

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
R. Markley Dennis, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ALEXANDER REID,

APPELLANT

APPELLATE CASE NO 2017-002193

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA	)	COURT OF GENERAL SESSIONS
	)	NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
The State of South Carolina,	)	CASE NO. 2017-GS-10-06300
	)	2017-GS-10-06457
PLAINTIFF,	)	2017-GS-10-06458
	)	2016-GS-10-01947
	)	2016-GS-10-01948
	)	2016-GS-10-01949
	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
	)	
Alexander Reid,	)	
	)	
DEFENDANT.	)	
	)	

October 12, 2017

Charleston, South Carolina

B E F O R E:

The Honorable R. Markley Dennis, Jr.

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I N D E X

(SW) - DENOTES STATE'S WITNESS

(DW) - DENOTES DEFENSE WITNESS

(IC) - DENOTES IN CAMERA

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D E F E N D A N T E X H I B I T S

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1 (WHEREUPON, begin hearing 10/12/17, 10:12 a.m.)

2 THE COURT: All right. Which motion are you prepared
3 to go forward with first?

4 MS. LINDER: Your Honor, we can go forward with a
5 number of them; but what I would do for our availability of
6 our witness is we have for -- the defendant makes three
7 statements. We can argue about whether they were in custody
8 or Miranda or not. But we have one witness to a very short
9 statement that we would like to put up so he can get out of
10 here.

11 THE COURT: Let's go ahead and do that. That will be
12 great.

13 MS. LINDER: All right. The State calls Sergeant Tony
14 Winstead.

15 THE COURT: Okay. This is basically -- assuming it is
16 a Jackson v -- subject to a Jackson v. Denno hearing this is
17 for purposes of this hearing?

18 MS. LINDER: Yes, Judge.

19 THE COURT: Okay. Thank you.

20 (WHEREUPON, the witness was duly sworn.)

21 THE CLERK: If you can state your first and last name
22 and spell out your last name, please.

23 THE WITNESS: Tony Winstead, W-I-N-S-T-E-A-D.

24 **DIRECT EXAMINATION BY MS. LINDER OF SERGEANT TONY WINSTEAD:**

25 Q Good morning, Sergeant Winstead.

1 A Good morning.

2 Q Can you please tell the judge your occupation?

3 A I am a police officer with the Town of Mt. Pleasant. I
4 am the sergeant over the narcotics unit.

5 Q And how long have you been in law enforcement?

6 A Twenty years.

7 Q And what about military?

8 A Twenty-five.

9 Q All right. So back in August and September of 2015
10 were you the acting supervisor for narcotics, Mt. Pleasant?

11 A I was, yes.

12 Q And were you involved with this case, the State versus
13 Alexander Reid, back at that time?

14 A I was the supervisor over the case, yes.

15 Q And back in September 11th, 2015, I want to bring you
16 to that date. Do you recall a search warrant being executed
17 on Old Georgetown Road?

18 A I do.

19 Q And do you recall if the defendant was arrested on that
20 day?

21 A He was, yes.

22 Q And was the defendant transported back to the station?

23 A He was.

24 Q At any point after the search warrant execution did you
25 go back to Mt. Pleasant Police Department to the station?

1 A I did.

2 Q And where was the defendant when you went back to the
3 station?

4 A In the interview room section of the Police Department.

5 Q And was he in custody?

6 A He was.

7 Q Was he in handcuffs?

8 A He was.

9 Q Was anyone with him inside that interview room when you
10 went there?

11 A By policy, yes, there was. I cannot tell you which
12 detective or officer it was. But, yes, there would have
13 been somebody in there with him.

14 Q All right. And typically does the lead or case agent
15 do the interviewing of any potential witness or defendant in
16 the case?

17 A Typically, yes.

18 Q And so in this case upon waiting on the interview to
19 begin is it typical to have an interview room door open ---

20 A Yes.

21 Q --- since no interview is being conducted?

22 A It is.

23 Q And in this case while the interview room door was open
24 and no interview had taken place yet did you hear the
25 defendant in this case say anything?

1 A Referring to when we walked his other half, Ms.
2 Jefferson, into the station in custody at the time, passing
3 by his interview room he made some type of utterance of what
4 is she doing here, why is she in handcuffs, why is she
5 arrested.

6 And he was explained because she has charges also based
7 on what was found in the house.

8 Q All right. So he was upset that she was there. Did he
9 say anything about that drugs at that time?

10 A Say again.

11 Q Did he say anything about the drugs at that time?

12 A Yeah, he said that she shouldn't be arrested because
13 that was his drugs.

14 Q And was this in response to any interview that was
15 being done of the defendant?

16 A No, that is just -- nobody had started interviewing him
17 yet. That was he had just seen her walk by and made that --
18 that statement.

19 Q So the defendant -- I just want to make sure. The
20 defendant is this defendant in the plaid shirt, Alexander
21 Reid?

22 A It is.

23 Q And you were there that day and you saw him there that
24 day?

25 A I did.

1 Q And it was at Mt. Pleasant Police Department, correct?

2 A Correct.

3 Q On September 11th, 2015?

4 A Correct.

5 Q And this defendant was in an interview room?

6 A Correct.

7 Q An interview had not been started?

8 A No, it had not.

9 Q And the door was open to the interview room?

10 A It was.

11 Q And then what did the defendant say?

12 A Something to the fact that why was his girlfriend or
13 wife in custody, why was she being arrested, why was she in
14 cuffs, that she had nothing to do with it, those drugs were
15 his that was found in the house.

16 Q I have nothing further. Please answer anything Mr.
17 Mayer may have.

18 THE COURT: You may cross-examine.

19 MR. MAYER: Thank you, Your Honor.

20 **CROSS-EXAMINATION BY MR. MAYER OF SERGEANT TONY WINSTEAD:**

21 Q Good morning, Sergeant.

22 A Hey.

23 Q Aaron Mayer here for Mr. Reid. Do you know if Mr. Reid
24 had been Mirandized at that time?

25 A I -- I don't -- I don't know. I -- no, I couldn't

1 answer that one; no.

2 Q And was there anyone in the room with him at the time?

3 A No.

4 Q And you were walking by approximately how far away from
5 that door?

6 A It is a narrow hallway. Two feet.

7 Q Okay. But you were not escorting Ms. Jefferson?

8 A I was with Ms. Jefferson, yes.

9 Q You were with Ms. Jefferson. Okay. Was there an audio
10 recording of the room?

11 A No.

12 Q Was there a video recording of the room?

13 A No.

14 Q Did you in some way document what you heard?

15 A No.

16 Q So you are telling the court that you just remember
17 this statement from over two years ago and you ---

18 A That is correct.

19 Q --- are basically ---

20 A In some cases. This was a big case. Absolutely you
21 remember things like that.

22 Q It is my understanding that those charges remained on
23 Ms. Jefferson. Why would those charges remain on Ms.

24 Jefferson if you guys had had this statement from Mr. Reid?

25 A Which -- which ones? Because she was charged with

1 multiple charges.

2 Q The charges pertaining to the cocaine, Sergeant.

3 A Well, there was -- there was also charges pertaining to
4 the cocaine dealing with children in the house. So are you
5 just talking to the quantity of cocaine found in the house,
6 or are you talking -- talking other charges?

7 Q Let me ask it another way, Sergeant. Did you dismiss
8 any charges from Ms. Jefferson after you heard the statement
9 allegedly?

10 A No.

11 Q And she was charged with trafficking cocaine, wasn't
12 she?

13 A Correct.

14 Q Okay. No further questions.

15 THE COURT: Redirect?

16 MS. LINDER: No redirect.

17 THE COURT: Thank you.

18 You may step down.

19 THE WITNESS: Thank you.

20 (WHEREUPON, the witness steps down.)

21 THE COURT: Do you have any additional witnesses on
22 this particular issue?

23 MS. LINDER: We do, but it is going to be a lengthy.
24 Lengthy, Your Honor.

25 THE COURT: On his statement? Or the one he just ---

1 MS. LINDER: There is a second one on that -- that
2 portion of the statement, yes.

3 THE COURT: All right. Well, let's have that. Because
4 frankly this statement needs to be dealt with separately I
5 think from anything else.

6 MS. LINDER: All right.

7 THE COURT: Because I think there were some
8 circumstances that really take it out of the need for
9 Jackson v. Denno hearing. But anyway. But I want to have a
10 full -- full -- and so the defendant can have a full
11 opportunity to question anybody that will be used on that.

12 MS. LINDER: Absolutely. And the next witness is
13 actually the case agent. He was present for this. He was
14 the one who conducted an interview where there was a second
15 statement. He was the search warrant suppression person.

16 THE COURT: So he is not here yet?

17 MS. LINDER: He -- I have the other witnesses here. We
18 can start ---

19 THE COURT: Well, let's just take -- just isolate ---

20 MS. LINDER: This?

21 THE COURT: This -- this particular statement. And
22 then we will -- and then we can finish that and I can make a
23 ruling on that and then we can move on from that.

24 MS. LINDER: Yes, Judge.

25 THE COURT: Thank you.

1 MS. LINDER: All right. The State calls Special Agent
2 Blake.

3 THE COURT: Is that -- is that agreeable with you, Mr.
4 Mayer to take ---

5 MR. MAYER: Yes, Your Honor. Thank you.

6 THE COURT: To sort of break it out?

7 MR. MAYER: Yes, it makes sense.

8 THE COURT: Thank you very much.

9 And I appreciate your willingness to do that as well,
10 sir.

11 (WHEREUPON, the witness was duly sworn.)

12 THE CLERK: If you can state your full and last name
13 and spell out your last name, please.

14 THE WITNESS: Alexander Blake, B-L-A-K-E.

15 **DIRECT EXAMINATION BY MS. LINDER OF AGENT ALEXANDER BLAKE:**

16 Q Special Agent Blake, how long have you been in
17 law-enforcement?

18 A Ten years.

19 Q And were you working with Mt. Pleasant Police
20 Department back in the summer of 2015?

21 A I was.

22 Q And were you the case agent of this case, the State
23 versus Alexander Reid, which cumulated on September 11th of
24 2015?

25 A Yes, ma'am.

1 Q And were you involved in the search of the residence on
2 Old Georgetown Road back on this date?

3 A I was.

4 Q Are you aware of this defendant getting taken into
5 custody that day?

6 A Yes, ma'am.

7 Q And was he transported to the station?

8 A He was.

9 Q What was the purpose of him being transported to the
10 station?

11 A He was being transported to the station after being
12 taken into custody to be interviewed by me in regards to a
13 quantity of cocaine that was found in the residence where he
14 resides.

15 Q And were you there at the station already when he
16 arrived at the station?

17 A No, I wasn't.

18 Q Where were you?

19 A I was at [REDACTED].

20 Q You were conducting the search?

21 A Yes, ma'am.

22 Q So in this case were you also the person who collected
23 and processed all of the evidence?

24 A I was.

25 Q When did you go back to the station; what did you bring

1 with you?

2 A I brought all of the evidence from the residence that
3 we collected during the search warrant. And Ms. Jefferson,
4 a co-defendant, was also with -- in my direct location when
5 we brought her to the station as well.

6 Q When you walked into the station where was Mr. Reid
7 located?

8 A He was in an interview room.

9 Q And was he cuffed?

10 A Yes, ma'am. In the front.

11 Q He was in custody?

12 A Yes, ma'am.

13 Q And what was the first thing that you heard from Mr.
14 Reid?

15 A So I was walking into the station carrying a bag
16 containing evidence that was collected from the residence.
17 Ms. Jefferson was just in front of me walking in. She was
18 in handcuffs as well and in custody.

19 As I walked by Mr. Reid stated something to the effect
20 of why -- why is my girlfriend -- why is my girlfriend in
21 cuffs, why is she under arrest.

22 Q Okay. And what happened after that?

23 A I just kind of stuck my head to the front of the
24 interview room. Didn't even go inside of the room. And
25 said because there were drugs located in the house.

1 Q And so what did the defendant then say?

2 A He said everything located in that house was mine,
3 everything belonged to me.

4 Q And when he said everything located in the house was
5 his what did you take that to mean?

6 A I took that to mean drugs, guns, anything that might be
7 illegal located in the house. He said that, and he also
8 said that his girlfriend didn't need to go to jail for it.

9 Q And did you start the interview at this point?

10 A No, ma'am.

11 Q Were you sitting in the interview with him at this
12 point?

13 A No, ma'am.

14 Q Okay. That's all the questions I have for you. You
15 can answer anything Mr. Mayer has.

16 THE COURT: You may cross-examine.

17 **CROSS-EXAMINATION BY MR. MAYER OF AGENT ALEXANDER BLAKE:**

18 Q Officer Blake ---

19 MR. MAYER: Judge, may we approach.)

20 (WHEREUPON, bench conference, was had 10/12/17, 10:24 a.m.)

21 THE COURT: Thank you. No questions. Thank you very
22 much. We will excuse you. But you are not free to leave.
23 We will resume your testimony.

24 THE WITNESS: Yes, sir.

25 THE COURT: Thank you very much.

1 (WHEREUPON, witness steps down.)

2 THE COURT: I have had a side bar concerning this
3 statement. I don't - I don't think that -- really the
4 Miranda warnings and issues are not applicable to this
5 because clearly at this point this is typically a voluntary
6 statement.

7 It doesn't matter that he was arrested. The key factor
8 as I read these cases is custodial interrogation, answering
9 questions that have been propounded to him. That is not
10 here. So I think the statement is a voluntary statement and
11 would allow it notwithstanding the objection of counsel to
12 that. Thank you.

13 Anything else you want to supplement that ruling on?

14 MS. LINDER: No, Judge.

15 THE COURT: Anything else, Mr. Mayer, that you want to
16 add to support it? Your position is noted that you objected
17 to it.

18 MR. MAYER: Thank you, Judge.

19 THE COURT: Okay. All right. Let's do this. Let's
20 recess this one for right now so we can start on the bond
21 docket and move these people.

22 Aaron, thank you very much. And y'all can chat and do
23 what you need and then we will come back and we will resume
24 the extensive testimony.

25 MR. MAYER: Thank you, Your Honor.

1 THE COURT: Thank you for your patience.

2 Mr. Reid, thank you very much. We will be at ease,
3 sir.

4 (WHEREUPON, break was had 10/12/17, 10:25 a.m., for other
5 matters before the court.)

6 (WHEREUPON, resumed hearing 10/12/17, 2:48 p.m.)

7 THE COURT: Okay. We are ready to continue. Do you
8 want to -- call your next witness. However you want to do
9 it. And if you want to call the one we stopped on that is
10 fine too.

11 MS. LINDER: All right, Judge. I guess what I would
12 like to do is to kind of address Mr. Mayer's motions. I
13 have witnesses here. And I can ask Your Honor your
14 preferences.

15 First Mr. Mayer has a motion to obtain the name and
16 file of the CI.

17 THE COURT: And there wasn't one.

18 MS. LINDER: Pardon?

19 THE COURT: There was no CI.

20 MS. LINDER: Correct, Judge. And on Page 2 of his
21 argument the whole time he is talking about Edwin Pearsey,
22 that he was an informant, that he is the one who identified
23 the defendant, that there is a video of a transaction, that
24 there were two stops, all of these are actually facts in a
25 case that I was involved with that the City of Charleston

1 Police Department did a number of years ago.

2 So I am happy to put up a little bit of testimony about
3 the tipster or if you would like argument or however you
4 would like that.

5 THE COURT: I will defer to you as to what you think is
6 necessary concerning the disclosure. Certainly that would
7 be -- probably cover any possible issue.

8 But I don't -- I have read the file at least to the
9 extent that I can read it and read the brief. So I don't
10 see a CI involved in this.

11 I see somebody that gave them some information. But
12 apparently that information according to what I have read
13 was available from a lot of people so.

14 MS. LINDER: Right. And then, Judge, another motion
15 that he had ---

16 THE COURT: Because I think one of the arguments he
17 argues is there are lots of people that have missed -- have
18 said things that aren't truthful about it.

19 MS. LINDER: And that is part of another motion they
20 made was a motion to suppress the search of the house.

21 And in this I wanted to ask the court how you would
22 like to proceed just because these are a little different
23 from I guess the standard motions that I am used to seeing
24 in drug prosecution.

25 And in this he specifically names Officer Blake and he

1 said some pretty harsh things about racially profiling,
2 spreading rumors ---

3 THE COURT: Well, let me address that. I really and
4 truly from your standpoint you have in my opinion you have
5 an affidavit.

6 You have -- you have what appears to be - and I use
7 this word loosely because I don't know what normal means -
8 but a normal approach to obtain a search warrant; what I
9 would say an officer obtains information, goes and swears
10 out an affidavit, makes some statements apparently to the
11 judge. That in my eyes is kind of likened to -- to me it is
12 exactly what when you have service of process in a civil
13 case it is presumed to be proper ---

14 MS. LINDER: Correct.

15 THE COURT: --- unless somebody shows you something
16 specifically.

17 MS. LINDER: Correct.

18 THE COURT: I don't quarrel that maybe -- and I am
19 paraphrasing; but it appears one of the things that he is
20 asserting is a targeting type situation, selectively
21 enforcing the law - and those are my words - singling out
22 certain groups of people.

23 If he has evidence that the judge was aware or knew
24 about these types of situations maybe there is something
25 there. But I don't know what the evidence is.

1 MS. LINDER: Right.

2 THE COURT: So to me I would say that would come --
3 your witnesses that you have to -- is going to depend on
4 what he is going to present ---

5 MS. LINDER: Right.

6 THE COURT: --- as a reply to what he has got to say.
7 Because at this point you put up how the warrant was
8 obtained ---

9 MS. LINDER: Absolutely.

10 THE COURT: --- and that's -- that is it.

11 MS. LINDER: Okay.

12 THE COURT: As far as I am concerned. And then it will
13 shift to Mr. Mayer and he can call witnesses and ask them
14 whatever he wants to, and you can cross-examine them. And
15 then if that warrants you recalling then you will have the
16 opportunity.

17 MS. LINDER: Perfect, Judge. All right. Well, then I
18 am going to proceed, you know, as we typically do. And in
19 this case right now I am going to call Special Agent
20 Alexander Blake.

21 THE COURT: Okay.

22 I would remind you, sir, that you are still under oath.

23 THE WITNESS: Yes, sir.

24 (WHEREUPON, podium moved.)

25 **REDIRECT EXAMINATION BY MS. LINDER OF AGENT ALEXANDER BLAKE:**

1 Q So just as a refresher and -- you currently work for
2 law enforcement?

3 A Yes, ma'am.

4 Q Where do you work?

5 A I work for the South Carolina Law Enforcement Division.

6 Q And how long have you been a special agent with SLED?

7 A Approximately coming up on one year.

8 Q And before working for SLED did you also work in
9 law-enforcement?

10 A I did.

11 Q For how many years?

12 A Prior to that nine years.

13 Q So you have been in law enforcement about ten years of
14 your life?

15 A Yes, ma'am.

16 Q And during that time did you work at Mount Pleasant
17 Police Department?

18 A I did.

19 Q And did you work at Mount Pleasant Police Department in
20 2015?

21 A I did.

22 Q And in 2015 what unit were you assigned to?

23 A The narcotics unit.

24 Q And as far as your education I mean you have been to
25 the Academy, you have a bachelor's degree; you actually also

1 were law-enforcement in Georgia; you have done all of their
2 items?

3 A Yes, ma'am.

4 Q You go through training classes all the time?

5 A Correct. Yes. I have been through numerous classes on
6 basic narcotics investigations, advanced narcotics
7 investigations, undercover narcotics investigations, and
8 undercover techniques, surveillance techniques, surveillance
9 classes, management of confidential informant classes, as
10 well as drug identification classes, numerous interdiction
11 classes, and many other classes I haven't named.

12 Q All right. So is it fair to say you have been
13 associated with hundreds of thousands of drug cases within
14 your career?

15 A I would say easily thousands, yes, ma'am.

16 Q All right. So I am going to bring your attention to
17 why we are here today which is the State versus Alexander
18 Reid. And were you involved in that case?

19 A Yes, ma'am.

20 Q And how were you first brought into the case?

21 A We first received I believe it was around the end of
22 April of 2015 a Crime Stoppers tip which is an anonymous tip
23 that comes in online was received by the Mt. Pleasant Police
24 Department.

25 That tip was forwarded to the narcotics unit

1 supervisor, and that tip was dispersed throughout the unit.

2 The information was dispersed and that there was a tip
3 regarding Alexander Reid, aka Batman.

4 Q Okay. All right. And that tip named specifically
5 Alexander Reid; is that right?

6 A Yes, ma'am.

7 Q And named the alias of Batman?

8 A It did.

9 Q Had a physical description of Alexander Reid?

10 A It stated that he was a black male.

11 Q All right. And then did it -- was it -- say that he
12 used to hang out at a second -- at a location off of North
13 Highway 17, it looks like somewhere next to a church?

14 A Yes, ma'am, the tip was pretty descriptive. It stated
15 that Mr. Reid did - hung out and I believe did some of his
16 illegal drug distribution right beside a church. It is
17 called the Olive Branch AME Church. It is near the
18 intersection of Venning Road and Highway 17 Road in Mt.
19 Pleasant.

20 It stated that numerous individuals hang around in that
21 area, that there are fire barrels there, and that Mr. Reid
22 does a lot of his -- his business there.

23 Q All right. So -- so the Crime Stoppers tip, that was
24 from an anonymous person received online to you?

25 A Yes, ma'am.

1 Q And did -- was that person an informant or was that a
2 tipster?

3 A It was a tipster. I have no idea who it was.

4 Q And did you ever receive any other tips as far as
5 Alexander Reid is concerned?

6 A Yes, ma'am, I did.

7 Q What did you receive?

8 A I received a tip from a subject that I met with in
9 person - they wished to remain anonymous - that stated that
10 a subject named Alexander Reid he goes by the nickname
11 Batman, lived with a girlfriend, maybe possibly wife, named
12 Emma Jefferson, at [REDACTED] in Mount
13 Pleasant. Stated that he drives a silver Infinity,
14 silverish tan Infinity SUV, as well as sometimes a black
15 BMW.

16 It stated that Mr. Reid stores large quantities -- or
17 stores, excuse me, quantities of cocaine and possibly crack
18 cocaine as well as large quantities of U.S. currency at the
19 residence on Old Georgetown Road and that Mr. Reid
20 distributes the illegal drugs often times directly beside
21 Olive Branch AME Church.

22 Q At the time that you met with this second individual
23 were they signed up as a confidential informant at that
24 time?

25 A No, ma'am.

1 Q Did they execute a CI agreement at that time?

2 A No, ma'am.

3 Q Did you start an activity log that is typically done
4 with a CI at that time?

5 A I did not.

6 Q And did you have any other contact with this second
7 tipster during the course of the surveillance that you
8 conducted?

9 A No, I did not.

10 Q Did you have any contact with this second tipster
11 during the course of the trash pulls that you conducted?

12 A No, ma'am.

13 Q Did you have any contact with this second tipster any
14 other time prior to the execution of this search warrant and
15 arrest of this defendant?

16 A I did not.

17 Q All right. So after you received this information from
18 your two tipsters can you tell me what if anything you did
19 to corroborate the information that you received?

20 A Yes, ma'am. At that point it was merely information.
21 I attempted to corroborate. The first thing I did was I ran
22 a check through numerous databases we have available to us
23 for [REDACTED].

24 I found that Niemma Jefferson is a resident of that
25 address. I then did some physical surveillance on the

1 address. I observed a silver Infinity SUV parked in that --
2 in the driveway of that residence. The tag mistakes me.

3 I did run the tag on that vehicle, and it was
4 registered to an Alexander Reid. I then cross-referenced
5 through the South Carolina DMV database for any other
6 vehicles owned by Mr. Reid and I found that there was a BMW
7 owned by Mr. Reid as well.

8 I then began surveillance on the residence as well as
9 continue surveillance on the residence. I observed who I
10 knew through a DMV photograph at that point to be Alexander
11 Reid entering into the vehicle and leaving the residence of
12 [REDACTED], enter into the silver Infinity
13 SUV.

14 I should mention I never saw the BMW sedan at that
15 residence. Entered to that Infinity SUV. I observed
16 through loose tail and following surveil- -- mobile
17 surveillance Mr. Reid drive to a location, Olive Branch AME
18 Church, a location directly beside there where there were
19 numerous individuals hanging out and kind of going about.

20 On August 27th of 2015 from a somewhat concealed
21 location across the street I observed Mr. Reid outside of
22 the silver SUV. And it appeared to be -- he appeared to be
23 conducting what I knew based on my training and experience
24 to be hand-to-hand drug transactions with people at that
25 location.

1 I also observed Mr. Reid's vehicle parked at the
2 residence on numerous nights. And it was as well there
3 again the following mornings. Typical to me with someone
4 who may be staying at that residence overnight.

5 Q All right. And so just -- I know there is a lot of
6 information there and a lot of work that you did. So you
7 received a tip that an Emma Jefferson, and when you did all
8 of the DMV checks a Niemma Jefferson, lives to that address?

9 A Correct.

10 Q And so you checked the address, you checked the cars,
11 you conducted surveillance. And so after you did all of
12 this at any point did you learn the defendant's age?

13 A Yes, ma'am. Through the DMV I learned he was in his
14 early to mid-40's.

15 Q And did you ever run a rap sheet to know if he has any
16 sort of criminal history?

17 A I did. Yes, ma'am. I ran his criminal history and
18 found that he has previous drug convictions both in -- at
19 the state level as well as the federal level, to include
20 some violent convictions.

21 Q Okay. So the two tips provided; you had -- you
22 verified information about the BMW; did you do -- were you
23 familiar with or through your investigation did you learn
24 anything about that nickname Batman they came in through the
25 first tipster through the Crime Stoppers?

REDIRECT EXAMINATION BY MS. LINDER OF AGENT ALEXANDER
BLAKE

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1 A Yes, ma'am. I was able to ask people throughout the
2 Mount Pleasant Police Department, people who had been there
3 longer than me, if they were familiar with the name Batman.
4 And several individuals throughout the department were
5 familiar with that name. They were familiar with previous
6 investigations and cases involving that subject, and they
7 knew him to be Alexander Reid.

8 Q All right. So then you have the information on the
9 Infinity, the drugs, and the time at the house. Okay. So
10 based on the tip you received, your surveillance and all of
11 the corroborating work that you did, what action did you
12 take next to advance the investigation?

13 A The next thing I did was on August the 28th of 2015 I
14 conducted a trash pull at the residence.

15 Q All right. And can you just explain briefly how do you
16 go about doing a trash pull?

17 A Yes, ma'am. The first thing I do is I am going to
18 locate the actual trash pickup date for the residence. I am
19 going to make sure the trash is to be picked up on a certain
20 date.

21 So in that area Waste Pro is the contracting trash
22 company. I called Waste Pro. I confirmed that the trash
23 pickup on that date was on Fridays. So I knew that the
24 trash should be out at that date.

25 I next about five o'clock in the morning on the date of

1 August 28th observed the trashcan placed just in the grassy
2 area at the edge of the curb of the roadway awaiting pickup
3 from Waste Pro Trash Company.

4 Myself and another detective obtained bags of trash
5 through -- from the trashcan. We placed it into the back of
6 a pickup truck. We then took that to our narcotics office
7 where we were able to actually go through the trash.

8 Q All right. So you picked up these bags. When you went
9 up was there a whole bunch of trashcans all gathered
10 together?

11 A There was not. This was the only trashcan in that
12 area. It was the only trashcan at that residence that you
13 could even see.

14 Q All right. At this time if I could show you -

15 MS. LINDER: I have already shown the defense. Where
16 this is going to be State's Exhibit 1 for purposes of this
17 hearing.

18 (WHEREUPON, State's Exhibit 1, photograph, was marked for
19 identification.)

20 Q Now can you look at this?

21 A Yes, ma'am.

22 Q Do you recognize it?

23 A That is [REDACTED].

24 Q And you recognize this from working there for years and
25 this investigation?

1 A Yes, ma'am.

2 Q And on this picture does it depict -- this -- it looks
3 like there is one house that you see with the driveway?

4 A That's correct.

5 Q Can you describe what that house looks like?

6 A It looks like a tannish-brown siding on the home. It
7 has got a front porch and a driveway that comes out. It is
8 a two-car garage. The driveway comes out directly to Old
9 Georgetown Road.

10 Q And is this the house that was searched back in
11 September of 2015?

12 A It is.

13 Q All right. And this right here that I am pointing out,
14 this is a paved driveway; it is a white, paved driveway; and
15 then it goes to asphalt?

16 A Correct.

17 Q And at the end of that driveway is that where the
18 trashcan was?

19 A Yes. If you are looking at this driveway from the
20 roadway from Old Georgetown Road looking towards the
21 residence the trashcan was directly beside the driveway in
22 the grassy area, right at the corner of the driveway and the
23 road.

24 Q Okay. So if you are facing the house from the driveway
25 it was more toward the left side?

1 A Yes, ma'am.

2 Q And that was the only item that was there?

3 A That is correct.

4 Q The only trashcan that was there?

5 A That is correct.

6 Q All right.

7 MS. LINDER: Your Honor, may I approach just so you can
8 see this, or I can put it toward the end.

9 THE COURT: That is fine. It is -- do you want it
10 admitted?

11 MS. LINDER: Yes. I would seek to admit State's
12 Exhibit 1.

13 THE COURT: Any objection?

14 MR. MAYER: No objection.

15 THE COURT: Without objection. It is admitted for
16 purposes of this -- State's 1 for purposes of this
17 proceeding. Thank you.

18 (WHEREUPON, State's Exhibit Number admitted for this
19 proceeding.)

20 Q All right. So you did this first trash pull. When you
21 are doing a trash pull what are you looking for, and more
22 specifically what did you find with this trash pull on
23 August the 28th of 2015?

24 A Yes, ma'am, generally what we are looking for near the
25 trash pull are items related to that we can -- we can relate

1 to possible drug paraphernalia, drug use, and drug
2 distributions.

3 So items such as plastic baggies or torn plastic
4 baggies, digital scales, packages, inner -- innards of
5 cigars, cigarillos which are commonly discarded the
6 innards - you insert marijuana and you smoke them - cut
7 straws; as well as mail that shows that that trash did come
8 from with the address whatever residence it is that we are
9 pulling the trash from and possibly names on any of those
10 items, mail, paperwork, with names and residence or
11 addresses.

12 Q And with this -- in the first trash pull do you find an
13 empty bottle of Inositol?

14 A We did. And ---

15 Q What is Inositol?

16 A Inositol is -- it is labeled as a dietary supplement.
17 It is a white powder substance. You buy it at GMC and any
18 kind of vitamin shop, anything like that. It runs about 11,
19 \$12.

20 It is labeled as use for anything from high blood
21 pressure to headaches to ADHD. There has been no confirmed
22 studies from what I understand that prove its usefulness in
23 any of those.

24 But I more importantly in my line of work know it to be
25 a cutting agent which is added to cocaine to increase the

1 quantity of the cocaine.

2 Q And is that a typical cutting agent?

3 A It is.

4 Q And then did you find any box or anything or sandwich
5 baggies in that trash pull?

6 A I did. We found an empty box of sandwich baggies
7 during the trash pull. We also found a small amount of what
8 appeared to be marijuana residue within a small cigar which
9 is commonly referred to as a roach, a marijuana roach. That
10 was field tested and it tested presumptive positive for THC.

11 Q And now as a result of this first trash pull did you
12 get a search warrant?

13 A Yes, ma'am.

14 Q And you got a search warrant signed in Mount Pleasant?

15 A I did.

16 Q And did you execute that search warrant?

17 A I did not.

18 Q Why not?

19 A Well, the search warrant was good for ten days. I
20 wanted to take that ten-day period to continue the
21 investigation, see if I could further the investigation.
22 And if not, the search warrant likely would have been
23 executed at that -- near the end of that time period.

24 Q All right. So did you -- what did you do to further
25 that investigation?

1 A Continued surveillance on the residence. And it didn't
2 offer anything more than we had already noticed. I think
3 conducted a second trash pull on September 3rd, 2015.

4 Q And trash pull, same information as before, same
5 location, no other trash cans, end of the curb, driveway;
6 all of that?

7 A Correct. The trash can was actually in the same exact
8 spot. Every -- all of the details of the actual collecting
9 of the trash were the exact same.

10 Q What did you find in the second trash pull?

11 A In the second trash pull I found a Sam's Club credit
12 card bill that was addressed to Alexander Reid at [REDACTED]
13 [REDACTED]. I found a hospital bracelet with Alexander
14 Reid and the date of birth of the defendant and what I knew
15 and had corroborated through the DMV.

16 I found several corner cut plastic baggies. They had a
17 white powder residue on them. That was field tested and
18 tested presumptive for cocaine.

19 I believe that was it during that trash pull.

20 Q Okay. What did you do based on this second trash pull
21 and all of your continued investigation?

22 A Got another search warrant signed by a Mt. Pleasant
23 municipal judge. And it was the same details as before. I
24 was going to take the ten-day period to attempt to further
25 the investigation. If not if nothing else happened it was a

1 likelihood that the search warrant would have been executed.

2 Q So you ended up doing a third trash pull?

3 A Correct.

4 Q Three weeks in a row?

5 A Yes, ma'am.

6 Q All right. So trash pull September 11 of 2015; same
7 scenario where it was, only trash can. All right. What if
8 anything did you find in the third trash pull?

9 A In the third trash pull I located an insurance card,
10 insurance document, for that was -- the names on it were
11 Alexander Reid and Niemma Jefferson.

12 It was for a silver Infinity. I don't remember the
13 model. It was an SUV. As well as a BMW. I think it was a
14 five series BMW. And they came back registered to [REDACTED]
15 [REDACTED] on that document.

16 I located a second -- or excuse me, another empty
17 bottle of Inositol power. I located some plastic baggies I
18 believe in that one as well and some lose marijuana shake
19 and stems as well as some small -- some more marijuana
20 roaches.

21 Q And those roaches had some marijuana in it?

22 A They did. And that was field tested and tested
23 presumptive for THC as well.

24 Q All right. So after the third trash pull and all of
25 your continued surveillance based off of these two tips,

1 what did you do?

2 A Yes, ma'am. I obtained another search warrant on that
3 date -- or I began drafting the search warrant. At that
4 point I spoke with my supervisor and we were attempting to
5 formulate a plan to go ahead and actually execute the search
6 warrant on that date, after the search warrant was signed of
7 course.

8 Se we -- I began drafting a search warrant and began --
9 obtained as much information as I could about the residence
10 at that address.

11 I had units in place as early as I believe nine o'clock
12 in the morning conducting surveillance on the residence and
13 on the defendant whose Infinity SUV was there.

14 We began formulating an operations plan at that time.
15 For the operation plan we -- a lot of things go into it.
16 When we begin to put together an operation plan the first
17 thing we do for a search warrant is it is called a threat
18 matrix. It is a point system based on a defendant or a
19 potential person who we believe is going to be at the
20 residence, his criminal history, based on the history of
21 that residence and things like that.

22 What that does is that determines our manpower needs.
23 Based on this when I am doing the point system I found that
24 Mr. Reid did have some violent tendencies in his past to
25 involve guns. So we began putting together a team.

1 The way we were going to execute is we had a five-man
2 team which is comprised of members of the SWAT team. We
3 would make entry into the residence when we actually
4 executed the search warrant.

5 Had patrol officers and narcotics units who would be on
6 perimeter at the residence. We had canine officers on
7 perimeter at the residence as well.

8 I then had a roving team because our formulation of our
9 plan was that we thought it may be a good idea possibly if
10 Mr. Reid left the residence to attempt to execute the search
11 warrant while he was not at the residence to attempt to
12 minimize any possible conflict there, any possible dangerous
13 situation.

14 The plan was to possibly get Mr. Reid away from the
15 residence and possibly detain him while the search warrant
16 was executed. And so then I had to also assign manpower to
17 roving surveillance for Mr. Reid when and if he left the
18 residence.

19 Q Okay. So I just want to make sure we have got the
20 timeline. Five a.m. on that Friday morning is when you
21 pulled the trash?

22 A Yes, ma'am.

23 Q And you searched right after that?

24 A That is correct.

25 Q After finding it you started surveillance on the house,

1 kind of all at once in the morning; I think you said about
2 9:00?

3 A Right.

4 Q Surveillance on the house. You were drawing up the
5 search warrant. You talked to your supervisor. You said
6 the ops plan with the threat matrix. After all of that was
7 finalized did you still have surveillance going?

8 A Correct.

9 Q All right. And then tell me about getting the search
10 warrant signed that day.

11 A Yes, ma'am. I first had the search warrant signed by
12 Judge Michelle with the Mt. Pleasant -- a Mt. Pleasant
13 municipal judge that morning. I would assume that was
14 probably about 10:00 or 11 o'clock in the morning.

15 We then had the operations plan approved. It had to go
16 through my supervisor. It had to go up through our chain of
17 command and then come back down with the okay for us to
18 execute the operation.

19 At that point we began discussing that the Old
20 Georgetown Road area could possibly be in a county contract
21 area and we decided there was probably a need out of an
22 abundance of caution to have a magistrate judge countersign
23 the warrant.

24 Q So when you decided or the chain of command decided
25 about a magistrate judge signing it did you end up going to

1 a magistrate judge?

2 A Yes, ma'am, I did. It took me a little bit to locate
3 one. I ended up going and seeing Judge Young at bond court,
4 and the search warrant was countersigned by her at
5 approximately 1:43 p.m.

6 Q And you say 1:43. Judge Young when she signed it she
7 put the time and her signature?

8 A She put her time on there, yes, ma'am.

9 Q All right. And when you talked to her did you present
10 the affidavit in silence; or did you present the affidavit
11 kind of verbally, supplement, and answer questions?

12 A No, ma'am, I presented the affidavit to her and
13 verbally supplemented, answering any questions that she had
14 and just giving her a brief background on the case.

15 Q All right. So the search warrant was signed at 1:43.
16 Approximately what time was it executed that day?

17 A The search warrant was executed approximately 2:50 p.m.

18 Q And the return was completed in compliance with the law
19 on September 14th; is that correct?

20 A Yes, ma'am, it was complete I believe it was -- it was
21 three days later.

22 Q All right.

23 MS. LINDER: And, Judge, just to kind of keep him on
24 the stand I am going to switch over to his part of the Denno
25 hearing statement.

1 THE COURT: Sure.

2 MS. LINDER: But he will be available if we need him
3 for later.

4 THE COURT: That is no problem.

5 Q All right. For the same case we are here on we are
6 talking back on September 11th of 2015. This is about
7 Alexander Reid, Old Georgetown Road.

8 Okay. So are you aware that there was a traffic stop
9 that was conducted on the defendant that day?

10 A Yes, ma'am.

11 Q And in that traffic -- when that traffic stop was
12 conducted you had the search warrant and y'all were about to
13 execute the search warrant?

14 A That is correct. It was pretty much simultaneous with
15 our execution of the search warrant.

16 Q Okay. And then after executing the search warrant --
17 after executing the search warrant did you locate - just a
18 yes, no, here - did you locate any drugs?

19 A Yes.

20 Q And at that point did you make the determination that
21 this defendant Alexander Reid was going to be charged?

22 A Yes, ma'am.

23 Q Did you tell anyone who was at the scene of the traffic
24 stop about this situation?

25 A I did. I immediately called Officer Plyler.

1 Q Okay. So when you told Plyler what did you direct him
2 to do; what did you instruct him to do at that point?

3 A Yes, ma'am, I directed Officer Plyler. I advised him
4 that drugs were located, that Mr. Reid was going to be
5 arrested for trafficking cocaine and possibly some other
6 offenses as well.

7 I asked him to place him into custody and advised him
8 he was under arrest. I advised Officer Plyler to take that
9 subject to the Mt. Pleasant -- to transport him to the Mt.
10 Pleasant Police Department.

11 I also told Officer Plyer that he could go ahead and
12 Mirandize the subject however. I did not want him to
13 interview the subject until I was there to do that myself.

14 Q All right. So after you conducted the search warrant
15 did you end up going back to the station?

16 A I did.

17 Q Kind of piggybacking off of your testimony earlier
18 today, you went back to the station with all of the
19 evidence?

20 A Correct.

21 Q And you went back to the station with the intention of
22 interviewing this defendant, correct?

23 A Yes, ma'am.

24 Q Okay. So as you were first coming in with the
25 evidence -- and correct me if -- I am paraphrasing from

1 earlier today: You came in; as you were coming in with the
2 evidence the defendant was sitting in the interview room; he
3 was cuffed in the front; the door was jarred or open; and he
4 hollered out something to you claiming drugs, asking why
5 girlfriend getting arrested; right?

6 A Yes, ma'am.

7 Q Okay. We have already gone through that. So what I
8 would like to go through next is did you ever conduct an
9 interview with the defendant?

10 A I did.

11 Q And when you -- did you go into the interview room for
12 this?

13 A Yes, ma'am.

14 Q And was the defendant in custody?

15 A He was.

16 Q And was he cuffed?

17 A Yes, ma'am. He was cuffed in the front.

18 Q In the front. And to your knowledge had he already
19 been given his advisements -- advisement of rights?

20 A Yes, ma'am.

21 Q And was he given his waiver of rights?

22 A No, he was not.

23 Q And did you give him his waiver of rights?

24 A I did. Yes, ma'am. I did it on a written Mt. Pleasant
25 Police Department advisement of rights as well as a waiver

1 of rights form.

2 And during that I also asked Mr. Reid if he understood
3 the advisement portion. He stated he did. We then went
4 over the waiver portion. He signed that and dated that
5 stating that he was willing to waive his rights and speak
6 with me.

7 Q All right.

8 MS. LINDER: At this time State's Exhibit 2 for the
9 purposes of this hearing.

10 THE COURT: Very well.

11 (WHEREUPON, State's Exhibit Number 2, advisement of rights
12 form, was marked for identification.)

13 Q If you can take a look at this please. Do you
14 recognize it?

15 A I do.

16 Q And how do you recognize it?

17 A I filled out the bottom of this form. It is the form
18 that was used on that date.

19 Q And what is this?

20 A This is a Mt. Pleasant Police Department written
21 advisement of rights form.

22 Q And at the top this person indicates the name is
23 Alexander Blake?

24 A Alexander Reid.

25 Q Alexander Reid.

1 A Yes, ma'am.

2 Q I can't -- Alexander Blake is you. It is a long day.

3 THE COURT: Tell me about it.

4 Q Okay. So at the bottom half here where it says waiver
5 of rights ---

6 A Yes, ma'am.

7 Q --- can you read that portion aloud?

8 A I can: Waiver of Rights. I fully understand each of
9 these rights which have been explained to me. Having these
10 in mind I wish to waive these rights. No threats, force or
11 promises of any kind have been made to me by anyone to
12 induce and cause me to waive these rights and answer
13 questions.

14 Q And here it says witnesses. What is that scribbildy
15 scrabble?

16 A It is my signature.

17 Q And what is this number (pointing)?

18 A It was my badge number with Mt. Pleasant.

19 Q And what does this say (pointing)?

20 A The date and time. It is 9/11 of 2015. And it is 5:15
21 p.m.

22 Q And what is over here (pointing)?

23 A This was Alexander Reid's signature. And it says 9/11
24 of 2015.

25 Q All right.

1 MS. LINDER: At this time for the record the State
2 would like to admit State's Exhibit 2 into evidence.

3 MR. MAYER: No objection.

4 THE COURT: Without objection it is admitted for
5 purposes of this proceeding.

6 (WHEREUPON, State's Exhibit Number 2 was admitted into
7 evidence for use in this proceeding.)

8 Q And as far as that advisement of rights form, when you
9 were in that interview room with Mr. Reid you said he was
10 cuffed in the front. Did he appear to have bloodshot eyes?

11 A No, ma'am.

12 Q Did he appear under the influence?

13 A He did not.

14 Q Did he have slurred speech?

15 A No, ma'am.

16 Q Did he appear to have any mental impairment --
17 impairments?

18 A He did not.

19 Q Any physical impairments?

20 A No, ma'am.

21 Q Did he appear to understand what you were saying?

22 A He did.

23 Q Did he indicate that he understood what you were
24 saying?

25 A Yes, ma'am, he did.

1 Q And did the defendant waive his rights?

2 A He did.

3 Q And did he decide to speak with you?

4 A Yes, ma'am.

5 Q And did you threaten him in any way during the course
6 of this in the interview room?

7 A Absolutely not.

8 Q And did you promise him any leniency of any sort if he
9 spoke to you?

10 A I did not.

11 Q Did you promise him anything on the solicitor's behalf?

12 A No, ma'am.

13 Q What did the defendant say to you in that interview
14 room?

15 A So we began discussing -- obviously first I explained
16 to him why he was in custody and what his charges were and
17 what charges he was facing.

18 The defendant at that time stated that again that
19 everything in the residence that we located, all of the
20 drugs, were his.

21 I began discussing with him the quantity of drugs. The
22 defendant told me and advised me that he had purchased three
23 ounces of cocaine, he used the Inositol powder to increase
24 the quantity of the cocaine to six ounces. And ---

25 Q And just to interrupt, ---

1 A Yes, ma'am.

2 Q --- about how many ounces of cocaine did you find at
3 the residence?

4 A Six ounces.

5 Q Okay.

6 A He stated he converted that to approximately six ounces
7 of cocaine, he intended to sell that to make a little bit of
8 quick money.

9 We then discussed a handgun that was located in the
10 residence. It was in the left nightstand bed of the master
11 bedroom which is the side of the bed we believe Mr. Reid
12 slept on.

13 Mr. Reid stated he was aware that the handgun was in
14 that drawer, in the nightstand drawer. He stated the gun
15 was supposed to be registered to his girlfriend. And he was
16 also -- stated that he was aware he was not supposed to be
17 around handguns and they were supposed -- not supposed to be
18 in his possession. /

19 Q Did he tell you anything about if he ever stayed or
20 laid his head at that Old Georgetown address?

21 A Yes, ma'am, he said he had been staying there for off
22 and on for quite a while with his girlfriend.

23 Q And did you offer to let him give a written statement?

24 A I did. He indicated he did not wish to give a written
25 statement.

REDIRECT EXAMINATION BY MS. LINDER OF AGENT ALEXANDER
BLAKE

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1 Q And at any point during this interview did he stop
2 speaking with you?

3 A No, ma'am.

4 Q And did he ask at any point during this interview with
5 you in that interview room that he would like a lawyer?

6 A He did not.

7 Q I have no further questions. If you could answer
8 anything that the defense may have.

9 THE COURT: Cross-examine.

10 MR. MAYER: Judge, may it please the court.

11 THE COURT: Certainly.

12 MR. MAYER: I only received the Crime Stoppers thing -
13 Ms. Linder had found it yesterday and emailed it to me. I
14 only saw it this morning.

15 THE COURT: Okay.

16 MR. MAYER: But I would like to offer it as an exhibit
17 here in this hearing.

18 THE COURT: That is fine.

19 MR. MAYER: May I approach?

20 THE COURT: Yes, sir. Defendant's 1.

21 (WHEREUPON, Defendant's Exhibit Number 1, Crime Stoppers
22 two-page form, was marked for identification.)

23 **CROSS-EXAMINATION BY MR. MAYER OF AGENT ALEXANDER BLAKE:**

24 Q Special Agent Blake, I am handing you what has been
25 marked for identification as Defense Exhibit 1.

1 A Yes, sir.

2 Q You talked in your testimony with Ms. Linder earlier
3 about a Crime Stoppers' tip that had come through. This is
4 in a different format I supposed than it gets to you; is
5 that right?

6 A Yes, it -- more or less. I mean it is the same
7 information.

8 Q Okay. All right. Does that look to be what you
9 testified about earlier when you were testifying about ---

10 A Yes, sir, it does.

11 Q Okay.

12 MR. MAYER: Judge, at this time we would ask that it be
13 admitted into evidence.

14 MS. LINDER: No objection.

15 THE COURT: Without objection it is admitted. Thank
16 you.

17 (WHEREUPON, Defendant's Exhibit Number 1 was admitted into
18 evidence.)

19 Q Detective Blake -- or Burke; I'm sorry. On that Crime
20 Stoppers form it has got several different items listed
21 above the item that you were talking about earlier with Ms.
22 Linder.

23 All of the other items, you know, when a tip is called
24 in it seems to be like a little one line, say hey you know
25 we think it is so-and-so or we think there is bad activity

1 at this place.

2 The tip that you relied on went into great level of
3 detail. And I wonder. You testified earlier you had
4 nothing to do -- or didn't know anything about who made that
5 tip. Did I hear that correct?

6 A Yes, sir.

7 Q So -- and have you -- you have received other tips kind
8 of from Crime Stoppers like that?

9 A In the past, yes.

10 Q Have they been with this level of detail; is this
11 unusual or is this common?

12 A Sometimes they are full of detail. Sometimes they are
13 very vague.

14 Q Okay. And when you received this tip was this the
15 first tip you got about my client?

16 A Yes, sir, it was the first one I received.

17 Q Okay. And tell us about how then you proceeded to
18 develop this second tip if you would.

19 A An individual -- I met with an individual in person.
20 They stated that they wanted to provide information and
21 remain anonymous. And they gave me the information that I
22 provided earlier.

23 Q Okay. And how did you find that individual?

24 A They were -- they were arrested.

25 Q Okay. So it was someone who was charged with a drug

1 crime and you did the thing where you say, hey, you know if
2 you help us with something, you know, I can help you?

3 A No, sir. They volunteered the information themselves.

4 Q Okay. All right. So it wasn't any sort of deal that
5 you were offering them?

6 A No, sir.

7 Q And you are saying they did not get a deal then as a
8 result of cooperating with you?

9 A No, sir. There wasn't cooperation. They were
10 simply -- they provided the information I stated earlier
11 saying that the person was poison in the community.

12 Q Okay. And you went on to prosecute that person you
13 arrested?

14 A They were charged, yes, sir.

15 Q And were they convicted?

16 A I do not recall whether they were or not.

17 Q Okay. And so at this house at [REDACTED],
18 [REDACTED], it looks like a nice residence. There is actually a
19 shared driveway to that house; isn't there?

20 A No.

21 Q Okay, but you sat there a lot; I mean you would have --
22 you would have -- you should be aware that there is another
23 residence behind it, right, that shares the same driveway or
24 road or however you want to call it?

25 A Yes, sir, there is a gravel road with an actual street

1 sign that goes down to that residence.

2 Q Okay. And is that -- is that indicated in the picture
3 that Ms. Linder showed you earlier?

4 A It is.

5 Q Okay. And that area is where you did your trash pulls
6 from, correct?

7 A Correct, from direct -- directly in front of [REDACTED] yes,
8 sir.

9 Q Okay. And at no point -- I was listening to your
10 testimony pretty closely. I didn't hear you say that Mr.
11 Reid had pulled that trashcan out there, that you saw him do
12 that?

13 A I did not see him do that.

14 Q Okay. You did testify that there was a hospital
15 bracelet earlier. Do you know what Mr. Reid was in the
16 hospital for at that time?

17 A I have no idea.

18 Q When you were getting this statement from Mr. Reid
19 after he signed waiving his rights did you have an audio
20 recording going of that?

21 A That is a qualifying no.

22 Q Please explain.

23 A Yes, sir. We had audio -- there were audio and video
24 capabilities in the room; so that had to be actually turned
25 on by the CIB coordinator, the regular investigations

1 coordinator.

2 It is common practice for narcotics agents and
3 detectives when they are conducting an interview not to run
4 audio and video at the time because that often leads into a
5 debriefing as well as cooperation that gets offered by the
6 defendants.

7 Q Okay, what do you mean it leads into a debriefing?

8 A Oftentimes when you are interviewing someone they
9 indicate that they would like to provide information or
10 cooperate with law enforcement; and the last thing we would
11 want is that person's statement and their cooperation caught
12 on video to be somehow released to a defense in a future
13 case.

14 Q And so when you were -- went in with Mr. Reid was it
15 your plan or intention to ask him to cooperate with you?

16 A If he would have indicated what he would like to
17 cooperate that would have been possibly would have been
18 handled completely different.

19 Q Okay. But you testified earlier that you didn't ask
20 him to cooperate?

21 A No, sir, he didn't indicate he wished to.

22 Q Okay. And so are you saying that that is the only time
23 that kind of broached the subject of working with someone
24 you have arrested is if they -- if they bring it up?

25 A No, sir.

1 Q Okay. Isn't in fact part of your kind of custom or
2 habit as an officer is to ask the people who you catch ---

3 A It is a case by case ---

4 Q --- and say who can you tell me about?

5 A --- basis.

6 Q Okay.

7 A Case by case.

8 Q So -- so there were capabilities in the room but you
9 didn't turn them on?

10 A Correct.

11 Q And you said it was audio and video capabilities?

12 A Correct.

13 Q But surely to make sure that it wasn't just your word
14 against the defendant's word surely you had another officer
15 in the room with you at least as a witness?

16 A We did not on that date. No, sir. We had officers
17 strewn doing lots of other things. And I was the case
18 agent, therefore I was handling the interview.

19 Q But you had something like 15 or 20 officers it seems
20 like doing the search warrant and stuff. You couldn't just
21 get one more in that room with you that ---

22 A We did not on that date, no, sir.

23 Q So all the court has to go on as to whether my client
24 really made this statement that you claim he made that is
25 completely against his self-interest about I was going to

1 cut this cocaine and sell it, all we have to go on for that
2 is the prosecuting officer's word; is that right?

3 A Yes, sir.

4 Q Are you aware that the time difference between the time
5 that Judge Young signed this search warrant and the time
6 that the stop occurred when you and your team pulled over my
7 client?

8 A I don't think I understand your question.

9 MS. LINDER: I would object, Your Honor. I believe
10 that this witness has already indicated he executed the
11 search warrant. He was -- did not pull over ---

12 THE COURT: Well, he said he didn't understand it. So
13 he has to rephrase his question or go on to something else.
14 I don't know what that has to do with this hearing.

15 Q Isn't it true that you and your team actually stopped
16 Mr. Reid's vehicle before you had a signed search warrant?

17 A No.

18 Q Let me rephrase that. Isn't it true that you and your
19 team stopped Mr. Reid's vehicle before you had a search
20 warrant signed by Judge Young?

21 A No.

22 MR. MAYER: Court's indulgence.

23 THE COURT: Yes, sir.

24 (WHEREUPON, pause 10/12/17, 3:30 p.m.)

25 MR. MAYER: Okay. No further questions for this

1 witness, Judge.

2 THE COURT: Redirect?

3 MS. LINDER: No redirect.

4 THE COURT: You may come down. Thank you.

5 THE WITNESS: Thank you, Judge.

6 (WHEREUPON, witness steps down.)

7 MR. PATRICK: Your Honor, at this time the State would
8 call ---

9 MS. LINDER: Judge, we have one other witness. We can
10 argue the search warrant now or if you want to do another
11 witness and then we can argue search warrant and statement.
12 What would you prefer?

13 THE COURT: Why don't we go ahead and get -- let's get
14 it all. And then we will do that.

15 MS. LINDER: Thank you, Judge.

16 MR. PATRICK: The State calls Officer Plyler.

17 THE CLERK: Please state your first and last name and
18 spell your last name loudly and clearly into the microphone.

19 THE WITNESS: Officer Tommy Plyler, P-L-Y-L-E-R.

20 **DIRECT EXAMINATION BY MR. PATRICK OF OFFICER TOMMY PLYLER:**

21 Q Officer Plyler, where are you employed?

22 A I am employed with Mount Pleasant Police Department.

23 Q What is your exact position with Mt. Pleasant?

24 A I am a K-9 handler.

25 Q What was your position in September of 2015?

1 A I was still a canine handler; however, my dog, my
2 canine, was injured so I was assisting the narcotics unit at
3 that time.

4 Q How long have you been employed with Mt. Pleasant?

5 A Approximately ten-and-a-half years.

6 Q Have you ever served -- I know you said you were
7 assisting narcotics unit. Have you served in a narcotics
8 unit prior to being a canine officer?

9 A Yes, sir. Prior to my K-9 assignment I served in
10 narcotics unit for roughly five years.

11 Q Did you have the occasion to become involved in a
12 traffic stop of the defendant on September 11, 2015?

13 A Yes, sir, I did.

14 Q How were you brought into this case?

15 A I was assigned by Detective Blake to initiate
16 surveillance on the house over a period of probably two,
17 three weeks. I conducted stationary surveillance. I
18 conducted moving surveillance over that period of time.

19 I observed the defendant -- the silver Infinity that is
20 registered to the defendant parked in the driveway of the
21 [REDACTED] residence on numerous occasions.

22 Observed ---

23 Q I'm sorry. As part of this investigation did you
24 assist in the traffic stop of the defendant?

25 A Yes, sir.

1 Q The traffic stop effected by Officer Parks?

2 A Yes, sir.

3 Q During this traffic stop did you have the opportunity
4 to detain and Mirandize the defendant?

5 A I did.

6 Q When you Mirandized him at this point was he in
7 custody?

8 A Yes, he was.

9 Q Was he free to leave?

10 A No, he was not.

11 Q At what point did you read him his Miranda warnings?

12 A I was in constant contact with Detective Blake from the
13 beginning of a stop, traffic stop, on a different channel
14 other than our operations channel.

15 Detective Blake advised that he had located
16 approximately six ounces of cocaine within the residence and
17 he told me -- instructed me to place Mr. Reid under arrest.

18 So I placed Mr. Reid -- told him he was under arrest
19 and advised him of his Miranda.

20 Q When you read him his Miranda warnings was it off of
21 the Miranda card?

22 A No, sir, it was not.

23 Q What it just from memory?

24 A I've read or provided Miranda I would estimate
25 thousands of times. Whether it was my arrest or somebody

1 else's arrest over my ten-and-a-half period. So it was just
2 by memory, yes.

3 Q When you read him his Miranda warnings did he appear to
4 have slurred speech?

5 A He did not.

6 Q Was he intoxicated?

7 A No, sir.

8 Q Did he have any physical or mental impairments?

9 A Not that I noticed.

10 Q Or bloodshot eyes?

11 A No, sir.

12 Q Did he appear to understand?

13 A He did.

14 Q Did he indicate to you that he understood his Miranda
15 warnings?

16 A Initially you can see a head nod in the yes motion.
17 And I actually instructed him that I needed a verbal
18 response. Which he gave me a verbal yes.

19 Q Throughout the course of his detention with you did you
20 do anything for his comfort?

21 A On several times. He had a passenger in the vehicle.
22 It was hot that day. So he was sweating. Allowed the
23 passenger to wipe his face and brow with his bottom of his
24 shirt. He wiped his brow several times. Allowed him to
25 smoke a cigarette. His -- we allowed his passenger to ash

1 his cigarette.

2 We actually moved him from the front of the vehicle to
3 a shaded area. Which luckily there was a small brick wall
4 there so he could sit on and rest in the shade.

5 Q Once you moved him into the shade did you ask him any
6 direct questions?

7 A Nah -- no, sir, not any direct questions.

8 Q Did you tell him anything?

9 A I did.

10 Q What did you tell him?

11 A I wanted to tell him why he was under arrest. And I
12 told him specifically that there was some cocaine located.

13 Q Did he respond to that statement?

14 A He responded with a statement. And I quote it: In the
15 jar?

16 And "in the jar" had a question tone to it.

17 Q Did you reply to that statement?

18 A I did not.

19 Q Did you know anything about a jar at that point?

20 A I did not.

21 Q Did you subsequently learn anything about the jar?

22 A I did.

23 Q What did you learn?

24 A When we got back to the Police Department once the
25 defendant was transported we followed -- followed behind

1 shortly. Detective Blake and several detectives arrived.

2 I observed the evidence seized from the search warrant
3 laying out on the table. And I observed a small glass jar
4 maybe about the size of this cup here (pointing) to have I
5 believe there was coke and maybe crack in the jar. At least
6 there was come coke in the jar.

7 Q When you arrived at the station -- did you travel with
8 the defendant to the station?

9 A I did not.

10 Q Where was the defendant when you arrived at the
11 station?

12 A In the interview room.

13 Q Was he in custody at that point?

14 A Yes, sir.

15 Q Was he free to leave?

16 A No, sir.

17 Q Did you go into the interview room?

18 A I did.

19 Q Was he handcuffed at that point?

20 A He was.

21 Q Was it in the front or the back?

22 A Behind -- behind his back.

23 Q Did you move it to the front?

24 A Yes, I did.

25 Q Did you offer him any water?

1 A I offered him water and a bathroom break.

2 Q Did you personally advise him of his rights at that
3 time again?

4 A I did.

5 MR. PATRICK: Your Honor, may I approach? I think you
6 have Exhibit 2.

7 THE COURT: Uh-huh. There you go.

8 (WHEREUPON, exhibit handed to counsel.)

9 MR. PATRICK: Thank you, Your Honor.

10 THE COURT: Yes, sir.

11 Q I am showing you what has been marked and admitted as
12 State's 2. Can you just walk us through the top of that
13 form.

14 A Yes. So on the top of the form it is the Mount
15 Pleasant Police Department advisement of rights. It is a
16 carbon copy. You have a yellow and a pink copy.

17 Up here on the page number I put Page 1. Didn't know.
18 Usually there are written statements. So I left that blank
19 in case there were a written statement. It would be Page 2
20 and so on.

21 This is the case number (pointing to form). And this
22 is the suspect, Alexander Reid (pointing to form).

23 He provided me the address of Quest Drive which is in
24 North Charleston, date of birth, and phone number. All of
25 that is in my handwriting.

1 Q And each of those questions I see there is an initial
2 by that. Is that your handwriting or his handwriting?

3 A That is Mr. Reid's handwriting.

4 Q When you ask those questions do you go through each one
5 of them individually or do you do it as a block?

6 A Again, this is my name (pointing). And it is basically
7 advising the defendant that I am a member of the Mt.
8 Pleasant Police Department and I am advising him of his
9 rights.

10 And when I instruct the defendant of his rights I start
11 with number one. And I explain number one. I ask if there
12 are any questions, do you understand.

13 Once I get a verbal response I understand, I have them
14 initial. And then I go to number two. So I read each
15 number, get an initial, and go to the next number.

16 Q And after you went through the advisement of rights
17 with the defendant was that -- complete your involvement
18 with this case?

19 A Yes, sir, once I had him sign saying that he understood
20 his rights.

21 MR. PATRICK: No further questions, Your Honor.

22 THE COURT: Cross-examine?

23 MR. MAYER: Just very briefly, Your Honor.

24 **CROSS-EXAMINATION BY MR. MAYER OF OFFICER TOMMY PLYLER:**

25 Q Officer Parks -- I'm sorry, Officer Plyler. When you

1 got involved in the traffic stop of my client isn't it true
2 that that was around one o'clock that day?

3 A No, sir.

4 Q Okay. What are you relying on to give me that answer?

5 A Watching the video and listing and looking at the
6 timestamp of the in-car and body-camera videos.

7 Q Okay. And do you remember what those said?

8 A I think the traffic stop was approximately 2:13 p.m.

9 Q 2:13 p.m. Okay. And was that the -- at what point in
10 the traffic stop was at 2:13; was that while he was sitting
11 on the side of the road, or was that the end of it, or is
12 that the middle of it or the beginning of it or when?

13 A The beginning.

14 Q That was the beginning of it. Okay. And you relied on
15 a video for that?

16 A Multiple videos and audio.

17 Q All right. Now while you were on the side of the road
18 there even though it wasn't your day to have your canine
19 with you isn't it true that y'all did bring a canine out?

20 A Officer Parks that initiated the traffic stop was a
21 canine officer.

22 Q Okay.

23 A He had his canine with him in the car.

24 Q Okay. And isn't it true that you guys asked to search
25 the car and my client didn't give you consent?

1 A I don't recall that part. But could very well have
2 happened.

3 Q Okay. And after not getting consent then y'all ran the
4 dog around the car checking for scents; is that accurate?

5 A Well, checking for odors; not scents, yes.

6 Q What is the difference?

7 A An odor is -- and it is just the terminology we use.

8 Q Okay.

9 A We check for odors. Odor of narcotics.

10 Q Terminology?

11 A Yes, terminology.

12 Q Okay. Fair enough. And after -- after, I guess it was
13 Officer Parks took his dog around; is that correct?

14 A Free air sniff, yes, sir.

15 Q Okay.

16 A And after the free air sniff y'all ended up doing a
17 search of that vehicle, right?

18 A Probable cause search, yes, sir.

19 Q Okay. And y'all's contention is that the dog kind of
20 hit on the car; is that the term you use?

21 A It provided a final response that the odor of an
22 illegal narcotic was present or had recently been present.

23 Q Okay. And in your search you didn't find anything in
24 that car, right?

25 A No, sir.

1 Q Okay. I mean, no, sir, like, yes, that is correct you
2 didn't find anything?

3 A We did not find anything.

4 Q Okay. All right. And you weren't in the -- you
5 weren't in the interrogation room when my client was being
6 questioned, correct?

7 A Correct.

8 Q Okay. Are you contending that my client made any
9 statements to you about who these drugs belonged to or what
10 the intention of these drugs was?

11 A Am I contending?

12 Q Yes.

13 A I don't understand.

14 Q Are you saying that you heard my client say any of this
15 stuff about these drugs?

16 A I did not.

17 Q Okay. No further questions.

18 THE COURT: Redirect.

19 MR. PATRICK: Briefly, Your Honor.

20 **REDIRECT EXAMINATION BY MR. PATRICK OF TOMMY PLYLER:**

21 Q Did you personally run your canine unit during this ---

22 A I did not. He was injured.

23 Q He was injured?

24 A Yes.

25 Q Were you with the defendant throughout that roadside

1 stop?

2 A Yes, sir. Officer Parks conducted a traffic stop on
3 Mr. Reid's Infinity. And I was there within seconds backing
4 him up.

5 Q As far as the timeline of when the stop occurred do you
6 recall dispatch like giving pretty frequent updates on the
7 time?

8 A Typically -- I don't recall it. But typically when an
9 officer keys up to say traffic stop or to just put any kind
10 of information out, dispatch will copy and provide a time --
11 a verbal timestamp on -- on the radio.

12 MR. PATRICK: Court's indulgence, Your Honor.

13 (WHEREUPON, pause 10/12/17, 3:43 p.m.)

14 MR. PATRICK: No further questions, Your Honor.

15 THE COURT: Recross.

16 MR. MAYER: Nothing, Judge.

17 THE COURT: Thank you. You may step down.

18 THE WITNESS: Yes, sir. Thank you.

19 (WHEREUPON, witness steps down.)

20 THE COURT: All right. Any additional witnesses?

21 MS. LINDER: No other additional witnesses from the
22 State.

23 THE COURT: Very well.

24 Do you wish to present any witnesses?

25 MR. MAYER: Yes, Judge, please.

1 THE COURT: Very well. You may proceed.

2 MR. MAYER: Thank you very much, Judge. We would call
3 Mr. Rouse to the stand, please.

4 MS. LINDER: Your Honor, I was -- I would like to
5 know -- I don't know what Mr. Rouse is here for.

6 THE COURT: I don't know either, but we are about to
7 find out. That -- he is bringing all the issues -- he is
8 going to come in and you will have a chance to reply if
9 necessary.

10 (WHEREUPON, the witness was duly sworn.)

11 THE CLERK: Please state your first and last name and
12 spell your last name loudly and clearly.

13 THE WITNESS: Khaleel Rouse. Rouse, R-O-U-S-E.

14 THE COURT REPORTER: And your first name again?

15 THE WITNESS: Khaleel, K-H-A-L-E-E-L.

16 THE COURT REPORTER: Thank you.

17 **DIRECT EXAMINATION BY MR. MAYER OF KHALEEL ROUSE:**

18 Q Mr. Rouse, please introduce yourself to the court. Let
19 them know what kind of work you do and a little bit about
20 yourself..

21 A My name is Khaleel Rouse. I work at Konteen (ph)
22 building out radiators for tractor trailers.

23 Q All right. And you have a history, I understand it,
24 with Mt. Pleasant police officers?

25 A Yes, sir.

1 Q Okay. And specifically with Officer Blake; is that
2 correct?

3 A Yes, sir.

4 Q Tell us what you encountered; I believe it was just
5 last year, is that accurate?

6 A Yeah, well, they so-called had a CI said that I sold
7 him something or whatever. So they had a search warrant to
8 come to my house. Which the arrest warrant wasn't signed
9 when they came to my house.

10 And they also claimed they found a bag of heroin in my
11 house which they so-called tested on the scene, field
12 tested; and they said it was test positive to be heroin.
13 But when I got my lab work back it test negative for drugs,
14 period.

15 Q All right.

16 A I was charged -- I was charged with that drug.

17 Q I am sorry to interrupt you. I just wanted to kind of
18 break it down a little bit more slowly. So you said that
19 there was a search warrant for your house; ---

20 A Yes, sir.

21 Q --- is that right, based on an alleged sale?

22 A Yes, sir.

23 Q Okay. And then your house was searched?

24 A Yes, sir.

25 Q And this is -- again, this is Detective Blake doing

1 this?

2 A Yes, sir.

3 Q And then during the search Detective Blake tested
4 two -- tested some white powder or something; right, ---

5 A Yes, sir.

6 Q --- field tested? Okay. And based on that the next
7 thing you knew you were getting arrested?

8 A Getting arrested for possess- -- distributing heroin.

9 Q Okay. And what ever happened to that charge?

10 A It was thrown out.

11 Q And why was it thrown out?

12 A Because it was tested negative for drugs.

13 Q When it was actually sent to a lab?

14 A Actually sent to the lab.

15 Q Okay. All right. And I believe you had a prior issue
16 with Officer Blake as well; is that accurate?

17 A Yeah, I also had another incident with Mt. Pleasant on
18 a so-called traffic stop.

19 Q Please describe that for the court if you would.

20 A I pulled in my yard one night from picking my daughter
21 up from work. And maybe like thirty seconds after I pulled
22 in my yard I saw -- I saw blue lights flashing, so I leaned
23 up.

24 An officer walked to my car and tell me driver's
25 license and registration. As he walked -- he walked in my

1 yard. So I am telling him why do you need a driver's
2 license and registration and you are -- I am -- I am in my
3 yard.

4 So he said he smelled alcohol on my breath. So I told
5 him to call the sergeant. Which he did. Called the
6 sergeant.

7 They wanted me to take a breathalyzer test. But they
8 didn't have a test in the car. So they wanted me to go down
9 to Mount Pleasant police station. I did that. I passed a
10 breathalyzer test blowing a double zero.

11 After I -- after I passed the breathalyzer test the
12 officer wanted me to go to the hospital to take a urine
13 test. I refused to take a urine test because I felt like if
14 I passed the breathalyzer test there is no need -- there is
15 no need to take a urine test.

16 I still got locked up because after that they came to
17 found some marijuana in my car. Once again they talked
18 about marijuana and DUI, simple possession -- paraphernalia
19 and simple possession of marijuana.

20 I went to court and they ended up dropping all of the
21 charges. I ended up beating all of the charges.

22 Q So it wasn't actually marijuana that they found?

23 A It wasn't no marijuana.

24 Q Okay.

25 A It was a bag with dust in it. It looked like dirt.

1 Q Please answer any questions that the prosecutor may
2 have for you.

3 A Yes.

4 THE COURT: Do you have questions?

5 **CROSS-EXAMINATION BY MS. LINDER OF MR. ROUSE:**

6 Q All right. Kagleel Antonio Rouse; is that correct?

7 A Yes, ma'am.

8 Q Date of birth [REDACTED]?

9 A Yes, ma'am.

10 Q Okay. I just want to kind of clarify a few things.

11 You have been in trouble with the law before?

12 A Yes, ma'am.

13 Q I think you have already testified to that.

14 THE COURT: Solicitor, we don't need to go into all of
15 that. I don't need to hear that. I don't need to hear
16 that. This is me. A jury if he testifies - which I don't
17 think he will be able to - but we will see. But go
18 specifically.

19 MS. LINDER: Absolutely, Judge.

20 THE COURT: I don't need to know whether he has been in
21 trouble with the law before.

22 MS. LINDER: Right, Judge. Of course.

23 Q Where I was going was you said that last year Mt.

24 Pleasant Police Department and Special Agent Blake

25 specifically did a search warrant at your house and that was

1 last year and that was ---

2 A Yes, ma'am.

3 Q --- Mt. Pleasant, right?

4 A Yes, ma'am.

5 Q Your house in Mt. Pleasant?

6 A [REDACTED].

7 Q Okay. So what I am trying to find here as I am going
8 through this -- and it looks like you were arrested March
9 20th of 2017 by Mt. Pleasant Police Department; does that
10 sound right?

11 A It was in March.

12 Q Okay. Would it surprise you to know that Special Agent
13 Blake started with SLED in December of 2016, three and a
14 half months prior to this?

15 A He is the head of narcotics agent.

16 Q What?

17 A He is the head of narcotics agent.

18 Q Blake is the head of narcotics ---

19 A Well, ---

20 Q --- agent?

21 A --- he was -- well, he was the head of narcotics agent.

22 Q Okay. All right.

23 A I just ---

24 Q So this -- this arrest that you talked about in ---

25 MR. MAYER: Judge, we would ask that he be allowed to

1 finish his answer.

2 THE COURT: I will -- I have yet -- and I am going to
3 allow you some leeway, but I have yet to see the relevance
4 to any of this.

5 But anyhow that is what I am saying what questions you
6 want. You don't need to ask these questions. There is no
7 connection here yet.

8 MS. LINDER: Judge, I agree it is not relevant to ---

9 THE COURT: Okay. Well, then object to the relevance
10 and I will overrule your objection and allow him to do it
11 for the purposes of this proceeding. Do you understand what
12 that means?

13 MS. LINDER: Yes, Judge.

14 THE COURT: The weight of it to be given by the trier
15 of the facts?

16 MS. LINDER: Yes, Judge.

17 THE COURT: Okay. Thank you.

18 MS. LINDER: May I finish questions ---

19 THE COURT: You can ask any questions you want. Let's
20 just get to the point, okay.

21 MS. LINDER: No, I was asking him that the one he said
22 where Blake didn't start to work was at that time.

23 THE COURT: I understand.

24 A Both of them was narcotics agents. And I was -- I was
25 falsely accused of drugs on both times.

1 Q And you were falsely accused by Blake in 2017?

2 A I was falsely accused by Mt. Pleasant narcotics agents
3 by having drugs on both times and beat on both of the
4 charges. Because it was not drugs.

5 MS. LINDER: Okay. I am not going to have anything
6 further. I may ask for judicial notice at a later time
7 about items of this.

8 THE COURT: Thank you. Redirect.

9 MR. MAYER: No, Judge.

10 THE COURT: You can step down. Thank you, Mr. Rouse.
11 Any additional witnesses?

12 MR. MAYER: Yes, Your Honor. Just one who stayed
13 around from this morning. We have James Boykin.

14 THE COURT: Okay.

15 (WHEREUPON, the witness was duly sworn.)

16 THE CLERK: Please state your first and last name and
17 spell your last name.

18 THE WITNESS: James Boykin, B-O-Y-K-I-N.

19 THE COURT: You may proceed.

20 MR. MAYER: Thank you, Your Honor.

21 **DIRECT EXAMINATION BY MR. MAYER OF JAMES BOYKIN:**

22 Q Mr. Boykin, please just introduce yourself to the court
23 if you would.

24 A James Boykin, disabled veteran. I work ILA. I live in
25 Mt. Pleasant, [REDACTED].

1 Q Thank you, sir. And at some point you had an
2 interaction with Officer Blake; is that correct?

3 A Yes, I have. Several occasions.

4 Q Several occasions. Can you just briefly run through
5 one of those for the court.

6 MS. LINDER: I want to object to relevance, Your Honor.

7 THE COURT: I will allow it for the purpose of this
8 proceeding so he can built his record.

9 A Yes, it was like two or three years was coming up 41.
10 And then a friend of mine, two female friends, he stopped
11 us. Said that she didn't use her turn signals.

12 All of a sudden he was asking me for ID. I am in the
13 back seat. I am like what do I need an ID for, I am not
14 driving. But I gave it to him anyway. It came back with no
15 warrants.

16 He is telling me he wanted to search me. So now I
17 said, well, you can pat me down. He said, well, I am doing
18 this for my safety.

19 How are you in any kind of harm and you have got four
20 other narcotics unit officers with you how could you be in
21 any harm's way.

22 But he pulled me out of the car anyway after I objected
23 to a consensual search. Patted me down. He found a bill.
24 I had a little bit of cocaine in it. But my thing was ---

25 Q Where was that found?

1 A In my little duck pocket.

2 Q If you will stand up and describe that.

3 A In my little duck pocket, right here (pointing).

4 Q All right. Go ahead and sit back down.

5 A And so the first thing I sit here and listened to him
6 today him lie saying he don't ask people to cooperate with
7 him and to help set people up.

8 That is a lie because that is the first thing he asked
9 if you are willing to work a deal and set some people up who
10 is bringing the drugs in. And I told him no.

11 He took me to jail. He made up some kind of weight.
12 They threw it out because it was no consensual search. And
13 it was all caught on camera. So they eventually threw it
14 out.

15 Q Okay.

16 A Detective Blake is the type of guy he harasses
17 people ---

18 THE COURT: No, sir, I am not going to allow you to
19 testify.

20 THE WITNESS: Okay.

21 THE COURT: You are not making a statement, sir. You
22 are here to answer questions.

23 THE WITNESS: Okay.

24 Q Mr. ---

25 THE COURT: And that is not relevant, your opinion of

1 anyone, sir.

2 THE WITNESS: Okay.

3 THE COURT: Thank you.

4 Q Mr. Boykin, what year was that?

5 A It was in 2014 or '15.

6 Q And was there another time -- was there another time
7 when the concept of an informant came up between you and
8 Blake?

9 A Yes.

10 Q If you would just tell the court briefly about that.

11 A This was in about 2015 he came by a couple of times
12 wanting me to help him set -- I think it was Delaney and
13 somebody else up. And I kept denying him. I had Peter
14 Brown, the attorney Peter Brown, as my attorney.

15 Me and my girlfriend had gotten into an altercation. I
16 got arrested for a domestic. And he came again trying to
17 get me to -- telling me he could make it go away if I helped
18 him set some people up.

19 Q Okay.

20 A And I told Peter Brown to let him know I would rather
21 go to jail because if I got in trouble I am going to have to
22 do my time for whatever I did, I am not setting nobody up.

23 Q Okay. But nevertheless were you confronted by someone
24 who claimed that you had set them up?

25 A Yes. There was a guy that got arrested on my street on

1 York Street for breaking in a house or marijuana or
2 something. He said Blake told him that I gave him
3 information to lead to him.

4 Where he could have gotten me killed for lying on me
5 saying that I helped -- a little guy named Omar -- I don't
6 know his last name. But he lives farther down on York
7 Street.

8 And I was like, well, why would you do that; the guy
9 came approaching me hostile, saying that I set him up because
10 Blake told him when they came to the house that I was the
11 one that gave them the information, and I did no such thing.

12 Q And at some point did you get so fed up with this
13 activity that you started a petition about this activity ---

14 A Yes, because of the stuff that he was doing was wrong.
15 I mean if I had done it then I would have admit to it saying
16 that I had set somebody up.

17 But I did no such thing. So he shouldn't lie saying
18 that I did it. Because if I had done cooperated with him I
19 would admit to saying, yes, I did cooperate and I helped set
20 someone up. But I did not.

21 MR. MAYER: Judge, may I approach?

22 (WHEREUPON, Defendant's Exhibit Number 2, was marked for
23 identification.)

24 Q I am handing you what has been marked for
25 identification only as Defendant's Exhibit 2. Do you

1 recognize that?

2 A Yes, sir.

3 Q What is that?

4 A It is a petition against racial profiling, civil rights
5 violation, police misconduct with Mt. Pleasant Police
6 Department.

7 Q And is that the petition you just described a few
8 minutes ago?

9 A Yes, sir.

10 Q When did you start that petition?

11 A On the 11th of 17th, 2016.

12 Q Okay. And would that be November of 2016?

13 A Yes, sir.

14 Q Okay. And you circulated that petition among your
15 neighbors out that way?

16 A Yes, sir.

17 Q Okay. And did a lot of that petition have to do
18 with the activities and the experiences that those signers
19 had ---

20 A Yes, sir.

21 Q --- with Officer Blake?

22 A Yes, sir.

23 Q Specifically?

24 A Yes, sir.

25 Q And you talked to them about that?

1 A Yes, sir.

2 MR. MAYER: Judge, we would offer this petition into
3 evidence.

4 THE COURT: Any objection?

5 MS. LINDER: Judge, I would object to irrelevance and a
6 whole number of things.

7 THE COURT: Let me ask a question. Any of the judges
8 that signed the arrest warrant sign that petition? Excuse
9 me, signed the search warrants in either -- any stage? Any
10 of the judges sign it?

11 MR. MAYER: I'm sorry, Your Honor ---

12 THE COURT: Any judge that signed a search warrant
13 allowing the officer to lead, did they sign that petition?

14 MR. MAYER: No, Your Honor.

15 THE COURT: Okay. Then it is relevant to nothing.

16 MR. MAYER: Okay.

17 THE COURT: Thank you. I sustain the objection.

18 (WHEREUPON, Mr. Mayer retained exhibit.)

19 THE COURT: It is part of the record. Mr. Mayer, you
20 need to leave it.

21 MR. MAYER: Oh, I am so sorry.

22 THE COURT: It is part of the record. I sustained the
23 objection. The court can review it as to whether it is
24 relevant or not. I don't find it to be relevant to this
25 proceeding at all.

1 (WHEREUPON, exhibit returned to court reporter.)

2 THE COURT: Nothing more than a character
3 assassination. And it is not relevant to this proceeding.

4 MR. MAYER: Judge, I have no further questions for Mr.
5 Boykin.

6 THE COURT: Thank you.

7 Do you have any questions of this witness?

8 MS. LINDER: Judge, I have no questions for the
9 purposes of this hearing. Thank you.

10 THE COURT: Thank you.

11 You may step down, sir.

12 (WHEREUPON, witness steps down.)

13 THE COURT: Any other witnesses?

14 MR. MAYER: Judge, we had several witnesses this
15 morning. I would like ---

16 THE COURT: You have no other witnesses then?

17 MR. MAYER: No, Your Honor, no other witnesses. I
18 wonder if I can read their names for the record.

19 THE COURT: No, sir. Thank you, sir.

20 Any reply witnesses?

21 MR. MAYER: No, Your Honor.

22 THE COURT: Thank you. I will be happy to hear from
23 you as to why I should suppress the evidence and why I
24 should suppress the statement.

25 And I will let you respond to Mr. Mayer.

1 MR. MAYER: Thank you, Your Honor. May it please the
2 court.

3 THE COURT: Sure.

4 MR. MAYER: With regard to the suppression of the
5 evidence the testimony from Officer Blake was that there was
6 a tip that he got, two different tips, and then he relied
7 largely on the trash pulls, Your Honor.

8 And even Officer Blake himself admitted that there was
9 additional resident -- or residence or residences along the
10 same location, behind the same house, Judge. And for that
11 reason -- and he also testified that he never saw my client
12 take this trashcan to the curb.

13 For that reason I would think that all of the materials
14 that were found in these trashcan pulls where there is a
15 situation where there is not just one clear residence, where
16 it is multiple residences, those are not reliable indicia of
17 reasons for a search, Your Honor.

18 So the only thing that it falls back on is an anonymous
19 tip through Crime Stoppers and then someone who Detective
20 Blake testified to that he had just collared on an arrest.

21 And although he claims he didn't ask him to inform, the
22 guy apparently just spontaneously wanted to get this off of
23 his chest and explained that well there is this Batman
24 character and you know he does XY and Z.

25 Judge, I just don't -- I don't find it believable as to

1 the credibility of Detective Blake. And so to allow -- to
2 allow this whole search to go forward based on what amounts
3 to a very very questionable spark for this to begin, I would
4 ask that it be suppressed.

5 THE COURT: Thank you, sir. Your position is noted for
6 the record. And I totally disagree with your assessment of
7 the credibility.

8 I find his testimony to be extremely credible. He not
9 only -- he got a tip and didn't just act on the tip, he went
10 and did a thorough investigation.

11 He did more investigation, surveillance. Went out and
12 did trash pulls. Analyzed it. Got -- I haven't heard one
13 iota -- maybe these other persons -- if I had heard some
14 testimony about this -- I didn't know who your witnesses
15 were going to be, but if there was testimony that none of
16 these drugs that were found were not drugs at all, were
17 nothing, then maybe you start to tie in some of this. But
18 it is not. We have drugs that he found.

19 He did a thorough trash pull. Beg to differ with you.
20 You can argue that. The jury can reach a determination as
21 to what they want.

22 This picture clearly shows a driveway in front of the
23 house. And that's where the trashcan was. Can we be
24 assured that nobody came by and stuck something in that
25 trashcan? Absolutely not. And that is a jury issue.

1 But is it a basis for probable cause? That is all we
2 are talking about for the issue of a search warrant. We are
3 not -- we are not talking about can we -- is this sufficient
4 to prove him guilty beyond a reasonable doubt because they
5 don't have to do that.

6 They have a reason to investigate to make an
7 investigation, which clearly was founded. And then further
8 confirmed by exactly what the tipster said.

9 So we have all of the indicia that supports the
10 accuracy of everything he got, notwithstanding his own
11 independent investigation which revealed it.

12 And then we have the statement which I have already
13 ruled on concerning the first statement. So I can rely on
14 that. I haven't ruled on the other statement yet. But we
15 have the first statement that I have already ruled on that
16 he sua sponte voluntarily said those are my drugs. And
17 there was no question they were drugs.

18 So the difference between that and the other witnesses
19 is those witnesses didn't -- they said there weren't any
20 drugs and those charges were dropped.

21 You know, again, we get to the process and I am not --
22 I was a lawyer too. But we all know as lawyers officers
23 aren't supposed to have their cases -- think that they have
24 a slam-dunk case. They are supposed to investigate fully.

25 But if they have something that warrants them taking an

1 action and he suspects there is, if it tested positive.

2 Can there be mistakes in that? Sure there are. They
3 are every day. That is why we have it further tested. If
4 it comes back that it wasn't, what happens?

5 What happened in those cases you testified to? They
6 were dismissed. Well, my goodness, how about that. Isn't
7 that exactly what should be done. But that is not his call.
8 That is the court's call.

9 Because the minute an officer starts dismissing it we
10 know what the next allegation is going to be. Oh, you
11 dismissed his because you liked him. Now the officer is in
12 a devil of a mess. So he did -- they did exactly what they
13 should do.

14 I understand people get upset with law enforcement. In
15 my lifetime I have too. But that doesn't discredit his
16 investigation which I find to be incredibly thorough in this
17 particular case. Very commendable how the officers went
18 about handling this taking into consideration all sorts of
19 aspects of it.

20 So I disagree with your assessment of it, but the jury
21 will have to -- that will be up to the jury because it
22 doesn't depend on mine.

23 But now let's -- let me hear you on the statement as to
24 voluntariness. Be happy to hear from you, Mr. Mayer.

25 MR. MAYER: Judge, thank you, Your Honor. And the

1 statement as I have it written up is the one that pertains
2 to Mr. Reid stated he was only going to sell the cocaine to
3 attempt to make some quick money to assist in the cost of
4 the funeral of his sister. And then also about where he
5 sleeps in that house, Judge.

6 Your Honor, it is unfortunate that there is no audio or
7 video or another witness to this, Judge. I feel like -- I
8 just -- I think it is such a shame that there is not there,
9 you know, for both sides.

10 But my client is adamant that this -- these words never
11 came out of his mouth he's -- he said from the get-go he
12 claimed the drugs, he claimed the drugs from the very
13 beginning.

14 And he has been a very straight shooter with me.

15 This -- this whole allegation about, oh, I said why I
16 had it, I said what I was going to do with it and how I was
17 going to make money from it and this sort of stuff, I just
18 feel like is -- is opportunistic by the investigating
19 officer.

20 THE COURT: You can argue that to your heart's content
21 to the jury as to whether they want to believe that. But
22 you have just confirmed that your client admitted that the
23 drugs were his. So therein lies the whole crux of this
24 case.

25 So and it really comes down to kind of what you asked

1 about the question of scent and odor. And I understand what
2 you were saying; it is a matter of semantics.

3 And maybe -- and he can -- he can get on the stand and
4 say I didn't tell him that, I told him they were my drugs
5 but I didn't tell him that.

6 But of course unfortunately that is -- isn't that the
7 crux of this entire case?

8 MS. LINDER: Yes, Judge. It is a trafficking,
9 possession ---

10 THE COURT: So but anyway be that as it may, I find the
11 statement to be freely -- again, let me make this clear too;
12 because you are exactly right, Mr. Mayer; you can argue
13 those points, and those are certainly points a jury may well
14 consider: You had an opportunity to record it; you had an
15 opportunity to video it; you didn't do that.

16 Whether the fact finder wants to put a lot of weight on
17 that, I don't know. That is up to them. Because I don't
18 make that call.

19 My -- my determination is based on the preponderance of
20 the evidence at this stage. I find the statement to be
21 freely, voluntarily, knowingly, and intelligently made. I
22 find the officer's testimony to be credible.

23 Clearly State's Exhibit 2 and the testimony concerning
24 State's Exhibit 2 concerning the Miranda warnings establish
25 that he was well aware of his rights. By your own admission

1 he knew what he was doing.

2 The totality of the circumstances that have
3 testified -- there has been testimony for me that this is
4 not his first involvement with drugs. He was clearly -- he
5 is not a novice to this. He understands fully. And he
6 acknowledged that clearly on the -- with the testimony. So
7 I find it to be consistent with a statement given after
8 fully being advised of Miranda warnings.

9 I find the statement to be freely and voluntarily made
10 without any threat or coercion, without any promise. So I
11 would allow it to go to the jury.

12 MR. MAYER: Judge, do you want to make a ruling on the
13 roadside statement as well?

14 THE COURT: That is all of them. I mean the statement
15 on the roadside is really -- I don't know that it -- it
16 could technically be in response to it.

17 But I am ruling -- he gave him his Miranda warnings.
18 We now have the Miranda warnings that the officer said I did
19 it from memory.

20 I assume -- I mean he has also gave -- went through the
21 same one. So there is no question that it was any
22 different. At the time of trial he will probably say -- you
23 know, he will spout them out just like I am sure he has done
24 100,000 times. So -- but, but -- so I find it to be after
25 full notice.

1 And, again, we are not talking about someone that has
2 never been involved in the law here. I mean with the law.
3 This man knew exactly what he was doing.

4 And when he was told we have got drugs he probably said
5 those things. At least I am fine about a preponderance of
6 the evidence that it did. And I find it to be freely and
7 voluntarily done and after fully being advised of his
8 Miranda warning.

9 So, but you know what, and with all due respect to any
10 of this, if you want to have that -- I don't know why you
11 would want to run the risk on that when you have got him
12 already admitting that the first statement is his. But
13 anyway do what you want.

14 MR. MAYER: Yes, Your Honor.

15 THE COURT: Thank you. But so I think I have addressed
16 all of the issues.

17 MS. LINDER: The CI versus the tipster.

18 THE COURT: There is no CI in this case. There is a
19 tipster. And there is no requirement -- my Lord, if there
20 is a requirement to do tipsters you might as well tell Crime
21 Stoppers quit calling, no need.

22 That is -- that is a useful, a very valuable law
23 enforcement tool. And I don't think there's any problem --
24 there is no question in this case we don't have a CI.

25 The witness had testified he asked him to be a CI. And

1 that is interesting. And if he had those -- that horrible
2 experience -- and I am sorry for that. I know that was
3 disturbing. It would be to me too when somebody threatens
4 you for that. But that doesn't have anything to do with
5 this case because there is no CI in this case. There is
6 simply a person that really and truly came to them.

7 I admire the person. Maybe he was arrested. I don't
8 have any evidence that he was given any kind of reward for
9 that. And the fact -- in fact the officer did not know the
10 outcome. I commend him for that.

11 Sometimes I think when they follow it through to the
12 end result you almost say you have got a vested interest in
13 what you did. That supports his credibility. I make the
14 case and whatever happens to it, happens to it. So I
15 commend him for that as well.

16 So there was no CI in this case. So it is clearly a
17 tipster. Thank you.

18 MR. MAYER: Thank you, Your Honor.

19 THE COURT: Now to memorialize this if you will prepare
20 an order so we can have this. Submit it to Mr. Mayer. If
21 you have any objections to the wording of the order just let
22 me know. But it doesn't have to be any great depth. So we
23 will have this.

24 But I think my ruling is on the record in detail and
25 you can rely on that. Okay.

1 MR. MAYER: Thank you, Judge.

2 THE COURT: Thank you all. Appreciate it very much.
3 Thank you very much. Sorry again for the confusion today
4 and having to take and stop and come back. Appreciate your
5 patience.

6 MS. LINDER: So Judge, we will be ready to go first up
7 on Monday then.

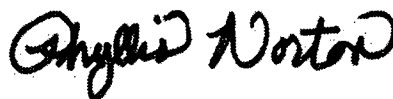
8 (WHEREUPON, the hearing concluded 10/12/17, 4:11 p.m.)

(NOTE: Please contact the court reporter for additional copies or certified transcripts.)

CERTIFICATE

I, the undersigned Phyllis Norton, Official Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all proceedings had and evidence introduced in the captioned case, relative to appeal, in the court for South Carolina, on October 12, 2017.

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



PHYLLIS NORTON, CVR

Date: December 16, 2017

Certified Transcript Provided For: SCCID
Certification Reference #121617 Original

STATE OF SOUTH CAROLINA	)	COURT OF GENERAL SESSIONS
	)	NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
The State of South Carolina,	)	CASE NO. 2016-GS-10-01947
	)	2016-GS-10-01948
PLAINTIFF,	)	2016-GS-10-01949
	)	2016-GS-10-06457
	)	
Vs.	)	TRANSCRIPT OF RECORD
	)	
	)	
Alexander Reid,	)	
	)	
DEFENDANT.	)	

October 16, 2017

Charleston, South Carolina

B E F O R E:

The Honorable R. Markley Dennis

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

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I N D E X

HEARING - Guilty Plea -- 03

EXHIBITS - None Proffered

CERTIFICATION OF TRANSCRIPT -- 26

If you need an additional copy of this transcript or a sealed transcript or if opposing counsel requires a copy of the transcript, you should contact the court reporter.

Certification will satisfy Rule 80, Stenographic Report of Transcript as Evidence.

1 THE COURT: You are here. As I understand, Mr. Reid
2 has decided to enter a guilty plea; is that correct,
3 Solicitor?

4 MS. LINDER: Yes, Judge.

5 THE COURT: Is that correct, Mr. Mayer?

6 MR. MAYER: Yes, Your Honor.

7 THE COURT: All right. If you will come forward.
8 (WHEREUPON, defendant and counselors come forward.)

9 THE COURT: All right. And it appears from looking at
10 the sentencing sheet that Mr. Reid has signed that it is an
11 Alford plea. Is that correct?

12 MR. MAYER: It is on everything except trafficking,
13 Judge.

14 THE COURT: All right. Okay.
15 (WHEREUPON, document presented to the court by the clerk.)

16 THE COURT: What are the terms of the negotiated
17 sentence, Solicitor?

18 MS. LINDER: Your Honor, the terms of the negotiated
19 sentence there are three firearm charges that are getting
20 nolle prossed and two proximities that are getting nolle
21 prossed as part of this case. And then he had another
22 arrest. And those cases are also going to get nolle
23 prossed.

24 And this is for a negotiated 20 years active. That 20
25 is only an eligible sentence for the two drug charges. And

1 we understand that unlawful conducts only carry up to ten.

2 And we ask that those be concurrent.

3 THE COURT: Very well.

4 Mr. Mayer, is that your understanding of the terms of
5 the negotiated sentence?

6 MR. MAYER: Yes, Your Honor.

7 THE COURT: Very well.

8 Mr. Reid, good morning, sir.

9 MR. REID: Good morning.

10 THE COURT: You have had the opportunity to discuss
11 with your lawyer these charges, correct?

12 MR. REID: Yes, sir (spoken softly).

13 THE COURT: And I need for you -- and I appreciate it.
14 You are communicating well with me, and not a problem. But
15 one of the things that we told the last person, the lady
16 seated to my right is taking down everything that we are
17 talking about.

18 MR. REID: Oh, okay.

19 THE COURT: And we need to speak loudly ---

20 MR. REID: Yes, sir.

21 THE COURT: --- so that she can hear us ---

22 MR. REID: Yes, sir.

23 THE COURT: --- and make sure that we speak.

24 MR. REID: Yes, sir.

25 THE COURT: Okay. Thank you, sir. And he has

1 apparently negotiated a sentence for you; ---

2 MR. REID: Yes, sir.

3 THE COURT: --- is that correct?

4 MR. REID: Yes, sir.

5 THE COURT: And the negotiated sentence as your lawyer
6 has explained to you is that -- we don't see these all the
7 time. It is not uncommon, but it is a situation where both
8 sides have talked and have worked out a sentence which they
9 are asking the judge to accept as the proper disposition of
10 these charges.

11 MR. REID: Yes, sir.

12 THE COURT: I -- my options are either to accept it or
13 reject it. I can't modify it in any fashion. Do you
14 understand that?

15 MR. REID: Yes, sir.

16 THE COURT: And you come today and this -- and it is
17 really unusual because you are asking me to impose a 20-year
18 sentence; is that correct?

19 MR. REID: Yes, sir.

20 THE COURT: And I -- you paused. And I wouldn't blame
21 you. As I told the last person, I have put myself many
22 times in your position. I don't take this job lightly. I
23 don't derive any great pleasure taking someone's freedom
24 from them.

25 MR. REID: Yes, sir.

1 THE COURT: But it is part of what I have to do in my
2 job as a judge. But you are asking me to sentence you to
3 jail for 20 years. You realize that?

4 MR. REID: Yes, sir.

5 THE COURT: And your lawyer has explained to you that
6 these 20-year sentences those are involving charges which
7 are non-parolable. Do you understand that?

8 MR. REID: Yes, sir.

9 THE COURT: Meaning that you have to serve at least 85
10 percent of the sentence that I will impose.

11 MR. REID: Yes, sir.

12 THE COURT: And if my math is correct that means a
13 17-year sentence that you would actually serve. Because
14 20 -- 20 years, 85 percent of 20 is 17 years. Do you
15 understand that?

16 MR. REID: Yes, sir.

17 THE COURT: And in addition to that you would be
18 required to complete a two-year community supervision which
19 is basically probation for two years. And if you aren't
20 successful a judge could return you to serve up to one year
21 at a time for the remaining three years or until you satisfy
22 that three years either through serving time or through
23 supervision. Do you understand?

24 MR. REID: Yes, sir.

25 THE COURT: It is your desire that I accept your

1 negotiated sentence, correct?

2 MR. REID: Yes, sir.

3 THE COURT: Indictment 2016-1949 charges you with the
4 offense of trafficking in cocaine; do you understand that?

5 MR. REID: The indictment was 2016?

6 THE COURT: That is the indictment. 2016-1949 is the
7 indictment.

8 MR. MAYER: The indictment.

9 MR. REID: Oh, okay. Yes, sir.

10 THE COURT: And the charge is trafficking in cocaine,
11 28 but less than 100 grams; do you understand that?

12 MR. REID: Yes, sir.

13 THE COURT: And it was actually for what, it was
14 actually ---

15 MS. LINDER: It was one to two hundred, third offense.
16 It is being reduced to 28 to 100 grams, second offense.

17 THE COURT: Second offense which carries a what,
18 ten ---

19 MS. LINDER: This is seven to -- seven to thirty is
20 what this carries.

21 THE COURT: Seven to thirty. Okay.

22 Do you understand that?

23 MR. REID: Yes, sir.

24 THE COURT: And you have negotiated a twenty-year
25 sentence which would be within the seven to thirty years.

1 Do you understand that?

2 MR. REID: Yes, sir.

3 THE COURT: Understanding -- and of course you are
4 pleading to the lesser included offense which is second, not
5 third.

6 Because third would be 25 to 30?

7 MS. LINDER: Yes, Judge.

8 THE COURT: Do you understand that?

9 MR. REID: Yes, sir.

10 THE COURT: Understanding the nature of the offense and
11 the possible punishment, that being 20 years for this
12 offense, what is your plea?

13 MR. REID: Guilty.

14 THE COURT: Okay. Now the remaining indictments you
15 are pleading guilty under Alford. Is that correct?

16 MR. REID: Yes, sir.

17 THE COURT: And basically as I am sure your lawyer has
18 explained to you, an Alford plea -- well, technically the
19 Alford plea which the gentleman that created that law really
20 didn't know whether he was guilty or not because he had
21 apparently become intoxicated through drugs or and/or
22 alcohol to the point that he couldn't remember. But based
23 on what the State was prepared to prove through testimony of
24 witnesses it was his belief that if he went to trial a jury
25 most probably would find him guilty beyond a reasonable

1 doubt.

2 That has sort of been expanded for use over the years
3 to include where a person said I am not guilty but I have a
4 benefit - just as Mr. Alford did - I have a benefit that I
5 want to take advantage of and avoid exposure to a more
6 serious possible punishment and therefore I am pleading
7 guilty under Alford.

8 Is that correct so far as it pertains to you?

9 MR. REID: Yes, sir.

10 THE COURT: In each of these cases based on what your
11 lawyer has shared with you and based on what you know of
12 your own knowledge it is your belief that if you go to trial
13 a jury most probably would find you guilty on these charges?

14 MR. REID: Yes, sir.

15 THE COURT: It is also your belief that the 20-year
16 sentence that you are asking me to impose is a benefit to
17 you?

18 MR. REID: Yes, sir.

19 THE COURT: And also having other charges dismissed is
20 likewise a benefit to you?

21 MR. REID: Yes, sir.

22 THE COURT: Do you understand that you will have a
23 conviction for each of these charges?

24 MR. REID: Yes, sir.

25 THE COURT: And you understand the significance of

1 that?

2 MR. REID: Yes, sir.

3 THE COURT: Let me revisit for just a second, the
4 trafficking you understand is a serious offense?

5 MR. REID: Yes, sir.

6 THE COURT: And you understand the significance of that
7 term and it is a violent offense?

8 MR. REID: Yes, sir.

9 THE COURT: Of course in this particular situation it
10 is a non-parolable so it really doesn't matter.

11 The charge 2017-6457 charges you with possession with
12 intent to distribute crack cocaine; do you understand that?
13 (WHEREUPON, no reply.)

14 MR. MAYER: He is not familiar with the indictment
15 numbers, Your Honor. But ---

16 THE COURT: Well, you have -- you are charged and
17 that -- what I am reading is the term indictment number.

18 MR. REID: Yes, sir.

19 THE COURT: But it says possession with intent to
20 distribute crack cocaine. Do you understand that?

21 MR. REID: In 2017?

22 THE COURT: No, sir; that is the indictment number.

23 MR. REID: Oh, oh, okay. Okay. I'm sorry.

24 THE COURT: It says on September -- you are going to
25 hear the facts.

1 MR. REID: Yes, sir.

2 THE COURT: September the 11th, 2015, you are accused
3 of having in your possession or had with intent to
4 distribute a quantity of crack cocaine. You understand that
5 you are pleading under Alford. You are not agreeing with
6 that ---

7 MR. MAYER: I think it was -- I think it was the
8 cocaine that was to our understanding.

9 THE COURT: Well

10 MS. LINDER: PWID is crack cocaine.

11 THE COURT: It is crack cocaine.

12 MS. LINDER: And the trafficking is cocaine. Because
13 in the jar ---

14 THE COURT: Look, let's do this ---

15 MR. MAYER: Okay.

16 THE COURT: --- so I don't deal with this. Because I
17 am getting very uncomfortable. And we have got a jury
18 downstairs and we can pick right now for Mr. Reid and we can
19 go to trial. Show him these. Show him the numbers so I
20 don't have this perplexed look on my face.

21 Because, Mr. Reid, you are not doing a good job of
22 convincing me of what you want to do.

23 MR. REID: I ---

24 THE COURT: Just talk to your lawyer and look at what
25 we are talking about so you can understand when I ask you

1 these questions.

2 (WHEREUPON, Mr. Reid conferred with counsel.)

3 MR. MAYER: Thank you for the court's indulgence.

4 THE COURT: Yes, sir. You bet. Thank you. And I -- I
5 just -- one of the things, Mr. Reid -- and you ask any
6 questions you want. Because this is important to you. It
7 is important to me that I -- when I accept a plea I want to
8 be convinced that that person really that is what that
9 person wants to do.

10 MR. REID: Yes, sir.

11 THE COURT: Because in this country, unlike many
12 countries in this world, you don't have to prove a thing.
13 The State has to prove you guilty beyond a reasonable doubt.
14 And when you give up the right to have a jury trial, the
15 right to confront the witnesses against you, and the right
16 to remain silent, which is really a critical release of a
17 constitutional right, I need to be convinced that is what
18 you want to do. Okay?

19 MR. REID: Yes, sir.

20 THE COURT: Okay. So I am not angry about it. I
21 just -- I just -- I don't -- and I will tell you that --
22 maybe Mr. Mayer has experienced it. I probably did some
23 pleas that were accommodation pleas just to get the case
24 over with for clients sometimes. And maybe I should take
25 the same philosophy I did as a lawyer. But I don't as a

1 judge. I don't do those. Personally got to convince me
2 they are guilty of it. Okay?

3 MR. REID: Yes, sir.

4 THE COURT: Thank you, sir. All right. We were
5 talking about the possession with intent to distribute crack
6 cocaine. That carries -- obviously he is pleading, again,
7 to -- well, he is pleading as indicted. But now so it would
8 be to, what, a third offense?

9 MS. LINDER: Third offense which carries 10 to 30
10 years.

11 THE COURT: Right. And so we give him on that one it
12 would be the 20-year sentence.

13 MS. LINDER: Yes, Judge.

14 THE COURT: Do you understand that, sir?

15 MR. REID: Yes, sir.

16 THE COURT: Understanding that if I accept the plea I
17 would sentence you to 20 years, run it concurrently. What
18 is your plea, guilty under Alford; is that correct?

19 MR. REID: Yes, sir.

20 THE COURT: Okay. And that you understand is a serious
21 offense as well?

22 MR. REID: Yes, sir.

23 THE COURT: Okay. And likewise a non-parolable
24 offense; it is again 85 percent; do you understand?

25 MR. REID: Yes, sir.

1 THE COURT: Okay. The next indictment is an
2 indictment - there are two of them - that each charge you
3 with the offense of unlawful conduct towards a child. Do
4 you understand that charge?

5 MR. REID: Yes, sir.

6 THE COURT: And, again, those -- each of those charges
7 carry a potential sentence of up to 10 years in jail. Do
8 you understand that?

9 MR. REID: Yes, sir.

10 THE COURT: And you have negotiated a sentence on that
11 which would be 10 years concurrent with the other charges
12 and you are pleading guilty under Alford on each of those as
13 well?

14 MR. REID: Yes, sir.

15 THE COURT: And the reason again, as previously stated,
16 you believe the State is prepared to present enough evidence
17 and if you went to trial a jury would most probably find you
18 guilty?

19 MR. REID: Yes, sir.

20 THE COURT: Okay. So indictments -- these are the
21 indictment numbers: 2016-1947, 2016-1948, are indictments
22 charging you with unlawful conduct towards a child. What is
23 your plea, guilty under Alford?

24 MR. REID: Guilty under Alford.

25 THE COURT: All right. Are you totally satisfied with

1 your lawyer?

2 MR. REID: Yes, sir.

3 THE COURT: Mr. Mayer, you have had the opportunity to
4 discuss this matter fully with your client?

5 MR. MAYER: Yes, Your Honor.

6 THE COURT: And of course we have had some hearings and
7 some meetings, and you are obviously prepared to go forward
8 with the trial if necessary?

9 MR. MAYER: Yes, Your Honor.

10 THE COURT: But your client had indicated that he
11 wished you to negotiate the best deal you could for him?

12 MR. MAYER: That is correct.

13 THE COURT: And now the record reflects the results of
14 your efforts in that regard?

15 MR. MAYER: That's correct.

16 THE COURT: Do you believe the negotiated sentence to
17 be in your client's best interest here?

18 MR. MAYER: I do, Judge.

19 THE COURT: And based on your assessment of the
20 evidence and what the State is prepared to present through
21 testimony of witnesses do you concur with his conclusion
22 that if he went to trial on these charges, ones to which he
23 is pleading under Alford, a jury most probably would find
24 him guilty?

25 MR. MAYER: Yes, Your Honor.

1 THE COURT: Has he been advised of rights that he would
2 be relinquishing and the consequences of my accepting his
3 Alford plea?

4 MR. MAYER: We have talked about giving up his right to
5 silence, not being able to pick a jury. So, yes, Your
6 Honor, we have discussed it.

7 THE COURT: And as well on the charge to which he is
8 pleading guilty as well?

9 MR. MAYER: Yes.

10 THE COURT: Mr. Reid, is all that correct, sir?

11 MR. REID: Yes, sir.

12 THE COURT: Do you understand and realize if I accept
13 your plea you will be giving up your right to have a jury
14 trial in each of these cases?

15 MR. REID: Yes, sir.

16 THE COURT: Your right to confront the witnesses
17 against you and the right to remain silent in each case; do
18 you understand that?

19 MR. REID: Yes, sir.

20 THE COURT: Have there been any threats made to you to
21 get you to plead guilty, sir?

22 MR. REID: No, sir.

23 THE COURT: Any promises been made to get you to plead
24 guilty?

25 MR. REID: No, sir.

1 THE COURT: Other than the promises which are contained
2 in the negotiated sentence, ---

3 MR. REID: Yes, sir.

4 THE COURT: --- those are the only ones?

5 MR. REID: Only ones.

6 THE COURT: All right. I want you to listen to the
7 facts as she tells me the facts. And I will need to ask you
8 some questions.

9 MS. LINDER: And, Your Honor, just for the record, we
10 had hearings last week about this; so Your Honor knows ---

11 THE COURT: I do.

12 MS. LINDER: --- a lot of the details of this already.
13 So I am just going to give a very brief recitation of the
14 facts.

15 THE COURT: Absolutely. I am very familiar with this
16 case. Thank you.

17 MS. LINDER: Yes, Judge. This case was an
18 investigation conducted by Mt. Pleasant Police Department.
19 It started with some tips. They then did surveillance and
20 conducted a number of trash pulls. All of this culminated
21 on September 11th of 2015 when they executed a lawful search
22 warrant at [REDACTED] Road which is in Charleston
23 County.

24 When they conducted that search warrant they located
25 just under one hundred fifty grams of cocaine, just under

1 two grams of cocaine base, along with other items for
2 packaging, weighing, cut, and things like that for narcotics
3 packaging and sales.

4 During surveillance that day they also witnessed two
5 minor children who were coming in and out of the house at
6 this residence, and there were kid's toys throughout the
7 garage where the drugs were located and in close proximity
8 to them.

9 As far as a prior record he has 1991 two counts of
10 breaking and entering motor vehicle. 1996 he has pointing
11 and presenting a firearm, possession of crack, possession of
12 marijuana, a damage to private property. In 1998 he has
13 multiple federal convictions for drugs for including
14 distribution and conspiracy for crack and cocaine and
15 received a lengthy active sentence at that time. In 2008 he
16 has two ABHAN convictions. And then in 2013 he has a
17 possession of cocaine conviction.

18 And, Your Honor, for the record, as you know in
19 preparation for the trial we do have three members from Mt.
20 Pleasant -- well, now one SLED and three Mt. Pleasant Police
21 Department here. They are prepared to go forward in trial.
22 They are in agreement with this plea and they are just here
23 to kind of follow through.

24 THE COURT: Well, I appreciate them being here. And I
25 have already commented about the work done by them in this

1 case as being a credit to their profession and the way that
2 it should be done. And I thank them for that.

3 Mr. Reid, the factual recitation by the solicitor
4 concerning the cocaine is correct, sir; is that -- is that
5 right?

6 MR. REID: Yes, sir.

7 THE COURT: As to the other facts, you believe the
8 State is prepared to call a witness or witnesses who will
9 testify to those facts?

10 MR. REID: Yes, sir.

11 THE COURT: I heard the testimony of some of those
12 already, as you know. And you did as well. You understand
13 that?

14 MR. REID: Yes, sir.

15 THE COURT: And it is your belief that once a jury
16 hears that testimony they most probably would find you
17 guilty beyond a reasonable doubt?

18 MR. REID: Yes, sir.

19 THE COURT: You understand that we have a jury
20 downstairs and all they have to do is come up and we can
21 pick them and we can make the State prove its case as to
22 each one of these cases; do you understand that?

23 MR. REID: Yes, sir.

24 THE COURT: But you don't want to do that?

25 MR. REID: No, sir.

1 THE COURT: And you believe the offer that has been
2 made to you is a significant benefit to you?

3 MR. REID: Yes, sir.

4 THE COURT: Have you truthfully responded to all of my
5 questions here today?

6 MR. REID: Yes, sir.

7 THE COURT: Do you understand and realize I will be
8 relying on these as being your answers and they are complete
9 answers; is that correct?

10 MR. REID: Yes, sir.

11 THE COURT: And not something somebody has told you you
12 have to say to make me accept your plea?

13 MR. REID: Yes, sir.

14 THE COURT: Meaning it is accurate in every respect?

15 MR. REID: Yes, sir.

16 THE COURT: Very well. I find there is a sufficient
17 factual basis to support the plea in each case. And I
18 having heard the testimony I don't disagree with the
19 assessment made by Mr. Reid nor his lawyer. I think there's
20 no question a jury most probably would find -- have found
21 him guilty beyond a reasonable doubt.

22 There is no question given the exposure here the State
23 has been extremely gracious in making this offer. And I
24 appreciate that, to avoid a trial. And it gives Mr. Reid a
25 chance. Because there is no question given what you were

1 facing I think there is a reasonable probability -- well, I
2 know; because I was going to be the trial judge. There is
3 no question I would have sentenced you to more than 20
4 years. So it is a benefit to you, sir. Significant
5 benefit.

6 But that notwithstanding, Mr. Mayer, I find there are
7 sufficient facts, as I have stated, to accept the plea as
8 being freely, voluntarily, knowingly, and intelligently
9 made. But I need for you now tell me why I should accept it
10 on his behalf, sir.

11 MR. MAYER: Thank you, Judge. May it please the court.
12 Mr. Reid's case has become kind of an emotional one for me,
13 which is not my normal modus operandi, Judge.

14 Mr. Reid and I have worked together in this matter for
15 nearly two years now. And at every junction he has been
16 very professional. He has been very kind. And in all of my
17 interactions with him I know him to be a very kind person.

18 And so for me I feel like even though he is getting a
19 good situation here considering how bad it would be at
20 trial, I feel like it is a very tough statute and I feel
21 like the case law is very tough the way the prior
22 enhancements go.

23 You know, he has been a lifelong cocaine abuser. He
24 has in the last few years he has had a serious kind of
25 reckoning with his cardiologist and he has had -- he's only

1 46, Judge. And he has had to have a stent put in. And his
2 cardiologist has warned him time and time again against
3 using and abusing cocaine. But it is an addiction. And it
4 is one that has, you know, unfortunately guided him down
5 this path.

6 He was doing really well. He had gotten his license to
7 install natural gas stuff. For the last year-and-a-half or
8 so he worked installing gas grills and gas stoves out at
9 Cane Bay. He made in excess of \$60,000 a year doing this.
10 And so he was -- he was pulling himself up by his bootstraps
11 into the middleclass, Judge. And this is a guy without a
12 college degree.

13 And I have a ton of respect for Alex and really
14 appreciate his family being here who is here in the back of
15 the courtroom, Your Honor.

16 And I think -- I think that there is -- there is no --
17 there is no victory for the State in this. I just think it
18 is a tragedy that this is the way the laws go.

19 But I would -- I would because of what he would be
20 facing at trial because of the statute I would ask the court
21 to accept this plea.

22 THE COURT: Thank you, Mr. Mayer.

23 Mr. Reid, is there anything you wish to add, sir?

24 MR. REID: I am just, you know, concerned about my
25 health. That's it.

1 THE COURT: You and I have something in common. I have
2 a stent also.

3 MR. REID: Yes, sir.

4 THE COURT: And I hope you will do some things to
5 benefit yourself. Addictions are vicious. But if you want
6 to live I hope you will use this time and I hope the State
7 will do something positive in the sense -- I understand and
8 I don't disagree totally with your lawyer's statement. I
9 think there is a need for it.

10 I think the problem -- one of the problems is I don't
11 think people at large who are not in this profession really
12 truly appreciate and assess the exposure they are facing.

13 Now you have been in the system a while. I think yours
14 is probably driven more by your addiction than anything
15 else. And some of the other things that are associated with
16 it. You made some money. I mean there's no question about
17 that. So it is a risk reward. And you unfortunately now
18 are experiencing the risk.

19 But I hope that we will do something that we need to
20 do, and that is to make people deal with their addiction and
21 help them deal with that addiction.

22 Because if we can then once you start it -- and I
23 commend you for what you did. That is a very -- that is a
24 lucrative position as you well know. And it -- there are
25 going to be more and more of it. I mean it is -- we are a

1 society. We want conveniences. And that is -- people are
2 willing to pay for it. And you can make some money. But
3 you have got to deal with your addiction.

4 So, you know, you right now I think are, what, 46?

5 MR. REID: Yes, sir.

6 THE COURT: You are two years older than my son, my
7 oldest son. You will have a chance to get out of jail. You
8 will be 63. I can promise you -- I am about -- I will turn
9 70 in December, and I am taking the position that 70 is the
10 new 50. And so I hope you will look at that that way too
11 and deal with your life and get something going and be
12 positive for you for the whatever you are blessed to have on
13 this earth.

14 Solicitor, thank you. It was -- that is a fair -- very
15 fair resolution. And I will accept it. Sentence of the
16 court 2016-1949, that is trafficking, is 20 years. It is
17 concurrent. I will give him credit for -- did you have --
18 did he serve any time? I will just let them make the
19 computation.

20 MR. MAYER: Yeah ---

21 THE COURT: I don't think it was any significant ---

22 MR. MAYER: It wasn't significant.

23 THE COURT: The sentence of the court on 2017-6457 is
24 20 years. Concurrent. Credit for any time he served.
25 Twenty-four -- twenty -- 2016-1947 and 1948 is 10 years on

1 each of those. They are concurrent. And you likewise give
2 him credit for time served.

3 Good luck to you, sir.

4 Thank you, Mr. Mayer.

5 MS. LINDER: Thank you, Judge.

6 THE COURT: Thank you. Appreciate it.

7 (WHEREUPON, the hearing concluded.)

(NOTE: Please contact the court reporter for additional copies or certified transcripts.)

CERTIFICATE

I, the undersigned Phyllis Norton, Official Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all proceedings had and evidence introduced in the captioned case, relative to appeal, in the court for South Carolina, on October 16, 2017.

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



PHYLLIS NORTON, CVR

Date: January 12, 2018

Joyce Rueger, Court Reporter (Appearance at Hearing)
Phyllis Norton, Court Reporter (Transcription)

Certified Transcript Provided For: SCCID

Certification Reference #011218 Original

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
COURT OF GENERAL SESSIONS

THE HONORABLE R. MARKLEY DENNIS, JR. CIRCUIT COURT JUDGE

Indictment No. 2016-GS-10-01947, 2016-GS-10-01948, 2016-GS-10-01949,
2017-GS-10-06457

The State,

Respondent,

v.

Alexander Reid,

Appellant,

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NOV 03 2017
SC Court of Appeals

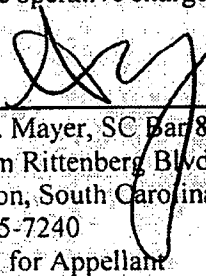
CORRECTED NOTICE OF INTENT TO APPEAL, CURING DEFICIENCY

Notice is hereby given that Alexander Reid hereby appeals to the South Carolina Court of Appeals from the Guilty Plea entered October 16, 2017 and to the rulings of the prior motions from the hearings held on October 12, 2017.

Appellant hereby provides an explanation showing there are issues which can be reviewed on appeal, pursuant to Rule 203(d)(1)(B)(iv) of the South Carolina Appellate Court Rules. On or about October 12, 2017, the Circuit Court ruled on three motions, at least one of which was dispositive: a motion to suppress an illegal automobile stop and search (Exhibit 1); a motion to obtain the name of a confidential informant (Exhibit 2); and a motion to suppress a search of a residence (Exhibit 3). On all three motions the Circuit Court ruled against the Appellant. The clearly dispositive motion was to suppress the search of the residence where cocaine was found. This search was the only way the authorities would have encountered the cocaine; there was no other avenue to this discovery. Therefore, pursuant to the Fruit of the Poisonous Tree Doctrine, had the search been suppressed the evidence located therein would have been inadmissible, and the operative charge, Trafficking Third Offense, would not have been prosecutable.

November 2, 2017
Charleston, SC

Other Counsel of Record:
Charles W. Patrick III, Esq.
Assistant Solicitor: Ninth Judicial Circuit


Aaron C. Mayer, SC Bar 81261
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Attorney for Appellant

Charleston County Office
101 Meeting St.
Charleston, SC 29401
Phone: (843) 958-1900
Fax: (843) 958-1905

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
COURT OF GENERAL SESSIONS

THE HONORABLE R. MARKLEY DENNIS, JR. CIRCUIT COURT JUDGE

Indictment No. 2016-GS-10-01947, 2016-GS-10-01948, 2016-GS-10-01949,
2017-GS-10-06457

The State,

Respondent,

v.

Alexander Reid,

Appellant,

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SC Court of Appeals

PROOF OF SERVICE

I, Morgan Edwards, a paralegal in the office of the attorney for the Appellant, certify that I have served the within Notice of Intent to Appeal, Curing Deficiency on November 2, 2017 by mailing, postage pre-paid, a copy of the same to Julie Armstrong, Clerk of Court, 100 Broad Street, Ste. 106, Charleston, South Carolina, 29401, Charles W. Patrick III, Esq., Assistant Solicitor for the Ninth Judicial Circuit, 101 Meeting Street, Charleston, South Carolina, 29401, and South Carolina Attorney General Alan Wilson, Rembert Dennis Building, 1000 Assembly St., Room 519, Columbia South Carolina, 29201.


Morgan Edwards, Paralegal
Mayer Law Practice

This 2nd day of November, 2017.
Charleston, South Carolina



Of the People, For the People

Aaron Mayer, Attorney
Mayer Law Practice
2000 Sam Rittenberg Blvd., Ste. 2011
Charleston, SC 29407
aaron@mayerlawpractice.com

November 2, 2017

The Honorable Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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NOV 03 2017
SC Court of Appeals

Re: Alexander Reid
Case: State v. Alexander Reid
Case No.: 2015A1010204047, 48, 51, 50 (x2), 53

Dear Ms. Kitchings:

Enclosed is a Corrected Notice of Intent to Appeal, Curing Deficiency in the above-referenced matter for filing. Please note that enclosed with this Corrected Notice of Intent to Appeal, Curing Deficiency are three (3) Exhibits and four (4) Indictments with the corresponding Sentence Sheet.

By copy of this letter, I am also serving Attorney General, Alan M. Wilson and Assistant Solicitor Charles W. Patrick III, Esq. and Charleston County Clerk of Court Julie Armstrong.

Call me anytime with any questions at all.

With kindest regards, I am,

Sincerely,

Aaron C. Mayer

Licensed in: South Carolina
North Carolina
Florida

ACM/mle
Enclosure

cc: Alan M. Wilson, Attorney General
Charles W. Patrick III, Assistant Solicitor
Julie Armstrong, Charleston County Clerk of Court

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF GENERAL SESSIONS
MOTION COVERSHEET

WARRANT/TICKET/

INDICTMENT #'s

2015 A1010 204647

STATE OF SOUTH CAROLINA

ALEXANDER REED
-vs-
DEFENDANT

48

50

51

53

Solicitor: <i>Mark Bondine</i> , Bar No. <i>65265</i> Address: <i>101 Meeting St. Ste 400</i> Phone: <i>843-458-1900</i> E-mail:	Defendant's Attorney: <i>Aaron M. M. M.</i> , Bar No. <i>81261</i> Address: <i>2000 Sam Rittenberg #201</i> Phone: <i>(843) 275-7020</i> E-mail: <i>aaron@markbondine.com</i>
☒ MOTION HEARING REQUESTED ☐ FORM MOTION, NO HEARING REQUESTED ☐ PROPOSED ORDER/CONSENT ORDER	
SECTION I: Hearing Information	
Nature of Motion: <i>Summary</i>	
Estimated Time Needed: <i>1 hour</i>	Court Reporter Needed: ☐ YES ☒ NO
SECTION II: Motion/Order Type	
☒ Written motion attached ☐ Form Motion/Order	
I hereby move for relief or action by the court as set forth in the attached proposed order.	
Signature of ☐ Solicitor ☒ Attorney for Defendant	Date submitted: <i>8/25/17</i>

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NOV 03 2017

SC Court of Appeals

FILED
2017 AUG 25 AM 10:01
JULIE J. ARMSTRONG
CLERK OF COURT
MA

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

FILED

GENERAL SESSIONS COURT
NINTH JUDICIAL CIRCUIT

2017 AUG 25 AM 10:00

Case No.: 2015A1010204047, 48, 51, 50 (x2), 53

STATE OF SOUTH CAROLINA
Plaintiff,

JUDGE J. ARMSTRONG
CLERK OF COURT

Charge: Trafficking Cocaine

Vs.

ALEXANDER REID
Defendant.

**MOTION TO SUPPRESS
UNCONSTITUTIONAL STOP AND SEARCH**

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NOV 03 2017

SC Court of Appeals

INTRODUCTION

NOW COMES the defendant, Alexander Reid, by and through his counsel, moves this Court pursuant to Rule 6 of the South Carolina Rules of Criminal Procedure, for an Order suppressing the evidence in this matter regarding the facts and circumstances of the vehicle search and subsequent house search in this case. Reid was detained roadside for about two hours with no probable cause, no search warrant, and no arrest warrant, while an officer hurriedly cobbled together an affidavit based on an undisclosed informant, whose name still has not been provided, in violation of Rule 5, Brady, and two subpoenas (now the subject of a separate motion to compel).

FACTS

The arresting officer, Officer Burke, stopped Reid's Infinity after spotting him from the opposite direction of travel, making a U-turn and weaving through medium traffic to get behind Reid. Not only was Reid not speeding, but Officer Burke was not in any position to determine that: Officer Burke used no electronic speed detection device; a visual determination from the opposite direction of travel was not achievable because Reid was traveling with the speed of the traffic in his own direction; and Officer Burke did not tail Reid long-enough to match his speed to determine Reid's speed of travel. The real reason for the stop is that Officer Burke has targeted Reid without probable cause, and against the tenants of our South Carolina Constitution and the U.S. Constitution.

At the side of the road, the officer immediately asked Reid to exit the vehicle. Reid, an African American, asked the officer why he needed to get out of the car, and the officer began getting upset, so, given the climate in the country, Reid just got out of the car before the officer escalated things further. The officer then informed Reid, "I'm gonna search your car." Reid did not consent to the search. A K-9 officer was called, but before the K-9 arrived, police searched Reid's vehicle — without consent, and without probable cause. At that time, Officer Blake removed some U.S. currency from the car's center console.

When the K-9 officer arrived, the police told Reid that the dog signaled on the hood/front of the Infinity. The officers then popped the hood and removed several pieces of engine hardware. They found no contraband and did not properly replace the hardware. When that second search of the vehicle yielded no results, the officers then scrambled and typed up a bogus affidavit to search a residence that is not and never has been Reid's — all while continuing to detain Reid on the side of Hwy. 17 in Mt. Pleasant.

Officers continued to detain Reid while they typed up an affidavit to search his friend's home, claiming it was his. Reid was kept on the side of the road while the officers alleged in the affidavit that a C.I. said drugs were sold from Reid's friend's house; he was kept there while an officer went to a magistrate and, using an erroneous affidavit, obtained the signature of a magistrate judge; and Reid continued to be held while officers went to the friend's house and searched for contraband. Only after all of these machinations was Reid arrested.

ARGUMENT

Reid never should have been arrested, and the results of the search should be suppressed.

I. The Traffic Stop Was Improper, Unconstitutional

When Reid was pulled over, the police lacked the probable cause required as a precondition to initiating a traffic stop. A traffic stop is "subject to the constitutional imperative that it not be 'unreasonable' under the circumstances." State v. Pichardo, 367 S.C. 84, 97, 623 S.E.2d 840, 847 (Ct. App. 2005) (quoting Wren v. United States, 571 U.S. 806, 810 (1996)).

Probably cause for a traffic stop exists when there is an articulable violation of a law. "Probable cause is defined as a good faith belief that a person is guilty of a crime when this belief rests on such grounds as would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise." State v. Blassingame, 338 S.C. 240, 250, 525 S.E.2d 535, 540 (Ct. App. 1999) (quoting Wortman v. City of Spartanburg, 310 S.C. 1, 425 S.E.2d 18 (1992)). Such grounds must be factual. "In determining the presence of probable cause for arrest, the probability cannot be technical, but must be factual and practical considerations of everyday life on which reasonable, prudent and cautious men, not legal technicians, act." Gist v. Berkeley County Sheriff's Dept., 336 S.C. 611, 521 S.E.2d 163 (Ct.App.1999).

Reasonable suspicion is a more narrow, restricting standard than probable cause. "A police officer may stop and briefly detain and question a person for investigative purposes, without treading upon his Fourth Amendment rights, when the officer has a reasonable suspicion supported by articulable facts, short of probable cause for arrest, that the person is involved in criminal activity." State v. Taylor, 388 S.C. 101, 109, 694 S.E.2d 60, 64 (Ct. App. 2010), reh'g denied (June 24, 2010) (quoting State v. Blassingame, 338 S.C. 240, 248, 525 S.E.2d 535, 539 (Ct.App.1999)); see also U.S. v. Sokolow, 490 U.S. 1, 7, 109 S.Ct. 1581, 104 L.Ed.2d 1 (1989); Terry v. Ohio, 392 U.S. 1, 30, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1968).

Here, Reid was operating a recent-model Infinity sedan in perfect repair. The officer claimed that he stopped the vehicle due to speeding. However, Reid and his passenger both state that he was not speeding. In this case, Reid and his passenger are more credible than the officer. Consequently, the stop was unreasonable and violated the Reid's Fourth Amendment rights.

Terry governs the limits of police conduct during a traffic stop. United States v. Risher, 966 F.2d 868, 875 (4th Cir. 1992). The relevant inquiry is "whether the officer's action was justified at its inception." Terry at 20. Here, because Reid operated his vehicle properly within the speed limit, the officer's stop of Reid's Infinity was unconstitutional.

In the absence of speeding, the officer did not have probable cause to stop Reid; the Constitution requires that subsequent evidence found cannot be used against Reid. "When the initial traffic stop is illegal, the subsequent evidence found is excluded from trial under the 'fruit of the poisonous tree doctrine.'" United States v. Rusher, 966 F.2d 868, 875 (4th Cir. 1992); see, e.g., Wong Sun v. United States, 371 U.S. 471, 484, 83 S.Ct. 407, 415, 9 L.Ed.2d 441 (1963). Here, the subsequent evidence found – personal use amounts of cocaine – was obtained only as a direct result of the unconstitutional stop, and should be suppressed under the fruit of the poisonous tree doctrine.

II. Officer Blake Never Obtained a Warrant, Nor Probable Cause to Search Reid's Car

Warrantless searches and seizures are presumptively unreasonable. The Fourth Amendment to the U.S. Constitution is incorporated through the Due Process Clause of the Fourteenth Amendment and thus applies to state action. See Mapp v. Ohio, 367 U.S. 643 (1961). The Fourth Amendment provides:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

U.S. Const. amend IV. The purpose of the Fourth Amendment is to safeguard individual privacy against government invasions. See Michigan v. Tyler, 436 U.S. 499, 504 (1978). Under the Fourth Amendment rule, "a search of private property is 'unreasonable' unless it has been authorized by a valid search warrant." Camera v. Municipal Court, 387 U.S. 523, 528-29 (1967). The "entry" of a government actor into a home is analyzed the same as a "search." See Georgia v. Randolph, 547 U.S. 103, 109 (2006). A "jealously and carefully drawn" exception to the Fourth Amendment rule "recognizes the validity of searches with the voluntary consent of an individual possessing authority." Id. A prosecutor has the burden of proving that consent "was, in fact, freely and voluntarily given." Bumper v. North Carolina, 391 U.S. 543, 548 (1968);

State v. Middleton, 268 S.C. 152 (1977). "This burden cannot be discharged by showing no more than acquiescence to a claim of lawful authority." Bumper at 549.

The colloquy between the officer and Reid, witnessed by a third-party, and the great lengths that Officer Blake went through to gin-up a basis to arrest Reid, conclusively demonstrate that the reason for the stop was not speeding. Officer Blake had no other justification to search the Infinity, and should not have detained Reid on the side of the road.

III. Detention of Reid During Traffic Stop Was Unconstitutional

Reid should have been released from the seizure by Officer Burke prior to the K-9 search of his vehicle. Although prior Supreme Court precedent held that a dog sniff during a traffic stop did not violate the Fourth Amendment, the question in Rodriguez v. United States was whether the Fourth Amendment tolerates a dog sniff conducted after completion of a traffic stop. Rodriguez v. United States, 135 S. Ct. 1609, 191 L. Ed. 2d 492, (2015) (holding a police stop exceeding the time needed to handle the matter for which the stop was made violated the United States Constitution's shield against unreasonable seizures).

In Rodriguez, a human officer, with a K-9 officer, stopped Rodriguez for driving on a highway shoulder. After the human officer attended to everything relating to the stop, including, *inter alia*, checking the driver's licenses of Rodriguez and his passenger and issuing a warning for the traffic offense, he asked Rodriguez for permission to walk his dog around the vehicle. When Rodriguez refused, the officer detained him until a second officer arrived. The first officer then retrieved his dog, who alerted to the presence of drugs in the vehicle. The ensuing search revealed methamphetamine. Seven or eight minutes elapsed from the time Struble issued the written warning until the dog alerted.

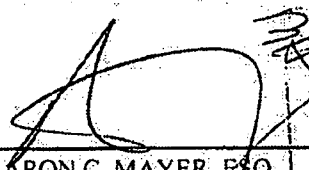
Here, the traffic stop almost immediately ceased to pertain to any alleged speeding by Reid, and quickly morphed into this free-for-all, keep-Reid-by-the-roadside, city wide endeavor by Officer Burke. Much more than eight minutes elapsed between the time any attention was given by the officer to the speeding allegation/investigation, and when the K-9 officer conducted the dog sniff of the vehicle. After the K-9 officer and the subsequent search of Reid's vehicle found no contraband, the illegal stop continued with Reid still detained/seized by Officer Burke for no reason whatsoever connected to the speeding allegation.

There is no case law that supports Officer Burke's subsequent continued seizure of Reid while officers scrambled to draft a faulty search warrant – not an arrest warrant – for a home he did not own. But for his stop for speeding, no such search warrant would have issued at that time. Consequently, the poison fruit of that search warrant should be suppressed.

CONCLUSION

For the foregoing reasons, Reid respectfully requests that this Court suppress the evidence found subsequent to the illegal stop and continued seizure of his person and his vehicle.

Sincerely Submitted,


 AARON C. MAYER, ESQ.
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Charleston, SC
 August 24, 2017

FILED
 2017 AUG 25 AM 10:00
 JUDGE J. M. STRONG
 CLERK OF COURT

EXHIBIT 2

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

COURT OF GENERAL SESSIONS
NINTH JUDICIAL CIRCUIT

CASE NO.: 2015A1010204047, 48, 51, 50 (x2), 53

STATE OF SOUTH CAROLINA)
Plaintiff)

Charge(s): POSS OF A FIREARM DURING
A COMM. OF A VIOLENT CRIME,
UNLAWFUL CONDUCT TOWARDS A
CHILD X2 TRAFFICKING COCAINE, PWID
COCAINE PROX. TO A SCHOOL,
UNLAWFUL POSS OF A FIREARM BY A
PERSON CONVICTED OF A VIOLENT
OFFENSE

Vs.

RECEIVED

MOTION TO OBTAIN NAME AND FILE OF C.I.

ALEXANDER REID

NOV 03 2017

Defendant

90 Court of Appeals

TO: MARK BOURDON, ASSISTANT SOLICITOR, NINTH JUDICIAL CIRCUIT:

The Defendant, Alexander Reid, by his undersigned attorney, will move before the Presiding Judge, Court of General Sessions, Ninth Judicial Circuit, Charleston, South Carolina, for the State to reveal the identity, contact information and file for the confidential witness in this case. In support of this motion, the Defendant shows the following:

1. The Defendant is currently charged with Trafficking Cocaine.
2. The alleged probable cause for a search warrant is search of a trash can supposedly corroborated by an unnamed informant.
3. The confidential informant information is necessary for the Defense to fight the charges.
4. The State alleges the confidential informant has knowledge about the Defendant's relevant activities.

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CLERK OF COURT
MARK BOURDON

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5. Counsel for the Defendant is in need of this witness information in order to adequately prepare Defendant's case, particularly with regard to exploring and developing any bias, motive, and impeachment material as it relates to the confidential informant.

ARGUMENT

Both the United States Supreme Court and the South Carolina courts have held that the State must disclose an informant's identity in cases in which the informant actively participated and/or was a percipient witness to the underlying act or transaction which serves as a basis for prosecution. Roviaro v. United States, 353 U.S. 53 (1957); State v. Wright, 322 S.C. 484, 488 (1996). The State must reveal the identity of an informant if the Defendant demonstrates that the identity of the informant would be helpful to the Defendant's defense. United States v. Sanchez, 908 F.2d 1443 (9th Cir. 1990).

Here, the ability to subpoena Edwin Pearsey, is of crucial importance in that the State's case appears to rest entirely on the actions of this confidential informant. According to the State's file, the confidential informant allegedly knows the Defendant and identified him at the time of the transaction. Thus, the best evidence of the state is the confidential informant, not the blurry, inaudible video that the police collected after the alleged transaction.

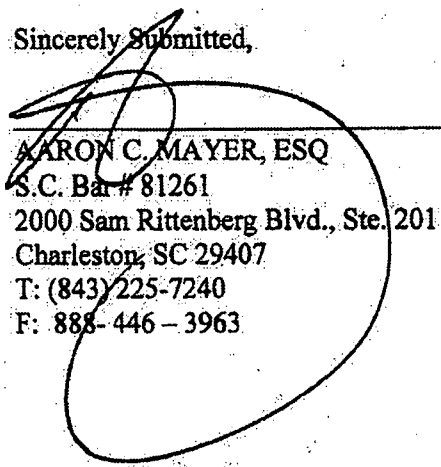
Additionally, Mr. Pearsey made at least two stops between leaving the police officers who loosely supervised the alleged transaction, and the Defendant requires the opportunity to examine Mr. Pearsey about what he did on those stops – specifically, whether it was on one of those stops at which Mr. Pearsey got the alleged marijuana that he returned to the police later. An examination of Mr. Pearsey may reveal that he got the marijuana during a stop that did not

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involve the Defendant. In short, the ability to examine the informant would likely help the Defendant's case.

For the reasons stated above, the undersigned requests that the confidential informant's identity, contact information and file be revealed to the Defendant's counsel.

Sincerely Submitted,


AARON C. MAYER, ESQ
S.C. Bar # 81261
2000 Sam Rittenberg Blvd., Ste. 2011
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F: 888-446-3963

Charleston, SC
July 14, 2016

FILED
2016 JUL 15 AM 11:20
JULIA J. CHRISTOPHER
CLERK OF COURT
BY _____

EXHIBIT 3

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

-vs-

ALEXANDER REED

DEFENDANT

IN THE COURT OF GENERAL SESSIONS
MOTION COVERSHEET

WARRANT/TICKET/

INDICTMENT #'s

WIS A100204047-51
2015A1010204053

Solicitor: <u>Stephanie Under</u> , Bar No. _____	Defendant's Attorney: <u>Anton M. Under</u> , Bar No. <u>81261</u>
Address: _____	Address: <u>7000 Sam Rittenberg Blvd</u>
Phone: _____	Phone: <u>(643) 225-7240</u> #2011
E-mail: _____	E-mail: <u>anton@stephanieunder.com</u>
☒ MOTION HEARING REQUESTED ☐ FORM MOTION, NO HEARING REQUESTED	
SECTION I: Hearing Information Nature of Motion: <u>Supra de course</u> Estimated Time Needed: <u>1 hour</u> Court Reporter Needed: ☒ YES ☐ NO	
SECTION II: Motion/Order Type ☒ Written motion attached ☐ Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
Signature of ☐ Solicitor ☒ Attorney for Defendant <u>[Signature]</u>	Date submitted: <u>10/10/17</u> 1011 OCT 10 PM 3:19 FILED

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NOV 03 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA)
 COUNTY OF CHARLESTON)

GENERAL SESSIONS COURT
 NINTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
 Plaintiff,)

Case No.: 2015A1010204047, - 51, 2015A1010204053

Vs.)

ALEXANDER REID)
 Defendant.)

Charge: Trafficking Cocaine

MOTION TO SUPPRESS
 SEARCH OF HOUSE

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NOV 03 2017

SC Court of Appeals

INTRODUCTION

NOW COMES the defendant, Alexander Reid, by and through his counsel, moves this Court pursuant to Rule 6 of the South Carolina Rules of Criminal Procedure, for an Order suppressing the evidence in this matter regarding the facts and circumstances of the search of [REDACTED] Rd. Mount Pleasant, a house search, in this case. The Mount Pleasant community has documented multiple repeated misrepresentations by the officer who swore out the search warrants. According to that officer, the search of the house was allegedly based on trash pulls from a garbage can shared between multiple properties, and an undisclosed informant.

Probably cause for a search exists when there is an articulable violation of a law. "Probable cause is defined as a good faith belief that a person is guilty of a crime when this belief rests on such grounds as would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise." State v. Blassingame, 338 S.C. 240, 250, 525 S.E.2d 535, 540 (Ct. App. 1999) (quoting Wortman v. City of Spartanburg, 310 S.C. 1, 425 S.E.2d 18 (1992)). Such grounds must be factual. "In determining the presence of probable cause... the probability cannot be technical, but must be factual and practical considerations of everyday life on which reasonable, prudent and cautious men, not legal technicians, act." Gist v. Berkeley County Sheriff's Dep't, 336 S.C. 611, 521 S.E.2d 163 (Ct. App. 1999).

Here, a Mount Pleasant petition to stop Officer Blake from racially profiling and spreading false rumors – often of cooperation with the police, a dangerous accusation – garnered about 400 signatures,

and the attention of at least one TV news channel. Among the allegations by signatories to the petition were that Officer Blake commonly claimed that an informant said a person Blake initiated contact with was dealing drugs. Apparently, Officer Blake made this claim as his reason for contacting some individuals, but those contacted knew full well they were innocent. Over the course of time as members of the community talked with one another, they pieced together this component of Officer Blake modus operandi.

The inaccuracies, and to categorize them most kindly, the confusing representations set forth in the affidavits to the search warrants for the Old Georgetown Road house render the search based thereon unconstitutional.

CONCLUSION

For the foregoing reasons, Reid respectfully requests that this court suppress the evidence found subsequent to the illegal search the Old Georgetown Road house.

Sincerely Submitted,


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F: 888-446-3963

Charleston, SC
October 5, 2017

MJB/030834
WITNESSES

Mt. Pleasant Police Department

AGENCY CASE NUMBER

2015-0007762

ARREST WARRANT NUMBER

2015-10100-008

DATE OF ARREST

09/11/2015

ACTION OF GRAND JURY

TRUE BILL

Mar 15 2016

Foreperson of Grand Jury

Date:

SUBJECT

DOCKET NO. 2016-GS-00-01947

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

MARCH TERM 2016

THE STATE

VS.

ALEXANDER WEID

B/M DOB: [REDACTED]

Indictment for

UNLAWFUL CONDUCT TOWARDS A
CHILD

SC Code: § 63-05-030
CJR Code: 3101

FILED

3/23/2016 9:01:05 AM

JULIE J. ARMSTRONG

CLERK OF COURT

Foreperson of Grand Jury

Date:

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

INDICTMENT

At a Court of General Sessions, convened March 2016, the Grand Jurors of Charleston County present upon their oath:

UNLAWFUL CONDUCT TOWARDS A CHILD

That in Charleston County, South Carolina, on or about on or about September 11, 2015, the Defendant, Alexander Reid, while having charge or custody, or being the parent or guardian, or being responsible for the welfare of the minor child, D. C. [REDACTED], did (1) unlawfully place the minor victim at unreasonable risk of harm affecting the child's life, physical or mental health or safety; or (2) unlawfully and maliciously do, or cause to be done, bodily harm to the child so that the life or the health of the child was endangered or likely to be endangered; or (3) willfully abandon the child. This is in violation of Section 63-5-70, Code of Laws of South Carolina (1976) as amended.

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


MARK J. BOURDON
ASSISTANT SOLICITOR

MJD#030841
WTTNESSE

Mt. Pleasant Police Department

AGENCY CASE NUMBER
2015-0007752

ARREST WARRANT NUMBER
2015A1010264002

DATE OF ARREST
09/11/2015

ACTION OF GRAND JURY

TRUE BILL

For person of Grand Jury

MAR 15 2016
Date:

VERDICT

For person of Petit Jury

Date:

DOCKET NO. 2016-CS-09-01948

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
MARCH TERM 2016

THE STATE

VS.

ALEXANDER BEID
B/M DOB: [REDACTED]

Indictment for

UNLAWFUL CONDUCT TOWARDS A
CHILD

SC Code: § 63-05-0-76
CDR Code: 3421

FILED

3/23/2016 9:01:05 AM
JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA

INDICTMENT

COUNTY OF CHARLESTON

At a Court of General Sessions, convened March 2016, the Grand Jurors of Charleston County present upon their oath:

UNLAWFUL CONDUCT TOWARDS A CHILD

That in Charleston County, South Carolina, on or about on or about September 11, 2015, the Defendant, Alexander Reid, while having charge or custody, or being the parent or guardian, or being responsible for the welfare of the minor child, K. W. [REDACTED], did (1) unlawfully place the minor victim at unreasonable risk of harm affecting the child's life, physical or mental health or safety; or (2) unlawfully and maliciously do, or cause to be done, bodily harm to the child so that the life or the health of the child was endangered or likely to be endangered; or (3) willfully abandon the child. This is in violation of Section 63-5-70, Code of Laws of South Carolina (1976) as amended.

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


MARK J. BOURDON
ASSISTANT SOLICITOR

MTB/0308841
WITNESSES

Mt. Pleasant Police Department

AGENCY CASE NUMBER
2015-0007762

ARREST WARRANT NUMBER
2015A1010204050

DATE OF ARREST

09/11/2015

ACTION OF GRAND JURY

TRUE BILL

MAR 15 2016

Foreperson of Grand Jury
Date:

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2016-GS-10-01949

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
MARCH TERM 2016

THE STATE

VS.

ALEXANDER REID
B/M DOB [REDACTED]

Indictment for

TRAFFICKING IN COCAINE

SC Code: § 44-53-0370(e)(2)(c)
CDR Code: 0280

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JULIE J. ARMSTRONG
CLERK OF COURT

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

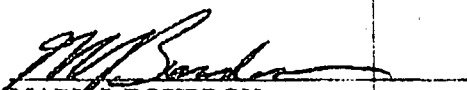
INDICTMENT

At a Court of General Sessions, convened March 2016, the Grand Jurors of Charleston County present upon their oath:

Trafficking in Cocaine

The defendant, Alexander Reid, did on or about September 11, 2015, in Charleston County, South Carolina, knowingly sell, manufacture, cultivate, deliver, purchase, or bring into this State, or did provide financial assistance or otherwise aid, abet, attempt, or conspire to sell, manufacture, cultivate, deliver, purchase, or bring into this State, or was knowingly in actual or constructive possession or knowingly attempted to become in actual or constructive possession of one hundred (100) grams or more of Cocaine or any mixtures containing cocaine, as provided in 44-53-210(b)(4). All in violation of 44-53-0370(e)(2)(c) of the South Carolina Code of Laws (1976, as amended).

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


MARK J. BOURDON
ASSISTANT SOLICITOR

MTB/0308841
WITNESSES

Mt. Pleasant Police Department

AGENCY CASE NUMBER
2015-0007762

ARREST WARRANT NUMBER

2017-GS-10-06457

DATE OF ARREST

09/11/2015

ACTION OF GRAND JURY

TRUE BILL

For person of Grand Jury
Date: SEP 26 2017

VERDICT

DOCKET NO. 2017-GS-10-06457

The State of South Carolina
County of Charleston

COURT OF GENERAL SESSIONS
SEPTEMBER TERM 2017

THE STATE

VS.

ALEXANDER REID
B/M DOB [REDACTED]

Indictment for

DIST/PWID/MANUF COCAINE BASE OR
METH

SC Code: § 44-53-0375(B)(3)
CDR Code: 3039

STATE OF SOUTH CAROLINA

INDICTMENT

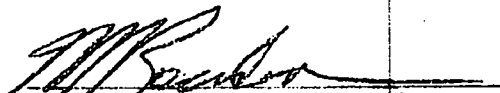
COUNTY OF CHARLESTON

At a Court of General Sessions, convened September 2017, the Grand Jurors of Charleston County present upon their oath:

POSSESSION WITH INTENT TO DISTRIBUTE CRACK COCAINE

The defendant, Alexander Reid, did on or about September 11, 2015, in Charleston County, South Carolina, manufacture, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase, or possess with the intent to manufacture, distribute, dispense, deliver, or purchase Crack Cocaine, a cocaine base, All in violation of 44-53-0375(B)(3) of the South Carolina Code of Laws (1976) as amended.

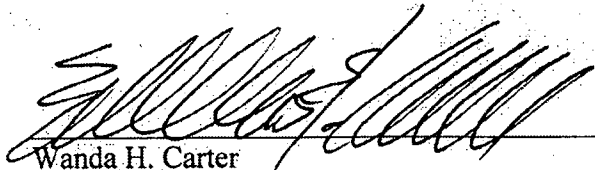
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


MARK J. BOURDON
ASSISTANT SOLICITOR

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,



Wanda H. Carter
Deputy Chief Appellate Defender

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

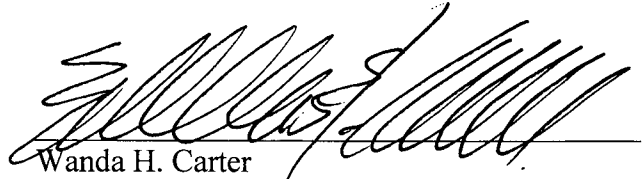
ATTORNEY FOR APPELLANT

This 19th day of March, 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,



Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 19th day of March, 2018.

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MAR 19 2018
SC Court of Appeals