

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable D. Garrison Hill, Circuit Court Judge

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MAY 25 2018

S.C. SUPREME COURT

THE STATE,

RESPONDENT,

V.

MARK LORENZO BLAKE, JR.,

APPELLANT

APPELLATE CASE NO 2016-001364

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA COURT OF GENERAL SESSIONS
COUNTY OF CHARLESTON 2013-GS-10-02729

STATE OF SOUTH)
CAROLINA,)
PLAINTIFF,) TRANSCRIPT OF RECORD
vs.)
MARK LORENZO BLAKE,) JUNE 14-15, 2016
Defendant.) CHARLESTON, SC

B E F O R E:

HONORABLE D. GARRISON HILL, JUDGE, AND A
JURY.

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1 MS. LINDER: Your Honor, Robin Jackson
2 is here from Senn Legal. And she represents Frank
3 Waddell and Andrew Miller. We would ask that the
4 Court would hear from her.

5 THE COURT: Yes, ma'am.

6 MS. JACKSON: Good morning, Your Honor.
7 It is my understanding that there may be some
8 attempt to admit evidence in the civil case that
9 was filed pro se by Mark Blake against Frank
10 Waddell and Deputy Miller. And I just wanted to
11 inform the Court that first of all, that case has
12 been stayed by the federal court as not ripe and so
13 essentially it does not exist yet.

14 Further, the issues in that case are
15 completely separate from the issues in the criminal
16 case. There are civil allegations as well as
17 allegations of violations of civil rights relating
18 to the actions of the officers in the arrest itself
19 and in the executing of the search warrant. And it
20 would be our position that under the rules of
21 evidence that it is not relevant to the criminal
22 case to have any information about the civil case
23 entered; and further, any attempt to enter any
24 evidence would be solely for the purpose of
25 prejudicing the jury and it should not be admitted.

1 Further, any other civil cases that have been filed
2 against Frank Waddell, it is my understanding that
3 those are pending matters and that they occurred in
4 a significant time period after this case, one of
5 which was filed in November of 2015.

6 We would also take the position on
7 behalf of Officer Waddell that in that civil case
8 the burden of proof is on the Plaintiff and because
9 it's pending that burden of proof hasn't been met.
10 There has been no significant discovery or motion
11 hearings such that the Court has ruled on any of
12 the facts in that case.

13 Those allegations relate to a different
14 suspect, a different crime and a different county
15 that occurred years after this incident and we
16 would take the position that first of all, it is
17 not relevant. Second of all, even if the Court
18 finds that it is relevant that it is more
19 prejudicial than probative. It would put the
20 officer in a position of answering questions about
21 a totally different crime for which is not being
22 prosecuted here today and that it would serve to
23 confuse and prejudice the jury.

24 We would take the position that the
25 defense not be permitted to ask him questions about

1 those other cases.

2 THE COURT: Thank you.

3 MS. JACKSON: I don't know if the Court
4 any has other questions about those other cases.

5 THE COURT: All right. Thank you,
6 ma'am. Mr. King.

7 MR. KING: Thank you, Your Honor.
8 Regarding Mr. Blake's lawsuit against Detectives
9 Waddell and Miller, I would ask that all I wanted
10 to do was to ask them on the stand they are being
11 sued civilly for civil rights violations by my
12 client. I am seeking to admit that through
13 Rule 608 (c) for bias or any motive present from
14 those officers.

15 Regarding the other lawsuit, Your
16 Honor, Detective Waddell, what I would like also to
17 ask that he is being sued by someone else for
18 608 (c) bias. He is being sued twice for violation
19 of civil rights. That may be relevant to his
20 motives and again his bias towards Defendants.
21 There's also allegations in the complaint that
22 Detective Waddell was dishonest. And I think that
23 would be admissible under 608 (b) that I can
24 inquire about specific instances of conduct that
25 relate to truthfulness or untruthfulness.

1 I don't know that I am allowed to get
2 into any evidence regarding that, but I think that
3 I can -- I should be able to ask the questions
4 related to his truthfulness or untruthfulness.

5 THE COURT: So can you clarify for me
6 the case your client brought against Agent Waddell
7 relates to what, this case?

8 MR. KING: Yes, Your Honor. My
9 client's lawsuit is I think a 1983 civil rights
10 violation for how they conducted a search.

11 THE COURT: And the second case is
12 brought by a third party, right?

13 MR. KING: That's correct, Your Honor.

14 THE COURT: And that relates to what?
15 What did that arise from?

16 MR. KING: Truthfulness and execution
17 of a search warrant in Myrtle Beach.

18 THE COURT: That's the Horry County
19 matter y'all told me about in chambers.

20 MR. KING: Yes, Your Honor.

21 THE COURT: All right. My ruling would
22 be in this limine stage that the lawsuit Mr. Blake
23 has pending against Agent Waddell personally for
24 this case, I would let you ask him, that is, I
25 would let you ask Agent Waddell if he testifies

1 whether or not it is true that Mr. Blake has sued
2 him. I do think that would be relevant. I don't
3 think any considerations of Rule 403 would prohibit
4 it from being admitted. I think its substantive
5 and probative value vastly outweighs the
6 prejudicial effect that might have. Clearly goes
7 to the potential for bias and would be well within
8 the Defendant's Sixth Amendment right of
9 cross-examination.

10 As to the second matter involving Horry
11 County, I would find that it is too remote from
12 this prosecution and it would involve confusion of
13 the issues and a waste of time in going into that
14 issue in this case, so its probative value is low.
15 And its potential for confusing the issues and
16 unfairly prejudicing the State in this matter and
17 consuming time and a waste of resources would
18 outweigh the negative probative value it has. So I
19 would exclude that under Rule 403.

20 MR. KING: I would just ask at this
21 point in time if I can quickly proffer the
22 evidence.

23 THE COURT: Certainly. You may
24 certainly do that.

25 MR. KING: I don't know if you want to

1 do it now or after.

2 THE COURT: Whatever your pleasure is.
3 Might be easier to do when he is on the stand.

4 MR. KING: Yes, Your Honor, that's
5 fine.

6 THE COURT: Okay.

7 MR. KING: Your Honor, I have one other
8 motion in limine. That same day the search warrant
9 was executed they served distribution warrants on
10 Mr. Blake. He was arrested for the three
11 distribution warrants. I would ask that no
12 reference be made to any other wrongs or acts or
13 crimes other than what's involved in the search
14 warrant.

15 MS. LINDER: We don't have any
16 intention to bring up or go into the other warrants
17 that were served that day. However, a big part of
18 this case is a lot of these strategic and tactical
19 decisions were made in the execution of the search
20 warrant with a felony traffic stop, and I would ask
21 that after we have our next pretrial hearing,
22 suppression hearing, we get some guidance from the
23 Court. Because due to Mr. Blake's prior record,
24 due to his pending gun and drug charges is why they
25 did a felony traffic stop to make sure he was out

1 of the residence and didn't go in there for the
2 safety of himself and the safety of officers and
3 the community.

4 So we do not intend to bring up
5 anything about pending warrants that were served
6 that day or any other pending charges on Mr. Blake
7 unless and until the door is opened; however, we
8 may approach the judge at the appropriate time if
9 we feel that we need to go into some information as
10 to why the felony traffic stop.

11 Our concern is that with a vague
12 question from the defense about are you being sued
13 about civil rights -- it's not typical to do a
14 felony traffic stop. Usually they go in when the
15 people are in there.

16 And in this case, a vague question
17 about are you being sued for his constitutional
18 rights and then him alluding to almost being
19 overzealous as a police officer and execution of a
20 search warrant, I do have a concern and would like
21 to ask the Court if I believe it is necessary at
22 the appropriate time for law enforcement to be able
23 to explain based on their intel and investigation
24 this was one of those cases where a felony traffic
25 stop needed to occur.

1 THE COURT: Okay. What's the next
2 issue?

3 MR. KING: Your Honor, I have a motion
4 to suppress regarding the search warrant.

5 THE COURT: Okay.

6 MR. KING: May I hand up a case, Your
7 Honor? I have a federal case, federal district
8 court case out of Ohio, but it does reference some
9 United States Supreme Court law. If I may hand it
10 up. The argument would be the search was conducted
11 unreasonably.

12 THE COURT: Okay. Thank you.

13 MR. KING: (Handing.)

14 Are there any notes on that case, Your
15 Honor, underlines? I will address it. Judge, I
16 have challenged the constitutionality of the
17 search. I would ask that the State show,
18 demonstrate that the search was executed in a
19 reasonable manner.

20 THE COURT: All right. What's the
21 State's position?

22 MS. LINDER: Your Honor, we are having
23 to call some witnesses to the reasonable execution
24 of the search warrant and then have oral argument
25 at that time.

1 THE COURT: All right. You may
2 proceed.

3 MS. LINDER: State calls Frank Waddell.
4 Your Honor, I would ask that -- I see that the
5 co-defendant and the Defendant's girlfriend in this
6 case, Dominique Jeter, who is on the witness list
7 is in the courtroom. If she can please be
8 sequestered. I believe she's going to be called to
9 testify in this matter.

10 MR. KING: I will be calling her to
11 testify, Your Honor, if she's willing to testify.
12 I'm not sure at this point if she is asserting her
13 Fifth Amendment Right, but I do intend to call her
14 for the hearing. That's fine.

15 THE COURT: Okay. Well, under Rule 615
16 I order she be sequestered.

17 MR. KING: Your Honor, I would ask to
18 sequester the State's witnesses as well. I don't
19 think any of them are in here at this point.

20 THE COURT: All witnesses will be
21 sequestered throughout the trial. I don't know who
22 they are. You'll have to help me with that,
23 monitor that so we don't have a situation.

24 MR. KING: I have his father on the
25 witness list, Your Honor, just for the sole purpose

1 of I wanted to call him, he was employed -- Mr.
2 Blake was employed with his father. He doesn't --
3 he wouldn't testify to anything about what happened
4 in the search warrant or anything like that. I
5 would ask that his father be allowed to remain in
6 the courtroom for the trial.

7 THE DEFENDANT: Your Honor, I wanted to
8 -- my father -- I spoke --

9 THE COURT: Hold on a second now.
10 There's no hybrid representation here. You have
11 got a lawyer. He can speak on your behalf.

12 THE DEFENDANT: I understand. My
13 father doesn't want to --

14 THE COURT: Sir, your lawyer has to
15 speak for you in court, okay? Unless you are going
16 to testify your lawyer has to speak for you.

17 MR. KING: Can I confer briefly, Your
18 Honor?

19 THE COURT: You may.

20 (Attorney confers with client.)

21 MR. KING: Your Honor, Mr. Blake says
22 his father doesn't want to be involved. At this
23 point, I will just ask that he be allowed to stay
24 in the courtroom. If Mr. Blake changes his mind or
25 for some reason I need to discuss with Mr. Blake

1 and need to call his father I would like to keep
2 that option open. But the point is I just don't
3 want his father excluded from the courtroom. He is
4 not going to testify to anything to the search
5 warrant, just simply that Mr. Blake worked for him
6 and he had a job.

7 MS. LINDER: Your Honor, we would
8 respectfully request that anyone who is going to be
9 a potential witness is sequestered. We don't know
10 what is necessarily going to come out.
11 Furthermore, there are jail phone calls that
12 involve the Defendant talking to his father about
13 everything involved with this case. We don't
14 necessarily intend to use them; however, we do have
15 them and I am just concerned about the Defendant's
16 father remaining in the courtroom for this
17 testimony.

18 THE COURT: So it appears to me based
19 on the potential that Mr. Blake, Sr. may be a
20 witness, in fact, may be a witness about material
21 matters, and could be called by the State, I would
22 have to order that he be within the sequestration
23 order.

24 MR. KING: Thank you.

25 MS. LINDER: May it please the Court.

1 THE COURT: Is that a witness back
2 there that needs to be sequestered?

3 MS. LINDER: No, Your Honor, that
4 witness has been outside. This was her public
5 defender.

6 THE COURT: I didn't know, like I say.

7 MR. KING: Your Honor, my investigator
8 is on the witness list. I always put them on just
9 in case if they talk to the witnesses and witnesses
10 change their story. Can my investigator remain?

11 MS. LINDER: Absolutely. Same with the
12 case agent we would respectfully request.

13 THE COURT: All right. I apologize. I
14 don't know who is who.

15 FRANK WADDELL
16 having been duly sworn, testifies as follows:

17 DIRECT EXAMINATION

18 BY MS. LINDER:

19 Q. Detective Waddell, can you tell the
20 Court your occupation?

21 A. I'm a law enforcement officer,
22 presently a drug investigator.

23 Q. And can you tell the Court briefly
24 about some of your training and education and
25 awards dealing with law enforcement and narcotics?

1 A. I am in my 12th year currently of law
2 enforcement. The majority of those years have been
3 involved in drug investigations as a drug
4 investigator and as well as a K9 handler. I have
5 received multiple trainings and certifications to
6 include a narcotics commander school, several other
7 investigator courses put on by the federal
8 government as well as state and local governments.
9 I have received several awards to include officer
10 of the year, officer of the quarter, officer of
11 merits. I have received national awards in
12 recognition of the K9 team, me and my K9 partner at
13 the time, things of that nature.

14 Q. And approximately how many drug case
15 investigations have you been associated with in
16 your career?

17 A. Easily over a thousand.

18 Q. I would like to take you back to
19 February 22nd of 2013. What was your job and
20 duties at that point?

21 A. I was currently assigned or at that
22 time assigned to Charleston County Sheriff's Office
23 Metro Major Case Unit. We were a narcotics
24 division primarily and I was a drug investigator
25 assigned to that team.

1 Q. And were you involved with the drug
2 investigation on the Defendant, Mark Blake?

3 A. Yes, I was.

4 Q. And what did the investigation on Mark
5 Blake involve? Was it surveillance? Was it buys?

6 A. We did multiple controlled purchases of
7 heroin and multiple occurrences of surveillance to
8 corroborate information that we were receiving
9 through the use of a confidential informant and
10 through our controlled purchases.

11 Q. Did all of this culminate in a search
12 warrant?

13 A. Yes, it did.

14 Q. And can you explain to the judge what
15 you do as lead detective in this case about
16 planning the search warrant execution and why you
17 make certain decisions?

18 A. We take certain factors into
19 consideration to include who may be in the
20 household, who may be a resident, who may be an
21 acquaintance of our suspect. We determine how we
22 are going to approach the search warrant, how we
23 are going to make entry into the house, where we
24 will attempt to take a suspect into custody,
25 whether it be on property or off property.

1 There are assignments given to the law
2 enforcement personnel on the team who are not case
3 agents such as surveillance, perimeter, entry team,
4 things of that nature.

5 Q. All right. And in this case what
6 decision was made about where to take this
7 Defendant into custody?

8 A. Due to a criminal history that involved
9 a previous arrest and I believe being out on bond
10 at the time for drug and weapon violation charges,
11 and coupled with intelligence that we received that
12 there may be a child in the home and the nexus
13 between drugs and weapons, we decided to attempt to
14 take the Defendant into custody off property to
15 prevent a dangerous outcome within the residence if
16 children were present.

17 Q. And by what manner did you do that?
18 What do you call it when you try to do that?

19 A. We conducted a felony traffic stop.

20 Q. Was it daytime, nighttime, when was it?

21 A. This was during the daytime hours.

22 Q. And can you briefly explain to the
23 judge what a felony traffic stop is?

24 A. We will either approach the vehicle
25 from one side or pinch the vehicle in to prevent

1 the vehicle from escaping with law enforcement
2 vehicles on the front and the rear to prevent the
3 subject from fleeing. We exit our vehicles with
4 weapons drawn due to the heightened risk and the
5 belief that the subject may be armed. And we give
6 verbal commands loudly and clearly to show us their
7 hands, to exit the vehicle, to get on the ground,
8 at which point they would be approached and
9 handcuffed if they complied.

10 Q. Now, in this case how did you first see
11 the Defendant on this day, a search warrant
12 execution, February 22nd of '13? How did you set
13 up?

14 A. As typical with our operations, prior
15 to the search warrant execution on that day that we
16 were planning to execute a search warrant or take
17 somebody into custody, we conduct what we call
18 presurveillance meaning preoperations surveillance.
19 Myself and another detective were actually on scene
20 at the apartment complex or the residential complex
21 where the suspect resided and observed him leaving
22 his residence and getting into a vehicle that we
23 had previously associated with the Defendant and
24 then followed him to another location again to do
25 the off property arrest.

1 Q. And where was that other location?

2 A. It was a -- I believe the term would be
3 an assisted living home in the West Ashley area of
4 Charleston County.

5 Q. And was that location significant to
6 you for any reason?

7 A. Yes, it was.

8 Q. Why?

9 A. The co-defendant and girlfriend I
10 assume, perhaps wife of the Defendant, was employed
11 there or worked there at that time.

12 Q. And so you did presurveillance, you saw
13 the Defendant. Was he in the parking lot? Did he
14 leave a specific apartment?

15 A. He left the apartment he resided in,
16 exited that apartment, entered a vehicle associated
17 in this investigation with the Defendant and his
18 girlfriend and then drove from that location to the
19 secondary location where he was taken into custody.

20 Q. And can you tell the judge on this date
21 during the felony traffic stop what happened? Did
22 the Defendant comply?

23 A. No, he did not. We conducted the
24 felony traffic stop because the parking area that
25 he pulled through I believe was a thoroughfare type

1 so we pinched him in in the front of the suspect's
2 vehicle as well as the back to prevent him from
3 fleeing. We exited our vehicles. Had our guns
4 drawn. Began to order him to show us his hands,
5 exit the vehicle. He did not comply at that time
6 exiting his vehicle. At which time officers on the
7 scene approached the suspect's vehicle that he was
8 in the driver's seat of and removed him from the
9 vehicle with a straight arm bar takedown which is a
10 common technique to get him on the ground to secure
11 him until he could be cleared of any weapons and
12 handcuffed and secured.

13 Q. Why is it important to you as law
14 enforcement to get him out of that driver's seat of
15 that vehicle?

16 A. Primarily because the vehicle itself
17 can be a weapon, but also because it has not been
18 cleared and can contain weapons. It can also
19 contain other elements of evidence that could be
20 destroyed.

21 Q. So after Mr. Blake was removed from the
22 vehicle by a straight arm bar, was he cuffed? Was
23 he placed under arrest?

24 A. Yes, he was advised he was under arrest
25 as a result of my drug investigation for drug

1 distribution charges and handcuffed and secured in
2 a vehicle.

3 Q. And what did you do next? Did you just
4 pack up and head back to the apartment?

5 A. No. I then entered the business, the
6 assisted living home business and made contact with
7 an employee there that I encountered as I entered
8 the structure and requested to be taken into or
9 have brought to me the co-defendant in this case,
10 the Defendant's girlfriend, at which time I was
11 taken back into the building and she was brought
12 out of the room. We met in the hallway and she was
13 subsequently handcuffed and secured and advised she
14 was under arrest for drug distribution charges as
15 well.

16 Q. The room that she came out of, did that
17 room face the front driveway where the felony
18 traffic stop occurred?

19 A. I do not believe so.

20 Q. When the manager or employee brought
21 you back to the co-defendant was she cooperative?

22 A. Yes, she did not resist arrest or
23 anything of that nature.

24 Q. And did you tell her what was going on?

25 A. Advised her she was under arrest as a

1 result of my drug investigation for distribution of
2 heroin charges.

3 Q. All right. So after you have Mr. Blake
4 and the co-defendant in custody what happens from
5 there? Where do you go?

6 A. We advised them that we were going back
7 to the residence, that I had a lawful search
8 warrant signed by a judge to search the residence.
9 They were placed in separate vehicles and
10 transported back to the residence which was a short
11 distance from the arrest location. And a detective
12 on scene would have driven their car as to not
13 leave it at the assisted living parking out front
14 area, brought their vehicle back to the residence
15 as well.

16 Q. How was entry made into the apartment?

17 A. We explained --

18 Q. Did you use a ram?

19 A. No, we did not use a ram. We explained
20 to the Defendant that we would use his keys, that
21 we did not want to sit there in case the house was
22 occupied by somebody else. It had not been
23 cleared. There could potentially still be threats
24 or risk to officer safety and we were assisted in
25 determining which key was the house key based off

1 the keys that belonged to the Defendant. And we
2 used the key to make entry and then clear the
3 residence for any other subjects that may be
4 inside.

5 Q. When you arrived at the residence where
6 was the Defendant?

7 A. They would have been downstairs in the
8 parking lot area, possibly still in the cars. I
9 don't recall, but they would have been -- they
10 would not been allowed to come upstairs into the
11 residence until it was cleared until we knew there
12 was no other subjects inside that posed a threat to
13 us or them.

14 Q. And after you got there did you advise
15 the Defendant of Miranda?

16 A. Yes, I did.

17 Q. And how did you advise him?

18 A. I keep with me on my gear a department
19 issued preprinted card that I read from to advise
20 Miranda rights.

21 Q. And at this point were you on the front
22 patio of -- can you describe to the judge what this
23 apartment is? Is it upstairs, downstairs, one
24 story, two story?

25 A. It's in a building that contains

1 multiple apartments. His specific apartment was on
2 the upper level or second floor. You walk up a
3 flight of stairs. There's a little stoop area
4 right just outside the door and then you enter the
5 residence. It's a one story second level
6 apartment, I believe two bedrooms.

7 Q. At any point were you on the front
8 stoop patio of this upstairs apartment with the
9 Defendant?

10 A. Yes, I was.

11 Q. And at some point was the Defendant and
12 co-defendant Dominique Jeter up there?

13 A. For a very brief moment.

14 Q. Why only a brief moment?

15 A. As a matter of practice we separate
16 suspects or Defendants so that we can speak to them
17 individually.

18 Q. And where was Ms. Jeter, the
19 co-defendant, taken? Was she taken from the front
20 stoop?

21 A. She was taken inside the residence.

22 Q. And can you describe the Defendant's
23 behavior while on the front patio or front stoop?

24 A. He was very agitated, was speaking
25 loudly and repeatedly, not giving myself or any

1 other agent an opportunity to explain anything due
2 to the fact that he was continually speaking in an
3 aggressive manner.

4 Q. And was he seated?

5 A. Yes, he was seated in a chair that we
6 had set right outside the front door.

7 Q. All right. Previously you told him
8 there was a search warrant based on your drug
9 investigation?

10 A. Correct.

11 Q. And you Mirandized him on the stoop?

12 A. Correct.

13 Q. And you were explaining to him or
14 attempting to explain to him the reasoning again
15 why you were there?

16 A. Correct.

17 Q. How long overall did the search warrant
18 take to execute?

19 A. I would estimate maybe approximately an
20 hour from the time we arrived to conduct the search
21 prior to the Defendant and co-defendant being
22 transported to the county jail and all law
23 enforcement personnel leaving.

24 Q. At any time when you were with the
25 Defendant did you choke him or put him in a choke

1 hold?

2 A. No, I did not.

3 Q. When you and the Defendant were on the
4 front patio or stoop and the co-defendant was gone,
5 did you see anyone else put him in a choke hold or
6 try to choke him in any manner?

7 A. No, I did not.

8 Q. Did the Defendant ever request any
9 medical attention?

10 A. No, not in my presence.

11 Q. Beg the Court's indulgence.

12 (Brief pause.)

13 Did you find drugs that day during the
14 search warrant?

15 A. Yes, we did.

16 Q. In the residence?

17 A. Yes, ma'am.

18 MS. LINDER: I have no further
19 questions at this time.

20 THE COURT: Yes, sir, Mr. King.

21 CROSS-EXAMINATION

22 BY MR. KING:

23 Q. Is it Detective Waddell?

24 A. Technically Agent Waddell at this time.

25 Q. Agent Waddell, you said you are

1 arresting him for distribution charges, right?

2 A. Correct.

3 Q. You had an arrest warrant?

4 A. Correct.

5 Q. It turned out those warrants were
6 defective in some way, you had to replace those
7 warrants; is that right?

8 A. Not the affidavit. The warrant form
9 had a scrivener's error from the clerk.

10 Q. There were warrants for distribution of
11 marijuana?

12 A. The coding -- the affidavit was for
13 distribution of heroin. The coding that they use
14 on the computer was for a subsection for marijuana.

15 Q. So you were doing surveillance on this
16 apartment on Jobee Drive, right? Before the search
17 warrant was executed you were conducting
18 surveillance?

19 A. Yes.

20 Q. Were you waiting on him to leave at
21 that point or were you just scoping out the
22 situation?

23 A. We were waiting on him to leave the
24 residence to effect the arrest.

25 Q. So you didn't want to arrest -- why

1 didn't you arrest him inside the apartment? Why
2 didn't you go in when he was in there?

3 A. Like I said, due to the fact that he
4 has a criminal record that included an arrest for a
5 weapon law violation, possession of a firearm
6 unlawfully, his involvement in drug distribution
7 and the nexus between drugs and weapons, and the
8 fact that we knew there was a child inside or
9 believed there to be a child residing in the
10 residence as well, we did not want to make entry
11 and potentially have a dangerous environment erupt
12 when children are inside. We felt or I felt like
13 as the case agent it would be safer for all parties
14 to take him into custody off property.

15 Q. You were -- there wasn't a child in the
16 home?

17 A. Not at the time we executed the search
18 warrant, no.

19 Q. You never saw a child enter into or
20 leave while you were conducting surveillance?

21 A. No, I did not.

22 Q. And you think it is -- you believe it
23 is safer to have arrested him in the vehicle as
24 opposed to in the house?

25 A. At that time that was my determination

1 based on all the factors I had.

2 Q. So you conducted a felony stop when you
3 arrest Mr. Blake, a felony arrest, a felony stop?

4 A. Correct.

5 Q. That happens pretty quickly, right?

6 A. Yes, it does.

7 Q. How long would you say it took in this
8 case before -- when you announced your presence and
9 when he was finally taken to the ground, matter of
10 seconds?

11 A. Less than a minute, yes.

12 Q. When the officers get out to approach
13 his vehicle they're now yelling I guess get out of
14 the car. So what he does do? Does he get out of
15 the car?

16 A. No, he does not.

17 Q. How long did he have to get out of the
18 car before he was taken out? That would have been
19 you have got to approach, all this happened in
20 under a minute, you are talking just a matter of
21 seconds?

22 A. He would have ample time to exit the
23 vehicle or show us your hands and comply with
24 orders that were being given.

25 Q. He didn't -- did he resist?

1 A. Not actively.

2 Q. So he didn't get out of the car fast
3 enough before y'all were able to take him out?

4 A. He made no attempt to get out of the
5 vehicle at all.

6 Q. He didn't try to run?

7 A. No, he did not.

8 Q. Where were you when this was going on?

9 A. Best of my recollection I believe I was
10 in front of the vehicle. The vehicle I was driving
11 pulled in front of other people's vehicle in the
12 back and I was covering his vehicle while agents
13 from the rear or detectives from the rear took him
14 into custody.

15 Q. You didn't -- you weren't a part of
16 taking him down?

17 A. No, I did not personally.

18 Q. But you were on the scene?

19 A. Yes, I was.

20 Q. And then you arrested Ms. Jeter at her
21 job?

22 A. Inside. The same location where he was
23 taken in was the location of her job. She was just
24 inside that if I wasn't clear about that.

25 Q. Were you aware that he was going there

1 to pick her up based on your surveillance?

2 A. I was not aware of that prior to, but
3 obviously when he pulled in there, you know, it was
4 determined that that was most likely the situation.

5 Q. You knew before that Ms. Jeter worked
6 at that place?

7 A. I had received information that she
8 worked there.

9 Q. You weren't waiting for her to come out
10 before arresting her in her job?

11 A. I'm sorry?

12 Q. You arrested her in her place of
13 business in front of all the people she works with?

14 A. There was another employee there that
15 led me to her that was present.

16 Q. So then Ms. Jeter and Mr. Blake are
17 taken back to the apartment?

18 A. Yes.

19 Q. Why not take them -- if they're under
20 arrest why not take them to jail?

21 A. As a matter of practice we take them
22 back to the residence. Some people want to
23 cooperate. Some people may want to provide
24 statements. They may want to cooperate in the
25 sense of like not having the ram the door, tell us

1 which key gets us in. You know, helping describe
2 what we are going to encounter so when we go in the
3 residence if anybody else is present, children
4 there, if there's, you know, aggressive dogs, any
5 number of reasons.

6 Q. You were concerned about Mr. Blake and
7 safety issues related to him, right?

8 A. Prior to being taken into custody, yes.

9 Q. Was he cooperative after that?

10 A. I don't know that I would describe it
11 as cooperative.

12 Q. If it's a safety issue, you keep him
13 confined. But you are just basically sitting him
14 on a chair handcuffed, right, while they are
15 executing the search warrant, just kind of sitting
16 there?

17 A. Yes, in the presence of law enforcement
18 personnel, either myself or other people. He was
19 not just allowed to sit out in the parking lot
20 unattended.

21 Q. And how long did it take you to get
22 from I guess Ms. Jeter's place of business back to
23 the apartment?

24 A. Would have been a matter of minutes.
25 The two locations are within a relative close

1 proximity, both in the West Ashley area.

2 Q. When you got there did you talk to Mr.
3 Blake and Ms. Jeter when you first arrived? I
4 guess when you first arrived what did you do?

5 A. I approached both of them and advised
6 them of their Miranda rights.

7 Q. Did you have a search warrant with you
8 then?

9 A. Yes, I would have had the arrest
10 warrant and the search warrant with me.

11 Q. Did you give Mr. Blake a copy of the
12 search warrant?

13 A. A copy was left at the residence.

14 Q. Based on your investigation you
15 believed this to be Mr. Blake's primary residence?

16 A. Yes.

17 Q. You believe he lived there?

18 A. Yes.

19 Q. He didn't ask to see the search
20 warrant?

21 A. He made vague inquiries as to what's
22 going on, I haven't done anything, this is private
23 property, what are y'all doing, general inquiries
24 of that nature.

25 Q. He was protesting the search?

1 A. I guess. I assume it could be worded
2 that way.

3 Q. You didn't tell him to shut up when he
4 asked about the warrant or why you were there at
5 any time?

6 A. Yes.

7 Q. At any point did you tell him to shut
8 up?

9 A. Yes.

10 Q. In response to him asking what's going
11 on you told him to shut up?

12 A. In response to his continued agitated
13 state of speaking over us so that his questions
14 could be answered. They could not be answered if
15 he did not provide us an opportunity to speak
16 because of his agitated state.

17 Q. He was asking -- was he asking why he
18 was being arrested?

19 A. Yes.

20 Q. Don't you think if you had given him a
21 copy of the search warrant and the arrest warrant
22 then that might have calmed him down?

23 A. Well, I explained to him, but again he
24 is handcuffed behind his back sitting in a chair so
25 he was not handed a copy to hold which he would

1 have been able to read with his hands handcuffed
2 behind his back if he was holding the search
3 warrant. But he was advised of his warrants and
4 the nature of the search warrant and what got us to
5 that point.

6 Q. Did you ever tell him don't worry about
7 it when he asked you where the search warrant was
8 or to see the search warrant?

9 A. No, he would have been advised that a
10 copy was being left at the residence as standard
11 practice.

12 Q. You never put him in a choke hold?

13 A. No, I did not.

14 Q. Did you ever have to put your hands on
15 him?

16 A. Yes.

17 Q. How did that occur?

18 A. After multiple times of him attempting
19 to stand up out of his chair when we are on this
20 small stoop I told him repeatedly to sit back down.
21 He continued to stand up after being ordered to sit
22 back down and on what I would assume or what I
23 remember probably the third or fourth time he stood
24 up I placed my left hand, it would have been on his
25 right shoulder as he was seated as I am facing him,

1 my left hand, his right shoulder and pushed him
2 back into the seat and told him not to get up
3 again.

4 Q. May I approach the witness, Your Honor?

5 THE COURT: You may.

6 BY MR. KING:

7 Q. Are you familiar with this statute
8 17-13-150?

9 A. Not by number.

10 Q. Are you familiar with that statute?

11 A. I'm --

12 Q. Can you read that?

13 A. Yes. "17-13-150, person served search
14 warrant shall be furnished copy of warrant and
15 supporting affidavit. When any person is served
16 with a search warrant such person shall be
17 furnished with a copy of the warrant along with the
18 affidavit upon which such warrant was issued."

19 (DFT. EXH. 1, copy of statute, was
20 marked for identification.)

21 (DFT. EXH. 2, search warrant, was
22 marked for identification.)

23 BY MR. KING:

24 Q. Your Honor, for the record I ask to
25 make 17-13-150 part of the record as Defendant's

1 Exhibit 1. And I want to hand you this. Do you
2 recognize Defendant's Exhibit No. 2?

3 A. Appears to be a copy of the search
4 warrant.

5 Q. Does that look -- does that appear to
6 be the search warrant that you -- an accurate copy
7 of the search warrant that you served on Jobee
8 Drive?

9 A. Yes, it appears to be.

10 Q. Now, in that search warrant that the --
11 a judge's signed that, right? A judge has signed
12 and issued this warrant? You went to the judge to
13 have a judge sign it?

14 A. Yes.

15 Q. Doesn't it say on that search warrant,
16 this would be -- I will show you the page, but
17 where it says description of premises and
18 description of property, I believe it's the fourth
19 page, counting the cover sheet, do you see down
20 there at the bottom where there's a phrase that
21 says copy of this search warrant shall be delivered
22 to the person in charge of the premises searched at
23 the time of search if practical. And if not to
24 such person as soon thereafter as is practicable.
25 And in the event that identity of the person in

1 charge is not known or if such person cannot be
2 found after reasonable diligence in attempting to
3 locate the person a copy shall be attached to a
4 prominent place on such premises, right?

5 A. Yes.

6 Q. So the judge ordered you to deliver a
7 copy to the person in charge of the premises, who
8 you know Mr. Blake, that was his primary residence?
9 There was no question about that?

10 A. Correct.

11 Q. The judge ordered you to serve him a
12 copy of the search warrant as soon as practicable?
13 But you never gave him a copy of it?

14 A. No. I did not hand him physically. A
15 copy was placed on the residence and it was
16 described to him.

17 Q. He is handcuffed, he can't wander
18 around in the residence freely, can he?

19 A. No, he cannot.

20 Q. And at the conclusion of this search
21 you took him to jail, right?

22 A. Correct.

23 Q. He didn't stay in the apartment so he
24 could get a copy and see what it says?

25 A. Correct.

1 Q. You serve a copy on him when he gets to
2 the jail?

3 A. I'm sorry?

4 Q. Did you serve a copy of the search
5 warrant on Mr. Blake when he was booked into the
6 jail?

7 A. No, I did not.

8 Q. You never personally gave him a copy at
9 any point --

10 A. I did not.

11 Q. -- of the search warrant. I am just
12 going to show you a couple more things.

13 (DFT. EXH. 3, photograph, was marked
14 for identification.)

15 (DFT. EXH. 4, photograph, was marked
16 for identification.)

17 BY MR. KING:

18 Q. Showing you Defendant's Exhibit 3 and
19 4, do you recognize those?

20 A. Yes, they appear to be photographs of
21 the search warrant at the residence.

22 Q. That's showing a copy of the search
23 warrant laying on the stove in the kitchen, right?

24 A. Correct.

25 Q. And also laying on the table in the

1 living room; is that right?

2 A. Living or little dining area, yes,
3 within the residence.

4 Q. He never asked for his lawyer?

5 A. No.

6 Q. You found during the search a receipt
7 for legal fees paid to Jim Smiley; do you remember
8 that?

9 A. Vaguely.

10 Q. So you were aware it was dated that
11 very day? Do you remember that?

12 A. Not from that day.

13 Q. Sorry?

14 A. I don't remember that from that day.

15 In reviewing the evidence I know that that was
16 recovered on that day, but I don't remember it from
17 that day.

18 Q. Are you aware that that receipt was
19 dated February 22nd? Are you aware of that now?

20 A. Now I am.

21 Q. There was a receipt dated that day
22 where Mr. Blake had paid Jim Smiley, a lawyer,
23 legal fees?

24 A. Correct.

25 Q. You knew he had seen the lawyer that

1 day and paid him?

2 A. After the fact.

3 Q. How long did you say -- by the time you
4 took them back to the residence how long did it
5 take to conduct the search at that point before it
6 was over and you took them to jail?

7 A. I would say probably approximately an
8 hour.

9 Q. Do you know what time the search
10 started?

11 A. I do not off the top of my head. It
12 would have been daylight hours in the afternoon.

13 Q. Does the time 1500 hours, does that
14 sound about right?

15 A. That sounds about right for when the
16 operation began when he was taken into custody. On
17 the search warrant return there is another time for
18 when the search warrant was executed.

19 Q. What time was that?

20 A. 1542 hours.

21 Q. That's 3:42?

22 (DFT. EXH. 5, booking sheet, was marked
23 for identification.)

24 BY MR. KING:

25 Q. Show you Defendant's Exhibit No. 5. Do

1 you recognize that?

2 A. Appears to be the booking sheet for the
3 Defendant.

4 Q. Do you see a time on there when he was
5 booked in?

6 A. Looks like 2100 hours.

7 Q. So that's a good -- quite a few hours
8 away from 1500, right?

9	A. Correct.

10 Q. Can you explain that, the -- why that
11 time would say 2100 and you said it took an hour to
12 do the search?

13 A. Yes, because he wouldn't have been
14 officially booked in until the scrivener's error
15 was corrected and the warrant forms updated with
16 the correct coding as we have discussed just a few
17 minutes ago and that's when he would have actually
18 been booked into the system.

19 Q. So that -- I guess that took that a few
20 hours or a couple hours to do that?

21 A. Probably so.

22 MR. KING: I don't have any other
23 questions, Your Honor.

24 THE COURT: Thank you. Any redirect?

25 MR. KING: I would ask that all my

1 exhibits be entered at least for this hearing.

2 THE COURT: Any objection?

3 MS. LINDER: No objection.

4 THE COURT: All right. They are in
5 evidence for this hearing.

6 (DFT. EXH. 1-5 in evidence.)

7 MS. LINDER: I don't have any further
8 questions for this witness for the purpose of this
9 hearing.

10 THE COURT: All right. You may step
11 down, sir. Thank you.

12 MS. LINDER: Briefly, Your Honor, the
13 State calls Sergeant Mark Bryant.

14 MARK BRYANT

15 Having been duly sworn, testifies as follows:

16 DIRECT EXAMINATION

17 THE CLERK: State your full name and
18 spell your last name.

19 THE WITNESS: Mark Anthony Bryant,
20 spelled B-R-Y-A-N-T.

21 BY MS. LINDER:

22 Q. Good morning.

23 A. Good morning.

24 Q. Can you please tell the judge what your
25 occupation is?

1 A. I'm a Sergeant with the Charleston
2 County Sheriff's Office. I work in the detective
3 division.

4 Q. And you said Charleston County?

5 A. Yes, ma'am.

6 Q. And can you explain how long you have
7 been in law enforcement?

8 A. I started my law enforcement career
9 nearly 20 years ago.

10 Q. And in February of 2013 what capacity
11 were you working?

12 A. I was newly -- newly assigned Sergeant
13 to the Metro Narcotics Division.

14 Q. As a Sergeant of the Narcotics Division
15 can you just briefly explain the importance of a
16 prebriefing and researching and gathering as much
17 intel as possible for execution of a search
18 warrant?

19 A. Any time you are going to do a search
20 warrant we do a preplanning package with the
21 detectives to see if there's any children at the
22 house, possible animals, any type of dangers that
23 possibly could result in the community getting hurt
24 or anything like that in the preplanning. So
25 hopefully lessen any type of chance of anything

1 happening.

2 Q. Do you remember being involved with
3 this case, State versus Mark Blake, at all?

4 A. Yes.

5 Q. Why do you remember it?

6 A. I have known Mark since he was probably
7 about 12 or 14 years old. And it being the first
8 case I was ever involved in in metro as a takedown.

9 Q. And can you describe or tell the judge
10 in this case why a felony traffic stop was decided
11 to be used?

12 A. My understanding was based on the
13 history. In our line of work drugs and guns are
14 associated together. When we conducted this stop
15 we pinched him in that prevents him from possibly
16 fleeing and it's kind of an overwhelming situation
17 where it is kind of a shock and hopefully that will
18 prevent him from fleeing, anyone else in the
19 community getting hurt and the officers safety.

20 Q. And did he comply when he was first
21 ordered out of the car and pinched in?

22 A. No, ma'am.

23 Q. So what happened?

24 A. I approached him and if I remember
25 correctly Detective Waddell came from behind me.

1 Mark was still sitting behind the wheel. Detective
2 Waddell reached in, grabbed Mark by the arm, pulled
3 him out and placed him on the ground and we placed
4 him in handcuffs.

5 Q. And was Mr. Blake told about his
6 charges at that point?

7 A. I don't recall at that point.

8 Q. And did you ever go back to 2770 Jobee
9 to do a search warrant?

10 A. At his apartment, yes.

11 Q. And can you describe this Defendant's
12 behavior while that's going on?

13 A. Mark had a bit of an attitude and
14 that's pretty much all I can say.

15 Q. Was he talking back, was he raising a
16 voice?

17 A. Oh, yes. That's pretty typical since I
18 have known him.

19 Q. And was he following instructions and
20 orders as far as being calm, staying where he was?

21 A. No.

22 Q. And did you do a choke hold on Mark
23 Blake?

24 A. No.

25 Q. Did you see anyone else do a choke hold

1 on him?

2 A. No.

3 Q. Did the Defendant request medical
4 attention at any point?

5 A. No.

6 Q. Did you see any visible injuries?

7 A. No. I would have not allowed him --
8 that situation to get to that point.

9 Q. Because you were the supervisor?

10 A. I was the supervisor on the scene, was
11 my first scene, and I know Mark. I just wouldn't
12 do that plain and simple.

13 Q. And were people starting to gather
14 outside kind of watching what was happening in the
15 public?

16 A. A few people, but that comes with the
17 territory with that many of us going around in our
18 bulletproof vests and guns, different cars.

19 Q. And what was done? Did Blake and his
20 girlfriend Dominique Jeter stay out front on the
21 front stoop the whole time together?

22 A. I don't believe so.

23 Q. Where was the girlfriend brought?

24 A. I brought her into the bathroom to get
25 a statement from her.

1 Q. Why the bathroom?

2 A. Well, the bathroom is the easiest place
3 to search. When you first initially clear a
4 residence the bathroom is a small area. You can
5 search that area fairly quickly, check for any type
6 of guns and because it takes a lot more time in the
7 bigger rooms.

8 Q. And did you ever hear this Defendant
9 ask for an attorney?

10 A. No.

11 Q. And did you end up getting a statement
12 from or being part of a statement that was given
13 from this Defendant and Defendant Dominique Jeter?

14 A. I got a statement from Ms. Jeter.

15 Q. When you got her statement did you
16 threaten her in any way?

17 A. No.

18 Q. Did you threaten to take her kids?

19 A. No, ma'am.

20 Q. Did you tell her if she told you what
21 you wanted to hear that she wouldn't be going to
22 jail that day?

23 A. No, ma'am. I told her what charges she
24 was facing and she immediately put it all back on
25 Mark and said she would do a statement.

1 Q. Beg the Court's indulgence.

2 (Brief pause.)

3 MS. LINDER: No further questions.

4 Please answer anything the defense may have.

5 THE WITNESS: Yes, ma'am.

6 THE COURT: Mr. King.

7 CROSS-EXAMINATION

8 BY MR. KING:

9 Q. Sergeant Bryant, you testified that it
10 was Agent Waddell who took down Mr. Blake in the
11 felony stop?

12 A. As I recall I believe that's what
13 happened.

14 Q. And then were you -- did you go back
15 with either Mr. Blake or Ms. Jeter? Were you with
16 them when you went back to the apartment?

17 A. I believe I was with Detective Uber in
18 his car. I don't believe I rode with either of
19 them.

20 Q. When you got there was Mr. Blake and
21 Ms. Jeter already there?

22 A. No, we took Mr. Blake back.

23 Q. You took Mr. Blake?

24 A. We took Mr. Blake back, the team did.

25 Q. So you got there at the same time?

1 A. Yes, we all pulled in.

2 Q. Did Agent Waddell come at that point
3 when Mr. Blake was at the apartment or was he late
4 getting there?

5 A. I don't recall. I would assume he was
6 there at the same time we were. It was his search
7 warrant. He was the case agent.

8 Q. You said Mr. Blake had an attitude?

9 A. Yes.

10 Q. You say he was talking back, he was
11 raising his voice?

12 A. Yes. I remember talking to him about
13 it.

14 Q. Do you remember what he was saying?
15 What was he saying? He was raising his voice?

16 A. Just gets a little belligerent, starts
17 cussing and telling us about ourselves.

18 Q. Did he physically threaten anyone?

19 A. I don't believe so.

20 Q. You said he was cussing at the
21 officers?

22 A. Yes, he gets an attitude. He starts
23 cussing. Ever since -- I mean not unusual.

24 Q. That's his personality?

25 A. In our line of work. I haven't seen

1 Mark since that time in years before, but I
2 remember him before. He's got a bad attitude.

3 Q. He is not the first person you have
4 seen protested a search warrant, right?

5 A. No.

6 Q. And you don't remember exactly what he
7 was saying? He wasn't saying why am I here, why
8 are you arresting me, why are you searching me?

9 A. Not that type of attitude.

10 Q. Can you explain anything that he said,
11 any words that he said?

12 A. Basically we're wrong, we are dirty,
13 we're F'ing pigs, we're this, that type of
14 language. I can't verbatim say what he said.

15 Q. Did you at any point give Mr. Blake a
16 copy of the search warrant?

17 A. No.

18 Q. Did you ever hear Agent Waddell tell
19 Mr. Blake to shut up?

20 A. Those particular words, shut up, I'm
21 sure we told him to be quiet. I didn't hear that,
22 but I remember us telling him to calm down and be
23 quiet.

24 Q. Did he ever calm down and get quiet?

25 A. When I talked to him he had his

1 moments. One minute he's upset about the
2 situation, the next minute he's calming down, but I
3 mean I can't say that he stayed calm the whole time
4 or I can't say that he was belligerent the whole
5 time either.

6 MR. KING: I believe that's all the
7 questions I have, Your Honor.

8 THE COURT: Any redirect?

9 MS. LINDER: No redirect.

10 THE COURT: Thank you. You may step
11 down.

12 MS. LINDER: State calls Andrew Miller.

13 ANDREW MILLER

14 having been duly sworn, testifies as follows:

15 THE CLERK: State your full name and
16 spell your last name for the record.

17 THE WITNESS: Andrew Miller,
18 M-I-L-L-E-R.

19 DIRECT EXAMINATION

20 BY MS. LINDER:

21 Q. Can you please tell the judge your
22 current rank and employer?

23 A. Current employer is Charleston County
24 Sheriff's Office. I work as a detective in
25 property crimes.

1 Q. And how long have you been in law
2 enforcement?

3 A. Eighteen years.

4 Q. What was your role and duty back in
5 February of 2013?

6 A. I was a narcotics detective.

7 Q. And do you remember being involved with
8 this case, State versus Mark Blake?

9 A. Yes, ma'am.

10 Q. Do you remember being involved with a
11 search warrant execution that day?

12 A. Yes, ma'am.

13 Q. Do you recall tactically why a felony
14 traffic stop was decided to be used?

15 A. If I remember correctly, I believe he
16 already had charges for possession of a firearm or
17 having a firearm and that and drugs, guns and drugs
18 go together. So at that point we felt it was
19 necessary as he could possibly have a firearm with
20 him at that time.

21 Q. And were you part of the felony traffic
22 stop?

23 A. Yes, ma'am.

24 Q. And can you explain what your role was?

25 A. I'm not sure -- I don't remember

1 exactly which car I was in. But I remember how it
2 took place. I remember he pulled up in front of
3 the nursing home. A car blocked him in the front,
4 a car blocked him in the back. That was to limit
5 our injuries as well his so we can get up and take
6 the vehicle down with the least amount of problems
7 as we could.

8 Q. Did he get out of the car immediately
9 and cooperatively?

10 A. No, he did not. He had to be directed
11 several times. Then he was taken out of the
12 vehicle. I do not remember who took him out of the
13 vehicle.

14 Q. And was anybody else -- do you remember
15 anybody else being arrested at that assisted living
16 center?

17 A. Yes, his girlfriend which I believe is
18 Ms. Jeter.

19 Q. And was she outside when the felony
20 traffic stop occurred?

21 A. No, she was not outside. She was
22 inside her place of employment which was the
23 nursing home.

24 Q. And did you ever go back to 2770 Jobee
25 to execute a search warrant?

1 A. Yes, ma'am.

2 Q. And can you describe the Defendant's
3 behavior?

4 A. The Defendant in the beginning was very
5 boisterous, just continued to ask the same question
6 over and over again even after it was explained why
7 he was being arrested at that time.

8 Q. It was explained to him why he was
9 being arrested?

10 A. Yes, ma'am.

11 Q. Was he asking and demanding a lawyer?

12 A. Not that I'm aware of.

13 Q. Were you ever out front on the stoop or
14 patio with the Defendant?

15 A. Not in the beginning. But at the end
16 when we walked him down to the car I believe I was
17 a part of walking him down to the vehicle.

18 Q. At this point did you put Blake in a
19 choke hold?

20 A. No, ma'am.

21 Q. Did you see anyone else put him in a
22 choke hold?

23 A. No, ma'am.

24 Q. Is the apartment itself pretty small?

25 A. Yes, ma'am.

1 Q. If someone was yelling and you were
2 inside, and they were yelling from outside would
3 you have heard it?

4 A. Yes, ma'am.

5 Q. Are you aware of co-defendant Jeter
6 being questioned inside the residence?

7 A. Yes. They were both separated and
8 questioned.

9 Q. Were you inside the residence when she
10 was questioned?

11 A. Yes, ma'am.

12 Q. And did you hear any raised voices,
13 yelling, threats, anything?

14 A. No, ma'am.

15 Q. Beg the Court's indulgence.

16 (Brief pause.)

17 Did Blake request any medical attention
18 that day?

19 A. No, ma'am.

20 MS. LINDER: Nothing further.

21 THE COURT: Yes, sir.

22 CROSS-EXAMINATION

23 BY MR. KING:

24 Q. Detective Miller, you were present
25 during the felony arrest?

1 A. Yes.

2 Q. Did it happen pretty quickly?

3 A. Yes, sir.

4 Q. How long do you think that took?

5 A. No more than a couple of minutes.

6 Q. That's part of the felony stop, moving
7 quick?

8 A. Yes, sir.

9 Q. You went back to the apartment. Who
10 were you with when you went back to the apartment?

11 A. I'm not sure which vehicle, might have
12 been the van. I'm not sure which vehicle I was in.
13 I don't remember specifically.

14 Q. When you got back what was your role
15 when you got back to the apartment?

16 A. I was the evidence custodian.

17 Q. Did you at any point give Mr. Blake a
18 copy of the search warrant?

19 A. I did not, no.

20 Q. Did you ever hear him ask for a copy of
21 the arrest warrant or search warrant?

22 A. He may have. I do not remember.

23 Q. You said you weren't out there guarding
24 him, you weren't one of the ones guarding Mr. Blake
25 when he was sitting on the patio?

1 A. No.

2 Q. Were you ever present when there was an
3 exchange between him and Agent Waddell?

4 A. No. I mean he was very boisterous all
5 the time. You could hear him yelling, but nobody
6 else.

7 Q. Did you hear what he was yelling?

8 A. No, I had to focus on my task at hand.

9 MR. KING: That's all the questions I
10 have.

11 THE COURT: Any redirect?

12 MS. LINDER: No redirect.

13 THE COURT: Thank you, sir.

14 MS. LINDER: We have no other
15 witnesses.

16 THE COURT: Mr. King?

17 MR. KING: Your Honor, defense would
18 call Dominique Jeter. She was the co-defendant and
19 has an attorney Mary Ford.

20 MS. FORD: Your Honor, she does not
21 wish to testify. She wants to assert her Fifth
22 Amendment Right not to incriminate herself.

23 MR. KING: Can I call her and make sure
24 that she asserts that herself? The jury is not
25 here or anything.

1 THE COURT: Sure.

2 MS. FORD: Your Honor, may I step up
3 with her?

4 THE COURT: You may.

5 DOMINIQUE JETER

6 having been duly sworn, testifies as follows:

7 THE CLERK: State your name and spell
8 your last name for the record.

9 THE WITNESS: Dominique Jeter,
10 J-E-T-E-R.

11 BY MR. KING:

12 Q. Ms. Jeter, do you remember a search
13 warrant being executed at an apartment on Jobee
14 Drive on February 22nd, 2013?

15 A. No, I never saw a search warrant.

16 MS. FORD: Your Honor, I apologize.
17 I'm not sure how far we should get into it. He's
18 asking basic questions right now.

19 As far as anything substantively, I
20 don't know if he just wants her to say to
21 particular questions I assert --

22 MR. KING: Just going to ease into it,
23 Your Honor. I just don't know what she is willing
24 to testify to. If she is willing to testify to
25 anything how the officers acted that day, that's

1 the purpose of this hearing that I am asking, not
2 asking her substantive questions about the drugs or
3 guilt or innocence. I am just asking about how the
4 officers behaved. I don't know if I am asking her
5 to incriminate herself. I will try to take it
6 slowly.

7 MS. FORD: Your Honor, I don't know as
8 far as then the State would be able to
9 cross-examine her, I don't know if they can
10 actually fully cross-examine her if she is going to
11 be able to assert the Fifth Amendment right.

12 MS. LINDER: Your Honor, if I may, just
13 to give some overview, and Ms. Ford and Mr. King
14 can correct me if I'm wrong, my understanding is
15 Mr. King is trying to get information out from Ms.
16 Jeter about law enforcement behavior on the front
17 end of the search warrant. And I would fully --
18 Ms. Jeter gave one statement, a written statement
19 to law enforcement the day of, two years later gave
20 a written affidavit that was submitted as part of
21 Mr. Blake's federal lawsuit that was in opposition
22 of what she told law enforcement.

23 So if Mr. King is asking about law
24 enforcement behavior, then I absolutely intend to
25 ask about any other aspect of it which I believe is

1 Ms. Ford's concern.

2 THE COURT: Mystery solved. So what is
3 it your client wishes to do? Do you need to confer
4 with her?

5 MS. FORD: Your Honor, it is my
6 understanding she does not wish to involve herself
7 in this. She does not want to give testimony
8 considering that she could do something to
9 incriminate herself, Your Honor.

10 THE COURT: All right. So we have had
11 one question asked and answered.

12 MR. KING: May I just ask if Ms. Jeter
13 agrees with what her attorney is saying? I know
14 her attorney is speaking for her, but she is on the
15 stand. Ms. Jeter, are you willing to answer any
16 questions if I ask about how the search warrant was
17 executed?

18 THE WITNESS: No.

19 MR. KING: Thank you.

20 THE COURT: And is that based on your
21 indication of the right not to incriminate yourself
22 guaranteed by the Fifth Amendment?

23 THE WITNESS: Yes.

24 MR. KING: Can I ask her to
25 authenticate the affidavit?

1 THE COURT: I don't know what affidavit
2 you are talking about.

3 MR. KING: There's an affidavit that
4 describes what happened.

5 THE COURT: Her affidavit?

6 MR. KING: Ms. Jeter's affidavit.

7 THE COURT: Okay.

8 MR. KING: Just if she would be willing
9 to ask if she wrote the affidavit.

10 MS. FORD: I would still say that she
11 would assert her Fifth Amendment right, Your Honor.

12 THE COURT: Well --

13 BY MR. KING:

14 Q. Ms. Jeter, if I show you this affidavit
15 would you be willing to say whether you wrote this
16 or not?

17 MS. FORD: Again, Your Honor, my
18 objection or my concern is just that the State may
19 want to go into the contents of the affidavit.

20 THE COURT: Okay. So you're
21 instructing her not to answer based on the Fifth
22 Amendment.

23 MS. FORD: Yes, Your Honor.

24 THE COURT: Are you invoking the
25 privilege in regards to the authenticity of that

1 affidavit in question as well, Ms. Jeter?

2 THE WITNESS: Yes.

3 THE COURT: All right.

4 MR. KING: Okay.

5 THE COURT: Anything further?

6 MR. KING: I don't believe so. Not
7 much I can do with this witness, Your Honor.

8 MS. LINDER: Judge, based on her
9 asserting her Fifth Amendment right we would
10 obviously have no questions; however, her attorney
11 expressed that she wished to assert that and then
12 she answered part of a question. My concern is she
13 was uncertain and I would ask that her answer,
14 whether or not she understood it, not be considered
15 in this portion of the case.

16 THE COURT: Her answer in regards to
17 what? She answered the question, but what are you
18 getting at there?

19 MS. LINDER: She said she did not see a
20 search warrant.

21 THE COURT: Okay.

22 MS. LINDER: When Mr. King asked that,
23 but Ms. Ford -- appeared from my perspective that
24 she was trying to explain again that her client
25 wished to assert the Fifth Amendment right.

1 THE COURT: Okay. I understand your
2 position. Thank you.

3 MS. FORD: Your Honor, my client is
4 under subpoena. I don't know if she can be
5 excused. She has to go to work at 2:00.

6 MR. KING: I guess I'm -- I don't know
7 I want to release her at least to the subpoena, but
8 I don't think I would need her today, Your Honor.

9 THE COURT: You wouldn't?

10 MR. KING: I don't believe so.

11 THE COURT: You are still under
12 subpoena. You need to be back here and available
13 tomorrow morning at the start of court which would
14 be 9:00. Thank you.

15 MS. FORD: Thank you.

16 MR. KING: Actually, Your Honor, I
17 spoken with Mr. Blake. And he says we can release
18 her from the subpoena. I don't believe she's going
19 to testify in the trial case in chief anyway based
20 on what happened today.

21 THE COURT: All right. So you're
22 released from the subpoena, Ms. Jeter, entirely.
23 Thank you. Okay. Next issue.

24 MR. KING: Your Honor, I think I have
25 one more witness, Mr. Blake.

1 Your Honor, I advised Mr. Blake that he
2 could testify at this pretrial hearing regarding
3 the officer's conduct, but not waive his right to
4 remain silent in the trial itself. I have advised
5 him that he doesn't waive his Fifth Amendment right
6 by testifying at the pretrial hearing.

7 THE COURT: What's the State's position
8 on that?

9 MS. LINDER: Judge, that's a difficult
10 one as I don't know exactly what Mr. Blake is going
11 to say. If he talks about conduct now that has
12 been brought up in trial by Mr. King, obviously I
13 would want to go into some things. It's very hard
14 for me to definitively say one way or the other
15 without hearing from him.

16 MR. KING: The only issue is I don't
17 believe that he will be testifying now about the
18 execution of the search warrant. I believe he can
19 still remain silent. That doesn't waive his right
20 to remain silent. Anything he says today may be
21 used against him if he mentions anything about the
22 heroin, but I don't plan on going into that, just
23 asking about how the officers conducted themselves
24 that day, what he experienced.

25 THE COURT: So it would not -- by

1 testifying here right now Mr. Blake would not give
2 up his right to not testify during the trial and
3 remain silent, but I don't know about restricting
4 the use of what he says here today as evidence
5 during the trial for impeachment purposes or if he
6 did testify.

7 MR. KING: I understand. If he
8 testified during the trial, I agree, I believe that
9 he would be able to be impeached if he said
10 anything different than what he said.

11 THE COURT: Okay.

12 MARK LORENZO BLAKE

13 having been duly sworn, testifies as follows:

14 THE CLERK: Please state your full
15 name.

16 THE WITNESS: Mark Lorenzo Blake, Jr.

17 DIRECT EXAMINATION

18 BY MR. KING:

19 Q. Mr. Blake, do you remember the events
20 that there has been testimony about from
21 February 22nd, 2013?

22 A. Yes, I remember it like yesterday.

23 Q. Now, I want to start with at some point
24 police surround your car. Start there. What
25 happened that day when you first noticed police

1 around your car? Where were you going?

2 A. I was upon my arrival to pick up my
3 girlfriend.

4 Q. And what happened when you went there?

5 A. Two unmarked cars apparently boxed me
6 in while they pulled up. And after that I was on
7 the phone during the time of them pulling up on me
8 and guns blazing at me, and I was trying to
9 cooperate the best way and tell the person on the
10 phone I have to call them back because apparently
11 I'm being arrested. I stepped out of the car and
12 after that I was tackled and put my hands up.

13 Q. Did you resist?

14 A. Not at all.

15 Q. How long did they give you before you
16 were tackled?

17 A. I couldn't even get two feet on the
18 ground before I was tackled.

19 Q. And then later were you interviewed by
20 Agent Waddell and Detective Miller?

21 A. Yes.

22 Q. Back on Jobee Drive?

23 A. Yes.

24 Q. You have heard testimony about them
25 saying that you were yelling and saying things.

1 What were you saying to the detectives back at
2 Jobee Drive?

3 A. Upon Detective Waddell making his
4 arrival which he was supposed to furnish me with
5 search warrant and arrest warrants, he then states
6 what me and Ms. Jeter were being arrested for at
7 that time and I asked to speak with my attorney at
8 that point. They declined my request and then I
9 asked to see a copy of the search warrant and he
10 declined that request also. And that's why I, you
11 know, got agitated and got an attitude because I
12 felt a lot of foul play was going on at that point
13 based on all my questions were being declined.

14 Q. What did the detectives say to you when
15 you asked for the search warrant?

16 A. Don't worry about that.

17 Q. Did they mistreat you in any way?

18 A. Very much so.

19 Q. Can you explain that?

20 A. Well, they denied me my right of
21 attorney, violation of my constitutional amendment.
22 They further tried to interrogate me after denying
23 my right to ask to speak to my attorney. Me and
24 Detective Waddell, we had got into a verbal dispute
25 about the furnishment of the search warrants and I

1 did stand up. I felt as though I was being
2 intruded in my house was ransacked and nobody could
3 supply the answers that I wanted based on that it
4 was my residence and I just felt as though my
5 rights were being trod on and I was being
6 overdrawn.

7 Q. Did they ever put their hands on you?

8 A. Yeah, Detective Waddell did. Put his
9 hands on me, pushed me back in the chair and we
10 still engaged in a verbal dispute. He told me to
11 shut up. I told him I wasn't going to shut up
12 because this is my residence. Whether I am under
13 arrest or not, I have the floor so he has to
14 respect that fact that I can say what I want to
15 say. It's a free world.

16 Q. Did he put you in a choke hold?

17 A. Yes. Afterward he did put me in a
18 choke hold because he was going back and forth. He
19 did put me in a choke hold. Didn't last no more
20 than about five seconds. Wasn't really, really,
21 real serious, but I think it was really, really
22 unnecessary based upon they wanted me to be quiet
23 and I didn't want to be quiet. I didn't know not
24 being quite was a crime.

25 Q. Did you ever threaten anyone?

1 A. Never threatened anyone.

2 Q. Ever get physically violent?

3 A. Never.

4 Q. Were you ever at any time given a copy
5 of the search warrant?

6 A. Never.

7 Q. You have seen photographs where the
8 search warrant was inside the apartment. Did they
9 ever let you in the apartment to go look at it?

10 A. No, never.

11 Q. How long would you say they kept you in
12 that apartment while the search was going on?

13 A. It was a long time. I was being held
14 against my will. Was probably like maybe three
15 hours roughly.

16 Q. And then they eventually took you to
17 the jail?

18 A. Yes, they finally took me to the jail
19 which they should have done once I asked to speak
20 to my attorney. They eventually took me to the
21 jail. They insisted on trying to hold me and
22 trying to make me cooperate, threatening me to
23 cooperate, trying to entrap me, doing everything
24 they could trying to make me admit to the drugs
25 that they eventually found in my apartment was

1 mine. They tried to make me cooperate and try to
2 use me as an informant. They wanted me to call my
3 understanding of the drug dealers apparently and
4 that's when I provided them with a statement that I
5 provided with my discovery.

6 Q. When you got to the jail did anything
7 happen there? Did you go back in there
8 immediately?

9 A. Yes, we got booked in immediately. It
10 was different transporting officers. Waddell did
11 not book me in personally. It was a discrepancy in
12 between the warrants amongst the jail staff and the
13 transporting officers and they immediately phoned
14 Waddell. It was so fast, it was two or three
15 minutes later he got there. So it was like he was
16 saying took a long time, but it did not take a long
17 time to book me because he came so quick. He was
18 right there.

19 Q. I think that's all the questions I
20 have, Your Honor.

21 THE COURT: Thank you. Ms. Linder.

22 CROSS-EXAMINATION

23 BY MS. LINDER:

24 Q. I want to make sure that I understand
25 everything you testified to here today okay, Mr.

1 Blake?

2 A. Okay.

3 Q. You said you remember this like it was
4 yesterday, right?

5 A. Absolutely.

6 Q. And you said that when you pulled up to
7 the girlfriend's work it was all unmarked cars
8 around you; is that right?

9 A. Yes, as far as I can see was all
10 unmarked cars.

11 Q. All unmarked cars?

12 A. Yes.

13 Q. And is it your testimony that you then
14 got out of your car?

15 A. Yeah, I got out of my vehicle.

16 Q. Okay. And then you were told about
17 what you were getting placed under arrest for,
18 right?

19 A. Right there and then? No, I asked
20 numerous times. Transporting officer said he did
21 not know what my arrest was. I asked to speak to
22 my attorney. I told him. I just --

23 Q. Sir, if you can just please try to
24 answer what I am asking you. I am trying to
25 understand exactly what's going on. Thank you.

1 A. I was never told what I was being
2 arrested for initially.

3 Q. You said when you got back to your
4 apartment, you were the leaseholder at Jobee,
5 right?

6 A. Correct.

7 Q. And when you got back to the apartment
8 where were you? Where did you go in the beginning?

9 A. Took us -- walked us up to the front,
10 my front balcony.

11 Q. And who was up there?

12 A. It was maybe -- I can't really recall
13 exactly, but I know it wasn't Waddell. We was
14 waiting on his arrival.

15 Q. And when you got walked upstairs to
16 your patio is that when you were told you were
17 under arrest for distribution?

18 A. No.

19 Q. Okay. When you were upstairs on the
20 patio is that when you were told that the search
21 warrant was because there was an informant who
22 bought from you?

23 A. Can you rephrase that question?

24 Q. When you went up the stairs when you
25 got there -- I am trying to figure out what

1 happened when. You went up the stairs when you
2 first got there. You said Waddell was not the one
3 who was walking you up immediately, right?

4 A. Right.

5 Q. And you got there and you just
6 testified that when you were standing at the front
7 patio of your apartment you were not told that you
8 were under arrest for distribution at that point;
9 that's what you just said?

10 A. No, I was not told.

11 Q. And then my next question which I am
12 trying to clarify is at that point were you told
13 that they were searching your house, were you told
14 that they were searching your house?

15 A. No, I wasn't told that. I just saw
16 them in my house.

17 Q. Were you told that they were searching
18 your house based on a drug buy that was done out of
19 your house?

20 A. No. The transporting officer did not
21 have any information for me so I had to wait on
22 Waddell about five minutes to tell me that I have
23 outstanding drug warrants. That is when I was
24 informed that's what I was being arrested for.

25 Q. And you were informed of all this on

1 your patio?

2 A. Yeah.

3 Q. I'm going to show you something that
4 I'm going to mark as State's Exhibits 1 for ID
5 purposes. Do you recognize this, Mr. Blake?

6 A. Yes, that's my statement that I gave.

7 Q. Okay. And so that's your statement
8 that you gave to law enforcement when -- the same
9 day of the search warrant, right, February 22nd of
10 2013?

11 A. Correct.

12 Q. And can you read the names that are
13 down here as the witnesses?

14 A. Yes, Waddell and A. Miller.

15 Q. Can you read the highlighted portion?
16 Is that your handwriting?

17 A. Yes. That's my handwriting.

18 Q. Can you read the highlighted portion,
19 please?

20 A. It says, "Up the stairs and told us we
21 were both under arrest for distribution of heroin
22 and we sold over two ounces which was Tuesday
23 February 19th."

24 Q. Thank you. So tell me about this choke
25 hold. How is a choke hold done? Is it like this,

1 behind you?

2 A. Yes, I was handcuffed sitting in a
3 chair and came from behind, just put me in like a
4 choke hold like that.

5 Q. Okay. And you said you were there for
6 over three hours?

7 A. Yes, it was roughly like three hours,
8 they were trying to do everything they could.

9 Q. You were threatened?

10 A. I was threatened.

11 Q. You said you were entrapped?

12 A. Yeah, they was trying to entrap me.

13 Q. You said your house was being intruded?

14 A. Absolutely.

15 Q. Did you stand up when you were asked to
16 sit down when they were talking to you about what
17 was going on? Did you ever stand up?

18 A. Yes, I did stand up. I confirmed I did
19 stand up.

20 Q. And you were supposed to be sitting
21 down?

22 A. I mean they didn't give me no
23 instructions to sit down before I stood up.

24 Q. Was there a chair on the patio?

25 A. There was a chair. That don't mean I

1 got to sit down.

2 Q. Okay. Beg the Court's indulgence.

3 (Brief pause.)

4 BY MS. LINDER:

5 Q. I just want to make sure we get this
6 pinned down about the choke hold. Where were you
7 on the patio? Is it a big patio like the sides of
8 this big area? Is it a small patio?

9 A. No, it is probably like from right here
10 maybe to that door.

11 Q. And where are the stairs? Stairs come
12 up this way or from the side? How do the stairs
13 come up?

14 A. Stairs come up from the side.

15 Q. From the side. And where is the door?
16 Is the door in the center or on the left-hand side
17 or the right-hand side where you look?

18 A. You go up the stairs and the door would
19 be on your left side.

20 Q. Okay. Where were you seated or where
21 were you standing when you were there?

22 A. I was not too far from the door.

23 Q. So you were like in the middle of it?

24 A. Yeah, I was in the middle of it.

25 Q. Were you standing against the wall,

1 against the railing? How did that go?

2 A. No, I wasn't standing against the wall.

3 Q. You what?

4 A. I was not standing against the wall.

5 Q. You weren't standing against the wall.

6 And when were you -- you were told why you were
7 under arrest or told why the search warrant was
8 happening, right?

9 A. Correct.

10 Q. And Waddell told you that?

11 A. Waddell told me that.

12 Q. So the choke hold lasted five seconds?

13 A. Yes, approximately five seconds.

14 Q. You just testified the choke hold was
15 not serious?

16 A. I mean you asked me how long it lasted.
17 You asked me if it was serious, that's two
18 different questions.

19 Q. No, I understand that, Mr. Blake. Your
20 attorney asked you the same thing. You described
21 it. I am trying to make sure that I understand.
22 You previously testified the choke hold was not
23 serious?

24 A. Um-hmm.

25 Q. And you previously testified that it

1 lasted five seconds. I am just making sure, Mr.
2 Blake, that I'm fully understanding everything.

3 A. Yeah, it was -- like I said, it wasn't
4 that serious, but it left marks on my neck, but
5 just a show after the spurt, you know, adrenaline
6 rushing, you know, he took a little of the wind out
7 of me, but it was --

8 Q. Did you ask for medical attention?

9 A. No. I'm trying to uphold my
10 constitutional rights and trying to stand my ground
11 while some intruders -- I mean I am trying to do
12 all of this at one time. It is like at that point
13 in time you got to think, like medical attention is
14 not on your mind. That's the farthest thing from
15 your mind at that point.

16 Q. Okay. Mr. Blake, when you ended up
17 getting booked at the jail did you ask for medical
18 attention then?

19 A. No. That was the farthest thing from
20 my mind at that point.

21 MS. LINDER: I don't have anything
22 further. Thank you very much.

23 MR. KING: Nothing further.

24 THE COURT: Thank you, Mr. Blake. You
25 may step down, sir.

1 MR. KING: Your Honor, that's all the
2 witnesses. May I proceed with argument?

3 THE COURT: You may.

4 MR. KING: Your Honor, I have handed up
5 the case United States vs. Terry W. Thompson. That
6 is a 667 F. Supp. 2d 758, 2009 case. This case is
7 a federal case, it deals with the United States
8 Constitution. It talks about there are two parts
9 to the Fourth Amendment and search warrants. One
10 is the warrant requirement. There is a required
11 probable cause. There is also a requirement that
12 the search is reasonable. And this case holds that
13 -- this case suppresses evidence because they found
14 that the execution of the search warrant was
15 unreasonable. In this case when they arrived the
16 woman is not clothed, they allow her to put on a
17 shirt, they put her outside, I think it's in the
18 hot sun. She asks to see the search warrant. They
19 don't show it to her until toward the end of the
20 search.

21 They give her a copy. They actually
22 give her a copy of the search warrant at some
23 point. It's just not immediately. Now, under the
24 law of this case that I have read they are not
25 required to give him a copy of the search warrant

1 before the search. But at some point I believe
2 they are required to give him a copy. The statute
3 that I admitted into evidence requires them to
4 serve him a copy, not just leave it at the
5 residence. The point of leaving it at the
6 residence is if no one is there. They do a search,
7 they don't know who the owner is, they can leave
8 the search warrant inside the apartment.

9 But they believed it was his primary
10 residence based on knowledge they had. But they
11 never gave him a copy of the search warrant. And I
12 think it is telling that they are talking about how
13 agitated he was and that's a perfect explanation
14 for why he might be agitated if they are not giving
15 him documents that he is requesting. Your Honor,
16 this does reference a United States Supreme Court
17 case, Croh v. Ramirez which I believe frames the
18 issue in a footnote. It talks about whether it
19 would be unreasonable to refuse a request to
20 furnish a warrant at the outset of the search when
21 the occupant of the premiss is present and poses no
22 threat to the officers safety.

23 They haven't testified that he was
24 being violent toward them, or that he was
25 threatening anyone. He's just -- he does have a

1 right to free speech. He has a right to speak. He
2 is speaking his mind. They told him to shut up.
3 There was testimony from Agent Waddell he told him
4 to shut up at one point. I believe if they had
5 given him a copy of the search warrant and let him
6 see the paperwork it might have calmed him down and
7 could have defused the whole situation.

8 I think that's the whole point of this
9 case, Judge, to not -- starting in the very
10 beginning, you know, the felony stop. They have
11 their explanations for that. But, you know,
12 according to what Mr. Blake says, he is on the
13 phone. He hears the police and the next thing you
14 know they are jerking him out of the car. There
15 was testimony it happened quickly. They couldn't
16 have given him that much time to comply with their
17 request if they are moving in on the felony stop
18 that happens in less than a minute.

19 So I think from the excessive force
20 used in that takedown, then taking him back, not
21 giving him a copy of the search warrant, I think
22 the execution is unreasonable. And the defense
23 would move to suppress the evidence, all evidence
24 found as a result of this search under the United
25 States Constitution and the South Carolina

1 Constitution. We have the same provision in our
2 constitution about same unreasonable searches. So
3 I would move to suppress all the evidence, Your
4 Honor.

5 THE COURT: Thank you. Ms. Linder.

6 MS. LINDER: May it please the Court,
7 Your Honor, here I believe we need to look at the
8 totality of the circumstances and with that what is
9 or is not reasonable.

10 In the case that Mr. King handed before
11 the Court, it was there was felony traffic stops
12 done on the target of the investigation, the male
13 who was left. He was in custody. At that point
14 law enforcement went into the home to -- the female
15 who was not part of the investigation. She was
16 then only allowed to put a shirt on, had to dress
17 in front of officers, five hours long, outside in
18 the heat, denied food and drink. Law enforcement
19 did not identify themselves as law enforcement nor
20 did they explain anything or furnish a copy of the
21 search warrant.

22 Your Honor, I do not believe that that
23 is the situation we have at this case in hand.
24 First of all, talking about the reasonableness, you
25 heard from especially Waddell, but also Miller and

1 Sergeant Bryant, you heard about them as far as all
2 the preplanning that goes into executing a
3 narcotics search warrant from the nexus between
4 guns and drugs, the intel they gathered for any
5 children, aggressive dogs, elderly, anything like
6 that inside a residence trying to minimize the
7 safety or minimize the danger to the community, the
8 individual and law enforcement.

9 They also knew that Mr. Blake had prior
10 convictions for guns and drugs, you heard the
11 testimony, and he had a pending gun and drugs that
12 he was on bond for at the time of this incident.

13 All those reasons you heard about the
14 preplanning and why they decided to do the felony
15 traffic stop. They did the felony traffic stop.
16 At that time you heard testimony from law
17 enforcement that Mr. Blake was informed why he was
18 getting arrested, that he was under arrest, that a
19 search warrant was going to be executed at his
20 residence where he was the leaseholder.

21 From there law enforcement used his
22 keys to get into the house. The case Mr. King
23 handed up they rammed in the door. They used the
24 Defendant's keys. They asked him which key is it
25 so they weren't fumbling with keys not knowing

1 what's going on fully inside. They used his keys
2 to do it, they were able to clear the residence.

3 As far as the choke hold and attorney
4 requests, testimony from all the officers is that
5 there was no choke hold, there was no raised voice
6 demanding an attorney, there was, in fact, no
7 request for an attorney. All of that was testified
8 to by the officers. The apartment, there was
9 testimony that it was very small so you could hear
10 things inside and out. He didn't request an
11 attorney. He was not placed in a choke hold. He
12 was Mirandized. Even by the Defendant's own
13 statement it was not serious if you were to believe
14 there was a choke hold. No medical attention was
15 ever requested for him or by him in this case. The
16 case at hand happened in approximately an hour.
17 Mr. Blake said three, law enforcement said
18 approximately one hour. The case that was handed
19 up by the Defendant cited five hours. Again, five
20 hours, not the target, female, was not clothed, it
21 was a very, very different situation.

22 As far as the search warrant service in
23 this case, the Defendant was informed the reason he
24 was getting arrested and the reason of the search
25 warrant. He was informed that multiple times. You

1 heard testimony from law enforcement that he was
2 informed that during the felony traffic stop at the
3 assisted living. Further, they were told again
4 when they were at the residence at the beginning of
5 the search warrant execution. Mr. Blake gave a
6 written statement that day which was read into the
7 record which is State's Exhibit 1 for the purposes
8 of this hearing how, in fact, he said that he was
9 under arrest for distribution of heroin, so he knew
10 more than just drugs or under arrest, he knew
11 specifically what and he in his statement in his
12 handwriting also said it was for selling heroin out
13 of the residence within 72 hours prior to
14 February 19th. Those are very specific. This was
15 executed the 22nd. And he knew enough that day
16 while at the residence to write in his statement
17 that he was -- it was for selling drugs within
18 72 hours, the drug deal happened on February 19th.
19 He knew all that.

20 And I think that's significant to show
21 that he, in fact, did know why he was there, why
22 law enforcement was there and doing all this.

23 A copy was left -- of the search
24 warrant was left at the residence. Mr. Blake was
25 the leaseholder of the residence. And, frankly, he

1 was going to jail for the distributions if nothing
2 else. Upon entering jail everything is taken into
3 your property so I would submit that it was, in
4 fact, safer for the detailed printout of everything
5 for the search warrant to be left at the residence
6 that he is the sole leaseholder and occupier on as
7 he can get it at a later time.

8 As far as handing him a copy of the
9 actual document while the execution was occurring,
10 you heard testimony from Waddell and Byrant and
11 Miller that he was talking about F'ing pigs and
12 saying very nasty things. I believe he was
13 described as belligerent and having an attitude.
14 He also was cuffed behind his back. He was cuffed
15 behind his back which would make it difficult, if
16 not impossible, to hold the document. He was
17 disobeying law enforcement by standing up three to
18 four times at least was the testimony and he was
19 cursing at law enforcement. None of those are
20 really a recipe for handing him the document when
21 he couldn't hold it in the first place. He was
22 instructed and explained exactly why they were
23 there and I believe his statement shows that.

24 Your Honor, I think based on the
25 totality of the circumstances that this was not

1 unlawful government behavior. And suppressing a
2 search warrant in this case would not deter
3 unlawful government behavior because it is our
4 position that the government behaved lawfully and
5 reasonably within the confines of the law while all
6 keeping in the back of their minds the safety for
7 the community, to themselves and to those suspects
8 in the case. Thank you, Your Honor.

9 THE COURT: All right. Anything
10 further?

11 MR. KING: Just briefly point out that
12 in Terry Thompson that I handed up, at the
13 conclusion of the search Ms. Thompson was provided
14 with a copy of the search warrant. So they
15 suppressed even though she was eventually given a
16 copy.

17 I think there's no dispute that he was
18 never given or served a copy of the search warrant.
19 There's some evidence they may have read it to him,
20 but that's not what the law requires. The law
21 requires that he is served a copy of the search
22 warrant so he can see it. And part of the reason
23 for that is it diffuses the situations to show that
24 there is legal authority to search a residence.

25 And as far as him being belligerent,

1 there was no testimony that he was threatening
2 anyone or he was -- he had an attitude and I think
3 he has a right to free speech, right to speak his
4 mind and protest. That doesn't waive his right for
5 him to be able to get a copy of the search warrant
6 just because he's protesting. It's a perfectly
7 good explanation why he would be protesting if he
8 is not served proper copies of the paperwork.

9 THE COURT: All right. Let me see the
10 statute 17-13-150.

11 MS. LINDER: Your Honor, if I may
12 briefly address, this statute and the warrant
13 itself says if practicable to give a copy of it. A
14 copy was. It was left at the residence. And
15 everything was described to him. As I said in my
16 initial argument to Your Honor, it was not
17 practical based on his cuffs, his behavior, et
18 cetera. But a copy also was furnished and he was
19 explained verbally everything. Thank you.

20 THE COURT: I don't see that in the
21 statute.

22 MS. LINDER: That's in the search
23 warrant itself is the practicable.

24 MR. KING: Yes, Your Honor. I forgot
25 to argue that. The search warrant itself the judge

1 orders to give him a copy as soon as practicable.

2 THE COURT: But the statute just says
3 person shall be furnished with a copy of the
4 warrant along with the affidavit of which such
5 warrant was issued. It doesn't say anything about
6 being practicable.

7 Okay. Thank you for your final
8 arguments and your well-researched approach to this
9 issue. The case of United States v. Thompson which
10 is a district court case out of eastern -- Southern
11 District of Ohio has a bizarre factual setting.
12 Lions, tigers and bears no less. About the search
13 of a resident where as y'all have pointed out the
14 district court found first of all, that the
15 executing agents refused to present the warrant
16 upon request to this lady. I believe her name -- I
17 apologize -- Ms. Thompson who was the Defendant's
18 wife, presumably also a resident of that home
19 lawfully.

20 But the Court found that the failure to
21 give her a copy of the warrant upon request which
22 is controlled by federal Criminal Rule 41 (F) was
23 an issue left open as Mr. King pointed out in the
24 Grubbs case footnote, the government had no reasons
25 explaining or justifying refusal to show Ms.

1 Thompson a copy of the warrant when she asked to
2 see it. Nor have they identified the exigent
3 circumstances. The court found the refusal to
4 present the warrant upon request completely
5 unreasonable and unjustified. And that was only
6 one factor among all the circumstances that made
7 the search and seizure unreasonable.

8 The other factors was the fact that Ms.
9 Thompson who apparently was naked at the time of
10 the initial entry was forced to partially dress in
11 plain view of 14 officers with guns pointed at her.
12 She was then required to sit outside in the heat
13 for approximately five hours, naked from the waist
14 down in plain view of the same 14 officers while
15 her home was searched. She was not permitted to
16 put on pants or even underwear during the course of
17 the hours long search. She went without food and
18 water. The officers had secured the premises and
19 had her in a confined area where spoliation of
20 evidence would not be an issue. Despite all this
21 she was not furnished the warrant despite repeated
22 requests.

23 When viewed in all the circumstances
24 the Court found execution to be unreasonable in
25 violation of the Fourth Amendment.

1 I believe Mr. King has a good point
2 that the reason for requiring showing the subject
3 of the warrant a copy of it is to diffuse the
4 tension to deescalate the confrontation between the
5 police and the citizen.

6 This was discussed at some point in
7 United States v Grubbs and in the footnote three of
8 this case which cites Grubbs it talks about the
9 fact by not furnishing a warrant upon request after
10 the premises had been secured the possibility a
11 confrontation will occur is more likely.

12 And Mr. Blake testified that this was
13 his residence. That he had the right to free
14 speech, which is true. And as many cases going
15 back decades talk about a man's home is his castle
16 and that's one of the underpinnings of the Fourth
17 Amendment.

18 Given all that, however, I find in this
19 case there was not an unreasonable search. The
20 officers based on the credible testimony presented
21 here today gave justifiable reasons for the way the
22 arrest was conducted. There was no question the
23 arrest was valid, no question search warrant was
24 valid. There was no issue about the probable cause
25 or anything of that nature.

1 The Defendant, Mr. Blake, had been
2 convicted before of violent offenses or offenses
3 that classified as violent including weapons
4 violations, therefore, there was a risk to the
5 officers safety, safety of the public, and
6 therefore the entire arrest and search sequence was
7 reasonable.

8 I don't find that the failure to give a
9 warrant -- a copy of the warrant to Mr. Blake, put
10 it in his hands when he was handcuffed behind his
11 back as I understand it is enough in and of itself
12 to deem the search unreasonable within the meaning
13 of the Fourth Amendment. He does have a right to
14 free speech. However, anyone with a right to
15 speech is not absolute and it can come up against
16 other rights and affect other rights, including
17 your Fourth Amendment rights.

18 And that is because if a Defendant or
19 the subject of the search becomes agitated, which
20 Mr. Blake agreed he was agitated, hostile,
21 uncooperative, non-compliant and that puts the
22 entire officers safety issue in play. It could
23 jeopardize the safety, it could jeopardize the
24 integrity of the search if the person is
25 interfering with it. I'm not saying there was any

1 overt interference by Mr. Blake with the search,
2 but it was disruptive, his behavior would as the
3 Grubbs case indicate pose a threat to the officers
4 safe and effective performance of their mission.

5 If they had to constantly protect
6 themselves and integrity of the search against Mr.
7 Blake's outburst and statements then that may be a
8 reason why they were not able to give him a copy of
9 the warrant.

10 Now, this is somewhat of a chicken and
11 egg problem because as Mr. King points out had they
12 simply given him the warrant he may have had his
13 hostility diminished to the point where he did
14 remain peaceful throughout the search, but that
15 didn't happen. And based on all the circumstances
16 and overview of the entire chain of events I do
17 find the search was conducted reasonably and
18 professionally. It was a volatile situation. I
19 find the evidence beyond a reasonable doubt
20 supports that it was a volatile situation of the
21 search based on a felony stop involving drugs
22 involving a Defendant who had previously been
23 convicted of drug and weapon violations and
24 therefore posed a serious risk to public safety.

25 Based on all that I find the search was

1 reasonable within the means of the Fourth
2 Amendment and I respectfully deny the motion to
3 suppress. All right. That took a lot longer than
4 I think anyone anticipated, that hearing did, so it
5 is now 12:50 I think. I suppose we better let the
6 jury go to lunch and reconvene at say 2:15. Or do
7 you want to say 2:30? Give everybody enough time.

8 MS. LINDER: We have no preference.

9 THE COURT: Let's say 2:30, give
10 everybody time. All right. Thank you very much.

11 (STATE'S EXH. 1 was marked for
12 identification.)

13 (A luncheon recess transpired from
14 12:48 to 2:30 p.m.)

15 (STATE'S EXH. 2-49 were marked for
16 identification.)

17 THE COURT: Anything else before we
18 bring the jury in?

19 MS. LINDER: Nothing from the State.

20 MR. KING: There was some photographs I
21 went over with the solicitor and some things they
22 are going to admit that I have some objections, so
23 I don't know if you want to take them up as they
24 are admitting them or now. It is like a Pyrex
25 glass with some looks like white powder on it. But

1 there's -- as far as I know there's no chemical
2 test showing it tested positive for drugs or
3 anything like that. So there is some things I
4 think they are going to seek to admit that I don't
5 believe are relevant.

6 MS. LINDER: Judge, our response would
7 be that because this is a PWID case we think it is
8 important to be able to enter and discuss anything
9 that shows indication of sales. Typically Pyrex
10 dishes, there's a small whisk that's there, there's
11 a scale, there's weights, there is other items,
12 empty capsules that are all about packaging
13 narcotics and we think that all that is important.

14 What you will hear tomorrow I guess in
15 this case with the drug testing itself, there were
16 two types of drugs located, a small amount of crack
17 and a large amount of heroin. The chemist has
18 since left. Everything has been retested and with
19 that retest the crack amount has gone to a residue
20 which is why we are not going with that case.

21 So I do think it is important still to
22 have the Pyrex dishes which are used for cooking,
23 the whisks and all those other indicia of sales and
24 the intent to distribute.

25 THE COURT: Okay. I will overrule the

1 objection. I assume that some chain would be
2 established on the Pyrex dish and that it's in the
3 current -- the state it is in now was the state it
4 was in when it was seized. I don't think the
5 presence of untested white powder would be
6 something that would unfairly prejudicial to the
7 Defendant. There could be all kinds of
8 explanations for that, some of which might be good
9 for one side and bad for the other and vice versa.
10 So anything else?

11 MR. KING: No, Your Honor.

12 THE COURT: All right. You can bring
13 the jury in, please, sir.

14 Let me just tell you since I'm not from
15 around here, any witnesses that testify are
16 automatically excused. You don't have to ask to be
17 excused unless you want them not to be excused.
18 You don't have to ask me permission to approach the
19 witness and no speaking objections. Other than
20 that I have no neurosis.

21 (Whereupon, the jury entered the
22 courtroom at 2:45 p.m.)

23 THE COURT: Y'all have a seat. Ladies
24 and gentlemen, good afternoon. I don't think I
25 introduced myself to you this morning. Some of you

1 Our job is to be neutral and your job is to
2 determine facts from the evidence and determine
3 whether the State has met its burden of proof
4 beyond a reasonable doubt. So, yes, ma'am.

5 MS. LINDER: Thank you, Your Honor, may
6 it please the Court. Good afternoon, ladies and
7 gentlemen. We are here today because drugs are
8 illegal. It's illegal to possess drugs, and it's
9 illegal to possess drugs with the intent to
10 distribute them. In the State of South Carolina
11 and federally heroin is an illegal drug. You're
12 all here today with us because back on February
13 the 22nd of 2013, a search warrant was executed at
14 the Defendant's address at 2770 Apartment █ Jobee
15 Drive which is in the West Ashley area of
16 Charleston County.

17 You will hear testimony from a variety
18 of witnesses and you'll hear about all the
19 preparation that was done before executing this
20 lawful search warrant. The preparation that was
21 based on the investigation, and information,
22 intelligence received and you will also hear about
23 the decisions that were made how to go about
24 executing this search warrant in this case on the
25 Defendant's residence.

1 You'll hear about presurveillance which
2 is a typical thing done before entering a residence
3 to sit, to watch, to make sure someone is still
4 associated with that address, to make sure if the
5 people are still around exiting and entering,
6 things like that. This is all about assessment of
7 safety not just for law enforcement, but also for
8 individuals who are parties, plus the community as
9 a whole.

10 You'll also hear how in this case it
11 was determined that a felony traffic stop was
12 needed in order to secure this Defendant, Mark
13 Blake, safely before the execution of the search
14 warrant.

15 You'll hear how during that felony
16 traffic stop he was non-compliant. He was
17 non-compliant and officers at that time explained
18 to him the basis for the search warrant that was
19 about to take place on his residence.

20 You'll also hear about during the
21 beginning parts of the execution of the search
22 warrant Mr. Blake was brought back to his home, and
23 officers attempted again to explain to him the
24 process of what was happening, why things were
25 going on, and again, you'll hear how the Defendant,

1 Mark Blake, was non-compliant. You will hear how
2 he got belligerent, how he kept standing up. How
3 he was cussing, a variety of things that he was
4 doing. Then most importantly, you are going to
5 hear about the search of the residence. A search
6 of his residence, two bed one bath apartment
7 somewhat smaller in size. You'll hear that the
8 Defendant in this case was the sole leaseholder on
9 that apartment for that time frame. And you will
10 hear how inside the apartment there was paperwork
11 with his name on it, with the date that ties to
12 that approximate time, and he had multiple IDs
13 inside of his.

14 You will also hear most importantly
15 about the heroin that was found. There was a
16 container with many, many bundles of heroin and all
17 the drug lingo, a bundle, heroin, weights and
18 costs, you'll learn of that throughout the course
19 of this trial. There was a container containing
20 multiple bundles of heroin at his residence all
21 packaged for sale. There were also empty bindles,
22 waxing bindles that is used in packaging of
23 narcotics. There was scales, there were weights
24 for calibration, there were empty capsules, there
25 was a firearm magazine, all items that were located

1 at his residence during the search warrant
2 execution.

3 As I said moments ago, drugs are
4 illegal. They are illegal. It's illegal to
5 possess them or posses them with intent to
6 distribute them. Heroin is illegal and that's why
7 we are here today. This Defendant, Mark Blake,
8 possessed the intent to distribute heroin back on
9 February the 22nd of 2013. Thank you.

10 THE COURT: Thank you, Ms. Linder. Mr.
11 King.

12 MR. KING: There is a war on drugs
13 going on out there. Like any war there are
14 casualties like Mr. Blake. And in war sometimes
15 people go too far. And we hope that the police do
16 their job and do the right thing, but just like all
17 of us, the police are human and they are flawed
18 like we all are.

19 The State has to prove that he, Mark
20 Blake, possessed heroin and that he had an intent
21 to distribute it. The police didn't arrest him
22 with any heroin on him. He had no drugs or
23 paraphernalia when he was arrested. He did not
24 have any large amounts of cash on him when he was
25 arrested. There's no large amounts of cash found

1 at the apartment. There's no evidence -- you are
2 not going to hear any evidence that there are any
3 fingerprints on this bowl where they said they
4 found the heroin, on a plastic bag inside the bowl
5 on any of these little, small packages of heroin,
6 on anything that was found they claim was inside
7 the residence.

8 In a criminal case the burden of proof
9 is very high. They don't have to prove that he
10 probably did it or maybe did it. They have to
11 prove beyond a reasonable doubt that he committed
12 this crime. So the defense is just asking that you
13 keep an open mind, listen to the evidence and we
14 think at the end you'll see that Mr. Blake is not
15 guilty.

16 THE COURT: Thank you, Mr. King. Ms.
17 Linder, you may call your first witness.

18 MS. LINDER: Thank you, Your Honor.
19 May it please the Court, the State calls agent
20 Frank Waddell.

21 FRANK WADDELL
22 having been duly sworn, testifies as follows:

23 THE CLERK: Please state your full name
24 and spell your last name.

25 THE WITNESS: Frank Waddell, last name

1 is W-A-D-D-E-L-L.

2 DIRECT EXAMINATION

3 BY MS. LINDER:

4 Q. Good afternoon.

5 A. Good afternoon.

6 Q. Can you tell the jury what's your
7 occupation?

8 A. I'm a law enforcement officer here in
9 South Carolina.

10 Q. And what's your title? Who do you work
11 for?

12 A. I'm currently working with the 15th
13 Circuit Drug Enforcement Unit. 15th Circuit is
14 Horry and Georgetown Counties of South Carolina.

15 Q. And who was your employer back in
16 February of 2013?

17 A. My employer was the Hannahan Police
18 Department.

19 Q. What unit were you assigned?

20 A. I was personally assigned to the
21 Charleston County Sheriff's Office Metro Major Case
22 Unit Narcotics Definition as a task force officer.

23 Q. And what were your duties as a task
24 force officer with Metro?

25 A. I was a -- primarily a drug

1 investigator. We also investigated other crimes
2 that were being major crimes, but the primary
3 function of our unit was narcotics investigations.

4 Q. And can you tell the jury about your
5 education, any special trainings, skills, awards,
6 things like that that you have received?

7 A. I received extensive training in law
8 enforcement investigations, primarily drug
9 investigations. Trainings provided by the federal
10 government as well as state and local. I have
11 received multiple awards such as --

12 MR. KING: Objection, bolstering.

13 THE COURT: Overruled.

14 BY MS. LINDER:

15 Q. You may answer.

16 A. Received awards such as officer of the
17 year, officer of the quarter, officers of merit
18 provided or awarded by Fraternal Order of Police.
19 I have received national recognition awards from
20 when I was doing work as a K9 handler through
21 national organizations.

22 Q. How long overall have you been with law
23 enforcement?

24 A. I'm in my twelfth year.

25 Q. And how many drug cases have you been

1 associated with throughout your career?

2 A. Well over a thousand.

3 Q. Were you working back on February
4 the 22nd of 2013?

5 A. Yes, I was.

6 Q. And did you have the occasion to become
7 involved in the investigation of this case, the
8 State versus Mark Blake, in any way on that date?

9 A. Yes, I did. I was the case agent.

10 Q. And on that day how were you first
11 brought into the case as the case agent? What was
12 -- were you executing a search warrant that day?

13 A. Yes, I was executing a search warrant
14 stemming from an ongoing investigation.

15 Q. And where was that search warrant
16 executed?

17 A. In the West Ashley area of Charleston
18 County at 2770 Jobee Drive in West Ashley, is an
19 apartment complex, Ashley Town Village if I am not
20 mistaken.

21 Q. And can you kind of explain to the jury
22 how you, how a metro task force officer, how you go
23 about and what you do to prepare for a search
24 warrant?

25 A. There are several elements of or facets

1 of the investigation leading up to the day that
2 would culminate in a search warrant being executed
3 and a physical arrest being made, somebody being
4 taken into custody. Aside from investigating the
5 criminal acts there are other considerations for
6 assuring that the location you were looking at is
7 directly associated with the subject or the crime
8 that you are investigating, who may also reside at
9 that location, safety concerns such as elderly or
10 children or aggressive animals that we may
11 encounter. There's typically extensive
12 surveillance prior to that date to corroborate
13 intelligence that we are getting by other
14 investigative means.

15 Q. And the day of the search warrant did
16 you conduct any presurveillance?

17 A. Yes, we do.

18 Q. Can you explain to the jury what is
19 presurveillance?

20 A. Presurveillance is surveillance that is
21 conducted on a location that you have determined to
22 be associated with this investigation that is done
23 prior to an operation, whether that operation is an
24 arrest, search warrant of a location, surveillance
25 is done in those moments leading up to the actual

1 operation being executed.

2 Q. When you are preparing for a search
3 warrant execution is it just you doing it? How
4 many people are involved?

5 A. There's numerous people involved as a
6 member of the team, and there are several roles
7 that are involved. As a case agent I would
8 delegate responsibilities to other members of my
9 team such as who is going to be evidence custodian,
10 who is going to be perimeter units in case somebody
11 was to run perhaps on the outside. You have an
12 entry team that's going to actually make entry into
13 the residence. You have surveillance and
14 presurveillance positions. There are several roles
15 and responsibilities that are filled by the case
16 agent through delegation.

17 Q. And in this case what was the basis for
18 the search warrant?

19 A. The investigation included controlled
20 purchases.

21 MR. KING: Objection, Your Honor. 404
22 (b). May we approach?

23 THE COURT: Yes.

24 (Off-the-record bench conference.)

25 THE COURT: Okay. I will sustain the

1 objection. Ladies and gentlemen, there may be
2 times during the trial where, as I said, when
3 objections are made and I have to rule on whether
4 the evidence is proper under the law. I have just
5 concluded that evidence was not proper and, in
6 fact, it should be stricken from the record and the
7 last question and answer are not part of the record
8 in this case, not something you can use to
9 determine the facts.

10 So you may proceed. Yes, ma'am.

11 MR. KING: Your Honor, may we approach
12 briefly one more second?

13 THE COURT: Sure.

14 (Off-the-record bench conference.)

15 BY MS. LINDER:

16 Q. On this case in particular at Jobee
17 Drive, you had a lawful search warrant, correct?

18 A. Correct.

19 Q. And before making entry that day was
20 any presurveillance conducted?

21 A. Yes, there was.

22 Q. Can you explain that a little bit,
23 please?

24 A. Myself and I assigned another detective
25 in our unit to assist me with postioning ourselves

1 at a point of observation to the residence that was
2 referenced in the parking lot so that we could see
3 the Defendant leave the residence and attempt to
4 take him into custody off property instead of
5 inside the residence.

6 Q. And what determination did you make as
7 the case agent about the manner in which you were
8 going to take the Defendant into custody?

9 A. The investigation gave us cause to want
10 to effect the arrest outside of the residence and
11 in doing so we determined to conduct what is
12 considered or commonly referred to as a felony
13 traffic stop.

14 Q. And can you explain why or how a felony
15 traffic stop is conducted?

16 A. Typically the reason why it is
17 conducted is due to a heightened risk or threat
18 assessment that's being conducted on that situation
19 or any particular subject involved that we
20 determine poses a higher risk. To mitigate those
21 risks, then we conduct this operation or this
22 takedown in a manner that we have trained for
23 extensively to limit the risk of injury to both us,
24 members of the community, as well as subjects that
25 we are actually arresting.

1 Q. So this day of when presurveillance was
2 occurring, was this nighttime, early morning, when
3 was this?

4 A. This was in the afternoon. It was
5 daylight hours.

6 Q. And during the presurveillance did you
7 see this Defendant, Mark Blake?

8 A. Yes, I did.

9 Q. And what did you see him do?

10 A. I saw him exit the residence and enter
11 a vehicle that I knew to be associated with my
12 investigation and then leave that apartment complex
13 area.

14 Q. And what happened when he left the
15 apartment complex area? Did somebody stay on the
16 house?

17 A. Yes. The other detective that I had
18 assigned the presurveillance with myself was in a
19 separate vehicle. He stayed in the parking lot to
20 secure to make sure no other persons come or go or
21 gain further intelligence if perhaps there was
22 other occupants in the residence, things of that
23 nature. And I followed him away from that location
24 in my point vehicle.

25 Q. So you followed him. Can you explain

1 how the felony traffic stop is typically done? How
2 it is specifically done in this situation?

3 A. Due to the heightened threat assessment
4 and risk associated with either who we are dealing
5 with or the nature of what we are dealing with, a
6 felony traffic stop is generally done where you
7 stop the car or pinch a car in by your vehicles
8 coming in from directions to limit access for
9 fleeing that scene. Guns are typically drawn
10 already when we encounter them, and start giving
11 them clear orders loudly to show us their hands, to
12 exit the vehicle, to get down on the ground in an
13 effort that we can then approach safely and get
14 them secured in handcuffs.

15 Q. And are there unmarked cars, marked
16 cruisers, what vehicles were utilized on this date?

17 A. Both. There were unmarked vehicles
18 like the one that I had been in the parking lot
19 occupying on my presurveillance and we also had a
20 marked police cruiser, a Charleston County
21 Sheriff's Office marked police cruiser with us.

22 Q. And what are you wearing --

23 A. We were wearing --

24 Q. -- when you do this?

25 A. -- our assigned duty outfit which is a

1 black shirt with gold letters that say sheriff's
2 office down the sleeves and on the front and back
3 and a tac vest is what we refer to it as a
4 bulletproof vest that's sectioned in outer
5 carriers, some that you see concealed under a shirt
6 that also says sheriff on it.

7 Q. And when the traffic stop was conducted
8 back on February the 22nd and Mr. Blake was pinched
9 in I believe you said, was he compliant with
10 orders?

11 A. No, he was not.

12 Q. Can you explain what happened as a
13 result of his non-compliance? What were you forced
14 to do?

15 A. When he was not showing us his hands he
16 was actually on the cell phone and would not get
17 off the phone. He was not showing his hands, not
18 exiting the vehicle. We then made the decision to
19 approach the vehicle and physically remove him from
20 the vehicle onto the ground and secured him in
21 handcuffs.

22 Q. And did you tell the Defendant at some
23 point during the felony stop about the search
24 warrant that was about to be conducted at his place
25 of residence?

1 A. Yes, I did.

2 Q. I would like to move to the actual 2770
3 Jobee Drive Apartment █ for the execution. What
4 type entry was done by law enforcement to get into
5 the residence?

6 A. Due to the fact that we had already
7 taken into him custody and his vehicle was there
8 and we are able to obtain his keys, we made what we
9 refer to as a soft entry, meaning that we used the
10 key to enter his residence and did not use any sort
11 of battering ram or any other sort of distraction
12 devices.

13 Q. And can you just describe to the jury
14 briefly about the layout of the apartment, the
15 size, all of that?

16 A. It's within a building structure that
17 contains several apartment style homes. It's a
18 second level so you have to walk up some stairs to
19 get to the front door. Being it's a second level
20 it's a one story or one level apartment, two
21 bedrooms, kitchen area, living room or den area,
22 pretty standard two bedroom apartment layout.

23 Q. At this time I will approach and I am
24 going to hand you State's Exhibits 2 and 3. If you
25 can take a look at those, please.

1 A. (Witness complies with request.)

2 Q. Do you recognize those?

3 A. Yes, ma'am, I do.

4 Q. And do they fairly and accurately
5 represent what's being depicted?

6 A. Yes, they do.

7 Q. How are you familiar with that?

8 A. From the investigation into this matter
9 we identified the apartment as the residence
10 belonging to the Defendant which is noted here on
11 the map on both pages.

12 Q. At this time the State would seek to
13 admit State's Exhibit 2 and 3 into evidence.

14 MR. KING: I have no objection.

15 THE COURT: They're in evidence.

16 (STATE'S EXH. 2 and 3, Google maps, in
17 evidence.)

18 BY MS. LINDER:

19 Q. You can look behind you or there is a
20 screen in front of you.

21 A. Yes, ma'am.

22 Q. Can you explain what this depicts to
23 the jury?

24 A. The area surrounding the little red
25 icon marker, you can see that on the map, this area

1 is going to be the area of the apartment complex
2 surrounding. There is some -- as you can see on
3 the outside of that circle, Jobee Drive makes a
4 horseshoe here. The interior of that horseshoe in
5 the area immediately surround his apartment
6 building, his apartment building being marked by
7 the original red marker.

8 Q. And do you see any major roads on that
9 map that you are familiar with?

10 A. Ashley River Road.

11 Q. At this time I will show you State's
12 Exhibit 3. Can you tell the jury what that is?

13 A. This is an aerial view or overhead view
14 of that interior of the horseshoe of that immediate
15 area of the apartment complex around his building.

16 Q. Now, when you were conducting
17 presurveillance that day, can you show on the map
18 and touch the screen, however you would like to
19 show the jury, where you were to be conducting that
20 presurveillance to see the Defendant exit?

21 A. Yes. I had another detective in this
22 area canvassing the trees and I was right over here
23 in the area.

24 Q. It's hard with the trees. Is that a
25 drive-through; is there a barrier?

1 A. Right where your hand was just going is
2 an open thoroughfare through the complex.

3 MR. KING: I have no objection.

4 BY MS. LINDER:

5 Q. At this time I would like to show you
6 State's Exhibit 4 and 5, if you can please take a
7 look.

8 A. (Witness complies with request.)

9 Q. Do you recognize those?

10 A. Yes.

11 Q. How do you recognize them?

12 A. It's the front exterior view of the
13 apartment in question.

14 Q. Does it fairly and accurately depict
15 the building at 2770 Jobee Drive here in Charleston
16 County?

17 A. Yes, they do.

18 MS. LINDER: Your Honor, at this time
19 the State would seek to admit State's Exhibit 4 and
20 5 into evidence.

21 MR. KING: Just preserve my pretrial
22 objections in the motion to suppress.

23 THE COURT: Yes, sir, Mr. King.
24 They're in evidence.

25 (STATE'S EXH. 4-5, photos, in

1 evidence.)

2 BY MS. LINDER:

3 Q. This is State's Exhibit 4. Can you
4 tell the jury what that picture shows?

5 A. This is the stairway from the ground
6 floor that would approach the front door. This is
7 a little porch stoop area. This side right here is
8 going to be your front door entrance and then this
9 side here is just a window. That is not an actual
10 wall access point to the residence. You have a
11 window and a door.

12 Q. And then State's Exhibit 5, can you
13 explain what that shows?

14 A. This is a wider angle view of that
15 front exterior view of the apartment building from
16 the parking lot area.

17 Q. Can you circle which apartment was the
18 one that was the search warrant?

19 A. This is the front door to the apartment
20 we were entering.

21 Q. At this time I'm going to show you
22 State's Exhibit 6, 7, 8, 9, 10, 11, 12, and if ask
23 you can look at 6 through 12.

24 A. (Witness complies with request.)

25 Q. Also adding State's Exhibit 57 to that

1 stack for you to review. Do you recognize those?

2 A. Yes, ma'am.

3 Q. How do you recognize them?

4 A. These are photographs of the front door
5 and then subsequent to that of the interior of the
6 referenced apartment.

7 Q. Do they fairly and accurately represent
8 the apartment as it was back on February the 22nd
9 of 2013?

10 A. Yes, they do.

11 MS. LINDER: Your Honor, the State
12 would seek to admit State's Exhibits 6 through 12
13 and 57.

14 MR. KING: Renew my pretrial motions.

15 THE COURT: Okay. They're in evidence.
16 Thank you.

17 (STATE'S EXH. 6-12 and 57, photos, in
18 evidence.)

19 BY MS. LINDER:

20 Q. You may explain, what does this picture
21 show?

22 A. Shows the exterior of the front door to
23 the residence as viewed if you were standing on the
24 stoop or that front level at the top of the
25 stairwell.

1 Q. And is the door damaged in any manner?

2 A. It is not damaged due to the fact that
3 we did not execute a dynamic entry.

4 Q. State's Exhibit 7, what does that show?

5 A. This is the view as you open the front
6 door from that front door area looking into the
7 residence.

8 Q. And what's the point of having these
9 photographs taken of the residence?

10 A. Prior to any searching being done we
11 commonly do what we call overall photographs where
12 we photograph the entire interior of the apartment
13 so that we can document the condition it was in
14 prior to our arrival or prior to any searches being
15 done or anything being manipulated in the house.

16 Q. State's Exhibit 8, can you explain what
17 that shows?

18 A. This is the kitchen view from the
19 entranceway to the kitchen.

20 Q. State's Exhibit 9?

21 A. Same, just a view moved to the left of
22 the previous picture.

23 Q. 10?

24 A. The living room or den area.

25 Q. State's Exhibit 11?

1 A. This is a view if you can see to the
2 right is the den area. That is a view from the
3 little hall that would be leading back into a
4 bedroom.

5 Q. State's 12?

6 A. This is one of the two bedrooms.

7 Q. State's 57?

8 A. This is another bedroom.

9 Q. When you are executing a search warrant
10 such as this one at 2770 Jobee, what type of items
11 are you looking for?

12 A. Being this is a drug investigation
13 we're obviously looking for drugs, illicit drugs.
14 We are also looking for items that would be
15 indicative of sales or distribution or trafficking
16 of those drugs. Also we commonly come across items
17 such as ledgers or written copies of who owes
18 money, who is a source of supply. We find shipping
19 labels. A lot of illegal narcotics are actually
20 sent from point A to point B through our mail
21 system versus hand delivered. There's a direct
22 nexus between firearms and weapons so we are always
23 looking for unlawfully possessed or illegal
24 firearms and other weapons.

25 Q. What indicators were there to you

1 through training and experience that indicate
2 packaging and sales of narcotics?

3 A. There's a lot -- different drugs kind
4 of have a common way they're packaged, heroin being
5 one of those drugs. It has usually a distinct
6 manner of packaging. So we are looking for those
7 items of packaging, also looking for scales.
8 Things that are used to calibrate scales, to show
9 that -- they want to make sure if they are involved
10 in distribution that they are selling what they
11 intend to sell as it is a business with financial
12 gains. They are not wanting to arbitrarily sell
13 certain amounts.

14 Q. When you arrived at Jobee Drive that
15 day, did you ever address the Defendant?

16 A. Yes, I did.

17 Q. And where did you speak with him at
18 first?

19 A. On the front stoop of his residence.

20 Q. And what did you tell him about while
21 on the front stoop or front patio? What did you
22 explain to him was occurring?

23 A. That we were executing a lawful search
24 warrant at his residence which culminated from my
25 active drug investigation.

1 Q. And did you Mirandize him?

2 A. Yes, I did.

3 Q. And how did you Mirandize him?

4 A. I carried with me a department issued
5 preprinted card that has the Miranda rights written
6 on them which I read directly from so it eliminates
7 human error of me possibly forgetting something or
8 leaving something out.

9 Q. And was he detained at the time?

10 A. Yes, he was.

11 Q. And how was he detained?

12 A. He was handcuffed behind his back and
13 seated in a chair on the front just outside the
14 front door of the residence.

15 Q. And when you were telling him about
16 everything at Jobee and giving him instructions was
17 he compliant then?

18 A. No, he was not.

19 Q. And can you explain that?

20 A. He was becoming very agitated and
21 belligerent and trying to talk over us, being very
22 loud and using profane language and was just in a
23 general agitated or aggravated state of mind.

24 Q. He was agitated, he was belligerent.

25 Did you punch him? Did you put him in a choke

1 hold? Did you do anything really aggressive like
2 that to him?

3 A. Absolutely not.

4 Q. Did you cuss at him?

5 A. No, I did not.

6 Q. Did you try to explain to him about the
7 search warrant going on inside the residence?

8 A. Yes, I did.

9 Q. Since this arrest back in 2013 have you
10 had any contact from this Defendant?

11 A. Yes, I have.

12 Q. How so?

13 A. I received a considerable amount of
14 time after this, I'm not sure of the exact date,
15 but I received a handwritten lawsuit that he filed
16 without an attorney suing me in civil court.

17 Q. And what's the status of that civil
18 suit?

19 A. A federal judge has placed a stay on
20 that charge pending the outcome of criminal
21 charges.

22 Q. And has knowing about that handwritten
23 lawsuit that he filed affected anything here today?

24 A. Absolutely not.

25 Q. So let's go back to the execution of

1 the search warrant on Jobee. Was anything of
2 interest found that day during the execution?

3 A. Yes, there was.

4 Q. What items of interest were found that
5 day?

6 A. There was a considerable amount of
7 packaging supplies, scales, calibration, tools for
8 the scales, illegal drugs, and a magazine that
9 belonged to a firearm.

10 Q. And can you explain to the jury a
11 little bit about heroin? Heroin is something that
12 -- if you can just explain to them what is a
13 typical serving size, cost, packaging, all of that.

14 A. Yes, ma'am. The heroin is sold in a
15 couple of different ways. My investigation was in
16 the powdered heroin. There is also you may have
17 heard about black tar heroin which is more of a tar
18 substance. Our case was in powder heroin which is
19 a brown powder substance. It is commonly packaged
20 the most similar thing I can explain to you to
21 paint a picture in your mind is a BC Headache
22 Powder. That's a little piece of wax paper, we
23 call them bindles. In that bindle of wax paper
24 they put a small quantity, usually varies between
25 0.01 to .03 grams of heroin in each bindle due to

1 the fact that heroin is very a strong substance.
2 It's not sold to the end user in large quantities
3 typically. Each bindle has a very small amount.

4 Those wax paper bindles are typically
5 packaged in a collection of ten. That packaging of
6 ten bindles is commonly referred to as a bundle.
7 That can explain that without being confusing.

8 Q. How much would one of those bindles,
9 one of those servings, how much would that cost
10 somebody to purchase?

11 A. Different areas different times, but
12 generally the bindle is going to be ten to \$15 a
13 bindle. So a bundle of ten would likewise be a
14 hundred to \$150 for that bundle of ten.

15 Q. In this case did you locate any
16 paperwork relating to this Defendant?

17 A. Yes, we did. We located miscellaneous
18 paperwork such as I believe one of them was a water
19 bill in the Defendant's name with that address on
20 it.

21 Q. And are you aware of the leaseholder
22 for the time period on Jobee Drive?

23 A. It was the Defendant, Mark Blake.

24 Q. Any other named leaseholder?

25 A. No, not to my knowledge.

1 Q. And you had mentioned a magazine.

2 Where was the magazine located in the case?

3 A. The magazine was located in the closet
4 in a shoe box or a box of some sort that contained
5 calibration tools that you would use to calibrate
6 your scales so that you insured you are selling the
7 intended amount that you're looking to sell. And
8 identification cards, state issued ID of the
9 Defendant.

10 Q. And did you request any additional
11 testing of that firearm magazine once it was taken
12 into evidence?

13 A. Yes, I did.

14 Q. And what were the results of that?

15 A. There were no latent prints able to be
16 lifted.

17 Q. And the heroin in this case, where was
18 the heroin located?

19 A. The heroin was located in the
20 refrigerator in a Tupperware bowl and inside that
21 bowl was a quantity of packaged heroin and rice
22 which as you may be familiar with some people do
23 it --

24 MR. KING: I just object to referring
25 to it as heroin at this point. There has been no

1 testimony from a chemist.

2 THE COURT: All right. Sustained.

3 BY MS. LINDER:

4 Q. The substance that you believed to be
5 heroin that was located, can you describe how it
6 was packaged?

7 A. The substance that I believed to be
8 heroin was packaged in bundles. It was also an
9 individual slip, a bindle. It was in a bowl of
10 rice which as some of you may as I was saying could
11 be familiar with putting rice in your salt shakers.
12 It is used to control moisture content.

13 Q. And did you request any additional
14 testing done, aside from a chemist, about taking
15 the container or other items seized dealing with
16 the supposed heroin?

17 A. Yes. The same as the firearm magazine,
18 no latent prints were able to be lifted off that
19 Tupperware bowl.

20 Q. Did you collect a phone in this case?

21 A. Yes, we did.

22 Q. And did you request any additional
23 testing or further investigation with the phone?

24 A. Yes. I actually obtained myself a
25 search warrant on the phone itself to conduct a

1 separate search of that phone and submitted that to
2 our digital evidence technician, but due to the
3 locking mechanism, the screen lock on the phone and
4 the Defendant not being cooperative to unlock the
5 phone our software tech would not --

6 MR. KING: Objection. Can we approach?

7 THE COURT: Yes.

8 (Off-the-record conference.)

9 THE COURT: All right. Ladies and
10 gentlemen, as I have said, the Defendant in a
11 criminal case never has any obligation to produce
12 evidence or even cooperate with law enforcement so
13 disregard any testimony about the Defendant's
14 cooperation or lack of cooperation with the
15 request. That was not something that is relevant,
16 not part of the record in this case anymore so
17 please disregard it and put it out of your mind.
18 Go ahead.

19 BY MS. LINDER:

20 Q. Was your digital evidence technician
21 able to download contents of the seized phone?

22 A. No, ma'am. I apologize. The phone was
23 not able to be accessed.

24 Q. And was this Defendant arrested as a
25 result of the search warrant?

1 A. Yes.

2 Q. And what, if anything, did he have on
3 his person?

4 A. I believe he had the cell phone and
5 possibly an ID, I think a little bit of money.

6 Q. Beg the Court's indulgence.

7 THE COURT: Yes, ma'am.

8 (Brief pause.)

9 MS. LINDER: I have nothing further.
10 Please answer anything the defense may have.

11 THE COURT: Cross-examination, Mr.
12 King.

13 CROSS-EXAMINATION

14 BY MR. KING:

15 Q. Agent Waddell, you testified you're the
16 case agent?

17 A. Yes.

18 Q. And you're sort of in charge of this
19 whole operation?

20 A. Yes.

21 Q. As part of being a case agent you write
22 reports; is that right?

23 A. Yes.

24 Q. You document what happens?

25 A. Yes.

1 Q. You draft the search warrant, things
2 like that?

3 A. Yes.

4 Q. The arrest warrants he was arrested on?

5 A. Yes.

6 Q. Now, you testified that you waited
7 until he left before you had officers move in to
8 arrest and take him into custody, right?

9 A. Right.

10 Q. He was picking up his girlfriend at
11 work, right?

12 A. Yes.

13 Q. And you were aware of that? You were
14 aware where she worked?

15 A. I was aware -- I wasn't aware that's
16 where he was headed at that moment, but I was aware
17 she worked at a similar facility. I wasn't a
18 hundred percent sure if it was that, but as we
19 pulled in or as he pulls and we are following him,
20 you put two and two together. You assume this is
21 most likely where the girlfriend works and he may
22 be picking her up.

23 Q. And then you said you conducted this
24 felony stop, right?

25 A. Correct.

1 Q. Isn't that where or that happens pretty
2 quickly, right, do a felony stop?

3 A. Yes.

4 Q. That whole thing. The officers didn't
5 walk up, knock on the door and politely ask him to
6 get out of the car in this situation, right?
7 That's not a felony stop?

8 A. No.

9 Q. They came out guns drawn; is that
10 right?

11 A. Yes, we had our guns drawn.

12 Q. How many officers would you say?

13 A. Maybe six. I don't recall specific
14 number, but typically it would have been maybe half
15 dozen.

16 Q. I am assuming yelling, right, get out
17 of the car?

18 A. Show us your hands, step out of the
19 vehicle, things of that nature.

20 Q. And how long before they moved in and
21 pulled him out of the car, how long would you say
22 from the moment the officers first came out and
23 said get out of the car, whatever, how long of a
24 gap before he is pulled from the car, seconds,
25 right? Maybe 30 seconds, a minute?

1 A. Probably less than a minute. It is not
2 a very long time. You either comply or you don't.

3 Q. He didn't try to run, right?

4 A. His vehicle was pinched in. There was
5 nowhere for him to go.

6 Q. He didn't get out of the car and try to
7 run?

8 A. No, he did not.

9 Q. He didn't try to back the car up and
10 get away?

11 A. No, he did not.

12 Q. He didn't resist once he is taken down?

13 A. He did not actively resist. Resistance
14 is still being non-compliant. It's a passive
15 resistance.

16 Q. So he's sitting in this car, right,
17 from his perspective, he's sitting in his car, all
18 of a sudden six police officers come running up to
19 the car screaming get out, show me your hands, show
20 me your hands, right?

21 A. Giving loud commands.

22 Q. He didn't get out fast enough so y'all
23 jerked him out, right? Isn't that how it basically
24 happened?

25 A. You are using words I wouldn't use.

1 Q. Somebody has got to have some time to
2 register that's what is going on and they are
3 getting yelled at and they got six officers
4 pointing guns at them, so --

5 A. He had enough time for that to
6 register. He was not jerked out of the car in a
7 reckless manner. He was removed from the vehicle
8 without injury in a manner that was safe to him and
9 officers on the scene and secured in handcuffs.

10 Q. You wrote a report that he was taken
11 into custody without incident; isn't that right?

12 A. Correct.

13 Q. So when you're talking about being
14 non-compliant you just mean when he was told to get
15 out of the car he didn't get out of the car within
16 about a minute?

17 A. He did not get out of the car at all on
18 his own.

19 Q. Y'all gave him less than a minute to
20 register and figure out what he was supposed to do?

21 A. Yes.

22 Q. And then you went inside and arrested
23 his girlfriend Ms. Jeter?

24 A. Yes.

25 Q. In her place of business?

1 A. Yes.

2 Q. Took her out in handcuffs. Now, at
3 that point they are taken back to this Jobee Drive
4 apartment, right?

5 A. Yes.

6 Q. At some point you make entry into the
7 residence, right?

8 A. Correct.

9 Q. Y'all hadn't already gone to the
10 residence before they were brought back?

11 A. I don't recall. I believe Mr. Blake
12 was taken in the marked police car from the
13 secondary location where he was arrested or placed
14 under arrest. I don't recall what vehicle his
15 girlfriend who was also placed under arrest at the
16 time was taken back to, but the entry team would
17 have gone there and you're basically talking about
18 the same time, but which vehicles pulled in the
19 parking lot first I couldn't definitively say.

20 Q. I guess my question is did you enter
21 into the -- did you breach the door -- did you go
22 inside the residence before either one of those
23 were brought back there? Or was it after they were
24 brought back?

25 A. I don't recall. It would have been --

1 if they weren't on scene yet and the team that I
2 delegated as an entry team had already gone in
3 using his key so that we did not have to do a
4 dynamic entry and to clear the residence, because
5 we still don't know if there may be other people
6 there, whether he was in the parking lot already or
7 in route, I'm not a hundred percent sure. But he
8 would not have been allowed back upstairs until we
9 had secured the entire residence.

10 Q. You're saying you made a soft entry
11 into the door using his key?

12 A. Correct.

13 Q. How did you get his key?

14 A. He was driving and we secured his keys
15 and his vehicle from the arrest location and took
16 those keys and that vehicle back to his residence
17 location and used his keys.

18 Q. Now, you testified that they were
19 arrested, then taken into custody there, then an
20 officer would have gotten the keys, right, and I
21 guess drove that vehicle back to Jobee Drive?

22 A. Right.

23 Q. And then turned those keys over to
24 someone, not you, but someone?

25 A. I don't recall.

1 Q. I guess they had to figure out which
2 key might fit, all that stuff?

3 A. Correct.

4 Q. You put in your report, you talked
5 about how metro detectives responded to the area,
6 were able to take both suspects into custody.
7 Moments later the detectives executed a lawful
8 search warrant and list a target residence. So you
9 put in your report that it was moments after they
10 were taken into custody that y'all went in?

11 A. Correct. The two locations are very
12 close to each other. The arrest location and the
13 residence, it is not a long drive or across town.
14 There are very in close proximity geographically to
15 each other.

16 Q. You testified it was a soft entry. So
17 there was -- you didn't have to bash the door in,
18 right?

19 A. Correct.

20 Q. Why are there photographs of damage to
21 the door?

22 A. Yes --

23 (DFT. EXH. 6-8, photos, were marked for
24 identification.)

25 BY MR. KING:

1 Q. Show you Defendant's Exhibit 6, 7 and
2 8. My question is why is there a photograph of
3 damage to the door if you made a soft entry? Do
4 you recognize those photographs?

5 A. Appears to be the front door in the
6 stoop area of that residence.

7 Q. Is that photograph a fair and accurate
8 representation of the way it was when you conducted
9 the search warrant?

10 A. I don't recall this being a door that
11 was rammed open. From my recollection I thought
12 that the entry team had keys from the arrest
13 location.

14 Q. Let me -- you were the case agent,
15 right?

16 A. Right.

17 Q. You're familiar with all the
18 photographs that were taken during the search
19 warrant, right?

20 A. For the most part, yes.

21 Q. And those are photographs that were
22 taken during the search warrant?

23 A. Yes.

24 Q. So why is there damage to the door?
25 And why was photographs taken of damage to the

1 door?

2 A. Well --

3 Q. You busted in, you busted in before he
4 got there, right?

5 A. Well, had we used a ram we had a lawful
6 search warrant to make entry. If for some reason
7 they did not have the keys, I thought the team had
8 keys from his arrest location to enter. If they
9 didn't it in no way affects the lawfulness of the
10 search warrant and the photographs would have been
11 taken to document any damage that in case a
12 complaint came into the sheriff's office or
13 anything of that nature.

14 Q. You swore under oath and testified that
15 you made soft entry, that you made a soft entry
16 because you had his keys, an officer brought the
17 keys back and you opened up the door. I mean you
18 see there is a problem there? I mean the question
19 is did you bust the door down or did you use the
20 key?

21 MS. LINDER: Objection, Your Honor. I
22 believe he was asked and answered.

23 THE COURT: Overruled.

24 THE WITNESS: I thought we used a soft
25 entry. I was not present at the time they went in

1 and as I arrived -- I have done literally hundreds
2 of these since three and-a-half years ago. My
3 recollection was I thought we had got the keys from
4 Mark Blake. If we did not and the entry team
5 arrived on scene and used a ram to get in the
6 residence, then we certainly would not have tried
7 to conceal this or hide that in any way which is
8 why we photograph if there is any damage.

9 BY MR. KING:

10 Q. So it indicates that y'all busted in
11 and went in before you ever had any keys or he was
12 brought back, right?

13 MS. LINDER: Objection.

14 THE WITNESS: They may very well have
15 made entry before they had keys. And I may have
16 been mistaken on that in my recollection. But that
17 has no bearing on the lawfulness of the search
18 warrant execution.

19 BY MR. KING:

20 Q. But it has bearing on your credibility,
21 right, doesn't it?

22 MS. LINDER: Objection, Your Honor,
23 argumentative.

24 THE COURT: Well, all right.
25 Overruled.

1 BY MR. KING:

2 Q. Based on your surveillance you believe
3 Dominique Jeter, his girlfriend, was staying in
4 that apartment, right?

5 A. Correct.

6 Q. It appears a child was staying there
7 too at some point, right, from the photographs?

8 A. It appeared that way. There was no
9 child present that day.

10 Q. You testified he was belligerent,
11 right, when you're conducting the search and he is
12 brought back to the scene that he was yelling and
13 stuff, right? You never gave him a copy of the
14 search warrant, did you?

15 A. The search warrant was explained to him
16 and left at the residence. I did not physically
17 hand him a search warrant while he was handcuffed
18 behind his back.

19 Q. You left it in the residence, but then
20 took him to jail and he couldn't read it in the
21 residence, could he?

22 A. It was explained to him, but no, he was
23 not handed the actual search warrant.

24 Q. Isn't that what he was yelling about?

25 A. No. He was yelling about various

1 things.

2 Q. So you are inside the apartment now
3 executing the search warrant, right? You didn't
4 find any cash inside the apartment, did you?

5 A. I don't believe so to my recollection.

6 Q. That's one of the things you would be
7 looking for as part of this investigation would be
8 large amounts of cash?

9 A. Right.

10 Q. Drug dealers stash large amounts of
11 cash, right?

12 A. Correct.

13 Q. They often don't have bank accounts
14 because they want to conceal that money?

15 A. Right.

16 Q. That wasn't found. You testified I
17 think no prints, there's -- his fingerprints aren't
18 on that plastic bowl?

19 A. No, I believe the forensic services
20 were unable to locate any prints.

21 Q. They're not on that plastic bag, the
22 bigger plastic bag that was inside that bowl?

23 A. I don't believe so.

24 Q. Or on any of the bindles or smaller
25 packages?

1 A. Correct.

2 Q. There are no prints on anything --

3 A. Correct.

4 Q. -- found, right? He's suing you in
5 federal court for a civil rights violation, right?

6 A. Correct.

7 Q. You have experience with heroin in
8 general as part of your job, right?

9 A. Investigating.

10 Q. Investigating heroin. How is heroin
11 used? It can be injected?

12 A. Any number of ways.

13 Q. Snorted?

14 A. Snorted.

15 Q. Smoked?

16 A. If you wanted to. It can be injected
17 by needles, it can be injected orally, snorted, can
18 be absorbed.

19 Q. And you are familiar with how heroin is
20 packaged in general, right?

21 A. Yes.

22 Q. In your experience. It's sold in these
23 smaller bundles, right?

24 A. Correct.

25 Q. But it is also purchased that way,

1 right? If I wanted to buy some heroin I would have
2 to buy those bindles?

3 A. Correct.

4 Q. So you can't really tell if it's
5 packaged for sale or if it's just been bought,
6 right?

7 A. You can due to the investigation
8 leading up to this event and also the number of
9 bundles that were located is not indicative of a
10 user.

11 Q. You drafted the arrest warrant for what
12 you claim you found in the refrigerator, right?

13 A. Right.

14 Q. Do you have any idea I guess when it
15 came back from the lab just roughly how much heroin
16 it ended up being when it came back from the lab?

17 A. Off the top of my head I do not recall
18 the lab's weight.

19 Q. You swore out the affidavit for the
20 arrest warrant?

21 A. Correct.

22 Q. You actually arrested him for
23 trafficking heroin, right?

24 A. Correct.

25 Q. You put in the warrant, and when you do

1 this I guess you put under oath and swear to the
2 judge, then the judge signs the warrant?

3 A. Correct.

4 Q. So you swore under oath to the judge
5 that the Defendant did willfully and unlawfully
6 possess approximately 30 gross aggregate grams of a
7 brown powder substance, right?

8 A. Correct.

9 Q. That wasn't a bit true, was it? It
10 isn't anywhere near 30 grams, right?

11 A. I weigh that as a package weight which
12 is why it says gross aggregate weight. That's a
13 weight including the packaging. I'm not a lab
14 technician so I don't pour out each quantity of
15 bindles. That's why we send things to the lab.
16 Sometimes when we're -- the lab sends stuff back
17 due to the packaging being removed the weight
18 changes and it may meet a different threshold for a
19 different charge which is why this was amended from
20 trafficking to possession with intent to
21 distribute.

22 Q. You're familiar with these bindles,
23 right? You have dealt with them before, you said
24 maybe a thousand cases you have been involved in?
25 You even testified to how much heroin generally is

1 in one of those bindles?

2 A. Correct.

3 Q. But instead of trying to figure out how
4 much brown powder there really was in there, you
5 weighed the package, the rubber bands, right? You
6 weighed everything and then charged him with
7 trafficking 30 grams, right?

8 A. Correct.

9 Q. And trafficking is a more serious
10 charge than possession with intent to distribute
11 heroin, right?

12 A. Correct.

13 Q. Based on weight?

14 A. Correct.

15 Q. And that's actually the highest level
16 of trafficking you can go, right?

17 A. I would have to review the statute for
18 the different thresholds.

19 Q. You are not aware that according to the
20 chemist it was closer to between two and three
21 grams, in that general area, and you put 30 grams
22 in the warrant?

23 A. Correct.

24 Q. So when you're arresting him and
25 drafting the warrant you know these bindles only

1 have about .01 to .03 grams?

2 A. That's something I have learned more
3 recently through some training that I have
4 received. At the time of this, as a matter of
5 practice, we drafted affidavits based on gross
6 aggregate weight which includes packaging. That
7 was a standard matter of practice in our
8 affidavits. Knowing that when we get an actual lab
9 result back if that is different in any way then we
10 amend those charges appropriately which has been
11 the case in this case.

12 Q. It makes a difference what you charge
13 him with, right? It can affect his bond, right,
14 you charge him with a more serious charge?

15 A. Absolutely, which is why we amended the
16 charge.

17 Q. You amended the charges?

18 A. No, that's done when we submit the case
19 through the solicitor's office.

20 Q. Solicitors end up doing that later,
21 right?

22 A. Right.

23 Q. You never went back and changed this
24 warrant when the lab results came back, did you?

25 A. No.

1 Q. Because he's arrested for trafficking
2 in heroin, that's considered a violent crime?

3 MS. LINDER: Objection, Your Honor,
4 beyond the scope.

5 THE COURT: Overruled.

6 BY MR. KING:

7 Q. Trafficking is considered a violent
8 crime, right?

9 A. Yes.

10 Q. So someone charged with this is treated
11 differently at the jail as a violent offender?

12 A. I wouldn't have any testimony to one
13 inmate being treated differently than another
14 inmate based on the jailers. I believe them all to
15 be professionals and treat people equally.

16 Q. Would you agree that you overcharged
17 him?

18 A. No. I charged him as a matter of
19 practice in our procedures of how we did things at
20 the time when I was in Charleston County Sheriff's
21 Office and again that is through charging through
22 gross aggregate weight. We are not lab
23 technicians. We do not start dumping things out
24 where we could jeopardize the integrity of the
25 evidence. We charge based on gross aggregate

1 weight. That's what I did. When the lab came back
2 the solicitor's office is notified of the lab
3 results and the charges are amended accordingly.

4 Q. But what you put in the warrant is 30
5 gross aggregate grams of a brown powder substance.
6 You didn't say 30 gross aggregate grams of
7 packaging and powder. Did you lie to the judge
8 when you got this warrant?

9 MS. LINDER: Objection, Your Honor,
10 argumentative and asked and answered.

11 THE COURT: Overruled.

12 THE WITNESS: No, I did not lie. It is
13 an inference in gross aggregate weight that this is
14 including packaging.

15 BY MR. KING:

16 Q. You didn't put packaging anywhere on
17 the warrant? As far as the judge would have known
18 you found 30 grams of a brown powder and he signed
19 the warrant? That's what you presented to him?

20 A. Correct.

21 Q. Did you handle -- once the evidence is
22 taken into custody, right, there's a chain of
23 custody. Were you part of that? Did you handle
24 the drugs at any point?

25 A. I don't recall. I would have to look

1 at the report. I have an assigned evidence
2 custodian at the time of the search warrant,
3 another detective who is responsible for
4 photographing and collecting evidence that's
5 located within the residence.

6 Q. Would you have taken it out of the
7 evidence room or anything for any reason?

8 A. No. Once it is logged into evidence it
9 would stay there until the paperwork -- the
10 paperwork we fill out would request an analysis,
11 further weight and identification analysis is sent
12 -- is submitted and then there are other employees
13 and other people with those job responsibilities
14 that do the testing and analysis and so forth.

15 Q. The drugs would have been submitted to
16 the lab I guess that day, the 22nd, the warrant was
17 served?

18 A. I don't recall the date they were
19 submitted.

20 (DFT. EXH. 9, lab report, was marked
21 for identification.)

22 BY MR. KING:

23 Q. Show you Exhibit 9. At the bottom of
24 the page there do you recognize that document where
25 it refers to 11 bundles and one bindle, 30.2 grams,

1 right?

2 A. Right, it's the -- I believe printout
3 of what is printed from the forensic services unit
4 or through the RMS program if I remember correctly.

5 Q. That was submitted by Andrew Miller on
6 2-22?

7 A. Correct. He was the evidence custodian
8 that day.

9 Q. And then I guess it is received by
10 Jason H. Riley on 2-25, I assume he's an evidence
11 room employee?

12 A. I believe so.

13 Q. Then on 3-8-2103 has an entry with your
14 name on it. Do you know what that's about? 3-8-13
15 at 10:35:55 a.m.?

16 A. I don't recall.

17 MR. KING: I have no other questions,
18 Your Honor.

19 THE COURT: Redirect?

20 REDIRECT EXAMINATION

21 BY MS. LINDER:

22 Q. Thank you, briefly, Your Honor. If you
23 can just explain why are things moving so quickly
24 during a felony traffic stop like this one?

25 A. A big part of a felony traffic stop or

1 any kind of high risk operation, there's an intent
2 to disrupt that person's thought process. You want
3 things to happen very quickly so that they don't
4 have the opportunity to formulate an assault or an
5 attempt to flee or something of that nature so that
6 they can be taken into custody and that again is
7 for their safety as well as officer safety on the
8 scene as well as members of the community or
9 society that could potentially be in the area.

10 Q. And when you conduct a felony traffic
11 stop why is it so important to pinch in their car
12 and take their keys?

13 A. Due to the fact that the vehicle itself
14 could be used as a weapon in the immediate area if
15 they flee, but also even they don't have intent to
16 use the vehicle as a weapon per se, we always want
17 to limit the risk of any vehicle chase. We don't
18 want him getting out of that parking lot. As you
19 can imagine a vehicle chase would put countless
20 other people in our community and on our roadways
21 at risk.

22 Q. And there were lots of questions about
23 the door and whatnot. Did you do the actual -- did
24 you personally do the entry into this residence?

25 A. No, I did not.

1 Q. Did you do the search room to room in
2 this case?

3 A. No, I did not.

4 Q. It was brought up that the Defendant
5 didn't have a lot of cash on him when he was
6 arrested. I would like to talk about the alleged
7 heroin in the refrigerator. How much did you say a
8 bindle costs?

9 A. A bindle is based on supply and demand,
10 obviously fluctuates some, but most typically it's
11 ten to \$15 for the individual bindle.

12 Q. And that price can vary based on
13 location, supply and demands?

14 A. Correct.

15 Q. And how many bindles are in a bundle?

16 A. Ten bindles in a bundle typically.

17 Q. So one bundle is 100, \$150; is that
18 right?

19 A. In that ballpark.

20 Q. If you have let's say five bundles, how
21 much is that worth in money, in dollars?

22 A. Well, that could easily be sold on the
23 street for \$750.

24 Q. And if you had ten bindles how much
25 would that be?

1 A. 1,500.

2 Q. Isn't it true there are different types
3 of currency in the drug world?

4 A. Absolutely.

5 Q. Talking about the warrant in this case,
6 the 30 grams on the initial warrant, which was
7 later amended, properly charged after the chemist
8 results, on the initial you stated I believe 30
9 aggregate grams, gross grams?

10 A. Gross aggregate.

11 Q. Can you tell me the difference on
12 someone's salary between gross and a net salary?

13 A. One would be prior to being taxed and
14 obviously one is after taxed, what is liquid money
15 to them.

16 Q. And if you liken it to your example of
17 the headache powder, if there are ten bindles, ten
18 headache powders in a bundle, and there's lots of
19 bundles, the amount of actual powder versus
20 packaging with your training and experience, would
21 the packaging weigh a lot more than the powder
22 itself?

23 MR. KING: Objection, leading, Your
24 Honor.

25 THE COURT: Sustained.

1 BY MS. LINDER:

2 Q. Would the packaging weigh more, less,
3 the same?

4 A. It could weigh more than the substance.

5 Q. As far as Defense Exhibit 9, did you
6 create this?

7 A. No, I did not.

8 Q. Who is this record maintained by?

9 A. I believe it's either through the RMS
10 reporting system or through the forensic unit of
11 the sheriff's office which I was not assigned or do
12 not work for.

13 MS. LINDER: Beg the Court's
14 indulgence.

15 (Brief pause.)

16 MS. LINDER: I have nothing further.
17 Thank you.

18 THE COURT: Recross?

19 MR. KING: I have no further questions.

20 THE COURT: All right. Thank you, sir.
21 You may step down. We will take about a ten-minute
22 recess.

23 Ladies and gentlemen, don't talk about
24 the case. Keep an open mind. If you would during
25 your break select someone to be the foreperson of

1 the jury and write their name down and give it to
2 one of the bailiffs, thank you.

3 (Thereupon, the jury exited the
4 courtroom at 4:07 p.m.)

5 THE COURT: You wanted to put something
6 on the record?

7 MR. KING: Yes, Your Honor. There were
8 two instances where I made objections at the bench,
9 Your Honor, and I guess made a motion for a
10 mistrial. Evidence came out about controlled buys,
11 the invasion of the residence. I think the jury
12 heard that. I know it's a curative instruction,
13 but I don't think it is possible to unring that
14 bell and would make a motion for a mistrial.

15 THE COURT: Okay. I respectfully deny
16 the motion. I don't think the brief exposure of
17 the jury to that evidence would warrant the drastic
18 remedy of a mistrial. The curative instruction is
19 certainly a less drastic alternative and is
20 presumed to have been heard and followed by the
21 jury and I don't find the nature of the instances
22 to have affected the trial fairness or injustice to
23 the point a mistrial would be appropriate. So I
24 respectfully deny your motion.

25 You also wanted to proffer some

1 testimony earlier from Agent Waddell. Did you wish
2 to do that, Mr. King?

3 MR. KING: Yes, Your Honor. As far as
4 my mistrial motion, I forgot about the testimony
5 about him being compliant, just the cumulative
6 effect of that is in addition to my motion for
7 mistrial.

8 THE COURT: Yes, sir. Same ruling on
9 that.

10 MR. KING: Call Agent Waddell to the
11 stand.

12 THE CLERK: You are still under oath.

13 EXAMINATION

14 BY MR. KING:

15 Q. Just to proffer just a few questions
16 that I had asked to be admitted regarding not Mr.
17 Blake's lawsuit, but the separate lawsuit that was
18 taking place from Myrtle Beach. Agent Waddell, you
19 are being sued by another Defendant, right, in
20 Myrtle Beach?

21 MS. LINDER: Your Honor, I would
22 respectfully request we stand by the Court's
23 ruling. Further, Ms. Jackson when she was here
24 indicated that since it was so early on there have
25 been no depositions, and he has been advised not to

1 answer any questions about this new lawsuit that
2 occurred just late last year.

3 MR. KING: I feel like I have to
4 proffer it.

5 THE COURT: He has got a right to
6 proffer it. I don't know that I can stop him from
7 doing that. Go ahead.

8 BY MR. KING:

9 Q. You are involved in another lawsuit
10 with a Defendant Mr. Betton, Julian Betton; is that
11 right?

12 A. Correct.

13 Q. And that lawsuit involves an execution
14 of a search warrant in Myrtle Beach, right?

15 A. Correct.

16 Q. And where the Defendant was shot; is
17 that right?

18 A. Correct.

19 Q. He survived?

20 A. Yes.

21 Q. He filed this lawsuit?

22 A. Correct.

23 Q. Now, he's alleging in this lawsuit, ask
24 you about a few things, that you initially told
25 authorities that officers knocked and announced

1 before entering the residence, but then
2 surveillance video showed that nobody really
3 knocked, right; is that right? Did you -- first
4 did you tell authorities that you and other
5 officers knocked and announced before entering?

6 MS. LINDER: Your Honor, may we
7 approach?

8 THE COURT: Well, I am happy for you to
9 approach. I think -- yes, come on.

10 (Off-the-record conference.)

11 BY MR. KING:

12 Q. In the lawsuit there are allegations
13 that you lied about knocking and announcing before
14 entering, right? You are aware that is part of the
15 lawsuit?

16 A. There are allegations that lies were
17 told.

18 Q. Did you tell the authorities that you
19 or any other officer knocked and announced before
20 entering?

21 THE COURT: Well, I think --

22 THE WITNESS: I am being put in a
23 predicament.

24 THE COURT: Wait, okay? Do you
25 understand me?

1 THE WITNESS: Yes, sir.

2 THE COURT: You can put on the record
3 what questions you wanted to ask him, but I don't
4 think it is necessary for him to answer them for
5 purposes of the proffer. How about that?

6 MR. KING: Okay. Are you saying he is
7 not required to answer?

8 THE COURT: You put on the record what
9 questions you wanted to ask him that I am going to
10 exclude from evidence. That way we don't have a
11 problem with him.

12 MR. KING: It was basically three
13 questions, Your Honor. That according to the
14 allegations that Agent Waddell was dishonest in
15 telling the authorities first that they knocked and
16 announced when later video showed something
17 different. Second, that Agent Waddell told the
18 authorities initially that they were wearing
19 clearly marked clothing identifying them as police
20 officers and the video shows different. And
21 finally, that Agent Waddell told authorities that
22 Julian Betton shot first and they returned fire
23 when later SLED determines that Mr. Betton never
24 fired his gun at all. So three lies to authorities
25 to cover up misconduct in executing the search

1 warrant. Those are the questions that I would ask.

2 THE COURT: Okay. That would be the
3 evidence you would elicit from Agent Waddell in
4 front of the jury if my ruling were different and
5 you proffered the substance of the evidence. So
6 anything further, Mr. King?

7 MR. KING: No, Your Honor.

8 THE COURT: Thank you very much. You
9 can step down. Thank you.

10 THE WITNESS: Thank you, sir.

11 THE COURT: All right. We will take a
12 ten-minute recess.

13 (A recess transpired.)

14 (Whereupon, the jury entered the
15 courtroom at 4:31 p.m.)

16 (COURT'S EXH. 1, jury note, was
17 marked.)

18 THE COURT: You can have a seat. All
19 right. Mrs. Apple, looks like you have been
20 selected as the foreperson so you will be the
21 liaison between the Court and the jury. If anyone
22 on the jury needs to contact me I can only
23 communicate with you out here on the record or by
24 way of a written note made part of the record.
25 Hopefully you won't have to communicate with me,

1 but if you do that's the protocol.

2 Someone asked about taking notes. You
3 are welcome to do so. Just remember that part of
4 your job as the judge of the facts is to decide the
5 credibility of the witnesses so don't get so
6 engrossed in your notes that you don't pay
7 attention to them on the stand and closely assess
8 their credibility in that respect. And remember,
9 too, that notes as we all know from our school days
10 sometimes can just be flat wrong. So don't use
11 your notes to try to trump someone else's memory
12 who didn't take notes. They are just for your own
13 personal use. All right. With that, you may call
14 your next witness, Ms. Linder.

15 MS. LINDER: Thank you, Your Honor.
16 May it please the Court, the State calls Philip
17 Roberson.

18 PHILIP ROBERSON

19 Having been duly sworn, testifies as follows:

20 THE CLERK: If you could give us your
21 full name and spell your last, please.

22 THE WITNESS: My name is Philip
23 Roberson, R-O-B-E-R-S-O-N.

24 DIRECT EXAMINATION

25 BY MS. LINDER:

1 Q. Good afternoon. Can you tell the jury
2 what's your occupation?

3 A. I'm a Sergeant in narcotics at Colleton
4 County Sheriff's Office.

5 Q. And who was your employer back in
6 February of 2013?

7 A. Charleston County Sheriff's Office.

8 Q. And what unit were you assigned to?

9 A. To the Metro Unit.

10 Q. What were your duties in the Metro
11 Unit?

12 A. We investigated drug related crimes,
13 drug crimes, things of that nature, handle CI's and
14 informants.

15 Q. And can you tell the jury a little
16 about your education, any training you have
17 attended or certain skills?

18 A. Yes, ma'am. I have the DA school,
19 narcotics school, ATF task force for seven years,
20 SWAT commander for two years, SWAT training, and
21 interrogation interview schools, and multiple other
22 schools dealing with narcotics and homicides and
23 larger cases.

24 Q. And how long have you been in law
25 enforcement?

1 A. Twenty-one years.

2 Q. Were you working back on February
3 the 22nd of 2013?

4 A. Yes, ma'am.

5 Q. And were you -- did you have the
6 occasion to become involved in the investigation of
7 this case, the State versus Mark Blake, on the
8 date?

9 A. Yes, ma'am.

10 Q. And were you involved with executing a
11 search warrant at the house?

12 A. Yes, ma'am.

13 Q. And what was your role during the
14 execution of the search warrant?

15 A. My role was part of the search team.

16 Q. And can you explain to the jury how you
17 go about conducting a search during the actual
18 search warrant?

19 A. We are assigned or picked rooms that we
20 search, usually two to a room depending on what
21 size the room is. And you go from top to bottom
22 from ceiling to floor searching everything where
23 something could be hid, where there's light
24 sockets, electrical sockets, drawers, light
25 fixtures, cabinets, refrigerators, sinks, anything,

1 trash, anything that comes up when you come across
2 when you are going up and down from ceiling to
3 floor you are going to look into and search.

4 Q. And when you are executing a narcotics
5 search warrant such as this one, what types of
6 items are you looking for aside from just the
7 drugs?

8 A. You are going to be looking for like I
9 said drugs, but also you are going to be looking
10 for things used in the manufacturing of the drugs.
11 Things used for the distribution or weighing of the
12 drugs such as scales, your packaging, things of
13 that nature. As far as when you sell it, when you
14 weigh it out, because usually drug dealers will get
15 a larger amount and break it down into smaller
16 amounts, so you will find scales and things to cut
17 it with or either to mix it up with.

18 Q. And what area did you search on Jobee
19 Drive?

20 A. I searched the kitchen and assisted in
21 the bedroom.

22 Q. And did you find any items of interest
23 in the kitchen that day?

24 A. Yes, ma'am.

25 Q. What items did you find?

1 A. In the refrigerator I found a
2 Tupperware bowl that had rice and drugs in it and
3 then above the kitchen and the cabinets there was
4 like a whisk and a mixing bowl and scales.

5 Q. And how was -- the items that you
6 perceived to be drugs, how were they packaged in
7 the Tupperware?

8 A. They were packaged in looked like it
9 was called bundles.

10 Q. If you can explain that to the jury?

11 A. A bundle in narcotics terms is made up
12 of ten bindles. The easiest way I can explain a
13 bindle to you is a BC powder, the powder we break
14 open and that's powdery, not the tablet, but it's
15 the nasty tasting BC powder. That's a bindle. Ten
16 of those make a bundle.

17 Q. And about what is the weight of one
18 bindle of heroin?

19 A. It is usually approximately .02 grams.

20 Q. And is that a serving size?

21 A. Yes, ma'am.

22 Q. And how are the ten bindles held
23 together in a bundle?

24 A. Usually with rubber bands.

25 Q. And were -- was the substance found in

1 the kitchen in the refrigerator, were those in
2 bindles with rubber bands into bundles?

3 A. Yes, ma'am.

4 MR. KING: Your Honor, I would make an
5 objection to Exhibit 13 through 29 based on my
6 pretrial motion, relevance and Rule 403.

7 BY MS. LINDER:

8 Q. At this time I'm going to show you what
9 has been marked as State's Exhibits 13 through 29.
10 If you can look at those, please.

11 A. (Witness complies with request.)

12 Q. After you have finished looking at all
13 those, can you please tell me do you recognize
14 them?

15 A. Yes, ma'am, I recognize them.

16 Q. And how do you recognize those?

17 A. These were items that I found in the
18 kitchen during the search warrant.

19 Q. And do all those pictures fairly and
20 accurately depict the items that you located during
21 your search back on February the 22nd of 2013?

22 A. Yes, ma'am.

23 MS. LINDER: Your Honor, at this time
24 the State would seek to admit State's Exhibits 13
25 through 29 into evidence.

1 THE COURT: All right. They're in
2 evidence. Objection is overruled.

3 (STATE'S EXH. 13-29 in evidence.)

4 BY MS. LINDER:

5 Q. At this time I'm going to put these up.
6 It will come in front of you. That is a touch
7 screen. You can erase, you can put a circle or put
8 an X or whatever you would like. If you can please
9 look at State's Exhibit 13. What does that show?

10 THE DEFENDANT: Relevance.

11 BY MS. LINDER:

12 Q. What does State's Exhibit 13 show?

13 A. Ma'am, I'm not sure honestly on that
14 one. I can't tell what that is.

15 Q. State's 14?

16 A. That's the one I was having problems
17 with telling. That looks like a glass bowl of a
18 sifter and plastic straws with white residue on it.

19 Q. Can you tell me whose arm this is?

20 A. That's mine.

21 Q. State's 15?

22 A. Those looks like capsules we found like
23 you would take for vitamins, the clear capsules
24 they put things in.

25 Q. All right. And State's 17?

1 A. That's a measuring bowl with items
2 looked like that was used to mix stuff up in or
3 white powder residue in it.

4 Q. State's 18?

5 A. That is -- right in that drawer there
6 you can see the zipper on top, that is kind of I
7 guess like a shave bag, that type of bag. I'm not
8 sure if that's what you call it, but you can see
9 the zipper there on top. It was a bag.

10 Q. This is State's 19?

11 A. That's the same bag with a closer up
12 with plastic bag beside it or baggies beside it.

13 Q. What do plastic sandwich baggies
14 signify to you in your training and experience?

15 A. That's usually what illegal drugs are
16 stored in to be sold in or stored in.

17 Q. State's 20?

18 A. That is that same bag where we took the
19 close-up of in the drawer that's open now and you
20 can see into it.

21 Q. State's 21?

22 A. That is the scale that I pulled out of
23 that same bag that's got the white powder residue
24 on it.

25 Q. State's 22?

1 A. That is what we refer to as a grinder
2 that I pulled out of the same bag and looks like
3 has marijuana residue in it.

4 Q. State's 23?

5 A. This is what I pulled out of a bag and
6 it is a plastic bag containing a waxy papers. This
7 is the same -- looks like the same thing you get
8 your BC powders in, is multiple bags there of that.

9 Q. State's 25?

10 A. 25 is inside the refrigerator. It
11 shows at the bottom there is a Tupperware bowl,
12 plastic bowl with a red lid on it.

13 Q. State's 26?

14 A. That's what we -- what I found the
15 drugs in. If you can start seeing in there you can
16 already start seeing a white inside of the plastic
17 there.

18 Q. State's 27?

19 A. That's open, of that same Tupperware
20 and taking a photograph of inside of the waxy
21 bindles that contained the illegal drugs.

22 Q. And what else is in this plastic bag
23 along with the bindles and bundles?

24 A. What else is in there is rice and the
25 being reason just like you put rice in your salt

1 shakers. It keeps the humidity and moisture out of
2 the drugs.

3 Q. What does State's Exhibit 29 show?

4 A. Rice in a bag.

5 Q. And 28?

6 A. That is the bindles -- bundles that we
7 had -- that we had taken out of the plastic
8 containers that were obtained and came out of the
9 refrigerator.

10 Q. And does this represent -- in your
11 21 years of training and experience represent
12 typical packaging of heroin?

13 A. Yes, ma'am. Each bundle usually
14 contains ten bindles and each bindle is one dosage
15 for consumption.

16 Q. When you located these items who did
17 you identify? Who did you tell that you located?

18 A. Andy Miller.

19 Q. And did he collect the items?

20 A. Yes, ma'am.

21 MS. LINDER: I have no further
22 questions. If you can ask -- answer anything that
23 the defense may have.

24 THE COURT: Cross-examination, Mr.
25 King.

CROSS-EXAMINATION

BY MR. KING:

Q. Did you write a report in this case, are you aware?

A. Not that I remember.

Q. You didn't document anything?

A. Just by the photographs. I know when we were taking the photograph we were documenting what I found then.

Q. You have been in law enforcement for 21 years?

A. Yes, sir.

Q. Is that your whole career pretty much in law enforcement?

A. Yes, sir.

Q. And do you have to write a lot of reports as far as when you're a police officer in law enforcement?

A. Yes, sir.

Q. Big part of what you do?

A. Yes, sir.

Q. You didn't document anything in writing that happened that day?

A. No, sir.

Q. You found sandwich bags in the kitchen?

1 A. Yes, sir.

2 Q. That's not a big shocker, is it?

3 A. No, sir.

4 Q. A lot of people have bags in their
5 kitchen?

6 A. Yes.

7 Q. Measuring cup in the kitchen?

8 A. Yes, sir.

9 Q. Are you aware whether or not that
10 measuring cup was ever tested to see what was in
11 it?

12 A. Not that I can remember.

13 Q. You were part of a group of people that
14 went into this apartment, right?

15 A. Yes, sir.

16 Q. How many people went in as far as what
17 you remember?

18 A. You'd have to ask the case agent. I'm
19 not sure.

20 Q. Was it more than just you and Detective
21 Miller and Waddell?

22 A. Yes.

23 Q. Can you estimate just, ten people,
24 eight people?

25 A. Six to ten.

1 Q. Law enforcement officers?

2 A. Yes, sir.

3 Q. Now, were you the first to go in or
4 what order were you in going into the apartment?

5 A. I don't remember.

6 Q. So you don't know if you were the first
7 one in or they had already gone in before you went
8 in?

9 A. Sir, I don't remember. That was three
10 years ago.

11 Q. Do you remember how you went in, if it
12 was forced entry or unlocked with a key?

13 A. I don't remember doing forced entry on
14 this one, no, sir.

15 Q. Do you remember how you got inside?

16 A. To the best that I can recall I thought
17 we opened it -- somebody opened it for us or we had
18 keys that I can recall.

19 Q. Again, if you had documented it in
20 writing do you think that -- that's one of the
21 reasons you document, right?

22 A. The case agent does that, yes, sir.

23 Q. But the case agent isn't the only one
24 who writes reports, right? Other officers involved
25 write reports too?

1 A. When he's the case agent he writes the
2 report, yes, sir.

3 MR. KING: That's all the questions I
4 have.

5 THE COURT: Any redirect?

6 MS. LINDER: No redirect, Your Honor.

7 THE COURT: You may step down, sir.

8 Thank you. You may call your next witness.

9 MS. LINDER: State calls Andrew
10 Miller.

11 ANDREW MILLER

12 having been duly sworn, testifies as follows:

13 THE CLERK: Give us your full name and
14 spell your last name.

15 THE WITNESS: Andrew Miller,
16 M-I-L-L-E-R.

17 DIRECT EXAMINATION

18 BY MS. LINDER:

19 Q. Good afternoon. What's your
20 occupation?

21 A. Deputy sheriff for Charleston County
22 Sheriff's Office.

23 Q. What are your current duties with the
24 sheriff's office?

25 A. I'm currently a property crimes

1 detective.

2 Q. And what were your duties back in
3 February of 2013?

4 A. I was a narcotics detective.

5 Q. And can you please tell the jury about
6 any education or special training and skills that
7 you have?

8 A. I have an associate's degree in
9 criminal justice. And I have a bachelor's degree
10 in public justice and I have a two-week training
11 academy from the DEA, go to school for two weeks,
12 interview, interrogation classes, installation for
13 vehicles, install cameras in vehicles, just some of
14 the classes that I have taken.

15 Q. How long have you been with law
16 enforcement?

17 A. I have been a police officer for
18 18 years.

19 Q. Were you working back on February
20 the 22nd, 2013?

21 A. Yes, ma'am.

22 Q. And were you involved in any way in
23 this case, the State versus Mark Blake, back on
24 that day?

25 A. Yes, ma'am.

1 Q. How were you brought into this case
2 initially?

3 A. I was brought in to do a search warrant
4 or help with a search warrant at 2770 Jobee I
5 believe it's Drive, Apartment [REDACTED].

6 Q. And is that Charleston County?

7 A. Yes, ma'am.

8 Q. And who was the leaseholder at that
9 residence?

10 A. The Defendant, Mark Blake.

11 Q. And is he the only name on the lease?

12 A. I believe so, yes.

13 Q. Have you ever seen him in and around
14 that address?

15 A. Yes. On two occasions prior to the
16 search warrant I saw him come and go from the
17 address. And also I seen his vehicle there on
18 several other occasions.

19 Q. What was your role during the execution
20 of this search warrant?

21 A. I was the evidence custodian.

22 Q. And what does the evidence custodian
23 mean?

24 A. The evidence custodian is mainly I come
25 in and testify to all the evidence that was seized

1 during the search warrant. If someone located
2 something within the house, they yell evidence. I
3 come to them. I pick it up. I take it then to the
4 return, then write down exactly what was taken from
5 the residence and I place it into a bag and I see
6 it sits there with the return person. Then I go
7 back and someone else yells evidence, I do that all
8 over again. So I pick up the evidence from the
9 scene and bring it back to the table, then I take
10 it from there.

11 Q. And did you take photographs during
12 this?

13 A. Yes, ma'am.

14 Q. And during this search warrant
15 execution back in February of '13 did you have the
16 opportunity to observe the Defendant's behavior
17 throughout the course of the day up to and
18 including the search warrant?

19 A. Yes, ma'am. He was very belligerent
20 with us and very boisterous.

21 Q. And have you had any contact with this
22 Defendant since February 22nd of '13?

23 A. Yes. I was served with a lawsuit, a
24 handwritten lawsuit by the Defendant.

25 Q. And what's the status of that case?

1 A. It's on hold at this point.

2 Q. And will that in any way affect your
3 testimony here today?

4 A. No, ma'am.

5 Q. Does that in any way affect what
6 happened that day?

7 A. No, ma'am.

8 Q. Let's go back to why we are here today.
9 Did you collect any items from 2770 Jobee Drive?

10 A. Yes, ma'am, I collected a variety of
11 items, from small capsules that looked like pills,
12 but they are empty until you put into something
13 them. Pyrex dishes that had residue and then --

14 MR. KING: Your Honor, just renew my
15 objection as to relevance.

16 THE COURT: Yes, sir.

17 MR. KING: And my motion to suppress.

18 THE COURT: Yes, sir.

19 BY MS. LINDER:

20 Q. You may continue.

21 A. After the Pyrex there was also I guess
22 a small little whipping, I'm not sure if I am using
23 the correct word, you beat your eggs like they are
24 for mixing drugs. And --

25 Q. Did you find any drugs?

1 A. Yes, we did. We found drugs. I
2 apologize. Found heroin within the residence and
3 various other items were located.

4 MR. KING: Objection. We haven't had
5 chemist testimony yet referring to the heroin.

6 THE COURT: All right. Sustained.

7 (STATE'S EXH. 31-49 and 55, photos,
8 were marked for identification.)

9 MR. KING: Your Honor, I am also
10 objecting to Exhibits 31 through 49 and 55 based on
11 my motion to suppress, relevance.

12 THE COURT: Thank you. I will overrule
13 the objection.

14 BY MR. LINDER:

15 Q. At this time I'm going to show you
16 what's been marked as State's Exhibits 31
17 through 49 along with State's Exhibit 55. If you
18 can please look at those.

19 A. (Witness complies with request.)

20 Q. Do you recognize those?

21 A. Yes, ma'am. These are the pictures I
22 have taken as being evidence in the residence.

23 Q. And do those fairly and accurately
24 represent the scene at that time back in February
25 of 2013?

1 A. Yes, ma'am.

2 Q. Your Honor, at this time the State
3 would seek to admit State's Exhibits 31 through 49
4 and 55.

5 THE COURT: They're in evidence.

6 (STATE'S EXH. 31-49 and 55 in
7 evidence.)

8 BY MS. LINDER:

9 Q. This is State's Exhibit 31. Can you
10 please tell me what that is?

11 A. This is the driver's license of Mark
12 Blake with the address of [REDACTED] Liverpool Drive
13 located inside of Jobee Drive.

14 Q. State's Exhibit 32?

15 A. That is a shoe box inside the closet.

16 Q. State's 33?

17 A. Those are items that were located
18 inside of the shoe box.

19 Q. What items were located inside the shoe
20 box?

21 A. In there you see little, heavy weights.
22 They are all marked and those weights have specific
23 gram amounts on them. Those weights would be
24 placed on the scale to show the scale is true and
25 accurate so you would have those to make sure that

1 your scale on which you put your drugs on would
2 actually have a weight so you would have a little
3 weight that showed that.

4 Q. Then State's 34?

5 A. These are rubber bands, large amount of
6 rubber bands that were also located around the
7 bindles and the bundles.

8 Q. And what do rubber bands indicate to
9 you in your training and experience with regards to
10 narcotics in the narcotics trade?

11 A. In my training and experiencing this is
12 how they would in -- especially with the drugs that
13 he was selling, how they would keep those together.
14 They would wrap it up so they wouldn't lose any of
15 the drugs that were inside.

16 Q. And in this box, this is State's
17 Exhibit 33, again, you have a touch screen in front
18 of you. What are these?

19 A. These are the weights in which I was
20 speaking of earlier, they have the specific gram
21 amounts on them.

22 Q. And what are these?

23 A. These are the rubber bands that were
24 located in the large bag as well.

25 Q. And was a firearm magazine located

1 also?

2 A. Yes, ma'am.

3 Q. State's 35?

4 A. This is another driver's license from
5 Mark Blake.

6 Q. And what address is on this one?

7 A. This one I believe says Queens Castle
8 Court in Charleston, South Carolina. Again was
9 found inside the Jobee Road address, has a
10 different address on it.

11 Q. State's 36?

12 A. This is one of the bundles that we
13 weighed. Inside this bundle there would be several
14 bindles and bindles are little baggies that have
15 drugs or narcotics in them and there's usually ten
16 bindles to one bundle. Then they will wrap them
17 all together.

18 Q. Why are you weighing them?

19 A. We are weighing them to see because the
20 -- even though it looks like a slight amount of
21 drugs in there, if we dump all the drugs out we
22 don't want to lose obviously all the drugs that are
23 in there. So we will weigh it as a gross weight
24 and let the chemist later give us a total weight of
25 the drugs that were located in the bag.

1 Q. All right. State's 37, what is that?

2 A. Again is another bundle that has
3 several bindles inside.

4 Q. State's 38?

5 A. Same, another bundle with several
6 bindles.

7 Q. State's 39?

8 A. I believe that is just one bindle.

9 Q. State's 40?

10 A. Again another bundle, several bindles
11 inside.

12 Q. State's 41?

13 A. Again another bundle with several
14 bindles.

15 Q. State's 42?

16 A. Again another bundle with several
17 bindles.

18 Q. State's 43?

19 A. Another bundle with several bindles
20 inside.

21 Q. State's 44?

22 A. Again another bundle with several
23 bindles inside.

24 Q. State's 45?

25 A. Again another bundle with several

1 bindles.

2 Q. State's 46?

3 A. Again another bundle with several
4 bindles.

5 Q. State's 47?

6 A. Same, another bundle with several
7 bindles.

8 Q. Can you describe what State's 48 is?

9 A. This is a heroin test kit that shows
10 that these -- we tested just one package. We don't
11 test every single package. This gives us our
12 probable cause for arrest for the search warrant.
13 This chemical test shows that this was heroin
14 inside of these bindles.

15 Q. There is a presumptive test?

16 A. Yes, ma'am.

17 Q. And the chemist is the confirmatory?

18 A. Yes, ma'am.

19 Q. And what does State's 49 show?

20 A. Shows each bundle that I weighed, how
21 many bindles were actually inside each bundle and
22 that would be the gross weight of all the packaging
23 as well as the narcotics.

24 Q. What does State's 55 show?

25 A. This is a receipt received from Mark

1 Blake.

2 Q. And can you see the date on it?

3 A. 2-22-2013.

4 Q. And what is marked here?

5 A. Cash payment.

6 Q. All those bindles that we just went
7 through weighing, this has already been entered,
8 but State's 26, what does this show?

9 A. This is a Tupperware container inside
10 the refrigerator where all the bindles were stored.

11 Q. And did you take this photograph?

12 A. Yes, I did.

13 Q. 27?

14 A. This shows the Tupperware container
15 open with all the bindles inside and the other
16 substance in there is rice.

17 Q. And 28?

18 A. These are all the bindles laid out
19 after we take them out of the Tupperware container
20 and I believe on the table.

21 Q. As the evidence custodian aside from
22 taking pictures do you collect evidence?

23 A. Yes, ma'am. Once the evidence is
24 located by one of my team members I'm the only one
25 that will come and take the evidence from them.

1 Q. And when you collect the evidence where
2 do you end up dropping it off?

3 A. I end up dropping it off was -- back
4 then it was our headquarters.

5 Q. Is that a secured facility?

6 A. Yes, ma'am.

7 (STATE'S EXH. 51, Pyrex dish, was
8 marked for identification.)

9 BY MS. LINDER:

10 Q. At this time I'm going to hand you
11 what's been marked as State's Exhibit 51. If you
12 could open it, please, and look at the items.

13 A. (Witness complies with request.)

14 Q. After looking at the item do you
15 recognize it?

16 A. Yes, ma'am. It's one of the Pyrex
17 dishes from --

18 Q. And does it appear in substantially the
19 same condition as it was when you first collected
20 it back in February of '13?

21 A. No, looks like the evidence was checked
22 for fingerprints.

23 Q. Minus the fingerprint powder. State
24 would move State's Exhibit 51 into evidence.

25 MR. KING: Your Honor, renew my

1 pretrial motion and objection.

2 (STATE'S EXH. 51 in evidence.)

3 BY MS. LINDER:

4 Q. So the jury can see, this is State's 51
5 and this is what again?

6 A. The Pyrex dish.

7 Q. Collected from Jobee Drive?

8 A. Yes, ma'am.

9 (STATE'S EXH. 52, Tupperware container,
10 was marked for identification.)

11 BY MS. LINDER:

12 Q. Can you open, please, State's 52?

13 A. (Witness complies with request.)

14 Q. After that can you please tell me if it
15 looks familiar?

16 A. Yes, ma'am. It's the Tupperware
17 container that was located in the refrigerator.

18 Q. And is that the same -- Tupperware
19 container in substantially the same condition as it
20 was when you collected it?

21 A. Yes, ma'am. Besides being obviously
22 dusted for fingerprints.

23 MS. LINDER: Your Honor, at this time
24 the State would ask State's Exhibit 52 to be
25 admitted into evidence.

1 MR. KING: Your Honor, same objections.

2 THE COURT: It's in evidence.

3 (STATE'S EXH. 52 in evidence.)

4 BY MS. LINDER:

5 Q. All right. If you can please explain
6 to the jury what this is?

7 A. Inside the Tupperware is rice and the
8 same reason the rice you would put in your salt
9 shaker is the same reason the rice is inside the
10 Tupperware bowl, to absorb up all the moisture so
11 the narcotics would not be wet or bind together.

12 (STATE'S EXH. 53, drug items, was
13 marked for identification.)

14 BY MS. LINDER:

15 Q. State's 53, if you will please open
16 this and look at it.

17 A. (Witness complies with request.)

18 Q. Let me know if you recognize it. Do
19 you recognize all those items?

20 A. Yes, ma'am. These are the pills,
21 containers, open these up and place the substance
22 inside, close them together and swallow it just
23 like a normal pill. This is empty right now. And
24 these are glass smoking pipes used to smoke either
25 marijuana or various drugs. These are the weights

1 that I took a picture I explained earlier, top of
2 each weight has a gram amount, different sizes.
3 Obviously they are weights. More pills that are
4 empty, but casing of the pills I guess I would call
5 them. Here you have a sifter, small little
6 hand-held sifter that you would use to separate the
7 drugs and shake it just like you would shake flour.
8 There is also three cut straws in here used for
9 using narcotics. Forks and the two whisks, that's
10 the term I was looking for earlier, were all inside
11 the Pyrex dish and they were all covered with
12 residue at the time of the seizure. I believe
13 that's annotated in the picture.

14 Q. And do all these items appear in
15 substantially the same condition as they were when
16 you first collected them?

17 A. Yes, ma'am. I did not open. There was
18 also -- this is what they call a grinder. You put
19 marijuana inside and then you would grind it and
20 then obviously the marijuana would fall through
21 each lower level and it would be a finer substance
22 you would sprinkle onto your cigarette, your cigar,
23 whichever you want to mix it.

24 THE DEFENDANT: Objection, Your Honor.
25 How can this go to the jury?

1 THE COURT: All right.

2 THE DEFENDANT: I ask that this
3 evidence be excluded.

4 THE COURT: Ladies and gentlemen --

5 THE DEFENDANT: It's a waste of time.

6 THE WITNESS: There is a small digital
7 scale. Obviously there still is some sort of
8 residue on top. And here are the baggies that do
9 not have obviously any drugs in them at this point
10 in time. But they are the same and similar to the
11 baggies, the ones that have the drugs inside.

12 BY MS. LINDER:

13 Q. Do all these appear to be in
14 substantially the same condition as they were when
15 you first collected them?

16 A. Yes, ma'am.

17 MS. LINDER: At this time the State
18 would seek to admit State's 53 into evidence.

19 MR. KING: Renew my same objection.

20 THE COURT: All right. They're in
21 evidence. Objection is overruled.

22 (STATE'S EXH. 53 in evidence.)

23 BY MS. LINDER:

24 Q. Can you describe what these are to the
25 jury?

1 A. Those are the weights that I explained
2 earlier. The gram amounts that are imprinted on
3 the top so you would know exactly how much each one
4 weighed. That's what placed on your scale to make
5 sure the scale is accurate.

6 Q. And this item?

7 A. This is the digital scale that you
8 would -- obviously is placed or placed things on
9 before. That's the residue that was outside on the
10 top of the scale.

11 Q. What items are in this little baggie?

12 A. Those are empty right now, but that is
13 what the heroin would be placed in or other
14 narcotics in the small baggie folded over. That's
15 what you see in the pictures that are folded over,
16 then a rubber band is placed around the outside.

17 (STATE'S EXH. 56, water bill, marked
18 for identification.)

19 BY MS. LINDER;

20 Q. Like to show you State's Exhibit 56.
21 Do you recognize this?

22 A. Yes, ma'am.

23 Q. And does it appear to be in
24 substantially the same condition as it was when you
25 collected it?

1 A. Yes, ma'am.

2 MS. LINDER: Your Honor, I would I
3 respectfully request that State's Exhibit 56 be
4 admitted into evidence.

5 MR. KING: Renew my previous objection
6 on my motion to suppress.

7 THE COURT: Let me see the item. Okay.
8 Objection is overruled. It's in evidence.

9 (STATE'S EXH. 56 in evidence.)

10 BY MS. LINDER:

11 Q. Once I put it up here if you can
12 explain to the jury what is this?

13 A. This is a Charleston Water System, I
14 believe, water bill.

15 Q. Whose it addressed to?

16 A. Mark Blake.

17 Q. At what address?

18 A. 2770 Jobee Drive, Apartment [REDACTED],
19 Charleston County, South Carolina.

20 Q. What is the statement date?

21 A. Payment on 2-6 of '13. That's when it
22 looks like he paid it.

23 Q. I apologize. For the bill information?

24 A. February 14, 2013.

25 Q. When was this search warrant executed?

1 A. I believe the 22nd.

2 Q. All right. The last thing I would like
3 for you to look at is State's 54.

4 (STATE'S EXH. 54, gun magazine, was
5 marked for identification.)

6 MR. KING: Your Honor, I would object
7 to this also, the relevance of 403 and motion to
8 suppress.

9 THE COURT: Okay.

10 BY MS. LINDER:

11 Q. Do you recognize the item?

12 A. Yes, ma'am.

13 Q. Is that the item that you collected
14 back on February the 22nd of 2013?

15 A. Yes, it is.

16 Q. Does it appear in substantially the
17 same condition as it was when you first collected
18 it?

19 A. Yes, ma'am.

20 MS. LINDER: Your Honor, at this time
21 we respectfully request that State's Exhibit 54 be
22 admitted into evidence.

23 THE COURT: Same? I know your
24 objection, but it is overruled.

25 (STATE'S EXH. 54 in evidence.)

1 BY MS. LINDER:

2 Q. Can you please tell the jury what this
3 is?

4 A. This is a magazine for a Glock handgun
5 which is a high capacity, hold more rounds than a
6 normal Glock.

7 Q. What does high capacity mean?

8 A. It can handle more rounds. Each one of
9 these little dots is where a bullet can go all the
10 way down. So all the way down to here. Normal
11 Glock magazine are about this big. They hold eight
12 to -- depending on what size, you get eight to ten
13 rounds. This is going to hold about well over 20
14 rounds.

15 Q. And where was this located again?

16 A. Inside the Jobee Road address and I
17 believe it was inside the shoe box. I can look at
18 the picture again to make sure I don't make a
19 mistake.

20 (STATE'S EXH. 50, heroin, was marked
21 for identification.)

22 BY MS. LINDER:

23 Q. Lastly I'd like to show you State's
24 Exhibit 50. Can you look at those, please.

25 A. (Witness complies with request.)

1 Q. Do you recognize them?

2 A. Yes, ma'am.

3 Q. How do you recognize them?

4 A. These are the bindles/bundles that we
5 collected and then weighed, entered into evidence.

6 Q. And do they appear to be in
7 substantially the same condition as when you first
8 collected them?

9 A. Yes, ma'am.

10 Q. And what did you do upon collecting
11 those bindles and bundles of the substance that
12 field tested presumptive as heroin?

13 A. Placed them into evidence so they could
14 be tested.

15 Q. Evidence at the county?

16 A. Yes, ma'am.

17 MS. LINDER: I have nothing further.
18 Please answer any questions the defense may have.

19 CROSS-EXAMINATION

20 BY MR. KING:

21 Q. Detective Miller, you testified Mr.
22 Blake has sued you in federal court?

23 A. Yes, sir.

24 Q. You said it was like a handwritten
25 lawsuit or something?

1 A. Yes, sir.

2 Q. But it's still a lawsuit?

3 A. I believe so, yes.

4 Q. Do you have a lawyer?

5 A. Do I? The county has one.

6 Q. It's actually a filed lawsuit that's
7 pending in the federal court?

8 A. Yes.

9 Q. How many officers would you say were
10 involved in this search in the residence?

11 A. Off the top of my head I would think
12 seven or eight, maybe more.

13 Q. At what point did you enter into the
14 apartment?

15 A. I was there initially towards the
16 beginning. I was the -- after the team swept to
17 make sure there was no other people inside the
18 residence I was the one who took the initial
19 photographs. We take all of our own pictures
20 before anyone enters and searches.

21 Q. Do you know how entry was made into the
22 apartment?

23 A. I don't remember. I thought we used a
24 key, but I could be wrong. It was three years ago
25 so I do not remember.

1 Q. Do you remember taking the photographs
2 of damage to the door?

3 A. Yes, I remember. We always take
4 pictures of the door. There was possibly damage to
5 the door; I don't know.

6 Q. I'm going to show you Defendant's
7 Exhibit 6, 7 and 8. Do you recognize those?

8 A. Yes, sir. Looks like a picture of the
9 door jamb.

10 Q. You took those photos?

11 A. Yes, sir.

12 Q. At this apartment we are talking about
13 on Jobee Drive?

14 A. Yes, sir.

15 Q. Those pictures show damage to the door?

16 A. To the door frame.

17 Q. Is that because the door was forced
18 open and no -- no key was used?

19 A. Again, I don't remember if a key was
20 used or not, but possibly.

21 Q. It looks like the door has been busted
22 open?

23 A. Yes.

24 Q. Right? The stuff you've been
25 testifying that you collected, Mr. Blake's prints

1 aren't on any of those items, right?

2 A. To my knowledge, no.

3 Q. Based on your experience didn't you
4 testify about how much heroin is typically in one
5 of those bindles?

6 A. I don't know if I said, but I believe
7 it's .02 if I am correct.

8 Q. You roughly know how much is in a
9 bindle of heroin?

10 A. It varies, yeah, depends on how
11 accurate the person is who put them in there, but
12 yes.

13 Q. When you weighed it you weighed the
14 heroin plus the packaging plus the rubber bands; is
15 that right?

16 A. Yes.

17 Q. So you said typically it's what,
18 .02 grams in each bindle?

19 A. Yes.

20 Q. So if there's a bundle of ten that is
21 .2, then times .02?

22 A. Sounds about right.

23 Q. .2 grams. If there are ten bundles
24 then we are talking about roughly two grams, if
25 there was 11 bundles, so somewhere in the

1 neighborhood of two to three grams?

2 A. Yes, if the math is right.

3 Q. But instead of charging Mr. Blake with
4 trafficking or possessing two to three grams, were
5 you involved in charging him with trafficking
6 30 grams?

7 A. I was not. That's up to the case
8 agent.

9 Q. You just did what Agent Waddell
10 instructed you to do?

11 A. Yes, I just weigh the drugs.

12 Q. And then let the chemist figure it out
13 later?

14 A. Yes. I mean we always let the chemist
15 figure it out later because --

16 Q. You know trafficking is more a serious
17 charge than possession with intent to distribute
18 heroin?

19 A. Yes, I do.

20 Q. And trafficking 30 grams, are you aware
21 that that's the highest level of trafficking
22 heroin?

23 A. Yes.

24 Q. So he was -- would you agree he was
25 overcharged?

1 A. Well, if you look at the totality of
2 the circumstances and the amount of drugs he had
3 and the way it was packaged, I don't believe he was
4 overcharged.

5 Q. Was there 30 grams of heroin?

6 A. I do not believe there was 30 grams.

7 Q. It wasn't anywhere close to 30 grams?

8 A. No, there was not.

9 MR. KING: That's all the questions I
10 have, Your Honor.

11 THE COURT: All right. Any redirect?

12 MS. LINDER: Briefly.

13 REDIRECT EXAMINATION

14 BY MS. LINDER:

15 Q. You had said that you take photographs
16 of the residence before a search warrant is
17 executed?

18 A. Yes, ma'am.

19 Q. And Mr. King showed you an exhibit
20 about the door. I'm showing you what's already
21 been entered as State's Exhibit 6. Can you tell me
22 what's in that picture?

23 A. It's a picture of the front door.

24 Q. And does the front door appear damaged
25 to you?

1 A. Does not.

2 Q. When entrance is done by means of a ram
3 is that common in search warrant executions?

4 A. No. Usually on the door there will be
5 a steel bar, that leaves a very large round mark on
6 the front of the door. If you hit the handle the
7 handle usually breaks.

8 Q. So with your training and experience
9 and your 18 years in law enforcement if it's forced
10 entry can you clarify what does the naked eye
11 typically see on the exterior of the door?

12 A. You will see a large indentation on the
13 door as well as the door may even fold in on
14 itself.

15 Q. Does this door appear that its handle
16 has been knocked off or ripped off?

17 A. No.

18 Q. In fact, is this sticker disturbed at
19 all?

20 A. Does not appear to be.

21 Q. And this is a photo that you took,
22 correct?

23 A. Yes, ma'am.

24 Q. And this photo is of Apartment [REDACTED] on
25 Jobee Drive?

1 A. Yes, ma'am.

2 Q. And when did you take this photograph?

3 A. The day of the search warrant, the
4 22nd, I believe.

5 MS. LINDER: Thank you. I have no
6 further questions.

7 THE COURT: Recross?

8 MR. KING: Briefly, Your Honor.

9 RECROSS-EXAMINATION

10 BY MR. KING:

11 Q. This photograph, State's Exhibit No. 6,
12 do you recognize this photograph here?

13 A. Yes, sir.

14 Q. Isn't this just a photograph of the
15 door before it was busted open?

16 A. I wouldn't take photographs before the
17 room was clear because now I'm -- I wouldn't want
18 to be in front of the door if there was someone
19 inside that did not want us to come in.

20 Q. So you didn't take the photograph
21 before the door was busted?

22 A. I never take a photograph before we
23 make entry into the home because that puts me at
24 risk.

25 MR. KING: I have no other questions.

1 THE COURT: All right. Yes, sir. Mr.
2 Miller, you may step down. Thank you. Okay.

3 Ladies and gentlemen, we are going to
4 recess for the evening. Just be back in the jury
5 room at 9:30 in the morning. We will resume the
6 trial at that point. Don't do any kind of outside
7 investigation or research. Don't try to satisfy
8 your curiosity about something you may have heard
9 about today by going on the internet or do any kind
10 of outside research because as I told you you must
11 confine your decision to the evidence you heard
12 while you are in court. And don't discuss the case
13 with anyone. Continue to keep an open mind. You
14 haven't heard the entire case and have a good
15 evening. See you back at 9:30 tomorrow morning.

16 (Thereupon, the jury exited the
17 courtroom at 5:25 p.m.)

18 (The following proceedings were held
19 outside the presence of the jury with the Defendant
20 present.)

21 THE COURT: Anything before we recess
22 for the evening?

23 MS. LINDER: Nothing.

24 MR. KING: Your Honor, Mr. Blake makes
25 a request that he can briefly speak with his

1 family. Not his father who is sequestered, but he
2 has other family.

3 THE COURT: I will leave that up to the
4 deputies. They don't tell me how to do my job and
5 I don't tell them how to do theirs. That's a
6 matter of their own policies and security.

7 THE DEFENDANT: Your Honor, I haven't
8 seen my family in a long time. I just want to say
9 to hi.

10 THE COURT: I understand that, sir.

11 THE DEPUTY: See them at the jail.

12 THE COURT: We will resume in the
13 morning. Thank you.

14 (Whereupon, the proceedings adjourned
15 at 5:27 p.m.)

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1 (Whereupon, the proceedings continued
2 on June 15, 2016, @ 9:50 a.m.)

3 (The following proceedings were held
4 outside the presence of the jury with the Defendant
5 present.)

6 THE COURT: I did receive a note to be
7 made part of the record. It says in essence Juror
8 No. 385 knows woman with blond hair, Marie in
9 audience. Is she related to the Defendant?

10 MR. KING: That could have been Mary
11 Ford who was the attorney for Ms. Jeter that took
12 the stand.

13 THE COURT: We will bring her out here
14 and clarify that.

15 MR. KING: Or it could be there's one
16 of his family members had blondish hair, too.

17 THE COURT: Can you bring No. 385 out?
18 Comer Williams.

19 (Juror 385 entered the courtroom.)

20 THE COURT: Mr. Williams, how are you?

21 JUROR NO. 385: Fine, sir.

22 THE COURT: Tell me exactly who it was
23 you said you knew?

24 JUROR NO. 385: The lady with the --

25 THE COURT: She's in the courtroom now?

1 JUROR NO. 385: Yes, sir.

2 THE COURT: Okay. I tell you -- let me
3 come around this way. Y'all come up here. Okay.
4 Ms. Weese has to be able to hear what you say.
5 Tell me again?

6 JUROR NO. 385: She's the lady that's
7 with the blond hair. She very close friends of one
8 of my employees and I know her very well.

9 THE COURT: All right. Do you feel
10 that would affect your ability to be fair and
11 impartial in this case?

12 JUROR NO. 385: Yes.

13 THE COURT: All right. We have an
14 alternate so I can excuse you. And I appreciate
15 you bringing it forward. Do you have anything in
16 the jury room that you need to retrieve?

17 JUROR NO. 385: No, sir.

18 THE COURT: Okay.

19 JUROR NO. 385: I thought to be fair.

20 THE COURT: Yes, sir, I understand that
21 completely. And thank you again for your candor.
22 So you are excused and have a good day. Have you
23 advised anyone?

24 JUROR NO. 385: No, sir.

25 THE COURT: Have you talked to anybody

1 on the jury about your knowledge of the person or
2 the relationship with her?

3 JUROR NO. 385: Just the head person.

4 THE COURT: Who was the head person?

5 JUROR NO. 385: Lady at the head table.

6 THE COURT: Forelady?

7 JUROR NO. 385: Forelady. I had to
8 tell her so she could report to the bailiff.

9 THE COURT: Okay. You didn't elaborate
10 on it?

11 JUROR NO. 385: No, sir.

12 THE COURT: Okay. Thank you, sir.

13 (Juror 385 left the courtroom.)

14 THE COURT: Mr. Williams, No. 385, is
15 excused for cause. That means Mr. Kearse would be
16 the -- well, actually, I believe we're supposed to
17 choose the replacement by lot according to the
18 statute. Do not we have two alternates?

19 THE CLERK: We do, sir.

20 THE COURT: We will pull up the
21 statute. So based on Section 14-7-1340 we will
22 draw the name of the replacing juror by lot or
23 ballot.

24 THE CLERK: Sir, I can create a random
25 strike sheet of our 14 jurors and the alternate's

1 name that appears first in that list. Would that
2 be sufficient or would you rather track down the
3 old school barrel?

4 THE COURT: No. Go ahead.

5 THE CLERK: Random strike sheet. In
6 other words, it would mix up all 14 of our jurors
7 and whatever alternate's name is first on that list
8 would be the alternate selected. Or I can put two
9 slips of paper in a barrel.

10 THE COURT: I believe that randomness
11 of the computer is consistent with the intent of
12 the statute so we will do it that way.

13 (Brief pause.)

14 Okay. So based on the random computer
15 selection Mr. Kearse is the alternate that will be
16 seated to replace Mr. Williams as a regular juror.
17 All right. Anything further before we bring the
18 jury in?

19 MS. LINDER: Nothing from the State.

20 THE COURT: Mr. King?

21 MR. KING: No, Your Honor. I am sorry.
22 I was talking to my client.

23 THE COURT: That's fine, no problem.
24 Everybody ready for the jury?

25 MR. KING: Yes, sir.

1 THE COURT: Okay. Yes, sir. Thank
2 you.

3 (Whereupon the jury entered the
4 courtroom at 10:00 a.m.)

5 THE COURT: Good morning, ladies and
6 gentlemen. We are going to proceed now with the
7 testimony. So yes, ma'am, you may call your next
8 witness.

9 MS. FRIERSON: State calls Jason Riley.

10 (COURT'S EXH. 2, jury note, marked for
11 identification.)

12 JASON RILEY

13 having been duly sworn, testifies as follows:

14 THE CLERK: Please give us your full
15 name and spell your last name, please.

16 THE WITNESS: Jason Harold Riley,
17 R-I-L-E Y.

18 DIRECT EXAMINATION

19 BY MS. FRIERSON:

20 Q. May it please the Court, Your Honor,
21 good morning, Mr. Riley.

22 A. Good morning.

23 Q. Where are you employed?

24 A. I work for Charleston County Sheriff's
25 Office.

1 Q. And how long have you been with the
2 Charleston County Sheriff's Office?

3 A. Fourteen years.

4 Q. What is your current position there?

5 A. I work in the forensic services unit.

6 Q. And how long have you been employed in
7 that position?

8 A. Four years and 11 months.

9 Q. And could you please tell the jury what
10 your duties are as a forensic technician?

11 A. My duties are twofold. We both
12 investigate crime scenes and we deal with evidence
13 intake and evidence holding.

14 Q. Do you ever have the occasion to
15 transport evidence?

16 A. I do.

17 Q. Are there multiple people in your
18 office with the same job and duties as you?

19 A. Yes, ma'am, currently there are five.

20 Q. And could you please tell the jury
21 about how evidence is stored at the Charleston
22 County evidence facility and the process for
23 submitting evidence?

24 A. I will start with the submitting
25 process. Whenever an officer or deputy submits

1 evidence to our unit there's an evidence drop-off
2 location which is a wall or a bank of sealed
3 containers or almost like safes and they would
4 prelock their evidence in the evidence systems
5 computer base. There is a piece of paper they
6 attach to the evidence, they seal it inside the
7 evidence locker and they turn the lock and that
8 locks it from the outside.

9 And on the reverse side of that wall,
10 the only people that have access to that are the
11 ones who work in forensic services. We pick the
12 evidence out from the bag, use their evidence
13 sheet, log it into the computer, and then we will
14 store that evidence in the storage location.

15 Q. When you receive the evidence is it
16 sealed?

17 A. Yes, ma'am.

18 Q. What are the types of seals that they
19 can produce?

20 A. Seals can be sealed tape which is like
21 masking tape I guess. Tamperproof tape. The
22 things that are in plastic bags there is a heat
23 seal that is used. Those are the two basic types
24 of seals besides the bags being stapled or closed
25 prior to being sealed.

1 Q. And are there any markings or labels on
2 the bag when they are submitted to evidence?

3 A. Most of the time the paper bags have
4 information written on them. If it's heat sealed
5 the heat seal is generally dated or at least
6 initialled.

7 Q. And when you receive those items tell
8 us what receiving actually entails?

9 A. When we receive the items, again they
10 have the piece of paper that shows pending
11 evidence. There's a bar code number on that in the
12 evidence system. We will bring up that bar code
13 number under the evidence section and we will type
14 that bar code number there, bring up all the
15 information on that piece of evidence, case
16 officer, what the evidence entails, and then we
17 choose a storage location for that evidence. We
18 click the status bar which changes the evidence
19 from pending to in custody. That adds a line of
20 chain of custody at the bottom and then we put a
21 label on that bag. We inspect the evidence to make
22 sure it looks like what it says it is on the
23 paperwork. That it has not been messed with,
24 tampered with or it's got to look like what it is
25 supposed to look like, otherwise we will reject it.

1 That goes in the proper storage location in the
2 evidence compound.

3 Q. Once items are into evidence is it
4 preserved in that location until it is removed?

5 A. Yes, ma'am.

6 Q. Can anyone take evidence out?

7 A. No, the only people that can move the
8 evidence within the unit are the ones who work at
9 the unit. Evidence can be checked out, but they
10 have to go through one of us who work in forensic
11 services.

12 Q. Let me make sure I understand
13 correctly. One of the five I think you said of you
14 that work there are the only five that can release
15 it?

16 A. Yes, ma'am.

17 Q. And do you track that in any way?

18 A. We do. We have a chain of custody.

19 Q. Can you explain to the jury what a
20 chain of custody is?

21 A. Chain of custody is each piece of
22 evidence is the documentation of that piece of
23 evidence, what the evidence is, what the evidence
24 status is, and where the evidence is located at,
25 who removed the evidence, who transported the

1 evidence. Every time they move or touch or the
2 status is changed a new line is added to the chain.

3 Q. I'd like to show you what has been
4 marked Defendant's Exhibit No. 9. If you could
5 take a look at this.

6 MR. KING: Your Honor, objection. Not
7 in evidence.

8 MS. FRIERSON: I'll show it him.

9 BY MS. FRIERSON:

10 Q. I would like to you what's been marked
11 as Defendant's Exhibit for ID only. Do you know
12 what that is?

13 A. Yes, ma'am.

14 Q. What is that?

15 A. This is a sheriff's office chain of
16 custody report.

17 Q. And does it refer to evidence in this
18 case?

19 A. Yes, ma'am, it does.

20 Q. And is that the chain of custody
21 paperwork that you just discussed?

22 A. Yes, ma'am.

23 Q. As regard to the evidence submitted ID
24 No. 135986, what evidence is that?

25 A. 135986 was listed as 11 bundles and one

1 bindle of brown substance.

2 Q. And can you tell me who submitted that
3 into evidence?

4 A. Submitted by Detective Andrew Miller.

5 Q. And who accepted it or entered it into
6 evidence?

7 A. I did.

8 Q. And was that evidence ever transferred
9 to another deputy on a subsequent date?

10 A. Not to another deputy, no, ma'am.

11 Q. Was it ever physically transferred to
12 another deputy?

13 A. No, ma'am.

14 Q. Was it ever transferred within your
15 system to another deputy other than Deputy Miller?

16 A. Within the system the status was
17 changed.

18 Q. What -- can you explain what that means
19 to the jury?

20 A. There's a yearly audit that is done for
21 all the evidence in Charleston County Sheriff's
22 Office. All the officers who work for us once a
23 year will go through all the evidence in their
24 custody electronically offsite and they will go
25 through and they will tell the system to keep or to

1 destroy. That lets the system know that when we
2 audit and check each bar code the computer will
3 tell us in custody or destroyed. We're the only
4 ones that can actually physically destroy any
5 evidence.

6 This particular piece of evidence the
7 status was changed. It was in our custody
8 physically. The case agent checked it remotely
9 from his computer. Told the computer to keep that
10 evidence in custody. So the computer will retell
11 the chain that it is still in custody I guess is
12 the best way to describe that. So it is in custody
13 physically with us. Remotely the deputy checks it,
14 decides to keep it or destroy it. If he chooses to
15 keep it the computer will say it's still in
16 custody.

17 Q. So Frank never physically took it out
18 of custody?

19 A. He did not. The chain would represent
20 that if he did.

21 Q. Thank you. Now, you testified earlier
22 that part of your job is to transport evidence?

23 A. Yes, ma'am.

24 Q. Do you transport evidence if any of the
25 seals that you previously described to the jury are

1 damaged or tampered or broken?

2 A. No, ma'am.

3 Q. And did you handle any evidence in this
4 particular case?

5 A. I did.

6 Q. What did you handle?

7 A. I handled quite a few bags of
8 presumptive brown substance. I also handled on
9 intake it was some paraphernalia type of items.
10 There was some containers and some weapon
11 accessories.

12 Q. I'd like to hand you what has been
13 premarked as State's Exhibit No. 50. Would you
14 take a look at those for identification and tell me
15 if you have seen those items before?

16 A. Yes, ma'am, I have.

17 Q. When did you first see them?

18 A. This particular item if I can refer to
19 my chain, I first saw these on February the 25th of
20 2013.

21 Q. And did you accept them into evidence?

22 A. I did.

23 Q. Would you have accepted them into
24 evidence if they had appeared to be tampered with?

25 A. No, ma'am.

1 Q. Do they appear to be in more or less
2 the same condition now as when you first saw them?

3 A. Yes, ma'am.

4 Q. And you did you transport that
5 evidence?

6 A. I did on several occasions.

7 Q. And each time you transported that
8 evidence did it remain in your sole care and
9 custody between where you took it out of evidence
10 to the location that you dropped it off?

11 A. Yes, ma'am.

12 Q. And where did you drop it off?

13 A. I took it to the City of Charleston's
14 drug lab.

15 Q. On any of those occasions that you
16 transported it would you have transported it if it
17 was damaged or tampered with?

18 A. No, ma'am.

19 MS. FRIERSON: Court's indulgence, Your
20 Honor.

21 (Brief pause.)

22 BY MS. FRIERSON:

23 Q. You mentioned that there are other
24 people in your unit?

25 A. Yes, ma'am.

1 Q. And they have the same role as you?

2 A. Yes, ma'am.

3 Q. Are there any other people based on
4 your chain of custody that had touched or
5 transported those particular drugs?

6 A. Outside of the five people that work
7 within the unit?

8 Q. Yes.

9 A. There was another investigator that did
10 handle some courier services with this piece of
11 evidence to the city drug lab.

12 Q. If you could just identify the people
13 in your office that had custody of that item for
14 transport?

15 A. Investigator Mark Watson and
16 Investigator Aaron Meyer. Those are the names that
17 I see who has access or touched this evidence
18 during that time frame.

19 MS. FRIERSON: Thank you. I have no
20 further questions at this time. Please answer any
21 the defense may have.

22 THE COURT: Mr. King.

23 CROSS-EXAMINATION

24 BY MR. KING:

25 Q. I want to refer to one of these

1 documents. Defendant's Exhibit 9. You just
2 testified regarding that, right?

3 A. Yes, sir.

4 Q. So your name is on here a few times,
5 right, within this chain of custody?

6 A. Yes, sir.

7 Q. You first received it you said on
8 February 25th 9:13:05 a.m., right? That's when you
9 would have taken it out of this evidence locker
10 that you mentioned, when they put it in the locker
11 you can get it out of the other side?

12 A. Yes, sir.

13 Q. And then on March 11th, 2013, it was
14 signed out to the CPD lab?

15 A. Yes, sir.

16 Q. It leaves -- it goes to the lab?

17 A. That's correct.

18 Q. At that point it's out of your control
19 so you can't say what happens to it once it gets to
20 the lab, right?

21 A. Correct. My duty is just the courier.

22 Q. Then it is brought back to Mark Watson
23 on 4-1-13, right?

24 A. Yes, sir.

25 Q. So it goes out to the lab 3-11-13 to

1 4-1-13, about 20 days or so. Then it stays in the
2 evidence room until 6-1-15; is that right? Then
3 it's signed out again?

4 A. Yes, sir.

5 Q. To the lab?

6 A. Yes.

7 Q. And then it comes back on 6-8-15 from
8 the lab?

9 A. Correct.

10 Q. And then it's signed out again on
11 11-23-15, right?

12 A. Yes, sir.

13 Q. And it comes back on 12-7-15?

14 A. Yes, sir.

15 Q. So it's been sent out to the lab three
16 times, right?

17 A. This particular piece, yes, sir.

18 Q. Do you have a lot of experience with
19 dealing with drug evidence like this?

20 A. Dealing with drug evidence, yes, sir.
21 Are you asking about multiple trips?

22 Q. Yes. Is it common in your experience,
23 multiple trips to the chemist's lab?

24 A. I have only had that a few times come
25 up.

1 Q. But it generally goes to the lab one
2 time and comes back, right?

3 A. Generally.

4 Q. And would you say I guess part of
5 keeping it in custody, the more times it leaves
6 your custody in the evidence room the greater
7 chance of some sort of tampering or something
8 happening to it, right?

9 A. Not while it's within my control.

10 Q. Exactly. But whenever it leaves your
11 control you can't keep an eye on that evidence?
12 You have no control?

13 A. It's outside of my scope then, yes,
14 sir.

15 Q. And it left outside of your scope three
16 different times?

17 A. Correct.

18 MR. KING: That's all the questions I
19 have, Your Honor.

20 MS. FRIERSON: We have no further
21 questions, Your Honor.

22 THE COURT: All right. Thank you, Mr.
23 Riley. You may step down, sir. You may call your
24 next witness.

25 MS. FRIERSON: The State calls Susan

1 Payne.

2 SUSAN PAYNE

3 having been duly sworn, testifies as follows:

4 THE CLERK: Please give us your full
5 name and spell your last name last for the record

6 THE WITNESS: Susan Payne, P-A-Y-N-E.

7 DIRECT EXAMINATION

8 BY MS. FRIERSON:

9 Q. May it please the Court, Your Honor.
10 Good morning, Ms. Payne. Could you please tell the
11 jury where you are employed?

12 A. I work for the City of Charleston
13 Police Department.

14 Q. And what is your position there?

15 A. I am the loads administrator, evidence
16 custodian in the forensic services division.

17 Q. And how long have you been employed
18 with the City of Charleston?

19 A. Approximately 11 years.

20 Q. What are your duties as they relate to
21 evidence couriering?

22 A. I'm responsible for going to the
23 station in the morning and picking up evidence and
24 bringing it to the correct disciplines for
25 analysis.

1 Q. Can you explain how that process works
2 or any procedures that you may follow?

3 A. Yes, ma'am. In the morning I go to the
4 station to the evidence room where I pick up
5 evidence. I make sure everything is packaged and
6 sealed correctly. And then I will transport it to
7 the correct discipline.

8 Q. And can you kind of elaborate on what
9 you mean by packaged and sealed correctly?

10 A. Yes, ma'am. I make sure that the
11 description I have matches what's inside the
12 evidence container. I make sure the evidence
13 container is sealed and I also make sure that their
14 initials are half on half off the seal.

15 Q. And do you open these items?

16 A. No, ma'am.

17 Q. So your role is strictly to carry it
18 from one place to another?

19 A. Yes, ma'am.

20 Q. Did you handle any evidence in this
21 case, the State versus Mark Blake?

22 A. Yes, ma'am.

23 Q. And did you handle this evidence on
24 more than one occasion?

25 A. Yes, ma'am.

1 Q. Per policy with your department would
2 you have accepted that evidence if it was tampered
3 with?

4 A. No, ma'am.

5 Q. Would you have transported that
6 evidence if it was tampered with?

7 A. No, ma'am.

8 Q. I would like to hand you what has been
9 premarked as State's Exhibit No. 50 for
10 identification. If you can please look at that and
11 tell me if you have seen that before.

12 A. (Witness complies with request.) Yes,
13 ma'am.

14 Q. And when did you first see that?

15 A. The first time? I don't have that
16 chain on me at the moment, but the second time I
17 saw it November 23rd.

18 Q. And where did you see it?

19 A. In the lab.

20 Q. And who controls that lab?

21 A. Could you rephrase?

22 Q. Whose lab is it?

23 A. The City of Charleston Police
24 Department's laboratory.

25 Q. And is that where drugs are tested?

1 A. Yes, ma'am.

2 Q. And does that appear to be in -- that
3 packaging in substantially the same condition as
4 when you first saw it?

5 A. Yes, ma'am.

6 MS. FRIERSON: Court's indulgence, Your
7 Honor?

8 THE COURT: Yes, ma'am.

9 (Brief pause.)

10 BY MS. FRIERSON:

11 Q. And when you took that, couriered that
12 did you -- do you have record of who you dropped
13 that off to?

14 A. Yes, ma'am.

15 Q. Who was that?

16 A. Renee Hilton.

17 Q. And who did you receive it from?

18 A. I received from it Jason Riley.

19 MS. FRIERSON: Thank you, Ms. Payne. I
20 have no further questions at this time. Please
21 answer any questions the defense may have.

22 THE WITNESS: Yes, ma'am.

23 CROSS-EXAMINATION

24 BY MR. KING:

25 Q. You testified you handled this evidence

1 more than once, right?

2 A. Yes, sir.

3 Q. You first received it from Jason Riley
4 on 3-1-13; isn't that right?

5 A. I don't have that chain in front of me.

6 Q. If you had that would it refresh your
7 recollection?

8 A. Yes, sir.

9 (DFT. EXH. 10, chain of custody report,
10 was marked for identification.)

11 BY MR. KING:

12 Q. Showing you Defendant's Exhibit No. 10.

13 A. Thank you.

14 Q. Can you see that number there that we
15 are talking about, 135986?

16 A. Yes, sir.

17 Q. Is that right?

18 A. Yes, sir.

19 Q. So you received it first from Jason
20 Riley on 3-1-13?

21 A. Yes, sir.

22 Q. And then you gave it to somebody,
23 right?

24 A. I placed it in the safe.

25 Q. You placed it in the safe?

1 A. Yes, sir.

2 Q. And do you know who it went to after
3 that?

4 A. It went to Elizabeth Mitchell.

5 Q. Then you handled it again; is that
6 right? At some point then it goes back to the
7 sheriff's office?

8 A. Yes, sir.

9 Q. And then it comes back to you again on
10 6-1-15; is that right?

11 A. Yes, sir.

12 Q. And that's when it goes to Renee
13 Hilton; is that right? It's at CPD for about seven
14 days from 6-1 to 6-8-15?

15 A. Yes, sir.

16 Q. And then it goes back to the sheriff's
17 office, right?

18 A. Yes, sir.

19 Q. Then you got it again on 11-23-15?

20 A. Yes, sir.

21 Q. And it goes to Renee Hilton again?

22 A. Yes, sir.

23 Q. So it is -- you testified you got it
24 and you gave it to Renee Hilton in the same
25 condition. But you actually handled -- it came to

1 you three different times, right?

2 A. According to the chain, yes, sir.

3 Q. And at some point a chemist cut that
4 bag open?

5 A. Yes, sir.

6 Q. So is Elizabeth Mitchell a chemist?

7 A. She was, yes, sir.

8 Q. So when you received it on 6-1-15 after
9 Elizabeth Mitchell had cut it open it wasn't in the
10 same condition as when you first saw it, was it?

11 A. Substantially the same condition.

12 Q. The tamper proof sealed had been
13 broken?

14 A. It had been opened.

15 Q. And you don't know what happened to it
16 when it was opened?

17 A. I did not witness the analysis.

18 Q. And do you know how long it takes to do
19 an analysis?

20 A. I'm not qualified to answer that
21 question.

22 Q. So you don't know why it is kept for
23 21 days at one point or seven days or 14 days?

24 A. No, sir. I am not an analyst.

25 MR. KING: No other questions, Your

1 Honor.

2 MS. FRIERSON: The State has no further
3 questions.

4 THE COURT: All right. Thank you, Ms.
5 Payne. You may call your next witness.

6 MS. FRIERSON: Thank you, Your Honor.
7 State calls Renee Hilton.

8 RENEE HILTON

9 having been duly sworn, testifies as follows:

10 THE CLERK: Give us your full name and
11 spell your last name.

12 THE WITNESS: Renee Hilton,
13 H-I-L-T-O-N.

14 DIRECT EXAMINATION

15 BY MS. FRIERSON:

16 Q. May it please the Court, Your Honor.
17 Ms. Hilton, what is your occupation?

18 A. I'm a criminalist.

19 Q. And who are you employed by?

20 A. The Charleston Police Department.

21 Q. And how long have you worked for the
22 Charleston Police Department?

23 A. About five and-a-half years.

24 Q. And could you please tell the jury what
25 your duties as a criminalist entail?

1 A. Well, I perform drug analysis, fire
2 debris analysis and serology analysis. I'm also a
3 laboratory manager so I also maintain the
4 laboratory, keep the upkeep, manage the instruments
5 and also manage the personnel.

6 Q. And could you tell the jury a little
7 bit about your background and your education and
8 the training you have received to have a job like
9 that?

10 A. I have a Bachelor's of Chemistry from
11 the University of South Carolina. I have completed
12 CP or Charleston Police Department's internal
13 training program. I have gone to various on site
14 and online trainings to include GCMS
15 troubleshooting and maintenance, mass spectrum
16 interpretation, drug analysis interpretation and
17 the actual analysis of controlled substances and
18 too many to list actually.

19 Q. Now, have you had the occasion in this
20 position that you currently hold to chemically
21 analyze substances to determine whether the
22 substance is or actually contains a controlled
23 substance?

24 A. Yes.

25 Q. And how many times would you say you

1 have done that?

2 A. I have completed about 4,500 cases.

3 Q. And on any given week how many analyses
4 would you say that you make?

5 A. I probably do between 20 and 30 cases a
6 week.

7 Q. Would you consider these analyses part
8 of your regular duties?

9 A. Yes.

10 Q. Could you tell the jury a little bit
11 about the equipment that you have at the lab for
12 testing the drugs and who supplies that equipment?

13 A. Yes. We have an FTIR which is a
14 Fourier Transform Infrared Spectrometer. And this
15 instrument produces a laser on the substance and
16 based on how the substance reacts to this laser it
17 vibrates and then it will relax and it will give us
18 a spectrum that we can analyze and compare to known
19 substances.

20 The second use of equipment or
21 instrument that we have is the GCMS which is a gas
22 chromatograph mass spectrometer. This is two
23 instruments in one. The GC or the gas
24 chromatograph separates a sample into its
25 components. And then the mass spec or MS provide

1 the identity of each of the components.

2 Q. And is that equipment precise and
3 accurate in its testing ability?

4 A. Yes.

5 Q. After making these analyses that you
6 described as a regular part of your duties do you
7 produce a report?

8 A. Yes.

9 Q. And have you previously been admitted
10 as an expert in drug analysis in court?

11 A. Yes.

12 Q. Approximately how many times?

13 A. I have testified nine times.

14 MS. FRIERSON: Your Honor, at this
15 time, the State would introduce Ms. Hilton as an
16 expert in drug analysis.

17 THE COURT: Any voir dire, Mr. King?

18 (Attorney confers with client.)

19 MR. KING: I have no voir dire of this
20 witness.

21 THE COURT: Okay. She's qualified.
22 Ladies and gentlemen, the rules of evidence
23 generally limit a witness who testifies to
24 expressions of things they have observed
25 through one of their senses. There is an exception

1 for people who by reason of their training,
2 experience or education have achieved expertise in
3 their given field. These people are qualified as
4 expert witnesses. Unlike other witnesses they can
5 give their opinions from things they have observed.

6 Just to give a simple example, if
7 someone is qualified as a medical doctor he or she
8 would be allowed to testify not only that they
9 touched a child's forehead and it was hot, but that
10 that heat was coming from a fever in all
11 probability. Whereas an ordinary lay witness
12 wouldn't be able to give that opinion. So that's
13 the difference.

14 But all witnesses have their
15 credibility judged by you whether they are expert
16 witnesses or not. You can accept or reject their
17 testimony, give it whatever weight you deem
18 appropriate. So, yes, ma'am. You may continue.

19 BY MS. FRIERSON:

20 Q. Thank you, Your Honor. Ms. Hilton, did
21 you analyze the substances in this case?

22 A. Yes.

23 Q. Was that substance previously tested by
24 your lab?

25 A. Yes.

1 Q. Do you know approximately when it was
2 tested previously?

3 A. Approximately two years ago.

4 Q. And how do you know that?

5 A. I performed the technical
6 administrative review on the previous analysis of
7 this case, meaning I had to look over the previous
8 analyst's work and had to come to the same
9 conclusion that she did based on her results that
10 she had and all of the other testing that she
11 performed. So I had to come to the same conclusion
12 and the fact that I did I was -- when I did I was
13 able to pass the review and then she was able to
14 release the report for our customers.

15 Q. And you said it was actually two years
16 ago approximately. Did your lab hold any
17 certifications then?

18 A. Yes. We were ASCLD/LAB Legacy
19 accredited.

20 Q. And what does that mean if you could
21 explain that to the jury?

22 A. At the time that meant that we had an
23 accrediting body, the American Society of Crime
24 Laboratory Directors/Laboratory Accreditation
25 Board. They came and we had to follow a certain

1 number of standards that they deemed necessary for
2 all those in a forensic science field. We passed
3 all of the standards and they gave an
4 accreditation, ASCLD/LAB Legacy accreditation at
5 that time.

6 Q. And that was two years ago. Do you
7 still hold that certification?

8 A. Currently we are actually ASCLD/Lab
9 International which means we -- it is more
10 stringent. We actually have about 300 standards
11 that we have to adhere to so it's a lot more
12 stringent now than it was two years ago.

13 Q. And do you happen to know why the drugs
14 were retested?

15 A. The previous analyst is unavailable to
16 testify for court.

17 Q. Is she employed there anymore?

18 A. No.

19 Q. But for purposes of your testimony
20 today I just want to be clear. Are you referring
21 to your analysis you did or to the one that you
22 peer reviewed?

23 A. My analysis.

24 Q. And each time you test a substance is
25 there an amount that is removed for testing?

1 A. Yes.

2 Q. Would that change the weight?

3 A. Yes.

4 Q. Is there anything else that affects the
5 weight of a substance?

6 A. Depending on how the substance is
7 stored, if the temperature with which the substance
8 is stored is really hot it can affect the chemical
9 structure of a substance and can reduce the weight.
10 There's also diluent or what we call fillers inside
11 of substances that also can be affected by the
12 weight. The length of time that something is
13 stored in that humid, hot heat can definitely
14 change the weight.

15 (STATE'S EXH. 58, lab report, was
16 marked or identification.)

17 BY MS. FRIERSON:

18 Q. I would like to show you what has been
19 marked for identification as State's Exhibit
20 No. 58. If you could please look at that.

21 A. (Witness complies with request.)

22 Q. Have you seen that before?

23 A. Yes.

24 Q. And what is that?

25 A. This is my laboratory report.

1 Q. Who prepared that?

2 A. I did.

3 Q. When did you prepare that report?

4 A. December 1st of 2015.

5 Q. Is that report signed by you?

6 A. Yes.

7 Q. And who is the subject of that report?

8 A. Mark Blake.

9 MS. FRIERSON: Your Honor, at this time
10 I would request to admit that report and publish it
11 to the jury.

12 MR. KING: Your Honor, I have an
13 objection to the report and the drugs and the chain
14 of custody as to -- maybe I have an objection as a
15 matter of law.

16 THE COURT: All right. Ladies and
17 gentlemen, we are going to take a brief recess.
18 Don't talk about the case and keep an open mind.

19 (Thereupon, the jury exited the
20 courtroom at 10:37 a.m.)

21 (The following proceedings were held
22 outside the presence of the jury with the Defendant
23 present.)

24 THE COURT: Mr. King.

25 MR. KING: Your Honor, I just thought

1 maybe that the chain of custody is more complicated
2 than what I think has been presented. I have got
3 two pages laying out where the chain of custody
4 went.

5 The crux of the issue is they haven't
6 called Elizabeth Mitchell who was the previous
7 chemist that cut open this bag and tested the
8 drugs. I have a case, Your Honor, State vs. Marcus
9 Joseph that holds similar a case where drugs were
10 tested twice and they didn't call the first
11 chemist. Because the chemist is not a courier who
12 just takes a sealed package from one place to the
13 other, they actually cut it open, they are going to
14 manipulate these baggies. They are going to
15 manipulate the powder. They can't demonstrate the
16 manner of handling by Elizabeth Mitchell. It is
17 more than that. They have to prove the chain of
18 custody as far as practicable. And the way it goes
19 is Jason Riley who has testified gave it to Susan
20 Payne who then gave it to Elizabeth Mitchell, the
21 first chemist, who tested it in 2013.

22 Then an Ashley Carr Earl gave it back
23 to Mark Watson. We haven't heard from Ashley Carr
24 Earl or Mark E. Watson. Then it stays at the
25 Charleston County Sheriff's Office for two years

1 and two months. And then Jason Riley gives it back
2 to Susan Payne, and it goes to Ms. Hilton on 6-1-15
3 and then goes back from Susan Payne back to the
4 sheriff's office for five months and 15 days.

5 And it is sent from Jason Riley to
6 Susan Payne to Ms. Hilton again on 11-23-15. So
7 Ms. Hilton actually had it two different times. So
8 she hasn't called Ashley Carr Earl or Mark E.
9 Watson or Elizabeth Mitchell. I have a case I am
10 handing it up.

11 THE COURT: Sure.

12 MR. KING: This case, Your Honor.

13 THE COURT: Thank you.

14 MR. KING: Elizabeth Mitchell is the
15 crucial element of the chain and I would move to
16 exclude the drugs based on the chain of custody.

17 MS. FRIERSON: Thank you, Your Honor.
18 I have some cases I'd like to hand to the defense
19 and to the Court as part of my argument. Thank
20 you. Ms. Hilton, in fact, did just testify as to
21 the manner of handling and including the lab
22 certifications and the stringent process that they
23 followed. She also peer reviewed the drugs a
24 previous time, came to the same results despite the
25 fact that she is only testifying to her results

1 today.

2 State v. Hatcher says that fungible
3 items, which is drugs, must establish a complete
4 chain of custody as far as practicable. And while
5 Your Honor may be familiar with State v. Chisolm,
6 which is what the court formerly relied on, it
7 required each person in the chain to be
8 specifically identified by either testifying under
9 oath or producing sworn statements. Through the
10 testimony of Deputy Riley, Susan Payne and Ms.
11 Hilton, as well as the cross-examination by Mr.
12 King, we have established everyone by name there.
13 However, State v. Chisolm was overruled in State v.
14 Taylor which I have provided to the Court. It says
15 that requiring the testimony of each person in the
16 chain in all cases is inconsistent with the
17 precedent that's been established in State v.
18 Hatcher which is also provided to the Court.

19 It is not a prerequisite to
20 establishing a valid chain of custody sufficient
21 for admissibility to have the testimony of each
22 custodian. That's also referred to in State v.
23 Cope handed up. Every person need not be
24 identified according to State v. Hatcher, but yet
25 we have identified, both the State and defense

1 every single person that has handled this evidence.
2 And absent proof of tampering or bad faith there's
3 no abuse of discretion by a trial court in allowing
4 the establishment of chain of custody even if it
5 doesn't include the identity or the testimony of
6 everyone involved. That's from State v. Hatcher.

7 Specifically, as to retesting, Your
8 Honor the State would offer up Flemming v. U.S.
9 which is a district court Maryland case from 2015.
10 It actually came to the court as a PRC issue where
11 the government learned their initial chemist would
12 be unavailable such as we have been informed. Ms.
13 Mitchell is no longer with the lab. She chose
14 another career, there's no unsavory circumstances
15 or anything. She's just in another career and is
16 unavailable to testify.

17 And in the Flemming case the government
18 learned the initial chemist was unavailable, had
19 the drugs retested, and it came before the Court on
20 a PCR issue as to possible confrontation clause
21 issue.

22 The Court found that because the
23 chemist focused on her independent finding which
24 was free from reliance on the former test, which
25 Ms. Hilton has testified she would be testifying

1 only to her current analysis, also because she was
2 able to acknowledge that the disparity in drug
3 weights, as she testified just previously that over
4 time there's a reduced weight and there's a sample
5 that's removed for testing, that there was no PCR
6 issue, there was no deficient performance and
7 there's no prejudice to their client.

8 We have had the testimony that Miller
9 -- Deputy Miller collected the evidence. He then
10 stored it where it was taken in by Deputy Riley who
11 testified that he transported it and other people
12 in his same position, the limited five, have also
13 performed that role. We identified them. Ms.
14 Payne came on the stand and said that she received
15 it from Mr. Riley and that she gave it to Ms.
16 Hilton and Ms. Hilton said that she actually tested
17 it.

18 The State believes that a sufficient
19 chain of custody has been established and that all
20 the proper procedures were not only followed
21 between the additional or, excuse me, the
22 independent agency action, and that the lab report
23 and the drugs should be admitted.

24 THE COURT: Thank you.

25 MR. KING: Your Honor, I think under

1 State v. Joseph, when Elizabeth Mitchell received
2 it, we don't know if she received it intact, if she
3 received it -- we don't know the condition it was
4 when she got it. And we don't know the manner of
5 handling when she manipulated it.

6 I think that's the important part
7 there. It was peer reviewed by Ms. Hilton. That's
8 after she had already performed the test. So Ms.
9 Mitchell has manipulated the evidence, cut the bag
10 open. That is just -- in State v. Hatcher it talks
11 about you don't have to call every single person,
12 but the courts focus in on couriers, people who
13 have taken intact packages from one place to
14 another and the chemist is a different story.

15 There's also a period of seven days
16 where it was brought to the lab and not tested at
17 all for some reason. There's a -- from 6-1-15 to
18 6-8-15 it is taken to the lab and brought back. No
19 apparent testing as far as I'm concerned or as far
20 as I know. So there's something unusual about the
21 chain of custody, Your Honor. I have been arguing
22 during the trial there's a problem with the weight.
23 Started off with 30 grams, we don't know how much
24 it weighed in the beginning when the police officer
25 weighed the packaging and everything. So we don't

1 know how much the powder weighed. So I have made
2 that an issue in the case.

3 And I think without Elizabeth Mitchell
4 being able to testify about the manner of handling
5 I don't think they have completed the chain of
6 custody, in addition to Ashley Earl and Mark
7 Watson.

8 And I also argue the confrontation
9 issue. We have a right to confront and to
10 cross-examine Elizabeth Mitchell.

11 MS. FRIERSON: May I respond? In the
12 case that he provided the substance was absent for
13 six months with the chemist. As to that one brief
14 time, June 1st to June 8th, there was a discrepancy
15 between the agency and our office and the lab as to
16 why these drugs were being retested. I would be
17 willing to proffer testimony if Your Honor would
18 like to hear it because Ms. Mitchell has left they
19 are retesting the drugs on her cases so that the
20 chemist can actually come in and testify to these
21 results because Ms. Mitchell is unavailable.

22 There was that initial discrepancy
23 because they looked at the drugs and they said we
24 have already tested this. It was sent back. After
25 further communication between the two offices it

1 was determined this is why we are sending it back
2 because despite the fact that you peer reviewed it
3 we would like the actual analyst to come in and
4 testify to the results. The manner of handling has
5 been testified to by every single person that's
6 handled it. They have all testified that when they
7 received it it was intact. They wouldn't have
8 moved it along the line and transported it if it
9 wasn't. And Ms. Hilton also described the
10 certifications that were in place both then and now
11 at her lab which requires certain protocol which
12 would also cover the handling of evidence. There's
13 no confrontation issue in the case. We would not
14 refer to the former results. Ms. Hilton would not
15 refer to former results. She is here to testify
16 specifically to her own results that were done for
17 this case.

18 THE COURT: I don't understand the
19 confrontation argument or proffer argument where
20 you are going. What would that be based on? As to
21 Ms. Mitchell. There is no statement of Ms.
22 Mitchell to be presented before the jury.

23 MR. KING: That's right, Your Honor,
24 but Ms. Mitchell is a crucial member of the chain
25 who she didn't -- she cut the bag open. She

1 manipulated the powder. We have no way of knowing
2 how she received it, the condition it was in when
3 she received it, to know that it was the same as
4 when it was sent by Charleston County Sheriff's
5 Office. So it is not just a confrontation, it's
6 there's a break in the chain. There's a --

7 THE COURT: You are abandoning the
8 confrontation argument?

9 MR. KING: No, Your Honor, I think that
10 he has a right because this person did handle the
11 evidence and manipulate it, took the powder out,
12 weighed it, the weight has changed. The weights
13 are different on the second test than the first.
14 We do have a right to confront and cross-examine
15 that witness. I think -- and a lab report is
16 prepared testimony at trial, I think it is
17 testimonial. It is -- the purpose of Elizabeth
18 Mitchell testing the drugs is preparing for trial
19 so that's testimonial and that we have a right to
20 confront her.

21 THE COURT: About what?

22 MR. KING: The manner of handling and
23 the condition that it was in when she received it
24 and when it left her care.

25 THE COURT: Well, if she were here

1 would you have any objection to the chain up to the
2 point where she got it?

3 MR. KING: I would still with Ashley
4 Carr Earl and Mark E. Watson. They're still two
5 other people who handled the evidence who haven't
6 testified, Your Honor. Again, it's going to the
7 lab and back three different times which is I think
8 is a very unusual procedure. The typical case it's
9 going to go to the lab once and gets tested. This
10 has gone back and forth to the lab three times. I
11 think with that and I will still object based on
12 Ashley Carr Earl and Mark E. Watson. They both
13 handled -- Mark E. Watson handled it more than
14 once, 12-7-15 and 4-1-13.

15 THE COURT: Okay. So backing up for a
16 moment, does the State agree with Mr. King's
17 summary of the chain? Do you want to go through it
18 one more time?

19 MR. KING: Yes, sir.

20 THE COURT: And tell me if you disagree
21 with Mr. King or not.

22 MR. KING: Detective Roberson gives it
23 to Miller who checks it into evidence on 2-2-13 to
24 Jason Riley. It is sent out to the lab on 3-11-13.
25 Susan Payne receives it. It is then handled by

1 Elizabeth Mitchell on 3-11-13, the chemist, where
2 it is cut open and tested. It was put in a storage
3 on 3-28, removed by Ashley Carr Earl on 4-1-13 and
4 taken back to the Charleston County Sheriff's
5 Office on 4-1-13 where it remained at the
6 Charleston County Sheriff's Office for about two
7 years and two months until 6-1-15. Jason Riley
8 then gives it to Susan Payne. It is received by
9 Ms. Hilton on 6-1-15. And then it is taken back on
10 6-8-15 to the Charleston County Sheriff's Office
11 where it is received by Christopher Hockrighter.
12 I'm sorry, I left another name off.

13 THE COURT: Wait a minute. I lost you
14 at Jason Riley.

15 MR. KING: 6-1-15.

16 THE COURT: Right.

17 MR. KING: Jason Riley gives it to
18 Susan Payne at the Charleston laboratory. It is
19 then received by Renee Hilton that same day,
20 6-1-15. Then on 6-8-15 Susan Payne takes it back
21 to the Charleston County Sheriff's Office where it
22 is received by Christopher Hockrighter. I don't
23 believe that person has been named at all in the
24 previous testimony. I think that's the evidence
25 custodian. Then it stays at the Charleston County

1 Sheriff's Office for five months, five and-a-half
2 months. Then 11-23-15 Jason Riley gives it again
3 to Susan Payne who gives it again to Renee Hilton
4 on 11-22.

5 THE COURT: Wait a minute. What
6 happens to Christopher? He gave it back to Jason
7 Riley?

8 MR. KING: No. I believe Christopher
9 Hockrighter is an evidence custodian at Charleston
10 County Sheriff's Office who would be doing the same
11 job as Jason Riley. He received it back into
12 evidence. But then 11-23-15 it leaves the lab
13 again. Jason Riley takes to it Susan Payne, who
14 takes to it Renee Hilton. That's when the lab
15 report is generated that the State is seeking to
16 admit. Then it goes to Susan Payne on 12-7-15,
17 back to Charleston County Sheriff's Office 12-7-15
18 where it is received by Mark E. Watson who I
19 believe is another evidence custodian. It stays at
20 the Charleston County Sheriff's Office until the
21 trial.

22 So that's actually -- there has been no
23 mention of the name of Christopher Hockrighter as
24 far as I know in the previous testimony. That's
25 one person who is handling who hasn't been named at

1 all.

2 THE COURT: What happens the first time
3 Ms. Hilton received it? Was it tested then?

4 MR. KING: Yes, Your Honor. There's a
5 lab report generated.

6 MS. FRIERSON: No, the first time she
7 receives it --

8 MR. KING: I apologize, Your Honor. I
9 don't know. They have to explain that. It is not
10 tested.

11 MS. FRIERSON: Yes, Your Honor, that
12 was what I referred to earlier, a miscommunication
13 between our office. Just for clarification, Ms.
14 Nicky Mitchell, Elizabeth Mitchell is gone. She is
15 no longer available. Ashley Earl is out on
16 maternity leave, that's why she is not being
17 called, but the State also doesn't believe that she
18 needs to based on Pope and Hatcher. Jason Riley
19 testified about the other people in his office that
20 have the same job that do the same thing. They
21 have identified the other people, but every person
22 handling the evidence does not need to be
23 identified in all cases is what Hatcher has said.
24 We have the testimony of all of the people who have
25 we believe more than satisfied the chain of custody

1 and you don't have to have -- State v. Pope, which
2 quotes, "The testimony of each custodian of
3 fungible evidence is not a prerequisite to
4 establishing a chain of custody sufficient for
5 admissibility."

6 Both Ms. Payne and Mr. Riley never
7 opened it and they testified to that. They were
8 merely a courier. They testified that they touched
9 it more than once and that was physically to move
10 it back and forth.

11 The transfer where it came out on 6-1
12 from Riley to Payne to the lab back to Payne on the
13 8th as I explained was a miscommunication between
14 offices. They didn't -- not being lawyers
15 themselves -- realize that if a drug had already
16 been tested and peer reviewed that somebody else
17 could not stand up and testify to that. That was a
18 miscommunication and therefore they returned it
19 back because in their mind they had already tested
20 the drugs. Once that was cleared up and the case
21 was headed to trial we would actually need the
22 chemist who tested the drugs. Ms. Mitchell is not
23 available. We requested that the drugs be retested
24 for purposes of this case.

25 And, therefore, we believe that a more

1 than sufficient chain of custody -- there is no
2 evidence where there has been a tampering and that
3 is something that's required under Hatcher.
4 Otherwise it is not an abuse of discretion for Your
5 Honor to let it in. Thank you.

6 THE COURT: Is there any evidence of
7 the disparity in the results? I'm not sure I have
8 heard that before.

9 MS. FRIERSON: We haven't got all the
10 way into it, but so far, Your Honor, Ms. Hilton has
11 testified that there can be a discrepancy based on
12 the temperature can change, type of substance. I
13 don't want to get too scientific and misspeak, but
14 there are things that are within the substance that
15 can dissipate or evaporate and change. But she
16 also testified that there's a sample that is
17 removed for purposes of testing and we would
18 elaborate on that in front of the jury or I could
19 proffer that testimony right now. But she can
20 explain the disparity in weight.

21 THE COURT: Well, cutting to the chase,
22 what is the difference in the weight between what
23 Ms. Mitchell found and Ms. Hilton found?

24 MS. FRIERSON: One second, Your Honor.
25 It's up here. I believe it was just slightly under

1 a gram that was lost over the period of time that
2 it was stored in evidence and that there was a
3 sample that had been removed for purposes of
4 testing. There's no way -- my understanding, and
5 she can elaborate on this, there's no way to
6 pinpoint a specific amount as to what evaporates or
7 dissipates over time. But it is again my
8 understanding in dealing with these cases it is
9 scientifically accepted that the substance does
10 reduce its weight over time.

11 THE COURT: What was the weight Ms.
12 Mitchell found?

13 MS. FRIERSON: I believe the combined
14 weight was 2.73.

15 THE COURT: Ms. Hilton found what?

16 MS. FRIERSON: I am sorry, about two
17 and-a-half. Allow us to do the math real quick,
18 Your Honor.

19 (Off-the-record conference.)

20 MS. FRIERSON: Thank you, Your Honor.
21 Appreciate the time. So Ms. Mitchell it was a
22 combined weight of 2.46. Ms. Hilton was a combined
23 weight of 1.12. And there's 1.34 that would have
24 either dissipated or been used as a sample.

25 THE COURT: All right. We will take a

1 brief recess while I look at these cases.

2 (A recess transpired.)

3 (The following proceedings were held
4 outside the presence of the jurors with the
5 Defendant present.)

6 THE COURT: Does the State agree with
7 the sequence of the chain Mr. King has set forth?

8 MS. FRIERSON: Yes, Your Honor.

9 MR. KING: I apologize, Your Honor.
10 While you were out I noticed one small discrepancy.

11 THE COURT: All right.

12 MR. KING: Between the Charleston
13 County Sheriff's chain and the city or the lab's
14 chain. Charleston County Sheriff's Office when I
15 went through the testimony with Jason Riley, it
16 left the lab on 6-1-15. It left the sheriff's
17 office to the lab on 6-1-15. And came back to
18 Jason Riley on 6-8-15. But according to the
19 laboratory chain of custody it came back to
20 Christopher Hockrighter on 6-8-15. So there is a
21 discrepancy between the two different chain of
22 custodies who received the evidence back at the
23 sheriff's office. That's why I think I missed that
24 Christopher's name the first time because his name
25 is not included anywhere on the Charleston County

1 Sheriff's Office chain of custody. And I have
2 those exhibits.

3 THE COURT: All right.

4 MS. FRIERSON: Would you like a
5 response, Your Honor?

6 THE COURT: Sure.

7 MS. FRIERSON: Just briefly. We would
8 say Mr. Riley, Deputy Riley testified that there
9 are five people in their office that do those jobs
10 interchangeably and that multiple people in their
11 office handled -- testified that each time he
12 handled the evidence it was not tampered.

13 THE COURT: What evidence is there as
14 to the state of the evidence? By that I mean how
15 it was packaged when Ms. Mitchell, the initial
16 chemist, finished with it?

17 MS. FRIERSON: Your Honor, the State
18 would submit that after -- up until that point
19 there was testimony that it had not been tampered
20 with. And then Susan Payne testified that she had
21 transported the evidence back and forth. She would
22 not have done so if it appeared to be tampered
23 with. She acknowledged the fact that it had been
24 opened for a previous test. But then when she
25 transports she doesn't actually open those bags as

1 a courier. And then Ms. Hilton testified that when
2 she received it in she would have been the next
3 person that would have opened that seal, that there
4 was no other evidence of tampering other than the
5 fact that she was also aware that it had previously
6 been tested by Ms. Mitchell.

7 MR. KING: I'm not sure how -- the
8 evidence custodian didn't testify that it wasn't
9 tampered with when it was cut open at some point by
10 Ms. Mitchell and they never opened it and looked
11 inside of it. So in a sense, it was tampered with
12 in the sense that Elizabeth Mitchell cut it open.
13 So I don't know how they can testify to the
14 contents not being tampered with when they have no
15 idea what happened to it when Elizabeth Mitchell
16 had it.

17 MS. FRIERSON: I think she actually
18 testified, Ms. Payne, that it was in substantially
19 the same condition and acknowledged the difference
20 that it was -- that it had been opened. She can't
21 testify to the drugs, she never tried to enter that
22 testimony. She was clearly a courier that says
23 that she transported the evidence. She wouldn't
24 know if it appeared tampered with. It did appear
25 to be in substantially the same condition not

1 withstanding because she acknowledged the fact that
2 it had to have been opened in order for the chemist
3 to initially test it.

4 (Brief pause.)

5 THE COURT: I will be right back.

6 (Brief recess.)

7 (The following proceedings were held
8 outside the presence of the jurors with the
9 Defendant present.)

10 THE COURT: I guess I am still unclear
11 what exactly happened after Ms. Mitchell got it.
12 And where I am coming from is this, it's the
13 Hatcher case where the chemist from SLED, that case
14 details exactly what that chemist did. And of
15 course it talks about the BEST evidence kit which
16 is routinely used in these type of cases.

17 The SLED chemist, Ms. Wilson, said she
18 had retrieved the evidence from the Log-In
19 Department at SLED and that it was still sealed in
20 a BEST evidence kit or bag. Wilson testified she
21 wrote the seal on the evidence bag. Inside she
22 found a second bag from the Marlboro County
23 Sheriff's Department containing two clear plastic
24 corner bags. Both of the plastic corner bags were
25 still knotted with a rock-like substance inside

1 them. Wilson removed the substances from torn bags
2 and analyzed them before repackaging the contents
3 into two zip lock bags. She placed the repackaged
4 evidence into a heat sealed pouch and wrote her
5 initials on the date it was sealed of 5/04/07. She
6 returned the pouch to the SLED Log-In Department,
7 then gave the evidence back to Marlboro Sheriff's
8 Office. Wilson identified the SLED heat seal
9 package which was still sealed with her initials,
10 the one she had returned to the SLED Log-In
11 Department. She confirmed it was in the same
12 condition as when she had sealed it.
13 Now, what evidence is there about the manner in
14 which Ms. Mitchell handled it?

15 MS. FRIERSON: First, just for
16 clarification, BEST evidence is only what SLED
17 uses.

18 THE COURT: I understand that.

19 MS. FRIERSON: Then Ms. Hilton, and we
20 can proffer this additional testimony, I believe we
21 got part of it out, is that she can testify that
22 when she received those into her lab and she tested
23 the drugs there were individual bags in a bigger
24 bag.

25 And when she opened that bag which she

1 wouldn't have accepted but for if it was not
2 tampered with, so it wasn't tampered, she accepted
3 it into the lab. And when she opened that bag what
4 she found were the previously sealed packages that
5 Ms. Nicky Mitchell had tested and since she was a
6 participant on that peer review, these were
7 actually the same drugs that she previously tested.
8 But because Nicky was the lead chemist for lack of
9 a better word, she was just the chemist on that
10 case, she tested those drugs. She sealed them up.
11 She had to and she did testify earlier that she has
12 to go through and perform this same test, make sure
13 that the results are the same in order for that to
14 have that initial lab result to be submitted in the
15 first place.

16 THE COURT: May I stop you right there
17 and ask how does she know Ms. Mitchell sealed them
18 up?

19 MS. FRIERSON: Because her initials are
20 on the heat seal.

21 THE COURT: Okay.

22 MS. FRIERSON: And having worked with
23 her I'm sure she could testify to whether or not
24 she recognizes the initials that she saw.

25 THE COURT: That's something that y'all

1 are going to put into evidence?

2 MS. FRIERSON: We absolutely can, Your
3 Honor.

4 THE COURT: All right. Those are heat
5 sealed.

6 MS. FRIERSON: Yes, Your Honor.

7 THE COURT: I didn't mean to -- go
8 ahead.

9 MS. FRIERSON: And we also have the
10 testimony as far as the manner of handling
11 regarding they had certain accreditation standards
12 in place at the time when they were initially
13 tested. I think they have since been enhanced even
14 further. They have received additional
15 accreditation. Both parties -- both of those
16 accreditation standards deal with the evidence
17 handling and the manner in which it comes in.
18 There was testimony from everyone involved in this
19 chain that when they received it it did not appear
20 to be tampered with. It was in their sole care,
21 custody and control until they hit the next spot,
22 whether it be the lab or the evidence courier,
23 whomever picked it up.

24 And then we elicited testimony from
25 each individual as to while it was in their care

1 and custody it wasn't tampered with and they would
2 not have accepted it if there was any tampering.
3 That the seals were intact, and that were
4 separated, initialled, things were packaged. There
5 were individual labels. Deputy Riley talked about
6 they label the evidence as to the case number, what
7 is purported to be in there and then they
8 testified, both he and Ms. Payne, that they don't
9 physically open these bags. They are merely there
10 as a transporter, as a courier, to get from one
11 place to another.

12 THE COURT: Thank you. Mr. King.

13 MR. KING: I don't think Ms. Hilton can
14 testify to the condition of the packages when Ms.
15 Mitchell received it. That's the unknown part
16 right there. There is no testimony as to the
17 condition it was in when Elizabeth Mitchell
18 received that first package.

19 THE COURT: I thought Ms. Payne
20 testified that she delivered it to Ms. Mitchell.

21 MR. KING: She didn't look inside.
22 She's a courier.

23 THE COURT: Didn't she testify she at
24 all times handled the seal? Mr. Riley testified
25 that he would not accept it unless it was sealed.

1 Ms. Payne testified she did not handle it except
2 when it was sealed. So what evidence do you have
3 that it was not, that we don't know what condition
4 it was in when Ms. Mitchell tested it?

5 MR. KING: Just that we haven't heard
6 from Ms. Mitchell. And also that we don't know the
7 manner of handling when Ms. Mitchell had it. We
8 know she receives it. Again, the same as the
9 courier, she's cutting that tamper proof seal. We
10 don't have any information about how she handled
11 it. What she did with it even if she received it
12 intact from the courier from Charleston County
13 Sheriff's Office, we don't know how she handled it
14 when she received it.

15 THE COURT: Okay. I understand your
16 argument. I appreciate everybody's patience while
17 I kind of sifted through all this. But based on
18 the evidence as it stands assuming the foundation
19 is further laid that Ms. Frierson just assured me
20 it would be concerning the heat sealing and the
21 basis of Ms. Hilton's knowledge of the initials of
22 the chemist Ms. Mitchell who is unavailable, who
23 first tested the drugs, I do find that the chain
24 has been sufficiently established within the
25 meaning of the State v. Williams.

1 Of course all the chain of custody is
2 to ensure the item is what it is purported to be.
3 I find that there was sufficient evidence presented
4 by the State as to how the item was obtained and
5 how it was handled to insure that it is, in fact,
6 what it's purported to be, that it is heroin seized
7 from the leased premises pursuant to the search
8 warrant. And the chain has been established as far
9 as practicable. The identity of all people who
10 have handled it has been established my
11 satisfaction. There's no evidence anyone outside
12 of law enforcement ever had the item after it was
13 seized. There's no evidence of tampering,
14 alterations or substitution and the evidence about
15 the sealing from both Mr. Riley and Ms. Payne and
16 Ms. Hilton is sufficient to establish the chain.

17 To the extent there are discrepancies
18 that certainly is grounds Mr. King can pursue on
19 cross-examination by credibility, but doesn't
20 change my ruling about the admissibility.

21 So with that, we can -- is there
22 anything else before we bring the jury in?

23 MS. FRIERSON: This is our last
24 witness, but other than that we don't have
25 anything.

1 MR. KING: I think we are at the stage
2 they are offering to admit the report. Since it is
3 -- I'm objecting to that again when they admit the
4 drugs under the chain of custody, but also preserve
5 my pretrial motion to suppress. So I will try to
6 contemporaneously object when they admit the drugs.

7 THE COURT: Thank you.

8 MR. KING: Or do I need to object when
9 they move to admit the report? She has just
10 requested that, make sure that is preserved.

11 THE COURT: Well, to the extent I can
12 preserve that I do so.

13 (Whereupon the jury entered the
14 courtroom at 12:55 p.m.)

15 THE COURT: Okay. I apologize for the
16 length of that. It took me a lot longer that I
17 thought. That's my fault. So I apologize, but we
18 had to wade through an issue and we have done so.
19 So yes, ma'am, you may continue.

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

22 BY MS. FRIERSON:

23 Q. Ms. Hilton, I believe you were looking
24 at what has been offered as State's Exhibit No. 58.

25 A. Um-hmm.

1 Q. And what was that again?

2 A. It's my lab report.

3 Q. And when did you complete that?

4 A. December 1st of 2015.

5 Q. And who was the subject of that report?

6 A. Mark Blake.

7 Q. And is it signed by you?

8 A. Yes.

9 MS. FRIERSON: Your Honor, at this time
10 the State would move to admit and publish to the
11 jury State's Exhibit 58.

12 MR. KING: Just renew my objections I
13 made.

14 THE COURT: Yes, sir. All right.
15 Renew all the arguments of Mr. King and I
16 respectfully overrule the objection. It's in
17 evidence.

18 (STATE'S EXH. 58 in evidence.)

19 BY MS. FRIERSON:

20 Q. I would like to talk a little bit about
21 the substances that you used to come up with this
22 report. Okay? First, I'd like to show you what
23 has been marked as State's Exhibit No. 50. If you
24 could look at those.

25 A. (Witness complies with request.)

1 Q. Do you recognize these?

2 A. Yes.

3 Q. Could you please tell the Court how you
4 recognize them?

5 A. There is a sticker that has my
6 handwriting and my initials on it as well as
7 there's a heat seal with my initials on it.

8 Q. And do those appear to be in
9 substantially the same condition as when you
10 received them?

11 A. Yes.

12 Q. Any significant difference in the form
13 or appearance?

14 A. No.

15 Q. Per your protocol certification of your
16 lab would you have accepted those into the lab and
17 tested them if they had appeared to have been
18 tampered with in any manner whatsoever?

19 A. No.

20 Q. Now, I want to talk about a few things
21 before we go a little further as they relate to
22 those specific alleged drugs. You testified
23 earlier that you were aware these had been examined
24 before?

25 A. Yes.

1 Q. And do you know who they were examined
2 by?

3 A. Elizabeth Nicole Mitchell.

4 Q. Is she currently employed at your lab?

5 A. No.

6 Q. Did she leave under any unsavory
7 circumstances?

8 A. No.

9 Q. Did she leave for a different career?

10 A. Yes.

11 Q. And as a result of her leaving have
12 substances -- other tests that she has done have to
13 be retested?

14 A. We are not required. Only by request
15 would it have been retested due to her
16 unavailability.

17 Q. And what is your understanding of the
18 nature of that request? Why would we ask for it to
19 be retested? What is your understanding.

20 A. I'm sorry. Because she was unavailable
21 would be why we retested something.

22 Q. And the drugs that she tested, did you
23 physically test those drugs as well as part of the
24 peer review?

25 A. No.

1 Q. And do you know how she would have
2 sealed back up the drugs after she tested them?

3 A. She would have been required to heat
4 seal them and put an initial over it as well as
5 putting the same sticker that I talked about
6 earlier on the evidence package.

7 Q. And do you see her initials on those?

8 A. Yes.

9 Q. And would that have been part of your
10 analysis in terms of whether you accepted that into
11 your lab to be tested?

12 A. Yes.

13 Q. And is each bindle separated?

14 A. Yes.

15 Q. And are those combined into a bundle in
16 a larger bag?

17 A. Yes.

18 Q. And those are all individually sealed?

19 A. By zip lock, yes.

20 Q. And those are initialled?

21 A. Yes.

22 MR. KING: Objection, leading.

23 MS. FRIERSON: I am sorry.

24 THE COURT: Sustained.

25 BY MS. FRIERSON:

1 Q. Are those initialled?

2 A. Yes.

3 Q. Thank you.

4 MS. FRIERSON: Your Honor, at this time
5 I would like to go ahead and publish State's
6 Exhibit 58.

7 THE COURT: All right. It's in
8 evidence. You may do so.

9 BY MS. FRIERSON:

10 Q. Now, Ms. Hilton, I'd like to start at
11 the top. I'd like to go through your report. You
12 have a screen in front of you. You can point out
13 things as we go through. Tell me generally what is
14 this?

15 A. This is my lab report.

16 Q. And just generally what were the
17 results of your analysis in this case?

18 A. Heroin.

19 Q. Is heroin an illegal substance under
20 South Carolina law?

21 A. Yes.

22 Q. Now, tell the jury a little bit about
23 the test that you performed in this case.

24 A. I performed a wet color test which is a
25 chemical that's based on once you add the

1 substances the chemical is going to react by a
2 color. And based on this color we can
3 presumptively identify what the substance could be.
4 After I perform the color test I performed the GCMS
5 analysis, the gas chromatograph mass spectrometry
6 analysis again which it separated the bulk powder
7 into its components. And then based on the
8 individual components of the mass spec, then I was
9 able to obtain a mass spectra from each one of
10 those components and determined by their mass spec
11 that it was heroin.

12 Q. And did you personally independently
13 perform all those tests?

14 A. Yes.

15 Q. Did you do those free from reliance on
16 any other knowledge on the other report?

17 A. Right, yes.

18 Q. And those tests, can you -- they are
19 designed to determine what specifically?

20 A. Determine the unknown substance.

21 Q. And the result of those tests were that
22 the substance was?

23 A. Heroin.

24 Q. Were you able to determine an amount or
25 a weight?

1 A. Yes.

2 Q. What was that?

3 A. 1.12 grams.

4 Q. And are you familiar with a conversion
5 from grams to grains?

6 A. Yes.

7 Q. And can you explain that to the jury,
8 what that conversion is?

9 A. The conversion is one gram equals
10 15.432 grains. And it is just a conversion factor.
11 Substances can come in pill form, they can come in
12 powder, they can come in grains. And so I believe
13 our statutes determine that for heroin it is in
14 grains. And so there's a conversion from grams
15 which is what we report to grains.

16 Q. And looking at this report briefly,
17 just take us through, up at the top. What does
18 this lab number indicate?

19 A. The lab number is a unique identifier
20 that our electronic system assigns to each case
21 that our laboratory receives into evidence.

22 Q. And is this lab report or lab number
23 contained on the evidence as well?

24 A. Yes.

25 Q. And then what is this case number?

1 A. That is the case number, the agency
2 case number. It's the number that the agency or
3 police department has assigned to the specific
4 evidence.

5 Q. And if you can tell us, Charleston
6 County Sheriff's Office, is that where you were
7 located, where is that information?

8 A. That information is actually the name
9 and the address of the submitting agency.

10 Q. And then the date submitted on this
11 particular one?

12 A. Is November 23rd of 2015.

13 Q. And then tell us what all of this here
14 is?

15 A. This would be the evidence inventory.
16 So when I receive evidence in I have to inventory
17 it. So I have to count all the bags. I have to
18 count any items within the evidence package and
19 inventory it into our system.

20 Q. And in this particular case I believe
21 you have the evidence in front of you, that is --
22 make sure I understand correctly -- when it comes
23 to you do you open this?

24 A. After I receive it into my custody,
25 yes.

1 Q. And then do each of those numbers there
2 respond or correspond, excuse me, to an individual
3 bag in here?

4 A. Yes.

5 Q. And so this first page is a listing of
6 all the evidence?

7 A. Yes.

8 Q. And moving on to the second page of
9 your report, could you please explain to the jury
10 what this describes?

11 A. This section here is my results. So it
12 inventories all of the items or it -- it
13 corresponds the item to its weight and the results
14 of that particular item as well as the method that
15 I used to determine the result.

16 Q. And so are each of those items
17 corresponding to the individual bags in there?

18 A. Yes.

19 Q. And what were your results again?

20 A. Heroin.

21 Q. And which category here shows the
22 actual weight?

23 A. The second column.

24 Q. What is this third column?

25 A. The third column is the uncertainty of

1 measurement for my balance.

2 Q. And was there anything in your test
3 this time that was outside the standard deviation
4 of the -- outside the standard deviation of what
5 the test results should be?

6 A. No.

7 Q. I'm going to ask you a few more
8 questions about the heroin that is in front of you.
9 Specifically, I want to go back to something you
10 testified about earlier. When you perform a test
11 are you required to pull out a sample?

12 A. Yes.

13 Q. And does that sample vary each time?

14 A. It can depending on the amount of tests
15 that I performed on that particular sample.

16 Q. And as a result of you pulling out that
17 sample does the weight change?

18 A. Yes.

19 Q. So when you received it the weight
20 would be different than what you sent back; is that
21 correct?

22 A. Correct.

23 Q. And earlier you also testified about
24 that the weight can change due to, and you gave a
25 much more scientific explanation, but basically

1 there are things that are contained sometimes
2 within a sample? If you can just elaborate for the
3 jury on that on the other cause of something to
4 change weight while it is in custody.

5 A. Again, temperature can cause something
6 to change. If it's really hot it could change the
7 molecular structure of something, it can shrink, it
8 can evaporate. Although it's contained in a
9 plastic bag it can happen. And there's other
10 diluent or like I said additives that are also --
11 that can be present in a sample that again change
12 form when heat is added and they lose weight.

13 Q. Thank you. At this time, Your Honor, I
14 would move to admit what Ms. Hilton has confirmed
15 is heroin, State's Exhibit 50, into evidence.

16 MR. KING: Your Honor, renew my
17 objection based on my motion to suppress and chain
18 of custody.

19 THE COURT: Yes, sir. All right. I
20 will overrule the objection.

21 MS. FRIERSON: Thank you. Court's
22 indulgence, Your Honor.

23 THE COURT: It's in evidence.

24 (STATE'S EXH. 50 in evidence.)

25 MS. FRIERSON: I have no further

1 questions at this time. Please answer any the
2 defense may have.

3 THE COURT: Mr. King,
4 cross-examination.

5 CROSS-EXAMINATION

6 BY MR. KING:

7 Q. Ms. Hilton, you are familiar with --
8 you don't work for the Charleston County Sheriff's
9 Office, but you receive a lot of packages from law
10 enforcement, drug, exhibits like this?

11 A. Yes, sir.

12 Q. Generally when you receive them the
13 seal is unbroken, right?

14 A. Yes, sir.

15 Q. You can testify it's the same when you
16 received it from the Charleston County Sheriff's
17 Office?

18 A. Yes.

19 Q. When you first received this exhibit,
20 though, it had already been cut open; isn't that
21 right?

22 A. Yes. And sealed back and I wouldn't
23 have taken it had it not been sealed.

24 Q. When you first saw it, unlike many
25 cases when you receive it and you break the seal,

1 the first time you received it the seal had already
2 been broken?

3 A. Yes.

4 Q. The contents had already been removed
5 and something was done to it?

6 A. Yes.

7 Q. How long does it take to do an exam
8 typically?

9 A. Honestly it depends on how many samples
10 it takes, but if I have one sample it can take me
11 anywhere from 30 minutes just to prep the sample
12 and then obviously it has to sit on our instrument
13 and however long on the instrument, could be 30
14 minutes to an hour. And then I would have to
15 review the data and then do my lab report. So it
16 could take me anywhere from a couple hours to a day
17 or a week.

18 Q. There's periods when this exhibit is
19 remaining at I guess your laboratory for I guess
20 one time for a period like 21 days, then seven
21 days, then like 14 days. Where is it when --
22 during that time where it is I guess in the custody
23 of the Charleston lab?

24 A. When it's in my personal custody I have
25 a locker within the laboratory that I only have a

1 key to. So when it's in my custody it's in that
2 locker and I'm not working on it, it's sitting in
3 that locker locked up every night. The key is in
4 my custody. When it is not in my custody, and I am
5 finished with it, it's in our secure safe that's
6 within the laboratory which is locked every night.

7 Q. There's another report out there like
8 you prepared, isn't that right, based on that
9 exhibit?

10 A. Yes.

11 Q. That would be by Elizabeth Mitchell?
12 Another report written by Elizabeth Mitchell just
13 like your report?

14 A. Yes.

15 Q. And that report would have different
16 weights, the numbers would be different, right?

17 A. Yes.

18 Q. I want to show you this exhibit here,
19 Defendant's Exhibit 10. Does that look familiar?
20 Do you recognize that?

21 A. Yes.

22 Q. Those are the chain of custody
23 documents?

24 A. Yes.

25 Q. You are involved in the chain of

1 custody?

2 A. Yes.

3 Q. Those documents are kept by the
4 Charleston City Police Department laboratory?

5 A. Yes.

6 Q. And anyone who handles the evidence in
7 that laboratory makes some entry in the chain of
8 custody?

9 A. Yes.

10 Q. And that chain of custody should also
11 match up with that to the extent that it coincides
12 with the Charleston County Sheriff's Office chain
13 of custody, right?

14 A. It would -- their chain would end where
15 ours begins and then would pick up again once our
16 chain ends and the evidence is returned back to
17 their custody.

18 Q. Can I refer you to those chain of
19 custody documents? I think it's around page 24.
20 You see that that is Exhibit 135986 that we are
21 discussing here?

22 A. Yes, sir.

23 Q. And so based on the chain of custody
24 you're aware of it came to your laboratory on
25 3-11-13 for the first time, right?

1 A. Yes.

2 Q. And then it's returned on 4-1-13 back
3 to the Charleston County Sheriff's Office; is that
4 right?

5 A. Yes.

6 Q. And then it came back to your lab again
7 on 6-1-15?

8 A. Yes.

9 Q. Is that right?

10 A. Yes.

11 Q. And who do you have it being returned
12 to on 6-8-15 at Charleston County?

13 A. Officer Christopher Hockrighter.

14 Q. Hockrighter?

15 A. I believe is how you say it.

16 Q. So you don't have, according to your
17 records, on 6-8-15 it was not returned to Jason H.
18 Riley from Charleston Sheriff's Office. It was
19 returned to a Christopher Hockrighter?

20 A. According to my chain, yes.

21 Q. And if everything is correct, then your
22 chain of custody like I said, when it shows a
23 return to someone at the Charleston Sheriff's
24 Office that should match the one at the Charleston
25 County Sheriff's Office records as well, right?

1 A. After it leaves the laboratory I don't
2 know. But that would make sense to me, yes, it
3 would pick up from there with theirs.

4 MR. KING: That's all the questions I
5 have, Your Honor.

6 THE COURT: Redirect?

7 MS. FRIERSON: None from the State,
8 Your Honor.

9 THE COURT: Thank you.

10 MS. FRIERSON: State rests, Your Honor.

11 THE COURT: Ladies and gentlemen, the
12 State has completed their presentation of evidence.
13 And as I mentioned to you earlier, that means that
14 the defense now has the opportunity, not the
15 obligation, to present any evidence it wishes to,
16 so we are going to take a recess. I don't know,
17 the lunch should be here. So we will probably take
18 our lunch break now and resume after that. Thank
19 you for your patience again and don't talk about
20 the case and continue to keep an open mind.

21 (Thereupon, the jury exited the
22 courtroom at 1:16 p.m.)

23 (The following proceedings were held
24 outside the presence of the jury with the Defendant
25 present.)

1 THE COURT: Okay. Y'all can have a
2 seat. I wanted to elaborate a little bit on my
3 earlier ruling. I think I misspoke when I said
4 that the chain of custody was established
5 consistent with State v. Williams. Which it is,
6 but I meant to say State v. Hatcher even though
7 State v. Williams is also a chain of custody case.
8 Hatcher is the most recent one I'm aware of and
9 have been provided which is a 2011 decision of the
10 State Supreme Court and I do find that the manner
11 of handling this evidence was reasonably
12 demonstrated by the State. There was expert
13 testimony by Ms. Hilton that the State presented
14 that demonstrates the likely and probable manner in
15 which Ms. Mitchell tested and resealed this
16 fungible item. And the identity of the people who
17 transported it and had control at various times was
18 established as far as practicable. I'm also
19 relying on the Court of Appeals en banc decision in
20 2004 by Judge Howard which is State v. Taylor. All
21 right. Anything at this stage?

22 MR. KING: Your Honor, at this point I
23 would renew my motion to suppress pretrial or
24 motion to suppress the evidence based on the
25 reasonable search and seizure. I would also renew

1 my motion to suppress based on the faulty chain of
2 custody. I also make a motion for a directed
3 verdict.

4 THE COURT: I respectfully deny the
5 motion. There is sufficient evidence for the case
6 to go to the jury pursuant to Rule 19. As to each
7 and every element of the crime the State has
8 presented evidence which if believed by the jury
9 would satisfy their burden of proof as to those
10 elements, so I respectfully deny the motion and all
11 other motions at this stage. Anything from the
12 State?

13 MS. LINDER: Nothing, Judge.

14 THE COURT: All right. Did you want me
15 to discuss with your client the right to testify?

16 MR. KING: You can, Your Honor, now.

17 THE COURT: Mr. Blake, you can stay
18 seated. You don't have to stand.

19 (Thereupon, the Defendant was sworn.)

20 THE COURT: Sir, you have the
21 opportunity to testify in this case. You also have
22 the opportunity and the right not to testify. I
23 want to make sure you understand your options and
24 consequences of your choice about whether you are
25 going to testify. If I ask you a question or if I

1 say something that doesn't make sense, just ask me
2 to repeat it or try to clear it up. Is that okay
3 with you, sir?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. You can testify
6 in this case and take the stand and tell your side
7 of the story, present evidence that's relevant to
8 this trial. If you do that, though, you need to
9 understand the State can cross-examine you on the
10 stand just as your lawyer has cross-examined their
11 witnesses, okay? And that means that they can ask
12 you anything that might bear on your credibility,
13 that might be relevant to the issues in this case.
14 I don't know, is there any prior record the State
15 would seek to impeach him with if he testified?

16 MS. LINDER: Your Honor, there is
17 nothing to impeach him with unless he would open
18 the door to some of the other items.

19 THE COURT: Okay. So do you understand
20 that you would have the right to take the stand and
21 testify, sir?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: And you also have the right
24 not to testify, the right to remain silent. I have
25 already told the jury repeatedly you don't have the

1 burden of proof in this case, and you don't have to
2 offer any evidence or explanation. I will tell
3 them if you choose not to testify that they can't
4 hold that against you or even discuss the fact that
5 you didn't testify during their deliberations. It
6 would not be keeping with their oath to talk about
7 or discuss the fact that you didn't take the stand
8 because everyone has a right to remain silent
9 guaranteed by the Constitution. Do you understand
10 that, sir?

11 THE DEFENDANT: I do.

12 THE COURT: All right. I do not know,
13 has the defense presented any evidence at this
14 point?

15 MR. KING: No, Your Honor.

16 THE COURT: I know there was some
17 exhibits. There is also a consideration that you
18 need to know about which you probably already
19 discussed with your lawyer. If you do present
20 evidence in this trial, the State will then get the
21 final closing argument for the jury. That means
22 they get the last word so to speak before the jury.
23 If you don't present evidence your lawyer would
24 have the final closing argument in the sequence of
25 the closing arguments. Do you understand that?

1 THE DEFENDANT: Yes.

2 THE COURT: Okay. Now, do you have any
3 questions of me about your right to testify or not
4 to testify and the consequences of the choice?

5 THE DEFENDANT: No sir.

6 THE COURT: Thank you for your
7 attention. Do you know how many witnesses you may
8 be having?

9 MR. KING: At this point unless Mr.
10 Blake changes his mind I don't intend to put up a
11 case. I intend to get the last closing argument.
12 I have advised Mr. Blake of that. He was in
13 agreement unless he has changed his mind.

14 THE COURT: Okay. Is that your
15 decision, sir?

16 THE DEFENDANT: Can me and my lawyer
17 have a brief moment?

18 THE COURT: You may take as long as you
19 need to talk to him about that. In fact, we are
20 going to take a lunch recess so why don't you take
21 that time to discuss it with him further and if you
22 have any other questions just let me know, sir.
23 Thank you. So we will take a lunch break. Our
24 lunch is here. How long do y'all need?

25 MS. LINDER: I have food in the office.

1 I don't go anywhere during trial.

2 THE COURT: Is it 1:30? We will shoot
3 for 2:15? Does that give everybody enough time?

4 Ms. LINDER: That's enough time, Judge.

5 THE COURT: Thank you.

6 (A luncheon recess transpired.)

7 (The following proceedings were held
8 outside the presence of the jury with the Defendant
9 present.)

10 THE COURT: Anything else before we
11 bring the jury in?

12 MR. KING: Assuming we go into closing
13 arguments, Your Honor, I have discussed with the
14 solicitor, she is okay with allowing his father to
15 come in once I rest.

16 THE COURT: Sure. Have you made a
17 decision about Mr. Blake?

18 MR. KING: He has indicated he does not
19 wish to testify, Your Honor. Defense is not
20 putting up any evidence.

21 THE COURT: Do y'all have any request
22 for a lesser included offense?

23 (Attorney confers with client.)

24 MR. KING: I just discussed with him
25 any lesser included and we are not -- I thought

1 about asking for possession or a lesser included,
2 but we are not requesting it unless you amend the
3 charges based on Mr. Blake's desire.

4 THE COURT: That's a matter of
5 strategy?

6 MR. KING: Yes, Your Honor. I have
7 asked Mr. Blake and he wants to go all or nothing
8 and I'll go with his desire.

9 THE COURT: So, Mr. Blake, is that
10 correct?

11 THE DEFENDANT: That's correct.

12 THE COURT: And maybe the evidence
13 would support a charge of possession which the jury
14 would have the option of considering if they found
15 the State had not proven all elements of possession
16 to distribute. But you're saying you don't want
17 the jury to have that option. You would rather
18 them say guilty or not guilty as to the greater
19 offense of possession with intent to distribute?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: All right. Do you have any
22 questions of me about that?

23 THE DEFENDANT: No.

24 THE COURT: All right. Thank you. Any
25 jury charges you'll specifically request? Either

1 side?

2 MS. LINDER: Judge, I believe your
3 standard charges will cover most items. I have
4 already brought up with the defense we would ask
5 for -- 44-53-370 is a very long statute. But we
6 would ask for you to read the portion of it that
7 talks about the permissive inference based on the
8 two grains of heroin weight.

9 THE COURT: I'll show you what I have
10 got and y'all can tell me if you agree or disagree.

11 MS. LINDER: Yes, Judge. Should we
12 approach?

13 THE COURT: Sure.

14 (Off-the-record conference.)

15 THE COURT: Bring the jury in, please.

16 MR. KING: Your Honor, I am resting in
17 front of the jury and proceed straight to closing?

18 THE COURT: Yes, sir.

19 MR. KING: I guess I renew my motion
20 for directed verdict if you assume that --

21 THE COURT: We note them as made and
22 heard and denied.

23 MR. KING: Thank you, Your Honor.

24 (Whereupon the jury entered the courtroom
25 at 2:40 p.m.)

1 THE COURT: All right. Mr. King.

2 MR. KING: Your Honor, at this time the
3 defense rests.

4 THE COURT: Ladies and gentlemen, the
5 defense has rested. That means the evidence is all
6 in. We will now have the closing arguments. After
7 you hear the closing arguments which will consist
8 of the State's closing and the defense closing I
9 will instruct you on the law and then the case will
10 be in your hands for a decision and a verdict. So
11 yes, ma'am.

12 MS. LINDER: Thank you, Your Honor, may
13 it please the Court.

14 THE COURT: Yes, ma'am, Ms. Linder.

15 MS. LINDER: Good afternoon, ladies and
16 gentlemen. There are a couple things that I'd like
17 to address with you here today in my opportunity to
18 speak with you in my closing argument. First I'd
19 like to talk to you a little bit about the law in
20 this case. As the judge instructed you before
21 everything got started, he is the judge of the law.
22 At the end of our arguments you will hear from him.
23 He will instruct you on the law that you must apply
24 to the facts as you so determine.

25 So I'm going to tell you a little bit

1 about the law, my interpretation of the law, my
2 understanding of the law. Please keep in mind that
3 if I say anything that doesn't seem to make sense,
4 go with the judge. The judge is the judge of the
5 law. I am just trying to tell you a bit of my
6 interpretation of how it applies to this case.

7 In this case you're going to be told
8 about a couple of different things, including
9 reasonable doubt. Reasonable doubt is proof that
10 leaves you firmly convinced of the Defendant's
11 guilt. There are very few things in the world that
12 we know with absolute certainty and beyond all
13 doubt, but that's not what's required here today.
14 We are not required to prove beyond every possible
15 doubt.

16 The next thing I want to talk to you
17 about is direct and circumstantial evidence. There
18 are two the types of evidence that you will hear
19 about from the judge. Direct and circumstantial
20 evidence. Direct evidence and circumstantial
21 evidence are two different types of evidence that
22 you hear in a case. Direct is what you think about
23 with your five senses. What you see, what you
24 touch, what you taste, what you hear. That's from
25 an eyewitness, that's direct evidence.

1 And then there's circumstantial
2 evidence which is a chain of events or
3 circumstances surrounding a situation that leads
4 you to a conclusion. Both of those are to be given
5 the weight that you desire. Neither one is worth
6 more or weighs more in your deliberations.

7 The next point of law that I would like
8 to talk to you about is types of possession.

9 There's actual and there's constructive possession.
10 Actual possession is actually physically having
11 something in your custody. Constructive possession
12 is having something in your dominion and control or
13 having in your dominion and control the property on
14 where the item or items are located. Those are the
15 two different aspects of constructive possession.
16 Dominion and control over the item itself or
17 dominion and control over the property where it is.

18 One thing I want to hit on since the
19 reasonable doubt slide is still up, an easy example
20 I think about explaining what is reasonable doubt
21 and how you can draw conclusions. We are not
22 dealing with it today, but in this courtroom there
23 are no windows to the outside. We can't see what's
24 going on. We don't know what's going on with the
25 weather. If you saw someone come in and they had

1 on a rain slicker and they were brushing some water
2 off of them, and then took it off and sat down, two
3 or three minutes you saw someone else come in,
4 close up an umbrella, shake off water and set that
5 down. You didn't see outside that it was raining.
6 I didn't see outside that it was raining; however,
7 it is reasonable for you to conclude that sometime
8 recently it indeed has rained. That's a way that I
9 like that's kind of basic that puts it in real
10 terms as far as what reasonable doubt is.

11 Another thing I like to talk about is
12 the statute itself for what Mr. Blake is charged
13 with. He is charged with possession with the
14 intent to distribute heroin. It is a wordy
15 statute. The people who write them do not consider
16 that. Possession with the intent to distribute is
17 possession, it's delivery, dispensing, purchasing,
18 distributing, manufacturing, creating, attempting,
19 aiding, abetting, conspiring and actual possession
20 with intent to distribute. So any one of those
21 means he is guilty of possession with intent to
22 distribute.

23 So he could be aiding and abetting.
24 That's guilty. He could be conspiring. That's
25 guilty. He could be possessing it. Guilty. Any

1 of those items, that's why the or's are
2 capitalized, any of those items mean possession
3 with intent to distribute.

4 And then the other aspect of the
5 statute, that this occurred in Charleston County,
6 and that the drugs were heroin.

7 Lastly, what I would like talk to you
8 about is a permissive inference. And like I said,
9 the judge will instruct you on this and many other
10 things and I urge you to listen to the judge. But
11 possession with intent to distribute is kind of a
12 large concept. And there's a permissive inference
13 that you can make. You do not have to make it;
14 however, you can make that permissive inference if
15 the weight alone was two grains. Not two grams,
16 but two grains. And one gram is equal to
17 15.43 grains. So one gram is approximately seven
18 times the permissive inference of you as jurors to
19 say it was with intent to distribute. That's
20 something important I ask you to remember when you
21 think about the law.

22 Something else I want to talk to you
23 about is I would like to talk to you a bit about
24 distractions in a case. There are lot of things
25 that were brought up and I just would like to touch

1 on them briefly. One example is there was some
2 talk about this pending civil lawsuit. I urge you
3 to remember that that lawsuit according to
4 testimony was handwritten, there was no attorney,
5 it was filed well after, a long time after all of
6 this occurred. And also, I would submit this is
7 not the venue. This is criminal court. This is
8 not the venue to decide civil matters. And, in
9 fact, the civil judge has said that thing. The
10 civil judge has stayed the case which means we are
11 not deciding it now.

12 Another distraction that's been talked
13 about, there was a lot of talk about entry, entry
14 to the residence. The officers testified that
15 during that felony traffic stop they received the
16 keys. They were told which key it was to open the
17 door and they were doing a soft entry. They had
18 intel that a child lived there. They did not want
19 to use any flash bang device or any ram as to
20 startle the individuals inside.

21 There was the defense talked about
22 damage to the door, no damage to the door. I would
23 submit to you is it an old door? Did a previous
24 owner have a dog that clawed on the door in the
25 inside? I don't know. But what I would ask you to

1 remember is I urge you to go back, look at the
2 pictures in evidence. Look at the picture of the
3 front of the door that had no damage to the knob.
4 It didn't even disturb that little sticker. It had
5 no damage at all to the door. And you heard from
6 Detective Miller that you don't go taking pictures
7 outside before you go in. This is an intense time.
8 They have to make entry into a sweep to make sure
9 that no one else is in there, that one else in the
10 community or law enforcement are going to be hurt.
11 So they went in and then they went back once it was
12 safe and photographed everything.

13 Another distraction that's has been
14 brought up is the warrant. Ladies and gentlemen, I
15 remind you we are not here today because of a
16 warrant. We are here today because of an
17 indictment. And an indictment was done for
18 possession with intent to distribute heroin. There
19 were issues made about 30 gross aggregate grams.
20 Gross aggregate, all of that indicates overall.
21 There was testimony the officers don't know. I am
22 scientifically challenged so I certainly wouldn't
23 know myself. Another thing I would ask you to go
24 back and look again at the pictures that are in
25 evidence. All of this will go back in that room

1 with you. And the pictures that are in evidence
2 show, probably got a little boring picture after
3 picture after picture of the bundle, packaging, the
4 rubber bands and the weight based on the scale that
5 the officers had. And a lot of them were .29 --
6 2.9, 2.5, but you see they are not chemists and
7 they are not supposed to be altering the drugs in
8 the field. They don't dump everything out and then
9 weigh it. That's the job for the chemist to do.

10 So I would ask you again to go look.
11 Add up those weights on the pictures that the
12 officers had. Look at the picture of the dry erase
13 board with the summary of all the weight, of all
14 the bindles, all the bundles. I submit to you that
15 this is approximately 30 gross aggregate grams.
16 Either way we are here based on an indictment which
17 is possession with intent to distribute. It is not
18 for anything more, anything greater.

19 The last distraction I want to talk to
20 you about are the drugs itself. Ladies and
21 gentlemen of the jury, again, those drugs are in
22 evidence. Those are part of the case. The drugs
23 are in evidence. The lab report is in evidence.
24 All of that you can go back and look at. There was
25 a lot of back and forth today as you heard from a

1 variety of witnesses about a chain of custody and
2 about seals on things, and about training. And
3 while it can seem monotonous at some points, it is
4 important. It's important because you say who is
5 doing what where and when. There are seals and you
6 will be able to look at everything. There are heat
7 seals with initials over the heat seals. There's
8 initials inside on each separate package that was
9 weighed. All of that is there. The labs are
10 accredited. The law enforcement officers, all the
11 evidence, they all have procedures and protocol
12 that they must abide by.

13 Now, I'd like to bring your focus to
14 what this case is about. And that is that the case
15 is about Mark Blake. And the case is about
16 possession with intent to distribute heroin. When
17 I first started talking to you about it in my
18 opening I was telling you how drugs are illegal.
19 And I was telling you how a lot of planning goes
20 into executing search warrants. And I was telling
21 you about the search warrant execution itself. I
22 also was telling you a lot about the items found
23 during the search warrant execution.

24 More specifically I'd like to get into
25 the planning. There's testimony, you heard from a

1 variety of officers that this search warrant was
2 going to occur on 2770 Apartment [REDACTED] Jobee Drive
3 which is in West Ashley here in Charleston County.
4 Also with that there was a lot of intel and
5 investigation on the location itself and on the
6 Defendant. And with that they realized it was an
7 apartment building, there was downstairs neighbors,
8 there were neighbors to the left and right, a child
9 lived there. There were all these things they
10 talked about.

11 You heard from these officers who have
12 -- Detective Waddell has over a thousand drug cases
13 he has been associated with. You heard from
14 officers with 12, 18, and 21 years experience.
15 That's a lot of experience I would submit to you.
16 You also heard that during the briefing before they
17 execute a search warrant they do a threat
18 assessment and decide roles during it, perimeter
19 security, who is searching what rooms, who is the
20 evidence guy, who is there that day, whose taking
21 pictures. They also decide how are we going to
22 take this person into custody in the safest manner
23 for the community, for law enforcement and the
24 individuals themselves.

25 Based on that a decision was made to do

1 a felony traffic stop. You heard a lot about what
2 is a felony traffic stop. Felony traffic stop like
3 I said is about safety. They take into account
4 things such as aggressive dogs, kids. They take
5 into account weapons. They take into account a
6 variety of things. And they have determined that
7 this case had a heightened risk and therefore they
8 did a felony traffic stop.

9 You also heard testimony that they had
10 -- they did surveillance prior to the date of the
11 search warrant. Within a month prior these
12 officers located -- saw the Defendant on at least
13 two occasions entering and exit the residence. On
14 at least four other occasions they saw his vehicle
15 parked right there at the apartment in the parking
16 lot. So that's all the planning.

17 Next we move to the location itself
18 there at Jobee Drive. The Defendant is the sole
19 leaseholder. He is the one named on the lease.
20 And that lease covered the time of February 22nd,
21 2013. You also heard how there were two IDs
22 belonging to the Defendant that were located inside
23 the residence. You also heard about a water bill
24 addressed to the Defendant at that address.
25 Statement date was February 14th of 2013 which is a

1 week prior to the execution of this search warrant.
2 You also heard about a receipt that was there that
3 day. It was a receipt dated February 22nd of 2013
4 to Mark Blake. Paid cash. You also heard about
5 location as I previously mentioned all the prior
6 times of law enforcement seeing him and surveilling
7 him going in and out in his vehicle. You heard
8 about the day of. Waddell and another officer went
9 and sat in their cars and they watched. It's the
10 afternoon. It's daylight. They watched. They saw
11 him exit the door of apartment [REDACTED], go down the
12 stairs, enter this same car that he has been
13 associated with, and started driving.

14 Detective Waddell followed along with
15 other officers who were in the general area because
16 they were going to effect the felony traffic stop
17 and the other officer sat on the apartment, stared
18 at it. No one else entered or exited after he
19 left.

20 The next thing I'd like to talk to you
21 about is the search warrant execution itself.
22 There were photos taken overall after they cleared
23 it of each individual room. That's done to show
24 the layout, to show the overall condition of the
25 residence before they start doing the search for

1 everything that they are entitled to search for
2 according to the search warrant.

3 They also have photographs of all their
4 findings. And there's -- again, all of these are
5 in evidence. You will be able to see all of them.
6 You'll see everything that they found. You'll see
7 -- you will have back there the scale. You'll have
8 the grinder back there. You'll have the whisks
9 back there. You'll have the extended clip magazine
10 back there. You'll have the glass measuring cup
11 back there. You'll have the container that held
12 all of Mr. Blake's heroin back there. You'll have
13 all of this. Look at it. Look through it. There
14 was in the kitchen located the heroin. Again,
15 there is a series of photographs. The heroin was,
16 you know, really obvious spot. If you look where
17 the heroin was, the fridge opened, it's a standard
18 upper/lower refrigerator. It's on the bottom shelf
19 right there, anyone, any age, any height can access
20 that. It's right above the veggie drawer right
21 down there. I would submit to you every time that
22 the door is opened to get some orange juice out or
23 get the eggs out, right there. You see that every
24 time you open that. Every time you open and close
25 that fridge you see that.

1 You see this heroin. And even in this
2 picture if you look at it, even with the heroin
3 being closed and not moved, it is clear. Not
4 anymore because they did prints. It is clear. You
5 see all the bindles. You see the bundles. You see
6 rubber bands. You see the narcotics that are
7 packaged for sale. You see all of that.

8 Also back there there are more items
9 that you'll have, you can take back, you'll see
10 these. These are the waxy bindles. These are
11 empty. These are the ones that are described like
12 the headache powder that that's what you use. This
13 is the before, this is the after. That's what they
14 use to package, that's what Mr. Blake uses to
15 package.

16 Well, what else does he use to package?
17 Ladies and gentlemen, I direct your attention to
18 the scale found in the drawer of the kitchen
19 cabinet. I would direct your attention to the shoe
20 box that was in the hallway. In that shoe box
21 there were all those tiny different weighted
22 weights so he could calibrate his scale. So he
23 doesn't sell too much. It's a money making
24 business. All those are in here. The rubber bands
25 are in here. The rubber bands which is the second

1 part of the packaging to make the heroin. Again,
2 all this stuff is going to be back there with you.
3 All the evidence is going to be back there.

4 You know, it's important to think about
5 all of this. It's also important to think about
6 the followup the law enforcement did. The followup
7 that law enforcement did, they attempted as you can
8 see to print, to print the bags that are inside the
9 heroin container, to print the container, to print
10 the whisk. They tried to print everything and as
11 you heard, there were no prints lifted. I am not
12 an expert. I do not know why. Sometimes this if
13 you brush it it won't work. You know, sometimes
14 who knows why. But no prints were located. They
15 tried to follow up. And it was just nothing could
16 be helped.

17 Also they tried to do a phone dump on
18 Mr. Blake's cell phone. You know, a second search
19 warrant was gotten for that. It was given to
20 digital evidence. They tried to get it and they
21 couldn't break the pin code. They could not break
22 the pin code so they couldn't get in the phone. I
23 don't know what was in the phone if anything. But
24 they couldn't do it, but the police were trying to
25 do this followup investigation to make it work.

1 Now, I want to talk to you a little bit
2 about heroin. Heroin is a drug and as the officers
3 testified to, kind of like a BC headache powder,
4 how it is folded in waxine and folded up. That's
5 how it is done. That's how it is packaged. You
6 heard how one bindle is a serving. One bindle is
7 .01 to .03. One bindle is a serving. Ten bindles
8 make a bundle. And the cost of bindles and
9 bundles, all of that varies based on the supply and
10 demand.

11 That's what you heard testimony from
12 Waddell about. So ten bindles is a bundle. One
13 bundle is held together typically by a rubber band.
14 In this case we have 11 bundles, 11 bundles. One
15 bindle is a serving. Ten bindles in a bundle,
16 11 bundles. You do the math. It's a lot of heroin
17 I submit to you, ladies and gentlemen.

18 I also want to talk about the lab
19 weight. You'll have -- Renee Hilton testified
20 she's the head lab manager at the city. The city
21 does drug testing for the county. She's been there
22 for five years. She's declared an expert. She has
23 testified a number of times. You'll have the lab
24 report and you can see the different items. It was
25 kind of blurry on the screen, but you'll see

1 plastic bag, plastic bag, and you will see plastic
2 bag with tan powder (ten), that means ten bindles
3 were in the bundle which is item number. That's
4 how it is broken down and is all detailed and
5 weighed out all by itself. This will be back
6 there. Feel free to look at it.

7 But she testified to you that the
8 weight was I believe 1.12 grams I believe it was.
9 It is important to remember she also told you that
10 one gram is 15.432 grains. So the law says two
11 grains is an inference to PWID. Here again, math
12 is not my strong suit. We have over a gram. One
13 gram is 15.432 grains. So rounding it way down
14 from what she found, let's say one gram, you have
15 more than seven times that amount for the inference
16 of making it a PWID, of making possession with
17 intent to distribute.

18 You know, like I said a minute ago, I
19 think it is important to realize and recognize just
20 how this is left open so casually on that open
21 bottom drawer of their refrigerator. Anyone can
22 access. Anytime you get your leftovers, your
23 juice, anytime. You see it. Anytime you see it.
24 The leaseholder, the only leaseholder, IDs,
25 receipts dated that day, water bills, right there

1 in the fridge. Packaged for sale. Empty packaging
2 for other stuff. The weight, the scales,
3 everything.

4 Now, as far as the law is concerned in
5 this case, again, Judge Hill is the judge of the
6 law. You need to listen to him. However, as we
7 have gone throughout the course of this trial he
8 has made legal determinations. Legal
9 determinations about admissibility of evidence.
10 And there was a lawful search warrant in this case.

11 That search warrant had probable cause
12 and was reasonably executed. The drugs were
13 entered into evidence. Drugs are in. You also
14 have different items and pictures that were
15 entered. All this stuff I have here, more I have
16 up there, all of that stuff, all this stuff is
17 going back due to legal determinations that this
18 judge has found as far as admissibility and the
19 weight is up to you. All of this is in. Go back,
20 look at all these pictures. Look at all these
21 items. Check it out.

22 So possession. I would submit to you,
23 ladies and gentlemen of the jury, that as far as
24 possession is concerned, the State has proven
25 beyond a reasonable doubt that the Defendant had

1 possession. As I described to you earlier, there
2 is constructive possession which is exercising
3 dominion and control over property. Leaseholder,
4 all of the IDs, that's what I have talked about.
5 He also has dominion and control. They have seen
6 him there a number of times. Also the with intent
7 to distribute portion, I urge you to look at the
8 statute. Look at all the different things, the
9 aid, attempt, abet, conspire, possess with intent
10 to distribute, all of those things, any one of
11 those makes Mr. Blake guilty.

12 I urge you to look at the indicators of
13 sales. All the things I mentioned earlier, the
14 empty bindles, the rubber bands, the weights,
15 everything. Those are all packaging items that
16 indicate sales. How the drugs themselves in this
17 case were located indicates sales. One serving is
18 one bindle. There were -- again, you do the math.
19 A hundred bindles? A hundred servings in that
20 Tupperware container. One Mr. Blake. Hundred
21 servings.

22 I also urge you to remember the issue
23 of grains in the statute. As I told you earlier,
24 drugs are illegal. It is illegal in the State of
25 South Carolina to possess with intent to distribute

1 heroin. Heroin is an illegal drug. That is what
2 our laws say. That is why we are here today. Back
3 on February the 22nd of 2013 a lawful search
4 warrant was executed after much investigation and
5 much planning by law enforcement. They executed
6 that lawful search warrant and they located in an
7 obvious location heroin, and a lot of it.

8 Ladies and gentlemen of the jury, I
9 respectfully request that you go back. You take
10 your time. You discuss and you look through all
11 the evidence in this case and I would ask that you
12 come back with a verdict of guilty on possession of
13 intent to distribute heroin. Thank you.

14 THE COURT: Thank you, Ms. Linder. Mr.
15 King.

16 MR. KING: A war is being waged out
17 there like I said in the opening. And the
18 government is a powerful force. If they decide to
19 get you, how can you fight against them? Handwrite
20 a lawsuit, get a public defender is what Mr Blake
21 has done. The trial is really the only way. The
22 only way we can protect ourselves from overreaching
23 and overzealous government and police.

24 And a jury is really Mark Blake's only
25 hope, twelve people stand between him and the

1 government. We hope law enforcement does their
2 job. We trust them. We put a special trust in
3 them. They can devastate people's lives. And they
4 are human just like all of us. We see it all the
5 time. We see it in the news, documentaries, people
6 have been falsely convicted. Sometimes because of
7 police misconduct. It happens.

8 Can you trust these officers? That's
9 really the question. Agent Waddell and Miller
10 testified that it was a soft entry. That's what
11 they started off telling you. But the door was
12 busted open. They took photographs of the busted
13 door. Now, I didn't put those into evidence. I
14 didn't put anything into evidence. They're
15 procedural advantages for that. The reason is they
16 have to admit those. They submit evidence to you,
17 not me. And if you don't have pictures of that
18 busted door, there is only one reason why. You can
19 blame them. Why would anything be hidden from you?
20 Why wouldn't you have those pictures? Without me
21 you would have just known about that one picture of
22 the door, not even known the door was busted open.
23 But there is something going on there. Why
24 wouldn't they show you that?

25 They said they used his keys, but we

1 don't know who took his keys. We don't know. And
2 where are they now? There's no keys into evidence.
3 Did someone bust into that door, go into the
4 apartment before the key was used? There was time
5 to go into the apartment. They waited for him to
6 leave. They didn't arrest him as soon as he left.
7 They let him drive all the way to the girlfriend's
8 business and stop him there. Let him get a good
9 distance away from the apartment. And somebody
10 busted in that door. Then they tell you that they
11 opened it with a key. We don't know who went in
12 the apartment first. I was asking, no one seems to
13 remember. Who went in first? Miller didn't write
14 a report. Roberson didn't write a report. That's
15 something that officers do. Document what happens.
16 This is three and-a-half years ago. Roberson says
17 he found the bowl in the refrigerator. He's the
18 one who says he found it. He doesn't remember when
19 he first entered. He didn't write a report. He is
20 remembering something from over three years ago.

21 And there were a lot of other officers
22 there. I have asked how many police officers were
23 there conducting the search. There were a lot more
24 than what you saw testify. Where are they? Why
25 are they not here? Whose job is it to bring them

1 here? Give that evidence to you? It's their job.

2 Why hide anything from you? Can you
3 trust these officers? We know that they charged
4 him with the most serious charge that they could
5 possibly do. Trafficking, 30 grams of heroin.
6 Agent Waddell swore to a judge that there was 30
7 gross aggregate grams of a brown powder substance.
8 He didn't say anything about packaging or rubber
9 bands or anything like that. Thirty gross
10 aggregate grams. He just knew you had all the
11 powder together. He said brown powder substance.
12 He swore that to a judge. That judge didn't know
13 there was a bunch of packaging and rubber bands.
14 That's not clear what he swore to him.

15 So a judge signed that warrant,
16 30 grams of brown powder. Testimony in this trial
17 is 1.42 grams. That is a lot less than 30 grams.
18 How did it get from 30 to there? They did that to
19 him. They knew. They told you all the experience
20 they have. Training that they have had.
21 Commendations they have had. They know what they
22 are doing. They understand what heroin is. They
23 knew exactly what they were doing when they charged
24 him with that crime knowing full well he wasn't
25 guilty of it. If they are willing to charge him a

1 man with trafficking 30 grams of heroin, there's no
2 way that they know don't that's not true, what else
3 are they willing to do?

4 We know they did that. We know they
5 did that to him. This could be the tip of the
6 iceberg.

7 I tried my best to ask questions, turn
8 up anything I can find. Things have come to the
9 surface. This is serious. This story begins with
10 violence and excessive force. They wait for him to
11 get to his girlfriend's place of business to do the
12 felony stop so they can be sure to arrest him where
13 she works so they can all see that and then drag
14 her out of where she works so she can be humiliated
15 in that way. They didn't wait for her to leave.
16 She is coming out. They didn't stop him before he
17 got there. They did that on purpose.

18 That's what happens when the government
19 turns against you. They wait for him to get to his
20 girlfriend's place of business.

21 They do a felony stop. Bunch of
22 officers with guns drawn block the car in, yelling
23 like soldiers in battle. Imagine the shock and
24 surprise when they surrounded Mr. Blake's car. And
25 we see these type of arrests on cops and reality

1 shows. There's screaming. They have guns drawn.
2 And he gets jerked out of the car and taken down in
3 a violent way. He didn't fight with them. He
4 didn't run. But they tell you that he is
5 dangerous. He's the dangerous one. They tried
6 like a smear campaign. Let's make him look as bad
7 as we can. They commit the violence on him and
8 then they have the nerve to tell you he's the
9 violent one.

10 They take him back to the apartment.
11 Don't give him a copy of the search warrant. He
12 protests, speaks his mind and they call him
13 belligerent and uncooperative.

14 I am talking about a war and a war on
15 drugs because in war there's a mentality all is
16 fair in war. And it can change the way people
17 think. They have been involved in this a long time
18 in a lot of cases. In their world Mr. Blake
19 driving to pick up his girlfriend is a danger that
20 needs to be jerked out of his car. In their world
21 they approach a citizen in his car like soldiers in
22 battle with guns drawn. In their world you get
23 less than a minute to obey before you get jerked
24 out of the car and then taken down violently. In
25 this world you don't get a copy of the search

1 warrant. No, you don't get it. In their world
2 when you speak your mind and protest, you are
3 belligerent and uncooperative. Is that the world
4 we want to live in? When you speak your mind?
5 That's the world they live in.

6 It is not the world we want. In their
7 world sandwich baggies in a kitchen are sinister.
8 Measuring cups and a whisk become sinister. So we
9 started out with 30 grams. Now it is down to 1.42.
10 What's going on with that? It went to the
11 laboratory three times. Why would it go to the
12 laboratory three different times? No explanation
13 for that. Handled by a chemist we have not heard
14 from who cut it open.

15 And there's a problem with their chain
16 of custody. When Jason Riley was testifying I went
17 through the times it left the lab, left the
18 evidence room and came back from the lab. The
19 three separate times. And on 6-8-15, that's the
20 second time that it was returned from the lab for
21 the Charleston County Sheriff's Office, they have
22 it being received by Jason H. Riley of 8-15.

23 But the records with the laboratory
24 have it going back to some guy named Hockrighter,
25 not Jason Riley. They have it going to two

1 different people. And the chemist testified that
2 those should match up. Ideally those should match
3 up, the records that they have going to a
4 particular officer ought to match up what the
5 sheriff's office has as being received by that
6 officer, but it is two different officers. There
7 is a problem in there.

8 Remember I told you in the opening,
9 they didn't find anything on him. They didn't pull
10 over the car. He didn't have heroin in his pocket
11 or hash in his pocket or anything. They don't have
12 a fingerprint on any of the stuff that they are
13 giving you. Not on the plastic bowl, not on the
14 plastic bag inside, not on the packages. If you
15 can't trust these officers, and you can't trust
16 this evidence, how can you convict a man?

17 We're not discussing the weather and
18 whether or not it is raining outside as the
19 solicitor gives her example. This is a man's life.
20 And there are rules in place to protect him. And
21 right now you are all he has got. So if you can't
22 trust these officers, you can't trust this
23 investigation, you can't trust the evidence, he's
24 not guilty.

25 THE COURT: Thank you, Mr. King.

1 Ladies and gentlemen, it is my duty now to instruct
2 you on the law that applies to this case and it is
3 your duty to find the facts from the evidence you
4 heard during the trial. To those facts you must
5 apply the law as I give it to you and you must
6 follow the law as I give it to you. You should not
7 be concerned about what you think the law should
8 be, but what it is.

9 You must not be influenced by any
10 personal like or dislikes, opinions, prejudices or
11 undue sympathy. And that means you must decide the
12 case solely on the evidence and according to the
13 law. You will recall you took an oath to do just
14 that when we began this case earlier in the week.

15 In following my instructions you must
16 follow all of them and not single out some and
17 ignore others because they are all equally
18 important.

19 And you must not read into these
20 instructions or into anything I may have said or
21 done during this trial as any indication as to what
22 I think your verdict should be or what the facts
23 are in this case because as I told you at the
24 outset, our Constitution makes you the sole and
25 exclusive judge of the facts.

1 I am certainly not going to intrude on
2 your constitutional right to determine what the
3 facts are, just as I know you are not going to on
4 my right to tell you what the law is.

5 Now, ladies and gentlemen, you decide
6 what facts are by evaluating or weighing the
7 evidence you have heard. There's no way for you to
8 weigh the evidence in a literal sense. Instead, it
9 is a mental process and you weigh and evaluate the
10 evidence by simply using your good common sense and
11 your sound judgment and life experiences and you
12 bring those things to bear on the evidence.

13 Now, I told you that evidence consists
14 of two sources, sworn witness testimony and
15 exhibits. I also told you that nothing else is
16 evidence. Anything that has been stricken from the
17 record or you were instructed to disregard is not
18 evidence in this case that you can use to determine
19 the facts. And the argument and statements by the
20 lawyers are not evidence because they're not
21 witnesses. So while you should pay attention to
22 what the lawyers said and argued, because they are
23 trying to help you understand the evidence, if your
24 memory of the testimony or the exhibits differs
25 from that of the lawyers, your memory controls.

1 Now, there are also two different types
2 of evidence and what I am talking about now is
3 direct and circumstantial evidence. Direct
4 evidence is direct proof of a fact such as
5 testimony of an eyewitness. It is evidence that if
6 believed immediately establishes a facts.

7 Circumstantial evidence is indirect
8 evidence. It is proof of a chain of facts from
9 which you can find that another fact exists even
10 though it has not been proven to you directly.
11 Crimes may be proven by either direct or
12 circumstantial evidence or some combination. The
13 law makes no distinction between the weight or
14 value to be given to either direct or
15 circumstantial evidence. You're entitled to
16 consider them both. However, to the extent the
17 State relies on circumstantial evidence, all of the
18 circumstances must be consistent with each other
19 and when taken together point conclusively to the
20 guilt of the accused beyond a reasonable doubt.

21 If these circumstances merely portray
22 the Defendant's behavior as suspicious you must
23 find the proof has failed. The State has the
24 burden of proving the Defendant guilty beyond a
25 reasonable doubt. This burden rests with the State

1 regardless of whether the State relies on direct
2 evidence or circumstantial evidence or some
3 combination.

4 I told you also at the outset that you
5 would have to decide as the judges of the facts the
6 credibility of all the evidence. I am not going to
7 go back over that with you because I know you heard
8 me the first time. But I will tell you that when
9 it comes to a witness's testimony you may believe
10 everything a witness says. You can believe nothing
11 a witness says. You can believe parts of their
12 testimony and disbelieve other parts. You can
13 believe one witness over several or several over
14 one. But you certainly won't decide this important
15 matter of credibility arbitrarily. You will have a
16 sound reason for the credibility determinations you
17 do make.

18 You have also heard testimony from a
19 person who was qualified as an expert. I
20 instructed you that an expert is entitled, unlike
21 other witnesses, to give you their opinion. But I
22 also told you that you are the sole judge of the
23 expert's credibility as well and that means you can
24 accept or reject their testimony or give it as much
25 weight as you think it deserves. I also told you

1 about taking notes and I know you heard me when I
2 told you about that. Just remember they are all
3 your own personal use, not to be given or read to
4 anyone else and not to be used in the place of or
5 to trump someone else's memory.

6 Now, Mr. Blake pled not guilty to the
7 indictment. And that put the burden of proof on
8 the State. One charged with committing a criminal
9 offence is never required to prove himself
10 innocent. And no matter what the charge may be, a
11 Defendant will always be presumed innocent of the
12 crime for which the indictment was issued unless
13 and until guilt has been proven by evidence
14 satisfying you of guilt beyond a reasonable doubt.

15 This presumption of innocence does not
16 end when you begin your deliberations. It
17 accompanies the Defendant throughout the trial
18 until and unless you reach a verdict of guilt based
19 on evidence satisfying you of that guilt beyond a
20 reasonable doubt. This presumption of innocence is
21 not some legal technicality. It is a substantial
22 and fundamental right to which every Defendant is
23 entitled unless you, the jury, are satisfied from
24 the evidence of the Defendant's guilt beyond a
25 reasonable doubt.

1 So what is a reasonable doubt? The law
2 defines a reasonable doubt as the kind of doubt
3 that would make or cause a reasonable, sincere,
4 honest and conscientious person to hesitate to act
5 in the important matter in their own affairs.
6 Proof beyond a reasonable doubt is proof that
7 leaves you firmly convinced of the Defendant's
8 guilt. There are very few things that we can know
9 with absolute certainty and in criminal cases the
10 law does not require proof that overcomes every
11 possible doubt. If based on your view of the
12 evidence you are firmly convinced the Defendant is
13 guilty of the crime charged, you must find him
14 guilty. On the other hand, if you think there is a
15 real possibility that he is not guilty, you must
16 give him the benefit of that doubt and find him not
17 guilty.

18 Now, a reasonable doubt may arise from
19 the evidence or from a lack of evidence. A
20 Defendant is entitled to every reasonable doubt
21 that may arise in a case and that just means that
22 if upon any issue of fact that is essential to a
23 finding of guilt you have a reasonable doubt as to
24 how the issue should be resolved, you should
25 resolve it in favor of Mr. Blake.

1 Now, ladies and gentlemen, the fact
2 that the Defendant in this case did not testify is
3 not something you can consider in any manner. We
4 all have a right to remain silent. And that right
5 is guaranteed by the Constitution of the United
6 States and the State of South Carolina. And a
7 person claiming that right to remain silent cannot
8 be considered by you in your deliberations. Under
9 your oath you are to draw no conclusion whatsoever
10 from the fact the Defendant in this case did not
11 testify. It shouldn't even be discussed in the
12 jury room. It would not be in keeping with your
13 oath to discuss that. The burden of proof, as I
14 have told you, is entirely on the State and the
15 Defendant is not required to prove himself innocent
16 or prove himself not guilty or produce any evidence
17 or explanation whatsoever.

18 Now, in this case the Defendant is
19 charged with possession with intent to distribute
20 heroin. In order to convict Mr. Blake of that
21 offense the State must prove beyond a reasonable
22 doubt that Mr. Blake possessed the heroin with the
23 intent to distribute. To prove possession the
24 State must prove beyond a reasonable doubt the
25 Defendant had both the power and the intent to

1 control the disposition or use of the heroin.

2 Now, possession may be actual or
3 constructive. The State does not necessarily have
4 to prove the Defendant physically possessed the
5 heroin for you to find him guilty. The law
6 recognizes two kinds of possession, actual
7 possession and constructive possession. Either one
8 if proven by the government beyond a reasonable
9 doubt is enough to convict if the other elements of
10 the offense are also proven beyond a reasonable
11 doubt.

12 To establish actual possession the
13 government must prove the Defendant had actual --
14 excuse me -- had direct physical control over the
15 heroin and knew that he had control of it. To
16 establish constructive possession the State must
17 prove the Defendant had the right to exercise
18 physical control over the heroin and knew that he
19 had this right and that he had intended to exercise
20 physical control over the heroin sometime either
21 directly or through other persons.

22 For example, if you left something with
23 a friend intending to come back later and pick it
24 up or intending to send someone else to pick up for
25 you, you would have constructive possession of it

1 while it was in the actual possession of your
2 friend. But understand that just being present
3 where something is located does not equal
4 possession. The State must prove the Defendant had
5 actual or constructive possession of the heroin and
6 knew that he did for you to find him guilty of the
7 crime. And this, of course, is all for you to
8 decide.

9 Now, the State must also prove beyond a
10 reasonable doubt that the Defendant intended to
11 distribute the heroin. Distribute means to deliver
12 other than by administering or dispensing a drug.
13 Intent may be shown by acts and conduct of the
14 Defendant and other circumstances from which you
15 may naturally and reasonably infer intent.

16 In determining whether the Defendant
17 has the intent to distribute the heroin you may
18 consider the circumstances surrounding the
19 Defendant's alleged possession. You may consider
20 the amount of the substance alleged to have been
21 possessed, the manner in which it was allegedly
22 possessed, the place where it was allegedly
23 possessed and any other factors which you consider
24 to be important. You must find the Defendant did
25 not intend to have the heroin solely for his own

1 use.

2 Possession of two or more grains of
3 heroin creates an inference that the Defendant
4 possessed the heroin with intent to distribute.
5 This inference does not relieve the State from
6 proving beyond a reasonable doubt the Defendant had
7 the intent to distribute. It's simply an
8 evidentiary fact that you can take into
9 consideration along with any other evidence in the
10 case and you can give it whatever weight you decide
11 it should have. You may accept or reject this
12 inference. It is entirely up to you, but remember
13 the State bears the burden of proving the intent to
14 distribute beyond a reasonable doubt.

15 Now, in order to convict someone of a
16 crime, the State always has to prove criminal
17 intent beyond a reasonable doubt. Criminal intent
18 is a mental state of conscious wrongdoing and it's
19 up to you to determine what the Defendant intended
20 to do based on the circumstances.

21 That covers all the substantive law. I
22 have prepared a verdict form, and Madam Forelady, I
23 will bring it down.

24 It's fairly straightforward. It just
25 asks as to the charge of possession of heroin with

1 the intent to distribute we the jury find the
2 Defendant -- unanimously find the Defendant Mark
3 Blake guilty or not guilty.

4 So that's fairly straightforward. Let
5 me just remind you you don't serve as a juror in
6 this case or any case to be a partisan or an
7 advocate for either the State or the Defendant.
8 You were chosen because both sides believe you can
9 be fair and impartial and you can decide the case
10 without bias or prejudice. So you are only
11 authorized to sign the form when the verdict is
12 unanimous. Each of you has a vote and your vote is
13 exactly that. It is your vote, no one else's. So
14 I know you will discuss the evidence in a calm,
15 thorough and courteous manner. The genius of our
16 jury system is it allows 12 people to come together
17 from different backgrounds and life experiences and
18 perspectives and discuss the evidence and
19 ultimately reach a verdict.

20 If you went to the dictionary and
21 looked up the word jury you would see it comes from
22 an old European word that means people sworn to
23 render a true answer. So your job is to determine
24 the facts of the case, take the law as I give it to
25 you and apply it to those facts and ultimately

1 reach a verdict. And the record is closed. There
2 are not going to be any more witnesses or exhibits,
3 so if there is something that was referred to
4 during this case and you don't have it back there
5 with you, I can't give it to you. So keep that in
6 mind as well and thank you for your attention to
7 me. Don't start discussing the case until you get
8 all the exhibits that you will be receiving and you
9 can finally start talking about the evidence. But
10 again thank you for your attention. And, ma'am, if
11 you will just wait behind I will talk to you
12 separate. Thank you.

13 (Thereupon, the jury exited the
14 courtroom at 3:35 p.m.)

15 (The following proceedings were held
16 outside the presence of the jury with the Defendant
17 present.)

18 THE COURT: Keep your seats. Mr.
19 Pryor, Ms. West, could you just go outside with her
20 for one second while I take up something with the
21 lawyers. You can't go to the jury room at this
22 time, but I'll talk to you in just a moment.

23 (Whereupon, the alternate juror left
24 the courtroom.)

25 THE COURT: Any objection or exception

1 to the charge from the State?

2 MS. LINDER: Yes, Your Honor. When you
3 were discussing constructive possession you
4 mentioned dominion and control over the drugs
5 themselves. You did not mention or the property
6 which was written in the charges that we discussed
7 during charge conference. You did not say "or
8 property." Dominion and control over property.

9 THE COURT: Well, you're right. And
10 that stemmed -- as I mentioned I didn't have time
11 to meld the constructive possession charge. I
12 usually ease into the PWID heroin charge so I
13 missed that. So that's my fault. Is there any
14 objection to that being stated to the jury?

15 MR. KING: I just hate to put undue
16 emphasis on that one particular part, that's my
17 only concern.

18 THE COURT: Well, I will tell them that
19 mere presence at the scene where the drugs are
20 found does not prove possession as well. But I
21 think the State is entitled to have that.

22 MR. KING: Yes, sir.

23 THE COURT: Anything else?

24 MS. LINDER: Your Honor, I would ask
25 that you not charge mere presence for a second

1 time. You already charged that to the jury and I
2 believe if you say the one thing that was -- one
3 item that was left out to the jury coupling that
4 with something that's said a second time, I worry
5 about the inferences that a jury can draw from
6 that, Your Honor.

7 THE COURT: Well, it's actually in the
8 standard charge mere presence at the scene where
9 drugs were found is not enough to prove possession.
10 The sentence immediately after the sentence the
11 State wishes me to charge, so I think in fairness
12 it should be charged. Anything else?

13 MS. LINDER: Nothing from the State.

14 MR. KING: Not from the defense, Your
15 Honor.

16 THE COURT: All right. So you can
17 bring them back in, bring all jurors back in.

18 (Whereupon the jury entered the courtroom at
19 3:39 p.m.)

20 THE COURT: Y'all can have a seat. I
21 left out one part that I wanted to instruct you on
22 the law about when I was talking about constructive
23 possession in addition to what I already told about
24 that. Constructive possession means the Defendant
25 has dominion and control or the right to exercise

1 dominion or control over either the drug itself or
2 the property on which the drug was found. Mere
3 presence at the scene where the drugs were found is
4 not enough to prove possession. That's the part I
5 left out and I wanted to instruct you on that.

6 So with that you go back to the jury
7 room and we will have the exhibits back to you
8 shortly, and you can start talking about the case.

9 (Thereupon, the jury exited the
10 courtroom at 3:40 p.m.)

11 (The following proceedings were held
12 outside the presence of the jury with the Defendant
13 present.)

14 THE COURT: Any other objections or
15 exceptions?

16 MS. LINDER: Not from the State.

17 MR. KING: I would object to the --
18 ideally that language about him, he had to have
19 known, there was some more language, I am just
20 concerned that they don't think that because he has
21 dominion and control over the apartment he's guilty
22 of whatever was found inside there without having
23 -- believing that he had knowledge of what was in
24 there. So it was more language that you read the
25 first time about having to prove that you knew that

1 the items were there.

2 THE COURT: Well, that's why I said in
3 addition to what I already told them. So they are
4 presumed to follow the instructions they have been
5 given which would include those points, but I
6 understand your objection. Okay.

7 Ms. West, if you can bring her out.

8 (Alternate juror brought to the
9 courtroom.)

10 THE COURT: Ms. West, the law does not
11 allow you to go back in the deliberation room. I
12 thank you for your service which is at an end now.
13 This week you don't have to come back or call back,
14 but we appreciate your contributions this week and
15 thank you very much. We will be at ease until we
16 hear something else.

17 Y'all want to make sure all the
18 exhibits are in order up here before they go back.

19 (Whereupon, the jury began deliberating
20 at 3:50 p.m.)

21 (The following proceedings were held
22 outside the presence of the jury at 5:35 p.m. with
23 the Defendant present.)

24 THE COURT: All right. Everybody is
25 present. We have a note from the jury that states,

1 "Is it possible to obtain the evidence of the
2 transcript of Frank Waddell's testimony? Also, the
3 information from judge regarding the law?
4 Instructions at the end. Thank you."

5 That will be made Court's Exhibit
6 No. 3. And I'm happy to listen to how y'all
7 propose to answer these questions. Obviously they
8 can come back in and listen to Agent Waddell's
9 testimony, couldn't they? I can ask them is there
10 a specific part they want to listen to, might be
11 one part. That's often the case. As far as --
12 they might not want to come back here and listen.
13 To answer their question precisely, there's not a
14 way to give them a transcript. So we can just say
15 no. Do y'all want to come look at the note?

16 (Off-the-record conference.)

17 MS. LINDER: I would say if there's a
18 written instruction of the law, can we go back to
19 them, if they can be more specific about what they
20 want to hear about.

21 MS. VANPALA: Do you mean like to
22 recharge the jury or part or do you bring them in
23 and recharge them in its entirety?

24 MS. LINDER: As far as the wanting the
25 transcript of Waddell, I mean I feel like a full

1 answer would be there is no transcript; however, if
2 you would like to rehear a portion you can let us
3 know. And I know sometimes in the past they have
4 sent them back out, sometimes they get weirded out
5 sitting here with it and I know before they have
6 come back and said what portion and the court
7 reporter has gone back to their jury room to play
8 it so they are not watching us watching them
9 listen. I don't know if that's --

10 THE COURT: I wouldn't do that.

11 MS. LINDER: Okay.

12 THE COURT: Not that I don't trust Ms.
13 Weese completely, but it has to be done in open
14 court.

15 MR. KING: If we send your whole charge
16 back.

17 THE COURT: Well, so when you say
18 whole, what do you mean?

19 MR. KING: I guess what I am worried
20 about is undue emphasis on one particular part that
21 if they want to hear a part of it, they could hear
22 the whole thing or either have the whole entire
23 charge jury printed out and back there so there's
24 no particular part of it and they can see the whole
25 charge.

1 THE COURT: Sure. I can send back --
2 here's the problem with that. What I have got
3 written out, I skip around. Like, you know, do
4 they really need a written copy what I told them
5 about their deliberations?

6 MS. LINDER: Judge, I would propose
7 since they actually specifically asked about one
8 part, is there a way to replay back kind of like
9 they can replay testimony, can we replay your
10 instruction about the specific thing that they
11 asked for? So that way if you're as far as trying
12 not to --

13 THE COURT: What do you mean
14 specifically part?

15 MS. LINDER: Well, I thought they said
16 also the information from judge regarding the law,
17 instructions at the end.

18 THE COURT: That was the end of the
19 case.

20 MS. LINDER: I don't know.

21 THE COURT: Isn't that what they mean?
22 That's the problem.

23 MS. LINDER: Ask them to clarify?

24 THE COURT: We can ask them if they
25 want -- let's do it one at a time. I propose we

1 answer the first question no, there is not a
2 transcript of this testimony. However, if you want
3 to come back in the courtroom to listen to the
4 testimony or portions of it, please advise.

5 MS. LINDER: Yes, sir.

6 MR. KING: Yes.

7 THE COURT: Second question be
8 responded to by saying I can give you written
9 instructions about the law if you will tell me
10 which ones you specifically want.

11 MS. LINDER: Yes, Judge.

12 THE COURT: Or I can do this. I can
13 send back kind of the meat of it, by that I mean
14 send back presumption of innocence, reasonable
15 doubt, right to remain silent, circumstantial
16 evidence, direct evidence, and the elements of the
17 crime. That pretty much gives them all the main
18 stuff. The other stuff is they're the judges of
19 the facts, credibility, I have already told them.

20 MS. LINDER: Our position --

21 THE COURT: What evidence is, blah,
22 blah.

23 MS. LINDER: Our position is if we are
24 going to send back a clarifying question if we can
25 just ask a verifying question for them if they

1 would like the entirety or specific parts of the
2 jury charge similar to the question about
3 transcript rehearing testimony. Would they like it
4 in whole or any portions of it and just let them
5 clarify what they are looking for.

6 MR. KING: I guess that's all right.
7 If they want to hear like constructive possession,
8 I request that you I guess go through the whole
9 part because when they came back -- what I am
10 worried is they are focused on the last part that
11 they were brought back to be recharged on
12 constructive possession. I would say if that's
13 what they are looking for, recharge that whole
14 section that included the knowledge part, that he
15 has to know that the drugs are in there.

16 MS. LINDER: Hopefully they will
17 clarify and it will be sorted out.

18 THE COURT: Okay. Hopefully they will
19 and we will all look like fools with respect to
20 that.

21 MS. LINDER: Exactly. Overanalyze.

22 THE COURT: I'll draft a response and
23 let y'all look at it before I send it back.

24 (Brief pause.)

25 Do you'll want to look at this?

1 Okay. Thank you. We will make this a
2 Court's exhibit.

3 (COURT'S EX. 3-4, jury notes, marked
4 for identification.)

5 (Whereupon, the notes were returned to
6 the jury at 5:22 p.m.)

7 (Whereupon, the jury continued
8 deliberating.)

9 (The following proceedings were held
10 outside the presence of the jurors at 6:19 p.m.
11 with the Defendant present.)

12 THE COURT: We have another note. It
13 says we would like to be reminded of the exact
14 definition of distribution for clarity. That's the
15 essence of it. I will make it a court's exhibit.
16 Y'all can examine it if you wish. I can bring them
17 in and recharge them or I can send them back a copy
18 of the charge.

19 MS. LINDER: I'm fine if you want to
20 recharge them on the PWID statute or if you want to
21 send back the PWID statute. I would respectfully
22 request that it's the full statutory language
23 including the part of the statute with the
24 permissive inference and then -- yes, I think
25 that's it.

1 MR. KING: The definition of
2 distribution? I guess I'm okay with that if we
3 recharge the elements of possession with intent to
4 distribute.

5 THE COURT: Tell you what. It is
6 probably just as easy if I bring them back in and
7 charge them. I will show you what I'll -- I would
8 propose. So that is what I charged them earlier.
9 I had to read -- Ms. Clark had to retype it. Y'all
10 want to come look at this?

11 What we did, we gave them that
12 supplemental charge. So it should include
13 everything I have already told them about
14 distribution.

15 MR. KING: I have no objection.

16 MS. LINDER: It is fine.

17 THE COURT: Everybody is good with
18 that, okay. Mr. Pryor, if you would bring the jury
19 back in.

20 (Whereupon, the jury entered the
21 courtroom at 6:26 p.m.)

22 THE COURT: Y'all can sit down. Ladies
23 and gentlemen, you asked me to remind you of the
24 exact definition of distribution. And I will
25 instruct you again on the elements of the crime of

1 possession of heroin with the intent to distribute.

2 The State must prove beyond a
3 reasonable doubt that the Defendant possessed
4 heroin with the intent to distribute it. To prove
5 possession the State must prove beyond a reasonable
6 doubt the Defendant had both the power and the
7 intent to control the disposition or use of the
8 heroin. Possession may be actual or constructive.
9 The State doesn't necessarily have to prove the
10 Defendant physically possessed the heroin for you
11 to find him guilty. The law recognizes two kinds
12 of possession, actual possession and constructive
13 possession. Either if proved by the State is
14 enough to convict if the other elements of the
15 events are also proven beyond a reasonable doubt.

16 To prove actual possession the State
17 must prove the Defendant had direct physical
18 control over the heroin and knew that he had
19 control of it. To prove constructive possession
20 the State must prove the Defendant had the right to
21 exercise physical control over the heroin or the
22 property on which the heroin was found and knew
23 that he had this right and that he intended to
24 exercise physical control over the heroin at some
25 time either directly or through other persons.

1 For example, if you left something with
2 a friend intending to come back later and pick it
3 up or intending to send someone else to pick it for
4 you, you would have constructive possession of the
5 item while it was in the actual possession of your
6 friend. But understand that just being present
7 where something is located does not equal
8 possession. The State must prove that the
9 Defendant had actual or constructive possession of
10 the heroin and know that he did for you to find him
11 guilty of this crime. This is of course for you to
12 decide. The State must also prove beyond a
13 reasonable doubt that the Defendant intended to
14 distribute the heroin. Distribute means to deliver
15 other than by administering or dispensing a drug.
16 Intent may be shown by acts and conduct of the
17 Defendant and other circumstances from which you
18 may naturally and reasonably infer intent.

19 In determining whether the Defendant
20 has the intent to distribute the heroin you may
21 consider the circumstances surrounding his alleged
22 possession. You may consider the amount of the
23 substance alleged to have been possessed, the
24 manner in which it was allegedly possessed, the
25 place where it was allegedly possessed and other

1 factors that you consider important. You must find
2 the Defendant did not intend to have the heroin
3 solely for his own use. Possession of two or more
4 grains of heroin creates an inference that the
5 Defendant possessed the heroin with the intent to
6 distribute it.

7 This inference does not relieve the
8 State from proving beyond a reasonable doubt that
9 the Defendant had the intent to distribute. It is
10 simply an evidentiary fact you may choose to
11 consider or not consider along with other evidence
12 in the case. And you may give it the weight you
13 decide it should have. You may accept it or reject
14 it completely. All right.

15 That covers the elements and let me
16 know if you need any further clarification on
17 anything.

18 (Thereupon, the jury exited the
19 courtroom at 6:31 p.m.)

20 (COURT'S EXH. 5, jury note, marked for
21 identification.)

22 (Whereupon, the jury continued
23 deliberating and reached a verdict at 6:46 p.m.)

24 (The following proceedings were held
25 outside the presence of the jury with the Defendant

1 present.)

2 THE COURT: I understand we have a
3 verdict. Anything before we bring the jury in?

4 MS. LINDER: Nothing from the State.

5 MR. KING: No.

6 THE COURT: I appreciate everyone's
7 decorum throughout the trial and there is to be no
8 reaction to the verdict. If someone doesn't think
9 they can control their emotions when the verdict is
10 read, on either side, the time to leave would be
11 now so I don't have to take care of it. All right.
12 You can bring the jury in.

13 (Whereupon, the jury entered the
14 courtroom at 6:58 p.m.)

15 THE COURT: All right. Please have a
16 seat. Has the jury reached a unanimous verdict,
17 ma'am? If you will hand it to Mr. Pryor, we will
18 receive it and publish it.

19 (Brief pause.)

20 THE CLERK: All right. The State of
21 South Carolina, County of Charleston, Court of
22 General Sessions, Ninth Judicial Circuit, case
23 No. 2013-GS-10-2729. State of South Carolina
24 versus Mark Lorenzo Blake, Jr.

25 As to the charge of possession of

1 heroin with intent to distribute, we the jury
2 unanimously find the Defendant -- excuse me -- find
3 the Defendant, Mark Blake, Jr. guilty. Signed
4 foreperson of the jury, dated June 15th, 2016.
5 Madam foreperson, ladies and gentlemen of the jury,
6 if this is your jury verdict please signify by
7 raising your right hand.

8 (All hands raised.)

9 THE CLERK: Thank you. You may put
10 them down. Your Honor, let the record reflect all
11 jurors their hands.

12 THE COURT: All right. Thank you. You
13 wish to have the jury polled?

14 MR. KING: Yes, Your Honor.

15 THE CLERK: Ladies and gentlemen of the
16 jury, I'm going to ask you each two questions.
17 First is this your verdict, then second is this
18 still your verdict. Please answer each question
19 accordingly. When I call your juror number if you
20 would please raise your hand so I know who I am
21 speaking with, thank you. Juror No. 4? Is this
22 your verdict, ma'am?

23 JUROR NO. 4: Yes.

24 THE CLERK: Is this still your verdict?

25 JUROR NO. 4: Yes.

1 THE CLERK: Juror No. 8? Is this your
2 verdict, ma'am?

3 JUROR NO. 8: Yes.

4 THE CLERK: Is this still your verdict?

5 JUROR NO. 8: Yes, sir.

6 THE CLERK: Thank you. Juror No. 63,
7 is this your verdict, ma'am?

8 JUROR NO. 63: Yes.

9 THE CLERK: Is this still your verdict?

10 JUROR NO. 63: Yes.

11 THE CLERK: Thank you. Juror 126, is
12 this your verdict, sir?

13 JUROR NO. 126: Yes.

14 THE CLERK: Is this still your verdict?

15 JUROR NO. 126: Yes.

16 THE CLERK: Thank you, sir. Juror 156,
17 is this your verdict?

18 JUROR NO. 156: Yes.

19 THE CLERK: Is this still your verdict?

20 JUROR NO. 156: Yes.

21 THE CLERK: Thank you. Juror 201, is
22 this your verdict?

23 JUROR NO. 201: Yes.

24 THE CLERK: Is this still your verdict?

25 JUROR NO. 201: Yes.

1 THE CLERK: Thank you. Juror 203, is
2 this your verdict, ma'am?

3 JUROR NO. 203: Yes.

4 THE COURT: Is it still your verdict?

5 JUROR NO. 203: Yes.

6 THE CLERK: Juror 235, is this your
7 verdict?

8 JUROR NO. 235: Yes.

9 THE CLERK: Is it still your verdict?

10 JUROR NO. 235: Yes.

11 THE CLERK: Thank you, ma'am. Juror
12 317, is this your verdict, sir?

13 JUROR NO. 317: Yes.

14 THE CLERK: Is it still your verdict?

15 JUROR NO. 317: Yes.

16 THE CLERK: Thank you, sir. Juror 349,
17 is this your verdict, sir?

18 JUROR NO. 349: Yes.

19 THE CLERK: Is it still your verdict?

20 JUROR NO. 349: Yes.

21 THE CLERK: Thank you. Juror 364, is
22 this your verdict, ma'am?

23 JUROR NO. 364: Yes.

24 THE CLERK: Is it still your verdict?

25 JUROR NO. 364: Yes.

1 THE CLERK: Thank you, ma'am.

2 Juror 367, is this your verdict?

3 JUROR NO. 367: Yes.

4 THE CLERK: Is it still your verdict?

5 JUROR NO. 367: Yes.

6 THE CLERK: Thank you, ma'am. Your
7 Honor, the jury has been polled. The verdict
8 stands.

9 THE COURT: Any other matters before
10 the jury is discharged from the defense?

11 MS. LINDER: Nothing from the State.

12 MR. KING: No, Your Honor.

13 THE COURT: All right. Ladies and
14 gentlemen, thank you for your service. We don't
15 have professional jurors in this country thankfully
16 so we have to rely on responsible citizens who have
17 jobs and families and other things going on in
18 their lives and take you away from those important
19 aspects of your lives and ask you to serve in
20 difficult cases. So we appreciate the
21 contributions you made to your community and the
22 docket as I understand, the solicitor has called
23 the last case they intend to call this week and
24 therefore there are no other cases.

25 So your juror obligation is complete

1 and you don't -- you now have an exemption from
2 jury service in circuit court for the next three
3 years. And thank you again for your service. If
4 you wish to see the sentencing phase of this you
5 certainly are welcome to do so. The bailiff can
6 bring you around to do that if you wish to see it,
7 but you are certainly not required to. Thank you.

8 (Thereupon, the jury exited the
9 courtroom at 7:02 p.m.)

10 THE COURT: Any motions at this stage?

11 MR. KING: Yes, Your Honor. At this
12 time I renew my previous motion and make a motion
13 for a new trial, to reconsider the motion to
14 suppress and the chain of custody.

15 THE COURT: Okay. I respectfully deny
16 the motions. See if any of the jurors want to come
17 around and then we will proceed with the sentence.
18 Is all the paperwork in order?

19 MS. LINDER: Yes, Judge. I am getting
20 the certified convictions to hand up.

21 THE COURT: Okay.

22 (Brief pause.)

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

24 MS. LINDER: May it please the Court,
25 as far as sentencing for Mr. Blake in this matter,

1 Your Honor, I think it is important to note for the
2 record as far as prior convictions he has a 2006
3 unlawful carrying of a pistol, he has a 2009
4 possession of marijuana and 2009 possession of
5 cocaine.

6 Your Honor, this case gives us great
7 distress. He was on bond when he committed this
8 offense. Although you cannot consider it
9 necessarily a factor in sentencing, I think it is
10 important to note that Mr. Blake has an attempted
11 murder of a police officer, possession of a weapon
12 during the commission of a violent crime, failure to
13 stop for a blue light pending from 2013. He also
14 has two other -- two counts of distribution of
15 heroin pending from 2013. He also has a
16 distribution of heroin pending from 2012. He has a
17 2012 trafficking cocaine and unlawful carrying of a
18 pistol charge pending.

19 All those charges are still pending.
20 The State does intend to go forward on those
21 charges. Your Honor, we believe Mr. Blake has
22 shown himself to be a danger to the community.
23 Based on his prior record, his pending charges,
24 also the fact that he had that extended magazine in
25 his home that we believe is used in furtherance of

1 his drug trade, we would request that you give a
2 significant sentence. We understand that your
3 range is five to 30 years for this. Thank you,
4 Judge.

5 THE COURT: Thank you, Ms. Linder.

6 MR. KING: He may be disputing one of
7 the firearm convictions, if I may just clarify.

8 THE COURT: Sure.

9 (Attorney confers with client.)

10 MR. KING: Thank you, Your Honor.

11 THE COURT: Mr. King.

12 MR. KING: Your Honor, his family is
13 here. They have been here the whole time. Some of
14 his family sat out. His father was sequestered,
15 they have been here showing support the whole time.
16 He has three kids, Your Honor. He has an 11-year
17 old son, a seven-year old daughter and three-year
18 old daughter. Some of the photos admitted into
19 evidence, the apartment, I mean they were building
20 a nice home so there's a nice apartment. You know,
21 there's things set up for the child. He had a job
22 at the time. He was working for hospitality
23 staffing. I had at least a witness I would have
24 been able to present that if I had put up a case
25 that he was working at the time. He started

1 February 14th, worked up until his bond was
2 revoked. So he was working. His dad has a
3 business. He also did some work with his dad.

4 He has some record, Judge, but at this
5 point there's a little on there, but it's not the
6 worst record. I know he has pending charges,
7 Judge, but that's for another day. We ask you not
8 hold that against him and to be as lenient as
9 possible in this sentence. He has been in jail
10 from my count 1,156 days.

11 THE COURT: All right. Mr. Blake?

12 MR. KING: I always advise my clients
13 to remain silent pending the appeal so I have
14 advised him of that. He's going with my advice.
15 We just ask if you be lenient.

16 THE COURT: Is there anyone who wishes
17 to speak?

18 MR. KING: I don't believe his family
19 wishes to speak. They are just here for support,
20 Your Honor.

21 THE COURT: Okay. Is that correct?
22 Mr. Blake, based on your attorney's advice you
23 don't want to speak?

24 THE DEFENDANT: Correct.

25 THE COURT: Anything further?

1 MS. LINDER: Nothing further from the
2 State.

3 THE COURT: All right.

4 (Brief pause.)

5 THE COURT: I'm not taking account
6 anything pending against Mr. Blake. That wouldn't
7 be appropriate. I do take into account his prior
8 record and I too, Mr. King, was struck by the
9 photographs that did indicate that he was building
10 a nice home there with his family which puzzles me
11 as to why he has found himself in this position.
12 And also because his family has been here
13 throughout the trial which is unusual in cases of
14 this type. There's usually not much family support
15 at all. You have strong family support. And you
16 are very fortunate. Some of the victims of the
17 heroin aren't so lucky either.

18 So it's an issue that society has
19 spoken about in the form of the sentence. That's
20 why the sentences are what they are for these type
21 offenses. And the sentence in this case based on
22 these circumstances and your prior record is you be
23 committed to the Department of Corrections for a
24 period of 12 years. Credit for time served.

25 Mr. King, I commend you on the

1 outstanding job you did for Mr. Blake and a
2 well-trying case you tried and the State for their
3 well-trying case as well. Thank you very much.

4 (These proceedings were concluded at
5 7:16 p.m., June 15, 2016, Charleston County, South
6 Carolina.)
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21 CERTIFICATE OF REPORTER
22

23 I, Ruth C. Weese, Registered Diplomate
24 Reporter for the State of South Carolina at Large,
25 do hereby certify that the foregoing transcript is

1 a true, accurate, and complete record.

2 I further certify that I am neither related
3 to nor counsel for any party to the cause pending
4 or interested in the events thereof.

5 Witness my hand, I have hereunto affixed my
6 official seal this 28th day of July, 2016 at
7 Charleston, Charleston County, South Carolina.

8
9 *Ruth C. Weese*

10 _____
11 Ruth C. Weese

12 Registered Diplomate

13 Reporter
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Charleston Police Department FORENSIC SERVICES DIVISION



ALJ-017-T

Lab #: L13-00299 #4

Drug Analysis

Case #: 12-018602

Charleston County Sheriff's Office
3505 Pinehaven Drive
Charleston Heights, SC 29405

December 1, 2015

Date Submitted: November 23, 2015

Suspect: Mark Blake

This is an official report of the Charleston Police Department Forensic Services Division and is to be used in conjunction with an official criminal investigation. This report contains the conclusions, opinions and interpretations of the analyst whose signature appears on the report.

Evidence

[REDACTED]
[REDACTED]
Container 135986b: Plastic bag
Container 135986c: Plastic bag
Container 135986d: Plastic bag
Container 135986e: Plastic bag
Container 135986f: Plastic bag
Container 135986g: Plastic bag
Container 135986h: Plastic bag
Container 135986i: Plastic bag
Container 135986j: Plastic bag
Container 135986k: Plastic bag
Container 135986l: Plastic bag

[REDACTED]
[REDACTED]
Item 135986: Glassine bag with tan powder residue

[REDACTED]
Known 135986: Plastic bag with rubber bands (11)

[REDACTED]
Item 135986b: Glassine bags with tan powder (6)
Item 135986c: Glassine bags with tan powder (9)
Item 135986d: Glassine bags with tan powder (10)
Item 135986e: Glassine bags with tan powder (10)
Item 135986f: Glassine bags with tan powder (10)
Item 135986g: Glassine bags with tan powder (10)
Item 135986h: Glassine bags with tan powder (10)
Item 135986i: Glassine bags with tan powder (10)
Item 135986j: Glassine bags with tan powder (10)
Item 135986k: Glassine bags with tan powder (10)
Item 135986l: Glassine bags with tan powder (10)



Items	Weight	+/-	Results	Methods

171 Ashley Avenue, Charleston, SC 29425

RULE

5

96

Case #: 12-018602	Lab #: L13-00299 #4	Drug Analysis	December 1, 2015

Item 135986b	0.06g	0.02	Heroin	Color Test GC/MS Administrative Sampling
Item 135986c	0.09g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986d	0.12g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986e	0.11g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986f	0.11g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986g	0.11g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986h	0.10g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986i	0.10g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986j	0.11g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986k	0.10g	0.03	Heroin	Color Test GC/MS Administrative Sampling
Item 135986l	0.11g	0.03	Heroin	Color Test GC/MS Administrative Sampling

ADDITIONAL COMMENTS:

Item 135986b, Item 135986c, Item 135986d, Item 135986e, Item 135986f, Item 135986g, Item 135986h, Item 135986i, Item 135986j, Item 135986k and Item 135986l: An administrative sampling plan was employed by which each sample in the exhibit was tested separately. The weight reported represents the net weight of the entire population.

Item 135986: No analysis due to inability to report weight

For items in which an uncertainty is reported, that uncertainty has been assigned based on statistical calculations with a minimum coverage probability of 95%.

End of Report

Case #: 12-018602

Lab #: L13-00299 #4

Drug Analysis

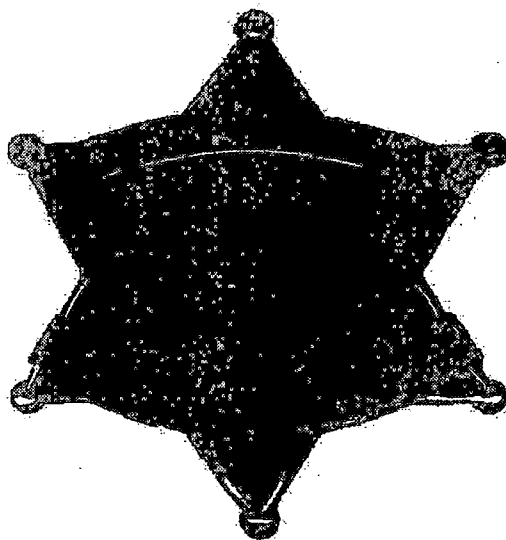
December 1, 2016

Renee Hilton

Renee Hilton
Analyst

STATE OF SOUTH CAROLINA
Charleston County

Search Warrant



**DEFENDANT'S
EXHIBIT**

2

Rec
6-14-16

CASE AGENT
Detective F.B. Waddell

STATE OF SOUTH CAROLINA**AFFIDAVIT****COUNTY OF CHARLESTON**

Personally appeared before me, one Detective F. Waddell, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

A quantity of illegal drugs, including but not limited to heroin, drug proceeds, drug paraphernalia and any other items used to conduct or facilitate illegal drug distribution and/or trafficking. Also any notes papers, phone tolls, phone toll registers, monies, fingerprints, computer media and electronic data, cellular telephone data and media and electronic media storage devices. Also any shipping documents or records, waybills, cellular phones, prescription bottles and medical records, computers, electronic evidence or devices, notes, papers, photographs, phone tolls, phone toll registers, monies, drug paraphernalia, and any others items such as these, that may be used to conduct or record illegal drug trafficking activities. Any items listed or referred to on the attached 'Exhibit A'. Also any articles of personal property tending to establish the identity of persons in control of areas lawfully searched.

**DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED**

The premise to be searched is 2770 Jobee Drive, apartment [redacted] (Ashley Towne Village) located in the City of Charleston (West Ashley) section of the County and State aforesaid. The premise to be searched is within a structure described as a two-story, multi-family dwelling. The referenced structure is further described as having brown in color panel siding with brown in color trim with a shingled roof. The front door to the referenced apartment is on the second level from the ground, dark brown in color, with a staircase utilized specifically and solely for apartment [redacted]. From Jobee Drive, as entering the parking lot, the referenced apartment will be the second of four apartments within the structure on the second level. At the top of the staircase, on the left is a black in color number [redacted] affixed to the wall. Also affixed to the right of the front door is an additional [redacted] in black lettering. From Ashley River Road, turn onto Assembly Drive. Once on Assembly Drive, take your first left onto Jobee Drive and continue to referenced apartment which will be situated on the right side of the roadway. The referenced location is further described as parcel #3581600120, as determined by Charleston County GIS Mapping Service. Also to be searched are any persons on the premises and any vehicles on the premises owned or operated by persons on the premises. Also to be searched are any outbuildings or appurtenances associated with above described residence.

**REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES**

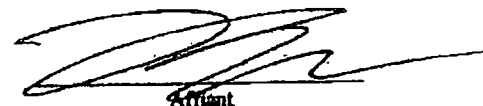
Within the past seventy-two hours, Metro Detectives conducted a controlled purchase of heroin from one Mark Lorenzo BLAKE Jr. utilizing a confidential informant. The confidential informant was searched prior to and after the transaction, given prerecorded metro currency and equipped with a wireless audio transmitter and video recorder. The confidential informant was followed to and from the above described location by Detectives Miller and Moniz who maintained visual contact with the informant throughout the operation. Additionally, affiant Detective Waddell established a point of visual surveillance of the referenced location prior to the controlled purchase being conducted. The confidential informant was observed entering the referenced residence, also confirmed by video recording, at which time the confidential informant purchased a quantity of brown powder substance from Mark Lorenzo BLAKE Jr in the presence of a black female who also resides at the residence, identified as Dominique Renata JETER. The brown, powder substance was surrendered to Detectives and subsequently tested presumptive for heroin. It shall be noted, as a result of an ongoing investigation into the distribution of heroin, multiple controlled purchases have been conducted where it was determined that both BLAKE and JETER have distributed heroin to multiple confidential informants from within the residence, and additional locations. Arrest warrants for BLAKE and JETER have been obtained for the distribution of heroin. In addition, continued surveillance has determined this location to be the primary residence for both subjects BLAKE and JETER. It is the affiant's belief as a trained drug investigator that the above sought property is being stored and facilitated at the above mentioned premises.

Sworn to and subscribed before me on
this the 19th day of February, 2013.

Signature of Judge

(L.S.)

1348


Affiant

Address: 3505 Pinchaven Drive
N. Charleston, SC 29405
Phone: (843) 554-4700

STATE OF SOUTH CAROLINA**SEARCH WARRANT****COUNTY OF CHARLESTON**

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE

MUNICIPALITY OF N/A

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

**DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)
TO BE SEARCHED**

Described within the affidavit.

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

Described within the affidavit.

This Search Warrant shall not be valid for more than ten days from the date of issuance. A written inventory of all property seized pursuant to the Search Warrant shall be made to

ISSUING MAGISTRATE

within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Charleston, S.C.
February 19, 2013.

Item Approved by
C. Attorney General
Section 17-13-140
March 15, 1997

[Signature] (L.S.)
Signature of Judge
1348

FILE E SLE 8888

Exhibit "A"
Property To Be Seized

1. Books, records, notes, ledgers, and other papers relating to the transportation, ordering, purchasing and distribution of controlled substances.
2. Papers, tickets, notes, schedules, receipts and other items relating to travel associated with facilitating illegal drug trafficking.
3. Books, electronic documents, records, receipts, bank statements and records, money drafts, letters of credit, money orders, and cashier's checks, passbooks, bank checks, safe deposit box keys and other items evidencing the obtaining, secreting, transfer, concealment, and/or expenditure of money.
4. United States currency, precious metals, jewelry and financial instruments, including stocks and bonds in amounts indicative of the proceeds of illegal drug enterprising.
5. Photographs, in particular photographs of conspirators and co-conspirators, of assets and/or controlled substances, still photos, negatives, video tapes, films, undeveloped film and the contents therein, and slides.
6. Papers, records, and any other items showing a combination or relationship among conspirators and co-conspirators by real of alias names, correspondence, papers, records, and any other item showing employment or lack of employment, or reflecting income or expenses.
7. Paraphernalia for packaging, manicuring, weighing and distributing illegal drugs, including, but not limited to, scales, baggies, grinders, diluents, wrapping boxes, and tape.
8. Indicia of occupancy, residency, and/or ownership of the premises described above, including, but not limited to, utility and telephone bills, concealed envelopes and keys.
9. Firearms and ammunitions, including but not limited to, handguns, pistols, revolvers, rifles, shotguns, and other weapons, and any record or receipts pertaining to firearms and ammunition.
10. Receipt for items evidencing the expenditure of the proceeds of drug distribution, including, but not limited to, furniture, and electronic equipment.
11. Controlled Dangerous Substances and related paraphernalia.


Judge's Signature

19 Feb 13 13:48
Date / Time

Was Approved by
C. Attorney General

Revised 17-12-168
March 15, 1997


RULE 5 SLB: 6666

CH. CHARLESTON COUNTY SHERIFF'S OFFICE
SEARCH WARRANT RETURN

Page 1 of 3

Case # 2012-018602

I P. A. Foster received the attached Search Warrant on 02/22/2013
and have executed it as follows: (Date mm/dd/yyyy)

On 2/22/2013 at 15:42 o'clock am I searched the person of _____
or the premises at 2770 Jobee Drive Apt [redacted] Chas SC which is described in the warrant.

I left a copy of the warrant with Residence together with a copy of this receipt for
the items seized. (Name of person searched or location of premises searched)

The following is an inventory of property taken pursuant to the warrant:

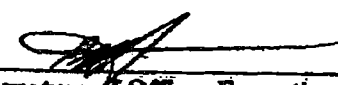
BY WHOM	ITEMS SEIZED	LOCATION
<u>Roberson</u>	<u>2 plastic bags containing unknown number of clear capsules, 1 glass dish, 1 metal strainer, 3 cut plastic straws, 1 glass measuring cup with white powder residue, 2 wire whisks with white</u>	<u>Kitchen</u>
<u>Roberson</u>	<u>powder residue, and fork with white powder residue (located in left cabinet over refrigerator) Rubbermaid plastic container containing: 11 banded bundles and 1 loose bundle (in plastic</u>	<u>Kitchen</u>
<u>Roberson</u>	<u>of rice) (Located in bottom shelf of refrigerator)</u>	<u>Kitchen</u>
<u>Euper</u>	<u>Misc paperwork in name of Mark L. Blake; 1 multicolored cloth bag containing: 1 blue plastic grinder containing GPM, 1 scale containing off white residue, 1 glass smoking pipe, 1 plastic</u>	<u>Kitchen</u>
<u>Euper</u>	<u>bag containing unk quantity of bindles; 1 pack of JB rolling papers (in top drawer left of dish washer); Receipt in name of Mark Blake</u>	<u>Kitchen</u>

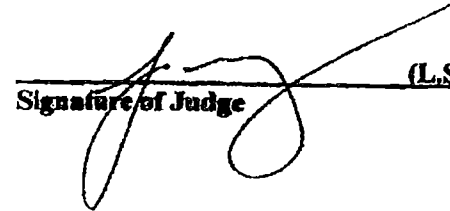
The inventory was made in the presence of: Charleston County Sheriff's Office Metro Detectives Waddell, Miller, Frost, Neale, Euper, Roberson, Gurreri, Sgt Knox and Sgt Bryant.

I swear that this inventory is a true statement and detailed of all the property taken by me pursuant to the warrant

SWORN to before me this

27 day of Feb, 2013


Signature of Officer Executing Warrant


Signature of Judge (L.S.)

CONFIDENTIAL

**CHARLESTON COUNTY SHERIFF'S OFFICE
SEARCH WARRANT RETURN**

Page 2 of 3

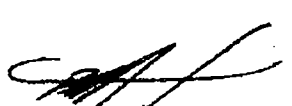
Case # 2012-018602

<u>BY WHOM</u>	<u>ITEMS SEIZED</u>	<u>LOCATION</u>
<u>Knox</u>	<u>Misc Paperwork in name of Dominique R Jeter</u>	<u>Bedroom #2 (child's room)</u>
<u>Roberson</u>	<u>Payroll check in name of James Meyer (in back left pocket in jeans in hamper)</u>	<u>Bedroom of Blake and Jeter</u>
<u>Frost</u>	<u>1 multi-colored glass smoking pipe (on table)</u>	<u>Rear Porch</u>
<u>Gurrieri</u>	<u>1.31 round 9mm Glock magazine, 4 scale weights, 1 metal smoking pipe (Located in shoe box with DL of Mark Blake)</u>	<u>Hallway walkin closet</u>
<u>Euper</u>	<u>Misc Paperwork (located in blake bag on floor)</u>	<u>Den</u>
<u>Knox</u>	<u>HP Pavilion DV4 Laptop Serial Number CND83940MH; Memorex 2gb thumb drive; PNY 2gb thumb drive</u>	<u>Den</u>
<u>Knox</u>	<u>Panasonic Plasma HD TV MUTC-P50UT30 SAMA23030531 and TV Stand; Black & Decker tool kit; Panasonic Surround Sound w/6 speakers MMSABTT770 SAGNBA001214</u>	<u>Den</u>

I swear that this Inventory is a true statement and detailed of all the property taken by me pursuant to the warrant

SWORN to before me this

27 day of Feb. 2013


Signature of Officer Executing Warrant

 (L.S.)
Signature of Judge

**CHARLESTON COUNTY SHERIFF'S OFFICE
SEARCH WARRANT RETURN**

Page 3 of 3

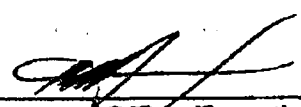
Case # 2012-018692

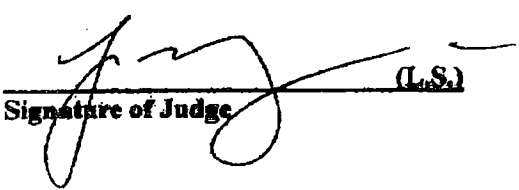
BY WHOM	ITEMS SEIZED	LOCATION
<u>Miller</u>	<u>1 T-mobile Samsung SII S#R1CB1LT91X</u>	<u>Person of Jeter</u>
<u>Miller</u>	<u>HTC M#PG86100 S# HT167HX03997(In vehicle SC license plate IFM894)</u>	<u>Parking Lot</u>
_____	<u>***** Above listed evidence was collected by Detective A. Miller*****</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I swear that this Inventory is a true statement and detailed of all the property taken by me pursuant to the warrant

SWORN to before me this

27 day of Feb., 2013


Signature of Officer Executing Warrant


Signature of Judge

(L.S.)

JAN 11 2013

ID:135983; MISC. PAPERWORK IN THE NAMES OF MARK BLAKE AND DOMINIQUE JETER STATUS: IN CUSTODY STORAGE: 229
 LOCATION: 2770 APT 6 JOBEE DR., CHARLESTON SC 29407 OWNER: RESIDENCE DATE: 2/22/2013
 SUBMITTED BY: MILLER, ANDREW 2/22/2013 6:05:10 PM ENTERED BY: RILEY, JASON H. 2/25/2013 9:38:38 AM
 SUBSEQUENT CHAIN OF CUSTODY:
 3/8/2013 10:30:53 AM: WADDELL, FRANK (HANAHAN P.D.) -- DISPOSITION CHANGED TO IN CUSTODY
 8/14/2013 1:19:04 PM: WATSON, MARK E. -- AUDITED
 7/25/2014 11:56:25 AM: GASKINS, PRESSLEY L. -- AUDITED
 9/15/2015 2:04:53 PM: RAGER, CHRISTOPHER A. -- AUDITED

ID:135984; ONE BAG CONTAINING WEIGHTS, A WEIGH SCALE, A PLASTIC GRINDER, STATUS: IN CUSTODY STORAGE: 315
 SMOKING PIPES
 LOCATION: 2770 APT 6 JOBEE DR., CHARLESTON SC 29407 OWNER: MARK BLAKE DATE: 2/22/2013
 SUBMITTED BY: MILLER, ANDREW 2/22/2013 6:10:36 PM ENTERED BY: RILEY, JASON H. 2/25/2013 9:35:06 AM
 SUBSEQUENT CHAIN OF CUSTODY:
 3/8/2013 10:30:54 AM: WADDELL, FRANK (HANAHAN P.D.) -- DISPOSITION CHANGED TO IN CUSTODY
 9/6/2013 10:20:45 AM: WATSON, MARK E. -- AUDITED
 9/19/2014 11:30:05 AM: McMANIGAL, PAUL D. -- AUDITED
 10/7/2015 9:16:07 AM: JAMES, SHAWN P. -- AUDITED

ID:135986; 11 BUNDLES AND 1 BUNDLE OF A BROWN SUBSTANCE APPROX WEIGHT OF STATUS: IN CUSTODY STORAGE: 1B-22
 30.2G (TW 44.7G JHR)
 LOCATION: 2770 APT 6 JOBEE DR., CHARLESTON SC 29407 OWNER: MARK BLAKE DATE: 2/22/2013
 SUBMITTED BY: MILLER, ANDREW 2/22/2013 6:14:35 PM ENTERED BY: RILEY, JASON H. 2/25/2013 9:13:05 AM
 SUBSEQUENT CHAIN OF CUSTODY:
 3/8/2013 10:30:55 AM: WADDELL, FRANK (HANAHAN P.D.) -- DISPOSITION CHANGED TO IN CUSTODY
 3/11/2013 12:44:43 PM: RILEY, JASON H. TO CPD LAB -- DISPOSITION CHANGED TO SIGNED OUT FOR INVESTIGATION
 4/1/2013 10:37:05 AM: WATSON, MARK E. FROM CPD LAB -- DISPOSITION CHANGED TO IN CUSTODY
 10/31/2014 2:57:48 PM: MEYER, ERIN -- AUDITED
 1/16/2015 3:26:59 PM: OWEN, DAVID H. III -- AUDITED
 6/1/2015 11:53:15 AM: RILEY, JASON H. TO CPD LAB -- DISPOSITION CHANGED TO SIGNED OUT FOR INVESTIGATION
 6/8/2015 2:39:15 PM: RILEY, JASON H. FROM CPD -- DISPOSITION CHANGED TO IN CUSTODY
 11/23/2015 11:24:26 AM: RILEY, JASON H. TO CPD LAB -- DISPOSITION CHANGED TO SIGNED OUT FOR INVESTIGATION
 12/7/2015 2:43:50 PM: WATSON, MARK E. FROM CPD LAB -- DISPOSITION CHANGED TO IN CUSTODY
 12/21/2015 4:24:30 PM: MEYER, ERIN -- AUDITED

DEFENDANT'S
EXHIBIT

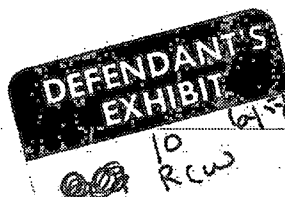
9 6-14-16
RCW

Case # L13-00299 - Chain of Custody ReportForensic Services Division
Laboratory**Evidence****L13-00299 Sub #1****Agency Case #12-018602**

Container Plastic bag
135149
Evidence Plastic bag
Package
135149
Item 135149 Glassine bags with tan powder (16)
Known 135149 Rubber band

L13-00299 Sub #2**Agency Case #12-018602**

Container Plastic bag
135811
Evidence Plastic bag
Package
135811
Evidence Plastic bag
Package
135986
Evidence Plastic bag
Package
135987
Item 135811 Glassine bags with tan powder (10)
Item 135986 Glassine bag with tan powder
Item 135987 Plastic bag with rock-like substance
Known 135811 Rubber band
Known 135986 Rubber bands (11)
Item 135986b Glassine bags with tan powder (6)
Item 135986c Glassine bags with tan powder (9)
Item 135986d Glassine bags with tan powder (10)
Item 135986e Glassine bags with tan powder (10)
Item 135986f Glassine bags with tan powder (10)
Item 135986g Glassine bags with tan powder (10)
Item 135986h Glassine bags with tan powder (10)
Item 135986i Glassine bags with tan powder (10)
Item 135986j Glassine bags with tan powder (10)
Item 135986k Glassine bags with tan powder (10)
Item 135986l Glassine bags with tan powder (10)

**L13-00299 Sub #3****Agency Case #12-018602**

Container Plastic bag
135149

Container 135811	Plastic bag
Evidence Package 135149	Plastic bag
Evidence Package 135811	Plastic bag
Evidence Package 135986	Plastic bag
Evidence Package 135987	Plastic bag
Item 135149	Glassine bags with tan powder (16)
Item 135811	Glassine bags with tan powder (10)
Item 135986	Glassine bag with tan powder
Item 135987	Plastic bag with rock-like substance
Known 135149	Rubber band
Known 135811	Rubber band
Known 135986	Rubber bands (11)
Item 135986b	Glassine bags with tan powder (6)
Item 135986c	Glassine bags with tan powder (9)
Item 135986d	Glassine bags with tan powder (10)
Item 135986e	Glassine bags with tan powder (10)
Item 135986f	Glassine bags with tan powder (10)
Item 135986g	Glassine bags with tan powder (10)
Item 135986h	Glassine bags with tan powder (10)
Item 135986i	Glassine bags with tan powder (10)
Item 135986j	Glassine bags with tan powder (10)
Item 135986k	Glassine bags with tan powder (10)
Item 135986l	Glassine bags with tan powder (10)

L13-00299 Sub #4**Agency Case #12-018602**

Container 135149	Plastic bag
Container 135811	Plastic bag
Container 135986b	Plastic bag
Container 135986c	Plastic bag
Container 135986d	Plastic bag
Container 135986e	Plastic bag
Container 135986f	Plastic bag

Container 135986g	Plastic bag
Container 135986h	Plastic bag
Container 135986i	Plastic bag
Container 135986j	Plastic bag
Container 135986k	Plastic bag
Container 135986l	Plastic bag
Evidence Package 135149	Plastic bag
Evidence Package 135811	Plastic bag
Evidence Package 135986	Plastic bag
Evidence Package 135987	Plastic bag
Item 135149	Glassine bags with tan powder (16)
Item 135811	Glassine bags with tan powder (10)
Item 135986	Glassine bag with tan powder
Item 135987	Plastic bag with rock-like substance
Known 135149	Rubber band
Known 135811	Rubber band
Known 135986	Rubber bands (11)
Known 135149b	Glassine bags (15)
Item 135986b	Glassine bags with tan powder (6)
Item 135986c	Glassine bags with tan powder (9)
Item 135986d	Glassine bags with tan powder (10)
Item 135986e	Glassine bags with tan powder (10)
Item 135986f	Glassine bags with tan powder (10)
Item 135986g	Glassine bags with tan powder (10)
Item 135986h	Glassine bags with tan powder (10)
Item 135986i	Glassine bags with tan powder (10)
Item 135986j	Glassine bags with tan powder (10)
Item 135986k	Glassine bags with tan powder (10)
Item 135986l	Glassine bags with tan powder (10)

L13-00299 - Container 135149

2/4/2013 10:27:49 AM Submitted by Officer MILZ, JAMES from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

2/4/2013 10:27:49 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

2/4/2013 1:38:51 PM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

2/19/2013 9:42:55 AM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

2/25/2013 11:32:13 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:

2/25/2013 11:32:13 AM Returned to Officer RILEY, JASON from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter
 6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter
 11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135811

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
 3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
 3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed In Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986b

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986c

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986d

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986e

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986f

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986g

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986h

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments: 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: 12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986i

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986j

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986k

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:
12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:
Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986I

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:
12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Evidence Package 135149

2/4/2013 10:27:49 AM Submitted by Officer MILZ, JAMES from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

2/4/2013 10:27:49 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

2/4/2013 1:38:51 PM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

2/19/2013 9:42:55 AM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

2/25/2013 11:32:13 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:

2/25/2013 11:32:13 AM Returned to Officer RILEY, JASON from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam
Comments: Returned to Ofc. Hochreiter
6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam
Comments: Returned to Ofc. Hochreiter
11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135149
2/4/2013 10:27:49 AM Submitted by Officer MILZ, JAMES from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
2/4/2013 10:27:49 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
2/4/2013 1:38:51 PM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
2/19/2013 9:42:55 AM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:
2/25/2013 11:32:13 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:
2/25/2013 11:32:13 AM Returned to Officer RILEY, JASON from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:
6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments:
6/8/2015 10:44:52 AM Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments:
11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135149

2/4/2013 10:27:49 AM Submitted by Officer MILZ, JAMES from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
 2/4/2013 10:27:49 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
 2/4/2013 1:38:51 PM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
 2/19/2013 9:42:55 AM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:
 2/25/2013 11:32:13 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:
 2/25/2013 11:32:13 AM Returned to Officer RILEY, JASON from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office.
Returned by Payne, Susan at Forensic Services Division - Evidence. Return
method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Evidence Package 135811

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division -
Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division -
Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug
Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office.
Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.
Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return
Comments:
6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam
Comments: Returned to Ofc. Hochreiter
6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam
Comments: Returned to Ofc. Hochreiter
11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135811
3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
3/28/2013 3:31:30 PM Placed In Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:
4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:
4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:
6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:
6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:
6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:
6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:
6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135811

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office.
Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.
Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division -
Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County
Sheriff's Office. Returned by Payne, Susan at Forensic Services Division -
Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Evidence Package 135986

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division -
Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division -
Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug
Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office.
Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.
Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division -
Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135986

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Evidence Package 135987

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135987

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments: 6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam
Comments: 6/8/2015 10:44:52 AM Returned to Ofc. Hochreiter
 Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam
Comments: 11/23/2015 10:56:24 AM Returned to Ofc. Hochreiter
 Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments: 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: 12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: L13-00299 - Known 135149b
 11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986b

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986c

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments: 6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam
Comments: 6/8/2015 10:44:52 AM Returned to Ofc. Hochreiter
 Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam
Comments: 11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments: 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: 12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: L13-00299 - Item 135986d
 3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: 3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence.

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments:

6/8/2015 10:44:52 AM Returned to Ofc. Hochreiter
Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986e

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office.
Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.
Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division -
Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County
Sheriff's Office. Returned by Payne, Susan at Forensic Services Division -
Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office.
Received by Payne, Susan at Forensic Services Division - Evidence. Delivery
Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division -
Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug
Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division -
Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986f

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986g

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam
Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments: Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

12/1/2015 9:08:30 AM

Reason: Return
Comments: Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

12/7/2015 10:15:56 AM

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986h

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments: Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

3/11/2013 10:02:22 AM

Reason: For Exam
Comments: Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

3/11/2013 11:17:35 AM

Reason: For Exam
Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986i

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

3/11/2013 10:02:22 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

3/11/2013 11:17:35 AM Removed from Storage by {Mitchell, Elizabeth} at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

3/28/2013 3:31:30 PM Placed in Storage at Safe by {Mitchell, Elizabeth} at Forensic Services Division - Evidence

Reason: Return

Comments:

4/1/2013 9:29:40 AM Removed from Storage by Earl, Ashley Carr at Forensic Services Division - Drug Analysis.

Reason: Return

Comments:

4/1/2013 9:29:40 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Earl, Ashley Carr at Forensic Services Division - Drug Analysis. Return method: Hand to Hand.

Reason: Return

Comments:

6/1/2015 10:33:26 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

6/1/2015 10:33:26 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

6/1/2015 12:22:36 PM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

6/2/2015 11:55:13 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

6/8/2015 10:44:52 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: For Exam

Comments: Returned to Ofc. Hochreiter

6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

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12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986j

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

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Reason: Return

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Reason: Return
Comments:
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Reason: For Exam
Comments: Returned to Ofc. Hochreiter
6/8/2015 10:44:52 AM Returned to Officer HOCHREITER, CHRISTOPHER from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

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Reason: For Exam
Comments:
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Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
L13-00299 - Item 135986k
3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
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Reason: For Exam

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Reason: Return

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Reason: Return

Comments:
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Reason: Return

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Reason: For Exam

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L13-00299 - Item 1359861

3/11/2013 10:02:22 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

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Comments:

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Reason: Return

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12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 Record #4 - Chain of Custody ReportForensic Services Division
Laboratory**L13-00299 Sub #4****Agency Case #12-018602**

Container 135149	Plastic bag
Container 135811	Plastic bag
Container 135986b	Plastic bag
Container 135986c	Plastic bag
Container 135986d	Plastic bag
Container 135986e	Plastic bag
Container 135986f	Plastic bag
Container 135986g	Plastic bag
Container 135986h	Plastic bag
Container 135986i	Plastic bag
Container 135986j	Plastic bag
Container 135986k	Plastic bag
Container 135986l	Plastic bag
Item 135149	Glassine bags with tan powder (16)
Item 135811	Glassine bags with tan powder (10)
Item 135986	Glassine bag with tan powder
Item 135987	Plastic bag with rock-like substance
Known 135149	Rubber band
Known 135811	Rubber band
Known 135986	Rubber bands (11)
Known 135149b	Glassine bags (15)
Item 135986b	Glassine bags with tan powder (6)
Item 135986c	Glassine bags with tan powder (9)
Item 135986d	Glassine bags with tan powder (10)
Item 135986e	Glassine bags with tan powder (10)
Item 135986f	Glassine bags with tan powder (10)
Item 135986g	Glassine bags with tan powder (10)

Item 135986h Glassine bags with tan powder (10)
 Item 135986i Glassine bags with tan powder (10)
 Item 135986j Glassine bags with tan powder (10)
 Item 135986k Glassine bags with tan powder (10)
 Item 135986l Glassine bags with tan powder (10)

L13-00299 - Container 135149

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

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Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135811

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

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Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986b

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

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Comments:

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Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986c

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

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11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

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Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986d

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand-to-Hand.

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Comments:

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Reason: Return

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986e

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

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Comments:

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Reason: Return

Comments:

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986f

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

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Reason: For Exam
Comments:
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Reason: Return
Comments:
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Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986g
 11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

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 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986h

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986i

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence.

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986j

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986k

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Container 135986I

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135149

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments: 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135149

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments: 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments: 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments: 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135811

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed In Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed In Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135811

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
 11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
 11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
 12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
 12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
 12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135986

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135987

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Known 135149b

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986b

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986c

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam
Comments:
11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam
Comments:
11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam
Comments:
12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return
Comments:
12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return
Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986d

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986e

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986f

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

12/7/2015 10:15:56 AM Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986g

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed In Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:

12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments:

Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986h

11/23/2015 10:56:24 AM Submitted by Officer RILEY, JASON from Charleston County Sheriff's Office. Received by Payne, Susan at Forensic Services Division - Evidence. Delivery Method: Hand to Hand.

Reason: For Exam

Comments:

11/23/2015 10:56:24 AM Placed in Storage at Safe by Payne, Susan at Forensic Services Division - Evidence

Reason: For Exam

Comments:

11/23/2015 11:08:38 AM Removed from Storage by Hilton, Renee at Forensic Services Division - Drug Analysis.

Reason: For Exam

Comments:

12/1/2015 9:08:30 AM Placed in Storage at Safe by Hilton, Renee at Forensic Services Division - Evidence

Reason: Return

Comments:

12/7/2015 10:15:56 AM Removed from Storage by Payne, Susan at Forensic Services Division - Evidence.

Reason: Return

Comments:

12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
Returned to Officer WATSON, MARK E from Charleston County Sheriff's Office. Returned by Payne, Susan at Forensic Services Division - Evidence. Return method: Hand to Hand.

Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986i

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Comments:
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Comments:
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Reason: Return

Comments:
12/7/2015 10:15:56 AM Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647
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Reason: Return

Comments: Returned to Ofc. Watson L13-00299, L15-00296, L15-02641, L15-02642, L15-02643, L15-02644, L15-02645, L15-02646, L15-02647

L13-00299 - Item 135986j

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L13-00299 - Item 135986l

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Reason: For Exam

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SLB20130201393

444

WITNESSES

Charleston County Sheriff

AGENCY CASE NUMBER

2012018602BB

ARREST WARRANT NUMBER

2013A1010201000

DATE OF ARREST

February 23, 2013

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

JUN 3 2013

Date:

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2013GS1002729

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

June Term 2013

THE STATE

vs.

MARK LORENZO BLAKE JR

DOB: 1986

B/M

Indictment for

Possession With Intent to Distribute Heroin

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

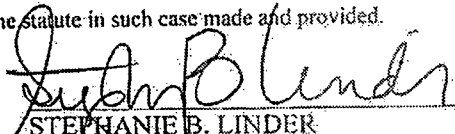
INDICTMENT

At a Court of General Sessions, convened on June 3, 2013 the Grand Jurors of Charleston County present upon their oath:

Possession With Intent to Distribute Heroin

That in Charleston County, South Carolina, on or about February 22, 2013, the Defendant, MARK LORENZO BLAKE JR, did manufacture, distribute, dispense, deliver, purchase; or did aid, abet, attempt, or conspire to manufacture, distribute, dispense, deliver, or purchase; or did possess with the intent to manufacture, distribute, dispense, deliver, or purchase a controlled substance or a controlled substance analogue, to wit: heroin; in violation of 44-53-370 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.


STEPHANIE B. LINDER
ASSISTANT SOLICITOR

446

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

STATE VS.

MARK LORENZO BLAKE, JR

AKA: Mark Blake, ROMAN. MARK LORENZO JR.

Race: Black/African American

Sex: M

DOB: [REDACTED]/1986

SS#: [REDACTED]

Address: [REDACTED] Queenscastle Ct

City, State, Zip: Charleston, SC 29414-5623

DL# [REDACTED]

SID# SC01602790

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

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

☒ CONVICTED OF or☐ PLEADS

TO: PWID Heroin 2nd

In violation of § 44-53-0370(b)(1) of the S.C. Code of Laws, bearing CDR Code # 0184

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

The charge is:

☒ As indicted,☐ Lesser Included Offense,☐ Defendant Waives Presentment to Grand Jury.

(def.'s initials)

The plea is:

☒ Without Negotiations or Recommendation,☐ Negotiated Sentence,☐ Recommendation by the State.

ATTEST:

Stephanie B. Linder, Assistant Solicitor 72656 SC Bar #

Defendant

Attorney for Defendant

68630 SC Bar #

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center,for a determinate term of 64-122 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

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

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State Department of Corrections.1,156 days. GH☐ The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

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

SPECIAL CONDITIONS:

☐ RESTITUTION:☐ Deferred☐ Def. Waives Hearing☐ Ordered

PTUP

Total: \$ _____ plus 20% fee: \$ _____

_____ days/hours Public Service Employment

Payment Terms: _____

Obtain GED ☐☐ Set by SCDPPPS

Attend Voc. Rehab. Or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol Testing ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ _____ Beginning _____

\$ _____ Paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel.

§47.12 requires \$500 be paid to Clerk during probation.

Recipient: _____

*Fine: _____

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

\$100

§14-1-211 (A)(2)(DUI Surcharge)

\$100

§56-5-2995 (DUI Assessment)

\$12

§56-1-286 (DUI Breath Test)

\$25

Proviso 47.9 (Public Def/Prob)

\$500

§14-1-212 (Law Enforce. Funding)

\$25

§14-1-213 (Drug Court Surcharge)

\$150

§50-21-114 (BUI Breath Test Fee)

\$50

§56-5-2942(J) (Vehicle Assessment)

\$40/ea

Proviso 90.5 (SCCJA Surcharge)

\$5

3% to County (if paid in installments)

\$

TOTAL

\$ 288.40

Clerk of Court/Deputy Clerk: Don Michel

Court Reporter: Ruth Weese

Presiding Judge: _____

Judge Code: 2138

Sentence Date: 6/15/16

SENTENCE SHEET

INDICTMENT/CASE#: 2013GS1002729

A/W: 2013A1010201000

Date of Offense: 12/04/2012

S.C. Code §: 44-53-0370(c)(3)(c)

CDR Code #: 0149

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,


Kathrine H. Hudgins
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 23rd day of June, 2017.