

STATE OF SOUTH CAROLINA
In the Court of Appeals

ORIGINAL

APPEAL FROM RICHLAND COUNTY
Court of General Sessions
The Honorable G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No: 2012-210207

THE STATE,

RESPONDENT,

v.

STEVEN KRANENDONK,

APPELLANT.

SUPPLEMENTAL RECORD ON APPEAL

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1 circumstantial evidence than of direct evidence.

2 You should weigh all the evidence in the case
3 and after weighing all the evidence, if you're not
4 convinced of the guilt of the Defendant beyond a
5 reasonable doubt, you must find the Defendant not guilty.

6 Now, necessarily you must determine the
7 credibility of the witnesses who testified in this case.
8 Credibility simply means the believability. It becomes
9 your duty as jurors to analyze and evaluate the evidence
10 and determine what evidence convinces you of its truth.

11 In determining the believability of witnesses
12 who have testified in this case, you may believe one
13 witness over several witnesses or several witnesses over
14 one witness. You may believe part of the testimony of
15 the witness and reject the remaining part of the
16 testimony of the same witness. You may believe the
17 testimony of a witness in its entirety or reject the
18 testimony of a witness in its entirety. You may consider
19 whether any witness has exhibited to you any interest or
20 bias or prejudice or other motive in this case. And you
21 may also consider the appearance and manner of the
22 witness while on the witness stand.

23 Now, generally the rules of evidence do not
24 permit witnesses to testify about their opinions or
25 conclusions. And exception to this rule exists for

1 witnesses we call expert witnesses. A witness who by
2 education or experience has become expert in some art or
3 science or profession may state an opinion as to relevant
4 and material matter in which the witness claims to be an
5 expert and may also state the reasons for that opinion.
6 You should consider any expert opinion received in
7 evidence in this case like any other evidence with the
8 weight you think it deserves. If you decide the opinion
9 of the expert witness was not based on sufficient
10 education or experience, or if you conclude for reasons
11 given in support of the opinion are not sound or that
12 that the opinion is outweighed by other evidence, you may
13 disregard that opinion in its entirety.

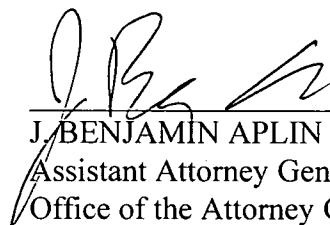
14 An expert witness, in other words, is to be
15 given no greater weight than that of other witnesses
16 simply because the witness is an expert. Further, you're
17 not required to accept an expert's opinion even though
18 it's not contradicted.

19 Now, as you know, the Defendant is charged with
20 reckless homicide. The State must first prove beyond a
21 reasonable doubt that the Defendant operated a boat with
22 reckless disregard for the safety of others.

23 Recklessness is a state of mind in which the
24 actor is aware of his or her conduct yet consciously
25 disregards a risk which his or her conduct is creating.

CERTIFICATE OF COUNSEL

Counsel for Respondent certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material.



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