

VOLUME TWO OF TWO

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM OCONEE COUNTY

Alexander S. Macaulay, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TIMOTHY R. WIRTZ,

APPELLANT

APPELLATE CASE NO. 2013-002328

RECORD ON APPEAL

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South Carolina Commission on Indigent Defense
Division of Appellate Defense
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INDEX

INDEX	i
TRIAL TRANSCRIPT (OCTOBER 14 – 15, 2013).....	1
TESTIMONY	
DAVID MCMAHAN	
Direct Examination by Mr. Wagner	4
Cross Examination by Mr. Rosemond	35
Redirect Examination by Mr. Wagner	55
Recross Examination by Mr. Rosemond	57
Further Cross Examination by Mr. Rosemond	84
GENTRY HAWK	
Direct Examination by Mr. Wagner	60
Cross Examination by Mr. Rosemond	66
Redirect Examination by Mr. Wagner	70
Cross Examination by Mr. Rosemond	70
BRANDON LONG	
Direct Examination by Mr. Rosemond	87
Cross Examination by Mr. Wagner	89
TIMOTHY RAY WIRTZ	
Direct Examination by Mr. Rosemond	90
Cross Examination by Mr. Wagner	105
Redirect Examination by Mr. Rosemond	119
TRIAL TRANSCRIPT (OCTOBER 16 - 18, 2013)	139
OPENING STATEMENT BY MR. WAGNER	143
OPENING STATEMENT BY MR. ROSEMOND	148
TESTIMONY	
ERIC BUSH	
Direct Examination by Mr. Wagner	152
Cross Examination by Mr. Rosemond	178

HEATH BATES	
Direct Examination by Mr. Wagner.....	184
Cross Examination by Mr. Rosemond.....	187
Redirect Examination by Mr. Wagner.....	192
Recross Examination by Mr. Rosemond.....	193
Redirect Examination by Mr. Wagner.....	196
CANDACE ROBERTS	
Direct Examination by Mr. Wagner.....	197
Cross Examination by Mr. Rosemond.....	201
Redirect Examination by Mr. Wagner.....	204
VERONICA SMITH	
Direct Examination by Mr. Wagner.....	206
Cross Examination by Mr. Rosemond.....	212
Redirect Examination by Mr. Wagner.....	219
MICHELE WRIGHT	
Direct Examination by Mr. Wagner.....	220
DAVID MCMAHAN	
Direct Examination by Mr. Wagner.....	223
MOTION BY MR. WAGNER.....	253
RULING BY THE COURT.....	254
TESTIMONY CONTINUED	
DAVID MCMAHAN	
Cross Examination by Mr. Rosemond.....	285
GENTRY HAWK	
Direct Examination by Mr. Wagner.....	338
Cross Examination by Mr. Rosemond.....	345
CARRIE TYNER	
Direct Examination by Mr. Wagner.....	361
Cross Examination by Mr. Rosemond.....	368
BRANDON LONG	
Direct Examination by Mr. Rosemond.....	370
Cross Examination by Mr. Wagner.....	373
Redirect Examination by Mr. Rosemond.....	376

THOMAS HOXIT	
Direct Examination by Mr. Rosemond	379
Cross Examination by Mr. Wagner.....	385
Redirect Examination by Mr. Rosemond.....	387
CHAD BUSH	
Direct Examination by Mr. Rosemond	388
Cross Examination by Mr. Wagner.....	395
Redirect Examination by Mr. Rosemond.....	406
ALLISON BARRINEAU	
Direct Examination by Mr. Rosemond	417
Cross Examination by Mr. Wagner.....	421
Redirect Examination by Mr. Rosemond.....	425
CLOSING ARGUMENT BY MR. WAGNER.....	429
CLOSING ARGUMENT BY MR. ROSEMOND.....	432
CLOSING ARGUMENT BY MR. WAGNER.....	443
CHARGE ON THE LAW	451
VERDICT	480
SENTENCING	490
STATE'S EXHIBIT #1 (WAIVER OF RIGHTS FORM).....	492
STATE'S EXHIBIT #2 (VOLUNTARY STATEMENT).....	493
STATE'S EXHIBIT #3 (VOLUNTARY STATEMENT).....	495
INDICTMENTS	496
CERTIFICATE OF COUNSEL.....	504

**THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:
STATE'S EXHIBIT #4 (CD OF TELEPHONE CALLS)**

STATE OF SOUTH CAROLINA)
COUNTY OF Oconee)

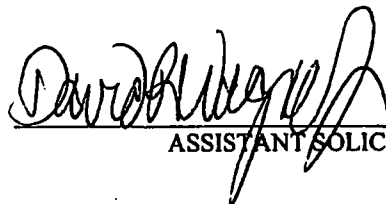
INDICTMENT

At a Court of General Sessions, convened on JUN 11 2012, the Grand Jurors of Oconee County present upon their oath:

Kidnapping

That **Timothy Ray Wirtz** did in Oconee County, on or about the **February 11, 2012**, unlawfully seize, abduct, confine, inveigle, decoy, kidnap, abduct, or carry away Eric Bush, without the authority of law. This is in violation of §16-3-0910 of the South Carolina Code of Laws (1976) as amended

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



ASSISTANT SOLICITOR

WITNESSES

David McMahon, Oconee Co Sheriff's Dept.

Amanda Kepler

Amanda Kepler

ARREST WARRANT NUMBER

N130697

ACTION OF GRAND JURY

True Bill

Michael Byrd
Foreperson of Grand Jury

Date: JUN 11 2012

VERDICT

Guilty

SD Russell
Foreperson of Petit Jury

Date: 10-18-13

DOCKET NO. 2012GS37

00591

The State of South Carolina

County of Oconee

COURT OF GENERAL SESSIONS

JUN 11 2012

Term

THE STATE

VS.

Timothy Ray Wirtz

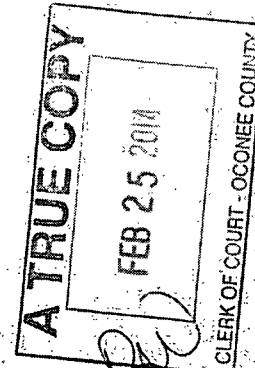
DRW

Indictment for

Burglary (After June 20, 1985) - First degree

SC Code: 16-11-0311

CDR Code: 0079



2012 JUN 12 A 8:46

FILED OCONEE SC
BEV. BY H. WHITFIELD
CLERK OF COURT

ENTERED
RB
COMPUTER

STATE OF SOUTH CAROLINA)
COUNTY OF Oconee)

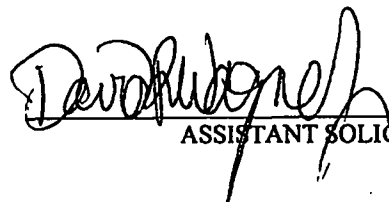
INDICTMENT

At a Court of General Sessions, convened on JUN 11 2012 the Grand Jurors of Oconee County present upon their oath:

Burglary (After June 20, 1985) - First degree

That **Timothy Ray Wirtz** did in Oconee County, on or about **February 11, 2012**, willfully and unlawfully enter the dwelling of Eric Bush located at [REDACTED], Westminster, without consent and with the intent to commit a crime therein and aggravating circumstances were present, to wit: when, in effecting entry or while in the dwelling or in immediate flight he or another participant in the crime, was armed with a deadly weapon. This is in violation of §16-11-311 of the South Carolina Code of Laws (1976) as amended

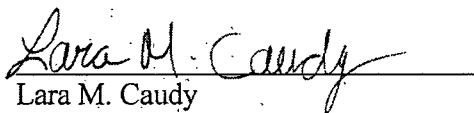
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

December 8th, 2014


Lara M. Caudy
Appellate Defender

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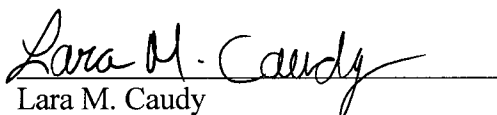
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