

 ORIGINAL

VOLUME II OF II

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM WILLIAMSBURG COUNTY

Clifton Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TAWANDA ALLEN,

APPELLANT

Appellate Case No. 2010-172506

RECORD ON APPEAL

ROBERT M. DUDEK
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney for Appellant

ALAN WILSON
Attorney General

JOHN W. MCINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

ALPHONSO SIMON, JR.
Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211
(803) 734-3727

ERNEST A. FINNEY, III
Solicitor, Third Judicial Circuit
Sumter County Courthouse
141 N. Main Street
Sumter, SC 29150-4965
(803) 436-2185

RECEIVED
MAR 08 2013
SC Court of Appeals

INDEX

INDEX	i
PRE-TRIAL SUPPRESSION HEARING TRANSCRIPT	1
TESTIMONY	
PAMELA JEAN LAIL	
Direct Examination by Solicitor Kimberly Barr	8
Cross Examination by Mr. Verdell Barr	18
Redirect Examination by Solicitor Kimberly Barr	27
Recross Examination by Mr. Verdell Barr	29
MOTION TO SUPPRESS THE STATEMENT OF TAWANDA ALLEN	30
RULING OF THE COURT	36
TRIAL TRANSCRIPT DATED AUGUST 30, 2010	39
TESTIMONY	
ANNETTE DORSEY BRADSHAW	
Direct Examination by Solicitor Kimberly Barr	41
Cross Examination by Mr. Verdell Barr	69
Redirect Examination by Solicitor Kimberly Barr	76
Recross Examination by Mr. Verdell Barr	77
LELAND SCOTT HARDEE	
Direct Examination by Solicitor Kimberly Barr	79
Cross Examination by Mr. Verdell Barr	109
VICKIE HALLMAN	
Direct Examination by Solicitor Kimberly Barr	112
QUADIR AKEEM WILSON	
Direct Examination by Solicitor Kimberly Barr	117
Cross Examination by Mr. Verdell Barr	132
Redirect Examination by Solicitor Kimberly Barr	140
Recross Examination by Mr. Verdell Barr	143
STEVE LUERSEN	
Direct Examination by Solicitor Kimberly Barr	145
Cross Examination by Mr. Verdell Barr	162

JEFFREY SCOTT	
Direct Examination by Solicitor Kimberly Barr	167
Cross Examination by Mr. Verdell Barr	180
KELLY HARDING	
Direct Examination by Solicitor Kimberly Barr	182
Cross Examination by Mr. Verdell Barr	203
KATIE LYNN LADUE	
Direct Examination by Solicitor Kimberly Barr	206
SUSAN CROMER	
Direct Examination by Solicitor Kimberly Barr	213
Cross Examination by Mr. Verdell Barr	236
Redirect Examination by Solicitor Kimberly Barr	241
Recross Examination by Mr. Verdell Barr	242
ELLEN RIEMER	
Direct Examination by Solicitor Kimberly Barr	245
Cross Examination by Mr. Verdell Barr	278
HEYWARD BRADSHAW, JR.	
Direct Examination by Solicitor Kimberly Barr	279
Cross Examination by Mr. Verdell Barr	283
KATIE LYNN LADUE	
Direct Examination by Solicitor Kimberly Barr	286
Cross Examination by Mr. Verdell Barr	288
Redirect Examination by Solicitor Kimberly Barr	292
Recross Examination by Mr. Verdell Barr	293
PAMELA JEAN LAIL	
Direct Examination by Solicitor Kimberly Barr	293
Cross Examination by Mr. Verdell Barr	345
Redirect Examination by Solicitor Kimberly Barr	359
Recross Examination by Mr. Verdell Barr	367
RONALD HAKEEM MACK	
Direct Examination by Mr. Verdell Barr	373
Cross Examination by Solicitor Kimberly Barr	386
Redirect Examination by Mr. Verdell Barr	420
Recross Examination by Solicitor Kimberly Barr	420
CLOSING ARGUMENT BY MR. VERDELL BARR	422
CLOSING ARGUMENT BY SOLICITOR KIMBERLY BARR	434

CHARGE ON THE LAW.....	449
VERDICT	470
MOTION FOR A NEW TRIAL	471
SENTENCING	472
INDICTMENT	474
STATE’S EXHIBIT #1 FROM THE PRE-TRIAL SUPPRESSION HEARING (TRANSCRIPT OF TAPED CONFESSION)	477
STATE’S EXHIBIT #104 FROM TRIAL (MIRANDA WARNINGS)	529
CERTIFICATE OF COUNSEL.....	530

THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:

STATE’S EXHIBIT #45 (TAPED CONFESSION)

1 Jordan. He talked to ya'll to find out what time
2 ya'll were going to get here. You just need to be
3 straight, because you have been seen here, and
4 saw when Ronald and Antonio got in the car with
5 you. Don't let us have to change your charge to
6 murder, so you need to tell us exactly what
7 happened. I've been sitting here listening to you
8 roam on about what happened. All that is good,
9 but you were here, so let's start on the 4th which is
10 the Saturday that Kenyan got killed that night.
11 You were contacted by your son Ronald, and you
12 and Callie came down here and picked him up
13 right in the front of Trey's house. You need to
14 start when Ronald called you that day. What did
15 he call you for and what was your conversation?
16 A Ronald called me that day, he asked me had I
17 already left out. He said have you already left
18 mom, and I said no I haven't left. The time we
19 were supposed to leave, I didn't leave.
20 Q Initially when he called you that Saturday
21 morning and asked you whether ya'll had left
22 yet...
23 A He called me that Friday.
24 Q That Friday.
25 A Because we were supposed to leave that Friday

1 after I got off work.

2 Q When Ronald called you on Friday, tell us what
3 the conversation was about why you were coming
4 home that weekend?

5 A When he called me he asked me mama what time
6 are ya'll leaving out, and I said I'm not sure.

7 Q How did he know you were coming home, that's
8 what I'm asking.

9 A He talked to my boyfriend, and Callie said that
10 Ronald called and talked to him. I said about
11 what, that he was in a situation and he needed
12 Callie to come home. I said okay, why are we
13 going home. He said I always told Ronald...

14 Q Who is he?

15 A Callie.

16 Q When you say what someone said call that
17 person's name so I won't be confused as to who
18 you are talking about.

19 A Okay. Callie said Ronald said he needed him to
20 come home, because he needed a situation done,
21 dealt with. I said why does Ronald need us to
22 come home, and he said I always told Ronald that
23 if something goes down and he needs me, I'm
24 there for him. Okay, what do you mean by that. I
25 didn't know, and he told me when we first started

1 he's from California, Callie is, and I called him
2 Callie. I didn't know that he was a gang too, he's
3 was supposed to have been in the Crypts. When I
4 sent the picture around to show him who my
5 boyfriend was he said mom how can you do that,
6 and I said do what. He said you know he's on a
7 different side from me, and I said you told me you
8 weren't in a gang or anything like that. He said
9 they got cool and everything like that, and I said
10 Callie why does Ronald need you to come home,
11 and he said he's in a situation with him and
12 Kenyan. I said what situation is that, and he said
13 Ronald is supposed to call me back. I didn't
14 know him and Ronald were talking back and
15 forth, just only what Callie told me. He said it got
16 to the point that Ronald said they were smoking
17 and everything, and Kenyan wanted to wrestle or
18 whatever, and Ronald didn't feel like doing it, and
19 Ronald kept pushing him off or whatever. He
20 said Kenyan got upset, and they are beefing back
21 and forth over some stupid stuff. I said why does
22 Ronald need for you to come home, and he said
23 Ronald said he's fed up and he's had enough of it,
24 he's got to do what he's got to do. I said you
25 didn't try to talk Ronald out of doing whatever he

1 wanted to do. He said yeah, but he said he
2 already made up his mind. This is a 17 year old
3 guy, and you might as well say a grown man, and
4 I said no, he's not a grown man. He said well, I
5 always told him if he needed me to call me, so we
6 need to go. I said okay, we'll leave Friday after I
7 get off from work because I was the only one
8 working. I said we'll leave Friday after work, and
9 I had to get everything situated with my kids, my
10 two that I have up there with me. I said I've got
11 to get everything situated and see if my girlfriend
12 will keep my kids for me. Instead of her keeping
13 them one of our other friends came and stayed at
14 my house for me, and Ronald called me and
15 wanted to know mom have ya'll done left.

16 Q And that was on Friday?

17 A That was Friday I'll say around 4:30 or 5:00,
18 because I had told him that I would leave after
19 work. I told Callie I would leave right after work,
20 but I had to get thing situated with the kids.
21 Ronald called me around 4:30 or 5:00 o'clock,
22 and he mom have ya'll already left, and I said no.
23 I said what is this that you need us to come down
24 there for, and he said I've already talked to Callie
25 about it, and Callie knows why I need for him to

1 come down here. I said alright, but ya'll are not
2 telling me, and he said I'm sure Callie will
3 explain on your way coming or whatever. I was
4 like okay, and I figured this is my child, and I'm
5 going to go if he needs me or whatever. We left
6 later on that night, I know it was dark when we
7 left.

8 Q On Friday night?

9 A On Friday night. It was dark when we got on the
10 road, and Ronald called me and he was like mom
11 have you already left, yes, we're already on the
12 road. I kept getting aggravated because I was
13 tired after work, and he said let me speak to
14 Callie. Him and Callie was talking and Callie
15 wasn't saying too much, or they were like short
16 talking to each other. I don't know what Ronald
17 was saying to him.

18 Q Let's stop at that point. When you and Callie were
19 leaving your residence did he put that shotgun in
20 your vehicle?

21 A Yes, ma'am.

22 Q He put the shotgun in your car prior to your
23 leaving your house on Friday night?

24 A Yes, ma'am.

25 Q Describe the gun.

1 A It's a 10 gauge.

2 Q A 10 gauge shotgun?

3 A Yes, ma'am.

4 Q Was it sawed off at the time, or was it as long...

5 A It was straight long.

6 Q Straight long.

7 A Yes, ma'am.

8 Q What other kind of gun did he have?

9 A What is it, a 9 millimeter but not like that. I think
10 it's not like that.

11 Q But it's a handgun?

12 A Yes, ma'am.

13 Q Did you ask him any question as to why he was
14 taking those questions with him?

15 A No, ma'am, because prior to that we had just had
16 robber and breakins in my complex, and we were
17 on the news for someone breaking in. He was
18 like this is for protection in the house, and I was
19 like why do we need it traveling. I said if I get
20 stopped, I'm going to get charged for having a
21 weapon. He said no, being that we are going on a
22 long trip that we need to take it, and don't leave it
23 in the house with the kids.

24 Q Where did he put the guns in the vehicle?

25 A The 10 gauge was in the back of my vehicle.

1 Q When you say the back, what are you talking
2 about.

3 A The opening, when you open it up, it was laying
4 back there in a coat.

5 Q In a coat?

6 A Yes.

7 Q Where was the handgun?

8 A Underneath my seat.

9 Q Go ahead from there?

10 A Him and Ronald were talking on the phone back
11 and forth and he hung up the phone, so I was
12 driving. Time as we got to Florence and Ronald
13 called again, and he was like mom where are y'll
14 at, and I said we just hit Florence. He said okay
15 call me when ya'll get to Kingstree.

16 QUESTIONS BY INVESTIGATOR WHACK:

17 Q Where was Ronald at when he was calling?

18 A I have no idea. I have no idea where he was. I
19 know he told me earlier that he would be at Trey's
20 house. He said come pick me up from Trey's
21 house, and I was like okay, because they were
22 going to the dance of whatever they were going
23 to.

24 Q Was that Friday or Saturday?

25 A That was Friday. They had a dance or something

1 Friday

2 QUESTIONS BY LT. COLLINS:

3 Q Are you sure, and think about it before we go any
4 further. Did you come home on Friday, or did
5 you come that Saturday morning.

6 A I left out that Friday late.

7 Q Late, so what time would you say you left?

8 A I left around 5:30 or 6:00.

9 Q In the afternoon?

10 A Yes, ma'am.

11 Q What time did you get to Kingstree?

12 A We got to Kingstree at 10 minutes to 2:00.

13 Q In the morning?

14 A Yes, ma'am.

15 Q Go ahead.

16 A I told Ronald we had just hit Florence, and he said
17 let me know when you get to Kingstree, call me
18 when you get to Kingstree. Before we hit
19 Florence Callie was driving because I got tired
20 and sleepy. He was driving, so he drove past
21 South of the Boarder and he drove to town. He
22 was like wake up baby, wake up, we're here,
23 where's the house. Being that I was sleeping I
24 took him the long way around by Ronald's father
25 house. I was like no, this is the first road, and he

1 was like get up, get up. I got us around and we
2 parked in front of Trey's house. He called
3 Ronald. As a matter of fact he didn't call Ronald,
4 Ronald and Tony came out as soon as we pulled
5 in front. He was like who's the other guy, and I
6 was like I don't know. At that time I guess he
7 was paranoid wondering who the guy was with
8 Ronald. He took the handgun from under the
9 seat, and set it on his lap, because he didn't know
10 who the person was with Ronald. I was like I
11 don't know, I don't know, and he was like get out,
12 get out. I opened the passenger side door, and
13 Ronald was like hey mom, and I was like who is
14 this. He said this is Tony, and I said Tony, and he
15 said Minnie Pearl's grand. I was like okay, and
16 Callie was like is everything alright, is he cool.
17 He was like yeah, he's cool, he's cool. He said
18 are you sure, and he said yeah. Callie was like
19 baby you come drive, Ronald you get in back with
20 me, Tony you get in front with Wannie. Before
21 me moved he was like where is Kenyan at now.
22 Q Who asked that question?
23 A Callie, he said where is Kenyan at now, and he
24 said where is his web, and Ronald said he's at
25 home. Callie said are you sure he's at home, and

1 he said yeah, he's at home by himself. He said on
2 we got there how will you know if he's home by
3 himself or not. He said because his mom has a
4 truck, and if the truck's not there, his mom is not
5 there. I guess the sister don't hardly stay with
6 them or whatever, it would just be Kenyan and his
7 mom. He said if the truck is gone Kenyan is there
8 by himself. He was like alright, go ahead baby,
9 go ahead and drive. I proceeded to drive out
10 there, and they were in the back talking, and I
11 don't know what they were talking about. They
12 were in the back talking, and he told me to turn
13 the music up some so I don't know what him and
14 Ronald were conversating about. Me and Tony
15 were in the front, and I drove out there, and he
16 was like drive down a dirt road that they live on.
17 I guess it's dirt or paved, and he said drive down
18 there and cut your lights off, so I did that. He
19 looked and he had Ronald look, and he said how
20 does it look, and Ronald said the truck is gone,
21 his mom is gone. He said what's up with the
22 other vehicles that are there, and Ronald said one
23 of them don't work, and the other two are the
24 mom's, but she don't drive those. She basically
25 drives the truck. Callie was like baby turn around

1 and go back out to the head of the road right from
2 the house, and park right there and we'll go back.
3 He said you just stay in the truck, don't do
4 nothing, and cut your lights off, and we'll be
5 back. They got out of the truck, all three of them
6 got out of the truck and they went running or
7 walking down the road, and went in the house and
8 I heard gunshots. They came back running and
9 got in the truck, and we drove off.

10 QUESTIONS BY INVESTIGATOR WHACK:

11 Q How did Ronald know that Kenyan was at home?

12 A He said he usually stays with Kenyan sometimes
13 on the weekend, so I guess he knew his
14 whereabouts and where he would be.

15 Q Earlier you said that Ronald said they were on the
16 beach or something?

17 A Yes.

18 Q I'm trying to figure out if they weren't talking
19 how did he know where Kenyan was?

20 A The light skinned dude was back and forth
21 between them passing messages back and forth.

22 Q You didn't hear any of the conversation that went
23 on when ya'll were on your way to Kenyan's
24 house?

25 A No, because Callie said baby turn the radio up

1 some. I guess he was paranoid, and he didn't
2 know who Tony was, and he wasn't cool with
3 Ronald bringing somebody else that he don't have
4 no idea who it was. He said baby turn the radio
5 up a little bit, and that's what I did I turned the
6 music up a little bit.

7 Q You said that shotgun was in the back
8 compartment of your vehicle.

9 A Right.

10 Q At what point did ya'll stop and someone took the
11 shotgun out of the truck.

12 A When he first told me to pull up and he told me to
13 turn the lights off, there were trees right here and
14 trees on this side before we even got to where
15 Kenyan's house was, and there's a house over
16 here. I stopped right there and turned my lights
17 off. At that point right there, he already had the
18 gun from when Ronald came out of the house,
19 because he was paranoid about the guy. Right
20 there I saw when he reached in the back, because
21 you can reach right over my seat, he reached in
22 the back and got the coat, and took the gun or rifle
23 from out of his coat and threw the coat back in the
24 back.

25 QUESTIONS BY LT. COLLINS;

1 Q When you went out on 261 to go to Kenyan's
2 house, you know where the store is located, where
3 you picked Ronald up from before?

4 A Un-huh.

5 Q Did you turn by th store or did you pass the store
6 and turn on the next road?

7 A No, I turned right by the first lane.

8 Q You turned right by the store?

9 A Yes.

10 Q Did you drive in the first lane or the second lane
11 and they told you to turn around?

12 A I drove on the road right where Kenyan's house is
13 at. That would have made me in front of
14 Kenyan's house.

15 Q When you drove down the road, you were able to
16 see Kenyan's house.

17 A I didn't drive down that far.

18 Q Not that far.

19 A No, ma'am.

20 Q When you turned around and parked on the road,
21 what did Callie (Kelly) tell you to do?

22 A Turn my lights off. I was still on the road where
23 his house is at. I wasn't on the highway.

24 Q You were on the driveway to go to his house?

25 A Right, I was on that road. This is the highway,

1 and you turn, I was on this road.

2 Q Okay, and then who all got out of the vehicle?

3 A Tony, Callie and Ronald. He told me to turn my
4 vehicle around like I was heading out so when
5 they came they could get in, and I could just pull
6 out like I'm just coming out of the lane.

7 Q How long after the three of them got out of the car
8 did you hear a gunshot?

9 A I would say 10 or 15 minutes, because I looked in
10 my rear view mirror and I could see them walking
11 or either running. I just saw three shadows.

12 Q And they were going or coming back?

13 A Going.

14 Q Going, three of them.

15 A Yes, ma'am.

16 Q How many shots did you hear?

17 A I heard two.

18 Q Two?

19 A Yes, ma'am.

20 Q Who came back to the vehicle first?

21 A I have an idea, because both of the back doors
22 opened at the same time.

23 Q Who got back in the front?

24 A Ronald got in the front.

25 Q And when Antonio, Callie and Ronald got back in

1 your vehicle, what did they say?

2 A They didn't say nothing. Ronald said how are you
3 doing mom, and I said I'm fine. I said how is
4 school, and he said school is lovely, lovely, just
5 talking normal. School is lovely, lovely. I went
6 and dropped them back off.

7 Q So when they got back in the car on the gravel
8 road to Kenyan's house, you had heard the
9 gunshots, and they got in the car, you didn't ask
10 them what happened?

11 A No, ma'am.

12 Q You just drove off and took them back to
13 Kingstree?

14 A Yes, ma'am.

15 Q Where did you go?

16 A We left out of town.

17 Q Ya'll went back to Maryland?

18 A Yes, ma'am, me and Callie.

19 QUESTIONS BY INVESTIGATOR WHACK:

20 Q Did you drive out slow?

21 A I drove out normal like I was regular driving.

22 QUESTIONS BY LT. COLLINS:

23 Q Did you and Callie discuss what happened?

24 A He told me when they went into the house, he said
25 first when they went up, it had rained, and I said

1 did ya'll step on any dirt or anything for
2 footprints, and he was like no, we followed
3 Ronald. He said we got up to the porch, and
4 walking up the steps, and I guess it makes noise,
5 and when they got up to the porch that there was
6 screen door, and they opened the screen door, and
7 they pushed the door but the door wouldn't open
8 so Tony was going to kick the door in. Callie said
9 no, no, turn and see if the door opens. I don't
10 know who turned the knob or whatever, he didn't
11 say, but whoever turned it the door opened up,
12 and being that Ronald used to hang with Kenyan
13 so much I guess he knew the setup of the house.
14 He said Ronald went in first, and he said Ronald
15 went straight for Kenyan's room. He said Tony
16 went like in the living room putting all sorts of
17 clothes and wrapping himself up in clothes.
18 Q Tony was wrapping himself up in clothes.
19 A Yes.
20 Q Off the chair?
21 A Yes, and he said it was a bedroom, and I don't
22 know if it was the mom's bedroom or what, but he
23 said he went in there and tried to turn the light
24 switch but the light never came on. He said he
25 saw something laying across the bed, a cover or

1 something, but there was no one in that bedroom.
2 He said Tony must have went toward the kitchen,
3 and Callie said Tony waved at him and said
4 someone is sitting in the kitchen or where ever. I
5 know he said he was sitting in front of the TV.
6 He said Tony waved at him, and Ronald was
7 coming back down the hall because he went
8 straight to Kenyan's room, and Ronald came back
9 down the hall and Callie said he waved and said
10 right here. He said he pointed right here, right
11 here. He said Ronald had the handgun, and
12 Ronald came in and stood in the front of Kenyan
13 and shot him once. He said no, he knew that he's
14 probably not dead so that's when he took the 10
15 gauge and he shot him.

16 Q Did he say whether Kenyan was asleep?

17 A He said his eyes were closed and he had
18 headphones on his ears. He said but when
19 Ronald shot Kenyan, there was some sound that
20 he made, and he said no, he's not dead, and he
21 said that's when he shot him with the 10 gauge.

22 Q What was Antonio doing?

23 A I don't know what Antonio was doing at that
24 time.

25 Q When they went to leave out of the house did they

1 hear anybody else in the house?

2 A He said there was nobody in the house, because
3 where Kenyan was at you could see the light on in
4 the bathroom. Callie and Ronald both said there
5 was nobody else in the house.

6 Q They didn't see anybody else in the house.

7 A Right.

8 Q But Callie did say that he looked in the front
9 bedroom.

10 A It was supposed to be the mom's room.

11 (Tape ran out)

12 Q When Callie went in the house when they went
13 through the living room, he said he checked the
14 front bedroom?

15 A Yes, that's supposed to be the mom's bedroom,
16 and Ronald told him it was the mom's bedroom.
17 He said the only thing he saw across the bed was
18 like a blanket. He said he tried to turn the light
19 switch on, but it wouldn't ever come on. He was
20 sure there wasn't nobody in there.

21 Q How many times did Ronald shoo Kenyan?

22 A He said once.

23 Q How many times did Callie shoot the shotgun?

24 A He said once. I only heard two shots, so I don't
25 know if it was only two shots. That's all I heard

1 was two shots.

2 Q In your presence before ya'll put Antonio and
3 Ronald out back at Trey's house did ya'll talk
4 about not saying anything about what happened,
5 or what was said in the car before Ronald and
6 Antonio got out of your car?

7 A Callie asked Ronald are we good, is everything
8 good, and Ronald said yeah I'm good, everything
9 is good. He said are you sure, and Tony got out.
10 He opened his door first once we got back to
11 Trey's house, and Callie asked Ronald are you
12 sure we can trust Tony, and he was like yeah,
13 man, Tony's good, he's good, he's not going to
14 say anything. He said I'm letting you call this, you
15 know him better than I do, but I'm not sure about
16 this. Ronald said I love you mom, and I said I
17 love you too son, and he said ya'll call me when
18 you make it home. I said okay, and we left.

19 Q Did you and Callie talk about it between here and
20 your house on the way home

21 A No, he just told me what happened when they
22 were in the house. We just left it alone.

23 Q How many kids do you have?

24 A I have four boys.

25 Q Four boys.

1 A Yes, ma'am.

2 Q And you are Ronald's mother, right.

3 A Yes, ma'am.

4 Q You didn't feel the need to call law enforcement
5 and tell them what happened?

6 A At the time no, ma'am, I'm thinking that's my
7 son, I should be there for my son, but I didn't
8 know it was going to end up where he would kill
9 somebody, and this and that.

10 Q When you went and parked on the road going to
11 Kenyan's house, and they told you turn the
12 vehicle around and park and wait for them to
13 come back, when they got out of the car with the
14 guns what did you think at that time that they
15 were going to do with the guns?

16 A That they were going to kill Kenyan.

17 Q Did you do anything to try to stop them from
18 going?

19 A No, ma'am.

20 Q I didn't hear you?

21 A No, ma'am.

22 Q I want you to tell the truth. Did you know before
23 going there that they were going to shoo Kenyan?

24 A Callie told me once we were almost here.

25 Q What did he tell you?

1 A He said Ronald said he's fed up with Kenyan and
2 he's got to do what he's got to do. I said are you
3 sure, I said you didn't try to talk him out of it, and
4 he said Ronald already made up his mind, he said
5 that's what he needs to do, because if don't do
6 Kenyan then Kenyan is going to have somebody
7 do something to him.

8 Q Callie told you that on the way coming here?

9 A Yes, ma'am.

10 Q Knowing what Callie said about Ronald said he
11 was going to have to do Kenyan before Kenyan
12 had someone do him, being a mother you didn't
13 try to talk to Ronald and talk him out of it, and
14 say you just go back with me to Maryland and
15 forget about that?

16 A No, ma'am, that didn't cross my mind.

17 Q You didn't try to talk to him about it?

18 A No, ma'am.

19 Q How do you feel about the situation now?

20 A Very upset. I mean being that I really wasn't a
21 mom for the situation that it had to come down to
22 this. They were real close, and friends from the
23 two times that I met Kenyan. I figured that he
24 was cool and everything, and him and Ronald
25 were friends and this and that, and it wouldn't

1 come down to this.

2 Q Was there any point that you were going to tell
3 law enforcement what happend?

4 A Sooner or later. I guess if I hadn't gotten caught
5 there is no need to lie, I probably wouldn't have.
6 I figured it would just die.

7 Q Just die down.

8 A Yes, ma'am.

9 Q Is there anything else that you need to tell us?

10 A No, ma'am.

11 Q Do you know what happened to the handgun?

12 A No, ma'am, I don't know what happened to the
13 handgun.

14 Q The shotgun that law enforcement got from your
15 apartment is that the same shotgun that was
16 brought down here to kill Kenyan?

17 A Yes, ma'am.

18 Q She is going to get the gun and show it to you,
19 and see if it's the same one.

20 A Okay.

21 Q Do you have any other questions while we wait
22 on Jean to get the gun.

23 QUESTIONS BY INVESTIGATOR WHACK:

24 Q The light skinned guy that you referred to him as
25 June Bug, describe him besides being light

1 skinned?

2 A That's all I know.

3 QUESTIONS BY LT. COLLINS:

4 Q How is his hair?

5 A It was in a twist or deadlocks.

6 Q Was it short or long?

7 A I would say shoulder length. When I met him he
8 had on a coat, it was cold and rainy, so he had on
9 like a big white bomber coat.

10 Q Was that the first time you ever saw him?

11 A Un-huh.

12 QUESTIONS BY INVESTIGATOR COLLINS:

13 Q And older guy or a younger guy?

14 A He's young, he's around Ronald's age. As a
15 matter of fact he goes to Junior High along with
16 my 14 year old son. He's in the eighth grade.

17 Q Does Jason sound like his name?

18 A That's him.

19 Q And Jason was basically pushing up Ronald that
20 Kenyan was going to do something to him.

21 A Right, Ronald said that's the only way he could
22 stay in contact with things that were being said
23 between him and Kenyan. He said Kenyan would
24 be right there with Jason, talking on Jason's
25 phone. Said why did you let that go on like that,

1 and he said that's the only way him and Kenyan
2 had to go back and forth with each other.

3 Q Another thing we need to get cleared up. You
4 said ya'll left on Friday but Kenyan got killed at
5 2:00 o'clock on Sunday morning. Ya'll came
6 here that Saturday and not Friday.

7 A We got in here that Saturday morning.

8 Q I'm saying Saturday but you were saying Friday
9 but it was Saturday. Ya'll left on Friday but ya'll
10 got here on Saturday?

11 A Yes, ma'am.

12 QUESTIONS BY INVESTIGATOR LAIL:

13 Q Is this the same gun?

14 A Yes, ma'am, that's it.

15 QUESTIONS BY LT. COLLINS:

16 Q Who does this gun actually belong to?

17 A A friend of Callie's.

18 Q A friend of Callie's?

19 A Yes, ma'am.

20 Q What about the handgun?

21 A A friend of Callie's.

22 Q Do both of them belong to the same friend or two
23 different people.

24 A Two different people.

25 QUESTIONS BY INVESTIGATOR WHACK:

1 Q After ya'll got back to Maryland, did ya'll do
2 anything with the guns?

3 A No, we kept this one in the house being that we
4 had those breaks ins. We kept this one in the
5 house for protection. Being that I'm at work I
6 guess he gave the handgun back to whoever he
7 got it from. We didn't have the handgun, that's
8 the only one we had was the 10 gauge.

9 QUESTIONS BY LT. COLLINS:

10 Q Prior to coming here Callie had the shotgun, but
11 he borrowed the handgun from somebody?

12 A Yes, ma'am.

13 Q Before ya'll came here?

14 A Yes, ma'am.

15 Q What did Callie do with the clothes he was
16 wearing when they did the shooting?

17 A The clothes should be at the house.

18 Q But he wore them back to Maryland?

19 A Yes, ma'am.

20 Q Ya'll didn't stay around.

21 A We didn't stay around.

22 Q Ya'll just came in and picked them up.

23 A We left right back out.

24 Q And left right back.

25 QUESTIONS BY INVESTIGATOR WHACK:

1 Q DO you remember what Ronald had on that
2 night?

3 A I think it was black sweat pants and I'm not sure,
4 but I know it was black.

5 QUESTIONS BY LT. COLLINS:

6 Q What about Antonio?

7 A I didn't pay him no attention.

8 Q And Callie told you when they went inside the
9 house Antonio was going to kick the door in, but
10 someone ended up turning the door and it opened.
11 Antonio was doing what?

12 A He said Antonio was in the living room where
13 clothes were at wrapping his head and stuff with
14 clothes.

15 Q That's where that sweater came from in the
16 driveway.

17 A Something is wrong with him, and I said what do
18 you mean, that man was wrapping clothes all
19 around his head like a mummy.

20 Q He didn't want nobody to know who he was.

21 A I have no idea. He said something is really wrong
22 with him.

23 Q They didn't hear Kenyan's mother calling him,
24 because she was in the house, and she heard the
25 shots and she started calling him.

1 A They told me that no one was in the house. I
2 guess Ronald didn't see her truck.

3 Q Her truck wasn't there. Her daughter had the
4 truck.

5 A And she was gone.

6 Q Okay.

7 QUESTIONS BY INVESTIGATOR LAIL:

8 Q What was Callie wearing?

9 A I know he was blacked out too. He loves to wear
10 Dickies and he most likely had on black Dickies:

11 Q And have all his clothes been washed?

12 A Yes, ma'am.

13 QUESTIONS BY INVESTIGATOR WHACK:

14 Q When you were telling us the story you said that
15 Callie told you that Ronald shot him one time.

16 A Ronald stepped right dead in front of Kenyan and
17 shot him in the head, and Kenyan made a noise,
18 and then he said he's not dead, and that's when he
19 said he shot him with the 10 gauge.

20 Q Did he say how many times he shot him with the
21 shotgun?

22 A No. I only heard two shots, but I don't know if
23 they shot more than that but that's all I heard was
24 two shots.

25 QUESTIONS BY LT. COLLINS:

1 Q What kind of vehicle do you have?

2 A A Kia Sportage.

3 Q And it's what color?

4 A Green.

5 Q I don't have any other questions.

6 QUESTIONS BY INVESTIGATOR LAIL:

7 Q Is it a bluish green?

8 A No, green.

9 Q Green, green.

10 A Un-huh.

11 Q Did Ronald call Callie before this with Kenyan to
12 come down here and help him with something
13 else?

14 A That I don't know. I didn't know they were
15 talking back and forth like that.

16 Q Did you come down with him a couple of months
17 ago?

18 A Every time Callie came here he came with me,
19 because Callie had never been to South Carolina.
20 He came with me. He never came by himself or
21 not that I know of. He couldn't have. He came
22 with me.

23 Q Anything else you want to say?

24 A No.

25 Q This concludes the interview at this time.



WILLIAMSBURG COUNTY SHERIFF'S OFFICE/DETENTION CENTER

126 SOUTH JACKSON STREET/207 SOUTH JACKSON STREET

Post Office Box 179

KINGSTREE, SOUTH CAROLINA 29556

KELVIN WASHINGTON, SHERIFF



SHERIFF'S OFFICE

DWAYNE WILSON, CHIEF DEPUTY

MARIE MCBRIDE, ADMINISTRATIVE ASSISTANT

DETENTION CENTER

MICHAEL JOHNSON, DIRECTOR

SAMANTHA MATTHEWS, ADMINISTRATIVE ASSISTANT

MIRANDA WARNING

DATE: 5-28-09

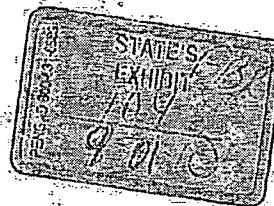
PLACE: WCSD

TIME: 1030 AM

3/F

DOB

SS



The Constitution Requires (We or I) inform you that:

1. YOU HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
3. YOU HAVE THE RIGHT TO STOP ANY QUESTIONING AT ANY TIME.
4. ANYTHING YOU SAY OR DO WHILE NOT AWARE OF THESE RIGHTS MAY BE USED AGAINST YOU IN COURT. A LAWYER ONE WILL BE APPOINTED FOR YOU IF YOU CANNOT AFFORD ONE.
5. IF YOU WISH YOU CAN DECIDE AT ANYTIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.
6. DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU? yes T.M.A.
7. HAVING THESE RIGHTS IN MIND DO YOU WISH TO TALK TO US NOW? yes T.M.A.

WAIVER OF RIGHTS

I HAVE READ THE ABOVE STATEMENT OF MY RIGHTS AND I UNDERSTAND EACH OF THOSE RIGHTS AND WHAT THEY ARE. I WAIVE THOSE RIGHTS AND 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 THREATS OR PROMISES HAVE BEEN MADE TO ME AND NO PRESSURE OR COERCION OF ANY KIND HAS BEEN USED AGAINST ME BY ANYONE.

Samantha Mack Allen
Signature

Witness: _____

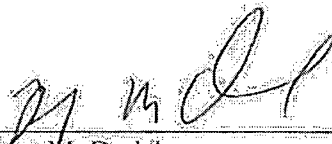
Witness: _____

Time am/pm

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

March 8th, 2013



Robert M. Dudek
Chief Appellate Defender

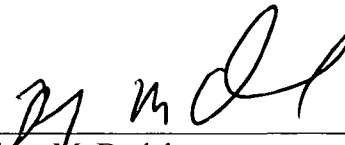
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

March 8th, 2013



Robert M. Dudek
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

Appeal from Williamsburg County

Clifton Newman, Circuit Court Judge

RECEIVED

MAR 08 2013

THE STATE,

SC Court of Appeals
RESPONDENT,

V.

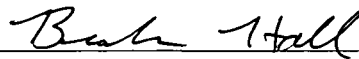
TAWANDA ALLEN,

APPELLANT

Appellate Case No. 2010-172506

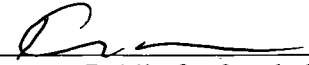
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Alphonso Simon, Jr., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 8th day of March, 2013.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 8th day of March, 2013.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013.