want to say anything else?

4 (There was no response.)

5 THE COURT: All right. Number one, this is a
6 mandatory GPS case. Number two, he's not allowed to have
7 any contact with the **minor** . Number three, he is to be
8 placed on the South Carolina sex offender registry. These
9 sentences are going to be run concurrent.

10 I understand why the State did two indictments and I
11 understand the timeframe issues in the indictment history
12 and then the indictment case law history, but I do not see
13 that it warrants consecutive sentences. And I understand
14 why the State did what they did. I don't fault you for
15 that. I probably would have done the same thing based
16 upon the recent case. But I don't think it's a situation
17 where it warrants consecutive sentences. He is to be
18 given credit for time served.

19 Do you know how much time that is?

20 MS. ZMROCZEK: Your Honor, he went in May -- well, he
21 was arrested on this charge on June 17th, that warrant was
22 served, 2014. And he got out in October of 2014. I don't
23 know the date exactly, but he got picked up February 25th
24 of 2015, so he's been in since then.

25 THE COURT: Okay. If you get the exact number by the

1 time I leave tomorrow, I'll fill it in on this sheet,
2 otherwise, he'll get credit for time served.

3 All right. The sentence of the Court is that he be
4 committed to the State Department of Corrections for a
5 period of 35 years concurrent. Thank you very much.

6 (WHEREUPON, the proceedings were concluded.)

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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

I, PENNY M. JOHNSON, Official Court Reporter for the
Second Judicial Circuit of the State of South Carolina, do
hereby certify that the foregoing is a true, accurate, and
complete Transcript of Record of the proceedings had and the
evidence introduced in the trial of the captioned case,
relative to appeal, in the Court of General Sessions for
Lexington County, South Carolina, on the days of March 27
through 30, 2017.

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

May 21, 2017

Penny M. Johnson
Penny M. Johnson Court Reporter
My Commission Expires: 06/16/2018

WITNESSES

Lexington Police Department

Ptl. Ellisor

Law Enforcement Case #: 14002462

RWP

ARREST WARRANT NUMBER

16-STR-00069

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury *J. Scott Watson*
Date: *10-3-16*

VERDICT

Guilty

Donald V. Myers
Foreperson of Petit Jury

Date: *3/30/17*

DOCKET NO. 2016GS3202423

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

OCTOBER TERM 2016

THE STATE
vs.

Jamie L Stroman

CDR #: 0385

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR 1ST DEGREE

§ 16-03-0655(A)(1)

DONALD V. MYERS, SOLICITOR

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A
MINOR 1ST DEGREE

§ 16-03-0655(A)(1)

At a Court of General Sessions, convened on OCTOBER 2016, the Grand Jurors of Lexington County present upon their oath:

That **Jamie L Ströman** did in Lexington County, South Carolina, on or between March 7, 2014 and May 6, 2014, willfully and unlawfully commit criminal sexual conduct with a minor in the first degree by engaging in sexual battery, to wit: digital penetration and/or sexual intercourse, with a minor who was less than eleven (11) years of age, to wit: Minor date of birth [REDACTED], 2006, in violation of S.C. Code of Laws Section 16-3-655(A)(1), as amended.

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



ASSISTANT SOLICITOR

WITNESSES

Lexington Police Department

Ptl. Ellisor

Law Enforcement Case #: 14002462

RWP

ARREST WARRANT NUMBER

2014A3220500205

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury *L. Scott Watson*
Date: *10-3-16*

VERDICT

Guiltly

Mary L. Liles
Foreperson of Petit Jury

Date: *3/30/17*

DOCKET NO. 2014GS3202501

The State of South Carolina

County of Lexington

COURT OF GENERAL SESSIONS

OCTOBER TERM 2016

THE STATE
vs.

Jamie L Stroman

CDR #: 0385

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A
MINOR UNDER 11 YEARS OF AGE-
FIRST DEGREE

§ 16-03-0655(A)(1)

DONALD V. MYERS, SOLICITOR

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON)


INDICTMENT FOR
 CRIMINAL SEXUAL CONDUCT WITH A
 MINOR UNDER 11 YEARS OF AGE-FIRST
 DEGREE

§ 16-03-0655(A)(1)

At a Court of General Sessions, convened on OCTOBER 2016, the Grand Jurors of Lexington County present upon their oath:

That **Jamie L Stroman** did in Lexington County, South Carolina, on or between June 1, 2013 and August 31, 2013, willfully and unlawfully commit criminal sexual conduct with a minor in the first degree by engaging in sexual battery, to wit: digital penetration and/or sexual intercourse, with a minor who was less than eleven (11) years of age, to wit: Minor , date of birth [REDACTED], 2006, in violation of S.C. Code of Laws Section 16-3-655(A)(1), as amended.

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



ASSISTANT SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Lexington
STATE VS.

Jamie L Stroman

AKA:

Race: Sex: M Age: 38

DOB: -1978 SS#

Address: Monticello St

City, State, Zip: West Columbia, SC 29169-6838

DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

in violation of 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Solicitor 13969 Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,

for a determinate term of 35 years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:

The Defendant is to be given credit for time served pursuant to S.C. Code 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code: 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, Conv. Surcharge, DUI Assessment, etc.

TOTAL \$125.00

Clerk of Court/ Deputy Clerk Lisa Combs

Court Reporter: Karen Ambrosiak

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2016GS3202423

A/W#: 16-STR-00069

Date of Offense: 6/1/2013

S.C. Code 16-03-0655(A)(1)

CDR Code #: 0385

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APR 05 2017

SENTENCE SHEET

SC Court of Appeals

CONVICTED OF or PLEADS

TO: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

in violation of 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

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The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.

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ATTEST:

Solicitor 13969 Defendant Attorney for Defendant SC Bar#

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SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments, Conv. Surcharge, DUI Assessment, etc.

TOTAL \$125.00

Clerk of Court/ Deputy Clerk Lisa Combs

Court Reporter: Karen Ambrosiak

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning

\$ paid to Public Defender Fund

Other: NO CONTACT WITH VICTIM SEX OFFENDER REGISTRY

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Presiding Judge

Judge Code: 2164

Sentence Date: March 30, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Lexington
STATE VS.

Jamie L Stroman

AKA:

Race: Sex: M Age: 38

DOB: 0-1978 SS#

Address: Monticello St

City, State, Zip: West Columbia, SC 29169-6838

DL#: SID#: SC01079737

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO: Sex / Criminal sexual conduct with minor or Attempt - victim under 11 yrs of age - First degree

in violation of 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS 17-25-45
(CSC w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Solicitor SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 35 years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

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Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

Set by SCDEPPS

Recipient:

*Fine:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge, DUI Surcharge, etc.

TOTAL \$106

Clerk of Court/ Deputy Clerk Lisa Comaf

Court Reporter: Kasey Ambrosio, H

SCCA/217 (07/2016)

INDICTMENT/CASE#: 2014GS3202501

A/W#: 2014A3220500205

Date of Offense: 2/1/2012

S.C. Code 16-03-0655(A)(1)

CDR Code #: 0385

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SENTENCE SHEET SC Court of Appeals

days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling

Random Drug/Alcohol testing

Fine may be pd. in equal, consecutive weekly/monthly
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\$ paid to Public Defender Fund

Other: NO CONTACT WITH VICTIM
SEX OFFENDER REGISTRY

Appointed PD or appointed other counsel,
Proviso 61.6 requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

Presiding Judge

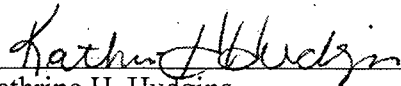
Judge Code: 2164

Sentence Date: March 30, 2017

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,



Kathrine H. Hudgins
Appellate Defender

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


ATTORNEY FOR APPELLANT

This 14th day of February, 2018.

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,



Kathrine H. Hudgins
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 14th day of February, 2018.

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SC Court of Appeals