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STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS
APPEAL FROM MARLBORO COUNTY
Court of General Sessions
Honorable J. Michael Baxley, Circuit Court Judge

Opinion No. 5473 (S.C. Ct. App. Filed March 15, 2017)

Appellate Case No. 2013-001409

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SC Court of Appeals

THE STATE, ... PETITIONER,

v.

ALEXANDER CARMICHAEL HUCKABEE, III, ...RESPONDENT.

**APPENDIX
VOLUME II OF III**

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FARAND WUASIASK - VOIR DIRE EXAMINATION

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1 MS. LEE: Farand Wuasiak.

2 THE COURT: Please come forward and take the oath of
3 a witness.

4 WHEREUPON, FARAND WUASIASK

5 AFTER BEING DULY SWORN TESTIFIES AS FOLLOWS

6 MR. WUASIAK: I do.

7 CLERK: Please be seated.

8 MR. WUASIAK: Special Agent Farand Wuasiak with South
9 Carolina Law Enforcement Division, Computer Unit.

10 THE COURT: Please spell your last name for us?

11 MR. WUASIAK: W-U-A-S-I-A-K.

12 VOIR DIRE EXAMINATION BY MS. LEE

13 Q. Would you spell your first name for the Court Reporter
14 also?

15 A. Sorry. F-A-R-A-N-D.

16 Q. Agent Wuasiak, you said you were employed by SLED in
17 Computer Crimes. What is your job titled there?

18 A. Special Agent. Currently I conduct computer forensics,
19 as well as any kind of hacking cases we investigate,
20 child exploration cases, catch a predator type stuff
21 you see on NBC, pretty much a wide array of anything to
22 deal with computers. But Computer Forensic is my
23 primary function.

24 Q. And how long have you been in this position?

25 A. Eight years.

1 Q. And have you held a similar position at another agency?

2 A. This is my first one in Computer Forensic. I was at
3 the Spartanburg County Sheriff's office as an
4 investigator for five-years. Oh I'm sorry, yeah, for
5 five years prior to coming on to SLED.

6 Q. Okay. And did you have any prior experience with SLED
7 other than your current position there?

8 A. No.

9 Q. Now, what is your computer work experience?

10 A. Computer work would be pretty much forensic analysis on
11 computers. I have training using array of software.
12 EnCase which is one of the industry standards in
13 Forensic Analysis as well, FTK, and Cell Phone
14 Forensic.

15 Q. What is your law enforcement education?

16 A. Law enforcement education, I graduated from the South
17 Carolina Criminal Justice Academy in June of 2000.

18 Q. So, you were also a class one officer?

19 A. I am.

20 Q. Do you have any special education in computer search
21 and seizure?

22 A. I do on the job training, just through training we have
23 with Computer Forensic.

24 Q. And how many computer search warrants have you executed
25 personally or part of a team in computer crimes?

FARAND WUASIASK - VOIR DIRE EXAMINATION

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1 A. In the eight years, I would say probably close, if not
2 over a hundred.

3 Q. Any Computer Forensic experience in special education?

4 A. Ah, yes, I received some training in National White
5 Collar Crime, etc., basic data research and recovery
6 training, as well as three weeks of EnCase training,
7 which is a software we use. Three weeks of Forensic
8 Tool Kit, which is FTK. That training, as well as
9 ongoing, I guess you would say, refresher training in
10 both those softwares.

11 Q. Are you saying FTK?

12 A. FTK, yes. It in capital initials for Forensic Tool
13 Kit, it's just another industry standard software we
14 use.

15 Q. And how many computers systems have you analyzed in a
16 forensic manner?

17 A. That would be a computer system. That would probably
18 be hundreds. I couldn't give you --- as well over, I'd
19 probably say three --- three thousand, four thousand
20 hours of actual forensic analysis time on conducting.

21 Q. And would that also include computer crime
22 investigations that you've conducted or participated
23 in?

24 A. Yes, absolutely.

25 Q. And what type of crimes specifically do you

1 investigate?

2 A. Specifically, my investigative core would be the
3 network intrusion, which is, you know, hacking. Your
4 system get's hacked into. A school system, if it get's
5 hacked into. The child exploration cases, for lack of
6 better term, child pornography. Those are my hacking
7 investigation. A little bit of online fraud. If you
8 ever got problem with EBay or Niagara Scams, you have
9 cousin in Ethiopia, or somewhere, or some friends in
10 India, those type things. But my primary investigation
11 is going to be the child exploration, as well as
12 network intrusion, along with doing with the analysis
13 for forensics.

14 Q. Have you testified in court previously?

15 A. I have.

16 Q. How many times approximately?

17 A. Total for Computer Forensic or in general?

18 Q. First, for Computer Forensic and then in general?

19 A. Okay. Three times I've testified in Computer
20 Forensics. I'd probably say seven times total in my
21 career.

22 MS. LEE: Your Honor, at this time I would move that
23 the witness be declared an expert in the field of Computer
24 Criminology.

25 THE COURT: All right. Are there questions from the

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In The Court of Appeals

APPEAL FROM MARLBORO COUNTY

J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ALEXANDER CARMICHAEL HUCKABEE, III,

APPELLANT.

APPELLATE CASE NO. 2013-001409

RECORD ON APPEAL

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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

STATE'S EXHIBITS #80 – 83 (DEFENDANT'S VIDEO STATEMENTS)

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1 defense?

2 MR. STEEN: No questions, Your Honor.

3 THE COURT: Is there objection?

4 MR. STEEN: No objection, Your Honor.

5 THE COURT: Hearing none, it is so ordered. You may
6 proceed.

7 MS. LEE: Thank you, Your Honor.

8 DIRECT EXAMINATION BY MS. LEE

9 Q. I am going to show you what's marked as State's Exhibit
10 85, which has already been moved into evidence. Do you
11 recognize that computer?

12 A. I recognize it as being our evidence ticket number one,
13 that was submitted to our Computer Crime's evidence.

14 Q. Okay. What's the significance of your evidence ticket?

15 A. That's how we base it on. I should say, the evidence
16 ticket, as item number one, which would be --- I
17 actually never saw this. Well, I guess I could say I
18 saw it. But, when we do computer forensic on it, the
19 hard drive in this computer is imaged to a server on
20 our network as forensically-sound. We cannot write
21 anything to do it. We should do what we call the Write
22 Blocker, Write, W-r-i-t-e, and that's prohibits us from
23 changing anything on that computer. We make a bit-by-
24 bit --- pretty much a clone, for a lack of better term,
25 of the hard drive of this computer. I then work off of

1 this clone --- image, you would say, of a hard drive.
2 Integrity of this hard drive --- this computer, it's
3 never compromised, it always stays intact. I couldn't
4 even change anything to the image on the server that we
5 work off of. We conduct an analysis.

6 Q. So, did you do a forensic exam on the clone you made of
7 that computer's hardware?

8 A. Yes. In the industry it's called image, for a lack of
9 a better term. Yes, I'd call it a clone. Yes, I did
10 the forensic on that.

11 Q. Was that done pursuant to a consent signed by one
12 Atelia Hunt, to the best of your recollection?

13 A. It would --- our policy either has to be a consent or a
14 search warrant for the --- for the --- I would have to
15 see the records on that.

16 Q. Now, do you recall when you did a particular search or
17 forensic exam on the hardware related to this computer?

18 A. Yes. I have my notes right here if I could just --

19 Q. Certainly.

20 A. It says here, I believe I started on October 28, 2011
21 is when I started the examination. Particularly, this
22 item was started on Halloween on October 31, 2011.

23 Q. Now, was there anything specific you were looking for
24 on this particular computer?

25 A. I do believe there were some keyword --- keyword search

FARAND WUASIASK - DIRECT EXAMINATION

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1 terms.

2 Q. Were there particular keyword search terms you were
3 looking for in the computer?

4 A. I'd have to see the case report that you're referring
5 to.

6 Q. I'm going to hand you what's --

7 A. I'm sorry.

8 Q. I'm sorry. I'm going to hand you what's been marked
9 for Identification as State's Exhibit 99. Do you
10 recognize that packet?

11 A. I do. This is my examination report, as well as the
12 printed out end case report --- forensic report that I
13 did. The keyword searches that I started on November
14 1, 2011. I searched for three separate text surges.
15 One was Porn Hub. The second one was burns, as in
16 burns, I guess; counterclaim for that. And then the
17 third search term was medical care.

18 Q. And did you find searches on that computer related to
19 those three words?

20 A. I did. Three thousand, six hundred and fifty-six were
21 Porn Hub. One thousand, three hundred and seven for
22 burns. And then, twenty six search hits for medical
23 care.

24 Q. Okay. And were you able to determine when those
25 various searches, say for example, for burns took

1 place? A time frame.

2 A. For the searches, I did not. And when you do a search
3 hit, pretty much the program or software that gives you
4 every time that word, and specifically how you spell
5 it. It showed up on the computer just in the raw
6 format, and you have to go through and carve out, I
7 guess, texts specific to the investigation.

8 Q. Now, the packet that's attached to the back of the
9 report, does it show various websites with the last
10 access date?

11 A. Yes. This is the --- I conducted a internet history
12 search on the computer. Yes.

13 Q. Okay. And is the internet history search also done as
14 part of the computer forensic exam?

15 A. It is, yes.

16 Q. And all --- everything that you're doing is important
17 with standard operating procedure at SLED for a
18 computer forensic exam; isn't that correct?

19 A. Correct.

20 Q. Now, with the regard to the actual internet history
21 search, did you find searches on there for porn?

22 A. I had --- I did, through the web site PornHub.com.

23 Q. Was there also one for YouPorn?

24 A. I'd have to search the actual --- yes, yes, there are.

25 Q. Okay. Did you find internet search history for burns

FARAND WUASIASK - DIRECT EXAMINATION

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1 or sores?

2 A. I did.

3 Q. Okay. Did you find internet search history for
4 unconscious?

5 A. Yes.

6 Q. Did you find internet search history for seizures?

7 MR. STEEN: Objection, leading, Your Honor.

8 THE COURT: That is leading counsel. You are asking
9 the question that contains the answers. Please ask him what
10 he searched for.

11 Q. Okay. I know it's rather lengthy, but can you just go
12 ahead and tell the jury what the various internet
13 searches were for?

14 A. Sure. Right here on --- let's see, were the Yahoo ---
15 on your Yahoo searches, you will type something. It
16 will search on that computer, what to do when a child
17 is unconscious. This was last access --- this was done
18 on, according to the field drive, October 6, 2011.

19 Q. Does it show what time on October 6, 2011?

20 A. Yes. It's going to be 3:08 p.m. That's going to be
21 local time. So, that would our eastern time. Also on
22 the 6th of October we have another Yahoo search done
23 within a Yahoo search engine. It says, sores on the
24 butt. This occurred twice. We have one that occurred
25 at 3:30 p.m., and another that had been a few seconds

1 later, at 3:30 p.m., for roughly thirty seconds later.
2 Also on the 6th, around that same time frame, we have a
3 3:30. 3:33 p.m. we go on a website, NetHealth.org.,
4 post dermatology marks on skin that look like cigarette
5 burns. And then it has a show and a number, that would
6 probably be on the lines of what looks like it might be
7 an image, like what marks, you know, burns on them, on
8 the body part. Let's see here. Also around that same
9 time frame, again you're going on Yahoo search engine,
10 and it's cigarette burns and sores on the butt. The
11 same time frame of 3:51 p.m. On the 6th, we have
12 KidsHeath.org, Parents First Aid, Safe Emergency, and
13 Burns. So, that pretty much shows their digging down
14 within that website, on KidsHeath.org. The same time
15 frame, KidsHeath.org., we have burns that were searched
16 on there. Website FrugallyMinded.com., they search for
17 the main unique uses of Vaseline.

18 Q. What was the date and time of that search?

19 A. The time of that search is going to be October 6, 2011,
20 3:56 p.m. We have a few youth porn searches done on
21 the fifth. October 5th at around 11:30 in the morning,
22 it looks like. The Pornhub entry on August 9th.
23 Another one on August --- no same one on August 9th.
24 Quite a few Pornhub entries. Continuously Pornhub
25 entries. These look on to be on 9th of August, 2011.

FARAND WUASIASK - DIRECT EXAMINATION

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1 On the 6th of October at 3:16 p.m., they searched for
2 first-aid advise. Life saving procedures. Once again
3 on the 6th, we have marks on the skin that looks like
4 cigarette burns. Also on the 6th at 3:51 p.m. On the
5 6th of October, we have a website WikiHub. We have,
6 how to treat burn.

7 Q. Can you go back and give the times of those searches on
8 the 6th?

9 A. Yes. This particular one --- the last two I just read
10 for the ones, marks on the skin that look like
11 cigarette burns, it shows October 6, 2011 at 3:33 p.m.
12 And the treat of burn, the one from Wiki Hub is at 3:51
13 p.m. on the 6th of October.

14 Q. Thank you.

15 A. We have a search for FamilyDoctor.org. Once again, we
16 have another search engine from Yahoo, that's how to
17 get burn sores --- how to get of burn sores on the
18 butt. It could be a typo. How to get off burns. But
19 I do not know, that's how it was searched. That
20 happened 3:30 p.m. on 6th. Once again, we have a
21 Children First-Aid Unconscious, I guess you could say,
22 they're really drilling down on that website from
23 ChildrenFirst.com. That was at 6:26 p.m. on October
24 6th.

25 Q. Could you repeat that time?

- 1 A. 6:26 p.m. on October 6th.
- 2 Q. And that was search for what again?
- 3 A. It's ChildrenFirst.NHS.UK. Family First-Aid
- 4 Unconscious.
- 5 Q. Thank you.
- 6 A. That will show that it was drilled out within that
- 7 website. 3:33 p.m. again, on the 6th, cigarette burns.
- 8 3:08, p.m., another search, what to do when a child is
- 9 unconscious.
- 10 Q. Again, is that still on October 6th?
- 11 A. Yes, it's still October 6th. Again, we have 10/6, many
- 12 uses of Vaseline. On the 5th at 11:37 a.m. --- October
- 13 5th, we have a YouthPorn entry. Again, another
- 14 YouthPorn entry.
- 15 Q. What time are those porn entries on the 5th?
- 16 A. YouthPorn entries at 11:34 a.m. And we have a 11:33
- 17 a.m. Another entry for 11:34, that's on the 5th.
- 18 Again at 11:37. On the 6th at 3:17 p.m. another Yahoo
- 19 search, Unconscious and still breathing/children. On
- 20 the 6th at 3:30 p.m., there's been another Yahoo
- 21 search. How to get burns up, excuse me, how to get off
- 22 burns on their butt. On the 6th at 3:33 p.m., again
- 23 marks on the skin that look like cigarette burns.
- 24 KidsHeath.org. at 3:51 p.m. on October 6th.
- 25 KidsHeath.org. Parents First-Aid, Safe Emergency Burns.

FARAND WUASIASK - DIRECT EXAMINATION

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1 Going back to August, the PornHub entries.

2 Q. What date in August?

3 A. August 9th, roughly 2:18 p.m. on this one. August 9th,
4 2:41. August 9th, 2:20, this is PornHub. More PornHub
5 entries for the 9th. And he's continued to have more.
6 These are PornHub links for the 9th of August. And
7 these, I guess you could say they are very specific
8 PornHub entries, there in here for the 9th. Continued
9 on the 9th, we have more PornHub entries, and it seems
10 just to be going on and on. And pages and pages of, I
11 guess, PornHub of entries on the 9th.

12 MS. LEE: At this time I moved to have this report
13 put into evidence for the State. I believe that's Number
14 85.

15 MR. STEEN: Can I see that?

16 MS. LEE: That was State's Exhibit 99.

17 MR. STEEN: May I see it please? No objection, Your
18 Honor.

19 THE COURT: State's 99 in evidence without objection.

20 WHEREUPON, STATE'S EXHIBIT

21 NUMBER 99 WAS ADMITTED INTO

22 EVIDENCE WITHOUT OBJECTION.

23 Q. When you were going through the internet search
24 history, I believe you said on October 6th at 6:26,
25 there was a search regarding unconscious. And I

1 believe at 6:35 you referred to a family doctor. Can
2 you turn to the second sticker and see what that search
3 time was, and what that was for? Please tell the jury.

4 A. At 6:26, that was for the Children's First,
5 unconscious. The second one, on the 10/6 at 3:30, how
6 to get rid of the sores on the butt.

7 Q. Okay. Check the other marked area, and please tell the
8 jury what that is?

9 A. Sorry. FamilyDoctor.org, that happened at 6:35 p.m.
10 and then --

11 Q. On what date?

12 A. October 6, 2011.

13 Q. Thank you. Now, when you were searching the computer,
14 did you also find a diary, I believe, that was compiled
15 by somebody on that computer, that's marked as State's
16 Exhibit 90? I will show it to you. This is in
17 evidence as State's 90. Can you tell me if you
18 recognize that diary?

19 A. Yeah, it looks like a Word document.

20 Q. And was that something that you also pulled off of the
21 hardware from this computer?

22 A. Yes, I believe so. Actually I was specifically asked
23 by --- Lieutenant Bass ask me to look for any kind of
24 word diary entries on the computer?

25 Q. And that's what you found?

FARAND WUASIASK - EXAMINATION BY THE COURT

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1 A. Yes.

2 MS. LEE: Thank you. I beg the Court's indulgence.
3 That's all the questions I have, Agent Wuasiak. Please
4 answer any questions that the defense may have.

5 THE COURT: Cross examination?

6 MR. STEEN: One second, Your Honor.

7 THE COURT: Very good.

8 MR. STEEN: No cross examination, Your Honor.

9 THE COURT: Just one moment. All right. The Court
10 is going to ask you some questions.

11 EXAMINATION BY THE COURT

12 Q. Sir, the various access to the computer and the
13 websites, is there a user I.D. or a password that
14 identify whether a particular individual had access?

15 A. Your Honor, I can not --- without any kind of evidence
16 I can't put who was behind the computer. But on this
17 actual, what shall I call, the internet records, the
18 computer profile name for some of these entries, some
19 went under the name, Guess, which is a common Windows
20 feature. And the other profile name was --- excuse me,
21 my punctuation, Atelia, that was the profile name that
22 was on there.

23 Q. All right.

24 THE COURT: Very good. Thank you. Now, are their
25 follow-up questions from the questions the Court has asked

1 from either side.

2 MR. REDMOND: I think so, Your Honor. I beg the
3 Court's indulgence.

4 FOLLOW UP EXAMINATION BY MS. LEE

5 Q. Are you able to tell by using that report, or by
6 looking at the computer whether or not one person may
7 have been using another person's password?

8 A. That can easily happen, though it depends on the
9 password settings. I mean, usually if a password's
10 open beyond their profile or if somebody knows the
11 password.

12 Q. And for example, with the PornHub and the YouthPorn,
13 does it reference a particular user name --

14 MS. LEE: Objection, leading, Your Honor.

15 THE COURT: Overruled.

16 A. We have two user names. I'm sorry, the profile name --
17 - the computer's profile name with Atelia. And we also
18 have the Guess profiling, which is the default, say you
19 want to use the computer on a Windows machine.

20 Q. Thank you.

21 MS. LEE: No further questions.

22 THE COURT: Is there cross?

23 FOLLOW UP EXAMINATION BY MR. STEEN

24 Q. And your comments about the password being changed,
25 that was just a generalized comment --- I mean, not

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1 deliberate. And so, I would ask you to preside, and you can
2 have a vote as well, but it should not be you that's chosen.
3 After you've complete that process, if you would kindly knock
4 on the door --- write down the name, knock on the door, give
5 it to Mr. Brown, then we'll be ready to proceed as soon we
6 finish out here. All right. We'll remain where we are while
7 you depart the courtroom. Thank you, ladies and gentlemen.

8 (WHEREUPON, the jury exits the courtroom at
9 2:17 p.m.)

10 THE COURT: All right. The jury is clear. Now at the
11 end of the State's case, are there Motions or issues for
12 which you need to respond? From the defense?

13 MR. JONES: Your Honor, at this time the defense would
14 make a Motion for a directed verdict as to all charges with
15 respect to the unlawful conduct towards a child. We would
16 move --- actually as to all four of the charges, we move that
17 the State has failed to produce evidence as to each element
18 of the crime necessary in order to prove that the Defendant
19 has committed these acts, with the understanding that
20 probably my weakest argument is unlawful conduct towards the
21 child. However, the infliction of great bodily injury, I
22 would ask for the Court to grant the Defendant a directed
23 verdict. Because for the purposes of that Section 16-3-
24 95(a)(b), great bodily injury is defined: Bodily injury which
25 creates a substantial risk of death or which causes serious

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1 or permanent disfigurement, or protracted loss, or impairment
2 of the function of any bodily member or organ. The State has
3 failed to produce evidence --- any evidence as to that. The
4 same argument as to the homicide by a child abuse, Your
5 Honor. The same Motion, and I think with specific
6 concentration on the sexual conduct first degree with a
7 minor, I think that the State has failed to produce evidence
8 showing that a sexual encounter with this minor child has
9 occurred. I will concede that Dr. Schandl testified that
10 there was a mark inside the vagina which she described as ---
11 occurred as a result of some type of trauma. However, I did
12 not think the evidence was produced that it was a sexual
13 trauma. And for that reason I would ask that the Defendant
14 be granted a directed verdict as to CSC with a minor in the
15 first degree.

16 THE COURT: All right. Counsel, I'm going to respond
17 if I may to two of those, and then ask the State to give
18 argument about criminal sexual conduct. First of all, for
19 the inflicting great bodily injury. That statute requires
20 that there be a serious or permanent disfigurement, or
21 protractor lose or impairment of function of any bodily
22 member or organ. There's testimony here that two of this
23 child's teeth were removed, that she was burned by
24 cigarettes, which of course would permanently disfigure. The
25 photographs shows the scars. There's also a question,

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1 although it may be circumstantial as to whether other
2 injuries may have led to the serious illness and death of the
3 child. It is not for this Court to weigh the evidence at
4 this junction. The question is whether they exist in this
5 record --- appropriately admitted evidence tending to prove
6 the guilt of the accused to the extent that this is necessary
7 for the trier of facts, the jury, to make the determination.
8 And with that charge I find there is sufficient evidence,
9 both direct and circumstantial, to go to the jury on the
10 homicide by child abuse. Of course, this is one of the
11 battle grounds of this case. Clearly that statute requires
12 some abuse and neglect to the extent that harm to the child's
13 physical health and welfare occurs. And there are several
14 ways in which that may be done according to the statute.
15 Again, there were two adults in this household. There is
16 both circumstantial and direct evidence that the Defendant
17 may have been the individual who caused or committed these
18 acts against the child which lead to the death of the child.
19 There is evidence in the record that is clear, that he had
20 charge of the child at some point, and regularly in fact, was
21 responsible for the welfare of the child. For all these
22 reasons the Court denies that Motion as well. And on the
23 final argument, the third case that you raised, which was the
24 issue of unlawful conduct towards the child. Without further
25 comment, I respectfully deny your Motion. Now, what says the

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1 State with regard to the CSC, criminal sexual conduct charge?

2 MR. REDMOND: May it please the Court, Your Honor? On
3 the CSC charge. This would be, and the State would indicate
4 that --- that this would be a circumstantial evidence case as
5 it relates to direct testimony, saying that the Defendant did
6 it. I'm not arguing that. However, obviously the Courts
7 have recognized circumstantial evidence being just as good as
8 direct evidence. And when I say just as good, in the sense
9 of being presented to the jury for the determination in this
10 particular case. And I will start by highlighting Dr.
11 Schandl's testimony as it relates to the injury inside the --
12 - inside minor Hunt's vagina, which she indicated was
13 consistent with a sexual assault. She specifically said that
14 on questioning by the State. Additionally, when you put that
15 in the circumstances in it's totality as to what is evidence,
16 as to what was going on in that house, who had access to the
17 child, things of that sort, we would indicate that --- that
18 also adds a particular circumstance.

19 And then finally Your Honor, we had Agent LaRosa
20 testimony as it relates to the Profiler. Remind you, not
21 pointing out the Defendant, we understand that that was not
22 the purpose of his testimony. But when you put that with the
23 other circumstances, I think there is at least enough
24 evidence for the jury to consider --- whether to consider it
25 as it relates to the guilt of the Defendant on the CSC

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1 charge. So with that said Your Honor, we would respectively
2 request, that given the standards governing directed verdict,
3 we would indicate that the State has at least introduced, and
4 I'm not conceding, we only have a scintilla. I think the
5 statue and the law requires a scintilla of evidence in the
6 light most favorable to the State on that particular charge,
7 all be it circumstantial, but we do think we've at least met
8 the standard enough for the jury to make a determination for
9 the criminal sexual conduct charge.

10 THE COURT: All right. Criminal sexual conduct
11 requires a sexual battery. Sexual battery is defined as an
12 intrusion of a body part, or an object in the genital or anal
13 openings of another persons body. Here we have testimony
14 that there was a traumatic injury to this child, that that
15 traumatic injury was within the vaginal --- within
16 internally, that is inside the vagina. And while she would
17 not say that it was a result of an act of rape, it clearly
18 was a traumatic intrusion into the vagina. There was some
19 explanation of it, that there may have been a fall that had
20 something to do with this, but that's not for the Court to
21 weigh. The question is whether at this juncture in viewing
22 the evidence --- just one moment, viewing the evidence in the
23 record that is appropriately admitted, is there sufficient
24 evidence that would tend to prove the guilt of the accused
25 for which a jury's determination is necessary. And what we

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1 have here is, and again I would agree with Mr. Redmond, that
2 the case is somewhat circumstantial, but that is not unusual
3 in a criminal sexual conduct case. In this case we have the
4 further, what I'm going to call complicating matter of and
5 sad event that the child is deceased, but even if they child
6 was living may not be able to verbalize what had happened.
7 But there is substantial circumstantial evidence that there
8 was a CSC. And further given, the testimony of having this
9 record, the substantial circumstantial evidence that the
10 Defendant is the perpetrator. Again, this is for the jury to
11 decide. But I find that there is sufficient evidence for
12 that case to go forward. And I'm going to deny the Motion as
13 to all four charges from the defense.

14 Now, I'd like to speak to Mr. Huckabee at this point.
15 Have you had, Mr. Jones and Mr. Steen, ample opportunity to
16 speak with him about his right to remain to silent, as well
17 as his right to testify?

18 MR. JONES: We have, Your Honor.

19 THE COURT: All right. Then Mr. Huckabee, would you
20 stand please. And where you are, would you accept the oath
21 of a witness.

22 WHEREUPON, ALEXANDER CARMICHAEL HUCKABEE, III

23 AFTER BEING DULY SWORN TESTIFIES AS FOLLOWS

24 FIFTH AMENDMENT ENQUIRY

25 MR. HUCKABEE: Yes.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 710

1 now move to the defense. Please, call your first witness.

2 MR. STEEN: Thank you, Your Honor. The defense calls
3 Mr. Alexander Michael Huckabee, III.

4 THE COURT: Please come forward and take the oath of a
5 witness.

6 WHEREUPON, ALEXANDER CARMICHAEL HUCKABEE, III

7 AFTER BEING DULY SWORN TESTIFIES AS FOLLOWS

8 MR. HUCKABEE: Yes.

9 CLERK: Please be seated and state your name for the
10 record.

11 MR. HUCKABEE: Alexander Carmichael Huckabee, III.

12 DIRECT EXAMINATION BY MR. STEEN

13 Q. Please state your name for the record, Mr. Huckabee.

14 A. Alexander Carmichael Huckabee, III.

15 Q. And where were you born Mr. Huckabee?

16 A. Bennettsville. Marlboro County.

17 Q. Can you speak up just a little bit for us?

18 A. Marlboro County.

19 Q. Thank you. Have you lived in Marlboro --- have you
20 lived in Marlboro County your entire life?

21 A. Yes, sir.

22 Q. Where did you go to school?

23 A. Bennettsville.

24 Q. How many children do you have, Mr. Huckabee?

25 A. One.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 711

- 1 Q. And what is his name?
- 2 A. Alexander Carmichael Huckabee, IV.
- 3 Q. And how old is he?
- 4 A. Eight now.
- 5 Q. When did you move to [REDACTED]
- 6 A. In December of 2010.
- 7 Q. In the months prior to you meeting Ms. Hunt, where were
- 8 you working at during that time?
- 9 A. The shop. I got a shop, myself. I work on eighteen
- 10 wheelers, four wheelers, and put car motors in cars.
- 11 Q. Slow down and speak up a little bit for us, Mr.
- 12 Huckabee.
- 13 A. I work on eighteen wheelers. I work on cars, put motors
- 14 in and motorcycles. Customize motorcycles.
- 15 Q. And were you dating anyone during that period?
- 16 A. Back when?
- 17 Q. In the period before you met Ms. Hunt?
- 18 A. Yes. I use to talk to Abby Jean Baker.
- 19 Q. And when did you and Ms. Baker stop seeing each other?
- 20 A. Last part of January, 2011.
- 21 Q. Okay, Mr. Huckabee, before we get into more relevant
- 22 conversation, would you please tell the Court if you
- 23 have any prior convictions?
- 24 A. Third degree --- I got a third degree burglary and a
- 25 grand larceny charge.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 712

1 Q. From what year?

2 A. 2008, I believe it was.

3 Q. And what were you sentenced to on those charges?

4 A. Three years probation.

5 Q. Thank you, Mr. Huckabee. Now tell me, when did you
6 first come into contact with Ms. Hunt?

7 A. First part of 2010. I met her on the internet website
8 called My Yearbook.

9 Q. What part of 2010?

10 A. Around the first part of it. Around the first part.

11 Q. And when was the first time you met Ms. Hunt in person?

12 A. Around last part of June. Mid-June or so of 2011.

13 Q. And where was the first place you met her?

14 A. At her mama and daddy's house.

15 Q. And where?

16 A. In Maxton --- in Maxton, North Carolina.

17 Q. How did you get to Maxton?

18 A. My best friend, Pokie. Eric Covington, took me.

19 Q. So how --- for what time period did you go up there for
20 that first time?

21 A. We just went up there, it was probably around --- we met
22 around about seven, six, or eight somewhere along in
23 that. And we talked for a little while, probably for
24 about thirty minutes to an hour, and then we left.

25 Q. Okay. So, that was a short visit?

- 1 A. Yes. A short visit.
- 2 Q. Who else was present for that visit?
- 3 A. Atelia, minor and just me, and Pokie.
- 4 Q. Okay.
- 5 A. We stayed outside the whole time.
- 6 Q. Did you visit Maxton, North Carolina with her at her
- 7 parents house any time between then and when Ms. Hunt
- 8 moved to Bennettsville?
- 9 A. Yeah. One weekend I went and stayed with her. We went
- 10 to Myrtle Beach for a graduation for her sister's
- 11 boyfriend's child.
- 12 Q. And who all was present for that trip?
- 13 A. Ms. Hunt, her mama and daddy, T. C., which is her
- 14 cousin, me and my son, minor and S
- 15 Q. You may have said this before, was Alex with you the
- 16 first time you went to meet Ms. Hunt?
- 17 A. No.
- 18 Q. At what point did Ms. Hunt make the move to
- 19 Bennettsville?
- 20 A. Round the first part of July.
- 21 Q. At who's invitation?
- 22 A. She said she was ready to get away from her mama and
- 23 daddy, because they made her do everything.
- 24 MR. REDMOND: Your Honor, I would object to hearsay.
- 25 THE COURT: What do you say to that, counsel?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 714

1 MR. STEEN: I'll rephrase the question, Your Honor.

2 THE COURT: I'm actually going to grant that objection.

3 And ladies and gentlemen, again the best evidence of what
4 some other person says is for that person to be in here and
5 say what they said, to avoid confusion over what might have
6 been misheard or what may have been said by some third
7 person. So, I'm going to sustain that objection. I ask you
8 to disregard that remark. Please move to your next question.

9 MR. STEEN: Thank you, Your Honor.

10 Q. In your opinion --- in your opinion, why did Ms. Hunt
11 want to come live with you in Bennettsville?

12 MR. REDMOND: Your Honor, that would be --

13 THE COURT: Sustain. Again, that's calling for
14 hearsay, because it would be something he was told to form
15 that opinion. Again, ladies and gentlemen, let's just kind
16 of go back in time. When we were children we would play a
17 game, that when we sit in a circle and someone would whisper
18 something and come around, and by the time it got back to the
19 beginning of that circle, it was completely different.
20 Hearsay rule generally avoids that type of miscommunication
21 and error in miscommunication. I'm going to sustain it.

22 Now, there are exceptions to the hearsay rule. We've
23 already seen some during the course of this trial. Objection
24 sustain. Please proceed.

25 MR. STEEN: Thank you, Your Honor.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 715

1 Q. When Ms. Hunt moved to Bennettsville, did she --- did
2 she gain employment while in Bennettsville?

3 A. Nope.

4 Q. And who moved with her to Bennettsville?

5 A. S and minor

6 Q. And how old is S

7 A. S should be around seven.

8 Q. And they moved --- did they move to [REDACTED]

9 A. Yeah.

10 Q. How many bedrooms does [REDACTED] have?

11 A. It's really a two bedroom house, but it's been a third
12 room built on before I moved there..

13 Q. Who would --- who lives --- who stays in the master
14 bedroom?

15 A. Me and Ms. Hunt.

16 Q. And who stays in bedroom number two?

17 A. Alex.

18 Q. And who stays in bedroom number three?

19 A. S

20 Q. And where does minor stay?

21 A. Stay in the master bedroom from now until she came back
22 --- before she went to North Carolina. Prior to when
23 she first come, she stayed in the room with S

24 Q. Okay. Where --- were S and Alex around the same
25 age?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION

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1 A. I think like a year difference.

2 Q. Did they attend the same school?

3 A. Yes.

4 Q. What school was that?

5 A. Bennettsville Primary.

6 Q. Prior to Ms. Hunt moving to Bennettsville, did you have
7 Medicaid for Alex?

8 A. No. Didn't need it.

9 Q. And did Ms. Hunt get Medicaid for Alex once she moved to
10 Bennettsville?

11 A. Yes. She started --- she wanted to get food stamps and
12 went ahead and starting get Medicaid and all that,
13 because the medicine Alex was on cost like, over two
14 hundred dollars.

15 Q. What --- what medicine is Alex on?

16 A. Concerta for ADHD.

17 Q. And were --- were you on food stamps at all prior to Ms.
18 Hunt moving?

19 A. No, sir.

20 Q. If you were short on money, where would you go for money
21 to get by?

22 A. Ask my mama.

23 Q. And who is your mama?

24 A. Patricia Huckabee.

25 Q. Okay. Prior to minor going to North Carolina, what would

1 you say your work schedule was like?

2 A. My what now?

3 Q. Your work schedule prior to minor going to North
4 Carolina?

5 A. I mean, I worked about every day. I stayed sometimes
6 late at night. I mean, I steady --- constantly working.
7 I work on eighteen wheelers. So, if somebody comes in I
8 got to go ahead and finish it, because they might be up
9 on their load, so that they can go ahead and take their
10 load.

11 Q. During those summer months, who took care of Alex,
12 S and minor

13 A. Ms. Hunt.

14 Q. And when did minor go to North Carolina?

15 A. August, I believe. Yeah, August.

16 Q. And prior to minor going to North Carolina, had you ever
17 laid your hand on minor

18 A. I spanked her one time.

19 Q. Do you recall what you spanked her for?

20 A. She was playing with the wall socket --- the drop cord,
21 and wall socket.

22 Q. Were there any other injuries that you were aware of
23 prior to her going to North Carolina?

24 A. She had some bruises on her leg, I think like right
25 here, because she had a one of them episodes, is the one

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 718

1 I witnessed. So, I grabbed her mouth so she wouldn't
2 swallow her tongue, because she act like she was going
3 to swallow her tongue. And anyway, Ms. Hunt was suppose
4 to make an appointment, but she left and went to North
5 Carolina before she went and got to go to the
6 appointment.

7 Q. minor went to North Carolina before the appointment?

8 A. Yeah.

9 Q. When did minor return from North Carolina?

10 A. September 15th or 16th.

11 Q. So, how long was minor in North Carolina?

12 A. A month.

13 Q. Did you go pick her up from North Carolina?

14 A. No, sir.

15 Q. Who went --- how did minor get back?

16 A. Ms. Hunt went and got her.

17 Q. Okay. Mr. Huckabee, when did you pull []'s teeth?

18 A. It was, ah, I say like a week. It was --- first one and
19 the only one I pulled was one, it was like before that
20 week. She come to me and the tooth was crooked, so I
21 just took my finger --- when I went to straighten it up,
22 it look like it come loose, so I handed it to Atelia.

23 Q. And when did you say that occurred again?

24 A. I think it was either like a week before, prior to all
25 this happening.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 719

1 Q. Okay. What happened to the second tooth that was
2 pulled?

3 A. That happened on the 6th. Ms. Hunt come to me and said
4 that [redacted]s other tooth was loose. And I looked and she
5 said, help her pull it. And I looked down --

6 MR. REDMOND: Your Honor, I believe I'm going to
7 object to any hearsay.

8 THE COURT: I will sustain that. Please disregard
9 that comment. You can tell us what you did, sir, but not who
10 said something. Go ahead and tell us what you did.

11 A. Anyway, I wasn't --- then the next thing I know she
12 pulled it.

13 Q. Who pulled it?

14 A. Ms. Hunt.

15 Q. When did you shave her hair?

16 A. That was like a week prior. The week prior, um, she had
17 like, sores and stuff. I was in the bathroom cutting my
18 hair, because I cut my own hair, because I got trimmers
19 --- regular trimmers that you like, trim up with, and a
20 regular hair cut. So, I was in there cutting my hair,
21 and that's whenever Atelia come in there and said --

22 MR. REDMOND: Your Honor. Your Honor, hearsay.

23 THE COURT: What I say to that is, does that exception
24 applies? No, there's none. Mr. Huckabee, let me say to you,
25 sir. I know in just normal conversation we don't even think

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 720

1 about it. We say well, so-and-so said this and so-and-so
2 said that, but here in court it's different. And the best
3 evidence of what some third person said, as I mentioned
4 several times, is for that person to come in here and tell us
5 what they said. So, rather than tell us what somebody said,
6 you can tell us what you did or you can tell us what they
7 did, but you can't say what they said. So, let's start again
8 by asking the question, and then answer please, sir.

9 MR. STEEN: Thank you, Your Honor.

10 Q. Why did you cut []'s hair?

11 A. She had sores in the scalp and everything. So I ask the
12 mother, and she gave me consent, and I cut it.

13 Q. And why did you --- why were their sores in the hair; if
14 you recall?

15 A. Something about a rabbit having fleas and stuff, and not
16 only that, she had just like scabs and stuff in it.
17 There wasn't no bruise or nothing at that time. I ain't
18 never seen them.

19 Q. Okay. Now we're up to the week of the death. On that
20 Monday, October 3rd, what time did you get up that day?

21 A. It might have been around --- I normally get up in the
22 mornings a lot of time, about every morning, around
23 about 10:30 or 9:00 sometimes.

24 Q. Okay. And was Ms. Hunt home that day?

25 A. Yes.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 721

1 Q. Was minor home that day?

2 A. Yes.

3 Q. What about Alex and S

4 A. They were at school the first part, and then they came
5 home together.

6 Q. Did any injuries happened to minor on Monday, October 3,
7 2011?

8 A. Not that I know of, except for, um, she ran --- that's
9 the day she ran into my cigarette. She had a little
10 burn on her arm.

11 Q. What part of her body ran into your cigarette?

12 A. Top part of her arm, right here.

13 Q. And what part of the house did this occur?

14 A. The kitchen. I was standing at the back door, because I
15 talking to the preacher --- my neighbor, who stays right
16 across the road. I was talking to him. He was out
17 there, so I was talking to him. And she ran up and
18 bumped it.

19 Q. Did she cry?

20 A. No.

21 Q. Did you tell her mama about it?

22 A. Her mama was in the kitchen too.

23 Q. Was anything done at that time in relation to
24 medication, or ointments, or anything placed on the
25 burn?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 722

1 A. I believe Ms. Hunt put Vaseline or something like that
2 on it.

3 Q. Okay. Did anything else of significance happened on
4 that Monday, if you recall?

5 A. I believe there was an incident where she slipped and
6 fell in the bathroom while some water was leaking from
7 the toilet. I believe that happened, if I ain't
8 mistaken.

9 Q. Okay. Where did minor fall again?

10 A. In the bathroom.

11 Q. And why did she fall?

12 A. I believe when she was using the bathroom, and when she
13 got up, her foot slipped in water and made her fall.

14 Q. And why was there water on the --

15 A. Because the toilet leaked.

16 Q. Toilet leaked.

17 A. Yeah.

18 Q. Was anyone present in the room when that occurred?

19 A. Ms. Hunt was out there in the living room.

20 Q. Were you present at the house?

21 A. Living room.

22 Q. Okay. How did y'all know that she had fallen?

23 A. Because the way the couch sits you can see straight into
24 the bathroom. Ms. Hunt was sitting there and she heard
25 it too. You could hear it or something.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 723

1 Q. Okay. All right. Let's move on to Tuesday, October
2 4th.

3 THE COURT: All right. Just a moment. Madam Court
4 Reporter, do you believe your back up system is picking up
5 this with more volume. I'm going to get you to come just a
6 little bit closer to that microphone so that we make sure the
7 jury can hear, and that the our tape system is picking up
8 your voice as well. Please go to your next question. Please
9 speak up yourself. It's a little difficult for me to hear
10 you. Mr. Steen, please speak up too.

11 Q. Back to Tuesday, October 4th, what time did you get up
12 that day?

13 A. I got probably around 10:30, that same --

14 Q. Speak up for me, Mr. Huckabee.

15 A. About the same. About 10:30 --- around 10:30.

16 Q. And was Tia at the house that day?

17 A. No. No. The 4th, that was the day that the phone woke
18 me up, because S got sick that morning. So, I got
19 Ms. Hunt --- I had to wake Ms. Hunt up, and that's when
20 she left and went to pick --- suppose to pick the child
21 up. But when she gone, her father came up.

22 Q. Okay. That's --- you got a call from who?

23 A. Bennettsville Primary School.

24 Q. With --

25 A. Left a message --- a voice message on the cell phone.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 724

1 Q. For you or for Ms. Hunt?

2 A. Ms. Hunt. Because Ms. Hunt --- we use the same phone.

3 Because what it was, I use to have this other cell
4 phone, and my phone started messing up, it's what they
5 call straight talk. So, instead of me going and buying
6 another, you told me just to put my number on her's,
7 because she didn't have the money to keep her phone
8 going.

9 Q. Okay. About what time was this phone call from
10 Bennettsville Primary School?

11 A. I ain't to sure of the time. Ain't good with time of
12 day.

13 Q. What time did --- who'd you state --- who'd you say
14 brought minor --

15 A. S

16 Q. I mean, brought S from school?

17 A. It was her grandfather.

18 Q. S[redacted]'s grandfather?

19 A. Yeah, S[redacted]'s grandfather.

20 Q. Okay. What time did he get to your house?

21 A. I don't know. It was in the morning time.

22 Q. Okay. Was Ms. Hunt home at the time?

23 A. No.

24 Q. Where was Ms. Hunt at?

25 A. She left to go pick up S

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 725

1 Q. Why had she left to go pick up S

2 A. Because she didn't know her father had done got there to
3 pick S up.

4 Q. Okay. Did you have any conversations, without stating
5 the conversation with Mr. Jacobs?

6 A. Yeah, we talk about our cars and stuff like that.

7 Q. Who is []'s grandfather?

8 A. Eugene Jacobs.

9 Q. I'm sorry, what did y'all do again?

10 A. We just talk about our cars, and lawnmowers, stuff like
11 that.

12 Q. Okay. Any conversations with regard to minor at that
13 time?

14 A. No, sir.

15 Q. How long was Mr. Jacobs there before Ms. Hunt drove up?

16 A. Like five or six minutes, something like that.

17 Q. Did Mr. Jacobs talk to Ms. Hunt once she arrived?

18 A. Yeah.

19 Q. How long did he stay?

20 A. As she came, he probably stayed about two or three
21 minutes, then he left.

22 Q. And what did he do while he was --- so what did you,
23 Tia, minor and S do after Mr. Jacobs left?

24 A. Nothing. Nothing but stay at the house.

25 Q. Okay.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 726

1 A. And I left, leaving and going to the shop.

2 Q. What time did you get to the shop?

3 A. It was probably around 12:30 or something like that,
4 going down there.

5 Q. How long did you stay?

6 A. A few hours. I worked on an eighteen wheeler.

7 Q. Okay. Did anything else of significant happened that
8 day, outside of S being sick?

9 A. Nothing really. But, uh'huh.

10 Q. Okay. Now, October. We're to October, Wednesday,
11 October 5th. Again, what time did you get up?

12 A. That day me and --- I think, Ms. Hunt left that day and
13 went to a domestic violence order or something in
14 Pembroke. So me --- I got up around probably eleven. Me
15 and minor watched cartoons. Ms. Hunt turn around. She
16 made it back probably around about twelve.

17 Q. What time had Ms. Hunt left?

18 A. Early that morning.

19 Q. Where did she go?

20 A. To Pembroke, North Carolina?

21 Q. What did you, Ms. Hunt, and minor do once she got back
22 from Pembroke?

23 A. When she come back we went to Pizza Time. I got chicken
24 Parmesan sub; and we got minor a spaghetti.

25 Q. Did Ms. Hunt eat?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 727

- 1 A. No.
- 2 Q. Did minor eat?
- 3 A. Yeah.
- 4 Q. Did she eat it all?
- 5 A. She ate --- she had probably about like a little pile
- 6 left, but she ate most of it.
- 7 Q. What did y'all do on Wednesday, October 5th, that night?
- 8 A. We went to my next door neighbors. They grilled out for
- 9 me, because it was my birthday.
- 10 Q. And who are you next door neighbors?
- 11 A. Denea Malachi and Maurice Malachi.
- 12 Q. Do you cookout or have supper with them on a regular
- 13 basis?
- 14 A. Most of the time, me and --- me, and Denea, and Maurice,
- 15 we get along good. We play cards and stuff together
- 16 like that, what you call football cards and stuff, but
- 17 we played them together.
- 18 Q. Did Ms. Hunt get along with them also?
- 19 A. At the --- little bit she started getting along with
- 20 Denea and stuff. She talked to Denea a little bit.
- 21 They would sit down and drink liquor or something
- 22 together.
- 23 Q. Did anything else of significance happened on Wednesday,
- 24 October 5th?
- 25 A. No.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 728

1 Q. Okay. Now, Thursday, October 6th, what time did you get
2 up?

3 A. Around 10:30. Around 11:00.

4 Q. And was Ms. Hunt there?

5 A. No.

6 Q. Where had she gone?

7 A. Took my mama to the eye doctor.

8 Q. Do you know what time they left?

9 A. Right after she left --- right after she put the kids on
10 the bus, that's when she left.

11 Q. Okay. So on the 6th, did Ms. Hunt take minor with her?

12 A. No.

13 Q. What did --- what did you and minor do on Thursday while
14 Ms. Hunt --

15 A. We slept. I say, I wake up about 10:30. Both of us
16 asleep. When we did get up we started watching
17 cartoons, because she likes SpongeBob. So, I cut it on
18 Cartoon Network, and she was watching it. After that,
19 the way she walked around, colored a little bit. Then
20 that's when I tell her to come on. That's was probably
21 around about --- about twelve or so when Ms. Hunt come
22 back.

23 Q. Did you on Thursday, after Ms. Hunt came back, did you
24 work any that day?

25 A. Do what now?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 729

1 Q. On that Thursday, after Ms. Hunt got back, did you work
2 any that day?

3 A. I left for a short period, then I came back.

4 Q. Do you recall when that short period was?

5 A. I came back it was --- I ain't good with time. I'd say
6 probably around about four or something.

7 Q. When you got back, had S and Alex come back home
8 from school yet?

9 A. Yeah, they was already back home.

10 Q. Do you know what time Alex and S usually get off
11 the bus?

12 A. It be different times. Depends on how the bus --- what
13 stuff --- how many children or something like that.
14 They all get off at the same bus stop. Sometimes it's
15 been like 2:50 or something like that.

16 Q. So, at this time all members of the home are home?

17 A. Yeah.

18 Q. Did anyone else leave the rest of the night?

19 A. Not that night except for --- I tell her to run over to
20 the neighbors a couple times.

21 Q. When you say neighbors, do you mean Denea and Maurice?

22 A. Yeah. I mean, what time frame are you really --

23 Q. Just on the Thursday. Did anyone leave on Thursday
24 prior to _____'s death?

25 A. Yeah, she went to Cub Scout meeting.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 730

1 Q. Okay. What time was that?

2 A. That was 5:30.

3 Q. And who went to Cub Scouts?

4 A. Alex and Atelia.

5 Q. How long had Alex been a Cub Scout?

6 A. He just started up that year. He probably a couple of
7 months, a few months.

8 Q. Does Ms. Hunt usually take Alex to his Cub Scout
9 meetings?

10 A. Yeah.

11 Q. What time did the get back from Cub Scouts?

12 A. This night they had this meeting, it lasted like I
13 think, two hours. So it was --- I ain't too sure what
14 time, but seven, a little after seven.

15 Q. During that time while they were gone, what did you,
16 minor and S do?

17 A. Sit and watch t.v.

18 Q. Where did y'all watch t.v. at?

19 A. Living room.

20 Q. All three of you?

21 A. Yeah.

22 Q. When Ms. Hunt got back home, were y'all still in the
23 living room?

24 A. minor done went and laid down, and S was still in
25 the living room. Me and S were still in the living

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 731

1 room.

2 Q. So minor --- minor was laying down? Is that --- was that
3 your testimony?

4 A. Yeah.

5 Q. What did y'all have for supper on Thursday night?

6 A. She cook hotdogs.

7 Q. Did you eat?

8 A. No, sir.

9 Q. What was minor --- how was minor acting at this time?

10 A. At what time?

11 Q. After Ms. Hunt got home from Cub Scouts with Alex?

12 A. She was going --- one time --- when she got home, Atelia
13 come to me and said she was having one of her little
14 episode. Little episode is when she's got her fist
15 clinched up.

16 MR. REDMOND: Your Honor, I would object. Hearsay
17 again.

18 THE COURT: I may have misunderstood that response.
19 Was it that she said that?

20 A. Nah.

21 MR. STEEN: She came to him and she --- he didn't say
22 anything that she said.

23 THE COURT: I'm going to overrule your objection. Go
24 ahead.

25 A. Anyway, when she had a little episode she would ball her

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 732

1 fist up and her feet turn in. So, when she come got me
2 and showed me she was having a little episode, and it
3 lasted like three minutes, and she back to normal.

4 Q. Did you witness this episode?

5 A. Yeah.

6 Q. Did Ms. Hunt --- did Ms. Hunt witness this episode?

7 A. Yeah.

8 Q. Okay. What was minor like after this episode?

9 A. She went back to normal. She went back to normal and
10 then she was laying in there on the floor. She had like
11 --- she got like hot, like a warm, hot feeling to her
12 and stuff. So, Ms. Hunt --- I went and put her in front
13 of the air conditioner, and Ms. Hunt was the one who
14 went with me. We put her in front of the air
15 conditioner, she cooled off. Then, um, I went ahead and
16 laid down and everything. And then next thing I know,
17 that's when I hearing like a noise, like a little grunt
18 noise or something like that. Ms. Hunt come in there,
19 that's whenever she --- and I ask what that noise was.
20 She said it was minor So --

21 Q. Did you hear the grunt noises also?

22 A. I kept on hearing, but I didn't know if it was the
23 little dog that was there or minor I didn't know what
24 it was. It was just like a little noise. And see there
25 was a little dog in there too, a little Pekingese.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 733

1 Q. Where is minor at inside the house, where she's in front
2 of the A.C.?

3 A. Master bedroom. Mine and Ms. Hunt's bedroom.

4 Q. Who was in the master bedroom with her, or in yours and
5 Ms. Hunt's bedroom at that time?

6 A. I was laying on the bed watching t.v.

7 Q. And where is Ms. Hunt?

8 A. I believe she around in the kitchen. She was doing
9 something in the kitchen.

10 Q. Okay. Is anything happening while minor is laying in
11 front of the air conditioning?

12 A. She's making a grunting noise. Ms. Hunt come in. So
13 whenever she told me it was minor I got up and I went
14 over there to touch her on her stomach. She made a
15 little grunt noise. That's when she did that right
16 there. And Ms. Hunt told me, picked her up, she was
17 kind of cold then. So, she said well, I run some water
18 --

19 MR. REDMOND: Your Honor, I would object to hearsay
20 again.

21 THE COURT: Well that specific one I'm going to
22 overrule that. That was a collateral matter, but please
23 don't tell us what she says. Because again, you just tell us
24 what you did, that is the appropriate testimony. All right.
25 Go ahead, Mr. Steen.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 734

1 MR. STEEN: I apologize, Your Honor.

2 A. Your Honor, may I speak. When I tell my story it's kind
3 of hard for me just, you know, I'm sorry, I keep on
4 doing that.

5 THE COURT: Yes, sir. In case you didn't hear what
6 the witness said, it was hard for him to tell the story
7 without saying what someone said. It's difficult for him.
8 But please try not to do that, sir. Go ahead, Mr. Steen.

9 MR. STEEN: Thank you, Your Honor.

10 THE COURT: Rephrase your question in such a way to
11 avoid that, if you would please. Go ahead.

12 MR. STEEN: One second, let me regain my place.

13 THE COURT: Tell me that again.

14 MR. STEEN: I said one second, Your Honor, let me
15 regain my --

16 THE COURT: Go ahead.

17 MR. STEEN: I apologize.

18 THE COURT: Take your time.

19 Q. So you pressed on or massaged minor stomach?

20 A. Yeah.

21 Q. Why were you doing that?

22 A. I just --- I just --- like, I just bent down and was
23 touching her, that's all. I rubbed her on her belly,
24 that's whenever she made a little noise. And next
25 thing, Ms. Hunt went and run the water, and I took her

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 735

1 and put her in --- set her in the bathroom, so she'll
2 warm up. So she warmed up. Then I took and set her on
3 the couch, and I went and sat down on the other couch.
4 And Ms. Hunt was going to get the clothes and stuff to
5 put on, because she was going to take her to the
6 hospital, because she wasn't acting right.

7 Q. That's --- clear that up a little bit. You ran bath
8 water?

9 A. No. Ms. Hunt run the bath water.

10 Q. Okay. Was minor placed in the bath water?

11 A. Yeah.

12 Q. And what would you say was the temperature of this bath
13 water, if you know?

14 A. It's was like, warm water. I mean, it was warm water.

15 Q. So, you were present when Ms. Hunt put minor in the bath
16 water?

17 A. I put her in. Ms. Hunt was standing behind me.

18 Q. Okay. And tell me, why did y'all put her in the warm
19 water in the bath tub?

20 A. Because, I don't know, she just said do --- I don't
21 know.

22 Q. Was minor acting a particular way that made that the best
23 option?

24 A. Do what now.

25 Q. I'll continue. So, how long did you say minor was in the

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 736

1 bath tub again?

2 A. Probably two minutes, three minutes, something like
3 that.

4 Q. I mean, was this [redacted]'s nightly bath?

5 A. Huh?

6 Q. Was this [redacted] bath time?

7 A. No.

8 Q. Like bath time? So, there's a reason minor was placed in
9 the bath tub?

10 A. Yeah. That's --- like I said, the mother wanted me to
11 do it, and so I put her in there.

12 Q. Okay. Without saying what Ms. Hunt told you, can you
13 tell this Court why --- why you put minor in the bath
14 tub?

15 A. I put her in there. Basically it ain't my child. If
16 the parent tell me how to do something, I did it. You
17 know what I'm saying.

18 Q. Okay. After minor --- well who took minor out of the bath
19 tub?

20 A. I did.

21 Q. And where did you take her?

22 A. Set her on the love seat.

23 Q. Was she naked?

24 A. I had a burgundy towel wrapped around her.

25 Q. What did Ms. Hunt do at this time?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 737

1 A. She was in the girls room getting --- suppose to be
2 getting clothes for her.

3 Q. Getting clothes for minor

4 A. Yeah.

5 Q. Okay. Did anything happened while you sitting on the
6 love seat with minor

7 A. She made like a little squealing noise. She rolled.
8 When she rolled, she fall and hit the floor, like her
9 head, I think it was this side of head or something.
10 When she hit the floor, I grabbed her. And when I
11 picked her up, that's when I noticed that she wasn't ---
12 um, she wasn't breathing. So, I took her, started doing
13 CPR.

14 Q. How far did minor fall from the couch?

15 A. It's from where she was sitting. She just fell straight
16 down.

17 Q. Okay. And after she fell, she stopped breathing?

18 A. Yeah.

19 Q. Did she start breathing again?

20 A. No.

21 Q. What did Ms. Hunt --- was Ms. Hunt aware that this
22 happened?

23 A. She was right there the whole time, whenever all that
24 happened. When I was doing CPR is when she ran to the
25 neighbor, beat on the back door. And that's when they

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 738

1 came over and all that.

2 Q. Okay. So, you --- while she was going to the neighbors
3 to take care of that, what were you and minor --- what
4 were you doing with minor at the time?

5 A. CPR.

6 Q. Were was that?

7 A. Taking about when she ran to get the neighbor Denea, on
8 the kitchen table.

9 Q. Okay. So, you --- how did she get from the floor in
10 front of the couch?

11 A. I carried her.

12 Q. Okay.

13 A. Put her on the kitchen table.

14 Q. How did minor get to the car?

15 A. I put in the back seat.

16 Q. And why did you put minor in the back seat?

17 A. So, that you can go to the hospital. So, her mama could
18 take her to the hospital.

19 Q. Do you recall what time this was?

20 A. No, sir.

21 Q. Who was present in that car when it left to go to the
22 hospital?

23 A. Denea Malachi and Atelia Hunt.

24 Q. And?

25 A. And minor

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 739

1 Q. Do you recall how they were sitting?

2 A. minor was laying in the back seat. Denea was driving and
3 Atelia --- no, I think Atelia was driving and Denea was
4 in the passenger seat.

5 Q. Okay. What did you do while those three went to the
6 hospital?

7 A. I sit there. Maurice come. I mean, I was in such a
8 state of shock I couldn't really say nothing. He was
9 trying to get me to calm down. I mean, you sit there
10 and witness all that, it's trauma.

11 Q. Okay. What were Alex --- were Alex and S aware of
12 any of this?

13 A. Not to my knowledge. I think Alex was up. I don't know
14 if he seen anything or nothing like that. I mean, as
15 far as S I know she was asleep.

16 Q. Okay. What was the next --- when did you hear that minor
17 had passed away?

18 A. Denea Malachi told me.

19 Q. Did she call you?

20 A. Yes.

21 Q. Was Denea still at the hospital when she called you?

22 A. Yeah. Because we was calling each other back and forth,
23 and she said as soon as she find out.

24 Q. Do you have any recollection about what occurred at the
25 hospital?

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 740

1 A. No.

2 Q. How long was your's and Denea's conversation?

3 A. The last time she called me, it was probably wouldn't
4 long, probably like half a minute or so. She just told
5 me that she didn't make it.

6 Q. What was the next thing that happened to you?

7 A. To me? At that time they was police --- the police
8 department and DSS showed up.

9 Q. Okay. Who showed up? Who showed up first?

10 A. They showed up together.

11 Q. DSS and the police department?

12 A. Yeah.

13 Q. Do you recall who specifically showed up with regarding
14 those two organizations?

15 A. John Hepburn, Larry Turner, Rebecca Jorgensen, Joanne
16 Miller, Yolanda Dupree.

17 Q. Okay. What occurred when they arrived?

18 A. Huh?

19 Q. What occurred when they arrived?

20 A. Just ask me what happened. Would I take a polygraph and
21 stuff like that.

22 Q. How long were they at the house that night?

23 A. Ten, fifteen minutes, taking pictures. I think Mr.
24 Hepburn or one of them was taking pictures of the house,
25 like the love seat, and stuff like that.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 741

1 Q. Did you have any conversations with anyone at that time?

2 A. I spoke with Mr. Hepburn. I talked to Joanne Miller and
3 Larry Tyner.

4 Q. Okay. Why was Mr. Hepburn taking a picture of the
5 couch?

6 A. That's where I show him that minor was sitting whenever
7 she fall off and all that, when everything happened.

8 Q. Okay.

9 MR. STEEN: One second, Your Honor.

10 Q. Mr. Huckabee, why was minor not taken to the doctor?

11 A. I didn't know she was that bad.

12 Q. Do you know what Ms. Hunt --- Ms. minor --- do you know
13 what minor died of?

14 A. No. Now, I do. But I mean, not at that point, I didn't
15 know.

16 Q. Okay. Right now, why do you think minor died?

17 A. Say what now?

18 Q. Why do you think minor died right now?

19 A. Right now?

20 Q. Based on your knowledge here today, why did minor die?

21 A. Where, right now, to the date? A urinary tract
22 infection got out of control and caused infection, and
23 now she's --

24 Q. Had minor gone to the doctor at all in the time that
25 she's lived at [REDACTED]

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 742

1 A. No.

2 Q. Had Alex gone to the doctor at all while during this
3 time period?

4 A. Yes.

5 Q. How many times?

6 A. I believe like, once or twice.

7 Q. Had S gone to the doctor any?

8 A. I believe she's been one time for about a check up or
9 something, that's when she first came down, I believe
10 she went. But as far as after that, no, she ain't been
11 to one either.

12 Q. Did you ever voice your concern that minor should go to
13 the hospital?

14 A. Say what now?

15 Q. Did you ever voice your concern that minor should got to
16 the hospital?

17 A. I told Ms. Hunt, and told Ms. Hunt.

18 Q. Mr. Huckabee, have you ever touched the outsides of minor
19 vagina?

20 A. No.

21 Q. Have you ever touched the outside of [redacted]s vagina with
22 an object?

23 A. No.

24 Q. Have you ever touched the inside of [redacted]s vagina?

25 A. No.

1 Q. -- with an object?

2 A. No.

3 MR. STEEN: One moment.

4 Q. Mr. Huckabee, you stated that minor had an episode, or
5 did you state that minor had an episode on that Thursday?

6 A. Yeah.

7 Q. What did --- did anything occur after she had the
8 episode?

9 A. What do you mean? I mean --

10 Q. Did you or Ms. Hunt search on the computer, how to fix
11 the episode?

12 A. Early that day she was going on the internet, I believe
13 and was searching. And, um, --

14 Q. Ms. Hunt was?

15 A. Yeah.

16 Q. And did you do any searching on the internet that day?

17 A. No. I went on the internet and I looked. I went to the
18 history thing and I clicked about the thing that had
19 unconscious, I think, it was unconscious and family
20 doctor. So, I clicked on it and it went to it.

21 Q. Mr. Huckabee, can you spell unconscious?

22 A. No.

23 Q. Will you try for me?

24 A. U-n-c-o-n-s. I meant, that's as far as I know. I mean,
25 I --

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION

744

1 Q. Okay.

2 A. I ain't never been no person to know spelling or math.

3 Q. Did you ever touch minor with a rod?

4 A. What now?

5 Q. Did you ever hit minor with a rod?

6 A. No.

7 Q. Did you ever hit minor with a strap?

8 A. No.

9 Q. Did you ever witness the rod being used?

10 A. No.

11 Q. Did you ever witness the strap being used?

12 A. No.

13 Q. Where did that strap come from?

14 A. That's my mothers. It's been in the family. I use to
15 get spankings with that old strap when I was little.

16 Q. Have you been spanked with that strap since you were
17 little?

18 A. Huh?

19 Q. Have you been spanked with that strap since you were
20 little?

21 A. No.

22 Q. How old?

23 A. I mean, that's when I was real small. Because it was
24 sitting in my mama's bedroom, and Ms. Hunt brought it
25 from my mama's house, and bring it to where we was

1 staying at.

2 Q. Okay. Why did Ms. Hunt bring it from your mother's
3 house?

4 A. I don't know. I don't know. She mainly handled all the
5 discipline with the kids and all that, so.

6 Q. Did you ever witness Ms. Hunt using the strap?

7 A. I see her use it on S and Alex.

8 Q. What did you see her do to Alex with the strap?

9 A. I mean, I seen she popped him. That's about it. Popped
10 him. Hit him with it.

11 Q. Okay. How many times would you say you saw that?

12 A. Probably about four or five times, somewhere along in
13 there.

14 Q. And S --- did you ever see Ms. Hunt whip S
15 with the strap?

16 A. Yes.

17 Q. About how many times did you see that?

18 A. It was probably about two or three times.

19 Q. Okay. Did you ever see Ms. Hunt hit S with the
20 rod?

21 A. No.

22 Q. Did you ever see Ms. Hunt hit Alex with the rod?

23 A. No.

24 Q. Did you ever see Ms. Hunt hit minor with the rod?

25 A. No.

ALEXANDER CARMICHAEL HUCKABEE III - DIRECT EXAMINATION 746

1 Q. Did you ever see Ms. Hunt hit minor with the strap?

2 A. No.

3 Q. Mr. Huckabee, what was wrong with []'s ears?

4 A. I know she'd grab at them a lot. I ask Atelia about it
5 and said something about an ear infection or something
6 like that. They suppose to be tubes in it.

7 Q. Did you ever --- did you notice any visible injuries on
8 her ears?

9 A. No. I say she had a mark behind it.

10 Q. Did you ever give minor any medication?

11 A. Not til the 6th. I gave her a vitamin. A Flintstone
12 vitamin.

13 Q. And when did you give her the Flintstone vitamin?

14 A. On the 6th. It was --- yeah, it was on October 6th.

15 Q. Before minor quite breathing, had she urinated on
16 herself?

17 A. No.

18 Q. After you --- after you learned that minor had passed
19 away, what was your reaction?

20 A. I mean, I hurt. I mean, anything with a child like
21 that, it's going to hurt. I mean, I loved --- I loved
22 the little girl. I ain't --- I ain't never want nothing
23 like that to happen, not like that. I mean, after
24 reflecting --- looking back on it, I mean, just like I
25 told Mrs. Bass, I wish --- I should have did something.

1 Q. You wish you would've done something?

2 A. If I --- if I knew what was going on, you know what I'm
3 saying. I didn't know what all was going on. And not
4 only that, I mean, I ask her something about the child.
5 She tells me I have to go with what the mother say goes.
6 I don't know the history on the child or nothing like
7 that. I mean, I only been with her for three months.
8 And I only been with minor around about two months.

9 Q. Okay. Why do you think --- well, what was your and
10 Edna's relationship like?

11 A. I mean, it was good. I come, or if I come home from
12 work or something, she'll come running to me. I mean,
13 she hung. She wouldn't never --- we played. She runs.
14 She'd hold on to me and stuff. I mean, she wouldn't
15 never, you know what I'm saying, like she was scared of
16 me or nothing like that. And we played peek-a-boo and
17 stuff like that.

18 Q. What was --- did minor I guess have any handicaps?

19 A. She had speak --- I mean, she walked little funny, but I
20 mean, she could walk, you know what I'm saying. I mean,
21 she'd get carried away sometimes. She might fall or
22 something like that.

23 Q. With your time being with minor what would you say is
24 her favorite activity?

25 A. Do what now?

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 748

1 Q. With your time you spent with minor what would you say
2 is her favorite activity?

3 A. She loved to watch cartoons, the t.v.

4 MR. STEEN: Hold on a second, Your Honor. No more
5 questions, Your Honor. Mr. Huckabee, please answer any
6 questions that Mr. Redmond may have for you.

7 THE COURT: Cross examination?

8 MR. REDMOND: Thank you, Your Honor. May it please
9 the Court? Before I begin, if I could beg the Court
10 indulgence. I beg the Court's indulgence. May it please the
11 Court, Your Honor?

12 THE COURT: Go ahead.

13 MR. REDMOND: Before we begin, let me approach, with
14 the Court's permission, the witness?

15 THE COURT: You may.

16 CROSS EXAMINATION BY MR. REDMOND

17 Q. With what's been marked as State's 104, is that a
18 picture of minor prior to her head being shaved?

19 A. Yes, sir.

20 MR. REDMOND: The State would move to admit State's
21 104 into evidence at this time?

22 THE COURT: Any objection?

23 MR. STEEN: No objection, Your Honor.

24 THE COURT: Without objection 104 is in evidence for
25 the State.

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 749

1 MR. REDMOND: Thank you, Your Honor.

2 WHEREUPON, STATE'S EXHIBIT

3 NUMBER 104 WAS ADMITTED INTO

4 EVIDENCE WITHOUT OBJECTION.

5 Q. Now, you testified just a few minutes ago about the
6 computer, and I'm going to go a little bit out of order
7 of what I intended to do. Now, you're saying that you
8 did get on that computer and search, I guess, for
9 unconscious or something, I think you told your lawyer
10 just a minute ago?

11 A. Yes, sir.

12 Q. In fact, he had you try to spell unconscious just a
13 minute ago?

14 A. Yes, sir.

15 Q. But now, isn't it true, that especially in your
16 interview with Lieutenant Bass, that you specifically
17 denied any contact with that computer regarding web
18 searches and all. And in fact, didn't you also say that
19 Atelia did all the internet search stuff?

20 A. She ask me about burns.

21 Q. Okay. She ask you --- you went into detail about the
22 internet stuff in general?

23 A. She ask me about porn and burns.

24 Q. Okay. Let me direct your attention to, and actually if
25 I could approach the witness with a copy of the

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 750

1 transcript?

2 THE COURT: You may.

3 Q. Okay. On Page 90, if you start at about line seven ---
4 line five, the speaker ask you if she's pretty good with
5 computers. And if I state something wrong, let me know.
6 Let me know when you get to page 90.

7 A. Go ahead.

8 Q. Okay. "Yeah, she's pretty good. Anything else? She
9 loves a computer just like minor When she was
10 unconscious and stuff, she put --- she put on the
11 computer. She put it on the computer while she was
12 unconscious? Yeah, on her Facebook Page? No, the
13 search thing. She has a thing on. She had a thing on
14 there, PDF Health or something like that. Whenever
15 things went wrong with minor or whatever, she would
16 search it. Anything went wrong, she would search it.
17 That's why when I was telling you about the burn thing
18 yesterday, I said she search everything." I ain't ---
19 then it goes on.

20 A. Did he say Page 90?

21 THE COURT: Yes, sir. Excuse me, Mr. Redmond?

22 MR. REDMOND: Yes, sir.

23 THE COURT: The witness is asking, did you say Page
24 90?

25 MR. REDMOND: I'm sorry. I said 90, I meant, 190. I

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 751

1 apologize.

2 Q. And again, starting on Page Five --- I mean, on line
3 five of Page 190. And let me know when you get there,
4 sir.

5 A. Okay.

6 Q. All right. And again, I'll read it. If I read too
7 fast, let me know. You are referring to Atelia.
8 "She's pretty good with computers? Yes, she's pretty
9 good. Anything else? She loves a computer just like
10 minor When she was unconscious and stuff, she put it on
11 the computer. She put it on the computer while she was
12 unconscious on her Facebook page? No. On the search
13 thing. She was on there, PDF Heath or something like
14 that. Whenever things went wrong with minor or whatever,
15 she would search it. Anything went wrong, she would
16 search it. That's why I was telling you about the burn
17 thing yesterday. I said, yeah. She searched
18 everything." And then further you say on line twenty
19 one, "I ain't never been the type to go on the internet
20 and check into stuff like that. The only thing I like
21 to go on the internet for is if I'm going to get on
22 EBay, or Facebook, or that My Yearbook thing." Is that
23 not what you tell Agent Bass?

24 A. This is Larry Turner.

25 Q. I'm sorry. Agent Bass was in there at time with Larry

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 752

1 Turner?

2 A. Yeah. But this was Larry Turner asking these questions.

3 Yeah, this is Larry Turner. .

4 Q. Okay. Larry Turner ask you the question, but Agent Bass
5 was also there?

6 A. Yeah. But I was talking with Larry Turner at the time.

7 Q. But is that not what you said?

8 A. Yeah, I said that.

9 Q. Okay. And you specifically referred to unconscious in
10 that too?

11 A. Yeah.

12 Q. Okay. All right. I'm just trying to clarify, to make
13 sure we got it all straight. Now, in your first
14 statement, let's back track a little bit. In your first
15 statement that you gave on the 7th of October of 2011,
16 isn't it true that at that particular time, you never
17 mentioned anything about a meeting --- a Cub Scout
18 meeting, or earlier on the 6th, where Atelia had taken
19 your son for the Cub Scout meeting and had been gone for
20 two and half hours?

21 A. True.

22 Q You never mentioned that, do you?

23 A. No.

24 Q. And if I could show you a copy of your statement. I
25 don't have the exhibit number right in front of me. But

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 753

1 to save time, it's already in evidence, if you can take
2 a look at that copy of your statement. Is that the
3 statement that you did on the 10th of October, 2011?

4 A. Yeah.

5 Q. And specifically on there, do you mentioned anything
6 about Atelia being a the Cub Scout meeting?

7 A. No, sir.

8 Q. And, in fact, at the very beginning of that statement,
9 isn't it true that she claimed that you didn't get home
10 until 7:30 that night?

11 A. Yes, sir. But I ain't good at times, so that's why.

12 Q. Oh, you're not good at times?

13 A. No.

14 Q. So that's your excuse?

15 A. That's in the statement too. It's in there.

16 Q. Okay. All right. So, I guess you missed that. You're
17 telling the jury that you're not good on times?

18 A. I'm not good at times. I may --- I've stated that.

19 Q. But then on the 13th you also failed to mentioned
20 anything about the Cub Scout meeting. You never say
21 anything about Atelia being gone?

22 A. No. Because I was not thinking about no Cub Scout
23 meeting. If you been through all --- seeing all what I
24 had to see with trying to revive a child and stuff, you
25 traumatized, you're not thinking about Cub Scout

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 754

1 meeting. I told her the basic things that day. That's
2 what she ask me. She --- I mean, I answered.

3 Q. Okay. So I guess despite being traumatized, there were
4 a whole lot of things you remember. And we'll get into
5 like, the way you felt about Atelia. You remember the
6 fact that she kept certain diary entries that you
7 directed us to. So, there are a lot of things that you
8 remember now; ain't it?

9 A. That was --- yes. That was after I was sitting in the
10 county jail and had time to think about it and stuff.

11 Q. Okay. And the one on the 13th, was that a week after
12 poor minor had died; isn't that right?

13 A. The 13th?

14 Q. Yes. The 13th, when you gave this statement.

15 A. That's when I was laying in the detention center. Yeah.

16 Q. Okay. Now, let's move on. The third statement which
17 we've been referring to, let's do something with that.
18 Isn't it true that on several occasions, that you admit
19 to be guilty of not making Atelia take her to the
20 doctor, or not guilty of calling somebody to get her to
21 the doctor. You say that several times; is that not
22 true?

23 A. Yes.

24 Q. And in fact, you even go so far as admitting neglect,
25 saying if I'm guilty of anything I'm guilty of neglect.

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 755

1 You say that several time; is that not true?

2 A. That is true. I sit there and I look at it. After you
3 rephrase on it and reframe on it, you look and that's
4 what I said. I should have done something. If I knew
5 something, I should have done something. Yeah, I said
6 that.

7 Q. Now, you also talk about DSS some, don't you? You had
8 mentioned DSS in your --- in your direct examination,
9 but on several occasions. Isn't it also true that you
10 mentioned one of the reasons that you didn't contact
11 somebody or get minor to the doctor is because you were
12 afraid DSS getting involved?

13 A. I mean, everybody --- I mean, I'm afraid of DSS. I
14 mean, who ain't afraid of DSS.

15 Q. To the extent that you would allow that child, and
16 you've seen the pictures, you allowed that child to be
17 sick and ultimately die out of your fear for DSS?

18 A. I didn't know she was that bad.

19 Q. Well, you spent --- y'all spent --- let me --- y'all
20 spent a lot of time on the internet that day looking up
21 stuff for the condition of being unconscious, and burns,
22 and all of that stuff?

23 A. Atelia --- yes, sir. I was gone when she was searching
24 it, and I came back.

25 Q. But you did search it?

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 756

- 1 A. 6th, yeah. And I wouldn't on it that long.
- 2 Q. But you did search that?
- 3 A. Correct.
- 4 Q. And you searched, after you told us previously that you
- 5 didn't have anything to do with it, that she did all the
- 6 searching. You didn't search a thing. Now today,
- 7 after the Computer Science Expert comes in and
- 8 testifies, now all of a sudden, oh yeah, by the way, I
- 9 did search. Isn't that how it played out?
- 10 A. I mean, when you get time, your memory, you start
- 11 thinking about stuff. I mean.
- 12 Q. Especially if that time includes giving you the chance
- 13 to testify after the Computer Crimes Expert comes in and
- 14 says, twice after 6:00 o'clock p.m. on the 6th, there
- 15 were searches made regarding doctors?
- 16 A. No, it ain't had nothing --- it ain't had nothing to do
- 17 with that.
- 18 Q. Oh that's just a coincidence?
- 19 A. Yeah.
- 20 Q. Okay. All right. Fine. Fair enough. But moving on.
- 21 Again, you do acknowledge the fact that you had DSS in
- 22 your mind as it relates to not getting medical attention
- 23 for minor That's your claim today?
- 24 A. I mean.
- 25 Q. And been your claim the whole time?

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 757

1 A. I mean, I didn't know she was that sick. And not only
2 that, yeah, I mean, I don't want to hurt my son. I love
3 my son to death. I ain't want to --- I didn't know all
4 this was going on. If I knew something, that's why I
5 said after I looked at it, if I knew something was
6 wrong, I would have did something. But it's just like
7 this, it ain't just nobody can take nobody's child and
8 run to no doctor with it. You got to have consent and
9 all that. Then, if something would have happened, then
10 I would be sitting here with a kidnaping charge too.

11 Q. But didn't you also say that you had the opportunity to
12 report --- it wouldn't be just the question of taking
13 the child to the doctor, if what you claiming is true,
14 and that minor was being abused by Atelia, isn't it true
15 that you could have contacted DSS, the police, somebody?
16 One of your friends testified today that you hang out
17 with him two or three times a week.

18 A. Yes.

19 Q. You didn't tell anybody, now did you?

20 A. I mean, DSS done been called before, and they ain't did
21 nothing. I mean, what's the point.

22 Q. What about the police? What about or better yet --

23 A. I remember I tried to call the police before I got my
24 own son and they wouldn't do nothing.

25 Q. Well, let's get to something more practical, sir. You

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 758

1 lived there prior to inviting Atelia Hunt and her
2 children into that house, right? It's your house?

3 A. Yeah, I didn't invite. She was the one would wanted to
4 come.

5 Q. Okay.

6 A. And I --

7 Q. Okay. But it was your house, right?

8 A. Yeah.

9 Q. And you talk some about well, I was going to kick her
10 out, because I kind of got worn out with her. I was
11 going to kick her out. I didn't want her this, that,
12 and the other thing. Well, if you felt that way about
13 it, you weren't married to her, were you?

14 A. Yeah. We came to that conclusion that last week. Both
15 of us knew it was over with.

16 Q. Would repeat that? I didn't understand.

17 A. I said that last weeks is whenever me and her went like,
18 that where she knew --- me and her both knew it was over
19 with.

20 Q. It was over. Okay. But you didn't kick her out?

21 A. She was leaving that weekend.

22 Q. Okay. So, she just happened to be leaving that week?

23 A. She was leaving me that weekend.

24 Q. Okay. So, let me make sure I got this clear. So, now
25 you're saying that oh, she was going to be leaving that

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 759

1 weekend, it just so happened?

2 A. Yeah. Because when her mama and them came to get her,
3 S was there when I was going to tell her mama and
4 them about it.

5 Q. Everything is what you were going to do. It's just so
6 happened that everything that you were going to do was
7 after the child died, is that not true?

8 A. Just like I told Mrs. Bass, I did not get a medical
9 decision. I've got a learning disability and mental
10 problems. I mean, I can't sit there and take nobody
11 little child to no doctor or nothing like, and I didn't
12 know she was that bad. I'm not no doctor. I don't.

13 Q. Always an excuse. So now, it's because you can't think
14 right?

15 A. No, it ain't no excuse. It's the truth.

16 Q. Okay. So in other words, there's a reason why you
17 didn't do anything. There's always a reason why you
18 didn't do anything. There's a reason why you didn't
19 happen to tell us that you had been on this computer
20 searching to find out ways to take care of something.
21 When isn't it true you could have just gotten her to the
22 hospital?

23 A. How --- how am I going to do that.

24 Q. You had neighbors. You had a phone. I mean, is your --
25 - is your thinking so impaired that you don't know how

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 760

1 to dial 911, especially considering that you formulated
2 enough thought to be afraid of DSS, not wanting to get
3 them involved. You put a lot of thought into that.
4 Now, all of a sudden I can't think right.

5 A. I ain't never told her not to get no medical attention
6 for her daughter.

7 Q. Say that again. I'm sorry?

8 A. I ain't never told her not to get no medical attention
9 for her daughter.

10 Q. Well?

11 A. I told her to take her daughter to the doctor.

12 Q. Now, didn't you admit though, that y'all did have a
13 discussion about not contacting DSS, specifically about
14 the fact that you had told her that y'all had the
15 discussion about, you know, what DSS will say. Are you
16 denying that now?

17 A. No. And I told her --- and I told her she better be
18 able to explain the marks, is what I told her.

19 Q. So, you did have a discussion with her about DSS seeing
20 marks, sir?

21 A. Yes.

22 Q. Yes, you did.

23 A. Yes. But I ain't never told her not take her to the
24 doctor.

25 Q. Now let's, and I'm not going to be to long with you.

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 761

1 Trust me. But I do have a couple of other things that -
2 -- that I do want to discuss with you. Now, let's talk
3 about the control aspect, because I found that is
4 somewhat fascinating, that you talk about in your
5 interview, that it had played and was heard by the jury
6 with Lieutenant Bass and Lieutenant Turner. You talked
7 about the fact that she had this control over you. Do
8 you remember talking about that? That she locked the
9 computer away from you, and all. Do you remember
10 talking about that?

11 A. Yeah.

12 Q. Like she just had this control. She was a control freak
13 and whatnot. But now, isn't it true that you actually
14 told them about the fact that she had a journal entry --
15 - journal entries where she was talking about all of the
16 things that, not all of the things, but about some
17 things that were bothering her. You had gone on the
18 computer and found where she was having a little diary
19 or journal?

20 A. Yeah. But I ain't never said I didn't use the computer.
21 No, sir. I could at least look at the diary.

22 Q. And you actually went into some detail about what was
23 contained in those entries, right? So, you had access
24 to the computer, right?

25 A. Correct.

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 762

1 Q. And again, you claim in the statement about, oh well, I
2 didn't have access to it, she blocked it away from me
3 and whatnot. But isn't it true, and you heard the
4 testimony from --

5 A. Whenever I said locked, I mean, she put a password like
6 whenever, on the porn site or something, she'll block it
7 out.

8 Q. But didn't you get on there and get on the porn site on
9 the 5th, on your birthday?

10 A. That's when she left it opened.

11 Q. So, you had access to it?

12 A. Yeah, that day. Because she left it opened.

13 Q. Okay. But you had access to it?

14 A. Yeah.

15 Q. Okay. Now again, this is your house?

16 A. Correct.

17 Q. You --- whether you or she came in, they didn't force
18 you, she didn't hold a gun to your head and force you to
19 move her and her family in, right?

20 A. No. I mean.

21 Q. Well, let me ask you a little bit about that, because
22 you also in your interview, we don't talk about any of
23 this in your direct examination, but didn't you talk
24 about the fact that she would want to do all these
25 things and you weren't interested in her, and you just

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 763

1 got to the point that you really didn't want to be
2 around her and whatnot. And then there was an
3 interesting little spot where you mention that you, I
4 beg the Court's indulgence, where you did not actually -
5 -- I guess you weren't in love with her from the very
6 beginning, for a lack of a better term. You really
7 didn't --- you were a little attracted to her, I think
8 was your word?

9 A. No. It wasn't nothing like that.

10 Q. Okay. So, at this point you are denying that you said
11 that, well I was a little attracted to her or whatnot.

12 A. As far as that, I could say that she was a good woman.
13 She seem good to me. I thought everything was all
14 right, until I found how much she lied to me. Whenever
15 somebody tell you they got this and that, and then you
16 come to find out they ain't got nothing, I mean, there's
17 a big question mark there too now.

18 Q. Oh, so to use your term, she didn't have a pot to piss
19 in? That's what you said?

20 A. That's correct.

21 Q. In other words, you thought she had this house, had
22 access to these horses, and everything. Then when you
23 found that that wasn't the case, it was kind of like,
24 she ain't a pot to piss in, what am I even doing with
25 her?

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 764

1 MR. STEEN: Objection, question, please.

2 MR. REDMOND: I think that was a question.

3 THE COURT: I'm going to overrule your objection. Go
4 ahead.

5 MR. REDMOND: Thank you, Your Honor.

6 Q. So to be clear, on Page 127. can I direct your attention
7 to that, please. Page 127 in the transcript. And
8 specifically let's start on line 10. "I was a little
9 attracted to her then. Then it was something --- it was
10 something new, you know what I'm saying, but." And you
11 were asked, "the new wore off?"

12 THE COURT: Mr. Redmond?

13 MR. REDMOND: Yes?

14 A. You said 127?

15 Q. Yes, on Page 127, sir.

16 A. All right. And what?

17 Q. And that would be line 10 on Page 127.

18 A. Line 10.

19 Q. All right. And where it says, "I was a little attracted
20 to her, then it was something new, you know what I'm
21 saying but." "The new wore off?", you were asked. And
22 you said, "Yeah." When did the new wear off?

23 A. Mine ain't got all that.

24 THE COURT: I'll let you take that up, Mr. Redmond.

25 MR. REDMOND: Okay. It's different on yours. But is

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 765

1 what I read was in that transcript?

2 A. Yeah.

3 Q. And the new wore off. What I was asking you is a
4 follow-up. When did the new wear off? When did it all
5 of a sudden wear off?

6 A. I mean, when she forced herself on somebody, you follow
7 them around. I mean, it's just like when I go down to
8 my shop a lot, you'd want to go down there, sit down and
9 watch me. Any other time she'd go on the computer.
10 She'll go up under my stuff, My Space or My Yearbook and
11 put comments on there that I done this, or make up
12 status, which I don't go in there and put no status. I
13 even had a fake profile on My Yearbook that I use to
14 talk to Abby on. She even goes on it and put, this is a
15 fake profile. This is --- he got his profile so he can
16 talk to his ex-girlfriend Abby, and stuff like that. I
17 mean, she is the one controlling. Just like my phone,
18 when I get it, she'd check it. She'd go through it.
19 She'll put names on it and all that.

20 Q. Who made her shut down her Facebook down? You've been
21 talking about how she controls everything. Who made her
22 shut down --

23 A. I didn't make her shut down. I just told her I was
24 getting tired of that. She shut it down on her own.

25 Q. All right. I want to direct your attention to Page ---

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 766

1 and just out of abundance of caution, Your Honor, if I
2 could stand next to the witness, if I could approach?

3 THE COURT: Go ahead.

4 Q. In light of what you've just testified to, I'm on Page
5 186, starting on line 21. "Does she have a Facebook
6 account?, I think she still does. She said he deleted
7 it, but I don't know. Why did she deleted?" You were
8 asked. "Because I told her to. That was my complaint.
9 So, you had a problem with it?"

10 A. As I just told you --

11 Q. Let me finish.

12 THE COURT: Let him finish reading.

13 Q. "Or she has a problem?" Your answer. "She use to get on
14 Facebook all the time. Just like I was telling you
15 about one of them old boys, or one of her old boyfriends
16 or whatever. I seen him text the phone." So again, you
17 made her shut down the account?

18 A. I didn't make her shut it down, that's what said I told
19 her about. She took upon herself to shut it down. She
20 the one who claimed she was so in love with me and all
21 this. She took it upon herself to do that. I did not
22 make that girl do nothing.

23 Q. Well, you were so in --- well I won't even ask you that.
24 Let me get to something else that you skipped, and I'm
25 almost done. In your direct testimony I noticed you

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 767

1 don't mentioned anything about the party. When you were
2 asked about that Wednesday, you don't act --- you don't
3 mention anything about the party --- the barbeque that
4 you went to.

5 A. I did say, that night we did.

6 Q. Well let me ask you this. Let me ask you like this
7 then. You didn't mention anything about minor being at
8 that party?

9 A. She wasn't.

10 Q. Everybody else was at the party, but yet y'all left minor
11 --- left minor at home?

12 A. I went to the Malachi's, Atelia was the one who come
13 over there and left minor at home like that, not me.

14 Q. Okay. So, I guess the whole thing is, it's your house,
15 right? This is your house?

16 A. Yeah.

17 Q. You allowed them to come to your house?

18 A. Yeah.

19 Q. But if what I'm understanding you today, is you can
20 invite those people, especially children into our house,
21 and then play --- plead ignorance, even though it's your
22 house. That shouldn't matter at all then should it,
23 according to you?

24 A. I mean, I can't control nobody. That goes to show I
25 ain't controlling nobody.

ALEXANDER CARMICHAEL HUCKABEE III - CROSS EXAMINATION 768

1 Q. You can't control anybody. But at the same time, there
2 was plenty you could do, if things happened the way you
3 said they are?

4 A. If I did when she first moved in with me, I told her I
5 take care of my son and that's it. I mean, I can't just
6 take nobody else's kid to no doctor, and I didn't know
7 she was that sick.

8 Q. But you know what the strange thing about that logic,
9 she sure did a heck of a lot for your son.

10 A. That's because she was the one who wanted to control.

11 Q. But you let her do it. And see, you're trying --- isn't
12 it true that you tried to put everything, oh she's just
13 this control freak. She this, that, and other thing.
14 Probably --- isn't it true, you don't want to take
15 responsibility for anything, because you're trying to
16 save your neck?

17 A. No. If I did something, I'd tell you I did it.

18 Q. Well, didn't you say this much, that you don't want to
19 go to jail. You don't want to do this. I mean, you're
20 looking out for yourself right now; isn't that true?

21 A. No.

22 Q. You've been looking out for yourself the whole time,
23 right?

24 A. No.

25 Q. Okay. So, you didn't look out for minor She's dead.

THE STATE VERSUS ALEXANDER CARMICHAEL HUCKABEE, III 772

1 (WHEREUPON, day five of this hearing
2 concludes at 4:25 p.m. on Thursday, June 20, 2013.)

3 -- END OF DAY FIVE --

4 COURT REPORTER'S NOTATION:

5 Whereupon, day six of this

6 trial was taken by Fourth

7 Circuit Reporter Hattie Gordon.

STATE OF SOUTH CAROLINA	)	
	)	COURT OF GENERAL SESSION
COUNTY OF MARLBORO	)	2012-GS-34-00037
		2012-GS-34-00038
		2012-GS-34-00135
		2012-GS-34-00627

STATE OF SOUTH CAROLINA	)	
PLAINTIFF	)	
vs.	)	TRANSCRIPT OF RECORD
	)	
ALEXANDER C. HUCKABEE	)	
DEFENDANT	)	

June 21, 2013
Bennettsville, South Carolina

B E F O R E:

THE HONORABLE J. MICHAEL BAXLEY, JUDGE; and a jury.

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

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Attorney for the Defendant

CLIFTON OXENDINE
REGINA MISHUE
JAMES JACOBS
VANESSA HARP

HATTIE O. GORDON
Circuit Court Reporter

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EXHIBITS

NO EXHIBITS WERE MARKED OR ADMITTED INTO THE RECORD

1 with that understanding the Court now recognizes Defense
2 counsel for closing arguments.

3 CLOSING STATEMENT BY MR. JONES

4 MR. JONES: Thank you, Your Honor.

5 THE COURT: Yes, sir, Mr. Jones.

6 MR. JONES: Counsel, Madam Forelay and ladies and
7 gentlemen of the jury, I'm going to introduce myself again
8 although I did on Monday. My name is Rick Jones, and I
9 work with the Fourth Circuit Public Defender's Office.
10 And on behalf of not only Mr. Steen and myself, but more
11 importantly, Mr. Huckabee. I want to thank each and every
12 one of you for being here. It's been a long week. You
13 have been very attentive. And we're in short rows now.
14 We're just about done.

15 However, counsel for the State and all the law
16 enforcement people have been working very hard. Counsel
17 for the Defense have been working very hard. You've been
18 paying attention, but your work starts in just a few
19 minutes. And Mr. Redmond and I get finished and the Judge
20 charges you on the law.

21 As you remember on Monday when we began this the
22 Judge told you that you have a job. A very, very
23 important job in this proceeding. You are the judges of
24 the facts. You have to decide, based on what you have
25 heard from the stand, what you have seen presented, you've

1 got to decide what happened, what the facts of this case
2 are.

3 I want to remind you a couple things Mr. Steen said
4 on Monday, and the Judge will again. I think he also said
5 in his opening remarks some of the things I'm going to
6 say. And he's going to say them again, and they're
7 repeated several times because they are important. Your
8 job is important as the judges of the facts. No question
9 about that. What you're going to have to do, though, is
10 you're going to have to decide whether or not the State
11 has proven beyond a reasonable doubt that Mr. Huckabee is
12 guilty of anything.

13 He reminded you or he told you and will remind you
14 that when Mr. Huckabee walked into this courtroom on
15 Monday he is presumed to be innocent. You've heard that
16 before, and you've read it. You've seen it on television.
17 It's not just a phrase that we all repeat. It is the
18 bedrock principle of criminal defense work in the United
19 States of the America. A defendant walks into the
20 courtroom presumed to be innocent.

21 Number Two, I learn this from His Honor, as a matter
22 of fact, in some of his remarks. This table is closest to
23 the jury for a reason. We sit over there. The Solicitor,
24 representing the State, their table is here closest to you
25 because they have the burden of proof. That's their duty

1 and responsibility. They have the burden of proving
2 whether or not a defendant, any defendant, is guilty or
3 innocent or actually presenting to you evidence to help
4 you determine whether that person is guilty or innocent.
5 That's why they're over here. That's why we're over
6 there.

7 Mr. Huckabee has got absolutely nothing to prove to
8 you as His Honor tell you and will tell you again. And
9 the standard that you use, Base Principle Number Three,
10 the standard that you use as jurors to determine whether
11 or not that presumption of innocence has been taken away
12 from the defendant because the Solicitor has met its
13 burden of proof. They have got to prove each and every
14 element of the crime to you beyond a reasonable doubt.

15 All right. If you will keep those three things in
16 mind throughout the rest of this day. Mr. Huckabee will
17 be greatly appreciative. He's presumed to be innocent.
18 They've got the burden of proof. The standard that you
19 must use is whether or not they have carried they burden
20 beyond a reasonable doubt.

21 Okay. I'm going to say from the outset that this is
22 a terrible, terrible case. You are going to take pictures
23 like these back to your room. They are awful and it is
24 pitiful and it is a terrible tragedy. A young child lost
25 its life. There were injuries to that child's body that

1 were terrible. And I'll start off by saying that because
2 there is no way to sugar coat that. It is awful. It is a
3 tragedy. There is not much worse in the way of a set of
4 facts that I can imagine than injuring a small, helpless
5 child and then that child losing its life.

6 And I think we'll all agree with that. This is
7 not -- there has been nothing pleasant whatsoever about
8 this trial. And there has been nothing pleasant about
9 your work in this case.

10 Now, let me start off -- let me start off by telling
11 you something a little bit shocking. I think Mr. Mikey
12 Huckabee, Mr. Alexander Carmichael Huckabee is guilty of
13 some things. That's a little bit interesting for a
14 defense lawyer to say, but I think he's guilty of some
15 things, and I'm going to click those off for you and tell
16 me if you agree.

17 I think he's guilty of being a very simple young man
18 who grew up in Bennettsville, South Carolina, who had a
19 child and now resides with him. And that he makes a --
20 squeak -- I'll call it squeaks out a little living being a
21 mechanic. I think he's guilty of that. No question about
22 that. I think the evidence that you have seen has shown
23 that's something that Mr. Carmichael, Mr. Alexander
24 Carmichael Huckabee, is guilty of.

25 He's guilty of several other things. For instance, I

1 think we all heard he's guilty. He watches porn on the
2 internet, okay. And he's guilty of that, too. I think
3 he's guilty of loving his son. As I said he has custody.
4 I also, and most importantly, think he is guilty, and I
5 don't know exactly how to say this because hopefully none
6 of y'all have done this, but he was guilty of going on the
7 internet finding himself a girlfriend. I know a lot of
8 people do that throughout. My generation didn't do that,
9 but, obviously, the younger generation does do that.

10 And he's guilty of that. He went on the internet and
11 he ended up chatting with somebody. And they ended up
12 meeting each other and the next thing you know they're
13 moved in together. They moved into the house that
14 Mr. Huckabee and his young son occupied over on Pergin
15 Street right across the Bypass. And as I recall the
16 testimony that was in July, late June or sometime July
17 2011. And we ended up Mr. Huckabee, his young son,
18 Miss Hunt and her two young daughters living in the house
19 that Mr. Huckabee previously occupied.

20 The last thing that I want to tell you that I think
21 Mr. Huckabee -- well, maybe not the last thing, but the
22 last important thing I want to tell you that I think he is
23 guilty of is he is guilty of getting played by a wicked,
24 evil woman beginning in July of 2011 and ending with his
25 arrest on or about October 6th or 7th when the young child

1 died.

2 Now, that's what I think he's guilty of. What id do
3 not think he's guilty of is, Number One, unlawful conduct
4 towards a child. Number Two, conduct which resulted in a
5 grievous injury to the child. Number Three, criminal
6 sexual conduct of that child. Or, Number Four, homicide
7 by child abuse. Those are what I do not think he is
8 guilty of, and I submit to you the State has not come
9 close to proving some of those things, the elements of
10 that crime.

11 But going back. When you walk into this courtroom
12 and you get these kinds of pictures flashed in front of
13 you and you get pointed at that young man right over there
14 somebody wants to do something because those make you mad.
15 These make me real mad. I don't want you to be mad. I
16 want you to be calm and collective and use what the Judge
17 is going to call your collective common sense to review
18 the evidence that got presented beginning Monday afternoon
19 and ending yesterday afternoon around 4:15, 4:30. All
20 right. If you promise me that then I don't think there is
21 anything else Mr. Huckabee can ask of his jury of his
22 peers from Marlboro County on Friday, June 21st.

23 Okay. I said that Mr. Huckabee got played by a
24 wicked, evil woman. We all know who that is, Miss Hunt.
25 We saw her I believe on Wednesday of this week. And I

1 apologize. The old I get the days run together. I know
2 it's Friday. I know we started on Monday. In between
3 that a lot happened. But if you will remember -- if you
4 remember Tuesday, Tuesday we listened to tapes or audio
5 C.D.s for seemed like forever. Four or five hours. And
6 those tapes chronicled the conversations, interrogations,
7 whatever, interviews, whatever you want to call them, that
8 various members of law enforcement here in Marlboro County
9 and State Law Enforcement Division over in Columbia had
10 with Mr. Mikey Huckabee.

11 And they began I think the evening that the young
12 lady died. I think that was a break, and they continued a
13 day or two after that. And I -- you had your transcripts,
14 and you very attentively followed along. And I think that
15 was important because in those interviews it just didn't
16 come out. It just doesn't fly out at you, but in those
17 interviews and in the testimony that Miss Hunt gave on
18 Wednesday it chronicled the playing that she did with
19 Mr. Huckabee's life. All right. What do I mine.

20 He's minding his business living on Pergin Street. I
21 think Mr. Maurice Malachi said that he moved in some time
22 the first of the year. January, February of 2011 Mikey
23 start living there. All right. So he and his son are
24 living there eking out a living, doing a little mechanic
25 work, watching a little porn. I forgot to say he was

1 guilty of smoking a little pot, too. I think admitted
2 that, okay. And he gets on the computer, and he ends up
3 chatting with Miss Hunt and they meet. And he goes up
4 there, and I think if you will recall he said, "Me and a
5 friend -- a friend rode with me up there." And they
6 hadn't been there very long, and the next thing you know
7 she's asking him let's go to the barn and have sex.

8 And he said I didn't know her people. I didn't want
9 to get myself in trouble, so, no, that didn't happen,
10 okay. First time they met. Very first time they met.
11 Over the course of a few days or weeks they have another
12 visit to Myrtle Beach. I think she visits down here.
13 Next thing you know she's here. All right. She's living
14 with Mr. Huckabee and his young son.

15 And by the way, in their communications, I think in
16 his interviews. I don't recall the exact words, but
17 towards the end of the last interview I think he was
18 talking about -- he actually was extremely frustrated
19 because she wasn't what she was cracked up to be.

20 She said, "Oh, by the way I own my house and I own 14
21 horses and everything is just wonderful." Okay. She
22 moved down here, and I do recall the phrase he used. He
23 found out she didn't have a pot to pee in. So here we are
24 all of them living in this house. He's eking out a living
25 with the assistance of his mother. I think he was asked

1 yesterday if I recall, "if you didn't have enough money
2 where did you go," and he went to his mother,
3 Miss Patricia Huckabee. So they're eking out a living,
4 but not to worry because Miss Hunt is in charge. All
5 right. By this time Miss Hunt has the family car. She's
6 got control of the children. She's got his child enrolled
7 in Cub Scouts. She's got him signed up for federal
8 assistance as well as the rest of the family. So not to
9 worry. She's got it covered. She's in charge.

10 So we're rocking along. Oh, in addition to that
11 she's got Miss Patricia Huckabee, she's got her covered,
12 too. All right. She was the extra financial source that
13 Mr. Huckabee had. So poor Miss Hunt. She's having to
14 take care of her, Mikey's momma, because she's got all the
15 money that the family needs to live on. So she's got her
16 taken care of, too. She's going over there to check on
17 her. She's taking her to the doctor. She's doing those
18 things to ingratiate herself with Miss Huckabee. She's
19 got it under control.

20 Except sometime during this relationship Young minor
21 goes to North Carolina for a visit, and grandparents see
22 some things that they don't like. They see some bruises
23 on the child. So they do what they should so and they
24 call the Department of Social Services up there, here.
25 I'm not even sure where they called. And the next thing

1 you know we've got a little investigation going on. And
2 they come. They get interviewed.

3 I think Mr. Huckabee -- I don't remember if Miss Hunt
4 verified that. Mr. Huckabee said, "Oh, yeah, we took drug
5 tests and everything was okay." And D.S.S. doesn't say,
6 "Well, everything is wonderful here. Come and get minor
7 Miss Hunt says, "Hum, 30 days I can have my child back."
8 So on the 30th day she hightails it up to North Carolina,
9 gets minor puts her in the car and away they go back to
10 Pergin Street.

11 All right. They get back to Pergin Street. By this
12 time Young minor has missed a scheduled doctor's
13 appointment down here that her older daughter, S
14 went to and her -- excuse me. And Mr. Huckabee son went
15 to. So she missed that appointment. So Young minor is in
16 the house.

17 And then it starts to go bad. Very bad. And what
18 mean by that is at some point in time Mr. Huckabee I think
19 on the -- I don't even recall when it was, but
20 Mr. Huckabee very clearly tells the people interviewing
21 him on tape that minor started to like him. He would come
22 home and she would come running up and grab hold of his
23 leg and they would play and they would have a good time.
24 And guess what? She started to like Mikey better than she
25 liked Miss Hunt.

1 And, ladies and gentlemen, I'll submit to you that at
2 that point in time Miss Hunt started losing control of the
3 situation. Now, I can't begin to tell you, and it is for
4 you to decide, what she might have done beyond that. I
5 will tell you as you heard her say that she just pled
6 guilty. She pled guilty to a lessor charge. Not the
7 homicide, but a lessor charge. She cut her deal. She's
8 serving 20 years in jail, and I submit to you she's needed
9 to be.

10 Because sometime after Young minor came back to North
11 Carolina, which I believe was around the middle of
12 September, 15th or 16th as I recall, until the middle of
13 October the 6th when she died her life was hell. And I
14 don't think there is any nicer way to say that. She was
15 battered and beaten.

16 Now, she start losing control, and I think Mikey said
17 because he was asked yesterday that he had pretty much
18 decided to kick her to the curb or something to that
19 effect. He said it's about done. So she's absolutely
20 lost control. And Young minor her injuries get worse and
21 worse. But guess what? When Mikey comes home she runs to
22 him. She wants to be with him. She wants to -- she loves
23 to watch cartoons. Everybody said that. Momma said that.
24 Mikey says that. She loved to watch cartoons.

25 She didn't talk very well, but one of the things she

1 could say was SpongeBob cause that was her favorite
2 television show. And, Mikey, I guess he liked it, too,
3 because he said, "I watched cartoons with minor a lot."
4 She likes Mikey. She don't want to be with momma. She
5 likes Mikey.

6 Now, ladies and gentlemen, you take that thought with
7 you that was not on those papers, but came out of that
8 witness stand and then you look at this picture and you
9 tell me how a young child runs to somebody and grabs ahold
10 of his leg. She's doing that. Tell me.

11 All right. It's still going badly. Now, in the
12 meantime as Miss Hunt's losing control I think, and this
13 in fairness to both of them, I think that Young minor gets
14 a urinary tract infection. Mr. Huckabee doesn't have a
15 clue what a urinary tract infection is. I'm not sure if
16 Miss Hunt has. As I recall and I asked her and I think
17 she said she had one before. And she even knew the
18 symptoms. But, honestly, I think unbeknownst to either
19 one of them Young minor gets this urinary tract infection
20 and nothing is done about it.

21 I'll submit to you in talking with Dr. Schandl, when
22 I was asking her of symptoms, how do you know that you
23 have a urinary tract infection? I've never had one.
24 Couldn't tell you. Asked her she said, "Well, we have
25 problems with urination. We have burning. Perhaps

1 itching, perhaps. And then if nothing happens then it
2 goes terribly wrong and infection just takes over and
3 start raging inside. And then she says that at that point
4 in time then other things start to happen. And at that
5 point in time in addition to problems; burning, itching,
6 those symptoms, then you start getting bad symptoms. And
7 you start having just terrible things happen inside your
8 body.

9 But, unfortunately, I'll submit to you that from the
10 testimony of both mother and Mr. Huckabee those symptoms
11 didn't appear to manifest themselves to the extent that
12 that bells and whistles should have gone off until either
13 late Wednesday the 5th of October. But most assuredly
14 Thursday the 6th when Young minor passed away. At that
15 point in time then I think you will remember that Dr.
16 Schandl said -- I think I remember her saying that she
17 should have been in a coma for a while; that she should
18 have had numerous problems because -- and you will have
19 the autopsy report, ladies and gentlemen, but I can't
20 begin to tell you that there was thrombosis. There was
21 all kinds of stuff.

22 But to me it sounded like blood clots started
23 happening, and blood clots ended up in the brain and all
24 of a sudden young child is having mini strokes. I think
25 if you remember Mr. Huckabee said several times, not only

1 on his audio but also from the stand, that she had some
2 episodes.

3 Now, if I remember right I think in his statements he
4 said in response to questioning by law enforcement, I
5 think he said that Miss Hunt had indicated that she had
6 had episodes before. In fact I'm a little blurry on time,
7 and hopefully you are not. But at some point in time she
8 calls the hospital and says, "Oh, by the way. She's
9 having a little episode," and she tells us that the
10 hospital says, "Not to worry. Just wait until she has
11 another one and come on in." Now, do you think that
12 happened?

13 But regardless I submit to you that I think Young
14 minor that her -- the manifestation of her symptoms was a
15 little bit different than Dr. Schandl described because it
16 really didn't become apparent, I think, I hope you will,
17 too, until Thursday -- excuse me. Wednesday evening or
18 Thursday evening. And let's talk about what both of them
19 said happened on Wednesday. Wednesday Miss Hunt gets up,
20 gets the kids off to the bus. Two older kids, excuse me,
21 off to the bus. They go to school. And then she's -- I
22 think if I recall she's running a little late. But she
23 has to go to North Carolina because Miss Hunt who says,
24 "Oh, I'm abused. I'm just in terrible shape." She's
25 already untangled herself from a situation that she found

1 unattractive in North Carolina by utilizing the court
2 testimony in North Carolina to stop whatever she said was
3 happening with her spouse.

4 And by the way he violated that order so I had to go
5 back to Court to make sure that order was enforced. So
6 she spends Wednesday morning up in North Carolina
7 continuing to untangle herself from the father of the
8 children. Father of her children, excuse me, S She
9 gets back around lunchtime, and Young minor is she in a
10 coma at the house? No, no. They get in the car. They go
11 to Pizza Time over on the Bypass and they get lunch, and
12 they come back. It's Mikey's birthday.

13 Again, he's eating a sub. She's eating chips. Now,
14 that's doesn't make much sense if Young minor is having the
15 raging infection inside her body and it's manifesting
16 itself in mini-strokes. That doesn't make any sense until
17 it just didn't happen until right before she passed away.

18 So Wednesday, as I recall, not much was wrong with
19 Young minor

20 Now, Thursday. Thursday Miss Hunt has got another
21 chore to do. She gets up. She gets the children -- the
22 older children off. They go to the bus. Then she -- I
23 think she said, "I kissed minor and I left and took
24 Mrs. Huckabee to an eye appointment." And I don't recall
25 if that was in Lumberton, but somewhere in North Carolina.

1 So for the better part of the morning she's gone on
2 Thursday. But she gets home and sometime between whenever
3 she gets home, whatever time that was, until something
4 after 5:00 something is happening in minor Something bad
5 is happening to minor

6 She's having episodes as Mr. Huckabee described them.
7 We know now what was happening. These clots are causing
8 her all kinds of problems, and she's having little
9 mini-strokes. So she's kind of fading in and out. And
10 Miss Hunt, momma, isn't there, and what is she doing?
11 Picking up the phone calling 911 or running next door?
12 She's got the car. She brought the car back.

13 Does she have Young minor in the car going to the
14 hospital? No, no, no. She's on the internet, and I think
15 our computer expert says from -- I don't even recall, but
16 there were times from 3:00 ish until I think most of
17 them -- between 3:00 and 4:00, there was a frantic search
18 on the internet for unconscious baby or healing burn
19 wounds or whatever it happens to be. So she is just
20 frantic because something is wrong, something is bad wrong
21 with this child Thursday afternoon. So she's hitting the
22 internet as hard as she can.

23 And, ladies and gentlemen, instead of caring for her
24 child, after she's on the internet. I don't know what
25 she's thinking. Sites were enumerated by our agent

1 computer expert who was up here the other day. But
2 regardless of what she found instead of taking Young minor
3 for medical care or just staying there and comforting
4 Young minor what does she do? Got to go to Cub Scouts.
5 See y'all later. So off she goes. She takes off to Cub
6 Scouts, and there is no question about that. Even though
7 Mr. Huckabee, he doesn't say that in his initial statement
8 nor in his interview until he was told -- by the way,
9 State's Exhibit Number -- you've got the tags. I think
10 it's States Exhibit Number 16.

11 In Mr. Huckabee's first interview the agent says, the
12 law enforcement folks say, "Here. Just write down
13 whatever you know." And I'm going to ask you when you get
14 back to your jury room to closely examine this statement
15 because Mr. Huckabee told everybody, "I can't spell, and
16 I'm not good at it." So four and a little bit of the
17 fifth line is all he writes down until he said, "I can't
18 write. Well, then we start talking.

19 However, the State is going to tell you that the
20 worse thing about this statement is that he forgot to say
21 that they all went to Cub Scouts -- excuse me. That Miss
22 Hunt and how from Cub Scouts. Now, didn't say Cub Scouts
23 anywhere on this thing. He's guilty of not doing that.
24 I'll tell you that. He didn't put down Cub Scouts. Why?
25 He was asked. He said, basically, pardon my French, "All

1 hell broke loose Thursday afternoon. Next thing I know
2 Young minor is dead and I'm being interviewed by the
3 police." But yet he's guilty of not putting down the
4 thing with the Cub Scouts. But there is no question that
5 they all went to Cub Scouts. Excuse me; that Miss Hunt
6 and Alex went to Cub Scouts because we heard it from
7 everybody.

8 She left her child on Thursday. What we now know her
9 dying child on Thursday, and said, "Bye. I'm going to Cub
10 Scouts." Not only did she go, but she made sure she was
11 one of the last ones to leave. We heard that from those
12 folks yesterday if you remember. She stayed around. She
13 was one of the last parents to leave. I'm not going home.
14 Something bad is happening at my house. So she was one of
15 the last ones to leave.

16 And when she gets home and her testimony as I
17 remember it is that Young minor is in the bedroom watching
18 t.v, SpongeBob, again. And I don't know -- y'all may
19 know. SpongeBob may be on 24 hours a day. Don't know
20 that. But Young minor is in the bedroom watching
21 television. Mikey in laying in the bed, too, watching
22 television. Is she having a stroke? No, she's watching
23 television.

24 But then at some point in time, after she begins --
25 Miss Hunt begins to cook, she continues to check. At some

1 point in time Young minor doesn't look like she's laying
2 down right. I don't know exactly how she said it, but it
3 sounded, too, like she's lying down and her head is doing
4 something that it shouldn't have been doing. What does
5 she do? She grabbed her up and takes her to the hospital.
6 No. Let's her continue to watch t.v. Young minor is
7 dying, but I'm doing to go cook me some hot dogs because
8 the other children haven't eaten. Or I'm going to run
9 next door and talk to the Malachis about borrowing some
10 hamburger meat to make Hamburger Helper because nobody
11 ate.

12 At some point in time Young Edna's condition is
13 obvious to everybody. Should it have been obvious to Mr.
14 Huckabee at this time? Yes, it certainly should have.
15 And by the way, after Miss Hunt and Alex got to Cub Scouts
16 he gets back home on the computer and he went to the
17 history. And I think the cites at that point in time are
18 Children's First Aid and FamilyDoctor.org. Even
19 Mr. Huckabee knows something terrible is going on with
20 minor He doesn't have a clue about urinary tract
21 infections, but it's way beyond that now.

22 We're in the full fledged unconsciousness,
23 mini-strokes. Terrible things going on that young child's
24 body. Momma doesn't do a thing except look on the
25 internet an hour or so before she takes off to Cub Scouts

1 about how are we going to get rid of these burns.
2 Speaking of which, if you will remember in Mr. Huckabee's
3 statement that we listened to on Tuesday as I recall what
4 he said in response to a question by either Lieutenant
5 Bass or one of the Bennettsville Police Department
6 questioners.

7 Didn't you see those burns? You were around that
8 child. Doesn't you see those burns. He said, "Yes," and
9 I asked momma, "What in the world." "Don't worry about
10 it" momma says. I used to blister up like that, too.
11 Ladies and gentlemen, this is momma talking. This is
12 momma talking about her three year old child.

13 Finally, finally Thursday afternoon. Excuse me, late
14 Thursday evening. I think it was 9:30ish or so. Miss
15 Hunt finally says, "Oh, oh, something is wrong." You know
16 when she finds that out? Is when Mr. Huckabee carries the
17 child out not breathing, and he's got her on his lap and
18 he's trying to do something and the child falls to the
19 floor and he picks her up and begins to do C.P.R. in the
20 kitchen on the table.

21 And you heard all of that about, "Well, we ran some
22 water and we put the child in the tub to warm the child up
23 because she was cold." What is momma doing? Momma says,
24 "I'm going next door. I'm going to talk to the Malachis
25 because S and Alex need to stay at their house

1 because me and you going to the hospital." She gets them
2 up and she takes them over to the Malachi's house. She
3 comes back and Mikey says, "You go to the hospital. I'll
4 stay with the kids." And what does she do? She goes back
5 over. She gets the kids. Gets them back in the house.
6 We're back and forth.

7 I don't know how much time. The child is not
8 breathing, and she's running back and forth to the
9 Malachi's house because she doesn't want the child at the
10 hospital. And do you know why? Because she's done
11 terrible things to that child because she's jealous that
12 that child is spending too much time with Mikey and he's
13 getting ready to kick her to the curb. She doesn't --
14 911, how long would it take 911 to get to the house?
15 Should Mr. Huckabee have done that? No question.

16 By Thursday evening he should have done that also.
17 But momma says, "I'll take her." And we're not through
18 yet. She gets -- finally, she gets the neighbor, Malachi,
19 into the car and Mikey places the child in the back seat.
20 And there was some bit of conflict about this, but the
21 child is in the back seat. Momma is driving and
22 Miss Malachi is in the front passenger seat and they take
23 off.

24 And I think Miss Hunt says, "Oh, my gosh" when she
25 get somewhere down the road. She says, "Oh my gosh."

1 Nobody is in the back seat." So she stops the car and
2 jumps in the back seat. Finally, she going to give the
3 child some care. But guess what? It is too late. So she
4 gets to the hospital, and she gets to the hospital and she
5 carries the child to the front door. And I think Nurse
6 Hooper began on Monday telling us what happened when she
7 got there.

8 And I'm not medical, but I watch television, and when
9 you say code something everybody scrambles because there
10 is a near death or death that we are dealing with and
11 we've got to resuscitate or try. So they go scramble. So
12 what does momma do? Ms. Hooper said she was stoic. Was
13 she frantic, oh, help my baby, please? No. No. She
14 doesn't say that. She's stoic. I don't know what stoic
15 means to you, but to me it means there is no emotion.
16 There is no emotion. She knows that she has screwed up
17 royally. She's not in control any more.

18 And despite the efforts of the medical profession
19 Young minor died. She is gone. But we're still not
20 finished because at that point in time she's on the
21 telephone. She makes some calls, and she begins to call.
22 And she's arrested and she's charged with various crimes.
23 And then it gets real, real interesting. Real interesting
24 because this lady, this evil woman who has let her child
25 dies after inflicting God knows what kind of injury on the

1 child, she starts all over again.

2 What do I mean by that? Well, first of all she
3 covers her bets and writes Miss Patricia Huckabee a
4 letter, States 89. State's 89, I don't think that got
5 published to y'all. Please take this back in there
6 because what it says, and you can read it fine, but what
7 it says, "Miss Pat Huckabee, don't worry. Mikey didn't do
8 anything. I still love him. We're going to be together.
9 Things are going to be wonderful just like they were
10 before. All this is a big mistake. It's going to be
11 taken care of. I love Mikey. I want it to be back the
12 way it was."

13 So she's covering her bets over here, but guess what?
14 In addition, and I really want you to see these. These
15 weren't published either other than to say these are not
16 the love letters. Defendant's One and Two, while she's at
17 the jail she gets another one. She gets Mr. Tim McDuffy,
18 who was a C.O. out there, and he falls head over heels
19 with her. And before the end of November she's got her a
20 new one, and she's signing her letters Mrs. Timothy
21 McDuffy. Your wife, Atelia McDuffy. So she's playing
22 another one. She got it going on again. Everything is
23 going to be fine. I'm getting out of this. I've got me a
24 new one. Read those. Please, read these. She's done it
25 again or she through she had.

1 Unlawful neglect of a child, inflicting great bodily
2 injury on the child. Let's talk a minute about criminal
3 sexual conduct, okay. The Judge is going to go through in
4 detail with you what the elements of that crime are and
5 what needs to be proven. Is Mr. Mikey Huckabee guilty of
6 criminal sexual conduct in the first degree with a minor?
7 I submit to you that he is not. What is the evidence?

8 The evidence is there is a -- I don't remember the
9 exact wording that Dr. Schandl used but it was either a
10 tear or there is an area -- there is a mark. There is a
11 cut right inside, one centimeter inside the lips of her
12 vagina that she says is consistent, is trauma. It's some
13 kind of trauma, and it is consistent with a criminal
14 sexual conduct act. That's what we've got. We've got
15 nothing else.

16 Except when you've got nothing else what do you do?
17 That's when you start throwing stuff, and I'm going to use
18 a real nice term for it, but it's stuff. It's whoie.
19 What do we have then? We got nothing other than the
20 injury. So instead of saying, "Ladies and gentlemen of
21 the jury, we've got Andrew. He did it. He is guilty of
22 criminal sexual conduct. End of the story." What do we
23 get? No, no, no, they don't have anything else. So what
24 do we get? We get a criminal profiler who comes in.
25 That's the whoie. When we got no evidence you make it up.

1 That's what he did. Got nothing. And can you say he
2 did that? No, I can't say he did it, but a man did cause
3 that's indicative of some sexual pleasure. And it's got
4 to be a big man and got to be over 16 and got to be able
5 to hold a child down and got to be in a position where he
6 is in control of the child. Okay. That's the beauty of
7 Miss Hunt. Smart lady. Smart lady. She's in control and
8 in addition to that she's controlling things. Do I know
9 how that mark got there? I don't have the slightest idea.
10 I don't think anybody has got the slightest idea.

11 Reasonable doubt, could minor have scratched because
12 it burned down there? Perhaps. Reasonable doubt. I will
13 submit to you that there is no evidence of criminal sexual
14 conduct. None, other than there is a mark. That's what
15 we got.

16 Homicide by child abuse. Did Mr. Huckabee actions or
17 inactions cause the death of that child? I'll submit to
18 you now because this is the part that I have a lot of
19 trouble with because I think from the testimony that Young
20 Edna's death and the day -- the time leading up to her
21 ultimate death didn't follow the pattern. I don't think
22 if followed the pattern from the start. Either that or
23 she wasn't able to communicate because she didn't talk.
24 But it didn't follow the normal path of a urinary tract
25 infection.

1 How easy is it to treat a urinary tract infection?
2 How easy is it to get some antibiotics? How easy? Her
3 momma wouldn't take her. Why did mom say she didn't take
4 the child to the doctor? Y'all remember that. Oh, no
5 problem. He wouldn't let me. He said, "Don't go. D.S.S.
6 is going to take my son away. Don't go." So nobody goes
7 to the doctor. So whether or not you would know that
8 there was a problem, a problem goes untreated and
9 ultimately, it kills the young child. How sad is that.

10 Ladies and gentlemen, I thank you for your attention.
11 I would ask you to go back as you deliberate and remember
12 what the Judge is going to tell you. He's going to tell
13 you that, Mr. Huckabee, he walks in here innocent. And he
14 leaves here innocent unless you think that the State of
15 South Carolina has proven to each and every one of you,
16 it's got to be unanimous, each and every one of you that
17 Mr. Huckabee is guilty of these four charges beyond a
18 reasonable doubt.

19 And listen to the instructions on reasonable doubt.
20 listen to it. It's very important. You for your
21 attention.

22 THE COURT: All right, ladies and gentlemen, let's do
23 this. Let's take a brief break before we go into the next
24 argument. We'll be in recess approximately ten minutes
25 and then we will reconvene. Please don't discuss the

1 case, but enjoy your break. We will remain where we are
2 while you return to the jury room.

3 (WHEREUPON, the jury panel was excused from the
4 courtroom at at 10:39 a.m.)

5 THE COURT: Court is in recess now for ten minutes.

6 (WHEREUPON, Court was in recess at 10:39 a.m. and
7 reconvened at 10:51 a.m.)

8 THE COURT: All right. It appears that we're all
9 back in place so, please, bring the jury out.

10 (WHEREUPON, the jury panel enters the courtroom at
11 10:52 a.m.)

12 THE COURT: All right. Welcome back to the
13 courtroom, ladies and gentlemen. And now we will have
14 closing argument from the State?

15 CLOSING STATEMENT BY MR. REDMOND

16 MR. REDMOND: Thank you, Your Honor. May it please
17 the Court.

18 THE COURT: Yes, sir Mr. Redmond.

19 MR. REDMOND: Mr. Steen, Mr. Jones, ladies and
20 gentlemen, after listening to Mr. Jones it brings a phrase
21 to mind, the devil is in the details. And the reason I
22 say the devil is in the details because sometimes it's
23 those details that have not been explained to you by one
24 that, hopefully, I will fill in those blanks for you
25 because I believe that's where the devil really lies.

1 Before I start just to introduce myself again my name
2 is Kernard Redmond, of course. I work with the
3 Solicitor's Office, and it is my unfortunate duty to be
4 here today because, obviously, we would prefer that minor
5 be a thriving young child, hopefully growing, maturing
6 toward a fruitful adulthood. But we know that's not going
7 to happen. The State will submit to you that the
8 defendant, along with Miss Atelia Hunt, who has pled, are
9 the reasons that that young child's life came to such a
10 horrific, tragic end. And we will discuss that in a
11 little bit more detail.

12 But I do want to address some things that Mr. Jones
13 had mentioned, and specifically when he talks about Atelia
14 Hunt being -- I think I'm quoting, "He was played by an
15 evil, wicked woman." Now, you will have some exhibits,
16 and he talked about letters that were sent to McDuffy and
17 to Mrs -- to the Defendant's mother. But then read her
18 diary. He didn't mention her diary, and that's especially
19 telling to me because that diary as you read it doesn't
20 tell me that this is an evil, wicked woman. It tells me
21 that this is a woman, as the Defendant even says in his
22 statement, with low self-esteem who to the exclusion of
23 her family sought some type of male relationship.

24 She even talks in her diary about the fact how she
25 doesn't have this or doesn't have that as it relates to

1 her anatomy to try to make him want her. The letters to
2 McDuffy, the things you see in the diary, that is her
3 reaching out because of that low self-esteem trying to
4 reach out, trying to get someone to love her in the way
5 she thinks or feels she needs to be loved.

6 But here is the problem I have with that, and let me
7 make one thing very clear from the beginning. Do not
8 mistake anything that I say to indicate any sympathy for
9 Miss Hunt for this reason. Anybody that has children, I
10 have a child, knows that I or anyone with children you
11 would hope and think would lay down their lives for that
12 child. Not only did she fail to do that she basically
13 ignored -- I would say apathetic toward the needs and care
14 of her child. That's why she's doing 20 years no parole
15 for homicide by child abuse because she failed and -- she
16 failed to protect that child and allowed this stuff to
17 happen.

18 And why do I say that? And this is where your common
19 sense comes in, ladies and gentlemen, because you heard
20 from Dr. Locklear, who, again, that was not even mentioned
21 by the Defense. For the first 42 months of that child's
22 life, first 42 months of Baby Edna's life she had been
23 going to the doctor for things. And you've got the
24 record: Runny nose, fever. She was at the doctor. Well,
25 this time she moves to South Carolina, and within three

1 months of moving to South Carolina with the Defendant
2 she's dead. That is not a coincidence, ladies and
3 gentlemen, and I'll get into that in more detail where I
4 hope and think it's perfectly clear that that's not a
5 coincidence.

6 But another thing that Mr. Jones mentioned that was
7 curious to me is that, well, these symptoms just developed
8 Wednesday or into Thursday that resulted in her dying.
9 They didn't realize or especially his client didn't
10 realize that she was that sick. But I'm holding a portion
11 of State's Exhibit 99; that being the report from Farand
12 Wasiak from S.L.E.D. Computer Crimes. On the 4th, the 4th
13 of October 2011, two days before she died there is a
14 search on Live Strong, 'Causes of Seizures in Young
15 Children'.

16 But here is the thing that is curious to me. You
17 heard the Defendant claim, well, she had had seizures
18 before. Blah, blah, blah. She's had episodes. You've
19 got the computer records. Find somewhere else where he
20 might have checked into anything about seizures until that
21 week leading up to her death.

22 The reason I bring that to your attention, ladies and
23 gentlemen, that unfortunately, minor started
24 exhibiting those symptoms as Dr. Schandl said within a
25 week of her passing. They knew this. They were afraid of

1 D.S.S. And, oh, by the way, that's something else that
2 was never mentioned by the defense. The Defendant
3 himself, both in his statement and from the stand,
4 admitted that he was afraid of D.S.S.

5 He admitted upon being pressed both by Lieutenant
6 Bass and Lieutenant Turner and even myself while he was
7 testifying, he admitted that he was afraid of D.S.S. And
8 in fact he told her that to be concerned about what D.S.S.
9 would say if she took the child for medical treatment. So
10 he was concerned about D.S.S. the entire time. He was
11 concerned about being exposed the entire time. Why would
12 you not want to get the child treatment? Why would you
13 want to conceal something?

14 Well, that means he's done something. He's got
15 something to hide. That was not explained or expressed in
16 the Defense argument because they don't want you to
17 consider that. He laid out a nice, pretty picture hoping
18 that you would buy it, but as I said the devil is in the
19 details, and those details were omitted, for lack of a
20 better term, during the Defense presentation.

21 And in fact if you recall, and again, I'll get into
22 this in more detail, he denied initially knowing anything.
23 As a matter of fact you heard from Rebecca Jorgenson when
24 they first got to him that night at the house after minor
25 had died he claimed, "Oh, well, she was acting normal and

1 then she fell," and then the story starts evolving,
2 evolving, evolving, and even from the witness stand the
3 story continues to evolve as it relates to, oh, now all of
4 a sudden I did do computer searches when the whole time he
5 denied even getting on the computer looking for anything.
6 That was something minor did. I mean that was something
7 that Atelia did.

8 Well, low and behold, after the computer crime expert
9 testified, oh, well, yeah, I did do that. Well, why he
10 lie now. Why did he finally say that now? Because he's
11 been lying the whole time, but once Eric Hooper, Rhonda
12 Frazier and Farand Wasiak testified placed her at the Cub
13 Scout meeting during the time of two searches for medical
14 attention then I guess the gig was up. Well, I had to get
15 up there and tell the truth about that because I'd already
16 been exposed. And that is a pattern that this defendant
17 has followed.

18 You heard and read through the statements that he
19 gave. That is a patterns that the defendant has followed
20 the entire time. But let me back up for a little while
21 and let me talk a little bit about the burden of proof.
22 The State has the burden of proof on those four charges:
23 homicide by child abuse, inflicting great bodily injury
24 upon a child, unlawful conduct toward a child and criminal
25 sexual conduct in the first degree.

1 Now, I'm going to take us through what the witnesses
2 actually testified to. I'm not going to give you some
3 general story. Let's go to what's in the record. Let's
4 go to what's been testified to and what's in evidence.
5 But as it relates to the burden of proof the State would
6 submit we've met that burden of proof. We have to present
7 evidence to you that leaves you firmly convinced of the
8 defendant's guilt. And in going through the testimony as
9 we've heard it, the evidence that's been presented I would
10 submit to you that the State has met that burden on every
11 single charge.

12 We first heard from Nurse Hooper, and of course, she
13 explained the circumstances at the hospital the day that,
14 unfortunately, minor died. We heard from her the first --
15 one of the first things we heard was that they thought
16 this was a boy. Her head was shaved. I mean her head was
17 shaved. There is no reasonable explanation. He tried,
18 but her head was shaved. And several witnesses have
19 testified when they first saw her they thought she was a
20 boy.

21 Now, mind you, few people saw her before she actually
22 died. The one person that testified that he saw her
23 before she died it was by accident. She had happened to
24 run out and notice the bruising and noticed her head
25 shaved. But I digressed. Let me go back to Nurse Hopper.

1 But the other thing she said immediately they noticed the
2 fact that this child had been abused. There was no
3 question in anybody's mind that the child had been abused.
4 This is her first time seeing her. If you recall from the
5 defendant's statement he's at first, "I didn't see
6 anything. I didn't notice any marks." Then when he is
7 finally called on it, "Well, I asked Atelia about marks."
8 I mean the story just evolves. It goes back and forth,
9 and I'll illustrate that for you in a little while.

10 But then we heard from -- after Nurse Hooper we hear
11 from Melissa Wallace who just testified about the pictures
12 that were taken, and you've got some of them. Then we
13 heard from Dr. Schandl, and that's where the C.S.C --
14 that's where that part of this case gets started. Dr.
15 Schandl, and I'm probably going to miss some of what she
16 had to say, but let's just think about it for a minute.

17 This child, because of being denied medical
18 attention, and based on Dr. Schandl's testimony and Mr.
19 Locklear, remember, indicated the symptoms would have been
20 obvious. Just because the child couldn't verbalize, just
21 because she was three the symptoms would have been
22 obvious. She would have been feverish. We know she had
23 seizures cause they looked for seizures two days before
24 she dies. So she was exhibiting symptoms prior to this
25 point. Didn't even try to get her to a hospital.

1 Figured, oh, we'll go online and try to find
2 something so we can cover our own rear ends. That's what
3 it was all about. Never about that child. It was about
4 trying to cover up what they had done and what they had
5 prevented from being done. But back to Dr. Schandl. This
6 child had suffered mini-strokes. Several mini-strokes
7 according to Dr. Schandl. She would have been sick, would
8 have back pain, would be feverish. It would have gotten
9 to the point where she would have been lethargic.

10 And I'm just going to put it out there. For lack of
11 a better term the child suffered. This child suffered
12 because they were too dog gone selfish to get her any help
13 because they were too concerned about covering their own
14 rear ends and not concerned about that three year old
15 child. And then I hear love coming from out in this
16 trial. Had the nerve to tell you from the stand, "I loved
17 her." I couldn't tell. Not the first bit of emotion.
18 Only emotion I got from him was defiance especially when I
19 was talking to him, but he loved her. But we will talk
20 about that some more, too.

21 But then Dr. Schandl talks about the bruising and the
22 marks, and I might be wrong in my count, but in going
23 through them last night approximately 58 bruises, marks,
24 scars, cigarette burns, subdural hematoma. Fifty-eight.
25 Fifty-eight on a three year old child. Ladies and

1 gentlemen, I submit to your there is not that accident,
2 there is not that much of an accident or seizure or
3 whatever to cause that many wounds.

4 And pay close attention to the last medical record
5 from -- that Mr. Locklear attested to when he testified.
6 And I didn't catch it until last night, but at her last
7 wellness exam on the 26th of May 2011 they checked, and on
8 the hematology portion on that first page of that record
9 she was negative for easily bruise. I think somebody had
10 said something about, oh, she supposedly bruises easily.
11 That ain't what the doctor's report says. That would be
12 yet another lie.

13 And with Dr. Schandl, she also talked about the
14 teeth. There is no explanation other than trauma for that
15 child's teeth to have been missing in the way that they
16 were. And she also indicated that they had been -- it
17 appeared that they had been healing. She estimated that
18 it had probably a couple weeks or a week or two since
19 those teeth had been pulled. You recall the defendant is
20 steadfast in saying, "Well, she lost one that day." But
21 there is no medical evidence to support that lie.

22 And then we -- I asked her about the hair because
23 that's something that had been confusing. You've seen --
24 well, you will see a picture of the little girl with hair.
25 Beautiful minor Beautiful girl. But, yet, there is no

1 medical explanation for shaving that child's head. None.
2 He claimed, "Well, it was fleas biting her," whatever else
3 he had to say.

4 Well, here is the question I've got. There were five
5 of them in the house. Three children. But minor is the
6 only one that they talked about this rabbit and whatever
7 else was in there why was minor the only one that needed to
8 go to the extreme of having her head shaved? I think he
9 said in part because she slept on the floor. Now, we've
10 got a three year old baby sleeping on a couple of cushions
11 on the floor while everybody else was in a bed. The devil
12 is in the details.

13 Dr. Schandl also talks to you about burns. And let
14 me be clear. Everything about this case is disturbing,
15 but you've got this child with several burns on her
16 buttocks and around the lips of her vagina. And then
17 you've got this wound inside of her vagina which, and I
18 asked specifically, occurred while she would have been
19 exhibiting the symptoms that ultimately lead to her death.
20 How sick is that.

21 This child is dying, and during that time we submit
22 that the defendant, and I'll get into more regarding that,
23 took it upon himself to molest that child as she was
24 dying. The molestation by itself is sickening, but we
25 know from the medical testimony that it occurred during

1 the time she would have been in essence going towards the
2 final stages of her infection. And she specifically said
3 cause I asked that, it was consistent and indicative of a
4 sexual assault. So we get through that. We get through
5 Dr. Schandl.

6 And then we come to Lieutenant turn and lieutenant
7 Bass, and let me just say this. And having worked with
8 them for years I can say this; that they take every case
9 seriously, but I think as we are all sitting here this is
10 an especially poignant case because you've got a child
11 three years old, cannot speak enough to verbalize what's
12 wrong with her, and I'm sure like any child just wants to
13 be loved. And for no good reason, none. There is no good
14 reason on this planet. And it's not just allowed to die,
15 but literally beaten to death.

16 To their credit, and I'm just going to be blunt. How
17 they maintained composure while their interviewing both of
18 those idiots defeats me. And that's a credit to them
19 because I don't know that I could have done it. It was
20 hard enough for me cross examining that Defendant
21 yesterday, to be perfectly honest with you. But they did.
22 Thank goodness that they did because they were able
23 through their questioning over several hours.

24 You can literally see the unraveling of the story.
25 You can see a Defendant who is lies and his mind as it's

1 operating trying to cover himself. And I'll illustrate
2 some of that in just a little while. But the questioning
3 that they did, and I don't mean to exclude Sargent Hepburn
4 because he was actually involved in the first interview on
5 the 7th.

6 But the questioning they did on the 7th and on the
7 10th and on the 13th lead us to the point where, yes, the
8 State contends we beyond a reasonable doubt have proven
9 that this Defendant is guilty.

10 So they testify and then we are hear from Atelia
11 Hunt. And I'll honest with you. I'm glad that Ms. Thomas
12 Lee was the one that interviewed Atelia because no matter
13 what I try to say what she allowed to happen both things
14 done and things she failed to do is despicable. It's
15 inexcusable, and she deserved every day of the 20 years
16 that she got with no parole.

17 And, again, I mentioned that earlier, but let me be
18 clear on that again. But to sit here and say and try to
19 put it all on her is ridiculous, it's asinine, and will
20 submit to you, ladies and gentlemen, that the evidence has
21 shown that this is the mastermind right here. This is the
22 control freak. Oh, yeah, she was controlling me. This,
23 that and the other thing.

24 What did she tell you, and what has been established
25 not just through what she says but through the evidence of

1 other witnesses and even through the Defendant's own mouth
2 himself. Both on the stand and in his statements. Atelia
3 is a lost person. Hopefully she will be found at some
4 point. That's not for me to determine, but as it relates
5 to this incident she is lost. She was so lost and
6 self-absorbed in her own self-pity that she pretty much
7 didn't care what else was going on with her.

8 She was trying to please the Defendant by taking his
9 mother to the doctor. Not just once but on several
10 occasions from what I understand. Going all the way up to
11 Laurinburg. Sitting with her during a cataract procedure.
12 That's the Defendant's mother, but yet she's the one
13 taking her, sitting up there with her. But yet she's the
14 control freak. She's the one going out buying groceries,
15 running errands, picking up the kids from the bus stop,
16 going to pick up -- when S was sick she was the one
17 that was doing all of this stuff.

18 You know and it gets to something that I actually
19 just thought about as I was standing here. He's right.
20 He's really wasn't attracted to her that much. He says,
21 "I was a little attracted to her." So why move her in?
22 Convenient. He didn't have a driver's license. He would
23 drive some illegally, but not much. She could drive. She
24 could run these errands. She could cook and clean. Keep
25 the house. She was convenient for him. He wasn't about

1 to get rid of her. Oh, by the way she also has these
2 children. One who cannot talk. The perfect victim.
3 You've got a three year old who can't talk, who can't
4 verbalize, who cannot say, "Mikey is hurting me." The
5 perfect victim.

6 He had it made, and D.S.S. come along. But lucky 30
7 days later nothing happens. They say, "All clear." minor
8 is back. So then it gets worse after she gets back in
9 October -- in August, rather. I mean gets back in
10 September. But, again, I digressed. Atelia has got her
11 own problems. She is serving her time. She is paying for
12 what she did. Same thing we're asking of the Defendant.
13 But also with Atelia, and this is the other part leading
14 to the C.S.C., she talks about the blood on the red towel
15 from the vagina, from Edna's vagina.

16 And that's where it starts again getting even more
17 interesting because we've heard from Dr. Schandl that this
18 was indicative of a sexual assault. We've got blood from
19 the vagina of the victim, of minor on that red towel. And
20 then, of course, we hear from Ms. Mills who confirms that,
21 yes, that's Edna's blood on that towel.

22 But another thing I will say for Atelia when you put
23 the two of them against each other, because you were doing
24 that. We all were. As each of them testified we're
25 standing back and measuring trying to feel them out. It's

1 human nature. It came way the heck too late, but at least
2 from Atelia you saw some raw emotion. I can at least give
3 her that much. At least you could see that it was
4 affecting her from an emotional standpoint. All be it
5 entirely too late does not excuse a thing.

6 But the Defendant, I didn't get the first sense of
7 empathy, sympathy or anything but concern for himself. If
8 I'm wrong you heard it. If I'm wrong go by what you
9 heard. Not by what I say, but as I was ending my
10 questioning with the Defendant the issue turned to
11 basically saving himself. That's what this is all about.
12 That's why he's constructing these stories to try to save
13 himself. So that's Atelia.

14 One last thing I will say about Atelia before I
15 leave. Demeanor, I did forget to mention that. When
16 you're measuring witnesses one of the things that we look
17 at is the demeanor of the witness. I believe the Court
18 may actually instruct you on that. And Atelia's demeanor
19 as she was testifying, even in the statements, you hear
20 the discussion about her being meek. And, again, you
21 judge for yourself as you saw her, but there was not
22 anything in her testimony as she sat there in her demeanor
23 that indicated anything different. And, again, you have
24 to make those assessments for yourself, but I saw
25 meekness, I saw raw emotion, and I saw self-serving save

1 my own behind. You be the judge of that. But then let's
2 leave Atelia.

3 Paul Larosa testified, and I think Jones referred to
4 it as whoie. I mean it's -- he trained with the Federal
5 Bureau of Investigation, the chief law enforcement agency
6 in the United States of America in this particular field.
7 And here is the more important thing. Did he really tell
8 you anything that didn't make sense. You know before you
9 say, oh, and dismiss it as whoie what he tell you? Well,
10 it's a male. Looking at it as a crime scene situation we
11 would be looking for an adult male.

12 Let's break the adult part of that. Dr. Schandl, and
13 I specifically asked her, said that this is -- the wounds
14 around the vagina are consistent with her being held
15 because of the way -- there was not any movement. He
16 could see she was held and it burned straight in.

17 Agent Larosa testified that based on that and based
18 on his review of that and review of the record that would
19 indicate an adult. Someone who physically can hold that
20 child down. Because think about it, and I hate to confess
21 I smoke. If I burn myself by accident I jerk. So think
22 about it. She's not just going to stay there and allow
23 herself to be burned. So I think from a common sense
24 standpoint, yes, it was an adult.

25 But then we get to the next step as it relates to the

1 reasons behind it. Why burn a child's vagina? You know,
2 why do that. That's sadistic. Well, that leads into the
3 sexual gratification aspect of this because it is centered
4 around her genitalia. It's sick. It's sadistic, but
5 there is a sexual basis for why someone would do that.
6 Sick. I can't fathom it, but unfortunately, as we heard
7 it happens, and it happened to minor

8 And then he also, Agent Larosa, talked about the fact
9 that it would have been a male because in the research --
10 and he outlined the research that had been done, the
11 nature of what it is he does, and what not. These
12 situations involve men. Men are the perpetrators. So
13 then, but he, Mr. Jones, is right. Did not point and say
14 the Defendant did it. This is where your common sense
15 comes in. Who had the most access to that child during
16 that time? That was an adult male. The defendant.

17 So, ladies and gentlemen, and again we will still get
18 further into that, but we're still, again, as it relates
19 to the C.S.C. on that road. But let's move from Agent
20 Larosa. After him we heard from Laura Mills, and I
21 touched on her testimony. She testified about several
22 samples that were taken, but the item of interest was that
23 red towel because that was the only evidence that actually
24 had blood.

25 That was the only piece of evidence that was

1 definitive as it relates to the identity of the donor of
2 that blood. And whose blood was it? And we know by what?
3 7.1 to 7.8 quadrillion. I don't even know how many zeros
4 are behind that. minor Hunt's blood on that towel as we
5 heard from her vagina.

6 After Laura Mills then we heard from what we call lay
7 witnesses, and you heard from Rhonda Frazer, Eric Hooper
8 and Maurice Malachi. And I've already touched on what
9 Hooper and Frazer testified to. That's the timeframe.
10 Yes, she was at that Cub Scouts meeting. That again is
11 the point in which the Defendant's story started to
12 unravel and, okay, when I take the stand I guess I'm going
13 to have to admit to that one cause I kind of been caught
14 on that.

15 That's the first time he mentioned -- and you heard
16 and read the transcripts. The Defendant specifically
17 denied the entire time until yesterday that he ever
18 searched for any kind of medical treatment for that child
19 the whole time. Yesterday was the first time he ever
20 mentioned that after he got exposed yet again.

21 But then we heard from Maurice Malichi, and there
22 were a couple of things that he testified to that were
23 particularly interesting. One of which is that he
24 actually saw minor by accident. She ran outside while
25 Atelia and his wife were outside. And she ran out naked.

1 He saw her head shaved and her -- a bruise on her hip. and
2 if you look at the autopsy report in fact there is
3 indication about bruising of the hip.

4 But then on the 5th of October there is this cookout,
5 this barbeque. S was there. Little Alex was there.
6 Atelia was there. The Defendant was there. Didn't see
7 minor was never there. The day before she died, and
8 we now know, which they may not have caught before, but we
9 now know on the 4th, the day before that, they were
10 looking up seizure information. She had already gone into
11 that final phase, and they knew it. But it was birthday.
12 There was a barbeque right down the street. Let's go.
13 And minor was at the house by herself.

14 And yet he's asking you to give him the benefit of
15 anything. The only benefit that he deserves today is the
16 benefit of a fair trial. He had that. That's where he
17 was. Then -- oh, and he did mention about the fact that,
18 you know, they were friends and what not, but there is no
19 testimony regarding Mr. Malachi; that -- and the Defendant
20 admits he never told anybody that this evil woman was
21 inflicting all kinds of damage to this child. Never told
22 anybody. Had the opportunity, but didn't. But yet, oh,
23 I'm hiding behind ignorance. Okay. Whatever.

24 Let's move on from Mr. Malachi to Farand Wasiak, and
25 I've already touched on a lot of what I was going to about

1 him regarding the fact that, one, he exposed the
2 Defendant's lie about not having looked at anything. That
3 ended his attempts to plead ignorance to everything. But
4 then he also tells us through the computer that in fact
5 they did know this child was suffering symptoms, unlike
6 what Mr. Jones said, before Wednesday or Thursday. she had
7 been exhibiting symptoms at least a couple days prior.
8 That was two days in which she could have gotten
9 treatment, and hopefully been able to survive. Albeit, as
10 Dr. Schandl said possibly with a lower quality of life
11 because of the damage being done by the mini-strokes. But
12 still would have had a chance.

13 And, finally, we heard from Dr. Wasiak -- from Mr.
14 Locklear, physician's assistant, who tells us that --
15 well, he told us several things. He went through and
16 showed us in detail how diligent Atelia Hunt had been
17 about getting minor to the doctor. Her maintenance
18 appointment. If she had a fever, if she had a cold, if
19 she had ear issues, if she had conjunctivitis sometimes
20 the day after onset, and that's something I want to zero
21 in on.

22 Here the child was sick for several days. They knew
23 it. We know it, but what happened with minor -- I mean
24 with Atelia where from the time the child was born until
25 May of 2011 went to the doctor, anything wrong. The next

1 day at the doctor. Something wrong, fever, cold,
2 whatever. Then she moves to South Carolina with the
3 Defendant and all of a sudden that stops. I mean, again,
4 deductive reasoning, ladies and gentlemen. And common
5 sense. It stopped because of the Defendant because she
6 wasn't controlling him. He was controlling things. That
7 was his house.

8 And, now, let's talk a little bit more about the
9 Defendant and what he had to say. As I indicated earlier
10 he never mentioned anything about this fear of D.S.S.
11 until on cross examination and even during closing
12 arguments. No mention about the fact that, oh, well, I
13 saw these marks but I was afraid of D.S.S. That's coming
14 after, well, I didn't see these marks, and it's like how
15 could you, as Lieutenant Bass told him, "Look at it. How
16 could you even say that you doesn't see this when you got
17 people at the hospital the first time the see it they knew
18 something was wrong."

19 He bathed her. He'd gone to even the night of. Was
20 there when she was put in the tub. Even after that
21 initially was claiming, "Well, I didn't see anything."
22 Then gradually, "Well, yeah, I saw some bruises. A
23 couple." Then it goes to, "Well, yeah, I saw bruises. I
24 should have said something." Then it goes to, "Well,
25 yeah, I saw vaginal." I mean, dude, if that's the case

1 he's trying to tell you that, "Well, I just plead
2 ignorant."

3 How many of us would look and see that much going on
4 with a three year old and not say or do something unless
5 we had something to hide? Unless we were the
6 perpetrators. And another thing about his demeanor that I
7 would mention is that he was what I would term an
8 non-chalant. Again, the only concern he had was for
9 himself. Unfortunately, just like Atelia Hunt during that
10 time the only concern she had was for herself. What adult
11 in that house was concerned about that child? And that,
12 ladies and gentlemen, is why that both are being held
13 accountable for what they did.

14 Now, just to recap if I can briefly go through and
15 highlight a couple of things that, again, some
16 inconsistencies that I want you to consider. You know, I
17 talked about, and I'm just going to run through these real
18 briefly. We talked about the fact that he never mentioned
19 the Cub Scouts meeting in his recorded statement. And I
20 mentioned that to him on -- and Mr. Jones mentioned it in
21 his direct -- in his closing. But here's the thing I got.
22 He's saying that, "Oh, I was so traumatized. I didn't
23 remember anything."

24 But it was three days later when he gave that written
25 statement, and then it was another three days later when

1 he gave the recorded statement. And he claimed that, oh,
2 I forgot about the meal, but here's the problem I've got
3 that Mr. Jones didn't mention. In that particular
4 exhibit, and you'll have it back with you. I'm not -- oh,
5 here it is right here. The first thing he says is, "I
6 came home." It isn't just about forgetting about the Cub
7 Scout meeting. He denies being at home until 7:30.

8 That's a bold faced lie because he knew he had been
9 on the computer searching for -- because as Mr. Jones
10 said, "Frantic because of her condition worsening." He
11 knew he was at home when he wrote this statement. This is
12 a bold faced lie. So Mr. Jones and the defense can
13 characterize it the way they want to. I'm just
14 characterizing the truth. It was a lie. This statement
15 was a lie.

16 The next -- well, exerted control. I'm not going to
17 go into great detail about that, but I do want to
18 highlight a couple of things real quick. And I didn't
19 mention this earlier about Facebook. Remember he in his
20 statement talks about, and I asked him about it on
21 cross-examination. He talks about the fact that, "Oh,
22 well, I told them. I didn't make her get on Facebook, but
23 I told her to get off Facebook. Dude, what's the
24 difference?

25 And why? Because, Oh, she was talking to other men

1 and all. This is somebody he claims he is about to get
2 rid of. He should have been glad that she was looking to
3 go somewhere else if she was such an evil, wicked woman.
4 When he found out that she had been communicating -- and
5 then even on the phone. You know he talked about the
6 phone where there were texts coming to his phone. Okay,
7 she's so evil and wicked that would be a point to get her
8 out. But, no, he didn't do that because he had it good.
9 He had somebody still doing everything for him, running
10 his errands, and he had a little toy to play with in minor
11 Hunt. That's why he didn't get them out of the house.

12 The computer, I've already touched on. We can skip
13 that one. Her hair and teeth, again, I've actually
14 touched on those. I did fail to mention the fact about
15 even her grandfather, Eugene Jacobs, he came to the house
16 two days before me died. And, again, sometimes as I stand
17 here things come to mind. He came on the 4th. Two days
18 before she died. Guess what else happened two days before
19 she died? They were looking up seizure information. The
20 child was already exhibiting symptoms.

21 And, again. That's in the report. So Eugene Jacobs
22 comes to the house. She's had seizures, having symptoms.
23 There is an opportunity right there to get help. Didn't
24 take it. You know why? Because he had something to hide.
25 And Mr. Jacobs first encountered the Defendant it was

1 several minutes later, five to six by his testimony,
2 before Atelia comes back from the school. So he had
3 plenty opportunity, but, no, he wasn't going to do that
4 because he would be exposed. So if he really, really
5 didn't have anything to hide that child would have been
6 going back to North Carolina or to the hospital with the
7 Eugene Jacobs. But he wasn't going to let that happen
8 because that was his toy and she was sick and he didn't
9 want to get exposed.

10 Next slide. The knowledge of injuries. I'll just say
11 it in general, and you've heard it several times. How
12 many times the Defendant says, "Well, I'm guilty of
13 neglect. I should have done something. I'm guilty of
14 neglect. I should have done something." The Judge will
15 instruct you on the law, that very statement has convicted
16 him on several of these charges that we have discussed
17 when it comes to homicide by child abuse, when it comes to
18 unlawful conduct toward a child.

19 And the teeth, because of the teeth being pulled, I
20 didn't mention that, that would fall under the category of
21 inflicting great bodily injury. I think we can all agree
22 that if our teeth were pulled -- pulled as they describe
23 it and there was no dental care offered, given or anything
24 that would be pretty traumatic especially for a three year
25 old.

1 And then -- oh, and I'm sorry. The only other thing
2 I want to add about that is where I talk about he knows,
3 and this is his quote from the statement. "You know what
4 D.S.S. would say." This is after he had initially denied
5 telling her anything about D.S.S, not going to the doctor.

6 Then upon questioning by Lieutenant Bass finally
7 admits that he does make that comment. And he repeatedly
8 talks about his fear of D.S.S. repeated says, "Well, I
9 should have done something." Now, let me say this. When
10 I say that he is convicted himself don't mistake me for
11 saying that I am agreeing or accepting the context in
12 which he's putting it in. He trying to put it in, oh, I
13 was just neglectful. No, ladies and gentlemen, it was way
14 more than that, and I think we all know that.

15 And you have seen this, and you will have it back in
16 your jury room. But let me say this, and I'm about to
17 conclude. When you talk about the wounds that this child
18 has, and I've heard this term, 'love'. Where is the love
19 in this? Where did any adult in that house, where do you
20 see any love coming to this three year old child? For and
21 adult that's bad. For a three year old child ...

22 Let me just say this before I move to the next slide.
23 As I indicated she had approximately 58 wounds. She was
24 the perfect victim as I said. She couldn't talk, so she
25 couldn't said, "Mikey hurt me." She was only three years

1 old, and they had actually limited her access to the
2 outside world. How much people have come and said they've
3 even seen her since she moved to South Carolina other than
4 either by accident or that night after she died. After
5 her head had been shaven.

6 minor was brutalized. She was molested. She was
7 ignored, and now she's dead. And I hate to, and please
8 forgive me for characterizing it this way, but as you look
9 at this picture this tells me that the Defendant utilized
10 this child as a punching bag, as a piñata, as an ashtray,
11 and as a sex toy.

12 Next slide, please. The next picture, I'm sorry.
13 That's minor That's how minor should be
14 remembered, State's Exhibit 104. minor to those of
15 us who have worked this case -- I'm sorry. To those of us
16 who worked this case -- to those of us who worked this
17 case, to the family, minor is not a punching bag.
18 She's not a piñata. She's none of those things. She's
19 just a baby who deserved to be loved and she deserved more
20 than what this Defendant did to her.

21 Her fate was sealed when she came to South Carolina,
22 ladies and gentlemen. Please seal his fate today. Thank
23 you.

24 THE COURT: All right, ladies and gentlemen, we're
25 going to take a break at this time. Approximately ten

1 minutes again, and we'll remain where we are while you
2 depart to the jury room.

3 (WHEREUPON, the jury panel was excused from the
4 courtroom at 11:40 a.m.)

5 THE COURT: All right. We'll be in recess for
6 approximately ten minutes.

7 (WHEREUPON, Court was in recess at 11:40 a.m.
8 And reconvenes at 11:55 a.m.)

9 THE COURT: All right. Jury has completed their
10 break, but before we bring in the jury let's talk about
11 one issue that's in the charge, and that is the Court is
12 determined not to charge a lessor included offense of
13 assault and battery to whatever degree to the criminal
14 sexual conduct case. I was going to give both parties an
15 opportunity to weigh in on this issue if you wish. Does
16 the State have a position that you wish to.

17 MR. REDMOND: The State has no objection. Actually,
18 the State would concur with the Court's assessment s it
19 relates to the A.B.H.A.N. even if it is considered a
20 lessor included I don't think the facts in this case is
21 kind of -- it either is or it isn't.

22 THE COURT: All right. And does the Defense have a
23 position.

24 MR. STEEN: One moment, Your Honor. No objection as
25 written, Your Honor.

1 THE COURT: All right. And let me put the basis of
2 this decision on the record. The evidence in this case is
3 that there was a traumatic injury to the child's vaginal
4 area. The Court excluded a photograph of that because of
5 the graphic nature of that evidence. And that is
6 preserved as a Court's Exhibit for purposes of appellate
7 review.

8 But there is no evidence here of the taking of an
9 indecent liberty with a female or the classic definition
10 of an assault and battery that would occur in a sexual
11 context. What we have here the Court perceived to clearly
12 be a case of criminal sexual conduct based on the medical
13 testimony. And for that reason the Court did not believe
14 there was any evidence in this record, that be direct or
15 circumstantial evidence, that would support the charge of
16 the lessor included offense.

17 Also I will point out to you that in the charge I
18 discussed the homicide by child abuse statute. And in so
19 doing I refer to accessory to homicide by child abuse as a
20 lessor charge. I do not call it a lessor included
21 offense, but we give the jury the option on the verdict
22 form of choosing the greater offense. And if they find
23 the Defendant not guilty of the greater offense then they
24 are requested to consider the lessor charge.

25 Again, the Court does not perceive it to be in

1 classic terms a lessor included offense, but simply refer
2 to it as a lessor charge. Is there objection to that from
3 the State?

4 MR. REDMOND: None from the State, Your Honor.

5 THE COURT: And from the Defense?

6 MR. STEEN: None from the Defense, Your Honor.

7 THE COURT: All right. Very good. And with that
8 understanding we're ready to charge. Please bring in the
9 jury.

10 (WHEREUPON, the jury panel enters the courtroom at
11 11:59 a.m.)

12 THE COURT: All right. Ladies and gentlemen of the
13 jury, welcome back to the courtroom. Let me talk with you
14 a little bit about procedure before I actually begin to
15 give you the charge on the law. As you know during our
16 last break we allowed you to order lunch today which lunch
17 has been kindly provided by our Clerk today for you.

18 And it is my intention -- this charge, probably
19 somewhere around 25 minutes, I estimate that we have
20 already ordered your lunch so that when we conclude,
21 hopefully in a perfect world, your lunch will arrive and
22 you all will be able to enjoy your lunch without beginning
23 deliberations. And then put all that aside and begin your
24 deliberations if that is the way you wish to proceed.

25 My point to you is that I would hope that about the

1 time this charge concludes that your lunch will be
2 arriving. Now, as you are aware, ladies and gentlemen,
3 when we begin this trial on Monday I told you that when we
4 first came in on Monday morning that I knew that you had
5 busy lives before you ever appeared here at the court
6 house on Monday. And superimposed on that busy life was
7 this jury service.

8 And I want to say at the beginning how grateful I am
9 for the level of commitment you've given this case. It's
10 now Friday. We've been here all week, and each time that
11 we have been here in the courtroom and in the proceedings
12 during the proceedings throughout I continually look at
13 you. I hope I don't make you uncomfortable by making you
14 feel that you're being stared at, but I gauge you for
15 comfort, for focus, for many different factors, but every
16 time I've looked at you just as you are looking at me now,
17 throughout this week you've been sitting there with close
18 focus and what I call rapt attention.

19 And I'm grateful for that level of commitment. To
20 set aside those otherwise busy lives and fully engage in
21 our justice system this week because I know when you
22 retire to deliberate and decide what the facts are you're
23 in a good position to do that simply because you have set
24 aside your lives and given of your very best in this case.
25 And, again, for that we are all grateful, ladies and

1 only will punish you but will protect the well being and
2 the lives of other children including your son with whom
3 you might have contact or would otherwise have contact.

4 For that reason the Court sentences you to life in
5 prison for homicide by child abuse and a concurrent term
6 of life in prison for criminal sexual conduct with a minor
7 and a concurrent term of 20 years in prison for inflicting
8 great bodily injury upon a child. And ten years for
9 unlawful conduct towards a child. That's the sentence of
10 the Court, sir. I now remand you to the Department of
11 Corrections.

12 MR. REDMOND: Thank you, Your Honor.

13 MS. JOHNSON LEE: Thank you, Your Honor.

14 THE COURT: All right. Ladies and gentlemen, these
15 proceedings are now adjourned.

16 END OF TRANSCRIPT OF RECORD

17

18

19

20

21

22

23

24

25

BPD

WITNESSES

Law Enforcement Case #:

John Stephen 5

347

WAIVER OF PRESENTMENT

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to:

Defendant

ARREST WARRANT NUMBER
MAR0089

ARRESTED ON: 0000-00-00

ACTION OF GRAND JURY

True Bill
Vanille Turner
Grand Jury Foreperson
10-9-12

Date

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2012-GS-34-0627

641

The State of South Carolina

County of Marlboro

COURT OF GENERAL SESSIONS

Term:
OCTOBER 2012

THE STATE

vs.

ALEXANDER CARMICHAEL
HUCKABEE III

INDICTMENT FOR
UNLAWFUL CONDUCT TOWARDS A
CHILD

§63-05-0070

CDR Code: 2481

A CERTIFIED
TRUE COPY

William G. Zander
CLERK OF COURT
MARLBORO COUNTY

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA

INDICTMENT FOR

COUNTY OF MARLBORO

UNLAWFUL CONDUCT TOWARDS A CHILD

§63-05-0070

At a Court of General Sessions, convened on OCTOBER 9, 2012, the Grand Jurors of Marlboro County present upon their oath.

UNLAWFUL CONDUCT TOWARDS A CHILD

CDR: 2481 63-5-70

That ALEXANDER CARMICHAEL HUCKABEE III did in Marlboro County, South Carolina, between July 1, 2011, and October 6, 2011, while having charge of or being responsible for the welfare of the minor child, minor age 3, place the child at unreasonable risk of harm affecting the child's life, physical or mental health, or safety; or did unlawfully or maliciously cause or cause to be done bodily harm to the child so that the life or health of the child was endangered or was likely to be endangered, in violation of Section 63-5-70, S. C. Code of Laws, 1976, as amended, previously codified as 20-7-50, S. C. Code of Laws, 1976, as amended.

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


WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA)

AMENDED INDICTMENT FOR

COUNTY OF MARLBORO)

Inflicting Great Bodily Injury Upon a Child

§16-03-0095(A)

At a Court of General Sessions, convened on October 9, 2012, the Grand Jurors of Marlboro County present upon their oath:

INFLECTING GREAT BODILY INJURY UPON A CHILD

CDR: 2766 16-03-0095(A)

That Alexander Carmichael Huckabee, III, aka Mikie Huckabee, did in Marlboro County, South Carolina, between July 1, 2011, and October 6, 2011, inflict great bodily injury upon a child, minor, age 3, which created a substantial risk of death and/or caused or could have caused serious or permanent disfigurement and/or protracted loss or impairment of the function of any bodily member or organ, in violation of S. C. Code of Laws, Section 16-03-0095(A), 1976, as amended.

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

WILLIAM B. ROGERS, JR.,
SOLICITOR

WITNESSES

WAIVER OF PRESENTMENT

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and
plead guilty to the within indictment or to:

Defendant

ARREST WARRANT NUMBER
MAR0050

ARRESTED ON: 0000-00-00

ACTION OF GRAND JURY

True Bill
Danielle Turner
Grand Jury Foreperson
10 2 17

Date _____

VERDICT

Petit Jury Foreperson

Date _____

DOCKET NUMBER:
2012-GS-34-0135

645

The State of South Carolina

County of Marlboro

COURT OF GENERAL SESSIONS

Term:
October 2012

THE STATE

vs.

Alexander Carmichael Huckabee, III
Aka Mikie Huckabee

AMENDED
INDICTMENT FOR

Criminal Sexual Conduct with a Minor First Degree

§16-03-0655(1)

CDR Code: 0385

**A CERTIFIED
TRUE COPY**

William B. Vanderburg

CLERK OF COURT
MARLBORO COUNTY

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARLBORO) Criminal Sexual Conduct with a Minor First Degree

§16-03-0655(1).

At a Court of General Sessions, convened on October 9, 2012, the Grand Jurors of Marlboro County present upon their oath:

CRIMINAL SEXUAL CONDUCT WITH A MINOR
FIRST DEGREE

CDR: 0385 16-03-0655(A)(1)

That Alexander Carmichael Huckabee, III, aka Mikie Huckabee, did in Marlboro County, South Carolina, between July 1, 2011, and October 6, 2011, willfully and unlawfully commit the crime of Criminal Sexual Conduct with a Minor in the First Degree by engaging in sexual battery with a minor who was less than eleven (11) years of age, to wit: minor , age 3, in violation of Section 16-3-655(A)(1), [formerly Section 16-3-655(1)], S. C. Code of Laws, 1976, as amended.

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

WILLIAM B. ROGERS, JR.
SOLICITOR

BPD

WITNESSES

James Hepburn 5

WAIVER OF PRESENTMENT

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to:

Defendant

ARREST WARRANT NUMBER
M905611

ARRESTED ON: 2011-10-08

ACTION OF GRAND JURY

True Bill
Danielle Turner
Grand Jury Foreperson

Date

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2012-GS-34-0037

647

The State of South Carolina

County of Marlboro

COURT OF GENERAL SESSIONS

Term:
October 2012

THE STATE

vs.

Alexander Carmichael Huckabee, III
Aka Mikie Huckabee

AMENDED
INDICTMENT FOR

Homicide by Child Abuse

§16-03-0085(A)(1)(B)(1)

CDR Code: 2356

A CERTIFIED
TRUE COPY

William E. Henderson

CLERK OF COURT
MARLBORO COUNTY

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)

AMENDED INDICTMENT FOR

COUNTY OF MARLBORO)

Homicide by Child Abuse

§16-03-0085(A)(1)(B)(1)

At a Court of General Sessions, convened on October 9, 2012, the Grand Jurors of Marlboro County present upon their oath:

HOMICIDE BY CHILD ABUSE

CDR: 2356 16-03-0085(A)(1)(B)(1)

That Alexander Carmichael Huckabee, III, aka Mikie Huckabee, did in Marlboro County, South Carolina, between July 1, 2011, and October 6, 2011, cause the death of minor , a 3 year old child, while committing child abuse or neglect, and the child's death occurred under circumstances manifesting an extreme indifference to human life, in violation of Section 16-03-0085(A)(1)(B)(1), S. C. Code of Laws, 1976, as amended.

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

WILLIAM B. ROGERS, JR.
SOLICITOR

A CERTIFIED
TRUE COPY

William B. Zunderbush

CLERK OF COURT
MARLBORO COUNTY

BENNETTSTVILLE POLICE DEPARTMENT

MIRANDA WARNING

J v. D

- A.H. 1. YOU HAVE THE RIGHT TO REMAIN SILENT.
- A.H. 2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU.
- A.H. 3. YOU HAVE THE RIGHT TO TALK TO A LAWYER WHILE YOU ARE BEING QUESTIONED. There was a hearing WITH YOU on Oct. 5, 2012, Jackson v. Denno, that is # 15,
- A.H. 4. IF YOU CANNOT AFFORD TO HIRE A LAWYER, REPRESENT YOU BEFORE ANY QUESTIONING. Time of trial, this exhibit was marked TO AS # 77. AVE THE.
- A.H. 5. IF YOU DESIRE TO MAKE A STATEMENT OR AVE THE. RIGHT TO STOP AT ANY TIME.

THIS IS TO CERTIFY THAT THE ABOVE RIGHTS HAVE BEEN EXPLAINED TO ME AND THAT I UNDERSTAND THE RIGHTS AS THEY HAVE BEEN EXPLAINED TO ME. I WAIVE THEM AND WILLINGLY MAKE A STATEMENT.

Alexander Huckabee
DEFENDANT'S NAME

WITNESS	DATE	TIME
Det. John B. Stephens	10-7-2011	12:42 AM
LT. Larry Turner	10-7-2011	12:42 AM

NAME: Alexander Huckabee DOB: [REDACTED]

ADDRESS: 2 Perching St

HEIGHT: 5'8" WHIGHT: 210 EYES: Brown HAIR: Brown

SSN: [REDACTED] OPERATOR'S LICENSE: [REDACTED]

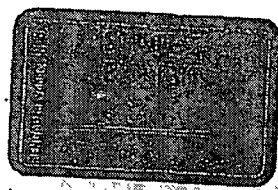
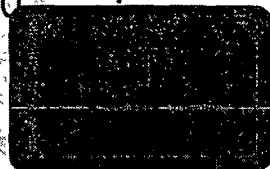
YEARS OF SCHOOL COMPLETED: [REDACTED]

DATE: 10-7-2011 TIME: 12:42 AM LOCATION: B.P.D.

439-5481-3839 Cell #

650

Jv(1)



A CERTIFIED
TRUE COPY

William B. Zunderbush

PLACE: MCDC

DATE: 10/10/11

CLERK OF COURT
MARLBORO COUNTY

TIME: 10:45am

YOUR RIGHTS

BEFORE WE ASK YOU ANY QUESTIONS YOU MUST UNDERSTAND YOUR RIGHTS.

1. YOU HAVE THE RIGHT TO REMAIN SILENT
2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN COURT.
3. YOU HAVE THE RIGHT TO TALK TO A LAWYER FOR ADVICE BEFORE WE ASK YOU ANY QUESTIONS AND TO HAVE HIM WITH YOU DURING QUESTIONING.
4. IF YOU CANNOT AFFORD A LAWYER, THE COURT WILL APPOINT ONE FOR YOU, BEFORE ANY QUESTIONING IF YOU WISH.
5. IF YOU DECIDE TO ANSWER QUESTIONS NOW WITHOUT A LAWYER PRESENT, YOU WILL STILL HAVE THE RIGHT TO STOP ANSWERING AT ANY TIME UNTIL YOU TALK TO A LAWYER.

WAIVER OF RIGHTS

I HAVE READ THIS STATEMENT OF MY RIGHTS AND I UNDERSTAND WHAT MY RIGHTS ARE. I AM WILLING TO MAKE A STATEMENT AND ANSWER QUESTIONS. I DO NOT WANT A LAWYER AT THIS TIME. I UNDERSTAND AND KNOW WHAT I AM DOING. NO PROMISES OR THREATS HAVE BEEN MADE TO ME AND NO PRESSURE OR COERCION OF ANY KIND HAS BEEN USED AGAINST ME BY ANYONE.

SIGNED: X Alexander Carmichael Huckerbee III

WITNESS: Kathy Bass

WITNESS: [Signature]

WITNESS: _____

INSTRUCTIONS: OFFICER MUST READ ENTIRE CONTENT OF THIS DOCUMENT. OFFICER MUST ASK SUBJECT IF HE UNDERSTANDS WHAT IS READ TO HIM AND THEN OFFICER MUST ALLOW SUSPECT TIME TO READ AND INSPECT THIS DOCUMENT BEFORE HE IS ASKED TO SIGN IT.

NAME: Alexander Carmichael Huckerbee III
ADDRESS: 2 Pershing Street, Bennettsville, South Carolina
DATE OF BIRTH: [Redacted] SOCIAL SECURITY #: [Redacted]
HEIGHT 5'9" WEIGHT 150 EYES Blue HAIR Blue
DRIVERS LICENSE OR ID NUMBER AND STATE _____
YEARS OF SCHOOLING COMPLETED _____

A CERTIFIED
TRUE COPY

SLED

CF001 5/95

VOLUNTARY STATEMENT

PAGE NO. 1 OF 1 PAGES

STATE OF SOUTH CAROLINA

COUNTY OF

CLERK OF COURT

MARLBORO COUNTY

PERSONALLY appeared before me

, who states:

"My name is

AlexanderH. H. H. H.

My address is

[REDACTED]

Date of Birth

[REDACTED]

Social Security Number:

[REDACTED]

Phone Number

I completed the _____ grade in school, and I can _____ cannot read and write."

Before answering any questions or making any statements _____

a person who identified himself as _____

duly warned and advised me, and I know and understand that I have the following rights: That I have the right to remain silent and I do not have to answer any questions or make any statements at all; that any statement I make can and will be used against me in a court or courts of law for the offense or offenses concerning which the following statement is hereinafter made; that I have the right to consult with a lawyer of my own choice before or at anytime during any questioning or statements I make; that if I cannot afford to hire a lawyer, I may request and have a lawyer appointed for me by the proper authority before or at anytime during any questioning or statements that I make, without cost or expense to me; that I can stop answering any questions or making any statements at any time that I choose, and call for the presence of a lawyer to advise me before continuing any more questioning or making any more statements, whether or not I have already answered some questions or made some statements.

I do not want to talk to a lawyer, and I hereby knowingly and purposely waive my right to remain silent, and my right to have a lawyer present while I make the following statement to the aforesaid person, knowing that I have the right and privilege to terminate any interview at any time hereafter and have a lawyer present with me before answering any more questions or making any more statements, if I choose to do so.

I declare that the following voluntary statement is made of my own free will without promise or hope of reward, without fear or threat of physical harm, without coercion, favor, without leniency or offer of leniency, by any person or persons whomsoever.

I came home about 7:30 from the shop and I was layin on the chere readin to
than i her Enda shem out and she Hit the floor than i pick Her up and she was in
berthe so i ran to the kitchen and star cpr than look out the window and see th
tia at the neabar back door than they came to the back door thait when I
put Her in back of the car.

A

J.V.D

I have read each page of this statement consisting of _____ page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct. I further certify that I made no request for the advice or presence of a lawyer before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. I also declare that I was not told or prompted what to say in this statement.

This statement was completed at _____ M. on the 10 day of 10, 2011.

SWORN TO AND SUBSCRIBED TO BEFORE
ME THIS _____ DAY OF _____, 20____

Signature of person giving voluntary statement

WITNESS:

HT Layman

NOTARY-PUBLIC FOR SOUTH CAROLINA

My Commission Expires: _____

WITNESS:

659

William B. Zundoruk

CLERK OF COURT
MARLBORO COUNTY

It is amazing that I finally found someone that loves me for me and not going to try to change me into something that I am not. The day/ night that I talk to Mikle on Yearbook were unbelievable, that night I knew that I was going to be true. I thought to myself, he is sweet and was willing to listen to me and my problem no matter how dumb they may seem. That night we stayed on the phone talking, laughing, carrying on a conversation that is remarkable and I wouldn't change that night for nothing. I love the way his voice sound, the way he laughed; and especially the way he said my name was something else. There was and still is times where I smile every time he calls the cell phone, or even walk into the room, cause I know that I finally found someone that I call my baby, my boo, my love of my life. We can laugh and joke about anytime, that I really love to do. I love the way he sleeps, it is soothing to me in many ways. I know but I love to fall asleep on him. I don't care if he stinks or not I will still kiss him until he tells me to stop. The way he makes me feel makes me feel alive for a change something that I haven't felt in a long time until I meet Mikie. To be honest I am AFARID to lose him.

8-26-11

It is me again, Yeah I know, why did I put that; to be honest I have no idea. Seems like everything good I suppose. I am doing what I suppose to do, at least I think I am, I cook, clean, take care of the kids; make sure that they go to school. But still after all I do, I still feel depress, why, I don't know. To me, I feel like I am not wanted anymore. I try so hard to do everything, and I still feel like shit, maybe it wouldn't meant for me to be born, or maybe it was meant for me to feel like shit every day while I am alive. It is coming down to where my boyfriend son is treating me like shit. Only thing I am trying my hardest to do is love him and give him something more so that he can say "I have a mother and a father that loves me". I just don't know anymore. It just feels like I am not wanted. And I hate that feeling; I even try to get my boyfriend in the mood. And that don't even work no more, I don't know what's wrong with me. Am I just not attractive, or am I doing something wrong. Hell I want to know, trying to talk to him is like trying to talk to a wall. And I don't want to go down that road again. We use to talk about everything and anything. Has anything changed that I just don't see. Or am I to STUPID to see it for myself. I know that I am not the best looking thing with big breast and a big ass. I'm sorry that I was meant to be like that, this is me. Yes I have some small breast and a small ass, but that is me. I just don't know any more, only thing I want to do is going somewhere and disappear and then everyone would be better off without me. Then everyone would be happy that they wouldn't have to worry about the little old stupid girl that doesn't know anything about Atelia Dawn Jacobs. I know that I am not smart, but don't rub it in my face or make jokes about it. I hate it when people does that, cause it feels like I am back in school get pick on and bully and that makes me self-consciencences on who I am. It is already bad that I do that now. Yes I know I can read and spell right but at least I try dam nit. I am just tired and want to be happy for once, and someone to love my kids and to help me provide and take care of them. Not just seat there and make me feel worse about myself. I already went through that and I don't want to go through that feeling again. I just want to be happy and loved, that is all I ask for. Is that too much to ask? I want to have another child and I can't even do that, which even makes me feel worse because I can't get pregnant. Why do this always happen to me. Am I a bad mother or something?

9-17-11

It's been one of those weeks to where I am to the point of giving up and going back to the life style that I was living. By that, I mean by doing everything what someone tells me to do. I hate to do it but that is how I've been feeling. It is bad when a seven year old will look at you and tell you "I DON'T HAVE TO LISTEN TO YOU, I DO WHAT I WANT TO, AND THERE'S NOTHING YOU CAN DO ABOUT IT!" Now that is bad, I haven't done nothing wrong but love the boy and be there for him and give him the discipline what he needs, so that he know right from wrong. But NO, it doesn't work like that in his eyes, which he is the adult and I am the child. That right there shows me that he doesn't really care about me at all. Maybe it because I am too good hearted hell I don't know what it is anymore. I don't know what to do, that is why I go to his mother's house by myself and sit there with her, at least she don't treat me like shit. Yes I do what she wants me to do but at least she tells me thank you and that she appreciate what I do for her. I think that is it, I am to fucking good hearted for everyone and they want to walk all over me. Maybe I need to set some kind of limit or something; I don't know I don't have any ideas. When I do have ideas there stupid to most people that is why I keep my mouth shut and do what I got to do. Seems like that is the only thing I could do. I just feel like I am helpless more than the less to say. I don't get appreciated for the things that I am doing at the house so why bother with it. Besides getting talked about and all, there isn't no telling and it wouldn't be a surprise to me either. Maybe I need to stick to myself and don't bother anyone maybe then I wouldn't get in the way of every one. That is what I feel like I am doing, just getting in the way of everyone these days. Let's see there was my parents, the girls so called

wanna be father and his dumb ass parents and their family, and just seems like that is what I do. I am in the way well I will just seat back and let everyone figure out what the hell they need to do without my help. I just seat back and watch them fuck up everything and laugh when they can't get it right. Just turn into a cold hearted person with no heart, which will be hard but I can do it if I stick to it. And after what I found out I will stick to my word and set it out and go for the ride. When I knew it was too good to be true and this shit starts happen. Damn can't I just be happy, that is all I ask for is to be happy and some help. But no, it is too much to ask for any more these days. I am just going to wipe my hands and do the best I can the best that I know how to do.

9-20-11

The last couple of nights, it's been a blurring image's that comes clear every now and then. Last night it came clear and I remember what it was about as well. When it starts, I be outside minding my own business, and then I go to woods and seat and think, then a guy comes up and starts touching in ways that I didn't want to be touch and I got away from him and I start to run away from him down the cliff. And after I get close to the end of the cliff and start to fall I always manage to wake myself up, I am afraid to find out what is at the end of that cliff. I don't know if it is a soft ground that I could land on, or an endless fall that will lead to nowhere. Only God knows and I am not ready to find out. No one knows what happen to me when I was little and growing up expect one person. And which she found out last night, while I was at her house while she was telling me what happen to her. When telling her was easy for me to do, only way I got that done was by pretending I was in my room with my dolls while I told her how old I was and who one of the guys was. Only if it was that simple to tell Mikie, then he will know what I went through and he will have some type of idea why I was the way I am when I was by myself and opening up to someone is hard for me to do. My own parents or my family knows what happen, and I plan on keeping it like that for as long as I live. I just don't understand why my life is always been like shit, and everybody's is all good. Guess I will never know, until then I guess I be treated like shit just like my life.

9-27-11

Well min been home for about 2 weeks maybe a little over and yet no one pays me any attention like I do not exist to them. Lately, it been feeling like that for quite some time, like having flashed back to where I am back in school on the playground or in the classroom. Like I am invisible to the other children and they go about their business playing or doing something in a group for a class grade. I hate that feeling, it makes me feel like I am shit and not worth anything only time when they want something is when they are too lazy to do anything. I am damn sure enough that is what it feels like now from my children and my boyfriend. Feels like I am back in school, and I don't want to go down that road again. But of course, it is always the wrong road and always going to feel like the outsider in everything that I do. That there will not change and I can actually see that, the invisible human being like in elementary school and high school kid again. We can tell her anything and she will believe and she wouldn't think twice or ask why she will just do it. Maybe I need to find somewhere and stay there until I need something or if I needed to go anywhere. Will that change anything on how it feels to be invisible?

South Carolina Computer Crime Center

1731 Bush River Road, Columbia, South Carolina

Telephone (803)896 7901

Fax (803)896-7940

Submitting Officer Name: Katry Bass

Submitting Agency Name: SLED

Address:

City, State, Zip:

Case:

COMPUTER FORENSICS LAB

Completion Date: 6/14/17

SC3C Case Number: 7011-0152

Submitting Agency Case No. 55-11-134

Subject's Name: Hunt and
Huckabee

This is an official report of the South Carolina Law Enforcement Division Computer Crime Center Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark Keel, Chief

South Carolina Law Enforcement Division

ITEMS OF EVIDENCE:

Item 1 Acer Aspire One D255 2256 s/n LUSDQ0D0740430A8381601

Hard Drive 1 Hitachi OA74421 s/n ECJL9EVL 160GB

RESULTS:

Items of interest were found (see attached EnCase Report)

Item 2 PNY Optima SD-K04G s/n 0845TT6053Y SD Card 4GB

RESULTS:

Items of interest were found (see attached EnCase Report)

Item 3 LG cell phone model LG290CM

RESULTS:

Not Cellebrite supported



Item 4 LG cell phone model LG420GM

RESULTS:

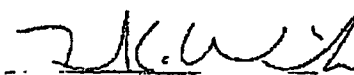
Not Cellebrite supported

Item 5 Dell Inspiron560 s/n GYYSNN1

Hard Drive 1 Western Digital WD3200AAK-75L9A0 320GB

RESULTS:

No items of Interest found.



Farand C. Wasak
Computer Forensic Examiner

South Carolina Computer Crime Center

A PARTNERSHIP WITH A FOCUS ON ENFORCEMENT AND PREVENTION

Summary

Reports (Draft) Examination Report

Forensic

IEF Item 1

Item 1

Item 2

Additional

[Additional Case Information](#)

[Imaging Worksheets](#)

[Receipt for Property](#)

[LE Contacts](#)

Search Summary

Hits	First Searched	Last Searched	Search Text
3,656	11/01/11 03:21:09PM	11/01/11 03:21:09PM	pornhub
1,307	11/01/11 03:21:09PM	11/01/11 03:21:09PM	burns
26	11/01/11 03:21:09PM	11/01/11 03:21:09PM	medical care

Case Time Settings

Account for seasonal Daylight Saving Time Yes

Convert all dates to correspond to one time zone No

Searching

Status: Completed

Start: 10/31/11 10:47:38AM

Stop: 10/31/11 11:23:20AM

Time: 0:35:42

Files: 253,440

Files scanned: 156,667

Signature mismatches: 14,392

Hash values: 163,930

Keyword Search Results

1) 7011-0152 (Item 1) Item 1 Acer Laptop HDD 160 GB\E\System Volume Information\{17685040-f04c-11e0-88af-1c750825de84}\3808876b-c04048e8cc752\

burns using lotion, cream, oil, shortening (grease), butter or any other ointments. Such first aid slows down medical treatment because it will need to be removed when proper medical care begins on the damaged areas. Chemical "burns" should be flushed with clean water for several minutes. Any contaminated clothing/articles will need to be removed immediately. Some dry caustic materials should be lightly scraped or brushed off with a paper tissue. Adding water to these burns may cause more burning. See a doctor as soon as possible for any severe burns because they will not heal properly without medical care and are beyond the scope of this article. Burns from "radioactive" material are a whole different matter. <p>
</p> <p></p> </div> <h2>Edit Things You'll Need</h2> <div id="thingsyoullneed" class="article_inner editable"> Cool water, not very cold Analgesic Sterile bandages <p>
</p> <p></p> </div> <h2>Edit Related wikiHow</h2> <div id="relatedwikihow" class="article_inner editable"> How to Do Basic First Aid How to Stop Bleeding How to Treat Burns in Infants

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1) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160 GB\E\System Volume Information\{17685040-f04c-11e0-86af-1c750825de84}\{3808876b-c176-4e48-b7ae-04046e6cc752}

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</p> <p></p> </div> <h2>Edit Things You'll Need</h2> <div id="thingsyoullneed" class="article_inner editable"> Cool water, not very cold Analgesic Sterile bandages <p>
</p> <p></p> </div> <h2>Edit Related wikiHows</h2> <div id="relatedwikihow" class="article_inner editable"> How to Do Basic First Aid How to Stop Bleeding How to Treat Burns in Infants How to Do Basic First Aid on an Adult How to Provide First Aid for a Broken Bone How to Treat a Chemical Burn How to Treat Burns in Children

2) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160

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can+vaseline+help+with+burn

3) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160 GB\Program Files\bfgcd\nt\icons\uninstall.ico

From kids washing up under a too-hot faucet to an accidental tipping of a coffee cup, burns are a potential hazard in every home. In fact, burns, especially scalds from hot water and liquids, are some of the most common childhood accidents. Babies and young children are especially susceptible; they're curious, small, and have sensitive skin that needs extra protection.

Although some minor burns aren't cause for concern and can be safely treated at home, other more serious burns require medical care. But taking some simple precautions to make your home safer can prevent many burns.

Common Causes

The first step in helping to prevent kids from being burned is to understand these common causes of burns:

- scalds, the No. 1 culprit (from steam, hot bath water, tipped-over coffee cups, hot foods, cooking fluids, etc.)
- contact with flames or hot objects (from the stove, fireplace, curling iron, etc.)
- chemical burns (from swallowing things, like drain cleaner or watch batteries, or spilling chemicals, such as bleach, onto the skin)
- electrical burns (from biting on electrical cords or sticking fingers or objects in electrical outlets, etc.)
- overexposure to the sun

Types of Burns

Burns are often categorized as first-, second-, or third-degree, depending on how badly the skin is damaged. Each of the injuries above can cause any of these three types of burns. But both the type of burn and its cause will determine how the burn is treated.

All burns should be treated quickly to reduce the temperature of the burned area and reduce damage to the skin and underlying tissue (if the burn is severe).

4) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160

GB\Users\Atelia\AppData\Local\Microsoft\Windows\History\Low\History.IE5\Index.dat

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Internet History

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Search Hits	no
Additional Fields	no

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In Report	Yes
Search Hits	no
Additional Fields	no

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 Search Hits no
 Additional Fields no

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Name on+the+butt&fr2=sb-bot&fr=yfp-t-701-1
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Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
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 End Date 10/07/11 12:00:00AM
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 Visit Count 2
 Last Accessed 10/06/11 03:51:13PM
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 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
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 End Date 10/07/11 12:00:00AM
 Message Size 256

Profile Name Atelia
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 Browser Type Internet Explorer (Windows)

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 Search no
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 End Date 10/07/11 12:00:00AM
 Message Size 256
 Profile Name Atelia
 Url Name [http://www.adoption-services.org/adoption_agencies/south_carolina_child_adoption_agencies.h](http://www.adoption-services.org/adoption_agencies/south_carolina_child_adoption_agencies.htm)
 tm
 Type URL
 Url Host www.adoption-services.org/
 Expiration 11/01/11 08:58:42PM
 Visit Count 1
 Last Accessed 10/06/11 05:05:50PM
 Internet Artifact Type History\Daily
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/05/11 12:00:00AM
 End Date 10/06/11 12:00:00AM
 Message Size 256

Profile Name Atelia
 Url Name http://www.youpom.com
 Type URL
 Url Host www.youpom.com
 Expiration 10/31/11 03:33:20PM
 Visit Count 1
 Last Accessed 10/05/11 11:33:18AM
 Internet Artifact Type History\Daily
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/05/11 12:00:00AM
 End Date 10/06/11 12:00:00AM
 Message Size 256
 Profile Name Atelia
 Url Name www.youpom.com
 Type URL
 Url Host www.youpom.com
 Visit Count 1
 Last Accessed 10/05/11 11:33:18AM
 Internet Artifact Type History\Daily
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/05/11 12:00:00AM
 End Date 10/06/11 12:00:00AM
 Message Size 256
 Profile Name Atelia
 Url Name http://shine.yahoo.com/channel/parenting/quot-i-said-no-quot-the-real-reason-kids-dont-listen-437817
 Type URL
 Url Host shine.yahoo.com/

Expiration 11/01/11 01:58:04AM
Visit Count 1
Last Accessed 10/05/11 09:58:02PM
Internet Artifact History\Daily
Type
Browser Type Internet Explorer (Windows)

Name 46019408244795889.tmp
In Report Yes
Search Hits no
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Uri Name http://www.pornhub.com/view_video.php?viewkey=1953186820
Type URL
Uri Host www.pornhub.com/
Expiration 09/04/11 03:56:26PM
Visit Count 1
Last Accessed 08/09/11 12:03:34PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name 46019408244795889.tmp
In Report Yes
Search Hits no
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Uri Name www.pornhub.com
Type URL
Uri Host www.pornhub.com

Browser Type Internet Explorer (Windows)

Name 46019408244795889.tmp
In Report Yes
Search Hits no
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=800595605
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:23:34PM
Visit Count 1
Last Accessed 08/09/11 02:23:33PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name 46019408244795889.tmp
In Report Yes
Search Hits no
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name <http://www.pornhub.com/video?o=mr&page=3>
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:35:54PM
Visit Count 2
Last Accessed 08/09/11 02:35:52PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Start Date	08/09/11 12:00:00AM
End Date	08/10/11 12:00:00AM
Message Size	256
Profile Name	Guest
Url Name	www.pornhub.com
Type	URL
Url Host	www.pornhub.com
Visit Count	1
Last Accessed	08/09/11 11:48:34AM
Internet Artifact Type	History\Daily
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Start Date	08/09/11 12:00:00AM
End Date	08/10/11 12:00:00AM
Message Size	256
Profile Name	Guest
Url Name	http://pornhublive.com/landing/1/?AFNO=1-1206
Type	URL
Url Host	pornhublive.com/
Expiration	09/04/11 03:51:56PM
Visit Count	1
Last Accessed	08/09/11 11:51:55AM
Internet Artifact Type	History\Daily
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes

Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name pomhublive.com
Type URL
Url Host pomhublive.com
Visit Count 1
Last Accessed 08/09/11 11:51:55AM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=1860528150
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 03:52:08PM
Visit Count 1
Last Accessed 08/09/11 11:52:07AM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/video?o=mr&page=2

Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:20:22PM
 Visit Count 1
 Last Accessed 08/09/11 02:20:21PM
 Internet Artifact Type History\Daily
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Start Date 08/09/11 12:00:00AM
 End Date 08/10/11 12:00:00AM
 Message Size 256
 Profile Name Guest
 Url Name http://www.pornhub.com
 Type URL
 Url Host www.pornhub.com
 Expiration 09/04/11 06:11:38PM
 Visit Count 3
 Last Accessed 08/09/11 02:18:46PM
 Internet Artifact Type History\Daily
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Start Date 08/09/11 12:00:00AM
 End Date 08/10/11 12:00:00AM
 Message Size 256
 Profile Name Guest
 Url Name http://www.pornhub.com/video?o=mr&page=4
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:36:32PM
 Visit Count 1

Last Accessed 08/09/11 02:36:30PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=800595605
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:23:34PM
Visit Count 1
Last Accessed 08/09/11 02:23:33PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Start Date 08/09/11 12:00:00AM
End Date 08/10/11 12:00:00AM
Message Size 256
Profile Name Guest
Url Name <http://www.pornhub.com/video?o=mr&page=3>
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:35:54PM
Visit Count 2
Last Accessed 08/09/11 02:35:52PM
Internet Artifact Type History\Daily
Browser Type Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Start Date	08/09/11 12:00:00AM
End Date	08/10/11 12:00:00AM
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/view_video.php?viewkey=346542124
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:38:24PM
Visit Count	1
Last Accessed	08/09/11 02:38:22PM
Internet Artifact Type	History\Daily
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Start Date	08/09/11 12:00:00AM
End Date	08/10/11 12:00:00AM
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video/search?search=indian
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:32:40PM
Visit Count	1
Last Accessed	08/09/11 02:39:48PM
Internet Artifact Type	History\Daily
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes

Search Hits	Yes
Additional Fields	Yes
Start Date	08/09/11 12:00:00AM
End Date	08/10/11 12:00:00AM
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/view_video.php?viewkey=1719267034
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:34:08PM
Visit Count	1
Last Accessed	08/09/11 02:41:17PM
Internet Artifact Type	History\Daily
Browser Type	Internet Explorer (Windows)

Name	Weekly
In Report	Yes
Search Hits	no
Additional Fields	no

Name	index.dat
In Report	Yes
Search Hits	no
Additional Fields	Yes
Start Date	10/03/11 12:00:00AM
End Date	10/10/11 12:00:00AM
Message Size	256
Profile Name	Atelia
Url Name	http://www.emedicinehealth.com/seizures_in_children/page3_em.htm
Type	URL
Url Host	www.emedicinehealth.com/
Expiration	10/30/11 07:25:24PM
Visit Count	1
Last Accessed	10/04/11 03:25:22PM
Internet Artifact Type	History\Weekly
Browser Type	Internet Explorer (Windows)
Created	10/12/11 01:20:41AM

In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 256
 Profile Name Atella
 Url Name <http://www.medhelp.org/posts/Dermatology/Marks-on-skin-that-look-like-cigarette-burns/show/1114482>
 Type URL
 Url Host www.medhelp.org/
 Expiration 11/01/11 07:25:52PM
 Visit Count 1
 Last Accessed 10/06/11 03:33:00PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 256
 Profile Name Atella
 Url Name <http://www.wikihow.com/Treat-a-Bum>
 Type URL
 Url Host www.wikihow.com/
 Expiration 11/01/11 07:51:56PM
 Visit Count 1
 Last Accessed 10/06/11 03:51:54PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes

Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 256
 Profile Name Atelia
 Url Name familydoctor.org
 Type URL
 Url Host familydoctor.org
 Visit Count 1
 Last Accessed 10/06/11 06:35:48PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 384
 Profile Name Atelia
 Url Name http://search.yahoo.com/search;_ylt=A0oG7kO5AY5O8FgAMv1XNyoA?p=how to get of burn sores on the butt&fr2=sg-gac&fr=yfp-t-701-1
 Type URL
 Url Host search.yahoo.com/
 Expiration 11/01/11 07:30:58PM
 Visit Count 1
 Last Accessed 10/06/11 03:30:56PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 256
 Profile Name Atelia
 Url Name http://www.childrenfirst.nhs.uk/families/first_aid/unconscious.html
 Type URL
 Url Host www.childrenfirst.nhs.uk/
 Expiration 11/01/11 10:26:56PM
 Visit Count 1
 Last Accessed 10/06/11 06:26:55PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 384
 Profile Name Atelia
 Url Name http://search.yahoo.com/search;_ylt=A0oG7kO5AY5O8FgAMv1XNyoA?p=how to get of sores on the butt&fr2=sg-gac&fr=yfp-t-701-1
 Type URL
 Url Host search.yahoo.com/
 Expiration 11/01/11 07:30:30PM
 Visit Count 1
 Last Accessed 10/06/11 03:30:28PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search no
 Hits
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 384
 Profile Name Atelia
 Url Name http://search.yahoo.com/search;_ylt=A0oG7nC7F45OuhoAVsxXNyoA?ei=UTF-8&fr=yfp-t-701-1&p=how+to+adopt+a+child+in+south+carolina&SpellState=&fr2=sp-qrw-corr-top
 Type URL
 Uri Host search.yahoo.com/
 Expiration 11/01/11 09:05:10PM
 Visit Count 1
 Last Accessed 10/06/11 05:05:09PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
 In Report Yes
 Search no
 Hits
 Addition Yes
 Fields
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 256

Profile Name Atelia
 Url Name http://search.yahoo.com/search;_ylt=A0oG7IDpAY5ObDAAutXNyoA?p=cigerittes+bum+sores+on+the+butt&fr2=sb-bot&fr=yfp-t-701-1
 Type URL
 Url Host search.yahoo.com/
 Expiration 11/01/11 07:26:20PM
 Visit Count 1
 Last Accessed 10/06/11 03:33:29PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name Index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Start Date 10/03/11 12:00:00AM
 End Date 10/10/11 12:00:00AM
 Message Size 384
 Profile Name Atelia
 Url Name http://search.yahoo.com/search;_ylt=A0oG7h9v_l1OVV0A3UNXNyoA?p=what to do when a child is unconscious&fr2=sg-gac&fr=yfp-t-701-1
 Type URL
 Url Host search.yahoo.com/
 Expiration 11/01/11 07:08:26PM
 Visit Count 1
 Last Accessed 10/06/11 03:08:24PM
 Internet Artifact Type History\Weekly
 Browser Type Internet Explorer (Windows)
 Created 10/12/11 01:20:41AM

Name index.dat
In Report Yes
Search Hits no
Additional Fields Yes
Start Date 10/03/11 12:00:00AM
End Date 10/10/11 12:00:00AM
Message Size 256
Profile Name Atelia
Url Name <http://www.frugallyminded.com/health/the-many-unique-uses-of-vaseline>
Type URL
Url Host www.frugallyminded.com/
Expiration 11/01/11 07:56:14PM
Visit Count 1
Last Accessed 10/06/11 03:56:13PM
Internet Artifact Type History\Weekly
Browser Type Internet Explorer (Windows)
Created 10/12/11 01:20:41AM

Name Visited
Link
In Report Yes
Search Hits no
Additional Fields no

Name index.dat
In Report Yes
Search Hits no
Additional Fields Yes
Message Size 256
Profile Name Atelia
Url Name <http://www.youporn.com/rss>
Type URL
Url Host www.youporn.com/
Expiration 10/31/11 03:30:38PM
Visit Count 4
Last Accessed 10/05/11 11:37:46AM
Internet Artifact Type History\Visited Link

Browser Type Internet Explorer (Windows)
 Title YouPom - RSS Feed

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Message Size 256
 Profile Name Atelia
 Url Name http://www.youporn.com/rss/young_old
 Type URL
 Url Host www.youporn.com/
 Expiration 10/31/11 03:34:32PM
 Visit Count 1
 Last Accessed 10/05/11 11:34:31AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title YouPom - RSS Feed

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Message Size 384
 Profile Name Atelia
 Url Name http://www.youporn.com
 Type URL
 Url Host www.youporn.com
 Expiration 10/31/11 03:33:20PM
 Visit Count 2
 Last Accessed 10/05/11 11:33:18AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Porn Videos, Sex, XXX, Free Pom Tube - YouPom

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Message Size 384
 Profile Name Atelia
 Url Name <http://www.youporn.com/category/45/young-old>
 Type URL
 Url Host www.youporn.com/
 Expiration 10/31/11 03:34:38PM
 Visit Count 2
 Last Accessed 10/05/11 11:34:36AM
 Internet Artifact Type History/Visited Link
 Browser Type Internet Explorer (Windows)
 Title Young Erotic Models Porn - Old Pussy Cuties Porn Video :: Youporn

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Message Size 384
 Profile Name Atelia
 Url Name <http://www.youporn.com/watch/621388/mature-slut-gets-pounded/?from=categ>
 Type URL
 Url Host www.youporn.com/
 Expiration 10/31/11 03:30:44PM
 Visit Count 2
 Last Accessed 10/05/11 11:37:51AM
 Internet Artifact Type History/Visited Link
 Browser Type Internet Explorer (Windows)
 Title Mature slut gets pounded - Free Porn Videos - YouPorn

Name index.dat
 In Report Yes
 Search Hits no
 Additional Fields Yes
 Message 512

Size
 Profile Name Atelia
 Url Name [http://search.yahoo.com/search;_ylt=A0oG7h9v_11OVV0A3UNXNyoA?p=unconscious and still breathing- children&fr2=sg-gac&fr=yfp-t-701-1](http://search.yahoo.com/search;_ylt=A0oG7h9v_11OVV0A3UNXNyoA?p=unconscious+and+still+breathing-+children&fr2=sg-gac&fr=yfp-t-701-1)
 Type URL
 Url Host search.yahoo.com/
 Expiration 11/01/11 07:17:46PM
 Visit Count 4
 Last Accessed 10/06/11 03:17:44PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title unconscious and still breathing- children - Yahoo! Search Results

Name index.dat

In Yes
 Report

Search no
 Hits

Additional
 Fields

Message 512
 Size

Profile Name Atelia

Url Name http://api.search.yahoo.com/WebSearchService/rss/webSearch.xml?appid=yahoosearchwebrss&q=very+how+to+get+of+bum+sores+on+the+butt&adult_ok=1
 Type URL

Url Host api.search.yahoo.com/

Expiration 11/01/11 07:30:58PM

Visit Count 1

Last Accessed 10/06/11 03:30:56PM

Internet History\Visited Link

et

Artifa

ct

Type

Brows Internet Explorer (Windows)

er

Type

Title Yahoo! Search results for how to get of burn sores on the butt

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	512
Profile Name	Atelia
Url Name	http://www.medhelp.org/posts/Dermatology/Marks-on-skin-that-look-like-cigarette-burns/show/1114482
Type	URL
Url Host	www.medhelp.org/
Expiration	11/01/11 07:25:52PM
Visit Count	1
Last Accessed	10/06/11 03:33:00PM
Internet Artifact Type	History/Visited Link
Browser Type	Internet Explorer (Windows)
Title	Marks on skin that look like cigarette burns - Dermatology - MedHelp

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Atelia
Url Name	http://kidshealth.org/parent/firstaid_safe/emergencies/burns.html
Type	URL
Url Host	kidshealth.org/
Expiration	11/01/11 07:51:14PM
Visit Count	4
Last Accessed	10/06/11 03:51:13PM
Internet Artifact Type	History/Visited Link

Browser Type Internet Explorer (Windows)
Title Burns

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/rss
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:11:34PM
Visit Count 6
Last Accessed 08/09/11 02:18:41PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title PomHub - RSS Feed

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com
Type URL
Url Host www.pornhub.com
Expiration 09/04/11 06:11:38PM
Visit Count 3
Last Accessed 08/09/11 02:18:46PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title Free Pom Videos & Sex Movies - Pomo, XXX, Pom Tube and Pussy Pom

Name	Index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/view_video.php?viewkey=1719267034
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:33:54PM
Visit Count	1
Last Accessed	08/09/11 02:41:02PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video?o=mr&page=2
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:20:22PM
Visit Count	2
Last Accessed	08/09/11 02:20:21PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Most Recent Videos - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video?o=mr&page=4

Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:36:32PM
 Visit Count 2
 Last Accessed 08/09/11 02:36:30PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Most Recent Videos - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=800595605
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:23:34PM
 Visit Count 2
 Last Accessed 08/09/11 02:23:33PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Guy finds his GF fucking with his parents - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name http://www.pornhub.com/rss
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:34:00PM
 Visit Count 16
 Last Accessed 08/09/11 02:41:08PM
 Internet Artifact Type History\Visited Link

Browser Type Internet Explorer (Windows)
Title PomHub - RSS Feed

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=346542124
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:38:24PM
Visit Count 2
Last Accessed 08/09/11 02:38:22PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title My Indian GF, BJ to anal & cum swallowing I - Pornhub.com

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=1719267034
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:34:08PM
Visit Count 2
Last Accessed 08/09/11 02:41:17PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title Spicy Indian Pussy - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name <http://www.pornhub.com/video/search?search=indian>
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:32:40PM
 Visit Count 2
 Last Accessed 08/09/11 02:39:48PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Indian Girls Love Making Porn Telling Their Sex Stories of Fucking

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name <http://www.pornhub.com/rss>
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:34:00PM
 Visit Count 16
 Last Accessed 08/09/11 02:41:08PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title PornHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest

Uri Name http://www.pornhub.com/favicon.ico
 Type URL
 Uri Host www.pornhub.com/
 Expiration 09/04/11 03:55:12PM
 Visit Count 3
 Last Accessed 08/09/11 12:02:20PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 512
 Profile Name Guest
 Uri Name http://pornhublive.com/landing/1/?AFNO=1-1206
 Type URL
 Uri Host pornhublive.com/
 Expiration 09/04/11 03:51:56PM
 Visit Count 5
 Last Accessed 08/09/11 11:51:55AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Uri Name http://www.pornhub.com/view_video.php?viewkey=1860528150
 Type URL
 Uri Host www.pornhub.com/
 Expiration 09/04/11 03:52:08PM
 Visit Count 1
 Last Accessed 08/09/11 11:52:07AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Title Backside Babe - Pornhub.com

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/favicon.ico
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 03:52:10PM
Visit Count 1
Last Accessed 08/09/11 11:52:08AM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/rss
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 04:02:02PM
Visit Count 4
Last Accessed 08/09/11 12:02:01PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title PornHub - RSS Feed

Name index.dat
In Report Yes

Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video?o=mr&page=4
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:37:54PM
Visit Count	5
Last Accessed	08/09/11 02:37:53PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Most Recent Videos - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video?o=mr&page=2
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:21:48PM
Visit Count	5
Last Accessed	08/09/11 02:21:47PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Most Recent Videos - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/video?o=mr&page=3
Type	URL

Url Host www.pornhub.com/
 Expiration 09/04/11 06:36:24PM
 Visit Count 12
 Last Accessed 08/09/11 02:36:22PM
 Internet Artifact Type History/Visited Link
 Browser Type Internet Explorer (Windows)
 Title Most Recent Videos - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=800595605
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:23:34PM
 Visit Count 1
 Last Accessed 08/09/11 02:23:33PM
 Internet Artifact Type History/Visited Link
 Browser Type Internet Explorer (Windows)
 Title Guy finds his GF fucking with his parents - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name http://www.pornhub.com/feed/0
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:36:28PM
 Visit Count 4
 Last Accessed 08/09/11 02:36:26PM
 Internet Artifact Type History/Visited Link
 Browser Type Internet Explorer (Windows)

Title PomHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=346542124
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:39:30PM
 Visit Count 5
 Last Accessed 08/09/11 02:39:28PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title My Indian GF, BJ to anal & cum swallowing ! - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=1953186820
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 03:56:26PM
 Visit Count 1
 Last Accessed 08/09/11 12:03:34PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title BIG TIT BRUNETTE LATINA MILF PORNSTAR DOCTOR JOLIE DEALS WITH DIC - Pornhub.com

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/rss
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 08:11:34PM
Visit Count 6
Last Accessed 08/09/11 02:18:41PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title PomHub - RSS Feed

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com
Type URL
Url Host www.pornhub.com
Expiration 09/04/11 06:12:54PM
Visit Count 27
Last Accessed 08/09/11 02:20:01PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/rss

Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:39:34PM
 Visit Count 15
 Last Accessed 08/09/11 02:39:32PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title PornHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/video/search?search=indian
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:33:54PM
 Visit Count 5
 Last Accessed 08/09/11 02:41:03PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Indian Girls Love Making Porn Telling Their Sex Stories of Fucking

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/video/search?search=indian
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:33:54PM
 Visit Count 4
 Last Accessed 08/09/11 02:41:03PM
 Internet Artifact Type History\Visited Link

Browser Type Internet Explorer (Windows)
Title Indian Girls Love Making Porn Telling Their Sex Stories of Fucking

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=1719267034
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:34:08PM
Visit Count 1
Last Accessed 08/09/11 02:41:17PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title Spicy Indian Pussy - Pornhub.com

Name Typed
 URL
In Report Yes
Search Hits no
Additional Fields no

Name NTUSER.DAT
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 50
Profile Name Guest
Url Name http://www.pornhub.com/
Url Host www.pornhub.com/
Internet Artifact Type History\Typed URL
Browser Type Internet Explorer (Windows)
Last Modification Time 08/09/11 11:48:05AM
Title url1

Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:36:32PM
Visit Count	2
Last Accessed	08/09/11 02:36:30PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Most Recent Videos - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	384
Profile Name	Guest
Url Name	http://www.pornhub.com/view_video.php?viewkey=800595605
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:23:34PM
Visit Count	2
Last Accessed	08/09/11 02:23:33PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Guy finds his GF fucking with his parents - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/rss
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:34:00PM
Visit Count	16
Last Accessed	08/09/11 02:41:08PM
Internet Artifact Type	History\Visited Link

Browser Type Internet Explorer (Windows)
 Title PomHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=346542124
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:38:24PM
 Visit Count 2
 Last Accessed 08/09/11 02:38:22PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title My Indian GF, BJ to anal & cum swallowing ! - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=1719267034
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:34:08PM
 Visit Count 2
 Last Accessed 08/09/11 02:41:17PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Spicy Indian Pussy - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	384
Profile Name	Guest
Uri Name	http://www.pornhub.com/video/search?search=indian
Type	URL
Uri Host	www.pornhub.com/
Expiration	09/04/11 08:32:40PM
Visit Count	2
Last Accessed	08/09/11 02:39:48PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	Indian Girls Love Making Porn Telling Their Sex Stories of Fucking

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Uri Name	http://www.pornhub.com/rss
Type	URL
Uri Host	www.pornhub.com/
Expiration	09/04/11 06:34:00PM
Visit Count	16
Last Accessed	08/09/11 02:41:08PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	PornHub - RSS Feed

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest

Url Name http://www.pornhub.com/favicon.ico
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 03:55:12PM
 Visit Count 3
 Last Accessed 08/09/11 12:02:20PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 512
 Profile Name Guest
 Url Name http://pornhublive.com/landing/1/?AFNO=1-1206
 Type URL
 Url Host pornhublive.com/
 Expiration 09/04/11 03:51:56PM
 Visit Count 5
 Last Accessed 08/09/11 11:51:55AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=1860528150
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 03:52:08PM
 Visit Count 1
 Last Accessed 08/09/11 11:52:07AM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)

Title Backside Babe - Pornhub.com

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/favicon.ico
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 03:52:10PM
Visit Count	1
Last Accessed	08/09/11 11:52:08AM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/rss
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 04:02:02PM
Visit Count	4
Last Accessed	08/09/11 12:02:01PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	PornHub - RSS Feed

Name	index.dat
In Report	Yes

Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name <http://www.pornhub.com/video?o=mr&page=4>
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:37:54PM
 Visit Count 5
 Last Accessed 08/09/11 02:37:53PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Most Recent Videos - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name <http://www.pornhub.com/video?o=mr&page=2>
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:21:48PM
 Visit Count 5
 Last Accessed 08/09/11 02:21:47PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Most Recent Videos - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 256
 Profile Name Guest
 Url Name <http://www.pornhub.com/video?o=mr&page=3>
 Type URL

Url Host www.pornhub.com/
Expiration 09/04/11 06:36:24PM
Visit Count 12
Last Accessed 08/09/11 02:36:22PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title Most Recent Videos - Pornhub.com

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 384
Profile Name Guest
Url Name http://www.pornhub.com/view_video.php?viewkey=800595605
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:23:34PM
Visit Count 1
Last Accessed 08/09/11 02:23:33PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)
Title Guy finds his GF fucking with his parents - Pornhub.com

Name index.dat
In Report Yes
Search Hits Yes
Additional Fields Yes
Message Size 256
Profile Name Guest
Url Name http://www.pornhub.com/feed/0
Type URL
Url Host www.pornhub.com/
Expiration 09/04/11 06:36:28PM
Visit Count 4
Last Accessed 08/09/11 02:36:26PM
Internet Artifact Type History\Visited Link
Browser Type Internet Explorer (Windows)

Title PomHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=346542124
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:39:30PM
 Visit Count 5
 Last Accessed 08/09/11 02:39:28PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title My Indian GF, BJ to anal & cum swallowing ! - Pornhub.com

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=1953186820
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 03:56:26PM
 Visit Count 1
 Last Accessed 08/09/11 12:03:34PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title BIG TIT BRUNETTE LATINA MILF PORNSTAR DOCTOR JOLIE DEALS WITH DIC - Pornhub.com

Name	Index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/rss
Type	URL
Url Host	www.pornhub.com/
Expiration	09/04/11 06:11:34PM
Visit Count	6
Last Accessed	08/09/11 02:18:41PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)
Title	PomHub - RSS Feed

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	384
Profile Name	Guest
Url Name	http://www.pornhub.com
Type	URL
Url Host	www.pornhub.com
Expiration	09/04/11 06:12:54PM
Visit Count	27
Last Accessed	08/09/11 02:20:01PM
Internet Artifact Type	History\Visited Link
Browser Type	Internet Explorer (Windows)

Name	index.dat
In Report	Yes
Search Hits	Yes
Additional Fields	Yes
Message Size	256
Profile Name	Guest
Url Name	http://www.pornhub.com/rss

Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 08:39:34PM
 Visit Count 15
 Last Accessed 08/09/11 02:39:32PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title PomHub - RSS Feed

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/video/search?search=indian
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 08:33:54PM
 Visit Count 5
 Last Accessed 08/09/11 02:41:03PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Indian Girls Love Making Pom Telling Their Sex Stories of Fucking

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/video/search?search=indian
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 08:33:54PM
 Visit Count 4
 Last Accessed 08/09/11 02:41:03PM
 Internet Artifact Type History\Visited Link

Browser Type Internet Explorer (Windows)
 Title Indian Girls Love Making Porn Telling Their Sex Stories of Fucking

Name index.dat
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 384
 Profile Name Guest
 Url Name http://www.pornhub.com/view_video.php?viewkey=1719267034
 Type URL
 Url Host www.pornhub.com/
 Expiration 09/04/11 06:34:08PM
 Visit Count 1
 Last Accessed 08/09/11 02:41:17PM
 Internet Artifact Type History\Visited Link
 Browser Type Internet Explorer (Windows)
 Title Spicy Indian Pussy - Pornhub.com

Name Typed
 URL
 In Report Yes
 Search Hits no
 Additional Fields no

Name NTUSER.DAT
 In Report Yes
 Search Hits Yes
 Additional Fields Yes
 Message Size 50
 Profile Name Guest
 Url Name http://www.pornhub.com/
 Url Host www.pornhub.com/
 Internet Artifact Type History\Typed URL
 Browser Type Internet Explorer (Windows)
 Last Modification Time 08/09/11 11:48:05AM
 Title url1

Documents

5) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160 GB\E\Users\Atelia\Documents\Atelia.docx

Atelia.docx

Final ReportWindows Initialize Case

Serial Number 1805-C8E4

Full Serial Number 901805E31805C8E4

Driver Information NTFS 3.1

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512
 Total Sectors 27,262,976
 Total Capacity 13,958,639,616 Bytes (13GB)
 Total Clusters 3,407,871
 Unallocated 3,723,149,312 Bytes (3.5GB)
 Free Clusters 908,972
 Allocated 10,235,490,304 Bytes (9.5GB)
 Volume Name PQSERVICE
 Volume Offset 2,048
 Drive Type Fixed

Partition

Id 27
 Type Unknown
 Start Sector 2,048
 Total Sectors 27,262,976
 Size 13GB

Serial Number 5406-639D

Full Serial Number DE5406885406639D

Driver Information NTFS 3.1

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512

Total Sectors 204,800
 Total Capacity 104,853,504 Bytes (100MB)
 Total Clusters 25,599
 Unallocated 79,032,320 Bytes (75.4MB)
 Free Clusters 19,295
 Allocated 25,821,184 Bytes (24.6MB)
 Volume Name SYSTEM RESERVED
 Volume Offset 27,265,024
 Drive Type Fixed

Partition

Id 07
 Type NTFS
 Start Sector 27,265,024
 Total Sectors 204,800
 Size 100MB

Serial Number 9A07-A75F
 Full Serial Number E29A07D79A07A75F
 Driver Information NTFS 3.1 (4000)

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512
 Total Sectors 285,108,224
 Total Capacity 145,975,406,592 Bytes (136GB)
 Total Clusters 35,638,527
 Unallocated 118,485,417,984 Bytes (110.3GB)
 Free Clusters 28,927,104
 Allocated 27,489,988,608 Bytes (25.6GB)
 Volume Name Acer
 Volume Offset 27,469,824
 Id S-1-5-21-3288397402-766106665-3353013132
 Drive Type Fixed

Partition

Id 07
 Type NTFS
 Start Sector 27,469,824
 Total Sectors 285,108,224
 Size 136GB

Documents

5) 7011-0152 (Item 1)\Item 1 Acer Laptop HDD 160 GB\E\Users\Atelia\Documents\Atelia.docx

Atelia.docx

Final ReportWindows Initialize Case

Serial Number 1805-C8E4

Full Serial Number 901805E31805C8E4

Driver Information NTFS 3.1

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512
 Total Sectors 27,262,976
 Total Capacity 13,958,639,616 Bytes (13GB)
 Total Clusters 3,407,871
 Unallocated 3,723,149,312 Bytes (3.5GB)
 Free Clusters 908,972
 Allocated 10,235,490,304 Bytes (9.5GB)
 Volume Name PQSERVICE
 Volume Offset 2,048
 Drive Type Fixed

Partition

Id 27
 Type Unknown
 Start Sector 2,048
 Total Sectors 27,262,976
 Size 13GB

Serial Number 5406-639D

Full Serial Number DE5406885406639D

Driver Information NTFS 3.1

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512

Total Sectors 204,800
 Total Capacity 104,853,504 Bytes (100MB)
 Total Clusters 25,599
 Unallocated 79,032,320 Bytes (75.4MB)
 Free Clusters 19,295
 Allocated 25,821,184 Bytes (24.6MB)
 Volume Name SYSTEM RESERVED
 Volume Offset 27,265,024
 Drive Type Fixed

Partition

Id 07
 Type NTFS
 Start Sector 27,265,024
 Total Sectors 204,800
 Size 100MB

Serial Number 9A07-A75F
 Full Serial Number E29A07D79A07A75F
 Driver Information NTFS 3.1 (4000)

Volume

File System NTFS
 Sectors per cluster 8
 Bytes per sector 512
 Total Sectors 285,108,224
 Total Capacity 145,975,406,592 Bytes (136GB)
 Total Clusters 35,638,527
 Unallocated 118,485,417,984 Bytes (110.3GB)
 Free Clusters 28,927,104
 Allocated 27,489,988,608 Bytes (25.6GB)
 Volume Name Acer
 Volume Offset 27,469,824
 Id S-1-5-21-3288397402-766106665-3353013132
 Drive Type Fixed

Partition

Id 07
 Type NTFS
 Start Sector 27,469,824
 Total Sectors 285,108,224
 Size 136GB

ALEXANDER HUCKABEE INTERVIEW
OCTOBER 13, 2011

 COPY

INTERVIEWER: LT. KATHY BASS (SLED)
LT. LARRY TURNER

1 Q I had to walk around the world to find
2 a bathroom.

3 A Did you get to see my baby?

4 Q Do what?

5 A Did you get to see my baby -- my boy?

6 Q I did. He's precious, got on a
7 Spiderman outfit. I said, hey, Alex. He said --
8 he started grinning. He wanted to talk -- he
9 seemed like he was doing okay. He hadn't had his
10 ADHD medicine that morning.

11 A Yeah, sorry about that.

12 Q He was wide open. But Ms. Debra went
13 back and got his medicine and he calmed right
14 down. You know how it works.

15 A Uh-huh.

16 Q He -- he had my ticket. He liked
17 talking with me. I asked him, I said what are you
18 going to be when you grow up? A teacher. I said
19 well you go. He was all excited. I told him, I
20 said, they're going to pay you back and meet at
21 the door into a fun room and talk and they're
22 going to draw a picture for you. And -- I was --
23 he was fine. He was fine -- he's a precious
24 little boy. And he grinned from ear to ear. And
25 he is, he's a little Mikey, you named him

1 appropriately. So it was one of those things, I
2 said -- he's his daddy. That's what they say
3 about my little boy, they say he's your -- you --
4 so...

5 A Yeah, tell him what I said. I look
6 like I spit him out my mouth.

7 Q Here you go. You all right?

8 A Uh-huh.

9 Q All right. He's doing good, though.
10 All right? Get it out, nobody else is in here but
11 me and you, so we're good to go.

12 A I need to quit my life.

13 Q Well, let's do this before -- you know
14 me and my house keeping rules. I got to make sure
15 you understand that. I read you your rights the
16 last time we were here, so you understand that you
17 have the right to remain silent.

18 A On everything.

19 Q And anything you say can be held
20 against you. And you realize if you at any point,
21 say Kathy, I don't want to talk to you anymore,
22 that's all you got to tell me and we're done.

23 A I know.

24 Q Okay. I'm not forcing you to talk
25 with me.

1 A I know.

2 Q So you're okay talking with me?

3 A I'm fine -- fine.

4 Q What -- tell me what -- did something
5 happen with you and the other two, or you just
6 know them from your past, or what's the deal with
7 that?

8 A (inaudible)223

9 Q You said you didn't want to talk to
10 them anymore?

11 A I don't want to talk to them,
12 (inaudible)226-227 no more because they promised
13 me stuff and they -- they sit there and tell me
14 this and this and then next thing they turn around
15 like they trying to railroad me.

16 Q Well --

17 A It's -- it's like they every little
18 thing -- just like they always make it snobby and
19 stuff and I don't -- I don't want them around
20 period no more.

21 Q Well, everybody's got different
22 personalities.

23 A Yeah. That's what I was saying, Larry
24 know me and I'm gonna tell you the honest truth,
25 out of all them, Larry always respect the M to the

1 fullest and then I -- all of a sudden he just -- I
2 don't know -- Sunday, like when he'd come over
3 there with Judy, he was like the regular Larry I
4 know and when I first come here he was like that,
5 he was good and everything. But every time his
6 right hip grinds he's like -- he's got a different
7 side to him.

8 Q I think some people are like that.
9 What I mean by that, I'm like that different.

10 A Yeah.

11 Q You know what I'm saying, it -- it
12 just depends on what's going on at the time and I
13 bet he's under a lot of stress.

14 A Yeah.

15 Q He's a lieutenant, so he's got a lot
16 going on.

17 A Yeah.

18 Q So you know, you just never know.

19 A Yeah.

20 Q I don't -- tell me about your
21 childhood. And what I mean by that, did you grow
22 up here?

23 A Uh huh.

24 Q How did -- did you have brother's,
25 sister's?

1 A My brother's dead.

2 Q What happened? Was he older or
3 younger?

4 A He was older. He was murdered in '93
5 -- 1998 -- I mean 1993, January 8 he was murdered.

6 Q What happened?

7 A He was in Augusta Georgia, he was down
8 here, I was little then. Then he went up there
9 and it was -- he was in a bad neighborhood in
10 August Georgia, and they said his friend or
11 whatever set him up anyway. Dude shot him, shot
12 him right here. Bullet went all the way through
13 him right here and killed him. He drowned in his
14 blood.

15 Q Was it --

16 A Then later on that year, I lost my
17 granddaddy. I -- I lost two closest people to me.

18 Q Your brother and your granddad. And
19 that was what year?

20 A '93.

21 Q So how old were you then?

22 A I was -- what -- about eight or so --
23 eight, nine, somewhere around there.

24 Q How did you deal with it when they
25 died?

1 A Just handled it. When I was six years
2 old I was diagnosed with ADHD like Alex, and then
3 I got what they call Narcolepsy.

4 Q You fall asleep a lot.

5 A Uh huh. And I'm epilepsy, I have like
6 seizures and stuff. But see my seizures like at
7 all times, I'll try to explain that leg, and then
8 they act like they didn't want to help me or
9 nothing like that. Whenever I have a seizure it's
10 -- I'm nonresponsive like my muscles and
11 (inaudible)451 like I can hear everything going on
12 around me it just makes it where I'm
13 nonresponsive.

14 Q Well, you don't like fall out and
15 seize and have a grandma seizure.

16 A I --

17 Q What you're saying is.

18 A I don't go on the (inaudible)500 shake
19 and --

20 Q You kind of zone out.

21 A Yeah, I just -- just fog out.

22 Q So it's kind of like a mini seizure?

23 A Yeah. Like when I go to sleep or
24 whatever like -- like you asleep or something and
25 in a in a deep, deep, deep sleep. But I can hear

1 you but I can't respond to you or nothing like
2 that.

3 Q Okay. But your heart rate doesn't
4 increase or anything like that?

5 A Huh uh.

6 Q How did they -- how did they diagnose
7 you with that?

8 A When I was six years old, I had to go
9 to the mental health up there in Columbia. I --

10 Q That was (inaudible) psychiatric
11 maybe?

12 A No, it's --

13 Q (inaudible)529

14 A D something -- d -- it's the
15 Department of Mental Health up there.

16 Q Okay. That's what the --

17 A (inaudible)534 Bull street or
18 whatever.

19 Q That's called (inaudible) Psychiatric.

20 A I got it. Because it had a green
21 (inaudible)538 and everything on it, and I was
22 going through it. I used to see a doctor named
23 Dr. -- Dr. M Valini, he was like a
24 (inaudible)546-48 I remember that. They used to
25 keep me, they do sleep studies, hook electric rods

1 in my head and everything. That was when mama
2 found out all the problems I had and everything.

3 Q So what would they do to help you with
4 --

5 A They had me on all different kinds of
6 medication. They had me on Ritalin before.

7 Q Did that help?

8 A Ritalin -- it turned me -- that's why
9 they don't want me to put Alex on it. Because
10 Ritalin -- mama said whenever I was about when
11 they put me on Ritalin or whatever it made me
12 where I would like try to chase my sister around,
13 me and my sister would fight a lot or something I
14 guess.

15 Q So it made you kind of moody?

16 A Yeah, moody. I was ill, I didn't want
17 to talk or nothing.

18 Q Aggressive?

19 A Yeah. So she took me off that, they
20 put me on something other kind of medicine, I
21 can't think of the name of it, it was some little
22 yellow, little white pills, two little round ones.
23 I can't remember the name of it. They kept me on
24 that and they put me Dexedrine, it was time
25 released.

1 Q What did Dexedrine do?

2 A It's --

3 Q For sleep?

4 A Yeah, it keeps you alert and
5 everything. With narcolepsy, it's a hyperactive
6 and a sleeping disorder put together. What it
7 does, like if I sit here for a long time, sitting
8 still or something, I'll just fall asleep just
9 like that. Stuff like that, and I'm hyperactive
10 at the same time.

11 Q I know because you talk fifteen miles
12 a minute.

13 A I know, my little boy's like that.

14 Q You don't care if I call you Mikey?

15 A Yeah, that's good.

16 Q I don't want you to call me Kathy, .
17 that's cool (inaudible) 705-- I started to go
18 Mikey, it's one of those things. If I ever say,
19 just breath that's what I mean, just breath.

20 A You good.

21 Q I think I must be like that because I,
22 I like to talk.

23 A Yeah.

24 Q I have to forcibly make myself slow
25 down when I'm talking.

1 A Yeah.

2 Q Especially if I want to get my facts
3 right.

4 A Yeah.

5 Q You said you were six right?

6 A Yeah.

7 Q Then, at eight years old that's when
8 you -- they found out you had the ADHD?

9 A Whenever I was six years. Lt. Turner:
10 Six is when they determined everything?

11 Q You were in first grade?

12 A Yeah.

13 Q The sleep issues -- anything else?

14 A It's ADHD -- they call it narcolepsy
15 -- it's AD --

16 Q ADHD and narcolepsy.

17 A Narcolepsy and --

18 Q Anything else?

19 A Epilepsy. Yeah, epilepsy.

20 Q What else?

21 A That's far as I know right now.

22 Q We had some problems from medicine.

23 A Yeah, they had to take me off

24 (inaudible) 815

25 Q Today's the thirteenth isn't it?

1 A Yeah I believe so.

2 Q So they switched it up a couple of
3 times but -- so how long -- what's the last one
4 you said -- the little white pill that you said
5 you took?

6 A The last one I took was Dexedrine. I
7 know for sure, it was Dexedrine.

8 Q Drene -- what -- do you still take it?

9 A No. I quit. After I got a little bit
10 older and stuff I just -- it wasn't that bad
11 because see the only reason they really gave me
12 that was for school. Because the doctor told me
13 when you get older you'll be able to handle it on
14 your own.

15 Q Well they use it for kids who are
16 really hyperactive like Alex is right now.

17 A (inaudible) 850-852 you know what I'm
18 saying?

19 Q Yeah. And the medicine now, you know
20 how time goes by. How old are you?

21 A I'm 29.

22 Q Think about -- that's almost thirty
23 years.

24 A Uh huh.

25 Q I mean they just -- it gets better and

1 better and so the medicine now are a lot different
2 than they were back then.

3 A Well see I ain't that -- that hyper
4 now like I was. The hyperness slowed down a
5 little bit but see I always kind of -- time to
6 time I always had my epilepsy seizures and stuff.
7 I mean having them with mama dukes a couple of
8 times. Just like a girl I met her off the
9 internet before I met this thing here. She got
10 scared because I have a (inaudible)926, sometimes
11 it make me where like I stop breathing because I
12 -- I -- my mama is what they called a blue baby.
13 You know what I'm talking about, when they sleep
14 and they quit breathing.

15 Q Okay. You mean your mom would do that
16 when she was a baby?

17 A Yeah. (inaudible)938 said I inherited
18 some of that sometimes from her because sometimes
19 I just breath in and I won't probably let out
20 probably about three or four minutes then I let
21 out.

22 Q I've heard that before where you -- a
23 baby stops breathing and you blow in their face
24 and it.

25 A Uh huh, that's what they call a blue

1 baby.

2 Q I hadn't heard that term in a long
3 time. They got your medicine straight, they got
4 -- they got you going with school and all. Did
5 you have problems in school?

6 A Not really, I just -- not really I
7 just wasn't never for one for like Math or nothing
8 like that but far as everything else, I was pretty
9 good in like Language Arts and all that. I loved
10 school, I mean.

11 Q Did you graduate on time and all that
12 good stuff?

13 A Yeah I (inaudible)1020 graduation I
14 had to get kicked out of school.

15 Q For what?

16 A (inaudible)1024 I got kicked out for
17 that (inaudible). I ain't want to lie to you on
18 tape.

19 Q Well you know me, I like only the
20 truth. I'd rather if you not going to tell me the
21 truth don't answer.

22 A Yeah, that's what I said, I'm going to
23 tell you the truth. I got caught one time with
24 marijuana in school.

25 Q You smoked a little (inaudible)1041

1 A Yeah.

2 Q Is that why you got kicked out?

3 A Yeah and then what they did, they end
4 up putting me on home bound. So I finished school
5 out on home bound.

6 Q But you got your diploma?

7 A Yeah I got my diploma.

8 Q Did you graduate -- I mean did you
9 grad -- did you go to Tech school or college after
10 that?

11 A No. (inaudible)1057

12 Q How'd you learn to work on vehicles?

13 A My daddy. My daddy was a certified
14 mechanic and I grew up with him.

15 Q So you learned (inaudible) working
16 with your daddy all the time. That's wonderful,
17 that's something you'll always have. That's why
18 when you say the shop, you're talking about the
19 shop at your daddy's?

20 A Uh huh.

21 Q The horse scared me to death.

22 A He did? That's my --

23 Q I'm not scared of horses but I wasn't
24 expecting it and all of a sudden there it -- a he
25 or she?

1 A A boy.

2 Q Well there he was.

3 A His name's Rusty.

4 Q I smelled him though, before I got up
5 there.

6 A Yeah.

7 Q Wonder if the mom (inaudible). All
8 right, so with all the ADHD and the seizure stuff
9 and I realize your seizures are a little bit
10 different than everybody else's. And the sleep
11 problems and all that. Now -- now I'm asking --
12 you know I ask questions for a reason but I --

13 A Go ahead.

14 Q I'm trying to get the root of what's
15 going on because I feel like there's more stuff
16 going on with you there with that -- how did you
17 interact with the other kids? Because most kids
18 who -- who have --

19 A At school -- I have -- I ain't going
20 to lie to you, I ain't never had no white friends
21 when I was in school, most of my friends were
22 black and everything. We got -- we got -- we got
23 along good, I ain't going to lie. I -- I had good
24 friends and stuff. It just -- I -- the thing --
25 like I said when I got up to a certain age like

1 around fifteen, sixteen I got where I wanted to
2 start messing with marijuana and stuff like that.

3 Q That's where most kids start.

4 A I mean.

5 Q If they going to mess with something,
6 they going to.

7 A Then I got to where sometimes, I would
8 drink or something like that but far as that, I
9 tried to stay to myself. I kind of always been
10 the type of person like I stay to myself.

11 Q That's just odd to me because, like
12 today and the first time I ever met you, you and I
13 have not missed a beat. Hey, how you doing, here
14 we go, let's talk, what -- I mean I realize it's a
15 strange situation because you got charges on you
16 but --

17 A Yeah, but see what -- sometimes it's
18 like, how me and you get along, is about like how
19 me and the lady get along. I mean, it's a certain
20 -- I reckon it's a certain -- whenever you see
21 somebody.

22 Q The demeanor.

23 A Yeah, you know what I'm saying, the
24 first reaction when you see them or something like
25 that. And -- and like with you, I trust you, I

1 ain't going to lie to you, I trust you with
2 everything because this is my life on the line.

3 Q It is, it is. And it's one of those
4 things too -- I'm not going to lie to you. Okay --
5 I -- I call a spade a spade. I'm going to tell
6 you like it is, now I'm not -- I'm not going to be
7 nasty to you about it. I'm not one of those
8 people who rant and rave.

9 A Yeah.

10 Q I don't want somebody ranting and
11 raving at me. I feel like when -- somebody's got
12 something on their heart, they genuinely have
13 something on their heart. I respect that, because
14 everybody -- I know -- I'm not going to judge you,
15 I don't expect you to judge me. You see what I'm
16 saying?

17 A Yes ma'am.

18 Q You don't know about my life or my
19 childhood, so you don't know the hurdles that I've
20 jumped and the same way, that's why I was asking
21 you about your childhood. Now, you turned eight
22 years old and you said your -- who died first?
23 Your granddaddy or your brother?

24 A My brother.

25 Q All right. How much older was he then

1 you?

2 A He was (inaudible) he was twenty-five.

3 Q He's a lot older.

4 A That's my daddy's biological son, my
5 mama raised him.

6 Q Okay, was --

7 A Just like my sister, that's my mama's
8 biological daughter, not really my dad's but my
9 dad adopted her.

10 Q So you are the connection between your
11 mom and dad?

12 A Yeah, I'm the only one my mama and
13 daddy got together, yeah.

14 Q Did -- when he got killed, did y'all
15 talk about it?

16 A Yeah we talked about him and missing
17 him but I couldn't -- whenever we had the trial
18 and stuff my sister and I neither one couldn't go
19 to it, I mean --

20 Q You were a little kid too, now.

21 A Yeah. I mean I could have went to the
22 trial if I wanted to and stuff but I didn't want
23 to and then I got where I didn't want -- I ain't
24 want to go to the graveyard or nothing like that.
25 I went to his funeral and that was about the only

1 thing. After that I didn't -- I couldn't stand to
2 see that stuff, I mean.

3 Q How did it make you feel?

4 A It hurt me, it hurt me bad. I mean,
5 it -- I didn't never really -- in a way I blame my
6 mama and them for it, I ain't going to lie to you.
7 Because one time -- well, I really blame my daddy,
8 I don't blame my mama because.

9 Q You take your time Mike okay? It's
10 all right.

11 A He --

12 Q It's all right, you just take your
13 time. I've got all the time in the world all
14 right?

15 A He -- one time to kill man he was
16 messed up. Then my daddy -- they got in a fuss
17 and stuff and he kicked him out. That's when he
18 went back to Augusta. My daddy told him if he
19 went back to Augusta he wouldn't live long.
20 That's why --

21 Q I'm sorry, Mikey.

22 A Well, it happened. He lived probably
23 about -- probably about six months after he went
24 back. And when my daddy got the phone call about
25 twelve o'clock one night saying my son -- my son

1 been shot.

2 Q Did they know who did it?

3 A There was two -- two people involved.
4 The juvenile came forward about it and told them
5 everything about it. And my mama and them -- the
6 way they had the justice system made up they had
7 it where, they told people the juvenile, that all
8 they wanted was the truth man. That's what mama
9 and them -- that's what all they told me, they
10 didn't want to treat that bad. So they told the
11 juvenile they'll cut him a deal if they help them
12 get the one who really did it. So they find out
13 who did it or whatever, they end up giving him
14 life in prison. He's still in prison to today.
15 Because every time that dude come up for like a
16 parole or something like that, they'll call them
17 -- call mama and them.

18 Q And they'll (inaudible).

19 A Yeah. They let them know that they
20 been denied or whatever.

21 Q Have you ever told your mama and daddy
22 how you felt?

23 A Mama, no. Daddy -- daddy I don't
24 believe daddy knows any way because daddy -- it
25 hurt daddy too -- I think in a way mama and daddy

1 blamed each other for it. But actually, it was --
2 it was my mama's fault because mama was mad at
3 (inaudible) and daddy called the police and
4 everything on him that night when he was messed
5 up.

6 Q (inaudible)1727 -- what was his drug
7 of choice? Alcohol or --

8 A Yeah he drunk -- he drunk a beer or
9 something like that before he come down to the
10 house but I believe that night he was messed up on
11 some marijuana or something -- alcohol or
12 something, I can't remember, he was -- he was
13 messed up. Because they said when he came in he
14 didn't have it hooked from the screen door, he was
15 kind of messed up but I was close to him.

16 Q What kind of -- tell me about your
17 relationship with him.

18 A That was my brother, mean and him, we
19 was just like that -- I mean we played -- somebody
20 I played with and stuff like that because me and
21 my sister, me and Leigh, we -- we got along but it
22 -- I always felt like me and my mama picked her
23 side more often.

24 Q She was a girl.

25 A But me and my brother we seen eye to

1 eye, we -- me and him fussed sometimes, we
2 aggravate sometimes to the point, he'd get tired
3 of me and stuff like that but we love him, ain't
4 disliked him. We lived together, I mean me and
5 him -- even though we had different moms and stuff
6 we never thought each other of being half-brothers
7 or nothing like that, we was brothers.

8 Q How much older was he then you?

9 A He was -- he was twenty-five when he
10 was killed and that was in '93, so he would have
11 been -- this is something I don't know
12 --(inaudible)1854

13 Q He's a good ten to twelve years older
14 than you are so --

15 A Because I think he was born in like
16 '68 or something like that -- 1968 -- December or
17 something. (inaudible) 1968

18 Q He'd be almost forty-three.

19 A My sister is -- my sister was born in
20 '79 -- '78, she was born in '78.

21 Q So you had to deal with that on top of
22 all the other stuff going on, your hyperactive.
23 Would it be fair to say that you were kind of
24 bitter and angry over that?

25 A A little bit, I was hurt more than

1 anything. I mean, I ain't never been like that --
2 the anger -- you know what I'm saying, the violent
3 type like that. I mean, it hurt me -- mama, mama
4 tried everything she just -- I used to just break
5 down and I'm -- I wanted other people to
6 (inaudible)1947 I ain't going to lie to you. I
7 mean, sometimes I could watch a movie and it -- it
8 a certain things, it would break me down. I'm
9 just always been that way -- always been soft
10 hearted and everything like that. Just like
11 people on the side of the road or something, if
12 something be wrong with them I always been the
13 type I try to help them or something like that. I
14 mean, I ain't -- I ain't never had no
15 (inaudible)2009, no anger, no hate or nothing in
16 me like that.

17 Q What about your granddaddy? Tell me
18 about your granddaddy.

19 A My granddaddy, me and him was close
20 (inaudible)

21 Q Was that your dad's dad or your mom's
22 dad?

23 A My daddy's. He was my upbeat side,
24 they called him old (inaudible). Me and him was
25 real close, anytime I -- I would get in trouble

1 with mama or something like that or something I
2 (inaudible) granddaddy, well granddaddy come get
3 me. He called me rooster and everything, he
4 always just -- I think in a way that I changed
5 that man, I got a lot of attention out of him that
6 my grandma and them didn't never get out of him
7 the whole time they were married and stuff.

8 Q The grandson's always different, that
9 grandbaby comes along and that's -- that's a big
10 deal.

11 A Yeah. They -- they always took up
12 more time with me than they did with any of the
13 other's. I was just -- I reckon his favorite pick
14 or whatever. Shoot, I lost him, he had a massive
15 heart attack. And that was on June 6, '93.

16 Q When did your brother die?

17 A January 8, '93. Lost them the same
18 year.

19 Q Anything else I can note here?

20 A That's it.

21 Q So, how was school for you during this
22 time? I know when you said you got to high school
23 but how was school for you?

24 A It was -- it -- I barely went because
25 I reckon but I didn't even care, I had them other

1 kids, I kept it in and stuff and I ain't really --
2 I think they had me go to a guidance counselor a
3 couple of times and I talked to the guidance
4 counselor about it and stuff.

5 Q About the death? Or just trying to
6 deal with your emotions?

7 A Yeah about death and hiding the
8 emotions (inaudible)2157. I mean it made me where
9 I was -- I was -- I didn't know what was going on
10 sometimes and stuff. So they talked to me and
11 everything, it made me -- I got to where I wanted
12 to cut class sometimes and I didn't want to be
13 bothered, just tried to stay to myself, you know
14 what I'm saying. Stuff like that, that was about
15 it on that.

16 Q How old were you when you were cutting
17 class?

18 A I was probably cutting class when I
19 was in middle school. I was probably about fifth
20 -- seventh grade -- got to be seventh grade. I
21 skipped a couple then. Then I -- high school, I
22 probably went to high school and stayed in high
23 school until about tenth grade, that's when they
24 put me on homebound. So I had to go to eleventh
25 twelfth in high school -- I went from ninth to

1 tenth then they put me on homebound and I
2 graduated there.

3 Q So you were in high school in ninth
4 and tenth grade? You made a comment you didn't
5 have any white friends, you had black friends.
6 What was the deal that, why? I don't actually --

7 A I -- I don't -- for some reason I
8 don't know. It's like I couldn't bond with them
9 or nothing like that and my mama and them couldn't
10 really understand that. I don't know what it was,
11 I just -- some white people I just couldn't get
12 along with, I ain't gonna lie to you.

13 Q Well I know, that's fine. Hey, it is
14 what it is.

15 A I don't -- I just -- I ain't never
16 understood it. I just -- it was like they -- they
17 always got a smart mouth or something smart, you
18 know what I'm saying and all them blacks they take
19 it in and make you feel like you -- you being
20 loved and everything else like that because I said
21 it was a couple -- couple of them boys, me and
22 them was like brothers. Anything -- if anybody
23 tried to mess with me or anything, I didn't have
24 to do nothing, they --

25 Q Protective.

1 A Uh huh.

2 Q Are you still close to those guys now?

3 A I ain't seen a couple of them in a
4 while. I believe one of them done got killed. I
5 know one of them live down the road from me but I
6 ain't -- he done got -- I think in so much trouble
7 I ain't heard nothing from him in a long time.
8 That was probably about three or four years ago.

9 Q Did you ever get in trouble fighting
10 or anything with the white boys?

11 A I didn't really fight.

12 Q What -- well I'm going to tell you the
13 reason I asked that -- not that I would think that
14 you're a fighter but usually the kids who have
15 ADHD can be kind of rough or --

16 A Yeah.

17 Q You know, not necessarily, it's just
18 that there are -- you got so many things going on
19 --

20 A No, I ain't -- I ain't.

21 Q Tumbling and fighting.

22 A Yeah, I ain't never really got in
23 fights with all the boys. I mean, I -- about the
24 only thing I really get in trouble or something I
25 might out lash at the teacher or something or

1 something like that because they had me in
2 resource and all that right there.

3 Q Did they have you in resource because
4 of the ADHD? Or was it --

5 A Yeah and I had to learn -- I had a
6 learning disability.

7 Q What was the learning disability?

8 A I just slow picking up on stuff like
9 that.

10 Q Some people just learn different ways.

11 A Yeah, it was -- it was Math and --
12 they tried to say reading, but I -- I read pretty
13 good. It was mostly Math and I still don't like
14 Math or Spelling -- Math or Spelling, I can't
15 spell worth a crap, I ain't going to lie to you.

16 Q Well I told you the other day I can't
17 spell correctly and -- I -- I just lost my train
18 of thought. I think I figured out -- well, I
19 don't think. I talked to the psychologist,
20 (inaudible)2520 and -- about all of the medical
21 records and everything. I talked to Tia about her
22 statement and all that good stuff. And I'll be
23 honest with you Mike -- of course, you know, one's
24 going to say, well, I didn't do it, that person
25 did it or that person -- everybody does that. I'm

1 pushing all that aside, okay? That's not even in
2 play right now. Based on facts and what I have, I
3 know that what happened and I know about the burns
4 and that's what they were -- like her teeth, you
5 know she's missing those two teeth.

6 A Uh huh.

7 Q Can you tell me about that? Can
8 (inaudible)2610

9 A They was -- they loose and one of them
10 like crissed up like that right there, and I
11 wiggled it and it -- it like -- it came out.

12 Q The whole tooth?

13 A The whole tooth, the root and
14 everything, I mean that thing was about that long.
15 She got where she was -- stayed doing stuff like
16 that right there and chewing on her lips and
17 stuff. And I told Tia, I said, it look like her
18 -- her other tooth because that tooth growing out
19 like that. So she went and looked at it, and she
20 went to (inaudible)2629 talking about, will you
21 help me pull it out? So, I pushed it back and I
22 -- I pulled back from her, and when I did that it
23 popped it -- popped on out, she pulled it on out.
24 So she had both her teeth and both of them had
25 long roots on them.

1 Q Okay, is that when she hit the wall?
2 Is that what caused them to get loose?

3 A I don't know -- I don't know how they
4 got loose or nothing. I was with you about that,
5 I don't know but I know that she was saying the
6 girl was chewing on her gums and everything.
7 Chewing -- mean the side of her gum and the side
8 of her lip -- you could see where she was chewing
9 on the side of her lip.

10 Q Well, Mike, I think some things
11 happened -- I think a lot of things happened. And
12 I think that you got scared, I think Tia got
13 scared. I think y'all were afraid to get help
14 because y'all think -- they were going to think
15 things were worse than what they were. Because
16 people automatically make bad assumptions. One
17 little bruise pops up and somebody thinks you beat
18 the mess out of somebody. I think that you were
19 -- you cared for that child, you would help give
20 her a bath, and nine times out of ten, you -- and
21 you don't have a driver's license right? So,
22 Tia's the one who had to take care of -- help take
23 care of your mom.

24 A Uh huh.

25 Q So, you were the one everything fell

1 on your back. Virtually.

2 A So, yeah. Most of the time.

3 Q You had to help pay the bills --

4 A Yeah I did.

5 Q You had aid and the food stamps. I'm
6 not sure -- I know that y'all were getting food
7 stamps but I don't know what the deal was -- who's
8 name they were in and all that.

9 A Her's.

10 Q But other than the food stamps, if it
11 came to y'all going out on a date or having a
12 beverage or anything like that, all of it fell on
13 you. I don't think Mikey had any Mikey time.

14 A No because I always had to worry about
15 how I was going to pay the rent or pay this.
16 That's why I said that, I sometimes stood down
17 there in that shop sometimes and nobody wouldn't
18 ever come up or nothing like that, so then I had
19 the house -- some of my stuff I took to the
20 junkyard or something like that just to get the
21 money to make it or go in there and ask mama for
22 help.

23 Q You probably had to borrow -- make a
24 loan and then you had to worry about paying her
25 back and then --

1 A Uh huh.

2 Q And you knew if you couldn't pay her
3 back then you couldn't make the payment -- believe
4 me, I understand -- and I have thought about this
5 thing last night and thought about this thing
6 because I know you're not a bad person and I know
7 that you would never intentionally do anything to
8 hurt anybody.

9 A No, I don't want to hurt nobody,
10 especially that little girl, I would never do
11 that.

12 Q Well, I'll be honest with you now
13 because I told you I was going to be honest with
14 you. I do think things -- I think -- I think that
15 with the speech impediment, and the slowness and
16 stuff that she had, I think there were times that
17 something happened where you might have got a
18 little heavy handed when you popped her on her
19 butt. Not trying to do it to hurt her, but I
20 think that -- and that might have caused a bruise.
21 Are we on the same sheet of music so far?

22 A Uh huh.

23 Q And that scared you?

24 A I popped her one time -- I had -- I
25 popped her one time and that's whenever I told Tia

1 about it too. Because she was over there messing
2 with wall socket --

3 Q Right.

4 A I said, I popped and said don't do
5 that anymore because you can hurt yourself.

6 Q Right.

7 A And she talking about, okay. I
8 remember the way -- And then I remember it -- it
9 put -- that thing put like a little -- it put a
10 little bruise on her or something like that, it
11 left a little bruise on her but --

12 Q Did it scare you when it happened?

13 A Yeah because I don't -- like I said I
14 don't usually like popping them or nothing but if
15 I a youngun, now I ain't going to lie to you, if I
16 see where they fixing to endanger their life or
17 something then I will pop them then.

18 Q That's what you're supposed to do.

19 A That's just -- like I said, like Alex,
20 he was about -- I don't know, he was about five,
21 he climbed up on one of them eighteen wheelers one
22 time and I didn't think nothing about it, he was
23 in there just playing, like he was driving and
24 stuff I didn't know he accidentally pushed a
25 button right there and tried to crank it. And

1 anyway that thing was in gear, and it started
2 rolling, and I snatched him out of it. I popped
3 him -- I popped him for it, I said that -- don't
4 do that no more son, you can -- you can kill me,
5 or you could kill yourself. And he said okay and
6 that's about the only time I really popped him and
7 he -- he got some strong arms the way he plays
8 because he's a rough player.

9 Q Because he's -- that ADHD pops in, I'm
10 telling you they get rough.

11 A And just like whatever, the time that
12 DSS woman come there about minor

13 Q Yeah, I don't know about that, why
14 don't you fill me on that?

15 A See, DSS just had a case on Tia about
16 minor

17 Q I didn't know about that.

18 A They talking about --

19 Q Recently?

20 A Recently.

21 Q How recent?

22 A It ain't been a month.

23 Q No, I didn't know -- I know DSS got
24 involved because of all this but tell me about
25 that.

1 A Yeah, they just -- they -- minor
2 probably ain't been back at the whole not probably
3 even a whole month.

4 Q So finish -- go ahead. Fill me in,
5 give me the scoop.

6 A minor had a bruise on her, on the back
7 the back of her -- matter of fact I'm going to
8 show you -- a little bruise right here, on the
9 back of her leg right here, and one right here on
10 the back of this leg right here.

11 Q Okay.

12 A Okay, did that and then she had a
13 scratch on her ear right there, behind her ear
14 right there.

15 Q How in the world did she get scratches
16 on her --

17 A I don't know, that girl sometimes
18 she'll just like grab it. I don't what -- she be
19 grabbing or something like that, like she --
20 something, I don't know if it was something
21 irritating or something like that and she was
22 trying to scratch it or whatever. But she had
23 scratches like that. Shaniah went to church with
24 her grandfather. Okay, her grandfather brought
25 Shaniah back, whenever Shaniah came back, right

1 time he walked through --

2 Q Breath.

3 A -- right time he walked through the
4 door --

5 Q You getting all -- you getting all --
6 just breath okay?

7 A -- And right time he walked through
8 the door he looked at minor and he said you going
9 home with me. So, everything's good with it and
10 everything so he took her home and probably, she
11 was supposed to go to the doctor I want to say
12 that Wednesday or something like that because that
13 -- she had that seizure and stuff before then, I
14 mean before she went down to her grandpa and them.

15 Q Uh huh.

16 A That's how -- another thing she had,
17 some of them other marks on -- marks on her.
18 Okay, they did that, so, whenever they brought her
19 -- whenever she was supposed to come back she
20 never come back. Next thing you know, DSS come up
21 there, matter of fact it was Miller, it was the
22 caseworker that came up there.

23 Q I don't know any of them here.

24 A Yeah, that's her name, Jalette
25 Miller. She came up there, showed us things, tell

1 us about they had a report that -- that drugs and
2 alcohol was being abused and all of this right
3 here. So okay, went up there -- they had go up --
4 we had to go up there, matter of face twenty-four
5 hours and do a drug test and a alcohol test. Went
6 up there and did the drug test, I passed -- I
7 reckon we passed it on time because didn't never
8 hear anything -- anything for about thirty --
9 thirty, forty-five days.

10 Q And usually it takes forty five days
11 to get --

12 A Yeah. Okay, then -- then next thing I
13 know that's when she went and she came back with
14 (inaudible). It was about -- about thirty days or
15 about thirty days (inaudible)

16 Q The DSS worker came back with minor

17 A No, Tia went up there to -- and got
18 minor

19 Q Oh.

20 A Because, matter of fact, because they
21 wanted her to (inaudible) anyway, her mama and
22 daddy because they were going out of town that
23 weekend anyway. So they did that, she came back
24 with her and that's when she came back home -- I
25 want to say that's -- I don't know what day that

1 was, mama probably can remember. But anyway they
2 went up there and got her and she been back since
3 then and probably about a week after she was back
4 is when the DSS woman come up talking -- telling
5 Tia she needed to do one more drug test so they
6 can close the case.

7 Q And everything was fine?

8 A Yeah.

9 Q Did you have to do drug test too? Or
10 just Tia?

11 A Just Tia.

12 Q So y'all never heard anything else
13 from DSS?

14 A No. That's what I'm saying, they
15 didn't -- they didn't -- they was supposed to do
16 home visits and all this and they didn't even do
17 half the stuff they did -- was supposed to do.
18 That's why I said -- it's --it's -- everything --
19 I'm going to tell you the truth, the way
20 everything is, it's a mess. I ain't going to lie
21 because the way --

22 Q Yeah, we got a mess.

23 A I mean --

24 Q You right, we got a mess.

25 A I mean, the way everything is, it's --

1 it's a mess. Like I said, if I'm guilty for
2 anything, and I'm going to be honest with you, if
3 I'm guilty for anything, it's not getting on Tia
4 fast enough to take that youngun to the doctor.
5 Because I should -- I -- I tell you, I don't think
6 like that. I should have called somebody and made
7 to where she could take her but I ain't -- I just
8 didn't think it was (inaudible) youngun, she take
9 care of her youngun and I'll take care of my
10 youngun, that's how we always been, we ain't had
11 to -- you know what I'm saying, when we knew each
12 other. Because it's like this, if (inaudible)
13 asks me to do anything like this, I won't do it.
14 But Tia got where she -- she was scared, I reckon
15 since DSS was just involved, (inaudible) had
16 little bruises on her, she didn't want to take her
17 to the doctor. She said well, I'm going to wait
18 for her bruises to heal up and I'll take her,
19 that's why the appointment was set for about the
20 twenty-sixth, twenty-third, twenty-fourth,
21 something like that. It's on one of those little
22 cards that we got, like Alex's in there is written
23 on a card.

24 Q Thinking back, what would you like to
25 (inaudible)3533. All right, let's do this, let's

1 talk about the day -- it was a Thursday wasn't it,
2 that minor got sick and y'all took her to the
3 hospital and that's when she (inaudible). Let's
4 talk -- let's do this -- let me find that
5 (inaudible) order right now. All right, you told
6 me -- that was on the sixth, I put it on the
7 seventh.

8 A Uh huh.

9 Q Tell me again, you said Tia took you
10 -- took your mom to the doctor.

11 A Took my mama to the eye doctor. When
12 she took her to the eye doctor, she came back, it
13 was probably around about -- about twelve or so.
14 minor was up with me -- minor was watching cartoons,
15 minor colored, I fixed her like a peanut butter and
16 jelly sandwich, she ate it -- matter of fact, I
17 ended up giving her some corn and stuff because
18 she likes corn. So, I gave her a little bit of
19 corn and everything, in a little bowl and
20 everything. I give her that and I said she looks
21 --

22 Q Did she -- well, I'm sorry -- I want
23 to ask you this. Did she eat corn the day before
24 too? My little boy would eat corn every day of
25 his life.

1 A Yeah, she -- she loved corn now, she
2 was -- she loved vegetables and stuff like that
3 now. She loved eating stuff. She ate that and
4 everything and like I said she was doing good --
5 she was doing good. Like I said, then Tia came,
6 when Tia came, I ain't going to lie to you, I ran
7 down -- down to the shop, I wanted to talk to --
8 to my friend (inaudible). I ran down there,
9 talked to him, then I left, went down to the shop,
10 stayed down there for a minute, went on the
11 internet, I remember looking up -- checking on my
12 little Facebook thing and looked on my yearbook
13 thing, then I left and I went back to the house,
14 and by the time I got back to the house --

15 Q Breath. You talking fast. Okay, you
16 said you went to the shop, then you went and got
17 on the internet, where did you get on the
18 internet?

19 A At my mama's. In her room, she got a
20 computer.

21 Q How long do you think you stayed on
22 the internet?

23 A I probably stayed on the internet
24 probably about thirty -- thirty minutes
25 (inaudible)

1 Q You did better than me.

2 A Yeah, I sit there and then I turned
3 around and talked to mama for a little while.

4 Q What was your mama doing that day?

5 A Mama was laying in the bed because
6 that's when she had -- she was talking about some
7 drops -- putting some drops in her eyes.

8 Q She did -- did she have surgery that
9 -- what'd she have (inaudible)

10 A She had -- she had to take some kind
11 of lent or cataract or something out of her eye.

12 Q Okay, (inaudible)

13 A Yeah because she went up there early
14 that morning after -- after Tia put Alex and
15 Shaniah on the bus. Me and minor was still knocked
16 out because (inaudible) -- they had -- she had
17 (inaudible) while she sleeping on like two
18 cushions right beside my bed.

19 Q Is that next to the door or next to
20 the window?

21 A Next to the window. Matter of fact,
22 you probably could see, if you went there you
23 could see which two cushions it was. That's where
24 she had her sitting at -- sleeping at.

25 Q The cushions that go with the bed

1 spread?

2 A No. The bed -- cushions that go in a
3 chair, there's a chair sitting right there.
4 Matter of fact, like one of them old -- old wooden
5 chair things but it had cushions -- she set the
6 cushions there --

7 Q What color were they?

8 A Brown.

9 Q I went and I didn't see them.

10 A Brown, they should have been laying
11 right beside -- right beside my bed because
12 there's a table right there and then the two
13 cushions was right there. Matter of fact, one of
14 them probably just been like a sponge thing
15 because she -- I think she washed them because
16 minor peed on the cushion. Because she said she
17 wasn't going to want to put minor in the bed and
18 she roll off or nothing, get marks or more marks
19 and stuff on her so she putting her there so if
20 she roll off, because (inaudible) when she sleeps,
21 she moves. Because I ain't going to lie to you,
22 the little girl scared the shit out of me one
23 morning whenever I woke up, I seen her little leg
24 hanging out, she had done scooted all the way up
25 under the table. I felt her legs and she felt

1 like she was cold as ice, and it shocked the hell
2 out of me -- I was coming out of dead sleep and I
3 grabbed her and she looked up at me and said hey.
4 I said girl, you scared me. I believe that was --
5 that was day before that. The day before all this
6 stuff had happened.

7 Q What did you do? Pull her back up on
8 the bed and --

9 A I pulled her back up on the cushion
10 and then she went back to sleep. She did that,
11 and like I told her -- I told her, I said you got
12 to pee pee, she talking about yeah, so she got up,
13 she went to the bathroom. She could go to the
14 bathroom or anything on her own, if you tell her
15 -- you say you got to pee pee? She'll go straight
16 to the toilet on her own.

17 Q So she didn't have any problems using
18 the bathroom by herself or anything?

19 A No, she did a lot because when she was
20 asleep, I don't know what it was, she would use
21 the bathroom. But if she was awake or something
22 and you ask her did she have to pee pee or
23 something she would go straight to the bathroom.
24 And like I said, then I noticed the girl, she got
25 -- she had -- her skin, it's like it started

1 changing colors, like a gray ash color, and I -- I
2 told Tia --

3 Q When did you notice that? Wednesday?

4 A I noticed it -- it was -- it was the
5 same week, I noticed it. That's when she was
6 talking about well as soon as the marks go out I'm
7 going to take her straight to the doctor.

8 Q (inaudible)

9 A Because she had -- she had a mark --
10 whenever then -- she had a mark -- like I said she
11 had a mark on her leg, then she had a -- right
12 here on her ear where she had hit the table, had
13 like a little scratch right there. That's why I
14 said, in that -- in that picture y'all showed me,
15 it wasn't no bruise then, it was a scratch. She
16 did that.

17 Q Now, this is all on -- this is
18 Thursday?

19 A Yeah. Matter of fact, I believe.

20 Q The day we're talking about is
21 Thursday, this is the day you said -- well you
22 just told me that Tia took your mom -- took the
23 kids to the bus stop. Then y'all were in the
24 bedroom.

25 A Yeah.

1 Q She was on the cushion.

2 A Yeah.

3 Q And you said Tia then she -- well
4 (inaudible) -- well I know she took your mom but
5 how --

6 A I was there -- on that part right
7 there where Tia took my mom to the eye doctor --
8 she did that, she came back. It was like I said,
9 it was probably about around, I want to say around
10 twelve or something like that right there because
11 by the time she got back, it wasn't too long after
12 that, probably about an hour or two because she
13 cleaned up a little bit and all that. She got --
14 that's whenever she went, she walked down there to
15 the bus stop and got the kids because I was -- I
16 was outside, I kept on going outside, talking to
17 the preacher. The one I call preacher. Big
18 (inaudible). Me and him sit back there and I help
19 him take junk and stuff apart sometimes back
20 there.

21 Q Okay, this was at -- while Tia was
22 gone?

23 A Yeah. Because minor was sitting right
24 out there, matter of fact, because I had minor
25 sitting out there on that steps. There's a swing,

1 you see right there, there's a wood swing at --
2 there's a blue chair sitting out there, a blue
3 chair with (inaudible). I had her sitting out
4 there.

5 Q This is on Thursday right? This is
6 after Tia had gone to take your mom?

7 A No, this is while she's gone down to
8 the bus stop. She walked down there -- she walked
9 down there, the car was in the back yard. Because
10 they pick the children up and drop the children
11 off right down there, if you go out the road right
12 there, you turn that first road right there where
13 that little blue house is at, is where they pick
14 children up and drop children off at. I don't
15 know why they don't come down on that road but
16 they do that. They did that and then I said when
17 she got back that's when I sent minor back in
18 there.

19 Q Isn't that when (inaudible) got up
20 that morning and went outside with you and the
21 preacher? Was she okay?

22 A Yeah, she was okay, that's why I said.
23 She -- because --

24 Q While you were talking.

25 A Yeah because I had her sitting on a

1 little (inaudible) -- matter of fact she sitting
2 out there on the little blue -- on a little blue
3 chair. It was this fellow, I don't know what his
4 name, he be walking with a little girl all the
5 time. They walked up asked if she (inaudible) and
6 minor said hey! And she seen the other little girl
7 and she said hey! Just like that, and was waving.
8 Because he was talking to her.

9 Q Now what -- how did her -- the teeth
10 -- her teeth had already been busted out by this
11 time?

12 A Yeah her teeth were out
13 (inaudible)4253. I (inaudible) yeah, both of them
14 was out.

15 Q Okay so, they weren't pulled out on
16 Thursday?

17 A They were pulled out -- let's see how
18 did that went down. The teeth was pulled out --

19 Q (inaudible)4307

20 A The same -- one of the teeth was
21 pulled out the same day all this stuff happened.

22 Q Okay so this --

23 A I'm trying --

24 Q Thursday is the day she passed away?

25 A Yeah.

1 Q So Thursday -- we lost a tooth on
2 Thursday.

3 A Yeah. And see I want to tell you, it
4 was around -- when I got back and everything, it
5 was probably around about seven, seven thirty,
6 somewhere around -- a little bit before that.

7 Q You broke it (inaudible) 4327-4329
8 whoa, whoa, whoa, back up, backup. You getting
9 ahead of me, that's (inaudible), breath, breath.

10 A Okay.

11 Q So, let's see. You're at the bus --
12 they're at the bus stop, you're in the back yard,
13 you're talking to preacher, y'all taking something
14 apart or whatever. She's on the four wheeler, she
15 waves at the little girl. And you said that -- so
16 she's had only one tooth missing at this point.

17 A Yeah, she only had one -- one tooth.

18 Q But she's alert and everything's fine.

19 A Yeah.

20 Q What did you dress her in before you
21 took her outside?

22 A She had on a pink little purple pair
23 of Dora jogging bottoms or whatever you want to
24 call it, little -- they was little, like a purple
25 color. And she had on like a white t-shirt with

1 like little red hearts right there on the back.

2 Q So from that point when did Tia come
3 back?

4 A Tia came right back with them kids,
5 brought them to the front door.

6 Q With the kids?

7 A Yeah. She came -- because all I did
8 was walk down there, by time she got back --

9 Q She had already taken them to the bus
10 stop?

11 A Yeah, this -- this is whenever they
12 were coming home from school.

13 Q Oh no, I'm talking about that morning.
14 I thought you were -- all this was happening that
15 morning.

16 A Oh, that morning, me and -- no. When
17 we went that morning, me and -- she left me and
18 minor -- minor was -- like I said, minor was sleep on
19 the floor.

20 Q Oh okay, well let's back up from
21 there.

22 A Yeah. (inaudible)

23 Q So, y'all wake up, Tia takes the kids
24 to get -- gets them dressed, takes them to the bus
5 stop.

1 A Uh huh.

2 Q She comes back and you still snoozing.

3 A Uh huh.

4 Q (inaudible)4443 still snoozing. Tia
5 leave y'all asleep, and she goes on to the -- to
6 take your mama to the doctor?

7 A Correct.

8 Q Now, while Tia's gone, you said you
9 fed her -- she colored.

10 A Yeah, she colored, watched cartoons,
11 because she liked to watch Spongebob.

12 Q I remember you telling that. And you
13 said she had a peanut butter and jelly sandwich.

14 A Correct.

15 Q And she had --

16 A She ate some corn a little bit later
17 on after that. Ate a bowl of corn.

18 Q Then what -- what'd y'all -- did y'all
19 have any contact with anybody that day? Did
20 anybody come over and see you, did you go next
21 door?

22 A I remember --later on that day we did,
23 I mean, I went outside.

24 Q Before Tia came back you did?

25 A No, no. We stayed in the house the

1 whole time until she came back.

2 Q So you said she came back around --

3 A Because I stayed in the bed, I ain't
4 going to lie to you, I stayed in the bed and she
5 -- slept just about all that day because I stayed
6 up a little bit late that night because I was down
7 there trying to work on my truck, because I had a
8 truck that I had to do a starter and everything
9 on. I stayed down there because I -- we put the
10 starter on the thing and it didn't want to do
11 right, so I ended up going back down there taking
12 everything back off, I stayed there late that
13 night.

14 Q Well, let me ask you this -- I'm sorry
15 y'all -- (inaudible) 4551 Tia comes home, what time
16 do you think she came home?

17 A She came in -- well, she came home
18 from taking my mama that day, that had to be
19 around one or something. About one or something
20 -- about closer to two something because she
21 stayed there a little while because she had enough
22 time, I believe she put a load of clothes on and
23 she was cleaning up in the bathroom, and the
24 living room, and I remember her getting on the
25 computer because she had computer sitting right

1 there on the couch. Where it would plug up to
2 charge.

3 Q Was that -- who's was that -- was that
4 y'all's computer? Or her computer?

5 A That's her computer.

6 Q You have used it?

7 A I use it every and then, but she had
8 it blocked off and stuff where I couldn't get all
9 in her stuff.

10 Q Why?

11 A I don't know. That girl is weird.

12 Q All right. So, now is she -- does Tia
13 -- where you -- she must go have to go back to the
14 bus stop to get the kids.

15 A Yeah, so she was -- she went down
16 there, she got Alex from down there, she came
17 back.

18 Q Now let me ask you this, that's when
19 you were outside with the baby -- with minor and
20 you saw Preacher.

21 A Yeah. I was -- yeah. Well, I was out
22 there with Preacher after -- after Tia got back
23 because minor -- when I was out there with minor
24 they was coming around and when they were walking
25 around, me and minor was there. There was this

1 white fellow, like I said, walking with a little
2 girl. You probably -- you probably seen him or
3 whatever. But anyway, he walks with a little,
4 little girl.

5 Q (inaudible) yeah, and she waved at
6 her.

7 A Yeah, and she raised -- that's when
8 she raised her hand and waved at her and
9 everything. Then she -- he sit there and tried to
10 talk to her, then next thing I know, that's when
11 they were -- I took her on in the house because
12 the way she -- like I said because he looked at
13 her, he looked at that little girl, he looked at
14 (inaudible) you tell the whole -- you know what
15 I'm saying, the whole skin tone difference and
16 everything, I mean.

17 Q Tell me why you think their skin tone
18 is different?

19 A Because -- it was. My mama -- my mama
20 will even tell you.

21 Q But why?

22 A I don't know. And I asked -- I asked
23 Tia one time, why -- why -- why is. She talking
24 about her iron is probably low. Because she said
25 something about, she was anemic or something like

1 that. She told me that her iron was low, well
2 see, I'm going to tell you, I ain't going to lie
3 to you anyhow. I don't -- I want to clear myself
4 out of this. Earlier that week, that baby went
5 unconscious..

6 Q What in the world?

7 A And when she went unconscious, Tia --
8 I said -- she was in Alex's room. Laid her on the
9 bed, and she went unconscious for a minute, like
10 she was doing -- like -- just like she was going
11 into like a seizure or something. But she went
12 unconscious, and probably about three minutes
13 after that she was back up, fine again.

14 Q How did she go unconscious? Did she
15 hit her head, or?

16 A I don't know. That's what -- she just
17 went unconscious. I mean, it -- it was like, you
18 was walking with her and she just, fell out.

19 Q Well, now why are we talking about --
20 let me ask you this, while we're talking about
21 walking. You had make a comment to me that she
22 was walking a little funny.

23 A She was walking a little funny.

24 Q Why -- when did she start doing that?
25 Has she always been like that?

1 A Not -- not really. It's like,
2 (inaudible) she -- she'll walk, sometimes she did
3 like walk real fast and then she -- she'll --
4 she'll fall to the side or something. I believe
5 -- I ain't going to lie to you, I believe she hit
6 her spinal cord or something. And messed
7 something up back there because she -- you could
8 tell. I don't know if y'all could tell but if you
9 look right here it was like something was swollen
10 a little bit or something. Right up in here.

11 Q I wonder what caused that?

12 A That's when she -- like, I reckon, she
13 fell in that -- she fell in the bathroom. I
14 remember she had fallen in there and she hit her
15 head upside that tub.

16 Q When did she fall?

17 A That was earlier that week. That was
18 probably like Monday, beginning of the week. She
19 did that and then that's whenever she did all that
20 and then it was probably like --

21 Q Now who was in the bathroom with her
22 when she fell, is that one of those times you
23 washed her?

24 A No, there wasn't nobody going to wash
25 her, she was going in there to get on the toilet,

1 and she like -- she -- she went -- because she was
2 at the toilet and everything and she would pull
3 her panties down herself. When she -- I reckon
4 when she went to pull her drawers down or
5 something, that little mat right there caught her
6 foot and she went (inaudible) and then I heard
7 something that went wow! When she did it.

8 Q Where were y'all -- were you taking
9 care of her that day on that Monday?

10 A No, Tia was there too. That's -- Tia
11 -- Tia was there. I went to cared -- I only
12 watched that girl one time since all this with
13 (inaudible) happened. I'm serious, why -- when
14 she went and took my mama to the doctor, is
15 whenever I watched her and like I said she was
16 doing good that day. And then, probably around,
17 like a little bit after seven or seven thirty,
18 when we was watching TV, she did that little
19 'unconscious shit again. Then Tia said well, I'm
20 taking her to the hospital, I'm going to take her
21 to the hospital. Then, I said okay, well go ahead
22 and take her to the hospital. Then the next thing
23 you know, minor started breathing real hard. Then
24 that's when she -- I believe she was trying to
25 wash her off or something because she had -- I

1 don't know, she had something on her or what. She
2 did that, that's what I said, then that's where it
3 picks up from when she was the love seat when she
4 fell and everything.

5 Q We're not talking about Monday
6 anymore, you're talking about Thursday now?

7 A Yeah. I'm just telling you the main
8 things, like when she --

9 Q Breath. Breath. We going to get the
10 right (inaudible). We got -- listen. Are you
11 ready to go back to the jail?

12 A No.

13 Q All right then. Let's just breath.
14 Because it -- I don't want you -- I don't want to
15 miss any detail, okay? So -- hey you got
16 (inaudible) You don't have to rush. I mean, I
17 know you're just trying to get it all out and I
18 know your mind's going a thousand miles a minute.

19 A I mean, yeah. It -- it's just killing
20 me.

21 Q Well, we -- well everything's going to
22 be told today, so we'll get it straight. All
23 right, so. Where were we? Y'all were outside,
24 Preacher was out there with you, y'all was
25 tinkering, doing you manly stuff outside.

1 A Yeah, we were out there tinkering
2 around.

3 Q The little girl is out there, you said
4 Tia came home in the front door with the kids.
5 So, go from there. You go back inside with minor
6 she comes to (inaudible).

7 A Yeah, she comes -- I took minor back
8 inside, set her in the on the couch. With
9 (inaudible) and them, because they was like well
10 (inaudible) and I go in the front room and watch
11 cartoons. That's when I went outside, and
12 whenever I went outside (inaudible) like Tia was
13 mad. I -- I messed around outside for about the
14 rest of the day then.

15 Q Well, let me ask you something. So --
16 say that again. You said that you went back
17 inside, you didn't (inaudible) about, evidently
18 while Tia was cleaning up and all that kind of
19 stuff.

20 A Yeah. Because I --

21 Q Did Tia leave anymore that day?

22 A She -- no, she didn't leave anymore
23 that day because she -- she was supposed to go --
24 matter of fact, before minor started doing that,
25 that heavy breathing and then the way everything

1 happened. She was supposed to have went and put
2 some drops in my mama's eyes. That was around
3 about nine -- no it wasn't nine o'clock, it was
4 getting close to nine o'clock. About eight
5 thirty, it was about eight thirty, somewhere
6 around there. I ain't so good with times, so
7 don't hold me against that now. Well, it was
8 about that time, that when she did have -- have
9 that little cocky thing and that's when she said
10 I'll carry her to the doctor, I ain't going to
11 wait no longer. I said, well go ahead and take
12 her to the doctor. She talking about well --
13 talking about well, I'm scared. I said well,
14 it'll be -- it'll be all right -- it'll be all
15 right, just take her to the doctor and we'll see
16 when we take her to the doctor. Because she --
17 that's when she -- like I said, she had little
18 bruises on her, so she was scared.

19 Q This is all on Thursday?

20 A All on Thursday.

21 Q So this is after the kids came home
22 from school?

23 A Uh huh. She said well, talking about
24 well okay. Then the next thing I know, I walked
25 -- that's whenever I walked down there. Because

1 -- matter of fact, I walked down to the bedroom
2 because she -- minor was in there. She got
3 (inaudible), I walked out there and the next thing
4 I know, I believe she took Alex and Shaniah to the
5 neighbor. I said -- she talking about --

6 Q So she maybe went back to your moms
7 and gave her eye drops?

8 A No. No, she didn't never make it back
9 there.

10 Q So, she never left the house again.

11 A No, she never left the house again.

12 As far as she left the house was to walk over
13 there to the neighbor's.

14 Q And you promise me you're being very
15 truthful?

16 A I'm being truthful. I swear on
17 everything, I'm not lying. I ain't got no reason
18 to lie. But I did that, then that's whenever she
19 -- she came back in and said well, I'm going to
20 take her to the doctor. So she was supposed to
21 take her -- go ahead and take her to the doctor,
22 that's whenever, I reckon she went and claimed she
23 went and got some -- clean shirt and all that,
24 that shirt, matter of fact, still -- it's still
25 lying on the love seat, I believe. It had little

1 yellow on it. She was going to put that on her.

2 Q I've got that in evidence.

3 A Yeah, she -- she, I think she washed
4 it off or something, I don't know what she did. I
5 -- can't tell you on that part because I know I
6 was in the bed. I -- I went in the bedroom, I
7 took my pants off then, that's when I took my
8 pants off was in the bedroom. Then I walked back
9 out and that's when I saw (inaudible) on the love
10 seat.

11 Q (inaudible) we got to talk.

12 A Okay.

13 Q I think you told me at -- something
14 that you -- I think you're afraid to tell me. You
15 said Tia didn't leave the house, but she did leave
16 the house. And it's okay Mikey, I don't want you
17 to be afraid.

18 A I ain't.

19 Q Because I -- hey, I don't yell, I
20 don't get shits or anything and I told you from
21 the get go, I'm one of these people, and I just
22 want -- I just want the truth.

23 A Yeah. I understand.

24 Q You get intense (inaudible). Breath,
25 it's all right. Look at me, I know she went to

1 (inaudible). And to go to (inaudible), you have
2 to sign in.

3 A That's right -- that's -- she did
4 carry Alex to the house.

5 Q Okay, and I know she went to your
6 mom's and put the drops in.

7 A Yeah, she didn't never make it down to
8 put the drops in her eyes, at the last -- at night
9 -- at night time. Because I told her to wait
10 because she said she was going to go and I said
11 no, that's right she did go take her home.

12 Q She was talking about two and half
13 hours the first (inaudible). It's okay Mikey, I
14 promise it's okay. And the reason why I'm telling
15 you that is, I know you're scared.

16 A Yeah.

17 Q I know you're scared. And I know you
18 got, in your mind, I know your mind's going a
19 thousand miles a minute.

20 A That is right. That was (inaudible)
21 in boy scouts.

22 Q I know minor was sick that day. I
23 believe you fed her corn, and you know why?
24 Because I saw what was in her stomach. Was it --

25 A I was -- that's what I was saying. It

1 loosened. I haven't made up my mind, I -- I can't
2 put it on anybody. I'm sure you're going to say
3 and she's going to say the other.

4 A Yeah.

5 Q But when it comes to those cigarette
6 burns, that's -- that's just a bad and very
7 unfortunate. I -- I have a feeling it has to do
8 with her pee peeing in her pants, am I right?

9 A I don't know about that. Like I said,
10 I don't about the cigarette burns or the other
11 part.

12 Q I know that --

13 A Like I said, but -- but it was -- she
14 ran -- and ran into the cigarette.

15 Q What about -- what -- let me tell you
16 this. Let me finish what I was saying.

17 A Go ahead.

18 Q I'm sorry, I kind of (inaudible) on
19 the side but -- I know that on the day that she
20 died, there were some complications, I know that
21 y'all were worried about her breathing, I know
22 that she got hot. I know that you laid her in
23 front of the air conditioner. And while that
24 child is lying in front of that air conditioner,
25 she started hemorrhaging. And y'all didn't know

1 -- she -- whenever, I don't want nobody to think
2 that I did anything to that little girl.

3 Q Mikey, it's all right, okay? Because
4 I'm telling you something, in your life, you've
5 been through a lot. You have got a lot built up
6 inside of you. I don't think you would ever
7 intentionally hurt somebody, but I think at the
8 time, when you had all that weight of the world on
9 you, worried about somebody fussing at you about
10 spending money the way you wanted to spend it.
11 You having to be responsible for all the bills,
12 not for just one child, but you had two more
13 children in that house. You had a little girl who
14 was delayed and she was pee peeing on the floor
15 all the time, she was peeing on the couch, she was
16 -- it was always something. I think it got the
17 best of you. I think that it got the best of Tia,
18 I'll be honest with you, I don't think it's a one
19 man show. I think it got the best of both of
20 y'all. I think she ended up getting spanked,
21 maybe a little too hard at times, she might have
22 fallen, or she might have been pushed a little
23 bit. It might have accidents that happened.

24 A Yeah.

25 Q I think that's how the tooth got

1 it, and y'all were afraid. Y'all were scared to
2 death that somebody was going to say that y'all
3 had done horrific things to her because of the
4 bruises. So that's y'all didn't want to take her
5 to the doctor? So you waited and you thought you
6 could take care of it yourself. And Mikey,
7 sweetie, she laid on that floor and she
8 hemorrhaged to death. She was dying sweetie,
9 that's why her -- she was turning colors. The
10 bruises on her, from being spanked or getting in
11 trouble, or being mischievous, like trying to
12 stick her hands on the electrical sockets and
13 stuff like that.

14 A Yeah.

15 Q Stuff like that is minor compared to
16 what was going on. When she fell and hit her
17 head, it caused a hemorrhage and she slowly died.
18 And I think because y'all are so fearful that DSS
19 was going to be back or somebody was going to say
20 that you did something wrong, you didn't take her
21 to the doctor. I think there was too much
22 discr--- discretion going back and forth about we
23 can't do this, and we can't do that. They can't
24 see her with her shaved and we can't do this --

25 A The -- the shaving the head thing, we

1 weren't worried about that. There wasn't no
2 problem there because -- only thing it was, was
3 the bruises. Like you say, the little bruises on
4 her and stuff.

5 Q It's good that what we do know the
6 bruises just didn't come on with her having
7 seizures. So that's why I'm saying. I know she
8 was disciplined.

9 A Yeah.

10 Q And it was heavy handed.

11 A I mean, I -- like I said, I --

12 Q Tia's come clean about the belt and
13 (inaudible). Okay, see I know that. And I --
14 I'll be honest with you, Tia's not saying, Mikey's
15 the bad guy, Mikey's the bad guy. She's not -- it
16 -- she's not laying it all on you. I -- I -- what
17 I get from her, is that there's some things that
18 happened on your end and some things that happened
19 on her end. Y'all were both fearful, y'all were
20 both scared. I think she loves you, I think she
21 still loves you. And I think she was afraid, if
22 she had taken her child to the doctor that she was
23 going to lose you.

24 A No, no. I ain't -- that's why I'm
25 trying to tell her, she -- I ain't never told her

1 yeah not to take her youngun to the doctor.

2 Q No, that's not what I said. She was
3 afraid she was going to lose you.

4 A No, because I wanted to take her.
5 That's why I said whenever she -- whenever minor
6 falling out like that that night that's when I
7 told her -- that's what -- I'm the one who made up
8 her mind for her to go to the hospital. But she
9 didn't make it there in time before she went
10 through all that other. Because whenever she was
11 lying down like she usually did when she couldn't
12 (inaudible) I noticed that she started breathing
13 real hard. That's whenever Tia picked her up, she
14 went and cleaned her up and everything, she was
15 going to take the little girl to the hospital and
16 everything. So, she was sitting on the love seat
17 whenever she did that and she let a scream out and
18 she rolled over. When she rolled over that's when
19 I picked her up and I held her right there for
20 minute because I noticed she felt like she started
21 peeing. And whenever she started peeing, that's
22 when I noticed she (inaudible) did just like that
23 right there. When she did that, I said she wasn't
24 breathing, that's when I said set her on the
25 kitchen table and I started doing CPR.

1 about her and hitting. Did you accidentally push
2 her up against the wall or did something happen
3 and she fall?

4 A No, I don't know, she fell on her on.
5 Like I said, she got -- she got that right hip or
6 something, like she didn't -- she wasn't walking
7 right.

8 Q Do you know why? She had been hit so
9 hard in her vagina, not only was her brain
10 hemorrhaging, but her vagina was. There was
11 trauma to her vagina.

12 A I don't know what happened.

13 Q She couldn't on it because of that
14 vaginal area. One side of her vagina is actually
15 swollen and bruised. And the inside is
16 (inaudible) hemorrhage. So that's why she was
17 having a hard time walking.

18 A I wish I knew about that.

19 Q Do what?

20 A I said I wish I knew about that.

21 Q Did you see anything that was abnormal
22 when you went in there and got her that night?

23 A I didn't -- like I said, whenever I
24 washed her, I didn't never -- I didn't never
25 really wash her down there. I let -- she'd get in

1 Q Let me ask you something, where were
2 was Alex and Shaniah at when all this was going
3 on.

4 A Alex was playing with (inaudible) back
5 at the house. Because I told her -- Because Tia
6 called, I was going to go the hospital with her, I
7 said no, I'm not going to the hospital, I don't
8 like no hospital, I ain't never liked no hospital.
9 And that's what I told her, I'm not going to no
10 hospital, I'll stay here with my kids, stay here
11 with the kids. So, that's what she was going to
12 do. She went -- I reckon she said done took them
13 over there to the next door neighbor's or
14 whatever.

15 Q I talked to the neighbor's.

16 A Yeah. Because I -- I don't remember
17 her sending them.

18 Q Tell me -- let me ask you this. The
19 two and a half hours that she was gone to cub
20 scouts. Tell me what -- she was -- she was
21 sleeping during that time wasn't she?

22 A Yeah, she was sleeping.

23 Q You realize that she wasn't sleeping.

24 A I didn't know that. I thought she was.

25 Q No. But (inaudible).1:01:14 Tell me

1 little girl.

2 A That's what I said whenever they
3 showed me -- y'all showed me her legs -- her legs
4 and stuff.

5 Q What -- we're almost done here. Now
6 this is how -- what we're looking at. We got a
7 little girl, she's three years old. She and her
8 mom and her sister move in with you and your son.
9 (inaudible)10407-10430. Okay? Now, as it is,
10 anybody would think, well, he did it. It was him
11 who did it. I'm not looking at it like that. I
12 think, well I know, you know what happened. And I
13 think for some reason you holding back and you not
14 telling me. And I know you are. And I think if I
15 tell you, you got the weight of the world on your
16 shoulders. Mike, I don't want all that weight.
17 Look, we got this little girl, and she's got
18 multiple -- she's got two black eyes, she's got --
19 this is where she was hemorrhaging, she's got
20 bruises in her head that look like somebody took
21 and hit her like that in her head. Almost like,
22 if she bruised the way you said she bruised, it
23 could be doing noogies on her. I mean, how -- how
24 am I -- I do noogies on my little boy, but if he
25 bruised easy it would look like I beat the crap

1 the tub herself.

2 Q Right. Well she didn't tell you ouch
3 or anything like that, that night?

4 A No, she acted normal to me.

5 Q So, what time did you give her a bath
6 that night?

7 A See I didn't wash her Thursday
8 whenever all that happened.

9 Q I thought you put her in the bath tub
10 when Tia went next door, I thought you had put her
11 in the bath tub to try and help her breath and she
12 got --

13 A No. Tia was there whenever -- matter
14 of fact, Tia was standing right behind me when we
15 set her in that water because she was feeling cold
16 -- like cold, cold.

17 Q She was out of it at that point.

18 A Yeah. So, I put -- I put her in a
19 little warm water because I -- I a little bit of
20 warm water in -- she -- that's when she -- like
21 she -- she woke up again.

22 Q Okay, when you say woke up, was she
23 open -- just opened her eyes?

24 A Yeah, she opened her eyes and started
25 looking at me. When she did that is when we were

1 going to go ahead run and take her to the doctor
2 real quick.

3 Q You got her out of the bathroom, and
4 -- where'd you put her at that point?

5 A On the love seat.

6 Q All right. So I think you got
7 confused on -- before when you said you were just
8 watching TV, and get -- Tia put her on the couch,
9 you were actually in there with her trying to help
10 her right?

11 A Uh huh.

12 Q Okay so you were trying to provide and
13 care for her.

14 A Uh huh.

15 Q It's okay. That's what I'm saying,
16 Mike. You're not a bad guy, okay, and I know
17 that. Just (inaudible) that I know that you are.
18 I know that you didn't mean for all this to go on
19 the way that it did.

20 A Like I said, I ain't -- I ain't never
21 hit that little girl like that or nothing like
22 that. I popped that girl -- when I popped that
23 girl, that was -- that was weeks ago when I popped
24 her.

25 Q Help me understand this, a (inaudible)

1 out of him.

2 A I mean yeah, I used to play with her
3 and stuff and stuff. But I ain't, you know what
4 I'm saying -- I wouldn't --

5 Q Well, I'm not saying you -- but you
6 know what noogies are. You (inaudible)

7 A Yeah, Alex used to play with her and
8 stuff like that.

9 Q All right, now. You see she's even
10 swollen right through here. It's almost like she
11 had trauma. Well, we know she head -- well what I
12 mean is, is that she was hit up against the wall
13 like that. Even if she took the fall, and maybe
14 got pushed in it.

15 A I'm going to tell you the truth now, I
16 know it -- she died on me in the tub. She kept on
17 wanting to stick it -- I don't why she did it now,
18 but she got to where she would want to stick her
19 head up under the water.

20 Q Now, now how -- explain that to me
21 what you mean by that.

22 A She got to where she wanted to
23 whenever she got in the bath tub, I noticed -- you
24 can run water, I got the water running like I run
25 Shaniah's water (inaudible). She got to where to

1 she wanted to stick her head up in the water like
2 that right there, that's how she'll do.

3 Q So you think she hit her head like
4 that in the bathtub?

5 A I don't know if she could or not.
6 There ain't telling, I ain't even going to lie to
7 you about that shit. She liked to stick her head
8 in the water. See right here -- right here and
9 right here, she had some sores up under there.
10 That she got where her -- like her eye was trying
11 to close up but that done healed up.

12 Q (inaudible) 1:06:40-1:06:42

13 A Yeah. But both of them did the same
14 thing. Both of them was swollen up.

15 Q Mike, why didn't you let that woman
16 take that child to the doctor?

17 A I tried -- I tried to tell (inaudible)
18 but she wouldn't, I couldn't -- I couldn't do it.
19 She wouldn't --

20 Q (inaudible) And it's easy for me to
21 sit back and be (inaudible) and (inaudible) court
22 about, you see what I'm saying?

23 A Yeah.

24 Q I -- I -- whatever, I'm trying to
25 watch football. That's where you're talking about

1 she had that place where she hit her head?

2 A Yeah, see right here -- this right --
3 all these bruises right here. It was like a
4 little scratch on the outside, the last time I
5 seen it. I ain't going to lie to you, it -- I
6 ain't -- I don't remember seeing none of them
7 bruises. There was like a little scratch right
8 there.

9 Q (inaudible) bruised.

10 A See right here, that little scab right
11 here, that's where the last time I remember it was
12 at. That bruise right there, it wasn't there.

13 Q What did you tell me about this one?
14 Did you say she ran into your lighter there? Is
15 that what it was on her stomach?

16 A No. That's where Tia told me she ran
17 into a cigarette.

18 Q Who -- where at?

19 A On her stomach, I believe, that's what
20 Tia --

21 Q No, no, I mean where were y'all?

22 A Oh, I didn't know where it was,
23 because I asked her about that. I asked Tia about
24 that right there.

25 Q Is minor real close to her mama? I

1 remember you telling me that that was her
2 favorite.

3 A The way it was, she probably was real
4 close to Tia, she probably tell you the same
5 thing. Whenever I came around, something like
6 that, minor didn't want nothing to do with me.

7 Q (inaudible)

8 A I mean, yeah, I ain't going to lie to
9 you, I don't know what it was about it. Me and my
10 mother tried to figure that out. We couldn't
11 figure it out, but every time I come around she
12 wouldn't have nothing to do with me. She got to
13 where she didn't want to be bothered with me or
14 Tia.

15 Q Let's do this. Tell me about the day
16 that you were in the bath tub-- the bathroom with
17 her and she went to sleep with minor and you had to
18 go -- you ended up grabbing her by her leg and her
19 arm and jerked her back up.

20 A Yeah, that's when she was about fall
21 asleep (inaudible) and it was in the middle of the
22 tub.

23 Q Okay, when was that?

24 A That was about Tuesday I believe it
25 was. Tuesday, Wednesday, something like that.

1 Tuesday, something like that.

2 Q Would it be fair to say, you had to
3 grab her by ankle, you think you grabbed her so
4 quick, maybe that's how those bruises got there?

5 A I don't know. That's when I took -- I
6 don't remember. I don't remember that, even when
7 Tia and I -- I -- one of them, I remember seeing
8 them things right there come up there. After we
9 were putting that warmer water in there, that's
10 when I started seeing them things before she took
11 her to the hospital.

12 Q So you -- well, if it happened on
13 Tuesday, you not going to (inaudible)

14 A No, I'm saying, I -- I couldn't.

15 Q You had to grab her real quick.

16 A I grabbed her real quick before she
17 fell in.

18 Q By the leg and her arm?

19 A By the -- I grabbed her, I don't
20 remember if it was by her leg or arm, I grabbed
21 her.

22 Q And see, this is where, you got some
23 -- this is -- this is where she got hit too hard.
24 See these places like that. And the side of her
25 thigh?

1 A That right there was probably when she
2 was playing with her little four-wheeler, she got
3 scratched there.

4 Q That's what a lot of these little
5 sticky notes, is where she played with stuff.
6 This is her room?

7 A Yeah.

8 Q But she didn't sleep in that room?

9 A No. Yeah, you ain't got a picture of
10 my room do you?

11 Q No. No, I've only got pictures that
12 you've seen before. Same pictures. See, somebody
13 had gone in, covered this bed back up, and put --
14 put your pillows and (inaudible) that you were
15 telling me about in your room, that she slept on,
16 I didn't see any of that.

17 A Must have did. That's where the
18 cushions was, right there.

19 Q What's that -- what's that? Shirt?

20 A Yeah, that's what I laid her on when I
21 was doing CPR on her. That's what I laid her on.

22 Q Why didn't y'all call 911?

23 A I didn't have a phone with me and I
24 tell you right truthful, whenever all that
25 happened, I was worried about, trying to save that

1 girl, I told her -- I told Tia, go ahead and I
2 thought she was going to call them.

3 Q What -- did y'all call the hospital
4 about that at all? (inaudible) about everything
5 that was going on? Something about they told her
6 when the episode was over to bring her in, go
7 ahead and bring her on.

8 A I don't know nothing about that. I
9 don't know. I'm going to be honest with you, I
10 don't know nothing about that. All I can tell
11 you, I'm going to tell you the truth about it. I
12 ain't got no reason to lie. This bruise and them
13 other bruises, I don't really remember them. This
14 other one, this right here -- this right here, and
15 this right here, Tia told me she fell and hit a
16 table.

17 Q Tia said that you said that she hit
18 the table. She says that, anytime there was a
19 marking she asked you, and not anytime. It's
20 weird that you say those, she said that's what you
21 told her. Matter of fact, she said the table.

22 A That's what she told me when I was --
23 when I asked her. Because I asked her, I said
24 where did all these marks coming from? Even to
25 the one on her butt, I asked her, I said where did

1 this come from Tia? She said, she blistered, I
2 used to do the same thing when I was little.

3 Q I got all of the medical records,
4 she's never been anemic, she's never had any
5 seizures, matter of fact, she -- before she left
6 to (inaudible) you in March, she went to the
7 doctor. And great checkup, no problems, nothing
8 going on. So, anything that she tells you about
9 her being anemic, or any of that kind of stuff, is
10 BS. Now, I iron could have been low because she
11 wasn't getting something -- you know sitting --
12 that was March, so time had gone by. I mean,
13 that's what -- we're in October now. Tia is not
14 owning up to any of the cigarette marks. This
15 might make you -- hurt your feelings, but she said
16 that the cigarette marks on her vagina, she said
17 that they happened while you were sitting on the
18 commode and that you made (inaudible) go into the
19 bathroom with you with no clothes on and that's
20 when that happened. Why would she say that?

21 A I don't know. Because that girl -- I
22 mean, she used to walk around, (inaudible) used to
23 walk around naked, you could never -- my neighbor,
24 when I wasn't there he told me that little girl
25 walked out one time butt naked. He said -- he

1 remembers seeing a (inaudible) on her little hip
2 or whatever. But as far that, I don't know
3 nothing about them burns, that's why I said, this
4 one -- it was one right here and here.

5 Q Was that the minor you remember?

6 A (inaudible) 011329

7 Q She was beautiful.

8 A Uh huh.

9 Q Mikey, it was an accident. I don't
10 think anybody meant to intentionally hurt that
11 baby girl.

12 A No. That's what I said, then they --
13 then they got like -- like Tia killed her or I
14 killed her. Ain't nobody killed her, if anything
15 else, it was more than neglect. But I didn't get
16 the part -- medical stuff. I never, I'm going to
17 tell you the truth now, I -- I, because I ain't
18 going to lie to you. I never put my hands on that
19 youngun.

20 Q Okay, now wait minute. That's what
21 you said --

22 A I spanked her.

23 Q You spanked her.

24 A You know what I'm saying, spanked her
25 like that.

1 Q But you know --

2 A Just like I told you last time, I
3 would my son, I -- I ain't -- it ain't like I went
4 and (inaudible) I know I'm heavy handed. Just
5 like I said, when I popped her it had a little
6 round bruise on her. I don't know if it -- if you:
7 got pictures of her butt or whatever. It might
8 have because like I said I popped her right around
9 up in here. But see I don't even remember the
10 marks. Right there -- them right there's fresh.
11 You can tell a difference from that and that. I
12 can see that myself, and I ain't, you know what
13 I'm saying. But I know I popped her right there
14 on that side right there. And that's when her --
15 Tia (inaudible). One time whenever I seen her
16 leg, Tia told me that it come from the table. And
17 that bruise right there, she fell -- she fell in
18 the bathroom floor, that might be where that right
19 there came from.

20 Q Are you still willing to take the
21 polygraph if we can get one. To prove you
22 (inaudible)

23 A I can, I mean. I don't know -- I
24 don't why I couldn't. I mean yeah --

25 Q Have you ever taken a polygraph

1 A Yeah but see I said -- said --

2 Q Yours just -- zone out.

3 A Yeah. Mine's (inaudible)

4 Q Yours is a different type.

5 A Yeah mine's a different type, see I
6 had one about two months ago.

7 Q I didn't know that.

8 A Yeah. I had one about two months ago.
9 Epilepsy -- where I had a epilepsy seizure. But
10 as far as hitting her like that, I ain't never hit
11 that girl like that. Like I said, she went to
12 --the only thing I'm guilty of is I didn't make
13 her take her to the hospital. I didn't tell how
14 she was -- how she was. All of them marks and
15 stuff. Tia has a temper on her.

16 Q Has anybody seen that temper?

17 A Alex and them.

18 Q Alex has seen it? Matter of fact,
19 Alex said she -- what did he say? I can't
20 remember what he said.

21 A I'm going to tell you the truth. Alex
22 always wanted a mama. He loves Tia, I mean she'd
23 do stuff with him like boy scouts and stuff. But
24 he will hide some stuff. Because she popped that
25 boy, and when she popped that boy she popped him

1 in the face with a belt.

2 Q She owned up to that. I asked her
3 that and she said I did and it was an accident.
4 She said and I apologized for it.

5 A Because that's when -- I remember Alex
6 -- I tell you the truth, when she did that I was
7 ready about -- it was over with. That's why I
8 said, I wouldn't ever treat her younguns no
9 different than the way I want my youngun treated.
10 I would never, never, never, never hit that
11 youngun like that in her face, or in her head or
12 nothing like that.

13 Q I'm trying to write myself notes, so I
14 can remember to ask you something. Did she ever
15 get a hold to one of your beers and drink one of
16 your beers by accident?

17 A Yeah.

18 Q What happened? What -- when was that?

19 A That was -- shit, that was -- matter
20 of fact, I was over at my mother's last week, she
21 had got me a beer and I didn't want it so I left
22 on the kitchen table. And she got to where she --
23 she'll walk -- she'll walk around by herself.

24 Q I would hope so, she's three.

25 A She walked in there and I don't know

1 she come in there, she was smiling and she
2 stumbled a little bit. I said what in the world.
3 And that's when Tia looked, she went Mikey where's
4 your beer at? I said, that was what I had, I got
5 some liquor, I didn't want it. I don't drink beer
6 like that, I just swallow a little bit with him
7 and that was about it because I was over there
8 talking to him. So I went in there, and she said
9 well this thing is about empty Mikey. I said oh
10 shit.

11 Q So she had drank it. Was that -- what
12 time frame -- when was that?

13 A That was probably about like, three
14 weeks ago, somewhere around two weeks ago
15 somewhere around there.

16 Q What about -- we got that --

17 A I mean, everything was -- just the way
18 it that it happened, I mean, I ain't got no reason
19 to lie.

20 Q But I -- I got you a checklist. I
21 feel -- I'll be honest with you, I appreciate the
22 fact that I can just (inaudible) to you and I can
23 ask questions. I was making notes while you were
24 talking because I have a tendency to interrupt and
25 I didn't want to interrupt you because I was

1 before?

2 A No. I ain't did it. I'm going to
3 tell you like this right here. I ain't want to
4 take no polygraph and -- because of my health and
5 stuff. It'd make me look I'm guilty or something
6 like that. You know what I'm saying?

7 Q Explain that to me.

8 A Because the way they was telling me
9 about that. If you epilepsy and stuff sometimes
10 the readings don't come out right.

11 Q Oh now they didn't tell me that. I
12 talked to -- doctor -- I call him Dr. Bob but
13 Bob's the guy you met in Columbia, he just said
14 that you having epilepsy, that you would have to
15 make sure that the doctor cleared you and said you
16 were healthy to take -- he don't want you -- to
17 cause you to have a seizure. Which, from what I
18 gathered, reading your medical records, was you
19 had epilepsy -- had that when you were child. And
20 that you haven't had any like, grand (inaudible)
21 like we were talking about how you -- remember
22 that --

23 A I just had --

24 Q You said you had a friend that time
25 that fell.

1 afraid I'd miss something. When was the last time
2 you smoked some reefer. Mike!

3 A (inaudible)

4 Q Don't you lie.

5 A I'm not going to lie. It was
6 Wednesday. I ain't going to lie to you, that's
7 when I went -- that's whenever I left. I told you
8 I left, I was having a bad day.

9 Q That's fine.

10 A Smoked reefer that day. I do smoke
11 reefer every now and again, I'm not going to lie.

12 Q That's fine. It probably calms you
13 down a little bit doesn't it?

14 A Yeah. It makes me rest whenever I
15 sleep and stuff.

16 Q Now what -- you don't have sleep
17 problems anymore like you did when you were
18 little, do you?

19 A Yeah, I still fall -- I sleep good.
20 I'm just talking about with all -- everything on
21 my head. I mean, falling. I'm having to try to
22 figure out how I'm going to pay the light bill.
23 Everything like that, then Tia -- I don't know,
24 she got -- I reckon she thought like I -- I wasn't
25 attracted to her or nothing like that. I mean,

1 because --

2 Q Why would she think that?

3 A Because I ain't -- I'm not no
4 (inaudible) -- I reckon, I look outside and I
5 would (inaudible) watch the TV or something like
6 that.

7 Q (inaudible) loved TLC and you know
8 stuff like that. And you had a lot going on with
9 bills.

10 A Yeah. And I had her like that right
11 there and stuff like that, I mean. That's what I
12 said, then she would get mad at her because she
13 would, like if she tell her to do something or
14 something like that, I say, no, don't do it, don't
15 do it. minor would listen to me, and she would get
16 mad about it. That's why I said, I don't know --
17 if I probably left her or something she might have
18 did something to that little girl or something.
19 As far as hitting her hard or something like that,
20 now, I swear to you on everything, I never put no
21 bruises or nothing on that girl like that.

22 Q Well, let me ask you this. Did y'all
23 try to have a child together?

24 A She wanted to.

25 Q Did you?

1 A I did. I ain't going to lie to you.
2 I did at first, and that's when she told me that
3 her tubes were tied and stuff like that. I said
4 well, you need -- when I get my tax money, I said,
5 I don't mind.

6 Q That would have been expensive.

7 A Yeah, that's what she told me, about
8 five thousand dollars. So, you know what I'm
9 saying. Yeah, I wouldn't mind because I knew that
10 -- that wasn't going to happen. You know what I'm
11 saying. I mean.

12 Q Well tell me about this. Alex talked
13 about you watching -- he called them dirty movies
14 on the computer.

15 A Yeah because he used to catch me. I
16 ain't going to lie. I -- I flip through them on
17 like YouTube, porn a little thing called porn hub
18 or something like that.

19 Q That's why she locked her computer.

20 A Yeah.

21 Q And I -- I'm guessing -- I'm asking.

22 A You can ask.

23 Q You didn't show that girl any love and
24 you were watching porno? You -- you are just
25 getting bad marks against you left and right. Is

1 this first on at the relationship? Or kind of at
2 the end? Are -- y'all are still together, I
3 assume. She -- before the baby or anything like
4 that.

5 A It was -- it was, that been a long,
6 back a while, it's been a while. That's whenever
7 she wasn't even there. It was -- it was the same
8 way.

9 Q Back in August?

10 A Yeah, it was the same way.

11 Q You said Preacher was just -- a man.
12 Where does Preacher live?

13 A That big green house right there. The
14 big green -- has a lot of junk in the yard. You
15 can't miss it.

16 Q Is he black, white, Indian?

17 A Black. All them black.

18 Q Old, young?

19 A Old.

20 Q Can I (inaudible) you (inaudible)? I
21 mean he's going to own up to it.

22 A Yeah. I mean, I know -- I'll be
23 truthful, I ain't -- ain't never hit that little
24 --

25 Q (inaudible)

1 A I ain't never hit that girl in my
2 life. I wouldn't hit her or nothing like that..
3 Like I said, I popped her probably like one or two
4 times and that was on her butt.

5 Q Have you ever taken your open hand,
6 like kind of playing around, and done like that?

7 A Huh uh.

8 Q I take my little boys and do like
9 that.

10 A No, no, no. Like I said, did that on
11 her belly before, but I ain't never hit her in the
12 chest or nothing like that. Because --

13 Q Why doesn't she sleep in the bed with
14 Shaniah.

15 A Who?

16 Q Why doesn't she sleep in the bed with
17 Shaniah? Up against that wall.

18 A Because that girl -- like I said, a
19 long time ago, that girl I ain't --I'm not going
20 to lie about that, she -- she act like she was
21 having seizures before. I mean, the girl was
22 shaking and had slobber coming out of her mouth.

23 Q When?

24 A Last -- before she went and did -- or
25 when DSS got her and stuff. When she had them

1 marks.

2 Q Oh okay, back in August.

3 A Yeah. Because, I mean, Tia will you

4 --

5 Q Did Tia tell DSS that?

6 A Yeah she told them.

7 Q That she had a seizure?

8 A Uh huh.

9 Q And that's where the marks come from?

10 A Uh huh.

11 Q You know, Tia never says that she had
12 -- that she. This is what I was told, she never
13 said anything to you about she was just
14 (inaudible) 12338. That she didn't know where
15 those marks come from other than she had ran into
16 your cigarettes. As for the marks, you were the
17 one that mainly cared for her. And you
18 (inaudible) the same explanation that (inaudible)
19 that she run into a speaker, or she ran into the
20 table, or something happened. She says that, you
21 pulled her front two teeth. Didn't say why, she
22 just said that you pulled them.

23 A She pulled them.

24 Q She said that the reason why the hair
25 got cut was because you wanted her to cut it.

1 A No, the truth is -- because she wanted
2 -- I told her -- I told her, I said I'm going to
3 run to the store and stuff. I said you want me to
4 cut it? That's what I said, you want me to cut
5 it. She talking about I don't care. So when she
6 said I don't care, I cut it. I ain't going to lie
7 to you about it, I --

8 Q What was the reason for it?

9 A Because she had like the little --
10 like little dried sores or scab off and stuff. I
11 mean, it was like --

12 Q What happened -- how do you get that
13 -- what's that --

14 A I don't know what it was. She -- I
15 know what it was, I believe the girl -- the little
16 girl, while she was sleeping down on that thing,
17 the fleas and stuff was getting all over her.
18 From the rabbits, and that other -- and I believe
19 she was getting a lot of that stuff from that
20 rabbit and stuff.

21 Q Mike, do you think you could have
22 anything, or would you -- could you have done
23 anything to prevent that child from dying?

24 A I tried. That's what -- I tried. I
25 ain't never -- this shit kills me. I dream about

1 this shit every night.

2 Q I bet so.

3 A I mean, all I can remember is trying
4 to do CPR on that little girl and bringing her
5 back.

6 Q I asked you just a yes or no questions
7 real quick. Did you ever hit her hard enough that
8 she went unconscious?

9 A No.

10 Q Have you ever used a belt on her?

11 A No.

12 Q Have you ever used a strap on her?

13 A No.

14 Q What about a rod that we have.

15 A No.

16 Q What was that rod used for?

17 A That's -- that was outside, that rod
18 stayed out there in that yard. Picked up out that
19 yard, no rod was in the house.

20 Q So -- did you ever beat Tia with a
21 rod?

22 A I play with her with it now, because
23 she played with me with it. Now she popped me
24 with it before and I popped her with it before --
25 Tia.

1 Q What about the kids? Any of the kids.

2 A No. I followed behind Alex with it
3 one time before, playing with him with it but I
4 ain't never hit him with it or nothing like that.

5 Q What about Shaniah?

6 A No, I popped Shaniah with a belt
7 before.

8 Q Did you ever have problems with Alex
9 putting his hands on the girls, their private
10 areas?

11 A One time I had to get on him about
12 minor

13 Q Why, what did he do?

14 A He just hit her right there and went
15 bloop, bloop like that right there.

16 Q On the front or the back?

17 A On the like the front.

18 Q Did he ever try to pull her pants
19 down?

20 A No, I ain't never seen him try to pull
21 her pants down.

22 Q I know you -- the last time we talked,
23 you said he was fascinated with a match, lighter,
24 or whatever.

25 A Uh huh.

1 Q How many times did you catch him
2 smoking? Like one of your cigarettes.

3 A A lot of times.

4 Q Did you ever catch him lighting a
5 cigarette?

6 A Yeah, he'll light them and everything.
7 He'll throw the lighter and everything. The boy
8 will sit there and light a cigarette. Sometimes
9 he'll light a cigarette and bring it to me. If I
10 ask him to go get my cigarettes or something,
11 he'll bring me one cigarette and (inaudible)

12 Q What about Shaniah? Does she have
13 (inaudible)

14 A No, Shaniah's a quiet girl, she ain't
15 bothering none.

16 Q When all this was going on with minor
17 she was asleep and Alex was asleep?

18 A (inaudible)

19 Q When -- the night when she was so
20 sick, y'all tried to get her to wake up.

21 A Alex was up, I think Shaniah was in
22 the bed. But Alex was up, Alex was running around
23 and everything.

24 Q Did --

25 A Because that's whenever Tia was

1 supposed to be fixing him something to eat.

2 Q What was she fixing to eat, do you
3 remember?

4 A I think she made hot dogs or something
5 like that. It might still be in the pot, I don't
6 know.

7 Q They are. This is what I think, Mike.
8 I know that she was beaten. The psychologist is
9 the one who determined that. She was beaten so
10 bad that, her eyes, she's like, she's so white.
11 It tells it on her. Now, this is where we're at.
12 We're at that crossroads, where we're going to go
13 one way today because, I probably wouldn't be able
14 to sit back down. I'm -- I'm not. Because I can
15 ask you question and question and it -- after
16 that, it just gets kind of a game that you know.
17 It's kind of like, why ask you anymore. You need
18 to tell me if it was just an uh oh that night or
19 that day, it's something that's sad. And y'all
20 refused to take her to the doctor because when it
21 gets to court, and it's going to go to court. I'm
22 telling you, they're going to put it all on you.
23 And I -- I mean, I can't say, no it's not Mike,
24 unless you tell me what happened on that when we
25 go to the State. You see what I'm saying? I

1 can't say. I can say Mike, talked with me, he was
2 open with me, but I can't say, he explained it to
3 me. You can tell me all day long you never put a
4 mark on her. I realize what you're saying is that
5 you spanked her before and it's left a mark but
6 those marks -- I know you want to talk, but let me
7 get it out. The last thing in the world I want to
8 do is disrespect you okay? The last thing.

9 A It's all good.

10 Q But Mike, as much as going on with
11 this, there's cigarette burns on her vagina, she
12 has hemorrhaging inside of her vagina, she's got
13 burn marks on her back, she had a mark on her leg
14 where you -- and I think it's where you grabbed
15 her. I do, I think it's where you grabbed her.
16 Her two front teeth, she's three, those babies
17 don't lose their teeth until they're like five
18 years old, four or five. She is a little bit too
19 young, and they lose the bottom teeth first.

20 A Uh huh. I'm going to say Tia, I ain't
21 going to lie to you, Tia pulled her teeth out, I
22 helped her with that one. That other one, she
23 pulled out herself right there in the bathroom.

24 Q Wait, let's back up. Be honest with
25 me and tell me, why they were loose. Did she hit

1 the wall?

2 A I reckon she ran in -- she might have
3 -- she might have ran into the wall. Like I said,
4 I didn't -- that little girl.

5 Q Mike, it sort of is or isn't. It's --
6 and I'm not judging you, it's like I said, I don't
7 think -- I'm sitting in a room with you by myself,
8 you're not cuffed or anything.

9 A I didn't --

10 Q Do you think that a actual violent
11 person or that you would want to harm somebody,
12 that I would be in here with you like this?

13 A No. Like I said, I ain't -- I ain't
14 caused it. I ain't caused none of that. I'm
15 clear the whole thing, I don't want to go to jail
16 for this. I just didn't make sure she got to the
17 doctor on time, that's the only damn thing.
18 Because I seen them marks on her, I told Tia, I
19 said, well you ain't want to take that girl, you
20 sure all them marks on her. You know what DSS
21 going to say. I did tell her that, I ain't going
22 to lie to you about that. I did tell her that.
23 But as far as all those other marks, I used to ask
24 Tia about them marks. And she used to come up
25 with excuses for everything word for word, you

1 know what I'm saying. I ain't -- not even a
2 stutter or nothing when she would come to me.
3 It's like I asked about -- I even asked about the
4 one on her vagina, and that's when she said it was
5 blisters. That's -- that's what she told me. I'm
6 not going to lie to you, I don't -- word for word,
7 straight up.

8 Q I know when she came back to y'all on
9 September 15, there were no blisters on her
10 vagina.

11 A There wasn't. That's what I'm saying.
12 She came back she was perfect.

13 Q She was.

14 A She was perfect.

15 Q There was no scabs in her head.

16 A No, there wasn't nothing. That's what
17 I'm saying. You know, I -- I wish they had never
18 gave her back to us, I swear -- I swear, I do.
19 Because then I wouldn't be in this situation.
20 Tia's got a temper, I know the temper.

21 Q You see, you're the only person that
22 says she does. Everybody else says non
23 (inaudible), meek, low self esteem.

24 A That's what I'm saying, she's got a
25 temper on her because she hollers at my son, and

1 everything else. I -- I swear to God, I'm not
2 lying to you, I put that on everything. She --
3 hollers at Shaniah, she done jerked Shaniah
4 around. Because Shaniah was whining or something
5 like that and she -- she pushed Shaniah in a
6 corner and everything. I seen her push -- when
7 she put Shaniah in a corner, she pushed her.

8 Q Did you ever see her push minor

9 A She pushed minor a couple of times.

10 Q What happened?

11 A minor fell and I -- she -- she, like
12 she didn't mean to do it now, you know, she pushed
13 her, and (inaudible), she'll fall. But far as
14 that, everything else she wasn't good. Just like
15 one -- on one -- on her head -- on her head and
16 stuff. I think she had laid her on my bed one
17 time, that big bed in the bedroom. I come in, she
18 talking about, I said what happened to her head,
19 she talking about she rolled off the bed and I'm
20 not lying to you. I swear to God on everything, I
21 ain't got no reason to lie.

22 Q When do you think she should have been
23 taken to the doctor?

24 A First time she went unconscious.

25 Q That was when?

1 A Earlier that week. Three days prior
2 to this right here happening.

3 Q Did she take -- did you take her to
4 your mom's house that week?

5 A I took her to my mama's house and my
6 mama said she didn't like the way her skin color
7 looked. Make sure Tia take her to the doctor
8 before something happens to that little girl.

9 Q What did she say about her head being
10 shaved and her teeth missing?

11 A She didn't say anything, she said why
12 you cut her pretty hair? Because mama loved her
13 hair, mama loved her little curls and everything.
14 Mama loved her. I mean, I loved her curls and
15 everything, but that's when I seen the (inaudible)
16 -- and I didn't -- that little girl -- that's why
17 I thought it was fleas because I done told Tia to
18 get out that rabbit out of there. That's what it
19 was, that rabbit, every time you see that rabbit,
20 (inaudible). One they call Flopsy or whatever, I
21 got -- I bought Tia that rabbit when we first got
22 up. When we first moved down here, we seen that
23 rabbit, she liked it, so I got it for her. But I
24 swear to God on everything I did not beat that
25 girl like that, because I would not do my youngun

1 that way. I love children, and it's like this,
2 you can ask Shaniah, the only thing I ever did to
3 Shaniah, I popped her across the butt.

4 Q Let me ask you this, have you ever
5 been involved in -- all right, we talked about the
6 ex- girlfriend. You -- Alex's mom, and we talked
7 about ex-wife. What was her name?

8 A (inaudible)

9 Q All right. And I know you've had
10 girlfriends in the (inaudible) okay? So have you
11 had a problem when you -- in the history of your
12 relationships where there have been children
13 involved and DSS has gotten involved? Because of
14 a bruise, or abuse, some kind of CDV issue or
15 anything like that.

16 A No. The only one I ever was at was --
17 was Addy.

18 Q I don't remember you telling me about
19 her -- I don't.

20 A This is the girl I know, this is --

21 Q That's another one.

22 A Before I met -- before I met her,
23 there was a girl.

24 Q Before you met Tia?

25 A Well, I already knew Tia, but it was

1 -- matter of fact, I met them at the same time. I
2 talked to her in front of Tia, didn't never make a
3 move, so I hollered at her. I didn't never move
4 fast, she from Greenville, North Carolina.

5 Q (inaudible)13513

6 A She got a twelve year old daughter,
7 she got a six year old daughter, and a six year
8 old boy.

9 Q What -- now tell me what Abby's last
10 name is.

11 A Baker.

12 Q Baker? And she lives in Greenville,
13 NC?

14 A No, she moved to New Mexico. She --
15 come to find out, she travel (inaudible) herself,
16 every six months, she changes (inaudible). I
17 don't know, my friends Wendy and Lee Hatchet in
18 Coward, South Carolina. You know how she lives,
19 so she went down there to stay with them. I was
20 talking to Abby and me and Abby got back together
21 so she came back down -- back down. They got mad
22 at her and they called DSS, which find out, mama's
23 messed up right now, because all the moving and
24 stuff, that's messed up. So, she called and told
25 them that Abby had them younguns in the house in

1 nasty living conditions and all that.

2 Q But Alex was?

3 A Yeah, but not.

4 Q Okay, breath. Abby's -- they called
5 on Abby, about --

6 A Yeah.

7 Q Okay, I'm sorry. So, you caught on
8 fast.

9 A Yeah, they called on Abby. Like I
10 said, only other time I had anything -- one time
11 Alex was in school and lied on me and said he --
12 he like slapped me.

13 Q Why.

14 A I don't know, he just did it. Because
15 he said, Daddy I was just playing. Because he
16 told -- matter of fact, I believe he told the case
17 worker that was there. Because the case worker
18 said, she know I didn't slap him because it was an
19 abrasion, where you see where the skin right there
20 was cracked. She said they just had to
21 investigate, they check it out before anything
22 because the school called. Because he went in
23 there and told the teacher, talking about I
24 slapped him. But I didn't -- I ain't slapped the
25 boy.

1 Q So -- tell me -- so, it was a neglect
2 thing with Abby's kids?

3 A Yeah, it was. That's why I got that
4 house on (inaudible) street. That was really
5 Abby's.

6 Q So you moved her --

7 A Because see what it was, is they said
8 it was about the living conditions, about how all
9 the debris out there in the yard, you seen how it
10 was and everything.

11 Q So you moved and everything was good
12 to go.

13 A Yeah, everything was good to go. I
14 ain't had no problems.

15 Q When did you and Abby break up?

16 A We broke up, me and her moved in
17 December.

18 Q Moved there together in December?

19 A Yeah in December, I moved uptown. She
20 left, moved out in like February or something like
21 that. She left out before (inaudible) moved, that
22 was about February.

23 Q And then --

24 A I stayed down in Greenville, NC with
25 her for a little while and come to find out, her

1 husband kept on with her because she (inaudible)
2 but her husband was her dad. Come to find out her
3 husband was her step dad. So, when I -- I didn't
4 know that at first but when I found that out, I
5 mean, I got wiser, I distanced myself from that
6 girl. Her -- her daughter was on the same
7 medicine on Alex was. Matter of fact, her
8 daughter's name was Alex, too.

9 Q So, you had two Alex's.

10 A Yeah.

11 Q ADHD.

12 A Yeah. Then she had one little girl
13 named Izzy and one name Bubba. I mean, the little
14 boy's name was Bubba.

15 Q How old were they?

16 A Six. One of them's five and one of
17 them's six. The little girl, she was a little
18 button. She was remind me of minor a little bit.
19 She -- they did that so, (inaudible) we hang at
20 the house and all that and everything was good. I
21 didn't even lie to you about smoking reefer. I
22 said, well, I'll take one -- see I had bad, bad
23 nerves. It's just like -- it's just like, I -- I
24 had to smoke some reefer or something to calm my
25 nerves down because I had so much on my head. So

1 I did that and she knew I caught her talking to a
2 dude named Mike -- Mike something like that.

3 Anyways, she ended up moving -- leaving me and
4 went -- she said she just go back to North
5 Carolina but she ended up going to Rio, New
6 Mexico.

7 Q Have you checked up with her on the
8 internet?

9 A Huh uh. Well, I couldn't tell you
10 yeah. Well, I when I looked on the internet one
11 time it was on Facebook or whatever and Tia jumped
12 all down my throat. She -- that little stick you
13 talking about, she whopped the shit out of me with
14 that stick about that stuff. That's why I said.

15 Q What's the deal with the strap?
16 There's some kind of buckle on the stick or
17 something?

18 A On a stick?

19 Q On that rod.

20 A No, that wasn't nothing but like a old
21 golf thing, I would just play with it out there in
22 the yard.

23 Q Golf thing, what you mean?

24 A It's just -- it's a golf -- golf club
25 thing. That's the only thing it was and he was --

1 he was out there playing with it and everything.
2 Because a lot it stayed outside, he'll bring it in
3 and it might be in his room laying around his room
4 or something like that.

5 Q So, the rod is black like fishing pole
6 wire.

7 A Really, I think it's really like a
8 golf club thing or something.

9 Q I just -- I didn't see it see it. I
10 saw it, but I didn't like inspect it.

11 A Yeah. Like I said that, and a leather
12 strap, that's what she used to whoop them with.
13 That's what she used to whoop them -- she used to
14 whoop them -- she whooped them a lot. I mean, I
15 ain't -- I ain't, she can tell you, I ain't even
16 whooped them none. Because she used to get on me
17 about, about how I wouldn't say anything to Alex
18 and like I said the only time I said anything with
19 Shaniah, Shaniah was trying --Shaniah wasn't --
20 walked outside, because I walk outside. I ain't
21 going to lie to you now. I walk outside and I get
22 to talking to the neighbors or something and I
23 might forget about them, and I might have to run
24 in there and check on them. But Shaniah --
25 Shaniah don't -- was in there whining, and I ran

1 out the front door, I said Shaniah why are you
2 doing that baby? And this is -- this is. I said
3 quit, so I popped her. I ain't going to lie, I
4 popped her. I said don't do that no more baby,
5 she talking about okay. I said, well I didn't pop
6 her hard, because just -- I didn't barely tap her.
7 And one other time, I popped her with a belt.

8 Q Who's that, Shaniah?

9 A Yeah, I popped her -- I popped her
10 with a belt one time before. But after that I
11 didn't do nothing else to her.

12 Q Did anybody else ever see Tia spank
13 the kids?

14 A They didn't see her spank, but they
15 heard how she was toward them and everything. You
16 can ask that woman, Denae. Like I say, because I
17 was out there one day, she kept on talking about,
18 I'm going to tell you one more time, you know
19 what's going to happen when I tell you one more
20 time. I mean, she --

21 Q What about towards minor Do you think
22 she resented the time that you spent with minor

23 A That's what I'm saying. Let me tell
24 you like this right here. If that little girl
25 (inaudible) you and then all of a sudden a man

1 comes in your life, for three months -- it's about
2 three months is how long she been around me.
3 She'll run to me before she run to her mama.
4 Something had to be going on. I just -- just
5 couldn't see why that girl was so crazy over me.
6 I loved her -- I used to play with her and
7 everything because she used to like to do this
8 right here and go (inaudible)014216 just like
9 that right there and she would and we'll do that
10 and she'd go one, two, three, four, five and do
11 like that. I mean, she used to do stuff like that
12 and you know what I'm saying, I would never hurt
13 that little girl. I can honestly tell you from
14 the bottom of my heart, I'm not lying to you.

15 Q I want to tell you something, Mike.
16 You know I told you I call a spade a spade.

17 A Yeah.

18 Q You had to hurt her, and you know why?
19 Because you didn't make that mama get medical
20 care. That's what you do, that's what they are
21 going to say in court. That's why I'm telling
22 you, I've got to have more information than what
23 you're giving me. The way it looks right now, is
24 you and Tia did beat the crap out of this little
25 girl and caused her death. And what you're

1 telling me is, is that you knew she was sick and
2 needed help. And you didn't get her help and you
3 could have called 911, you could have taken her to
4 the doctor yourself.

5 A I know what you're saying.

6 Q And you could have called DSS yourself
7 and said look, there's a girl that lives over here
8 at this (inaudible) and she's got a child, and
9 she's turning grey and she's got marks on her
10 body, somebody needs to come check it out. I
11 can't say DSS would have come running, but you
12 would -- you see where I'm getting at?

13 A Yeah. But see, only thing is, I ain't
14 never been a good person about judgment.
15 Everything, it don't matter about anything. I
16 just never been a type of person, I mean, I ain't
17 going to lie, I don't think. I ain't going to
18 lie, I don't think before I act.

19 Q That's a good answer. That's a fair
20 answer.

21 A It's -- it's just like that. And mama
22 could tell you, a lot of times, I -- I never did
23 anything on my own. Anything, I always had
24 somebody do it for me, or something like that. I
25 ain't going to lie to you. I'm -- I'm not

1 responsible that way. As far as Alex, he was
2 something different. I tried to do what I could
3 do. It just like his Medicaid, I ain't never
4 really did his Medicaid, until I -- Tia helped me
5 with it and stuff like that.

6 Q Let me ask you, were you -- are you
7 afraid of DSS? Were you afraid of them from the
8 past?

9 A Yeah. (inaudible) All I could see
10 is, when my -- Alex's mama. I ain't even going to
11 lie to you, Alex seen so much stuff growing, that
12 I was scared to damn death of DSS. I'm not going
13 to lie.

14 Q Were you afraid of DSS finding out
15 about any mark or bruise that something bad was
16 going to happen to you.

17 A I don't -- yeah, I ain't going to lie
18 to you.

19 Q I don't want you to (inaudible), you
20 and I have been honest with each other. So that's
21 all I'm saying. So, you telling me that you're
22 scared and that's why you didn't -- y'all didn't
23 take her to the doctor.

24 A Yeah. That's what she was telling me
25 because she was talking about soon as some of

1 those bruises -- because she told me herself now,
2 soon as some of them bruises heal up, I'm going to
3 take her to the doctor. Then when she started to
4 wet herself, I'm going to take her to the doctor
5 in the morning. I said no, you going to take her
6 to the doctor tonight. Then, before then, you
7 know that it got too -- worse. And that's when
8 everything -- when everything played out.

9 Q Did y'all go out to eat the day
10 before? Did y'all go eat Spaghetti or something
11 somewhere, pizza time or something.

12 A Yeah, I bought her this little
13 spaghetti thing and I got a Chicken.

14 Q Did she eat the -- did she eat
15 spaghetti?

16 A Yeah.

17 Q Could you tell that day, something
18 wasn't quite right?

19 A No, she was good that day.

20 Q She didn't sleep a lot that day?

21 A No.

22 Q The day that she died, she slept a
23 lot?

24 A Yeah, she was -- yeah, she slept a lot
25 that day.

1 Q Did -- so how late in the morning did
2 y'all sleep that morning?

3 A I slept until, I don't know, around
4 ten, ten thirty. Somewhere around there.

5 Q She slept too?

6 A She slept too.

7 Q Did she pee pee on the bed that day?

8 A No, she didn't pee any.

9 Q Then y'all got up that day. Did you
10 get her dressed that day? Or you just stayed in
11 the same pajamas?

12 A We just stayed inside -- we just
13 stayed inside. (inaudible) and I said when Tia
14 comes back that's whenever we walked outside and
15 stuff. She went out there, and I thought she had
16 took Alex -- well she took Alex to that meeting,
17 we all stayed (inaudible). Shaniah was in there.

18 Q Well let me ask you something. Were
19 you afraid to tell me about the meeting?

20 A I forgot all about it, I'm not going
21 to lie to you. It -- I tell you the truth, it
22 didn't even come to my mind.

23 Q Because see, that put you at the house
24 for about two and a half hours by yourself. Was
25 Shaniah there with y'all?

1 A Yeah, Shaniah was there.

2 Q What'd y'all do for those two hours.
3 That's when she was sleeping then?

4 A Yeah, her and Shaniah was in her thing
5 in (inaudible) room. And I was outside talking to
6 the neighbor, I ain't going to lie to you, I was
7 outside talking to the neighbors. So that's what
8 --

9 Q See you told me, you were gone until
10 seven.

11 A See, that's what I'm saying. I'm not
12 good with times or nothing like that. I mean,
13 what'd I tell you. I'm not good with -- I look
14 like a liar probably, I ain't going to lie to you.
15 But I -- I swear to you, as far as hitting that
16 girl or something I didn't do that, I promise you.
17 I'm not lying to you.

18 Q Could you have done it and forgot
19 about it?

20 A No because I would remember if I had
21 hit her or not, anything like that. Because I'm
22 not violent. I ain't never been the violent type.

23 Q So, you -- you've never had anger at
24 none of your girlfriends? You've never had a CDV,
25 y'all have never got in a fight about anything?

1 A The only thing, my wife tried to pull
2 some bullshit on me because I wouldn't buy no
3 crack or nothing before.

4 Q So, what about your -- what's on your
5 rap sheet?

6 A The only thing on my rap sheet is
7 burglary, burglary, and drugs.

8 Q What did you steal?

9 A I got mad one night, I got drunk and
10 broke into the place I used to work at because
11 they messed me out of some money and I was about
12 -- I don't know.

13 Q Were you having a brain fart that
14 night?

15 A Yeah.

16 Q Were you high?

17 A Drunk.

18 Q I tell you what, let me take one quick
19 break. You ready -- you still -- you okay sitting
20 here for just a few minutes?

21 A Yeah. Is there any way I can smoke a
22 cigarette?

23 Q That would be considered contraband
24 and I could get in a lot of trouble for that.

25 A Oh, never mind.

1 Q But, I will ask and see if we can get
2 one of the big dogs to -- I'm just a
3 (inaudible)014758 this conversation.

4 A Can I ask you something?

5 Q You may, you can ask me anything you
6 want.

7 A What am I looking at?

8 Q Nothing we can do right now, sweetie.

9 A What I'm looking at (inaudible)014808

10 Q Oh, I don't know that. I'm talking
11 about -- I know that. At this point they've got
12 you charged with everything they're going to
13 charge you with. Now, tell me what's on that
14 computer.

15 A What's on the computer?

16 Q In other words, what -- any websites I
17 need to know about before we check it? Because
18 we've got the computer and we're going to check
19 it. So, in other words, I know y'all googled how
20 to help work on the burns, medicate them burns and
21 all that.

22 A She got it -- she did that.
23 Everything wrong, she did that. Matter of fact,
24 you can go on there and look up under Tia,
25 something like that, where she be writing all this

1 crazy junk.

2 Q About what?

3 A About how she wished she can die, and
4 all this stuff and stuff never works out for her
5 and all this shit. She ain't happy, and it'd tell
6 you about how it go with the kids as a matter of
7 fact.

8 Q What about the porn sites that you
9 went to on here. See, all that's -- anything you
10 ever went to on that computer --

11 A I was just -- honestly, I only went to
12 like porn hub or something like that but I ain't
13 never damn -- she blocked it, so I couldn't go
14 online though. I only went on there one time and
15 caught it on her history.

16 Q Don't think I think your bad when I
17 say this, but any kiddy porno on there?

18 A No.

19 Q Just -- just adults?

20 A Yeah. Matter of fact, they were like
21 older -- old woman and stuff. I mean.

22 Q That's fine, listen, as long as
23 they're legal. I just didn't -- that's why I said
24 I wanted to know what to find.

25 A Yeah, I know they all legal.

1 Q So, did -- let me ask you this, did
2 you tell her to go on there and google how to get
3 rid of the burns?

4 A No, I ain't never told her to do
5 nothing like that. That's what I said, I don't
6 think -- I asked her, but I said -- I told her. I
7 said what could put her unconscious? And she went
8 in there and got that and said she google that
9 because I can't spell nothing. You'll see
10 everything. So, that girl, she ain't -- I reckon.

11 Q Tell me what you did on the computer.
12 You went to the porn sites.

13 A I went to porn stars and went to like
14 Ebay or something like that, that's about all.

15 Q Wait, you went to myyearbook or
16 something?

17 A Yeah, Tia went to it on hers. I went
18 to it on mine one or two times. Might have got on
19 Facebook or something like that.

20 Q Let me ask you this, you got other
21 women you talking to on Myyearbook? Is that why
22 you wouldn't log on on hers?

23 A No. I -- matter of fact, she went on
24 Myyearbook thing and she done messed everything up
25 for me so I really left it alone. I mean.

1 Q Did she roll the dice?

2 A Huh?

3 Q Did she roll the dice?

4 (inaudible)15037

5 A I reckon.

6 Q No, ain't no reckoning.

7 A I don't know what to -- it's just
8 weird.

9 Q Weird? Okay, I'll give you credit for
10 that.

11 A I ain't --

12 Q Let me ask you something, you dating
13 her.

14 A I --

15 Q She's living at your house.

16 A Let me tell you, I'm going to tell you
17 like this right here. A lot of stuff I found out,
18 whenever I first started talking to that girl, it
19 didn't turn out that way.

20 Q Well, you told me that. She told you
21 this and that and it wasn't.

22 A Yeah. Like I said, she -- I mean, I
23 ain't never had -- she -- she got a rap sheet
24 about her.

25 Q She's got a rap sheet?

1 A Yeah, she's got a -- she got -- she
2 got stuff all in Robinson about DSS and stuff like
3 that. I mean, I ain't -- I would never, I ain't
4 going to lie to you. I don't believe in abusing
5 no kids or nothing like that. But I was scared if
6 I say something, then I would be taking a chance
7 of me losing my little boy, I'm not going to lie
8 to you about that. Because you know all of them
9 was in there together all that. And I was scared,
10 that's the main reason, I was scared to lose
11 everything I ever had. I went through hell and
12 high water to get that boy.

13 Q Well, it looks like (inaudible)015149
14 is taking good care of him.

15 A Yeah.

16 Q She's giving him his medicine, he's
17 clean, he was happy, he was talking to me, he was
18 smiling. So, and I know he's not with you, all
19 that can't replace you. But what I'm telling you
20 is at least you know he's in good hands. I can't
21 -- she must -- her house must be in order.

22 A Yeah, she's a good woman.

23 Q I've even discussed with her about if
24 your crazy -- his mom comes back, I hate to call
25 her crazy.

1 A Well, she is.

2 Q Yeah. I hooked her up with the
3 Sheriff's Office there, in case something does
4 happen. I think she's kind of asking some
5 questions to your sister or something. Have you
6 seen your daddy? Have they told you any of that?
7 I got all of this second hand knowledge from
8 Debra. We got stuff in play in case she tries to
9 come in and cause commotion or whatever. But they
10 can take care of it.

11 A But I'm telling you, I knew -- I had
12 nothing to do with -- man. The only thing.

13 Q Mike, were you aware of what she's
14 done to your little boy?

15 A Not to the full extent.

16 Q It's either you --

17 A I -- I figured something but I just --
18 I was scared to do anything, I'm going to tell you
19 the truth. I was scared to do anything. I mean,
20 it's just...

21 Q You either knew it, or you didn't.
22 It's kind of like --

23 A I seen marks -- I seen the marks, I
24 would ask him about the marks and he -- then she
25 would come right up and tell me something about

1 them. I mean, she always had a story for it, I
2 mean and it sounded legit. But like I said, I
3 said well damn. Then I started thinking, and then
4 like I said, since I been in a cell and I started
5 thinking. I said damn, the whole time the little
6 girl is gone, she comes back and she's clean.
7 Then all of a sudden she gets around Tia, and here
8 it goes again. And see her mom and dad's the one,
9 told on her last time about the DSS thing. Her
10 mama and daddy know that girl's got problems, she
11 didn't even -- she even admitted to me that she's
12 got problems.

13 Q Who did?

14 A Tia.

15 Q What did she say?

16 A Said she ain't right in the head.

17 Q Did something happen to her when she
18 was young?

19 A I don't --

20 Q Was she sexually assaulted or anything
21 like that when she was younger?

22 A I don't know, I (inaudible). She --
23 she's a freak, like she thinks somebody's supposed
24 to -- she'll walk around the house butt ass naked.
25 All the time, and I didn't -- I know that -- I'm

1 the type of person, I don't care about sex that
2 much, you know what I'm saying. I ain't never
3 been like that. That's the thing that kind of
4 pushed me away from her because she, you know what
5 I'm saying, like she would always try to force
6 herself on me, I ain't going to lie when I first
7 met her, I was a little attracted to her then, it
8 was something new, you know what I'm saying. But
9 --

10 Q Wore the new off.

11 A Yeah. The only thing I could do about
12 it, I should have told somebody. I ain't going to
13 lie. I should have told somebody what I saw,
14 should have went ahead and tried to report her but
15 like I said, I'm not a good judgmental person, and
16 I was scared to at the same time. Because I
17 didn't want to lose my little boy. Far as causing
18 her death, I couldn't -- I couldn't do nothing to
19 that little girl.

20 Q Let me ask you this, the fourth of
21 October, that's the day that Shaniah got sick at
22 school, remember that?

23 A Yeah.

24 Q They couldn't get a hold of y'all.
25 So, Mr. Eugene went and picked her up and y'all

1 found out who was coming. Now, tell me why did
2 y'all tell Eugene that minor was with a friend?

3 A She was scared.

4 Q Who was scared?

5 A Tia. You should have saw her when she
6 come to -- when she found they had -- when she
7 come inside. She was talking about, come on we're
8 going to the doctor and all this. She was real
9 fancy, tancy, and nerdified. Then I said -- then
10 she told her daddy, talking about minor was with
11 the neighbor.

12 Q Did you tell him that too?

13 A No, I did not tell him that.

14 Q You sure?

15 A I'm positive. I did not tell him
16 that.

17 Q He says, he asked you where she was.
18 And you said, she's at a friends, or neighbor or
19 something.

20 A He didn't never ask me, I swear to
21 God. He didn't ever ask me.

22 Q He didn't know he was telling me
23 anything.

24 A Yeah.

25 Q Why didn't you let him go inside and

1 see minor

2 A They didn't never ask. I was outside
3 -- I was outside with Preacher, minor was asleep.

4 Q Where was she asleep? What room?

5 A She was in, matter of fact, laying on
6 the floor, laying down asleep. That's whenever
7 she -- because my phone rang and then I looked --
8 I listened to the thing and that's when I heard, I
9 said, it sounds like Shaniah's here. So when she
10 was doing that, minor was asleep, so I just went on
11 out and I was sitting out there at Preacher's
12 house messing with some of his junk back there.
13 That's when I saw the little white car come up, it
14 was (inaudible) 015636 that I seen, her daddy
15 walked back there to the (inaudible) seen what I
16 was looking at, because he always like tinkering
17 with stuff and everything. He was back there, I
18 heard he asked Shaniah (inaudible) 015647 that's
19 when Shaniah, I said the well neighbor needs to
20 see you, let me walk around there. I walked over
21 there and that's when the nephew, TC or whatever
22 his name is, walked around. He said hey man,
23 what's going on. I just said man, nothing. Shook
24 his hand, he talked to Shaniah, TC was telling her
25 about the German Sheppard he got and all this.

1 That and then it was -- her daddy asked me about
2 where's my Honda Accord at, I said down there at
3 the shop. Well, where's your car, down at the
4 shop. That's whenever Tia came up. Tia -- that's
5 when Tia talking about, because she was like, that
6 girl about had sweat bubbles coming off her head.
7 She pulled up in the yard faster than a policeman
8 would if they was running after somebody.

9 Q She talked to her mom that night on
10 the telephone right?

11 A Yeah, I don't know. I didn't keep up
12 with her that good, I ain't lying. I didn't keep
13 up with her.

14 Q Did she say anything to you about her
15 mama wanting to take the kids to the fair? She
16 told her yeah to start off with, but supposedly
17 you told her no afterwards. That y'all had a
18 birthday party to go to.

19 A No, no, no. I'm going to tell you how
20 it is. I'm going to tell you the honest truth.
21 That first time whenever this right here happened
22 with minor She (inaudible)015803 you can ask
23 Shaniah and Shaniah will tell you. She told
24 Shaniah and then the neighbor she lived around
25 (inaudible)015811

1 Q They thought that she had stayed in
2 there with DSS before?

3 A Yes.

4 Q And that she didn't (inaudible) 015818.
5 She lied before she could go back and see her --

6 A That's what she told -- she told him
7 that. That's not no lie. I'll tell you the
8 honest truth on that.

9 Q I asked (inaudible) and she said yeah,
10 you can come get them and take them to the fair.
11 (inaudible) said she had conversation with her,
12 and she don't know that she was telling me
13 anything of -- because I asked, when was the last
14 time you talked to her and she said, I talked to
15 her on that Tuesday. She said, and I haven't
16 talked to her -- the next thing I know the baby
17 was dead.

18 A She said -- she said -- she told me
19 something about it, something about she told her
20 was supposed to come get them the weekend. Well,
21 she told them -- well, I'm going to call them back
22 and tell them that it's too cold -- it's too cold
23 for them at the fair and stuff like that. Shaniah
24 was going -- going camping or something or like
25 that. I reckon, that's what she came up with. I

1 said, when she going camping. I'm just telling
2 her that. I said all right. I said (inaudible)
3 Shaniah was so happy and everything and she
4 rotating a flip, and I was trying to think, what's
5 she doing. I said Shaniah what -- Shaniah said, I
6 don't know, mama said we going camping. Then
7 that's whenever she looked at Shaniah, dumbass
8 girl, you ain't going camping that's what I just
9 told you. So you wouldn't just run your mouth to
10 your papa. That's exactly what she told me. That
11 girl, she's got a split personality, or something.
12 One minute, she's good. Look like --
13 (inaudible)015951 everything I was looking for,
14 I'm not going to lie to you. Then, how the little
15 girl just flips out and stuff. She bawled her
16 fists up at my son and pushed him down. She had
17 punched my son.

18 Q Would she hurt that baby to the point
19 where it would kill it. Would she --

20 A That's what I said, she might -- she
21 might. I don't know -- it ain't no about it. I
22 believe she meant to hurt them. But killing them,
23 she loved that youngun.

24 Q Well, she burned her. Somebody burned
25 her.

1 A I'm saying, that right there. I don't
2 understand it. I don't know if she was -- anger
3 about something or what. But I know good and
4 well.

5 Q Mike.

6 A The girl -- it just don't make sense
7 to me. Because she -- that girl.

8 Q (inaudible)020045 Mikey, everybody
9 that I've talked to, she's always mighty meek,
10 she's never been violent.

11 A That's how she is.

12 Q Never been violent. You understand
13 where I'm going with it.

14 A Yeah, I understand. I feel you.
15 She's -- she's always saying some off the wall
16 shit. She --

17 Q It's one thing to say something, but
18 actually acting it, that's not an accident.

19 A That's what I'm saying. Ain't nobody
20 ever seen the side I've seen.

21 Q I want to ask you this question.

22 A Yes ma'am.

23 Q If you needed help, and what I mean --
24 I don't mean like smoking a cigarette or -- what
25 I'm saying is, there's different (inaudible)

1 inside. Do you have anger problems that you need
2 help with? Would you say, Kathy I'm enduring it?

3 A Yeah.

4 Q Do you feel like you need help?

5 A I ain't never had no anger problems.

6 Q And after -- do you -- after I talk
7 with you (inaudible) 020143 I can go back to your
8 old school teachers and they could say, he wasn't
9 a fighter. You never had anger, you never rage or
10 anything?

11 A The only thing I really ever had was a
12 smart ass mouth on me, I'm not going to lie.

13 Q What's the difference, you can talk
14 while you smacking jaws. When you lay hands on
15 somebody --

16 A No, I've never been the person -- I
17 never been no fighter, I mean. I'm going to tell
18 you, I've never been no fighter. I reckon, I'm a
19 lover. I'm not a fighter. I'm going to tell you
20 just like that. I'm -- as far as me and my
21 ex-wife or soon to be ex-wife but anyway, Rebecca.

22 Q So, I could go talk to Rebecca and she
23 would tell me that y'all never would fight.

24 A Rebecca would tell you a bunch of
25 stuff, a bunch of lies, because she hates me. I'm

1 going to tell you that now. Because she don't --
2 she run off with my best friend and all that. You
3 can ask him, I ain't -- I wasn't never violent
4 towards him or anything.

5 Q Rebecca have any other children?
6 Y'all were married, y'all didn't have kids did
7 you?

8 A No.

9 Q Does she have a child?

10 A She had -- she don't take care of the
11 kids she's -- kind of a class A ho.

12 Q So who has her kids?

13 A Her grandma.

14 Q Did y'all ever take care of the kids?

15 A No. Her grandma always took that
16 youngun.

17 Q Now, what about Stacey? Does she have
18 any other children other than Alex?

19 A Yeah. She's got the one I used to --
20 when I first met her she was married, I mean took,
21 not married. But she was pregnant, pregnant with
22 a boy named Little Jessie.

23 Q Little Jessie's child.

24 A Yeah, that's the one, you remember the
25 lady was saying something the one that drowned in

1 that pool?

2 Q Okay, wait a minute. I remember. So,
3 I could go back and talk to her and she would tell
4 me that there was never any problems with you and
5 her child.

6 A No, mine and her and -- me, her and
7 Alex, but she -- she hates me.

8 Q Mikey, everybody doesn't -- can't hate
9 you.

10 A She -- I mean as far as the women
11 part, you know what I'm saying. Like that
12 relationship part.

13 Q (inaudible)020328 we got two that
14 already hates you and you said they would lie on
15 you.

16 A Uh huh.

17 Q Now we got a third one. That makes me
18 -- you know when you start getting more than one.

19 A What it is, whenever I'm through with
20 them, I'm through with them. And they -- Rebecca
21 been trying to come back to me and I won't take
22 her back. Stacey didn't like me because I cheated
23 on her. I used to run around on her, Alex's mama.

24 Q Did you ever beat her?

25 A No, I didn't ever beat her. She used

1 to fight me every night until I pass out. That
2 girl has even knocked her daddy out one time.
3 Because she was about popping the kids and stuff,
4 that's why I say -- that's what's got me so scared
5 of DSS. Watching how she was. All the stuff she
6 went through with DSS. That's why it wasn't no
7 problem for me to get Alex. I (inaudible) 020415
8 until I told the Sheriff's Department -- because I
9 called the Sheriff's Department talking about her
10 boyfriend was taking Alex, taking him and beating
11 him up against the wall. When I found out that,
12 then I seen all them marks he would come home
13 with, I had to get him back. That's whenever I
14 got him, they dropped the child support and
15 everything. After they dropped the child support,
16 she didn't have anything else to do with him.

17 Q Let's -- Let me take a break, I need
18 to use the restroom real quick. I'm not just
19 cutting you off.

20 A Okay.

21 Q It's one of those things that I -- I
22 feel like we're going in circles right now. I
23 don't know what to do. I want to help you, is
24 what I'm getting at. And you know I can't make
25 you promises, and you know I don't threaten. I

1 want to help you, but you got to ask for help. I
2 got to know that there's a problem there. And
3 then we got to get to the root of the problem, to
4 get you the help. Let -- me are you all right
5 with me taking a bathroom break?

6 A Uh huh.

7 Q Okay. I'll be right back.

8 (inaudible)

9 (WHEREUPON, A BREAK WAS TAKEN
10 FROM THE PROCEEDINGS.)

11

12 A When am I going to see my little boy
13 again?

14 Q Do what?

15 A When am I going to see my little boy
16 again?

17 Q (inaudible)15

18 A When do I get a bond.

19 Q We are going to set your bond with a
20 general sessions court judge. And I don't know
21 any of that general sessions court here. So
22 they're going to have to -- you're killing me.
23 Why are you upset?

24 A I'm upset because --

25 Q I've got to find something to back up

1 your story or either you've got to come clean and
2 tell me -- you've.

3 A I might need a little help.

4 Q Okay.

5 A I -- I don't (inaudible)56. I mean,
6 we call, we talk and shit like that. They used to
7 do Alex the same way. I know what his mama used
8 to do him. (inaudible)110 your daddy and shit
9 like that.

10 Q Does it make you mad?

11 A Yeah, it hurts.

12 Q Okay.

13 A Ask everybody I know, I ain't never
14 been no aggressive, or violent person.
15 (inaudible)129 a different side of me, I ain't
16 going to lie. I would hurt myself before I would
17 hurt anybody else. I got scars from where I used
18 to mutilate myself. That's what I'm saying, I
19 would never hurt nobody or nothing like that.
20 Usually like -- that's let me show you scars on me
21 from what I used to do. I'd just take a razor or
22 something, and cut myself. I ain't never burned
23 myself or nothing like that. I used to cut
24 myself. Mama (inaudible)154. I used to go to a
25 psychiatrist, it was a long time ago. I -- mama

1 could tell you more about it. I don't know, I
2 ain't never been the person to make good
3 decisions.

4 Q That's what's making me wonder if
5 maybe you, maybe you made some wrong choices when
6 you were disciplining minor

7 A That's what I'm saying. I don't --
8 (inaudible)0216 I said, I ain't trying to make it
9 look like it wasn't, I ain't did, you know what
10 I'm saying. I spanked the girl, but I ain't never
11 left no bruises like the ones on her. I never did
12 -- I never hit her upside her head or nothing like
13 that. I mean, I played with her before. I might
14 sit there and grab her hand and did like that
15 right there, you know what I'm saying, instead of
16 like that. Playing with her and stuff like that
17 because she would smile when you do that. Far as
18 anything else, I ain't, you know what I'm saying,
19 I ain't I wasn't ever aggressive or nothing like
20 that. I used to like I say, pick her up and do
21 like that and she would laugh or something like
22 that. And stuff like that.

23 Q People do all that with kids.

24 A Yeah. I mean, stuff like that, I
25 mean, I ain't never sit there and mistreat that

1 youngun like as far as like push her, just push
2 her down just to watch her fall, I ain't never
3 done anything like that. I ain't never been that
4 way towards no kids. I always thought about it
5 like this, you wouldn't nobody to do your kids
6 like that. That's why I said, I'm close to my
7 son, I want to see him, that's why it pissed me
8 off so bad when I saw how she was doing my son.
9 She grabbed him and did like that. I said, that's
10 a child, don't do that.

11 Q Why didn't you make her leave?

12 A I was to the point of it, I believe
13 she knew it. Because, I ain't going to lie to
14 you, when all that happened, she slept on the
15 couch that night. I slept in my room by myself.

16 Q Where did minor sleep that night?

17 A minor was, I think minor slept up in the
18 bed with me. Like I said, minor -- I loved that
19 child to death, and got kind of got to where she
20 didn't want to be around Athelia. I mean, she got
21 -- it was like, if I was to say -- I could have
22 walked out that room, that bedroom because Atelia
23 walked in there, that little girl would look at
24 her and say out. That youngun got to where she
25 didn't want Atelia to do nothing with her. That's

1 why I said, it was kind of strange to me, how a
2 youngun didn't want anything to do with her own
3 parent like that. I mean, as far as minor goes, I
4 would do anything for that little girl. I wish I
5 would have done the right thing, but I was scared.
6 I'm not going to lie to you, I was scared.

7 Q What were you scared of?

8 A I was scared, I think, that when she
9 did that, everything would happen like it
10 happened.

11 Q Did you ever tell anybody about what
12 was going on at home? Did you ever tell anybody
13 at the shop what was going on at home?

14 A No because it was just me. I would do
15 all that by myself.

16 Q So there's nobody that -- a neighbor,
17 or anybody. Did you ever confide in anybody about
18 her having any kind of marks on her?

19 A I think I said something to my
20 neighbor one time before.

21 Q About what? Which marks, or what?

22 A About her lips look like they were
23 busted, like her mouth looked like it was busted.
24 Like the way she walked and stuff.

25 Q She didn't walk funny until the last

1 week right?

2 A She walked funny about two weeks. I'm
3 not going to lie to you, I went in there in the
4 kitchen. I had a pizza laying in there in the
5 box. I got up, that pizza was gone. minor was on
6 the couch, so I reckon minor got up and went in,
7 there right and got the thing. And there was
8 drops of blood all over that floor.

9 Q From what?

10 A I don't know. I asked her, Atelia,
11 did you eat that pizza or something? She said no.
12 I looked at minor and you could tell about her
13 mouth, I don't know if she busted her mouth trying
14 to climb up -- you see how high those chairs were.

15 Q Yeah.

16 A We were picking about that.
17 (inaudible)613 there was a slice of pizza in there
18 and some crust in there. And that's when Atelia
19 said well she likes the crust and the pizza and
20 all of it was gone. The box was just like it was
21 pulled to the side. I seen like those little
22 drops of blood (inaudible)626 and you might can
23 look it might --

24 Q There's rabbit a lot of crap
25 everywhere, it's awful. It smells horrible

1 inside. Are you saying something happened to her
2 that night?

3 A It could have. I'm concerned that
4 something happened might have happened to her that
5 night.

6 Q Do you think somebody hurt her?

7 A I don't know. She -- minor -- she told
8 me minor had a temper. I was the last one in there
9 before and seen minor lying beside the refrigerator
10 with her cup in her hand. Lying on the kitchen
11 floor.

12 Q When?

13 A This was -- this was like when they
14 first come. She said minor would sleep walk, when
15 everybody's asleep.

16 Q Is that when she was sleeping -- still
17 sleeping on the floor beside y'all?

18 A Yeah. She had got up before and got
19 up and went in there and come back. That's why I
20 said I remember one time I seen like blood, little
21 drops of blood on the floor. I don't know if
22 that's when she might have busted her mouth or
23 what.

24 Q We got --

25 A It's like this right here, I'm

1 concerned about how everything went too. I'm
2 trying to help y'all figure it out. I ain't got
3 no reason to hide anything, or anything like that.

4 Q Would Alex hurt minor

5 A I wouldn't believe he would, I
6 couldn't say if he might have been playing, you
7 know how a child is. He might have been playing
8 and he might have accidentally pushed her down.

9 Q That's different, I'm talking about --

10 A As far as?

11 Q Do you think he would burn her? He
12 had access to cigarettes.

13 A Playing.

14 Q (inaudible) 808

15 A It's a possibility, yeah. I couldn't

16 --

17 Q How did he get the cigarette burn in
18 his hand?

19 A Huh?

20 Q He's got a cigarette burn in his hand.

21 A I don't know anything about
22 that. (inaudible) 825

23 Q Did he -- has been sick? Or y'all
24 give him medicine or anything lately?

25 A I didn't put none on it.

1 Q His penis is (inaudible)839 like it's
2 been doctored. (inaudible)845 or something?

3 A No.

4 Q The head of his penis is blue. He
5 said that, it was oint -- you put ointment on it,
6 a blue ointment -- he said blue (inaudible)900 or
7 something like that. It stung, and y'all had to
8 wash it off. So (inaudible)904 sick or maybe, you
9 know, kids get sick.

10 A No, I didn't -- I ain't put nothing on
11 that boy. There was mineral ice sitting on the
12 back of that toilet.

13 Q Would mineral ice stain it?

14 A It shouldn't have stained it, like I
15 know, mineral ice will burn you if you get it on
16 you. But no, I didn't put nothing on him, I swear
17 to God I didn't. That's the first I've heard
18 about that.

19 Q So, what would make him say that you
20 put it on there?

21 A I don't know. He would cover himself,
22 that little boy, he's slick. He will cover
23 himself, just like I told you before, he had went
24 and said I slapped him and I didn't slap him, you
25 can ask my mama that. I don't know if it's

1 something with his problems or something. That
2 boy's been through a lot.

3 Q I believe that, I do.

4 A I can't say, he might have some
5 problems, he might need, you know what I'm saying.

6 Q We're getting that, I'm working on
7 that end. I got your back on that. I got him, I
8 (inaudible)957. If he needs it, and Debra is
9 willing to help. So you good on that end.

10 A It's a possibility.

11 Q Have you ever had trouble with him
12 pulling Edna's pants down.

13 A I ain't never seen that. He helped
14 her to the bathroom before, but as far as.

15 Q What about at (inaudible)1021 and
16 Eugene's house, did he ever her pants down there?

17 A Not that I know of, no. I don't know
18 because I ain't watched -- I'm going to tell --
19 when I was Edna's and Eugene's and them, I didn't
20 -- I ain't never messed with them or nothing.
21 They used to get on to them.

22 Q And you just (inaudible)1037

23 A Yeah, I ain't never been the type to
24 whoop the younguns. Not unless it's a life
25 threatening situation. Like stick their hands --

1 yeah, I'm going to pop them then or something like
2 that. Or something dangerous, but as far as --
3 Because Eugene got after Alex one time because --
4 I remember he popped Alex with a horse whip or
5 something like that.

6 Q For what?

7 A I forgot what it was, he messed with
8 something, it was something -- it was just, he was
9 up running around and Alex is wide open.

10 Q Did he need to be popped?

11 A No, he didn't need to be popped.
12 That's why I said, it's something -- it ain't just
13 -- everything on my end or nothing like that. I
14 think they all need to be checked out, I'm going
15 to tell you the truth. As far as Alex, he's
16 rambunctious, don't get me get me wrong. I know
17 he's rambunctious and everything.

18 Q I've had him checked physically and
19 had him, he sat down and actually spoken with
20 someone. We're working on all that okay?

21 A Okay. That's the first thing I've
22 ever heard anything about that, talking about his
23 penis and everything like that. It shocked me,
24 I'm concerned about that.

25 Q Maybe we can figure it all it. It's

1 not hurt, it's just blue.

2 A It ain't like nobody --

3 Q No. (inaudible)1153. What would make
4 you think that though?

5 A I don't know. It's just -- I don't
6 know. Atelia is, she's fronted to me, I ain't
7 going to lie. I ain't trying to add nothing, I
8 don't -- ain't want to say anything that I don't
9 know. You know what I'm saying. The girl worries
10 me, now I ain't going to lie.

11 Q Why would you say that and she's been
12 in your home with your child.

13 A That's what I'm saying
14 (inaudible)1216. Alex is to the point, he wants a
15 mama. He loved Abby. Abby, he got mad when Abby
16 left. Atelia, he bonded to her, he sort of bonded
17 to her and everything.

18 Q I thought he didn't like her, he would
19 tell her that she wasn't his mama and
20 (inaudible)1237

21 A (inaudible)1238. And he didn't like
22 -- he would get mad at her and he would mouth off.
23 You ain't my mama or something like that, that's
24 when he would do that. As far as anything else,
25 she was like a mother figure -- she was like a

1 mother figure to him. That's why I said, you
2 going to have to sit him down and really get into
3 his head. And he'll be able to tell you. You
4 might have to remind him about how she grabbed him
5 and stuff. Just ask him, you going to have ask
6 him a different way, ask him what Atelia do to him
7 when he wouldn't listen or something like that.

8 Q (inaudible)1316

9 A Yeah, he'll tell you.

10 Q Did she ever make the kids stand in
11 the corner and raise their arms?

12 A I don't know.

13 Q Did she make Alex do that?

14 A Uh huh.

15 Q Did she make minor do that?

16 A Uh huh.

17 Q How long did they stay in the corner?

18 A She would like -- sometimes a hour,
19 two hours, sometimes. I never been a corner
20 person, I just -- I ain't never put my youngun in
21 a corner. Abby used to do the same thing about
22 putting younguns in a corner.

23 Q For an hour though?

24 A About an hour. She didn't never make
25 them put their arms up or anything. Where that

1 bathroom is, where it goes to the kitchen, that
2 little corner right there, I have seen her put
3 Shaniah in that corner and Shaniah stay in that
4 corner for an hour and thirty minutes for nothing.
5 Just for whining, saying that she act like God
6 damn daddy, that's what she told me.

7 Q Would she talk like that to Shaniah?

8 A Uh huh. She'd say you starting to act
9 like your God damn, dumbass daddy. Something
10 about Will, or whatever. (inaudible)1418

11 Q Will's got custody of (inaudible)1420
12 right now.

13 A That's probably better anyway.
14 Because she used to Willy tried to drowned them
15 and all this stuff. Atelia used to tell me all
16 this kind of stuff like that. I'm wondering if
17 it's the opposite way around. She said -- I think
18 they had to get something, some kind of protective
19 order or something. She used to say he was
20 violent and all this, I was just going by little
21 bits and pieces she told me about the stuff, you
22 know what I'm saying.

23 Q You want to go smoke that cigarette?

24 A Yeah. When am I supposed to see the
25 judge?

1 Q I think they said, I don't know, but
2 while you're taking your break, I'll find out when
3 you're going to go see the judge.

4 A But I will be able to get a bond to
5 where I can get out?

6 Q Oh, we're going to set a bond. He
7 will set a bond, unless the judge denies it. I
8 don't know he will deny it or not. I don't know
9 the rules about that kind of stuff. I'm sure
10 they'll set a bond. So your family can get a
11 bondsmen and you can get out. You're not a flight
12 risk. All your family lives here, you're not
13 going anywhere.

14 A I ain't got no reason to run because I
15 did not kill no -- I did not cause her death. If
16 anything else, I might be guilty of neglect and
17 stuff like that. Not calling anybody and stuff
18 like that. If there's any way I can plead that or
19 take a deal or something, I'll do it. Anything
20 y'all need, I will help you out. I ain't got
21 nothing to hide. Larry knows that, Larry knows I
22 come clean with him plenty of times. Back when I
23 broke in that store before, he asked me then.
24 Yeah, I told him this and this. I told him
25 everything.

1 Q If you hurt minor would you go on that
2 trip?

3 A I would; I'm not lying to you.

4 Q No matter how bad it was, you would
5 own up to it?

6 A Yeah, I'm not lying. I did not hurt
7 that little girl, I swear to you. I never did
8 nothing to knock that little girl around or
9 nothing like that. All I did was spank that
10 little girl one time. Matter of fact, that was
11 back around the first time when she got took.

12 Q You said when she got took, you mean
13 she just went to visit the grandparents?

14 A Yeah. That's the only thing, I would
15 never sit there and beat that girl with no objects
16 or nothing like that. I would pop her.

17 Q Did she have bruises when left to go
18 there?

19 A Where?

20 Q To her grandparents?

21 A Yeah, she had some on her legs and
22 stuff where Tia made out like it was coming from
23 the toilet. But I didn't believe it was coming
24 from the toilet because of the way they were.
25 Those were lines like (inaudible) 1652 like that

1 right there.

2 Q Like a strap.

3 A Yeah.

4 Q What about any on her back?

5 A No. There was some on -- there was --

6 I think there was like right up in here. That's
7 whenever she said something about she fell down in
8 the tub. That's where she came up with that.

9 Q On her back?

10 A Yeah. There was one on her butt right
11 there, that's where I popped her.

12 Q What happened with her ears?

13 A That's where I was thinking, I don't
14 know what happened. If it was coming from that
15 rabbit or whatever. She used to -- minor would
16 grab at her ears like they were bothering her.

17 Q You think the rabbit was nibbling on
18 her ears.

19 A No, not nibbling on her ears. minor
20 had blood coming out of her ears before, and Tia
21 tried to tell me that it was bad ear infections
22 because she was supposed to get tubes or something
23 put in her ears or something like that. So I
24 don't know if when they were hurting, she was
25 grabbing at them and trying to let somebody know.

1 Because she wasn't good at talking.

2 Q Did she cry a lot?

3 A Not really. The only time -- she got
4 right lately, if Tia would pick her up or
5 something she'll whine. That's why I said, I
6 couldn't -- just like one day, I was sitting there
7 watching that show. I was sitting in that chair
8 in my bedroom, I stayed in my bedroom a lot. I
9 couldn't tell you a lot of what I do, Alex,
10 Shaniah, and minor would stay ground in that living
11 room, kitchen area and all that. I would be to
12 myself in that bedroom, by myself. That's what
13 used to make Tia mad. She would be in there on
14 that computer on Facebook four hours
15 (inaudible)1836. I would sit in there, I ain't
16 going to lie to you. I would sit in my room,
17 rolling blunts, smoking a little blunt and watch
18 TV. And smoke a ass of cigarettes.

19 Q She -- I'm sorry, I didn't mean to
20 interrupt you. You're talking Facebook, did you
21 have to put in a password or could you just put in
22 Facebook and it would automatically sign you on?

23 A You would have to password in to get
24 on hers.

25 Q You have to have a password?

1 A She knew my password, she would go in
2 there and update my status and stuff that I ain't
3 even wrote or nothing. I mean, you go on -- I'll
4 give you all my passwords and everything. Y'all
5 can go on all my stuff and check it, I ain't got
6 anything to hide. Just like I don't go on
7 myyearbook thing, she would go on there and talk
8 about how happy I am, and got a wonderful woman
9 and stuff. I did not write no stuff like that. I
10 had -- mama could tell you, I ain't never been the
11 one to ever update my status or write no status or
12 nothing like that. I get on there, I might send a
13 flirt or something, if they flirt back then I'll
14 talk to them, I ain't going to lie. I talk to a
15 many. Just like how I did with Atelia and Abby
16 and all that. I don't do that, no this and this
17 on status, update status and all that.

18 Q What porn site did you go to?

19 A Porn hub.

20 Q Porn what?

21 A Porn hub. I always went to that site.

22 I always went to --

23 Q It was free?

24 A Yeah, it was free. I used to go on
25 there --

1 Q And not (inaudible)2008

2 A (inaudible)2012 I think it's, You --

3 Youtoo

4 Q YouTube?

5 A No, it's a porn thing.

6 Q But no child porn?

7 A No. No, it ain't nothing on there
8 like that. Might be some --

9 Q Did Alex ever see any of the porn?

10 A He caught me one time when I was -- he
11 said daddy you looking at nasty. He said oh, I'm
12 going to tell grandma or something like that.

13 Q Did you ever get Shaniah to go ask her
14 mama if she could watch porn with you?

15 A No. She had heard -- Atelia was
16 getting on me about the porn sites one night and
17 Shaniah was sitting the love seat and she was
18 saying, why you want to watch porn, watching porn
19 stuff. That's when Shaniah slipped out and said
20 can I watch a porn? I said no girl. She didn't
21 know what it was, she still don't know what it was
22 or nothing like that.

23 Q So that's where the, can I watch porn,
24 comes in at.

25 A Yeah.

1 Q It wasn't, go ask your mom if --

2 A No, it wasn't nothing like that. No.

3 She did that, and it shocked me, I said girl you
4 need to hush saying that stuff in front that
5 youngun.

6 Q Tell me one word that describes Tia.

7 A Now? I ain't got no words for that
8 one. This is a mystery man, this girl has a lot
9 of deep secrets to me. The way I see it,
10 (inaudible)2149. When I first met the girl, she
11 seemed to be sweet, loving, and everything. She
12 seemed like she was -- had a lot of down steem and
13 stuff, like she put herself down a lot.

14 Q Self-esteem?

15 A Yeah. She got down and stuff. I used
16 to tell her she shouldn't be that way. I liked
17 the girl, I ain't going to lie, I liked her and
18 everything but she got to where she -- got to
19 where she would try to control me. She would get
20 mad and stuff. I could it progress and it getting
21 worse and worse. I hollered at her one night, I
22 ain't going to lie to you. About that damn
23 Facebook shit, I said, you know what. She had
24 done a little something, somebody text my phone
25 one time.

1 Q You get text messages.

2 A Yeah.. They text my phone and it was
3 some dude she was talking about you should try to
4 get up with me or something like that. Wanting to
5 marry her and stuff, wanting her to move to
6 Missouri or some shit like that. I said, what's
7 this? She said, that ain't nothing, I ain't tell
8 that boy that, I don't know what his mama's
9 talking about or nothing like that. I said, okay.
10 I said, I'll tell you what, you lied about so much
11 I have found out, I don't know when to believe
12 you. I told her this not too long ago. She said,
13 what you mean. I said you have lied to me a lot.
14 Just like you told me you had a bunch of horses,
15 Tia told me she had fourteen horses, said she had
16 a five bedroom house by herself and everything.
17 Had three cars and all this. Come to find out
18 this girl didn't even have a pot to piss in. Come
19 to find out, the horse that they do have is her
20 daddy's.

21 Q (inaudible)2348

22 A Her mom and dad, I love her them to
23 death, I love them all to death. I just -- I just
24 don't understand what the hell. They know
25 something, they know something -- Tia, about Tia.

1 I don't know what it is. Because they always on
2 her back about everything. Anything that Clyde or
3 Gina do, they don't say anything about it. They
4 don't do any wrong. She said her mom and them
5 always been that way. I remember she said
6 something about, Shaniah used to have bruises and
7 stuff all over her all the time. Whenever she was
8 little, whenever -- I believe that was when she
9 was with Willy or whatever. The way she said she
10 got a little rap sheet with DSS in Robinson
11 county.

12 Q I'll look into that.

13 A I ain't never had anything, nothing to
14 do with hitting no kids like that or nothing like
15 that. Only thing I ever had, like I said when me
16 and -- something about Jessie, about that drowning
17 in that pool. I wasn't there, I was work. I was
18 working at (inaudible)2510, that's the same place
19 I got locked up for breaking into. That's the
20 only thing.

21 Q I remember earlier you said you needed
22 help.

23 A I need help because I made a lot of
24 bad decisions. It's like I left my -- I was
25 scared about a lot of things.

1 Q What are you saying -- for what?

2 A Just a lot of things, Atelia and
3 everything else. I don't know what's in my mind
4 sometimes. It makes me where I panic a lot.
5 Don't get me wrong, sometimes I feel like hurting
6 myself, I ain't going to lie to you.

7 Q Do you feel like you want to hurt
8 yourself now?

9 A No.

10 Q What about when you went to jail?

11 A Sometimes. I can't take it, that's
12 why. I got to get out of here, it's breaking me
13 down.

14 Q Well, I'll you what. Let's do this,
15 let's take a break. I'll let you go outside and
16 take a break and I'll find out about when that
17 bond hearing is going to be. Okay? And we'll go
18 from there. I promise you this, when we go to
19 court for the bond hearing, I'll ask that your
20 history to be evaluated. And we'll see what they
21 say (inaudible)2635 so we can see if we can get
22 you something for your nerves and all that.

23 A Yeah. I'm just stressed out, I just
24 want to be there for my son. I'm sorry for
25 everything that happened to minor but I ain't did

1 nothing to her I swear to God. The only thing I
2 did, is I should have called somebody. I
3 understand that now. I'm just -- I just
4 misunderstand a lot of things. Sometimes I might
5 tell you that I understand something and I don't
6 understand it.

7 Q I want you to promise me that if you
8 and I are ever going over anything and you don't
9 understand it, don't bull crap me. You can say,
10 Kathy, I don't get it. Make me understand it.
11 Okay?

12 A Yeah.

13 Q From this point forward, anybody you
14 talk with, if you don't understand it, you tell
15 them that. Okay?

16 A That's why a lot of times when I used
17 to mess up or something, just like, I be thinking
18 I'm trying to help out, I end up taking the wrong
19 end of the stick. You know what I'm saying?

20 Q Yeah. (inaudible)2735

21 A Yeah because see I try to come clean
22 to you and everything and it seems like it's going
23 to come back on me and hit me harder than it would
24 anybody else. Just like, I had a run in with the
25 Sheriff's Department a long time ago when they

1 were trying to say, a boy I knew, something about
2 some four wheelers or something, and I was trying
3 to help them out. I'll be damn if they didn't
4 come to my house to serve a warrant and
5 everything. Come to find out, they didn't charge
6 with guns or nothing like that. I'm glad they
7 didn't because I would have committed a felony,
8 but anyway. They end up taking -- they found a
9 little bad of reefer. That's when I was living
10 with Alex's mom, I took the blame for it, so she
11 wouldn't go to jail, because she smokes weed real
12 bad. I just don't want -- I got to think about my
13 son, I don't want to lose him and I believe he's
14 in good hands right now. I want to live my life
15 like it's supposed to be.

16 Q All right, come on. Let's go take a
17 break. End of Video.

18 A That girl right there, she's
19 controlling. The only thing she does is, she's
20 like one of those gold digging hoes. She get
21 everything out of you she -- come to find out she
22 was bad on crack and everything else. Then, you
23 know about this -- I know you heard about her mama
24 and stuff. The one that got (inaudible)2908.

25 Q Your (inaudible)2911 mother.

1 A Yeah Tammy. (inaudible)2913 One she
2 left -- (inaudible) one got somehow (inaudible)
3 that she, I know (inaudible) crazy as hell. Me
4 and her mama ended up messing around and stuff.
5 She found out about the stuff and that's what I
6 told you about the other women thing. She got to
7 where she hated me and everything and all that.
8 That's when she left, and the next thing I know
9 that's when everything happened to Tammy and
10 everything.

11 Q What your trying to tell me is that,
12 if I go talk to these women, they're not going to
13 --

14 A They're going to tell you everything
15 negative about me.

16 Q We all have past.

17 A I just ain't want.

18 Larry: Did any -- where you ever
19 struck any of them. Honestly, have you ever stuck
20 any of them? Open hand, fist, back hand?

21 A No, I pushed -- I had grabbed Rebecca
22 and put her to floor. She hit me with a pool
23 stick, but she always hit me first and everything.
24 I have defended myself before. I'm not going to
25 lie to you, to either one of y'all about that, I

1 have protected myself. But as far as going up to
2 them and knocking them in the head. No, not me.
3 Mama always tried talking to me about not hitting
4 a woman. I always been that way. A lot of times
5 I got in trouble is because of a woman. It's like
6 I was telling her, I don't have anything to hide.
7 As far as a violent streak or something, no I
8 don't just lash out or nothing like that.

9 Q (inaudible)3046 while y'all were
10 taking a break. I went back and looked up
11 everything I've gotten from DSS. I pulled
12 everything, and it talks about any time your name
13 is ever mentioned, there's a time when Alex had a
14 mark on his face.

15 A That's what I was telling you that
16 abrasion.

17 Q So it wasn't a bruise, it was an
18 abrasion? That's when he went and said you did
19 it.

20 A Yeah, he tried to say I slapped him
21 and what it was is he was playing with a little
22 boy. (inaudible)3114. Down there where Tammy
23 used to stay with her boyfriend Robert, and they
24 was on the back of the truck and kept on pulling
25 down on the branch and then they would swing off

1 on the branch. Toby did it one time before Alex
2 and grabbed it, and it swung up and hit him. The
3 DSS woman when she seen it she said that ain't no
4 slap that's an abrasion, that's where something
5 scraped you. That was a scrape right there.

6 Q What about, there was another time
7 where something happened, y'all were outside with
8 a bunch of kids and there was a mark on Alex.

9 A I don't know nothing about that one.

10 Q I'll get it in a minute and read it to
11 you. Yeah, you've been investigated twice by DSS
12 about Alex.

13 A No, just once.

14 Q Just one time?

15 A One time, and I ain't never heard
16 nothing else, they closed my case. Then, like I
17 told you about the Abby thing. Matter of fact, I
18 got my letter saying the case was closed. That's
19 whenever they said this well, this is another
20 thing. I said, what is it? They talking about
21 somebody done called again about Abby. And you
22 got pulled into it because y'all stay together.
23 She was staying at her mama's and stuff. That's
24 whenever --

25 Q That's on there too. (inaudible)3217

1 there was two bedrooms.

2 A Yeah. That's whenever they were, they
3 were saying that wasn't good living conditions for
4 the younguns and stuff like that. That's the only
5 other thing. Then, there might have been, there
6 was one with -- with Stacey. I believe when she
7 would, when she beat Alex or something like that.
8 Not Alex, I meant Jessie.

9 Q But you were mentioned because?

10 A Because I was with her. They --

11 Q Did you see her do it? Did you see
12 her beat the child?

13 A Who? Stacey? Yeah, I saw her do it
14 now.

15 Q Did you tell DSS or no?

16 A I didn't even get to talk to them,
17 they did all that, they did all that with her.
18 They made her give all her custody to her
19 grandparents after the drowning incident with the
20 swimming pool. Because I was at work at
21 (inaudible) 3304 Same place I broke into. They
22 called me up at work and told me your son --
23 matter of fact, Stephen King that used to work up
24 there at Bennettsville (inaudible) 3317 called me
25 and said Mike, come in and sit down, you need to

1 call you parents. I said what it is. They said
2 your little boy has drowned, and they told --
3 because see, I raised Jessie. That's why
4 (inaudible)3330. That's his biological son, but
5 whenever I met Stacey, she was pregnant with him.

6 Q (inaudible)3339

7 A Yeah. Now since he's gotten a little
8 bit older and stuff, (inaudible)3343 finally
9 starting to do stuff with him and everything. He
10 turned out to be a pretty good little boy. He
11 comes to see me every now and then. When I was
12 with Rebecca, and I hated Rebecca for doing that
13 stuff. One day he was trying to come in there and
14 see me whenever they were bringing Alex to me, she
15 talking about don't be coming in here and stuff.
16 Rebecca, she -- that girl right there ain't
17 nothing but low down trash, I'm going to tell you
18 that now. I'm going to be honest with you, she
19 ain't nothing but a drug addict. She ran off
20 with(inaudible)3411, he was one of my best
21 friends. Most people -- another man's wife runs
22 off with your best friend, you should get mad and
23 stuff, but me and (inaudible)3424 still best
24 friends. Like I told him, there ain't no sense in
25 fighting over nothing. You did me a favor, she

1 wasn't worth nothing. You can ask him about it, I
2 ain't never -- me and him ride together, just like
3 it wasn't nothing.

4 Q You told us about all these other
5 women. You told us about what you seen. Now, I
6 need you tell me what you saw (inaudible) 3447 with
7 the baby, with minor

8 A With minor I seen -- I seen her get
9 frustrated and everything, but Tia she knows how I
10 was about minor and stuff. She wouldn't ever do
11 nothing, because I used to holler at her about --
12 she could holler minor and I would get on to her
13 about it. Don't be talking to that baby that way,
14 or something like that. I honestly did that. As
15 far as hitting and stuff like that, I couldn't say
16 what all might have happened outside. I'm not
17 trying to cover for her or nothing like that.
18 Like I told you earlier, I just stayed to myself.
19 I was in that bedroom watching that TV the whole
20 time. I'm the type of person, if I'm a TV or
21 something like that, it -- everything could be
22 going around me and for some reason I can block it
23 out. I have always been that way. My mama would
24 be talking to me, if I didn't look that way while
25 she was talking to me, I couldn't even hear

1 nothing she said. I always been like that, my
2 mind -- I can only do one thing at one time, let's
3 put it that way.

4 Speaker: I asked you -- this is
5 getting a little personal, but I need to know
6 something. What was your and Tia's sex life like?

7 A At first, it was all right. Then, I
8 wasn't really -- I didn't really have nothing to
9 do with her. She used to get mad at me and shit
10 because she would be talking about, you don't
11 really want me or nothing like that. I said, sex
12 just ain't all in my mind. I mean, she used to
13 walk around the house butt naked, in front of the
14 kids and everything. In front of my little boy
15 and everything, with her little (inaudible)3627
16 hanging right out.

17 Speaker: What did you say to her
18 about it?

19 A I told her she needed to put some
20 clothes on.

21 Speaker: How did she respond?

22 A Talking about what? Then she'll
23 (inaudible)3636 a little bit. I didn't appreciate
24 that, I mean she knew in a way that it was getting
25 to the end. Where I didn't really want to mess

1 with her no more, you know what I'm saying. I
2 probably ain't messed with that girl in about a
3 month or so. I guarantee, probably about a month
4 or so.

5 Speaker: Why was your relationship
6 with minor different than with her other daughter?
7 Why minor What was the bond between you and her?

8 A minor was -- bonded with me. minor --
9 Shaniah, I loved the little girl to death, I
10 talked to the little girl. She was more like, she
11 was like more to herself and everything. She
12 talked to me and everything like that. minor would
13 walk up to me and play with me and cover my eyes
14 talking about (inaudible)3725 and stuff like that,
15 we used to play. I used to play with Shaniah
16 because Shaniah liked to play paper, rock,
17 scissors. I played with him like a family. minor
18 for some reason, minor would rather deal with me
19 than she would Tia. minor wouldn't do it -- I
20 would go in that house and minor would run to me
21 and grab me. She would clench onto me, grab me.
22 She acted like she didn't want me to let her go or
23 anything. There were times when I would go and
24 try to leave, I had to sneak away from that little
25 girl.

1 Speaker: What did Tia say about that?

2 A She would get pissed off.

3 Speaker: Tell me what pissed off
4 means.

5 A I mean, this ain't no lie. She looked
6 at minor before and said you little traitor and
7 stuff like that. I didn't think nothing of it,
8 you know what I'm saying. Talking about, okay, I
9 see how it is. Then one night, I was in the
10 bedroom, sitting in the chair, Tia was on the bed.
11 minor was coming in there from the bathroom. She
12 was standing right there, she told minor to do
13 something, she looked at Tia, did that right there
14 and ran over there with me.

15 Speaker: Do you remember what she
16 asked her to do?

17 A I think it was come here. Yeah,
18 that's what it was, come here. And she did that
19 right there. Then after that, she talking about
20 okay, I'll remember that. I laughed at her, I
21 said uh huh, this girl don't even like you. I
22 said that, I was picking with her. I didn't --
23 ain't you know what I'm saying --

24 Speaker: What did she say when you
25 said that? What was her response?

1 A She mumbled something and turned over.
2 Cut the lights off and laid there like she was
3 going to sleep.

4 Speaker: Did she take her up a lot of
5 time with her while you were there?

6 A I don't know.

7 Speaker: No, when you were there at
8 the house. Did she try to take up a lot of time
9 with her.

10 A She would try to, but minor would
11 always try to get away from. minor
12 (inaudible)3923. I was standing outside one time,
13 that little girl come running outside one time
14 butt ass naked. The neighbors was looking, the
15 neighbors come out. That's whenever she had
16 (inaudible)3927. She had a little bruise on her
17 hip right there.

18 Speaker: What was her relationship
19 like with her other daughter?

20 A Her other daughter? She used to
21 holler at her, she'd say she was like her stupid
22 ass daddy and all this shit like that.

23 Speaker: Did she ever take 3951.

24 A Sometimes she would take her. Matter
25 of fact, she had just put Shaniah in girl scouts.

1 Speaker: If you had to say between
2 the two, did she favor one more than she did the
3 other.

4 A She was try to do more stuff with
5 Shaniah to me. Then she got when Alex came in the
6 picture, she got like where she was trying to put
7 Alex (inaudible)4028.

8 Speaker: Inaudible)4030

9 A Alex and Shaniah.

10 Speaker: What did she do different
11 with him than she did with her own kids?

12 A I don't know, I reckon she -- she
13 always wanted a little boy or something like that.
14 She wanted us have to a kid.

15 Speaker: Did she say a boy or a girl?

16 A She didn't say. She didn't specify a
17 boy or a girl but she always talking about little
18 boys and all that. Her brother has a little boy
19 and her sister has a little boy. She said the
20 only thing she could have was two little girls.
21 She wanted another kid because she was proud of
22 mine. Tia did say if you get my tubes untied and
23 all this, then we can have a kid, (inaudible)4117.
24 I said yeah, I knew that was too much, I wasn't
25 going to pay five thousand dollars, you know what

1 I'm saying. She always talked about stuff like
2 that. Like Alex, he loves her, I ain't going to
3 lie to you, he loves her. Because she was like a
4 mother figure. That's all he ever wanted, he was
5 the same way with Rebecca. He was the same way
6 with Abby, and he was the same way with Atelia.
7 He was real, real, real close to Rebecca. And
8 Rebecca did him wrong a little bit and so, he was
9 hurt. Abby, he was like, he liked her a lot but he
10 was scared a little bit and she promised him, I'll
11 never leave you baby, then the next thing you know
12 she was gone. It messed him up a little bit.
13 Then Atelia came along, and she said baby I'm
14 going to be stuck with you for life. I'm going to
15 be stuck with you for life, is what she kept
16 telling him. So he believed her, Alex tried to
17 follow her around, I ain't going to lie to you.
18 He would follow her around and she get, like I
19 said, she would get aggravated, talking about he
20 ain't listening. Like I said, she did grab him
21 and shake him, and shit like that. As far as the
22 ones I ever seen her hit, I can identify she has
23 hit Shaniah and she has hit Alex, and she popped,
24 I seen her pop minor on the hand. Popped her like
25 that right there. Then, I remember one time, I

1 remember she brought minor in, I can't remember
2 exactly what month or date this was now. I
3 remember her checking minor talking about she hit
4 her a little too hard. minor had a bruise on her.

5 Speaker: Where at?

6 A I believe it was right here on the
7 back of her butt or something like that. She was
8 -- she was in the car together. minor and her went
9 somewhere, as a matter of fact, she had all the
10 kids with her. And she said minor kept on doing
11 something, wouldn't listen to her or something.
12 She said I popped her a little too hard. She had
13 a big bruise on her.

14 Speaker: Did she ever talk about
15 (inaudible)4332

16 A No.

17 Speaker: What did she say about that.

18 A Well, she told me the only one of
19 those children that belonged to Willy was minor
20 She said Shaniah belonged to one of her
21 boyfriend's, and Willy didn't know about it.

22 Speaker: When did she tell you that?

23 A It was this month.

24 Speaker: Why did she tell you that?

25 A I don't know. She wrote it on

1 Facebook and I saw it. Some of Willy's people or
2 something wrote her back saying something -- said
3 something about that's not his kids or something
4 like that. I reckon, it was (inaudible)4413 or
5 something the way she put some status or
6 something. In the inbox and everything. When
7 they did that, she wrote back talking shit to the
8 girl and everything. Said well, they ain't his
9 kids anyway. Shaniah's not his anyway, the only
10 one that might be his is minor And she was --
11 because I asked her about and that's when she told
12 me it could be (inaudible)4441 that lives down
13 from the house in Maxton.

14 Speaker: Did she ever say names?

15 A She didn't never tell me the boy's
16 name. She said it was one of Willy's friends.

17 Speaker: Did you burn minor

18 A No I didn't burn minor

19 Speaker: Did you ever abuse her?

20 A I never abused her. The only thing
21 she ever did, is one time she ran into my
22 cigarette and it was up there on her arm. On that
23 side, up there on her arm.

24 Speaker: Did it burn her shirt?

25 A Yeah, it left a little burn mark on

1 her, that's why I said, it wasn't even nothing
2 bad.

3 Speaker: Did she have a shirt on?
4 Did it burn the shirt?

5 A No, she had, when she wears shirts,
6 she has like the little tank top ones on. It has
7 like the little strap that runs on them. That's
8 what kind she wore a lot. It would either be
9 white one with little red hearts on it or a white
10 one with little cherry things or strawberry things
11 on it, or it would be a yellow one.

12 Speaker: You told Kathy earlier when
13 she was talking to you, at night time you can't
14 sleep because you constantly think about what
15 happened. Why?

16 A Because it feels like, it feels like
17 -- I feel like I should have called y'all or
18 called an ambulance or something my damn self. I
19 didn't think that, you feel me because I ain't
20 going to lie. That picture y'all showed me with
21 her laying there, I see that picture every night,
22 in my head, every time I lay down. It tears me
23 up, you can ask my roommate, it tears me up. I
24 loved that little, I didn't never want nothing bad
25 to happen to her. I was scared, and I didn't want

1 A She told me this is what she told the
2 police and everything is going to be okay, that's
3 exactly what she told me. That's why when
4 everything happened, it shocked me. I went home
5 and I went to sleep and I woke up and my head was
6 about to explode with everything. It was -- I was
7 so shocked, that's why some of the stuff they
8 asked me, I couldn't answer it. I couldn't think
9 right.

10 Q Your cell phone, where is it?

11 A My daddy got it.

12 Speaker: What's your cell phone
13 number?

14 A Who's?

15 Speaker: Yours.

16 A 544-3839.

17 Q Is that Verizon?

18 A Straight Talk. I got another number
19 too. 544-8313.

20 Speaker: Which one did you talk to
21 her on?

22 A I talked to her on my 3839 one. And
23 she called me off my daddy's phone. And his
24 number is (inaudible)5128.

25 Speaker: Clear something up for me.

1 nothing to happen to where I would lose my little
2 boy, I ain't going to lie to you man. I love my
3 little boy to death, I love all those kids to
4 death. I was scared of what might happen if DSS
5 got involved again. To this day, it haunts me
6 like that because I could have done something.
7 Kathy told me about how she -- when she was down
8 there sleeping, she wasn't really asleep she was
9 hemorrhaging. That's killing me man, if I knew
10 that, I swear to God I would have done something.
11 I mean, I'm not the best person of making choices
12 and I might need help with that. I've always been
13 that way, ever since I was growing up. I made the
14 wrong choice, but I promise you this, I never
15 raised my hand to hurt that youngun like that. I
16 wouldn't put no bruises like that that she's got
17 on her. I couldn't ever do that stuff, I swear I
18 couldn't.

19 Q Do you know if DSS was called that
20 first night we were talking about? There were
21 some marks on her neck. Do you know what happened
22 to her neck?

23 A That's whenever, she had a little
24 thing (inaudible) 4734 and I told you I grabbed,
25 I grabbed her and held her tongue, because she was

1 slobbering and everything out the mouth. She
2 really had to have a seizure. I'm not lying about
3 that. She did that because -- whenever she did
4 that, we took her -- she felt like she was, I
5 mean, burning hot, like on fire. Tia told me to
6 take her to the sink, we took her to the sink and
7 she was splashing cold water on her. Then that's
8 whenever she started looking around and that's
9 when she (inaudible)4801. I said, what you going
10 to do. She said, I'm going to take her to the
11 doctor tomorrow. That's when she set that
12 appointment then that's when her grandfather came
13 and that's when he seen the marks and stuff on her
14 and that's when he took her. After that is when
15 DSS come up.

16 Q (inaudible)4819 -- you didn't go to
17 the hospital but, when she got home, how did they
18 tell Shaniah and --

19 A She never made it home.

20 Q She never went back to the house?

21 A No. She told me -- that's what I was
22 telling you -- (inaudible)4834 said she called me
23 off the phone telling me to what she told the
24 police. That's why I told (inaudible)4840 nobody
25 didn't massage her with no warm water or nothing

1 like that. She clearly (inaudible)4844 put her in
2 the tub with warm water or something.

3 Q You told me you put her in there and
4 she was behind you.

5 A Yeah, she was behind me.

6 Q How did the kids find out about the
7 baby being dead?

8 A I went in there and I woke Shaniah up
9 -- they told me man, they told me because Denae
10 told me, the neighbor told me. I said, Alex, I
11 said your baby sister's -- she's gone. He didn't
12 understand it, because he was in there watching
13 cartoons.

14 Q Right.

15 A Then I went in there and checked on
16 Shaniah and I woke Shaniah up, I said baby, your
17 sister's in the hospital. That's what I told her
18 at first. Then DSS come up there, and that's why
19 I didn't get to really tell her.

20 Q So DSS came that night?

21 A Yeah, DSS came that same night and
22 everything.

23 Q That's when --

24 A I had to wake up Shaniah for them and
25 everything because Shaniah had like a little lime

1 green t-shirt or something like that.

2 Q So, you don't know how she was told
3 that her sister was dead?

4 A No, her mama and I think,
5 (inaudible)4944 said she told her.

6 Q (inaudible)4946 did?

7 A Yeah, whenever we was out there
8 because I talk to (inaudible)4950, as matter of
9 fact, Shaniah was around there because Shaniah was
10 hugging us and shit, and telling her I love her
11 and everything.

12 Q So to your knowledge, Atelia had never
13 got to see Shaniah before --

14 A Yeah, she didn't get to see Alex or
15 Shaniah, because that's when -- the police already
16 had her. They come in here, I believe the only
17 other person that really seen Tia, I ain't really
18 even see her. The only time I saw her was when
19 she walked through the door and she was walking
20 back out and I was coming in here to talk to Larry
21 and Officer Hepburn.

22 Q When y'all were on the telephone, you
23 said she was telling you what she told the police?
24 Did she tell you to stick to a certain story? Did
25 she tell you --

1 Me and Kathy talked to you when you got to the
2 jail. You (inaudible)5136. That Thursday that
3 your kids were next door staying with a neighbor.
4 How did you forget that she went to cub scouts
5 that night? You remember everything else, I just
6 don't see how you --

7 A I didn't think nothing about, I'm
8 telling y'all the truth. When she told me -- I
9 still didn't remember until then. That's whenever
10 (inaudible)5203 because Shaniah and minor was in
11 the house and I was out there talking to Bert and
12 them.

13 Speaker: Tell me who Bert is.

14 A Bert is my next door neighbor.
15 (inaudible)5213 out of town.

16 Speaker: Inaudible)5215 out of town?

17 A Yeah.

18 Speaker: How long did you stay out
19 there talking to him?

20 A I talked to Denae, me and her we
21 talked to him, and he went somewhere. I was out
22 there talking to (inaudible)5224 because we be
23 playing football (inaudible)5225 so me and her was
24 out there steady talking about what to pick and
25 all that.

1 Speaker: (Inaudible)5232

2 A Yeah.

3 Speaker: 5238

4 A My rent was due that week. My rent is
5 about 480.00 and I said well, it's my turn now.
6 Because a matter fact, Denae hit the first week,
7 then he hit it. I said, well if the baby gets
8 sleepy, I'll play and I'll hit it.

9 Speaker: How do you feel when you
10 watch the games?

11 A All right.

12 Speaker: It don't bother you to lose?
13 (inaudible)5228

14 A It hits me, I'll say dog or something
15 like that. I ain't never really been into
16 football like that. I just get into it to get the
17 money to help pay my bills, I ain't going to lie
18 to you.

19 Speaker: How did she feel about you
20 gambling?

21 A She didn't like it. She talking about
22 you going to lose, you steady lose, you losing.

23 Speaker: Did y'all ever argue?

24 A Not really. (inaudible)5320. To the
25 end and everything, she (inaudible)5323, she got

1 to where she was trying to control me and
2 everything. Any little thing, just like, I went
3 on the internet, she got to where she would go
4 behind me when I go on the internet or whatever.
5 And she found out that I went on a site called
6 porn hub. I ain't going to lie, I was on there
7 looking at women and shit. Got off of it, and she
8 went on, she said, you been on porn sites huh? I
9 said, yeah what is it, I'm grown I can do what I
10 want. Well, you get on porn sites, but you don't
11 want anything to do with me and stuff, makes me
12 wonder. I said, well whatever. Next thing I
13 know, I went to try to get online, she had this
14 shit locked down, I couldn't even get in it.

15 Speaker: Do you still have a Facebook
16 account now?

17 A Yeah.

18 Speaker: Does she have a Facebook
19 account?

20 A I think she still does. She said she
21 deleted it, but I don't know.

22 Speaker: Why did she delete it?

23 A Because I told her to. That was my
24 complaint.

25 Speaker: So, you had a problem with

1 it or she has a problem?

2 A She used to get on Facebook all the
3 time, and just like I was telling you about one of
4 them old boys or one of her old boyfriends or
5 whatever, I seen him text the phone. This number
6 right here, the 8313, I did not know she had that
7 phone. And that's my phone, it's a Verizon,
8 that's a Verizon one right there. Somehow she
9 went and charged that shit to my mama's checking
10 account. My mama didn't know -- that's how I
11 found out about it. Because my mama started
12 asking me about those charges, because my mama
13 trusted Atelia, my mama trusted Athelia with
14 everything in her. Mama started getting a lot of
15 charges on her checking account and stuff. I
16 said, I ain't did it. She talking about boy, come
17 on now, I know you're doing it trying to be fast.
18 And I said mama I didn't do it for real, I swear
19 to God. She said well, she looked, damn you
20 ain't did that, that ain't your number. I said,
21 no I know it ain't my number. Then on a check,
22 she gave -- she was supposed to write a thirty
23 dollar check, come to find out, Atelia wrote that
24 thing for forty eight dollars, she changed it.
25 You could see where she changed my mamas

1 (inaudible)5521 and everything. Then I told her
2 about that, I said how you going to do that to my
3 mama. That woman loves you girl and would do
4 anything for you and you going to shit on her like
5 that. No, I didn't do that, she said. Then I
6 showed her the paper where she changed it. She
7 cashed the check at check in to cash.

8 Speaker: How do you not get upset
9 when somebody does your mama like that?

10 A Like this right here, (inaudible)5554.
11 You can mad, you can violent, it don't do anything
12 but cause a lot of trouble. I done been there
13 with that -- with them other girls and I said I
14 ain't never going to fuss or fight with them other
15 girls again. I would rather put them out. She
16 knew she was about to get put out. We were
17 already talking about going our separate ways. I
18 told her, I said this is about it Atelia. She
19 started crying and saying, I love you and all this
20 right here. Matter of fact, she slept on the
21 couch. And I (inaudible)5628. Because you can go
22 on there -- go on her computer, go to the start
23 menu, go to Documents and that thing is up under
24 Atelia, Tia. All kinds of crazy shit, she wrote.
25 (inaudible)5649 and how she wish she could just

1 disappear off the Earth and stuff like that.

2 Speaker: How do you know?

3 A Because I sat there and read it. She
4 don't know I read it. Matter of fact,
5 (inaudible)5705 remember when I set that phone, I
6 had it on my daddy's bike or somewhere, I believe
7 now you can go in there to the notepad, she was
8 writing it on there. No, it might be another
9 phone at the house, it could be a slider phone.

10 Q Was it in your drawer?

11 A It might be.

12 Q Silver and grey?

13 A It might be, it slides, and it's got
14 TiVo on it.

15 Q It's in the second drawer

16 (inaudible)5726

17 A (inaudible)5731 three or four of
18 them, there should be a black flip phone, two
19 black flip phone --

20 Q She ever write about (inaudible)5740
21 or anything on her notes?

22 A I believe, the only one I ever seen
23 was talking about all the kids and all this. Like
24 I said she wrote on it a couple of times before
25 (inaudible)5751 Everything she does it

1 (inaudible)5758.

2 Speaker: She's pretty good with
3 computers.

4 A Yeah, she's pretty good. Anything
5 else -- she loves a computer. Just like minor
6 when she was unconscious and stuff, she put on the
7 computer.

8 Q She put it on the computer while she
9 was unconscious? On her Facebook page?

10 A No, on the search thing. She has a
11 thing on there, pdf help or something like that.
12 Whenever things went wrong with minor or whatever,
13 she would search it. Anything went wrong, she
14 would search it. That's why when you was telling
15 me about that burn thing yesterday, I said yeah,
16 she searched everything.

17 Q Did she ever try any of it?

18 A I ain't never been the type to go on
19 the internet and check into stuff like that. The
20 only thing I like to go on the internet for is if
21 I'm going to get on Ebay or Facebook or that
22 myyearbook thing, matter of fact, if you go check
23 her myyearbook thing she might have something on
24 there.

25 Speaker: (Inaudible)5857

1 Q Yeah.

2 Speaker: Have you made any phone
3 calls here from the jail?

4 A Number one I called daddy and that was
5 it.

6 Speaker: Anything about visitations?

7 A Yeah, I seen my mama and daddy.

8 Speaker: How's your mama doing with
9 it?

10 A Not real good. (inaudible)5920 She
11 told me --(inaudible)5939 checked out
12 (inaudible)5942, I ain't going to lie to y'all.
13 Mama (inaudible)5944. Mama even told me, she said
14 it's too late now, something done happened to that
15 baby. That baby didn't -- can't do nothing. Well
16 I know I ain't do nothing, mama can tell you that.
17 Mama told you. Mama loved that little girl to
18 death.

19 Speaker: Anything else?

20 (inaudible)010013 We keep going in circles at
21 this rate and there ain't no sense in keep
22 (inaudible)010018.

23 A (inaudible)010023 I'm telling you the
24 truth on that, I ain't got nothing to hide from
25 either one of y'all. I need to get myself

1 together. I swear I would have done anything to
2 that little girl. I promise y'all that on
3 anything. If there was any way I could prove it,
4 I would prove it to you. I'm not that kind of
5 person, not toward no child. I think about my
6 child all the time. One thing about a child, I
7 love them. Just like I told you, Alex is my
8 number one man. That's the only reason I keep
9 going to today. That boy changed me. If it
10 wasn't for that boy, there ain't no telling, I
11 probably would have been locked up a long time
12 ago. He's my pride and joy. Right time he was
13 born I got his name tattooed right there, that's
14 his name, Alex. That's my little boy,
15 (inaudible)010126. I ain't never been that way
16 toward none of my other kids, like Abby's kids, I
17 ain't never been that way, I done been around her
18 kids. Like I said, I raised Alex. I've had him
19 since he was about two, and I ain't never had no
20 problems like that. The only problem I had was
21 when he went to school one time being funny, Alex
22 was that way, he told the teacher, my daddy
23 slapped me, trying to be funny. He told my mama,
24 I was just picking. And my mama told him that he
25 couldn't do stuff like that. People take that

1 stuff serious. I can tell you they do put you
2 through hell and everything, make sure ain't
3 nothing going wrong. I didn't -- I mean, I love
4 them kids. I'm not that type of person.

5 Speaker: At no point and time did she
6 ever tell you that she's (inaudible)010217

7 A The only thing she told me, well I
8 asked her about that burn, I ain't going to lie
9 to you. She said that little girl blisters.
10 Talking about she used to do the same thing when
11 she was little. I should have called somebody.

12 Speaker: I'm just saying the part
13 about your worried about your son. But at the
14 same time, you said (inaudible)010240 told me you
15 would cry, that lets me know that you have got to
16 have a heart.

17 A I do.

18 Speaker: As a person. Do you
19 understand? How do you not do something?

20 A Because I was scared, I ain't going to
21 lie, I was scared. I didn't -- I've never been a
22 good judgmental person, I'm going to tell you that
23 right now, judging stuff, yeah, if I used good
24 judgment then I would have never the call from you
25 that night. I did other stuff and it was on my

1 bonds and stuff like that. I mean, I should have
2 did something about the shit, but I was scared I
3 was going to lose my little boy. I seen -- I had
4 so much bad, trauma stuff that happened with
5 Stacey and Jessie, I mean, I just see so much bad
6 experience with Marlboro County DSS. I'm not
7 going to lie to you. Only the people I know and
8 stuff that had to deal with DSS. It just, I mean
9 I was scared, I ain't going to lie, even to my
10 sister now, she had to get -- run into one time
11 (inaudible)010345 -- like they had a vendetta
12 against mama and them and they didn't like them
13 and stuff, so I was scared. I mean, I was scared
14 to death to even fool with DSS. I mean, I -- if I
15 could turn back the hands of time man, I swear to
16 God I would have did it, I mean, I would have took
17 my chance.

18 Q Why didn't you call (inaudible)010413
19 or Eugene and tell them something was going on?

20 A Because I didn't never have their
21 number. Because she -- didn't never have the
22 number. I didn't have it programmed in the phone.
23 I just didn't never have enough time to get in
24 touch with or nothing.

25 Speaker: Did you feel she was abusing

1 the children?

2 A I feel she wasn't doing to a certain
3 point. I ain't going to lie now, I mean, it's
4 just the way -- like I see it -- I seen her hit
5 Shaniah, I seen her hit Alex, and I heard her say
6 she -- well she hit minor too hard, and she was
7 checking her. So she had to hit her too.

8 Speaker: Why not tell your mom and
9 your dad?

10 A Me and daddy don't talk that much.
11 Mama, I told mama something wasn't right about
12 that girl. I told mama plenty -- I'm gonna have
13 to kick this girl to the curb, I can't take it no
14 more. Mama said well do what you gotta do son. I
15 mean, I just -- something just don't feel right
16 with that girl. I mean, you look at the
17 (inaudible)010510, whenever I first met the girl,
18 she seemed like she was all right, she just had --
19 I could tell she had low self-esteem and stuff.
20 She always put herself down, I ain't going to lie
21 to you, she always did that. Then when I get to
22 knowing this girl, it was like she started
23 changing. Getting to where like, she was trying
24 to control me.

25 Speaker: Slow down some. When did

1 the change start? Tell me when it started.

2 (inaudible)010536 Tell me, a month ago, two weeks
3 ago. Compared to -- okay, let's go back some.
4 When -- when did it start? When the bruises
5 started showing up on the child, was it before
6 then or was it after?

7 A Right around when minor come back.

8 Speaker: She started changing.

9 A So like whenever minor come back, she
10 started changing and got where she was like
11 controlling. I mean, she got where she -- she
12 tried to tell me what to do.

13 Speaker: When -- when did you sex
14 life start to change?

15 A Man that thing changed, probably about
16 a month after she came down here. Because I mean
17 she was always forcing herself on me and stuff, I
18 -- I ain't never been like with no woman forcing
19 it on me like that.

20 Speaker: To the point where she was
21 trying to rape you or?

22 A I mean, she would get out of hand.
23 Grab me, try to put stuff on me and stuff and I
24 said no girl.

25 Speaker: Was it general in the house

1 or were y'all in the bed, I mean --

2 A In the house, I mean I anywhere. I
3 could be sitting on the couch and she come up and
4 try to rub on me and stuff. She would walk around
5 butt ass naked with nothing but a t-shirt on. I
6 said what if my friends started coming up. Well,
7 they ain't got reason just walking in. I said
8 man, (inaudible)010641 put some clothes on.

9 Speaker: How far has she ever went?

10 A I mean that girl, that girl
11 (inaudible)010650 I would be sitting there and
12 next thing you know she's just trying to jump all
13 on me and pull my stuff out and all that stuff.
14 And just like whenever I first went up there
15 (inaudible)010706. She gonna come lay all on me,
16 (inaudible) 010711 don't know me from a house
17 cat in a damn alley. Gonna come rub against me
18 and stuff trying -- talking about you want to go
19 back there in the barn or something and I said oh
20 hell no. I didn't the girl like that and I didn't
21 know her people and stuff, I wasn't about to get
22 shot. I didn't know those people like that.

23 Speaker: Why didn't she ever work?

24 A I don't know. Whenever I talked to
25 her she had fourteen horses, she had a five

1 bedroom house, she had three cars. Come to find
2 out when everything is said and done
3 (inaudible)010742.

4 Speaker: Did you believe her?

5 A I believe everything she ever told me
6 at first. Man, she was working and everything.
7 Come to find out, the way I put it together, I
8 might be wrong. But that time she wouldn't talk
9 to me and stuff when she said she was working, I
10 think is whenever he husband was around.

11 Speaker: Where did she say she
12 worked.

13 A She claimed she work at some -- a
14 nursing home. She did housekeeping for a motel or
15 whatever, and then she worked back where her mama
16 worked at. Come to find out, Will's was the one
17 that worked up at the pediatric place, not her.
18 Saying that she had all these horses, come to find
19 out they ain't got but one horse, and that belongs
20 to Eugene.

21 Speaker: Did you ever ask her to go
22 to work because you were struggling?

23 A She was planning on -- saying she was
24 going to get -- she claimed she was putting in
25 applications and everything. Said she put in

1 application at Bojangles and Burkner King, Family
2 Dollar, she said she did one at (inaudible)010842.
3 Said she filled out some online. The neighbor was
4 supposed to take her somewhere, one of those
5 places where they do the popcorn at or whatever.
6 She was supposed to go there, but she never went.
7 Always came up with some excuse.

8 Speaker: Do you believe in God? When
9 you start struggling tonight, that's somebody you
10 can talk to.

11 Q Just like you talk to us, that's just
12 how you talk to him, you know that right? When
13 you hurt, and -- when you say, I -- I'm having a
14 panic attack. You know how you told me how you
15 felt? That's who you need to talk to.

16 Speaker: That's what's gonna get you
17 through this.

18 A I sleep with a Bible in the little cot
19 with me tonight, now.

20 Speaker: Awesome.

21 A (inaudible)010956. I'm tired of
22 (inaudible)010958.

23 Speaker: I'm not trying to preach on,
24 (inaudible)011004, if you don't believe in it,
25 don't believe in it, but if you do that's who you

1 need to talk to. Christ is going to deal with
2 you. That's the one you going to have to deal
3 with. Talk to him, tell him the truth, I promise
4 you it will come out. You just got to put your
5 faith in Him. The devil is going to try
6 everything he can to drag you down.

7 A I know that.

8 Speaker: Just tell him the truth. And
9 talk to Him and I promise you everything will work
10 out. I've never been where you're at. I've never
11 sat across that side of the table, but I know what
12 it's like as a father to struggle with a child.

13 A I miss him.

14 Speaker: Well I can promise you, as
15 long you been sitting across that table, you've
16 not been truthful with us. God will deal with
17 you.

18 A I've been truthful with you man. I
19 swear, I'm truthful with you man.

20 Speaker: I ain't sitting here trying
21 to shoot you no line, because you can look me in
22 the face and tell me the truth.

23 A I know. I've done dealt with this
24 before I can handle it. Shit (inaudible)011120.

25 Speaker: I'm not going to play you

1 and God that's one thing I don't believe in. When
2 God gives gives us a tool and ability to try to
3 get people to do the right thing. And I'm not
4 judging you and I'm not saying you're guilty and
5 I'm not saying your innocent because that's not my
6 place. But I'm a firm believe because of what I
7 went through. This past couple of years, my
8 children -- with my child, my middle child, if it
9 weren't for God, I wouldn't be where I'm at now,
10 and he wouldn't be where he's at. Sometimes, I
11 say, you know, why does God do certain things.
12 And you're not supposed to question but at times
13 you do. But I know when it comes down to it, He's
14 the one that's going to make sure everything's all
15 right. He's the one that's going to bring to Him,
16 and He's the one who's going to bring me through
17 it. And He'll do the same thing with you. If
18 you're being truthful and your heart true --

19 A (inaudible) 011211.

20 Speaker: I promise that.

21 A But it's like I told you outside, I
22 owe that much to that child.

23 Speaker: You do.

24 A Everybody do.

25 Speaker: I owe that much to her.

1 That child went through hell, for months, if not
2 longer. She couldn't protect herself and I'm not
3 (inaudible)011242 but nobody tried to protect her.
4 You had your reasons why you didn't. I'm not
5 gonna sit here and judge you on that.

6 A But the whole time she was around me
7 (inaudible)011252.

8 Speaker: But nobody stepped up to the
9 plate. To help that three year old innocent child,
10 did nothing to nobody. God put her here on this
11 Earth, it was God's place to take her off. Not
12 man, nor woman. You know what it feels like to
13 lose a brother. Can you tell me it's fair that
14 somebody else took his life?

15 A No.

16 Speaker: But that child died way too
17 early. Whether it was by mistake or whether it
18 was by just pure meanness. She didn't deserve
19 that, she didn't deserve to die. And in the long
20 run, it might not be today, it might not be
21 tomorrow, it might be six years from now, but the
22 truth will eventually come out. And somebody will
23 suffer the consequences of what happened to that
24 child. Dealing with us and dealing with the court
25 system, would be the least of my worries if I was

1 that person. Because one day they're gonna have
2 to stand before God. And they're gonna have to be
3 judged for that.

4 Q That's right.

5 Speaker: Like I said, when you
6 struggle at night time, that's the only person I
7 can tell you -- that cell mate won't be able to
8 help you. The person above is the one that is
9 able to help you. (inaudible)011425 If you need
10 to talk to us, please, you know how to get -- in
11 contact with me or Kathy. But I want you to walk
12 out of here today, out of that door and know
13 you've done everything possible to help us. If
14 you can look yourself in the mirror, I know you
15 have.

16 A I ain't lying and stuff man. Okay.

17 Q Let me ask you a question real quick.
18 Did you give her a vitamin that night? A half a
19 vitamin --

20 A Yeah. Matter of fact, the little
21 Flintstone things on the table, you see the little
22 things -- you remember what I'm talking about her
23 iron was low and stuff, so we give her some
24 vitamins, my mama bought some vitamins for her. I
25 did do that.

1 Q Okay, I was just making sure. All
2 right, y'all ready to rock and roll.

3 A Give me just a second okay?

4 A (inaudible) 011533

5 Q I haven't -- didn't find that out. I
6 had to run in and get my file and I was looking at
7 that DSS thing and he called me quicker than what
8 I thought (inaudible)011543 I'm sorry I told you
9 I would do that.

10 A I was seeing if you knew.

11 Q I thought they told me -- I thought it
12 was the week of the 31st.

13 A I don't know (inaudible)011555

14 Q We'll see if there -- we'll see if
15 there's --

16 A I know they took one boy to Darlington
17 and got his bond.

18 Q Was that this week?

19 A Uh huh. Yeah I got to get out of
20 here.

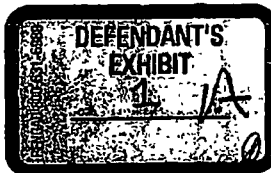
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Some of these
Pages are really
hard to see. this
is as dark as
we could get them.

917

11-27-11

My darling Hope your Sunday evening is going
well my dear. I can't complain here, listening
to Titanic on television and keeping Melissa
busy until tomorrow. Yes she is leaving me and
she is excited. I hate to say but I got a feeling
she be pacing the floor tonight. She's getting anxious
moving her feet and tapping on the wall and all.
Honey she been ready since Thursday or Friday. Yep
got her stuff in a bag and all. I be all alone in the
cell now to talk to or nothing, but oh well I
be all right darling. Baby I Hope you haven't forgot
about the court date of the initial appearance. If
you did it is December 9th @ 9a @ Main Courtroom.
I Hope this time I get a bond and I am hoping
that my murder charge be drop. Lord I Hope so, Lord
I be glad baby. Baby to know that you there will
give me hope my love in many ways. I know that
you believe me and that I couldn't do nothing this is
all a misunderstanding in the eyes of the damn
detective who done this shit to me. Baby, I want
you to do something for me if you can and if you
will. If you will get on my facebook page
and change everything for me. And anything
that you see fit to change as well. My email
address is [REDACTED]
my password is motherof3/motherof3. And if you
want to go ahead and send a request off of
mine to yours if you want. I ask my

to do it and she hasn't gotten on the computer
 since then, so she didn't have a chance. So I figure
 since I trust you my dear and that I love
 you, I figure you will do it for me my love, Mr. McDiff.
 Good I love how it sounds when I say your name,
 it sends cold chills down my back love. And it is
 indeed a first for that. And I miss our conversations
 about Chusecabe and all. And I be glad when
 we can talk about it face to face darling. And I
 hope that it will be soon as well and soon as the
 better for me so that I know I be able to hear
 your voice darling. I'm going to see, well let me
 change that, when I wrote my letter to my
 lawyer I ask him since if I got a bond, I knew
 that I wouldn't be able to pay it and I knew
 that my family can't either, so I ask them
 what is the chances of me just signing my
 own bond. It's bad enough that I be going
 back to my parents' house when I do live. Which
 I hate, don't get me wrong, I love my parents
 but I hate to put them through this again.
 This is getting out of hand my love, hopefully
 this is the last time for this. I have a
 feeling that it is the last time for good. Cause
 I have someone to love and just be myself
 and not pretending to be something that I
 am not. Darling I have you, Mr. A. McDiff
 and you have me as well my love.

Alright Ma. M^c Duffin, I have a very
 weird feeling that you have a surprise up
 your sleeve for me when I get home. But
 I don't know what it is though, but I know
 I will love it my love. Oh and don't for-
 get when sign or closing out your letters to
 me, put Alan on it. Baby I love you.
 And I write soon when I get your letter
 from Melissa. She an the address is the
 messenger for us.

All my Love,
 Your new wife,
 Atelia M^c Duffin

P.S. I hate if you want it like that
 my love. Your ~~love~~ love.

To My Beloved Tim,

11-28-11

Today has been a screwed up day for me and all. Got my letters from my Grandma and Momma from the Holiday. I can tell that they are desperate and there's nothing I can do about it. I wish I could, but I can't, the way both talk Thanksgiving was another day. I mean I can understand where they are coming from really. I do just wish that I was there so that it wouldn't be that way. I know Tim, I am coming to a end and I don't know which way to turn. Just seems like that's what is a sh-g-u type of ordeal everyday and every night. At the same routine, I want to be in a another routine, not this one every single day. It's gotten boring after the first couple of days. Oh who am I kidding you probably know exactly how I feel and what I mean by it. Be glad when I can actually get back in a routine that I enjoy doing everyday. But that I could go outside and enjoy it, without being time to be back inside that this sucks baby big time. Good but it is my hope that I am getting something that I always wanted them to do. But I like them in it. I know they are well. I just have to get use to them in well but that will not ^{take} long to do. Baby, what would you like for your birthday and (remember my dear?) I already know what I like and want. I think I would ask you again. But it won't say anything either. So what would it be. I would want you. Love you

It's in that.

Dec 21, 2011

Hey Mr. M^s Duffin

See, two can play that game based on last names. Also I kinda know you need a laugh. To be honest, laughing is a good thing and never forget that. I am sorry that your wedding was awful, hopefully this year coming in will be better. Now, why on earth will I get mad for about you talking to your stepmother. Remember what I told you, sooner or later they going to find out. And not let them find out later but sooner. I mean I do know what I be saying, you have to believe me on that part. Now, Now, you are doubting yourself, of course I still want everything as I plan and all. And I know you can't wait until Christmas Eve and I wonder why. Remember this patience is the key. Everyone has to be patient and to wait their turn. There is no rush in anything. Rushing just causes problems. And problems is never a good thing. And we know that as well. Another thing, I don't see nothing wrong with your spelling and you did spell Katelyn right, and that makes two of us. Lord, darling I can't wait until I can leave and actually start on the plans I made. And as for cheesecake, well kinda figure you would have some cheesecake as well. And I did receive my birthday card and I love it. Hope you got yours from Melissa cause I sent it to her first as a little present. Miss you as well and miss our talks about everything, & the jokes as well. Also I'm glad I can see you and I love you. Gonna be in a bit and I'll give you my card, I love you.

Love, Katelyn

To My Beloved Mr. Duffie,

Dec. 4, 2011

I know what you are thinking and yes I said
 Mister as well, I had to stay I needed a laugh of
 sorts, ok I needed a laugh. Cause Michael is being a
 son of a bitch lately of the last week and I don't blame
 him either. Well, I am going to go home soon as I can be
 home for Christmas and all I am bored as hell without you
 here, how I know I am bored, well I'm watching Harry Potter
 movies all weekend long and been giving the officers nicknames
 and dreaming and wishing I had some paint, neon lights,
 black light and all. I would have a field day back here
 with them here as well. Top it all off I know I miss
 you cause I didn't even order me junk food off of Amazon
 and that's not like me I admit it, I miss you Timmy Alan M. Duffie,
 more than you ever know. It's gotten beyond the point of
 where I'm asleep I wake up and I could hear your voice
 over me and feel your lips on mine as well. And see your
 movement up against the wall when you come in back here.
 Oh my god, I have it bad. Yes it is. Well the good thing is
 that it is over you and only one you my dear. Darling I got to get
 used to my finger ^{nails}, yes they finally started growing and
 it got to feel them soon when I get home. I'm not used to have
 nails of my own, but my god they come in handy for
 scratching my back when it itches and very hard as well.
 Mention of which I got to wash my hair Wednesday so
 that will be done a day before court. Praying for
 good news Thursday, sending all the prayers I
 can so I can receive some good news that day.
 I have a feeling that there will be some good news

and then I got a feeling there be some bad right along
with it as well. But good news is what I want to
hear. Everyone I know is praying for me as well as that
helps out alot as well. So no worries there right. Yes your
right, no worries. Lord asking let me tell you, how about my
ex husband thinks that if they send me papers regarding
the custody court over Stacey that I wouldn't be there well he
got me there. But he and his lawyer know my mother is
holding everything there the lawyer and all. Beside sending
her the paper for the court date they sent it to me. Baby
my ex husband think that I am dumb cause I'm a
Blonde Reader's blue eye bummer. But he thinks more &
don't don't have nothing to deal with me. He is so
wrong on that part. See some day I got that paper
from his lawyer, that's the same day I mail that
paper to my mom and she took it up to the lawyers
office. The day she got it in the mail. He think he
is slick, but baby he is playing with fire. I'm
make sure I burn his ass to hell and back. He's
in a rude awakening. Don't get me wrong he is my
spine's father but he has no idea who he is messing
with. On top of that, not watching to a slumber
or, well let's just say he been trying to communicate
through the rocks. And yes we are serious. One I had
at Fred M. L. and Tim, Mr + Mrs Huchelle till death do
us apart. And I love you Tim. And will you marry
me Tim? I mean really he is getting so low now.
he don't know what to do with himself and even showed

Melissa the book with it written in. She thought it was funny. Hell I did to and still do. He just don't have a clue and when he does find out, oh well he be alright. I'm not going to be control and no one is going to tell me how to live, who I can or can't talk to and to tell me where I can + can't go. And not criticize me or compare me to every female under. Hell I am myself. Take it or leave it. He can go back to his wife or better yet he can go to New Mexico and go after the other gal before me. Either one I don't care. What I do care about is a man named Timothy Alan McPhee. His birthday is the 25th of this month and he is gorgeous in my eyes. If you see Tim tell him his wife said hello. Oh never mind, it's you you you the one who's reading. Hello my beloved darling. I love you. I'm try to lay down to rest. I love you darling.

Sorry You Always
if my heart,

Cherie Hunt

P.S. I be glad when I can get that off my name and use my maiden name. But then excuse if you still want it that way.

I love you Timothy Alan McPhee - from your wife.

Miss Lou
See you soon!

12-31-

Hello! your letters just got here reaching a few days
"Midnight Whispers" pretty good book but it wasn't long
enough for me. As you know, well should know of the my
own mind, part of me all along of it, but, and
it is well said that the decision is better
at night than in the day, which is a
good thing as well as what if we agree it is a
she said she said it me at least she said it
I hope you make some resolutions for the new year.
Dad is going to know one of them as well. What is your want
one to be in your new year. Well said she said as
it can be. Well, believe me I am. And what is my happen, it
will be a new year. Well, the way you got your mind taken. I
know another thing as well, and I wonder if you know what it
is. Well it will be, let me this thought, it begins with an
I am sad with a you. I love you, and even though my feeling
is still strong, I love you and it is time soon, real soon, that
I love you. Love, Miss Lou.

Jan. 1, 2012

Good Morning darling, and happy New Year, its another year to be a
new beginning to new and exciting things, which I hope you agree
with me on that part anyhow. Just got out of the shower and
feel better somewhat at least. Let's not believe that you got it
bad and I won't have nothing besides being myself. I
mean guess, I am always a girl that never changes, so
that's a good thing. I'm going to lay down until its
time for the dinner hour at seven here we believe yourself
and I will write. I'm glad to hear from you. Love, Miss Lou. 933 (back

Darling I can't help but to think of my beloved soon to be husband
 You stay ^{my} ~~with~~ ⁱⁿ ~~the~~ ^{my} ~~room~~ ^{my} ~~all~~ ^{my} ~~the~~ ^{my} ~~time~~ ^{my} ~~I~~ ^{my} ~~can't~~ ^{my} ~~help~~ ^{my} ~~but~~ ^{my} ~~to~~ ^{my} ~~be~~ ^{my} ~~worry~~ ^{my} ~~about~~
 my baby. I was alright, Turkey, stuffing, black eyes, nose,
 gray, of course there is called cake as a sweet. It's about 11:30 p.m.
 and I'm to death but my mind is occupied with ideas. I hope
 tonight goes smooth like last night. I actually sleep quite well
 hearing a lot of my friend saying "I'm in the house" but I'm afraid I get
 that general saying tomorrow and I'll be out of my room and I'll be
 have peace and quiet again to myself. I had no order carting
 tomorrow cause I got to get more paper & envelopes and some
 chips and all, this past week was the Christmas market weekend at
 other stores that I know worked as well, they were better off doing
 turkey & chicken dishes. Baby in my way and I'm probably
 figure out that I am ready to be home as I am actually
 cook and be moving throughout the day, besides being in one
 spot is driving me crazy. And yes I am use to moving and not
 staying still if they let me go outside for about an hour or two I
 be alright somewhat, I don't know if just rather be outdoors than being
 indoors. Alright Mr. McPuffin, that's right I said Mr. McPuffin, what
 you going to do about it, take. I'm stop here and write my grandma
 remember Mr. McPuffin, I love you and looking forward to the visit. Plus
 I hope you being going to sleep at night and not worrying me
 darling. Oh who am I kidding if I know you, you worry about me 24/7
 cause the fact that I am in love, so don't worry I am fine and I
 am going to let anything happen to me. Besides I am fine
 darling I keep busy and you know that I read your letters
 right before I go to sleep so that helps me sleep, knowing I
 have you and you want me and yes it is happening to 934

Miss You & I love you

I still can remember it. I just like the first, very first time I saw you. And when I finally talk to you was magical. I would rewind and do it over but it would be difficult to were I be on the outside and I bump into you at the lake walking. Then if the lake, I probably go to take Wallace to walk when I get out it would be one good and to get some up my muscles as well. I hope you told your dad about us cause my folks know everything but the manager part I get that is there something here exactly I don't know but I figure it out though. I love ya Tim McPuffin.

1-2-12

It's after 4:15pm today so you know they done supper and of course it was spaghetti, bread, salad, and a coffee cake. Supperly it was good, but I wanted it with Garlic Bread, but it well can't be picky in here. What I today about noon or was out there for about 3-5 minutes. It's good though, but it's out every day and I be straight. I think today well I know I been here 86 days, Lord I wish I had your picture to look at, that would help with the time and the day go by quicker as well. I hope you hasn't look at the pictures on facebook. But tomorrow you, you probably have, if you haven't it can surprise. I hope this woman leaves tomorrow, she passing me off and she knows it. Everytime she starts I go to sleep, then she wakes me up about water, she time. I mean really, I'm not married to you so don't bother me and shut up. She is really annoying. Actually really she is. I mention my design to no more for a father and she thinks that it will be a great idea for me to do. So now I just got to find out how much it will be and get it done, and you can come if you want to come. That's up to you my dream, but it be nice though. I heard one of 935

my songs well one song since you love it as well. all
 was "God gave me you" to be honest when I sleep I
 be hearing that song so well making up and humming or
 singing it at 5.30 every morning or early then that. Lord I
 miss you darling, and want to be in your arms and look at you
 and tell you that I love you. Well like see it about 7.15 at
 night and there's nothing to do here. I could sleep but I know if I
 do that big mouth will wake up and to be honest I don't want to
 hear her mouth, I'm just, more getting rid of a migraine from
 her and Lord knows I want quietness from her. The way it
 looks we be doing better tomorrow hopefully. Baby guess what,
 I look like shit right about now and feel like it to. I got a
 date for either Chinese or Japanese food. I don't know which one
 just yet but I figure it out sometime soon. And yes I am
 behaving today haven't lost my cool with her, been asleep & annoying
 her as well. If it weren't work so well it could have been
 today that this whole entire time since she been here. I have to
 keep that in mind on annoying people who I don't want nothing
 to deal with them. The next best thing is closing a door and
 turning on the radio. Well problem, (1) no radio to turn on to
 listen to, (2) door is closed but with a female in it, (3) I
 rather you be in here with me or on there (hot hot). But soon
 that will happen my dear I have my faith and my
 prayers and alot more prayers going up for me as well. I
 hope no one is giving you no trouble what so ever. If they
 is ignore them sweetie, and please don't say, I know it is
 hard for me, but we will overcome this together, some how
 some way, we get through this together. I love you 930

1-2-12

God gave me you,
 To love everyday nonstop
 To hold and cherish
 The moments we share together.

God gave me you
 To brighten up my day
 Lift my spirits high
 To fly beyond the clouds

God gave me you
 So I could feel your touch
 Hear your voice everyday
 See your smiling face

God gave me you
 To build my strength
 Increase my wisdom
 Build my knowledge of life

I am thankful for you
 And to love you for eternal
 Baby you know the truth
 Which is above all every thing
 God Gave Me You.

I love you... xoxo ♥Tia

Baby Boy,

1-3-12

I just got your letter today that you done on the 30th and don't be sorry for me or the fact I didn't see my oldest girl. But you is right Khama is a Bitch and its going to hit her daddy hard. And the orange suit it was funny as well, and I still consider it as well "hiii hiii". And darling I know it is hard to sleep at night. That I do know, trust and believe that I am glad you like the drawings that I sent to you, and since your Pooh Bear, you have to wait a little longer to get out then you have all the money you want darling. Yes I did tell my folks who they was here for visitation and their expression I couldn't read, but I know my people, they want me happy. Well dear you can let your father know that I'm not here to change no one. Besides you are you and you just fine as the way you are sweetie. There's nothing I would change, hell like you said we are two smartass people who have the same ways and is willing to be together and happy for a change. And the debate on who's right, well it's say its a tie between us. And your right we is in this together through this roller coaster ride. And besides I love my Pooh Bear soft side, that I know he is soft and loveable just for me and the kids. I'm glad you are feeling better. I hated to know that you wasn't feeling well, since your better that is a relief. Why I was crying, is the fact this was the first Christmas without Edna here in person and that I know she's here in spirit and in my heart. And to know I wasn't with the people I love the most. But that's all right one Christmas isn't going to hurt. There alot more to share. (2) That I have the most wonder-938 man

that loves me and he ask me to marry him and I told him yes. He is the most, what's the word I'm looking for here, umm intelligent and unique and a smart ass. I wouldn't trade him or change him for nothing. He is indeed a one of a kind, he is everything combine into one. What's package for a 5'3 Blonde hair blue eye Lumbee female. Oh wait that's me, damn I am lucky to have you. Darling listen to me, I know people can say things to hurt someone else. Trust me I know I been through hell and back so I know how things are. (1) Don't let ~~the~~ ^{People} words hurt you darling, they just want to bring you down. (2) If they truly cared for your feelings they be willing to support you with the decision you made to be with me. (3) They can't take the fact that someone is willing to be with you, hell I love you. Don't let no one bring you down, just think about everything we got to do, look at the picture of the kids. Darling you are indeed loved everywhere you look. Promise me, keep your head held high and don't take no shit for no one. Tim I love you for you be who you are that's what I ask for. Darling if the talk you had with your dad bother you, did you mention to him that it did? I can see that your step mother can see that you are truly love me and talking to you as well. As you know my parents come on a Saturday to see me from 5-6 every Saturday so that leaves Wednesday from 9 to 10. So you know you can see me on Wednesday my dear, so my sister advised you, that is a good thing that she did. Baby I am so sorry that you didn't get to see your kids for Christmas this time, but you will this

And I bet your birthday and Christmas would be better, with you waking up and I be beside you with your arms wrapped around me. And yes I know we got it bad, but I still think that you have it worse than me my dear. And yes it is my sinus that's giving me trouble at night, oh lord if it was morning sickness, I would know that is even possible for that it's been 3 months or a little over. Oh well then I must be Mary obsessed with a heavenly child then... Oh wow if I'm Mary then you Joseph then we got to go to Bethlehem and all. Boy that's a long a dreadful trip to make. Baby if you become more laid back hell, you be laying on the... nevermind I keep that one to myself. And yes it was a smartass comment that it don't need to be on paper so I keep that one until I decide to tell it. And yes I remember the talk and no I am not sharing, I don't play well with others, remember that. Besides I see my baby got jokes, more jokes now. Alright that's my man I fell in love with. And the female you mention, yea I know her, she's in MCDC is in D-Block Cell 1 and is wearing Orange outfit. Man she talks about you nonstop how she loves you and can't wait to say I Do and start beginning of y'all life together. Yea I know her, I tell her you said "What's up". Oh damn she knows, cause I'm the lucky female. lol. What I am saying baby boy I love you and can't wait to be in your arms. Can't wait to see you soon on Wednesdays. Love you my darling PashBear, remember I am your honey.

Love you prob Bear!!

Love you my husband,

your wifey Ate 940

① Mr. McDuffie,

L-10-12

Just got your letter today and wrestling back, and the roommate left, thank god, she was getting on my nerves with the button. And yes I got your George and trust me you should know the answer to who it been tugging and squeezing you, if not Lord help you. And the name game as you say well now listen hear Timothy Alan McDuffie, you know I can play that game well and you know it as well. As for the picture on your brother and step-moms cell phone, I bet that was worth a million words or more with a woman, staff, and guy from work so don't delete it want to see it, lol. And funny well damn its hilarious am sorry I can't help it wish it was there when this was going on. Oh ok, got to stop brough my sick heart. Beside I like it when my baby makes jokes while he is wrestling to me, it makes me feel special. Don't ~~any~~ even say it, I know you ~~we~~ don't say it. Besides I'm special cause I have you to love my dear. Baby your mention about dancing well now, I don't like to dance, so I stick to what I do best sweetheart. Baby I might be out of here by the end of the month or here in the next few weeks. Cause my lawyer been talking to the doctor and there going to try to give me a bond when I go up to court soon. Pooh Bear I am so excited been like this since Saturday when Momma told me. As for my parents they know how we met, I don't keep nothing from my mother remind you I tell her everything well about everything. And as for a tattoo of Pooh Bear I was actually debating over that but I didn't know how you would react to it darling we will see about that right time when out. Baby guess what I love ~~you~~ to be short, cause I can do, well I bet you

(2)

ponder on that one sweetheart. Baby if you want to go to the beach you can your choice remember, just as long as you stay warm. Also you right God gave me you through our ups and down but I'm glad he brought us together to heal together, sweetie. I can't wait until I can say I do and be your wife my love and you be my husband my knight and shining armor. Baby I'm going to lay down and rest.

Forever your truly,

Atilia

AKA

Babygirl

I love you sweetheart and can't wait until the day I get out and say I do to a wonderful man.

My darling Pook Bear,

1-16-12

I just got your letter today. I am strong well, tripping out on my roommate and making time go by as well. Last week, I didn't go up to court, so dad told me I have to go to Chesterfield County Courthouse on Wednesday on the 18th, hopefully you know I hope, cause I told my dad to let you know. So I hope I be out the same day as well. Sweetheart as for as your jokes, baby I love them, just the same way I love the person telling them. Baby I know you not old, well not yet anyway, don't matter to me cause baby I will love you no more how old you get cause you still have me sugar. And you baby I don't dance sugar, but I can make a exception for our wedding of course. And the beach for Valentine's Days will be great baby I will love it. Baby the gift, please tell me you didn't buy me something. If you did, I think I have a idea what it is, its probably had to do with you asking my ring size, right? Oh well, let me find out my baby truly love me. Man, I am so lucky to have you sugar. The more your writing on sweetie, trust, it be the best cause you were had darling Sweetheart, Pook Bear I love you. Baby its just not me that got to be happy in this relationship remember, you in this as well, or is there some other guy name Jim P. I like I don't know about. Dad I hope not cause it wouldn't be right. There is only one Jim P. I like and that is you my darling Pook Bear, the one I am going to say I do. Baby I am, let's have as long as the baby is healthy, I don't care, but we already have a girl name pick out, so for a boy, humm what about Malachi Alare. But like you say, as long as it is healthy I am first boy or girl, I will love no matter what sweetie. Baby I

(2)

happy cause I am making you into a happy man. Cause
 darling you deserve the best sweetheart. And I am glad you are telling
 me so that for you sugar I am truly happy and indeed love.
 Baby you as wife can do what she wish, but both you and I
 know what she is doing is wrong. And that you know your kids is
 yours regardless of what she is doing. And as for my parents, darling
 you have nothing to worry about that is for sure they will
 love you sugar I know they will. And you teaching me to golf
 you about that, (1) you have to get me first, (2) have to make me
 stay there, (3) who says about me to staying golf sweetie. (Mia).
 Besides I am not good at golf just me I tried and I
 suck at it, so I stick to what I know and golf is not one
 of them. Now I will watch you play any day sugar and that
 is a fact. And you being a good teacher, well I have to see
 exactly how good you really is baby (that wink), and I think that
 you be the best, not good but the best sweet thing. Oh lord I
 know what I be dreaming of again tonight, and yes it was
 awesome baby. Baby, I am glad that you want to go with me
 when I get my tattoo done, I am surprise that you want to go
 oh who am I kidding, of course my baby is going to be there
 with me when I get it done. I know the answer, I just wanted
 to see if you would answer me and make a smart ass
 comment as well. Well, yeah, I miss you so much, and
 when I be in your arms, oh lord I be so happy. And going to
 Bath + Body, oh now, are you reading my mind or something?
 I mean seriously, I was just talking about going to
 Bath + Body yesterday or day before, and getting lotion and
 all. God I know I have to go there cause I don't know 944

5)

body must and all, so you are going to have fun when I go to get what I need. wait correction, we going to have fun. Oh yes! I can't wait either, to be with my beautiful little girl that I love so much, and you know if I see her at any time at Aunt Susan's. Baby since you got me a gift, I am going to get you something as well. What would my baby like? I have some ideas, but I thought I ask you sugar. I love you with my heart darling, and the day is near as well. Just remember, you finally have someone to love you for you and that is me George! see. No seriously I mean it. Timothly, Do you take Maria, to be your wedded wife, you have and to hold to death do you part?.)

Maria G. Hunt or better yet
Maria G. McDuffie

P.S. I do, cherish you, from the depth of my soul, I waited so long to say this to you, if you ask me if I love you this much.

✓

Timothly

I Do Timothly A. McDuffie

♥

6:00pm

3pm. 5. 2. 2

Hey good looking hope you are doing well today. I am good, getting
 better everyday and working every so often. So yeah I am good,
 good as I was to get got done writing a letter to my grandma
 so that he sent off in the morning. I'm asking a question?
 And no it is not bad and no it isn't dealing with us so get out
 of your head young man. Why is it when someone has a problem
 with someone else they think I can solve it? I don't get on with I love to
 listen and tries to help if I could, but this between my grandma
 and my mother has to end sometime. So be honest I have no idea
 what's going on now, if I did know I wouldn't choose no sides
 cause I love them both. My darling husband Jim McPhee, what
 on earth am I going to do with my family. Now I see why I stick to
 myself without bothering none of well, they are my family and I
 love them and soon you be extra into among this, so I hope you are
 ready for the ride to see what I have to deal with I enjoy being
 there for them and doing this but I love them wouldn't trade
 nothing for my family. I got my set of papers where mamma is
 waiting for custody over Leticia, she go for that on the 9th and I
 hope it goes well and they get her back then I know she be safe
 and out of harms way. But I know my parents will not talk
 shit about me to my daughter unlike her father and his so called
 means be mother Darling this is a mess and I'm stuck in the
 middle and I'm not even there. Man do I have bad luck on
 what about things these days. But all of that has changed and
 I am glad about that as well. You know what, I'm tell
 you as secret, I love you!!! Do you guess what we got it
 back I wake up this morning say I got you at 6am the
 dot and again when I lost my nap and all over when I was 946 say.

② Do tell me Mr McDuff, that's right I said I'd like to see me fairly, but
 what exactly did you do to me? Being your charming self
 that I adore so much, in a better note, I hope things have
 small out at the house for you my dear Give your love to him. He
 will understand just give him time and all, I know he will accept
 me in time. Time is all he needs at the moment. Do tell me Mr Bear,
 what have you been thinking a little yet, about on your mind? I
 wonder what the answer will be. Love you Mr Bear and see you
 soon my beloved husband, always yours until eternity after life,
 oh what can I say I love you and I'll have soon in your arms. Well
 hello darling husband its 10 o'clock at night, just got done
 writing my sister a letter about how I feel about you. If I
 know her she probably have questions for you so be on the
 look out for that of course. Yes she might be my baby sister,
 but she is protective over me. Why that is I have no
 idea why, guess I never know cause I never ask her why.
 Usually I be asleep at this time and can't so I excited
 for some reason. Oh I know (1) Mom + Dad visit Saturday
 (2) Your visit on Wednesday (3) High Court goes back in
 session on the 9th (4) Hoping and Praying I get out and
 be in your arms soon and (5) Hope + pray Shania be
 at mommas as well. So what does that tell my
 beloved husband Mr Bear I have another question, do
 you believe in a traditional wedding to where the groom
 can't see the bride dress before the wedding and all? I
 am curious of course. Hope there is no cat name
 curious, if there was the cat be gone by now, because I
 am curious all the time my dear and you should
 know that with all these questions on my mind.

- ③ So, we shall be curious together (wink wink) Oh good night, the lady that was in here with me left Wednesday and I thank god for that. When she left I went to sleep in peaceful and I dream of my Por bear of course, I'm thinking about getting my tattoo right time I get out, was wondering if you wanted to go with me when I have it done. I might have ask early but I want to double check my dear Baby. I'm getting tired and sleeping, I see you soon Por bear. I love you Por Bear. Love Always, Honey Bee XOXOXO.

1-10-12.

Good Morning Por Bear, thought I would write and tell you that I love you so much and I can't wait to be home and away from this place. And that we can start on our lives together and start our pharmacy together. We will take care of it dear I know we will. I'm going down and try to get rid of a headache but you know I will write love you darling and remember to smile cause you have a 5'3 Blonde hair, blue eyes, dumba female that loves you my dear. Cause I know for sure that I smile everyday cause I am love by you and my family and my friends. My darling love its about quarter I am guessing, I was asleep until the roommate of mine started with the letter it is a another lady that came in once the other one left. Man I man what I got to do put a sign that says broken on the speaker and no roommate in the door. I hope they let her go today really I do. And what make it so bad I was having a awesome dream about us as well. In time, soon in time it will be real for us both my love. I hope your father is coming around and talking to you, I really hope so. I'm so proud of you sweetheart and yes I am still your Smiffitt as long as you Papa Smurf taken. "Had to do it". Think I'll go back visiting my father. At I my last night as well, cause I'm not outta of here fast enough. I'm so ready to be home. Baby I love you with all my heart and I be glad to see you. I love you. 948

1:45 pm

Jan 9, 2012

⑨

Well my dear I especially in the next few days I would like to have
 some 'hot' nights. Thinking about since Saturday is getting out and
 being in your room, you know and only you. Today is one of those muggy days
 to where it just want to sleep and I can't sleep cause I know I be out
 near right time I get out of bed looking for a new hot shower, and then
 getting my titties, and yes I'm going to have it done the same day I get
 out there is a little uncomfortable, and it is like it's not in my titties.
 better pressing but that is slight though now I don't have to worry
 with it and it is so good as well. Also you can pick up where we
 left off as well. Also be doing some thinking as well, about you
 meeting my parents. And no it is not a bad thing, I figure when I
 get out that it would be best for you to meet them beside getting
 it off. That is what I want to do, introduce you to them, I
 think you will like them I hope anyway. I don't to bad, cause
 you stuck with me and they are yours in laws. A little tip, I
 am nothing like my parents in any way, which is a good
 thing for me I think. I like to be my own person and not
 live up to everyone's dreams. But the thing I am worry about the
 most is your family. I know I know you told me not to worry
 but I can't help it. Beside you know what all I went through
 with the girls daddy and never again I'm not going that route. The
 whole time I be crying about pick on and talk about over
 the last 10 years or more. I just want it all to end. Baby I
 cry still at times at night, cause I am thankful that what all
 happen to me is in the past and I am moving toward the
 future and being happy is what I want for my children and my
 sake and I'm finally am happy, and I have you to thank for
 right along with my family. I just love that now. That's

(5)

will accept me as for who is so a wounded baby like me to
 and I now and I haven't seen my lawyer so I still get home a
 me if is interesting, when on the time I hope a piece of what I'm
 thing went well for mama today and I still see her only
 time will tell And baby I miss my kids so much, Shania
 asking me for my laptop and extra jumping on my back and
 watching cartoons on the inside of the floor. The way they
 sleep, Shania on her back with the covers over her head, Eddie
 with no covers and sometimes ^{both of the girls} ~~both of the girls~~ manage to get in
 my bed while I be sleeping without me knowing til the
 next day. My little rags but they are my heart and
 soul. I love Shania still in this earth, Eddie in my heart
 and in spirit she always be with me and I have wonderful
 memories of her both of my kids. The day they was born
 when they first rolled over, first teeth, crawl, walk, first
 word, and many more. I miss my girls I love them so
 much and I gave them everything that I did not have and
 more. They knew I loved them and I would give up my
 life for them any day of the week. Oh Lord I got to stop
 writing and wait to the time stop, baby I miss them so
 much. Baby I love you and I can't wait to be in your arms.

Your itzys
 Itelia



①

12-23-11

Hey Baby,

I got the card & letter that you sent. And I love them both baby thank you. I will try to enjoy myself but you know it won't ~~be~~ because you are not here with me to enjoy it. I know how you feel now. I'm bored & worried about you the love of my life, it really is kinda hard not seeing you or hearing your voice. But if you really want to see me add me to your visitation list & I will come to see you if you want me too. And yes I remember the poem. And baby I could not forget about you love. The issues & concerns are done with. I just need to talk ^{to} ~~to~~ ^{about} ~~about~~ us. I just remember about what you said in your letter about me surprising you when you get out. I do, listen here me out, I been thinking about something about what we talked about.. It was on the beach on Christmas eve. Do you know what I'm talking about. If you do.. That's what I want to ask you. I know it's kinda of early to ask we been talking for ~~over~~ ^a little over 2 ~~and~~ ^{years} matter. I know we are still married to one other.. But I talked to Malorie about it & that's what I want to ask you, my wife.. I love you with all my ~~heart~~ ^{heart} heart & I would do anything for you. Oh by the way I could not get on your facebook page the password is wrong. By the way don't get mad at me but I sent your mom & sister a friend request. And the ice cream & caramel I had was missing something I ~~was~~ wonder what it was. ~~Now~~ I know what it was... It was about 5'3, blonde hair & blue eyes love of me like. One day ~~there~~

②

I will have it. By the way before I forget I need to ask
 you something. I need to know your ring size, because I am
 going to get you a gift. Baby I can't help to worry about
 you + yes I am stressed out. And yes I made my choice
 about this. I want you in my life Jim. + you're the ~~best~~
 greatest thing to happen to me besides my kids. I am going to
~~be~~ worry about you until you are in my arms where you
~~belong~~ belong baby. By the way you look cute in Orange Sweetie
 hahaha... when you get out I am going to get you an
 orange outfit hahaha... just to think back on the times
 we had.. I miss that really I do. ~~At the time~~ The
 taker being untied, the doctor can do that if you want.
 I know you love your parents but you said about going back
 home. I'm ~~be~~ trying to work on something for us. ~~But~~ Because
 I want you with me. And the ring size I asked about; you
 have an idea why I am asking right... If you know why
 could I have an answer or would you like me to ask you in
 person if so like I said earlier just add me to your
 visit list + I will. I hope I'm not freaking you out
 or moving to fast if so ~~let~~ let me know baby. I hope you
 get to see Shanin, I really do. Well I don't know what to do
 with myself. I mean I am sitting here listening to the
 radio + thinking about you ~~my~~ my wife to be that's if you will
 have me. I going to tell you this baby some night I lay, it
 is just me thinking about this ~~problem~~ problem vice in
 your then + I am here it hurt sometime, boy I get it bad
 like I said before I have made my choice, it is my life

And I want to be with you, Atelin McDiff, that's if you want it that way & will have me. And in the words of two songs I love too hear "God gave me you" & I would love you for a ~~thousand~~ thousand years & I would love you for a thousand more years. That's if you would have me baby ... I love you Atelin with all my heart.

But someone asked me why I got fixed.. I said I had the best reason of all. It was you & I would do it again if I had to.. Oh, before I forget, I would like to ⁱⁿ introduce you, yes she told me today that when you to saw me you told her that I was cute.. But baby you're the most beautiful woman on God's earth. & that's the truth... Well I am going to try to go to sleep but it's not going to happen. But when I do I ~~think~~ dream of two things that I told you (1) when your mother came got me & said you were in hospital & we know why.

(2) We are in our apartment & your family showed up & I was asleep ~~on the~~ in the love seat holding Katelyn Nevada McDiff. remember those two dreams. & I can't forget the big day on Christmas Eve you in the white & blue dress.. Man that's the good stuff. I am looking forward to seeing you when you get out. I dream of that day about when I am holding you in my arms.. just me & you at the beach..

Love you Atelin J. McDiff



P.S. I ~~do~~ !!!

you know what I mean...

..

Did you get
the second letter
I sent.
Let me know

①

12-30-11

Baby girl,

I got your letters today + as usual I was worried that you didn't get it. But it takes awhile for the mail to get where it's going. I'm sorry that you didn't get to see Salma but some people in this world can be little-bits, I know for a fact. I know you really wanted to see her + you will. By the way it's not a females job to worry, it's anybodys job when it comes down to something or someone they love more than anything ⁱⁿ the earth. The person I talked to was a friend that got locked-up for child support. I know the orange outfit would be wrong but funny. hahaha... I was ~~just~~ ^{and} something that came to my mind. The ~~person~~ ^{that paragraph} in the same nothing changed. What do know ... right now as I write that song came on "God gave me you. ~~the world~~ How strange is it. I'm for real it just came on at 1:35 ~~am~~ in the morning, yea it had for me to sleep some righter. I had something on my mind + a lovely young woman. As for your ~~roommate~~ roommate I know it can be a pain but don't let it get to you sweeter.. The drawings are ~~so~~ beautiful, I love them but now I'm too busy, so where's my honey. LOL. So you told your mother + father about us + their reaction was a did they say anything at all. But ~~at~~ I also told my father, yea he expressed his feelings + concerns but he said it's your life. He is just worried about me cause of my soon to be X-wife. I'll not how ~~to~~ she treated me but she tried to change me I talked to Theresa last week, still in heaven

②

Well I know where you are coming from with how you feel about me & I feel the same way I do but I show it & tell it differently. For the guy thing, ~~and~~ showing their soft side, well hell you know who me but the feelings are the same baby, nothing going to change that I promise. By the way this up to me ~~and~~ decision, it's up to us ~~and~~ were in this together wife. There is no I in us, just us two smart-ass people who ~~are~~ have the same way about them. But you know I'm always right.. LOL. ok usually right. And the plans can stay the same or we planned them. Just because I say something doesn't mean we change the plans. I have not even talked to the Clerk's office in Lansingburg, been to Barry trying to get me straight been a little sick, ~~and~~ but I know better know. Why are you crying baby? Was it something I said out of the way or something. But you know I broke down the other day I just ~~and~~ could not take anymore of the shit in my life it's not you, I Promise!! ~~Some~~ Some-thing people say can hurt the most. Oh my step-mother asked me did my father ~~and~~ upset me the other day about the talk we had it did but she knows how I feel about you & care about. ~~What~~ What are the visit ~~and~~ hours for you I know it's Wednesday & Saturday - 9 to 10 Wed. & Sat. 5 to 6 But let me know when you want me to visit. I don't want your parents come first & I don't get to see you or the other way around they coming from Mauston to here & can't see you. Oh your sister added me on facebook but I haven't been on in a couple days. So that is a yes to my question in the last letter I wrote. I hope so ^{and} some other 53, Blonde hair, Blue eyed female got my letter. I hope not.. LOL. I had to say it you & I needed a laugh

(3)

Christmas was good, it could have been better; well its the first time out of the past ~~4~~ 4 years, ~~that~~ that I didn't get see my ~~girl~~ ^{girl} on Christmas but you know karma is a Bitch... & ~~and~~ you know it would have been - let me correct that it would be the greatest day ever & a perfect Christmas & birthday gift waking up with you in my arms. yea damn we got it back.. & you know it. I hope you feel better. It's your sinus problem or could it be moving sickness. Oh god I had to say it, hehe, ha now that was funny & a good one. But I will say this the day I come to visit will be a good one you ~~meeting the parents~~ ^{know} meeting the parents for the first time "yea about that". LOL.. I have become a better person since ~~the~~ ^{my} being fial no seriously people noticed I'm a different ~~person~~ person in the way act. I'm more laid ~~back~~ ^{back}, semi-happy because I won't be happy completely till I have you in my arms baby. I was going ^{to} say smart-ass^{comment} & say something ~~else~~ ^{else} who I'm kidding ~~no~~ I'm not going joke about us ~~or~~ ^{or} the ~~love~~ we have for each other. But I will say this remember the talk we had about you ~~and~~ ex-boyfriend, & another guy or girl if you don't it in alright. Oh wait the 3-way u know, we laughed about it. if you remember, then I say this I don't share.. Lmao..
~~that girl~~ gotcha now that was a good one.
 well I'm going to lay down & dream about the cute girl I know do you know her.. She is 5'3, blonde hair, blue eyed angel I fell in ~~love~~ love with. What am I saying its you baby girl. Can't wait till I get to see you in orange. lol. ~~am~~.

Love you ♡

Wait here soon. Husband, Jimmy

1-7-12

Hello My dear,

I got your letter the other day + yes I'm just now writing back. I see you still reading + enjoying your roommate.. LOL.. yes its just lovely isn't it ha ha ha... You got my George. humm.. really who are you hugging + ~~squeezing~~ squeezing on... there goes my spelling again. Well you say I got it bad. I don't know about that Mrs Jacobs, or is it Mrs Hunt, or Mrs M'Duff. or I could call another name but you might get mad at me. hahaha.. two could play the ~~same~~ name game. or better I can say your entire name.. ~~Let's~~ Lets see Atelia Dawn ^{know} ~~Jacob~~ Jacobs Hunt M'Duff how about that. LOL!!! And yes I ^{know} the food sector. I remember that right too. But were you going say anything at all or did you ~~help~~ have help talking... humm. lets see I know. So going to the lake and loosening up are we.. yes right U + I know the truth. lol. And yes you know I looked at those pictures.. I don't have any pictures of me, wait there is one but its on my brother + step-moms cell phone that must be deleted because I am wearing a pink princess crown, holding a princess staff + holding a ~~bottle~~ bottle of grey goose vodka. wait I wasn't drinking I thought it would be funny to do. What's this thing behind close doors with another female hahaha... gotcha. Yes I miss you + love you too lil girl... LOL.. You are so kind + beautiful to say that about me + so you don't look like shit but you might need to shave LOL!! I had to say it. yes that would be along trip but I don't fly.. what's this about me being laid back even more..

②

I might have an idea about that... So let's see you don't
 well with others & you don't share. if you don't play well
 with other how will we play than... don't answer that because
 I see the little mouse turning on ~~the~~ his wheel or is your mouth
 wide open in shock... yea right hahaha... Oh I got jokes &
 alot more. oh right & about the Chinese or Japanese food don't even
 get started on that... I can come up with some jokes about that
 food. you can imagine what I can come up with. LOL.. Sorry
 about all the mistakes I made writing this letter. I'm writing &
 listening to the ~~radio~~ radio.. What other female you ~~are~~ talking about
 in D-BLOCK room 1 & wearing an orange uniform.. what have you
 been doing hum hum!! Lmao... just kidding.. I love the
 poem you wrote "Orange" haha new nickname... oh yea...
 Orange honey.. LOL!!! Well, nothing new to report ~~more~~ Man.. ha ha
 But you know we got to get an orange jumpsuit, orange socks, orange
 shoes & boxer & white T-shirt, I'm laughing so hard I'm crying.
 You know when I with you our song comes on. It's 11:35pm & it just
 came on.. no kidding... But like it says God gave ~~you~~ me you for the
 ups & downs. But ~~in the~~ when we first started talking & it led to this
 beautiful relationship I had my doubt in the beginning but that gone
 now.. Shorter I love you!! Have you heard the song ~~red solo cup~~
 Red Solo Cup it's funny.. I meant to ask you something. Do you
 like dance if so cool but I don't dance really I don't. Oh I'm
 thinking about go to the ~~beach~~ beach next month, I don't know yet.
 I know what you are thinking not without you & I agree doll baby
 Hey you could be my cabbage patch kid hahaha now that was funny.
 Baby girl I love you more than you will know or until you get out.

③.

My family ^{can} deal with it, I love you & I am going to be happy
 for once in my life. Meeting your family will be funny. I mean telling
 how we meet. How did you say it ~~to~~ ~~the~~ I can't see but you saw me
 sweeter. I just wondering how I ~~can~~ caught your eye. I'm nothing
 special & I don't think ~~high~~ highly of my self. But I agree with
 you on one thing. if ^{we} meet before all of this, I mean ~~as~~ before ~~as~~
 ex. others. just think how one liver could have changed no problems,
 or headaches you know what I mean. but hey the past is what it is,
 present is now, & the future holds wonderful things for us. And
 remember you have got it worst than me... h.h. Since I'm
 Pooh Bear, hum, that sounds like a tattoo waiting to happen
 yea... ok. Well I'm going to try to sleep but we both know
 it's not that easy Baby Girl. I miss you so much & I love
 you more than you ever know but you will see...

Love you with all my heart, Baby girl

~~the~~ You soon to be Husband

Trinity McDiff

AKA

ℰ Pooh Bear ℰ

Love you forever & always

~ ♡

④

1-13-11

Hey Beautiful,

2:33 AM

How are you doing? I'm doing good, just trying to be me
 + you know how hard that is. Do you love my George... lol.. I
 bet you do. By the way who you been hugging + squeezing on... hum?
 LOH... and I thought you didn't play well with others.. hahaha!!!
 I will save the picture but my brother's wife is going to put
 it on facebook... dear god I hope not. Yea I know you needed
 a good laugh. It makes you feel special when I tell jokes in my
 letters; I knew it.... you are special to me snuggles.. lol.
 Let's see you are short + your favorite color is blue.. really...
 hahaha.. I am not papa snuff, I'm not that old now.. So you
 don't dance, that makes two of us. And what do you do best or
 should I even ask... hum... I hope you do get out honey.
 Because we can go to the beach together for Valentine's Day
 + I will be ~~able~~ able to give you that gift I have to get for you
 Now, you are making my mind wonder now about you being short. I
 wonder what you mean. I think I'm ready for that ride, ^{next} ~~at~~
 the family.. you about that. I will be right behind you... LOH
 yea, I agree we got it bad + there is only one cure. ~~I~~ think
 on that + let me know the answer to that or should I even
 had to ask.. I love you Baby.. no matter what. What did I
 do to you? I don't know, you tell me. You know what I have ~~been~~
 been thinking about. That is your baby + are plans. you told sister
 about how you feel about me. I hope it's a good letter. I know it is
 So she will have question for me. ok I will be truthful +
 tell what you mean to me. How did court go.

②

Well the answer to the tradional Wedding, is what ever my sweetie wants. if thats how you want to have it. thats fine with me baby. ^{I'm} ~~I~~ not hard to please, I just want you to be happy. and yes I'm curious too, very curious. <wink, wink> yes I will go with you to get that tattoo done. baby, you thats how it goes when one leaves another one comes in. & the notes or putting up signs will not work. You must tell me about these dreams you have really you do. & yes I ~~do~~ know that 5'3, Blonde hair, blue eye, luscious female that don't play well with others, I love you with all my heart. sister don't worry what my family thinks. You are with me not them. They can deal with it if not hell with them. Well sometimes crying is good for you & me. to get the ~~whole~~ feelings out. Baby ~~our~~ our day will come when we can be together & be happy for a change. I know you miss your kids & I feel the same way about mine but it's hard to say if they even know me any more thanks to ex-wife she is teaching my kids that her new man is there daddy. & that makes me mad knowing that. But I will deal with that. But something ~~was~~ crossed my mind. what if our soon to be baby is a boy. I really don't care as long as its healthy. & well. What would we name him. I have no idea. But when you get out we have to go by bath & body works & get some smelly good lotion for when I rub your back & feet sweetie if you bet me. I think your parents will like me if not I don't care because I'm here for you & to make your life better. So I have been thinking you can give me lessons on pool & I can teach you how to golf. LOL. You would enjoy it. I think I'm a good teacher. ~~But~~ maybe

③

we ~~can~~ can teach each other some new things if you get me
~~baby~~ baby. hum. I ~~do~~ know you like my jokes but wait ~~until~~
 until you get out. I will tell you more, & maybe some
 cheese cake with caramel. oh that sounds so good. I guess
 I will blow your mind when you get out now that will be
 fun. I can't tell you how but you know where I'm going
 with that. I'm getting a little tired, I ~~going~~ will try to get some
 sleep. I will write back soon. I promise baby. I love you
 so much that I don't have words to tell you but I can show
 you how much. So you behave your self & I will ~~be~~ too.

"Dearly beloved we are gathered ~~here~~ today to join these two
 in marriage". ^{lol} had to say it I do, I really do a thousand times

Love you soon to be husband

Jim or ~~go~~ look Bear &

& I love you Jim, (I do!!) &

Hey Tia,

How are you doing sweetie.. Well I am doing fair + can't complain ~~to~~ because it does no good. I ~~have~~ have heard from Melissa + I ~~have~~ have those things. By the way Happy late Birthday, I have read something the other day. I know how you feel + you should know how I feel nothing has change the way that I feel. I might go back to school. So by now, does your family know what happen. Well I have tried to talk to ^{my} family but they might have some issue or some ~~concern~~ concern but I don't care what they have concern or issue over. But everything we talked about is still the ~~same~~ place I have, what about you. But I have talked to Melissa and I think we should use the ~~concern~~ her to give me your letter cause my people being a pain for right now. And yes I still love you baby. That's not going to change. And please don't cry sweetie. I know it is hard ~~to~~ but it will get better believe me it will. So I will be waiting till then. I have seen that picture of the 2 girls and they are ~~so~~ beautiful just like there mother. Well take care of yourself + it will get better George haha!!! + I am having some ice cream with some caramel. haha!! I am going to lay ~~down~~ down + try to relax. Hope to hear from you soon.

Love Tia

You treat your
life like it's
golden!



You love who you are
and appreciate the *journey*
that has brought you this far.

You are the kind of *woman*
who becomes more radiant
with each passing year,
with *each step*
you take along life's road...



...and you deserve
all the admiration and celebration
that comes your way—
and not just today...
every day.

*Happy
Birthday*

*Love
Jim*

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."

July 31st, 2015

A handwritten signature in black ink, appearing to read "John H. Strom", is written over a horizontal line.

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STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM MARLBORO COUNTY

J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ALEXANDER CARMICHAEL HUCKABEE, III,

APPELLANT.

APPELLATE CASE NO. 2013-001409

SUPPLEMENTAL RECORD ON APPEAL

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STATE OF SOUTH CAROLINA

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APPEAL FROM MARLBORO COUNTY

J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

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KATHY BASS - DIRECT EXAMINATION

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1 freely and voluntarily given?

2 A. Yes, ma'am.

3 Q. Was this statement written or recorded?

4 A. The statement that he provided that day, he attempted
5 to write a statement. He wrote about three or four
6 sentences. He told me he was not a good writer or
7 speller. He requested I write it for him, and I told
8 him I couldn't do that. So, he wrote what he felt
9 like he could write at that point and just said, I
10 can't --- I'm not good with this.

11 Q. Did you continue the interview after he wrote those
12 few lines?

13 A. No, ma'am. We had already concluded the interview,
14 and this was at the end of the interview.

15 Q. Okay. Now, I have right now, which is marked as
16 State's Exhibit 16 for identification. Do you
17 recognize this document?

18 A. Yes, ma'am.

19 Q. What is that?

20 A. This is a voluntary statement --- handwritten
21 voluntary statement by Mickey Huckabee.

22 Q. And you said he wrote those few lines at the end of
23 the questioning?

24 A. He did.

25 Q. Okay. But, he told you he couldn't write any better,

1 no additional written Miranda warnings given?

2 A. No, sir, it is all verbal on the recording.

3 Q. All right. And, is it my understanding that you re-
4 did the entire Miranda statement to him, or did you
5 abbreviate it?

6 A. I abbreviated it. But, I virtually told him that he
7 was still under arrest. I had read him his rights
8 when I was at the jail, and that everything was still
9 intact from his Miranda warnings, so I went over it in
10 my terms. I don't think I actually read a form to
11 him.

12 Q. Okay. And, is that standard practice?

13 A. Yes, sir.

14 Q. Okay. When you were doing that summarization, and
15 that was actually at the Police Department?

16 A. What was?

17 Q. The interview three.

18 A. The last interview that I did was at the Bennettsville
19 Police Department.

20 Q. Okay. During that time on that day, did you or anyone
21 else make Mr. Huckabee any promises of any kind?

22 A. No, sir.

23 Q. Did you not tell him that you wanted to help him?

24 A. Yes, I did. I told him that I wanted to help him.

25 Q. Okay. And what did you mean by that?

KATHY BASS - CROSS EXAMINATION BY MR. JONES 118

1 A. I told him that if he needed help, that he needed to
2 tell me that he needed help. If there was something
3 going on at home with Edna or at home, that this was
4 the time for him to tell me.

5 Q. All right. Did you make any promises to him
6 concerning bond of any kind?

7 A. No, sir. Other than the fact that I told him I would
8 find out when they would do the bond hearing.

9 Q. There was no amounts mentioned --

10 A. -- No, sir --

11 Q. -- or anything about --

12 A. -- No, sir --

13 Q. -- about how bond would be easier --

14 A. -- No, sir --

15 Q. Or anything like that?

16 A. No, sir.

17 Q. Okay.

18 A. I told him that there was possibility -- that they
19 could deny bond, because he asked about getting out of
20 jail. And, I told him that I had no idea what the
21 bond would be, but there were all kinds of options.
22 In other words, they could set a bond or they could
23 deny the bond, that it just depended. But I told him,
24 and I am almost positive, I said, you are from here
25 and you are not a flight risk.

1 get all that straight. So, I just wanted to acknowledge
2 that.

3 THE COURT: Mr. Steen, are you satisfied?

4 MR. STEEN: No objection, Your Honor.

5 THE COURT: All right. Now, you wish for me to tell
6 the jury that they can turn to page Sixty Nine to pick up
7 where the conversation is?

8 MS. WHITE: That's where we're at.

9 THE COURT: All right. Thank you. Please bring in
10 the jury.

11 (WHEREUPON, the jury exits the courtroom at
12 3:05 p.m.)

13 THE COURT: All right. Ladies and gentlemen, the
14 State has provided a transcript for these proceedings. And
15 if you would turn to Page Sixty Nine if you wish to, and you
16 will find that it picks up where the conversations is about
17 to begin on the tape. I trust you had a nice break. And
18 Mr. Solicitor, please proceed.

19 MR. REDMOND: Thank you, Your Honor. I think we're
20 ready. And I'll ask Ms. White to go ahead and proceed with
21 the disc.

22 Your Honor, we've got to change. That's the end of the
23 first disc. And then we've got the second disc.

24 THE COURT: And the -- that disc -- that disc is how
25 long?

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1 MR. REDMOND: I know we're about two-thirds of the
2 way through. And I want to say, the last two are both less
3 than hour.

4 THE COURT: Ladies and gentlemen, we may be here for
5 another hour. Do you want to take a break before we go
6 further? Anyone need to take a break?

7 MR. REDMOND: I want to say, one, to be clear, like
8 one is thirty something minutes if I'm not mistaken, and the
9 another one is forty something minutes.

10 THE COURT: Let's just take the next tape and we'll
11 see where we are at the end of that. And no one expressed
12 the desire to take a break.

13 MR. REDMOND: Thank you.

14 THE COURT: Keep moving.

15 (WHEREUPON, the jury listen to the video.)

16 MR. REDMOND: Judge, I'm just informed by Ms. White
17 that, that is the conclusion of this tape. And then the
18 last tape, I think that was thirty something minutes, and I
19 think the last one is forty something.

20 THE COURT: All right. Ladies and gentlemen, let's
21 take about a ten minute break at this point. And we'll
22 decide what we're going to do from here. Everyone please
23 enjoy your break.

24 (WHEREUPON, the jury exits the courtroom at
25 4:31 p.m.)

1 THE COURT: Counsel, step up and let's talk about the
2 scheduling while the jury's on break.

3 (WHEREUPON, a recess was taken from 4:32 p.m.
4 until 4:41 p.m.)

5 THE COURT: I believe our jury has finished their
6 break as well. And please bring them in.

7 (WHEREUPON, the jury enters the courtroom at
8 4:41 p.m.)

9 THE COURT: All right. Welcome back, ladies and
10 gentlemen. I've talked with counsel about scheduling.
11 This next segment, which is the last segment, it's slightly
12 longer than thirty minutes. We're going to see this and end
13 the day after the tape. So, that's where we find ourselves.
14 And please proceed.

15 (WHEREUPON, the jury views the video.)

16 MR. REDMOND: Your Honor, that concludes the video.

17 THE COURT: Does that conclude your direct
18 examination?

19 MR. REDMOND: Your Honor, briefly, just a couple of
20 really quick questions.

21 Q. Lieutenant Bass, the approach that you used, there were
22 certain times where you seem to be almost soothing
23 toward the Defendant. Could you explain the approach
24 and the reason for the approach that you took with the
25 Defendant in the questioning that you did?

KATHY BASS - DIRECT EXAMINATION

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1 A. My interview technics are basic interviewing technics.
2 I just --- I'm there to gather facts. I'm a fact
3 finder. My job is to gather them, put it all in a nice
4 little package like I did, and give it to you and let
5 you make a determination. I'm not one that --- I don't
6 have an opinion. I don't make judgment on anyone.
7 That's not job. My job is just to find the facts. So,
8 that's why I tell him in there that I'm there to find
9 facts and I --- I try to be understanding.

10 Q. Okay.

11 A. Because there's, you know, there's a side of the story
12 that he needs to tell me, or she needs to tell me, or
13 whoever I'm talking to.

14 Q. And let me just ask you this in follow-up. However ---
15 even though obviously you're there to gather facts,
16 were there times that as reflected on the tape, that
17 you brought out certain inconsistencies with the
18 Defendant?

19 A. Oh sure. Especially if someone is not being truthful.

20 Q. And were there times in this interview where you either
21 caught or suspected that the Defendant wasn't being
22 truthful?

23 A. Unfortunately, numerous times.

24 Q. Okay.

25 MR. REDMOND: Nothing further, Your Honor.

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."

August 12th, 2015



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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Marlboro County

J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

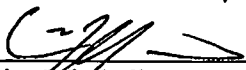
ALEXANDER CARMICHAEL HUCKABEE, III,

APPELLANT.

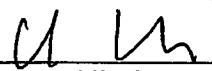
APPELLATE CASE NO. 2013-001409

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Mary W. Leddon, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201 this 12th day of August, 2015.


Cruise Mitchell
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 12th day of August, 2015.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: May 12, 2025.

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARLBORO COUNTY
The Honorable J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2013-001409

THE STATE,

Respondent,

vs.

ALEXANDER CARMICHAEL HUCKABEE, III,

Appellant.

SECOND SUPPLEMENTAL RECORD ON APPEAL

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1 concentration from person, and a high concentration
2 from a second person, then we're able to use a lot more
3 of that information to generate a statistic. Where is
4 if you have a high DNA from one person and a really low
5 level from another person, we're not able to use the
6 exact same spots from calculating the statistic, which
7 is why they differ.

8 Q. Okay. Now, so far just to recap. The four samples
9 that we've gone through, the only one to which Victi
10 has been excluded is the hammer, 13, I think 3.4?^m

11 A. The 3.4, Victim was excluded as contributor.

12 Q. The last sample I want to get into is item 4.1, that
13 being a cutting from the towel. Would you share with
14 the jury the results of the findings regarding that
15 sample?

16 A. Yes. The DNA profile developed from item 4.1 matches
17 the DNA profile of Victim . The probability of
18 randomly selecting an unrelated individual having a DNA
19 matching this item is approximately 1 and 7.8
20 quadrillion. This sample was not a mixture. It was a
21 single source DNA profile that was able to be matched
22 to Victim .

23 Q. And is Victim the only person listed as the
24 contributor on that particular sample?

25 A. Yes, it is.

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARLBORO COUNTY
The Honorable J. Michael Baxley, Jr., Circuit Court Judge

Appellate Case No. 2014-001409

THE STATE,

Respondent,

vs.

ALEXANDER CARMICHAEL HUCKABEE, III,

Appellant.

CERTIFICATE OF COUNSEL

The undersigned certifies that this Second Supplemental Record on Appeal complies with Rule 211(b), SCACR, and the April 15, 2014, order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

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August 20, 2015

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM MARLBORO COUNTY
The Honorable J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2013-001409

THE STATE,

Respondent,

vs.

ALEXANDER CARMICHAEL HUCKABEE, III,

Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the within Second Supplemental Record On Appeal on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to John H. Strom, Esquire, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.
This 20th day of August, 2015.


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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Marlboro County

J. Michael Baxley, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ALEXANDER CARMICHAEL HUCKABEE, III,

APPELLANT.

APPELLATE CASE NO. 2013-001409

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IN THE COURT OF APPEALS

Appeal from Marlboro County

J. Michael Baxley, Circuit Court Judge

THE STATE,

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ALEXANDER CARMICHAEL HUCKABEE, III,

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APPELLATE CASE NO. 2013-001409

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STATEMENT OF ISSUES ON APPEAL

- I. Whether the trial court committed reversible error by allowing SLED “criminal profiler” Paul LaRosa to give expert testimony applying concepts on “offender behavior” in crafting a “criminal profile” when the only inference from such profile testimony, that a defendant who matches the profile must be guilty, is improper as it usurps the jury’s role and was offered for the sole purpose of advancing expert opinion concerning the ultimate question of guilt or innocence?
- II. Whether the trial court committed reversible error by allowing SLED “criminal profiler” Paul LaRosa to give expert testimony applying concepts on “offender behavior” in crafting a “criminal profile” when the State failed to establish that the methodology of “criminal profiling” was scientifically reliable under *State v. Jones*?
- III. Whether the trial court committed reversible error by allowing SLED “criminal profiler” Paul LaRosa to give expert testimony applying concepts on “offender behavior” in crafting a “criminal profile” when the State failed to demonstrate that LaRosa had the necessary education, expertise, and experience to give opinion testimony?
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STATEMENT OF THE CASE

On January 31, 2012, the Marlboro County Grand Jury indicted Appellant for inflicting great bodily injury upon a child, criminal sexual conduct with a minor first degree, and homicide by child abuse. On October 5, 2012, Appellant was re-indicted on all charges to accurately reflect Appellant's name. R. 641.

Appellant's co-defendant, Atelia Hunt, was indicted for great bodily injury upon a child and homicide by child abuse. On March 1, 2013, Hunt pled guilty to homicide by child abuse and was sentenced to twenty years.

On May 14, 2013, Appellant proceeded to trial before the Honorable J. Michael Baxley and a jury. R. 44. Brandon Steen and Richard Jones represented Appellant, and Deputy Solicitor Kernard E. Redmond and Assistant Solicitors Mary-Thomas Lee and Mia B. David represented the State. The jury found Appellant guilty of all charges.

The trial court sentenced Appellant to concurrent terms of life imprisonment on homicide by child abuse and criminal sexual conduct with a minor first degree and a concurrent term of 20 years imprisonment on inflicting great bodily injury upon a child.

This appeal follows.

ARGUMENT

I.

The trial court committed reversible error by allowing SLED “criminal profiler” Paul LaRosa to give expert testimony applying concepts on “offender behavior” in crafting a “criminal profile” when the only inference from such profile testimony, that a defendant who matches the profile must be guilty, is improper as it usurps the jury’s role and was offered for the sole purpose of advancing expert opinion concerning the ultimate question of guilt or innocence.

Relevant Facts

On October 6, 2011, Appellant and his girlfriend, Atelia Hunt, took Hunt’s minor child to the emergency room after she suffered a series of seizures. R. 68, ll. 22-23. Minor child was not breathing. *Id.* Attempts to revive her were unsuccessful. R. 70, ll. 1-21. Linda Hooper, the supervising nurse on duty that night, testified at trial that minor child had multiple bruises and burn marks. R. 70, ll. 22 – R. 71, ll. 3. Hooper also noticed that the minor child’s head was shaved. R. 68, ll. 17-23.

An autopsy revealed that the minor child died from an untreated urinary tract infection which eventually spread to her kidneys causing a blood infection. R. 92, ll. 5 – R. 93, ll. 22. The bacteria in her blood caused irregular clotting; progressing to a series of small strokes when the infected blood clots reached her brain. *Id.* Dr. Cynthia Schandl, who performed the autopsy, believed that the symptoms from the infection, particularly as it progressed to the brain would have been noticeable, such as: unsteady walking, lethargy, loss of appetite, and possibly seizures. R. 96, ll. 18 – R. 97, ll. 11.

Proffer Testimony of “Criminal Profiler” Paul LaRosa

At trial, the State sought to have Lieutenant Paul LaRosa of SLED to testify as an expert in in “offender behavior” or “criminal profiling.” R. 443, ll. 10-11. A proffer was held to determine

whether the “science” of criminal profiling is sufficiently reliable and whether LaRosa had the necessary qualifications. *Id.* at 18-23.¹

LaRosa had worked at SLED for eighteen years, and had a bachelor’s degree in art and political science. R. 534, ll. 24 – R. 538, ll. 5. He began his career in the Latent Print Crime Scene Unit and was certified in crime scene reconstruction. R. 424, ll. 3-12. From 2000 to 2005, he was a member of the Blood Hound Tracking Team, followed by a period as an investigator. *Id.* at 12-19. In 2010, he entered an understudy program to become a criminal profiler. *Id.* at 20-23. During this program his mentor was Mike Prodan, the subject of the opinion in *State v. Tapp*, 398 S.C. 376, 728 S.E.2d 468 (2012); R. 426, ll. 5-10. It is unclear if LaRosa was still an understudy at the time of this investigation. *Id.* at 11-16.

LaRosa’s formal instruction on criminal profiling and psychology, specifically sex offense profiling, came from two programs: (1) an eight week FBI course and (2) a one month internship with the Department of Mental Health. R. 426, ll. 19 – R. 428, ll. 1. LaRosa claimed his usual role is to help police identify the characteristics of a potential offender before the police have arrested or identified a suspect. R. 426, ll. 19-22. LaRosa admitted Appellant’s trial was the first time he testified as an expert criminal profiler in any court regarding sex offender profiles, but added hopefully, “we’ve got hundreds in the chute ready to go.” R. 447, ll. 6-13. LaRosa further admitted that Appellant’s case was only his second time testifying as a criminal profiler in any court. R. 434, ll. 7-9.

¹ Criminal profiling is also referred to as “victimology”; “behavioral analysis”; and “criminal behavioralist.” R. 426, ll. 8-10; R. 439, ll. 11-20; R. 471, ll. 14-15.

On the scientific reliability of “criminal profiling” and its methods, LaRosa claimed repeatedly that his work was peer reviewed. R. 330, ll. 15-18; R. 439, ll. 6-7; R. 439, ll. 25 – R. 440, ll.7; R. 440, ll. 6-7; R. 444, ll. 9-13; R. 472, ll. 23-25. He never identified or elaborated on what peer in the field of “criminal profiling” reviewed his work on this case, but simply that he had sent his results to others and they had approved of his profile. R. 439, ll. 2-7. No other criminal profilers, psychiatrists, or psychologists were called by the State to verify the accuracy of LaRosa’s profile. LaRosa averred:

Within our field, because we have the access of others that we bounce things off of. We talk. We have case reviews and that kind of stuff. We do have some fellow behavioral investigators with the FBI. There are several in Virginia that we will share with each other this information, and make sure that we're tracking correctly. But this case was peer reviewed in the --- in the testimony that I was going to testify to, about it being a Situational Child Molester with sadist overtones. And we know that a Situational Child Molester is going to be a male, and that he gets sexual gratification from inflicting pain on others.

R. 439, ll. 18 – R. 440, ll. 5. LaRosa explained that his conclusions on the sexual nature of the abuse as well as the gender, age, and relationship of the victim to the perpetrator were drawn in part on an FBI criminal profile database. R. 435, ll. 13-21. He did not name this database. LaRosa never referenced any scientific, psychological, or psychiatric treatises relied on when designing his criminal profile, and he did not reference any authorities in the criminal profiling field whose generally reliable or accepted methods he followed.

With respect to the amount of information about the case he used, LaRosa claimed he examined the autopsy report, and was told the “bases of the case,” including the background of the Appellant and co-defendant by Bass. R. 429, ll. 16-21; R. 432, ll.16-19. LaRosa stated that he concluded the offender behavior fit the profile situational child molester:

The accuracy rate. We have learned from our past mistakes as Criminal Profilers and Behaviorists, in a case like this we're not specifically saying that Mikey is the

one who inflicted those --- those scars and the sexual abuse on this victim. I can not say that he did it. I can just say that it would've been somebody, a male, who would have had direct influence over this child. We have the ability to be alone over a period of time, to inflict over a period of time, these --these burns and this abuse to this three year who would have had direct influence over this child.

R. 444, ll. 14-23 (*emphasis added*). Interestingly, LaRosa admitted that the description of the possible offender was intentionally vague so as to improve the accuracy of his profile. R. 445, ll. 5-7. LaRosa confessed that, “in the past [criminal profilers] would say that it would be a white male, twenty-four years old, driving a red truck, [or] he was twenty six years old driving a green truck, so we've pattern this a little different,” in an effort to increase the chances that the person charged with the crime matches the criminal profile. R. 444, ll. 25 – R. 445, ll. 4.

LaRosa did not submit his findings in a written report and the content of his testimony was not revealed to defense counsel until the day before he was to testify. LaRosa only became involved in the case after Appellant and co-defendant were arrested. LaRosa had no investigative function helping law enforcement generate leads or narrow down a large group of suspects. R. 429, ll. 16-21.

Trial Court's Ruling on Admissibility of LaRosa's Testimony

The trial court qualified LaRosa as an expert in the science of criminal profiling and ruled that all aspects of his testimony was admissible. R. 453, ll. 5-18. The trial court stated its opinion that the requirements for reliability were met:

I find that, you know, *there are numerous publications. There is peer review* of this technic [sic] which he testified to yesterday. He also testified that he has *previously been admitted as an expert in crime scene analysis, and also other behavior issues.* He's never--- he candidly admitted he has not been admitted as an expert in a CSC case allegedly with this type of evidence. But the Court does not find that the fact that this would be first impression on this specific set of facts would disqualify him to testify today.

I do find that because there is, he has an opportunity to work with the colleagues. He has worked with the behavioral group with the FBI, that thus there is --- there are quality control procedures, and there also are consistency --- are consistency in the methods that he applies.

R. 453, ll. 9-24 (*emphasis added*). The trial court also concluded that criminal profiling was a sufficiently reliable scientific field to be admitted as evidence at trial:

Basically, looking at this from some sort of *Dauber[t]* Analysis as well, that I find that this area of law is a cross roads of psychology, and human behavior, and crime scene analysis. As I said earlier, it is peer reviewed.

R. 453, ll. 25 – R. 454, ll. 3 (*emphasis added*). Curiously, the trial judge buttressed his finding, by noting criminal profiling's alleged general acceptance in popular culture somehow confirmed the scientific reliability of LaRosa's expert testimony and made it proper for the jury to hear:

The Court finds that there is *general acceptance now for this type of testimony, not only in the public domain, who may have even come to expect from television shows such as Criminal Minds and other media* that involve this type of science that has a definite impact on jury expectations. Although we're not here necessarily to play to jury expectations, *it just tells me that this is a generally accepted area of science. And I was impressed yesterday that Agent LaRosa testified that, because he will not identify the [Appellant] as the perpetrator, he has at least his position was, he would have a zero rate of error. But the Court has some comfort that he's not here today to necessarily target by name a specific defendant, he is simply is going to give some annualizes [verbatim] of the crime scene, which actually is the body of the child.*

R. 454, ll. 9 – R. 455, ll.20 (*emphasis added*). The trial court then determined that the probative value of LaRosa's testimony substantially outweighed any prejudice. R. 453, ll. 21 – R. 454, ll. 7. Specifically the trial court found that:

[t]he jury here is confronted with basic questions. *How could anyone do this to a child?* Clearly if these wounds are not self-inflicted, these are cigarette burns, and that is the, I guess, the real evidence here, is *the State's attempt to prove that the Defendant did it. That's what brings us here. But the jury has to be wondering how could such a thing occur.*

And the Court finds that this is a core concern. It's really something we haven't discussed yet. *I'm sure it will come out in closing about how anyone could do this. How could this type of crime be committed?* Clearly the crime was committed here. I'm not saying that the Defendant did it, but someone did, because again these wounds cannot self-inflicted.

And so, the Court finds that *this type of behavioral analysis to assist the jury in bringing an understanding to what really is a core issue*, so I find it highly probative.

R. 455, ll. 8-24 (*emphasis added*). The trial reasoned that the testimony was not prejudicial because the defense should have prepared for the State to put up evidence that Appellant committed the crime. R. 456, ll. 1-4. The trial court did caution that if the testimony “*attempts to exclude the other adult in the house, which of course, is the mother....*when he attempts to exculpate her, the court believes that goes beyond what would be expected in the case by defense counsel.” R. 456, ll. 10-16 (*emphasis added*).

LaRosa's Trial Testimony Before the Jury

Immediately upon being qualified as an expert witness and having his reliability sanctioned by the trial judge, LaRosa summarized what “criminal profilers” do in a typical investigation. R. 471, ll. 7 – R. 474, ll. 6. LaRosa asserted, “*it's what televisions show, shows the majority of the time, is you have a victim and we don't know who did it....* We get into all kinds of victimology. Who was the victim. What was she like...” R. 471, ll. 10-16 (*emphasis added*). He testified that the majority of the work concerns looking at how the crime was done, *the victim's lifestyle* (minor child was four at the time of her death), and the background and lifestyle of the potential suspects. R. 471, ll. 17 – R. 472, ll. 11.

LaRosa stressed that criminal profiling is a collaborative effort and that he “consulted with other ‘criminal profilers’ and make sure that everything that I’m seeing in a peer review system...are correct.” R. 472, ll.21 –R. 473, ll. 10. In concluding what a “criminal profiler” does,

LaRosa concluded, "we were asked why would somebody do this. What are the most likely characteristic of a person that would do this and harm this child this way." R. 473, ll. 23 – R. 474, ll. 1.

His methods and goals explained, LaRosa then recounted his role in Appellant's case. R. 474, ll. 11 – R. 479, ll. 12. LaRosa stated that he drew on his crime reconstruction background in addition to his profiling expertise in determining the perpetrator was an adult male because he believed the burns on the minor child demonstrated that she was held down while they were inflicted. R. 476, ll. 4-24. LaRosa proffered that since the burns were inflicted around her genital area and that ninety-nine percent of all violent sexual assaults on children are done by males; the perpetrator was a male. R. 477, ll.7-2. LaRosa assuaged any skeptical jurors, professing:

it is right there in my research, and the research was done as late as this past week, and it was doubled checked last night. *There were no cases* that I could find from *the Forensic Psychiatrist that I consulted* with and also *the other Profilers in our unit*, where we have ran into a case where a sole offender would be a female.

R. 477, ll. 21-25 (*emphasis added*). None of the individuals alluded to by LaRosa testified at trial or were identified by name.

Having asserted his infallibility and outlined his methodology, LaRosa revealed the criminal profile he constructed, prefaced with explicit assurance that the fact Appellant was already in custody had no impact on his conclusion:

If this case came to us as a traditional profile and we had this victim on the side, say on the side of the road, *we didn't know who she belonged to or what the history was*. I would be telling the local authorities that *you would be looking for an adult male, approximately the age of twenty five to forty*, who would have --- who would --- once we would identify her and know who she is, *that this individual would have direct access over this child where they were able to have complete control over a period of time*.