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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Honorable Larry B. Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TERESA ANN MCCracken-HALL,

APPELLANT

APPELLATE CASE NO. 2016-001192

RECORD ON APPEAL

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SC Court of Appeals

INDEX

INDEX	i
TRIAL TRANSCRIPT (May 23-26, 2016)	1
OPENING STATEMENT BY MR. GROOMS	5
OPENING STATEMENT BY MR. McCOLLUM	12
TESTIMONY	
JEREMY ALAN CREWS	
Direct Examination by Mr. Grooms	18
Cross Examination by Mr. McCollum	29
Redirect Examination by Mr. Grooms	34
PATRICE REYNOLDS PATE	
Direct Examination by Mr. Grooms	36
Cross Examination by Mr. McCollum	39
JACQUELINE RENEE MCGURL	
Direct Examination by Mr. Grooms	46
Cross Examination by Mr. McCollum	60
Proffer Examination by Mr. McCollum	71
Proffer Examination by Mr. Hixson	75
Cross Examination by Mr. McCollum (continued)	76
Redirect Examination by Mr. Grooms	87
CRYSTAL BOYETTE	
Direct Examination by Mr. Grooms	89
Cross Examination by Mr. McCollum	92
Redirect Examination by Mr. Grooms	94
BILLY BELLAMY	
Direct Examination by Mr. Hixson	95
Cross Examination by Mr. McCollum	110
Redirect Examination by Mr. Hixson	116
Recross Examination by Ms. McCabe	117
JACK CALVIN STEWART, III.	
Direct Examination by Mr. Hixson	119
Cross Examination by Mr. McCollum	128

JILL LEIGH DOMOGAUER

Direct Examination by Mr. Grooms	129
Cross Examination by Mr. McCollum.....	166
Redirect Examination by Mr. Grooms.....	188
Recross Examination by Mr. McCollum	191

EDWARD LEROY PROCTOR

Direct Examination by Mr. Hixson.....	191
Cross Examination by Mr. McCollum.....	205
Redirect Examination by Mr. Hixson	206

SUSAN MOYAR

Direct Examination by Mr. Grooms	208
Cross Examination by Mr. McCollum.....	210
Redirect Examination by Mr. Grooms.....	213

GREGORY LENT

Direct Examination by Mr. Hixson.....	214
Cross Examination by Mr. McCollum.....	244
Redirect Examination by Mr. Hixson	272

MATTHEW KATHMAN

Direct Examination by Mr. Hixson.....	278

DORIS YARBOROUGH

Direct Examination by Mr. Grooms	282

JENNIFER CLAYTON

Direct Examination by Mr. Grooms	288
Proffer Examination by Mr. McCollum.....	289
Cross Examination by Mr. McCollum.....	292

DAN DEFREESE

Direct Examination by Mr. Hixson.....	293
Cross Examination by Mr. McCollum.....	301

WILLARD LYNCH

Direct Examination by Mr. Hixson.....	302
Cross Examination by Mr. McCollum.....	323
Redirect Examination by Mr. Hixson	326

JONATHAN LEE MARTIN

Direct Examination by Mr. Hixson.....	328

GERARDI E. LIVINGSTON	
Direct Examination by Mr. Hixson.....	332
Cross Examination by Mr. McCollum.....	349
DIRECTED VERDICT MOTION	350
DIRECTED VERDICT MOTION DENIED.....	354
SABRINA MYERS	
Direct Examination by Mr. McCollum.....	355
Cross Examination by Mr. Hixson.....	374
CLOSING ARGUMENT BY MR. MCCOLLUM.....	392
CLOSING ARGUMENT BY MR. HIXSON.....	407
CHARGE ON THE LAW	449
VERDICT	471
SENTENCING	472
COURT'S EXHIBIT NO. 1 (TEXT MESSAGES).....	473
INDICTMENT.....	491
CERTIFICATE OF COUNSEL	493

**THE FOLLOWING EXHIBTS ARE ON FILE WITH THIS COURT:
STATE'S EXHIBITS NO. 70 AND 71 (INTERVIEWS)**

1
2
3
4
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STATE OF SOUTH CAROLINA) **TRANSCRIPT OF RECORD**
COUNTY OF HORRY) CASE NO.:2013-GS-26-4704

May 23-26, 2016

BEFORE: The Honorable Larry B. Hyman, Jr.

STATE OF SOUTH CAROLINA,

Plaintiff,

vs.

TERESA McCracken-Hall,

Defendant.

APPEARANCES:

Scott Hixson, Esq.
J. Stephen Grooms, Esq.
Attorneys for the State.

Greg McCollum, Esq.
Dean Mureddu, Esq.
Attorneys for the Defendant.

Official Court Reporter
Natalie Dahl, RPR

JURY SELECTION

1 MR. HIXSON: Third-party guilt, and discussing
2 the introduction of res gestae, prior incidents of
3 violence between the parties.

4 THE COURT: Before we get into third-party guilt,
5 make sure you are familiar with the supreme court's
6 ruling in Holmes. Gaye was abrogated, that was the
7 rule that was in South Carolina. It was changed.
8 Make sure you are familiar with Holmes.

9 MR. MUREDDU: Your Honor -- I apologize, Your
10 Honor. I think we had the issue of bond, and I wanted
11 to start out by saying that Ms. Hall's absence was not
12 her fault; it was my fault.

13 THE COURT: I have a new rule and I call it the
14 "Axelrod Rule." I don't have any problem, if the
15 State or Sheriff doesn't, with her remaining at large,
16 as long as you and Mr. McCollum take financial
17 responsibility personally for her return should she
18 not return to court. That is something you think
19 about.

20 MR. MUREDDU: Could I add as an officer of the
21 court, I have talked with the bonding company.

22 THE COURT: You need to get the bonding company
23 here. Case hasn't started yet, but in the morning,
24 you need to have that bondsman here and have him
25 prepared to go on the record as to who will be

MOTION

1 me, Judge. I don't have a motion as to that
2 statement.

3 THE COURT: Thank you. I find the statement was
4 voluntary.

5 MR. HIXSON: That is the end of Jackson v. Denno.

6 THE COURT: Non-custodial, still Mirandized,
7 length, place, circumstances taken into totality all
8 show it was voluntarily made.

9 MR. HIXSON: For the statements that we intend to
10 introduce, we will do the redactions this evening we
11 referenced on the record. I have third-party guilt
12 and further discussion of prior bad acts.

13 I guess we'll go to third-party guilt. The State
14 moves to exclude any evidence of third-party guilt
15 tending to just cast bare suspicions upon another
16 individual --

17 THE COURT: That is the Gregory rule.

18 MR. HIXSON: That is the Gregory rule. I've
19 taken the opportunity to review, as Your Honor
20 referenced, the recent U.S. Supreme Court case on
21 Holmes, and I would have to support 100 percent the
22 finding of Holmes; I have no choice.

23 THE COURT: Holmes did nothing more than abrogate
24 Gaye, which unconstitutionally expanded Gregory.

25 MR. HIXSON: That's correct. Our intention of

MOTION

1 that, if defense counsel has anything that would do
2 anything more to cast --

3 THE COURT: I don't know until I hear from Mr.
4 McCollum if he has anything -- any evidence of
5 third-party guilt. We may be jumping the gun.

6 MR. McCOLLUM: I think we are jumping the gun on
7 that motion, Your Honor. I think -- you know,
8 depending how the case develops we may --

9 THE COURT: At this time you have no third party?

10 MR. McCOLLUM: True.

11 THE COURT: He says he has none at this time.

12 MR. HIXSON: The reason I do it pretrial is once
13 we impanel the jury and opening statements --

14 THE COURT: I know it's out there, and you know
15 the rule, I know the rule, Mr. McCollum knows the
16 rule, and we'll just see.

17 MR. HIXSON: Very good. Last motion is related
18 to the prior bad acts. We can proffer testimony. I
19 can provide the Court the incident report, Officer
20 Conti was the responding officer in May when the
21 defendant called the police in this domestic violence
22 situation. I would like to introduce, for the Court's
23 record at least -- I'll call Officer Conti and he can
24 read his report.

25 THE COURT: Okay. First -- first see what prong

OPENING STATEMENT - MR. GROOMS

1 side should prevail.

2 Following that, I will charge you on the law. I
3 will charge you completely on the law, and you must
4 apply the law as I give it to you, whether you agree
5 with it or not, and then the case will be submitted to
6 you, and you will begin your deliberations. That is
7 how we will proceed in this trial. Anything further,
8 Mr. Hixson?

9 MR. HIXSON: No, Your Honor.

10 THE COURT: Anything, Mr. McCollum?

11 MR. MCCOLLUM: No, Your Honor.

12 THE COURT: We're ready to proceed, Mr. Hixson.

13 MR. GROOMS: Thank you, Your Honor. May it
14 please the Court.

15 THE COURT: Mr. Grooms, I'm sorry.

16 MR. GROOMS: Thank you, sir.

17 MR. GROOMS: Good morning, ladies and gentlemen,
18 this is a domestic case. This is a case between a
19 husband and a wife, between Steven Hall, 59 years of
20 age, and the defendant, Teresa McCracken-Hall. This
21 case ended in a violent murder on July 17, 2013. On
22 that day, in their marital home, in the victim's
23 bedroom, as he sat there eating a meal he prepared,
24 laying, watching TV. You'll see pictures where he was
25 positioned. This defendant walked in with a 30

OPENING STATEMENT - MR. GROOMS

1 caliber handgun, semi-automatic, shot the victim two
2 times at close range, one time with the gun almost
3 directly to the victim's temple. That bullet was
4 recovered from the wall.

5 This case is going to beg you to come up with
6 questions as we go along. This is a case of
7 circumstantial evidence where each witness will give
8 you a little piece of the case. The question I think
9 you should be remembering throughout the case is who
10 could have gotten that close to Steven Hall in his
11 bedroom? Who could have walked from the main living
12 quarters to his bedroom, and as he sat there watching
13 TV eating dinner could have shot him two times without
14 a scene of a struggle, without some type of evidence
15 left behind that would show you that he didn't know
16 the person that just walked in his room with a gun.

17 You'll see from the crime scene there is none of
18 that. There is no disturbance. You'll see a picture
19 on a dresser within a foot of the victim, not a thing
20 is knocked over or moved. The State contends that he
21 never saw it coming. He was sitting there, probably
22 as he has done numerous times, he obviously didn't
23 want to eat his meal in the living room, for whatever
24 reason, he retreated to his bedroom and he never saw
25 the shot coming. The State contends no one could get

OPENING STATEMENT - MR. GROOMS

1 that close to him except his wife. It is something to
2 think about as we go along. We'll have a lot of
3 witnesses. Please be patient as we go through each of
4 them.

5 Now, you'll hear from neighbors, and they are
6 going to tell you that they heard arguing this
7 afternoon. This is around 7:00, 7:30 in July, so it
8 is still light outside. This is a community where
9 neighbors hang out, talk to each other; some do, some
10 don't. But you'll hear on this date that one neighbor
11 in particular who lives -- this is on a cul-de-sac,
12 next door to the victim, heard them arguing and then a
13 short time later she had gone inside and she hears two
14 pops, what she describes as pops. She said it stuck
15 out to her as very loud. She didn't know what it was.

16 She didn't call 911 because she didn't know it
17 was gunshots. It was close to the 4th of July. She
18 thought, well, I don't know I don't want to jump the
19 gun here. But she remembers those two pops, and that
20 is around 7:30.

21 After she hears these two pops, she sees a white
22 SUV pull up to the victim's residence and pick up the
23 defendant. What stood out to her, and what stood out
24 to perhaps the State and another witness in this case,
25 is that she had the victim's dog. He had a little

OPENING STATEMENT - MR. GROOMS

1 rescue Chihuahua dog. I heard it called a bunch of
2 things, Buggy, Bug, he called him different
3 variations. This was his dog, his companion, his dog
4 that was with him all the time. If he ran errands,
5 the dog was with him. Short of him going out of town
6 where he couldn't get the dog, the dog was by his side
7 at all times. Teresa took that dog with her, and that
8 stuck out to the neighbor because no one ever took
9 this dog without Steve.

10 You'll hear that that vehicle came back to the
11 house that night, and as the judge told you, this is
12 kind of a starting point in this case. I think it is
13 most important that you hear the facts from the
14 witnesses. This is a general overview.

15 You also will hear from the crime scene
16 investigator. This crime scene investigator, it is
17 her job when she gets to a crime scene to document,
18 take pictures, to look for clues. We'll show you
19 pictures of this home, and we'll show you that doors
20 are locked, windows are intact, no signs of a forced
21 entry. There is valuables throughout the home laying
22 around, jewelry, credit cards, currency, medication,
23 flat screen TVs. We know this wasn't a burglary.
24 Those pictures are also going to show you that there
25 was no struggle. So coming back to who could have

OPENING STATEMENT - MR. GROOMS

1 gotten this close to Steven Hall's bedroom? Who could
2 have walked right up to him in his bedroom and he not
3 be alarmed?

4 You'll hear about a cell phone, and as I stated,
5 he was killed in the early evening hours of the
6 17th. This cell phone was found more or less by a
7 Good Samaritan the next morning at a dock, I guess the
8 best way to describe it is near Peachtree Landing
9 between the defendant and victim's marital home and
10 the sister's residence where we know the defendant
11 went that night. On the dock is the victim's cell
12 phone. You'll hear that this lady picked it up and
13 called the police, hey, I found a cell phone. She
14 didn't think that much of it, just there eating her
15 breakfast that morning. You'll hear the interaction
16 from the officer with Teresa McCracken. He attempted
17 to get the phone to the owner, of course Mr. Hall
18 didn't come to the door -- he was dead for sometime --
19 so he called Ms. McCracken. You'll hear about that
20 interaction, and there is going to be likely things
21 that will jump out to you, things that happened,
22 things that didn't happen.

23 Now, later at that same dock, Horry County dive
24 team decided perhaps there is more evidence here.
25 You're going to find out that we found the murder

OPENING STATEMENT - MR. GROOMS

1 weapon. Further, through cell phone information,
2 you'll find out that this defendant had been to that
3 dock. She knew right where that dock was, and we'll
4 show you a picture of her on that dock.

5 You'll hear from a number of witnesses. We'll
6 try to call them as quickly as possible. We know that
7 you don't have -- you all have things to do outside of
8 the courtroom. We're going to call a number of
9 witnesses, and each one is going to give you a small
10 piece of this case. Only after you heard from all of
11 these witnesses, only after you got all of the
12 information, would we ask you to make up your mind.
13 So listen to them, listen to what they have to say and
14 listen to the details, because as I said before, this
15 is a circumstantial case where the difference between
16 circumstantial evidence and direct is direct evidence
17 is if this case was on video. That is just not going
18 to happen in someone's private residence; if it does,
19 it is extremely rare.

20 So the difference of direct evidence and
21 circumstantial evidence is we don't have an eyewitness
22 or video. We have all the factors surrounding what
23 happened that night, and we believe after you have
24 heard all of that, you'll be firmly convinced beyond a
25 reasonable doubt that this defendant is guilty of

OPENING STATEMENT - MR. GROOMS

1 murder.

2 Now, just a quick preview, murder in South
3 Carolina is the killing of another person with malice
4 aforethought. We can all agree that someone else was
5 killed in this case. The malice aforethought part
6 means that the actor had malice in their heart and
7 mind before they did the act. This can be determined
8 in one of two ways. It can be expressed, which
9 expressed malice means during the act you are saying,
10 I'm going to kill you. Or it can be implied, and
11 implied is from the actions, that the actions were so
12 deliberate that you can infer that they must have had
13 malice in their heart. It is defined as an ill-will
14 or evil intention towards another, that is the old
15 common law explanation for it, but we all know what it
16 is. When you hold a gun to someone's head and pull
17 the trigger at near point-blank range, or point-blank
18 range, certainly that can be inferred as malice. The
19 person doing that obviously meant to do ill-will had
20 evil intentions in their heart.

21 The aforethought can be found in a twinkle of an
22 eye. It may not be your idea of what movies say of
23 first degree murder. Aforethought means it happened
24 before. I don't know if the judge will instruct you
25 or not, he's certainly in charge of the law, but

OPENING STATEMENT - MR. MCCOLLUM

1 aforethought means, but it means it could have
2 happened just like that (indicates), in a twinkling of
3 an eye, is how it is defined. So I ask you to be
4 patient as we get to these witnesses.

5 Towards the end of the trial, you'll hear a
6 statement that we'll play of the defendant herself.
7 Hopefully, at that time, and if not shortly after,
8 we'll show you enough evidence that you know that this
9 is an act that this -- while she does a pretty good
10 job in the beginning, I hope you'll see through it.
11 We'll be able to show you a lot of reasons that the
12 way she's acting on that tape, is not her. It is not
13 this relationship. We're going to essentially pull
14 back the curtains on this domestic relationship and
15 show you what was really going on, but it will take
16 some time.

17 Thank you for your time.

18 THE COURT: Mr. McCollum or Mureddu.

19 MR. MCCOLLUM: May it please the Court.

20 THE COURT: Certainly.

21 MR. MCCOLLUM: Morning, ladies and gentlemen. I
22 was introduced to you earlier. I'm Greg McCollum. I
23 have a law firm in Myrtle Beach, and also with me is
24 Dean Mureddu, who is a very fine trial lawyer who
25 works with us. Also seated at the table next to Ms.

OPENING STATEMENT - MR. McCOLLUM

1 Hall is Michelle who is a paralegal who works in our
2 office.

3 Thank you for being here. I always want to say
4 thank you because you are a very important part of
5 this case and we can't get justice without you. It is
6 essential than we have you here. All of you have
7 taken an oath to listen to the evidence and follow the
8 rules and follow the instructions of Judge Hyman, and
9 I know that each and every one of you has a family,
10 has a job, has other responsibilities and there are
11 important things that you would be doing except that
12 you are giving that up, giving that up to be here and
13 serve.

14 I also know that you didn't volunteer to do this,
15 and this is just a part of your duty. The judge said
16 years ago when I was much younger that this is the
17 most important service that you can give to your
18 country beyond serving in the military. I started
19 practicing law in my 20s, and I actually worked in the
20 Solicitor's office in the old courthouse across the
21 street, and I heard that every week because I was in
22 court every week, and many times in trial every week.

23 It finally dawned on me how important that was.
24 If you think about our society as a democracy,
25 everyone urges people to vote, and we think, our

OPENING STATEMENT - MR. MCCOLLUM

1 votes, do they count because there is so many votes
2 cast or so many things going on. But this is some of
3 the truest function of a democracy. It is so
4 important that we have you here to serve your country,
5 serve your state, serve your county, serve the people,
6 because we don't take Ms. Hall in front of some
7 government panel and some group of people, group of
8 officers or something like that; it is you. It is
9 your society. You are the ones that determine whether
10 or not she's guilty or not guilty.

11 I can tell you Ms. Hall welcomes this day. This
12 has been hanging over her since July of 2013,
13 July 17th. On that day, she was living with her
14 husband, Steve Hall. I think they had just gotten
15 remarried, married about a month. Because of things
16 you will hear about, and she gave extensive statements
17 in this case, she became concerned that maybe she
18 shouldn't stay at the house with him because of
19 drinking, he's getting loud and those types of things.

20 So she says she called her sister to come and get
21 her. She had beers or something like that, so she
22 didn't want to drive. It wasn't that far. Her sister
23 came and got her. She was just going to spend the
24 night with her family, her father and sister and I
25 think her sister's son. So her sister drives over,

OPENING STATEMENT - MR. McCOLLUM

1 picks her up, she goes and spends the night with her
2 family.

3 The next day, okay, sometime later in the day,
4 the police call her and they have her husband's phone,
5 okay. It is a little odd, but you'll hear her
6 explanation of that. No one tells her where they
7 found it. Hey, we found your husband's phone down
8 next to the river, just someone turned it in. She
9 makes a comment, Well, we've been out earlier that
10 day, so maybe he misplaced it, I'll give it to him
11 when I go back home.

12 So she spent the day with her family, father,
13 doing different things. She goes home, has her sister
14 take her back to her house. She hadn't heard from her
15 husband. They go up, unlock the door, go inside and
16 find her husband in a pool of blood in his bedroom,
17 and they call 911 and call the police.

18 The police come, of course, tape everything off,
19 question her, question the other witnesses, take her
20 -- this was, say, 8 o'clock, 8:30 on the next day,
21 18th of July. They take her to the police station,
22 question her extensively, question her until about,
23 say, 1:30 or 2:00 a.m. Then, they don't have evidence
24 that she killed him, so they let her go. They
25 continue to investigate.

OPENING STATEMENT - MR. MCCOLLUM

1 Eventually, they go to the river, find a gun in
2 the river near where the phone was. They keep
3 investigating questioning people, questioning
4 neighbors, questioning, do the things you would think
5 you would do. Who had a beef with this man? Who
6 could have done something? Who would do something?
7 They develop suspects, I think is the police language.
8 They can't solve the case, all right. They don't have
9 -- there are no witnesses that say Ms. Hall, or anyone
10 else for that matter, shot Steve Hall. There is no
11 evidence as far as, you know, fingerprints or anything
12 like that. No gunshot residue. No blood or serology
13 evidence. There is nothing no direct evidence,
14 nothing. So what the State does -- and this is the
15 case -- they come up with a theory that, well, since
16 we don't know who did it, she must have done it
17 because there are things that are suspicious.

18 You'll see that the neighbors' statements, and I
19 don't know if it is intentional or unintentional, and
20 they'll explain those things, but they don't -- maybe
21 then heard a pop, 18 months later now they decide they
22 heard two gunshots, okay. You'll see that develop.
23 Most important thing for you to realize is that the
24 State, South Carolina, they don't have a case, okay,
25 because Teresa Hall, Teresa McCracken, Teresa

OPENING STATEMENT - MR. McCOLLUM

1 McCracken-Hall did not kill her husband, and there is
2 no evidence that she did. What the State has, for
3 lack of a better term, they have a theory. When you
4 have a theory, it is not enough to convict someone of
5 murder. In fact, at the conclusion of the case, after
6 we try the whole case and His Honor, Judge Hyman, will
7 tell you this very thing, okay. In a special evidence
8 case dealing with circumstantial evidence, the judge
9 will tell you, among other things, the State has the
10 burden of proof, you must find -- the person on trial
11 is presumed trial, person doesn't have to present
12 evidence. All 12 of you must find a person guilty or
13 not guilty beyond a reasonable doubt, and he'll tell
14 you that.

15 He'll tell you this also. It is very important,
16 to the extent that the State relies on circumstantial
17 evidence, that is where no one saw anything, just
18 trying to piece it together, as they say, all -- all
19 of the circumstances must be consistent with each
20 other, and when taken together, point conclusively to
21 the guilt of the accused. Okay. That is not going to
22 happen, and you'll see why when we try this case. If
23 these circumstances are merely betrayed behavior
24 suspicious, then the proof has failed.

25 I don't know, ultimately, why the State did what

JEREMY CREWS - DIRECT EXAMINATION

1 they did. I certainly asked questions, but they don't
2 have a case; they have a theory. An innocent woman
3 stands trial on her life for murder, murder that she
4 didn't commit. She's waited this long, and we're
5 grateful for your service and very much appreciate you
6 being here.

7 At the conclusion of this case, I'm confident,
8 Ms. Hall is confident, we're confident that when you
9 go through it all, do your deliberations and due
10 diligence, follow the judge's instructions, deliberate
11 and speak to each other, that you will come to the
12 conclusion that you must find Teresa McCracken-Hall
13 not guilty, and when you do that, you would have
14 carried out your duty, honored your oath and you will
15 have served your community, country, your state and
16 your county and this court. Thank you very much.

17 MR. GROOMS: State calls Jeremy Crews.

18 (JEREMY CREWS, having been duly sworn,
19 testified as follows:)

20 THE CLERK: State your full name and spell your
21 last.

22 THE WITNESS: Jeremy Alan Crews, C-R-E-W-S.

23 DIRECT-EXAMINATION

24 BY MR. GROOMS:

25 Q How are you this morning?

JEREMY CREWS - DIRECT EXAMINATION

- 1 A Good. How are you doing?
- 2 Q Very good. Thank you for being here. Will you
- 3 tell the jury where you work.
- 4 A Currently employed with the City of Myrtle Beach
- 5 Police Department.
- 6 Q Where were you employed during July of 2013?
- 7 A Horry County Police Department..
- 8 Q What was your general duties while you were
- 9 there?
- 10 A Patrol officer.
- 11 Q And did you respond to a call at Williamson
- 12 Circle?
- 13 A Yes, sir.
- 14 Q Is that within the county's jurisdiction?
- 15 A Yes, sir.
- 16 Q Do you mind telling the jury where that is in
- 17 Myrtle Beach?
- 18 A Off of Clay Pond Road near Bercale area.
- 19 Q For those of the jury who don't know where that
- 20 is, can you -- sorry, I should have shown that to you
- 21 beforehand. Can you pick out where that area is on
- 22 this map? The swing bridge here?
- 23 A Yeah. So Bercale, so right on Clay Pond,
- 24 Williamson and it drops behind the circle.
- 25 THE COURT: Have him mark on the exhibit. Refer

JEREMY CREWS - DIRECT EXAMINATION

1 to the exhibit and have it marked so the jury can see
2 where he is talking about.

3 MR. GROOMS: For the record, it is State's 1. If
4 you could show the jury.

5 THE COURT: You've seen 1?

6 MR. McCOLLUM: That is the blow-up?

7 MR. GROOMS: Yes.

8 MR. McCOLLUM: Yes.

9 THE COURT: Any objections.

10 MR. McCOLLUM: That was admitted.

11 (State's Exhibit 1 was admitted.)

12 A Here.

13 Q What is this body of water?

14 A Intracoastal.

15 Q So this is the Conway side?

16 A Conway side of the waterway, yes.

17 Q So, Officer Crews, you responded to the residence
18 that evening. What was the nature of the call?

19 A I got a call from a female stating that she found
20 her husband and he was shot.

21 Q Did you get that call?

22 A 911 did and sent it to my laptop.

23 Q Dispatch told you to respond to this house, that
24 was the nature of the call?

25 A Yes.

JEREMY CREWS - DIRECT EXAMINATION

1 Q Do you know who made that call?

2 A I believe it was the defendant, I believe.

3 Q But you don't have any knowledge?

4 A I don't remember. On the laptop it shows a name.

5 I don't remember reading the name that popped up on
6 there.

7 Q Do you know whether it could have been the
8 defendant's sister?

9 A Possibly could have.

10 Q What time did you respond to this location?

11 A I remember it was still light out in July. I
12 want to say about 7:00 or 8:00. I can look at the
13 record.

14 MR. GROOMS: Your Honor, is it okay if he
15 refreshes his memory as to the time?

16 THE COURT: Yes. The record will reflect he's
17 referring to his report; is that right, Mr. Crews?

18 THE WITNESS: Yes.

19 THE COURT: Very well.

20 Q (MR. GROOMS) What is -- once you are ready, what
21 time did you respond?

22 A From looking at this, 7:38.

23 Q I'll show you a few pictures. This is State's 2,
24 3, 4, 5, 6, 7, 8, 9 and 10, which I just showed to Mr.
25 McCollum. Can you tell me if you can identify these

JEREMY CREWS - DIRECT EXAMINATION

1 pictures? Say yes or no, and I'll ask you about them.

2 A (Witness examines document.) Yes.

3 Q Is this the house you responded to that evening?

4 A Yes.

5 Q Is this the vehicle you saw in the driveway?

6 A Yes.

7 MR. GROOMS: We ask to move them into evidence.

8 THE COURT: Without objection, 2 through 10.

9 (State's Exhibits 2 through 10 admitted.)

10 Q (MR. GROOMS) State's 2 is the front door of the
11 house you responded to?

12 A Yes.

13 Q And State's 3?

14 A That is a card from the county police.

15 Q Is that your card?

16 A No.

17 Q Where was this card located?

18 A On the doorway.

19 Q State's Exhibit 4, do you recognize that as the
20 back of the card?

21 A I didn't pull it off, so I didn't mess with the
22 back of the card.

23 Q Fair enough. So you didn't read the card? But
24 no question on the front door is this business card?

25 A Yes.

JEREMY CREWS - DIRECT EXAMINATION

1 Q State's Exhibit 5, is this the hallway when you
2 first get into the house?

3 A Main entrance, yes.

4 Q Can you tell me State's Exhibit 6, is this that
5 orange bag that was -- when you first walked inside the
6 house?

7 A Yes.

8 Q State's 7 and 8, are these pictures of the
9 bedrooms?

10 A Uh-huh.

11 Q So State's 7 is a picture of a room, looks like
12 some workout equipment. State's 8 is this -- this
13 isn't the bedroom the victim was found in, correct?

14 A No.

15 Q So this is a guest bedroom. When you responded,
16 did you go inside the home?

17 A Yes.

18 Q Let me back up just a second. When you
19 responded, who was on the scene?

20 A The defendant and her sister.

21 Q Were they inside or outside?

22 A Standing outside.

23 Q And did you go past them to investigate?

24 A Yes. I kind of got the minor details of -- they
25 stated he was in the back bedroom.

JEREMY CREWS - DIRECT EXAMINATION

1 Q Did you go to the back bedroom?

2 A Yes.

3 Q And did you find the victim in this case?

4 A Yes.

5 Q And what was his condition?

6 A He was -- when you come in the bedroom, the bed
7 was to the right and the victim was laying right around
8 the corner laying on his back. He had a gunshot wound,
9 there was blood on the carpet, some on the bed and I
10 think some on the dresser as well.

11 Q Did you see a firearm laying near the victim?

12 A No, there was no firearm in the immediate area of
13 him.

14 Q And just general observations, what did that mean
15 to you?

16 A It meant, to me, that there wasn't a possibility
17 of a suicide unless he would have fell back onto the
18 firearm itself.

19 Q What did you do at this point? Did you touch the
20 body?

21 A No. No, I didn't touch anything. I walked back
22 out and checked the immediate area as far as looking
23 for things, if anything was rummaged through, something
24 as far as like robbery type of sense, looked for forced
25 entry on the windows and back door as well, because

JEREMY CREWS - DIRECT EXAMINATION

1 when I first spoke with her, there was an issue about
2 the key, I asked her if the door was locked. But as
3 far as checking the outside -- from the inside, if
4 there was anything forced entry wise, that would show
5 any kind of home invasion type of thing.

6 Q Did you see anything?

7 A No signs.

8 Q Did you go back outside where the ladies were?

9 A Yes.

10 Q At this point, did you know this to be a
11 potential crime scene?

12 A Yes.

13 Q At this point, did you secure the residence?

14 A Yes.

15 Q What does it mean when you say "secure the
16 residence"?

17 A Basically move everybody outside, keep them away,
18 anything from contaminating the crime scene. Once we
19 do that, we start a crime scene log, and anyone who
20 goes in and out is logged in.

21 Q Did you talk to the sister in this case?

22 A I believe -- I don't remember exactly if I spoke
23 with her. I believe I spoke with her for a second. I
24 don't remember the exact words of it. At that time, I
25 had separated the sister and the defendant from each

JEREMY CREWS - DIRECT EXAMINATION

1 other.

2 Q What was the sister's demeanor in your opinion?

3 A Kind of in shock.

4 Q She was in shock? Was she crying?

5 A I believe she was crying. I don't remember
6 exactly.

7 MR. GROOMS: Can the officer look at his report
8 for a minute, Your Honor?

9 THE COURT: Certainly.

10 MR. GROOMS: Thank you.

11 A (Witness examines document.)

12 Q (MR. GROOMS) You just read your report, and I
13 know it was three years, but do you remember whether
14 you talked to the defendant in this case,
15 Ms. McCracken or her sister, Sabrina Myers?

16 A I'm looking. I remember I was able to get the
17 sister to fill out a statement, that was basically an
18 Horry County statement, like a witness statement.

19 Q Did you ask the sister if she talked to the
20 victim in this case?

21 A I'm reading. It said I asked the defendant if
22 her sister had seen the husband, and she stated, no,
23 because she had walked out to the driveway to meet her
24 when she picked her up.

25 Q And, obviously, was she referring to that day?

JEREMY CREWS - DIRECT EXAMINATION

1 A The night before, because she went to go --

2 Q I'll show you two more pictures. Do you remember
3 seeing this vehicle, State's No. 9 and State's 10?

4 A Yes.

5 Q Okay. Was this the vehicle that was on scene?

6 A Yes.

7 Q Was this the vehicle that was in the driveway?

8 A Yes.

9 MR. GROOMS: Request to publish to the jury?

10 THE COURT: Was that part of the group that you
11 admitted?

12 MR. GROOMS: Yes, sir.

13 THE COURT: Very well.

14 MR. GROOMS: Yes, sir, State's 2 through 10.

15 THE COURT: Very well.

16 (State's Exhibits 2 through 10 published to
17 the jury.)

18 Q (MR. GROOMS) All right, Officer Crews, so you
19 secured the crime scene; what did you do next?

20 A We secured the crime scene, and like I said, we
21 had separated the defendant and her sister in two
22 separate cars.

23 Q And you called a detective?

24 A Yeah -- well, I called my supervisor first, and
25 he called the detectives and they were in route.

JEREMY CREWS - DIRECT EXAMINATION

1 Q Do you know if they responded while you were
2 still there?

3 A Yes.

4 Q So no one else went in or out of the home?

5 A No one else went in.

6 MR. GROOMS: Court's indulgence.

7 (A brief pause in the proceedings.)

8 Q (MR. GROOMS) Officer Crews, last bit of
9 questions. I know you said you talked to the
10 defendant briefly about whether or not her sister had
11 seen the victim alive; what was her demeanor?

12 A She seemed like -- I mean, when I first arrived,
13 they were crying. I remember she was saying he was in
14 the back bedroom, back bedroom. She mellowed out a
15 little bit, calmed down, like a shock type of sense
16 maybe.

17 Q Did you get the impression that the sister or the
18 defendant was more hysterical than the other?

19 A The sister.

20 Q Did you feel that something --

21 MR. McCOLLUM: Object to the feelings and
22 conjectures.

23 THE COURT: Yeah, that calls for speculation.

24 MR. GROOMS: Yes, sir, Your Honor, I understand.

25 Q (MR. GROOMS) What was your impression of the

JEREMY CREWS - CROSS-EXAMINATION

1 defendant's demeanor that evening?

2 A At first, when I first arrived, hysterical. You
3 know, like I said, she was saying, He's in the back
4 bedroom, back bedroom. After that, it seemed like she
5 had calmed down a little bit.

6 Q Okay. Officer Crews, you talked earlier about
7 the question of the locked door?

8 A Uh-huh.

9 Q What did you mean by that?

10 A I asked her if she remembers if she unlocked the
11 door, that way we would know if someone had been in the
12 front door, if they did gain access to the house, did
13 they leave it unlocked, and she said she usually just
14 puts her key in there, and that was just normal
15 routine.

16 Q So she put the key in, which was her normal
17 routine, which means would turn the key?

18 A Yes.

19 MR. GROOMS: That is all I have. Answer any
20 questions for Mr. McCollum may have.

21 CROSS-EXAMINATION

22 BY MR. MCCOLLUM:

23 Q Myrtle Beach now?

24 A Yes.

25 Q How long have you been with them?

JEREMY CREWS - CROSS-EXAMINATION

1 A About six months now.

2 Q How long have you been a police officer?

3 A February was nine years.

4 Q And so have you been to these homicide scenes
5 before in the course of your duties?

6 A Yes.

7 Q And I know you don't have a number that you carry
8 with you, but have you been to 2, 10, 20, or more than
9 you can remember?

10 A I would say a handful, maybe.

11 Q Five or six?

12 A Maybe, yeah.

13 Q Now, when you got to the house you were the first
14 officer to respond, right?

15 A Uh-huh.

16 Q Yes?

17 A Yes, sir.

18 Q And you saw Sabrina Myers, Teresa McCracken-Hall
19 there?

20 A Yes.

21 Q And then they -- one of them or both of them led
22 you into the house and showed you the deceased, right?

23 A Yeah, towards the back, because I remember the
24 bedroom was to the back right.

25 Q And the scene in there, were you able to

JEREMY CREWS - CROSS-EXAMINATION

1 determine when you went into the bedroom where Mr.
2 Hall's body laid, were you able to determine that he
3 had been shot with a gun?

4 A Yes.

5 Q And was there a large amount of blood present?

6 A There was some blood, but it seemed like it
7 wasn't fresh, it had been dried up type of blood.

8 Q You noticed there was blood on the dresser?

9 A Yes.

10 Q Yet, he was laying on the ground, right?

11 A Yes.

12 Q There was also blood on the bed, right?

13 A Uh-huh.

14 Q Yes?

15 A Yes.

16 Q And at that time you didn't know how many
17 gunshots were fired, right?

18 A No.

19 Q No way to know that?

20 A No, not without clothing removed and things like
21 that.

22 Q You just looked to see if you could find a weapon
23 in there?

24 A I looked in the area, because with a suicide type
25 of thing, a weapon would probably fall down to the

JEREMY CREWS - CROSS-EXAMINATION

1 ground, so.

2 Q Now, when somebody, a person, shoots a gun, they
3 get what is called GSR -- or gunshot residue -- on
4 their hands, right?

5 A Yes.

6 Q That is common, right?

7 A Yes.

8 Q And when someone touches a gun, they leave
9 fingerprints, right?

10 A Yes, I assume.

11 Q And if somebody takes the bullets and puts them
12 in a gun, many times they put fingerprints on the
13 bullets, right?

14 A I've never got that detail with fingerprints in
15 any type of crime scene thing.

16 Q When someone touches a crime scene where there is
17 blood, or touches a person who has blood on them,
18 sometimes the blood is transferred to the person
19 touching them, right?

20 A Uh-huh.

21 Q Yes --

22 A Yeah, I mean....

23 Q That is a yes or no.

24 A Yes.

25 MR. McCOLLUM: For the record, Your Honor.

JEREMY CREWS - CROSS-EXAMINATION

1 THE COURT: All right.

2 Q (MR. McCOLLUM) Many times when someone shoots
3 another person or a living animal, mammal with a gun
4 at close range, they get what is called blowback or
5 blood or DNA evidence or tissue, which actually sprays
6 on them, right?

7 A I would assume so.

8 Q If you don't know, you don't know.

9 A I'm not really into the crime scene.

10 Q All right. Did you or did anyone in your
11 presence put a plastic bag on Steve Hall's hands?

12 A Not -- not -- not me. I don't know if crime
13 scene or detectives did after that. Once I secured the
14 scene, I kept everybody out of the house.

15 Q You are familiar with that process somewhat,
16 right?

17 A Yes. Yes.

18 Q Yes. And that is so that someone later can swab
19 the hands to see if the person who died fired a gun,
20 right?

21 A Yes.

22 Q Yes. And to your knowledge, there at the scene,
23 did anyone do a swab of Teresa Hall's hands?

24 A Not to my knowledge.

25 Q Do you remember if Ms. Hall was wearing a blue

JEREMY CREWS - REDIRECT EXAMINATION

1 T-shirt when you saw her?

2 A I don't remember that.

3 Q Did you ever look at her to see if there was any
4 blood on her or her T-shirt?

5 A I don't remember any blood that would stand out
6 to me.

7 Q To your knowledge -- and I don't know that you
8 know this, did anybody check the drains in the house,
9 sinks in the house, showers, trash inside the house,
10 washing machine, trash outside of the house, anyone
11 check any of those things?

12 A Not to my knowledge.

13 Q Okay.

14 MR. McCOLLUM: Thank you. That is all I have.

15 REDIRECT-EXAMINATION

16 BY MR. GROOMS:

17 Q Your general duties are to respond to calls?

18 A Yes.

19 Q And you are not a crime scene investigator?

20 A No.

21, Q And once you cleared the house, you didn't
22 return?

23 A No.

24 Q Do you recall seeing if there was a plate of food
25 on the bed?

PATRICE PATE - DIRECT EXAMINATION

1 A There was a plate of food on the bed, I remember
2 that.

3 Q Do you remember seeing a drink that had been
4 knocked over?

5 A I don't remember that.

6 Q Okay. But did you test the blood that was in the
7 room versus a potential other liquid, or you are just
8 assuming what was there was blood?

9 A On the?

10 Q On the bed.

11 A I just assumed it was blood.

12 MR. GROOMS: Thank you. No further questions.

13 MR. McCOLLUM: Nothing further.

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

15 MR. GROOMS: We ask that Mr. Crews be relieved.

16 MR. McCOLLUM: Without objection.

17 THE COURT: You are released from your subpoena,
18 Officer Crews, thank you.

19 MR. GROOMS: State calls Patrice Pate.

20 (PATRICE PATE, having been duly sworn,
21 testified as follows:)

22 THE CLERK: State your name and spell your last.

23 THE WITNESS: Patrice Reynolds Pate, P-A-T-E.
24
25

PATRICE PATE - DIRECT EXAMINATION

DIRECT-EXAMINATION

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BY MR. GROOMS:

Q How are you today?

A Fine.

Q Thank you for being here. Ms. Pate, can you tell the Court where you were living during July of 2013?

A Williamson Circle.

Q And how long had you been living there?

A I moved May 1st.

Q Did you know the defendant or the victim in this case, Mr. Hall?

A No.

Q Did you -- do you recognize them as neighbors?

A Yes.

Q Were you at home on July 17th of 2013?

A Yes.

Q And where is your home in relation to the victim's home?

A It is across the street.

Q So the front of your home faces the front of their home?

A Yes.

Q And did anything stick out to you on July 17th as unusual, see or hear anything?

A Oh, yeah. I heard a couple of pops.

PATRICE PATE - DIRECT EXAMINATION

1 Q Now, when you heard those pops, did you know what
2 they were?

3 A I thought they were fireworks.

4 Q Did you grow up around guns?

5 A No.

6 Q How many pops did you hear?

7 A About two.

8 Q And so you didn't grow up around guns. Do you
9 know the difference in guns and fireworks?

10 A I grew up in Maryland, so I heard fireworks a lot
11 around the 4th of July, and there was a slight
12 difference.

13 Q So what you heard stuck out as different than
14 what fireworks normally sounded like?

15 A Yeah.

16 Q How far off is your house from the victim's
17 house?

18 A I would -- coming out the front door, I would say
19 about 50 feet.

20 Q So just across the street?

21 A Uh-huh.

22 Q And what direction do you believe this sound,
23 these pops, these potential shots were coming from?

24 A From the front of the house.

25 Q You say you heard two pops that sounded different

PATRICE PATE - DIRECT EXAMINATION

1 than any fireworks you've heard; what time did this
2 occur?

3 A It had to have been around 7:00-ish.

4 Q And did you go outside to investigate?

5 A Not at all.

6 Q Did you have any other involvement in this case,
7 whatsoever?

8 A No.

9 Q So you testified you don't know either one of
10 them?

11 A No.

12 Q Or didn't know, I guess you weren't there long
13 enough?

14 A No. No.

15 Q All right.

16 MR. GROOMS: Court's indulgence.

17 (A brief pause in the proceedings.)

18 Q (MR. GROOMS) Let me show you State's No. 14.

19 Take a minute. Can you tell me if you recognize that
20 as your neighborhood, the neighborhood that was yours?

21 A Yes.

22 Q And where was your house in location to that?

23 A It was around the bend. If you continue, it will
24 be on your right-hand side.

25 Q These were your neighbors?

PATRICE PATE - CROSS-EXAMINATION

1 A Yes.

2 Q Did you tell the officers that night about what
3 you had heard?

4 A Yes.

5 Q Did you tell them you thought it could have been
6 fireworks?

7 A Yes.

8 Q And that would be the next night, 18th?

9 A Uh-huh.

10 Q But as you testified today, you are saying that
11 they weren't like any fireworks you heard before?

12 A No. Fireworks have an extra sound like a residue
13 crackling, but this was singled out, clean, two pops.

14 MR. GROOMS: Thank you for your testimony.

15 THE COURT: Ma'am, just for the record, a moment
16 ago you mentioned 7 o'clock, is that a.m. or p.m.?

17 THE WITNESS: P.m.

18 CROSS-EXAMINATION

19 BY MR. McCOLLUM:

20 Q Hi, how are you doing?

21 A Fine.

22 Q I'm Greg McCollum, I'm an attorney defending Ms.
23 McCracken-Hall.

24 A Okay.

25 Q Whatever you heard, you didn't think it was a

PATRICE PATE - CROSS-EXAMINATION

1 gunshot at the time, right?

2 A Nope.

3 Q Right?

4 A Nope.

5 Q Clearly, right? Because we hear things from time
6 to time, right?

7 A Uh-huh.

8 Q And if you thought it was a gunshot and someone
9 was shot, you would have called the police or 911,
10 right?

11 A Uh-huh.

12 Q Yes?

13 A Yes.

14 Q You would have done something?

15 A Yes.

16 Q And this was in July of 2013, and you didn't do
17 anything until the police came and asked you what
18 happened, right?

19 A Correct.

20 Q You talked to two investigators back in July of
21 2003, right?

22 A Yes.

23 Q Do you remember talking to Detective Frebowitz
24 and saying that you thought it was a single firework
25 and it was only one pop sound, and you thought it was

PATRICE PATE - CROSS-EXAMINATION

1 even a little strange that you only heard one sound; do
2 you remember saying that?

3 A No.

4 Q Do you know of any reason the detective would put
5 that in his report like that?

6 A I have no idea. I mean, if it was three years
7 ago, if he put that down, I'm not calling him a liar,
8 but I just don't remember saying that.

9 Q Fair enough, right?

10 A Uh-huh.

11 Q I understand. I don't know, and probably none of
12 us know, what we were doing July of 2013, right?

13 A Correct.

14 Q Certainly don't. Same question, though, with
15 Detective Lent, who I don't see in the courtroom, but
16 you gave a statement to him where you described it as a
17 loud bang that sounded like a firework, but, again,
18 described one sound; do you remember saying that to
19 Detective Lent?

20 A No.

21 Q Now, in this case, after you were interviewed by
22 the detectives, really the night they found the body,
23 right?

24 A Uh-huh.

25 Q Yes?

PATRICE PATE - CROSS-EXAMINATION

1 A Yes.

2 Q We have a record here, I'm sorry, and when the
3 court reporter puts "uh-huh" or "huh-huh," it is a
4 thing we have to deal with.

5 A Yes. Understand.

6 Q I know what you are saying, but if I don't say
7 something in a minute, someone else will say something,
8 so say yes or no if you can.

9 A That's fine. Okay.

10 Q So then in preparation or in investigation of
11 this case there was a time -- and I think it was last
12 September -- that you met with the investigator, I
13 think it is Gerardi Livingston?

14 A Yes.

15 Q Do you remember that?

16 A Yes.

17 Q Yes. And I think Nancy Livesay, who was an
18 assistant solicitor who was handling the case at that
19 point?

20 A Yes.

21 Q Do you remember that?

22 A Yes. Yes.

23 Q And when you -- when they interviewed you, that
24 is the first time that you said it sounded like two
25 pops; do you remember that?

PATRICE PATE - CROSS-EXAMINATION

1 A Yes, I remember that.

2 Q Now, during that time, when they were talking to
3 you, was that at your house?

4 A That was at my job.

5 Q So they came to your job and said they wanted to
6 ask you questions about this?

7 A Yes.

8 Q Because you were a witness?

9 A Yes.

10 Q Did you know they were coming, or did they just
11 show up?

12 A They called me and made an appointment.

13 Q And so did they ever tell you that Mr. Hall died
14 from two gunshot wounds?

15 A No.

16 Q Okay. Do you know what then would influence you
17 to decide to go from one pop to two pops in your
18 statements some two years -- two years and two months
19 later?

20 A No.

21 Q Was there -- did you ever learn through anything
22 that Mr. Hall died as a result of two gunshot wounds?

23 A No. Didn't follow the case.

24 Q How long were they at your job talking to you?

25 A I would have to say -- they came in during my

PATRICE PATE - CROSS-EXAMINATION

1 lunch. My lunch is an hour. I would have to say 30 to
2 45 minutes.

3 Q So when they were there with you -- because your
4 statement was only a few minutes, right, five, six
5 minutes?

6 A Uh-huh, yes. Yes.

7 Q So what was going on during the other 30, 45
8 minutes?

9 A I talked to Mr. Livingston about knowing my boss
10 that was downstairs, so it was more personal
11 conversation after the interview. Is that what you
12 mean?

13 Q Oh, okay. So they were there a long time being
14 social and friendly?

15 A Yeah. It was only about five minutes, though,
16 that they were being social.

17 Q So can you go through the statement with me then?
18 It seems like if we would do a statement right now,
19 which we are doing right now, questions are asked and
20 then answered and that is it, right?

21 A Yes.

22 Q Did you -- is it possible they weren't there that
23 long?

24 A No. They were there about that long.

25 Q Okay. Now, in terms of how we remember things,

PATRICE PATE - CROSS-EXAMINATION

1 do you think your memory improves after a couple of
2 years, or do you think it is better at the time of the
3 event?

4 A Depends what it meant to you, the thing that
5 happened. It depends how important it was to you. So
6 that answer is both. If it is something that was
7 important or devastating, your memory probably gets
8 better with it because when you are in the moment of
9 devastation, you blank out a lot of things. But if it
10 didn't mean anything to you, you could lose your memory
11 a little bit.

12 Q Now, did you know Steve Hall?

13 A No.

14 Q Did you know anything about him?

15 A No.

16 Q Thank you.

17 A Thank you.

18 MR. HIXSON: No redirect.

19 THE COURT: You may step down. Thank you for
20 your testimony. Will you need her further?

21 MR. HIXSON: No. I'll be happy to have her
22 released.

23 MR. McCOLLUM: Without objection.

24 THE COURT: You are released from your subpoena,
25 thank you.

PATRICE PATE - CROSS-EXAMINATION

1 MR. GROOMS: State calls Jacqueline McGurl.

2 (JACQUELINE MCGURL, having been duly sworn,
3 testified as follows:)

4 THE CLERK: State your name and spell your first.

5 THE WITNESS: Jacqueline Renee McGurl,
6 M-C-G-U-R-L.

7 DIRECT-EXAMINATION

8 BY MR. GROOMS:

9 Q Ms. McGurl, you go by Jackie?

10 A Yes, Jackie is fine.

11 Q Thank you. Jackie, could you please tell the
12 court where you are from?

13 A I'm from Fredericksburg, Virginia.

14 Q When did you move to Myrtle Beach?

15 A In September of 2008.

16 Q Were you married at that time?

17 A Yes.

18 Q When did you get married?

19 A November 13, 2003.

20 Q You are still currently married?

21 A Yes.

22 Q Same guy?

23 A Yes.

24 Q And his name?

25 A Matthew McGurl.

PATRICE PATE - CROSS-EXAMINATION

1 Q What neighborhood were you living in in July of
2 2013?

3 A I think the name was Azalea Place.

4 Q Does Williamson Circle stand out to you?

5 A Yes. That is the road we lived on.

6 Q Lived on Williamson Circle. Okay. So I'll show
7 you pictures marked as State's 14, 15 --

8 MR. GROOMS: Court's indulgence, I apologize.

9 (A brief pause in the proceedings.)

10 Q (MR. GROOMS) All right. These are State's 12,
11 13, 14, and 11. Tell me if you recognize these
12 pictures. Take your time.

13 A Yes. This is our neighborhood, our house and our
14 neighbor's house.

15 Q So those are, without a doubt, pictures of your
16 neighborhood that you lived in in 2013?

17 A Yes.

18 MR. GROOMS: We'll admit them into evidence at
19 this time, State's --

20 MR. McCOLLUM: Just pictures of the house?

21 MR. GROOMS: Yes.

22 MR. McCOLLUM: Without objection.

23 THE COURT: Admitted without objection.

24 MR. GROOMS: 11, 12, 13 and 14.

25 (State's Exhibits 11 through 14 admitted.)

PATRICE PATE - CROSS-EXAMINATION

1 Q (MR. GROOMS) We'll walk the jury through this.

2 Can you tell the jury what State's 11 shows?

3 A That is our house and neighbor's house we used to
4 live in.

5 Q From a distance?

6 A Uh-huh.

7 Q Is State's 12 a closer-up picture?

8 A That's our house, my husband's old car.

9 Q Which house is yours?

10 A My house is here (indicates).

11 Q So the house in the middle of the picture on
12 State's 12?

13 A Yes.

14 Q State's 13, what is that?

15 A Corner of my house and my neighbor, Steve's
16 house.

17 Q So you said the house on the right was Steve's
18 house, correct?

19 A The house on the --

20 Q My right?

21 A Yeah. Okay, my left, yeah.

22 Q So lighter color house is Steve's, and yours is
23 darker with the window there?

24 A Correct.

25 Q I think we've identified all of them.

PATRICE PATE - CROSS-EXAMINATION

1 MR. GROOMS: I would like to publish these to the
2 jury.

3 THE COURT: You may.

4 (State's 11 through 14 published to the jury.)

5 Q (MR. GROOMS) Ms. McGurl, did you know your
6 neighbors, Steve and Teresa?

7 A Yes.

8 Q Would you say you were friends?

9 A No.

10 Q How long did you live in this neighborhood?

11 A I think it was three years.

12 Q So you were next door neighbors to them for how
13 long?

14 A Well, the entire time, but they weren't there the
15 entire time. Steve wasn't there for about the first
16 year, and Teresa wasn't there for the first two, I
17 think it was.

18 Q So if I hear you right, you lived in that
19 neighborhood for three years, you were neighbors with
20 Steve over a year, and Teresa for less than that?

21 A Yeah, approximately. Yeah.

22 Q Okay. So they were your next door neighbors?

23 A Uh-huh.

24 Q You testified that you knew the neighbors, so you
25 knew them for that period of time?

PATRICE PATE - CROSS-EXAMINATION

1 A Yes.

2 Q But you weren't friends?

3 A No.

4 Q Were you friends with the defendant?

5 A No.

6 Q Were you -- what was your impression as
7 neighbors? They were your next door neighbors, so tell
8 the Court.

9 A To me, they weren't neighbors. I would want to
10 have -- they would drink and were loud sometimes in the
11 front yard. I kind of could tell they might be
12 trouble, so really wasn't a neighbor you would want to
13 have.

14 Q And how close was your home? The jury has
15 pictures, but how close was your home to the victim's
16 house?

17 A Very close. What is that, maybe 5 feet from the
18 fence line, but I guess home wise, maybe 10 feet.

19 Q So you had a fence in the backyard?

20 A There is a fence around the side yard and around
21 the back.

22 Q Did she have a fence, also?

23 A No, we shared.

24 Q So a fence split both properties?

25 A Yes.

PATRICE PATE - CROSS-EXAMINATION

1 Q Now, were you home on July 17th of 2013?

2 A Yes.

3 Q Were you ever in your backyard that afternoon?

4 A Yes.

5 Q Did anything stick out to you that day about your
6 neighbor's conduct? Do you remember seeing or hearing
7 them?

8 A I heard them arguing.

9 Q Was this normal?

10 A Yeah, it was normal.

11 Q Did it appear to be a heated argument?

12 A Yes.

13 Q Where were you when you heard this?

14 A In my garden on the side of the house, between
15 the two houses.

16 Q Do you know if they were in their yard, or
17 inside?

18 A I think they were outside in the yard because it
19 was -- I could hear it well. It didn't sound like it
20 was coming through the house.

21 Q Did they appear to be intoxicated to you from
22 what you heard?

23 A Yes.

24 Q What time was this, ballpark?

25 A Yeah, approximately -- I thought it would -- I

PATRICE PATE - CROSS-EXAMINATION

1 would say around 3:00 and 5:00 maybe. Still daylight.

2 Q So in the afternoon?

3 A It was in the afternoon.

4 Q While you were working in your yard?

5 A Yep.

6 Q Now, going back to those pictures, your front
7 window on your house, what does it face?

8 A Well, it would face straight out and you could
9 see anyone coming into the neighborhood. The picture
10 of the van that you would see, you could see the end of
11 that forward to the neighbor straight across the
12 street, all the way to the front of the neighborhood.

13 Q So in your line of site, could you see the
14 victim's home?

15 A I couldn't see the home, I could see the complete
16 driveway almost.

17 Q I got you. So they are situated slightly beside
18 each other, but where you are in your living room, you
19 have a clear picture of the driveway?

20 A Yes. Yes.

21 Q Why would you be in that position in your home?

22 A Well, where my -- my television sat against the
23 wall that was beside their home, and then my couch sits
24 here (indicates), would sit here. So you had a
25 complete view out of the window to watch the

PATRICE PATE - CROSS-EXAMINATION

1 television, you could see just like that (indicates).

2 Q Okay. So you heard them arguing that day. Did
3 you see or hear anything else that afternoon that stuck
4 out to you?

5 A Later on, I guess a few hours later, I heard what
6 I thought were fireworks, and that stuck out to me
7 strange because it was happening during a time where
8 you wouldn't be able to see them. It annoyed me
9 because my dog was old and he had a bad hip, so I know
10 he would be afraid and would want to get up, so I had
11 to rush out to get him quickly before he got up and
12 hurt himself. So I was running to get him and bring
13 him in because they were setting off fireworks during
14 the day, so I was grumpy, I guess.

15 Q Understand. How many noises, fireworks, gunshots
16 did you hear?

17 A Approximately two or three. I don't remember
18 specifically. More than one, less than five.

19 Q And you testified you thought they were
20 fireworks?

21 A Yes. Yes.

22 Q What made you think this?

23 A They were just a loud pop, and I don't know what
24 else would make that sound. At the time, I didn't know
25 what else that sound could be.

PATRICE PATE - CROSS-EXAMINATION

1 Q Did you grow up around guns?

2 A No, sir.

3 Q So would you know the difference in, say, a
4 firearm and handgun from the neighbor's address?

5 A No, I wouldn't. Not at that time I wouldn't.
6 Not without seeing it.

7 Q But you know what you heard was unusual?

8 A Yes. Yeah. I didn't know why they would do it
9 at that time.

10 Q After you heard these noises, did you see anyone
11 come or go from the victim's residence?

12 A Yes, I did. I saw -- I saw Teresa's sister come
13 and pick her up, and I saw Teresa leave with the dogs.

14 Q Before we get to that. I'll show you State's 9
15 and 10; do you recognize that as the vehicle you saw?

16 A Yes. Yes.

17 Q You said that was Teresa's sister?

18 A Yes.

19 Q So did you see Teresa's sister get out of the
20 car?

21 A No, I just saw her in the driver's seat.

22 Q But you saw the defendant leave her residence and
23 go get in car with her sister?

24 A That's correct.

25 Q And you said she had dogs with her?

PATRICE PATE -- CROSS-EXAMINATION

- 1 A Yeah. Yeah.
- 2 Q Did anything about that come across as unusual to
3 you?
- 4 A Yeah. She had the little one, which I -- which
5 was Steve's. I thought it was odd that she would take
6 the little one because that was his buddy and usually
7 it was with Steve. Steve carried him around all the
8 time. It was his baby, so the fact that he was going,
9 I thought that was odd. I thought it to myself in the
10 moment that it was weird.
- 11 Q So when you saw Steve, this dog was normally with
12 him?
- 13 A Yeah. Yeah.
- 14 Q What kind of dog was that?
- 15 A A little Chihuahua.
- 16 Q Do you remember his name?
- 17 A No, I don't know. I remember what he looked like
18 though. He was always with Steve.
- 19 Q All right. About what time did you see Teresa
20 leave the residence with the dogs?
- 21 A It was --
- 22 Q I apologize, let me back up to keep it in order.
23 What time did you hear the shots again -- or pops,
24 sorry?
- 25 A I would say it was early evening, like -- not

PATRICE PATE - CROSS-EXAMINATION

1 dark yet, you know. Not dark at this point.

2 Q Early evening in July? Are we talking about
3 7 o'clock?

4 A I would say around that time.

5 Q Around 7:00-ish?

6 A Yeah.

7 Q Did you happen to see that vehicle again that
8 evening?

9 A Yeah, I did. I saw it a second time.

10 Q What time did you see the vehicle a second time?

11 A It was darker at that time, later.

12 Q Was it pitch black, midnight, or just getting
13 dark? I know it is tough to remember.

14 A It wasn't pitch black, no. I could see the
15 vehicle.

16 Q Do you know if streetlights were on, anything
17 like that stick out to you?

18 A It was just kind of dusk, dark, but it was enough
19 that I could see. Whether or not the lights were on, I
20 don't know. Maybe they might have been.

21 Q So summer day past 8:30?

22 A Yeah. Yeah. You could still see it at that
23 time.

24 MR. GROOMS: Court's indulgence.

25 (A brief pause in the proceedings.)

PATRICE PATE - CROSS-EXAMINATION

1 Q (MR. GROOMS) After that evening when you saw the
2 vehicle return, did that stick out to you as unusual?

3 A Yes.

4 Q Why was that?

5 A Well, typically with -- when the sister came to
6 pick her up, if it was an argument situation, they
7 would go and she was gone for a night and maybe come
8 back the next day. To return in the same night, I
9 remember thinking in my head they must have made up and
10 everything must be okay. But to be gone and come back,
11 I didn't see -- I only saw the one individual. I saw
12 the defendant at this point.

13 Q So you saw the defendant when she came back?

14 A I didn't see -- I didn't see any driver. I
15 didn't see the specific driver, the sister come back.

16 Q Just the vehicle? You don't know who was
17 driving?

18 A Yeah. Yeah. Yeah.

19 Q Just to be clear. Now, when did the police
20 arrive?

21 A The following day.

22 Q So I imagine you carried on your normal day, went
23 to work?

24 A I went to work, but an officer came to my house
25 that morning with a cell phone and asked if our

PATRICE PATE - CROSS-EXAMINATION

1 neighbors were home, and my husband told him that --
2 asked him if the dogs were barking, the dogs should be
3 barking if you knock on the door, and the police
4 officer said no, and in the meantime I went to work.

5 Q When you returned home that evening, were the
6 police already there?

7 A No. I got in the house and we went -- my husband
8 wanted to go fishing, so I said okay. So we got our
9 stuff together and walked out of the house. As we were
10 going out to go fishing, police officers were parking
11 in front of our house.

12 Q A lot of police there?

13 A Yeah, there was quite a few. Yeah. They blocked
14 us off. We had to drive through our yard to get out.

15 Q Did you speak to the police then?

16 A I think my husband said something, could he get
17 out, and the cop said no, but we ended up going around
18 and we left and went fishing.

19 Q Did you catch anything?

20 A I don't fish, but I walk around, but my husband
21 did, yeah.

22 Q What did you think was going on next door?

23 A Honestly, we had no idea. There was a lot of
24 police officers to be there, other times that the
25 police came, it was just usually one.

PATRICE PATE - CROSS-EXAMINATION

1 Q Did you come back to your house that night after
2 fishing?

3 A Yes. Yes.

4 Q And police were still there?

5 A Yes.

6 Q And did you give them a statement?

7 A I did, yes.

8 Q Did you tell them about the pops?

9 A Yes.

10 Q And you described them as fireworks at the time?

11 A Yes.

12 Q And we've been through your testimony about the
13 difference in fireworks and pops and what you heard.

14 What you heard was unusual; is that correct?

15 A Yes.

16 MR. GROOMS: Court's indulgence.

17 (A brief pause in the proceedings.)

18 Q (MR. GROOMS) Had you ever seen Teresa driving
19 the white vehicle before?

20 A No.

21 Q But you are familiar that that was her vehicle,
22 the sister's vehicle?

23 A Yes. Yes, the sister's.

24 MR. GROOMS: Nothing further.

25 MR. McCOLLUM: May it please the Court?

JACQUELINE MCGURL - CROSS-EXAMINATION

1 THE COURT: Certainly.

2 CROSS-EXAMINATION

3 BY MR. MCCOLLUM:

4 Q I'm Greg McCollum. I represent, along with my
5 firm, Ms. Teresa Hall, okay. You testified that you
6 didn't like the Halls, didn't like Teresa and/or Steve,
7 right?

8 A Correct.

9 Q You had difficulties with Steve, didn't you?

10 A Me? No, I didn't have any issues with Steve.

11 Q Your husband did, right?

12 A Yes.

13 Q And, in fact, somehow, some way Steve had loaned
14 money or given money to your husband Matthew, right?

15 A Yeah. I don't honestly know the specifics of it.
16 I wasn't involved in it. I didn't care to get involved
17 in it. I don't know exactly why or how, but, yes.

18 Q And Steve actually filed a lawsuit in small
19 claims court against your husband that same day, right?

20 A Yeah. Actually, I found out today that it was
21 the same day.

22 Q All right. At the time of this, Wednesday,
23 July 17th, 2013, when you heard these things going on
24 at Mr. and Mrs. Hall's house, where was your husband?

25 A Working.

JACQUELINE MCGURL - CROSS-EXAMINATION

1 Q And where did he work?

2 A He worked -- at that time he was actually working
3 for a company that cleaned office buildings, and things
4 like that. He was working at I think -- what is it
5 called Avcraft -- I think they are now closed, I
6 believe -- is the building he was cleaning, AVX
7 building.

8 Q Avcraft, which is a general aviation company at
9 Myrtle Beach Airport, right?

10 A Yes. Yes.

11 Q But earlier he told the police that he was at
12 Little River Medical Center on Homestown Road?

13 A He did both of those buildings that night, so I
14 don't remember which came first.

15 MR. HIXSON: I object relating to defense counsel
16 opening the door under the underlying nature of this
17 discussion on redirect. We may need to get into
18 information that is ultimately underlying that, and
19 we'll have to take that outside of the presence of the
20 jury.

21 THE COURT: It is time for the jury to take a
22 break anyway. Take them back in the jury room.

23 (The jury exits at 11:08 a.m., and the
24 following is heard out of the presence of the jury.)

25 THE COURT: Mr. Hixson.

JACQUELINE MCGURL - CROSS-EXAMINATION

1 MR. HIXSON: This relates to the third-party
2 guilt issue I brought up at pretrial, and in addition
3 to that, we talked about the nature of \$200 and what
4 it was about. The allegations in the case reports
5 provided to counsel is that the defendant is selling
6 her prescription pain medication to Matthew, and to
7 rebut the nature of this underlining controversy, the
8 text messages in the Cellebrite report indicates that
9 is what is going on. Matthew didn't want Jackie to
10 know about it because she was concerned about him not
11 continuing to use prescription medication.

12 To rebut the nature of this third-party guilt,
13 the defendant has opened the door for me to explain it
14 is the defendant's misconduct causing this problem by
15 illegally selling pills, and I don't think we want to
16 get into that.

17 THE COURT: Third-party guilty can't be some bare
18 assertion that has nothing or goes nowhere as far as
19 exonerating the defendant. It simply is based on
20 speculation. I mean, first of all, it is not
21 admissible in that regard, just the bare assertion.
22 It has to be something specifically that relates to
23 the innocence of the defendant.

24 MR. HIXSON: In addition, Your Honor --

25 THE COURT: Now, if he opens this door, you know,

JACQUELINE MCGURL - CROSS-EXAMINATION

1 I don't know if we're to that point or not, but Mr.
2 McCollum, you open this door and I'll let him go right
3 through it.

4 MR. HIXSON: Additionally, we have a certified
5 copy from the magistrate's office on this lawsuit. It
6 wasn't served on Matthew McGurl until August 9th,
7 which is after the defendant's death. So the motive
8 for a lawsuit for third-party guilt is not
9 inconsistent with the defendant's guilt, which is the
10 Gregory standard, which Holmes supports, and I'm
11 concerned about protecting integrity of the verdict
12 one way or the other, and if I talk about the
13 defendant on pills to rebut this argument, I may have
14 a problem.

15 THE COURT: Mr. McCollum, I mean, this lawsuit
16 you are talking about apparently is filed -- I mean
17 how would he even know it was filed? It was not
18 served until days later.

19 MR. HIXSON: It was filed the day of the
20 defendant's death according to Ms. McCracken's
21 statement, but not served on Matthew until after the
22 death, so he wouldn't have known about it.

23 THE COURT: I understand. I understand. Where
24 are you going with it?

25 MR. MCCOLLUM: Listen, I mean, it is a thorny

JACQUELINE MCGURL - CROSS-EXAMINATION

1 issue we looked at and thought about. I understand if
2 I open the door they will be able to go through some
3 of these --

4 THE COURT: Do you have anything to suggest -- I
5 mean, you are talking about a lawsuit that was not
6 even served until after his death. Do you have
7 anything at all other than just speculation.

8 MR. McCOLLUM: Well, you know, her husband was
9 developed as a suspect and he gave an alibi, which to
10 us seemed conflicting because he was at two different
11 locations. The police eventually took him to Florence
12 to take a polygraph. So he was definitely a suspect
13 at the same time that Ms. McCracken was.

14 MR. HIXSON: He passed the polygraph and we have
15 time sheets with AVX that he was at work, that is why
16 he was discounted as a suspect, and a \$200 lawsuit
17 over selling pills is the only motivation they could
18 find.

19 THE COURT: You are limited, you know, in this
20 case. You are limited to such facts as are
21 inconsistent with your client's guilt and to such
22 facts that raise a reasonable inference or presumption
23 as to his own innocence. You just can't make a bare
24 suspicion with nothing more. I mean, that is all you
25 have?

JACQUELINE MCGURL - CROSS-EXAMINATION

1 MR. MCCOLLUM: I think there is more that gets
2 developed.

3 THE COURT: Tell me what you have. Tell me.

4 MR. MCCOLLUM: It is our understanding that
5 Mr. Steve Hall owned a bar -- ran a bar ran by Hells
6 Angles or another group, that he was involved in the
7 using, buying, selling prescription narcotics, that
8 he --

9 THE COURT: How does that relate to Mr. McGurl?
10 Has he ever been in the bar? Do you know anything
11 about that?

12 MR. MCCOLLUM: It relates -- it could -- listen,
13 I understand what Your Honor's point is, okay. Since
14 Mr. McGurl was involved in that enough that it created
15 problems such that they were sending messages back and
16 forth to Ms. Hall and her husband and accusing each
17 other of things, a lot of nasty stuff was going on.

18 THE COURT: Tell me. I mean, I need to know.
19 What do you have?

20 MR. MCCOLLUM: May I hand it up instead of
21 reading it?

22 MR. HIXSON: Just to clarify for a second. There
23 could be no better perfect Gregory case than having
24 the defendant get a chance to talk about him having a
25 loose affiliation with the Hells Angles with a bar.

JACQUELINE MCGURL - CROSS-EXAMINATION

1 There is nothing in discovery relating to that other
2 than investigative techniques that anyone else
3 possibly could have done this. I mean, that is on all
4 fours with what Gregory stands for. Trying to get the
5 idea that Matthew McGurl and Hells Angels, that has
6 got to be someone that is violent to get inside the
7 house.

8 As it relates to what Counsel handed up, I think
9 it is important, for the record, to understand that
10 the Cellebrite report that I intended to introduce
11 tomorrow afternoon is the document that he handed up,
12 that is the extraction report. I'm talking about
13 carrying our burden that this stuff happened, it says
14 in Teresa's phone, Hey, I owe you \$200 and 35 for a
15 total of 235. You owe me like \$65 bucks for the shit
16 I gave you twice. You said you would give me pills
17 for it and never did.

18 That is the kind of stuff the jury gets to hear
19 if it comes in, and I don't want the jury to hear
20 that. There are more like that in here. I didn't
21 intend to introduce the Cellebrite report to deflect
22 what this message was -- there is also a text about,
23 Stop texting my wife. My wife doesn't need to know
24 anything about it.

25 So we know that Matthew was trying to protect his

JACQUELINE MCGURL - CROSS-EXAMINATION

1 wife because she's continuing to say I'm trying to get
2 him off pills. How that has to do with defendant's
3 guilt is difficult to fathom.

4 THE COURT: You know, there has to be an order
5 for third-party guilt or evidence of third-party guilt
6 to be admissible. There has to be proof of some
7 connection with the crime, there has to be a chain of
8 facts or circumstances that tends to clearly point to
9 another person as the guilty party, and we don't have
10 any of that. I mean, the fact that he may or may not
11 have sold some pills to the victim would be nothing
12 more than -- nothing more -- nothing that I have seen
13 connects the third-party with this murder, nothing.

14 I mean, do you have anything? I mean, the State
15 has provided you with time cards as to where he was.

16 MR. HIXSON: We don't have time cards. We have
17 testimony from AVX, the detectives went to his work.

18 THE COURT: He has nothing to do with it. I'm
19 not going --

20 MR. MUREDDU: If I may, Your Honor?

21 THE COURT: Certainly.

22 MR. MUREDDU: First off, we have no time cards as
23 proof of an alibi for Matthew McGurl. I dispute
24 whether they exist or not. More specifically --

25 MR. HIXSON: We do not have them either, I just

JACQUELINE MCGURL - CROSS-EXAMINATION

1 clarified that.

2 THE COURT: Okay.)

3 MR. MUREDDU: If you look, I'm going to read it
4 just because what I would argue is we've got three
5 threatening messages. I'll read the first one. One
6 of you better get the fuck out of the house. Sorry
7 just doesn't cut it for what you did. I'll never talk
8 to you again. You fucked me. You are a rat. You
9 didn't remember the rules of the playground. Quit
10 calling and texting me and my wife.

11 The third one, Your Honor, again, it is in the
12 texting age, all cap letters sent on a last text.
13 Clearly, Your Honor, our position is there was a major
14 conflict going on between, I would say, both of the
15 McGurls potentially, but particularly Matthew McGurl,
16 our client and the victim in the case. Further, when
17 it comes to the explanation as to the alibi --
18 specifically Ms. McGurl -- has added to -- number one,
19 she is part of her husband's alibi. She also has
20 added to what she originally told the police as far as
21 what she saw, what she heard.

22 Your Honor, I was listening carefully to what she
23 actually said, and she described herself as not being
24 friends with these people. I think what is being
25 omitted, if not concealed, is there is -- was a

JACQUELINE MCGURL - CROSS-EXAMINATION

1 significant hostile relationship between her household
2 and the Hall household, and I think that we should be
3 able to explore that.

4 MR. HIXSON: These are the defendant's cell phone
5 records, not the victim's cell phone records. This
6 animosity is between the defendant and Matthew, not
7 Steven. Any animosity is specifically excluded
8 because it is not relevant to -- she's the one they
9 are mad at, not Steven Hall. It is not consistent
10 with her guilt. It is a Gregory right on the money.
11 That text message was between Teresa Hall, bring it
12 you on. Next one to Matthew is, Bring it on. It's
13 not Steven.

14 MR. MUREDDU: The Solicitor is drawing a
15 conclusion that Mr. Hall was not a party to this.

16 MR. HIXSON: I'm pointing --

17 THE COURT: You are drawing a conclusion that he
18 was.

19 MR. MUREDDU: Well, based on the Solicitor and
20 the State's position is, is the interaction between
21 Mr. McGurl and Teresa was in relation to Mr. Hall's
22 prescription medication.

23 THE COURT: Let me ask, what do you got? They
24 didn't like each other. Do you have anything to even
25 suggest to this jury other than a bare speculation

JACQUELINE MCGURL - CROSS-EXAMINATION

1 that Mr. McGurl had anything to do with it?

2 MR. MUREDDU: He was in the exact same proximity
3 that the defendant was, circumstantial evidence case.
4 The only person that says he didn't go back to that
5 house is his wife.

6 THE COURT: I believe that it is excluded under
7 Gregory, and I won't allow this line of questioning,
8 period. Take a break. Witness is instructed not to
9 discuss her testimony, but she may leave the stand.

10 (A recess was taken.)

11 (Court's Exhibit 1 marked.)

12 MR. MCCOLLUM: I know we want to move along, but
13 we were just discussing -- and we tried to go down
14 this road and Your Honor said we can't -- we would
15 like to just proffer this evidence. I don't think it
16 will take that long, and we'll introduce and get
17 testimony from her, introduce this as Court's exhibit.

18 THE COURT: Go ahead.

19 MR. MCCOLLUM: I know the rules of trying a case,
20 is it okay if Mr. Mureddu does this?

21 THE COURT: No. One attorney, one witness.

22 MR. MCCOLLUM: We were hoping we were going to
23 get the Morgan and Tommy rule.

24 MR. MUREDDU: Would you like another copy of what
25 we handed you?

PROFFER - JACQUELINE MCGURL - EXAMINATION BY MR. MCCOLLUM

1 THE COURT: Yes.

2 PROFFER

3 BY MR. MCCOLLUM:

4 Q I'll ask you questions, and this is not in front
5 of the jury, okay. I know it is unpleasant, and I'll
6 try to get through it. Just answer the questions and
7 we'll move on. There is no question but that your
8 husband Matthew had disputes with Steve Hall, right?

9 A Actually, I thought him and Steve were okay.
10 They were neighborly.

11 Q And did your husband -- would he go to Mr. Hall's
12 house?

13 A Not often -- not in my view, from me.

14 Q But you know he had been there?

15 A Yeah. He had helped Steve move.

16 Q Helped him move. And if he went to Steve Hall's
17 house, Steve Hall was likely to let him in, right?

18 A Yes.

19 Q And that wouldn't apply to that many people,
20 right?

21 A That, I can't answer.

22 Q Mr. Hall did, did he have a reputation for being
23 a violent person and somebody that could erupt and harm
24 someone?

25 A Not that I know of.

PROFFER - JACQUELINE MCGURL - EXAMINATION BY MR. MCCOLLUM

1 Q And was Mr. Hall -- was he a big, strong
2 individual?

3 A He was a big guy, but he broke his ankles. I
4 don't think he was that strong.

5 Q There is no -- the -- were you aware that Ms.
6 Hall was making threats to your husband to tell -- that
7 they were going to tell you stuff, negative things
8 about him and/or her, not that they were necessarily
9 true?

10 A No, I didn't know she was making threats to him.
11 He was trying to cover it up from me. She called me
12 one time and told me, but I didn't -- as far as do I
13 know threats, no.

14 Q And on the night of the murder, your husband was,
15 you say, doing his job, cleaning buildings, right?

16 A Yes.

17 Q And one was at Avcraft?

18 A Uh-huh.

19 Q And the other one was Little River Medical?

20 A Correct.

21 Q Did he clean those businesses after they were
22 closed?

23 A Yes. He had to use a security code to get in.

24 Q And to your knowledge would anybody else be there
25 when he was cleaning?

PROFFER - JACQUELINE MCGURL - EXAMINATION BY MR. MCCOLLUM

1 A Not at Little River, but at the other place,
2 yeah. I forget her name that used to work with, but he
3 had a partner he worked with at Avcraft.

4 Q And your husband was developed as a suspect in
5 this murder, right?

6 A Yeah, early on. Yeah.

7 Q And police suspected him and thought he might
8 have done the killing, right?

9 A I think they were eliminating him, this, what is
10 happening now, I think that is what they were doing.

11 Q And the police went and checked, to some degree,
12 your husband's alibi, right?

13 A I don't know if they did.

14 Q And if you don't know, that is fine.

15 A I really don't, I don't know.

16 Q And your husband was required to go to Florence,
17 South Carolina and take a polygraph?

18 A That is correct.

19 Q To prove to the police he was not the person who
20 did the crime, right?

21 A Correct.

22 Q And you know that to be true?

23 A Yes.

24 Q And you, yourself -- well, I won't ask that. Did
25 you have text between you and Teresa Hall?

PROFFER - JACQUELINE MCGURL - EXAMINATION BY MR. MCCOLLUM

1 A I don't remember. I know there was a phone call,
2 but a text messages -- I don't -- because I've sworn to
3 tell the truth, and I want to say I don't remember,
4 because I don't remember. I know there was a phone
5 call.

6 Q Look, I understand.

7 A I'm trying to be honest.

8 Q Appreciate that. It is not a trick question,
9 just asking for information. But your husband had some
10 type of pill-based relationship with Teresa Hall and
11 Steve Hall, right?

12 A I know of Teresa, I don't know of Steve.

13 Q And Steve was taking painkiller medications
14 because he had that terrible injury to his feet, right?

15 A I don't know that either.

16 Q That is fine. And there is no question but that
17 your husband would -- could go to Steve Hall's house,
18 right?

19 A Yes, he could go there.

20 Q And in terms of -- sorry, I lost my train of
21 thought.

22 MR. MCCOLLUM: Court's indulgence.

23 (A brief pause in the proceedings.)

24 MR. MCCOLLUM: I think that is it, Your Honor. I
25 had another point, but I can't remember.

PROFFER - JACQUELINE MCGURL - EXAMINATION MR. HIXSON

1 MR. HIXSON: May I mark these?

2 PROFFER

3 BY MR. HIXSON:

4 Q Are you aware of the defendant's pain medication
5 prescriptions that she has for her, are you aware of
6 that as neighbors and discussions of --

7 A I only know because it all came out that he got
8 pills from her, because he told me, but other than
9 that, I don't know of their prescriptions. I don't
10 know their business.

11 MR. HIXSON: Fair enough. Nothing further. We
12 have argument -- I guess it's no argument just --

13 MR. MCCOLLUM: Your Honor, you ruled. I just
14 wanted to proffer.

15 THE COURT: And, again, I reiterate. I have
16 heard nothing from this witness, I've heard no
17 evidence of any train of facts or circumstances which
18 would tend to clearly point to some other person. Her
19 testimony seems to indicate that there was no problem
20 between the victim and her husband. There may have
21 been some nefarious relationship concerning pills with
22 her husband and the defendant, but nothing to suggest
23 that he even had a problem with the victim. And so I
24 would reaffirm my prior ruling. I think any such
25 testimony would only tend to confuse and mislead the

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 jury. I'm not going to allow it.

2 Thank you. Let's bring the jury in.

3 MR. MCCOLLUM: Then I can continue to --

4 THE COURT: Certainly. Yes. Bring the jury in.

5 (The jury enters at 11:39 a.m., the following
6 is heard in the presence of the jury.)

7 THE COURT: I think we have everyone back in the
8 courtroom. You can continue, Mr. McCollum.

9 CROSS-EXAMINATION (Continued)

10 BY MR. MCCOLLUM:

11 Q Ms. McGurl, you were interviewed by Detective
12 Lent, who I think is seated right here now, this
13 gentleman, right here (indicates), the night that
14 police were investigating on July 19th; do you remember
15 that?

16 A Yes.

17 Q And do you remember where you were when you
18 talked to Detective Lent?

19 A First time was in my garage.

20 Q How did that come about? Did someone knock on
21 the door, standing out in the yard, or do you remember?

22 A He came over he came over.

23 Q And he was asking you questions because you were
24 a neighbor?

25 A Yes.

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 Q And at that time you told him that you -- that
2 you heard a loud bang, right?

3 A Yeah. I remember it then, yeah.

4 Q Then, I think you also described it as a firework
5 sound?

6 A Yes.

7 Q Yes. And at that time you didn't say anything
8 about Teresa McCracken coming back to the house a
9 second time, right?

10 A When I was talking to him?

11 Q When you were talking to Detective Lent in 2013,
12 July 19th, when you were in your garage?

13 A I don't know if I said anything about it then or
14 not.

15 Q And you described the sound you heard as a loud
16 bang or singular type of sound, right?

17 A Yeah, multiple ones, but just like bang, bang. I
18 don't know how many. I don't remember.

19 Q So you don't remember telling the detective you
20 just heard the one sound?

21 A No. I don't remember if being -- whether it was
22 one or another. I don't remember how many it was. I
23 know it was more than one, but I don't remember how
24 many.

25 Q I think that you said -- you reported in your

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 statement you had said that you heard firework kind of
2 sounds before and people in your family would always
3 say it is just fireworks, so you didn't bother to tell
4 your husband that you heard it, right?

5 A No, there was no need to tell him. I thought it
6 was fireworks. I don't think I mentioned it to him.

7 Q So the sound you heard, it startled your dog?

8 A I assume it would have. He was outside and I was
9 inside, so I ran outside to get him.

10 Q Because your dog had the leg or hip problem?

11 A Yeah, so he wouldn't get up.

12 Q And you were kind of angry that you heard the
13 sound, right?

14 A I was annoyed.

15 Q Because your dog -- it is going to cause your dog
16 to maybe harm himself?

17 A Yeah. I thought he would get up and hurt his hip
18 because he needed help to get up.

19 Q So when you were outside, you got your dog and
20 took your dog back in?

21 A Uh-huh.

22 Q Yes?

23 A Uh-huh.

24 Q So at that point it wasn't significant enough for
25 you to tell your husband that you heard it?

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 A My husband wasn't home at the time. If he was
2 working, I wouldn't call him to say, hey, I just heard
3 fireworks. I'm not sure -- I didn't think it was
4 anything other than fireworks.

5 Q If you did, you would have done something, taken
6 action, called the police or something?

7 A Correct. If I thought it was something more.

8 Q When you said you heard -- you say you heard
9 Teresa Hall and Steve Hall arguing, right?

10 A Uh-huh.

11 Q And you were -- I think you said you were working
12 in the garden?

13 A Yes.

14 Q So the garden is outside of your house, right?

15 A Uh-huh.

16 Q Yes?

17 A Uh-huh.

18 Q Were they inside the house or outside?

19 A Pretty sure they were outside, but I don't know
20 for sure. It would -- at the time it sounded as if
21 they were outside. I remember thinking they were
22 outside, but I didn't see them.

23 Q You said that you saw Teresa leave the house with
24 the dogs, right?

25 A Yes.

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 Q What kind of clothes was Teresa wearing when she
2 left the house?

3 A Shorts and a shirt.

4 Q Do you remember her wearing a blue shirt?

5 A Now this many years later. No, I'm sorry I do
6 not.

7 Q And then after you talked to the detectives --
8 before I go there, let me ask you one more question,
9 you didn't know the dog's name, right?

10 A No, I don't remember the dog's name. I did know
11 it, but I don't remember it now.

12 Q You can describe the dog, right?

13 A Yeah, a little dog, Chihuahua type of dog.

14 Q Was it a Chihuahua?

15 A I think so. Chihuahua, a little guy, mix.

16 Q And the other dog?

17 A He was like a black lab or something.

18 Q Okay. So they don't look anything alike,
19 correct?

20 A That is correct.

21 Q So we have the black lab, which is not Steve's
22 dog?

23 A Uh-huh.

24 Q Yes? For the record.

25 A I got you. That's correct, I would consider that

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

- 1 Teresa's dog.
- 2 Q And the little dog, the little Chihuahua mix or
- 3 whatever, was Steve's dog?
- 4 A Uh-huh.
- 5 Q Yes?
- 6 A Uh-huh.
- 7 Q At some point the people from the police
- 8 department or from the Solicitor's office came back and
- 9 interviewed for a second time?
- 10 A Yes.
- 11 Q And they recorded it?
- 12 A I don't know, maybe they did. They may have.
- 13 Q And the person that came back was a man, a
- 14 gentleman, by the name of Gerardi Livingston, black
- 15 man, maybe my age or a little older?
- 16 A Yeah. Yeah. That was just in September of this
- 17 year, you mean?
- 18 Q '15.
- 19 A Yeah. Yeah. Yeah. Yeah. Yes. Yes.
- 20 Q So September 2015 they came?
- 21 A Yes.
- 22 Q Yes?
- 23 A Yes.
- 24 Q And then there was a woman I think with him,
- 25 named Nancy Livesay, who was the then solicitor

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 handling this case?

2 A Correct.

3 Q You remember that?

4 A Correct. Yes.

5 Q And in this statement you said that you heard a
6 sound, something that sounded like fireworks, right?

7 A Uh-huh.

8 Q Yes?

9 A That is correct.

10 Q And then in this statement you said that you saw
11 Teresa come back to the house a second time, right?

12 A Yes.

13 Q But you never saw that in the first statement two
14 years earlier, right?

15 A I don't know.

16 Q And at any time since the shooting happened, from
17 July of 2013 until now, today, has anybody given you
18 any information about how many times Mr. Hall, Steven
19 Hall, was shot?

20 A No, I didn't know. I don't know exactly. They
21 said something -- at one time I was told something, and
22 I don't remember what it was, but I honestly don't
23 remember how many times, and I don't know where. I
24 have no idea where wounds were inflicted. It is
25 horrific to me, and I honestly don't like to talk about

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 it.

2 Q So given the inconsistencies between the first
3 statement, July of 2013, to the second one in September
4 of 2015, do you know which -- are you a hundred percent
5 sure?

6 A Well, when they walked me through it and I
7 remember, I mean, even in the moment when I realized I
8 heard gunshots instead of fireworks, it makes me cry,
9 you know, knowing that someone was over there shot
10 (crying). So it brings about emotions when you talk
11 about someone and you find out that your neighbor was
12 killed, you know, you try to remember things in the
13 moment. It is hard when you sit around and think about
14 it later, you know. Things start coming back, and
15 maybe something you didn't think was odd before was odd
16 later when you found out what potentially was the
17 reason behind it.

18 Q And you said "when they walked me through it,"
19 right, when they walked you through it?

20 A When they asked me questions, that made me
21 remember things.

22 Q Did they ask --

23 A Asked me questions. No one led me, they asked me
24 specifics.

25 Q Did you see Teresa Hall the next night when the

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 police were there; did you see her that night?

2 A At some point I did.

3 Q Did you notice if she was wearing the same shirt
4 you saw her wearing the day before?

5 A No, I can't say I did. I don't remember one way
6 or the other. I don't remember.

7 Q Did anyone ever ask you that?

8 A I don't remember being asked. It has been three
9 years since the time, I don't remember. I remember
10 hearing loud noises and I just wanted to get away
11 because it was just drama. I just tried to stay away
12 from any drama.

13 Q Good idea. So you were having issues remembering
14 exactly what you saw and heard, right?

15 A No. I remember hearing fireworks. I don't
16 remember clothing. I don't remember what I was wearing
17 that night either, but I know what I heard. I know I
18 heard firework sounds, for sure. The number of them?
19 That, I don't know. At the time I wasn't thinking, I
20 should remember this.

21 Q Who would? Who would? Could you have heard
22 three or four firework sounds?

23 A No. I know it wasn't four because they stopped,
24 and I remember thinking that I got up to get the dog
25 for no reason because it didn't continue; it ended. So

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 they didn't continue setting off what I thought were
2 fireworks, so I thought, oh, I got the dog up and moved
3 him for nothing.

4 Q So that was July the 17th, right? So
5 July 4th was --

6 A 13 days prior.

7 Q 13 days prior. So you heard fireworks on
8 July 4th, right?

9 A Uh-huh.

10 Q And you heard fireworks some days after that,
11 right?

12 A Oh, yeah. There might be a day or two of
13 fireworks.

14 Q And then it kind of goes on after that when
15 someone is popping fireworks, right?

16 A I mean, I don't know, but there were -- it's -- I
17 mean, they sell fireworks in town so I can't say no for
18 sure or yes for sure, but potentially.

19 Q And since then and, you know, last year, last
20 summer and the summer before that, you heard fireworks
21 too, right?

22 A I didn't hear last year. I didn't go, but I did
23 prior to that. I didn't see any fireworks last year.
24 I don't live here anymore.

25 Q You live in another state?

JACQUELINE MCGURL - CROSS-EXAMINATION (CONT)

1 A Uh-huh.

2 Q And fireworks are illegal?

3 A Yeah, you can have little ones, but not like
4 here.

5 Q Because here you hear them from time to time?

6 A Once in awhile.

7 MR. HIXSON: Asked and answered.

8 THE COURT: I think it has.

9 MR. McCOLLUM: Court's indulgence one moment.

10 (A brief pause in the proceedings.)

11 Q (MR. McCOLLUM) One last thing. You said that
12 your husband was going fishing. Was he -- does he
13 fish at night or during the day?

14 A We would go right about when I would get off of
15 work. I got off at 4:30, so we would hit the ponds
16 about 5 o'clock. Right after I got off of work we
17 headed over there. ✓

18 Q There is a specific place?

19 A We went go to Arrow Head sometimes or -- what is
20 that -- River Oaks Golf Course, and sometimes we would
21 go to Myrtle Beach National because he would clean over
22 there, too, and they let him go over there.

23 Q And fish in the golf course ponds and stuff?

24 A Yeah. Yeah.

25 Q And you were going the night the police were

JACQUELINE MCGURL - REDIRECT EXAMINATION

1 questioning you?

2 A The night that they came to the house, we didn't
3 even know they were out there. I came home. They
4 weren't out there when I came home. But in the time we
5 got ready -- I changed my clothes from work clothes.
6 By the time I changed my work clothes to go, the police
7 had shown up, and then we went to leave.

8 MR. MCCOLLUM: Thank you.

9 REDIRECT-EXAMINATION

10 BY MR. GROOMS:

11 Q When you testified about the pops, the sounds,
12 what direction did that come from?

13 A From the side to the back -- it wasn't over here
14 for sure (indicates), but it would have been to the
15 side or rear of my house.

16 Q When you say to the side over here, if you are
17 facing the road, you mean your right or your left?

18 A If I'm facing the road, it is on my right-hand
19 side, if I'm in the house. If I'm facing my house, it
20 is to the left.

21 Q To reiterate, State's 12, your house is the house
22 with the car in the driveway.

23 A That's correct.

24 Q And the victim's house is to the right?

25 A The victim's house is to my left when I'm looking

CRYSTAL BOYETTE - DIRECT EXAMINATION

1 at the photo.

2 Q I'm sorry, to my right, the tan house?

3 A Right.

4 Q No question about that. Is that the direction
5 you heard the shots?

6 A Yes.

7 Q Did you change your habits with your living after
8 this?

9 A I rearranged my living room so that I couldn't
10 witness anything like this again. I changed the TV to
11 the other side of the room so I wouldn't have to see
12 out.

13 Q Thank you, Ms. McGurl.

14 THE COURT: You may step down. Thank you for
15 your testimony. Any further need for this witness?

16 MR. HIXSON: No, sir.

17 MR. MCCOLLUM: No objection.

18 THE COURT: You are released from your subpoena.
19 Thank you for coming.

20 MR. GROOMS: State calls Crystal Boyette.

21 (CRYSTAL BOYETTE, having been duly sworn,
22 testified as follows:)

23 THE CLERK: State your name and spell your last.

24 THE WITNESS: Crystal Boyette, B-O-Y-E-T-T-E.

25 DIRECT-EXAMINATION

CRYSTAL BOYETTE - DIRECT EXAMINATION

1 BY MR. GROOMS:

2 Q Thank you for being here. Would you mind telling
3 the Court -- telling the Court where you lived in the
4 Myrtle Beach area during July of 2013?

5 A Yes, I did.

6 Q And do you recall the morning of July 18th?

7 A I couldn't tell you what date it was, but, you
8 know, I found a phone and turned it in.

9 Q You're getting ahead of me, but that's all right?

10 A Sorry.

11 Q Where did you find this phone?

12 A I found it at the Peachtree Landing at Socastee.

13 Q And I'll show you a couple of pictures. Tell me
14 if you recognize this as the area you are talking
15 about, State's Exhibit 15, 16, 17 and 18?

16 THE COURT: Have you seen them?

17 MR. McCOLLUM: No objection.

18 THE COURT: Without objection 15 through 18.

19 (State's Exhibits 15 through 18 admitted.)

20 Q (MR. GROOMS) Can you tell me if you recognize
21 these?

22 A Looks like the dock out by the waterway.

23 Q If you don't mind, the jury can't see that. Hold
24 it up so they can see what you're talking about.

25 State's 15, okay. Thank you.

CRYSTAL BOYETTE - DIRECT EXAMINATION

1 A You want me to continue to hold each one up?

2 Q Yes, please.

3 A That again is the dock by the waterway with the
4 benches. This one looks like the bench where the phone
5 was located, and another shot of the bench as well.

6 Q Are you familiar with the area?

7 A Not real familiar. I've been there a couple of
8 times there before.

9 Q Do you know whether it was on the waterway or
10 not? You know what the waterway is?

11 A That is the Atlantic Intracoastal Waterway.

12 Q Correct. That is where you were?

13 A Yes.

14 Q In Socastee?

15 A Yes.

16 Q You testified you found that phone on the park
17 bench?

18 A Yes.

19 Q What did you do when you found the phone?

20 A Well, I called the police, met them at the gas
21 station around the corner and turned it in.

22 Q Do you remember which gas station?

23 A I don't know. You go out and take a right, and I
24 think there is a Burger King, Dunkin' Donuts across the
25 way. It is right by the Methodist church. There is a

CRYSTAL BOYETTE - DIRECT EXAMINATION

1 big, pretty Methodist church.

2 Q So you went towards the beach, not towards
3 Conway? You went on the other side of the waterway?

4 A Yeah, I went across the swing bridge. I'm trying
5 to think. Yeah, I think you go across the swing
6 bridge.

7 Q There is a church and Socastee High School and
8 there is donut place right there and a gas station?

9 A Yes.

10 Q The other direction is a gas station and bait
11 store. Can you tell which one it was between those
12 two?

13 A I'm not familiar with the bait store, but it is
14 the gas station by the Methodist church.

15 Q Very good. Did you try to turn the phone on?

16 A Not that I recall, no.

17 Q Did you know whose phone it was?

18 A No.

19 Q What made you want to turn it in?

20 A I felt that the police were more appropriate to
21 find the owner. I had my own problems and just
22 couldn't deal with tracking down the owner of a phone.
23 If it was my phone, I would want it returned, so I
24 simply turned the phone in.

25 Q Do you know Teresa McCracken-Hall, the lady to my

CRYSTAL BOYETTE - CROSS-EXAMINATION

1 right at this table?

2 A No, I do not.

3 Q Do you know Steven Hall?

4 A No.

5 Q Do you have any other connection in this case?

6 A No.

7 MR. GROOMS: Thank you.

8 CROSS-EXAMINATION

9 BY MR. McCOLLUM:

10 Q I'm Greg McCollum. I'm a lawyer defending Teresa
11 McCracken-Hall.

12 A Okay.

13 Q So where did you find the phone?

14 A I found the phone on the first bench, on the
15 first dock at Peachtree Landing.

16 Q Where the boat landing is?

17 A No. The boat landing is there, but there is a
18 little park area with a playground and picnic tables
19 over to the left of the area as you are coming in and
20 facing the waterway, and it was on the first -- where
21 you can walk out and fish and, you know, actually on
22 the waterway.

23 Q So it is on the same side of the river as the
24 boat landing is, where you put the boats in the water
25 under the bridge?

CRYSTAL BOYETTE - CROSS-EXAMINATION

- 1 A Yes.
- 2 Q And what time did you get to the park?
- 3 A It was very early. It was right around dawn. I
4 couldn't tell you the exact time, but it was, you know,
5 had just -- just getting to be daylight.
- 6 Q Do you live in that area?
- 7 A I was actually living in Myrtle Beach at the
8 time.
- 9 Q And what took you to the area that morning? It
10 was really early, right?
- 11 A Yeah. Well, I was actually trying to get out of
12 the Myrtle Beach area, and so I just rode out to the
13 park to have breakfast.
- 14 Q And so you weren't working that day?
- 15 A I don't recall if I worked that day or not.
- 16 Q Had you been to that park before?
- 17 A Yes.
- 18 Q You frequently go there?
- 19 A Occasionally.
- 20 Q Just to sit next to the water?
- 21 A Yeah.
- 22 Q You don't go there to fish or anything?
- 23 A I have not yet been there to fish. I see people
24 doing it, and I may in the future, but at this point I
25 have not.

CRYSTAL BOYETTE - REDIRECT EXAMINATION

1 Q All right. And the police officer came and
2 picked up the phone from you?

3 A Yes.

4 Q And thanked you, got your name and information?

5 A They didn't at that time, but they did call me
6 back later.

7 MR. McCOLLUM: Thank you.

8 REDIRECT EXAMINATION

9 BY MR. GROOMS:

10 Q There is a question whether you were on the right
11 or left side of the bridge. On the right-hand side is
12 where the boats are, the boat landing, and on the
13 left-side is the pictures you identified. So I'll show
14 you one more picture, State's 24, and tell me if you
15 recognize this pictures?

16 A Yes.

17 Q Is this the side you were on?

18 A Yes, it is. I think the question is to what side
19 of the bridge I was on. I was to the left of the boat
20 landing, but that is still to the left of the bridge.

21 Q Correct.

22 MR. GROOMS: State's 24 we offer to move into
23 evidence.

24 MR. McCOLLUM: I have no objection 24.

25 (State's Exhibit 24 admitted.)

BILLY BELLAMY - DIRECT EXAMINATION

1 MR. GROOMS: Nothing further.

2 THE COURT: You may step down. Do you need her
3 further?

4 MR. GROOMS: No, sir.

5 MR. McCOLLUM: Without objection.

6 THE COURT: Ms. Boyette, you are released from
7 your subpoena.

8 THE WITNESS: Thank you.

9 MR. GROOMS: We would call Officer Billy Bellamy.

10 (BILLY BELLAMY, having been duly sworn,
11 testified as follows:)

12 THE CLERK: State your name and spell your last.

13 THE WITNESS: Billy Bellamy, B-E-L-L-A-M-Y.

14 DIRECT-EXAMINATION

15 BY MR. HIXSON:

16 Q Good afternoon. How are you?

17 A Good.

18 Q What do you do for a living?

19 A Horry County Police Department for approximately
20 five years.

21 Q So you were working for the police department the
22 morning of July 18, 2013?

23 A Yes, sir, I was.

24 Q What were your duties like that day?

25 A Normal routine patrol. I patrolled the Socastee

BILLY BELLAMY - DIRECT EXAMINATION

1 area of South Carolina. I handled calls that came up,
2 complaints from individuals that came up, stuff like
3 that, through dispatch.

4 Q Did you have a call or a reason to respond to a
5 recovered item in the Socastee area early that morning?

6 A Yes, sir, I did.

7 Q Tell us about that.

8 A At approximately 7:30 a.m. I got -- notified by
9 dispatch to respond to the Scotchman convenient store,
10 5010 Socastee Boulevard, in reference to an individual
11 locating an Apple cell phone.

12 Q Did you ultimately make contact with an
13 individual?

14 A Yes, sir. I met that complainant at the
15 Scotchman convenient store.

16 Q Do you recall what her name was?

17 A I'm going off memory, Crystal, but I can't
18 remember the last name.

19 Q Did you, in fact, meet her in the early morning
20 hours?

21 A Yes, sir. Yes, sir.

22 Q About what time was that that you met her at the
23 Scotchman?

24 A Going off -- it was probably around 7:30, the
25 same time.

BILLY BELLAMY - DIRECT EXAMINATION

1 Q 7:30 a.m.?

2 A Yes.

3 Q Is it fairly common to recover property, and if
4 so, do you have a process that you would go through to
5 try to reunite that lost property with its owner?

6 A Yes, sir. We have a lot of found and lost items
7 returned to us. Normal process is we ask the person
8 who found it, where they found it and see if we can get
9 details on the owner.

10 MR. MCCOLLUM: May we approach?

11 (Whereupon, a bench conference was had.)

12 Q (MR. HIXSON) When you do recover property, do
13 you have a process to reunite the lost property with
14 the owner?

15 A We speak with the person to see where they found
16 it and see if they have any other information, and we
17 go through the process to see if we can figure out who
18 owns it. If we don't locate the owner to have it
19 returned, it goes into our evidence for safekeeping
20 until the owner claims it.

21 Q Fair enough. Did the Crystal -- lady named
22 Crystal, did she tell you where she found it?

23 A Yes, sir. She advised she located the phone at
24 Socastee swing bridge park, off of Peachtree Road under
25 544 bridge on a bench.

BILLY BELLAMY - DIRECT EXAMINATION

1 Q All right. There they are. I'll show you a
2 couple of pictures, State's 18, State's 17, State's 16
3 and State's 15. Take a look at those.

4 MR. HIXSON: Your Honor, they are already in
5 evidence.

6 THE COURT: All right.

7 Q (MR. HIXSON) Take a second and look. Are you
8 familiar with that area?

9 A Yes, sir.

10 Q Is that what you call Swing Bridge Park?

11 A Yes, sir.

12 Q And you see benches and stuff in that location?

13 A Yes, sir.

14 Q Is that consistent with what Ms. Boyette told
15 you?

16 A Yes, sir, it is.

17 Q Now, I assume you get into the process of
18 relocating the phone, did you power it up?

19 A Yes, sir. Once I received the phone and couldn't
20 get any further information from the complainant that
21 called us, I -- the phone -- Apple cell phone was off
22 at that time. I attempted to power it up to see if
23 there was any battery, and it did power up and it was
24 unlocked.

25 Q So that phone on that bench had been turned off?

BILLY BELLAMY - DIRECT EXAMINATION

1 A Yes, sir.

2 Q Because you turned it on?

3 A Yes, sir, I turned it on when I received it.

4 Q Do you know -- as best you can recall that
5 powered event, what time would that power event have
6 been?

7 A It had to have been between the time I received
8 the phone at 7:30 a.m. and I believe 8:00 a.m.

9 Q So around 7:30 to 8:00, somewhere in there?

10 A Yes.

11 Q Based on that powering of the phone, you are able
12 to determine the phone number of the phone that you
13 recovered of the phone you had in your possession at
14 that time?

15 A Yes, sir. I'm familiar with an Apple phone, so
16 when I powered it up, it was unlocked and I was able to
17 check the voice mail setting greeting, which it has the
18 phone number for that phone right there, and it
19 provided me with the owner's name.

20 Q Tell me the number you got. Is it the 902
21 number; do you recall?

22 A The number, I believe so, yes, sir.

23 Q What number do you recall being on that screen?

24 A I don't have it right in front of me. That's
25 been around three years ago, I can't remember the exact

BILLY BELLAMY - DIRECT EXAMINATION

1 number on the phone.

2 Q Did you have an indication from the settings on
3 the phone who the phone belonged to?

4 A Yes, sir.

5 Q Let me ask you this. Did you go through any
6 other computer system with Horry County Police
7 Department to -- did you call in an RMS system or
8 anything to determine who the person's number may
9 correspond to?

10 A Yes, sir. Once I located -- found that cell
11 phone number and associated it with the name, I was
12 able to go through our RMS reporting system to run the
13 name and phone number to see if they correlated.

14 Q That is good. So you just went through a
15 computer database to see what you could find. Did you
16 find the name Steven Hall associated with this
17 telephone number?

18 A Yes, sir.

19 Q And to refresh your recollection -- apology.
20 I'll let my -- did you fill out an incident report in
21 relation to this?

22 A Yes, sir, I did.

23 Q Let me show you this and see if that refreshes
24 your recollection on your incident report. If you
25 don't specifically recall the number that was on that

BILLY BELLAMY - DIRECT EXAMINATION

1 phone, is that what you are saying, you don't recall
2 today because it's been too many years?

3 A Yes, sir.

4 Q Do you write that report when the information is
5 fresh in your mind?

6 A Yes, sir.

7 Q And that would aid you in recalling your
8 testimony for the jury?

9 A Yes, sir.

10 Q Do you see if Steven Hall's cell phone is on that
11 report?

12 A Yes, sir, it is. It is -2013 number.

13 Q Very good. Thank you. We have that. Tell us --
14 you were able to determine through your computer checks
15 that that number was associated with Steven Hall's
16 name?

17 A Yes, sir.

18 Q And then what steps did you take to try to
19 reunite Steven Hall with his phone?

20 A Once I did that, I connected the cell phone name,
21 there was a previous report done in our system that
22 provided me with the address of Williamson Circle,
23 that is how I located the address.

24 Q So you were able to determine where the cell
25 phone owner lived?

BILLY BELLAMY - DIRECT EXAMINATION

1 A Yes, sir.

2 Q What did you do with that information?

3 A At that time I advised dispatch that I would be
4 in route to the Williamson Circle address to locate the
5 owner of the phone.

6 Q Did you, in fact, do that?

7 A Yes, sir. I responded to Williamson Circle at
8 approximately 8:02 a.m.

9 Q Okay. When you got there, what was the condition
10 of the house, or what did you find?

11 A Everything appeared normal around the house.
12 Nothing looked out of the way. I attempted to make
13 contact, knocked on the door several times, and nobody
14 answered and had no response from anyone.

15 Q Did you hear dogs barking or anything?

16 A No, sir.

17 Q After no one responded to the door, that is
18 roughly 8:02 a.m. on the 18th?

19 A Uh-huh.

20 Q Did you do anything in addition while you were at
21 that location?

22 A While I was at the location, I observed a
23 neighbor next door outside doing yard work and I asked
24 if that was, in fact, Mr. Hall's residence, and he said
25 it was. Then I asked the neighbor if he had seen him

BILLY BELLAMY - DIRECT EXAMINATION

1 recently and he said he had not seen him in a couple of
2 days, I believe.

3 Q But they confirmed that was Mr. Hall's residence,
4 but didn't know anything else other than that?

5 A That's correct.

6 Q Let me show you what is State's 2 and 3 in
7 evidence and see if you recognize those two. I'll hand
8 the witness State's 4, which is in evidence. Do you
9 recognize those items?

10 A Yes, sir, I do.

11 Q What are those?

12 A After I was unable to make any contact with Mr.
13 Hall, I provided a business card with my name, number
14 and contact info and put it on the front door for him
15 to contact Horry County dispatch in reference to his
16 found property.

17 Q Does that appear to be the location where you put
18 the business card?

19 A Yes, sir.

20 Q You wrote your message on the back. That's
21 pretty clear, you can read it?

22 A Yes, sir.

23 Q After not having any success at Steven Hall's
24 house, did you make any further steps to try to reunite
25 that phone with the owner?

BILLY BELLAMY - DIRECT EXAMINATION

1 A Yes, sir, I did. At the time I actually went
2 through the cell phone contact list and attempted to
3 contact any family member that may be able to get in
4 contact with Mr. Hall.

5 Q Did you make several phone calls off the contact
6 list?

7 A Yes, sir. Around 8:19 a.m. I was able to
8 determine one of the last contacts that he had on that
9 phone, and contacted that contact and left a voice mail
10 stating that Mr. Hall's cell phone had been found and
11 to return our call to dispatch or advise Mr. Hall to
12 call dispatch.

13 Q So you left a voice mail. Was that
14 Ms. McCracken's information on the phone?

15 A Yes, it was.

16 Q And the number you called, I believe you
17 indicated -- do you recall what that number was that
18 you called in the contact list?

19 A It is on the other part of the report.

20 Q Extraction reports?

21 A Yes, sir -- well, it is, right here, the
22 -6546.

23 Q That is the number you called and left a voice
24 mail?

25 A Yes, sir.

BILLY BELLAMY - DIRECT EXAMINATION

1 Q I'll show you State's 72. I believe you had an
2 opportunity to review this voice mail; is that correct?

3 A Yes, sir.

4 Q After listening to it, is the contents of that
5 recording a fair and accurate representation of the
6 voice mail you left on Ms. McCracken's cell phone that
7 morning?

8 A Yes, sir.

9 MR. HIXSON: State moves 72 into evidence.

10 THE COURT: Mr. McCollum?

11 MR. MCCOLLUM: Without objection.

12 (State's Exhibit 72 admitted.)

13 MR. HIXSON: I think we'll publish it in a
14 second. This has to boot up so I'll keep talking.

15 Q (MR. HIXSON) About what time do you believe you
16 left that voice mail?

17 A Approximately 8:19 a.m.

18 Q So we have a tight time frame. So your call for
19 services was 7:30 to 8:00, you determined the phone
20 number around 8:00, 8:05, in there somewhere, you made
21 it to Mr. Hall's house, knocked on the door and left a
22 business card within that same period, right?

23 A Yes, sir.

24 Q And then you made several phone calls in contact,
25 including Ms. McCracken's phone, at 8:19; is that where

BILLY BELLAMY - DIRECT EXAMINATION

1 we are?

2 A Yes, sir.

3 Q You did, in fact, left a voice mail, and I guess
4 we'll hear it in a second. I've been stalling for
5 time. Let's listen.

6 (State's 72 published to the jury.)

7 THE COURT: That is 8:19.

8 A Yes, sir.

9 Q (MR. HIXSON) At that point in time the defendant
10 called you back on the number that -- how did that
11 happen? At some point in time she called you back?

12 A Yes, sir. At approximately 12:00 p.m. the
13 defendant contacted Horry County dispatch with the
14 number I provided and advised that she had been staying
15 with her sister in Brightenwood subdivision off of 707,
16 advised me she would meet me at Scotchman convenient
17 store on Socastee Boulevard to retrieve the phone to
18 return to her husband.

19 Q I don't know if you have seen this before, but
20 this is State's 1, and that is in evidence. It is a
21 little tough, so I'll try to put it back here so
22 everyone can see. This is already in evidence, so I
23 can speed up the process. Do you recognize that item?

24 A Yes, sir. That is the Swing Bridge Park.

25 Q That is the 544 big arch bridge?

BILLY BELLAMY - DIRECT EXAMINATION

- 1 A Yes, sir.
- 2 Q Is this the smaller swing bridge?
- 3 A Yes.
- 4 Q And Swing Bridge Park is where?
- 5 A Pretty much under the 544 big bridge.
- 6 Q And you said that Williamson Circle, where you
- 7 went to leave a business card for Mr. Hall, is right
- 8 here?
- 9 A Yes, sir.
- 10 Q Is that right? Okay. And so where the Scotchman
- 11 store by the swing bridge you are referring to, you met
- 12 Crystal there?
- 13 A Yes.
- 14 Q And now you are going to meet Ms. McCracken there
- 15 also?
- 16 A Yes, sir.
- 17 Q And where is that in relation to the park?
- 18 A At the intersection of Dick Pond and Highway 707.
- 19 Q Through the swing bridge, right in that area?
- 20 A Swing bridge is right here (indicates).
- 21 Q So it is right there by the bridge is where you
- 22 meet?
- 23 A Yes, sir.
- 24 Q Fair enough. So did you, in fact, meet Ms. Hall
- 25 there?

BILLY BELLAMY - DIRECT EXAMINATION

1 A Yes, sir, I did.

2 Q And what did -- describe the scene you saw when
3 Ms. Hall showed up?

4 A Basically I was already sitting in the parking
5 lot waiting on Ms. McCracken to arrive. Sitting in the
6 back part of the parking lot behind the convenient
7 store. At 12:15 p.m. she pulled up and met me at the
8 store. At that time I got out to speak with her and I
9 requested to check her ID to verify who she was. She
10 did advise me, and she stated that she was, in fact,
11 married to the victim, but had not had her driver's
12 license changed at that time, still had her maiden
13 name. I returned the cell phone over to her and
14 advised her to contact us if she needed further
15 assistance or information from us.

16 Q Did Ms. Hall ask you where in the world this
17 phone was found?

18 A No, sir, not to my recollection. There was
19 nothing asked about where it was found. She took it to
20 return to her husband.

21 Q Did you tell her any details about it, or was it
22 just this is the phone and that was it?

23 A Yes, sir.

24 Q What was her demeanor? Did she seem hurried,
25 distraught, matter of fact?

BILLY BELLAMY - DIRECT EXAMINATION

1 A Honestly, I can't recall the demeanor. I just
2 remember it being a quick transaction of me checking
3 the ID and giving her the phone.

4 Q There is no question in your mind that there was
5 no questions from Ms. Hall about where you found this
6 phone?

7 A No, sir.

8 Q After that moment, what did you do?

9 A Pretty much after that, that was the end of the
10 interaction with her. I saw her pull back off.

11 Q That ended your involvement?

12 A Yes, sir.

13 Q Until you came to court?

14 A Yes, sir.

15 MR. HIXSON: Beg the Court's indulgence.

16 (A brief pause in the proceedings.)

17 Q (MR. HIXSON) Let me ask you this. When --
18 through what we discussed about you responding to
19 calls for service for recovering lost items and things
20 like that, to the point you have a protocol that you
21 go through and through your time in the department,
22 did you find it unusual -- do you normally see people
23 show interest where items are recovered if you turn in
24 lost items?

25 MR. McCOLLUM: Objection.

BILLY BELLAMY - CROSS-EXAMINATION

1 MR. HIXSON: Based on his experience.

2 THE COURT: I'll allow the question.

3 A Yes, sir. Through my years of training and
4 experience of law enforcement, most times when
5 someone's property is found they want to know where it
6 was located and found, when it was found. They even
7 ask questions if we knew how it got there.

8 Q (MR. HIXSON) And that didn't happen in this
9 case?

10 A No, sir.

11 Q Are people usually very excited about being
12 reunited with a \$400 lost item?

13 A Yes, sir, they are.

14 Q No excitement in this one?

15 A Not that I recall, no, sir.

16 CROSS-EXAMINATION

17 BY MR. McCOLLUM:

18 Q I'm Greg McCollum; I represent Ms. Hall.

19 A Uh-huh.

20 Q How many phones have you recovered?

21 A I can't provide an approximate number, I just
22 know numerous through my years.

23 Q Ten?

24 A I cannot provide a number.

25 Q So more than two?

BILLY BELLAMY - CROSS-EXAMINATION

1 A Oh, yes. I can say more than a couple, yes, sir.

2 Q So maybe one, three? Three, four?

3 A At least, yes, sir.

4 Q 50, a hundred?

5 A I couldn't tell. I don't keep track of how many
6 items I locate and return.

7 Q Well, how many calls of service do you go on in a
8 shift?

9 A Anywhere from an average of 10 to 30 calls a
10 shift.

11 Q That is -- so a shift of four, five days a week?

12 A We work rotation, usually two on and two off, two
13 on, three off, in that order.

14 Q So you go on a hundred calls a week?

15 A That is a rough estimate, yes, sir.

16 Q When you got the phone, where were you? Were you
17 with Ms. Boyette?

18 A When I got the initial call for service?

19 Q Yes, sir.

20 A At that time I was not with Ms. Boyette.

21 Q Where did you meet Ms. Boyette?

22 A When I received the call from dispatch, I was
23 advised that she would be -- wanted to meet at the
24 Scotchman convenience store at Socastee Boulevard, and
25 that is where I responded and met her.

BILLY BELLAMY - CROSS-EXAMINATION

1 Q So you met Ms. Boyette at the Scotchman
2 convenient store on Socastee Boulevard?

3 A Yes, sir.

4 Q You didn't meet her at the boat landing?

5 A No, sir.

6 Q Did Ms. Boyette take you down to the boat landing
7 and show you where she found the phone?

8 A No, sir.

9 Q Do you know how long Ms. Boyette had the phone?

10 A No, sir.

11 Q Do you know if Ms. Boyette turned it on or off?

12 A No, sir.

13 Q And the reason you didn't know that is because
14 there is no reason to ask, right?

15 A Correct.

16 Q Right?

17 A Correct.

18 Q And how far is it from that Scotchman store to
19 where -- well, first of all, to this day do you know
20 where Ms. Boyette found the phone?

21 A Just through what she told me.

22 Q What did she tell you?

23 A It was down on a bench at the Socastee Swing
24 Bridge Park which is right there underneath the 544
25 bridge.

BILLY BELLAMY - CROSS-EXAMINATION

1 Q And are there benches on both sides?

2 A If I recall there's a couple benches there.

3 Q Pretty extensive walkway that goes through the
4 waterway?

5 A There is a little walkway along the waterway.

6 Q Probably 75, 50, hundred feet long?

7 A Yes.

8 Q Benches all over it?

9 A Uh-huh.

10 Q And she said it was found on the bench or
11 railing?

12 A She advised that it was located on a bench.

13 Q There is another walkway south of the bridge,
14 could someone refer to that as the Socastee Swing
15 Bridge Park?

16 A They could, but if I remember correctly, Ms.
17 Boyette did confirm to have -- because I have knowledge
18 of the area -- which area she was talking about,
19 underneath the big bridge.

20 Q And in terms of this incident from July of 2013
21 until now, you've had -- you had a lot of calls of
22 service, maybe 1500 calls of service per year, right?

23 A Yes, sir.

24 Q So you may have been on 4500 calls involving
25 stuff that police do, right?

BILLY BELLAMY - CROSS-EXAMINATION

1 A Yes.

2 Q Yes. And you can't remember a call for service
3 that -- if I ask you to name four calls of service you
4 did a year ago, you can't do it, right?

5 A No, sir, I would have to refer back to the
6 incident report.

7 Q That is like a superhuman memory, wouldn't it?

8 A Yes, sir.

9 Q And nobody would expect you to be able to do
10 that, right?

11 A No, sir.

12 Q So now, when you were testifying, I saw you
13 looking down at your police report, right?

14 A Yes, sir.

15 Q And that is why you write the report, so you
16 could remember stuff?

17 A That's correct.

18 Q Nobody can remember any of this stuff, right?

19 A Yes, sir.

20 Q So when the Solicitor asked you and, really, like
21 it was important that Ms. Hall didn't ask where the
22 phone was found, if she had, of your own knowledge, you
23 couldn't have told her, right?

24 A I could only tell her what Ms. Boyette advised
25 me.

BILLY BELLAMY - CROSS-EXAMINATION

1 Q But if you told her -- if Ms. Hall said, well,
2 where did you find the phone, and you said I got the
3 phone at the Scotchman convenient store on Socastee
4 Boulevard --

5 A Yes, sir. That is what I would advise. It was
6 returned to me at the Scotchman convenient store.

7 Q And that is where you met the Good Samaritan that
8 found it, correct?

9 A That's correct.

10 Q So if we were in, for instance, in court and I
11 asked you a question, What did Ms. Boyette do with the
12 phone before you gave it to you, you would say, I don't
13 know?

14 A That is correct.

15 Q And if I said, Where did she find it, you would
16 say, I don't know where she found it, ask her, right?

17 A Correct.

18 Q So this was just a routine call, you were doing a
19 good job serving the people of the county and returning
20 a piece of property, right?

21 A Correct.

22 Q And you didn't make a big deal out of it, did
23 you?

24 A No, sir.

25 Q You just wanted to give it to her and make sure

BILLY BELLAMY - REDIRECT EXAMINATION

1 you identified her so you knew who you were giving it
2 to?

3 A That's correct.

4 Q And you can't remember exactly what she told you
5 if it is not in the report, right?

6 A That's correct.

7 Q And can't remember what you said to her if it is
8 not in the report, right?

9 A That is correct.

10 Q And it is not in the report, is it?

11 A No, sir.

12 MR. McCOLLUM: Thank you, sir.

13 REDIRECT-EXAMINATION

14 BY MR. HIXSON:

15 Q The second sentence in your report, which was
16 written, according to your report, dated July 18 of
17 2013 at 10:46 p.m. So that is within 12 hours of --
18 less than 24 hours of when you picked up the phone?

19 A Yes.

20 Q And in that report you talked about where it was
21 recovered and what Ms. Boyette said?

22 A Yes, sir.

23 Q And can you read the second sentence since it was
24 called into question?

25 A Upon arrival I met with the complainant,

BILLY BELLAMY - RECROSS-EXAMINATION

1 Ms. Boyette, who stated she was at the Socastee Swing
2 Bridge Park when she discovered the black in color
3 Apple iPhone.

4 Q So if someone asked you, My goodness, it is so
5 great, I can't believe you found my husband's phone,
6 where in the world did you find this?

7 A If it was asked, that is what I would have told
8 her.

9 Q Never asked, was it?

10 A No, sir.

11 MR. HIXSON: Nothing further.

12 RECROSS-EXAMINATION

13 BY MS. MCCABE:

14 Q You just testified a minute ago you didn't
15 remember, and now the Solicitor just asked you it
16 wasn't asked, was it?

17 A To my knowledge if it is not in the report, I
18 have no recollection of Ms. McCracken asking.

19 Q I know. And so when the Solicitor just said she
20 didn't ask, did she, you really don't remember, right?

21 A Like I said, that has been three years ago, so I
22 don't remember the whole exchange of words.

23 Q So when the Deputy Solicitor said, She didn't ask
24 it, right, and you agreed, would you like to take that
25 back?

BILLY BELLAMY - RECROSS-EXAMINATION

1 A Well, like I said, I have no recollection of what
2 the exact exchange of words were.

3 MR. McCOLLUM: That's all I have.

4 THE COURT: All right. You may step down. Thank
5 you. Any need for this witness?

6 MR. HIXSON: No, sir, go back to your normal
7 duties.

8 THE COURT: You are released from your subpoena.
9 It is 12:30, we'll take a break. Give the jury about
10 hour and 15, that will be at 1:15. Try to be back --
11 1:45, excuse me, 1:45.

12 (The jury exits at 12:31 p.m., and a lunch
13 recess was taken.)

14 THE COURT: Ready?

15 MR. HIXSON: Yes, sir.

16 THE COURT: Get the jury.

17 (The jury enters at 1:49 p.m., and the
18 following is heard in the presence of the jury.)

19 THE COURT: All right. We have everyone in the
20 courtroom now.

21 MR. HIXSON: We call Officer Jack Stewart.

22 (JOHN "JACK" STEWART, having been duly sworn,
23 testified as follows:)

24 THE CLERK: State your name and spell your last.

25 THE WITNESS: John Calvin Stewart the Third,

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 S-T-E-W-A-R-T.

2 DIRECT EXAMINATION

3 BY MR. HIXSON:

4 Q You go by Jack?

5 A Yes.

6 Q What do you do for a living?

7 A Former Horry County police officer. I did 21
8 years with Horry County, and now I work for the State.

9 Q That was going to be my next question. You were
10 in law enforcement for awhile. What were your duties
11 and responsibilities around July of 2013?

12 A Lieutenant of the Special Operations Bureau,
13 which is attached to the Criminal Investigations
14 Division.

15 Q What would Special Operations do just generally
16 speaking?

17 A Generally, we did any type of major emergencies,
18 anything out of the ordinary, searches of wooded areas
19 or we had a lot of liaisons with dive teams, a lot of
20 fire department liaisons, stuff like that.

21 Q SWAT team?

22 A Yes.

23 Q All of that kind of stuff. You said you were
24 operating in that capacity around July 19, is that
25 right, of 2013?

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 A Yes.

2 Q Did you have occasion to be called out on a call
3 for service down in the Swing Bridge Park area of Horry
4 County?

5 A Yes.

6 Q Tell us about that.

7 A Lieutenant Squires, who I worked with, had
8 advised me of a search operation down at 544 landing
9 area there, and we were going to search right off the
10 dock there with the fire department.

11 Q Were you aware of why you were deployed down
12 there, what information that anyone had that made that
13 relevant?

14 A Yes. There was a cell phone located on the dock,
15 so we wanted to look for additional evidence off of the
16 dock.

17 Q I'll show you a couple of pictures just to set
18 the scene. I'm specifically referring to State's 19,
19 20, 21, 22, 23 and 48, 49, 50, 51 and 52. I think some
20 may be in evidence, but I'll move them all back in just
21 in case. Take a look at all of those in total just
22 quickly and see if you recognize those and I'll ask you
23 some detailed questions.

24 A No. 19 is landing parking area directly
25 underneath 544. No. 20 is the entrance into the park

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 that is off to the left-hand side underneath 544.

2 Q Before you comment on those, just take a look at
3 them all for a second and see if you recognize them and
4 then we'll discuss them individually.

5 A (Witness examines document.)

6 Q Do you recognize those pictures?

7 A Yes.

8 Q You have personal knowledge of the subject
9 matters of those photographs?

10 A Yes, I do.

11 Q Are those a fair and accurate representation of
12 the scenes you saw, and we'll discuss them separately
13 as we present them to the jury?

14 A Yes.

15 MR. HIXSON: We move State's 19, 20, 21, 22, 23,
16 48, 49, 50 and 51 and 52.

17 MR. MCCOLLUM: Without objection.

18 THE COURT: Without objection.

19 (State's Exhibits 19, 20, 21, 22, 23, 48, 49, 50,
20 51, 52 admitted.)

21 Q (MR. HIXSON) Let's talk about State's 19 and 20.
22 What is State's 19 all about first?

23 A That is the parking lot to the landing.

24 Q State's 20?

25 A Entrance to the park still beside the landing.

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 Q So you would pull up a car and walk down to the
2 dock here?

3 A Yes, sir. If you pulled into the parking lot you
4 could go to the park or straight down to the landing.

5 Q And 21 and 22, what do those represent?

6 A 21, this is the walkway to go to the dock. 22 is
7 the actual dock itself.

8 Q Let's talk about State's 23 and we'll jump to --

9 A 23 is the actual dock, which comes out to the
10 water and then like a walkway style.

11 Q Let me get them back in the order. Look at
12 State's 17, which is already in evidence.

13 A 17 is the bench, which is right next to the part
14 that goes onto the -- farthest part out into the
15 Intracoastal.

16 Q Are there lights, streetlights, over the top of
17 these docks so the bench area would be illuminated?

18 A Not that I'm familiar with, no.

19 Q Do you see those in the photographs?

20 A No.

21 Q And from your personal knowledge you are not
22 aware of any?

23 A No, sir.

24 Q Now, tell us about it. Once you are deployed
25 down there, what happened once you got down there and

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 got to this location?

2 A Once we got down there I met with the dive team
3 and I told them we're looking for additional evidence
4 and we were looking for evidence that was possibly off
5 of the dock.

6 Q Can I ask you a question?

7 A Yes.

8 Q You indicated that part of your duties and
9 responsibilities in Special Operations was SWAT teams
10 as well as search operations. We have a lot of water
11 in Horry County, don't we?

12 A Yes.

13 Q Do you find that your unit is often deployed to
14 recover weapons and other evidence that's been
15 discarded in water around here?

16 A Yes.

17 Q About how many times do you think you've been
18 required to look for guns thrown off bridges or things
19 like that?

20 A I was involved in several throughout my career.

21 Q So in this particular case you were deployed --
22 did you know what you were looking for at the time you
23 decided to put a dive team in the water?

24 A After talking to Lieutenant Squires, we were
25 possibly looking for a weapon.

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 Q Please proceed, I'm sorry.

2 A We met with the dive team and gave them an idea
3 of the area we wanted to search. The Intracoastal
4 waterway is an extremely dangerous diving environment
5 with low visibility, so we had -- they took their time
6 and had to get all the emergency preparations together,
7 and they used four drivers. Once all of the prep work
8 was done, they went in and started grid search, which
9 they are trained to do, and I showed them the area I
10 wanted to search, and they did the grid.

11 Q What was your role during the time the divers
12 were in the water?

13 A I was merely monitoring to make sure that if
14 anything came out of the water, if they found anything
15 they were to immediately let me know and to make sure
16 that the grid we were searching was getting done.

17 Q How long do you think the drivers were
18 underwater?

19 A I believe the setup was 30 minute dives for each
20 diver, 30 minute tanks -- 40 minute tanks, 30 minute
21 dives. It took about an hour to get set up because of
22 the dangerous conditions. I want to say anywhere
23 between three, four hours.

24 Q Ultimately, while you were down there, did
25 anything of interest come out of the water?

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 A Yes. On the fourth diver, Diver Henderson, he
2 had a radio, able to talk into your mask, and I heard
3 on the radio that he had found a pistol and he was
4 surfacing.

5 Q You watched him surface?

6 A Yes, I watched him surface. He very carefully
7 came over to me. I handed him a plastic box, put the
8 box in the water to get it filled with water, and then
9 he placed the pistol in the box and then raised the box
10 where I took it and brought it onto the dock.

11 Q So you saw the diver, Michael Henderson, bring
12 the weapon out of the water and saw him place it in, I
13 guess, its native environment? You place it in water
14 to protect the evidence?

15 A Yes, sir.

16 Q Let me show you a couple of pictures. These are
17 in evidence. Describe what you see.

18 A No. 48, this is the box filled with water with
19 the pistol inside of it, and that is where I placed it.
20 Same, just a closer view of it.

21 Q How about State's 50, 51?

22 A 50 is the box with water with the pistol that
23 Mr. Henderson handed me with the cover off. I took a
24 photo of that, and this is the actual pistol removed
25 from the water.

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 MR. HIXSON: May I approach the bench, Your
2 Honor?

3 THE COURT: Certainly.

4 (State's Exhibit 74 marked.)

5 MR. HIXSON: Your Honor, I advise the Court that
6 pursuant to South Carolina Supreme Court I can attest
7 the weapon was made secure and there is a cable lock
8 running through the action.

9 THE COURT: Let me see it. Ladies and gentlemen,
10 our court has very specific rules concerning jurors
11 handling firearms. I'm familiar with this type of
12 firearm and its operation. I can assure you there is
13 a secured cable lock that passes through the mechanism
14 making the operation of the firearm impossible at this
15 time. So if someone is brandishing it about the
16 courtroom, please feel secure in the fact that the gun
17 cannot fire and cannot be loaded, all right.

18 MR. HIXSON: At this time I'll show what is
19 marked as State's 74.

20 Q (MR. HIXSON) Jack, take a look at it, and you
21 can pull it out. See if you recognize that item?

22 A Yes. This is the handgun that Mr. Henderson
23 pulled out of the water and put into the box that I
24 furnished him.

25 Q Let me ask you this, Officer Stewart. While this

JOHN "JACK" STEWART - DIRECT EXAMINATION

1 handgun was in your custody and control, did you tamper
2 with that weapon in any way?

3 A I never actually touched the weapon. I held the
4 box, Henderson placed it in the box and the next person
5 that touched the weapon was crime scene, CSI Domogauer.

6 Q Perfect question then. So while in your custody
7 and control, did you allow anyone else to touch the
8 weapon or place any biological material on it or tamper
9 with it or take anything off of it or anything?

10 A No.

11 Q You maintain the integrity of the item?

12 A Yes, sir.

13 Q Until you passed it off to Jill Domogauer?

14 A It sat on the dock beside me. No one touched it
15 until Crime Scene got there.

16 Q Were you present when Crime Scene Specialist
17 Domogauer checked the status of the weapon? I think
18 this photograph is in evidence. Do you recognize what
19 that time is?

20 A Yes. When she took custody of it, she pulled
21 that round out.

22 Q When I refer to the status of the weapon, was it
23 loaded or unloaded?

24 A I believe that was in the chamber.

25 Q A round in the chamber?

JOHN "JACK" STEWART - CROSS-EXAMINATION

1 A Yes.

2 Q And I'm showing you what is marked State's 52 to
3 the jury. When the weapon was taken out of the water,
4 there was a live round in the chamber?

5 A Yes, sir.

6 MR. HIXSON: Beg the Court's indulgence. I
7 believe that is all I have.

8 CROSS-EXAMINATION

9 BY MR. McCOLLUM:

10 Q How long were you with the Horry County Police
11 Department?

12 A 21 years.

13 Q Did you work homicide cases?

14 A I was involved in homicide cases, never a primary
15 on homicide.

16 Q And in this particular case, did you go to the
17 house where they found the deceased?

18 A No, sir. This was the next morning -- the next
19 afternoon.

20 Q So your only involvement was going with the
21 divers?

22 A Yes, sir.

23 MR. McCOLLUM: Thank you. No more questions.

24 MR. HIXSON: Nothing further.

25 THE COURT: You may step down. Thank you. Do we

JILL DOMOGAUER - DIRECT EXAMINATION

1 need him any further?

2 MR. HIXSON: I do not.

3 MR. McCOLLUM: No objection to being excused.

4 THE COURT: Mr. Stewart, you are released from
5 your subpoena. Thank you for coming.

6 MR. GROOMS: We call Jill Domogauer to the stand.

7 (JILL DOMOGAUER, having been duly sworn,
8 testified as follows:)

9 THE CLERK: State your name and spell your last.

10 THE WITNESS: Jill Leigh Domogauer,
11 D-O-M-O-G-A-U-E-R.

12 DIRECT-EXAMINATION

13 BY MR. GROOMS:

14 Q Good afternoon, how are you?

15 A I'm okay.

16 Q I have a lot of pictures to show you, but we'll
17 move through them as quickly as possible. If you
18 wouldn't mind telling the Court please where you work?

19 A Employed with the Horry County Police Department.

20 Q And what do you do there?

21 A I'm a crime scene investigator.

22 Q How long have you been in that position?

23 A For Horry County, I've been in that position
24 since 2010.

25 Q And what did you do before that?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A I was on the road. I joined the Horry County
2 Police Department in 2008. Prior to that, I was with
3 the Conway City Police Department. I was with that
4 police department for over 11 years. I've been in law
5 enforcement about 17 years.

6 Q Thank you, ma'am. So you were working crime
7 scene during July of 2013?

8 A Yes, I was.

9 Q And you responded to a call at Williamson
10 Circle?

11 A I was called out for a call in reference to a
12 death.

13 Q So when you get the call, do they give you much
14 detail, or they just say we have a situation?

15 A They pretty much, if I'm lucky, give me an
16 address and tell me I need to respond.

17 Q So your first response was to this address?

18 A Yes, it was.

19 Q And had the crime scene been preserved?

20 A There was tape up, uniform patrol had presence
21 with posting officers, crime scene log and my
22 lieutenant was on scene.

23 Q I start with showing you State's Exhibit 29, 28,
24 27, 26 and 25; do you recognize those pictures of the
25 exterior of the home?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yes.

2 MR. GROOMS: We would like move them into
3 evidence.

4 MR. McCOLLUM: No objection.

5 THE COURT: Without objection they are admitted.

6 (State's Exhibits 25 through 29 admitted.)

7 Q What do those pictures show, and if you don't
8 mind, hold them up and tell what each picture is.

9 A State's Exhibit 29 is an exterior shot of a
10 window of the residence. State's 28 is an interior
11 door shot of that residence.

12 Q (MR. GROOMS) Is that lock actually locked?

13 A Well, you can see, if you look closely, the
14 deadbolt is in place and the chain is latched.

15 Q Do you know what location that was from?

16 A Can I refer to my notes on the photo log?

17 Q That is from inside the home?

18 A I'm inside the home taking the photograph.

19 Q Okay.

20 A State's Exhibit 27 is an exterior photograph of a
21 door to the residence. State's Exhibit 26 is --
22 appears to be also an exterior shot, but it is a
23 close-up shot of the deadbolt and the door knob and the
24 door frame.

25 Q Okay.

JILL DOMOGAUER - DIRECT EXAMINATION

1 A State's Exhibit 25 is an exterior shot of doors
2 to the residence.

3 Q Were any of those doors appeared to have been
4 tampered with?

5 A No. Those doors, in my opinion, had no signs of
6 foul play or entry.

7 Q Same thing for the windows?

8 A Yes.

9 Q I'll show you State's 2, 3 and 4. Do you
10 recognize those?

11 A Yes, I do.

12 Q And what is 2, 3, 4? If you can show them.

13 A State's 2 is the front door, exterior shot of the
14 residence. State's Exhibit 3 is a uniform patrol
15 business card that was taped to that storm door
16 outside. State's Exhibit No. 4 is the back of the
17 card. I flipped it over and took a shot on what was on
18 the back of it.

19 Q I'll show you State's 5, 6, 7 and 8; do you
20 recognize these pictures?

21 A They are interior photographs of the residence.

22 Q Is State's 5 what you see when you walk in the
23 front door?

24 A Approximately, yes.

25 Q The door with the card on it? That appears to be

JILL DOMOGAUER - DIRECT EXAMINATION

- 1 walking in into a hallway leading to State's 7?
- 2 A Yeah, like a vestibule hallway area.
- 3 Q You see in the picture --
- 4 A Yeah, it is like the hallway going into it.
- 5 Q State's Exhibit 8 is this a guest bedroom?
- 6 A I believe so, a spare bedroom, yes.
- 7 Q And what is this?
- 8 A Right at the front door, as you walk in that
- 9 little hallway, I observed items on the ground, a
- 10 purse, groceries, keys.
- 11 Q Now, at this point is anyone in the house besides
- 12 you?
- 13 A At that point, no.
- 14 Q The house was secured for you to go in?
- 15 A Once the officer secured it with tape, no one is
- 16 allowed in.
- 17 Q Did you find any items of evidence in this purse?
- 18 A Yes, I did.
- 19 Q Do you know who this purse belongs to?
- 20 A At the time of collection, no, I did not.
- 21 Q Do you know who it belongs to now?
- 22 A Yes.
- 23 Q Who did it belong to?
- 24 A It belonged to the wife, the defendant.
- 25 Q Teresa McCracken-Hall?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yes.

2 Q Did you retrieve anything from this pocketbook?

3 A Two phones.

4 Q Do you know whose phones those were?

5 A I was told they were the owner of the purse,
6 Ms. Teresa's and the decedent's phones.

7 Q When you take an item of evidence, do you secure
8 it?

9 A Yes, I do.

10 Q Let me show you what is -- I need this marked.

11 (State's Exhibit 75 marked.)

12 Q (MR. GROOMS) This is State's 75. Are those the
13 phones you are talking about?

14 A (Witness examines document.) They appear to be
15 the phones, yes, sir.

16 Q So you put them in this envelope and you secure
17 it with evidence tape?

18 A They get inventoried, which means I identify
19 them, serial number, then they get put in an envelope
20 and issued a bar code. The bar code associates which
21 case has been collected and what item, last three
22 numbers is the evidence number that the evidence
23 division will assign, and then gets a bar code for
24 scanning purposes to track everything, and then it is
25 sealed with evidence tape.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q And that tape is there so if someone else opens
2 it, it would be apparent to the next person in line?

3 A Yes.

4 Q So is that a tamper -- what is it?

5 A Evidence tamperproof tape.

6 Q So you take those phones, put them in the package
7 and put the tape on it, then what?

8 A It depends, either stored or turned over for
9 further testing and.....

10 Q Did you do further testing on them?

11 A I did not, no.

12 Q So you stored them?

13 A In all intense and purposes, yes, they were
14 stored.

15 Q That is at Horry County, ML Brown?

16 A Yes, in our evidence division lockup.

17 Q So secured in evidence division lockup. All
18 right. I'll show you a few more pictures. State's 30,
19 31 and 32, if you could tell the Court if you recognize
20 these pictures?

21 A Yes, interior shots of the residence.

22 Q So this is -- 30 picture is a picture of a
23 kitchen?

24 A Yes.

25 Q Did anything appear out of place or abnormal

JILL DOMOGAUER - DIRECT EXAMINATION

1 about that?

2 A Looked like a kitchen. I mean, nothing -- normal
3 kitchen.

4 Q Nothing unusual. What is in 31 there?

5 A It appeared someone had been preparing dinner,
6 looks like a bowl of ground beef.

7 Q Did that look fresh?

8 A No. It was kind of crusty, and you could tell it
9 was sitting out.

10 Q And what is Picture 32?

11 A A sink with a knife in it.

12 Q And on the counter?

13 A A plate with taco shells.

14 Q How many?

15 A One empty plate and one plate storing hard and
16 soft shells.

17 Q So someone was cooking dinner, nothing unusual,
18 but you document it to be thorough?

19 A Yes, during my overall shots of the residence.

20 MR. GROOMS: We ask that 30, 31 and 32 be
21 entered.

22 MR. McCOLLUM: Without objection.

23 (State's Exhibits 30, 31 and 32 admitted.)

24 THE COURT: Admitted without objection.

25 Q (MR. GROOMS) I'll show you State's 37.

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Shot of the interior of a room behind a door.

2 Q So is this -- this is --

3 A I believe that is the master bedroom.

4 Q And is that a shotgun; is that right?

5 A Yes, it is.

6 Q So we know there is at least a shotgun?

7 MR. GROOMS: I apologize, ma'am, thanks for

8 letting me know.

9 Q (MR. GROOMS) There is a shotgun in the bedroom?

10 A Yes.

11 Q And State's 34, as well as 36 and 35, tell me if

12 you recognize those, and I'll have you explain.

13 A Overall interior shots of the -- what I call the

14 master bedroom.

15 Q Is this the bedroom where Mr. Hall was located?

16 A Yes, it was.

17 Q What is on the bed there?

18 A Well, there is the comforter and some stains on

19 it and plate of what looks to be some -- eating food.

20 Q Does this plate match the one we just talked

21 about?

22 A It matched the plates in the kitchen.

23 Q So like someone had been eating?

24 A Yes. It has I think tomato, onion, maybe ground

25 beef.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q State's 36, quickly, what is this?

2 A A picture of -- you have the bed here and
3 nightstand area, and you can see a phone cord plugged
4 in, but no phone attached.

5 Q So just an iPhone charger in the corner?

6 A Phone charger, yes.

7 Q Next picture, Picture No. 35, can you tell me
8 what this is?

9 A Dresser.

10 Q Sorry?

11 A It appears to be the dresser. There is a bed and
12 then a dresser and then other dressers.

13 Q And what do you see on this dresser, if you can
14 actually gives more detail?

15 A Picture frames, watches, jewelry, statues.

16 Q Does anything appear out of place?

17 A Everything is very neat.

18 Q Any items knocked over or anything?

19 A It doesn't appear.

20 Q For the jury, there is the dresser that was
21 located -- how close was this to the victim?

22 A It was across from the bed, and the victim was
23 kind of found -- you have the bed and dresser, he was
24 kind of laying within proximity of it. There is --
25 actually you can see one corner of the dresser, there

JILL DOMOGAUER - DIRECT EXAMINATION

1 is some blood on it.

2 MR. GROOMS: We ask 34, 35, 36, 37 be admitted.

3 MR. McCOLLUM: Without objection.

4 THE COURT: Without objection.

5 (State's Exhibits 34 through 37 admitted.)

6 Q (MR. GROOMS) What is this in the corner?

7 A A TV.

8 Q I know they are obvious, but I can't testify to
9 them. This is a TV in the corner. State's 8, TV in
10 that corner?

11 A Yes.

12 Q And then the pictures that were showing the jury
13 now, are there items of value on that dresser?

14 A I would consider jewelry items of value.

15 Q Right?

16 A Yes.

17 Q And so none of those items appear to have been
18 taken. Obviously you are seeing them there, so at this
19 point when you are in the crime scene, does this look
20 like a burglary to you?

21 A No.

22 Q And when you see all of the secured doors and
23 windows, does it look like a burglary?

24 A No.

25 Q Look like a robbery?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A No, sir.

2 Q Okay. Ms. Domogauer, we haven't talked much
3 about the victim and where you located him, but he was
4 in the bedroom near the dresser; is that correct?

5 A Near a closet by the bed and the dresser.

6 Q And we'll get to those pictures in a moment, but
7 this is the correct room, right?

8 A Yes, sir.

9 Q And were you able to determine how many gunshots
10 the victim sustained?

11 A Through my investigation, I located two gunshot
12 wounds.

13 Q Where were the wounds, what location?

14 A You had a contact entrance with an exit in the
15 head, and a contact or close proximity to the chest
16 with no exit.

17 Q Close proximity to the chest, was that bullet
18 located?

19 A It was eventually located, yes, sir.

20 Q Where was it located?

21 A In his body at autopsy.

22 Q Did you actually retrieve that bullet?

23 A I was in the room. Dr. Proctor retrieved it and
24 handed it to me. I was present the entire time.

25 Q You said there was at least two wounds, so we

JILL DOMOGAUER - DIRECT EXAMINATION

1 know there was two bullets. Did you retrieve a second
2 bullet in this case?

3 A Yes, I did.

4 Q I'll show you State's 45, 43 and 44. Please tell
5 me if you recognize those.

6 A Bullet hole in the bedroom in the wall. You have
7 a marker indicating, and you have -- in one picture you
8 can see where a section was cut -- but still in
9 place -- with a trajectory rod, and then you see that
10 piece was removed. And the, I guess, paper on the back
11 of the drywall was pulled back and a projectile was
12 recovered with an evidence L-scale.

13 Q Can you show those to the jury so they know what
14 you are talking about? The L-scale is to determine the
15 size of the bullet?

16 A You just put it next to the items of evidence to
17 measure it.

18 Q So this was a bullet recovered from the wall?

19 A Yes, sir.

20 Q And you took this item into evidence?

21 A Yes, I did.

22 Q This is where that portion of the wall was cut
23 out, and the bullet was retrieved from this portion of
24 the wall?

25 A Yes. You can see where the cuts were made, but

JILL DOMOGAUER - DIRECT EXAMINATION

1 the wall pieces are still in place.

2 Q And is this --

3 A That is the original one where we mark the hole
4 and bullet hole before any cuts are made into the
5 drywall.

6 Q And just so they get an idea where this is, is
7 this at the foot of that cabinet where --

8 A Where you see -- if you see the window, you can
9 see in the other pictures the window frame, it is just
10 to the side of that.

11 Q So in this area?

12 A Yes, sir.

13 MR. GROOMS: We ask that State's 45, 43 and 44 be
14 entered into evidence.

15 MR. McCOLLUM: Can I see them? Without
16 objection.

17 THE COURT: All right. Without objection.

18 (State's Exhibits 43 through 45 admitted.)

19 Q (MR. GROOMS) I appreciate everyone's patience.
20 I'm trying to move through it as orderly as possible.

21 (State's Exhibit 76 and 77 marked.)

22 Q (MR. GROOMS) Could you look at these and tell me
23 if you recognize them?

24 A These are evidence boxes.

25 Q And do they give you any detail what is inside?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yes. They are labeled. With this particular box
2 you have CS, dash, 9A, which is a number I gave at the
3 scene. It also has case number, date of collection,
4 who collected it, what it is and where.

5 Q If you wouldn't mind telling the jury what that
6 is?

7 A It is a projectile recovered from south wall.

8 Q That is what we just talked about?

9 A Yes.

10 Q And you put it in that type of box with that type
11 of tape on it, tamper tape?

12 A Yes. The tape is on the back side and signed.

13 Q And then you keep that until -- you then put that
14 in storage -- evidence storage yourself?

15 A It gets logged in and kept in storage or in a
16 designated locker area or assigned shelf unless it goes
17 transport to the state lab, and then eventually stuff
18 gets stored into our big evidence warehouse.

19 Q And what is the other one, before we talk more
20 about storage?

21 A Another evidence box. It is labeled A4. I give
22 that indication at an autopsy. It gives you the case
23 number, date of collection, collected by and what it
24 is.

25 Q And what is that?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Projectile from body.

2 Q And that is what we talked about awhile ago, Dr.

3 Proctor found a bullet and gave it to you, that is that
4 bullet?

5 A Yes.

6 Q And you put it in the packages with tape on it,
7 and put it into an evidence locker until it goes to
8 SLED?

9 A It gets inventoried, logged in and stored. It is
10 assigned a bar code, just like everything else, but a
11 bar code will get stuck over this, so it goes on an
12 outer box, so it is not over-this.

13 Q Did you take both of those items to SLED
14 yourself?

15 A Yes.

16 Q Do you recall the date?

17 A I believe it was the 22nd of July, I would have
18 to look back.

19 MR. GROOMS: Mr. McCollum, I'll pass up the notes
20 from SLED, if that is already....

21 MR. MCCOLLUM: (Nods head.)

22 Q (MR. GROOMS) What is that document that I'm
23 giving you?

24 A It is internal chain of custody from the South
25 Carolina State Law Enforcement Division.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q Does it say that you took those items to SLED?

2 A Yes, it does.

3 Q And what was the date?

4 A 22nd of July 2013.

5 Q Who did you give those items to?

6 A I checked them in, logging into Doris Yarborough.

7 Q Thank you. When you are at the scene, did you
8 take a swab from the victim?

9 A At the scene, no.

10 Q Did you take a swab from the victim at the
11 autopsy?

12 A Yes, I did.

13 (State's Exhibit 78 marked.)

14 Q For the jury's benefit, explain how it works.

15 A You have two types of packaging, my original
16 packaging and, again, you'll notice the label with the
17 bar code and the assigned number and a description of
18 what it is. I took two swabs at autopsy, one buccal,
19 whatever you want to call it, but a cheek swab, and the
20 other is a swab straight from the victim's heart. This
21 is the cheek swab.

22 Q Once again, you put it in that type of packaging?

23 A I put it in the tan packaging. You can somewhat
24 see the evidence tape has been ripped. It is inside a
25 sealed SLED bag. I submit it to SLED in the original

JILL DOMOGAUER - DIRECT EXAMINATION

1 form, Ms. Yarborough inspects it to make sure all seals
2 are secured. If no tampering occurred, then that
3 sample can now go further into SLED. If there was any
4 kind of tampering, it would get rejected and they would
5 never take it in. Obviously this was taken in. There
6 was no tampering. It gets sent to whatever department
7 in SLED that analyzes it, and then they give it back to
8 our department once the test is done, and that is what
9 this envelope is. The test has been done. I
10 actually -- when I get to SLED for log-in, I would hand
11 this envelope to Ms. Yarborough, she would inspect it
12 and puts it inside one of these bags. It then gets
13 heat sealed in front of me, and that is why you'll see
14 the JLD with 7/22/2013. I'm showing that I sat there
15 and watched Ms. Yarborough inspect it, put it in the
16 bag and it is sealed, and then I have to sign the seal,
17 and then it gets forwarded to whatever department in
18 SLED it goes to.

19 Q You said a moment ago it was ripped. What did
20 you mean by that?

21 A You can see the inside of the bag -- or my
22 original folder.

23 Q That means that someone from SLED opened it at
24 some point?

25 A I would assume, yes.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q As far as the swab, does that contain DNA?

2 A A cheek swab, I will rub the inside of the cheek
3 and scrape the gum line, but it is -- if you don't know
4 it by the term "buccal" or "buccal swab," you call it a
5 "cheek swab" for DNA.

6 Q Do you remember what day you took that?

7 A The day of the autopsy.

8 Q If I hand you your notes, would it be on the same
9 record?

10 A It wouldn't be on that. That is on SLED's --
11 excuse me for a moment.

12 (A brief pause in the proceedings.)

13 Q (MR. GROOMS) Is it listed here?

14 A It is on my chain. That is SLED's chain. I
15 collected it on July 19, 2013 at the autopsy.

16 Q You would have been in control of the packaging
17 until it was delivered?

18 A Yes. Once I collected it, I -- it would be hard
19 to show it other than by opening it, but a swab card is
20 a cardboard box, and each box side, the opening, I
21 would put a piece of that tape over it and initial it.
22 I then put it in a heat sealed bag, and from that heat
23 sealed bag, it goes in this bag and gets sealed again
24 with more tamperproof tape.

25 Q So what I have is when you took it to SLED?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yes. When I took it to SLED, it is -- what I
2 collected at autopsy was inside this bag already sealed
3 up.

4 Q Did you take a GSR kit or give a GSR presumptive
5 test to the victim at the scene?

6 A After I examined the hands, I do take a standard
7 GSR kit first, and after that kit was collected, it is
8 pretty much -- without explaining it, it is like sticky
9 tape, and then I put it in a pouch and break chemicals,
10 and if there is a color reaction, usually a blue or
11 black reaction, it is presumptive positive for GSR,
12 gunshot residue.

13 Q You did those on the victim's hands?

14 A Yes, I did.

15 Q Do you remember if it was inside or outside?

16 A It is all over the hand. It is not specific to
17 one area of the hands. Those kits, you do it all over
18 the hand and everything.

19 Q Why do you do this test?

20 A It is protocol. Whenever there is a gunshot
21 case, we always do it.

22 Q What was the results of the presumptive test?

23 A It turned blue, which is presumptively -- it
24 would say positive for GSR, but, again, it is a
25 presumptive test.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q GSR is gunshot residue, what is gunshot residue?

2 A It is -- from what I understand, gunshot residue
3 is metals and powders.

4 Q So when a gun is fired, this gun powder metal
5 come out the end of the gun in the direction of what is
6 being shot?

7 A Well, actually gunshot residue, when a weapon is
8 fired, it is an explosion. You have gun powder that
9 puts the projectile -- I mean you have a whole lot of
10 things going on with gasses and powders and metals.
11 Not only is it projected outwards, but it's projected
12 backwards. I mean, it is basically a cloud.

13 Q So the victim in this case, Steven Hall, having a
14 presumptive test for gunshot residue, does that mean
15 that he was in the area of a gunshot?

16 A Yes.

17 Q Does it mean he has his hand up or down?

18 A Just means within proximity of a gun when a gun
19 went off.

20 Q Once again, how many wounds did he have?

21 A Two.

22 Q And you found both of the bullets. Was there any
23 other evidence of a third shot, any other holes in the
24 room or anything?

25 A Not that I saw, no, sir.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q Did you respond to Peachtree Landing in this
2 case?

3 A Yes, I did.

4 Q Why did you do that?

5 A I received a phone call. When an investigation
6 like this takes place, there is many facets of the
7 investigation. You have investigators, like
8 Investigator Greg Lent, who does other parts of the
9 case, where I do crime scene and evidence. During his
10 investigation, there was cause to go down to search
11 Peachtree Landing in reference to possibly finding
12 evidence. Divers with Horry County Fire Department
13 were sent in that area and located a piece of evidence
14 and contacted me on the phone. I told them what they
15 needed to do with it until I was on scene.

16 Q Okay. And just so I'm clear, people call this
17 landing different things. I know Peachtree Landing
18 from growing up here is further down the road. Is this
19 landing underneath the bridge?

20 A Yes. I would call it Peachtree Landing One. It
21 is the first one you come to. It is not the one a
22 little more famous a little further down the road.

23 Q Let me show you a picture of -- 24. I'll give
24 you the ones in conjunction with it, 22 and 23. Is
25 that the area that you are talking about?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yeah. Well, it's -- you have a boat landing --
2 when you pull in, it is kind of adjacent to the bridge,
3 the large bridge, and then you have the landing and
4 ramp over there, and off to the left is a playground
5 area with boardwalk or dock if you will, or you can go
6 out and stand and enjoy the waterway.

7 Q I think this is what you are talking about. So
8 State's 19, that is where you would pull in your
9 vehicle?

10 A You would pull in the vehicle kind of where your
11 thumb is towards where the landing is where you would
12 launch a boat or whatnot, and to the one side you can
13 see the park and walk area, nature area.

14 Q What is this structure here?

15 A The bridge.

16 Q So we're underneath the main 544 bridge to the
17 left?

18 A Yes.

19 Q All of these are admitted. It shows that this is
20 the same dock we've been talking about at the same
21 time, park benches along the dock. You roped it off
22 during your investigation. Why did you get called
23 there again, did they find something?

24 A They found a weapon.

25 Q When you say they found a weapon, who did?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Horry County divers.

2 Q Do you remember if Jack Stewart was on scene?

3 A Well, Horry County divers were on scene during
4 their search, and when they are searching anything
5 involved in a police investigation, there is always a
6 police officer to observe in case they do find
7 something. Jack Stewart was in charge of that
8 responsibility that day. Once the divers notified
9 something was located, he calls crime scene, so he
10 called me that day, and advised me what was found and
11 further instructions from me on what to do with it.

12 Q And so you responded to the dock. I'll show you
13 State's 49 and 50; do you recognize those photos?

14 A Yes. I advised Lieutenant Stewart to take a
15 container from his vehicle, if he had one, which he
16 did, a plastic container that he had for, I don't know,
17 probably to put equipment in or boxes or something. I
18 told him to fill that water with the same water in
19 which the evidence was located, which happened to be
20 the Intracoastal waterway, so he submerges -- the
21 container is empty, he submerges it and collects that
22 water. I had him place the item of evidence --
23 submerge it in that water and stand post until I could
24 get on scene to prevent the diver from having to hold
25 it until I got there from Conway.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q So why do you put it in the water, what is the
2 significance of that?

3 A You are talking about a firearm, metal, that was
4 submerged in the Intracoastal, which is considered
5 brackish, a mixture of salt and freshwater. It needs
6 to stay in that water to prevent corrosion or any other
7 kind of events, oxidizing, that can occur.

8 Q So when you arrive, Jack was there?

9 A Yes.

10 Q And he was standing over -- or at least there
11 making sure no one messed with this?

12 A He was actually standing guard over it, yes.

13 Q Did you take control of this weapon from Jack as
14 far as --

15 A The minute I arrive on scene, it is now my
16 responsibility.

17 Q So would you have put it in this container?

18 A Yes. I brought a container with me, sterile
19 container, which that is. We have them in our evidence
20 office in Conway. I fill the water up with
21 Intracoastal waterway and would quickly put it in
22 there, but before I do it, I document it, try to
23 photograph it, any kind of processing, swabbing or
24 anything I feel necessary I try to do that before I
25 transfer it into that container.

JILL DOMOGAUER - DIRECT EXAMINATION

1 (State's Exhibit 79 marked.)

2 Q Could you tell the Court if you recognize this?

3 A Swabs that I collected from the barrel of the
4 weapon.

5 Q So this is in-between you taking it out of the
6 bucket and putting it in the container we identified?

7 A That square bucket you have there, I'm going to
8 do my photography there. First thing I'll do is get
9 water in that container and set it to the side. Then
10 that square container, because it is bigger than that
11 round opening, I'm going to photograph it. I had a
12 partner with me that day who I instructed, I need you
13 to get this ready for me so it has to be quick. The
14 minute I take, you know, the barrel up, I'm going to
15 quickly swab it and get it back in the water and
16 package my swabs and handle it that way. It is quick,
17 up and back in the water.

18 Once that is all taken care of and photography is
19 done, that container is only filled half way. Then I
20 pour the square container -- I pour a little bit of it
21 making sure that the weapon is completely submerged as
22 we transfer it the whole entire time, and whatever
23 water is left over, I'll look and see if there is
24 anything in there, and pretty much that square bucket
25 is poured away and that now becomes mine.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q And then you took that, put all of that tape on
2 it -- or at least some of the tape, same type of tape?

3 A Red tape, yes.

4 Q And you took it to SLED?

5 A Yes.

6 Q And that was on the same day you took everything
7 else?

8 A Yes.

9 Q And you said you took a swab from the gun. What
10 are you looking for when you take a swab from a gun
11 barrel?

12 A For any kind of DNA purposes. We were sent down
13 there in reference to this investigation. I worked the
14 crime scene. The wound to the head is what we call a
15 contact. You saw a muzzle impression. When you have
16 that with a weapon, there is what we call blowback
17 where you can have blood, tissue, that kind of stuff
18 come into a gun, and that is why I swabbed the gun. I
19 also observed a hair.

20 Q In layman's terms, though, when you are firing
21 close range at something, some of that material can
22 come back into the gun barrel?

23 A You are not talking about close range, you're
24 talking about contact. That gun is in contact with it.

25 Q Then you collect that swab, and you don't know

JILL DOMOGAUER - DIRECT EXAMINATION

1 what is on it at this point, you just package it, seal
2 it?

3 A And send it.

4 Q And when you say "send it," you took it yourself?

5 A Yes.

6 Q Same date as everything else?

7 A Yes.

8 MR. GROOMS: I think 49, 50 and 48 is in
9 evidence.

10 (State's Exhibits 48 through 50 admitted.)

11 Q (MR. GROOMS) State's 76 is a bullet that was
12 retrieved from the body. You took that to SLED,
13 correct?

14 A Yes.

15 Q No one else had an opportunity to tamper with it
16 until you took it?

17 A I sealed it. No, sir.

18 Q State's 77 says "from south wall," that is the
19 projectile you told us about?

20 A Yes, sir.

21 Q That was taken to SLED by you?

22 A Yes, sir.

23 Q And then we have?

24 A You might want to read the labels.

25 Q Yes, but -- I got you two buccal swabs from the

JILL DOMOGAUER - DIRECT EXAMINATION

1 victim, State's 78 from the autopsy?

2 A Yes.

3 Q You take it directly to SLED yourself?

4 A Yes.

5 Q And 79 is one we just talked about. This is two
6 swabs from the barrel of Kel Tech, the gun that you
7 described?

8 A Yes.

9 Q And you also took the Kel Tech yourself to SLED?

10 A Yes.

11 Q Okay. We're almost there. Ms. Domogauer, before
12 we go back to the crime scene, we talked earlier about
13 GSR kits. Is it protocol to take a GSR kit of a
14 suspect?

15 A Yes.

16 Q But if it was outside of a certain period, would
17 you have done that test to be obsolete?

18 A Well, we would take a GSR kit of persons of
19 interest when that person presents themselves. As far
20 as whether they go to the state lab for testing. They
21 have to meet SLED's criteria. They have a criteria
22 that from a shooting incident to, I believe, about six
23 to eight hours monitoring contact, you can submit it,
24 or you can say, hey, nobody washed their hands or have
25 done anything. The only time that that time frame is

JILL DOMOGAUER - DIRECT EXAMINATION

1 excluded is if the person is deceased because they
2 won't be washing their hands.

3 Q So did you take a swab from the defendant in this
4 case?

5 A I took a GSR kit.

6 Q I'm sorry, GSR kit? But that was outside of the
7 six hours that SLED required?

8 A Yes.

9 Q I'll show you State's 33, 38, 39, 40, 41, 42, 47
10 and 46. Tell me if you recognize these photos as your
11 crime scene photos?

12 THE COURT: Are they in?

13 MR. GROOMS: No, sir, not yet.

14 A (Witness examines document.) I recognize them as
15 my photographs.

16 Q (MR. GROOMS) Those are the pictures you took
17 from the scene that evening?

18 A Yes, sir.

19 MR. GROOMS: We are going to attempt to move
20 these into evidence. I believe there may be an
21 objection to some of them.

22 THE COURT: Have you shown them to --

23 MR. McCOLLUM: May we approach?

24 THE COURT: Yes. Let the jury take a break.
25 Take them out and have a break. I know they are

JILL DOMOGAUER - DIRECT EXAMINATION

1 MR. HIXSON: May we introduce it through the
2 person who took the photo?

3 THE COURT: Yes, for identification. For
4 identification.

5 MR. McCOLLUM: For the record, I believe that is
6 State's 47.

7 (A recess was taken.)

8 (The jury enters at 3:07 p.m., the following
9 is heard in the presence of the jury.)

10 THE COURT: Everyone is back. You may continue.

11 MR. GROOMS: Thank you.

12 Q (BY MR. GROOMS) All right. Before we left, you
13 identified State's 33, 38, 39, 40, 41, 42 and 46.
14 These are all in evidence.

15 MR. GROOMS: Is it okay if she steps down?

16 THE COURT: Certainly.

17 MR. GROOMS: Permission to publish these to the
18 jury?

19 THE COURT: Yes.

20 (State's Exhibits 33, 38 through 42 and 46 were
21 published to the jury.)

22 Q Tell the jury what is this a picture of and hold
23 it where they can see it.

24 A State's 33, this is going to be an overall
25 picture from the hallway going towards, what I call,

JILL DOMOGAUER - DIRECT EXAMINATION

1 the master bedroom.

2 Q Overview from the hallway going into the master
3 bedroom?

4 A Yes.

5 Q State's 38?

6 A Overall photograph of the bedroom showing the bed
7 and contents on it.

8 Q What is that on the bed?

9 A Plate of food, or remnants of food.

10 Q Do you know if the stains on the coverer, is it a
11 drink or blood?

12 A You have two different stains. You have a red
13 stain and kind of a pink or light colored stain.

14 Q So you believe those two stains to be different?

15 A They are two different colors.

16 Q And do you remember seeing a tray that was
17 knocked over, a cup?

18 A I saw a cup on the floor.

19 Q And State's 39?

20 A Is going to be a closer shot or medium shot of
21 the bed with numbers down. Those numbers indicate an
22 area of that spread which I took swab samples from.

23 Q And is this the victim?

24 A Yes, on the floor.

25 Q State's 40?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Another photograph of the room, a more closer
2 shot of the corner of the bed showing two different
3 colors or two different types of stains, and also a
4 little bit more of the victim is in this photograph as
5 well.

6 Q Do you know what this is, white material?

7 A It is a tissue.

8 Q You testified the difference in the stains and
9 that this white item down here is a tissue. Just a
10 close up of -- State's 46?

11 A State's 46 is a closer-up picture of a tissue
12 showing what appears to be a red substance and a gray
13 substance on the tissue located by the hand on the
14 floor near the victim.

15 Q Would you say that is near the victim's hand?

16 A I would say, yes, sir.

17 Q State's 42, please.

18 A This is an overall photograph that is taken
19 showing evidence in a scene. You have several
20 different pieces of evidence marked. Number 1 being
21 the cup; 2 being a tissue, 3 is another tissue in the
22 pocket, and of course you see the victim on the floor
23 and you can see the bed to where you are standing in
24 the room. That's 42.

25 Q Is that the cup you talked about a moment ago?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Yes.

2 Q And State's 41?

3 A That is almost the same photograph as what you
4 saw a moment ago from a different angle and before
5 evidence markers were placed down.

6 Q And as far as the dresser, I know we showed a
7 smaller picture of the dresser earlier, but did it
8 appear that any items were out of place?

9 A Did not appear to be, no.

10 Q And it looks like we have medication, change jar
11 -- what is this (indicates)?

12 A It looks like a credit card to me.

13 Q Credit card, jewelry, items of value, but it
14 appears nothing is knocked over, nothing is obviously
15 taken, correct?

16 A Yes, sir.

17 Q And this is where you found the victim?

18 A Yes, sir.

19 Q What was his condition when you found him rigor
20 mortis?

21 A The victim was deceased. He was in various
22 stages of rigor mortis, that is when you get stiff. I
23 saw the presence of lividity, discoloration is one of
24 them.

25 Q What is that?

JILL DOMOGAUER - DIRECT EXAMINATION

1 A Lividity is when blood pools after your heart
2 stops beating, your blood goes to the lowest part of
3 the body.

4 Q And that will leave a marking?

5 A Coloring.

6 Q So you noticed the markings on the victim?

7 A On the underside of him.

8 Q And you said rigor mortis had set in; how long
9 does that take?

10 A Depends on what level. It can vary throughout,
11 once you pass, the various stages.

12 Q What was your opinion of what stage he was in?

13 A He had been, in my opinion, dead for awhile.

14 Q But you are not comfortable putting hours on it?

15 A No.

16 Q I understand. You can return, thank you so much.
17 Just a few matters of housekeeping. Can you identify
18 this picture -- not for the Court, can you tell me if
19 this is one of your pictures?

20 A Yes, it is.

21 Q What is the number?

22 A State's Exhibit 47.

23 Q Is this an example of lividity?

24 A Yes.

25 Q That is just for ID. To clean this up, these are

JILL DOMOGAUER - DIRECT EXAMINATION

1 the cell phones, 75, that you collected?

2 A Yes.

3 MR. GROOMS: We ask to admit that into evidence.

4 The battery is dead, you can't turn it on.

5 MR. McCOLLUM: I think she's already testified
6 about this, right?

7 MR. GROOMS: She did, we just didn't admit them.

8 MR. McCOLLUM: Okay. No objection.

9 (State's Exhibit 75 admitted.)

10 Q For housekeeping, to be on the safe page, the gun
11 testified earlier, this is the Kel Tech you took to
12 SLED. personally?

13 A Yes.

14 Q Was there a round in this gun?

15 A There was a round in the chamber. That was
16 cleared when I recovered it from the water.

17 Q You took that to SLED also?

18 A Yes.

19 Q On the same day?

20 A Yes.

21 MR. GROOMS: Court's indulgence.

22 (A brief pause in the proceedings.)

23 Q Very quickly, and thank you for being patient.

24 Did you find any shell casings on scene?

25 A No, I did not.

JILL DOMOGAUER - DIRECT EXAMINATION

1 Q You determined what type of bullets were found,
2 right?

3 A I could tell you what we thought they were. They
4 were sent to SLED for that type of testing to be
5 performed.

6 Q But if it is a .32 caliber --

7 A It appeared to be consistent with a .32 caliber.

8 Q And when that type of firearm is shot, it ejects
9 shells?

10 A Yes, it does.

11 Q And did the victim have blood on him, was the
12 blood dried?

13 A There was blood on several locations on the
14 victim, on the floor. It had coagulated and was dried.

15 Q Was there blood anywhere else in the home that
16 you saw?

17 A Other than in that particular room, I didn't
18 observe any anywhere else.

19 Q And no forced entry at any location; you checked
20 them all?

21 A When I do my walk-around, yes.

22 MR. GROOMS: Thank you so much. Answer any
23 question from defense.

24 MR. McCOLLUM: May it please the Court?

25 THE COURT: Yes.

JILL DOMOGAUER - CROSS-EXAMINATION

1 CROSS-EXAMINATION

2 BY MR. McCOLLUM:

3 Q How are you today?

4 A I'm doing good, sir.

5 Q I'm Greg McCollum. Our law firm is representing
6 Teresa Hall, okay?

7 A Yes, sir.

8 Q Do you know what -- are you familiar with the
9 term "blood spatter"?

10 A Spatter, yes.

11 Q Could you describe what blood spatter is?

12 A It can be various different things. Blood
13 spatter is produced like in droplet form or spray form.
14 It is when -- I don't know how to define it.

15 Q Let me ask a couple of questions.

16 A Sorry.

17 Q If I have -- if I have blood on my hand from
18 committing a crime that involved causing injury to
19 someone, so I have blood on me, it is really wet, and I
20 hold my hand up in the air and a blood droplet falls
21 down and it makes a circle type of drop, right?

22 A It can, yes, sir.

23 MR. GROOMS: She's not qualified as to blood
24 spatter. Might want to lay foundation for that.

25 THE COURT: Mr. McCollum, are you trying to

JILL DOMOGAUER - CROSS-EXAMINATION

1 qualify her as an expert on blood spatter?

2 MR. McCOLLUM: I don't know, Judge. I just
3 wanted to go through it. I just thought that --

4 THE COURT: If it is general information, maybe
5 she can answer your questions, maybe she's not
6 qualified to do it, I don't know. I'll let you ask.

7 Q (MR. McCOLLUM) You're a crime scene
8 investigator, right?

9 A Yes, sir.

10 Q Which is CSI, right?

11 A Yes, sir.

12 Q Literally?

13 A Yes.

14 Q And you are a trained law enforcement officer?

15 A Yes, sir.

16 Q And you have been in law enforcement for how many
17 years?

18 A Over 17 years.

19 Q 17 years. And you've investigated how many --
20 how many homicides, in other words, the number of
21 homicides?

22 A I wouldn't be able to give you a number. I've
23 been doing crime scene for 12 of those 17 years.

24 Q So for 12 years you've been going to crime
25 scenes?

JILL DOMOGAUER - CROSS-EXAMINATION

1 A Yes, sir.

2 Q And you have -- deal with more than 10 homicides
3 a year?

4 A Yes, sir.

5 Q Maybe 20 homicides a year?

6 A Probably more than that, but, yes, sir.

7 Q And so then you have been going to crime scenes
8 as a crime scene investigator for 12 years?

9 A Yes, sir.

10 Q Right. And have you -- besides going to the
11 police academy and getting law enforcement training,
12 have you also studied crime scene investigation
13 techniques?

14 A I've gone through several courses and continue to
15 go through training to get more education on courses
16 through my investigations, yes.

17 Q And have you had any kind of training that deals
18 with what we're calling "blood spatter"?

19 A Yes, sir, I have.

20 Q And you have been to courses and lectures on
21 that?

22 A Yes, sir.

23 Q And do you know about velocity in blood spatter?

24 A Yes.

25 Q You know about different types of injuries

JILL DOMOGAUER - CROSS-EXAMINATION

1 causing different types of velocity blood spatter?

2 A I can look at it and somewhat give a guess on my
3 basic training, yes.

4 Q And so in terms of the knowledge that you have
5 about it, do you feel comfortable or feel like you are
6 qualified to discuss that and answer questions?

7 A I would do my best, yes, sir.

8 MR. McCOLLUM: Judge --

9 THE COURT: Ask her. Just ask her, and if she
10 doesn't know, she'll tell you.

11 MR. McCOLLUM: Thank you.

12 Q (MR. McCOLLUM) So, if a human being, a person, a
13 person's being is being struck with something, whether
14 it be a blunt object or a bullet or something of that
15 nature, it can create a velocity type of blood
16 spatter, right?

17 MR. HIXSON: I would object, Your Honor. If she
18 wants to be qualified in crime scene investigation to
19 give her opinion, we would love to have that, but she
20 can't testify as to hypothetical and blood spatter
21 analysis unless we get her qualified.

22 MR. McCOLLUM: I'll withdraw it, Judge.

23 THE COURT: Okay.

24 Q (MR. McCOLLUM) Will you look at State's 42,
25 which is in evidence?

JILL DOMOGAUER - CROSS-EXAMINATION

1 A (Witness examines document.) Yes, sir.

2 Q A picture you took?

3 A Yes, sir.

4 Q That is a picture of the deceased lying on the
5 floor, right?

6 A Yes, sir.

7 Q Now, do you see -- do you see blood on the
8 baseboard against the wall?

9 A If you are talking about up here (indicates),
10 yes, sir.

11 Q And do you have any idea how that blood got on
12 that wall?

13 A I can give you my opinion.

14 Q And so what -- how do you think the blood got on
15 the wall?

16 MR. HIXSON: That is -- I want her to say it, but
17 she has to be an expert to say it.

18 MR. McCOLLUM: I'll withdraw it.

19 MR. HIXSON: Then we get to talk about her other
20 areas of expertise. If she's qualified, I'll hear it.

21 THE COURT: This is where we are. He's asking
22 very general questions at this point about blood
23 spatter. Half the jury could have probably answered
24 general questions. What are fingerprints? I don't
25 think that this witness needs to be an expert to just

JILL DOMOGAUER - CROSS-EXAMINATION

1 say, well, you know, this is what it is. There is a
2 line at which it is going to require expertise. I
3 don't think it requires just -- I could ask
4 Mr. Grooms, What is a fingerprint, and I would feel
5 perfectly comfortable with what he is telling me what
6 it is, but he's no expert. So that is the line I'm
7 looking for right here, okay. Go ahead.

8 MR. McCOLLUM: Thank you, Your Honor.

9 Q (MR. McCOLLUM) Also, if you will, do you see
10 blood droplets or what appears to be blood droplets
11 between the deceased's bare legs?

12 A Yes, I do.

13 Q And do you see blood on his legs?

14 A Yes, I do.

15 Q And do you see what you determined to be blood on
16 the corner of the bottom of the bed or bedspread?

17 A Yes, I see that.

18 MR. McCOLLUM: Your Honor, I would like to
19 publish 42 to the jury.

20 THE COURT: Isn't it already in?

21 MR. McCOLLUM: Yes, sir.

22 THE COURT: You may publish it.

23 (State's Exhibit 42 published to the jury.)

24 Q (MR. McCOLLUM) If you would, look at State's 40,
25 please. State's Exhibit 40 also shows a great amount

JILL DOMOGAUER - CROSS-EXAMINATION

1 of blood on the deceased, right?

2 A It shows a bit, yes, sir.

3 Q And you were there at the scene, there is a large
4 amount of blood on his shirt that he is wearing, right?

5 A Yes, sir.

6 Q It is also on the floor around him, right?

7 A Yes, sir.

8 Q And also on the bed, right?

9 A Yes, sir.

10 Q All right.

11 MR. McCOLLUM: Your Honor, I would like to
12 publish 40 as well.

13 (State's Exhibit 40 published to the jury.)

14 Q (MR. McCOLLUM) So in this particular case there
15 was blood spatter that existed in the case?

16 A Yes, sir.

17 Q There was a fairly large amount of blood that was
18 created at the scene, right?

19 A Yes, sir.

20 Q And, also, if you will, look at State's 41 which
21 is in evidence, it also appears to be some blood on the
22 corner top of the dresser, right?

23 A Yes, sir.

24 Q The clothes of the deceased would be collected as
25 evidence, right?

JILL DOMOGAUER - CROSS-EXAMINATION

- 1 A Yes, sir.
- 2 Q When you talked about swabbing the gun earlier,
3 do you remember that?
- 4 A Yes, sir. Yes, sir.
- 5 Q So when you swab it, you swab it with something
6 that looks like a Q-tip?
- 7 A It is a sterile cotton swab, yes, sir.
- 8 Q And how far into the barrel of that gun do you
9 swab?
- 10 A The entire thing.
- 11 Q Why is that?
- 12 A To swab the entire thing?
- 13 Q Yes.
- 14 A To make sure that there is a substantial -- you
15 do the whole thing to include the entire barrel, so you
16 get the whole length of the barrel in case there is
17 evidence if you are thinking of a blowback or anything
18 like that, it would be further inside the barrel. So
19 you go down the length of the barrel swabbing around it
20 and then the whole inside of it.
- 21 Q And do you know -- and I don't think you do --
22 but do you know where in the barrel that you recovered
23 the specimen, the blood, the tissue that you ended up
24 submitting for testing?
- 25 A Where in it?

JILL DOMOGAUER - CROSS-EXAMINATION

1 Q Yes.

2 A No.

3 Q But to your knowledge, the gun was in the
4 waterway or in the river?

5 A The gun was in the waterway.

6 Q And so we don't know if there was -- well, did
7 you swab the outside of the gun?

8 A Only around the barrel.

9 Q And you found DNA or blood or serology evidence
10 inside in the barrel, right?

11 A Yes, I did.

12 Q And we don't know if other evidence washed away
13 or not, right?

14 A I do know that they were able to retrieve hair
15 also on the barrel, on the tip of barrel.

16 Q On the outside of the barrel?

17 A Yes.

18 Q Is that where your swab and evidence came from,
19 from the area where the hair was, or do you know?

20 A A swab goes inside the barrel, all the way in and
21 goes all the way around it until you come out working
22 forward to backwards, and the last swab we take is on
23 the outside of it.

24 Q And the blood you found in the gun, on the gun
25 where the hair was in the barrel, you call it

JILL DOMOGAUER - CROSS-EXAMINATION

1 "blowback," right?

2 A That is what I would refer to it as; that is why
3 I swabbed it.

4 Q And "blowback" is a term or a function of blood
5 spatter, right?

6 A I guess it can be, yes, sir.

7 Q Because what you are saying -- this is pretty
8 graphic here -- is that when the injury is created, in
9 this case by the projectile, then there is a blood
10 spray that comes towards the object which shot the
11 bullet, right?

12 A No, sir. I can tell you what blowback means from
13 the way we understand it to be.

14 Q Okay.

15 A If I'm going to put -- say this is a gun, okay,
16 and this is a person. I'm pressing a gun in contact.
17 When you have a muzzle impression on whatever object
18 I'm putting it on, as I'm firing that weapon it's going
19 to create an action, the slide will go back, you have
20 that imprint in that item, which was present on the
21 victim's body. As I'm pressing in and the gasses and
22 projectile are going in, during that projectile through
23 and the explosion occurring and me forcing the gun
24 down, you have tissue and matter and hair, skin, blood
25 coming back towards the weapon because of the mechanics

JILL DOMOGAUER - CROSS-EXAMINATION

1 of the gun and the force of, like you were saying, the
2 projectile.

3 Q And you -- and if someone is shot in the head, do
4 you expect the head to react and move away from the
5 gun?

6 A It depends. I mean, there is many variables. I
7 can't answer it.

8 Q Understand. GSR is gunshot residue?

9 A Yes, sir.

10 Q And so you completed swabs on Teresa
11 McCracken-Hall and her sister, Sabrina Myers?

12 A Yes, I did.

13 Q And you did or did not submit those to SLED?

14 A They were not submitted to SLED. They were
15 collected.

16 Q And was there a presumptive result?

17 A I can -- can I look at my notes?

18 Q Sure. Do you have them?

19 A Yes, sir. I believe I checked the actual GSR
20 kits. I don't believe I did presumptives on their
21 hands.

22 Q Do you ever do GSR gunshot residue kits on
23 clothing?

24 A They do have those kits, surface GSRs.

25 Q Do you do those?

JILL DOMOGAUER - CROSS-EXAMINATION

- 1 A I can, yes.
- 2 Q Now, I don't know where the casings are, but you
- 3 didn't find any in the bedroom, right?
- 4 A No, sir, I did not.
- 5 Q So if someone handled those casings to remove
- 6 them from the scene, would it be more likely they would
- 7 have more gunshot residue on them and their clothing?
- 8 A They might have some.
- 9 Q And would you expect the gunshot residue to last
- 10 longer on clothing such as a cotton shirt versus
- 11 someone's skin?
- 12 A I don't think it would last long at all, but I
- 13 don't know how to answer that.
- 14 Q In terms of what you are looking for at a crime
- 15 scene, okay, the crime scene is secured so that other
- 16 individuals cannot walk in there, right?
- 17 A Yes, sir.
- 18 Q Because if someone were allowed to go in there
- 19 and stepped in a pool of blood, or something like that,
- 20 then they would have the decedent's -- the person's
- 21 blood on their shoe or on them somewhere, right?
- 22 A Possibly, yes, sir.
- 23 Q Now, in this case Ms. McCracken-Hall said that
- 24 she initially went to try to do some type of CPR on
- 25 Steve. Did you check her clothing to see if she had

JILL DOMOGAUER - CROSS-EXAMINATION

1 blood on her?

2 A I don't recall, sir. I know she was photographed
3 the day of the incident.

4 Q She was photographed the day of the incident?

5 A The day I was brought into the incident.

6 Q Wearing the blue T-shirt and shorts?

7 A I would have to go back and see what she was
8 wearing, but the day I got called to the home, later
9 on, after I left the scene, I did photograph her.

10 Q Do you -- you photographed her?

11 A Yes, sir.

12 Q So you -- without looking at them -- you took
13 photographs of her the day that you were there during
14 your investigation, right?

15 A A little bit later on, yes, sir. I'm looking at
16 my notes now, please bear with me.

17 (A brief pause in the proceedings.)

18 A Yes, sir.

19 Q And do you indicate what she was wearing?

20 A Blue shorts, looks to be a grayish shirt.

21 Q Did you or anyone in your presence ask her if she
22 had worn that shirt the day before?

23 A I didn't talk to her in that fashion.

24 Q Did you or anyone on your team attempt to
25 determine what she was wearing when she left the night

JILL DOMOGAUER - CROSS-EXAMINATION

1 before?

2 A I don't know if anyone else did, but I can tell
3 you, I did not.

4 Q Would it be important to collect a shirt or pants
5 or anything that someone had on when they were accused
6 of shooting someone?

7 A If I saw blood on the shirt or shorts, I would
8 have collected them.

9 Q So there is no question but that you saw her at
10 Williamson Circle?

11 A I saw her on scene, and I saw her later on at the
12 police department.

13 Q As part of your training, is that something you
14 would look at -- as the person that said they found the
15 body, would you look at them with a trained eye to see
16 if you see blood on them?

17 A I would, yes, sir.

18 Q Would you take them into a lighted room, either
19 where they know it or don't know it, and scan them and
20 have a look at them?

21 A I do recall at the residence I did shine
22 flashlights. I remember apologizing, because I was
23 shining it directly in Ms. Teresa's face. I was
24 scanning and looking, and I know she was brought to a
25 lit room back in the police department where

JILL DOMOGAUER - CROSS-EXAMINATION

1 photographs were taken. I also looked at her again,
2 and I'm quite sure other detectives looked at her as
3 well.

4 Q And when you are doing the crime scene, you are
5 looking for -- looking for blood, right, obviously?

6 A I'm looking for evidence in the crime, yes, sir.

7 Q Looking for tissue, human tissue?

8 A Uh-huh.

9 Q You are looking for -- sometimes you may be
10 looking for saliva, right?

11 A Yes, sir. I could be looking for a whole bunch
12 of stuff.

13 Q And then the blood could be tested for what is
14 serology or for DNA?

15 A Yes, sir.

16 Q You also went through the gunshot residue and
17 also fingerprints, you looked for fingerprints and that
18 sort of thing?

19 A There was no forced entry. I don't think we did
20 fingerprints. We looked through the area of the
21 dresser to see if there was finger impressions. You
22 hold light to the see if any dust or anything was
23 disturbed.

24 Q Now, in terms of no forced entry, I would like
25 for you to look at -- I think it is State's 28, the

JILL DOMOGAUER - CROSS-EXAMINATION

1 door with the chain latch, if I'm saying it right; is
2 that in the bedroom where the deceased was found, or do
3 you know?

4 A I don't know exactly where it is. I have to look
5 at my photo log or bigger overview where this is.

6 Q All right. Let me see if I can find one for you.
7 Same question with State's 25, do you know if that is
8 in relation to the bedroom at all?

9 A I would need more of a broader picture to tell me
10 where it was or my photo number, and I can tell you on
11 my log what it might have been.

12 Q Maybe I don't need to do that. All right. Now,
13 let me ask you this way. When you got to the scene
14 where the deceased was found, he had been dead for
15 sometime, right?

16 A Yes, sir.

17 Q And you couldn't find any bullet casings in there
18 near his body, right?

19 A No, sir.

20 Q And you would expect to find them because your
21 theory is that the bullets were fired from a
22 semi-automatic, right?

23 A At the time I didn't know what weapon was used.
24 All I know is that at the time of the incident there
25 was no casings.

JILL DOMOGAUER - CROSS-EXAMINATION

1 Q Well, the gun that was located was a
2 semi-automatic, right?

3 A Yes, sir.

4 Q And a semi-automatic, when you shoot it, the
5 casings after the projectile leaves the barrel, the
6 casings go --

7 A Ejects, yes, sir.

8 Q Forward, usually, right?

9 A Yes, sir.

10 Q Very familiar with that?

11 A Yes, sir.

12 Q And so it is impossible to shoot a
13 semi-automatic, what we refer to often as a 380,
14 without every time a bullet goes out the barrel, a
15 casing falls on the ground, right?

16 A Unless there is a misfire, yes, sir.

17 Q So those things are laying on the ground where
18 the gun fired, right?

19 A Generally, yes.

20 Q And so for them not to be there when you get
21 there means -- you infer or think -- that someone
22 picked them up, right?

23 A It can mean a few things. If they are not on
24 scene, it can mean a few things. I don't make
25 conclusions right then and there.

JILL DOMOGAUER - CROSS-EXAMINATION

1 Q But, normally, if they are undisturbed, unless
2 something strange has happened, they are going to be
3 around there, right?

4 A It can be.

5 Q I mean, it is frequent that when you go to crime
6 scenes, you see casings?

7 A Yes.

8 Q So that is not uncommon, right?

9 A That is not uncommon.

10 Q If a person was shot with a revolver, .38
11 revolver, there is a cylinder that turns when you pull
12 the trigger, right?

13 A Yes, sir.

14 Q And as the bullet exits the barrel, the cylinder
15 turns and the casing stays in the gun?

16 A Yes, sir.

17 Q And so in that situation there wouldn't be
18 casings unless the person took the cylinder out and
19 emptied it and then they fell, right?

20 A Yes, sir.

21 Q Only way they would come out?

22 A Pretty much, yes, sir.

23 Q Now, in determining there is no forced entry, you
24 looked at the scene in the bedroom and the other doors
25 in the house, except the front door, and determined

JILL DOMOGAUER - CROSS-EXAMINATION

1 that those doors were locked?

2 A We were told the front door was locked.

3 Q And this other door, certainly if there is a door
4 with a chain on it inside, you would believe -- or
5 anyone would think -- that someone had to close that
6 from the inside, right?

7 A One would assume, yes, sir.

8 Q But what you don't know is if the -- if the
9 person were shot with a 380, which is the State's
10 theory, because they have the gun, then the same person
11 that collected the shell casings could have closed and
12 locked the door before he or she left, right?

13 A Very good possibility, yes, sir.

14 Q So we don't know for sure what doors or openings
15 were opened or closed prior to the victim being shot,
16 right?

17 A Yes, sir.

18 Q It is very common in your line of work to find
19 blood samples on the perpetrator or shooter's clothing,
20 right?

21 A Has it happened in cases? Yes, sir, depending on
22 the particular case.

23 Q If blood goes on a piece of cloth or tablet or
24 like a shirt or couch or car interior, it is hard to
25 get that out, right?

JILL DOMOGAUER - CROSS-EXAMINATION

- 1 A I would say so, yes, sir.
- 2 Q And people go to great lengths to destroy that
3 kind of evidence, don't they?
- 4 A I would say so, yes, sir.
- 5 Q And you have certain techniques where many times
6 in crime scenes you are going to look -- beyond the
7 clothes, you'll look in the sinks?
- 8 A Sinks, shower drains, trashcans.
- 9 Q Even traps of sinks, right?
- 10 A Yes, sir.
- 11 Q Even the pipe?
- 12 A Yes, sir.
- 13 Q Because if someone gets blood on them, many times
14 they instinctively try to wash it off?
- 15 A Yes, sir.
- 16 Q They may take a shower, right?
- 17 A Yes, sir.
- 18 Q And when you examine that sink, you can't see the
19 blood with a naked eye sometimes, right?
- 20 A You would use chemicals or other enhancers.
- 21 Q Like Luminol?
- 22 A You can use Luminol.
- 23 Q And if you use that, there is a technique where
24 you can get at a light and you can actually see what
25 I'll call blood or serology evidence, right?

JILL DOMOGAUER - CROSS-EXAMINATION

1 A Yes.

2 Q And if that's the case, if you can see it in
3 those special conditions, you can swab it and find out
4 many times who that blood belongs to?

5 A No, sir.

6 Q Yes?

7 A With Luminol, you don't lose a light. You would
8 black out a room and spray it. If blood or something,
9 that protein, were to be in the room, it would
10 fluoresce. You can swab it, but Luminol,
11 unfortunately, destroys DNA. I like using Amido black
12 or Leuco Crystal Violet that will change colors, but
13 not destroy evidence such as DNA.

14 Q And so in this particular house, did you look in
15 the drains, in the trashcans, sinks and showers?

16 A We looked in the sinks and showers, there was no
17 evidence of any residue or blood. We did not look
18 under traps, didn't see anything of a cleaning-up
19 nature, no soiled rags, paper towels, any toiletries or
20 anything that seemed like anything was done.

21 Q And the reason you are looking for that is
22 because many times when someone kills another human
23 being, they get blood on them, right?

24 A Sometimes, but not always.

25 Q But that is why you're looking for it?

JILL DOMOGAUER - CROSS-EXAMINATION

- 1 A I do a thorough look on everything in the house.
- 2 Q And many times you find that, right?
- 3 A Sometimes.
- 4 Q And in terms of the -- there is a small amount of
- 5 blood on one of those pictures on the dresser, right?
- 6 A Yes, sir.
- 7 Q And your assumption or belief is that that came
- 8 from the deceased?
- 9 A Yes, sir.
- 10 Q Didn't notice in the reports where you swabbed
- 11 that, did you collect some of that?
- 12 A I don't believe that was swabbed, no, sir.
- 13 Q But it is visible to the naked eye?
- 14 A Yes, sir. It is like a transfer type of pattern,
- 15 but, yes, sir.
- 16 Q It is common for someone who gets in a situation,
- 17 an altercation, where they shoot someone or stab
- 18 someone to get blood on them, right?
- 19 A Again, depends on the circumstances. It is not a
- 20 common thing.
- 21 Q But there is a thing called "blowback"?
- 22 A Yes, sir.
- 23 Q There is a thing called "spatter"?
- 24 A Yes, sir.
- 25 Q And there is bleeding in this case?

JILL DOMOGAUER - REDIRECT EXAMINATION

1 A Yes, sir.

2 Q And you examined the clothing or shirt of the
3 defendant, Teresa McCracken-Hall, to some degree, and
4 didn't see any evidence of blood or anything on her?

5 A No, sir.

6 MR. McCOLLUM: Okay. Thank you.

7 MR. GROOMS: Very briefly, Your Honor.

8 REDIRECT-EXAMINATION

9 BY MR. GROOMS:

10 Q Which shot came first, the chest or the head?

11 A Can't tell you that.

12 Q Of course not. So we don't know if the shot to
13 the chest came first or second, so that means if
14 someone shoots a person and doesn't kill him, he can
15 move around for a few moments?

16 A One would assume so, yes, sir.

17 Q Which would explain blood being, perhaps, on a
18 dresser, or if he fell back, perhaps on a wall or
19 perhaps on the corner of a bed?

20 A Yes, sir.

21 Q Do suspects generally show up to talk to the
22 police covered in blood?

23 A No.

24 Q I'll show you what is marked as State's Exhibit
25 23. I believe Mr. McCollum referenced you taking a

JILL DOMOGAUER - REDIRECT EXAMINATION

1 picture of the defendant?

2 A Yes, sir.

3 Q Can you tell me if that is the picture you took
4 that night?

5 A Yes, sir.

6 Q And you took other pictures, but more or less
7 they don't tell us much, they are just pictures of the
8 defendant; is that correct?

9 A Yes.

10 Q Do you need to look at them?

11 A No, sir.

12 Q So for 54, 55, 56, 57, 58, 59, are those all
13 similar pictures of the defendant?

14 A They are pictures of her, yes.

15 Q Why do you take pictures like that?

16 A To document any injuries. I take photographs of
17 the hands, front and back, face, neck area on a woman
18 documenting any injuries that might have occurred, you
19 know, or been there, or absence of any.

20 Q So to be clear, this is roughly 24 hours after
21 the victim had been killed?

22 A Well, it was on the 19th.

23 Q Do those look like women's clothes to you; is
24 that something you would wear?

25 A Yes. They look like comfortable clothing.

JILL DOMOGAUER - REDIRECT EXAMINATION

1 Q Does it look like it fits?

2 A Again, I might not be the best person to answer,
3 I like wearing my clothes loose, I don't like
4 tight-fitting clothes, so.

5 Q I guess my point is, did you ever have anyone
6 come to the police station with blood on them?
7 Wouldn't it make sense for them to change clothes
8 before they got there?

9 A I would assume, again.

10 Q Wouldn't it make sense for them to take a shower
11 in the 12, 24 hours beforehand?

12 A I would assume, yes, sir.

13 Q And if they did all of that, of course you
14 wouldn't find any gunshot residue, correct?

15 A No, sir.

16 Q Okay. This is minor, but is this a sketch that
17 you took of the house -- or plans of the house?

18 A Is it a rough sketch, not to scale, yes, sir.

19 Q And it indicates where the doors are?

20 A Some of the interiors, and two of the exteriors.

21 Q There is no door in the back bedroom where the
22 victim was shot?

23 A There is none on the sketch, no, sir.

24 Q And none on the pictures either? Thank you.

25

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 RECROSS-EXAMINATION

2 BY MR. McCOLLUM:

3 Q So based on your experience, there is no way that
4 someone who would have shot her husband would wear the
5 same shirt back over there when the body is discovered,
6 right?

7 A I can't answer that question. I wouldn't know
8 that answer.

9 Q Thank you.

10 THE COURT: You may step down. Thank you. Any
11 further need for this witness?

12 MR. GROOMS: No, sir.

13 MR. McCOLLUM: No, Your Honor.

14 THE COURT: You are excused and released from
15 your subpoena. Thank you.

16 (EDWARD PROCTOR, having been duly sworn,
17 testified as follows:)

18 THE CLERK: State your name and spell your
19 last.

20 THE WITNESS: Edward Leroy Proctor,
21 P-R-O-C-T-O-R

22 DIRECT-EXAMINATION

23 BY MR. HIXSON:

24 Q Good afternoon. How are you?

25 A Good.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 Q Please tell this jury what you do for a living?

2 A Medical doctor engaged in the practice of
3 pathology to include general anatomic, clinical and
4 forensic pathology.

5 Q And let's try to get right to the point.
6 Specifically, for your purpose in court today, would
7 you be considered a forensic pathologist?

8 A Yes, sir.

9 Q What is forensic pathology as it relates to the
10 criminal justice system?

11 A Forensic pathology is the medicolegal
12 investigation of death, and as a forensic pathologist
13 in this area, I work with the coroner and with law
14 enforcement to determine the medicolegal cause and
15 manner of death.

16 Q You have been doing this for a little bit,
17 haven't you?

18 A Yes, sir, I have.

19 MR. HIXSON: Do we want to go through the
20 qualifications process?

21 MR. McCOLLUM: I'll stipulate he is qualified.

22 THE COURT: Dr. Proctor is qualified in the field
23 of forensic pathology and may give opinions connected
24 thereto. Thank you.

25 Q (MR. HIXSON) Just to get back, you have done

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 this a few times. How many times do you think you've
2 testified? How many autopsies have you done?

3 A Probably done about 25,000 plus autopsies in my
4 career, and testified several hundred.

5 Q Did you have an opportunity to perform an
6 autopsy, as a layperson's term, on a Steven Hall?

7 A Yes, sir, I did.

8 Q Do you recall what date you did that?

9 A I was called by the coroner and deputy coroner,
10 Ms. Willard, and this case was performed in the early
11 morning hours of July 19th, 2013.

12 Q And upon -- what is your typical autopsy process,
13 I guess, briefly? What do you do?

14 A My process or my procedure every time is to get
15 what history I can get, which is fairly sketchy, and
16 then do an external examination and internal
17 examination. I take what tissues and body fluid
18 samples I need to help render diagnosis, and with the
19 evaluation of all of that, put the case together and
20 render a cause and manner of death.

21 Q So as far as it relates to an external
22 examination, how tall was Steven Hall?

23 A This man was 74 inches.

24 Q 6 foot, 2?

25 A Yes, sir.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 Q And how much did he weigh?

2 A We estimated approximately 250 pounds.

3 Q Pretty big fellow?

4 A Correct.

5 Q Let's get to the point. Were there any obvious
6 indications of injury to Mr. Hall's body?

7 A My examination revealed two gunshot wounds, one
8 was an entrance, and an exit wound of the contact type
9 in the left head area. This was a contact wound with
10 the residue powder and the imprint at the end of the
11 gun on the bone area right in front of the left ear.
12 There was an exit wound just anterior and inferior to
13 the ear on the right side. There was a gunshot wound
14 of entrance within the right shoulder area about the
15 second rib, and there was an identifiable palpable
16 bullet in the subcutaneous tissues of the back
17 medially.

18 Q Let's take those in more detail. Let's refer to
19 the chest wound first, if that is okay?

20 A Yes, sir.

21 Q Can you give a general idea, anterior, posterior,
22 the direction of the travel from the wound to where you
23 found the bullet to rest in the boyd?

24 A The entrance wound was in the anterior chest
25 about the mid-clavicular line, just below Rib No. 2,

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 which is in this area.

2 Q This is an entrance?

3 A Entrance wound that is correct. The path of the
4 bullet was anterior to posterior, lateral to medial,
5 and the bullet was removed from the subcutaneous
6 tissues adjacent to the second rib medially. It
7 penetrated the right, upper-lung lobe.

8 Q So on it's travel to its resting place, what
9 organs did it hit? It hit the lung?

10 A Correct.

11 Q And based on that, if you are a human being and
12 your lung is penetrated, would it be expected that
13 blood or fluid would come out of the victim's mouth if
14 he was still functioning after that shot?

15 A A wound that causes damage to the lung will cause
16 bleeding into the lungs and, yes, a person who survives
17 for a period of time with that type of wound would be
18 certainly coughing up blood.

19 Q That's fair enough. I like straight talk. So
20 he's coughing up blood after shot in the chest?

21 A Correct.

22 Q And the bullet was, in fact, recovered during the
23 course of autopsy?

24 A It was.

25 Q I'll show you State's Exhibit 76 -- well, I'm

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 going to ask you what you did with that bullet prior to
2 showing it to you?

3 A The bullet was given directly to representatives
4 of the Horry County Police Department, Crime Scene
5 Division.

6 Q Is that sufficient for identification?

7 MR. HIXSON: Do you want me to open it up? He
8 didn't see it in the box, so are you good with that?

9 MR. McCOLLUM: I don't object, Your Honor.

10 THE COURT: All right.

11 Q (MR. HIXSON) So you took Item 76, bullet from
12 victim's body, and gave it to Horry County Police
13 Department, Jill Domogauer, who I believe attended the
14 autopsy; is that correct?

15 A That's correct.

16 Q Thank you. Let me show you State's 60. Don't
17 show it to the jury yet. See if you recognize that?

18 A That appears to be, yes, I do.

19 Q Is that an accurate representation of the chest
20 wound you saw on Steven Hall? And of course he didn't
21 have clothes on during the course of autopsy?

22 A Yes, sir.

23 MR. HIXSON: We move State's 60 into evidence
24 relating to the chest wound.

25 MR. McCOLLUM: No objection.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 MR. HIXSON: Can I publish this to the jury?

2 THE COURT: Yes, you may.

3 (State's Exhibit 60 admitted and published to
4 the jury.)

5 Q (MR. HIXSON) Let's talk in more detail about the
6 injury, his reaction to that wound. What do you
7 think -- would the victim drop and be immobilized by
8 that wound? Do you think that wound would have been
9 survivable in and of itself?

10 A I can't tell you exactly how he would react, but
11 the wound itself, with the penetration of the lung,
12 that wound in and of itself with early intervention
13 could be a survivable wound.

14 Q So it is, in your opinion, that the chest wound
15 itself -- if he had received medical attention --
16 wouldn't have killed him?

17 A He could have survived.

18 Q Could have survived?

19 A Correct.

20 Q His eyes are working, still breathing, although
21 difficult because he has a hole in the lung?

22 A He's having significant difficulties, yes, sir.

23 Q Now, as it relates to what we call the "No. 2
24 wound," wound to the left temple, I believe it is?

25 A Correct.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 Q And describe that in more detail.

2 A That wound was a contact wound to the left head
3 just lateral to the eye. When I say contact wound, you
4 could actually see the muzzle imprint of the gun, end
5 of the gun was pretty much imprinted on the skin, and
6 surrounded in that area was residue -- powder and
7 residue from the gunshot.

8 Q Thank you. For the jury's edification, could you
9 give us a brief primer on the terms you used: Contact,
10 range shots?

11 A A contact wound, usually you will see powder
12 residue in the wound site. A close-range wound you
13 will see a rim of powder on the skin around the area of
14 the skin, and a more distant wound greater than about
15 18, 24 inches, you wouldn't see powder.

16 Q So when you are referring to a contact wound,
17 that is zero away from it? That's actually a
18 pressed --

19 A With the muzzle imprint on the skin, that is
20 pressed against the skin.

21 Q As a result, I think it was testified earlier,
22 that a gunshot is, in essence, a focused explosion with
23 the gasses and bullet ejecting from the front of the
24 barrel, and those gasses have to go someplace?

25 A Right.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 Q And in a pressed contact wound, where does it go?

2 A Path of least resistance, which is,
3 unfortunately, through the skin and bone into the
4 brain.

5 Q Soft tissue of the head?

6 A Correct.

7 Q I'll show you what is marked as State's 61,
8 State's 62. We'll start with State's 61 for
9 identification only.

10 MR. McCOLLUM: Okay.

11 Q (MR. HIXSON) State's 61, and that is State's 62;
12 do you recognize those items? What are the
13 differences in them?

14 A One is a color photograph, one is a black and
15 white photograph of a contact wound to the head.

16 Q Could you specifically describe the
17 characteristics that you are referring to in your
18 testimony a minute or so ago?

19 A Well, you see a central wound, which is where the
20 bullet penetrated the skin, and you see a surrounding
21 rim of discoloration, which is actually the powder that
22 burned the skin.

23 MR. HIXSON: At this time State moves State's 61
24 into evidence?

25 MR. McCOLLUM: Without objection.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 MR. HIXSON: And I'll withdraw State's 62.

2 THE COURT: Very well.

3 (State's Exhibit 61 is admitted, and State's 62
4 is withdrawn.)

5 MR. HIXSON: May I publish to the jury?

6 THE COURT: Certainly.

7 (State's Exhibit 61 published to the jury.)

8 Q (MR. HIXSON) While you are comfortable to a
9 reasonable degree of medical certainty, that is a
10 pressed contact wound because of the lack of a
11 stippling ring?

12 A There is a lack of a stippling ring and you see a
13 well defined rim of discoloration, which corresponds to
14 the muzzle end of the gun which was pressed against the
15 skin.

16 Q Now, you indicated before about the path of least
17 resistance. Is it safe to say that the pop you hear in
18 a gunshot is gasses escaping from the barrel of the
19 gun?

20 A When the trigger is pulled, you hear the loud
21 noise, that is the actual powder exploding and
22 expressing the bullet and the residue through the end
23 of the gun.

24 Q So, in essence, if you have a pressed contact
25 wound, in your opinion, you have a pressed contact

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 wound, in other words, the gun is pressed up against
2 the surface, the gasses from that explosion are
3 discharged through the victim's head, will it act as
4 like a silencer or --

5 A It certainly will diminish the loudness, but you
6 will still hear the crack of the weapon going off.

7 Q And let me ask your opinion also as it relates
8 also to the second shot, referring to the press contact
9 wound to the head, what would be the physical result of
10 that gunshot wound to a human being? Would you be out
11 and about running around after the wound?

12 A The wound to the head, it actually fractured
13 bones in the skull and caused extensive traumatic
14 damage to brain tissue. That wound would have been an
15 immediately incapacitating wound.

16 Q Let me show you what is marked as State's 47. I
17 believe that is already in for identification, but not
18 in evidence.

19 THE COURT: Right.

20 Q (MR. HIXSON) What is it that you are seeing in
21 that photograph, Doctor?

22 A I'm seeing the victim and posterior shot of the
23 back, which shows what we describe as livor mortis,
24 L-I-V-O-R, mortis.

25 Q Explain to us lay folks what that means.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 A Livor mortis occurs when someone dies and is
2 actually a pooling of blood in the most dependent
3 position of the body. Actually, blood sort of leaches
4 out of the vessels and everywhere and settles to the
5 most dependent areas. Livor mortis, for a period of
6 time, you can press it and it goes away, but after
7 about 8 to 12 hours, it is fixed and cannot be
8 compressed.

9 Q So, for instance, by way of an example, if I was
10 somehow hung or in a vertical position when I passed,
11 you would see in the lowest part pooling in the lower
12 extremities on the way up?

13 A Correct.

14 Q And in a situation like this, where the defendant
15 was found on his back, where would you expect to see
16 this phenomenon occurring?

17 A Someone laying on his back for a period of time,
18 the livor is in the back area.

19 Q Close to the floor?

20 A That's correct.

21 Q Is there anything indicative on the degree to
22 which this is -- in your professional opinion, would
23 this be a set? In other words, is it likely that this
24 has been there for awhile, it is a fixed livor mortis?

25 A From the appearance of this, it appears fixed.

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 There is no blanching or anything, other than in an
2 area that was compressed on the floor, like on his
3 elbow where it prevented it from penetrating the skin,
4 but everywhere else it looks to be a fixed livor.

5 Q Based on that, to a reasonable degree of medical
6 certainty, do you have an idea how long this individual
7 had been passed on?

8 A Livor starts developing, becomes fixed, around 12
9 hours plus and usually completes in about a day's time.

10 Q A day's time referring to 24 hours?

11 A Roughly around 20, 24 hours.

12 MR. HIXSON: We believe we made a showing on the
13 relevance of this photograph and we move this into
14 evidence, State's 47.

15 MR. MCCOLLUM: Your ruling was if he needs it to
16 testify to, that it is admissible.

17 THE COURT: Dr. Proctor testified to the presence
18 of livor. He's testified to the extent of livor. I
19 don't think it is necessary.

20 MR. HIXSON: Fair enough.

21 (State's Exhibit 47 admitted.)

22 Q Since the jury won't see this, can you describe
23 in more detail what you are seeing, discoloration of
24 the skin, et cetera.

25 A What I'm seeing here is a reddish discoloration

DR. EDWARD PROCTOR - DIRECT EXAMINATION

1 of the skin, which represents blood pooling into the
2 dependent areas of the body with this man laying on his
3 back, that means the blood pooled on the back area, and
4 with the body being turned, for photographic purposes
5 you do not see any changes in the way this
6 discoloration is present. So it indicates to me that
7 it is fixed, it's been there for quite a period of
8 time.

9 MR. HIXSON: Thank you, Doctor.

10 Q (MR. HIXSON) So to a reasonable degree of
11 medical certainty, were you able to form a
12 professional opinion as to what caused Steven Hall's
13 death?

14 A Yes, sir.

15 Q Could you tell that to this jury.

16 A This gentleman died as a result of multiple
17 gunshot wounds, specifically two, with associated
18 hemorrhage and traumatic injury to the brain. The
19 manner of death is homicide, by definition, death at
20 the hands of another.

21 Q Did you reduce those findings into a report?

22 A Yes, sir, I did.

23 MR. HIXSON: Nothing further.

24 CROSS-EXAMINATION

25

DR. EDWARD PROCTOR - CROSS-EXAMINATION

1 BY MR. McCOLLUM:

2 Q Good morning.

3 A Good afternoon.

4 Q The one photograph of the close-up of the bullet
5 in the entry area in the forehead?

6 A Yes, sir.

7 Q And that picture was taken in the morgue?

8 A That's correct.

9 Q Was the head and skin there, was it cleaned at
10 all of blood before that picture was taken?

11 A No, sir, it was not.

12 Q And so blood and tissue and stuff were visible in
13 the hairline and on the head?

14 A That photograph there, you can definitely see
15 blood in the hair, yes, sir.

16 Q And in this type of situation where someone is
17 shot in the chest and head, does blood leave the body
18 fairly quickly; in other words, does it spirt and pump
19 out?

20 A A head wound, not so much as a wound that hits a
21 major blood vessel. When it hits an arterial vessel,
22 every time the heart beats, it pumps through the soft
23 tissues of the brain, the brain swells, it bleeds,
24 tissues around it bleed, but it is not a pumping type
25 of sensation. It may have gotten pumping as the heart

DR. EDWARD PROCTOR - REDIRECT EXAMINATION

1 pumped into the lungs, but actually from the head, no,
2 sir.

3 Q What about from being shot in the chest?

4 A From the chest, there would be significant blood
5 oozing from that wound site. Every time the heart
6 would beat, because there is a lot of vascular blood
7 vessels going into the lung, that feed the lung, and as
8 the heart beats, it was pumping blood through that hole
9 in the lung, yes, sir.

10 MR. MCCOLLUM: Thank you, sir. Your Honor, that
11 is all I have.

12 REDIRECT-EXAMINATION

13 BY MR. HIXSON:

14 Q When you receive a body from a crime scene, that
15 there is a lot of external blood on them, is it your
16 procedure that you will wipe the surface of the body
17 and clean up during your external examination, prior to
18 autopsy?

19 A When we have a possible homicide or unusual
20 death, which will involve a crime scene investigation,
21 the body is usually received in a body bag. We open
22 it, inspect the body and then I stand back until the
23 crime scene officers have taken all of the pictures and
24 whatever evidence they have not already taken at the
25 scene of the crime. Then, we clean things up so we can

DR. EDWARD PROCTOR - REDIRECT EXAMINATION

1 take measurements and perform the autopsy.

2 Q And I ask that because the photograph introduced
3 clearly appears wet and there is not a lot of blood on
4 his face; that was after being wiped down?

5 A The actual face part, yes, but the photograph
6 that I saw with the bullet, there was blood there,
7 which would have been taken before.

8 Q I just wanted to clarify.

9 MR. HIXSON: Nothing further.

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

11 MR. HIXSON: May we approach?

12 THE COURT: Any further need for Dr. Proctor?

13 MR. HIXSON: I do not.

14 MR. McCOLLUM: No objection to be excused.

15 THE COURT: You are released from your subpoena.
16 Thank you for coming.

17 (Whereupon, a bench conference was had.)

18 THE COURT: Ladies and gentlemen of the jury, we
19 had a little side-bar about what we're going to do
20 right now. The next logical witness is going to be
21 rather lengthy, probably the longest witness we've
22 heard. It is 4:15 now and we've eliminated some
23 witnesses that we didn't have to have. You know I
24 told you that you have to follow progress, and
25 sometimes as progression goes, there is a witness that

SUSAN MOYAR - DIRECT EXAMINATION

1 DIRECT-EXAMINATION

2 BY MR. GROOMS:

3 Q How are you this morning?

4 A Fine.

5 Q Where did you live in July of 2013?

6 A Garden City.

7 Q Did you know the victim in this case, Steven
8 Hall?

9 A Yes, I did.

10 Q How long did you know him?

11 A This past February would have been about 12
12 years.

13 Q Did you know the defendant in this case?

14 A Yes, I did.

15 Q Were you close with the victim?

16 A Yes, I was. He was like a brother to me.

17 Q What was -- I guess you said that the nature of
18 your relationship was friends?

19 A Sometimes we would joke around and we would
20 introduce each other as brother and sister, so we were
21 very close.

22 Q And your husband was also very close?

23 A Yes, we both were.

24 Q Did Steve have a dog?

25 A Yes, he did.

SUSAN MOYAR - DIRECT EXAMINATION

1 Q What was the dog's name?

2 A Bugga.

3 Q What kind of dog was he?

4 A A Chihuahua.

5 Q How long did he have this dog?

6 A As long as I had known Steve, he had that dog.

7 Q How was Steven around this dog? Was this dog
8 important to him?

9 A Very important to Steve. He basically took the
10 dog everywhere with him. I remember him taking him to
11 -- he would take him into grocery stores and carry him
12 around. I mean he always had his dog with him until he
13 had his accident. I would keep him sometimes for him,
14 but that would be to go to doctor visits and stuff like
15 that, or if he had to go to North Carolina to see
16 doctors, he would stay with me, but other than that,
17 Steve always had that dog with him.

18 Q Was there ever a time that Steve didn't have the
19 dog unless it was somewhere he couldn't take the dog?

20 A It was only if he couldn't take the dog, and that
21 was after he had his accident. He was limited to
22 taking care of him because he had to go to the doctors
23 in North Carolina or wherever the case may be, so then
24 I would take care of the dog, or his girlfriend at the
25 time, Margie, would take care of him.

SUSAN MOYAR - CROSS-EXAMINATION

1 Q Would he come back and get the dog?

2 A He always did, yes.

3 Q And you knew him until 2013?

4 A Uh-huh.

5 Q Did that change ever about that dog?

6 A No. He was very protective of that dog.

7 Q If you saw that dog with someone else, you
8 thought it would be odd?

9 A Yes.

10 CROSS-EXAMINATION

11 BY MR. McCOLLUM:

12 Q Good morning. I'm Greg McCollum. I represent
13 Teresa Hall. You knew him how long?

14 A This past February would be 12 years.

15 Q How long had he had Bugga?

16 A As long as I could remember. I can't remember
17 when he didn't have Bugga. He used to have another dog
18 when I first met him, but I think that dog passed away.

19 Q So he had Bugga for 12 years?

20 A As long as I can remember, yes.

21 Q You said as long as you knew him he had Bugga?

22 A Well, no, I think I -- I'm not real positive
23 about that, but I know he always had that dog.

24 Q And did you go to Steve's house?

25 A Yes, I did.

SUSAN MOYAR - CROSS-EXAMINATION

1 Q You went there sometimes?

2 A Uh-huh.

3 Q And you traveled with him and went places with
4 him?

5 A Yes.

6 Q And he would let his girlfriend, another
7 girlfriend, watch the dog?

8 A Only when we would -- like I had to take him --
9 when he had his accident and broke his feet, he had to
10 go the doctors in North Carolina. We didn't take Bugga
11 with us to North Carolina to the doctor visits. So,
12 yes, Margie did take care of him. That was not an
13 overnight thing, just for the day.

14 Q You are not aware of times when the dog stayed
15 overnight with Teresa?

16 A No.

17 Q And if he went to Tennessee and she kept the
18 dogs, you are not aware of that?

19 A I'm not aware of that.

20 Q And if she took the dogs over to her sister's
21 house and spent the night, you are not aware of that?

22 A No.

23 Q You didn't spend all of your time with Steve, did
24 you?

25 A No, I did not.

SUSAN MOYAR - CROSS-EXAMINATION

1 Q You didn't see him 24 hours a day, right?

2 A No, sir.

3 Q You don't know how old Bugga was?

4 A I can't remember how old Bugga was.

5 Q And you don't know how long he had Bugga?

6 A As long as I can remember, he's had that dog.

7 Q So the only thing you know about this case, that
8 you testified to, is that in your opinion he loved the
9 little dog and he wouldn't have anyone else take the
10 dog or take the dog somewhere?

11 A No.

12 Q And that is your opinion?

13 A That is my opinion.

14 Q Are you a hundred percent sure that you are
15 correct about that?

16 A I am.

17 Q Are you a hundred percent sure about a lot of
18 things that you believe?

19 A Yes.

20 Q So if you believe something, are you sure that it
21 is true?

22 A Yes, sir.

23 Q Have you ever had a situation in your life where
24 you believed something was true, and later found out
25 that it wasn't?

SUSAN MOYAR - REDIRECT EXAMINATION

1 A Of course.

2 Q Okay. So you are not always correct, right?

3 A Sometimes I'm not always correct, yes.

4 MR. McCOLLUM: Thank you..

5 REDIRECT-EXAMINATION

6 BY MR. GROOMS:

7 Q In the 12 years you knew Steve, he was never

8 without the dog --

9 MR. McCOLLUM: Objection to leading.

10 THE COURT: It is not a new matter on cross.

11 MR. GROOMS: Are you saying I can't ask that?

12 THE COURT: Yeah. What has been covered --

13 MR. GROOMS: Sorry, Your Honor.

14 Q (MR. GROOMS) In the 12 years you knew him, you

15 never saw Steve without the dog unless it was for a

16 medical reason?

17 A That's correct.

18 Q And you were with him a lot; you were good, close

19 friends?

20 A Yes. He stayed with us on a number of occasions.

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

22 MR. GROOMS: Can Ms. Moyer be released?

23 MR. McCOLLUM: Without objection.

24 THE COURT: You're released from your subpoena.

25 Thank you for coming.

GREGORY LENT - DIRECT EXAMINATION

1 MR. HIXSON: State calls Detective Greg Lent.

2 (GREGORY LENT, having been duly sworn,
3 testified as follows:)

4 THE CLERK: State your name and spell your last.

5 THE WITNESS: Gregory Lent, L-E-N-T.

6 DIRECT-EXAMINATION

7 BY MR. HIXSON:

8 Q Good morning, sir. How are you?

9 A Well, sir.

10 Q Could you please tell the jury what you do for a
11 living?

12 A I'm a detective with the Horry County Police
13 Department assigned to the major crimes section.

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

15 A Approximately -- almost nine years now.

16 Q Nine years, that means back in July of 2013 you
17 were working for the Horry County Police Department?

18 A That is correct.

19 Q And specifically were you working around July 17
20 into July 18 of 2013?

21 A I was.

22 Q Did you have an opportunity to go to a location,
23 a call for services for the assistance of a detective
24 at Williamson Circle area of Horry County?

25 A Yes.

GREGORY LENT - DIRECT EXAMINATION

1 Q Please tell us about that.

2 A I had been contacted by supervisors and advised
3 that our patrol officers responded out to a house where
4 there was a deceased male victim, and it appeared that
5 he was shot. They were under the belief -- to any
6 death I would have to respond, but in this particular
7 death, I was told before I responded, that it appeared
8 to be suspicious, so I responded out to that address.

9 Q I think -- do you recall around what time you
10 arrived on scene, generally speaking?

11 A I believe it was about 8:15 -- between 8:15 and
12 8:20 that evening.

13 Q That is the evening of the 18th?

14 A Correct. Correct.

15 Q So at 8:15, I think the 911 comes in around 7:37;
16 is that correct?

17 A That sounds about right.

18 Q Officer Crews testified to that, I believe. Tell
19 us what happens. What do you do? We're not violent
20 crimes detectives, what do you do when you arrived on
21 scene and how the night begins generally and then
22 specifically on that night?

23 A On that night I responded out to the scene and I
24 was briefed very quickly by the officers on scene to
25 include one of my supervisors, Lieutenant Squires that

GREGORY LENT - DIRECT EXAMINATION

1 was present. They advised me there was a male victim
2 inside the house and it appeared that he was shot, that
3 his wife and her sister were on scene and were the ones
4 that contacted 911 and asked for police to come to the
5 house. I was told that they were still there.

6 After getting a brief overview what was seen in
7 the house, I prepared to conduct an interview with
8 Ms. McCracken first and her sister, whoever was on
9 scene to gather any information that we could to
10 understand what occurred.

11 Q Your initial -- let me ask you this. When you
12 arrived on scene, was the crime scene secured?

13 A It was. It was surrounded with crime scene tape
14 and there were uniformed officers posted around the
15 property.

16 Q When you arrived, had the Crime Scene Unit
17 arrived and started processing the scene, or do you
18 recall that little detail?

19 A It would all have been very close. It all would
20 have been very close. I'm not sure who arrived.

21 Q No question that crime scene was secured, yellow
22 tape and all of that stuff?

23 A Yes.

24 Q What is the first substantive interaction you had
25 with the defendant's sister, I guess Sabrina Myers, is

GREGORY LENT - DIRECT EXAMINATION

1 that her name?

2 A Yes, sir.

3 Q As well as the defendant, Ms. McCracken, what do
4 you recall when you first made contact with them?

5 A When I -- my first contact would be what I had
6 observed, and if I remember correctly, when I first
7 walked up, Ms. McCracken was seated on the ground
8 either in the driveway or out in the street.

9 Q Specifically because no one can get back in the
10 house?

11 A Correct. Yes. The house was secured, so nobody
12 else was going to go back in the house, so she was
13 outside at that time. I remember her sitting there. I
14 remember a black lab, a big dog running around. She
15 was sitting there. Her demeanor -- I've been on a
16 number of homicide investigations and just deaths, in
17 general. Especially for something when I told -- what
18 I was told when I came up, a violent death to begin
19 with, her reaction, it seemed strange to me. It wasn't
20 -- there wasn't an abundance of emotion. You could
21 tell that she was under stress, that there were -- just
22 a stressful environment for her, but it wasn't what I
23 normally would expect of a loved one.

24 Q How about when the contact you had with
25 defendant's sister, Sabrina Myers, what is your

GREGORY LENT - DIRECT EXAMINATION

1 recollection about that?

2 A She was extremely upset. Her reaction was quite
3 different. She was more visibly upset. She had, even
4 throughout the night, made comments to me expressing
5 her hope that we would find out who would have done
6 this to the victim.

7 Q As far as your investigation then, what did you
8 do then? Once you identified these two individuals,
9 did you partake to get interviews?

10 A One of the first things I did was conduct an
11 interview with Ms. McCracken, and that was done in my
12 vehicle. I was seated in the front driver's seat, and
13 she was seated next to me in the front passenger's
14 seat.

15 Q Did you have an opportunity to interview
16 Ms. Myers, the sister, for a time period?

17 A I did. While on scene, that was also done in my
18 vehicle.

19 Q Take us into your investigative mindset. You
20 just got there, what time are we talking? Within a
21 half hours of arriving?

22 A Yeah, probably about a half hour it happened
23 relatively quickly that I sat down and spoke with them.

24 Q And at that point in your discussion, do you
25 consider these individuals a suspect or a witness, or

GREGORY LENT - DIRECT EXAMINATION

1 what is your thought process? How are you approaching
2 those folks?

3 A At that point they are individuals that may or
4 may not have information that I may or may not have.
5 Witnesses is the first way I would describe anyone.
6 You don't have to see the crime in order to be a
7 witness, and the information you provide would make you
8 a witness.

9 Q So at that point is it safe to say that you know
10 that the sister called 911, they both discovered the
11 body at the same time, and is that why they are very
12 important to understand what has happened; is that safe
13 to say?

14 A Yes.

15 Q So you interviewed the defendant?

16 A I did.

17 Q Was that interview captured or recorded in any
18 way?

19 A It was recorded.

20 Q Okay. Let me show you what is marked as State's
21 71.

22 MR. HIXSON: We heard this pretrial, Counsel
23 identified it.

24 Q (MR. HIXSON) Do you recognize that?

25 A That looks like to be a copy of the audio

GREGORY LENT - DIRECT EXAMINATION

1 recording.

2 MR. HIXSON: I move State's 71 into evidence.

3 THE COURT: Yes, sir.

4 MR. McCOLLUM: I'm renewing the same issue.

5 THE COURT: And they are noted.

6 MR. HIXSON: Your Honor, before we start that, if
7 Your Honor recalls, the audio was very difficult to
8 hear, so we discussed this pretrial and prepared a
9 transcript to the Court as well as the jury so the
10 jury can follow in the transcripts.

11 THE COURT: All right. Ladies and gentlemen of
12 the jury, as is often the case, we don't have the best
13 quality audio or video transcriptions of interviews
14 that may be taking place outdoors or in conjunction
15 with the investigation; it is typical. So what the
16 Solicitor has done -- and I've reviewed it -- he has
17 prepared for you transcripts of what is taking place,
18 and of course they've been provided to Mr. McCollum
19 and Mr. Mureddu too. But if you have difficulty
20 hearing or understanding what is being said, you
21 certainly can refer to your -- or follow along if you
22 would like.

23 MR. HIXSON: The first one is just audio.

24 Q (MR. HIXSON) You have one?

25 A Yes, sir. I do.

GREGORY LENT - DIRECT EXAMINATION

1 (Exhibit 71 admitted and published to the
2 jury.)

3 MR. HIXSON: For the record, I put this in the
4 copy machine and it didn't copy Page 12 or 13, so the
5 jury didn't have the benefit of that, but I think you
6 could hear the audio well enough on the audio.

7 Q (MR. HIXSON) Is that a fair and accurate
8 representation of what that conversation was like?

9 A Yes.

10 Q And you had other conversations with her, I
11 guess, getting to that point and after that, but that
12 is the substance of what she talked about?

13 A Correct.

14 Q I think there were several points where you
15 specifically asked who in the world could have done
16 this, do you know, have you ever thought about doing
17 this, questions along that road; is that fair to say?

18 A Yes.

19 Q Let me show you what is introduced into evidence.
20 I'm showing you, Detective, State's 2, 3 and 4. I
21 don't know, were you there? Was that scene like that?
22 I'm specifically referring to the front door of the
23 residence?

24 A Yes.

25 Q Referring to the Horry County Police Department

GREGORY LENT - DIRECT EXAMINATION

1 business card on that front door. The jury heard it,
2 but at any time during the course of the interview did
3 she bring up the fact that she had contact with law
4 enforcement that day?

5 A No, she didn't.

6 Q And tell me about your experience as a law
7 enforcement officer, is it common for people to be
8 somewhat nervous when they are involved in talking to a
9 law enforcement, especially when called to their home?

10 MR. McCOLLUM: Object to what people usually
11 think or believe.

12 THE COURT: I'm going to sustain your objection
13 on that.

14 MR. HIXSON: I'll rephrase it.

15 Q (MR. HIXSON) When you have interactions with
16 individuals, is it common for you to detect
17 nervousness or a special event in the person's life
18 that you are talking about?

19 MR. McCOLLUM: Same objection.

20 THE COURT: I'll allow it as to personal opinion
21 is.

22 A Yes.

23 Q (MR. HIXSON) At some point in time, during the
24 course of your investigation, subsequent to this
25 interview, did you come to find out the fact that the

GREGORY LENT - DIRECT EXAMINATION

1 defendant had met with Officer Bellamy to retrieve her
2 husband's cell phone?

3 A Yes, I learned about that.

4 Q Tell us about that, what you recall.

5 A While I was on scene, I was first told about the
6 note and card that Officer Bellamy left on the door.
7 At some point while I was on scene, I also had a chance
8 to contact Officer Bellamy by telephone and speak with
9 him and ask him about what occurred and how he had come
10 to leave that card, and he explained to me how he had
11 answered a --

12 MR. McCOLLUM: Object to what Officer Bellamy
13 explained to him.

14 THE COURT: Well, I think it is not offered for
15 the truth of any matter asserted, because we already
16 heard from Officer Bellamy, have we not?

17 MR. McCOLLUM: I think he could have told us what
18 he told him, though.

19 THE COURT: This officer is reiterating what he
20 heard in reference to what he did. It is not awkward
21 to show that it is true, but simply as to what
22 prompted his actions, and I'm going to allow it to
23 that extent.

24 MR. HIXSON: Your Honor, just for the record,
25 Officer Bellamy was present, did testify and was

GREGORY LENT - DIRECT EXAMINATION

1 subject to cross-examination, so we've already had --
2 it doesn't go to the admissibility, just as to the
3 weight as to what --

4 THE COURT: I understand.

5 Q (MR. HIXSON) Based on that conversation you had
6 two years ago with Officer Bellamy --

7 A I contacted him and spoke to him by telephone.
8 He explained he had answered a call for service.
9 Someone found an iPhone down at the Peachtree Landing,
10 544 landing area, and they had wished to turn that cell
11 phone into law enforcement. He had gone down there and
12 met that person, got the phone and then went through a
13 process to identify who owned that phone. He said he
14 came up with the name and address for the victim, and
15 the address Williamson Circle. He had gone there,
16 knocked on the door, hadn't received an answer, so he
17 left a card. He then went through -- he went through
18 the contacts or went through recent calls and had found
19 a phone number for Ms. McCracken. I know that he
20 contacted her and left a voice mail, and she then
21 contacted him back through dispatch and got a hold of
22 Officer Bellamy and agreed to met him. She retrieved
23 that phone from Officer Bellamy. They met at a gas
24 station right near where the phone was found. I had
25 specific questions for Officer Bellamy as far as what

GREGORY LENT - DIRECT EXAMINATION

1 that interaction was, what happened. He explained he
2 pulled up, provided her with a phone, and my main
3 question was did she ask where did you get the phone,
4 how did it end up where it was, has anyone spoken to my
5 husband, normal questions of what I felt were normal
6 questions that I would receive from someone who would
7 ask if I returned their loved one's property to them.
8 He stated that none of those questions were asked, that
9 conversation never went on. She didn't ask him any and
10 he didn't provide that information to her. She didn't
11 ask, and that was the extent of their conversation,
12 Here is your husband's phone, okay, and she then left.

13 Q Did you record that information in your
14 investigative report?

15 A I did. I noted that information inside my
16 investigation.

17 Q Including the lack of response to Officer
18 Bellamy?

19 A . Correct.

20 Q You did feel that you adequately gave this
21 defendant an opportunity in this initial statement to
22 say there was something interesting that happened
23 today, my husband's cell phone was down by the river?

24 A Yes, I provided her that opportunity. The
25 interview we just listened to is approximately 35

GREGORY LENT - DIRECT EXAMINATION

1 minutes long, and we were at the residence where her
2 husband had been found deceased of some gunshot wounds.
3 It would be my belief that any interaction with law
4 enforcement would have come up during that conversation
5 just in the matter of trying to be helpful for me to
6 figure out what happened to him.

7 Q After you concluded that interview, you indicated
8 that you would have had an interview with Sabrina Myers
9 also, I believe?

10 A Yes, I interviewed both while on scene.

11 Q Based on those discussions, were you able to
12 basically corroborate the time line that -- excuse me,
13 that the defendant expressed in her statement?

14 A Yes. They were similar in their interviews as
15 far as time line.

16 Q Did you get -- you already documented also the
17 defendant's telephone number, she indicated her cell
18 phone number?

19 A Yes, in that statement she provided me with her
20 telephone number.

21 Q And what is that, do you recall? You can refer
22 to your notes. If you remember it off the top of your
23 head, that is impressive.

24 A The number she provided me was -6546.

25 Q How about -- did you also learn -- since we're

GREGORY LENT - DIRECT EXAMINATION

1 talking about the investigation -- what Steven Hall's
2 cell phone number was?

3 A Yes. The number that Mr. Hall used was
4 2013.

5 Q And so basically you were able to corroborate
6 through your investigation the time line of telephone
7 calls that the defendant placed to Sabrina?

8 A Yes.

9 Q And based on that, I guess -- describe that. You
10 get cell phone records and things?

11 A Correct. Subpoenaed cell phone records and
12 interviews. I was able to corroborate that those phone
13 calls did take place.

14 Q And you were able to determine that the telephone
15 calls originated from Steven Hall's phone to the sister
16 and Ms. McCracken made that phone call?

17 A Yes. They originated from the 2013 number.

18 Q To Sabrina Myers' home phone?

19 A Correct.

20 Q And those were around 8:30 p.m. and 8:35 p.m.,
21 back from Sabrina to Ms. McCracken?

22 A It was all within that time frame that both of
23 them had provided me. The time frame was more or less
24 correct.

25 Q And both of those calls originated from Steven's

GREGORY LENT - DIRECT EXAMINATION

1 phone?

2 A Yes.

3 Q At some point in time did you have an opportunity
4 -- just for the time line, you are the expert, what did
5 you do then and did you have an opportunity to have a
6 second interview? Tell us what happened.

7 A Yes. After I conducted the interview with
8 Ms. McCracken's sister, I stayed on scene for awhile
9 and got an update from our crime scene technicians and
10 any other information that I could provide, or that I
11 could obtain. At a certain point, I provided
12 transportation to Ms. McCracken's sister. Me and her
13 drove from the scene back to the office to the ML Brown
14 building in Conway. Ms. McCracken, she drove back to
15 the same building with another detective, Detective
16 Frebowitz. Both of them came up to our building, from
17 our mind, was for a more thorough interview. The first
18 one, Ms. McCracken, was 35 minutes, and I forget how
19 long it was with her sister, but just to get more
20 information, still a fact-finding mission.

21 Q I happen to think of a little detail to ask you.
22 So based on your investigation, you know that Teresa
23 left in Sabrina, the sister's, white Dodge Nitro, she
24 rode in the sister's car?

25 A Correct.

GREGORY LENT - DIRECT EXAMINATION

1 Q And so Ms. McCracken would be without
2 transportation, I suppose, and did you determine if she
3 borrowed that car sometime later on?

4 A Yes. Through -- yes. Through my interview with
5 Ms. McCracken later on, she explained she went back to
6 her sister's house on the night of the 17th, and at
7 some point left using -- she didn't have her vehicle,
8 so she used her sister's vehicle. She left the house
9 for a time.

10 Q And I think she acknowledged she wanted to get a
11 bottle of water?

12 A Correct. She wanted to go get something to
13 drink, go get water.

14 Q During the course of that investigation, was
15 there anything strange about that? Was there water at
16 her sister's house?

17 A Yes. We were told that there was water at the
18 sister's house. Yes.

19 Q During the course of the interviews with Sabrina,
20 as well as the defendant, did you get any indication of
21 -- did you believe that Sabrina Myers was involved in
22 this in any way?

23 A No, I didn't get that indication from Ms. Myers.

24 Q Were you able to corroborate and support the
25 information she gave you?

GREGORY LENT - DIRECT EXAMINATION

1 A Yes.

2 Q And, basically, were you able to, in essence,
3 eliminate her as a suspect?

4 A Yes.

5 Q And she was cooperative in her statements?

6 A Very much so.

7 Q I'm trying to think what to ask you before we
8 play this one. This is about an hour?

9 A Uh-huh.

10 Q So at some point in time, Ms. McCracken went back
11 to the ML Brown building. Explain that.

12 A Yes, she did. It is normal course of business,
13 if we're able to, to bring some people back to the ML
14 Brown building and conduct a formal interview, and that
15 is what we did with Ms. McCracken and her sister,
16 Ms. Myers.

17 Q Okay. Let's do it now as it relates to her
18 statement. For the purpose of your investigation, when
19 you are at that stage, do you still believe she is a
20 suspect, or has she crossed a line -- tell us about
21 that process as we lay a foundation.

22 A In my first interview, I mean, she was the wife
23 of a victim. Not a suspect, just someone there who has
24 possible information that I would need to be able to
25 solve what happened to him. She wasn't a suspect, she

GREGORY LENT - DIRECT EXAMINATION

1 was just the wife. When we got to the ML Brown
2 building, that was still the situation. My first
3 interview with her was very brief, 35-minute interview
4 is not a long interview for what we do.

5 Through any interview where a person is a suspect
6 or not, there may be things that we feel there is a
7 need to all the sudden go into a situation where we
8 advise someone of their rights. I can sit down with
9 anyone, and at any time they can tell me -- they could
10 tell me something of a criminal nature. Once we got
11 to that point, out of an abundance of safety, we
12 provide Miranda rights.

13 Q Okay. The reason I'm doing this now, I guess,
14 just to explain, for brevity, when you watch the video,
15 is the defendant read her Miranda rights at the initial
16 part of this video?

17 A No.

18 Q At what point of the time do you believe that
19 Miranda rights become an issue?

20 A I don't remember the exact amount of time, but it
21 was a decent amount of time into the interview.

22 Q I'll show you State's 66. Do you recognize that?

23 A That is an advisement of Miranda rights. The
24 handwriting that shows the case number, date and time
25 and the location is my handwriting. It has a printed

GREGORY LENT - DIRECT EXAMINATION

1 signature by Ms. Teresa Hall with her signature under
2 that, and there is a signature of a witness here, which
3 I recognize to be Detective Frebowitz' signature.

4 Q During the course of this interview that we are
5 about to see, did you advise Ms. McCracken, the
6 defendant, of her Miranda rights?

7 A I did.

8 Q And did she appear to be -- have the ability to
9 understand what you are talking about?

10 A She did. I read this form to her, and then I
11 handed her the form and asked her to read it and
12 initial each line as she read it showing that she
13 understood what each line meant, and her initials are
14 there at each line.

15 Q And her answers to your questions were
16 appropriate as to the time and space, she knew what she
17 was doing and knew she was there, she was not under
18 duress?

19 A Yes.

20 Q Her statement was voluntarily given as a response
21 to those Miranda warnings?

22 A Yes.

23 Q And to create a record, read specifically what
24 you read to Ms. McCracken.

25 A You have the right to remain silent. Anything

GREGORY LENT - DIRECT EXAMINATION

1 you say can and will be used against you in a court of
2 law. You have the right to talk with a lawyer and have
3 him present with you while you are being questioned.
4 If you cannot afford to hire a lawyer, one will be
5 appointed to represent you before any questioning if
6 you so desire. If you make a statement or answer any
7 questions, you have the right to stop at any time.

8 Q She acknowledged that and waived her rights to an
9 attorney and talked with you?

10 A She did.

11 MR. HIXSON: State would move State's 66 into
12 evidence.

13 THE COURT: Mr. McCollum?

14 MR. MCCOLLUM: That is just the form? No
15 objection.

16 THE COURT: All right.

17 (State's Exhibit 66 admitted.)

18 MR. HIXSON: Your Honor, I'll lay the foundation.
19 I thought maybe we need to take a break. Let me show
20 you what is State's 69. Do you recognize that item?

21 A I do.

22 Q How do you recognize that?

23 A I've initialed that disk.

24 Q So have you reviewed it?

25 A I have.

GREGORY LENT - DIRECT EXAMINATION

1 Q And the contents of this disk, is that a fair and
2 accurate representation of the scene that you saw when
3 you were interviewing Ms. McCracken?

4 A Yes.

5 MR. HIXSON: At this time we move State's 69 into
6 evidence.

7 MR. McCOLLUM: I renew the motion I made earlier,
8 lack of Miranda.

9 THE COURT: So noted.

10 MR. HIXSON: We would like to publish to the jury
11 69.

12 (State's Exhibit 69 admitted.)

13 THE COURT: This is going to be about an hour
14 long; do you need a break? I see heads nodding.
15 Let's take a few minutes and let the jury refresh
16 themselves before we get into this.

17 (The jury exits at 10:34 a.m., and the
18 following is heard in the presence of the jury.)

19 (A recess was taken.)

20 THE COURT: Are we ready?

21 MR. HIXSON: Yes, Your Honor.

22 THE COURT: Okay. Get the jury.

23 (Whereupon, the jury enters at 10:46 a.m., and
24 the following is had in the presence of the jury.)

25 THE COURT: Are you ready? Our jurors are back

GREGORY LENT - DIRECT EXAMINATION

1 in.

2 MR. HIXSON: Yes, sir. If I may proceed with a
3 couple orienting things.

4 Q (MR. HIXSON) Let me show you State's 1,
5 Detective Lent. Do you recognize that item? It is
6 already in evidence.

7 A That is a map of the Myrtle Beach area. I see
8 some....

9 Q Let me slide it down and turn it this way so they
10 can see what we're talking about. I'll orient you a
11 little bit of -- can you read the address up there?

12 A That is Williamson Circle, the incident
13 location where the victim was found.

14 Q And what is obviously -- what is this?

15 A Intracoastal waterway.

16 Q Do you see the Swing Bridge Park where the gun
17 was recovered?

18 A I see it is marked there. That is 544, that
19 would be the area where the phone was found.

20 Q And also you developed through your investigation
21 that the defendant left with her sister and went to the
22 sister's house, down in Devon Lane, which is in the
23 Victoria Square section?

24 A Correct. That is down here, and that is labeled
25 here at Devon Lane.

GREGORY LENT - DIRECT EXAMINATION

1 Q So from the Swing Bridge Park, what road would
2 you travel from Swing Bridge Park to get to here?

3 A Highway 707 up Dick Pond Road, is the easiest
4 route, direct route.

5 Q In order to get from Williamson Circle, do you go
6 around Arrow Head, up McCormick and you have to cross
7 the river, right?

8 A Yes.

9 Q And you cross right here?

10 A Yep, that would be the swing bridge right there.

11 Q And then get down to the sister's house on Devon
12 Lane?

13 A Uh-huh. Yes.

14 Q And the Scotchman that Officer Bellamy referred
15 to?

16 A Right there (indicates), yeah.

17 Q And in that area right here, is that a Food Lion?

18 A Yep, that is a Food Lion and there is a Dunkin'
19 Donuts and Burger King I think.

20 Q At the corner of Socastee and 707 and old Highway
21 544?

22 A Yep. Yes, sir.

23 MR. HIXSON: As Your Honor recalls, this is more
24 difficult to hear, as is the video, so I prepared
25 transcripts. We checked, and all the pages are in

GREGORY LENT - DIRECT EXAMINATION

1 that one. It is a little longer.

2 Your Honor, these are the transcripts I provided
3 yesterday, I believe it was, to Court and counsel. At
4 this time we'll publish State's 69 in evidence to the
5 jury.

6 THE COURT: All right. Very well.

7 (State's Exhibit 69 published to the jury.)

8 Q Detective Lent, I think you watched State's
9 Exhibit 69. Is that a fair and accurate representation
10 of the interview that you had with Ms. McCracken, I
11 believe that was the night of July 18th and into the
12 early morning hours of July 19th; is that about right?

13 A Yes.

14 MR. HIXSON: State's 69 is in evidence?

15 THE COURT: Yes.

16 Q Based on that interview, was Ms. McCracken free
17 to leave the police department that night and went on
18 her way?

19 A At the conclusion of that interview, she and her
20 sister Sabrina Myers both left. Ms. Myers' husband
21 came and picked them up.

22 Q After a pretty long day and night, what did you
23 do going forward from there in the investigation?

24 A After that, continued to get search warrants on
25 the physical phones we had. We had both

GREGORY LENT - DIRECT EXAMINATION

1 Ms. McCracken's and Mr. Hall's phones, as well as
2 Ms. Myers. I got search warrants for cell phone
3 records from the service providers for Mr. Hall's
4 phone, Ms. McCracken's phone and Ms. Myers' home phone,
5 and possibly even her cell phone.

6 Q To clarify some things, housekeeping matters. I
7 think you testified to this stuff already, but the
8 defendant's phone, I think you testified -- let me hand
9 this up for your recollection and see if you recognize
10 these. Are those the search warrants you used to
11 obtain those records?

12 A Yes. I've got the two search warrants here in
13 reference to the physical phones, and I have the search
14 warrant here that was sent to Time Warner for the phone
15 records from Ms. Myers' house, house phone.

16 Q Let me -- my recollection is -- is it safe to say
17 that Ms. Myers -- excuse me, the defendant's --
18 defendant's cell phone -- excuse, slow down. Can you
19 read it, the --

20 A Ms. McCracken used -6546.

21 Q Also the defendant's (Sic) Steven Hall's phone?

22 A Mr. Hall's cell phone is -2013.

23 Q That is correct. And you executed a search
24 warrant, I believe, on Sabrina Myers', the sister's,
25 home phone?

GREGORY LENT - DIRECT EXAMINATION

1 A Yes.

2 Q And that phone number on the search warrant, what
3 is that?

4 A -3822.

5 Q That is State's Exhibit 75; do you recognize
6 those?

7 A These are the two phones that I collected in
8 reference to this case; one is Ms. McCracken's, and the
9 other is Mr. Hall's.

10 Q Externally, they appear to be identical, don't
11 they?

12 A They do.

13 Q Based on the results, did you, in fact, receive
14 returns on the cell phones?

15 A Yes.

16 Q What do you do with that information? It's
17 documentary information, I assume?

18 A It is. We use to corroborate any statements that
19 was provided and look for any information that we may
20 find.

21 Q In a normal course of investigation like that, do
22 you do anything beyond just receiving documentary
23 information from a cell phone provider? Is there any
24 other process that is normally utilized by law
25 enforcement to collect more evidence?

GREGORY LENT - DIRECT EXAMINATION

1 A We have an instrument or program called
2 Cellebrite. We can hook a phone up and it will
3 download the information from the phone, text messages,
4 pictures, E-mail content. It downloads pretty much
5 everything off your phone.

6 Q Does it also have any GPS or location
7 capabilities; in other words, through a Cellebrite
8 report, if the phone had location services on or GPS
9 activated, can it -- if the data is available, can it
10 extract that information?

11 A Yes, it can.

12 Q You also indicated that the cell phone logs
13 indicate incoming calls, is that the case?

14 A Yes, it will show you the date and time.

15 Q Did you request or would it be your
16 responsibility -- we'll ask that first -- to request
17 any forensic services to provide that Cellebrite
18 technique in a murder investigation?

19 A Yes, it is very common to do that in a murder
20 investigation.

21 Q And do you know if a Cellebrite technique was
22 utilized on these phones?

23 A Yes, it was.

24 Q Have you had an opportunity -- it was complete
25 and a report was provided?

GREGORY LENT - DIRECT EXAMINATION

1 A It was.

2 Q So based on your investigation to date then, did
3 you -- were you able to use the information and the
4 records you got to continue to corroborate the
5 statement that Ms. Hall gave, as well as other
6 statements other witnesses had provided?

7 A Yes. We were able to corroborate those
8 statements.

9 Q Tell us about that.

10 A Ms. McCracken-Hall had mentioned she had made a
11 number of phone calls to her sister. We were able to
12 corroborate that those phone calls were made, and they
13 were made on the -2013 number, Mr. Hall's phone,
14 to Ms. Myers' house. We got the phone record from
15 Ms. Myers' house, and those records reflect the same
16 phone calls being made at the time line that
17 Ms. McCracken had provided.

18 Q That was corroborated by the victim's (sic)
19 statement, that, in fact, the 2013 number is the one
20 that Teresa Hall used to call Sabrina Myers' home?

21 A Yes. It was used about 7:30 or so on the evening
22 of the 17th.

23 Q Additionally, were you able to recover and view
24 any text messages or anything like that? Did you
25 become aware of those through the forensic techniques

GREGORY LENT - DIRECT EXAMINATION

1 on the phone?

2 A Yes. There are text messages on the Cellebrite
3 reports.

4 Q In fact, is that how Horry County police
5 recovered the voice mail on the defendant's cell phone
6 we heard in court yesterday?

7 A Yes, I believe that is how it was recovered.

8 Q We have a couple of dogs' names floating around.
9 When you first arrived and saw Ms. McCracken outside
10 the house and you indicated a black lab was running
11 around, do you know the names of those dogs? Is that
12 Boo or Betty?

13 A In the interview she mentioned Boo. I understood
14 Boo to be the big, black lab. I admit, that is the dog
15 that I took more notice of. I like big dogs, I noticed
16 the big black dog running around.

17 Q But you understand Teresa McCracken's dog was the
18 big, black lab and the small one was --

19 A Throughout the investigation from speaking with
20 friends of Mr. Hall's, they all described his dog as
21 being a little lap dog.

22 Q Let's fast forward. You received Cellebrite
23 information and you were able to develop a time line as
24 to what happened based on the cell phone records?

25 A Yes.

GREGORY LENT - DIRECT EXAMINATION

1 Q And tell me what happened after the cell phone
2 records came in. By that time, did you come to know
3 about the recovery of the firearm?

4 A Everything happened fast. It is all within a
5 couple of days. We knew that the phone had been found
6 down there at the dock, so the Horry County Fire Rescue
7 Dive Team was sent down there along with Officer
8 Stewart, and they were going to conduct a search of the
9 water in the area where the phone was. At that point,
10 during that search, they were able to recover a .32
11 caliber Kel Tech. That gun was recovered and processed
12 and sent to SLED for further testing.

13 Q And the results of that testing, I believe I'll
14 introduce that through a different witness.

15 So, after that, was there a point in time that
16 you made a determination to get warrants for
17 Ms. McCracken?

18 A Yes, there was. That was on July 29th. The
19 facts of the case were presented to a judge who did
20 issued an arrest warrant for Ms. McCracken.

21 Q So what are we talking, roughly, 10 days or so --

22 A Yes, roughly.

23 Q -- you made a determination there.

24 MR. HIXSON: Beg the Court's indulgence a moment.

25 Q There is a lot to digest and I'm trying to think

GREGORY LENT - CROSS-EXAMINATION

1 the jury, it came to my attention over lunch that your
2 fellow juror, Ms. Hemingway, had a fire and she's out
3 of her home with her two children. Of course that is
4 creating a very serious problem for her, and I did not
5 want her to -- her attention to be diverted from the
6 trial. So what I have done is I relieved her and
7 we'll move over one of the alternates. The way that
8 works in this state on a criminal case is from the
9 alternates, a replacement is drawn by lot, and we have
10 done that.

11 Ms. Knight, if you would, move over now to the
12 jury panel. You were chosen by lot to replace
13 Ms. Hemingway, and you are now no longer an alternate.
14 Please sit with the rest of the jury. All right.
15 Mr. McCollum.

16 MR. MCCOLLUM: May it please the Court?

17 CROSS-EXAMINATION

18 BY MR. MCCOLLUM:

19 Q Good afternoon, Detective Lent.

20 A Good afternoon.

21 Q How are you doing?

22 A Fine, thank you.

23 Q Earlier you testified in response to questions
24 asked by, I think it was, Mr. Hixson about the issue of
25 Teresa Hall, or Teresa McCracken-Hall, not saying

GREGORY LENT - CROSS-EXAMINATION

1 anything, okay, about the police having given her her
2 husband's phone?

3 A Correct, we discussed that.

4 Q And you had said that you thought that it was odd
5 that she had not brought that up, right?

6 A I did.

7 Q And the Solicitor, Deputy Solicitor Hixson, made
8 a big point of that, right?

9 A He made a point.

10 Q And this is something that you, as part of the
11 prosecution, you consider this to be significant in
12 your case, right?

13 A I considered it during the time I was speaking to
14 her to be interesting and somewhat important. I don't
15 know what level of significance I would place. The
16 whole case isn't based on that.

17 Q All right. So it's just one factor that it is --
18 so it is not as important as you thought it sounded?

19 A It was one thing during the course of that
20 interview.

21 Q All right. Because you made a point of saying
22 that, in your opinion, that if someone were contacted
23 by law enforcement, that in and of itself would cause
24 someone to be alarmed, right?

25 A It is my opinion that if someone were contacted

GREGORY LENT - CROSS-EXAMINATION

1 by law enforcement, that is usually something that
2 would stand out throughout their day.

3 Q And that is your opinion about what another
4 person would think or not think, right?

5 A That is my opinion.

6 Q And sometimes you don't always know how people
7 are going to react, right?

8 A That is correct. Everyone reacts differently.

9 Q But as far as the phone goes, when you
10 reinterviewed Ms. Hall, Teresa Hall, she did bring up
11 that the police had returned Steve's phone, right?

12 A She mentioned it almost 18 minutes into the
13 second interview. She relayed that she was contacted
14 by the Horry County Police Department.

15 Q And you were asking questions -- you weren't
16 asking questions about the phone, right?

17 A I was asking questions about her day in general
18 leading up to that.

19 Q And I think, and correct me if I'm wrong, one of
20 the things that you were doing in your police technique
21 was to consciously not ask her about the phone and see
22 if she would bring it up?

23 A Yes. Absolutely. I knew she had been contacted
24 by the police, and I was waiting to see if she would
25 mention it to me or not.

GREGORY LENT - CROSS-EXAMINATION

1 Q And she did, didn't she?

2 A She did.

3 Q And I would --

4 MR. McCOLLUM: May I approach?

5 THE COURT: Certainly.

6 Q (MR. McCOLLUM) I apologize for leaning over you
7 here. I know you have this transcript, and you may a
8 copy of it right there?

9 A What is the title of the transcript?

10 Q 2R?

11 A You are on Page 8?

12 Q Looking at Page 8.

13 A Okay.

14 Q So I want to run through this with you a little
15 bit.

16 A I've got copies of all of them.

17 MR. HIXSON: 2R2 is the one that was introduced.

18 MR. McCOLLUM: So it is different than 2R?

19 MR. HIXSON: Based on the Judge's pretrial
20 rulings, they are different.

21 MR. McCOLLUM: I got you.

22 Q (MR. McCOLLUM) So this is 2R2, so that is what
23 we're looking at, I think. We have multiple copies.
24 All right. So Page 8, Lent, which is Detective Greg
25 Lent; that's you, right?

GREGORY LENT - CROSS-EXAMINATION

1 A Yes, that's me.

2 Q And you say: Do you know what time you went to
3 the grocery store?

4 And Hall says: I want to say around noon.

5 So you say an open-ended question: So, um, okay,
6 so what -- what else?

7 And then she says: From the chicken livers or?

8 And then you say: Well, so, you went -- I guess
9 you went to the grocery store. The chicken livers,
10 did you bring that right home?

11 All right? You said that, right?

12 A That is on the transcript, yes.

13 Q And then Hall says: Um, well, that was earlier.

14 And you just: Okay.

15 You are letting her talk, right?

16 A Correct.

17 Q And so Hall says: Um, but when I went out, I had
18 to stop and get water at the Dollar Store.

19 And you are: Uh-huh.

20 Right?

21 A Yes.

22 Q And she adds dog food, right? You are still are
23 saying, Uh-huh, right?

24 A Yes.

25 Q Just letting her talk, right?

GREGORY LENT - CROSS-EXAMINATION

1 A Correct.

2 Q But you want to see if she's going to bring up
3 this all-important event of the police giving her her
4 husband's phone, right?

5 A Yes, I do want to see if she's going to bring it
6 up.

7 Q Then you get to Lent: Okay. So you got back
8 home probably -- what time do you think you made it
9 back here?

10 She says: I left there about -- around 3:00ish,
11 about 3:10 or something because I -- and then you say
12 that you got back to Sabrina's house, is the question.

13 She says: No, I went to get Betty's pill and
14 everything, and you say okay.

15 And then Hall: To get chicken livers and stuff.

16 And then you say: So you left to go to Arc
17 Animal Hospital at what time?

18 Right?

19 A Yes.

20 Q So you are not talking about anyone giving her a
21 phone or anything, right?

22 A Nope.

23 Q So then she says it was after 3:00, and then you
24 repeat what she says, which is, After 3:00, and she
25 says, yes. Correct?

GREGORY LENT - CROSS-EXAMINATION

1 A That's correct.

2 Q And then Detective Lent: Okay. What time did
3 you go to the grocery store?

4 And she says about 12:30.

5 Right?

6 A Correct.

7 Q And then you say -- Detective Lent: So you went
8 to the grocery store and then went back home and went
9 back to Sabrina's?

10 A That's correct.

11 Q And she says: Yes.

12 And then you say: And then you left again?

13 And she says: Yes.

14 And then you say: Okay. And then she says --

15 and she's not been asked a question about this yet --

16 and she says -- Hall: My daddy was with me at the

17 grocery store because Horry County called and said

18 that they found my husband's phone, and I said they

19 wanted to return it, and I said, okay, and they -- and

20 they said they went by the house yesterday morning --

21 meaning her house and the house where Steve's body was

22 found, correct?

23 A Correct.

24 Q And then you say: Uh-huh?

25 And then she says: Or this morning.

GREGORY LENT - CROSS-EXAMINATION

1 Because she said "yesterday," and so then she
2 corrects it and says, So the police went to Steve's
3 house this morning, her house too early and no one was
4 answering the door.

5 And you say: Okay.

6 And she says to you: And I said the officer --
7 he said it was pretty early, and I said, Well, I said,
8 I can come and get it and bring it and take it home,
9 and he said, Okay -- meaning Bellamy, I'm assuming.

10 Then she says something about people were going
11 to buy a golf cart, and then she says she text her
12 phone, right?

13 A Yes.

14 Q And then she goes on and says: There were two
15 police cars, and one officer got out and gave me the
16 phone.

17 Right? And she's still talking about the phone,
18 right?

19 A Yes.

20 Q So she did bring it up, didn't she?

21 A Yeah, she brought it up.

22 Q All right. Now, she goes through the details
23 and -- Hall: I said thank you. We just got those. I'm
24 glad you found it. I didn't know it was lost,
25 whatever, but I said I'm glad you got it, showed him my

GREGORY LENT - CROSS-EXAMINATION

1 ID and he gave me the phone.

2 A Correct, that is in the transcript.

3 Q They you ask her -- because now you are like,
4 okay, she did bring it up, which is what you think an
5 innocent person another do, right?

6 A Correct.

7 Q So then you go and ask her a question, you go:
8 Uh-huh. You are thinking, right?

9 A Sure.

10 Q Uh-huh, thinking, right?

11 Did you tell you -- I mean, I'm just -- I hadn't
12 heard that today.

13 So you tell her that you didn't hear that the
14 officer had found the phone, right?

15 A Correct, I told her that.

16 Q And, now, at that stage of the investigation, was
17 that statement that you made true or false?

18 A No, that was not a true statement. I had heard
19 that the officer already had given her the phone back.

20 Q And I'll go through why, and all of that, but
21 just so we can go ahead and get this out, right then
22 you lied to her, didn't you?

23 A Well, Mr. McCollum, you might characterize it as
24 a lie, but I gave her a piece of information to see
25 what reaction she would have to it. I mean, I'm not

GREGORY LENT - CROSS-EXAMINATION

1 there to -- I can sit in that interview room for hours.

2 I'm not going to tell her everything I know.

3 Q Look, I understand, but I don't know that they
4 do, so.

5 A I'm trying to help them understand that, yes,
6 there are times during an interview I'm not going to
7 give all the information to the person I'm speaking to.
8 I'm going to withhold certain things.

9 Q And also say things that aren't true?

10 A If you want to say that it is me saying something
11 that is not true, you can characterize it that way.

12 Q You know we can go on and on with this, right?

13 A I'm sure we can.

14 Q And I could say if it is not true, it is false?

15 A Yes.

16 Q And so if you know it is false, then some people
17 call it a lie?

18 A Or an investigative technique.

19 Q And it is perfectly legal, right?

20 A Very much so.

21 Q South Carolina Supreme Court, U.S. Supreme Court,
22 other state courts, they all say you can do it, right?

23 A Yes.

24 Q So now -- then you say: Did they tell you where
25 they found it?

GREGORY LENT - CROSS-EXAMINATION

1 You asked that, right?

2 A Yes, did they tell you where they found it.

3 Q And then Hall says: No, he just said someone
4 turned it in.

5 Right?

6 A Yes.

7 Q Now, along that same line, while we're on that,
8 related to that, certainly in your testimony and in
9 your mind is the issue of the police card, Bellamy's
10 card, being left on Teresa and Steve Hall's glass outer
11 door, right?

12 A Uh-huh.

13 Q And these are depicted in State's 4, 2 and 3,
14 right?

15 A Yes.

16 MR. McCOLLUM: Your Honor, may I publish these?

17 THE COURT: Certainly.

18 Q (MR. McCOLLUM) What is taped to the door -- so
19 what would be on the door when Teresa McCracken-Hall
20 got home is a thing that says "Horry County Police
21 Department, Uniform Patrol Division," right?

22 A Yes.

23 Q And handwritten is "Officer Bellamy" and his
24 badge number, right?

25 A Correct.

GREGORY LENT - CROSS-EXAMINATION

1 Q And then it says "info on back," but here it
2 says, To pick up a copy of your report, respond to one
3 of the following locations with valid identification,
4 right?

5 A Yes.

6 Q But she had already done that, right?

7 A She had already -- she had already been in
8 contact with the officer.

9 Q Right. So if she met with Bellamy that day and
10 then she sees this card up there, if you want a copy of
11 the report you can contact us and get a copy of the
12 report, she could think, if I want to get a copy of the
13 report, I'll go get a copy of the report, right?

14 A I suppose she would think that.

15 Q Now, the other thing, too, is this -- and I don't
16 know the answer to this -- if that note -- if that note
17 had not been on that door, would you have known that
18 Bellamy found that phone and returned it to her?

19 A Would I have known as quickly as we did?
20 Probably not.

21 Q Are you confident that you eventually would have
22 found that out?

23 A I'm confident that eventually, yes, we would have
24 found that out.

25 Q Because it seems reasonable to me, if it were me

GREGORY LENT - CROSS-EXAMINATION

1 and I had a guilty mind, I could take that note down,
2 you would never see it when you got to the house, and
3 you may never know about it. I think that is possible,
4 isn't it?

5 A I think it is possible that she could have taken
6 the note. You know, we're not -- we're a busy area,
7 but not a huge metropolitan city. We have a limited
8 amount of homicides every year. When we have one in
9 the county jurisdiction, everyone is probably --
10 especially within in their precinct, that address is
11 located in the same precinct that Officer Bellamy
12 works. I would reasonably assume that he would have
13 ended up hearing the name of Teresa Hall or Teresa
14 McCracken and he would have ended up realizing the
15 woman I spoke to is married to the victim of the
16 homicide and I returned his cell phone to her. I do
17 believe that I would have ended up having that
18 information.

19 Q I kind of think that, too, okay. But we don't
20 know it, right?

21 A We don't know that I wouldn't have.

22 Q And we don't know, it could have gone either way.
23 Probably more likely that someone tells you at some
24 point, right?

25 A Yeah. I mean, I think so, through normal talk

GREGORY LENT - CROSS-EXAMINATION

1 among officers and detectives.

2 Q And how many -- ballpark, I know you didn't add
3 them last night -- but how many Horry County police
4 officers are there?

5 A I'm not sure. I think probably right now we may
6 have 250 officers that are assigned to the department,
7 and out of that, I mean, the patrol officers are
8 probably a number less than a hundred.

9 Q But if someone thought in their own mind, their
10 own heart, that that was suspicious and they took that
11 card down and never told you about it, never told you
12 about the phone, then you would think that that was
13 even more important, right?

14 A If she had taken the note down and never
15 mentioned it to me?

16 Q Yeah.

17 A If she told me that she took the note out, I
18 don't know if I would have thought that would be more
19 suspicious. If I walked in my front door and there was
20 a notice from UPS or anybody else, I probably would
21 take it and put it in my pocket.

22 Q While we're talking about investigative
23 techniques. First of all, this is an investigation
24 technique, and there is interview or interrogation
25 techniques, right?

GREGORY LENT - CROSS-EXAMINATION

1 A Yes. They can be different.

2 Q And when you are interviewing a suspect on a
3 major crime -- you are in the Major Crime Division,
4 right?

5 A I am.

6 Q And so when you are interviewing a suspect on a
7 major crime, you are interviewing them, they are a
8 suspect. If you use certain police techniques, right,
9 to try to get statements from them, possibly,
10 hopefully, incriminating statements or admissions,
11 right?

12 A My ultimate goal is to obtain a confession from a
13 suspect.

14 Q If you are sitting there using deception, right?

15 A Yes.

16 Q Or pretending to like someone, right?

17 A Yes.

18 Q Or pretending to be nice, right?

19 A Pretending to be nice? Sure.

20 Q Pretending to be sympathetic, right?

21 A You described it as pretending, pretending to be
22 nice and pretending to be sympathetic. One, I consider
23 myself to be a nice person to begin with. Two, through
24 most of the beginning conversations I had with
25 Ms. McCracken, I would be sympathetic in that

GREGORY LENT - CROSS-EXAMINATION

1 situation. She had just found her husband, or come
2 home and called us after she located her husband's body
3 who was shot to death. Until I have more information,
4 I'm sympathetic to anyone I'm speaking to.

5 Q And you studied different interrogation
6 techniques?

7 A I have had training in interviewing and
8 interrogation.

9 Q Have you studied the Reed technique?

10 A Yes, I have.

11 Q You are smiling, why is that?

12 A That is one of the techniques that I have
13 studied.

14 Q Right. And for the most simplest way to describe
15 an interrogation technique, some people would say it's
16 good cop/bad cop?

17 A Yes, that would be one technique that we have.
18 That is not necessarily from Reed or anyone else,
19 that's from, I'm sure....

20 Q That is the older --

21 A Age-old technique.

22 Q Less refined, right? Because these techniques
23 that you learn and study as a professional detective
24 and officer, these are things that have been developed
25 by highly trained people, right?

GREGORY LENT - CROSS-EXAMINATION

1 A Absolutely.

2 Q I mean you are using psychological techniques to
3 try to get what you want out of a suspect, right?

4 A Yes, there are techniques that I use with
5 suspects or witnesses, with anyone.

6 Q I'll stop asking you questions about
7 interrogation techniques, okay, except the last
8 question, that you use these techniques on Teresa Hall?
9 I'm not saying every trick of the book.

10 A I didn't say that I used it on Teresa Hall. Did
11 I speak to Ms. Hall, Ms. McCracken? Yes. Through my
12 experience and training am I trained to ask certain
13 questions or do certain things? Absolutely.
14 Absolutely.

15 Q And in the same manner that you are trained to
16 use deception, right?

17 A In the same manner that counselors are trained
18 to....

19 Q Confession police officers?

20 A Yes. I mean, this is -- it is what we do for our
21 professions.

22 Q I'll take that one. Let's talk about
23 investigation techniques, okay. When you arrive at the
24 scene, at Williamson Circle, at that point you and
25 other officers are on scene investigating, right?

GREGORY LENT - CROSS-EXAMINATION

1 A Yes.

2 Q And in investigating, you are never going to tell
3 the potential witness, the person you're questioning,
4 you are never going to tell them what really happened,
5 are you?

6 A Well, no. If it is a witness, I would hope -- I
7 would hope they would tell me what had happened.

8 Q Because you don't want to feed them information,
9 right?

10 A No. During the course of conversations that I
11 had with people on any case, there are times when
12 certain information is provided. There are also times
13 when certain pieces of information are not provided.

14 Q All right. Fair enough. But if you know at some
15 point that somebody has been shot twice, right, you are
16 not going to tell a potential witness who heard
17 something how many times the person was shot, are you?

18 A No, I don't think that normally would be
19 information that we would give. Depending who we are
20 speaking to, that information may or may not come up
21 during the interview. I don't want to say that it's
22 never been done.

23 Q But if I claim I heard gunshots and you are
24 talking to me and I say, yeah, I heard gunshots and you
25 say, What did it sound like, and I say, It sounded like

GREGORY LENT - CROSS-EXAMINATION

1 a pop, pop, pop --

2 A Yes.

3 Q -- and you know the person was stabbed, and there
4 was no gunshot, then that tells you a lot about what I
5 think I heard, right?

6 A That would be -- yes, that would stand out.

7 Q Or, in this case, the evidence shows that Steve
8 Hall died as a result of two gunshot wounds; there has
9 been a lot of testimony about that?

10 A Yes.

11 Q When you -- and Frebowitz was investigating
12 witnesses, too, right?

13 A Yes. Detective Frebowitz, he was there in the
14 video when we spoke with Ms. Hall, and he did speak
15 with the neighbors as well.

16 Q He was on scene?

17 A Yes, he was on scene.

18 Q And you know of no reason why Frebowitz would
19 change or alter what someone told him, right?

20 A No, I can't imagine why that would happen.

21 Q So the reports generated by both you and
22 Frebowitz regarding, I think it is, Ms. Patrice -- she
23 had two names -- excuse me, that is the first name --
24 Patrice Reynolds Pate said she heard a single firework,
25 and then she said it was strange that she only heard

GREGORY LENT - CROSS-EXAMINATION

1 one, one pop, right?

2 A Yes, that is what Detective Frebowitz --

3 MR. HIXSON: Your Honor, I have to object to
4 statements -- is he intending to introduce them into
5 evidence as he's reading another officer's report from
6 a witness that has already testified. If we're going
7 to put this in front of a jury, he has to introduce
8 this as evidence. He's reading off a report without a
9 supporting witness.

10 THE COURT: I'm going to let him proceed, at
11 least for now.

12 Q (MR. MCCOLLUM) And then always Jacqueline McGurl
13 reported hearing a loud bang, right?

14 A I believe so. I mean, I see you have a copy of
15 my report there; I don't have it.

16 Q Sorry. (Mr. McCollum hands the witness a
17 document.)

18 A (Witness examines document.) Yes. Ms. McGurl
19 spoke with -- yes, reported hearing a loud bang around
20 the time when McCracken would have made the last phone
21 call to her sister.

22 Q And Page 9 of your notes, Jacqueline McGurl heard
23 loud firework sound -- not "works," but "work," right?

24 A Yes. Heard loud firework sound, dog reacted,
25 thinks the sun was still up.

GREGORY LENT - CROSS-EXAMINATION

1 Q Thank you. So, in that situation, even if you
2 know there are two gunshots you would never tell the
3 witness, Wait, a minute, you have it wrong, it wasn't
4 one shot, it was two; you would never do that?

5 A No, Mr. McCollum, I would not do that.

6 Q And you never did it in this case?

7 A No. I don't think I would have asked anyone to
8 change their statement to fit.

9 Q Exactly. I'm saying that. I'm saying that you
10 wrote down what they said to you in the investigation
11 because it is that important?

12 A Important. Now -- it is important.

13 Q If someone actually shot somebody else, then it
14 is very likely, if they were in close proximity to
15 them, that they would get some type of evidence on them
16 in terms of human blood or maybe tissue or something,
17 right?

18 A I don't -- I don't know it would be very likely
19 or likely. I would imagine if you are that close, and
20 there is tissue or blood, that you would stand a chance
21 to have some of that on you. If I think back to all
22 the cases I've been involved in, I had some where some
23 had that type of evidence on them, and some where they
24 didn't.

25 Q And if they do have it on them and they have any

GREGORY LENT - CROSS-EXAMINATION

1 sense and want to get away with it, they try to destroy
2 that evidence, right?

3 A Yeah. I mean, you would think if they had an
4 opportunity, that they would possibly attempt to do
5 that.

6 Q And when Teresa Hall went to stay with her
7 sister, in the interview -- I call it an interrogation,
8 but we'll call it an interview -- with you and
9 Frebowitz, Frebowitz said this wasn't a planned event,
10 it was a hurried thing, you just left. She just went,
11 right, went to stay with her sister?

12 A That is the way she described it to us.

13 Q And you had to be thinking about her clothing,
14 right?

15 A Clothing or the weapon or anything else.

16 Q Because you had to be thinking about what was she
17 wearing because you believe she shot him, right?

18 A I do believe that.

19 Q And if she shot him, what was she wearing? You
20 had to be thinking about that, didn't you?

21 A That would be one question.

22 Q Where are those clothes, right?

23 A Are you asking me?

24 Q I'm saying that is your question? I'm sorry, I
25 didn't ask it right. You have to be thinking to

GREGORY LENT - CROSS-EXAMINATION

1 yourself, I believe she shot him, where are those
2 clothes, right?

3 A That would be a logical....

4 Q And you are familiar with the term "blood
5 spatter," right?

6 A Yes, I'm familiar with the term, but I am not a
7 crime scene technician nor a scientist of any type, nor
8 do I claim to be.

9 Q But is there a thing called "blood spatter"?

10 A There is.

11 Q And it exists in this case, right?

12 A I assume. I'm not sure what the definition of
13 "blood spatter" is. I know when I was at the scene
14 that night, there was blood on the floor, dresser and
15 other places.

16 Q Detective, how long have you been a detective?

17 A I've been a detective for three-and-a-half years.

18 Q All right. Did you, or somebody under your
19 direction, supervisor or anybody, to your knowledge,
20 check Williamson Circle to see if they could find any
21 bloody clothes?

22 A That would be the job and function of our crime
23 scene team; that is not something I do.

24 Q That is not your job?

25 A When you mention "blood spatter," that is a

GREGORY LENT - CROSS-EXAMINATION

1 technical term. I'm an investigator. I do interviews,
2 write reports. That is not a term that I would use or
3 feel comfortable using.

4 Q I don't want to beat this to death, and I may
5 have gone over this and I probably have, I think Judge
6 Hyman brought this up earlier about lawyers asking the
7 same question over and over, and I apologize. You saw
8 what Ms. McCracken was wearing that night when the
9 police were called, State's 53, right?

10 A Yes. That's a picture of Ms. McCracken in the
11 interview room on the early morning hours of the
12 19th.

13 Q That was the shirt that Crime Scene Investigator
14 Jill Domogauer said she would wear a shirt like that?

15 A Yes.

16 Q The implication being that maybe she changed and
17 put on someone else's clothes to come back to the crime
18 scene, right?

19 A That our crime scene investigator did --

20 Q The Solicitor asked the question -- I withdraw
21 that. I don't want to ask you to speculate.

22 If that was the shirt that Teresa Hall had on the
23 night that her husband got shot, would you be shocked
24 and amazed that she would wear that back to the house,
25 right?

GREGORY LENT - CROSS-EXAMINATION

1 A I wouldn't expect her to wear it back.

2 Q And if she did, that would be a startling turn of
3 events in your case, wouldn't it?

4 A It would be an interesting piece in the
5 investigation.

6 Q When you first got to the scene, you approached
7 it with an open mind?

8 A Yes.

9 Q You have a job to do?

10 A Yes.

11 Q You didn't ask for anything to happen out there;
12 this is your job to go, right?

13 A Absolutely.

14 Q So if you don't get called out, that is fine by
15 you, right?

16 A Yes.

17 Q You took an oath and you have a job to do and you
18 are going to do it to the best of your ability, right?

19 A Yes.

20 Q Now, you made a statement that you had
21 basically -- through investigating -- eliminated Ms.
22 Hall's sister, Sabrina Myers, as a suspect, right?

23 A Correct.

24 Q That means that you don't believe that Sabrina
25 Myers had any hand in anything that happened regarding

GREGORY LENT - CROSS-EXAMINATION

1 Steve Hall's murder, right?

2 A At this point, no, I don't believe that to be the
3 case.

4 Q And there were -- as in any investigation, there
5 are other suspects that you looked at, right?

6 A Like any investigation, when we start off, and
7 it's been said before, Everyone is a suspect until you
8 eliminate them, or, Everyone is a person of interest.
9 If you give me five people, then I'll look at all five
10 people until I can narrow it down to the person I
11 believe would be responsible for the crime.

12 Q And there were other suspects besides Teresa
13 McCracken-Hall?

14 A There was other people we looked at during the
15 course of the investigation to eliminate as being
16 persons that would have been able to do this to Mr.
17 Hall, yes.

18 Q And one of those is someone who hadn't testified,
19 and that is the Matthew McGurl?

20 A That is correct, he has not testified and that is
21 someone who we looked to eliminate.

22 Q And you did an investigation concerning him,
23 right?

24 A Yes, I did do a number of things.

25 Q And many times, just like Teresa Hall said, Wait

GREGORY LENT - CROSS-EXAMINATION

1 a minute, I was at my sister's house, Mr. McGurl said,
2 I was somewhere else, I was at work, right?

3 A Yes.

4 Q And that is called an alibi, right?

5 A Yes.

6 Q And it is your job to check that out, right?

7 A Yes.

8 Q And you did that, right?

9 A I contacted his employer and he stated to me that
10 he was at work -- Mr. McGurl was at work that night.
11 To follow up with that, we also had Mr. McGurl submit
12 himself to a polygraph, which he passed.

13 Q And as terms of the alibi, he cleaned buildings
14 after businesses were closed, right?

15 A Yes, that is what he did for income.

16 Q So his employer said according to their records
17 and their time sheets, he was working, right?

18 A I spoke to his employer over the phone. Exactly
19 how that employer went about confirming Mr. McGurl
20 having been at work, I don't know. I know he confirmed
21 it to me and that he was under the understanding
22 Mr. McGurl was there at the places and times he was
23 supposed to be, which would have eliminated him from
24 being at Mr. Hall's house.

25 Q And correct me if I'm wrong, this is my last

GREGORY LENT - CROSS-EXAMINATION

1 question, but you never had an opportunity to speak to
2 some person who said they were with him that night?

3 A No, I don't believe I spoke to anyone who said
4 they were with him. I believe we relied on the
5 verification from his employer and the polygraph.

6 Q And this is the last question -- I said the other
7 one was, sorry. Mr. McGurl said in one statement he
8 was at Avcraft, and in another one he said he was
9 cleaning a doctor's office, right?

10 A I don't have any notes in front of me, and I
11 don't have the interview with Mr. McGurl. I believe he
12 worked for a company called Jani-King, and they had
13 multiple accounts that he would have a multiple
14 accountings where he would go from one place to
15 another.

16 MR. HIXSON: Your Honor, I would object. Your
17 pretrial is clear about third-party guilty.

18 THE COURT: It is, Mr. McCollum.

19 MR. MCCOLLUM: All right. Your Honor, that is
20 it.

21 Q (MR. MCCOLLUM) You asked questions about --
22 maybe it was Frebowitz, but maybe it was you -- about
23 the phone and the purse, and that sort of thing. But
24 if someone has a firearm, a pistol, and they just shot
25 someone with it and they put it in their purse, you

GREGORY LENT - REDIRECT EXAMINATION

1 would want someone from Crime Scene to look in that
2 purse and see if there was any trace of blood or
3 gunpowder, right?

4 A Yeah. I mean, I would imagine that would not be,
5 you know, an unreasonable request.

6 Q If someone had bloody clothes and put them in a
7 suitcase or trash bag or big purse or something, there
8 is a pretty good chance if those clothes were bloody,
9 it is almost a certainty that some of the blood would
10 get transferred to that purse, right?

11 A It is a possibility.

12 Q And there was this big, pink purse she had,
13 right?

14 A I think it was orange.

15 Q Orange, I think you are right. Did anybody look
16 in the purse or test it for blood, anything like that?

17 A Again, I know that I didn't, but that is not my
18 function on the crime scene, that is our Crime Scene
19 investigators.

20 Q All right. Thank you, sir.

21 MR. McCOLLUM: Your Honor, that is all I have.

22 REDIRECT-EXAMINATION

23 BY MR. HIXSON:

24 Q To clear a few things up. I recall from the
25 statements you took, wasn't Ms. Myers right beside Ms.

GREGORY LENT - REDIRECT EXAMINATION

1 McCracken when she went and unlocked the front door?

2 A Yes. Ms. McCracken unlocked the front door, and
3 Ms. Myers was next to her.

4 Q So she was in a position to see the note on the
5 door just as much as Ms. McCracken is if she were to
6 take the business card off the door and put it in her
7 pocket, right?

8 A Yes, I would imagine.

9 Q Pretty much at the same time?

10 Also, a little bit interesting, Mr. McCollum was
11 referring in detail to this discussion over the cell
12 phone and the way investigative techniques are used.
13 Is one of the ways you verify information is to see
14 whether folks give differing accounts every time they
15 talk to you; that is one of the reasons why you
16 withhold information?

17 A Right. You look for inconsistencies in the
18 statements they give you, if they change throughout the
19 statement. If I know something, and I know that there
20 is something you should tell me and you don't, then I
21 would have to assume that you are being deceptive or
22 you are trying to hide that fact from me.

23 Q And so throughout the course of the
24 investigation, I guess through the interview
25 specifically, it appears when you watch it that

GREGORY LENT - REDIRECT EXAMINATION

1 question is more aggressive towards Ms. Hall as you
2 realize -- is it safe to say she has extraordinary
3 recall on irrelevant matters, but she has no recall on
4 extremely relevant matters in that statement?

5 A Yes, that would be accurate.

6 Q For example, I think you refer to like chicken
7 livers back and forth, but she can't remember other
8 things?

9 A That was -- that line of questioning, yes, she
10 was very specific with certain things. Almost 18
11 minutes into the second interview, and 35 after the
12 first, having gone through that time, we bounced -- I
13 know it was difficult listening to it on the video, it
14 was difficult for me that night following the time line
15 because it bounced back-and-forth throughout. But we
16 were all over on both ends of that meeting between her
17 and Officer Bellamy, and it just never came up. We
18 stuck on that time line expecting that at some point it
19 would be mentioned. It took longer than what I would
20 have thought.

21 Q Okay. Another little detail about that card,
22 during the death investigation, isn't it common to
23 search computer systems for any prior events with a
24 victim's name that you can pull information out of, an
25 RMS system or something like that?

GREGORY LENT - REDIRECT EXAMINATION

1 A Yes.

2 Q And, for example, Officer Bellamy was able to
3 determine the owner of that cell phone within minutes,
4 according to his testimony, crossing the phone number
5 with the defendant's, his name, correct?

6 A Yes. That's from what I understand, yes.

7 Q Let's talk about a time line a little bit. I
8 showed you that map before. Mr. McCollum was referring
9 to would it be odd if someone came back wearing the
10 same clothes that they came back with, et cetera. It
11 wouldn't be surprising, would it, if a perpetrator had
12 an opportunity to change their clothes, or wash their
13 clothes, to come back wearing the same items, would it?
14 In other words, your understanding is, according to Ms.
15 Hall's statement, she left the house and went to her
16 sister's house for nearly 24 hours before she came back
17 to the crime scene?

18 A Yes, that was Ms. McCracken's statement.

19 Q Wasn't it your understanding that eyewitnesses
20 saw her leaving with shirt and shorts, but didn't know
21 the description of the clothing that she left and got
22 in the vehicle with; isn't that case?

23 A Yes.

24 Q Can I point your attention to the transcript, on
25 Page 11 of the transcript?

GREGORY LENT - REDIRECT EXAMINATION

1 A Which one?

2 Q 2R2. I'll draw your attention to Ms. McCracken's
3 statement on Line 218 in response to your question why
4 she didn't go into the grocery store, she said, Because
5 I had sweatpants on.

6 A That is correct. She says -- and I said, Okay.
7 And I said, Well, do you care if I sit in the car
8 because I had sweatpants on.

9 Q That's right. And when she presented herself to
10 the Horry County Police Department, Mr. McCollum showed
11 this photograph, those are not sweatpants, are they?

12 A No, they do not.

13 Q Logical conclusion is, of course, she's changed
14 clothes in 24 hours, hadn't she?

15 A Yes.

16 Q They both can't be true.

17 A I mean, that would have been on the 18th that
18 she went to Food Lion, and we saw her on the evening of
19 the 18th, so if she went to Food Lion at whatever
20 time, she was changed by the time she came back to
21 Williamson Circle.

22 Q So from that period of time, we go to the
23 sister's house, eat dinner, breakfast, eat part of her
24 dad's hamburgers, watch golf, run to the grocery store
25 to pick up chicken livers, all of this stuff, wear

GREGORY LENT - REDIRECT EXAMINATION

1 sweatpants, change clothes and represent herself to
2 Horry County Police Department, and those are not
3 sweatpants; is that fair to say?

4 A That's fair.

5 Q Once again, there is a lot of discussion about
6 including witnesses and excluding Matthew McGurl as
7 looking for any other suspects. There is also a lot of
8 testimony concerning the cell phones in the purse,
9 whether or not there could be blood residue in the
10 purse or on the phones or anything like that. Based on
11 the cell phone investigation, can you show that Teresa
12 Hall used Steven Hall's telephone to call Sabrina Myers
13 at her house in your records; is that not the case?

14 A Yes, the cell phone records show that she used
15 Steven Hall's phone to call her sister's house phone,
16 and it would have been at about that time, say, between
17 7:00 and 8 o'clock in the evening on the 17th, which
18 was important to us because that was what we understood
19 to be the time of death of Mr. Hall.

20 Q Without a shadow of doubt, according to your
21 understanding of the case, she was in possession of
22 Steven Hall's cell phone around 8:30 the night of his
23 death?

24 A Yes. Yes.

25 MR. HIXSON: Nothing further.

MICHAEL KATHMAN - DIRECT EXAMINATION

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

2 MR. HIXSON: We call Detective Michael Kathman.

3 (MICHAEL KATHMAN, having been duly sworn,
4 testified as follows:)

5 THE CLERK: State your full name and spell your
6 last.

7 THE WITNESS: Michael Kathman, K-A-T-H-M-A-N.

8 DIRECT-EXAMINATION

9 BY MR. HIXSON:

10 Q Good afternoon. How are you?

11 A Great.

12 Q What do you do for a living?

13 A Detective with the Horry County Police
14 Department.

15 Q And in what capacity?

16 A Right now in Property Crimes.

17 Q Were you working with county police back in
18 July 19th or 28, 2013?

19 A Yes.

20 Q Did you have an opportunity to come into the
21 presence of the defendant in this case, Teresa
22 McCracken-Hall?

23 A Yes.

24 Q Talk about the circumstances, how you came into
25 contact with her.

MICHAEL KATHMAN - DIRECT EXAMINATION

1 A I was assisting Detective Lent with a homicide
2 investigation. She was coming out to the ML Brown
3 building. We were going to speak with her in reference
4 to the case.

5 Q Are you aware of Lieutenant Peter Cestare?

6 A Yes.

7 Q And what is his capacity?

8 A Supervisor over Crime Scene and Evidence.

9 Q At some point in time, did you go into an
10 interview room and, in fact, interview this defendant,
11 Ms. Hall, for a very brief period of time?

12 A Yes, I spoke with her.

13 Q And did you know whether or not Lieutenant
14 Cestare talked to her prior to you talking to her?

15 A Yes.

16 Q And based on when Lieutenant Cestare came out of
17 the room, were you advised of the nature of the
18 conversation was in the room?

19 A Yes.

20 Q What was the nature of the conversation?

21 A He discussed with her property that the police
22 department had, I believe in the evidence section. He
23 had told me that she had been advised of her Miranda
24 rights.

25 Q Do you know -- when you went in the room, did you

MICHAEL KATHMAN - DIRECT EXAMINATION

1 have a conversation with the lieutenant about whether
2 she had been advised of her rights and waived them, or
3 requested an attorney? What were you aware of when you
4 went in the room?

5 A I don't recall the specifics. He basically told
6 me that she had been made aware of her Miranda rights.

7 Q You went in the room and had a discussion with
8 her?

9 A Yes.

10 Q And what was the nature of your discussion?

11 A It was clearing up -- information came up about
12 here leaving her sister's house to get water, bottle of
13 water. She hadn't mentioned that up before, and I was
14 clarifying with her if that was, in fact, the case.

15 Q Was this conversation recorded or captured in any
16 way?

17 A Yes, audio and video recorded.

18 Q I'll show you State's 70; do you recognize that
19 item?

20 A Appears to be a DVD.

21 Q Did you have an opportunity to review this in
22 pretrial motions?

23 A Yes. Yes.

24 Q And what you saw in pretrial motions is the
25 same -- is that a fair and accurate representation of

MICHAEL KATHMAN - DIRECT EXAMINATION

1 what you saw on July 29, 2013?

2 A It is, yes.

3 MR. HIXSON: We move it into evidence and ask to
4 publish it.

5 MR. McCOLLUM: Your Honor, I raise the same
6 motions.

7 THE COURT: Very well.

8 MR. McCOLLUM: Renew the objections that were
9 raised early, Your Honor.

10 THE COURT: Very well. I will admit it.

11 (State's Exhibit 70 was admitted and published
12 to the jury.)

13 Q (MR. HIXSON) Is that a fair and accurate
14 representation of what happened on July 29, 2013?

15 A Yes, sir.

16 MR. HIXSON: State's 70 is in evidence.

17 THE COURT: I think so, yes.

18 Q (MR. HIXSON) Lieutenant Cestare was filling out
19 a Miranda form; do you recognize that?

20 A This is one of our standard indictment forms.

21 Q What is the date on that?

22 A July 29, 2013.

23 Q Is that Ms. Hall's signature on that?

24 A It is signed Teresa Hall, yes.

25 Q And that is Lieutenant Cestare's signature?

DORIS YARBROUGH - DIRECT EXAMINATION

1 A It is Cestare's as a witness, yes.

2 MR. HIXSON: We move State's 67, Miranda form.

3 MR. McCOLLUM: No objection.

4 (State's Exhibit 67 was admitted.)

5 MR. HIXSON: That is all.

6 MR. McCOLLUM: No questions.

7 THE COURT: You may step down.

8 MR. HIXSON: May we excuse the detective from the
9 subpoena?

10 MR. McCOLLUM: Without objection.

11 THE COURT: You are released.

12 MR. GROOMS: We call Doris Yarbrough to the
13 stand.

14 (DORIS YARBROUGH, having been duly sworn,
15 testified as follows:)

16 THE CLERK: State your.

17 A Doris Yarborough, Y-A-R-B-R-O-U-G-H.

18 DIRECT-EXAMINATION

19 BY MR. GROOMS:

20 Q Thank you for being here today. I have a few
21 general questions. So the jury knows, could you tell
22 them where you work?

23 A South Carolina Law Enforcement Division, also
24 known as SLED.

25 Q And how long have you been there?

DORIS YARBROUGH - DIRECT EXAMINATION

- 1 A Going on eight years.
- 2 Q What department are you and your duties?
- 3 A Forensic technician in the Evidence Control
4 Department. All the evidence from the law enforcement
5 agencies throughout the State of South Carolina come in
6 through our office for a forensic analysis.
- 7 Q Let me show you what I believe is referred to as
8 an "evidence chain" from this case, if that helps you
9 refresh your memory for this case.
- 10 A Yes, sir. Thank you.
- 11 Q Please tell me if you recollect -- is that what
12 is an internal chain that you keep?
- 13 A It is generated by our computer system and, yes,
14 sir, it is.
- 15 Q Would you mind looking and seeing if you were, in
16 fact, the person that took items in evidence?
- 17 A I was.
- 18 Q And there is a couple of pages there with a few
19 different items for the record if you would make sure
20 that you are the intake person on all of them?
- 21 A Yes, sir, I am.
- 22 Q What is the date on that?
- 23 A Date of intake is July 22nd of 2013.
- 24 Q Who does it say that you received those from?
- 25 A Jill Domogauer of Horry County PD.

DORIS YARBROUGH - DIRECT EXAMINATION

1 Q Couple more questions. Do you know Kimberly
2 Meers (phonetic)?

3 A I do.

4 Q And do you know Courtney Smith?

5 A I do.

6 Q They both work at SLED?

7 A Courtney is no longer with SLED; she left about
8 two years ago.

9 Q What were their jobs when they worked there?

10 A Kim Meers is a latent print examiner. Courtney
11 Smith was a forensic technician in the Evidence Control
12 Department at that time.

13 Q And her name is on here because she would have
14 taken it from one shelf to another?

15 A Correct.

16 Q So you track items from the time they come into
17 the door all the way to where they get to the forensic
18 department that is actually tested?

19 A All the items received are bar coded, a unique
20 item lab number, we call it. It is a yellow bar coded
21 item on the packages. Each person that transfers them
22 or receives custody is monitored through our computer
23 system.

24 Q I'll give it back and see if these items match
25 up; what is the first item on there?

DORIS YARBROUGH - DIRECT EXAMINATION

1 A Item 1 is a container with a handgun, Kel Tech
2 B-32.

3 Q Can you verify this is what you received? I
4 guess I can open it for you, but --

5 A Well, I don't need you to open it. Can I see the
6 label? There you go. I would have put this yellow
7 label on this container, and in that container also
8 would have been an unfired cartridge or shot shell.

9 Q And that is what is in the record? Thank you.
10 What else do you have there?

11 A Container No. B.

12 Q Does it say what it is?

13 A Item 3, and that is an envelope containing a
14 fired bullet, or described as a projectile from a wall
15 in the bedroom, and another one described as a
16 projectile from the victim at autopsy.

17 Q Would you recognize these numbers?

18 A I don't recognize -- they would have been in a
19 package, envelope, and I would put a unique bar code on
20 that as well.

21 Q Is this your lab number, though?

22 A Yes, sir, it is.

23 Q There is two more on there?

24 A Yes, sir. Item 5 is a buccal swab described as
25 Steven Douglas Hall. And Item No. 6 is a swab

DORIS YARBROUGH - DIRECT EXAMINATION

1 described as a touch, slash, blood from the barrel of
2 the Kel Tech.

3 Q This is the first one you described, if you can
4 identify that.

5 A I would have put that yellow label on that
6 package to identify it as Item 5.

7 Q And --

8 A And I would have put this one on this package to
9 identify it as Item No. 6.

10 Q So is the package yours also?

11 A I would have put it in that package, yes, sir.

12 Q You would have put all of these items -- this is
13 actually the bullets you looked at earlier?

14 A They would have come to me in this package, and
15 the only thing I would have done is put that label on
16 the package.

17 Q Nothing comes to you in a compromised position
18 where you put it on a shelf?

19 A We take our evidence on a send-to-contain basis.
20 If the paper says it is an item, and there is a
21 discrepancy, than the analyst that opens it will note
22 that discrepancy.

23 Q To make sure we're on the same page, we have the
24 two bullets?

25 A That envelope, yes, sir.

JENNIFER CLAYTON - DIRECT EXAMINATION

1 Q That matches the sheet there. The swab from Kel
2 Tech that you identified?

3 A Yes, sir.

4 Q And you had the two swabs from the victim, buccal
5 swabs, as well as the pistol?

6 A Correct. And the --

7 Q Unfired bullet?

8 A Correct.

9 Q And two shells that would have been in this
10 packaging?

11 A Correct.

12 MR. GROOMS: Thank you. That is all I have.

13 Answer anything that Mr. McCollum may have.

14 MR. MCCOLLUM: No questions.

15 THE COURT: You may step down. Thank you. Do
16 you need her further?

17 MR. GROOMS: No, sir, Your Honor. We call
18 Jennifer Clayton.

19 (JENNIFER CLAYTON, having been duly sworn,
20 testified as follows:)

21 THE CLERK: State your name and spell your last
22 for the Court.

23 MR. MCCOLLUM: May we approach for a minute?

24 (Whereupon a bench conference was had.)

25 DIRECT-EXAMINATION

JENNIFER CLAYTON - DIRECT EXAMINATION

1 BY MR. GROOMS:

2 Q Thank you for being here. Where do you work?

3 A My name is Jennifer Clayton, C-L-A-Y-T-O-N, and

4 I'm currently employed by the South Carolina Law

5 Enforcement Division, also known as SLED.

6 Q And how long have you been there?

7 A Approximately 14 years.

8 Q What department do you work in?

9 A Currently work in the DNA analysis department.

10 Q What would you say your field of expertise is?

11 A DNA analyst.

12 Q What type of educational background do you have?

13 A I earned a bachelor's of science and biology from

14 the University of North Carolina, Chapel Hill. I've

15 also taken classes at NC State and USC --

16 MR. McCOLLUM: We'll stipulate as to DNA

17 analysis.

18 THE COURT: Okay.

19 MR. GROOMS: We would move Ms. Clayton as an

20 expert in the field of forensic science.

21 THE COURT: All right.

22 MR. GROOMS: In regards to the DNA.

23 THE COURT: Are you asking her to give an opinion

24 as to a DNA analysis?

25 MR. GROOMS: Yes, sir.

JENNIFER CLAYTON - DIRECT EXAMINATION (CONT)

1 THE COURT: Mr. McCollum.

2 MR. MCCOLLUM: Yeah.

3 PROFFER

4 BY MR. MCCOLLUM:

5 Q You've testified to that before, right?

6 A Yes, I have.

7 Q And you've been previously qualified by courts in
8 the State?

9 A Yes.

10 Q And you have testified more times than I can
11 count?

12 A 40 or so times.

13 MR. MCCOLLUM: We'll stipulate.

14 THE COURT: What were you qualified as?

15 THE WITNESS: DNA analysis and serology.

16 THE COURT: All right. Ladies and gentlemen,
17 usually the qualifications of an expert would take
18 some time, but this witness has testified in many
19 courts, and Mr. McCollum is familiar with her so he
20 has stipulated, agreed, that she possesses education
21 and experience necessary to testify as an expert in
22 the field of DNA analysis and serology.

23 Q (MR. GROOMS) If I can approach, can you tell me
24 if you recognize this document?

25 A Yes, I do.

JENNIFER CLAYTON - DIRECT EXAMINATION (CONT)

1 Q Is that an internal chain?

2 A Yes.

3 Q And I think Ms. Yarbrough just testified, but
4 that verifies that you received the items from a stored
5 location?

6 A The items I tested, that's correct.

7 Q Could you tell the Court which items you tested?

8 A I tested SLED Item No. 5, which was buccal swabs
9 from Stevens Douglas Hall. I also tested SLED Item 6,
10 swabs from the barrel of a Kel Tech.

11 Q Please note for the record the first item you
12 described is a buccal is State's 78, and the second
13 item you described as two swabs from the barrel of a
14 Kel Tech is State's 79. Does this packaging look
15 familiar?

16 A Yes, it does.

17 Q So you took those two items and you tested them,
18 but to a layman, what does that mean? How does that
19 work?

20 A For -- there is two types of evidence submitted,
21 one is a swab from an item of evidence collected from a
22 scene, and the other one was buccal swab from Steven
23 Douglas Hall. The buccal swabs are known as a
24 standard, and that is a sample taken directly from an
25 individual. In this case, buccal swabs are the cells

JENNIFER CLAYTON - DIRECT EXAMINATION (CONT)

1 of the inside of the mouth, so the inside of the
2 individual's mouth would have been swabbed; therefore,
3 if I develop a DNA profile from that item, from the
4 buccal swabs, I know the DNA profile from that item
5 belongs to that particular individual. The swabs from
6 Kel Tech are evidence swabs. A DNA profile can be
7 developed from the evidence swabs, and the profile from
8 the evidence can be compared to the profile of the
9 standard to determine if there is a match between the
10 two items.

11 Q All right. And what was the results of your
12 test?

13 A May I refer to my notes?

14 Q Yes, I believe that is appropriate.

15 THE COURT: Certainly?

16 A The DNA from SLED Item 6, the swabs from the
17 barrel of the Kel Tech, matches the DNA profile of
18 Steven Hall, and the probability of randomly selecting
19 an unrelated individual having a DNA profile matching
20 this item is approximately 1 in 3.3 quintillion. What
21 that means is if you were to go out in the population
22 and choose one person at random, the probability that
23 that individual would have the same DNA profile as the
24 evidence is approximately 1 in 3.3 quintillion.

25 MR. GROOMS: State would seek to move State's 78

JENNIFER CLAYTON - CROSS-EXAMINATION

1 and 79 into evidence.

2 MR. McCOLLUM: Subject to the other motions.

3 THE COURT: Right. Right.

4 (State's Exhibits 78 and 79 admitted.)

5 Q (MR. GROOMS) Did you have any other involvement
6 in this case other than to test those?

7 A No, sir.

8 THE COURT: Do you have any questions?

9 CROSS-EXAMINATION

10 BY MR. McCOLLUM:

11 Q You tested the DNA of Steven Douglas Hall and the
12 DNA found in the barrel of the gun, and the DNA in the
13 barrel of the gun matches that of Steven Douglas Hall,
14 right?

15 A That is correct. The DNA profile developed from
16 the swabs taken from the inside of the barrel of the
17 begun matches the DNA profile of Steven Hall.

18 Q And that is all you are testifying to?

19 A That's correct.

20 MR. McCOLLUM: No more questions.

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

22 MR. HIXSON: Can she go back to Columbia?

23 THE COURT: Mr. McCollum?

24 MR. McCOLLUM: Yes.

25 THE COURT: You are released. Thank you. It's

DAN DeFREESE - DIRECT EXAMINATION

1 been an hour-and-a-half. Let's take a break. Mr.
2 Ropp, if you will take them back to the jury room and
3 make sure they can refresh themselves.

4 (The jury exits at 2:44 p.m., and a recess was
5 taken.)

6 THE COURT: Bring them in.

7 (The jury enters at 2:57 p.m., and the
8 following is heard in the presence of the jury.)

9 MR. HIXSON: We call Dan DeFreese from the State
10 Law Enforcement Division.

11 (DAN DeFREESE, having been duly sworn,
12 testified as follows:)

13 THE WITNESS: Dan, D-E, cap F, R-E-E-S-E.

14 DIRECT-EXAMINATION

15 BY MR. HIXSON:

16 Q Good afternoon. Please tell this Court what you
17 used to do for a living; is that safe to say?

18 A For about 48-and-a-half years, I was employed by
19 the South Carolina Law Enforcement Division in
20 Columbia. I was assigned to the Forensic Services
21 Laboratory for most of that time, and within the
22 laboratory I worked in the department where we analyzed
23 firearm and toolmark evidence.

24 Q What is toolmark evidence specifically?

25 A Toolmarks are marks left by a tool on some

DAN DeFREESE - DIRECT EXAMINATION

1 object. A tool usually being the harder of the two
2 objects. When one strikes another, it is possible in
3 some cases for it to leave a unique marking that would
4 identify the tool that left it. In the case of
5 firearms, the gun barrel or gun mechanism is the tool
6 and it leaves marks on the bullets or cartridges cases
7 that in some cases is possible to identify or associate
8 a bullet or a cartridge case back to the firearm in
9 which it was fired.

10 Q Fair enough. So people often say "ballistics,"
11 but that is the pathway, right, not the toolmarks on
12 the bullet itself?

13 A It is referred to in some cases as "ballistics,"
14 but ballistics really is the study of objects and the
15 flight. What I did is better known as firearms
16 identification, the identification of matters related
17 to firearms. In most cases, we were asked to identify
18 bullets with each other, or bullets back to the gun
19 barrel which they were fired from, or cartridge cases
20 with each other, or back to the firearm which the
21 cartridge were fired.

22 Q So you are able to compare two bullets to see if
23 they came from a particular or same firearm, as well as
24 one bullet to see if it came from a firearm itself?
25 You compare bullets to bullets, as well as bullets to

DAN DeFREESE - DIRECT EXAMINATION

1 guns?

2 A Yes.

3 MR. HIXSON: And defense counsel and I had
4 entered into a stipulation that Mr. DeFreese is well
5 recognized and will be an expert, so we don't have to
6 go through the process.

7 MR. MCCOLLUM: Yes, Your Honor.

8 THE COURT: All right. Again, ladies and
9 gentlemen, the parties have agreed or stipulated that
10 this witness, without further testimony, is qualified
11 as an expert in firearms identification and may offer
12 an opinion in that field.

13 MR. HIXSON: Thank you, Your Honor.

14 Q Were you called upon to utilize your expertise
15 for a case out of Horry County back in July of 2013?

16 A Yes, sir.

17 Q Did you receive any evidence from your evidence
18 intaker, Doris Yarbrough, relating to this? I'm
19 referring to State's 74, previously identified as a Kel
20 Tech semi-automatic pistol.

21 A I did receive that pistol.

22 Q Take a look at that.

23 MR. HIXSON: To speed things along, Your Honor,
24 the witness has, during the break, taken a look at
25 these already, so we'll get that stuff on the record.

DAN DeFREESE - DIRECT EXAMINATION

1 THE COURT: All right.

2 A Yes, sir. I received -- there is a pistol and
3 unfired cartridge in the container.

4 Q (MR. HIXSON) Okay.

5 MR. HIXSON: At this time, I'll move State's 74
6 into evidence.

7 MR. McCOLLUM: That's the handgun?

8 MR. HIXSON: Handgun and unfired cartridge.

9 MR. McCOLLUM: Without objection.

10 (State's Exhibit 74 admitted.)

11 Q (MR. HIXSON) Did you have occasion to receive
12 two evidence bullets from the Horry County Police
13 Department, and I'm referring to State's 76 and 77; do
14 you recognize those items?

15 A I did.

16 Q And did you have an opportunity to perform any
17 forensic analysis on those items? Did you have an
18 opportunity to perform any analysis?

19 A I did, sir.

20 MR. HIXSON: State's moves 76 and 77 into
21 evidence.

22 MR. McCOLLUM: Those are the two bullets or
23 projectiles?

24 THE COURT: Yes.

25 MR. HIXSON: No objection.

DAN DeFREESE - DIRECT EXAMINATION

1 (State's Exhibit 76 and 77 admitted.)

2 Q (MR. HIXSON) 76 is the bullet recovered from
3 Steven Hall, and 77 is the bullet recovered from the
4 drywall in the bedroom. Before we get into that on
5 your comparison, can you have a brief conversation
6 about the functioning of this weapon, semi-automatic
7 versus ejecting shell casings?

8 A This is State's Exhibit 74?

9 Q Yes, sir.

10 A State's 74 is a Kel Tech .32 auto caliber
11 semi-automatic pistol. It is a manually fired in the
12 sense that for each shot the trigger has to be pulled
13 completely its full length. In many semi-automatic
14 pistols, after the first shot is fired, the weapon will
15 cock itself and be prepared for a second pull of the
16 trigger, which is almost always lighter than a
17 double-action pull. This is the type of pistol known
18 as a double-action-only pistol. So for every shot, the
19 trigger has to be pulled over its full length, the
20 hammer is cocked and then fired. The slide will cycle
21 to the rear. When it is fired the bullet, of course,
22 goes down the barrel and out of the gun, and a very
23 short time after that, the fired cartridge case is
24 automatically extracted and ejected from the firearm.

25 When the slide is in its fully retracted

DAN DeFREESE - DIRECT EXAMINATION

1 position, there is a magazine that is like a little
2 sheet metal box with a spring in it that has other
3 cartridges present. It grabs the next cartridge in
4 the top and loads it into the chamber, the enlarged
5 area at the rear of the barrel, and prepares the
6 pistol for the next shot. All of this action is
7 almost instantaneous. It occurs so quickly you about
8 can't see it, but each time you fire it, each long
9 pull of the trigger results in one bullet being
10 expelled down the barrel, and one cartridge case being
11 extracted and ejected so long as cartridges are
12 present and the gun works properly.

13 Q Very good. Thank you for that primer. Did you
14 perform an analysis on that gun to make sure it was
15 functioning properly, and what other significant
16 findings did you make?

17 A I did. The pistol was received in this bucket,
18 and it was underwater when I received it. It had been,
19 evidently, found in water, and after its initial
20 extraction, it was placed into fresh water. I took the
21 pistol and partially disassembled it and flushed the
22 remaining debris out of the barrel. It had some silt
23 and an accumulation of rust right at the muzzle. The
24 interior of the barrel, the bore, was in fairly good
25 condition, but it was rusty at the muzzle.

DAN DeFREESE - DIRECT EXAMINATION

1 I cleaned the gun and applied a moisture
2 displacement lubricant to get the water off of it.
3 After that, I used a laboratory supplied magazine and
4 test fired the gun. I test fired it a total of eight
5 times, and the gun functioned as intended six of the
6 eight times. It did fail to feed and failed to
7 extract one time. So two of the eight shots, it
8 didn't work perfectly, but six of the eight, it did.

9 I took the fired bullets that I knew this firearm
10 had fired and then compared them with each other to
11 see what marks the gun barrel left on the bullet, that
12 is how consistent they were and whether they might be
13 suitable for identification. I then compared two
14 fired bullets, first with each other, to see if they
15 had matching individual marks present on both bullets,
16 and I found that they did. I concluded that these two
17 bullets in State's Exhibits 76 and 77 were fired by
18 the same gun. I then compared these bullets with test
19 bullets fired by State's Exhibit 74.

20 While I found the same general rifling
21 characteristics and some similarities, I was not able
22 to identify the test bullets fired by the pistol with
23 these two bullets. I was able to conclude that they
24 could have been fired by this gun, but the gun's marks
25 were no doubt adversely affected by its exposure to

DAN DeFREESE - DIRECT EXAMINATION

1 water and corrosion of the barrel at the muzzle, so I
2 can't say for sure they were fired by this gun.

3 Q So, in essence, the two bullets fired out of a
4 gun that would have had a clean muzzle, once the gun is
5 in the water and the muzzle is rusted, by the time you
6 got it, that rust added additional marks to the bullet
7 that weren't there on the fired bullets, and that is
8 why it is inclusive?

9 A That is likely why it is inclusive yes, sir.

10 Q But there is no question as to the category of
11 the firearm, the bullet and the rifling characteristics
12 are consistent with being fired by the Kel Tech?

13 A Yes.

14 Q And there is no question that both bullets, the
15 one in the wall and the one in the body, were shared by
16 a single firearm?

17 A One gun barrel fired both of these two bullets,
18 and the unfired cartridge that was received with the
19 pistol is a -- it's a Sellier and Bellot brand
20 cartridge loaded with the -- the bullet in this
21 cartridge is consistent in its construction with the
22 two bullets in State's Exhibit 76 and 77.

23 Q Thank you.

24 MR. HIXSON: Nothing further. Thank you.

25 CROSS-EXAMINATION

WILL LYNCH - DIRECT EXAMINATION

1 BY MR. McCOLLUM:

2 Q Are you still with SLED?

3 A No, I'm retired.

4 Q I was going to say, I thought you retired?

5 A I did.

6 Q Sometime after this analysis?

7 A Right. I retired in 2015.

8 Q So just -- your analysis is that the bullets that
9 were submitted to you were fired by the same gun?

10 A Correct..

11 Q They might have been fired by that gun, and might
12 not have been?

13 A Correct.

14 MR. McCOLLUM: Thank you.

15 MR. HIXSON: Nothing further. Thank you for
16 coming down for us.

17 THE COURT: Do you need him further?

18 MR. HIXSON: No. No. No, Your Honor.

19 THE COURT: You are released.

20 MR. HIXSON: At this time, the State will call
21 Detective Will Lynch.

22 (WILLARD LYNCH, having been duly sworn, testified
23 as follows:)

24

25

WILL LYNCH - DIRECT EXAMINATION

1 DIRECT-EXAMINATION

2 BY MR. HIXSON:

3 Q Please tell the jury what you do for a living.

4 A I'm currently employed with the City of North
5 Myrtle Beach and assigned to the Criminal Investigation
6 Division.

7 Q Were you working in law enforcement back in July
8 of 2013?

9 A I was working in law enforcement. At that time I
10 was assigned to the 15th Circuit Drug Enforcement
11 Unit.

12 Q What is the purpose or the capabilities of the
13 drug unit?

14 A It is a multi-jurisdictional drug task force that
15 we fall under the guise of the Solicitor Office. It is
16 made up of different officers from the surrounding
17 agencies in Horry County and Georgetown County.

18 Q So you have a representative for North Myrtle
19 Beach, Horry County, Myrtle Beach, Surfside?

20 A Yes, sir.

21 Q In the course of your work with the drug
22 enforcement unit, did it become necessary during the
23 frequent use of cell phones and narcotics investigation
24 and drug dealing to become conversant with downloading
25 or extracting information from cell phones?

WILL LYNCH - DIRECT EXAMINATION

1 A Yes. That's correct.

2 Q And so as a result of your duties there, was
3 there any need for you to have any specialized training
4 to perform downloads on these phones?

5 A Yes, sir, there was.

6 Q Tell me about that.

7 A In August of 2011, I went to a class in northern
8 Virginia and became certified to operate a Cellebrite
9 machine through a company called Forward Discovery.
10 Basically, the Cellebrite machine does extractions on
11 mobile devices such as cell phones or tablets, things
12 like that.

13 Q Okay. And tell us about the Cellebrite process;
14 what are we dealing with?

15 A Right now the machine itself is -- if you can
16 imagine a small computer, basically. It comes with
17 cables that attach to a cell phone or a handheld device
18 of some sort. Basically, the same -- almost like the
19 same cable you would charge your phone with. You will
20 plug in the phone or the target device to the
21 Cellebrite, and then you'll have on the other side of
22 the machine the -- where the information will be
23 stored, whether it would be a computer or a hard drive
24 of some sort.

25 Basically, it just extracts the information on

WILL LYNCH - DIRECT EXAMINATION

1 the phone. It is a read-only device. You can't put
2 any information on the phone. You can't add
3 information. You only take it off of the phone.

4 Q Okay. And we're talking about a little more
5 sophisticated stuff than just call records like you get
6 a bill from AT&T?

7 A That's right. The machine does basically three
8 types of extractions. It can go from as simple as what
9 you see on the phone, like who the phone has called or
10 who the phone has texted, to things such as GPS
11 locations, where the phone has been. If someone takes
12 a picture, it may store the information of where the
13 picture was taken, the time the picture was taken. Web
14 history, if they used that phone to look up things on
15 the Internet, things on the Internet where someone used
16 that phone to look up certain places on the Internet.
17 So anything that has been done on the phone, whether
18 you know about it or not.

19 Q And, actually, is it safe to say that it can
20 recover items and files that were manually deleted, and
21 it may not show the content, but it will show that
22 certain files have been deleted?

23 A Right. And when you get to the more advanced
24 settings on the Cellebrite it will pull out information
25 that the user of the mobile device has deleted. It

WILL LYNCH - DIRECT EXAMINATION

1 takes deleted information from that device and prints
2 it out in the report.

3 Q And these reports, I believe, like we indicated
4 before, they can be voluminous?

5 A Yes. They could be several thousands of pages
6 depending on the memory of the device. If you have a
7 64 gigabyte device, it is going to hold a lot of
8 information. So these reports can be very voluminous,
9 as he said.

10 Q Did you have an opportunity in this to aid
11 officers from the Horry County Police Department and
12 Cellebrite a couple of iPhones?

13 A I did.

14 Q Tell me about the process you did with those.

15 A What I normally do when I'm doing an extraction,
16 I'll take the phone and put it on what they call
17 "airplane mode." When you put a phone in airplane
18 mode, it doesn't allow any incoming information or
19 outgoing information. It is like a handheld video
20 game. When you are on an airplane, they tell you to
21 put it on airplane mode; that is what it is.

22 Once I do that, then I find the corresponding
23 cable that would go to this particular phone.
24 Sometimes the Cellebrite will recognize exactly what
25 phone it is and will tell you, and sometimes you have

WILL LYNCH - DIRECT EXAMINATION

1 to take the cover off the back and go behind the
2 battery and see what kind of phone it is.

3 Once you determine the phone and cable, you hook
4 it up to the Cellebrite. There is a couple of steps
5 you have to follow. It will walk you through that
6 process and tell you exactly what you need to do.
7 Once you do all of the steps it is telling you to do,
8 it will start that download process of that phone
9 extracting information off the phone.

10 (State's Exhibits 80 and 81 marked.)

11 Q (MR. HIXSON) I'm handing you State's 80, and I
12 provided counsel with a copy of it.

13 MR. HIXSON: Under Rule 1006, for voluminous
14 records, we're allowed to introduce a summary that
15 tells more concisely -- explains the officer's
16 testimony in several, five pages instead of --

17 THE COURT: Has he identified this yet?

18 MR. HIXSON: I believe he just did. But I'll do
19 it right now.

20 Q What is that that you are looking at?

21 A It is the Cellebrite or part of the Cellebrite
22 extraction report, complete report, of the -- one of
23 the phones I did, specifically the iPhone 4S.

24 Q (MR. HIXSON) Does that report identify the phone
25 that you extracted data from, the time you did it and

WILL LYNCH - DIRECT EXAMINATION

1 you --

2 A It has my name, which is one of the things, when
3 you do a phone, you have to put your name in as the
4 person that examined the phone. It just won't do it
5 unless you put your name in.

6 Q And, specifically -- how many lines down are we
7 talking about -- second line down when the extraction
8 began, what date is that?

9 A July 23, 2013.

10 Q If you look on Line 9 -- or, excuse me, Line 11,
11 target phone number, the phone you extracted the
12 information from?

13 A Line 11?

14 Q Yes, sir.

15 A -8546.

16 Q I believe -- let me just show you what is already
17 in evidence as State's 75. Just generally, do you
18 recognize those items?

19 A I do, both iPhones.

20 Q Those look like the numbers that you extracted
21 from?

22 A Yes.

23 Q We can power it up, but. Make sure we're clear
24 for the record, is it -6546? I think you said
25 maybe 8?

WILL LYNCH - DIRECT EXAMINATION

1 A Yeah. It's hard....

2 Q It is.

3 A It is a 6 though, 6546.

4 Q Thank you very much. So if you look through this
5 master report, can you also select a different way in
6 which to receive the data; in other words, can you
7 choose to put a report as a master report that
8 duplicates stuff so much, or can you ask it to run in a
9 timeline form?

10 A Yes, you can. You can do the complete report and
11 also do a timeline report.

12 Q But both reports are from the same phone, same
13 data, just two different ways to present it?

14 A Right. The master report basically groups each
15 thing together. It will group all the incoming calls
16 in one location, all the outgoing calls, incoming text
17 messages, outgoing text messages, whatever that
18 specific item is, it puts all of that on the master
19 list in a group. The timeline report actually takes
20 what you've done on the phone in chronological order.
21 So you may have a phone call and then a text message,
22 and then another one and so on.

23 Q Thank you. And I'm specifically going to hand
24 you State's 81 and see if you recognize that as the
25 time report run from the master report?

WILL LYNCH - DIRECT EXAMINATION

1 A Yes. That is the timeline report done from the
2 master report.

3 Q Thank you.

4 MR. HIXSON: We move State's 80 and 81 into
5 evidence.

6 THE COURT: Mr. McCollum.

7 MR. MCCOLLUM: No objection.

8 THE COURT: Admitted.

9 (State's Exhibits 80 and 81 admitted.)

10 Q (MR. HIXSON) During the course of the extraction
11 of the defendant's cell phone, did you recover
12 anything concerning location services? Were the
13 location services enabled on the defendant's phone on
14 July 18 of 2013? And I think I need to ask you to
15 refer to the master report. I think there is a
16 location services printout.

17 A There is. What was the date of that?

18 Q There is a bunch of data, I'm telling you. On
19 your master report, I'm referring to Page 135. On the
20 last time that the location services were activated,
21 what was the last date that they were activated?

22 A July 16, 2013.

23 Q For our edification, if you turn "location
24 services" off a phone, they don't work? It is a
25 manually selected setting, is that safe to say, with

WILL LYNCH - DIRECT EXAMINATION

1 GPS?

2 A Correct.

3 Q So on -- because it was turned off on
4 July 16th, there is no location data on the
5 defendant's cell phone on July 17 or 18 or 19 about
6 where this phone was?

7 A That's correct.

8 Q Let's talk about photographs. Were you able to
9 review any photographs stored on this defendant's cell
10 phone?

11 A I was.

12 Q Take a look at those. I think the master report
13 of the relevant cell phone data, out of a lot pages,
14 just to speed things along, can you look at 203?

15 A Yes, sir. Yes, sir.

16 Q Tell the jury what you see on 203.

17 A Top two pictures specifically looks like a woman
18 holding a fish on a dock with water in the background
19 of some sort, and then as you go down, the next three
20 pictures appear to be -- looks like someone's thumb
21 that appears to be hurt in some way. There is blood on
22 a thumb or finger.

23 Q According to your download from your Cellebrite
24 reporter, on what day was that photograph taken?

25 A The photographs were taken on July 4, 2013.

WILL LYNCH - DIRECT EXAMINATION

1 Q I'll show you State's Exhibit 63 and 64. Can I
2 use your copy on the photograph? I'll publish this to
3 the jury, not the entire document, just to show the
4 thumbnail.

5 THE COURT: It is in, isn't it?

6 MR. HIXSON: Yes.

7 THE COURT: Okay.

8 Q (MR. HIXSON) Take a look and tell me what you
9 see.

10 A These are the pictures that were recovered from
11 the phone on the Cellebrite report.

12 Q Are they the same photographs, blow-ups?

13 A Yes.

14 MR. HIXSON: Move 63 and 64 into evidence.

15 THE COURT: Mr. McCollum.

16 MR. MCCOLLUM: Without objection.

17 THE COURT: All right. They are admitted.

18 (State's Exhibits 63 and 64 admitted.)

19 Q (MR. HIXSON) Why is this picture so small?

20 A It is a thumbnail, and typically when the phone
21 captures something that small, it was probably sent in
22 a multi-media message, MMS message, to someone, so it
23 stores it in a smaller fashion.

24 Q So if you expand it, it just pixilates like
25 crazy?

WILL LYNCH - DIRECT EXAMINATION

1 A Right. That's correct.

2 Q So based on your report, you know that the
3 pictures were taken at the location down there as
4 indicated on July 4, correct?

5 A Yes, July 4, 2013.

6 Q And those pictures came off of the defendant's
7 cell phone?

8 A Yes, they did.

9 Q Let's move on. Were you able to indicate who any
10 telephone calls were made to, and of course there is a
11 bunch, but let's talk about to a relevant period of
12 time. I'll refer you to -- talk about text messages
13 first, I guess -- better yet, to make it easier,
14 because it is very confusing, go to the timeline report
15 where you see it coming straight down.

16 A Okay.

17 Q On the timeline report, go to Page 17.

18 A Okay.

19 Q Call action log starts at Line 736. What time
20 was that made and who was the phone call made to?

21 A It was made -- on the report, I don't know if you
22 discussed this, but it says it was made at 10:31 p.m.
23 UTC time.

24 Q Thanks for reminding me that. For purposes of
25 cell phones and instant communications, universal

WILL LYNCH - DIRECT EXAMINATION

- 1 coordinated time, what is that?
- 2 A Basically, UTC time is time coordinated. It is a
3 standard time that is acknowledged around the world.
4 Depending on which time zone you are, you either
5 subtract hours or add to get the correct time in that
6 time zone. On this particular report, particular phone
7 call he's asking about, it says 10:31 p.m. UTC. To
8 translate that, on east coast time, at this time of the
9 year, you subtract four hours, so it was actually at
10 6:31 p.m. on that date.
- 11 Q So you have to convert for -- if the phone was in
12 Singapore, we would do a different conversion?
- 13 A Yes.
- 14 Q And Eastern Standard Time is minus four?
- 15 A Correct. So everything in this report is UTC
16 time, and with everything you would have to subtract
17 hours to get the exact time it was here that time of
18 day.
- 19 Q So to minimize confusion, and I'm glad you
20 brought it up, so the conversions on the sheet, and
21 we'll just talk Eastern Standard and the jury can see
22 this so you can read the UTC time if you want. So
23 beginning at 7:36, that is the line number on the
24 report just to aid in your testimony, okay?
- 25 A Okay.

WILL LYNCH - DIRECT EXAMINATION

1 Q Beginning at -- was there a telephone call? This
2 report is the defendant's phone making calls?

3 A Yes. On this -- at this particular time, it was
4 6:31 p.m., and the defendant's phone made a phone call
5 to -3822, and then it has the name beside it
6 "Bre" or "Bray".

7 Q That is identified as Sabrina Myers' home number,
8 home telephone number?

9 A All right.

10 Q And then go to Web history, straight down the
11 list.

12 A Next thing in the timeline, at 6:54 p.m. there is
13 Web history where someone went to a Website, and it is
14 "Ask Me Anything." Again, at 10:54 there is a Website
15 or Web history someone went to on the phone called
16 "Meet Me."

17 Q Do you know what "Meet Me" is?

18 A "Meet me" is like an on-line dating service.

19 Q How about the beginning of the next line 7:39,
20 Teresa McCracken's cell phone went on the Web, and
21 where did it go?

22 A 7:39 is "Meet Me," and then it looks like at --
23 at 6:55 it is still on "Meet Me" and then it goes into
24 Teresa's status.

25 Q It is a status update?

WILL LYNCH - DIRECT EXAMINATION

- 1 A Right, status update.
- 2 Q Then Line 741, Web history, 6:55 p.m. on 7/17,
- 3 where did Teresa McCracken's phone go?
- 4 A It visited Web history Zoosk, the romantic social
- 5 network.
- 6 Q And Line 742 it went to another Web history,
- 7 where did it go?
- 8 A Still at Zoosk, the romantic social network
- 9 again.
- 10 Q And if you look at 7:43, there is a call log,
- 11 telephone call made at 7:36 p.m.
- 12 A Correct.
- 13 Q Where does that telephone go?
- 14 A Again, that went to Bre or Bray, same phone
- 15 number as before, -3822.
- 16 Q And then last phone call on the 17th on this
- 17 phone at 8:42 p.m., where did that phone call go?
- 18 A Again, another phone call to Bray, same phone
- 19 number just as I stated before.
- 20 Q -3822, Sabrina Myers' home telephone number?
- 21 A Correct.
- 22 Q Now, is that the end of the call activity on the
- 23 17th on Teresa McCracken's telephone, 8:42? I
- 24 believe the next call on the history, the timeline
- 25 printout that Cellebrite generates, is at 8:19 a.m. the

WILL LYNCH - DIRECT EXAMINATION

1 next morning; is that correct?

2 A Yes, that is correct. Yes, that is correct.

3 Q And the first activity -- I'll draw your
4 attention to Line 745. There was a voice mail put on
5 Teresa McCracken's phone at 8:19 a.m., and what number
6 did that come from?

7 A That came from number -2013, and then it
8 looks like it has "SD" attached with that phone number.

9 Q And you did a Cellebrite extraction on that
10 phone, and that is Steven Hall's telephone that placed
11 that call?

12 A Correct.

13 Q That was 8:19 a.m. on the 18th, right?

14 A That's correct.

15 Q And then look at the next line, is there an
16 instant message at 11:04 a.m.? What is that?

17 A There is an instant message from -0525,
18 and someone is asking -- they say, Want to see cart
19 today, is that possible.

20 Q And then 38 minutes later, at 11:42 on the 18th,
21 what is that? That is an instant message, referring to
22 Line 747.

23 A That is a message from -6546 I believe.

24 Q Now, the question I have is, that is Teresa
25 McCracken's phone number, and this is her call log; why

WILL LYNCH - DIRECT EXAMINATION

- 1 does that show up? Because it is an instant message?
- 2 A Yes.
- 3 Q So it is an I-message originating from one device
- 4 to another? It is not like a normal call log; is that
- 5 correct?
- 6 A Correct.
- 7 Q And what was that instant message from hers to
- 8 Steven Hall's phone?
- 9 A I love you, happy anniversary.
- 10 Q That was -- 8:19 a.m. there was a voice mail
- 11 received from Horry County Police about Steven Hall's
- 12 phone being found, right? And then 11:42 she text
- 13 messages to the lost phone, Happy anniversary.
- 14 A That is correct.
- 15 Q And the next line, Line 1152, what is that, Line
- 16 748?
- 17 A There is a message that says, I just got up. The
- 18 people that have been interested about the golf cart
- 19 would like to see it. Would you call them and let them
- 20 know. She has the phone number -- or the person has a
- 21 phone number of -0525, and then it says, Love
- 22 you.
- 23 Q And, to you, does that appear to be referring to
- 24 the text message, Wanting to see the cart today, is
- 25 that possible, which occurred 48 minutes earlier?

WILL LYNCH - DIRECT EXAMINATION

1 A Right.

2 Q Now, Line 749, that happened at 11:54 a.m., what
3 is that SMS message about?

4 A It is a SMS message, and the content of it says,
5 I hope you've calmed down, dot, dot, X-O-X-O.

6 Q And I guess X-O-X-O is hugs and kisses?

7 A That is what I interpret it as, yes.

8 Q What was that -- who was that instant message --
9 that is a message?

10 A An SMS message to -2013.

11 Q That is "SD," Steven Hall?

12 A Right.

13 Q And then on the following line, interestingly
14 enough, that is 7:50 on the call log, and at 12:00 noon
15 a call from Teresa Hall's phone is placed to what
16 number?

17 A Referring to 753?

18 Q Referring to 750, I'm sorry.

19 A Okay. There is a phone call placed to
20 -1520.

21 Q Do you know what that number is, being in law
22 enforcement?

23 A Horry County Police Department.

24 Q Right. That is State's 4. What is the number on
25 the top?

WILL LYNCH - DIRECT EXAMINATION

- 1 A -1520, and it says HCPD.
- 2 Q So at noon, Teresa's McCracken calls the Horry
3 County Police Department; is that correct?
- 4 A That's correct.
- 5 Q Let's go down to 7:56. There is an instant
6 message at 1:20, 1:20 p.m., so an hour and 27 minutes
7 after the contact with Horry County Police, can you
8 tell us what that is and what it says?
- 9 A Which line are you referring to?
- 10 Q Line 756, instant message.
- 11 A Yes. Instant messages, it says, I'm not at home
12 right now. I will have my husband call you once I get
13 in touch with him and give you directions.
- 14 Q Okay. And then this fellow is persistent with
15 the golf cart, 759 at 5:34 p.m., could you read what
16 that activity is?
- 17 A Instant message also, and it says, We are out and
18 about. Any word?
- 19 Q Go to the next Page 761. This is an instant
20 message; what does that say?
- 21 A I will be home soon. Been with my father today,
22 he hasn't been well.
- 23 Q Go down through it and read this little bit of
24 chat.
- 25 A Next messages says, Sorry to hear that. What is

WILL LYNCH - DIRECT EXAMINATION

1 the address?

2 Next messages says, Williamson Circle,
3 Myrtle Beach 29579.

4 The next message says, It is sitting on the side
5 of the garage.

6 Q So the last two messages were from Teresa
7 McCracken, who wasn't at home, texting this guy her
8 home address and saying the golf cart we want to sell
9 is sitting on the side of the garage; is that safe to
10 say?

11 A That is safe to say.

12 Q And then if you look at 765, it is 6:53 p.m.?

13 A Correct.

14 Q There is an instant message, what does that say?

15 A We're outside.

16 Q And that is from who, which part the golf cart
17 party or -- from the golf cart party?

18 A That's correct, from the golf cart people.

19 Q Next Line 766, 6:55 p.m. from Ms. McCracken to
20 the golf cart guy, what is that message?

21 A I'm not home yet, but my husband should be.

22 Q And finally, next Line, 10:48 p.m. on the night
23 of July 18th, right?

24 A That's correct.

25 Q Web history, what is that?

WILL LYNCH - DIRECT EXAMINATION

1 A Again, it is the "Meet Me" Website and asking for
2 the mobile log-in.

3 Q And that is 10:48 p.m. on the 18th?

4 A That's correct.

5 Q Did you have an opportunity to do any extraction
6 on Steven Hall's cell phone?

7 A I did.

8 Q Same process occurred on his? I'll get the
9 coversheet and make sure we're talking about the master
10 report on the victim. I think you have it. I'm
11 referring now to --

12 MR. HIXSON: I don't think I moved the victim's
13 in yet, have I?

14 (State's Exhibit 82 marked.)

15 Q This is State's 82. See if you recognize that
16 master report?

17 A I do recognize this. This is the master report
18 from the victim's phone, iPhone 4.

19 Q And does that indicate what cell phone number you
20 did an extraction on?

21 A It does, and it is -2013.

22 (State's Exhibit 83 marked.)

23 Q (MR. HIXSON) This is State's 83. Is that a
24 timeline model run of the victim's cell phone?

25 A It is.

WILL LYNCH - DIRECT EXAMINATION

1 Q I apologize, some housekeeping. Now, if you look
2 at the timeline history on Line 532, I'm talking about
3 the time line, right?

4 A Yes.

5 Q Is there anything of interest -- and I'll get to
6 the point, on Line 532 on the call log? Looks like
7 there it is an outgoing call from -- this is Steven
8 Hall's phone, so what does that say?

9 A There is an outgoing phone call from the victim's
10 phone at, looks like, 8:30 p.m. on the 17th, I
11 believe, and it is -3822, and it has the name
12 "Sabrina."

13 Q Sabrina Myers' home phone?

14 A Yes.

15 Q And the next line, 533?

16 A Incoming phone call at approximately 45 minutes
17 later from Sabrina calling the victim's phone.

18 Q Right. So you have a telephone call that is
19 generating from the 2013 number, Steven Hall's cell
20 phone is being used at 8:32 p.m., and Sabrina Myers is
21 calling that phone back and talking to who is on the
22 other end, because it is a 30-second call, correct?

23 A That's correct.

24 MR. HIXSON: No further questions.

25 MR. McCOLLUM: May it please the Court.

WILL LYNCH - CROSS-EXAMINATION

1 CROSS-EXAMINATION

2 BY MR. McCOLLUM:

3 Q Officer Lynch, how are you? Greg McCollum.

4 A Yes, sir. How are you?

5 Q I want to show you one thing. This is the
6 extraction report we just talked about, right
7 (indicates)?

8 A That is the defendant's, is that correct?

9 Q Yes. Does that look right?

10 A I believe it does.

11 Q I want you to look at this one part of your
12 report. Can you read it for me?

13 A It says, Dad won't let me drive home because I
14 was falling asleep sitting up on the couch. I have Bug
15 and Boo with me. Love you. Call you when I wake up.

16 Q Thank you. Using the technology, when you get a
17 call time, in other words, the time of the text
18 message, the time of the phone call and all of the
19 times you refer to it as UTC time, right?

20 A Yes, sir.

21 Q And what does that stand for?

22 A Universal Time Coordinated.

23 Q And that is how many hours off from Eastern
24 Standard Time?

25 A For that time of the year, it is four hours. So

WILL LYNCH - CROSS-EXAMINATION

1 the times on this report, you have to back up four
2 hours.

3 Q So you back up four hours?

4 A Yes, sir.

5 Q For times on this report? And you put a lot of
6 energy and effort in establishing those time lines,
7 right?

8 A Yes, sir.

9 Q And when you do that analysis to get the right
10 time, you're relying on it being Eastern Standard Time,
11 right?

12 A Yes.

13 Q If UTC is four hours faster than Eastern Standard
14 Time, then you go back four hours to get those reports
15 right; in other words, to interpret those times when
16 the calls were made?

17 A Correct.

18 Q Am I saying that right?

19 A Yes, sir.

20 Q And if it were, say, an easy one, Pacific
21 Standard Time, three hours different, that changes the
22 time by three hours, right?

23 A That is where the phone was when it was making
24 the calls.

25 Q All right. And are you confident of that, you

WILL LYNCH - CROSS-EXAMINATION

1 got those times right?

2 A The times come from the phone themselves, from
3 the phone. So whatever is on that phone -- these
4 phones today, when you turn them on, you set it for
5 what time zone you are in, so the times would have come
6 from the phone.

7 Q That assumes that any of us would put it at the
8 right time zone?

9 A Correct.

10 Q Just like it assumes I put my phone in English
11 and not Spanish or French?

12 A Correct.

13 Q So someone might do that?

14 A Correct.

15 Q But we're not talking about that, right?

16 A Right.

17 Q And so you are just as sure about that as you can
18 about anything as far as subtract four hours, because
19 we're in Eastern Standard Time?

20 A For that time of the year, yes, sir.

21 Q Now, this was in July, right?

22 A Right, daylight savings time.

23 Q Daylight savings time, doesn't time change in
24 Eastern Standard Time and daylight savings time change
25 by one hour?

WILL LYNCH - REDIRECT EXAMINATION

1 A It does when you do the clocks, but if this was
2 -- had occurred in December, then we would move it back
3 five hours, but because it was daylight savings time,
4 the time from UTC is only four hours in July.

5 Q So the answer was not that --

6 A That time of the year, when these -- these phone
7 calls or text messages were done, it is a subtraction
8 of four hours for UTC time on the East Coast.

9 Q Previously, I think the Solicitor asked you, it
10 is a four hour time difference, right?

11 A For that time of the year, yes, sir.

12 Q And in the other time, you are saying it is five
13 hours?

14 A If we do an extraction, and the phone calls were
15 made in December, and it is asking for UTC time, you
16 subtract five hours to get the correct time. But at
17 this time of the year, for these phone calls and text
18 messages, it is only a four hour difference.

19 Q And so your testimony is that it is a four hour
20 time frame as opposed to five hours?

21 A Yes, for what we're talking about here.

22 MR. McCOLLUM: Thank you.

23 REDIRECT-EXAMINATION

24 BY MR. HIXSON:

25 Q If you look specifically at Line 28, does that

WILL LYNCH - REDIRECT EXAMINATION

1 show the time zone the phones were set at, user
2 selection?

3 A Time zone, American, slash, New York.

4 Q Eastern standard?

5 A Eastern standard.

6 Q Same thing for the master report on -- on both of
7 them?

8 A Yes.

9 Q Lines 28 on both of them?

10 A Yes.

11 MR. HIXSON: At this time we move both the
12 Cellebrite reports in. I think I did, but let's make
13 sure. 82, 80 and 81 and 83.

14 MR. MUCKENFUSS: Without objection.

15 (State's Exhibits 80 through 83 admitted.)

16 MR. HIXSON: Nothing further.

17 MR. MCCOLLUM: Nothing further.

18 THE COURT: You may step down. Thank you. Any
19 further need?

20 MR. HIXSON: No.

21 THE COURT: You are released from your subpoena.

22 (State's Exhibit 84 marked.)

23 MR. HIXSON: I have a brief matter of judicial
24 notice. We have a sunrise/sunset table for July 17,
25 2013. It has come off the United States Naval

JONATHAN MARTIN - DIRECT EXAMINATION

1 Observatory Website in Washington DC, and it indicates
2 that -- we would like to take judicial notice of the
3 document.

4 THE COURT: Mr. McCollum.

5 MR. HIXSON: It shows that the sunset on July 17
6 was 7:26 p.m., that was sunset.

7 MR. MCCOLLUM: Okay.

8 THE COURT: Without objection. Ladies and
9 gentlemen, sometimes when a fact is established by
10 statute or regulation or law, the Court can take
11 judicial notice of that fact, that means it is no
12 longer disputed, and the attorneys have agreed that
13 the Court would be proper in taking judicial notice of
14 a chart from the Naval Observatory indicating when the
15 sunset was and when the sunrise was on the date of the
16 alleged date, okay.

17 MR. HIXSON: We call Jonathan Martin.

18 (State's Exhibit 84 admitted.)

19 (JONATHAN MARTIN, having been duly sworn,
20 testified as follows:)

21 THE WITNESS: Jonathan Lee Martin,
22 M-A-R-T-I-N.

23 DIRECT-EXAMINATION

24 BY MR. HIXSON:

25 Q Good afternoon, sir.

JONATHAN MARTIN - DIRECT EXAMINATION

1 A Morning -- afternoon.

2 Q Tell us what you do for a living.

3 A Sergeant with Horry County Police Department,
4 Major Crimes Division.

5 Q Were you working in a capacity, investigative
6 capacity, for Horry County Police back in July 17, 18,
7 middle of July of 2013?

8 A I was.

9 Q Did you have an opportunity to assist Detective
10 Greg Lent and the Drug Enforcement Unit in
11 investigating this case?

12 A I did.

13 Q What role did you take in this particular case?

14 A I assisted with some cell phone technology that
15 he had provided to me.

16 Q Specifically, Will Lent (sic) from the Drug
17 Enforcement Unit?

18 A Yes. They provided us a Cellebrite report from a
19 phone they collected during the case.

20 Q Did you have an opportunity to see a photograph
21 that was recovered on defendant McCracken's cell phone
22 report of a picture of her near a river with a fish in
23 her hand?

24 A I did.

25 Q This is State's 63 and State's 64, that is in

JONATHAN MARTIN - DIRECT EXAMINATION

1 evidence; do you recognize that?

2 A I do.

3 Q What is it that you are looking at?

4 A I'm looking at a picture of the defendant
5 holding, I believe, a catfish. She's on the waterway,
6 looks like the dock area.

7 Q Okay. Basically, what were you tasked with with
8 that photograph? What did the detectives ask you to
9 do?

10 A To confirm where that photograph was actually
11 taken. By looking at it, it looked similar to a
12 location I was aware of down in the Socastee area. So
13 I looked up on Google Earth, and it had similar areas,
14 similar features, boat area, where it was placed. So I
15 then made a trip down there to Socastee.

16 Q Let me -- did you, in fact, go down to an area
17 called Swing Bridge Park in Horry County?

18 A I did.

19 Q Let me show you a couple of pictures. I'll show
20 you this in evidence State's 24, put it in a long time
21 ago; you recognize that?

22 A I do.

23 Q What is that?

24 A A picture from kind of like maybe a standing or
25 walking area around the water with view -- not swing

JONATHAN MARTIN - DIRECT EXAMINATION

1 bridge, but the overbridge down there in Socastee.

2 Q And when you are in that location, did you,
3 yourself, take a photograph of the location as you
4 looked at the cell phone photographs?

5 A I did.

6 Q Let me show you State's 65 and see if you
7 recognize that?

8 A I do.

9 Q What is that?

10 A That is the -- 65 is the bridge and the water
11 that I took a picture while standing on the dock area,
12 which can be seen more in Photo 63, shows the bridge
13 there.

14 Q And, basically, what you did was found the
15 location and took a photograph and compared it to the
16 photograph recovered?

17 A I did. I tried to stand back and get an angle
18 similar to her photo.

19 MR. HIXSON: State's 65 in evidence, Your Honor.

20 THE COURT: Mr. McCollum, he's offering it.

21 MR. MCCOLLUM: Sorry, Your Honor.

22 MR. HIXSON: Move 65 in evidence.

23 MR. MCCOLLUM: Just the picture of the waterway?

24 MR. HIXSON: Yes.

25 MR. MCCOLLUM: Without objection.

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 (State's Exhibit 65 admitted.)

2 MR. HIXSON: We'll publish it to the jury.

3 THE COURT: Very well.

4 (State's 65 published to the jury.)

5 MR. HIXSON: No more questions.

6 THE COURT: Any need for this witness?

7 MR. McCOLLUM: No, Your Honor.

8 THE COURT: You are released, Officer Martin.

9 MR. HIXSON: State calls Gerardi Livingston,
10 investigator for the Solicitor's Office.

11 (GERARDI LIVINGSTON, having been duly sworn,
12 testified as follows:)

13 THE CLERK: State your name and spell your
14 last.

15 THE WITNESS: Gerardi E. Livingston,
16 L-I-V-I-N-G-S-T-O-N

17 DIRECT-EXAMINATION

18 BY MR. HIXSON:

19 Q Good afternoon, sir. How are you?

20 A Great. And you?

21 Q Good. What do you do for a living?

22 A Chief investigator with Solicitor's Office.

23 Q In that capacity, what are your duties and
24 responsibilities?

25 A Investigate criminal cases assigned to me, and

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 supervise the other investigators.

2 Q Were you asked to assist Horry County Police
3 Department, as well as the Solicitor's Office, in
4 investigating certain details of this case?

5 A Yes.

6 Q And, specifically, is it part of your duties and
7 responsibilities to serve search warrants on companies
8 and phone records and Internet service providers, that
9 type of stuff? Just describe that in more detail, if
10 you can.

11 A Yes. From time to time, I'll get a request to go
12 out and get someone's information, cell phone
13 information and whatnot, through the use of a search
14 warrant.

15 Q Okay. Did you have an opportunity to serve a
16 search warrant on a company out of Pennsylvania called
17 "Meet Me"?

18 A Yes, I did.

19 Q And let me show what is marked -- after you
20 served that search warrant, did you get information
21 back from that company?

22 A Yes, I did.

23 Q What did you get back from that, do you remember?

24 A Pretty much the identity of the subscriber, name
25 and number that matches it, cross-references, and also

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 cross-reference with a phone number and some dialogue
2 in written text format, and also some photos as well.

3 Q I'll hand you State's Exhibit No. 73. See if you
4 recognize that item?

5 A Yes. This is the information that I got back
6 from "Meet Me," which is a declarations page, along
7 with the text conversation that the subscriber had with
8 someone else. And it is -- has a user name on it, and
9 it goes with -- actually a user number, and it is
10 34518474.

11 Q I'll get to that in a second. I'll lay a
12 foundation.

13 A It has photos on the back of it.

14 MR. HIXSON: I'm referring to State's 73. Your
15 Honor, at this time, the State offers it under our new
16 rule, I guess 902, which is really a -- 803-6, which
17 means if there are certain declarations made by the
18 "Meet Me" group, they don't have to show up to court
19 and testify, and can just enter a document as
20 self-authenticating, so we don't need an offering
21 witness.

22 THE COURT: You have seen this?

23 MR. McCOLLUM: I have, Your Honor.

24 MR. HIXSON: Can you read the declaration in the
25 record -- unless Your Honor is satisfied for the Court

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 for --

2 THE COURT: Well -- well, let's take the jury out
3 for a minute and talk about the new rule.

4 (The jury exits at 4:01 p.m., and the
5 following is heard out of the presence of the jury.)

6 THE COURT: I can't recall, but did we discuss
7 this on the record earlier?

8 MR. HIXSON: We did. I brought it up as the last
9 item in our pretrial motions on Monday.

10 THE COURT: Didn't I rule on its admissibility?

11 MR. HIXSON: You did. I want to make sure that
12 this record --

13 THE COURT: I wanted to ask Mr. McCollum one more
14 time if he found any impropriety in the assimilation
15 of these records or production of these records, and
16 before, there was no objection for failure to comply
17 with the rule, and I would like that -- does it
18 satisfy the rule?

19 MR. MCCOLLUM: I don't know, Judge. It seems
20 crazy to me the way people put things in, people's
21 accounts, but that is for the Court --

22 THE COURT: That goes to the weight of evidence,
23 you know. Of course you could attack it.

24 MR. MCCOLLUM: There is something on it, and
25 maybe I'm not reading it right, but there is some

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 color photos attached, and when I looked at the thing,
2 it seemed, to me, that some of that stuff was uploaded
3 in 2010, okay. So if the photos were uploaded in
4 2010, you know, I don't think she wasn't married to
5 him.

6 THE COURT: Wasn't there a status change?

7 MR. McCOLLUM: There is a status change, which is
8 one part of it, but the other part -- it seemed there
9 were two things on there, and I may be wrong, but I
10 thought that the photos got put up like six years ago.

11 MR. HIXSON: There are two profile activities I
12 handed up to the Court, if you want to see it --
13 obviously, I want you to see it, I apologize for
14 saying it that way.

15 The first update is July 17, at 6:55 p.m., and
16 that is off one second with the Cellebrite report.
17 That was a status update, and it says, quote, Updated
18 by Teresa McCracken -- with her user number -- Dealing
19 with an asshole, and you, question mark. That was 30
20 minutes prior to his death -- well, I mean, 30 minutes
21 prior --

22 THE COURT: On the evening that we believe he was
23 killed.

24 MR. HIXSON: Correct. Correct. Correct. It is
25 6:55. And then on July 3rd, 2013, so during the

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 time period that they were married, there was a posted
2 photo available, and the photo is in here, and it is
3 an innocuous photo, just Ms. McCracken hanging out
4 with friends, I assume that one, with firefighters.
5 But that was within the time period we're talking
6 about. I certainly have no problem of getting rid of
7 five-year-old stuff or anything.

8 THE COURT: I think we should, but I'll hear you
9 on that. You know, if you have this account and other
10 photographs, and you are leaving them on there, you
11 have recent activity without deleting those, what does
12 that mean?

13 MR. HIXSON: My expectation, if you have an
14 active account, where you are accessing it, those
15 "Meet Me" accounts are intended to be a free dating
16 service. You update your profile to -- you
17 consciously keep files and pictures on there, and the
18 argument would be to attract other folks to your
19 profile, so they are probative as it relates.

20 THE COURT: I think they are probative of what
21 was going on on that account, on the evening that it
22 is alleged that he was murdered. No question he was
23 murdered, I think that it is undisputed, but it seems
24 to be on the evening of the 17th. Now, what was on
25 there on the evening of the 17th? If there was

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 activity on it, I think that is relevant.

2 MR. HIXSON: That packet is the packet that "Meet
3 Me" sent us, so that is the extent of the documents we
4 have on "Meet Me." We have volumes of documents
5 trying to find out who the user number was that she
6 was communicating with, but it's been inclusive.
7 We've identified several folks, but we won't get into
8 that. We just know that the effort was to post it,
9 and we'll end the evidence as it relates to that.

10 THE COURT: I think you can show what her -- I
11 guess that is what you call a profile?

12 MR. HIXSON: Correct.

13 THE COURT: This is her profile? What was her
14 profile on that evening, that she had activity on that
15 evening and following evening, didn't I hear?

16 MR. HIXSON: Yes, Web activity on to the
17 following evening.

18 MR. McCOLLUM: Don't go too far, Judge. The
19 photo on the third, July 3rd, as I read this, this
20 bottom photo which refers to the New York
21 firefighters, so what I think may be possible is all
22 of these other images had been on there since whenever
23 the account was opened.

24 THE COURT: But were they her current profile?
25 They make up her current profile?

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 MR. HIXSON: Yes. That is the argument, if you
2 have -- you continue to maintain that profile, it
3 isn't like you left it two years and haven't touched
4 it since, but if you are updating it --

5 THE COURT: If I had gone on there that
6 afternoon, that is what would have greeted me?

7 MR. HIXSON: That is my understanding. That is
8 what the offering documents are, that they provide,
9 pursuant to his search warrant, the contents of her
10 profile.

11 THE COURT: I assume you can change things?

12 MR. HIXSON: I assume you can delete it like
13 Facebook or anything else. I assume you control your
14 own profile. That is assumptions, not a legal
15 argument.

16 THE COURT: That is something that Mr. McCollum
17 could ask him. I'll let it in.

18 MR. MCCOLLUM: That is the thing I don't know,
19 and I don't have someone here to ask that question to,
20 and that is why I'm saying that I understand the
21 Court's ruling, but I would ask to get the other
22 pictures out.

23 THE COURT: I would say that that is the profile
24 that was there on this particular day, and that is all
25 relevant to show difficulty between the parties or to

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 reflect credibility as far as statements she made
2 during -- her statements about their relationship. I
3 think it is relevant and has probative value, and it
4 just is what it is.

5 MR. HIXSON: It has been a long time since I put
6 in an 803-6 document, but the rules under the new
7 statute, as I understand under Title 19, requires that
8 the admissibilities are conditioned on a finding that
9 it complies with our Rule 803-6.

10 THE COURT: I find it does comply, that Counsel
11 hasn't been able to point to any discrepancies. I
12 would allow it.

13 MR. HIXSON: Thank you.

14 THE COURT: Do you need a couple of minutes?

15 MR. HIXSON: I'm happy to.

16 THE COURT: How much more do you have?

17 MR. HIXSON: Last one.

18 THE COURT: Let's finish this. Bring the jury
19 back in.

20 MR. HIXSON: Oh, can I ask one -- one issue.
21 Might as well do it now while the jury isn't here. I
22 have a certified document from the Clerk of Court in
23 Myrtle Beach Municipal Court, document under seal. I
24 wanted to offer this for -- simply for the purpose to
25 show that Matthew McGurl was served August 9th,

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 after his death. That is the only purpose of the
2 document. Gerardi is my offering witness. There is
3 inflammatory responses in this, and I have no
4 intention of introducing the document. There is
5 reference of "crazy alcoholics" and things.

6 THE COURT: Can't we just stipulate to that? I
7 mean, it is inflammatory, derogatory to the defendant
8 and defendant's husband.

9 MR. McCOLLUM: The person, McGurl, who got sued,
10 his legal answer on the complaint, you know, the
11 answer to the complaint, he says that the person,
12 plaintiff, one is dead and the other one is in prison
13 or jail, and they both are crazy alcoholics.

14 MR. HIXSON: I don't want it to come in,
15 obviously.

16 THE COURT: No need to have it come in. He has
17 the document. If you want to put it in, okay, or just
18 stipulate that he was served afterwards.

19 MR. HIXSON: I'm going to just go to did you
20 research this information, when did Matthew McGurl
21 receive service of that lawsuit, August 9th, and
22 that it is all I want, I'm done.

23 THE COURT: It just seems that Mr. Livingston
24 would say I checked the public record and that is what
25 it indicated.

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 MR. HIXSON: That is my intention, Your Honor.

2 THE COURT: Or he can put in the document, just
3 depends whether you want the document in, Mr.
4 McCollum.

5 MR. McCOLLUM: You know, I understand, Judge, the
6 issues, but if I have a preference, I would like to
7 put the document in.

8 THE COURT: I'll do it the way you want to. Do
9 you want the answer and all with the language?

10 MR. HIXSON: No. I'm worried about PCR. I don't
11 want "crazy alcoholics" on a self-authenticating
12 document.

13 THE COURT: Do you have the service documents
14 there?

15 MR. HIXSON: Let me find out. His answer was
16 responded to it is dated 8/19/13.

17 THE COURT: You don't have service in there,
18 anything that says he was served, any documents? So
19 how do we know he was served?

20 MR. HIXSON: There it is. Affidavit of Service
21 and Complaint, 8/19/13. That is it. Can I just put
22 that in?

23 THE COURT: If that's what you want.

24 (State's Exhibits 85 through 87 marked.)

25 (The jury enters at 4:13 p.m., and the

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 following is heard in the presence of the jury.)

2 Q (MR. HIXSON) We'll pick up where we left off.

3 You had an opportunity to serve search warrants on

4 certain things, and you served a search warrant on

5 "Meet Me," a corporation out of New Hope,

6 Pennsylvania?

7 A Yes.

8 Q Do you know what the nature of "Meet Me" is?

9 A Social dating website.

10 Q And in preparation, I guess, for the search
11 warrants, as well as for the testimony, did you have an
12 opportunity to go to that Website to see what it is
13 about?

14 A Yes.

15 (State's Exhibits 85 and 86 marked.)

16 Q And I'll show you State's 85 and -- State's 85.

17 A Yeah. 85 -- this looks like 86.

18 Q I apologize. I'm referring to State's 86, what
19 is that?

20 A This is the page that comes up when you click on
21 the "Meet Me" site wherein you can meet people any
22 time, anywhere and, you know, connect with them or
23 whatnot.

24 Q Okay.

25 MR. HIXSON: This is the screen shot of 86 into

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 evidence.

2 MR. McCOLLUM: Same motions I made as to all of
3 the documents.

4 THE COURT: Okay.

5 MR. McCOLLUM: Does that satisfy a
6 contemporaneous objection?

7 THE COURT: Yes.

8 MR. HIXSON: May I publish to the jury?

9 THE COURT: You may.

10 (State's Exhibit 86 admitted and published to
11 the jury.)

12 Q (MR. HIXSON) You provided a Web history relating
13 to the Cellebrite report having to do with Zoosk
14 Website?

15 A Yes, I do.

16 Q Did you have an opportunity to go to that landing
17 page on that to see what Zoosk was all about?

18 A Yes.

19 Q I'll show you State's 85; do you recognize that?

20 A Yes. 85 shows the image that shows up when you
21 click onto the Zoosk site, and it is a social dating
22 site, "More singles who are more your style."

23 Q (MR. HIXSON) Can I publish to the jury and move
24 85?

25 THE COURT: Same objection?

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 MR. McCOLLUM: Yes, sir.

2 THE COURT: Thank you. Go ahead.

3 (State's Exhibit 85 admitted and published to
4 the jury.)

5 Q (MR. HIXSON) Did you have an opportunity to do
6 any research on a lawsuit that was filed by Steven and
7 Teresa Hall against Jackie and Matthew McGurl back in
8 2013?

9 A Yes, I did.

10 Q Were you able to obtain any records concerning
11 that lawsuit?

12 A Yes, I did.

13 Q And where did you get those records from?

14 A From the public index originally, and then, of
15 course, eventually from the clerk's office.

16 Q Let me show you what is State's 87; do you
17 recognize that item -- well, I guess --

18 A 87 is the civil case marked 2013 Charlie Victor
19 261092995. Second page is the same civil case number,
20 and it shows the affidavit of service, that is when the
21 officer actually served the defendant, in this case
22 McGurl, with this notice that he was being sued.

23 Q So what date -- I forgot for foundational
24 purposes, is that a certified true copy of the document
25 held by the clerk of court?

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 A It is marked on the front, This is a true and
2 certified copy, this 24th day of May 2016, signed by
3 R. Falk, Christopher J Arakas, Magistrate for Horry
4 County.

5 MR. HIXSON: As Your Honor is well you aware,
6 that is a self-authenticating document and we'll
7 continue offering it just for this witness.

8 THE COURT: All right.

9 Q (MR. HIXSON) On that document, does it show the
10 date that Matthew McGurl was notified he was being
11 sued?

12 A Yes, it does. He was served on 8/9/2013.

13 Q So he was served August 9th, 20 some days after
14 the death of Steven Hall?

15 A That's correct.

16 MR. HIXSON: We move State's 87 into evidence.

17 THE COURT: All right.

18 MR. McCOLLUM: I think you already ruled.

19 MR. HIXSON: Yes.

20 (State's Exhibit 87 admitted.)

21 Q (MR. HIXSON) Look at what is State's 73. I
22 think you looked at it before. I think that is in
23 evidence --

24 MR. HIXSON: Is 73 in evidence?

25 COURT REPORTER: Yes, sir -- no. No, sir, it is

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 not.

2 MR. HIXSON: It is not in evidence. At this
3 time, the State would move 73 in evidence. I believe
4 you already admitted it, but.

5 THE COURT: Yes, sir, it is subject to objection.

6 (State's Exhibit 73 admitted.)

7 Q (MR. HIXSON) Can you look at this page and tell
8 me what it reveals? I'm referring to the "Meet Me"
9 profile, who does it belong to?

10 A This is the "Meet Me" profile for Teresa
11 McCracken, and it shows User ID 34518474, and it has a
12 date of birth that is consistent with the date of birth
13 of Teresa McCracken of , and this is
14 information that I received from "Meet Me" subsequent
15 to the service of the search warrant.

16 Q Let me ask you this. Did you read user profile
17 number?

18 A Yes. It is 34518474, that's the user ID number.

19 Q And that profile, did that come with any
20 photographs or anything? I guess it is in evidence.
21 So from that user profile, you generated photographs
22 from it?

23 A Yes. The photos on the back of it are the photos
24 that also came in the packet from "Meet Me," along with
25 the narrative as well inside of there.

GERARDI LIVINGSTON - DIRECT EXAMINATION

1 MR. HIXSON: At this time, the State publishes
2 this to the jury?

3 THE COURT: Yes, sir.

4 (State's Exhibit 73 published to the jury.)

5 Q (MR. HIXSON) Did you find anything else in
6 response when they responded to your search warrant,
7 and I'm referring to a profile activity. Was there
8 any profile activity on 7/3 of 2013, referring to the
9 bottom line?

10 A Yes, there was.

11 Q What was that ID number of that profile activity?

12 A That is the same User ID, 34518474. When you
13 flip through the document and go back to the profile
14 where they matched it up from "Meet Me," it is
15 34518474, same profile as here where the narrative is.

16 Q And what did this profile user type in? What did
17 Ms. McCracken type in on that date?

18 A That date it says -- this is on 2013, 7/17/2013,
19 18:55, which in everyday terms is 6:55 p.m., it says
20 User ID 34518474, and it says, Dealing with you --
21 Dealing with -- an explicative -- and you.

22 Q We need it?

23 A Dealing with an asshole, and you.

24 Q And that was posted 6:55 p.m. on July 17th?

25 A That is correct.

GERARDI LIVINGSTON - CROSS-EXAMINATION

1 Q 2013?

2 A That's correct.

3 MR. HIXSON: Nothing further.

4 CROSS-EXAMINATION

5 BY MR. McCOLLUM:

6 Q How are you doing?

7 A Great.

8 Q And you just testified that Mr. McGurl, you just
9 testified when the lawsuit was served, right?

10 A Yes.

11 Q And the same lawsuit filed on the day that Steven
12 Hall died, right?

13 A Yes.

14 Q And McGurl is the same family that you went and
15 interviewed and she changed her story how many shots
16 she heard, right?

17 A I can't say that.

18 MR. McCOLLUM: That's all I have. Thank you.

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

20 MR. HIXSON: State rests.

21 THE COURT: Very well. Ladies and gentlemen, as
22 you have heard, the State has rested. It has made its
23 case as far as the evidence that it will put up. It
24 is about 4:20. I need to discuss some matters with
25 the attorneys for a few minutes. We've had some

MOTIONS

1 discussions earlier, and we may be able to wrap up all
2 of the evidence in a few minutes, or it could take a
3 good while. I would like to make those inquiries,
4 because I think that you would like to finish up the
5 case today or the evidence today, so let me do that.
6 We might stay over a little bit this afternoon to
7 finish up and let you come back tomorrow and do the
8 arguments and charge, but let's see if there is a
9 reasonable possibility of finishing up the evidence
10 today. I have some other matters I have to discuss
11 with the attorneys anyway. Mr. Ropp, will you take
12 them out.

13 (The jury exits at 4:24 p.m., and the
14 following is heard out of the presence of the jury.)

15 THE COURT: Mr. McCollum.

16 MR. MCCOLLUM: Your Honor, at this time, since
17 the State has rested, on behalf of the defendant,
18 Teresa McCracken-Hall, we would move before the Court
19 for a verdict -- directed verdict of not guilty.

20 As Your Honor has heard this particular case, the
21 State has presented evidence that is suspicious and
22 presented evidence that puts Ms. McCracken in a bad
23 light. They put in a lot of -- what seems to me -- to
24 be bad character type of evidence, but at the same
25 time, what they don't have is striking circumstances

MOTIONS

1 regarding the statement that she made.

2 Their theory -- I understand their theory, but I
3 would submit that the only thing they really have
4 shown is that she was with the decedent sometime prior
5 to his death in which she returned to her home. She
6 was there with her sister when the body was found,
7 then she called the police, and that is when they
8 started investigating.

9 We submit, Your Honor, that while the State's
10 case arises to the level of suspicion based on the
11 recent cases, we ask Your Honor to direct a verdict of
12 not guilty.

13 THE COURT: All right. I'll hear from you.

14 MR. HIXSON: Your Honor, we believe that we
15 pretty conclusively established the time of death for
16 this defendant at 7:34. Phone records corroborate her
17 statement indicating that she was in possession of
18 placing a telephone call to her sister at 8:38 p.m. on
19 Steven Hall's cell phone, that is a half hour -- an
20 hour after our forensic pathologist indicated about 24
21 hours based on the livor mortis set on the
22 defendant's -- on the victim. I keep saying
23 defendant.

24 7:37 is the 911 call, 24 hours back is 7:30.

25 That puts Ms. Hall at the house when this individual

MOTIONS

1 passes on. It puts her in the possession of the cell
2 phone, the victim's cell phone, at 9:30 p.m. calling
3 her sister, and her sister calls her back on the
4 victim's cell phone. She is in possession of that
5 cell phone, that cell phone ends up at the boat
6 landing. The murder weapon is at the boated landing.
7 She's at the boat landing before taking pictures of
8 herself catfish fishing. We know she changed clothes.
9 There is no question that the neighbors prior heard
10 arguing, heard a contentious relationship, there is no
11 question about that.

12 We have two independent witnesses that hear what
13 they testified to shots, uncontroverted heard pops.
14 Question one or two, different directions, both
15 focusing on the house where the defendant passed on
16 during the daylight hours. 7:24 is daylight hours,
17 and 8:30 is dark.

18 Additionally, Ms. McCracken comes back to the
19 house with the sister's car. We would argue at that
20 point in time, takes the shell casings, murder weapon,
21 takes the telephone, dumps them under the bridge and
22 goes back to the house.

23 We have substantial circumstantial evidence, and
24 we would almost argue we have direct evidence in the
25 pops, but the pops set the timeline, but they don't

MOTIONS

1 see it, so we argue it is circumstantial. The
2 standard would be substantial circumstantial, and so
3 we believe we've carried our burden to submit this
4 case to the jury.

5 THE COURT: All right. And, of course, I'm
6 required on a motion for directed evidence to take the
7 evidence in the light most favorable to the State, and
8 I have done so in my consideration of this. I think
9 that there is certainly evidence of some sort of
10 verbal, at least altercation, between the parties.
11 Two independent sources indicate that they heard what
12 could be gunshots, fireworks, from neighbors right
13 there in the area. It is confirmed that the defendant
14 left following that. The cell phone evidence is
15 something else, I believe, that the jury could
16 certainly infer from, and we must consider the
17 inferences that can be drawn from the evidence that is
18 placed before the jury that these were identical
19 phones.

20 The defendant obviously made phone calls from the
21 victim's phone, because she said she did, calling her
22 sister, and then that phone ends up in close proximity
23 to an area that is established that she was familiar
24 with, an area where the weapon was found, a weapon
25 that while not conclusively established as the murder

MOTIONS

1 weapon by toolmarks, when we look at the DNA evidence,
2 that would certainly be very strong evidence that it
3 was the murder weapon.

4 Following that, we have evidence of the defendant
5 returning to the house, that would be at a time
6 when -- after the death, according to the
7 pathologist's testimony -- after the death of the
8 victim, returned, went in the house. The jury can
9 view that as an attempt to remove evidence, and there
10 is questions raised as to why the death of the victim
11 wasn't reported at that time, and it goes on.

12 I think there is substantial evidence that would
13 support the State's case, and I'll submit it to the
14 jury. Your motion is respectfully denied.

15 MR. McCOLLUM: For the record, I would like to
16 cite two cases.

17 THE COURT: Yes, sir.

18 MR. McCOLLUM: One of the things I would like to
19 point out to the Court, and I know the Court is very
20 familiar with these motions and the law on this.
21 State versus Bostic, 392 S.C. 134, and also quoting
22 State versus Cherry, 361 South Carolina 588, 2004
23 case.

24 THE COURT: Thank you very much.

25 MR. McCOLLUM: Thank you, Judge.

SABRINA MYERS - DIRECT EXAMINATION

1 THE COURT: We have our jurors back in the
2 courtroom. Mr. McCollum, call your witness.

3 MR. MCCOLLUM: Thank you, Your Honor. Defense
4 calls Sabrina Myers at this time.

5 (SABRINA MYERS, having been duly sworn,
6 testified as follows:)

7 THE CLERK: State your name and spell your last.

8 THE WITNESS: Sabrina Myers, M-Y-E-R-S.

9 DIRECT EXAMINATION

10 BY MR. MCCOLLUM:

11 Q You have been with us all week, correct?

12 A Yes.

13 Q And sitting in a room by yourself sequestered?

14 A Correct.

15 Q You are the sister of Teresa McCracken-Hall?

16 A Yes.

17 Q Do you live here in the Myrtle Beach area?

18 A Yes.

19 Q And you live in Horry County, right?

20 A Correct.

21 Q I think -- you haven't seen any of this -- can
22 you state your address?

23 A Devon Lane.

24 Q I'll show you this big map; it's marked as

25 State's Exhibit 1. It is kind of hard to hold, so I'll

SABRINA MYERS - DIRECT EXAMINATION

1 put it over here and ask if you can look at it and see
2 if you see Devon Lane on here?

3 A Yes.

4 Q You are also aware of where your sister lived
5 with her husband, Steve?

6 A Yes.

7 Q And is that Williamson Circle?

8 A Yes.

9 Q So this is the waterway in here?

10 A It looks like it.

11 Q If you don't know, say you don't know.

12 A It looks like it.

13 Q I know this is the first time you've looked at
14 it, and I've sprung it on you. Is that where you live,
15 and that is where your sister was living?

16 A Yes.

17 Q So you live in Horry County, right?

18 A Yes.

19 Q And how long have you lived in Horry County?

20 A Probably about 40 years.

21 Q Where did you grow up?

22 A I moved here when I was about 11. Prior to that
23 I was in Norfolk, Virginia.

24 Q And you went to school here?

25 A Yes.

SABRINA MYERS - DIRECT EXAMINATION

- 1 Q Went to high school here?
- 2 A I did go to Socastee High School for my first --
- 3 freshman and beginning of my sophomore year, but then I
- 4 moved to Virginia, graduated there.
- 5 Q And at some point you came back here?
- 6 A Correct.
- 7 Q Are you employed?
- 8 A I am.
- 9 Q Where do you work?
- 10 A Coldwell Banker Real Estate.
- 11 Q Where is your office located?
- 12 A North end of Myrtle Beach, Briarcliff Acres.
- 13 Q On king's Highway, 17?
- 14 A Yes, sir.
- 15 Q What do you do?
- 16 A Administrative manager.
- 17 Q You have a number of real estate agents working
- 18 in that office?
- 19 A Yes, sir.
- 20 Q Do you know about how many?
- 21 A Approximately 27.
- 22 Q You work there how long?
- 23 A 29 years.
- 24 Q And then you are married?
- 25 A Yes.

SABRINA MYERS - DIRECT EXAMINATION

- 1 Q And what is your husband's name?
- 2 A Danny.
- 3 Q And how long have you been married?
- 4 A 33 years.
- 5 Q And where does -- what kind of work does he do?
- 6 A He's the manager at Midas.
- 7 Q And where is the Midas located?
- 8 A On 501.
- 9 Q How long has he worked at Midas?
- 10 A About 36 years.
- 11 Q The two of you, do you have children?
- 12 A We have three children.
- 13 Q All your children are grown?
- 14 A Yes.
- 15 Q I'm not going to ask names and all of that, but
- 16 what are the respective ages of the three children?
- 17 A Oldest is 33, middle is 26 and my youngest is 22.
- 18 Q What kind of work do they do?
- 19 A My oldest is a delivery driver for ANA Produce.
- 20 My middle daughter is a waitress, and my youngest son
- 21 is a landscaper.
- 22 Q Do you have any grandchildren?
- 23 A Four grandchildren.
- 24 Q Are they boys or girls?
- 25 A Two of each.

SABRINA MYERS - DIRECT EXAMINATION

- 1 Q Are they young?
- 2 A Range in ages from 1 to 11.
- 3 Q Now, you were -- were you interviewed by the
- 4 detectives in this case?
- 5 A Yes.
- 6 Q And were you interviewed in a squad car, police
- 7 car, at some point?
- 8 A I was.
- 9 Q Was that on the night that you and your sister
- 10 discovered Steve's body?
- 11 A Yes.
- 12 Q And did you also then travel to what we call the
- 13 ML Brown building, Horry County Police Department, in
- 14 Conway?
- 15 A Yes.
- 16 Q And you rode with the detective?
- 17 A I did.
- 18 Q And do you remember which detective it was, Lent,
- 19 Frebowitz?
- 20 A It was Mr. Lent.
- 21 Q This gentleman here?
- 22 A Yes.
- 23 Q And then you went in and gave a statement, right?
- 24 A Correct.
- 25 Q And I'll come back to that in a minute. On the

SABRINA MYERS - DIRECT EXAMINATION

1 day of -- Steve's body was found on July 18, 2013?

2 A Yes.

3 Q Your sister came and stayed with you at your
4 house the night before, right?

5 A She did.

6 Q And has she stayed at your house there before?

7 A Many times.

8 Q Is your father, was he there?

9 A Yes.

10 Q And his name?

11 A Tony.

12 Q Is he in the courtroom?

13 A No, he's not.

14 Q And when she has been over there -- not this
15 night, but other nights -- does she and Steve, do they
16 have any dogs?

17 A They have two.

18 Q Do you know the dogs' names?

19 A Yes.

20 Q Can you say them?

21 A Buggy, which is the little one, and Betty or Boo.

22 Q Betty and Boo are the same dog?

23 A Yes.

24 Q What kind of dog is that?

25 A Black lab.

SABRINA MYERS - DIRECT EXAMINATION

- 1 Q Is that Teresa's dog?
- 2 A Yes.
- 3 Q And then the other dog, you say Buggy?
- 4 A Buggy.
- 5 Q And Buggy is what kind?
- 6 A A Chihuahua.
- 7 Q And have there been occasions you know of when
- 8 your sister, Teresa, had Buggy and Boo with her when
- 9 Steve wasn't around?
- 10 A Oh, yes.
- 11 Q Have there been many occasions?
- 12 A Oh, yes. She's been at my house with them.
- 13 Q So she's been at your house with them?
- 14 A Yes.
- 15 Q When they were separated from Steve?
- 16 A Yes.
- 17 Q And to your knowledge, did Steve allow her to do
- 18 that?
- 19 A Yes.
- 20 Q Now, on this particular occasion, did -- at some
- 21 point did your sister make phone calls to you which
- 22 resulted in you going to her house on Williamson Circle
- 23 and picking her up?
- 24 A Yes.
- 25 Q So did you go to her house as a result of her

SABRINA MYERS - DIRECT EXAMINATION

1 calling you?

2 A Yes, and I did.

3 Q And it was your understanding she wanted you to
4 pick her up and drive her to your house?

5 A Yes.

6 Q Were you working the next day?

7 A I did.

8 Q Was your father having health problems?

9 A He was just released from the hospital, wasn't
10 too prior to that, so he was still recovering.

11 Q So was she going to spend some time with him, as
12 far as you knew?

13 A Yes.

14 Q And when you went to the house the night of the
15 17th at Williamson Circle to pick up your sister,
16 Teresa, did you drive up in the driveway?

17 A I did.

18 Q And what kind of car were you driving?

19 A A white Dodge Nitro.

20 Q Is that your car?

21 A It was, yes.

22 Q When you drove up to the driveway, do you
23 remember -- and you may or may not -- was it daylight
24 or dark?

25 A It was dark.

SABRINA MYERS - DIRECT EXAMINATION

1 Q And did you get out of the car, park the car and
2 get out of the car?

3 A Yes.

4 Q And after you got out of the car, did you walk
5 towards the house?

6 A Yes.

7 Q And did you go inside the house?

8 A No.

9 MR. HIXSON: We object to leading questions.
10 This is his witness, and he can't lead that witness.

11 MR. McCOLLUM: Am I leading?

12 THE COURT: I don't really think he's leading.
13 He's not suggesting the answer. He knows the rules.

14 MR. McCOLLUM: I don't think I'm leading.

15 THE COURT: I didn't think you were.

16 Q Did you go inside the house?

17 A No.

18 Q Did you see Steve?

19 A No.

20 Q Did you see your sister?

21 A Yes.

22 Q And when you first saw your sister, where was
23 she?

24 A She was inside the front door.

25 Q Inside her front door?

SABRINA MYERS - DIRECT EXAMINATION

1 A Yes.

2 Q And did she see you, as far as you know?

3 A Yes.

4 Q And what did she do after you saw her and she saw
5 you?

6 A When I approached her door, she opened the door
7 and the dogs came out and started running out the front
8 door.

9 Q So that is Buggy?

10 A And Boo.

11 Q Or Betty, the Lab and Chihuahua?

12 A Yes.

13 Q Ran out of the house?

14 A Yes.

15 Q And at that point, when the door was opened, did
16 you see Steve?

17 A No.

18 Q Did you hear anything or was there anything that
19 happened that made you think that Steve was inside the
20 house?

21 A I heard Steve.

22 Q You heard him?

23 A Yes.

24 Q Was he saying something to you?

25 A, No, he wasn't talking to me, he was just

SABRINA MYERS - DIRECT EXAMINATION

1 mumbling.

2 Q Was he talking to your sister?

3 A I really don't know. I mean, I just heard him.

4 Steve mumbled a lot.

5 Q You say "mumbled," there is mumbling, muttering,
6 and there is talking to yourself. Do you -- ask that
7 a -- is that a definition you would think of if someone
8 speaks to themselves?

9 A Yes.

10 Q Now, when you say "mumbling," you would think
11 that would be in such a low voice that someone couldn't
12 hear it?

13 A No. I mean -- I guess. Maybe. If I were to
14 define it a little more clearer, it would be more like
15 talking to himself.

16 Q And some of these questions seem ridiculous.

17 A It's okay.

18 Q But do you -- and I can't suggest the answer to
19 you, so I'll ask these open-ended questions. So do you
20 know Steve's voice?

21 A Yes.

22 Q And have you heard him speak before?

23 A Yes. Very often.

24 Q And so you recognized his voice?

25 A Absolutely.

SABRINA MYERS - DIRECT EXAMINATION

1 Q Could you distinguish his voice from maybe a
2 television being on or a radio?

3 A Yes.

4 Q After the dogs ran out of the house, what did you
5 then do?

6 A I started to go after the dogs and handed my
7 purse to my sister, and then I proceeded to get the
8 dogs and put them in the car, and then my sister came
9 and got in the car.

10 Q Now, this is very important, and I believe you
11 gave a couple statements to the police. They asked you
12 if you saw Steve at the house when you went to pick her
13 up, do you remember that?

14 A Yes.

15 Q Do you remember what you told them?

16 A I believe I told him, no, I didn't see him.

17 Q Do you know if they asked you further if you saw
18 him or heard him or thought -- wanted to know if you
19 had any indication that he was inside the house?

20 A No.

21 Q At the time that the police asked you about
22 Steve, did you know the State's theory on when he died?

23 A No.

24 Q Did you have any idea how he died?

25 A No.

SABRINA MYERS - DIRECT EXAMINATION

1 Q Did you have any idea what time he died?

2 A No.

3 Q Did you have any idea who might have killed him?

4 A No.

5 Q So if the police in questioning you -- you may
6 not be able to answer this -- had stressed to you,

7 Look, Ms. Myers --

8 MR. HIXSON: Objection, Your Honor. He's posing
9 a hypothetical to his own witness, that is the
10 definition of leading.

11 THE COURT: Rephrase the question.

12 MR. McCOLLUM: Go or stop?

13 THE COURT: Are you posing a hypothetical to your
14 witness?

15 MR. McCOLLUM: I may be, Your Honor.

16 THE COURT: Just rephrase your question then.

17 Q (MR. McCOLLUM) At the time that you answered the
18 questions of the detective, did you know that it was
19 important that you heard that he was alive at the time
20 you were there?

21 A No.

22 Q Did anyone ever tell you that they believed that
23 he was dead when you left?

24 A No.

25 Q When your sister came out to the car, do you

SABRINA MYERS - DIRECT EXAMINATION

1 remember what she was wearing?

2 A No, I don't remember exactly what she was
3 wearing.

4 Q I want you to look at State's 53; is that
5 pictures of your sister?

6 A Yes.

7 Q You may recognize that. Is that what she had on
8 when she went to the police station?

9 MR. HIXSON: Objection. She answered she didn't
10 know.

11 THE COURT: I think he said when she went to the
12 police station, which is the following day.

13 MR. HIXSON: Okay.

14 THE COURT: According to the testimony, is that
15 right, Mr. McCollum; is that what you were asking?

16 MR. MCCOLLUM: Yes, sir.

17 THE COURT: She may answer.

18 A Yes.

19 Q (MR. MCCOLLUM) Have you ever seen that shirt
20 before?

21 A Yes.

22 Q Is that your shirt?

23 A No.

24 Q Does that shirt belong to someone else in your
25 family?

SABRINA MYERS - DIRECT EXAMINATION

- 1 A No.
- 2 Q Does your sister keep that shirt at your house?
- 3 A No.
- 4 Q When she went to spend the night at your house,
5 do you remember if she was wearing shirts or long
6 pants?
- 7 A She was wearing shorts.
- 8 Q And at your house, do you know if she borrowed a
9 pair of sweatpants to wear at your house to sleep in?
- 10 A Yes.
- 11 Q And is your house kept kind of cold and chilly?
- 12 A Yes.
- 13 Q And has she borrowed or put on sweatpants or
14 something before?
- 15 A Oh, yes.
- 16 Q Now, these shorts right here, do you recognize
17 those?
- 18 A Yes.
- 19 Q Are those your shorts?
- 20 A No.
- 21 Q To your knowledge, are those your sister's
22 shorts, or someone else's?
- 23 A They are hers.
- 24 Q When she came over to your house the evening of
25 the 17th, did she pack an overnight bag?

SABRINA MYERS - DIRECT EXAMINATION

1 A No.

2 Q Did someone give her clothes to wear while she
3 was at your house?

4 A I gave her some sweatpants.

5 Q Did you give her a shirt?

6 A No.

7 Q Coat?

8 A No.

9 Q Did she, to your knowledge, go out and buy any
10 clothes while staying at your house?

11 A No.

12 Q Did she wash any clothes at your house?

13 A No.

14 Q At some point, I think you told the police that
15 after coming to your house your sister left the house
16 to go get some water -- or bottled water, right?

17 A Yes.

18 Q Is that your understanding? Tell me what
19 happened. Did she leave the house in your car?

20 A She did.

21 Q And do you know where she went or how long she
22 was gone?

23 A It was brief. It was no more than 10 minutes.

24 Q And you live, what I call, on the east side of
25 the waterway, right?

SABRINA MYERS - DIRECT EXAMINATION

1 A Yes.

2 Q And across the waterway going towards Conway or
3 inland, how would you drive across the waterway if you
4 were coming over to Conway; in other words, I'm asking
5 what ways can you get across the waterway?

6 A To my house?

7 Q Yeah.

8 A You can go down 707 and then get on Socastee
9 Boulevard and go over the swing bridge, or you can go
10 to 707, go right and turn on Socastee Boulevard and go
11 over the new, big bridge.

12 Q Okay. In terms of water, did she go get water,
13 or did she return to the house without water?

14 A She returned to my house without water.

15 Q To your knowledge -- explain that. She came to
16 get water, but came out without water, so what
17 happened?

18 A When she came in the house, she said I forgot my
19 wallet. It was just a few minutes. I had been in the
20 kitchen tidying up and noticed when I opened the
21 refrigerator, we didn't have any water on the shelf,
22 but I had water on the bottom drawer of the
23 refrigerator.

24 Q So you noticed at that point when she got back
25 that there was water in a drawer in the fridge.

SABRINA MYERS - DIRECT EXAMINATION

1 A Correct.

2 Q Is that that thing on the bottom, I think it is
3 called a crisper or something, where you keep
4 vegetables and things?

5 A Yes.

6 Q So you discovered water in there?

7 A Yes.

8 Q And to your knowledge, did she drink water?

9 A Yes.

10 Q And then you may know this or not, but the next
11 day, did she go buy water?

12 A Well, she was running errands with my father, and
13 I believe she did purchase more water, because we
14 didn't have very much, it was just a couple of bottles.

15 Q Before, earlier that day, were you playing a
16 poker game on your device, is what I'll say?

17 A Yes.

18 Q Do you play that remotely?

19 A Yes.

20 Q And were you playing poker with anyone that
21 evening or afternoon?

22 A That evening, after I returned from work, I was
23 playing with my father and my sister.

24 Q And when you were playing poker with your father
25 and sister, where was your father? Was he with you?

SABRINA MYERS - DIRECT EXAMINATION

- 1 A Yes.
- 2 Q And where was your sister? Was she with you?
- 3 A No. She was at home, at her home.
- 4 Q As far as you know?
- 5 A Right.
- 6 Q Because that is where you went to pick her up
- 7 later?
- 8 A Correct.
- 9 Q To your knowledge, what does she play it on; do
- 10 you know?
- 11 A I believe she played it on her phone.
- 12 Q If she plays it on the phone, does it run the
- 13 battery down?
- 14 A Yes.
- 15 Q There were a couple of phone calls made from
- 16 Steve's phone, right?
- 17 A Yes.
- 18 Q In other words, did your sister sometimes call
- 19 you on Steve's phone; is that correct?
- 20 A Yes.
- 21 Q And did that happen on the evening of the 17th?
- 22 A It did.
- 23 Q And was there anything unusual about her calling
- 24 you on Steve's phone?
- 25 A No.

SABRINA MYERS - CROSS-EXAMINATION

1 Q Have you ever seen the two phones that they have?

2 A Yes.

3 Q Do they look similar?

4 A Yes.

5 Q They look almost identical?

6 A I would say, yes.

7 Q And so has it been your experience that she would
8 just pick up a phone and use it?

9 A Correct.

10 Q Did you find anything strange or suspicious about
11 her calling you on Steve's phone?

12 A Not at all.

13 MR. McCOLLUM: Thank you, Ms. Myers. Answer any
14 questions Mr. Hixson may have.

15 CROSS-EXAMINATION

16 BY MR. HIXSON:

17 Q Difficult time to be here, isn't it?

18 A It is.

19 Q Your sister is on trial for murder, huh?

20 A Yes.

21 Q You are the older sister, aren't you?

22 A Yes.

23 Q Do you feel a little bit responsible trying to
24 take care of your younger sister?

25 A Well, naturally, yes.

SABRINA MYERS - CROSS-EXAMINATION

1 Q I know you had an opportunity to have a couple of
2 interviews with Detective Greg Lent?

3 A Yes.

4 Q Of what probably was one of the most horrible
5 nights of your life, you saw your brother-in-law with a
6 bullet in his head, pretty tough experience, isn't it?

7 A Yes.

8 Q Pretty shaken up about that, I would think?

9 A Very.

10 Q Let's talk about you. Isn't it true you've
11 worked for a real estate company for quite awhile,
12 haven't you?

13 A Yes, sir.

14 Q Pretty steady job?

15 A It has been.

16 Q You are happily married?

17 A Very.

18 Q Daniel is your husband?

19 A Yes.

20 Q And you have been married for nearly 20 years,
21 more than that?

22 A 33.

23 Q I was way off, I'm sorry about that.

24 Congratulation on that, too.

25 A Thank you.

SABRINA MYERS - CROSS-EXAMINATION

1 Q So on the night in question, the big sister --
2 how long did you work for the real estate company?

3 A I've been working for 29 years.

4 Q 29 years. So work the same job 29 years, married
5 to the same man for 30 years; that is very respectful.

6 A Thank you.

7 Q Your sister hasn't been quite so lucky?

8 A No.

9 Q Matter of fact, she's not working?

10 A No.

11 Q How many times has she been married?

12 A I believe married three times.

13 Q And does that include the marriage to Steve
14 twice?

15 A No.

16 Q So four weddings?

17 A Yes.

18 Q Did you know that actually Teresa and Steve were
19 married, did you even know that?

20 A Yes.

21 Q The first time, not the second time?

22 A Yes.

23 Q Was the family members of Steve, were they aware?
24 It was not a well guarded secret that they rushed right
25 into it the second time; isn't that correct?

SABRINA MYERS - CROSS-EXAMINATION

1 A Yes.

2 Q And so it wasn't necessarily odd for you to come
3 to the aid of your sister if there was a fight at
4 Steve's house? In fact, often times isn't it true you
5 would come over there and take her home and let things
6 calm down and take her back the next day; isn't that
7 true?

8 A I would pick her up frequently and bring her to
9 my house, but it wasn't because they were fighting.

10 Q Have you been privy to quite a few fights between
11 the two?

12 A No.

13 Q You haven't been?

14 A No.

15 Q Let's set the foundation. Do you recall giving
16 statements to Detective Greg Lent on the early morning
17 hours of July 18th, as well as subsequent statements
18 at the ML Brown building later on July 18th into
19 July 19th; do you recall those?

20 A Yes.

21 Q As I recall, the first statement, isn't it true
22 that you gave that, that it was an audio recorded
23 statement and it was in a patrol car with Detective
24 Lent?

25 A Yes.

SABRINA MYERS - CROSS-EXAMINATION

1 Q And that would have been, what, a half an hour or
2 so after you discovered Steve's body?

3 A Approximately.

4 Q And then a little more time went by, and the
5 subsequent statement was videotaped and recorded?

6 A Okay.

7 Q Are you aware of that? I mean, you were there.

8 A No, I didn't know that.

9 Q You recall being in an interview room with tables
10 and chairs?

11 A I do remember being in a room, yes.

12 Q And talking to Detective Lent?

13 A Yes. I do remember that.

14 Q And then after that, do you recall going into an
15 interview room with the defendant, Ms. McCracken, and
16 you guys drinking a bottle of water and having
17 conversation amongst yourselves about the discussion
18 you had with the detective?

19 A I do remember meeting up with my sister
20 afterwards.

21 Q In that discussion, do you recall, What in the
22 world is going on, what happened, Teresa, and do you
23 recall during that, that you said you regretted leaving
24 out parts of your statement out to the detective,
25 specifically that you forgot to tell him that you left

SABRINA MYERS - CROSS-EXAMINATION

1 the house -- that she left the house -- borrowed the
2 car and left the house, do you remember having that
3 conversation with your sister?

4 A I do not remember that.

5 Q Well, do you remember having that conversation
6 with Detective Lent?

7 A Yes.

8 Q Where you said, Oh, my goodness, I didn't talk to
9 you guys about certain pieces of evidence, my sister
10 leaving the house; isn't that right?

11 A I do remember saying that.

12 Q Do you have a son named Jacob?

13 A Yes.

14 Q And Jacob, on the night in question, the night of
15 18th, he called you quite a few times from his cell
16 phone?

17 A He did.

18 Q And that is right around 9:42, 10 o'clock, 10:30,
19 10:45, that timeline, and he expressed concern that you
20 weren't home?

21 A Yes.

22 Q In fact, he called for nearly an hour, Mom, I'm
23 getting worried, will you please call me when you get
24 in, and it is all borne out by your subpoenaed cell
25 phone records; isn't that true?

SABRINA MYERS - CROSS-EXAMINATION

1 A No, I don't think he said that. He said
2 something to the effect of what happened or why,
3 because he wanted me to take him over to a friend's
4 house.

5 Q That's right. That is exactly right. And he
6 said call me when you get home?

7 A Yes.

8 Q Why didn't he think you were home? That is
9 because your Dodge Nitro -- you don't know where the
10 Nitro went -- and I'm not accusing you of being
11 involved in this thing, trust me, I don't mean that,
12 but your Dodge Nitro was gone, Jacob was next door
13 waiting for you to take him to a friend's house, and he
14 kept looking in the window into the driveway and seeing
15 the Nitro not there and saying, Mom, call me when you
16 get home, but isn't it true you were home the entire
17 time, but Jake didn't know that because the Dodge Nitro
18 was gone, he was waiting to see the Nitro so you could
19 take him to a friend's house; isn't that true?

20 A He did ask me where I was because he didn't see
21 the car.

22 Q That car was gone -- those calls lasted an hour,
23 not 10 minutes?

24 A No, it wasn't that long. Because he was right
25 next door. He was blowing up my phone, and he was

SABRINA MYERS - CROSS-EXAMINATION

1 right next door.

2 Q Right. Right. And you didn't answer it for
3 almost an hour until he saw the car back in the
4 driveway and knew you were home. It was only after the
5 car came back, isn't it true, that you said, I've been
6 here the whole time, Teresa took my car, but I've been
7 home the whole time, and then you told him you couldn't
8 take him over to his friend's house?

9 A Well, he actually came home during that time, so
10 when he came home, Teresa had been back.

11 Q Yes. That's right.

12 A So she was already back, so it was only like 10
13 minutes or so.

14 Q We'll call a rebuttal witness on your phone
15 records then. It was an hour from the time he talks to
16 the time he comes back. It is not 10 minutes. It's
17 longer than 10 minutes; isn't that true?

18 A I don't think so.

19 Q Let's get into the bread and butter. Are you
20 aware -- your sister testified specifically about
21 whether or not you came inside the building, and your
22 sister -- are you aware of the fact that -- you never
23 made it past the gate. You never went to the front
24 door that night. Matter of fact, your sister testified
25 that you made it to the front gate. Did your sister

SABRINA MYERS - CROSS-EXAMINATION

1 come inside? No, she was coming, she just got to the
2 gate--

3 MR. McCOLLUM: This may be pitting, talking about
4 what she said.

5 THE COURT: She hasn't testified.

6 MR. GROOMS: He means in the statement.

7 THE COURT: He's talking about her statement. He
8 can cross-examine her on it.

9 MR. HIXSON: Cross-examining the statement in
10 evidence.

11 THE COURT: He is cross-examining of your
12 witness.

13 MR. McCOLLUM: Using a statement from another
14 person?

15 THE COURT: He can ask her about it, and she can
16 give him a response.

17 Q (MR. HIXSON) Isn't it true that you never got to
18 the front door of the house? Isn't it true that you
19 were inside the car, but never made it to the front
20 gate?

21 A I did, I made it to the front door.

22 Q Your testimony -- make sure we're clear -- Jackie
23 McGurl's photographs -- I can't find it when I need it.
24 I'll show you what is admitted evidence, State's
25 Exhibit 13; do you recognize that?

SABRINA MYERS - CROSS-EXAMINATION

- 1 A Yes.
- 2 Q What is that?
- 3 A Looks like a house.
- 4 Q Is that -- are you familiar with that house?
- 5 A Yes.
- 6 Q Whose house is that?
- 7 A Which one?
- 8 Q You don't recognize your sister's house?
- 9 A There is two homes.
- 10 Q You don't recognize that is where you picked your
- 11 sister up that night?
- 12 A Yes, but there is two houses, that is why I was
- 13 asking.
- 14 Q Are you familiar with where your sister lived
- 15 July 17, 2013?
- 16 A Yes.
- 17 Q You see a front gate in that photograph? Ma'am,
- 18 do you see a front gate in that photograph?
- 19 A Yes.
- 20 Q And for orientation, when you walk through the
- 21 front gate, you walk a little bit and turn left, and
- 22 the front door is right here?
- 23 A No. When you walk into the front gate, the door
- 24 is right in front of you.
- 25 Q I'll show what is marked -- now that I messed

SABRINA MYERS - CROSS-EXAMINATION

1 these all up. I'll get back to that. I'll have a
2 photograph of the front door and orientation of the
3 front door to that location.

4 Are you aware of Jackie McGurl?

5 A No.

6 Q You never had any conversation with her?

7 A No.

8 Q She's the next door neighbor, I guess the house
9 next to your sister's house; you never had any dealings
10 with her?

11 A No.

12 Q Let's get into the statements now, okay. Do you
13 recall having a conversation with Jeremy Crews?

14 A No.

15 Q He was an officer for the Horry County Police
16 Department, he was the young man with you when you went
17 into the house and saw Mr. Hall in there; do you recall
18 that conversation?

19 A I don't.

20 Q Do you recall telling him that you never went in
21 the house, you were never in the house that night?

22 A I didn't say I was never in the house the night
23 before, I mean --

24 Q On the night of the 17th, the night when you
25 went to pick your sister up, you told the officer there

SABRINA MYERS - CROSS-EXAMINATION

1 that you never went in the house?

2 A Yes. No, I did not go in the house.

3 Q You never went past the gate?

4 A I did go past the gate; I never got in the house.

5 Q Talk about the timeline, because the timeline got
6 confusing in your direct testimony. So let's talk
7 about this. You received a multitude of phone calls
8 from your sister that night, didn't you?

9 A Yes.

10 Q Beginning at 6:30 p.m.?

11 A Approximately.

12 Q Matter of fact, those phone calls came from your
13 sister's cell phone, 6:30, and subsequent to that,
14 another one at 7:30; isn't that right?

15 A Yes.

16 Q And then after that, a third phone call that was
17 right around 7:32; isn't that true?

18 A Yes. I guess. That sounds about right.

19 Q We'll do the records, that is fine. I'll do it
20 now. I'll show you now so we're all transparent.
21 These are telephone calls generated from your sister's
22 cell phone to you.

23 A Okay.

24 Q On 6:31 on July 17th, your sister called you at
25 your house and you had a conversation for a period of

SABRINA MYERS - CROSS-EXAMINATION

1 time at 6:31?

2 A Okay.

3 Q Do you recall that?

4 A Sure.

5 Q And then at 7:36 you had another subsequent
6 telephone call that your sister called you on your cell
7 phone?

8 A Yes.

9 Q I mean, excuse me, your sister called your house,
10 and she was utilizing her cell phone for that?

11 A Yes.

12 Q And then 8:42 p.m. your sister calls you at your
13 home on her cell phone, total of three telephone calls
14 on your sister's phone?

15 A Okay.

16 Q We haven't gotten to the cell phone calls later
17 in the evening on Steven's, so we'll talk about your
18 timeline as you talked to Detective Lent in your two
19 statements on what you said happened that morning.

20 Statement two and three, on Page 2 and 3 of this
21 transcript, Detective Lent. Do you recall -- isn't it
22 true that you said, So after I finished with my dad's
23 checking account and finished dinner and everything,
24 then I went over there. When I called -- well, I
25 called her before I left the house and said I'm on my

SABRINA MYERS - CROSS-EXAMINATION

1 way now, and she said okay. And I called her back on
2 Steve's phone. Detective Lent asked you, You called
3 her back on Steve's phone? Uh-huh, because that's
4 where she called me from, she called me from Steve's
5 cell phone, so I called her back on Steve's cell
6 phone.

7 Fair enough?

8 A Right. Right. Because when -- I have caller ID
9 on my phone, and when she called, I just hit redial and
10 it dialed it. I didn't pay attention whose number it
11 was.

12 Q I completely understand, absolutely.

13 A Yeah.

14 Q So on Page 1 of that first statement, which would
15 have happened at the ML Brown building, it is video
16 recorded, Detective Lent asked you, You and your sister
17 spoke over the phone a few times last night; isn't that
18 true?

19 And you said, Uh-huh.

20 Can you -- how you -- I can't remember if I had
21 asked you earlier, but had you spoken to Steve over
22 the phone?

23 And your answer, do you recall this, I didn't
24 speak to him directly, I just heard him in the
25 background?

SABRINA MYERS - CROSS-EXAMINATION

1 A Correct.

2 Q At any point, did you try calling him on the
3 phone?

4 No, my sister called me from his cell phone.

5 Uh-huh. Why did she call you?

6 So the phone call you heard Steven talking, you
7 tell Detective Lent on two separate statements, She
8 called me and asked me to bring her my charger for the
9 cigarette, the electronic cigarette.

10 Fair enough?

11 A Correct.

12 Q And then later on she calls me back.

13 So isn't it true, no question, two statements you
14 tell Detective Lent that you heard Steven's voice over
15 the phone call when she asked for the electronic
16 cigarette?

17 A Yes.

18 Q That's right. So let's go to the subsequent
19 statement where you talk about the second phone call
20 later on in the day. This is Statement One. This
21 would have been 9:07 p.m. on July 18 to Detective Lent,
22 and it is recorded. On that day, Page 2 of the
23 transcript of that statement, You spoke to Teresa over
24 the phone?

25 Yes. She wanted me to come get my charger for

SABRINA MYERS - CROSS-EXAMINATION

1 the cigarette. We wanted to have one of those VaVa
2 Vape cigarettes, and Teresa wanted me to bring her the
3 charger; she couldn't find hers.

4 So you called Steven, or he called you?

5 No. No. No. Teresa called me.

6 Um, did you get on the phone with Steven?

7 Well, yeah, he was -- well, not really, he was
8 just talking in the background.

9 Okay. Go ahead. That's fine. What was he doing
10 in the background?

11 So Teresa called you about 8:38 p.m. and asked
12 you to bring over the charger?

13 No.

14 What happened? She didn't say anything else over
15 the phone? So, okay, so she called a second time
16 then? Um, what did she say then?

17 And your answer was, So I finished that, and then
18 Teresa called again and said please come get me. Get
19 me, and I said okay.

20 And you asked her why. Did she explain why?

21 No. I didn't think anything out of the ordinary.
22 I mean, she's called me before and asked me to come
23 get her.

24 And spend the night?

25 Yes.

SABRINA MYERS - CROSS-EXAMINATION

1 So there is no question that you hear Steven in
2 the background on the first call for the cigarette
3 charger?

4 A Correct.

5 Q But you specifically do not hear him on the
6 come-get-me phone call?

7 A No.

8 Q Specifically, on Line 24, Detective Lent says,
9 But the second phone call she was wanting you to come
10 get her?

11 Yes.

12 Did she mean it? Were they arguing? Did it
13 sound like Steve? I mean, you say he talks to himself
14 a lot. Does he get agitated?

15 On Page 32, if you want to maintain your position
16 -- well, maybe you did and you just tell Detective
17 Lent that, Detective Lent asked you specifically, Do
18 you remember hearing anything when you went to the
19 house?

20 No, I don't remember hearing anything. I mean,
21 it was so quick, you know.

22 Well, was it like -- was it normal? So she just
23 came out and got in the car?

24 Yeah, she came out. We went to my house and I
25 had to give my dad his medicine for everything.

SABRINA MYERS - CROSS-EXAMINATION

1 Did you guys stop anywhere?

2 Nope.

3 I think I want to stop. I can keep going for
4 awhile, but let me just -- I know you care about your
5 sister, I understand.

6 Turn to Page 8 and 9 of the second statement.
7 Detective Lent asked you when he tried to figure out
8 what was going, But you love her, and she's your
9 sister; isn't that right?

10 And you tell Detective Lent, Of course.

11 And Detective Lent asked you, And you are going
12 to stand by her, aren't you?

13 And you told him, Yes.

14 And Detective Lent asked you, No matter what?

15 And you told him, Of course, I'll help her in any
16 way I can.

17 MR. HIXSON: Nothing further, Your Honor.

18 MR. MCCOLLUM: No redirect.

19 THE COURT: Very well, you may step down. Will
20 you need her further, Mr. McCollum?

21 MR. MCCOLLUM: No, Your Honor. Can she remain in
22 the courtroom?

23 THE COURT: Yes, she can, if you are done with
24 her.

25 MR. MCCOLLUM: Yes, sir.

CLOSING ARGUMENT - MR. McCOLLUM

1 They are also certainly entitled -- and should --
2 address the law that would be applicable to this case.
3 Remember, you are only to consider the evidence that
4 you heard from the witness stand. I'm sure these fine
5 lawyers would not say anything in their closing
6 remarks or comment on the evidence that wasn't in the
7 record, but if they were to do that inadvertently, you
8 must disregard that. You only consider what you heard
9 from the witness stand.

10 Again, as to the law, they have an opportunity to
11 speak to you concerning the law, what they believe I
12 will charge. I provided copies of my charge in
13 advance, but should their interpretation of the law be
14 different than mine, you have to be guided as I give
15 it to you.

16 If you would listen carefully. Mr. McCollum.

17 MR. McCOLLUM: May it please the Court.

18 THE COURT: Yes, it would.

19 MR. McCOLLUM: Thank you, Your Honor. Good
20 morning. In the beginning of the case I thanked each
21 and every one of you, and I want to do it again. I
22 thank you for being here. It is very important that
23 we have you here. It is a way we get these issues
24 resolved.

25 The State has attempted, done their best, done

CLOSING ARGUMENT - MR. McCOLLUM

1 what they thought was right or what they could do to
2 prove to you beyond a reasonable doubt that Teresa
3 McCracken-Hall shot her husband. Not only is that not
4 true, it is not proved. You have no -- it is said you
5 have no enemies to punish, you have no friends to
6 reward. You are the jury, you deliberate. You
7 examine the facts, look at the law and make a
8 determination about what happened and what the verdict
9 should be. You don't work for law enforcement. You
10 are not here to prove anything. Each and every one of
11 you is sovereign in your own right. Every one of your
12 opinions matter equally. Each and every one of you
13 have taken an oath to well and true try the case. The
14 foreperson's role is to do administrative things, but
15 each one of you has a duty to examine the evidence and
16 render a verdict which is true.

17 The verdict must be unanimous, in other words,
18 all 12 of you have to agree regardless of what your
19 verdict is. In this case, one of the largest problems
20 is the falsities that exists in the State's case and
21 theory of what happened. I'll go through the
22 inconsistencies and I'll go through issues, and just
23 remind you of things that we've heard. But first and
24 foremost, if you look at the case, it looks like,
25 based on the evidence that was presented or attempted

CLOSING ARGUMENT - MR. MCCOLLUM

1 to be presented, that somehow Teresa got into some
2 kind of altercation, and as a result of that, shot
3 Steve, okay. However, the evidence presented is that
4 someone walked down the hall into the bedroom, went up
5 to Steve, and shot him point blank and then went up
6 and shot him in the head.

7 If this were some kind of fight, some kind of
8 disagreement, family domestic disturbance, something
9 like that, for somebody who was described as -- well,
10 even somewhat reluctantly Teresa said in her statement
11 that, you know, he choked her or whatnot. You'll have
12 in the jury room these. This is the day, immediately
13 after that (indicates). She has no injuries. She has
14 no bruises. So the State would have you believe that
15 just for some reason that the same man who she married
16 years earlier, who then got injured and changed, who
17 she just remarried, she decided to deliberately go
18 shoot him twice, okay. It doesn't make any sense.
19 She left him once, she can leave him again.

20 I don't know exactly what their relationship was
21 like. I know that people argue. I know that people
22 disagree. I know when people drink, sometimes they do
23 things and say things that they shouldn't. I know
24 that. We all know that. Anyone that's been in a
25 relationship or married knows that. That is common,

CLOSING ARGUMENT - MR. McCOLLUM

1 common knowledge. So now what happens is you have
2 this theory of what happened, but it is just a theory,
3 not proof. It doesn't show you what happened, and
4 that is the State's duty.

5 Years ago -- I prosecuted a lot of cases. I was
6 told one time, you know, you over-tried the case,
7 Greg, but I wanted to present a witness on every
8 element, and I wanted to present another witness on
9 the same element so that, for you, the decision would
10 be easy. I never wanted you to have to solve my
11 problem, because maybe I don't know who did it. Maybe
12 I got the wrong person. Maybe I don't have the
13 evidence. Maybe something is suspicious, so let's
14 just put it on the jury, okay.

15 In this case, you have some odd things. The
16 offense happened July 17, around there, in the evening
17 of July 17th to carry over to after midnight on
18 July 18th, all right. Because the phone was found
19 in the morning, so someone ditched that phone, ditched
20 that gun somewhere in that period of time. That was
21 the time that Teresa was gone. So no one knows, --
22 nobody knows who shot Steve. No one knows who killed
23 him. The State jumped out there and said, Well, you
24 know, we don't see the doors kicked in. So that's an
25 easy example, of course she did it.

CLOSING ARGUMENT - MR. MCCOLLUM

1 The gaping hole in all of this proof, the gaping
2 hole, the deafening silence is that nobody knows where
3 the gun came from. Whose gun is that? It's not
4 Steve's. It is not Teresa's. Rest assured, if you
5 think that not one person testified, came in here and
6 said, you know, I know Steve, I knew him, he was this
7 kind of fellow, this kind of fellow, but that is his
8 gun. Do you think the police didn't question
9 everybody they could find, that's his gun, I seen him
10 with that gun. I have seen him with that gun, I know
11 it's his gun. Where does the gun come from? Was the
12 gun stolen? Was it a ditched gun? There was not one
13 piece of evidence regarding the murder weapon. It is
14 a ghost.

15 They put four divers in the water, in the dark,
16 in dangerous currents risking their lives, these fire
17 fighters (sic), and they find something, and then
18 beyond that, everything else they try to do, okay.
19 Now, if I have a gun and my friends know me, they know
20 I have a gun. They have seen it, heard me talk about
21 it, that is what people do. My paralegal, Michelle,
22 who was with us part of the week, she's got this pink
23 semi-automatic Glock. I've seen a picture of it.
24 I've never held it, but I've seen it, okay. I don't
25 mess with guns. I don't want to be around guns, okay,

CLOSING ARGUMENT - MR. McCOLLUM

1 but I know she's got it.

2 When you make a decision, when you talk about it
3 later, because you can't talk about the case now, but
4 when you talk about it later, say, you know, where did
5 the gun come from. I don't know, that's a mystery.
6 Well, what about the woman, the wife, did she have
7 blood on her? No. Did she get rid of the bloody
8 clothes? Did they find them bleached? Wet clothes in
9 the washing machine? Clothes in the trash can that
10 they couldn't explain? No. No. No. Really?
11 Really?

12 When you look at all of this evidence, I don't
13 think I have it here, but there is one of these
14 pictures right here of this poor man lying in a pool
15 of blood. If you look closely at it, you will see --
16 here it is -- State's 42, State's 42. This is a
17 picture of Steven Hall lying on the ground, foot of
18 the bed. If you look closely, what do you see? You
19 see blood, blood spatter, blood spray. This is more
20 like a professional hit, almost something you see in a
21 movie.

22 I remember one of the most gruesome things I ever
23 saw I think it was Robert De Niro or something,
24 because he played a bunch of terrible characters, they
25 were going to shoot someone, but he was -- he was

CLOSING ARGUMENT - MR. McCOLLUM

1 going to do this (indicates). You know why? Because
2 of the spray. What do they call it? Blowback blood
3 spatter. Because what happens when you get on someone
4 and shoot them (indicates), and then what happens
5 (indicates). That is not what happened. Somebody
6 shot him, shot him again to make sure he was dead.
7 And then what do they do? Look around. Where is the
8 casing? I'll look for the casing, look around and
9 make sure to close the doors and lock it up.

10 I don't know who killed him. I don't work for
11 the police department. We've had cases before where
12 we said wouldn't it be like in the movies that we
13 could solve it in my office, could solve it. I have
14 six employees. I have an investigator who does other
15 things, couple legal assistants, a great lawyer that
16 works with me, got some other people. Police
17 department has 250 people, other agencies, SLED. I
18 can't solve it, okay. If they can't solve it, it is
19 crazy to think that I can. So I don't know.

20 Look at the suspects, and there is rules about
21 some of that, so I can't go crazy with it. There is
22 testimony from Jacqueline McGurl -- think about this
23 -- she said, Oh, my husband is friends with him. And
24 Teresa's statement and other things that relate,
25 Friends who sued him? Over \$235? Steve, people in

CLOSING ARGUMENT - MR. McCOLLUM

1 the neighborhood who didn't like him. But Jacqueline
2 said, you know, they were friends. He would go over
3 there, no big deal. Jacqueline says this. She says
4 that she was so disturbed by that death that she
5 rearranged her living room so she didn't have to face
6 it anymore. Here is somebody she says -- personally,
7 I can't remember if she liked him or not. You have
8 the evidence there, but I don't think she particularly
9 liked him. She's crying, sobbing. This is so
10 terrible, I rearranged the living room because I don't
11 want to face the crime scene anymore; yet, shortly
12 after her neighbor's body was found in his home,
13 murdered, she was aggravated, perturbed, because the
14 police cars were blocking the roads. She had trouble
15 getting out of the driveway. You know why, because
16 they wanted to go fishing. They went fishing. Well,
17 interesting. I don't know if it had anything to do
18 with it or not. That is suspicious, inconsistent.

19 Speaking of Jacqueline, she says immediately
20 after the incident, Well, yeah, I think I did hear
21 something, sounds like a firework, a pop. The other
22 witness, Ms. Patrice Pate, same thing, pop, loud bang,
23 bang. What was that? I don't know. Usually
24 fireworks, it was after Fourth of July. We all hear
25 that. And then July 2013 goes by, now it is 2014.

CLOSING ARGUMENT - MR. McCOLLUM

1 July 2014 goes by, now it is July 2015, goes by. Then
2 somewhere, somehow, in the preparation of the case, a
3 different prosecutor gets an investigator and says,
4 you know, let's go reinterview these witnesses, and
5 they go interview them and they go, you know what, it
6 was two. There's two. He got shot twice, two. It
7 had to be two. She had to do it. It's two now. How
8 is that possible?

9 And then Ms. McGurl adds in there, not only that,
10 but the car came back over. So two years and two
11 months later, that's what happened. This is the case.
12 This is the case presented to you.

13 Now, Sabrina, who is a very fine woman, been
14 working the same job for 30 something years, married
15 30 years, good night, what a person, okay. I didn't
16 give her any clothes to wear, she wore my sweatpants
17 because the house is cold. It is my sister's shirt.
18 If she really wanted to be dishonest, look, is that
19 the shirt she had on on that night? Who could say
20 that, Greg? Who could say that? It is her shirt, she
21 wore it back. I didn't give her any clothes, she
22 didn't wash any clothes, she didn't do anything.

23 So now we have the most startling actions in the
24 history of somebody who killed somebody, and that is
25 after this (indicates), I'll just keep it on, sister

CLOSING ARGUMENT - MR. MCCOLLUM

1 will see it, nephew will see it, my daddy will see it.
2 Not only that, but I know there it is a body over
3 there, and I'm going to find it and stage it up like I
4 just found it, and I'm going to wear the same shirt.
5 That is astounding. It is beyond a reasonable doubt
6 unbelievable. It is beyond believable that someone
7 would do that.

8 In terms of Sabrina went and got water -- excuse
9 me, Teresa went and got water, and so they say, oh,
10 that is when you did something. You ditched a gun or
11 hid the phone, or whatever. Sabrina said, You know,
12 she wasn't gone all that long. The thing about
13 getting the water, she forgot her purse, so she comes
14 back, and we talked about. She gets water in the
15 refrigerator, okay, well, great thing, she was just
16 gone about 10 minutes.

17 Mr. Hixson, who is a very fine lawyer, who is a
18 prosecutor with decades of experience, he says, Your
19 son, Jacob, was blowing up your phone because the car
20 was gone. That is not in evidence. I started to
21 object, and I was like, Let's go. He can
22 cross-examine. That is not in evidence. If it is in
23 evidence, I don't know it. His theory is a good one.
24 His theory is great. Your son is next door, and he
25 can't see the car, so he thinks you are gone. It is a

CLOSING ARGUMENT - MR. McCOLLUM

1 great theory, but no proof. To do that and consider
2 it, you have to bring the kid in here and testify.
3 Yeah, can't see the car, that is why I was doing it.
4 They could subpoena anyone they want. We don't know
5 anything about where the car is normally parked, where
6 Teresa would have parked, if the -- who knows. It is
7 just -- I mean, it is just a theory, unsupported
8 evidence. This is what you look at. This is a court
9 of law; we look at evidence. We deal with evidence,
10 you deal with evidence.

11 Sabrina testified that she didn't see Steve when
12 she got back or got -- went and picked her sister up.
13 She didn't see him. Did you see him? No, I didn't
14 see him. I'm sure they'll play it back, and if I'm
15 wrong, I'm wrong. But the part that I heard, if I
16 have this right, they told Sabrina, I think Detective
17 Lent, who has done all he can. He's done his job.
18 I'm not critical of him. I like Detective Lent. I
19 like all of these people. We're friends, I know these
20 people.

21 So you didn't see him? Did you hear anything?
22 Let's think about this for a minute. What does that
23 mean? Did you hear anything? Well, yeah, I heard
24 gunshot. I heard someone breaking in the door,
25 singing, yodeling, something, heard something strange.

CLOSING ARGUMENT - MR. McCOLLUM

1 Now, I don't think they asked Sabrina, Did you hear
2 Steve talking, because we think he was dead when you
3 came over. That's different. She doesn't know what
4 Detective Lent knows. She doesn't know what Jill
5 Domogauer knows. They keep that from people on
6 purpose. She doesn't know their theory. They don't
7 tell their theory, okay, for several reasons,
8 investigative technique, not to taint the case. But,
9 look, in my opinion, should have asked, all right.

10 Now, there was a suggestion to Jill Domogauer,
11 look, that is not a lady's shirt, what lady would wear
12 that shirt? Their own witness said, Look, I'd wear
13 it. You know, I'm not doing anything, not working,
14 I'll wear it. Motive. Motive. If the motive is he's
15 abusing her and there is a fight, there is no evidence
16 offered of that. What is the other motive? She lives
17 with him. She doesn't work, is the testimony, so she
18 must be supported by him. She doesn't stand to get
19 anything. There is no evidence that there was some
20 life insurance policy that puts the house in her name
21 in case something happened to him, that she's gets
22 something, joint bank accounts, none, whatsoever.
23 Nothing. She just turned pure evil and went in there
24 and shot him.

25 I don't know if they'll replay the testimony

CLOSING ARGUMENT - MR. MCCOLLUM

1 about cooking tacos or not, but Frebowitz consistently
2 said, He was cooking tacos. She said, No, he had the
3 stuff out. He wasn't cooking tacos. They kept coming
4 back, you left when he was cooking. At one point I
5 think she said, yeah, meaning cooking or eating,
6 versus cooking, you know. Like I ask my wife, Are you
7 cooking? Yes. When? For her, When I get ready to.

8 All of that has to fit together perfectly for the
9 case to even start making a little bit of sense, and
10 it doesn't. I'm almost finished. After I finish, I
11 think Mr. Hixson is going to speak to you, and the
12 judge will talk to you, and then it is your case. If
13 I've gone on too long, I'm sorry.

14 The State has a burden of proof. Teresa is
15 presumed innocent. The judge will tell you that.
16 State must prove guilty beyond a reasonable doubt.
17 Reasonable doubt is the highest standard known to
18 American law. If somebody hits your car and you get
19 hurt or someone signs a contract and they don't honor
20 it, or something like that, it is a civil case. If
21 you go to court and you have the scales of justice,
22 and you put a little weight on it so it moves, you
23 win. It is called preponderance of the evidence,
24 okay.

25 There are other things where it is clear and

CLOSING ARGUMENT - MR. McCOLLUM

1 convincing, and there is reasonable doubt. It can't
2 be a hundred percent, because we're human. So it has
3 to be that, beyond a reasonable doubt. It is defined
4 so many different ways. It is a doubt that would
5 cause a reason person to hesitate to act. In other
6 words, you have a relative or something, they are
7 going to go in and have brain surgery and somebody
8 says, you know, I think someone had a problem with
9 that doctor. Now, wait a minute, let's get a second
10 opinion. I'm hesitant. It is important. I'm
11 hesitant. I'm going to hesitate to act, okay.

12 The other thing is this. This is a
13 circumstantial evidence case, which means that they
14 don't have blood on the killer's shirt, don't have
15 fingerprints. They don't have someone that stepped in
16 the blood and tracked it to the car. They don't have
17 a situation where someone put a bloody gun in a purse
18 and carried it around with them. They don't have any
19 of that. They don't have any of that. They didn't
20 have any witnesses.

21 They have a circumstantial case, and His Honor,
22 Judge Hyman, will tell you the law. I told you this
23 in the beginning, to the extent that the State relies
24 on circumstantial evidence, all -- not some, not part
25 -- all of the circumstances must be consistent with

CLOSING ARGUMENT - MR. MCCOLLUM

1 each other, and when taken together, point
2 conclusively to the guilt of the accused beyond a
3 reasonable doubt. If these circumstances merely
4 portray the defendant's behavior as suspicious that
5 proof has failed. That is the case.

6 Thank you. I appreciate you being here. Teresa
7 is grateful that you are here. We're very thankful to
8 have you. It is your case. We trust you to make the
9 right decision. The only verdict in this case, the
10 only possible verdict you could ever come up with,
11 with these circumstances, none of which create any
12 kinds of case, whatsoever, the only verdict possible
13 is not guilty. When you find her not guilty, no one
14 can question that. You don't ever have to talk about
15 the case. You can talk about it if you want to, but
16 you don't have to explain it to anyone. You don't
17 have to explain it to me, them, the judge. You don't
18 have to explain it to the news. Anyone bothers you,
19 the judge will have them arrested, okay. It is -- you
20 have that obligation. No one asked you to do this,
21 and no one is going to let anyone mess with you as a
22 result of you reaching a fair and trust and true
23 verdict.

24 Again, thank you. You see me at the grocery
25 store or Walmart or something, come up and say

CLOSING ARGUMENT - MR. HIXSON

1 something to me, hey. We believe in you, we're
2 grateful for you and we're thankful for your service.

3 MR. HIXSON: Beg the Court's indulgence for a
4 moment?

5 THE COURT: Yes, sir.

6 (A brief pause in the proceedings.)

7 MR. HIXSON: May it please the Court, Your Honor.

8 THE COURT: Certainly.

9 MR. HIXSON: Out of control. I was out of
10 control and I slapped him in the face, that is what
11 Ms. McCracken talked about what happened in her past
12 to the victim, Steven Hall. I was out of control. I
13 was drinking. I was drunk and was out of control. He
14 didn't get shot that night. Steven restrained her.
15 Probably didn't know she was capable of squeezing her
16 that tight. She was out of control and drunk.

17 So Neil Frebowitz asked her in the interview, in
18 the transcript you all were provided and read, he
19 asked her, Last night you were afraid it was getting
20 ready to happen again, weren't you, because that is
21 why you left so quick.

22 Now, when you read that, socially we assume the
23 aggressor is going to be the male, right? It is the
24 female. She said, Yeah. Yeah. Frebowitz asked, You
25 were afraid it was going to happen again, not that she

CLOSING ARGUMENT - MR. HIXSON

1 was going to get hit, but that she was going to be out
2 of control again, and she says, Yeah, you're probably
3 right.

4 The next day -- or next page of the transcript,
5 she was asked, Were you afraid of Steve? No. The
6 dogs were getting really upset and I was getting
7 nervous. Remember, she has nerve problems. I was
8 getting nervous. Would Steve ever hurt you? Not on
9 purpose. Not on purpose.

10 And the most interesting part, closest, if you
11 recall what Greg Lent said about what his goal is in
12 an interview or interrogation, it's to get a
13 confession, what happened out of the person that did
14 it or is accused of doing it. This is as close as she
15 comes an hour and 30 minute into the interview. She
16 says, And maybe hanging around wasn't the thing to do.
17 I thought I would just go before -- and she pauses --
18 because I had started drinking beer and -- she was out
19 of control, and Steve ultimately paid the price for
20 that.

21 You know -- this isn't working now. Of course
22 it's not. It is not working.

23 THE COURT: Do you need a moment?

24 MR. HIXSON: I guess so. We tested it.

25 THE COURT: The jury has been there for a good

CLOSING ARGUMENT - MR. HIXSON

1 hour. I suspect you will be awhile. Let's take 10
2 minutes and get your program, if you can, realigned..
3 Let the jury have a quick break, refresh themselves
4 and we'll come back in. I hate to break you up, Mr.
5 Hixson.

6 MR. HIXSON: That is okay.

7 THE COURT: But you were just getting started.

8 MR. HIXSON: That's okay.

9 (The jury exits at 10:50 a.m., and the
10 following is heard out of the presence of the jury.)

11 (A recess was taken.)

12 (The jury enters at 11:00, and the following
13 is heard in the presence of the jury.)

14 THE COURT: We have our jurors back.

15 MR. HIXSON: Thank you. I apologize for the
16 technological failures.

17 THE COURT: It's okay.

18 MR. HIXSON: We discussed the contents of
19 Ms. Hall's statement, I believe, prior to my
20 mechanical failures. We were talking about the fact
21 that Ms. Hall was out of control that night, not
22 Steve. That is what is difficult to understand about
23 this case. This case is a domestic violence case,
24 plain and simple. It always has been, and always will
25 be. This is not a perpetrator entering someone's

CLOSING ARGUMENT - MR. HIXSON

1 house. It is domestic violence. It is an absolute
2 insidious, infectious, viral crime. It is unlike any
3 other crime there is. The reason why is -- it is
4 pretty simple when you think about it. Domestic
5 violence is a secret crime, because what happens
6 between two people is very rarely seen. It is rarely
7 pulled back to see what the interaction between two
8 people are. If a neighbor is hiding in a bush with a
9 crowbar, they are going to call the police. If you
10 see someone parked in a car and doing hand-to-hand
11 drug transaction, someone will call the police and say
12 stop that. When you are yelling and screaming in
13 someone's house, leaving, the sister coming and taking
14 her away and coming back when everyone is calmed down,
15 no one intervenes. People won't stop and call. You
16 know how they are. It affects both parties.

17 People get used to a certain level of abuse, that
18 is just Saturday night. He's in there yelling, she's
19 out there on the porch drinking a beer, just another
20 Saturday. If it was any other kind of crime, people
21 would intervene. Sisters would stop it. Neighbors
22 would stop it. Police would come out. Not domestic
23 violence. That is why it goes unreported.

24 The other thing that is insidious about domestic
25 violence is it is personal. We don't know why, but

CLOSING ARGUMENT - MR. HIXSON

1 someone you swore an oath of love and to cherish
2 through sickness and death, through anything, they are
3 more inclined to treat a perfect stranger that you've
4 never had a relationship with, never had children
5 with, far nicer than when you get home and close the
6 door and let them have it. It is a personal thing.
7 It might be because you take out all of your problems
8 you feel about yourself on your spouse, the one
9 closest to you. Everything you have a problem with,
10 you dump on that person. So I'm nice over here, but
11 when I get home, I don't like where I am and I'm going
12 to let you have it. That is why domestic violence is
13 so insidious, and intoxication and drinking doesn't
14 help; it makes it worse.

15 It infects, spirals and spirals and spirals and
16 gets worse until there is a moment where everything
17 changes. And everything changed on July 17, 2013.
18 Bam, bam. Nothing will ever be the same now. It is
19 not a little problem, it is a murder now. Why do we
20 know that's what happened? Well, unfortunately,
21 domestic violence is a secret crime between husband
22 and wife in the bedrooms, in the locked house, in the
23 kitchen, no one else gets to see what is going on. So
24 we piece it together by what is surrounding it in
25 order to determine. Domestic violence isn't a case

CLOSING ARGUMENT - MR. HIXSON

1 theory. It is not some secret high tech interview
2 tactic where Horry County Police is going to try to
3 make people think something that is not true.
4 Domestic violence is a virus that poisons and kills.
5 It is not an interesting concept that you go to
6 schools to train how to deal with. It is a society
7 plaque. The result is death of husbands in the
8 bedroom, that is what domestic violence is.

9 Why do we know that is what it is and not
10 something else? One of the first things you do is
11 think about what else could it be. Someone try to rip
12 off TV because they have a drug habit? Did someone
13 rob for financial gains?

14 When someone is killed face-to-face by someone
15 else, it is very, very personal. When someone stands
16 away and shoots someone, runs away, they don't have a
17 reason to go up to that person, that person is just in
18 their way. When you put a gun to someone's head and
19 see them die, you are mad at that person. There is no
20 forced entry into this, and there is no financial
21 motive for what happened, absolutely none.

22 Let me talk about why we know that. We knew
23 Steve was a very private person. How do we know that?
24 She talked about it in her statement. She talked
25 about the fact that no one had access to their house.

CLOSING ARGUMENT - MR. HIXSON

1 Steve locked the door obsessively. On two separate
2 occasions we heard he has excessive compulsive
3 disorder. He habitually locked the doors. He is a
4 very organized person, and we'll talk about that as we
5 look. Line after line, he has receipts stacked, pens
6 lined up on his dresser. He's not letting anyone in
7 the house, and Teresa acknowledged it. Does anyone
8 have access to the house? No, he keeps the doors
9 locked and I have the key. He has the key. He is not
10 letting anyone in that house.

11 I'll point out another thing in case I forget,
12 because we have so much to talk about. Teresa that
13 night said I wanted to get myself -- I wanted to make
14 a proper choice and not get in trouble with the law or
15 anything, that is what she told him why she left the
16 house. I wanted to make a proper choice and not get
17 in trouble with the law. No one else had access to
18 the house. That car came to the house from the sister
19 like many times in the past, get me out of the house.
20 It was different that night because Betty and the
21 little dog, and I forget the name, went with her.
22 That is the only indication that -- Sabrina picked
23 them up like a hundred times before. Teresa came out
24 of the house, she didn't get out of the car, according
25 to Jackie McGurl. The most she could get to was the

CLOSING ARGUMENT - MR. HIXSON

1 gate. Sabrina was cross-examined and acknowledged
2 that, of course we understand with Sabrina on why it
3 is the most important day in her sister's life, and a
4 big sister will do what she can to help, and I
5 understand that motivation. It is uncontroverted
6 prior to Sabrina's third statement, now three years
7 later, that she walked out of the house, never saw
8 Steve, never heard Steve and got in the car. Let's
9 talk about motivation. We get to the house and the
10 person in the front door -- the door is locked, puts
11 the key in it and turns it. So whoever locked it, it
12 is locked. No forced entry on the front door. Chain
13 is pulled. We know no one broke into the house.
14 Beyond a reasonable doubt, no one broke in that house.
15 Inside and outside on the patio doors, no forced
16 entry, doors locked and secured just like Steve does.
17 Financial motivation for the crimes don't exist.
18 Big screen TVs, jewelry boxes, another big screen TV.
19 It is not a crime for financial motivation. Jewelry
20 watches, pretty nice watch. Look at the pens lined
21 up. He is a squared away man. Stacked receipts.
22 Also likes to ride motorcycles, his little motorcycle.
23 There is no sign of struggle there. The only thing
24 that sickens you is Steve's blood on the dresser right
25 there. You heard Dr. Proctor testify that if you get

CLOSING ARGUMENT - MR. HIXSON

1 shot in the lung, you can survive, that if his wife
2 would taken him to the hospital, he would have
3 survived that. So he's spitting blood out of his
4 mouth. Spitting blood out of his mouth. He has blood
5 on his hands and shirt because his chest wound is
6 bleeding badly. He could probably talk right then,
7 but not after the second shot.

8 There was blood all over the crime scene. That
9 is from blood, from his mouth. He realizes this thing
10 stepped up, big time this time. Financial motivation
11 for the crime? Nice big TV there, Steve's taco plate
12 sitting on the bed. One of the more compelling ones,
13 Visa cards right there, pill bottles right there. If
14 you have a drug addict coming to someone's house
15 taking pills, they'll take credit cards, big screens
16 or anything they can, because they are trying to
17 compete with their own habit, watches, personal
18 belongings, everything perfectly squared away just
19 like Steve likes to keep his stuff, except Steve has
20 an obvious problem.

21 Steve has taco meat sitting on the counter.
22 You'll receive all the pictures. You'll be able to
23 get a look at them. Anyone that forgets to put their
24 stuff away in the refrigerator at night, pizza, taco
25 meat, you'll recognize the level of crust where it was

CLOSING ARGUMENT - MR. HIXSON

1 sitting on the counter. Those photographs would have
2 been taken July 18th, about 24 hours after the
3 defendant left the house. They are crusty and dried
4 out, sitting on the counter. No one has been in that
5 house.

6 Interestingly enough, Steve, as organized as he
7 is, got his one drink stir right there and taco shells
8 and a plate, empty plate. Is that Teresa's
9 anniversary dinner there? Because we know one thing,
10 Steve knew his killer, absolutely knew his killer.
11 All front doors are locked, back doors are looked,
12 side doors are intact, windows are locked. We'll talk
13 about the fact that Steve was 6 foot 2, 250 pounds,
14 big man and guns in the house. He had a shotgun right
15 behind the door, right? Steve didn't make it more
16 than a foot off his bed before he was shot and killed.
17 Did anyone come to the house that he didn't know was
18 coming, that he would sit there and take a bullet to
19 the head because some strange drug addict saw his
20 buddy collect a debt and shot him? All through the
21 house, all through, there by himself, OCD, doesn't
22 think, walks up to him and shoots him. He has a
23 shotgun behind that door, and he doesn't go for it?
24 Just takes a bullet and dies? Impossible. That is
25 not reasonable. That is unreasonable.

CLOSING ARGUMENT - MR. HIXSON

1 Steve knew the killer. Interestingly enough, so
2 much of this is common sense, look at the way the
3 pillow is propped up on the bed. This one is down,
4 but this one is up. Steve is sitting in his bed
5 watching his TV on top of there, Teresa talks how he
6 liked to eat dinner in bed and watch TV, that is in
7 the statement. In his right hand, there is the second
8 plate. Teresa's plate is on the counter, his is there
9 with tacos, onions and you notice it has been eaten.
10 Steve finishes dinner, because there is no taco
11 anywhere else.

12 So we have a little time problem here, don't we?
13 He wasn't just cooking dinner. Something was going on
14 a little bit longer than that. We look at this, a lot
15 of this coloration you'll see is purple drink; it is
16 not blood. This is blood; that is the purple drink.
17 When Steve was confronted by the gunman, what did he
18 put in his hands? He put a shotgun in his hands. Did
19 he stand up and say, Who's there? He still had a
20 napkin in his hand with taco grease on it. He has a
21 taco napkin in his hand, and in his other hand he had
22 a napkin wiping his face. He knew the person who
23 killed him; he married her.

24 That is a more detailed scene of the location of
25 the plate where he had his tumbler with purple drink.

CLOSING ARGUMENT - MR. HIXSON

1 Remember, Teresa said he made him a tall drink. We
2 also know looking at the condition of the sink there
3 is no way that a man that is organized lines up the
4 tips of his pens across the counter and would not wash
5 his dishes right after he was done. Would he spill a
6 drink on the floor and lay there? He hasn't had a
7 chance to eat dinner, because that sink is spotless.
8 The only thing in there is from him cutting the
9 tomatoes with the knife and onions and the plate.
10 You'll look at the pictures and see them more in
11 detail.

12 Let's talk about the forensic pathology. I don't
13 want to put the close-up pictures on the scene. We
14 have family members and things, and those are tough
15 enough to see on the screen. You heard Dr. Proctor
16 specifically testify to what he believes how long Mr.
17 Hall had been down on that ground. There are
18 photographs that he identified and looked at the
19 photographs. If you recall, he was talking about
20 livor mortis. We call it "rigor" or "lividity" in the
21 blood. That comes from the pooling of the blood.
22 When a body is in a particular position for a long
23 time, the blood is actually liquid for awhile, but as
24 the body begins the effort of, unfortunately, dust to
25 dust, the liver mortis sets it, becomes fixed. He

CLOSING ARGUMENT - MR. HIXSON

1 looked at the pictures, and the fixed lividity of the
2 body, he estimated in his professional opinion that
3 body was dead for 24 hours. That is the expert
4 opinion of a pathologist, 24 hours.

5 The 911 call came in at 7:37 p.m. I'm not good
6 at math, but 24 hours is around 7:37 the following
7 day, 7:17. So it is not an absolute number, not
8 precise, it is a range. Of course environmental
9 factors, air conditioning, all of that stuff may
10 affect it. But 24 hours, give or take hours on both
11 sides, is a pretty good number, right. So we're not
12 talking about in the morning, we're talking about 6:30
13 to 8:30, hour on either side, 23, 26. That's fine,
14 that is all consistent, right.

15 Let's talk another way we fix the time of death.
16 If you remember, and you will get a chance to look at
17 them (indicates). We took judicial notice of legal
18 sunset, of course it's the United States Naval
19 Observatory, 7:26 p.m. on July 17 of 2013. 7:24 is
20 sunset. So it is not dark yet. We have time after
21 that, but that is a pretty good indication. Sun is
22 down, but still light out, but we know sunset is 7:24.

23 How else can we fix that time? We have Ms. Pate,
24 the neighbor around the corner that says she hears pop
25 or pops. She testified she heard two pops, but it is

CLOSING ARGUMENT - MR. HIXSON

1 uncontroverted that she heard at least one pop,
2 uncontroverted. So we can argue one or two, and we'll
3 address that in a second, but she heard one pop. She
4 testified she heard two.

5 Interestingly enough, it was coming from the
6 direction of the defendant's house. Wasn't coming
7 over here. Because if you recall, she testified she
8 said she lived over this way and the McGurls lived on
9 the other side of the house. So if you imagine a
10 triangle, Ms. Page is here and she hears the sound
11 coming from over. Ms. McGurl is here and she hears it
12 coming from here, to the side of the house where the
13 bedroom is. She said it was the backside of the
14 house, not the front, because she knows where the
15 front of the house is.

16 So two folks that don't have a dog in this --
17 well, defense wants to think that Ms. McGurl has a dog
18 in this fight. She has no dog in this fight. She
19 said she heard a pop. I can assert to you that, thank
20 goodness, we live in a country of community that's not
21 that violent. But if you live in a violent community
22 and hear a pop, or live in a war-torn country, you
23 assume it is a gunshot wound, not a firework, because
24 you are trained to hear that. We live in a peaceful
25 place so we don't assume murders are happening in our

CLOSING ARGUMENT - MR. HIXSON

1 neighborhood. When we hear a pop, we assume it is a
2 firework. It can't be a gunshot wound. It can't. We
3 can't process that level of violence because we don't
4 see it on a daily basis.

5 So when we try to rationalize what it is we think
6 we hear, it is a firework, got to be. I know it was
7 during the daytime. Ms. McGurl said it doesn't make
8 any sense it was a firework, there wasn't any fizzle.
9 Remember, Ms. Pate said it was a clean sound, it was a
10 clean sound. Pop. We assume it has to be. I don't
11 know if when you hear pops you write down -- well,
12 because of what I do, I start writing down times, but
13 prior to this, you hear a pop, that is a firework. We
14 have a firework, because it couldn't be a gunshot
15 wound. We don't live like that, so no one was struck.
16 By the time they see police cars, you think is that
17 another fight or something. No. There is more cars
18 coming. Crime scene is coming. Something really
19 happened after that.

20 Ms. McGurl said she saw cars over there and left,
21 she didn't know what happened. It was only until
22 after we find out, oh, my goodness, there is a coroner
23 coming, something happened more serious. Those of you
24 familiar with guns, or not, Steve Hall is 6 foot 2,
25 250. If you have hunted and stuff, you understand the

CLOSING ARGUMENT - MR. HIXSON

1 size may dictate the size of the bang. The smaller
2 the round, the smaller the sound. The bigger the
3 round, the more gun powder was held in it. A .45 ACP
4 or hunting rifle, such as a 30-06, boom, and it
5 rattles your teeth. But a .32 caliber pistol, that is
6 a little pop. A little pop, not a big boom.

7 One of the more distasteful things about this,
8 and there is no other way to get to it, Mr. McCollum
9 had referred a couple times of all of these vicious
10 visuals what might happen. You guys have seen
11 gangster movies where they put the pillow up to the
12 victim and shoots. Why do they do that? Well, the
13 functional effort of that is it muffles it. It
14 doesn't silence it, but it muffles the gun. Gasses
15 come out of the end of the barrel, and the pop you
16 hear, if you could slow it down, you hear a small
17 detonation from the primer, a larger one when the
18 powder from the casing fires, but the big pop or boom
19 is when the gas is escaping the barrel and the bullet
20 comes out releases the seal and pops. When the gasses
21 actually go into another body, like a pillow, the
22 gasses escape, slower, and the pop isn't as big, and
23 distastefully as it is, that press contact wound on
24 Steve Hall's head means that the gasses actually
25 expanded inside his head just like a pillow and it

CLOSING ARGUMENT - MR. HIXSON

1 muffles the sound of the weapon to a degree. It won't
2 silence it. The manner that killed him also quieted
3 the round that killed him. So is it any surprise in
4 the number of shots? They said two, that is what they
5 said, and denied saying one. There is no question
6 that two individuals heard at least one shot coming
7 from the same direction between 7:00 and 7:30, that is
8 beyond a reasonable doubt. There is no question to
9 that. We can talk one or two, but there is no
10 question between 7:00 and 7:30. Sunset is 7:24 that
11 day. That is proof beyond a reasonable doubt,
12 although gotten through circumstantial evidence, that
13 Steve Hall lost his life around 7:30 p.m. on July 17,
14 2013.

15 Unfortunately, the nature of the wound may have
16 caused that second shot to not be quite as loud.
17 Isn't it kind of odd that what caused his death causes
18 the problem in the case? We talked about the wounds
19 relating to -- the point I wanted to bring up on this
20 is that Dr. Proctor indicated that that wound would
21 put him down. With the chest wound, he would be
22 mobile. He has blood on his hands, blood on his legs.
23 He has blood here, blood on the dresser. The first
24 shot was here, not here because he would be on the
25 ground the first shot.

CLOSING ARGUMENT - MR. HIXSON

1 When you see the blood spatter, you will -- I
2 apologize again -- you will see blood on his legs,
3 blood on the back of his hands, blood here, blood on
4 this napkin. There is blood on the taco napkin.
5 You'll see taco grease. Anyone who cooks taco beef
6 you'll know that the beef fat in it turns -- because
7 of the paprika and seasoning in the taco packet, it
8 turns orange, you'll see orange on that napkin, but
9 there is blood on that napkin too. If the first shot
10 was to the head, he never would have blood on that
11 napkin. He had a napkin in his hand when he got shot
12 in the chest, that is how it is transferred to the
13 napkin. He was talking wondering why Teresa just shot
14 him.

15 Now, let's talk about this. We know beyond a
16 reasonable doubt that the orientation of this room --
17 if I can use the courtroom to express it -- the front
18 door to the bedroom is here. The bed would be in this
19 location (indicates). Mr. Hall is lying that way.
20 His wound is from left to right, press contact, exit,
21 bullet lodges in the wall, all right. Steve Hall is
22 taller than Teresa, 6'2". That bullet hits right
23 where that trajectory rod is right there, hits about
24 knee high on that wall.

25 In order to get -- I'm about 6'2". In order to

CLOSING ARGUMENT - MR. HIXSON

1 get this high from a lower shooting position, the
2 bullet is in the ceiling, right? It has to be. That
3 is where the drink spill is. That is where the blood
4 letting is, because that shot put him down, bent over
5 at the knees, and he's like this suffering from a
6 gunshot wound, and that is when that one gets it,
7 boom, boom, boom, boom, straight through the line.
8 That put her firing position right about here. That
9 is the drink that Teresa said that he made.

10 Let's talk about the elements of the crime before
11 we tie up loose ends. It is pretty short because it
12 is pretty apparent. This is a who-done case, not a
13 self-defense case or something. This is a straight up
14 and down did you intend -- did you do the act that you
15 intended to do. Murder is defined as an unlawful
16 killing of another with malice aforethought. Short
17 definition for such high consequences. Murder is
18 killing of a human being with malice aforethought.
19 There is no question that Steve Hall was a human
20 being. No question beyond a reasonable doubt that he
21 lost his life on July 17th, that is established
22 through timelines with witnesses, gunshots, as well as
23 with Dr. Proctor that death was that time.

24 The question is malice aforethought. Did you
25 intend the act you did? Well, aforethought can happen

CLOSING ARGUMENT - MR. HIXSON

1 in a squeeze of a trigger. The use of a deadly
2 weapon, you can infer malice by that. For instance,
3 if I was messing around with a lawn mower and ran over
4 someone and they lost their life, I intended to mow
5 the yard, but I didn't know that I intended the act
6 that resulted in that. I'm not guilty of murder, I
7 did something else. If you pull a gun out, malice is
8 absolutely present by the intent of pressing the
9 weapon against a person's head and taking their life.
10 That is it, the definition of implied malice, boom,
11 over, done, lights out.

12 If you don't believe that, if it is an
13 accident -- the first one might be an accident,
14 playing with a gun, I was cleaning my gun and it went
15 off and hit Steve. Not that second one, boy. That
16 second one means proof beyond a reasonable doubt that
17 you did the act that you intended to do. That is
18 murder. There is no question this is murder. The
19 only question did she do it, so let's go through those
20 steps.

21 We've established that the only person at the
22 house at the 7:30 that night, by the defendant's own
23 testimony, is Teresa and Steve Hall, only ones there.
24 She's at the crime scene at the time he dies. Someone
25 else had to do it? But she was there. We'll talk

CLOSING ARGUMENT - MR. HIXSON

1 about the phone records that prove she was there at
2 8:42 p.m. She's in the house with him for almost an
3 hour cleaning it up, changing her clothes, taking a
4 shower, whatever she has to do, picking up shell
5 casings. The phone calls will be in succession 6:30,
6 7:30, 8:30, 8:35, 8:44, Come get me. Come get me.
7 Come get me. Where are you? She's trying to get out
8 of the house.

9 So let's talk about the cleanup. Steve Hall is
10 dead, bullet wound to the head, out of control, drunk,
11 another argument, I want to get out of the house
12 because I knew what would happen if I stayed in the
13 house, it was going to happen again. Interestingly
14 enough, sociologically one of the toughest things to
15 come to grips with, right or wrong, is we have
16 stereotypes, right or wrong. We see them on TV a
17 hundred times, a man sitting on the sofa with a big
18 belly drinking beers, watching football, and the poor
19 young lady is in the kitchen cooking. He's watching
20 TV, screaming, Get me another beer. Get me another
21 beer. She's doing the best can. He's bitching about
22 what she's cooking for dinner, I don't want that, you
23 know I don't like this stuff you cook in that chicken.
24 We've heard it a hundred times.

25 If that were the facts of this case, if the

CLOSING ARGUMENT - MR. HIXSON

1 genders were reversed, you would be there right now.
2 But just for a second, let's say Tim McCracken instead
3 of Teresa. She's sitting on the front porch playing
4 poker on her cell phone, drinking a beer. What is
5 Steve doing? In the kitchen cooking tacos. What does
6 she say, I don't want tacos, I don't eat MSG, you know
7 I don't. I'm playing poker on my cell phone, you cook
8 dinner. It is our anniversary, happy anniversary. If
9 that was Tim McCracken saying it to a female, it would
10 be obvious, wouldn't it.

11 It just doesn't strike us that a female could be
12 doing that to a 6 foot 2 male; doesn't make sense.
13 But if you didn't know the genders, your mind would
14 say, playing poker on the phone, drinking beer, dang,
15 cook me something to eat. That is what happened.
16 That is what happened by her own statement. Coming
17 from a lady, it doesn't seem like that's right.

18 So the cleanup. Steve is dead, got the cell
19 phone in there. We have shell casings on the floor,
20 and perhaps gunshot residue and perhaps blood on the
21 clothes, right. Perhaps we do. Probably does. Let's
22 assume we do. She's got to get out of the house.
23 She's got to. She lost it, out of control, went a
24 step too far, serious problem.

25 Now, she did call her sister, who heard Steve

CLOSING ARGUMENT - MR. HIXSON

1 alive in the background on the first phone call. If
2 you recall what Sabrina said to extend the timeline,
3 trying to create the defense's theory of the case --
4 and we have been accused of fabricating theories and
5 all this stuff, but that is a fabrication of a theory.
6 I understand, he has a job to do, and I appreciate
7 that, but giving two consistent statements saying I
8 never heard Steve in that house, I heard him on the
9 first -- second phone call, the 6:30 phone call I
10 heard him in the background, I didn't hear him after
11 that.

12 Specifically what was said on cross-examination
13 was she called me and asked me to bring -- this is
14 what I crossed her on. My sister called me from his
15 cell phone. So Teresa called Sabrina at her house
16 from Steve's cell phone. I'll show you the records on
17 the screen here. That happened at 8:42, right. She
18 called me and asked me to bring my charger for the
19 cigarette. Later on, she called me back, and then she
20 gets confused and she said, Will you come get me.
21 Then she said, No. No. No. You called her back on
22 Steve's phone? Yes, I did call her back on Steve's
23 phone because that is where she called me from. But
24 prior to the first call, where she heard Steve on the
25 cell phone, which is actually 7:30, that is the second

CLOSING ARGUMENT - MR. HIXSON

1 call at 7:30. So she said, After I finished my dad's
2 checking account and finished dinner, and everything
3 was okay, well, I called her before I left the house.
4 I called her back on Steve's phone.

5 So the phone call that you will see in the phone
6 records, when Sabrina leaves the house to go pick her
7 up, is the phone call from Sabrina to Steve's cell
8 phone, okay. I know it is a lot, and I'll show it on
9 the screen so you'll understand. The cigarette
10 charger call that you see is from Teresa's phone at
11 7:30. That 7:30 call is where you hear Steve in the
12 back. She said I didn't hear him after the second
13 call.

14 Then she called a second time after that, and
15 then I called her back after that. We know that is
16 the case beyond a reasonable doubt because she makes
17 an interesting mistake. It is interesting. There is
18 no phone records of them playing poker, but they said
19 they played poker. That is at 6:30. And then 7:32, I
20 need a cigarette charger, and she hears Steve being
21 loud in the back. The next call you get is at 8:00.
22 These cell phones are identical. If I could hand
23 these to you and ask you to call on Steve's phone,
24 which one is it? I don't know. I can assert that
25 after she shot her husband, she didn't know which one

CLOSING ARGUMENT - MR. HIXSON

1 it was either. All she know is that she had to clean
2 stuff up. There is no case or anything that this was
3 pink from blue. Those phones are exactly the same. I
/ 4 think she made a big mistake.

5 Talk about the timeline. I can point to it so
6 you can see what I'm talking about. The sister comes
7 like a thousand times before. She's at the door with
8 the dogs, getting out and leaving. What was different
9 that day? Jackie McGurl said Steve would never let
10 that dog out of his sight. We have testimony, and
11 some controverted, our witness indicated that if he
12 needed to go to a doctor's office or someplace else,
13 other people would hold him for him, but if he
14 couldn't take the dog, he would have him, keep him.
15 Can you imagine a time that Steve Hall would need his
16 dog more than any other time than if he just had a
17 blowout argument on his anniversary with his wife?
18 That is all he has then. It is his anniversary,
19 screaming at him over tacos, he ain't letting that dog
20 out of the house.

21 She takes the dog, meets the sister at the car,
22 it happened quick, according to Sabrina's
23 cross-examination, gets in the car and goes.
24 Everything is okay. Door is locked, everything is
25 good. Interestingly enough, once we get back, Teresa

CLOSING ARGUMENT - MR. HIXSON

1 asks Sabrina can I borrow your car, because I'm
2 thirsty, I have to get a bottle of water. Sabrina,
3 absolutely. No reason not to let her. It was odd
4 because there was a bottle of water in the
5 refrigerator, but nonetheless, all right. Sabrina did
6 the best she could to tighten the timeline with 10
7 minutes, and Mr. McCollum did make a point of saying
8 Mr. Hixson has done this for decades, he knows what
9 evidence is or is not in, but there is an addition to
10 that. If she admits to the question, that is
11 evidence. So when she says -- I asked, Did Jake ask
12 and say, Mom, why are you not home? Yes, that
13 happened. That is evidence before you, that she was
14 not home and it took a while, because that car was
15 gone, that is why Jake thought they were out of the
16 house. She acknowledged -- she kept saying it wasn't
17 that long, I mean, maybe longer than 10 minutes, but
18 not an hour.

19 We can quibble over minutes, but there is no
20 question that she took that car and said she had to go
21 get water, and Jackie McGurl says she sees that car
22 pull up a second time at the house, and it was almost
23 dark. So we know at 7:26 that it was twilight, shots
24 fired at 7:00 to 7:30, time of death from Dr. Proctor
25 is 24 hours, 7:30. That car pulls back up to that

CLOSING ARGUMENT - MR. HIXSON

1 residence almost at dark. Jacqueline McGurl saw it,
2 saw her come back to the house.

3 When she walked into that house at dark, she saw
4 her husband dead. Uncontroverted, beyond a reasonable
5 doubt, she walked in the house, Steve, Steve, Steve,
6 Steve, oh, man, I'm going to call the police.

7 She went in that house to pick up shell casings,
8 get a change of clothes perhaps, take a shower
9 perhaps. We don't know what happened, it is a secret
10 crime, right. When a human being tries to cover one
11 up, it's tough to solve. When you take phones and
12 guns and throw them in the river and lie to your
13 family to avoid detection, it is hard to prove. That
14 is why people get away with it.

15 Neighbors saw it. No explanation for why she is
16 there. She's there to clean up the crime scene.
17 Almost completely dark and there is no question it was
18 after shots were fired, after Sabrina was at the
19 house, after Jake said, Mom, why aren't you home,
20 because she said that is what Jacob's texts were. I
21 didn't have to introduce them because she admitted to
22 it.

23 She came back -- we didn't talk about this map.
24 I was waiting for a timeline at the very end to talk
25 about the relevance of it. You heard the testimony

CLOSING ARGUMENT - MR. HIXSON

1 from Jonathan Martin about the Socastee Food Lion.
2 It's right there. That star is the Food Lion. That
3 is where she tells Detective Kathman she's on the way
4 to the Socastee Food Lion to get water. There is
5 water in Sabrina's refrigerator, but she's going to
6 get water. So she leaves Devon Lane, here by the
7 Homestead Road area. This is just public knowledge,
8 if you drive up and down that road, if you've ever
9 been, there is a Food Lion right there. There is a
10 24-hour Kangaroo gas station right there. You can
11 almost see the house. There are eight locations up
12 the road you can get water. Guess where the gun and
13 cell phone were recovered? Right there. Guess where
14 the Food Lion is that she's going to? Right there.

15 By the way, I didn't make it to the Food Lion
16 because I didn't have my wallet, so I drove up there
17 and I had to come back, so I'm not on the surveillance
18 at the Food Lion. There was water in the drawer, so I
19 guess I didn't have to go to begin with. There is
20 literally right around the corner McDonald's, right
21 there. Right there. Right there.

22 Let's talk about the change of clothes and things
23 like that. A lot of this is about her showing up the
24 day after the police department and wearing these
25 clothes. What strikes me so much about the first

CLOSING ARGUMENT - MR. HIXSON

1 interview with Teresa Hall is two things. First one
2 is today is my anniversary, one of the first things
3 out of her mouth. The thing that never comes out, My
4 God, I don't believe he was killed. The cops just
5 came and talked to me. His cell phone was down by the
6 landing. He must have been down there, something to
7 do with it because I walked and saw a bullet in my
8 husband's head. There is a thing on the door
9 requesting can you help us solve this. I know he must
10 have been down there, go look.

11 She mentions anniversary, but doesn't mention the
12 cell phone. In the second, it is the cell phone now
13 because several hours had gone by, but never mentions
14 the anniversary. She texts, I love you, happy
15 anniversary, after she knows the phone has been
16 recovered? We'll talk about that in a second. When
17 she goes home to see her husband on their anniversary,
18 that is what she's wearing (indicates). She ain't
19 dressed up for her anniversary, not even a second.

20 We know conclusively she's not afraid for
21 dressing up for folks she cares about. But her
22 anniversary, saying I have to get home to see Steve,
23 it is my anniversary, I have to see him, I love him so
24 much, I bet we have a big anniversary plan. She's
25 cooking chicken livers with her dad, they are cooking

CLOSING ARGUMENT - MR. HIXSON

1 pork chops, green beans. She says maybe I ought to
2 get home, you know, Steve may be cooking something for
3 me to eat, I hope it doesn't have MSG in it.

4 Let's talk about this (indicates). It is our
5 assertion that she could not have asked her sister in
6 the white Nitro do you mind if you stop by that
7 landing, I know it is around 8:40 something, you know,
8 do you mind if I swing in there, I'm going to go down
9 by the dock for a second. The sister is going to be
10 like, What are you doing? Why do you want to go
11 there? She can't get rid of the gun. She has to get
12 to that landing somehow. That is why she has to leave
13 the house. She has to leave the house to get the gun
14 down there.

15 I'll tell you what, but for a black bench, and
16 look at the photographs, there is no exterior lights
17 out there, no lights on that dock, no lights in the
18 landing after dark, and that black cell phone laying
19 on the black bench at night, while still drunk, trying
20 to chuck this gun in the river as far as you can,
21 turns and walks away. That is the only reason why we
22 find that gun. Have no reason to look any place else.
23 Don't know where it could have gone, no idea. But for
24 a black bench, that phone would have not been found by
25 Ms. Boyette, given to Mr. Bellamy ultimately given to

CLOSING ARGUMENT - MR. HIXSON

1 Horry County Police Department, putting divers in the
2 water to where they pulled that weapon out of the
3 water, the exact location where Jack Stewart testified
4 where the gun was recovered out of the water after
5 three hours of searching. I'll tell you, when you are
6 stressed out in trying to figure out what to do to get
7 away with a murder, figure all the things you have to
8 do, get back fast where no one is suspicious, you go
9 where you are comfortable with, where you are familiar
10 with, you go where you have been before because you
11 have to get in and out fast. Look at the pictures,
12 the parking lot is right there. You can almost pull
13 right up to the water in that spot, almost to that
14 spot there.

15 Take a look at this. If you are driving from the
16 murder scene -- excuse me, if you are driving from
17 this scene, which is Williamson Circle, come down
18 here, Bercale and across the swing bridge, hit 707,
19 then to the sister's house. You go right past your
20 fishing hole. Right past your fishing hole. When you
21 go home, look down. That is right where it was.
22 Right past that point, take a turn. When you are
23 thinking about what to do, perhaps you have the gun in
24 your purse -- perhaps, we don't know -- I'll dump that
25 right there, come back, dump it, get back to the

CLOSING ARGUMENT - MR. HIXSON

1 house. That is why we believe she had to go -- we
2 believe she had to go back to the house, because she
3 is back at the house, uncontroverted, beyond a
4 reasonable doubt, comes back, dumps the gun, goes.

5 Why do we know she has familiarity with it? I
6 guess thank goodness for smart phones, because she's
7 fishing July 4th at the exact location, on the camera.
8 That is where that gun was found. That picture was
9 taken 13 days prior to her shooting her husband. She
10 goes back where she's familiar, parks the car, takes
11 the gun, shell casings, boom, boom, boom. For all we
12 know, bloody clothes. We don't know.

13 We do know it is plenty of time to take a shower
14 and change. The only clothes her sister sees is the
15 ones she changed into, because there is no testimony
16 of the clothes she was wearing when she shot her
17 husband. We don't know. But it is obvious that if
18 you throw a gun in the water, you are not going to
19 wear bloody clothes to the police department. We're
20 not doing that.

21 Let's talk about cellphone data. Location
22 services don't do us any good. Teresa McCracken's
23 services were turned off on 7/16, and Steve's were
24 turned off 7/4, nothing suspicious about that. I
25 wouldn't assert the 16 is suspicious because I believe

CLOSING ARGUMENT - MR. HIXSON

1 the case theory is that Ms. McCracken was drunk,
2 enraged, shot her husband.. The evidence doesn't
3 indicate the day before she turned it off so they
4 wouldn't track her. There is no indication. That is
5 offered as a point that phones don't help us as far as
6 location services, but the phone records do. They are
7 extremely -- I tried to put it on here to see it
8 better. The first relevant call is 6:30 from the --
9 all of these records are Teresa McCracken's records.
10 The person who was holding Teresa McCracken's phone
11 made those calls.

12 First, 6:30 to Bre, -3822, the sister's phone
13 number, no question. Short phone call. This is the
14 UTC time we were talking about, the four-hour
15 conversion back. You see where it says 10, minus four
16 that is 6:00. That is why I'm referring to that, but
17 that is the numbers we're talking about. So at 6:55,
18 according to defendant's statements, she's sitting
19 outside of the house drinking a beer, and Steve is in
20 there working on dinner.

21 6:54, she logs in on "Meet Me." These are the
22 ones, 6:55, 22 seconds, she is on "Meet Me" with a
23 different page. Teresa status update is there 6:55,
24 11 seconds later, all right. Okay. That corresponds
25 with "Meet Me" that shows that it was updated on

CLOSING ARGUMENT - MR. HIXSON

1 Teresa McCracken's account on 6:55 and 21. So there
2 is a transfer of time in seconds as data is passed
3 forth.

4 She's outside drinking a beer by her own
5 statement. Steve is cooking tacos, and she's on "Meet
6 Me". We'll talk about the post later. After that,
7 she gets on Zoosk. It is her anniversary, they are
8 looking forward to it, and she's on Zoosk and "Meet
9 Me". Then, at 7:36 Teresa McCracken calls her sister
10 the second time. That is the second phone call we
11 referred to on cross-examination of asking for a cell
12 phone charger, or do you have an I-cig charger. She
13 heard Steve in the background. Then she says, I got
14 another phone call after that, all right.

15 Let me go back this way. Interestingly enough,
16 time wise this phone call happens at 8:30 p.m. That
17 came from Steven Hall's cell phone, right. There is
18 where the confusion happened. She calls Sabrina at
19 her house, but her testimony -- Sabrina's testimony
20 was Teresa called me on Steven's phone at 8:30, and
21 then I called her back on Steven's phone. And Sabrina
22 does -- in-going/outgoing. That is outgoing. These
23 are Steven Hall's cell phone records. Outgoing call
24 from Steven Hall's phone. Teresa McCracken is holding
25 it per her sister's testimony and calls Sabrina. It

CLOSING ARGUMENT - MR. HIXSON

1 is at 8:30 p.m. Sabrina calls her back, but calls her
2 back on Steve's phone at 8:35. So she is in
3 possession of this phone an hour after pops were
4 heard. It is dark. The pops have been heard, she's
5 holding onto the cell phone.

6 Let's go back one more. Then, at 8:42, Teresa
7 calls Bre again. This time she's using her phone, she
8 got it right. She has both of them in her possession.
9 So within six minutes of one call to the other, Teresa
10 McCracken used both of these phones. She called 8:30,
11 Sabrina calls 8:35, 8:40 she calls. They are side by
12 side. Beyond a reasonable doubt they are side by
13 side. She's got this phone at 8:42. There is no more
14 call activity off either phone after 8:42. No phones
15 are working after 8:42. There is no phone activity.

16 Let's go into the next part, which is this line
17 indicates midnight. We're turning over to the next
18 day. This is all the 17th. This is the 18th.
19 Here we go, guys. You want to talk about shaking
20 someone up, you get a telephone call from the dead
21 right there (indicates). The victim's phone calls
22 Ms. McCracken at 8:19 a.m. We know what that was,
23 that was Detective Bellamy from Horry County Police
24 saying, hey, I have a phone down here. You heard the
25 voice mail that was left off Teresa's phone. Hey,

CLOSING ARGUMENT - MR. HIXSON

1 this a Detective Bellamy. We've recovered a Steven
2 Hall's phone, if you could please call me back at
3 -1520, we would like to talk to you about it and
4 return it to the rightful owner. Teresa heard the
5 bells of the grandfather clock at her dad's house,
6 heard the grandfather clock go ding, ding. So 8:19,
7 she's awake and that and that phone call comes in, and
8 that comes from her husband's cell phone, the one that
9 she forgot down at the bench. Well, now she knows
10 where it's at, it's in the custody of Horry County
11 Police Department.

12 Then, at 11:04, this fellow who wants to see the
13 golf carts calls, Do you want to see the cart today?
14 I want to see it. I want to see the cart; is that
15 possible? Well, all of this period of time we have
16 some explaining to do. At 11:42 she got a message
17 from Horry County Police that her husband's cell phone
18 is in their custody, he does not have it. He doesn't
19 have it, but she texts, I love you, happy anniversary.
20 That is part of the cleanup. That is part of the
21 cleanup. She knows he doesn't have a phone. We know
22 she read that message. How do we know that? Because
23 10 minutes later she responds to this, meaning we know
24 she read it. Do you want to see the cart today?
25 Well, I just got up, people are interested and would

CLOSING ARGUMENT - MR. HIXSON

1 like to see it, would you call them and let them know?
2 I love you. Ten minutes after she sends this, but
3 three hours after Horry County Police left her a voice
4 mail. She testified she was up at 8 o'clock. Two
5 minutes later, I'm going (indicates), they found the
6 phone. I love you. I hope you have calmed down.
7 Sends an instant message, SMS message, at two minutes
8 after this. Then, six minutes later, she calls Horry
9 County Police's main number and puts the chain of
10 events in place to recover the telephone. That is why
11 it is so important that she doesn't mention to Officer
12 Bellamy where did you find it. She never said to Greg
13 Lent, Hey, where in the world did you find this, my
14 husband was killed, how did that phone get down there.
15 Keep it on the down-low because I can't explain that
16 one. I can't explain it.

17 Now, in relation to the gun that Mr. McCollum
18 mentioned, while I'm thinking about it, there is no
19 question that Steven Hall Had guns in his house, and
20 no question that Ms. McCracken knew about the guns in
21 the house. Interestingly enough, you saw a shotgun.
22 In both statements, Ms. McCracken said he had shotguns
23 and handguns. We found the shotgun in the house.
24 There is no photographs or any other firearms in
25 evidence that indicate she says he has shotguns and

CLOSING ARGUMENT - MR. HIXSON

1 handguns. He has guns in the house, that is where the
2 guns came from.

3 You are correct, there was no testimony
4 absolutely that there was evidence that puts that gun
5 in her hands, because you'd be hearing about it, but
6 it is not difficult to understand that she said he had
7 shotguns and handguns, I don't know how many there
8 are. She can remember chicken livers and everything
9 else, but can't remember handguns in the house. She
10 says shotguns, but don't know where they are. Well,
11 they are in the river, and the shotgun is behind the
12 door because I didn't use that. There is guns in the
13 house. You get the idea. You have heard it several
14 times and heard the statements.

15 To wrap up this timeline, at noon he goes to --
16 Billy Bellamy recovers the cell phone, goes to the
17 grocery store. Interestingly enough, you recall that
18 she has now made it from Devon Lane, driven all the
19 way up here to right there, which is the Scotchman
20 where she meets Billy Bellamy, and now she knows
21 something is wrong with her husband, something is
22 wrong, the phone is gone. Instead of going to check
23 on him, she spends the rest of the day eating chicken
24 livers, pork chops, bottles of water, dollar store.
25 Never tries to call on the phone records. She texts

CLOSING ARGUMENT - MR. HIXSON

1 him, but never tries to call him. She has the phone,
2 she knows it doesn't do any good, but she continues to
3 text. She comes back here and never checks on him.

4 Golf cart fellow keeps talking, 6:10, 6:15, keeps
5 talking about I'll be home soon, sorry to hear that.
6 She gives this guy the address to her house, tells him
7 it is on the side of the garage. She said I'm not
8 home yet, my husband should be. She's got his cell
9 phone in her purse. No reason to think he's home, his
10 cell phone is in her purse.

11 Then, after the body is recovered, after 911 at
12 10:48 p.m. we have a "Meet Me" log-in. 10:48, after
13 his body is discovered. We've already talked about
14 that. The significance of this shows beyond a
15 reasonable doubt, based on the sister's statements,
16 her sister's statements, that she was in possession of
17 Steven Hall's phone at 6:30, 6:35. We also now know
18 from Sabrina, her cross-examination, her discussion,
19 that she was late getting down there. She said, Come
20 get me now. Come get me now. I didn't go down there
21 right away, doing the checking account, feeding dad
22 dinner. Teresa called and said, Get here, why aren't
23 you here. It took time from that 7:30 call to 7:42.
24 You don't call someone if you're with them. Sabrina
25 hadn't gotten her by 8:42 (sic). She hadn't gotten

CLOSING ARGUMENT - MR. HIXSON

1 there yet. Where are you? That is the series of
2 phone calls that you see.

3 That is the page for Zoosk. It is in evidence.
4 At 6:55 when he's cooking tacos and she's drinking,
5 she's going there, going there, that is the "Meet Me"
6 landing page, "Any time, any place, discover a world
7 full of opportunities," and all of those opportunities
8 we assert are without Steven Hall. She logs in to
9 give us a glimpse in the mind of Ms. McCracken an hour
10 before Mr. Hall loses his life.

11 Under that "Meet Me" User ID, it comes back to
12 Ms. McCracken, posts those photographs of herself and
13 that is what she thinks. She's alone with her
14 husband, and she posts to whoever, I'm dealing with an
15 asshole. How is your day going? Dealing with an
16 asshole. Mr. Grooms talked to you the first part in
17 opening about pulling the curtain on a relationship
18 and how difficult it is to see what a relationship
19 really looks like. It is tasteful. We don't want to
20 do it. We want to respect our neighbors and their
21 privacy, but when that person takes the life of a
22 person, we have to pull the curtain back as best we
23 can. We have intelligent persons trying to get away
24 with murder, hiding evidence to cover things up, there
25 is no reasonable explanation for it. There is

CLOSING ARGUMENT - MR. HIXSON

1 conclusive evidence that she was in that house, beyond
2 a reasonable doubt, at the time he lost his life.
3 Conclusive beyond a reasonable doubt that she was in
4 possession of the victim's cell phone after he was
5 dead, that ends up where the gun is, at the fishing
6 hole. There is conclusive evidence in her ability to
7 get drunk and lose control when she says, I should
8 have just left, but I didn't. I should have just
9 left. I shouldn't have lashed out and taken Steven
10 Hall's life that day.

11 Sabrina is a good person, and I suspect if we
12 could pull the curtain back on that relationship I
13 suspect that we realize that Sabrina has been taking
14 lumps for her sister for a long time. I think Teresa
15 McCracken -- evidence indicates that she used Teresa
16 (sic) to get her out of there. She couldn't be there
17 when the body is discovered. She used Sabrina the
18 next day to take her back to the house so she wasn't
19 the one to find the body, because it would cast
20 suspicion on her.

21 It appears as if she's trying to get the golf
22 cart guy over to the house so maybe he'll find the
23 body. Finally, they talked in there together and
24 Sabrina gets the opportunity to see her brother-in-law
25 with a bullet in his head. You saw Teresa McCracken

CLOSING ARGUMENT - MR. HIXSON

1 use her sister yesterday, used her yesterday. After
2 two consistent statements clear as a bell -- Mr.
3 McCollum did this tactic 2013, 2014, 2015, never heard
4 anything about a change in the timeline, never heard
5 anything about anyone hearing at a different time.
6 Her statements confirmed original statements when she
7 said, Please help who did this. You can almost
8 imagine the discussion, Come on, Steve was alive when
9 we left the house. Can you help me one more time?
10 You're always there for me, please be there one more
11 time. Like I said the other day, I think we
12 understand why that is. There are a lot of victims in
13 this case, not just Steven Hall. There is no sense to
14 attack a woman that loves her sister, but the
15 testimony is absolutely untrue, but we understand
16 where the testimony came from.

17 We're about to give this case to you. You get to
18 take all of this stuff back in the jury room with you.
19 The judge will charge you with the law you'll apply to
20 this case. We told you from the beginning it is a
21 circumstantial evidence case, but circumstantial
22 evidence can be so overwhelming there is no possible
23 inconsistent conclusion to it. There is nothing else.
24 This is it. This is the whole thing. A conscious
25 adult, intoxicated, out of control trying to keep from

JURY CHARGE

1 getting caught. She got caught. There is no secret
2 killer. Matthew McGurl passed the polygraph and has
3 an alibi. There is no one else.

4 Case is coming to you, but you won't be alone in
5 that jury room, you won't. There will be someone else
6 sitting in the corner of the jury room with you, and
7 her name is Justice. Some of you may have heard her
8 voice already during the course of this. Some of you
9 may take a little longer to hear it, but she's talking
10 to every one of you. Sometimes back there you'll hear
11 it, the voice will be louder as you look at these
12 pictures, guilty. After the course of deliberation,
13 with a unified voice, every one of you will hear it,
14 guilty. Teresa McCracken is guilty for murdering
15 Steven Hall in their bedroom. Thank you.

16 THE COURT: All right. Ladies and gentlemen of
17 the jury, you heard arguments in this case and it is
18 now the time in which I will charge you on the law.
19 We've talked that pretty extensively at the beginning
20 of this trial. I do something, and I think I may have
21 mentioned this to you, that I don't know if any other
22 judge does it, and that is I prepare a transcript of
23 my charge for you. I think we talked about that. I
24 do it because I know that it is unfair to bring you,
25 as jurors, laypersons, who by the very nature of the

JURY CHARGE

1 fact that you are able to serve as jurors, you haven't
2 had much contact with the judicial system. We
3 instruct you, and sometimes it is complex and we
4 expect you to hear and absorb it and go back in the
5 jury room and remember it, and that is why I do it.
6 The supreme court said it is all right to do that as
7 long as I give you a verbatim transcript, so that
8 means I'll read the charge that Ms. Pipkin and I have
9 been preparing throughout this trial. Let me remind
10 you, the charge should not be taken as a whole. Don't
11 just focus on one sentence or one phrase, look at
12 every part in the context of the other parts, because
13 all of the charges are important. It is important,
14 and it is a whole charge that you can consider.

15 With that said, let me remind you that during the
16 trial of this case, you and I have certain duties to
17 perform, and as the trial judge, it is my
18 responsibility to preside over the trial of the case.
19 I also have the duty to rule on the admissibility of
20 evidence offered during the trial. You are to
21 consider only the competent evidence before you. If
22 there was any testimony ordered stricken from the
23 record in this case during this trial, you must
24 disregard that testimony.

25 You are to consider only the testimony which has

JURY CHARGE

1 been presented from this witness stand, any exhibits
2 which have been made a part of the record in this case
3 and any stipulations or agreements of counsel. I have
4 the additional duty to charge you the law applicable
5 to this case. As the presiding judge, I am the sole
6 judge of the law of the case, and it is your duty as
7 jurors to accept and apply the law as I now state it
8 to you.

9 If you have any idea as to what the law is or
10 what the law ought to be, and it doesn't agree with
11 what I now tell you the law is, you must abandon that
12 idea because you are sworn to accept the law and apply
13 the law exactly as I state it to you. In every case
14 tried before this court by a jury, the jury becomes
15 the sole and exclusive judges of the facts in the
16 case. A trial judge can't intimate, state, comment on
17 or make any statement to a trial jury about the facts
18 in a case since you, the jury, are the sole judge of
19 the facts in the case.

20 You are not to infer from anything that I have
21 said during the progress of this trial in ruling upon
22 the admissibility of evidence or otherwise, or
23 anything that I say now during the course of this
24 instruction to you, that I have any opinion about the
25 facts in this case. The law does not allow me to have

JURY CHARGE

1 an opinion about the facts in this case. This is a
2 matter solely for you, the jury, to determine. As
3 jurors, it is your duty to determine the effect,
4 value, weight and truth of the evidence presented
5 during this trial.

6 Now, the indictment in this case charges the
7 defendant with murder, and I remind you that the fact
8 that the defendant was arrested, charged and indicted
9 in this case is not evidence in this case and cannot
10 be considered by you as evidence of guilt in the case,
11 nor does it create any presumption or inference of
12 guilt. This document, the indictment, is simply the
13 formal written instrument which contains the charge
14 made against the defendant. It is a formal document
15 by which the case is brought before this court.

16 Now, the defendant has pled not guilty to this
17 indictment, and that plea puts the burden on the State
18 to prove the defendant guilty. A person charged with
19 committing a crime or criminal offense in South
20 Carolina is never required to prove herself innocent.
21 I charge you that it is an important rule of law that
22 the defendant in a criminal case, no matter what the
23 seriousness of the charge may be, will always be
24 presumed to be innocent of the crime for which the
25 indictment was issued unless guilt has been proved by

JURY CHARGE

1 evidence satisfying you of that guilt beyond a
2 reasonable doubt. This presumption of innocence does
3 not end when you begin your deliberations, but it
4 accompanies the defendant throughout the trial until
5 you reach a verdict of guilt based on evidence
6 satisfying you of that guilt beyond a reasonable
7 doubt. The presumption of innocence is like a robe of
8 righteousness placed about the shoulders of the
9 defendant, which remains with the defendant until it
10 has been stripped from the defendant by evidence
11 satisfying you of the defendant's guilt beyond a
12 reasonable doubt.

13 The presumption of innocence is not a mere legal
14 theory. It is not just a legal phrase. It is a
15 substantial right to which every defendant is entitled
16 unless you, the jury, are satisfied from the evidence
17 of the defendant's guilt beyond a reasonable doubt. I
18 instruct you and emphasize that the fact that the
19 defendant did not testify is not a fact to be
20 considered by you in any way in your deliberations and
21 in your consideration on the question of the guilt or
22 innocence of the defendant. It must not be considered
23 by you in any manner, whatsoever. A defendant has the
24 Constitutional right to remain silent, and the
25 assertion of this right must not be considered by you

JURY CHARGE

1 in your deliberations. I repeat, under your oath, you
2 are to draw no conclusion, whatsoever, from the fact
3 that the defendant in this case did not testify. The
4 fact that the defendant did not testify should not
5 even be discussed in the jury room.

6 The burden of proof, as I have stated to you, is
7 on the State. The defendant is not required to prove
8 her innocence. The burden of proof remains on the
9 State to prove guilt beyond a reasonable doubt. Now,
10 as I said, the State has the burden of proving
11 defendant guilty beyond a reasonable doubt. Now, some
12 of you may have served as jurors in a civil case where
13 you were told that it is only necessary to prove that
14 a fact is more likely true than not true, that would
15 be by a greater weight or preponderance of the
16 evidence.

17 In criminal cases, the State proof must be more
18 powerful than that. It must be beyond a reasonable
19 doubt. Proof beyond a reasonable doubt is proof that
20 leaves you firmly convinced of the defendant's guilt,
21 and there are very few things in the world that we
22 know with absolute certainty. In criminal cases, the
23 law does not require proof that overcomes every
24 possible doubt.

25 If, based on your consideration of the evidence,

JURY CHARGE

1 you are firmly convinced that the defendant is guilty
2 of the crime charged, you must find the defendant
3 guilty. If, on the other hand, you think there is a
4 real possibility that the defendant is not guilty, you
5 must give the defendant the benefit of the doubt and
6 find her not guilty. What is reasonable doubt? A
7 reasonable doubt is the kind of doubt that would cause
8 a reasonable person to hesitate to act.

9 Now, there are two types of evidence, which are
10 generally presented during a trial, direct evidence
11 and circumstantial evidence. Direct evidence is the
12 testimony of a person, such as an eyewitness. This is
13 evidence which immediately establishes the main fact
14 to be proved. Circumstantial evidence is proof of a
15 chain of facts and circumstances indicating the
16 existence of a fact. It is evidence which immediately
17 establishes collateral facts from which the main fact
18 may be inferred. Circumstantial evidence is based on
19 inference, not on personal knowledge or observation.
20 The law makes absolutely no distinction between the
21 weight or value to be given to either direct or
22 circumstantial evidence, nor is a greater degree of
23 certainty required of circumstantial evidence than of
24 direct evidence. You should weigh all of the evidence
25 in the case. After weighing all of the evidence, if

JURY CHARGE

1 you are not convinced of the guilt of the defendant
2 beyond a reasonable doubt, you must find the defendant
3 not guilty. However, to the extent the State relies
4 on circumstantial evidence, all of the circumstances
5 must be consistent with each other, and when taken
6 together, point conclusively to the guilt of the
7 accused beyond a reasonable doubt. If these
8 circumstances merely portray the defendant's behavior
9 as suspicious, that proof has failed.

10 Now, necessarily, you must determine the
11 credibility of witnesses who have testified in the
12 case. Credibility simply means believability. It
13 becomes your duty as jurors to analyze and evaluate
14 the evidence and determine which evidence convinces
15 you of its truth. In determining the believability of
16 witnesses who testified in this case, you may believe
17 one witness over several witnesses, or several
18 witnesses over one. You may believe a part of the
19 testimony of a witness and reject the remaining part
20 of the testimony of that same witness. You may
21 believe the testimony of the witness in its entirety,
22 or reject the testimony of a witness in its entirety.
23 You may consider whether any witnesses exhibited any
24 interest, bias, prejudice or other motive in this
25 case. You may also consider the appearance and manner

JURY CHARGE

1 of a witness while on the witness stand.

2 There has been evidence presented that witnesses
3 have made prior statements which are not consistent
4 with the witness' present testimony. You may use this
5 evidence to decide whether to believe a witness. You
6 may also use evidence of the earlier contradictory
7 statement to determine the truth of those statements.
8 It is up to you to decide whether to believe the
9 earlier statement or the testimony at trial. If a
10 witness is shown to have knowingly testified
11 untruthfully concerning any material manner, you may
12 consider this in determining whether to trust the
13 witness' testimony as to other matters. You may
14 reject all testimony of that witness, or give all or
15 part of the testimony the weight you think it
16 deserves.

17 The Rules of Evidence normally, ordinarily, do
18 not permit witnesses to testify as to opinions or
19 conclusions. An exception to the rule exists for
20 witnesses we call "expert witnesses." A witness who
21 by education and experience has become an expert in
22 some art, science, profession or calling may state an
23 opinion as to relevant and material matter, which the
24 witness claims to be an expert in, and may also state
25 the reasons for the opinion. You should consider any

JURY CHARGE

1 expert opinion received in evidence in this case, and
2 like any other evidence, give it the weight you think
3 it deserves.

4 If you decide that the opinion of an expert
5 witness is not based on sufficient education and
6 experience, or if you conclude that the reasons given
7 in support of the opinion are not sound or that the
8 opinion is outweighed by other evidence, you may
9 disregard the opinion entirely. An expert's testimony
10 is to be given no greater weight than that of other
11 witnesses simply because the witness is an expert.
12 Further, you are not required to accept an expert's
13 opinion even though it is not contradicted.

14 Now, a statement alleged to have been made by the
15 defendant has been admitted into evidence in this
16 case. While the Court has determined that the
17 statement is admissible, I instruct you that you make
18 the ultimate decision of whether or not the defendant
19 made the statement. If the defendant did make the
20 statement, you must determine whether the statement
21 was made by the defendant voluntarily and of her own
22 free will. This means that the statement was not
23 caused by pressure, force, fear, threats, coercion or
24 intimidation or by hope or promise of leniency or
25 reward of any kind. In determining whether the

JURY CHARGE

1 statement was voluntary, you should consider both the
2 characteristics of the defendant and the details of
3 the questioning. Some of the factors you must
4 consider are, one, the age of the defendant; two,
5 defendant's education or lack of education; three, the
6 defendant's mental ability or capacity; four,
7 defendant's IQ or intelligence; five, defendant's
8 background and environment; six, the place and length
9 of the detention; seven, the nature of the question;
10 eight, the advise or lack thereof to the defendant of
11 her Constitutional rights including, but not limited
12 to, the right to remain silent, that any statement
13 could be used against her in a court of law, the right
14 to have a lawyer present and that if she could not
15 afford a lawyer, a lawyer would be appointed to
16 represent her without any cost and that she could stop
17 making a statement at any time.

18 You must carefully consider all of the
19 surrounding circumstances before you give any weight
20 to an alleged statement. The State has the burden of
21 proving beyond a reasonable doubt that the alleged
22 statement was voluntary. If you determine that it
23 was, you may give the statement any further
24 consideration that you deem proper. You must decide
25 what weight, if any, should be given to the alleged

JURY CHARGE

1 statement. If you determine that the alleged
2 statement was not free and voluntarily -- not the free
3 and voluntary statement of the defendant, you should
4 not consider the statement at all.

5 The defendant is charged with murder. The State
6 must prove beyond a reasonable doubt the defendant
7 killed another by malice aforethought. Malice is
8 hatred, ill-will or hostility towards another person.
9 It is the intentional doing of a wrongful act without
10 just cause or excuse, and with an intent to inflict an
11 injury or under circumstances that the law would infer
12 a legal intent.

13 Malice aforethought does not require that the
14 malice exist for any particular time before the fact
15 is committed. Malice must exist in the mind of the
16 defendant just before and at the time of the act -- at
17 the time the act is committed; therefore, there must
18 be a combination of the previous intent and the act.
19 Malice aforethought may be expressed or inferred.
20 These terms "expressed" and "inferred" do not mean
21 different kinds of malice, but merely the manner in
22 which malice is shown to have exist. That is either
23 by direct evidence or by inference from the facts and
24 circumstances which are proved.

25 Expressed malice is shown when a person speaks

JURY CHARGE

1 words which express hatred or ill-will for another, or
2 when the person prepared beforehand to do the act
3 which was later accomplished; for example, laying in
4 wait for a person or any other act of preparation
5 going to show that the deed was in the defendant's
6 mind would be expressed malice.

7 Malice may also be inferred from conduct showing
8 a total disregard for human life. Inferred malice may
9 also arise when the deed is done with a deadly weapon.
10 A deadly weapon is any article, instrument or
11 substance likely to cause death or great bodily harm.
12 Whether an instrument has been used as a deadly weapon
13 depends on facts and circumstances of each case. The
14 following are some examples of instruments which may
15 be deadly weapons: A pistol, a shotgun or rifle, gun
16 maybe a deadly weapon even if it is not operating.

17 If facts are proved beyond a reasonable doubt
18 sufficient to raise an inference of malice to your
19 satisfaction, this inference would be simply an
20 evidentiary fact to be considered by you along with
21 the other evidence in the case, and you may give it
22 the weight you decide that it should receive.

23 Mr. Foreman, ladies and gentlemen of the jury,
24 there are two possible verdicts which you may find on
25 the indictment in this case; either guilty or not

JURY CHARGE

1 guilty. There is absolutely no significance,
2 whatsoever, in the order which I state these possible
3 verdicts. I'm certainly not suggesting one over the
4 other, we just have to write them down in some order.
5 The verdict that you reach, Mr. Foreperson, ladies and
6 gentlemen of the jury, must be an unanimous verdict.

7 Now, I'm going to have you go into your jury
8 room. I would ask you not to begin your deliberations
9 until I do one of two things. It is possible that I
10 might bring you out and give you a further charge. If
11 I do not do that, do not find it necessary to do that,
12 I will send in to you the exhibits that have been
13 introduced in this case, I will send in to you a copy
14 of my charge, and I will send in to you a verdict
15 form. The verdict form is for your use. It is
16 relatively simple. It simply says, As to the charge
17 of murder, we unanimously find the defendant -- and I
18 say circle one. We have guilty, not guilty. Again,
19 it makes no difference and there is no suggestion as
20 to the order, but you just simply circle your verdict,
21 and the foreperson will sign it and date it. Knock on
22 the door, and there will be someone there to bring you
23 back into the courtroom. Please don't begin your
24 deliberations until I have made certain that either
25 there is no further charge necessary, or I send in --

JURY CHARGE

1 and I send in your exhibits, okay.

2 I have already ordered lunch for you. It should
3 be there in five, ten minutes. You can -- if I signal
4 you to begin deliberations, you may do it during
5 lunch, eat your lunch and wait, whatever you would
6 like to do.

7 Mr. Ropp, take this jury back to the jury room.
8 Please segregate -- you don't have to yet, you can
9 take the alternate and we'll bring her back when I
10 send in the documents, okay.

11 (The jury exits at 12:27 p.m., and the
12 following is heard out of the presence of the jury.)

13 THE COURT: Do you want to look at the verdict
14 form?

15 MR. MCCOLLUM: Same one you sent to us?

16 THE COURT: Yes. Yes. Anything further?

17 MR. MCCOLLUM: No, Your Honor.

18 (Court's Exhibit 2 marked.)

19 THE COURT: From the defense?

20 MR. HIXSON: Not from the State.

21 THE COURT: If you would, step forward and let's
22 review the exhibits. Was there a live round?

23 MR. HIXSON: There is a live round. I'm going to
24 put it back in the -- yeah.

25 THE COURT: Let's leave the live round in the

JURY CHARGE

1 possession of the court reporter. Should they want to
2 see the live round, we'll send it to them. It is not
3 a good thing to send in a firearm with a live round.

4 MR. HIXSON: Very good.

5 THE COURT: Let the record reflect that I am
6 excusing the alternate. I'm just going to go back.

7 (Whereupon, the jury starts deliberations at
8 12:37 p.m.)

9 THE COURT: The parties and attorneys are here.
10 There is a note from the jury. They want both
11 interview transcripts and the audio recording of the
12 first interview -- and I assume that is the first
13 interview with the defendant -- and the audio/video
14 recording of the second interview. Again, I think it
15 is the same thing. I don't know of any other way to
16 do that other than bring them in and do it. I had a
17 case recently in Marlboro that we had a clean computer
18 that we could give them and everyone agreed, so I
19 don't think we have that here.

20 MR. HIXSON: We can provide one. I can let Greg
21 look at it, that way the Court doesn't have to be in
22 session.

23 THE COURT: I mean, that's what they want.

24 MR. McCOLLUM: I would agree to that.

25 THE COURT: Give them a clean computer.

JURY CHARGE

1 MR. McCOLLUM: So they can stop and start.

2 THE COURT: Are the tapes limited -- nothing else
3 on any of these?

4 MR. HIXSON: Correct. They are just that, cut on
5 both sides. So that is -- we saw everything on the
6 disks in court.

7 THE COURT: All right. What I'll do is bring
8 them in and ask them, tell them that we have the
9 abilities to do that.

10 MR. HIXSON: We have a brand new courtroom
11 computer that doesn't have any more applications on
12 it, but we'll check. If we have to delete files, I
13 think it is easier on everyone.

14 THE COURT: We can do that, and that is what the
15 jury wants, I'm sure, but I'll find out.

16 MR. HIXSON: There is no question that those
17 disks are just what we saw.

18 THE COURT: All right.

19 MR. HIXSON: Transcripts are downstairs, I have
20 to go down and get them.

21 THE COURT: Was there anyone who can -- maybe
22 young people are on there and could work it. I
23 couldn't. Bring them in.

24 MR. McCOLLUM: I don't know if the deputies know
25 how to work it, do they? I'm making assumptions

JURY CHARGE

1 (laughing). Do you think you could work it?

2 DEPUTY: Of course.

3 THE COURT: Could we agree, should they have
4 difficulties, the court reporter could enter the jury
5 room?

6 MR. HIXSON: I'll have one of the admin who is
7 fairly new to the office, she's the one that came
8 upstairs and helped with the -- it is up to you.

9 THE COURT: What about it, Mr. McCollum?

10 MR. MCCOLLUM: I would agree with whoever the
11 Court designated.

12 THE COURT: We would place that person under oath
13 to make no comments.

14 (The jury enters at 1:47 p.m., and the
15 following is heard in the presence of the jury.)

16 THE COURT: We have all of our jurors.
17 Mr. Foreman, I had your note. Let me tell you what
18 usually happens in a trial. We don't have transcripts
19 of testimony being offered available immediately.
20 Many times jurors would like to hear testimony, and
21 that is perfectly all right; we're glad to do it.
22 What we have to do is bring the jury in and then the
23 testimony is taken down at least two ways, Ms. Dahl
24 uses a steno machine, she takes it down personally,
25 and recorded. In that case, what we would do is play

JURY CHARGE

1 it back for you.

2 What you've asked for is rather unique in that it
3 is -- essentially, you've asked to be able to review
4 an exhibit. The exhibits being the disk of the -- it
5 is on a CD of the first interview, and I assume that
6 is the first interview with the defendant?

7 FOREPERSON: Yes, sir.

8 THE COURT: And then the audio and video, which
9 is the motion thing of the second interview, again of
10 the defendant?

11 FOREPERSON: Yes, sir.

12 THE COURT: We can do that two ways. We can,
13 one, bring you in here and we will, of course, provide
14 you with the transcripts that you used during the
15 trial. We can lower the screen, and you can watch it
16 here. Or, the parties have agreed, that we'll give
17 you a clean computer, a computer that has no
18 information on it and the CDs or DVDs -- or whatever
19 they are called -- that are in evidence. We would
20 allow you, by agreement of the parties, to take a
21 clean computer back with you so that you can, at your
22 leisure, I guess, or as you see fit, review it in your
23 jury room with the transcripts.

24 Now, which would you rather do?

25 FOREPERSON: We'll watch it here.

JURY CHARGE

1 THE COURT: Watch it here. Very well. Mr. Ropp,
2 the CD and all are in the jury room. Anyone objecting
3 to Mr. Ropp getting them?

4 MR. HIXSON: Not at all. I need the box of
5 transcripts in my office downstairs.

6 MR. MCCOLLUM: No objection, Your Honor.

7 THE COURT: You are excused, Mr. Hixson, you can
8 run down and get the transcripts. The transcripts
9 were not an exhibit, so they've been taken back down,
10 but since -- they were just an aid to help you
11 understand the exhibits, so we have to run down and
12 get them and bring them back up for you.

13 Mr. Jenkins, of course, you are welcome to look
14 at any or all of -- either/or both of these tapes or
15 CDs or whatever, I welcome you to do so; however, if
16 at any point you have heard a particular part that you
17 wanted to hear that was in question, or whatever, and
18 you don't think you want to hear the remaining part,
19 if that should happen, just raise your hand and let me
20 know and we'll move to the next one.

21 MR. GROOMS: That is both of the defendant's
22 statements?

23 THE COURT: Right. One is just the audio, and
24 the other is an audio/visual.

25 MR. GROOMS: The officer's voice mail -- this is

JURY CHARGE

1 part of that statement, so I'll load it.

2 THE COURT: Just put the lights up and screen up.
3 It is easier for them to read the transcript with the
4 lights on.

5 MR. GROOMS: Wait on the transcript, or go ahead?

6 THE COURT: We will wait on the transcript.

7 FOREPERSON: Is it okay if we have the computer
8 and take it into our jury room?

9 THE COURT: Is that what you want to do?

10 FOREPERSON: Yes.

11 THE COURT: They changed their mind.

12 MR. GROOMS: Could I show him with the Court here
13 how to work this thing. It will take two seconds.

14 THE COURT: All right. Mr. McCollum come around,
15 and he'll show them how to work it.

16 (A brief pause in the proceedings as the
17 foreperson and attorneys go over the equipment
18 operation.)

19 THE COURT: I think we could let you go back there
20 right now. As I said, Mr. Hixson is getting the
21 transcripts, and as soon as we have them, I'll have a
22 deputy bring them to you. You may not need them, but.

23 (The jury exits at 1:59 p.m., and the
24 following is heard out of the presence of the jury.)

25 MR. GROOMS: If they exit it, which I hope they

VERDICT

1 won't, but I'll have to log them back in.

2 THE COURT: Okay. Have the deputy take the
3 transcripts back. Tell them if they log out we have
4 to bring someone back out to log them in.

5 MR. HIXSON: This is the second long interview,
6 and I have 15 copies. I think of the ones that were
7 missing pages, we recopied them, so the pages are
8 there.

9 THE COURT: Okay. That is like Page 12 and 13?

10 MR. HIXSON: Yeah.

11 MR. GROOMS: So there is three interviews, one,
12 two and the third one is where they did the Miranda.
13 It was eight minutes long. Did they ask for all three
14 or --

15 THE COURT: They are entitled to have it all, so
16 if they want to play it, that is fine. Be sure to
17 tell them if they log off we have to send someone else
18 to log on, so make sure you have a plug to plug it in.
19 Thank you.

20 (Court's Exhibit 3 marked.)

21 THE COURT: We're at ease.

22 (The time is 2:20 p.m.)

23 THE COURT: We have all the attorneys and the
24 defendant. It is my understanding we have a verdict.
25 Let me caution anyone in this courtroom who feels that

VERDICT

1 they cannot contain themselves upon the reading of the
2 verdict, you need to leave now. Any public outburst
3 in favor or against the verdict will not be tolerated.
4 Sheriff deputies, I'm instructing you to take
5 immediately into custody anyone who will make any
6 public outcry in front of this jury. Samp, if you
7 would, bring in the jury.

8 (The jury enters at 3:08 p.m., and the
9 following is heard in the presence of the jury.)

10 THE COURT: All right. Mr. Foreperson, have you
11 reached a verdict?

12 FOREPERSON: Yes, Your Honor.

13 THE COURT: Is it unanimous?

14 FOREPERSON: Yes, it is.

15 THE COURT: Would you give it to the bailiff,
16 please. Thank you, Mr. Ropp. Madam Clerk, publish
17 the verdict.

18 THE CLERK: Indictment 2013-GS-26-4704, State of
19 South Carolina, County of Horry versus Teresa Ann
20 McCracken- Hall. As to the charge of murder, we, the
21 jury, unanimously find the defendant guilty. Dated
22 May 26, 2016. Signed by foreperson, Kyle Jenkins.

23 Members of the jury, if this is your verdict, so
24 signify by raising your right hand.

25 THE COURT: Let the record reflect that all the

VERDICT

1 of early patrol, day-for-day as they say, no good
2 time, nothing like that. I understand Your Honor is
3 limited in what type of sentence you can impose, and
4 we would ask Your Honor to consider the minimum
5 sentence.

6 THE COURT: How old is your client, Mr. McCollum?

7 MR. MCCOLLUM: She'll be 52, Your Honor.

8 THE COURT: Do you have a sentencing sheet?

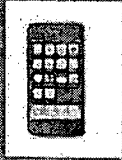
9 MR. HIXSON: Apologize, Your Honor.

10 THE COURT: Will Ms. McCracken address the Court?

11 MR. MCCOLLUM: I don't know that she's able to
12 right now.

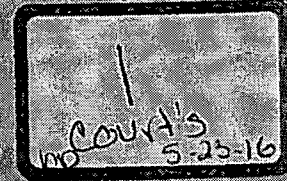
13 THE COURT: Very well. Sentence of the Court in
14 case of South Carolina versus Teresa Ann
15 McCracken-Hall, Indictment 2013-GS-26-4704, upon
16 conviction for the offense of murder, she be confined
17 to the State Department of Corrections for a period of
18 35 years without the possibility of parole. Thank
19 you.

20 Ladies and gentlemen of the jury, you have
21 participated in one of the greatest justice systems in
22 the world and you have honorably sat on one of the
23 most serious cases to be tried. As you have seen,
24 this defendant will now probably remain in prison for
25 the balance of her life. She may be released at 87



Extraction Report

Apple iPhone



TimeLineModel group (784)

#	Type	Timestamp	Party	Description	Del?	
1	Calendar	1/5/1904 12:00:00 AM(UTC+0)		Chas West's birthday	Intact	
2	Calendar	1/17/1904 12:00:00 AM(UTC+0)		Mary Frey's birthday	Intact	
3	Calendar	1/24/1904 12:00:00 AM(UTC+0)		Clive Edwards's birthday	Deleted	
4	Calendar	1/24/1904 12:00:00 AM(UTC+0)		Clive Edwards's birthday	Intact	
5	Calendar	1/27/1904 12:00:00 AM(UTC+0)		Paul Tovell's birthday	Intact	
6	Calendar	2/16/1904 12:00:00 AM(UTC+0)		Joe Gajan's birthday	Deleted	
7	Calendar	2/16/1904 12:00:00 AM(UTC+0)		Joe Gajan's birthday	Intact	
8	Calendar	2/25/1904 12:00:00 AM(UTC+0)		Tonya Garrett's birthday	Intact	
9	Calendar	3/13/1904 12:00:00 AM(UTC+0)		Phil Naro's birthday	Intact	
10	Calendar	3/30/1904 12:00:00 AM(UTC+0)		Nicole Williams's birthday	Intact	
11	Calendar	4/3/1904 12:00:00 AM(UTC+0)		Sibrena Myers's birthday	Intact	
12	Calendar	4/4/1904 12:00:00 AM(UTC+0)		Terry Lauderdale's birthday	Intact	
13	Calendar	4/29/1904 12:00:00 AM(UTC+0)		Louis August's birthday	Intact	
14	Calendar	5/16/1904 12:00:00 AM(UTC+0)		Donna Gardner's birthday	Intact	
15	Calendar	5/30/1904 12:00:00 AM(UTC+0)		Al Alraim's birthday	Intact	
16	Calendar	6/3/1904 12:00:00 AM(UTC+0)		Liz Lurye's birthday	Deleted	
17	Calendar	6/3/1904 12:00:00 AM(UTC+0)		Liz Lurye's birthday	Intact	
18	Calendar	6/3/1904 12:00:00 AM(UTC+0)		Haley O'Neal's birthday	Intact	
19	Calendar	6/8/1904 12:00:00 AM(UTC+0)		Edward Raven's birthday	Intact	
20	Calendar	6/11/1904 12:00:00 AM(UTC+0)		Bane Jelic's birthday	Intact	
21	Calendar	6/11/1904 12:00:00 AM(UTC+0)		Grady Honsley's birthday	Intact	
22	Calendar	6/15/1904 12:00:00 AM(UTC+0)		Andy Raymond's birthday	Intact	
23	Calendar	6/19/1904 12:00:00 AM(UTC+0)		Ray Branton's birthday	Intact	
24	Calendar	6/19/1904 12:00:00 AM(UTC+0)		Melinda McGlothlin's birthday	Intact	
25	Calendar	6/25/1904 12:00:00 AM(UTC+0)		Andy Dawson's birthday	Intact	
26	Calendar	7/6/1904 12:00:00 AM(UTC+0)		Tammy O'Neal Romm's birthday	Intact	
27	Calendar	7/21/1904 12:00:00 AM(UTC+0)		Denise Gurley's birthday	Deleted	
28	Calendar	7/21/1904 12:00:00 AM(UTC+0)		Denise Gurley's birthday	Intact	
29	Calendar	8/5/1904 12:00:00 AM(UTC+0)		Marcell Bush's birthday	Intact	
30	Calendar	8/13/1904 12:00:00 AM(UTC+0)		Eddie Marsh's birthday	Intact	
31	Calendar	9/2/1904 12:00:00 AM(UTC+0)		Matthew Morton's birthday	Intact	
32	Calendar	9/13/1904 12:00:00 AM(UTC+0)		Grant Goodwin's birthday	Intact	
33	Calendar	9/14/1904 12:00:00 AM(UTC+0)		Brady Harmon's birthday	Intact	

34	Calendar	9/16/1904 12:00:00 AM(UTC+0)	Hunter Emery's birthday	Deleted
35	Calendar	9/16/1904 12:00:00 AM(UTC+0)	Hunter Emery's birthday	Intact
36	Calendar	9/18/1904 12:00:00 AM(UTC+0)	Joe Stump's birthday	Intact
37	Calendar	9/28/1904 12:00:00 AM(UTC+0)	Brian Clarke's birthday	Intact
38	Calendar	9/30/1904 12:00:00 AM(UTC+0)	Jon Mulvey's birthday	Intact
39	Calendar	10/2/1904 12:00:00 AM(UTC+0)	Scott Peterson's birthday	Intact
40	Calendar	10/16/1904 12:00:00 AM(UTC+0)	Hector Cigarroa's birthday	Intact
41	Calendar	10/21/1904 12:00:00 AM(UTC+0)	Mike De Swardt's birthday	Deleted
42	Calendar	10/21/1904 12:00:00 AM(UTC+0)	Mike De Swardt's birthday	Intact
43	Calendar	10/27/1904 12:00:00 AM(UTC+0)	John Hull's birthday	Deleted
44	Calendar	10/27/1904 12:00:00 AM(UTC+0)	John Hull's birthday	Intact
45	Calendar	11/5/1904 12:00:00 AM(UTC+0)	Joshua Perahia's birthday	Intact
46	Calendar	11/11/1904 12:00:00 AM(UTC+0)	Shunji Goto's birthday	Intact
47	Calendar	11/13/1904 12:00:00 AM(UTC+0)	Denise Morin's birthday	Intact
48	Calendar	11/25/1904 12:00:00 AM(UTC+0)	Jannah Perkins's birthday	Intact
49	Calendar	11/26/1904 12:00:00 AM(UTC+0)	Julie Cassell's birthday	Deleted
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51	Calendar	12/5/1904 12:00:00 AM(UTC+0)	Keith Oliver's birthday	Intact
52	Calendar	12/11/1904 12:00:00 AM(UTC+0)	Rachel Litvack's birthday	Intact
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58	Calendar	12/19/1904 12:00:00 AM(UTC+0)	Charlie Bacs's birthday	Intact
59	Calendar	12/20/1904 12:00:00 AM(UTC+0)	Steven McCracken's birthday	Intact
60	Calendar	12/22/1904 12:00:00 AM(UTC+0)	Alanna O'Neal's birthday	Intact
61	Calendar	12/25/1904 12:00:00 AM(UTC+0)	Aaron Rosenbalm's birthday	Intact
62	Calendar	12/29/1904 12:00:00 AM(UTC+0)	Sydney Duke's birthday	Intact
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69	Calendar	5/31/1949 12:00:00 AM(UTC+0)	James Countliss's birthday	Intact
70	Calendar	12/22/1955 12:00:00 AM(UTC+0)	Linda Rogers's birthday	Intact
71	Calendar	9/24/1956 12:00:00 AM(UTC+0)	Fred Brown's birthday	Intact
72	Calendar	6/6/1958 12:00:00 AM(UTC+0)	Albert Younes's birthday	Intact
73	Calendar	8/21/1958 12:00:00 AM(UTC+0)	Kenneth Cogdill's birthday	Intact
74	Calendar	3/23/1959 12:00:00 AM(UTC+0)	Anthony Vaz's birthday	Intact

75	Calendar	12/31/1961 12:00:00 AM(UTC+0)	Carolyn Carter Kline's birthday	Intact	
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78	Calendar	5/8/1963 12:00:00 AM(UTC+0)	John Curtis's birthday	Intact	
79	Calendar	5/30/1963 12:00:00 AM(UTC+0)	Val Sartori's birthday	Intact	
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85	Calendar	7/10/1970 12:00:00 AM(UTC+0)	Michael Sutherland's birthday	Intact	
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87	Calendar	2/20/1971 12:00:00 AM(UTC+0)	Tracey Breeding's birthday	Intact	
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92	Calendar	5/6/1973 12:00:00 AM(UTC+0)	Edward Faust's birthday	Intact	
93	Calendar	1/13/1979 12:00:00 AM(UTC+0)	Moriah Gwinn's birthday	Intact	
94	Calendar	3/6/1980 12:00:00 AM(UTC+0)	Paolo Pantaleoni's birthday	Intact	
95	Calendar	6/11/1982 12:00:00 AM(UTC+0)	Robert Bebb's birthday	Intact	
96	Calendar	8/9/1983 12:00:00 AM(UTC+0)	Daniel Myers's birthday	Intact	
97	Calendar	9/3/1983 12:00:00 AM(UTC+0)	Beth Litvack's birthday	Intact	
98	Calendar	3/6/1984 12:00:00 AM(UTC+0)	David Smelser's birthday	Intact	
99	Calendar	5/12/1984 12:00:00 AM(UTC+0)	Kristy Hendrickson's birthday	Intact	
100	Calendar	2/10/1985 12:00:00 AM(UTC+0)	Martin Miller's birthday	Intact	
101	Calendar	11/15/1985 12:00:00 AM(UTC+0)	Daniel Booher's birthday	Intact	
102	Calendar	12/14/1985 12:00:00 AM(UTC+0)	Rachael Leonard's birthday	Intact	
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104	Calendar	12/20/1985 12:00:00 AM(UTC+0)	Brittany Potter's birthday	Intact	
105	Calendar	12/24/1985 12:00:00 AM(UTC+0)	Chris Beeson's birthday	Intact	
106	Calendar	2/11/1986 12:00:00 AM(UTC+0)	Joseph Humphrey's birthday	Intact	
107	Calendar	2/22/1986 12:00:00 AM(UTC+0)	Travis Welch's birthday	Intact	
108	Calendar	3/2/1986 12:00:00 AM(UTC+0)	Brianna Stitt Bebb's birthday	Intact	
109	Calendar	5/31/1986 12:00:00 AM(UTC+0)	Justin Lane's birthday	Intact	
110	Calendar	6/20/1986 12:00:00 AM(UTC+0)	Luke Franczek's birthday	Intact	
111	Calendar	11/30/1986 12:00:00 AM(UTC+0)	Colin O'Connor's birthday	Intact	
112	Calendar	12/2/1986 12:00:00 AM(UTC+0)	Ryan Hite's birthday	Intact	
113	Calendar	6/13/1987 12:00:00 AM(UTC+0)	Dena Henderson's birthday	Intact	
114	Calendar	6/24/1987 12:00:00 AM(UTC+0)	Hannah Tester's birthday	Intact	
115	Calendar	7/7/1987 12:00:00 AM(UTC+0)	Malachi Brown's birthday	Intact	

116	Calendar	8/21/1987 12:00:00 AM(UTC+0)	Brett Stoner's birthday	Intact	
117	Calendar	9/17/1987 12:00:00 AM(UTC+0)	Brett Gammon's birthday	Intact	
118	Calendar	12/31/1987 12:00:00 AM(UTC+0)	Jena Grace's birthday	Intact	
119	Calendar	5/12/1988 12:00:00 AM(UTC+0)	Lilly Hirshoc's birthday	Intact	
120	Calendar	6/23/1988 12:00:00 AM(UTC+0)	Hannah Litvack's birthday	Intact	
121	Calendar	12/29/1988 12:00:00 AM(UTC+0)	John Baker's birthday	Intact	
122	Calendar	10/16/1989 12:00:00 AM(UTC+0)	Barbie Culkin's birthday	Intact	
123	Calendar	10/16/1989 12:00:00 AM(UTC+0)	Robin Myers's birthday	Intact	
124	Calendar	11/4/1989 12:00:00 AM(UTC+0)	Jamie Sprowles's birthday	Intact	
125	Calendar	11/9/1989 12:00:00 AM(UTC+0)	Eli Williams's birthday	Intact	
126	Calendar	1/16/1990 12:00:00 AM(UTC+0)	Michael Rutter's birthday	Intact	
127	Calendar	4/12/1990 12:00:00 AM(UTC+0)	Joe Milhorn's birthday	Intact	
128	Calendar	4/4/1991 12:00:00 AM(UTC+0)	Kavita Chauhan's birthday	Intact	
129	Calendar	10/30/1991 12:00:00 AM(UTC+0)	Linnea Ellis's birthday	Intact	
130	Calendar	10/8/1992 12:00:00 AM(UTC+0)	Connor Ward's birthday	Intact	
131	Calendar	11/21/1992 12:00:00 AM(UTC+0)	Christopher Boswell's birthday	Intact	
132	Calendar	2/24/1993 12:00:00 AM(UTC+0)	Brandon Garden's birthday	Deleted	
133	Calendar	2/24/1993 12:00:00 AM(UTC+0)	Brandon Garden's birthday	Intact	
134	Calendar	4/14/1993 12:00:00 AM(UTC+0)	Seth Kelron's birthday	Deleted	
135	Calendar	4/14/1993 12:00:00 AM(UTC+0)	Seth Kelron's birthday	Intact	
136	Calendar	5/27/1993 12:00:00 AM(UTC+0)	Casey Morrell's birthday	Intact	
137	Calendar	11/9/1994 12:00:00 AM(UTC+0)	Robert White's birthday	Intact	
138	Calendar	6/18/1995 12:00:00 AM(UTC+0)	Jake Tester's birthday	Intact	
139	Calendar	9/4/1995 12:00:00 AM(UTC+0)	Jake Breeding's birthday	Intact	
140	Calendar	1/3/1996 12:00:00 AM(UTC+0)	Justin Smith's birthday	Intact	
141	Calendar	1/8/1996 12:00:00 AM(UTC+0)	Ryan McCracken's birthday	Intact	
142	☛ SMS Messages	4/9/2005 12:54:32 PM(UTC+0)	Boost mobile told me	Deleted	
143	Calendar	1/1/2008 12:00:00 AM(UTC+0)	New Year's Day	Intact	
144	Calendar	1/21/2008 12:00:00 AM(UTC+0)	Martin Luther King Day	Intact	
145	Calendar	2/2/2008 12:00:00 AM(UTC+0)	Groundhog Day	Intact	
146	Calendar	2/12/2008 12:00:00 AM(UTC+0)	Lincoln's Birthday	Intact	
147	Calendar	2/14/2008 12:00:00 AM(UTC+0)	Valentine's Day	Intact	
148	Calendar	2/18/2008 12:00:00 AM(UTC+0)	Presidents Day	Intact	
149	Calendar	3/17/2008 12:00:00 AM(UTC+0)	Saint Patrick's Day	Deleted	
150	Calendar	3/17/2008 12:00:00 AM(UTC+0)	Saint Patrick's Day	Intact	
151	Calendar	4/15/2008 12:00:00 AM(UTC+0)	Tax Day	Intact	
152	Calendar	5/11/2008 12:00:00 AM(UTC+0)	Mother's Day	Intact	
153	Calendar	5/26/2008 12:00:00 AM(UTC+0)	Memorial Day	Intact	
154	Calendar	6/14/2008 12:00:00 AM(UTC+0)	Flag Day	Intact	
155	Calendar	6/15/2008 12:00:00 AM(UTC+0)	Father's Day	Intact	
156	Calendar	7/4/2008 12:00:00 AM(UTC+0)	Independence Day	Intact	

157	Calendar	9/1/2008 12:00:00 AM(UTC+0)		Labor Day	Intact	
158	Calendar	10/13/2008 12:00:00 AM(UTC+0)		Columbus Day	Intact	
159	Calendar	10/31/2008 12:00:00 AM(UTC+0)		Halloween	Deleted	
160	Calendar	10/31/2008 12:00:00 AM(UTC+0)		Halloween	Intact	
161	Calendar	11/11/2008 12:00:00 AM(UTC+0)		Veterans Day	Deleted	
162	Calendar	11/11/2008 12:00:00 AM(UTC+0)		Veterans Day	Intact	
163	Calendar	11/27/2008 12:00:00 AM(UTC+0)		Thanksgiving Day	Intact	
164	Calendar	12/24/2008 12:00:00 AM(UTC+0)		Christmas Eve	Intact	
165	Calendar	12/25/2008 12:00:00 AM(UTC+0)		Christmas Day	Intact	
166	Calendar	12/31/2008 12:00:00 AM(UTC+0)		New Year's Eve	Deleted	
167	Calendar	12/31/2008 12:00:00 AM(UTC+0)		New Year's Eve	Intact	
168	Locations	4/7/2013 12:27:56 PM		(33.71617, -78.94483)	Intact	
169	Locations	4/7/2013 12:27:56 PM		(33.71617, -78.94483)	Intact	
170	Locations	4/7/2013 1:52:28 PM		(33.71617, -78.94500)	Intact	
171	Locations	4/7/2013 1:52:29 PM		(33.71617, -78.94500)	Intact	
172	Locations	4/7/2013 1:52:44 PM		(33.71617, -78.94500)	Intact	
173	Locations	4/7/2013 1:52:44 PM		(33.71617, -78.94500)	Intact	
174	Locations	4/7/2013 1:53:07 PM		(33.71617, -78.94500)	Intact	
175	Locations	4/7/2013 1:53:07 PM		(33.71617, -78.94500)	Intact	
176	Wireless Networks	5/4/2013 3:32:04 AM(UTC+0)		Guest_Access	Intact	
177	Locations	5/4/2013 1:22:40 PM		(33.71600, -78.94517)	Intact	
178	Locations	5/4/2013 1:22:40 PM		(33.71600, -78.94517)	Intact	
179	Locations	5/4/2013 1:22:41 PM		(33.71600, -78.94517)	Intact	
180	Locations	5/4/2013 1:22:41 PM		(33.71600, -78.94517)	Intact	
181	Locations	5/4/2013 1:22:43 PM		(33.71600, -78.94517)	Intact	
182	Locations	5/4/2013 1:22:43 PM		(33.71600, -78.94517)	Intact	
183	Locations	5/5/2013 8:53:14 AM		(33.71617, -78.94517)	Intact	
184	Locations	5/5/2013 8:53:14 AM		(33.71617, -78.94517)	Intact	
185	Locations	5/6/2013 6:41:20 PM		(33.71617, -78.87850)	Intact	
186	Locations	5/6/2013 6:41:20 PM		(33.71617, -78.87850)	Intact	
187	Locations	5/6/2013 6:41:22 PM		(33.71617, -78.87850)	Intact	
188	Locations	5/6/2013 6:41:22 PM		(33.71617, -78.87850)	Intact	
189	Locations	5/6/2013 6:55:18 PM		(33.71600, -78.87817)	Intact	
190	Locations	5/6/2013 6:55:18 PM		(33.71600, -78.87817)	Intact	
191	Locations	5/6/2013 6:55:38 PM		(33.71617, -78.87833)	Intact	
192	Locations	5/6/2013 6:55:38 PM		(33.71617, -78.87833)	Intact	
193	Locations	5/6/2013 6:55:46 PM		(33.71617, -78.87817)	Intact	
194	Locations	5/6/2013 6:55:46 PM		(33.71617, -78.87817)	Intact	
195	Locations	5/6/2013 7:21:49 PM		(33.68117, -78.88967)	Intact	
196	Locations	5/6/2013 7:21:49 PM		(33.68117, -78.88967)	Intact	
197	Locations	5/6/2013 7:22:35 PM		(33.68133, -78.88967)	Intact	
198	Locations	5/6/2013 7:22:35 PM		(33.68133, -78.88967)	Intact	
199	Locations	5/7/2013 3:40:56 PM		(33.75900, -78.81900)	Intact	
200	Locations	5/7/2013 3:40:56 PM		(33.75900, -78.81900)	Intact	
201	Locations	5/7/2013 3:40:56 PM		(33.75900, -78.81900)	Intact	
202	Locations	5/7/2013 3:41:22 PM		(33.75900, -78.81900)	Intact	
203	Locations	5/7/2013 3:41:22 PM		(33.75900, -78.81900)	Intact	
204	MMS Messages	5/7/2013 8:20:23 PM(UTC+0)	2517	Alex w/60 oz beer @ Jimmy buffets in Vegas w/ me last week. Now THAT'S a beer. Cheers to 'ya & happy trails home!!!!	Intact	
205	MMS Messages	5/7/2013 8:20:23 PM(UTC+0)	2517	Alex w/60 oz beer @ Jimmy buffets in Vegas w/ me last week. Now THAT'S a beer. Cheers to 'ya & happy trails home!!!!	Deleted	
206	MMS Messages	5/7/2013 10:54:09 PM(UTC+0)	To: Steve 5878		Deleted	
207	MMS Messages	5/7/2013 10:54:09 PM(UTC+0)	To: Steve 5878		Intact	
208	SMS Messages	5/8/2013 1:14:17 AM(UTC+0)		She's growing up and you look tired.	Deleted	
209	SMS Messages	5/8/2013 1:38:12 AM(UTC+0)		She is and I am	Deleted	
210	MMS Messages	5/8/2013 4:08:57 AM(UTC+0)			Deleted	
211	SMS Messages	5/8/2013 4:10:45 AM(UTC+0)		Thanks for the photos. Love ya	Deleted	

212	✉ SMS Messages	5/8/2013 4:11:39 AM(UTC+0)		You're welcome my dad had two surgeries today and came out okay and I'm in Bristol now but I'm wore out love you too	Deleted	
213	✉ SMS Messages	5/8/2013 4:16:19 AM(UTC+0)		Hope you can better knowing your dad is better..talk with u later love	Deleted	
214	✉ SMS Messages	5/8/2013 4:18:40 AM(UTC+0)		Ok	Deleted	
215	✉ SMS Messages	5/8/2013 10:52:56 AM(UTC+0)		Call when ur up	Deleted	
216	✉ SMS Messages	5/8/2013 3:31:49 PM(UTC+0)		Hey u forgot to leave her pink princess bookbag that had all her art stuff in it and hopefully her ds is in there to call me	Deleted	
217	✉ SMS Messages	5/9/2013 11:09:44 PM(UTC+0)		Hey Matt I was wondering if you could give me a lift back to the house tomorrow when i drop off the van at the airport let me know	Deleted	
218	✉ SMS Messages	5/9/2013 11:23:47 PM(UTC+0)		Ok babe thank u sooo sooo much.... becareful an if u thonk about it let me know uve made it	Deleted	
219	✉ SMS Messages	5/9/2013 11:35:25 PM(UTC+0)		Lol. Just let me know. Drive safe girl.	Deleted	
220	✉ SMS Messages	5/10/2013 1:28:49 AM(UTC+0)		I love u and miss u my precious wife	Deleted	
221	✉ SMS Messages	5/10/2013 1:42:29 AM(UTC+0)		I love and miss you loo my big husband	Deleted	
222	✉ SMS Messages	5/10/2013 1:43:30 AM(UTC+0)		I have decided not to mess with anything in the house I'm just going to get the front room straightened out the way I want it and then I'll be my spot it's clean the way I will deal	Deleted	
223	✉ SMS Messages	5/10/2013 4:31:19 PM(UTC+0)		I'm naked I got to get my clothes on	Deleted	
224	✉ SMS Messages	5/10/2013 4:34:41 PM(UTC+0)		I hear you and your wife over there because I'm laying out on the front	Deleted	
225	✉ SMS Messages	5/10/2013 4:35:44 PM(UTC+0)		Yep. Not good	Deleted	
226	✉ SMS Messages	5/10/2013 4:36:11 PM(UTC+0)		What do you mean	Deleted	
227	✉ SMS Messages	5/10/2013 4:37:13 PM(UTC+0)		Windal can give me a tide if you can't	Deleted	
228	✉ SMS Messages	5/10/2013 4:37:57 PM(UTC+0)		Im waiting on u	Deleted	
229	✉ SMS Messages	5/10/2013 4:38:17 PM(UTC+0)		Okay give me five	Deleted	
230	✉ SMS Messages	5/10/2013 4:45:22 PM(UTC+0)		I'm walking out the door where you at	Deleted	
231	✉ SMS Messages	5/10/2013 4:50:20 PM(UTC+0)		Hey Matt i got to get f a little bit gas passing gas station	Deleted	
232	✉ SMS Messages	5/11/2013 9:41:35 PM(UTC+0)		For his phone	Deleted	
233	✉ SMS Messages	5/11/2013 9:43:31 PM(UTC+0)		Boost mobile told me	Deleted	
234	✉ SMS Messages	5/11/2013 9:43:49 PM(UTC+0)		I get paperless statements I never looked out and I just pay the bill	Deleted	
235	✉ SMS Messages	5/11/2013 9:44:04 PM(UTC+0)		I really don't like texting right now Dayton	Deleted	
236	Locations	5/12/2013 2:46:24 PM		(33.71617, -78.94517)	Intact	
237	Locations	5/12/2013 2:46:24 PM		(33.71617, -78.94517)	Intact	
238	Locations	5/12/2013 2:47:24 PM		(33.71617, -78.94517)	Intact	
239	Locations	5/12/2013 2:47:24 PM		(33.71617, -78.94517)	Intact	
240	Locations	5/12/2013 2:47:24 PM		(33.71617, -78.94517)	Intact	
241	Locations	5/12/2013 6:56:25 PM		(33.71300, -78.92483)	Intact	
242	Locations	5/12/2013 6:56:25 PM		(33.71300, -78.92483)	Intact	
243	Locations	5/12/2013 6:56:25 PM		(33.71300, -78.92483)	Intact	
244	Locations	5/12/2013 6:56:53 PM		(33.71300, -78.92500)	Intact	
245	Locations	5/12/2013 6:57:45 PM		(33.71283, -78.92500)	Intact	
246	Locations	5/12/2013 7:16:05 PM		(33.71283, -78.92500)	Intact	
247	Locations	5/12/2013 7:16:05 PM		(33.71283, -78.92500)	Intact	
248	Locations	5/12/2013 7:16:35 PM		(33.71283, -78.92500)	Intact	
249	Locations	5/12/2013 7:16:35 PM		(33.71283, -78.92500)	Intact	
250	Locations	5/12/2013 7:17:37 PM		(33.71283, -78.92500)	Intact	
251	Locations	5/12/2013 7:17:37 PM		(33.71283, -78.92500)	Intact	
252	Locations	5/12/2013 7:17:45 PM		(33.71283, -78.92500)	Intact	
253	Locations	5/12/2013 7:17:45 PM		(33.71283, -78.92500)	Intact	
254	Locations	5/12/2013 7:18:24 PM		(33.71283, -78.92500)	Intact	
255	Locations	5/12/2013 7:18:24 PM		(33.71283, -78.92500)	Intact	
256	Locations	5/12/2013 7:18:26 PM		(33.71283, -78.92500)	Intact	
257	Locations	5/12/2013 7:18:26 PM		(33.71283, -78.92500)	Intact	
258	Locations	5/12/2013 7:18:44 PM		(33.71283, -78.92517)	Intact	
259	Locations	5/12/2013 7:18:44 PM		(33.71283, -78.92517)	Intact	
260	Locations	5/12/2013 7:18:48 PM		(33.71283, -78.92517)	Intact	
261	Locations	5/12/2013 7:18:48 PM		(33.71283, -78.92517)	Intact	
262	Locations	5/12/2013 7:18:53 PM		(33.71283, -78.92517)	Intact	
263	Locations	5/12/2013 7:18:53 PM		(33.71283, -78.92517)	Intact	

264	Locations	5/12/2013 7:18:56 PM		(33.71283, -78.92517)	Intact
265	Locations	5/12/2013 7:18:56 PM		(33.71283, -78.92517)	Intact
266	Locations	5/13/2013 12:32:30 PM		(33.75783, -78.82050)	Intact
267	Locations	5/13/2013 1:00:50 PM		(33.75783, -78.82050)	Intact
268	Locations	5/13/2013 1:00:50 PM		(33.75783, -78.82050)	Intact
269	Wireless Networks	5/24/2013 6:12:45 PM(UTC+0)		LosArcos	Intact
270	SMS Messages	5/24/2013 6:15:02 PM(UTC+0)	From: 6546	VZW #BAL Balance due: \$114.75. Payment due by 05/18. Last payment: \$127.89 received on 04/29. To pay now dial #PMT.	Intact
271	Wireless Networks	5/26/2013 3:15:11 PM(UTC+0)		LaQuinta	Intact
272	Locations	6/5/2013 12:39:43 PM		(33.72367, -78.84633)	Intact
273	Locations	6/5/2013 12:39:43 PM		(33.72367, -78.84633)	Intact
274	Locations	6/5/2013 12:39:43 PM		(33.72367, -78.84633)	Intact
275	Locations	6/5/2013 12:39:43 PM		(33.72367, -78.84633)	Intact
276	Locations	6/5/2013 12:40:06 PM		(33.72367, -78.84633)	Intact
277	Locations	6/5/2013 12:40:06 PM		(33.72367, -78.84633)	Intact
278	Locations	6/5/2013 12:40:06 PM		(33.72367, -78.84633)	Intact
279	Locations	6/5/2013 12:40:23 PM		(33.72367, -78.84633)	Intact
280	Locations	6/5/2013 12:40:23 PM		(33.72367, -78.84633)	Intact
281	Locations	6/5/2013 12:40:23 PM		(33.72367, -78.84633)	Intact
282	Locations	6/5/2013 12:40:23 PM		(33.72367, -78.84633)	Intact
283	Locations	6/5/2013 12:40:23 PM		(33.72367, -78.84633)	Intact
284	Locations	6/5/2013 1:16:10 PM		(33.72367, -78.84633)	Intact
285	Locations	6/5/2013 1:16:10 PM		(33.72367, -78.84633)	Intact
286	Locations	6/5/2013 1:16:10 PM		(33.72367, -78.84633)	Intact
287	Locations	6/5/2013 1:16:17 PM		(33.72367, -78.84633)	Intact
288	Locations	6/5/2013 1:16:17 PM		(33.72367, -78.84633)	Intact
289	Locations	6/5/2013 1:16:17 PM		(33.72367, -78.84633)	Intact
290	Locations	6/5/2013 1:16:17 PM		(33.72367, -78.84633)	Intact
291	Locations	6/5/2013 1:35:12 PM		(33.70967, -78.86450)	Intact
292	Locations	6/5/2013 1:35:12 PM		(33.70967, -78.86450)	Intact
293	Locations	6/5/2013 1:35:12 PM		(33.70967, -78.86450)	Intact
294	Locations	6/5/2013 1:35:12 PM		(33.70967, -78.86450)	Intact
295	Locations	6/5/2013 1:35:18 PM		(33.70967, -78.86450)	Intact
296	Locations	6/5/2013 1:35:18 PM		(33.70967, -78.86450)	Intact
297	Locations	6/5/2013 1:35:18 PM		(33.70967, -78.86450)	Intact
298	SMS Messages	6/5/2013 5:49:56 PM(UTC+0)		(Appointment Reminder) You have an appointment with Jin Li Dong, DC LAc on Friday, Jun 07 at 11:00 AM! See you soon! Missed Appointment fees app	Deleted
299	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
300	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
301	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
302	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
303	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
304	Locations	6/5/2013 3:38:25 PM		(33.69400, -78.87750)	Intact
305	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
306	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
307	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
308	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
309	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
310	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
311	Locations	6/7/2013 12:12:51 PM		(33.72367, -78.84633)	Intact
312	Locations	6/7/2013 12:13:00 PM		(33.72367, -78.84633)	Intact
313	Locations	6/7/2013 12:13:00 PM		(33.72367, -78.84633)	Intact
314	Locations	6/7/2013 12:13:00 PM		(33.72367, -78.84633)	Intact
315	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
316	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
317	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
318	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
319	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
320	Locations	6/7/2013 12:13:15 PM		(33.72367, -78.84633)	Intact
321	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
322	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
323	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
324	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
325	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
326	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
327	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact
328	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact

329	Locations	6/9/2013 9:45:30 AM		(33.71600, -78.94500)	Intact	
330	Locations	6/9/2013 9:45:34 AM		(33.71600, -78.94500)	Intact	
331	Locations	6/9/2013 9:45:34 AM		(33.71600, -78.94500)	Intact	
332	SMS Messages	6/9/2013 7:49:17 PM(UTC+0)		Ur so awsome I opened that cooler while I was goin down the road and there was even an energy drink in there thanks so much for everything bre loved the letter u wrote	Deleted	
333	SMS Messages	6/9/2013 10:59:19 PM(UTC+0)		Your very welcome, in case you don't get it by now I love you little shit's to death always have always will. Thanks for everything Dena...mostly for the time you gave us, that was the most special love you baby	Deleted	
334	SMS Messages	6/10/2013 7:02:51 PM(UTC+0)		(Appointment Reminder) You have an appointment with Jin Li Dong, DC LAC on Wednesday, Jun 12 at 03:00 PM! See you soon! Missed Appointment fees	Deleted	
335	Instant Messages	6/11/2013 12:00:20 AM(UTC+0)	From: 6546	Please send me the total for the phone line on 423-444-6546 each month so I can pay it tanks	Intact	
336	SMS Messages	6/12/2013 12:07:04 AM(UTC+0)	From: Dee Lowe	One of u better get the fuck out of the house.	Intact	
337	SMS Messages	6/12/2013 12:49:48 AM(UTC+0)	From: Dee Lowe	No more selling your pills. Im calling your doc n the morning.	Intact	
338	SMS Messages	6/12/2013 3:02:33 PM(UTC+0)		(Appointment Reminder) You have an appointment with Jin Li Dong, DC LAC on Friday, Jun 14 at 11:00 AM! See you soon! Missed Appointment fees app	Deleted	
339	SMS Messages	6/13/2013 1:24:02 AM(UTC+0)	From: Dee Lowe	U need to stop calling and texting my wife. She has nothing to do with any of this shit.	Intact	
340	SMS Messages	6/13/2013 2:05:18 PM(UTC+0)	From: Dee Lowe	Hey I owe u \$200 and \$35 for a total of \$235. U owe me like \$65 for shit that I gave u (twice). U said u would give me pills for it and never did.	Intact	
341	Instant Messages	6/13/2013 4:04:18 PM(UTC+0)	From: + 5412	Not a good report from dr	Intact	
342	Instant Messages	6/13/2013 4:07:14 PM(UTC+0)	From: + 6546	What Dr.	Intact	
343	Instant Messages	6/13/2013 4:07:33 PM(UTC+0)	From: 5412	South Carolina	Intact	
344	Instant Messages	6/13/2013 4:09:31 PM(UTC+0)	From: 6546	She won't even see me anymore. I have an appointment with a neurologist on the 21 of this month.... Dies it matter what state I'm in	Intact	
345	Instant Messages	6/13/2013 4:10:32 PM(UTC+0)	From: + 5412	I'm not coming to Bristol for surgery and I can't keep living this way my hands are horrible	Intact	
346	Instant Messages	6/13/2013 4:11:43 PM(UTC+0)	From: 6546	I'm hoping to Dr. Thompson to reword his notes from our visit	Intact	
347	Instant Messages	6/13/2013 4:11:59 PM(UTC+0)		He will do it	Intact	
348	Instant Messages	6/13/2013 4:12:41 PM(UTC+0)	From: 6546	I know this pain is from the wreck and I'm not going to give in yet	Intact	
349	Instant Messages	6/13/2013 4:12:59 PM(UTC+0)	From: 6546	Even if I have to have surgery	Intact	
350	SMS Messages	6/13/2013 4:23:00 PM(UTC+0)	From: Frankie	Call me in 2 hours	Intact	
351	SMS Messages	6/15/2013 4:59:35 PM(UTC+0)	From: Dee Lowe	What up?	Intact	
352	SMS Messages	6/15/2013 6:35:28 PM(UTC+0)	From: + Dee Lowe	Sorry just doesnt cut it for what u did. I will never talk to u again. U fucked me. U are a rail u didnt remember the rules of the playground. ...quit calln and texting me and my wife.	Intact	
353	SMS Messages	6/15/2013 7:05:31 PM(UTC+0)	To: 9946 Dee Lowe	Bring it on	Intact	
354	SMS Messages	6/15/2013 11:03:48 PM(UTC+0)		Are you ok?	Deleted	
355	SMS Messages	6/15/2013 11:10:33 PM(UTC+0)		I'm fine	Deleted	
356	SMS Messages	6/16/2013 12:58:43 PM(UTC+0)	From: Dee Lowe	Yo	Intact	
357	Instant Messages	6/16/2013 4:14:51 PM(UTC+0)	From: 6546	Happy Father's Day!	Intact	
358	Instant Messages	6/16/2013 4:25:36 PM(UTC+0)	From: 5412	Thx	Intact	
359	Instant Messages	6/16/2013 4:26:09 PM(UTC+0)	From: 6546	Your welcome	Intact	
360	SMS Messages	6/16/2013 4:46:24 PM(UTC+0)	From: Frankie	What was up with u yesterday	Intact	
361	Instant Messages	6/16/2013 4:49:19 PM(UTC+0)	From: 6546	I don't know, they filled my adderall at cvs and gave me the wrong medicine it's salts or instead of xr it's the wrong medicine and I don't remember anything	Intact	
362	SMS Messages	6/19/2013 12:30:12 AM(UTC+0)	From: Dee Lowe	I dont need to know when the check was mailed out. I told u when i got it, U WOULD GET IT. IF U WANT CALL THE MAILMAN AND FIND OUT WHAT TIME HE WILL BE DELIVERING THE MAIL	Intact	
363	Locations	6/20/2013 11:48:08 AM		(33.71600, -78.94517)	Intact	
364	Locations	6/20/2013 11:48:08 AM		(33.71600, -78.94517)	Intact	
365	Locations	6/20/2013 11:48:33 AM		(33.71600, -78.94517)	Intact	
366	Locations	6/20/2013 11:48:33 AM		(33.71600, -78.94517)	Intact	
367	Locations	6/20/2013 11:57:11 AM		(33.71617, -78.94517)	Intact	
368	Locations	6/20/2013 11:59:12 AM		(33.71600, -78.94517)	Intact	
369	Locations	6/20/2013 11:59:12 AM		(33.71600, -78.94517)	Intact	

— All of these are nasty messages sent to Δ

370	Instant Messages	6/30/2013 3:47:15 AM(UTC+0)	From:	6546	I sent a payment for 100.00 on 6/29/13 please let me know how much more I need to pay for this line	Intact
371	Instant Messages	6/30/2013 3:47:16 AM(UTC+0)	From:	6546	I sent a payment for 100.00 on 6/29/13 please let me know how much more I need to pay for this line	Intact
372	SMS Messages	7/1/2013 2:33:15 PM(UTC+0)	From:	9946 Dee	Ym	Intact
373	SMS Messages	7/1/2013 3:20:51 PM(UTC+0)	To:	9946 Dee	Yeah	Intact
374	SMS Messages	7/1/2013 3:22:35 PM(UTC+0)	From:	9946 Dee Lowe	Call me please	Intact
375	SMS Messages	7/2/2013 7:23:05 PM(UTC+0)	From:	95686	Free Text Msg: Citi Cards needs to talk with you regarding your recent application. Please call 800-369-2973 ref# 000538 . To Opt-Out reply STOP.	Intact
376	Locations	7/3/2013 2:36:17 PM			(33.71600, -78.94517)	Intact
377	Locations	7/3/2013 2:36:17 PM			(33.71600, -78.94517)	Intact
378	Locations	7/3/2013 2:36:28 PM			(33.71600, -78.94517)	Intact
379	Locations	7/3/2013 2:36:28 PM			(33.71600, -78.94517)	Intact
380	Locations	7/3/2013 2:36:59 PM			(33.71600, -78.94500)	Intact
381	Locations	7/3/2013 2:36:59 PM			(33.71600, -78.94500)	Intact
382	Locations	7/3/2013 2:37:32 PM			(33.71600, -78.94500)	Intact
383	Locations	7/3/2013 2:37:32 PM			(33.71600, -78.94500)	Intact
384	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
385	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
386	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
387	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
388	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
389	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
390	Locations	7/4/2013 4:52:03 PM			(33.68667, -79.00650)	Intact
391	Locations	7/4/2013 4:52:07 PM			(33.68650, -79.00650)	Intact
392	Locations	7/4/2013 4:52:07 PM			(33.68650, -79.00650)	Intact
393	Instant Messages	7/4/2013 10:28:23 PM(UTC+0)	From:	6546	I was fishing I caught a catfish and during the fillet of it I cut my finger tip off	Intact
394	Instant Messages	7/4/2013 10:29:33 PM(UTC+0)	From:	6546	I'm going home	Intact
395	Locations	7/4/2013 6:49:45 PM			(33.71600, -78.94517)	Intact
396	Locations	7/4/2013 6:49:45 PM			(33.71600, -78.94517)	Intact
397	Locations	7/4/2013 6:49:45 PM			(33.71600, -78.94517)	Intact
398	Locations	7/4/2013 6:49:53 PM			(33.71600, -78.94517)	Intact
399	Locations	7/4/2013 6:49:53 PM			(33.71600, -78.94517)	Intact
400	SMS Messages	7/4/2013 10:51:48 PM(UTC+0)	From:	7541	Happy 4th love yew its robin	Intact
401	SMS Messages	7/4/2013 10:52:13 PM(UTC+0)	To:	7541	Happy happy, love ya	Intact
402	Instant Messages	7/4/2013 11:02:24 PM(UTC+0)	From:	5412	What's up	Intact
403	Instant Messages	7/4/2013 11:06:47 PM(UTC+0)	From:	6546	Hey there I'm not going to call you I figured you can't hear the phone have a good time but I'm gonna go to my sisters, just wanted to let you know. Be careful love you bye	Intact
404	Instant Messages	7/4/2013 11:07:08 PM(UTC+0)	From:	6546	Happy 4th of July	Intact
405	Instant Messages	7/4/2013 11:07:32 PM(UTC+0)	From:	5412	U too babe	Intact
406	Instant Messages	7/4/2013 11:07:56 PM(UTC+0)	From:	6546	Look what I caught and did...lol	Intact
407	Instant Messages	7/4/2013 11:07:57 PM(UTC+0)	From:	6546	Your welcome	Intact
408	Instant Messages	7/4/2013 11:08:28 PM(UTC+0)	From:	5412	What is it	Intact
409	Instant Messages	7/4/2013 11:09:29 PM(UTC+0)	From:	6546	Catfish and the end of finger I cut off while filleting the fish..	Intact
410	Instant Messages	7/4/2013 11:10:09 PM(UTC+0)	From:	5412	Ouch	Intact
411	SMS Messages	7/4/2013 11:46:46 PM(UTC+0)	From:	9037 Bre	Where are you? We are hungry!	Intact
412	Instant Messages	7/5/2013 2:22:10 AM(UTC+0)	From:	6546	Dad won't let me drive home because I was falling asleep sitting up on the couch. I have Bug and Boo with me... Love you call you when I wake up!	Intact
413	MMS Messages	7/5/2013 1:04:45 PM(UTC+0)	To:	9037 Bre		Intact
414	SMS Messages	7/5/2013 1:06:06 PM(UTC+0)	To:	9037 Bre	Hope you have a Great! day	Intact
415	SMS Messages	7/5/2013 5:08:56 PM(UTC+0)	From:	9037 Bre	Thanks sis. Love spending time with you!	Intact
416	SMS Messages	7/5/2013 5:27:24 PM(UTC+0)	To:	9037 Bre	Dido	Intact

Teresa

Teresa sent this to Steve. It proves she would take both dogs with her

Fun day, thanks for asking me to go. Love you!

417	SMS Messages	7/5/2013 5:44:51 PM(UTC+0)	From: Bre	9037	Ready to do it again whenever you are ready?	Intact
418	SMS Messages	7/5/2013 5:47:17 PM(UTC+0)	To:	9037 Bre	Now, bring it on	Intact
419	SMS Messages	7/5/2013 5:47:47 PM(UTC+0)	To:	9037 Bre	Lol	Intact
420	SMS Messages	7/5/2013 5:50:40 PM(UTC+0)	From: Bre	9037	How about after 5:30?	Intact
421	SMS Messages	7/5/2013 5:51:10 PM(UTC+0)	From: B	9037	Bring it on sista	Intact
422	MMS Messages	7/5/2013 5:53:29 PM(UTC+0)	+	9037	My face looks worse. What you think?	Intact
423	SMS Messages	7/5/2013 5:56:28 PM(UTC+0)	From: tsnwvdxicj@msn.com		Congrats on Winning a Cruise for Two! Call 855-595-1400	Intact
424	SMS Messages	7/5/2013 5:57:44 PM(UTC+0)	To:	9037 Bre	Your beautiful, you need to go to see the doctor sissy....don't fuck around with! If I knew catching that catfish was going to do this I would have thrown him back.... Lol	Intact
425	SMS Messages	7/5/2013 6:00:14 PM(UTC+0)	From: Bre	9037	You are too funny. Next one is gonna be mine. Love ya. Gotta go back to work.	Intact
426	Voicemail	7/6/2013 4:39:27 PM(UTC+0)	From: Bre	3822	From: 3822 Bre	Intact
427	Voicemail	7/6/2013 6:28:05 PM(UTC+0)	From: Diane	9635	From: 9635 Diane	Intact
428	SMS Messages	7/7/2013 4:21:56 AM(UTC+0)	From: Diane	9635	Hey Teresa..sorry i missed your call..think I fell asleep and my phone was in my bag and i didn't hear it. Hope all is well I'll talk with you maybe Sunday. Love u.	Intact
429	MMS Messages	7/7/2013 3:04:03 PM(UTC+0)	To: Diane	9635	Sorry I missed your call, here are some pictures you might like. Love you too	Intact
430	MMS Messages	7/7/2013 3:12:39 PM(UTC+0)	To: Dena	2809	Thought you might like these pictures! Cal me later so I can talk to Bre please. Love you!	Intact
431	SMS Messages	7/7/2013 10:49:29 PM(UTC+0)	From: Dena	2809	Hey thanks for the pics I loved them	Intact
432	SMS Messages	7/7/2013 10:49:33 PM(UTC+0)	From: Dena	2809	And love you	Intact
433	SMS Messages	7/8/2013 12:49:55 AM(UTC+0)	To: Dena	2809	Dido	Intact
434	Voicemail	7/8/2013 2:26:20 PM(UTC+0)	From:	6886	From: 6886	Intact
435	Voicemail	7/8/2013 4:54:28 PM(UTC+0)	From: Mom	1577	From: 1577 Mom	Intact
436	Voicemail	7/8/2013 5:05:59 PM(UTC+0)	From: Mom	1577	From: 1577 Mom	Intact
437	Locations	7/9/2013 3:34:21 PM			(33.71633, -78.94517)	Intact
438	Locations	7/9/2013 3:34:21 PM			(33.71633, -78.94517)	Intact
439	Locations	7/9/2013 3:34:21 PM			(33.71633, -78.94517)	Intact
440	Locations	7/9/2013 3:34:33 PM			(33.71617, -78.94500)	Intact
441	Locations	7/9/2013 3:34:33 PM			(33.71617, -78.94500)	Intact
442	Locations	7/9/2013 3:34:53 PM			(33.71617, -78.94500)	Intact
443	Locations	7/9/2013 3:34:53 PM			(33.71617, -78.94500)	Intact
444	Locations	7/9/2013 3:34:53 PM			(33.71617, -78.94500)	Intact
445	Locations	7/9/2013 3:36:03 PM			(33.71617, -78.94500)	Intact
446	Locations	7/9/2013 3:36:03 PM			(33.71617, -78.94500)	Intact
447	Locations	7/9/2013 3:36:03 PM			(33.71617, -78.94500)	Intact
448	Locations	7/9/2013 3:36:17 PM			(33.71617, -78.94500)	Intact
449	Locations	7/9/2013 3:36:17 PM			(33.71617, -78.94500)	Intact
450	Locations	7/9/2013 3:36:17 PM			(33.71617, -78.94500)	Intact
451	Locations	7/9/2013 3:36:17 PM			(33.71617, -78.94500)	Intact
452	Locations	7/9/2013 3:36:17 PM			(33.71617, -78.94500)	Intact
453	Instant Messages	7/9/2013 7:55:56 PM(UTC+0)	From:	6546	2007 golf cart Limo style 3/seat with storage Sound system 6 new tires Trojan battery, 36 volt, detailed paint, custom wrap, alloy wheels, diamond stamped Running board, lift suspension, rolled and pleated interior, pristine condition. I found the ad I was going to run. My name is Teresa and my phone number in 6546. He never answers his so you can just call me. Thanks	Intact
454	Instant Messages	7/9/2013 7:56:48 PM(UTC+0)	From:	0525	We just talked and I'm waiting for you to send me pictures. Thanks, Fred	Intact
455	Instant Messages	7/9/2013 8:00:18 PM(UTC+0)	From:	6546	2007 golf cart Limo style 3/seat with storage Sound system 6 new tires Trojan battery, 36 volt, detailed paint, custom wrap, alloy wheels, diamond stamped Running board, lift suspension, rolled and pleated interior, pristine condition. I found the ad I was going to run. My name is Teresa and my phone number in 6546. He never answers his so you can just call me. Thanks	Intact
456	Instant Messages	7/9/2013 8:00:18 PM(UTC+0)	From:	6546		Intact
457	Instant Messages	7/9/2013 8:00:59 PM(UTC+0)	From:	6546		Intact
458	Instant Messages	7/9/2013 8:01:04 PM(UTC+0)	From:	0525	Yes, viewing now, nice	Intact
459	Instant Messages	7/9/2013 8:01:33 PM(UTC+0)	From:	6546		Intact
460	Instant Messages	7/9/2013 8:02:26 PM(UTC+0)	From:	6546	I sent you a lot of photos just now, did you get them?	Intact

461	Instant Messages	7/9/2013 8:03:06 PM(UTC+0)	From:	6546	Ok	Intact
462	Instant Messages	7/9/2013 8:11:17 PM(UTC+0)	From:	0525	Will take 4 seater trade?	Intact
463	Instant Messages	7/9/2013 8:13:17 PM(UTC+0)	From:	6546	I'm sorry we can't, we no longer use it, because we don't live right at the beach.	Intact
464	Instant Messages	7/9/2013 8:14:55 PM(UTC+0)	From:	6546	We are trying to get rid of some stuff we just got married and we both had a lot of things once we put them together.	Intact
465	Instant Messages	7/9/2013 9:13:36 PM(UTC+0)	From:	2013		Intact
466	Instant Messages	7/9/2013 9:28:32 PM(UTC+0)	From:	0525	What's your bottom line sales price?	Intact
467	Instant Messages	7/9/2013 9:30:40 PM(UTC+0)	From:	0525	I'll get back 2 U	Intact
468	Instant Messages	7/9/2013 9:31:44 PM(UTC+0)	From:	6546	6100.00	Intact
469	Instant Messages	7/9/2013 9:32:32 PM(UTC+0)		6546	Ok thanks	Intact
470	Voicemail	7/9/2013 10:29:38 PM(UTC+0)	From: Rod	2850	From: 2850 Rod	Intact
471	SMS Messages	7/10/2013 1:04:05 PM(UTC+0)	From: + Frankie	5412	Have u gotten surgery scheduled?	Intact
472	Instant Messages	7/10/2013 3:35:43 PM(UTC+0)	From:	6546	Call me when you get a chance	Intact
473	Instant Messages	7/10/2013 3:36:32 PM(UTC+0)	From:	5412	What's the status	Intact
474	Instant Messages	7/10/2013 3:36:32 PM(UTC+0)	From:	5412	Any dr helping?	Intact
475	SMS Messages	7/10/2013 3:46:27 PM(UTC+0)	To: Frankie	5412	Yes, Dr Sandoz, he's a neuro doctor I'll be sending you some bills, I'm paying as I'm going no Medicare. I'll be sending you some pictures too.	Intact
476	Call Log	7/10/2013 7:04:47 PM(UTC+0)	To: +	5100		Deleted
477	Call Log	7/10/2013 7:11:09 PM(UTC+0)	To: +	2311		Deleted
478	Call Log	7/10/2013 7:24:12 PM(UTC+0)	To: +	3700		Deleted
479	SMS Messages	7/10/2013 8:24:11 PM(UTC+0)	To: Lowe	9946 Dee	Matt when you asked me for 200.00 to put into your checking account I told you I don't like to loan money out to friends or family and this is the whole reason why. I let you borrow that to keep peace in your family, you know that's not cool man I really thought you were a friend and I helped you and you fucked me really not cool	Intact
480	SMS Messages	7/10/2013 8:34:55 PM(UTC+0)	From: Diane	9635	Teresa...is it true??? Your mom called here by mistake but I didn't want to ask her. Let us know...we're happy for you both if it true..love ya	Intact
481	SMS Messages	7/10/2013 8:35:28 PM(UTC+0)	To: +1 Diane	9635	Yes it is	Intact
482	SMS Messages	7/10/2013 8:36:22 PM(UTC+0)	From: Diane	19635	That's great....be happy....	Intact
483	SMS Messages	7/10/2013 8:36:55 PM(UTC+0)	To: Diane	19635	You should call my mom sometimes she needs a friend	Intact
484	SMS Messages	7/10/2013 8:36:57 PM(UTC+0)	To: Diane	9635	Yeah right	Intact
485	SMS Messages	7/10/2013 8:37:24 PM(UTC+0)	To: Diane	9635	It's hard to be happy when you're in pain	Intact
486	SMS Messages	7/10/2013 8:37:30 PM(UTC+0)	To: Diane	9635	Gotta go	Intact
487	SMS Messages	7/10/2013 8:37:35 PM(UTC+0)	To: + Diane	19635	Love ya	Intact
488	SMS Messages	7/10/2013 8:39:25 PM(UTC+0)	From: Diane	9635	We are happy for you!!! I know pain doesn't heal pain..hope you settled your suit from the car accident...	Intact
489	SMS Messages	7/10/2013 8:40:30 PM(UTC+0)	To: Diane	9635	Not yet have to have neck surgery	Intact
490	SMS Messages	7/10/2013 11:20:19 PM(UTC+0)	To: Lowe	9946 Dee	See you in court	Intact
491	Call Log	7/11/2013 2:20:45 AM(UTC+0)	To:	1577 Mom		Deleted
492	Call Log	7/11/2013 6:22:06 PM(UTC+0)	From:	2850 Rod		Deleted
493	Call Log	7/11/2013 7:34:33 PM(UTC+0)	To:	3822 Bre		Deleted
494	Call Log	7/11/2013 8:01:28 PM(UTC+0)	To:	3822 Bre		Deleted
495	Call Log	7/11/2013 8:46:56 PM(UTC+0)	To: +	5100		Deleted
496	Call Log	7/11/2013 8:49:32 PM(UTC+0)	To:	8700 Bre		Deleted
497	Call Log	7/11/2013 9:05:46 PM(UTC+0)	From: Mom	1577		Deleted
498	Locations	7/11/2013 5:18:37 PM			(33.71600, -78.94500)	Intact
499	Locations	7/11/2013 5:18:37 PM			(33.71600, -78.94500)	Intact
500	Locations	7/11/2013 5:18:48 PM			(33.71600, -78.94517)	Intact

501	Locations	7/11/2013 5:18:48 PM		(33.71600, -78.94517)	Intact
502	Call Log	7/11/2013 9:37:27 PM(UTC+0)	To: 9037 Bre		Deleted
503	Call Log	7/11/2013 9:49:52 PM(UTC+0)	To: 5652 Irene		Deleted
504	Call Log	7/11/2013 11:55:06 PM(UTC+0)	From: Mom 1577		Deleted
505	SMS Messages	7/12/2013 4:36:59 PM(UTC+0)	From: Ann Marie 97026	How u doin crazy lady Princess	Intact
506	Call Log	7/12/2013 5:55:23 PM(UTC+0)	To: 5652 Irene		Deleted
507	Call Log	7/12/2013 6:09:47 PM(UTC+0)	To: 1577 Mom		Deleted
508	Call Log	7/12/2013 6:11:02 PM(UTC+0)	To: 15108		Deleted
509	Call Log	7/12/2013 6:19:34 PM(UTC+0)	To: 3700 Bre		Deleted
510	Call Log	7/12/2013 6:39:14 PM(UTC+0)	To: 1577 Mom		Deleted
511	Call Log	7/12/2013 7:21:14 PM(UTC+0)	From: 1921		Deleted
512	Web History	7/12/2013 7:36:02 PM(UTC+0)		Welcome to MyScore	Intact
513	Web History	7/12/2013 7:37:05 PM(UTC+0)		MyScore - Forgot Password	Intact
514	Web History	7/12/2013 7:37:33 PM(UTC+0)		MyScore - Forgot Password	Intact
515	Web History	7/12/2013 7:38:11 PM(UTC+0)		MyScore - Forgot Password	Intact
516	Web History	7/12/2013 7:40:11 PM(UTC+0)		MyScore: Member Area	Intact
517	Web History	7/12/2013 7:42:18 PM(UTC+0)		MyScore: Member Area	Intact
518	Web History	7/12/2013 7:42:34 PM(UTC+0)		MyScore: Member Area	Intact
519	Web History	7/12/2013 7:43:48 PM(UTC+0)		Welcome to MyScore	Intact
520	Web History	7/12/2013 7:44:06 PM(UTC+0)		Welcome to MyScore	Intact
521	Web History	7/12/2013 7:44:11 PM(UTC+0)		zedge app - Google Search	Intact
522	Call Log	7/12/2013 8:32:33 PM(UTC+0)	From: 32311		Deleted
523	Voicemail	7/12/2013 8:33:31 PM(UTC+0)	From: 82311	From: 2311	Intact
524	Call Log	7/12/2013 9:36:55 PM(UTC+0)	To: 1577 Mom		Deleted
525	Call Log	7/12/2013 9:55:05 PM(UTC+0)	To: 7990 Mom		Deleted
526	Call Log	7/12/2013 9:56:13 PM(UTC+0)	To: 3822 Bre		Deleted
527	Call Log	7/12/2013 10:00:32 PM(UTC+0)	To: 2808 Dena		Deleted
528	Call Log	7/12/2013 10:32:46 PM(UTC+0)	To: 4780 Ryan		Deleted
529	Call Log	7/12/2013 10:35:46 PM(UTC+0)	From: Mom 1577		Deleted
530	Call Log	7/12/2013 10:52:17 PM(UTC+0)	To: 1577 Mom		Deleted
531	Call Log	7/12/2013 10:56:09 PM(UTC+0)	To: 3822 Bre		Deleted
532	Call Log	7/12/2013 11:05:39 PM(UTC+0)	From: Mom 1577		Deleted
533	Call Log	7/13/2013 12:36:18 AM(UTC+0)	From: 3822 Bre		Deleted
534	Call Log	7/13/2013 4:20:35 PM(UTC+0)	To: 3822 Bre		Deleted
535	Web History	7/13/2013 5:05:40 PM(UTC+0)		HSBC Credit Card - Log in for Account Services	Intact
536	Call Log	7/13/2013 5:05:46 PM(UTC+0)	To: 2850 Rod		Deleted
537	Call Log	7/13/2013 7:47:55 PM(UTC+0)	To: 19022		Deleted
538	Call Log	7/13/2013 7:48:05 PM(UTC+0)	To: 2013 Sd		Deleted
539	Call Log	7/13/2013 11:23:55 PM(UTC+0)	From: 2013 Sd		Deleted
540	Call Log	7/13/2013 11:39:52 PM(UTC+0)	To: 2013 Sd		Deleted
541	Call Log	7/13/2013 11:46:26 PM(UTC+0)	To: 9037 Bre		Deleted
542	Call Log	7/13/2013 11:47:03 PM(UTC+0)	To: 3822 Bre		Deleted

543	Call Log	7/14/2013 12:53:01 AM(UTC+0)	To:	9037 Bre		Deleted
544	Instant Messages	7/14/2013 12:58:59 AM(UTC+0)	From:	6546	I love you so freaking much I just wanted to let you know	Intact
545	Call Log	7/14/2013 4:05:39 PM(UTC+0)	To:	2809 Dena		Deleted
546	Call Log	7/14/2013 4:12:53 PM(UTC+0)	From:	2809 Dena		Deleted
547	Locations	7/14/2013 12:21:01 PM			(33.71600, -78.94500)	Intact
548	Locations	7/14/2013 12:21:01 PM			(33.71600, -78.94500)	Intact
549	Locations	7/14/2013 12:21:04 PM			(33.71600, -78.94500)	Intact
550	Locations	7/14/2013 12:21:04 PM			(33.71600, -78.94500)	Intact
551	Locations	7/14/2013 12:21:04 PM			(33.71600, -78.94500)	Intact
552	MMS Messages	7/14/2013 4:27:46 PM(UTC+0)	To:	2809 Dena		Intact
553	Call Log	7/14/2013 5:16:44 PM(UTC+0)	To:	3822 Bre		Deleted
554	Call Log	7/14/2013 6:13:31 PM(UTC+0)	To:	2928 Sr2		Deleted
555	Call Log	7/14/2013 6:40:01 PM(UTC+0)	From:	1577 Mom		Deleted
556	Call Log	7/14/2013 6:40:09 PM(UTC+0)	To:	1577 Mom		Deleted
557	Voicemail	7/14/2013 6:40:27 PM(UTC+0)	From:	1577 Mom	From: 1577 Mom	Intact
558	Call Log	7/14/2013 6:41:08 PM(UTC+0)	To:	1577 Mom		Deleted
559	Call Log	7/14/2013 6:42:16 PM(UTC+0)	To:	2311		Deleted
560	Call Log	7/14/2013 6:42:21 PM(UTC+0)	To:	1577 Mom		Deleted
561	Call Log	7/14/2013 6:42:46 PM(UTC+0)	To:	17990 Mom		Deleted
562	Locations	7/14/2013 3:00:21 PM			(33.71583, -78.94517)	Intact
563	Locations	7/14/2013 3:00:21 PM			(33.71583, -78.94517)	Intact
564	Call Log	7/14/2013 7:08:01 PM(UTC+0)	To:	3822 Bre		Deleted
565	Call Log	7/14/2013 7:08:09 PM(UTC+0)	To:	9037 Bre		Deleted
566	Call Log	7/14/2013 7:30:10 PM(UTC+0)	From:	1577 Mom		Deleted
567	Call Log	7/14/2013 9:12:36 PM(UTC+0)	To:	9037 Bre		Deleted
568	Call Log	7/15/2013 11:48:34 AM(UTC+0)	To:	8072 Robin		Deleted
569	Call Log	7/15/2013 12:50:17 PM(UTC+0)	To:	2013 Sd		Deleted
570	Locations	7/15/2013 9:38:39 AM			(33.63233, -79.03567)	Intact
571	Locations	7/15/2013 9:38:40 AM			(33.63233, -79.03567)	Intact
572	Locations	7/15/2013 9:38:50 AM			(33.63233, -79.03567)	Intact
573	Locations	7/15/2013 9:38:51 AM			(33.63233, -79.03567)	Intact
574	Locations	7/15/2013 9:38:52 AM			(33.63233, -79.03567)	Intact
575	Locations	7/15/2013 9:38:53 AM			(33.63233, -79.03567)	Intact
576	Locations	7/15/2013 9:38:53 AM			(33.63233, -79.03567)	Intact
577	Locations	7/15/2013 9:38:54 AM			(33.63233, -79.03567)	Intact
578	Locations	7/15/2013 9:38:54 AM			(33.63233, -79.03567)	Intact
579	Locations	7/15/2013 9:38:55 AM			(33.63233, -79.03567)	Intact
580	Locations	7/15/2013 9:38:55 AM			(33.63233, -79.03567)	Intact
581	Locations	7/15/2013 9:38:55 AM			(33.63233, -79.03567)	Intact
582	Locations	7/15/2013 9:38:56 AM			(33.63233, -79.03567)	Intact
583	Locations	7/15/2013 9:38:56 AM			(33.63233, -79.03567)	Intact
584	Locations	7/15/2013 9:38:57 AM			(33.63233, -79.03567)	Intact
585	Locations	7/15/2013 9:38:57 AM			(33.63233, -79.03567)	Intact
586	Locations	7/15/2013 9:38:57 AM			(33.63233, -79.03567)	Intact
587	Locations	7/15/2013 9:38:58 AM			(33.63233, -79.03567)	Intact
588	Locations	7/15/2013 9:38:58 AM			(33.63233, -79.03567)	Intact
589	Locations	7/15/2013 9:38:59 AM			(33.63233, -79.03567)	Intact
590	Locations	7/15/2013 9:38:59 AM			(33.63233, -79.03567)	Intact
591	Locations	7/15/2013 9:38:59 AM			(33.63233, -79.03567)	Intact
592	Locations	7/15/2013 9:38:59 AM			(33.63233, -79.03567)	Intact
593	Call Log	7/15/2013 3:46:33 PM(UTC+0)	To:	7837		Deleted
594	Call Log	7/15/2013 4:22:16 PM(UTC+0)	From:	2013 Sd		Deleted
595	Call Log	7/15/2013 4:56:45 PM(UTC+0)	From:	2013 Sd		Deleted

596	Call Log	7/15/2013 5:13:44 PM(UTC+0)	From: Robin Myers	8072		Deleted	
597	Call Log	7/15/2013 5:54:10 PM(UTC+0)	From: Mom	1577		Deleted	
598	Call Log	7/15/2013 6:19:02 PM(UTC+0)	From:	2850 Rod		Deleted	
599	Instant Messages	7/15/2013 6:19:30 PM(UTC+0)	From:	6546	Sorry haven't sent the pictures yet or the bills been busy but I'll get to it	Intact	
600	Vicemail	7/15/2013 6:19:53 PM(UTC+0)	From: Rod	2850	From: 2850 Rod	Intact	
601	Instant Messages	7/15/2013 6:20:48 PM(UTC+0)	From:	5412	Hurry	Intact	
602	Instant Messages	7/15/2013 6:21:45 PM(UTC+0)	From:	6546	Why	Intact	
603	Instant Messages	7/15/2013 6:23:09 PM(UTC+0)	From:	6546	I might get laser surgery	Intact	
604	Instant Messages	7/15/2013 6:25:04 PM(UTC+0)	F	5412	What's this about	Intact	
605	Instant Messages	7/15/2013 6:27:15 PM(UTC+0)	From:	6546	My neck Frankie	Intact	
606	Instant Messages	7/15/2013 6:32:24 PM(UTC+0)	From:	35412	Is it related	Intact	
607	Instant Messages	7/15/2013 6:32:51 PM(UTC+0)	From:	6546	Yes, from the wreck	Intact	
608	Instant Messages	7/15/2013 6:32:54 PM(UTC+0)	From:	6546	Da	Intact	
609	Instant Messages	7/15/2013 6:37:52 PM(UTC+0)	From:	5412	Nothing at all received	Intact	
610	Instant Messages	7/15/2013 6:37:52 PM(UTC+0)	From:	5412	Must have it in writing	Intact	
611	Instant Messages	7/15/2013 6:38:24 PM(UTC+0)	From:	6546	I know	Intact	
612	Call Log	7/15/2013 7:09:52 PM(UTC+0)	To:	2850 Rod		Deleted	
613	Web History	7/15/2013 7:13:53 PM(UTC+0)			Location Search	Intact	
614	Call Log	7/15/2013 7:17:31 PM(UTC+0)	To:	9444		Deleted	
615	Web History	7/15/2013 8:02:42 PM(UTC+0)			bmi chart - Google Search	Intact	
616	Web History	7/15/2013 8:02:46 PM(UTC+0)			bmi_tbl.pdf	Intact	
617	Web History	7/15/2013 8:03:09 PM(UTC+0)			CDC - Body Mass Index - Introduction	Intact	
618	Web History	7/15/2013 8:03:15 PM(UTC+0)			CDC - Body Mass Index - About BMI for Adults	Intact	
619	Web History	7/15/2013 8:05:09 PM(UTC+0)			CDC - Body Mass Index - Adult BMI Calculator	Intact	
620	Locations	7/15/2013 4:17:48 PM			(33.70233, -78.90417)	Intact	
621	Locations	7/15/2013 4:18:18 PM			(33.70233, -78.90417)	Intact	
622	Call Log	7/15/2013 9:00:03 PM(UTC+0)	From:	2013 Sd		Deleted	
623	Vicemail	7/15/2013 9:00:38 PM(UTC+0)	From: Sd	2013	From: 2013 Sd	Intact	
624	Call Log	7/15/2013 9:08:34 PM(UTC+0)	To:	2013 Sd		Deleted	
625	Call Log	7/15/2013 9:10:06 PM(UTC+0)	From:	2013 Sd		Deleted	
626	Call Log	7/15/2013 9:10:20 PM(UTC+0)	To:	2013 Sd		Deleted	
627	Call Log	7/15/2013 10:10:43 PM(UTC+0)	To:	2013 Sd		Deleted	
628	Call Log	7/15/2013 10:49:34 PM(UTC+0)	To:	3822 Bre		Deleted	
629	Call Log	7/15/2013 10:54:38 PM(UTC+0)	From: Mom	1577		Deleted	
630	Call Log	7/15/2013 11:02:43 PM(UTC+0)	To:	1577 Mom		Deleted	
631	Call Log	7/16/2013 1:13:23 AM(UTC+0)	From: Mom	1577		Deleted	
632	Call Log	7/16/2013 5:22:41 PM(UTC+0)	To:	9444		Deleted	
633	Call Log	7/16/2013 5:26:32 PM(UTC+0)	To:	5695		Deleted	
634	Call Log	7/16/2013 5:36:26 PM(UTC+0)	To:	3050		Deleted	
635	Call Log	7/16/2013 5:47:43 PM(UTC+0)	To:	1577 Mom		Deleted	
636	Call Log	7/16/2013 5:48:32 PM(UTC+0)	To:	7990 Mom		Deleted	
637	Call Log	7/16/2013 6:04:47 PM(UTC+0)	To:	3444		Deleted	

638	Call Log	7/16/2013 6:07:10 PM(UTC+0)	To:	3050		Deleted
639	Call Log	7/16/2013 6:07:36 PM(UTC+0)	To:	5695		Deleted
640	Call Log	7/16/2013 6:15:16 PM(UTC+0)	To:	2850 Rod		Deleted
641	Call Log	7/16/2013 6:44:56 PM(UTC+0)	To:	2013 Sd		Deleted
642	Locations	7/16/2013 3:10:42 PM			(33.71600, -78.94483)	Intact
643	Locations	7/16/2013 3:10:42 PM			(33.71600, -78.94483)	Intact
644	Web History	7/16/2013 7:33:43 PM(UTC+0)			grand strand spine and neuro center - Google Search	Intact
645	Web History	7/16/2013 7:34:02 PM(UTC+0)			Grand Strand Spine and Neurology Center	Intact
646	Web History	7/16/2013 7:34:57 PM(UTC+0)			Grand Strand Spine and Neurology Center	Intact
647	Call Log	7/16/2013 7:35:10 PM(UTC+0)	To:	2336 Dr Sandos		Deleted
648	Web History	7/16/2013 7:58:01 PM(UTC+0)			white house phone number - Google Search	Intact
649	Web History	7/16/2013 7:58:09 PM(UTC+0)			Contact the White House The White House	Intact
650	Web History	7/16/2013 7:58:12 PM(UTC+0)				Intact
651	Call Log	7/16/2013 7:58:24 PM(UTC+0)	To:	1111		Deleted
652	Web History	7/16/2013 7:58:57 PM(UTC+0)			White House Phone Number	Intact
653	Web History	7/16/2013 7:59:28 PM(UTC+0)			President Obama Pictures	Intact
654	Web History	7/16/2013 7:59:44 PM(UTC+0)			White House Phone Number	Intact
655	Web History	7/16/2013 8:00:06 PM(UTC+0)			White House Address and Contact Information	Intact
656	Call Log	7/16/2013 8:00:51 PM(UTC+0)	To:	1111		Deleted
657	SMS Messages	7/16/2013 8:05:18 PM(UTC+0)	From:	0002	WHITE HOUSE SWITCHBOARD 202-456-1414 1600 PENNSYLVANIA AVE NW WASHINGTON DC 20500 VZW 411 SEARCH	Intact
658	Call Log	7/16/2013 8:13:58 PM(UTC+0)	To:	1414		Deleted
659	Call Log	7/16/2013 8:33:10 PM(UTC+0)	To:	2809 Dena		Deleted
660	Call Log	7/16/2013 8:55:54 PM(UTC+0)	To:	5555 Sexton's		Deleted
661	Call Log	7/16/2013 8:57:13 PM(UTC+0)	To:	1115 Jeni		Deleted
662	Call Log	7/16/2013 8:59:14 PM(UTC+0)	To:	3688 Nate		Deleted
663	Call Log	7/16/2013 9:00:22 PM(UTC+0)	To:	1043 Mike Henry		Deleted
664	Wireless Networks	7/16/2013 9:00:35 PM(UTC+0)			MerryHouse-guest	Intact
665	Call Log	7/16/2013 9:01:22 PM(UTC+0)	To:	3688 Nate		Deleted
666	Call Log	7/16/2013 9:01:53 PM(UTC+0)	To:	4780 Ryan		Deleted
667	Call Log	7/16/2013 9:08:04 PM(UTC+0)	From:	2336 Dr Sandos		Deleted
668	Call Log	7/16/2013 9:12:16 PM(UTC+0)	To:	4780 Ryan		Deleted
669	Call Log	7/16/2013 9:25:12 PM(UTC+0)	From:	5555 Sexton's		Deleted
670	Call Log	7/16/2013 9:38:32 PM(UTC+0)	To:	5228 Rob		Deleted
671	Call Log	7/16/2013 9:38:32 PM(UTC+0)	To:	5228 Rob		Deleted
672	Call Log	7/16/2013 9:39:31 PM(UTC+0)	To:	6641 Dotty		Deleted
673	Call Log	7/16/2013 10:25:27 PM(UTC+0)	From:	6161		Deleted
674	Call Log	7/16/2013 10:25:36 PM(UTC+0)	To:	6161		Deleted
675	Call Log	7/16/2013 10:27:20 PM(UTC+0)	To:	6161		Deleted
676	Call Log	7/16/2013 10:28:33 PM(UTC+0)	To:	0669 Les		Deleted
677	Call Log	7/16/2013 10:28:45 PM(UTC+0)	To:	0669 Les		Deleted

678	Web History	7/16/2013 10:30:04 PM(UTC+0)			Welcome to MyScore	Intact	
679	Web History	7/16/2013 10:30:12 PM(UTC+0)			MyScore: Member Area	Intact	
680	Web History	7/16/2013 10:31:19 PM(UTC+0)			Member Area	Intact	
681	Web History	7/16/2013 10:31:43 PM(UTC+0)			MyScore: Member Area	Intact	
682	Call Log	7/16/2013 11:00:42 PM(UTC+0)	From:	2013 Sd		Deleted	
683	Call Log	7/16/2013 11:01:13 PM(UTC+0)	From:	2013 Sd		Deleted	
684	Call Log	7/16/2013 11:08:34 PM(UTC+0)	From: M&M	4691		Deleted	
685	Instant Messages	7/16/2013 11:19:28 PM(UTC+0)	From:	0525	U still have golf cart	Intact	
686	MMS Messages	7/16/2013 11:38:32 PM(UTC+0)	To: M&M	4691		Intact	
687	Instant Messages	7/16/2013 11:49:37 PM(UTC+0)	From:	46546	Yes	Intact	
688	Instant Messages	7/16/2013 11:50:40 PM(UTC+0)	From:	6546	Still interested?	Intact	
689	Instant Messages	7/16/2013 11:51:28 PM(UTC+0)	From:	0525	Yep, but can't muster \$6100. just had new born. Can u go any lower?	Intact	
690	Instant Messages	7/16/2013 11:55:05 PM(UTC+0)	From:	6546	5900.00 that is as low as we can go, just got married...everything on is brand new, batteries, tires, and that is as low as we will go	Intact	
691	Instant Messages	7/16/2013 11:55:44 PM(UTC+0)	From:	0525	Ok, hang loose! I'll get back to you, and thanks for your patience.	Intact	
692	Instant Messages	7/16/2013 11:57:08 PM(UTC+0)	From:	6546	Your welcome and thanks for your interest	Intact	
693	Call Log	7/16/2013 11:57:44 PM(UTC+0)	To:	14691 M&M		Deleted	
694	Locations	7/16/2013 8:03:10 PM			(33.71600, -78.94517)	Intact	
695	Locations	7/16/2013 8:03:49 PM			(33.71600, -78.94517)	Intact	
696	MMS Messages	7/17/2013 12:05:19 AM(UTC+0)	To: M&M	4691	Remember down under??? Lol	Intact	
697	MMS Messages	7/17/2013 12:09:10 AM(UTC+0)	To: M&M	14691		Intact	
698	MMS Messages	7/17/2013 12:10:37 AM(UTC+0)	To: M&M	4691		Intact	
699	MMS Messages	7/17/2013 12:12:16 AM(UTC+0)	To: M&M	4691		Intact	
700	MMS Messages	7/17/2013 12:13:41 AM(UTC+0)	To: M&M	4691		Intact	
701	MMS Messages	7/17/2013 12:13:48 AM(UTC+0)	To: M&M...	4691		Intact	
702	SMS Messages	7/17/2013 12:15:21 AM(UTC+0)	To: M&M	4691	Hope you got them, I just sold my golf cart for 5900.00 so call now or I will talk to you later...xoxoxo. Tee	Deleted	
703	SMS Messages	7/17/2013 12:20:13 AM(UTC+0)	To: M&M	4691	Isn't she beautiful!	Intact	
704	Call Log	7/17/2013 12:24:09 AM(UTC+0)		4691 M&M		Deleted	
705	Call Log	7/17/2013 12:25:56 AM(UTC+0)	To:	3822 Bre		Deleted	
706	Call Log	7/17/2013 1:06:52 AM(UTC+0)	To:	3822 Bre		Deleted	
707	Call Log	7/17/2013 1:41:05 AM(UTC+0)	To:	2016 Hsbc		Deleted	
708	Call Log	7/17/2013 1:41:57 AM(UTC+0)	To:	2016 Hsbc		Deleted	
709	Call Log	7/17/2013 1:43:07 AM(UTC+0)	To: One	7070 Capital		Deleted	
710	Call Log	7/17/2013 2:11:05 AM(UTC+0)	To:	2809 Dena		Deleted	
711	Call Log	7/17/2013 2:12:07 AM(UTC+0)	To:	3688 Nate		Deleted	
712	Call Log	7/17/2013 2:12:19 AM(UTC+0)	To: Jennifer	1115		Deleted	
713	Call Log	7/17/2013 2:13:38 AM(UTC+0)	To: Henry	1043 Mike		Deleted	
714	Call Log	7/17/2013 2:14:00 AM(UTC+0)	To: Gallimore	5752 Doug		Deleted	
715	Call Log	7/17/2013 2:15:40 AM(UTC+0)	To:	6111 Wayne		Deleted	
716	Call Log	7/17/2013 2:16:28 AM(UTC+0)	To: Harris	9570 Bill		Deleted	
717	Call Log	7/17/2013 2:10:19 PM(UTC+0)	To:	8202		Intact	
718	Call Log	7/17/2013 2:20:51 PM(UTC+0)	To:	3242		Intact	
719	Call Log	7/17/2013 2:22:05 PM(UTC+0)	To:	3242		Intact	

720	Call Log	7/17/2013 3:37:25 PM(UTC+0)	To: 17201		Intact
721	Call Log	7/17/2013 3:38:28 PM(UTC+0)	From: Mom 1577		Intact
722	Call Log	7/17/2013 4:07:39 PM(UTC+0)	To: 5950		Intact
723	Call Log	7/17/2013 4:11:16 PM(UTC+0)	From: Mom 1577		Intact
724	Call Log	7/17/2013 4:11:37 PM(UTC+0)	From: Mom 1577		Intact
725	Call Log	7/17/2013 5:28:37 PM(UTC+0)	From: Dena 2809		Intact
726	Web History	7/17/2013 5:43:28 PM(UTC+0)		weather 37620 - Google Search	Intact
727	Web History	7/17/2013 5:43:41 PM(UTC+0)		weather.com	Intact
728	Web History	7/17/2013 5:45:36 PM(UTC+0)		weather forecast 29579 - Google Search	Intact
729	Web History	7/17/2013 5:45:41 PM(UTC+0)		weather.com	Intact
730	Call Log	7/17/2013 5:47:08 PM(UTC+0)	To: 21577 Mom		Intact
731	Call Log	7/17/2013 5:47:19 PM(UTC+0)	To: 2809 Dena		Intact
732	Call Log	7/17/2013 5:56:40 PM(UTC+0)	To: 3600		Intact
733	Web History	7/17/2013 6:55:46 PM(UTC+0)		Google	Intact
734	Call Log	7/17/2013 8:18:12 PM(UTC+0)	From: Mom 21577		Intact
735	Call Log	7/17/2013 8:42:12 PM(UTC+0)	From: Mexican 6880		Intact
736	Call Log	7/17/2013 10:31:44 PM(UTC+0)	To: 3822 Bre		Intact
737	Web History	7/17/2013 10:54:17 PM(UTC+0)		Ask Me Anything!	Intact
738	Web History	7/17/2013 10:54:28 PM(UTC+0)		MeetMe Home	Intact
739	Web History	7/17/2013 10:55:22 PM(UTC+0)		MeetMe Home	Intact
740	Web History	7/17/2013 10:55:33 PM(UTC+0)		MeetMe Teresa's Status	Intact
741	Web History	7/17/2013 10:55:46 PM(UTC+0)		Zoosk, The Romantic Social Network(™)	Intact
742	Web History	7/17/2013 10:55:47 PM(UTC+0)		Zoosk, The Romantic Social Network(™)	Intact
743	Call Log	7/17/2013 11:36:25 PM(UTC+0)	To: 3822 Bre		Intact
744	Call Log	7/18/2013 12:42:13 AM(UTC+0)	To: 3822 Bre		Intact
745	Voicemail	7/18/2013 12:19:45 PM(UTC+0)	From: Sd 2013	2013 Sd	Intact
746	Instant Messages	7/18/2013 3:04:32 PM(UTC+0)	From: 0525	Want to see cart today. Is that possible?	Intact
747	Instant Messages	7/18/2013 3:42:59 PM(UTC+0)	From: + 6546	Il love you, happy anniversary!	Intact
748	SMS Messages	7/18/2013 3:52:48 PM(UTC+0)	To: 2013 Sd	I just got up, the people that have been interested about the golf cart would like to see it. Would you call them and let them know I-0525. Love you	Intact
749	SMS Messages	7/18/2013 3:54:07 PM(UTC+0)	To: 2013 Sd	I hope you've calmed down...xoxo	Intact
750	Call Log	7/18/2013 4:00:20 PM(UTC+0)	To: 18152	Teresa sent these to Steve on the day his body was found	Intact
751	Call Log	7/18/2013 4:02:15 PM(UTC+0)	From: 18152		Intact
752	Call Log	7/18/2013 4:24:00 PM(UTC+0)	To: 5059 Winny		Intact
753	Call Log	7/18/2013 4:27:51 PM(UTC+0)	To: 9037 Bre	Times cannot be correct	Intact
754	Call Log	7/18/2013 5:17:22 PM(UTC+0)	To: 1577 Mom		Intact
755	Call Log	7/18/2013 5:18:03 PM(UTC+0)	To: 7990 Mom		Intact
756	Instant Messages	7/18/2013 5:27:08 PM(UTC+0)	From: 6546	I'm not at home right now, I will have my husband call you once I get in touch with him, and give you directions	Intact
757	Call Log	7/18/2013 6:55:35 PM(UTC+0)	From: Mom 1577		Intact
758	Call Log	7/18/2013 7:26:48 PM(UTC+0)	To: 3822 Bre		Intact
759	Instant Messages	7/18/2013 9:34:56 PM(UTC+0)	From: 0525	We are out and about any word	Intact
760	Call Log	7/18/2013 10:02:44 PM(UTC+0)	From: Mom 1577		Intact

761	Instant Messages	7/18/2013 10:10:24 PM(UTC+0)	From: 6546	I will be home soon, been with my father today... He hasn't been well.	Intact	
762	Instant Messages	7/18/2013 10:15:28 PM(UTC+0)	From: 0525	Sorry to hear that. What's the address?	Intact	
763	Instant Messages	7/18/2013 10:16:30 PM(UTC+0)	From: 6546	Williamson circle, myrtle beach 29579	Intact	
764	Instant Messages	7/18/2013 10:18:33 PM(UTC+0)	From: 6546	It is sitting on the side of the garage	Intact	
765	Instant Messages	7/18/2013 10:53:48 PM(UTC+0)	From: 0525	We're outside	Intact	
766	Instant Messages	7/18/2013 10:55:33 PM(UTC+0)	From: 6546	I'm not home yet, but my husband should be	Intact	
767	Web History	7/19/2013 2:48:16 AM(UTC+0)		MeetMe Mobile Login	Intact	
768	SMS Messages	7/19/2013 3:57:58 AM(UTC+0)	From: Dena 32800	Hey I was thinking it a lil to close to school time for bre tip go all the way to sc maybe when she goes on fall or winter break she can come down thereshe wasn't to happy bout it but I think that's the best thing to do	Intact	
769	Wireless Networks	7/19/2013 4:45:10 AM(UTC+0)		tee	Intact	
770	Voicemail	7/19/2013 3:48:59 PM(UTC+0)	From: + Dotty 6641	From: 6641 Dotty	Intact	
771	Voicemail	7/19/2013 8:06:47 PM(UTC+0)	From: + Burke 3468	From: 3468 Burke	Intact	
772	Voicemail	7/20/2013 3:14:24 PM(UTC+0)	From: + Mom 1577	From: 1577 Mom	Intact	
773	Voicemail	7/20/2013 7:51:27 PM(UTC+0)	From: + Dotty 6641	From: 6641 Dotty	Intact	
774	Voicemail	7/20/2013 11:51:35 PM(UTC+0)	From: Mom 1577	From: 1577 Mom	Intact	
775	Voicemail	7/21/2013 9:21:08 PM(UTC+0)	From: Mom 1577	From: + !1577 Mom	Intact	
776	Calendar	4/20/2014 12:00:00 AM(UTC+0)		Easter Day	Intact	
777	Calendar	4/5/2015 12:00:00 AM(UTC+0)		Easter Day	Intact	
778	Calendar	3/27/2016 12:00:00 AM(UTC+0)		Easter Day	Intact	
779	Calendar	4/16/2017 12:00:00 AM(UTC+0)		Easter Day	Intact	
780	Calendar	4/1/2018 12:00:00 AM(UTC+0)		Easter Day	Intact	
781	Calendar	4/21/2019 12:00:00 AM(UTC+0)		Easter Day	Intact	
782	Calendar	4/12/2020 12:00:00 AM(UTC+0)		Easter Day	Intact	
783	Calendar	4/4/2021 12:00:00 AM(UTC+0)		Easter Day	Intact	
784	Calendar	4/17/2022 12:00:00 AM(UTC+0)		Easter Day	Intact	

Texting b/t Teresa & golf cart people. Proves that these time records are off. (4 hrs perhaps??)

WITNESSES

Greg Lent Horry County Police Department

DOCKET NO. 2013-GS-26-04704

The State of South Carolina

County of Horry

Nancy Livesay

13H03845

COURT OF GENERAL SESSIONS

October, 2013 TERM

ARREST WARRANT NUMBER

2013A2610700665

CDR: 0116 16-03-0010, 0020

DOA: 7/29/2013

THE STATE

VS.

Teresa Ann Mccracken-Hall
W/ F

DOB:
SSN:

ATTORNEY: Floyd, W. Thomas

ACTION OF GRAND JURY

Foreperson of Grand Jury
Date:

VERDICT

Indictment for

Murder

Jimmy A. Richardson, II, Solicitor

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)

INDICTMENT

At a Court of General Sessions, convened on October 24, 2013, the Grand Jurors of Horry County present upon their oath:

MURDER

CDR: 0116 16-03-0010,0020

That Teresa Ann Mcracken-Hall did in Horry County, on or about July 17, 2013, willfully, feloniously, and intentionally kill the victim, Steven Hall, with malice aforethought, either express or implied, by means of gunshot wound to the head, and the victim did die as a proximate result thereof on or about July 17th, 2013 in Horry County, in violation of Section 16-03-0010, S. C. Code of Laws, 1976, as amended.

FILED
 HORRY COUNTY
 2016 MAY 26 PM 4:35
 MELANIE HUGGINS-WARD
 CLERK OF COURT
 COURT DATE
 PLED GUILTY/TRIAL

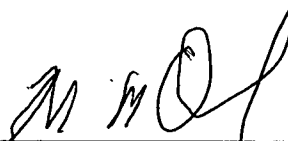
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 JIMMY A. RICHARDSON, II
 FIFTEENTH CIRCUIT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'M. M. Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 16th day of June, 2017.