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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM ORANGEBURG COUNTY
Court of General Sessions

99 Court of Appeals

Doyet A. Early, III, Circuit Court Judge

Appellate Case No.2012-213596

The State.....Respondent
v.

Cleophas N. Edwards, Jr.....Defendant/Appellant

RECORD ON APPEAL-VOLUME 2 OF 2

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INDEX TO RECORD ON APPEAL-VOLUME-1

Pretrial Hearing Transcript.....	1-96
Testimony of Ryan Harter.....	16-25
Direct by State.....	16-22
Cross by Defense.....	22-25
Testimony of Johnny Thrower.....	43-65
Direct by State.....	43-61
Cross by Defense.....	61-64
Redirect by State.....	64-65
Testimony of Lisa Bolton.....	66-75
Direct by State.....	66-73
Cross by Defense.....	73-75
Testimony of Gerald Kittrell.....	75-90
Direct by State.....	75-88
Cross by Defense.....	88-90
 Trial Transcript	
Testimony of Aaron Hanton.....	107-148
Direct by State.....	107-144
Cross by Defense.....	144-148
Testimony of Janice Edwards Ross, MD.....	148-158
Direct by State.....	148-156
Cross by Defense.....	156-158

Testimony of Johnny Thrower.....	158-190
Direct by State.....	158-179
Cross by Defense.....	179-187
Redirect by State.....	187-190
Testimony of Lisa Bolton.....	190-204
Direct by State.....	190-198
Cross by Defense.....	198-202
Redirect by State.....	202-204
Testimony of Gerald Kittrell.....	204-231
Direct by State.....	204-227
Cross by Defense.....	228-230
Redirect by State.....	230-231
Testimony of Michelle Rice.....	231-236
Direct by State.....	231-236
Cross by Defense.....	236
Testimony of Nadia Weldon.....	243-254
Direct by State.....	243-252
Cross by Defense.....	252-254

INDEX TO RECORD ON APPEAL-VOLUME-2

TRIAL TRANSCRIPT (CONTINUED)

Testimony of William Ketcherside.....	255-308
Direct by State.....	255-295
Cross by Defendant.....	295-307
Redirect by State.....	307-308
Testimony of Gerald D. Carter.....	309-314
Direct by State.....	309-314
Cross by Defendant.....	314
Testimony of Britney Davis.....	318-327
Direct by State.....	318-324
Cross by Defendant.....	324-326
Redirect by State.....	326-327
Testimony of Karl Kenley.....	328-348
Direct by State.....	328-348
Testimony of Verona Gibson.....	348-363
Direct by State.....	348-359
Cross by Defendant.....	359-363
Testimony of Sheree Brown.....	363-366
Direct by State.....	363-366
Testimony of Catherine Leisy.....	369-391
Direct by State.....	369-391
Cross by Defendant.....	391

EXHIBITS

Court's Exhibit 1-Notice of SC Reduction of Recidivism Act of 2010.....	478
State's Exhibit 2-DVD of Cleophas Edward's statement.....	In Court's file
State's Exhibit 4-Statement of Cleophas Edwards.....	479-482
State's Exhibit 34-Search Warrant (Suitcase).....	483-487
State's Exhibit 46-Diagram of crime scene.....	488-489
State's Exhibit 57-SLED Evidence Processing Reports.....	490-494

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 WILLIAM KETCHERSIDE,

2 having been first duly sworn by the Deputy Clerk of
3 Court to tell the truth, the whole truth, and nothing
4 but the truth, was examined and testified upon his oath
5 as follows:

6 DIRECT EXAMINATION

7 BY MR. SORENSON:

8 Q Good morning.

9 A Good morning.

10 Q If you would, Investigator Ketcherside, please
11 tell the jury where you're employed.

12 A Orangeburg County Sheriff's Department.

13 Q And tell the jury, please -- first of all, how
14 long have you been with the Sheriff's Office?

15 A Seven years.

16 Q Okay. And what are your current duties with
17 the Sheriff's Office?

18 A Forensic services investigator.

19 Q Okay. And if you would, just describe for the
20 jury kind of what that entails.

21 A Basically, what we do is we respond to crime
22 scenes, process them, identify, document, and collect,
23 and also preserve any evidence -- physical evidence.

24 Q Okay. And how long have you been employed in
25 that capacity with the Sheriff's Office?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 A Two years.

2 Q Two years?

3 A Yes, sir.

4 Q All right. And with regards to the homicide
5 of Carolyn Hanton, were you the primary forensic
6 investigator assigned in that case?

7 A Yes.

8 Q All right. And I guess the first thing I want
9 to do is, I want to turn your attention back to on the
10 afternoon of February 3rd, 2011. Did you have an
11 occasion that afternoon to respond out to 1389 Goff
12 Avenue?

13 A Yes, I did.

14 Q What was the purpose of you responding out
15 there?

16 A In reference to a female victim being found in
17 the residence on the living room floor, appeared to have
18 stab wounds.

19 Q Okay. And describe for the jury, if you would,
20 when you got out there that afternoon, kind of what --
21 what was going on when you got out there.

22 A The scene was secure by officer presence, as
23 well as barrier tape. There also had -- had two
24 intersections, that portion of the street, shut down and
25 diverting traffic away from that residence.

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1 Q Okay. And did you go about immediately kind of
2 searching and processing the interior of that
3 residence --

4 A No, sir, not immediately.

5 Q Explain to the jury why you didn't do that
6 right away.

7 A Basically, inside the residence there was right
8 to privacy for the victim, as well as anybody else that
9 lives there. And at that time, we weren't sure exactly
10 what was going on, so we were waiting on a search
11 warrant.

12 Q Okay. And did ultimately that -- one of the
13 other investigators obtain a search warrant for y'all to
14 search that house and process that scene?

15 A Yes, sir.

16 Q And in the kind of meantime, did you kind of do
17 anything in the exterior of the house?

18 A Yes, sir. I began searching the exterior,
19 looking for any type of evidence, footwear impressions,
20 maybe clothing, weapons, anything like that.

21 Q Okay. And let me ask you: Did you find any
22 clothing or weapons or anything of that nature on the
23 exterior of the house?

24 A No, sir, did not.

25 Q Did you find anything out on the exterior of

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Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 the house that you thought might have some relevance to
2 this case?

3 A Yes, I did.

4 Q And what was that?

5 A To the left of the driveway and carport, I
6 found a footwear impression in the dirt.

7 Q And, first of all, let me show you State's
8 Exhibits 9 and 10. Are those photographs of the
9 residence at [REDACTED]?

10 A Yes, sir.

11 Q Are those photographs that you took that
12 afternoon when you got out there?

13 A Yes, sir, they are.

14 Q Now, you've indicated that you found what
15 appeared to be maybe some footwear impressions in the
16 dirt?

17 A Yes, sir.

18 Q And showing you State's Exhibit Nos. 14 and 15,
19 is that --

20 A That's correct.

21 Q -- that kind of indicated where --

22 A Those are the photographs I took that -- that's
23 the left side of the driveway.

24 Q Okay. And do those fairly and accurately
25 depict that footwear impression?

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Volume III of IV -- Jury Trial
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1 A Yes, sir.

2 Q And I'm also showing you State's Exhibit

3 No. 49. Is that, I guess, one with scales, up close of

4 that --

5 A Yes, sir.

6 Q -- that footwear impression?

7 A Yes, sir.

8 Q And that was collected?

9 A Yes, sir, by dental stone. A cast in dental

10 stone.

11 Q Explain to the jury what that means.

12 A It's powder, like a -- sort of like a concrete

13 material, I guess you would say. It's mixed with water,

14 and there's a form built around the footwear impression,

15 and then it's poured into that form and allowed to dry

16 and then lifted off the ground.

17 Q Showing you State's Exhibit 50. Is that a

18 photograph of that -- ultimately that dental stone

19 impression of that footwear?

20 A Yes, sir, it is.

21 MR. SORENSON: Your Honor, at this time we'd

22 offer States No. 14, 15, 49, and 50 into evidence.

23 THE COURT: Any objection?

24 MR. WISE: No, your Honor.

25 THE COURT: Without objection.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
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1 (State's Exhibit Nos. 14, 15, 49, and 50,
2 Photographs, are admitted into evidence.)

3 Q (By Mr. Sorenson) You had indicated -- marker
4 number one, is that where that footwear impression was?

5 A Yes, sir, it is.

6 Q That is just to the right -- I'm sorry -- to
7 the left of the driveway as you are walking up the
8 driveway?

9 A Yes, sir, that's correct.

10 Q These are basically -- one is a photograph of
11 that impression, and one is a photograph of the --

12 A Yes, sir, that's the photograph of the --

13 Q -- of the cast --

14 A -- impression in the dirt, and that's the cast.

15 Q And, basically, this is the same impression?
16 Just two different means of capturing it; is that
17 correct?

18 A Correct.

19 THE COURT: Hold on one second. Officer, let
20 him finish his question before you answer.

21 THE WITNESS: Sorry.

22 THE COURT: Thank you.

23 Q (By Mr. Sorenson) Any other items outside the
24 house that you found?

25 A No, sir.

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Volume III of IV -- Jury Trial
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1 Q And after the search warrant arrived, were
2 you ultimately able to go in and begin processing the
3 interior of that residence?

4 A Yes, I was. Yes, sir.

5 Q Okay. And as part of your processing, did you
6 take photographs?

7 A Yes, I did.

8 Q And as part of that also, did you do some
9 diagrams?

10 A Yes, I did.

11 Q Okay. And I want to show you State's Exhibit
12 -- just kind of flip through these initially here --
13 States 11 through 22. Just tell me if those are all
14 photographs that you took of the scene that day.

15 (Photographs are handed to the witness.)

16 A Yes, they are.

17 Q Okay. And also State's Exhibit -- I believe
18 it's 51.

19 A Yes, sir, that is.

20 Q Do those all fairly and accurately depict the
21 scene that you found when you entered that residence
22 back on --

23 A Yes, they do.

24 Q -- February 3rd?

25 MR. SORENSON: Your Honor, at this time we'd

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Volume III of IV -- Jury Trial
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1 offer State's Exhibits -- and a couple of these may be
2 in evidence, but just out of an abundance of caution,
3 State's Exhibits 11 through 22, and 51 into evidence.

4 THE COURT: Any objection?

5 MR. WISE: Your Honor, may I see those photos?

6 THE COURT: You may.

7 (Photographs are handed to Mr. Wise for
8 review.)

9 MR. WISE: Your Honor, we will renew our
10 objection to State's 17 and 18 that we raised
11 previously..

12 THE COURT: Thank you. I've already ruled, and
13 you're protected.

14 MR. SORENSON: No other objection to the --

15 MR. WISE: No.

16 THE COURT: Thank you.

17 (State's Exhibit Nos. 11 through 22 and 51,
18 Photographs, are admitted into evidence.)

19 Q (By Mr. Sorenson) And, additionally, you had
20 testified that -- a moment ago I asked you: Did you
21 prepare some diagrams also?

22 A Yes, sir.

23 Q I'm showing you State's Exhibit No. 46. Is
24 that one of the diagrams that you did of -- just an
25 enlargement of it?

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Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 A Yes, sir.

2 MR. SORENSON: At this time, we'd offer
3 State's 46 into evidence.

4 MR. WISE: No objection.

5 (State's Exhibit No. 46, Crime Scene Diagram,
6 is admitted into evidence.)

7 Q (By Mr. Sorenson) If you would, just --
8 initially here, what I would like you to do,
9 Investigator Ketcherside, is just kind of briefly
10 describe for the jury kind of -- when you went into the
11 scene, kind of what you -- what you observed when you
12 entered the residence that afternoon.

13 A When I went to enter through the front door
14 located under the carport, the first thing I noticed was
15 some blood transfer on the exterior of the door above
16 the deadbolt lock. Then once inside, you -- there was
17 several bloody footwear impressions, and further in, you
18 could see some blood on the floor, 90-degree droplets,
19 as well as Mrs. Hanton laying in the middle of the
20 floor, facedown, with her palms to the floor.

21 And then moving further in, also on the couch
22 to the right, there was -- appeared to be maybe some
23 blood and also a cell phone on the couch. Also some
24 more bloody footwear impressions on the opposite side of
25 Mrs. Hanton's body towards the hallway. Moving into the

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Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 hallway, there were also some more bloody footwear
2 impressions. And to the left, the first door to the
3 left would be the kitchen.

4 Inside the kitchen, there were pots and stuff
5 pulled out of the cabinets. And coming back out and
6 going further down, there was some bedrooms, one to the
7 right, then a closet, I believe, and then another
8 bedroom to the right. And also -- I'm pretty certain a
9 bathroom to the left and then another bedroom on the
10 left side at the end of the hallway.

11 MR. SORENSON: Your Honor, can I have him step
12 down in front of the jury?

13 THE COURT: You may. Certainly.

14 (The witness steps down from the witness
15 stand.)

16 (Mr. Wise positions himself to be able to see
17 the witness.)

18 Q (By Mr. Sorenson) All right. Investigator
19 Ketcherside, we need to make sure -- the challenge here
20 is to kind of make sure you stay out of the way so
21 everybody can see.

22 A Yes, sir.

23 Q But if you could --

24 THE COURT: Can everybody see?

25 MR. SORENSON: Should be all right.

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Volume III of IV -- Jury Trial
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1 Q (By Mr. Sorenson) If you would, just kind
2 of -- kind of orient the jury, kind of what they are
3 seeing and --

4 A This is a sketch of the --

5 Q I will let you use that photograph too and
6 let's show where -- orient --

7 A Over here, you can tell I've got it marked as
8 carport. Driveway comes down. And this is actually the
9 street out here. This would be the front door right
10 here. And that's where the bloody impressions and the
11 transfer were on the door. And then the footwear
12 impressions coming up -- up to the body. You see the
13 sofa and this hallway moves -- the kitchen is to the
14 left, and moves on down the hall to the bedrooms and
15 bathroom.

16 Q Okay. And that photograph -- make sure that --
17 State's Exhibit No. 9 you were showing the jury?

18 A Yes, sir.

19 Q Moving on to State's Exhibit No. 11, kind of
20 explain to the jury what they are seeing and make sure
21 everybody can see. State's Exhibit 11.

22 A This photograph depicts the front door where I
23 entered, and also, you can see in the -- on the floor,
24 what appears to be bloody footwear impressions, as well
25 as the lower extremity of the body. This is a picture

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Volume III of IV -- Jury Trial
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1 back towards the door from the hallway.

2 Q And State's Exhibit No. 16, is that a picture
3 kind of showing all that from the other direction, from
4 the doorway now?

5 A Yes, sir. That's from outside in the carport
6 into the residence to bloody footwear impressions, as
7 well as, you know, you can see the hallway starts over
8 here.

9 Q And that also shows that Mrs. Hanton and how
10 you --

11 A Yes.

12 Q -- kind of explained her -- the position her
13 arms were in?

14 A Yes, it does.

15 Q And those -- let me ask you: Those four
16 markers right there, it's markers 3, 4, 5, and 6. What
17 were those markers indicating?

18 A Bloody footwear impressions.

19 Q Did you ultimately photograph those
20 impressions?

21 A Yes, sir, I did.

22 Q And let me show you State's Exhibits 47 and 48.
23 You indicated there were footwear impressions kind of
24 there and then down the hallway also; right?

25 A Yes.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 Q Did you photograph all those impressions?

2 A Yes, sir, I did.

3 Q And 47 and 48, are those two of those
4 impressions that you photographed inside the residence?

5 A Yes, they are.

6 MR. SORENSON: Your Honor, at this time, we'd
7 offer State's 47 and 48 into evidence.

8 THE COURT: Any objection?

9 MR. WISE: No objection, your Honor.

10 (State's Exhibit Nos. 47 and 48, Photographs,
11 are admitted into evidence.)

12 Q (By Mr. Sorenson) Those are the two?

13 A Yes, sir.

14 Q Moving on to State's Exhibit No. 13. Show a
15 lot of what we just saw, I believe?

16 A Yes. This is -- this photograph depicts back
17 towards -- there's a window behind the sofa that shows a
18 shot back towards that window. As well, you can see
19 blood here, some 90-degree droplets, as well as a chair
20 and couch, and then Mrs. Hanton.

21 Q Okay. This has gotten a little bit out of
22 order, but State's Exhibit No. 19, that's a close-up of
23 those footwear impressions?

24 A Yes, it is.

25 Q These two, 47 and 48, I believe, are depicted

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1 in those --

2 A Yes, they are.

3 Q -- impressions?

4 State's Exhibit No. 20. What's depicted in
5 State's Exhibit No. 20?

6 A This is -- it's kind of hard to see it in the
7 photograph, but you can see like a stain on the couch.
8 Appeared to be maybe bloodstain on the couch, as well as
9 you can see a remote and the right arm of Mrs. Hanton.

10 Q And that was the position her arm was in when
11 you arrived on the scene?

12 A Yes, sir. That's correct.

13 Q Did you have an opportunity while out there,
14 Investigator Ketcherside, to examine any of her
15 injuries?

16 A Yes, I did.

17 Q And, specifically, did you have an opportunity
18 to photograph the injuries to Mrs. Hanton's back?

19 A Yes, I did.

20 Q Showing you State's Exhibit No. 17. If
21 you would, describe for the jury what's depicted in
22 State's 17.

23 A This is -- with Mrs. Hanton's shirt pulled up,
24 you can see the multiple stab wounds to her back.

25 Q So that photograph was taken out there?

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Volume III of IV -- Jury Trial
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- 1 A Yes, sir.
- 2 Q Before she was moved?
- 3 A On the scene. Yes, sir.
- 4 Q State's Exhibit No. 18, what is that a picture
5 of?
- 6 A This is Mrs. Hanton's right arm. You can see a
7 laceration, stab wounds, and an endless amount of blood
8 that was on the floor and on her body.
- 9 Q State's Exhibit No. 12, what part of the house
10 is that located?
- 11 A This would be the -- I guess the extension part
12 of the living room. This is the sofa that's depicted
13 here, as well as, there's some windows, and looks like a
14 blanket put on the floor for children to play on.
- 15 Q And that would be the view, I guess, you would
16 get when you --
- 17 A From the door --
- 18 Q -- walked in the door looking across the whole
19 front of the house?
- 20 A Yes, sir.
- 21 Q Okay. Then you had testified earlier that
22 there was some footwear impressions that kind of led
23 down this hallway towards the back of the house?
- 24 A Yes, there were.
- 25 Q I'm showing you State's Exhibit 21 and 22.

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Volume III of IV -- Jury Trial
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1 What are shown in those photographs?

2 A This is the -- starting at the hallway with
3 No. 11, and it goes 12, 13, 14 and so forth on, all the
4 way down the hallway. And then this is the end of the
5 hallway, which is items 17, 18, 19, and 20.

6 Q Are those all photographed also?

7 A Yes, sir.

8 Q Now, Investigator Ketcherside, let me kind of
9 back up for a second. Did you have an opportunity in
10 kind of processing the house to determine whether there
11 was any sign of forced entry into the house?

12 A There wasn't any sign of forced entry at the
13 doorways or any of the windows.

14 Q No broken windows? No windows forced open?

15 A No, sir.

16 Q No damage to the lock on any of the doors that
17 you observed?

18 A No, sir, none at all.

19 Q Now, ultimately, did you learn that afternoon
20 out there that -- that a laptop had been taken?

21 A Yes, sir.

22 Q Okay. And did you -- were you able to
23 determine what room that laptop had been in prior to its
24 disappearing?

25 A Yes, sir.

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1 Q And where -- well, located on this diagram --
2 A No, it's not on this diagram.
3 Q Where in relation to the diagram would that
4 then be?
5 A It would be down the hallway to the left. It
6 would be the bedroom to the left at the end of the
7 hallway.
8 Q Showing you State's Exhibit No. 51. Is that
9 the picture --
10 A Yes, sir.
11 Q -- of that room?
12 Describe for the jury kind of where you were
13 led to believe that laptop was and any kind of signs for
14 that in --
15 A Yes. I was led to believe it was in this
16 little table. This nightstand, end table. And the
17 reason why I believe that is, you've got an Internet
18 cable on the floor that appeared it had been hooked up
19 right there, sitting at that location.
20 Q Additionally, the jury heard some testimony the
21 other day about photographs of -- of State's Exhibits 5
22 and 6 of the laptop box --
23 A Yes, sir.
24 Q -- and the serial number off of that. Who took
25 those photographs?

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Volume III of IV -- Jury Trial
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1 A I did.

2 Q And when did you take them?

3 A At the scene.

4 Q On February 3rd?

5 A Yes, sir.

6 Q I believe you can sit down.

7 A Thank you.

8 (The witness resumes the witness stand.)

9 (Mr. Wise resumes his seat at counsel table.)

10 Q (By Mr. Sorenson) Now, as part of your

11 processing that scene, Investigator Ketcherside, did you

12 attempt to get any fingerprints off of anything out

13 there on the scene?

14 A Yes, sir.

15 Q What if -- tell the jury what your results

16 were, where y'all attempted to process for fingerprints.

17 A We processed the pots and the doorknobs, you

18 know, drawer fronts, any -- anywhere where they could

19 have touched. We did lift an impression off of one of

20 the pots in the kitchen, as well as one of the closet

21 doorknobs.

22 Q Okay. And were you then able, later on, to

23 look at those impressions --

24 A Yes, sir.

25 Q -- and see whether they were useful to

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
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1 potentially make a comparison?

2 A Yes, sir, I was.

3 Q What was the results of you looking at those?

4 A Once I looked at them, it was determined it was
5 insufficient ridge detail on the fingerprints for
6 comparison.

7 Q And what does that -- in kind of laymen's
8 terms, what does that mean?

9 A With fingerprints, there's certain points that
10 we look for -- Galton points is what we call them -- to
11 identify -- whether it's the suspect or another person,
12 to identify that print with a certain person. And those
13 points just weren't there, just wasn't enough to utilize
14 the -- to identify anybody.

15 Q So, in other words, those prints could be --
16 could have been Mrs. Hanton's?

17 A Could have been.

18 Q Could be it Mr. Hanton's?

19 A Could have been, yes, sir.

20 Q Could have been one of their kids?

21 A Yes, sir.

22 Q Could have been whoever did this?

23 A Yes, sir.

24 Q You just can't tell?

25 A No, sir.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

- 1 Q Now, you had indicated there appeared to be
- 2 some blood on the front door?
- 3 A Yes, sir.
- 4 Q Where was that located at on the front door?
- 5 A Above the deadbolt lock, and also on the
- 6 inside.
- 7 Q Okay. So it was on both sides?
- 8 A Yes, sir.
- 9 Q Okay. And what does -- and describe that
- 10 blood. I mean, droplets or smear?
- 11 A It was more like transfer, where a bloody
- 12 object touched the door or slid against the door.
- 13 Q Okay. So if I had blood on my shirt or my
- 14 hand, and I rubbed up against the door --
- 15 A Yes, sir.
- 16 Q -- would I leave that sort of impression?
- 17 A Yes, sir.
- 18 Q Now, you had indicated earlier that the -- and
- 19 we have a couple that we put into evidence -- the
- 20 footwear impressions that you photographed and collected
- 21 those.
- 22 A Yes, sir.
- 23 Q What ultimately did you do with all of those
- 24 photographs?
- 25 A They were put on a disc and sent to SLED.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 Q Okay. Is that for them to do any further
2 comparison or analysis of those?

3 A Yes, sir.

4 Q And, Investigator Ketcherside, the following
5 day, did you have an occasion to -- to go and attend the
6 autopsy that was performed by Dr. Ross?

7 A Yes, I did.

8 Q Okay. And at that autopsy, did you have some
9 items turned over to you at that autopsy?

10 A Yes, I did.

11 Q And there's -- was one of those, State's
12 Exhibit No. 43, the blood standard of Mrs. Hanton?

13 A Yes, it was.

14 Q And what did you do with that -- with that
15 item?

16 A Upon leaving Newberry Pathology, I then went
17 through Columbia and stopped at the State Law
18 Enforcement Division where that was submitted into their
19 evidence.

20 Q Is that your envelope where you submitted that
21 to SLED?

22 A Yes, sir.

23 MR. SORENSON: Your Honor, at this time,
24 we'd offer -- I don't think this is in evidence yet --
25 State's 43.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 THE COURT: Any Objection? Sir, any objection?

2 MR. WISE: Your Honor, there would be. I have
3 an objection regarding chain of custody.

4 THE COURT: Okay. Have you established it yet?

5 MR. SORENSON: I can address that a little more
6 with him.

7 Q (By Mr. Sorenson) Let me back up a second.
8 State's 43, when you received that blood standard --

9 A Yes, sir.

10 Q -- tell the jury what condition it was in when
11 you received it.

12 A It was in a -- a vial, as well as sealed in a
13 plastic bag.

14 Q Okay. And is that actually the bag that is
15 sealed kind of within this bag?

16 A Yes, sir.

17 Q Okay. And did you -- when it was turned over
18 into your possession, did you tamper with it, or do
19 anything with it?

20 A No, sir.

21 Q And where did you take it then that morning?

22 A State Law Enforcement Division.

23 Q Did you go anywhere in between?

24 A No, sir.

25 Q Did you mess with it, or allow anybody to mess

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State versus Cleophas Edwards, 12/12/12
 ~ Volume III of IV -- Jury Trial
 Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 with it in your possession?

2 A No, sir.

3 Q When you got out to the State Law Enforcement
 4 Division, what did you do with it out at the State Law
 5 Enforcement Division?

6 A It was submitted into their evidence storage.

7 Q And, ultimately, was it put in this bag,
 8 State's Exhibit No. 43?

9 A Yes, sir.

10 Q And what happened after it is put in this bag?

11 A I initialed the sealed ends, as well as put my
 12 name and the date.

13 Q Okay. Is that your initials up top here
 14 with --

15 A Yes, sir.

16 Q -- 2-4-11?

17 A Yes, sir.

18 Q And that was heat sealed?

19 A Yes, sir.

20 Q In your presence?

21 A Yes, sir.

22 Q And turned in then into the State Law
 23 Enforcement Division?

24 A That's correct.

25 MR. WISE: No objection, your Honor.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 (State's Exhibit No. 43, Victim's Blood Sample,
2 is admitted into evidence.)

3 Q (By Mr. Sorenson) And inside of that, also, I
4 believe the items that you submitted on that day was the
5 blood standard, and I believe there's some fingernail
6 clippings that were all in that same packaging?

7 A Correct.

8 Q I want to turn your attention -- I think the
9 next thing that you were kind of involved in, with
10 regards to this case, Investigator Ketcherside, was
11 going to occur on the evening of February 16th of
12 2011 --

13 A Yes, sir.

14 Q -- is that correct?

15 And were you called out that night to 1347
16 Campus Drive?

17 A That's correct.

18 Q Tell the jury why you were called out there
19 that night.

20 A Officers with Probation, Pardon, and Parole, as
21 well as the sheriff's department, had gone to that
22 residence, where the laptop which was stolen from Goff
23 Avenue address was found at that location.

24 Q Did you have an opportunity then to process
25 that scene after a search warrant was obtained?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 A Yes, sir.

2 Q And let me ask you this: Initially -- so

3 obviously you knew the laptop had been found there; is

4 that correct?

5 A That's correct.

6 Q Any other items directly related to this -- to

7 the murder of Mrs. Hanton found that night --

8 A No other items.

9 Q -- inside the residence?

10 A No, sir, no other items.

11 Q I want to fast-forward kind of the day. But

12 were you involved the following day when a knife was

13 collected on Mingo Street?

14 A Yes, sir.

15 Q And that's State's Exhibit No. 38?

16 A Yes, sir.

17 Q I'm going to get to that in a second. The

18 following day you became aware of this knife; is that

19 correct?

20 A That's correct.

21 Q Let me ask you this: That night before,

22 though, at Campus Drive, were there any knives found at

23 that residence that were similar to this knife, as far

24 as, you know, handle and stuff of that nature?

25 A Yes, sir, there were. There were.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 Q And about how many of those do you think were
2 found inside the residence?

3 A Three, I believe.

4 Q Did there come a time when you were out there
5 that night on Campus Drive when Mr. Edwards, the
6 Defendant, was brought back to his house by law
7 enforcement officers?

8 A That's correct.

9 Q Okay. And do you -- do you recall what the
10 purpose of him being brought back by there was?

11 A The location of the shoes.

12 Q Okay. And were those shoes found inside the
13 residence that night?

14 A No, sir, they were not.

15 Q Okay. Let me ask you this: Did you become
16 aware at some point in time that night of some third
17 parties coming by the residence with a suitcase?

18 A Yes, sir.

19 Q And was that suitcase ultimately turned over to
20 the Sheriff's Office?

21 A Yes, sir, it was.

22 Q Let me ask you this: Did you search that
23 suitcase that night out there at the scene?

24 A No, sir.

25 Q All right. I'm going to come back to that in a

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 second; okay? Anything else found that night out there
2 on Campus Drive?

3 A No, sir, nothing else.

4 Q Now, the following morning, did there come a
5 time when you were called out to an abandoned house on
6 Mingo Street?

7 A Yes, sir.

8 Q And what was the purpose of you going out
9 there?

10 A Investigators had gone to the location and
11 found some items of clothing, as well as a knife.

12 Q Okay. And did you ultimately respond out there
13 to collect those items?

14 A Yes, sir.

15 Q Document and collect those items?

16 A Yes, sir.

17 Q And showing you State's Exhibits 23 through 30.
18 Again, some of those are in evidence and some aren't.
19 Can you look through those photographs.

20 (Photographs are handed to the witness.)

21 Q (By Mr. Sorenson) Are those all photographs
22 you took that morning?

23 A Yes, sir.

24 Q And they all fairly and accurately represent,
25 you know, the items that you found and collected?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 A Yes, sir.

2 MR. SORENSON: Your Honor, at this time, we'd
3 offer -- as I said, some are in evidence, but State's 23
4 through 30.

5 MR. WISE: No objection, your Honor.

6 (State's Exhibit Nos. 23, 24, 25, 26, 27, 28,
7 29, and 30, Photographs, are admitted into evidence.)

8 Q (By Mr. Sorenson) All right. The jury has
9 seen this before. But State's 23, is that the residence
10 you went to?

11 A Yes, sir.

12 Q That's the front or the back?

13 A That is the front of the residence.

14 Q And was anybody living at that residence?

15 A No, sir.

16 Q State's Exhibit No. 24?

17 A That is the rear of the residence.

18 Q Describe, if you could, kind of the yard behind
19 that residence.

20 A When you go to the left side of the residence,
21 there's a fence that runs across with a gate that enters
22 the back, and there's some grown-up woods along the
23 front and the side, on both sides, actually, and there's
24 a path that goes through to the back of the property.

25 Q And ultimately -- kind of talk about the items

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 that were collected. I'll show you State's Exhibit
2 No. 38. You testified earlier about being familiar with
3 this knife. Was that one of the items you collected?

4 A Yes, sir.

5 Q And did you photograph and document State's
6 Exhibit No. 38 before you collected it?

7 A Yes, sir, I did.

8 Q And showing you State's Exhibit No. 25 and 26.
9 Do those indicate that -- where that knife was located?

10 A Yes, sir.

11 Q That was the condition it was in when you came
12 upon it?

13 A Yes, sir, that's correct.

14 Q And that right there, up at the top of State's
15 Exhibit No. 25, what part of the house is that?

16 A That is the rear of the residence.

17 Q And then showing you State's Exhibit Nos. 42
18 -- I'm sorry, Nos. 27 and 28. What's depicted in
19 State's Exhibit 27 and 28?

20 A A black hoodie sweatshirt found in that front
21 fence line, kind of in that brush area, grown-up brush.

22 Q You put that marker 42 there --

23 A Yes, sir.

24 Q -- before photographing? And, ultimately, did
25 you remove kind of those items out of there?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 A Yes, sir, I did.

2 Q Showing you State's Exhibit No. 29. What's

3 State's Exhibit No. 29 show?

4 A A black T-shirt and also a black hoodie.

5 Q Where were those two items?

6 A On the opposite side of that fence in the

7 brush.

8 Q That's what is located at marker 42?

9 A Yes, sir.

10 Q And you indicated those two items were

11 collected?

12 A Yes, sir.

13 Q Let me show you State's Exhibit No. 35. Do you

14 recognize what's packaged in that bag?

15 A Yes, sir.

16 Q And what is packaged in that bag?

17 A A black hooded sweat jacket, Open Trails brand,

18 size large. And also a black T-shirt, size two extra

19 large, Haynes brand.

20 Q And were those those two items that are

21 depicted in this photograph, State's Exhibit No. 29?

22 A Yes, sir.

23 MR. SORENSON: Your Honor, at this time, we'd

24 offer State's 35.

25 MR. WISE: No objection, your Honor.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 (State's Exhibit No. 35, Hoodie/T-Shirt, is
2 admitted into evidence.)

3 Q (By Mr. Sorenson) Then, additionally, let me
4 show you State's Exhibit No. 39 and ask you if you
5 recognize that item.

6 A Yes, I do.

7 Q Okay. And was that item also found out there?

8 A Yes, sir.

9 Q Showing you State's Exhibit No. 30. What's
10 depicted in State's Exhibit No. 30?

11 A It would be the -- this glass -- which would be
12 item 43, a glass decorative piece, as well as two SCEBT
13 cards.

14 Q So two cards that were next to it also?

15 A Yes, sir.

16 Q And where is that located at in relation to the
17 house?

18 A To the house, it's at the back of the residence
19 to the right side of the property.

20 MR. SORENSON: Your Honor, at this time, we'd
21 offer State's Exhibit 39 into evidence.

22 THE COURT: Any objection?

23 MR. WISE: No, your Honor.

24 (State's Exhibit No. 39, Vase, is admitted into
25 evidence.)

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 Q (By Mr. Sorenson) So this marker, I guess it's
2 a 43. The leaf is kind of covering it.
3 A Yes, sir.
4 Q But that marker where my finger is --
5 A Yes, sir.
6 Q -- this is the item that was recovered there?
7 A That's correct.
8 Q Ultimately, that knife, that black hoodie
9 -- hooded sweatshirt and the T-shirt, what was done with
10 those two items?
11 A The knife and the sweatshirt and the T-shirt
12 were all packaged, and they were submitted to SLED.
13 Q Okay. For any testing?
14 A For DNA analysis, yes, sir.
15 Q I made reference earlier about the suitcase
16 being brought out to the [REDACTED] address.
17 A Yes, sir.
18 Q Did you ultimately have an opportunity later on
19 that -- that following day, on the 17th of February, to
20 get a search warrant and ultimately search that
21 suitcase?
22 A Yes, sir.
23 Q Showing you State's Exhibits 31, 32, and 33,
24 and ask you if you recognize those photographs?
25 A Yes, I do.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 Q Okay. Are those photographs of that suitcase
2 and its contents?

3 A Yes, sir.

4 MR. SORENSON: At this time, I'd offer State's
5 31 through 33 into evidence.

6 MR. WISE: Need to pose the same objection we
7 proposed at pretrial.

8 THE COURT: You're protected. Same ruling.

9 (State's Exhibit Nos. 31 through 33,
10 Photographs, are admitted into evidence.)

11 Q (By Mr. Sorenson) If you would -- let me show
12 you State's Exhibit No. 31. Describe that suitcase for
13 the jury, if you would.

14 A Green suitcase, which also has a luggage tag on
15 the top, top handle.

16 Q And showing you State's Exhibit No. 32. Did
17 you ultimately take a picture of that?

18 A Yes, sir.

19 MR. SORENSON: May I approach real quick, your
20 Honor?

21 THE COURT: Sir, you with me?

22 THE JUROR: Yes, sir.

23 THE COURT: You sure?

24 THE JUROR: I'm sure.

25 THE COURT: You appear to be dozing off. Are

1 you?

2 THE JUROR: No, sir.

3 THE COURT: I can't have that now, please.

4 I'll substitute an alternate if you do it again.

5 Q (By Mr. Sorenson) I'll show you State's
6 Exhibit No. 32. What is that a photograph of?

7 A That's a photograph of the U.S. Airways luggage
8 tag with the name Cleophas Edwards.

9 Q Cleo Edwards?

10 A Cleo Edwards, yes, sir.

11 Q And is that the same tag that can be seen at
12 the top of State's Exhibit No. 31?

13 A Yes, sir, it is.

14 Q Did you have an opportunity then to ultimately
15 open that suitcase up?

16 A Yes, sir, I did.

17 Q Showing you State's Exhibit No. 33. Is that
18 the photograph of that suitcase once it was opened?

19 A Yes, sir.

20 Q What, if any items, of kind of value to you did
21 you find within that suitcase?

22 A When I first opened it, I noticed the pair of
23 Greedy Genius brand tennis shoes.

24 Q Was that from the interview of Mr. Edwards the
25 night before, and also from your finding of the crime

1 scene, is that ultimately what you were looking for?

2 A Yes, sir.

3 Q And were those shoes collected?

4 A Yes, they were.

5 Q Showing you State's Exhibit No. 40. Are those
6 those shoes?

7 A Yes, sir.

8 MR. SORENSON: Your Honor, at this time, we'd
9 offer State's 40 into evidence.

10 MR. WISE: I have a different objection.

11 THE COURT: Make it.

12 MR. WISE: This relates to the chain of custody
13 of this. Apparently, this witness received these items
14 of the suitcase from somebody else. And I'd submit we
15 need that person to come in.

16 THE COURT: Is that an objection?

17 MR. WISE: It is an objection, your Honor, as
18 to the chain of custody.

19 THE COURT: Sustained.

20 MR. SORENSON: Can I be heard a little more on
21 that?

22 THE COURT: Yeah. Go ahead.

23 MR. SORENSON: Well, I -- I mean, I guess my
24 first part of it is, she's on the way. I mean, we're
25 going to have that witness.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 THE COURT: We'll do it when she gets here.

2 MR. SORENSON: Can I just get him to I.D. them
3 for the time?

4 THE COURT: Sure.

5 Q (By Mr. Sorenson) Are these those -- appear to
6 be the shoes that you -- are these the shoes that you
7 recovered from that suitcase?

8 A Yes, they are.

9 MR. SORENSON: And I guess my objection is, I
10 mean, they're not a fungible -- they are a nonfungible
11 item. I mean, they're a pair of shoes.

12 THE COURT: Well, you can introduce them when
13 you -- you've just got to establish that one other
14 little leg.

15 MR. SORENSON: But he's the one that collected
16 them, I guess. I mean, he --

17 THE COURT: I've made my ruling. Move along.

18 MR. SORENSON: Yes, sir.

19 Q (By Mr. Sorenson) Those are the shoes that you
20 collected, just for I.D. purposes, out of that suitcase?

21 A Yes, sir.

22 Q And, ultimately, were there any items of
23 clothing that you collected from that suitcase also?

24 A Yes, sir, there were.

25 Q Let me ask you this: Did you collect all the

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 items of clothing that were in the suitcase?

2 A No, sir, not all.

3 Q What did you do prior to determining any of the
4 items may have some relevance?

5 A Basically removing each item one by one, and
6 searching to see if it appeared to be any blood on them
7 and then also phenol tests.

8 Q And tell the jury what a phenol test is.

9 A Basically, it's where sterile water is
10 introduced to a cotton swab, the surface is then rubbed,
11 and then peroxide -- phenolphthalein -- drops of
12 phenolphthalein are introduced and then peroxide. And
13 the results would be a pink if there's presence of
14 blood.

15 Q And were there any items of clothing or any
16 items within that suitcase that tested positive for the
17 possible presence of blood?

18 A Yes, sir.

19 Q Okay. And what items were there that you
20 collected out of there, besides those shoes, that you've
21 identified?

22 MR. WISE: Your Honor, I'm going to interpose
23 the same objection later to whatever he did.

24 THE COURT: He can identify what he did. They
25 just aren't in evidence yet. So he can say what he's

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 done to them, and then when they come in, if they do,
2 he'll. . .

3 MR. SORENSON: Thank you.

4 Q (By Mr. Sorenson) Let me show you State's
5 Exhibit No. 36. Is that one of the items that you
6 collected?

7 A Yes, sir.

8 Q And what -- what is that? If you could just
9 I.D. what that is, for the time being.

10 A Bloodstained blue jeans.

11 Q And those items were collected?

12 A Yes, sir.

13 Q Okay. What ultimately was done with those
14 items after you collected them?

15 A They were packaged and then submitted to SLED,
16 State Law Enforcement Division.

17 Q And State's Exhibit No. 37, ask you what that
18 item is. Maybe take a bag out of the plastic bag if you
19 can't read the. . .

20 A Yes, sir. It is a white, bloodstained T-shirt.

21 Q Okay. And that item was collected by you from
22 that suitcase also?

23 A Yes, sir.

24 Q And what, if anything, did you then do with
25 that item?

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1 A It was submitted the State Law Enforcement
2 Division for DNA analysis.

3 Q The paper bag here, whose handwriting is on
4 that paper bag?

5 A Mine.

6 Q You sealed these items in those paper bags
7 before they were transported to SLED?

8 A Yes, sir.

9 Q Additionally, Investigator Ketcherside, did you
10 find any items within the suitcase that appeared to
11 relate to the Defendant Cleophas Edwards besides a
12 luggage tag on the outside of it?

13 A Yes, I did.

14 Q Showing you State's Exhibit No. 34. Do you
15 recognize those?

16 A May I open it?

17 Q Yes, sir.

18 A Yes, sir.

19 Q Are those items that you collected from that
20 suitcase?

21 A Yes, sir, they are.

22 Q Okay. And are those items that have the
23 Defendant's name and information on it?

24 A Yes, sir.

25 MR. SORENSON: At this time, we'd offer

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Wm. Ketcherside

1 State's 34 into evidence.

2 MR. WISE: We have the same objection.

3 THE COURT: Same ruling.

4 MR. SORENSON: It is marked for I.D. at this
5 time.

6 (State's Exhibit No. 34, Search Warrant, is
7 marked for identification.)

8 MR. SORENSON: Beg the Court's indulgence for
9 one second, your Honor.

10 Q (By Mr. Sorenson) Just so I'm clear,
11 ultimately, the knife that was collected on Mingo
12 Street, the hoodie and the T-shirt from Mingo Street,
13 and the three items that you've identified from the
14 suitcase -- the shoes, other T-shirt, and the jeans --
15 were all packaged, secured by you, and then sent to
16 State Law Enforcement Division for further testing?

17 A That's correct.

18 MR. SORENSON: Beg the Court's indulgence just
19 one second.

20 (Mr. Sorenson speaks with Mr. Bell off the
21 record.)

22 MR. SORENSON: That would be all I have from
23 this witness.

24 THE COURT: Cross-Examination.

25 MR. WISE: Thank you, your Honor.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 **CROSS-EXAMINATION**

2 **BY MR. WISE:**

3 Q Good morning, Deputy Ketcherside.

4 A Good morning.

5 Q Deputy, let me start with this: You are the
6 main forensics person at the Sheriff's Department?

7 A I'm not the main. I work in forensic services.
8 My supervisor is Lieutenant Gerald Carter.

9 Q Okay. I thought you were the supervisor.

10 A No, sir.

11 Q Okay. I want to go back to what you found on
12 Goff Avenue.

13 A Yes, sir.

14 Q Okay. When you went into the house, you found
15 that there were two entrances into the house; correct?

16 A That's correct.

17 Q There was a living room entrance and a kitchen
18 entrance?

19 A Yes, sir.

20 Q Very good. And there was a footprint on the
21 floor in the kitchen, wasn't that correct?

22 A Yes, sir.

23 Q Okay. A bloody footprint?

24 A Well, it's at the hallway, kind of at the
25 entrance. I don't recall one in the kitchen.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

- 1 Q A person stepped into the kitchen?
- 2 A Yes, sir.
- 3 Q Okay. All right. You say you found latent
- 4 fingerprints on a -- on a cover to a pot and a doorknob,
- 5 did you find any other pieces of fingerprints?
- 6 A No, sir.
- 7 Q Throughout the whole house?
- 8 A No, sir, nothing else.
- 9 Q Did you -- you used your best efforts to look
- 10 for fingerprints?
- 11 A That's correct.
- 12 Q Didn't find any?
- 13 A No, sir.
- 14 Q Okay. The blood smear that you described on
- 15 the door, did you analyze -- did you take a swab of that
- 16 blood?
- 17 A Yes, sir, I did.
- 18 Q And what did you do with it?
- 19 A It was packaged -- it was originally sent to
- 20 SLED. I'm not sure if it was actually analyzed or not
- 21 due to their limits on how much stuff can be sent at one
- 22 time.
- 23 Q There was --
- 24 A It may have been sent back.
- 25 Q There was a smear on the inside and on the

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 outside?
2 A Yes, sir.
3 Q And you took swabs of both?
4 A Yes, sir.
5 Q When you looked through the bedrooms, did you
6 find any footprints in any of the bedrooms?
7 A No, sir.
8 Q Especially that back bedroom where you thought
9 the computer was. You looked in there; right?
10 A Yes, sir, I looked in there.
11 Q You used the spray that you put down?
12 A Yes, sir.
13 Q Nothing?
14 A No, sir.
15 Q Okay. Very good. Talking about that bedroom
16 for a minute, you don't know where that computer might
17 have been on the morning of February 3rd, do you?
18 A I can only go by what I was told.
19 Q You're just guessing?
20 A I was told it was supposed to be on that table.
21 Q All right. The knife that you found --
22 A Yes, sir.
23 Q -- did you attempt to take any fingerprints
24 from this knife?
25 A No, sir, I didn't.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 Q You did not?
2 A No, sir.
3 Q Okay. Okay. When you found that glass vase,
4 did you attempt to take any fingerprints on that vase?
5 A Yes, sir, I did.
6 Q Did you find any?
7 A No, sir, I did not.
8 Q Okay. The EBT cards that you found, did you
9 attempt to fingerprint them?
10 A Yes, sir.
11 Q Did you find any fingerprints on --
12 A No, sir.
13 Q -- any of them?
14 Okay. And when you were looking at these
15 items, the -- the knife, the vase, the EBT card, you
16 knew that these items were connected to a murder?
17 A It appeared so, yes.
18 Q Okay. In the field -- in the yard behind the
19 Mingo Street building, you found two other jackets,
20 didn't you?
21 A Yes, sir, I did.
22 Q And did you do anything with those jackets?
23 A Yes, sir. I also did a phenolphthalein test on
24 those as well, and they were negative for the presence
25 of blood.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 Q Did you do any -- did you submit any of those
2 jackets to SLED for analysis?

3 A No, sir.

4 Q Okay. You did your test, no blood, that was
5 the end of it?

6 A Yes, sir.

7 Q Okay. All right. And you would agree with me,
8 wouldn't you, that you could have DNA on an object and
9 not have blood on an object?

10 A Yes, sir.

11 Q All right. Now, inside the residence, the [REDACTED]
12 [REDACTED] residence, there's a lot of blood?

13 A Yes, sir.

14 Q You found some blood droplets that you thought
15 were inconsistent with the blood drop -- with the blood
16 around the victim; correct?

17 A That's correct.

18 Q Now, when you say they were inconsistent blood
19 droplets, what do you mean by that?

20 A They were 90-degree droplets, so, to me, it
21 would indicate that somebody was standing still or
22 moving slowly and the blood was just dripping from
23 either a hand or an object, something of that nature.

24 Q Now, you're familiar with people using a knife
25 like that one and cutting themselves when they are --

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 when it gets wet with blood, that kind of thing? That
2 happens?
3 A Yes, sir.
4 Q That happens?
5 A Yes, sir. People cut themselves.
6 Q So if a person is holding that knife and cuts
7 himself with that knife, that blood that drips could be
8 a 90-degree drop from the -- the person who cut
9 themselves who is holding the knife?
10 A Could be.
11 Q Okay. All right. Did you -- those
12 inconsistent blood droplets, did you take a swab of
13 them?
14 A Yes, I did.
15 Q You sent them to SLED?
16 A Yes, sir, they were.
17 Q All right. Okay. And you would agree with me
18 that if those blood droplets -- if a person cuts
19 themselves and drips on [sic] the blood and you analyze
20 them, you would know who that person was who cut
21 themselves?
22 A Yes, sir, you could identify them.
23 Q Okay. Did you put bags on the hands of
24 Mrs. Hanton?
25 A Yes, sir, I did.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 Q You did that yourself?

2 A Yes, sir. Myself and Lieutenant Carter.

3 Q And explain to the jury why you do that.

4 A That's to preserve any evidence, such as skin

5 cells, if she may have scratched someone trying to

6 defend herself, to preserve any evidence that may be on

7 her hands.

8 Q And the "someone" would be the person who

9 attacked her?

10 A Yes, sir.

11 Q Okay. Now, I want to talk about what you found

12 at Cleophas' residence. Based on your investigation,

13 did you learn how many people lived there?

14 A Yes, sir.

15 Q And how many were there?

16 A I believe there were three.

17 Q Okay. All right. Cleophas, Melvin, Isaac?

18 A I believe that's correct.

19 Q Okay. And did you look in all of their

20 bedrooms?

21 A Yes, sir, I did.

22 Q Okay. And you found knives in the bedrooms of

23 Melvin and Isaac?

24 A Yes, sir. Well, I can -- I don't know whose

25 rooms they were. The room I found one knife in was

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 vacant, and the other one was a bedroom of -- I can't
2 remember the exact name.

3 Q Okay. It was a knife that was found in a
4 nightstand?

5 A Yes, sir.

6 Q Do you remember when you looked in that bedroom
7 that there was a woman's magazine, Marie Claire, I
8 think, on the nightstand?

9 A I don't recall that. I would have to look at a
10 photograph or something.

11 Q Okay. The knives that you found all had metal
12 handles and black rubber or plastic handles; correct?

13 A They were metal knives with black plastic or
14 rubber handles.

15 Q Okay. And you also found a similar knife to
16 that in the kitchen?

17 A Yes, sir.

18 Q So there was a similar knife in the kitchen, a
19 similar knife in each bedroom?

20 A Yes, sir.

21 Q Okay. Let me be specific. A similar knife in
22 the bedroom where you found the -- in the bedroom with
23 the night -- knife in the nightstand, that was similar?

24 A Yes, sir.

25 Q And then there was a similar knife in the room

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 that is now vacant?

2 A Yes, sir.

3 Q And that room, you had to break in to get in?

4 A Yes, sir, that's correct.

5 Q Did you find out whose room that you were
6 breaking into was?

7 A No, sir. I don't -- I don't recall whose room
8 that was.

9 Q Okay. Now, these knives, did you analyze any
10 of them to determine if there was any DNA on them?

11 A They were -- they were looked at. There wasn't
12 any blood that appeared to be on them when I looked at
13 them and at the time of collection.

14 Q Did you take a swab of the knives?

15 A No, sir, I did not.

16 Q Okay. You didn't swab any of them, not the two
17 in the bedrooms or the one in the kitchen?

18 A No, sir, did not swab them.

19 Q Okay. And just to be clear, the knife that
20 was in that room that nobody was staying was in an
21 entertainment center?

22 A Yes, sir.

23 Q Okay. All right. Now, let's talk about the
24 computer. When you came into possession of the
25 computer, did you make any attempt to do any

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 fingerprinting of the computer?

2 A I never came in possession of the computer.

3 The computer was collected by one of the officers prior
4 to my arrival on Campus, and they were advised to turn
5 it into evidence to be sent.

6 Q Have you ever taken that computer and tried
7 to --

8 A No, sir.

9 Q -- do anything to it?

10 A No, sir. Personally, I did not.

11 Q Okay. I assume, then, you did not do any kind
12 of DNA swipe of the computer?

13 A No, sir, I did not.

14 Q Did you turn on the computer --

15 A No, sir, I did not.

16 Q -- to try to --

17 Okay. Did anybody do any analysis of the hard
18 drive to see what websites were listed?

19 A I can't answer that.

20 Q Okay. You didn't?

21 A No, sir, I did not.

22 Q You were the -- in this case, the lead
23 forensics person?

24 A Yes, sir.

25 Q If that had happened, you would know about it?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 A Yes, sir.

2 Q Okay. The -- these footprint impressions that

3 you identified, that are here?

4 A Yes, sir.

5 Q Okay. About how far are they from where

6 Mrs. Hanton was lying?

7 A It's not represented on there. I could not

8 answer that.

9 Q Okay. How far away are they from the doorway?

10 A Can you bring it closer to where I can read the

11 writing?

12 Q Sure.

13 A I might can do the math.

14 Q Does that help?

15 A Number six, I would say, is somewhere around

16 -- somewhere around two foot from -- from Mrs. Hanton.

17 Q Okay. Okay. And number six would be the

18 closest to Mrs. Hanton?

19 A Yes, sir.

20 Q And that's about two feet from Mrs. Hanton?

21 A Yes, sir.

22 Q And about how far from the door?

23 A Approximately five-foot-one.

24 Q About five feet?

25 A Yes, sir.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Wm. Ketcherside

1 Q Okay. So these footprint impressions are
2 relatively close to the door, probably a step inside,
3 from what you -- what you remember?

4 A Yes, sir. I mean, they're inside the door,
5 between the doorway and Mrs. Hanton's body.

6 Q All right. I'm going to ask you one question
7 about State's 35, which is that package containing the
8 black hooded jacket.

9 A Yes, sir.

10 Q Is just the jacket in this?

11 A No, sir. It's also a T-shirt, a black T-shirt.

12 Q A black T-shirt?

13 A Yes, sir.

14 Q You packaged them together?

15 A I did that, yes, sir.

16 Q Why would you do that?

17 A Because they were found -- they were located
18 together. They were within the same item number. I
19 pulled them apart to document them on that scene, but
20 they were ultimately packaged together and sent together
21 as one item.

22 Q And you're the expert. But when two items with
23 blood on them come into contact, they can --

24 A Well, they were already in contact. That's the
25 reason why they were left in contact.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Redirect Examination by Mr. Sorenson of Wm. Ketcherside

1 Q Were they found together?

2 A Yes, sir, they were.

3 Q One inside the other?

4 A One was bundled up inside of the other.

5 MR. WISE: Okay. Very good.

6 Your Honor, may I have one moment?

7 THE COURT: You may.

8 (Mr. Wise speaks with Ms. Hinds off the
9 record.)

10 MR. WISE: Deputy, thank you.

11 THE WITNESS: Yes, sir.

12 THE COURT: Anything on Redirect?

13 MR. SORENSON: Just real briefly, your Honor.

14 **REDIRECT EXAMINATION**

15 BY MR. SORENSON:

16 Q Mr. Wise had asked you about some other jackets
17 that were found out there on Mingo Street --

18 A Yes, sir.

19 Q -- is that correct?

20 Can you describe those jackets for the jury?

21 A One was a small, almost child size or maybe a
22 petite, female-size hoodie. And the other one appeared
23 that it may have been there for quite some time. There
24 was some discoloring or fading of the material, had some
25 dirt pretty much adhered to it.

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1 Q Did you check those two items, needless to say,
2 to see whether there appeared to be any blood on either
3 of them?

4 A Yes, sir.

5 Q And did anything show up positive on those?

6 A No, sir. There was no -- it was negative for
7 presence of blood.

8 Q So those items were collected, but they were
9 not sent out to SLED; is that correct?

10 A Correct.

11 MR. SORENSON: That will be all I have, your
12 Honor.

13 THE COURT: All right. You may step down.

14 THE WITNESS: Thank you, sir.

15 THE COURT: Everybody okay?

16 Next witness.

17 MR. SORENSON: May we approach real quick?

18 THE COURT REPORTER: On the record?

19 MR. SORENSON: No.

20 (A discussion is held off the record.)

21 MR. SORENSON: I got one I can call while
22 waiting. Lieutenant Carter.

23 THE COURT: Where is she? Mr. Sorenson, where
24 is she?

25 (A discussion is held off the record.)

1 THE COURT: Come around, sir, and please place
2 your left hand on the Bible, please raise your right.

3 (The oath is administered by the Deputy Clerk
4 of Court, and the witness answers as follows:)

5 THE WITNESS: Yes, I do.

6 THE DEPUTY CLERK OF COURT: Thank you. If you
7 would, state your name for the record and spell your
8 last name. Thank you.

9 THE WITNESS: It's Gerald David Carter. Last
10 name is C-a-r-t-e-r.

11 THE DEPUTY CLERK OF COURT: Thank you.

12 GERALD DAVID CARTER,
13 having been first duly sworn by the Deputy Clerk of
14 Court to tell the truth, the whole truth, and nothing
15 but the truth, was examined and testified upon his oath
16 as follows:

17 DIRECT EXAMINATION

18 BY MR. SORENSON:

19 Q Lieutenant Carter, where are you employed?

20 A The Orangeburg County Sheriff's Office.

21 Q And what do you do with the Orangeburg County
22 Sheriff's Office?

23 A Forensic investigations, crime scene
24 investigations.

25 Q Are you the supervisor over that unit?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Gerald Carter

1 A Yes, sir, I am.

2 Q How long have you been with the Sheriff's
3 Office?

4 A Twenty years.

5 Q All right. And I want to turn your attention
6 specifically -- did you kind of assist Investigator
7 Ketcherside in the processing of several of these scenes
8 and things of that nature?

9 A Yes, I assisted on the case.

10 Q I want to turn your attention specifically to
11 the evening of February 16th of 2011. Did you respond
12 out to [REDACTED] to assist in the processing of
13 that house that night?

14 A Yes, sir, I did.

15 Q Okay. And tell the jury, did there come a time
16 when you were there that night that some individuals
17 brought a piece of evidence to you at the scene out
18 there?

19 A Yes, sir. Some individuals brought a suitcase
20 to the location which they said belonged --

21 MR. WISE: Objection, your Honor.

22 MR. SORENSON: Can't say what they said.

23 THE WITNESS: Oh, I'm sorry.

24 Q (By Mr. Sorenson) They turned the suitcase
25 over. And in whose custody did they turn that suitcase

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Gerald Carter

1 over to?

2 A They turned it over to me.

3 Q Showing you State's Exhibit No. 31. Is that
4 that suitcase?

5 A Yes, sir.

6 Q Okay. And when you received it that -- that
7 evening, did it have any kind of luggage tags or any
8 kind of identification on the suitcase?

9 A Yes, sir, it did.

10 Q Showing you State's Exhibit No. 32. Is that
11 that luggage tag that was on there?

12 A Yes, sir.

13 Q And that -- U.S. Airways, and whose passenger's
14 name is on it?

15 A Let me double-check that. Cleo Edwards.

16 Q Okay. Now, when you received that suitcase
17 that night, Lieutenant Carter, did you do anything with
18 it initially when you got it out there that --

19 A I did open it, yes, sir.

20 Q You opened it? Okay. And what, if anything,
21 did you see when you opened it?

22 MR. WISE: I'm going to have the same objection
23 related to anything that was inside or related to that
24 suitcase.

25 THE COURT: On custody -- I mean, on chain of

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Gerald Carter

1 custody?

2 MR. WISE: Yes, sir.

3 THE COURT: Well, he's establishing the chain
4 right now.

5 MR. SORENSON: I mean, that's what I thought
6 you wanted me to do, so that's what I'm trying to do.

7 THE COURT: Hey, guys, y'all have been real
8 good so far. Fussing at each other --

9 MR. SORENSON: Okay.

10 THE COURT: He's just establishing the chain.
11 He's doing what you asked him to do.

12 Q (By Mr. Sorenson) You opened that suitcase out
13 there?

14 A Yes, sir, I did.

15 Q What, if anything, did you observe when you
16 opened that suitcase?

17 A I only had it opened briefly. I observed a
18 shoe. There was a -- a -- a black shoe and some
19 clothing.

20 Q Okay. And did that shoe mean anything to you
21 when you saw it?

22 A Yes, sir, it did. The sole patterns on the
23 bottom of the shoe, I recognized it as being similar or
24 the same as the one that we had seen at the scene on
25 [REDACTED]

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Gerald Carter

1 Q What did you do then upon observing that? What
2 did you do with the suitcase?
3 A Once I realized the significance, possibly, of
4 this shoe, I zipped it back shut.
5 Q Okay.
6 A I zipped the case shut and secured it in my
7 truck.
8 Q Was that suitcase then secured at the Sheriff's
9 Office until the following day?
10 A Yes, sir.
11 Q Investigator Ketcherside testified that he
12 ultimately was the one that ended up searching it; is
13 that correct?
14 A Yes, sir.
15 Q Who -- did somebody obtain a search warrant for
16 that suitcase to be searched?
17 A I did, sir.
18 Q You did that. You turned that over to
19 Investigator Ketcherside?
20 A Yes, sir.
21 Q And did you remove anything from the suitcase
22 that night?
23 A No, sir.
24 Q Anybody remove anything in your presence from
25 that suitcase?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Gerald Carter

1 A No, sir.

2 Q Anybody place anything in the suitcase in your
3 presence?

4 A No, sir.

5 Q Did you place anything in the suitcase?

6 A No, sir.

7 Q Okay. When it was searched the following day
8 by Investigator Ketcherside, was it in the same
9 condition it was the night that you received it, the
10 night before, out there on Campus Drive?

11 A Yes, sir.

12 MR. SORENSON: Okay. That will be all I have.

13 THE COURT: Questions? Cross?

14 MR. WISE: Very briefly.

15 CROSS-EXAMINATION

16 BY MR. WISE:

17 Q Investigator Carter, how did you open the
18 suitcase?

19 A Unzipped the top of it.

20 Q You didn't have to cut it?

21 A No, sir.

22 Q Didn't have a lock on it?

23 A No, sir.

24 MR. WISE: Thank you.

25 THE COURT: You may step down.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Gerald Carter

1 Need a break?

2 MR. SORENSON: Can we take a short break, your
3 Honor?

4 THE COURT: Ladies and gentlemen of the jury,
5 we're going to take a quick morning break. We're going
6 to probably go to about 1:15 before we break for lunch.
7 Is that -- anybody getting too hungry for that?
8 Everybody okay with that?

9 Thank you. Don't discuss the case and don't
10 deliberate. We'll take a ten-minute break and stretch
11 your legs.

12 (The Jury is escorted from the courtroom at
13 12:03 p.m.)

14 (The Judge steps off the bench at 12:03 p.m.,
15 and then at 12:17 p.m., the Judge resumes the bench.)

16 THE COURT: All right. I am going to excuse
17 Juror Number 46, Richard K. Douglas. He has been asleep
18 a number of times.

19 Madam Clerk, get me three little tiny pieces of
20 paper and put 1, 2, 3 on it and randomly draw one. And
21 one will represent alternate one; two, alternate two;
22 three, alternate three. And we will elevate whoever
23 that is to the rank of the jury panel.

24 Madam Clerk, how about ask Juror Number 46,
25 Mr. Douglas, to step out here, please.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Gerald Carter

1 (The Juror Number 46 is escorted into the
2 courtroom at 12:18 p.m.)

3 THE COURT: Mr. Douglas, I want to thank you
4 for your service as a juror this week. I find it
5 necessary to relieve you, so please have a nice day.
6 Thank you. You can go out that way.

7 THE JUROR: All right.

8 THE COURT: Any objection by the State?

9 MR. SORENSON: No, sir.

10 THE COURT: By the Defendant?

11 MR. WISE: No, your Honor.

12 THE COURT: And for the record, the reason was,
13 I had to call him down for sleeping once and took a
14 while to wake him up. It's been brought to my attention
15 by other court personnel that he's been asleep on a
16 number of occasions. The Clerk has now got three little
17 pieces of paper. Somebody draw it. Not me. And it is
18 number one.

19 So that is, Christopher M. Fanning will be
20 elevated as juror -- to the regular jury panel, leaving
21 us two alternates.

22 Any objection to that by the State?

23 MR. SORENSON: No, sir.

24 THE COURT: By the Defendant?

25 MR. WISE: No, your Honor.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Mr. Wise of Gerald Carter

1 THE COURT: All right. Bring the jury up,
2 please.

3 (The jury is escorted into the courtroom at
4 12:20 p.m.)

5 THE COURT: Mr. Fanning. Which one is
6 Mr. Fanning?

7 I have elevated you to the jury. The other
8 gentleman I had to relieve. Everyone please stay awake.

9 Mr. Sorenson.

10 MR. BELL: Please the Court, your Honor, the
11 State would call Britney Davis to the stand.

12 THE COURT: Ma'am, if you would come right up
13 here, please. Good morning. How are you?

14 THE WITNESS: I'm fine. And you?

15 THE COURT: I understand you flew in from
16 Indianapolis?

17 THE WITNESS: Yes.

18 THE COURT: If you would come right over here,
19 please, ma'am. Place your left hand on that Bible right
20 there and raise your right, please, ma'am. Right here.

21 (The oath is administered by the Deputy Clerk
22 of Court, and the witness answers as follows:)

23 THE WITNESS: Yes.

24 THE DEPUTY CLERK OF COURT: Thank you. You may
25 have a seat.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1 THE COURT: Have a seat right there. Mr. Bell
2 is going to ask you some questions. Please, ma'am,
3 answer loud so the gentleman on the back of the jury box
4 can hear you. Thank you.

5 BRITNEY DAVIS,
6 having been first duly sworn by the Deputy Clerk of
7 Court to tell the truth, the whole truth, and nothing
8 but the truth, was examined and testified upon her oath
9 as follows:

10 DIRECT EXAMINATION

11 BY MR. BELL:

12 Q Ms. Davis, if you talk to me, I think everybody
13 will be able to hear; okay?

14 A (The witness moves head up and down.)

15 Q Where are you from, ma'am?

16 A Lafayette, Indiana.

17 Q And where were you living last year, February,
18 2011?

19 A Orangeburg.

20 Q And why were you living in Orangeburg at that
21 time?

22 A I went to Claflin University.

23 Q How long had you been in Orangeburg up until
24 then?

25 A Like three years.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1 Q And were you dating anybody back then?
2 A Melvin Simmons.
3 Q How long had you been dating him?
4 A Since I -- like, three years.
5 Q And back in February of last year, where did he
6 live?
7 A [REDACTED].
8 Q And that's in Orangeburg?
9 A Yes.
10 Q And was he living with anybody at that time?
11 A Cleo and Simba.
12 Q Who is Cleo?
13 A Cleophas Edwards was his roommate.
14 Q Okay. Do you see Cleophas Edwards, or Cleo, in
15 the courtroom today?
16 A Yes.
17 Q Could you please point him out for the jury.
18 A That's Cleo.
19 MR. BELL: Your Honor, ask the record reflect
20 that the witness identified the Defendant.
21 Q (By Mr. Bell) And you said Simba. Do you know
22 his real name?
23 A Isaiah Smith.
24 Q And at -- you said that Melvin was living -- do
25 you remember when Mr. -- when Cleo was arrested that

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1 particular day and night?

2 A I wasn't there, but I did receive a phone call

3 from Melvin.

4 Q Okay. And as a result of that phone call, did

5 you go somewhere?

6 A I went to the police station.

7 Q Okay. To the sheriff's department?

8 A Yes.

9 Q Do you recall where that was located that you

10 went to?

11 A It's in the plaza with the Mexican restaurant.

12 Q Off Chestnut?

13 A Yeah.

14 Q And when you got there, who was there?

15 A Melvin was there, and of course, the cops were.

16 Q Okay. And when you got there, did the police

17 ask for you to do anything?

18 A They asked us to write a statement.

19 Q About what?

20 A About a laptop.

21 Q Okay. And do you recall -- what -- what about

22 the laptop?

23 A If we had noticed it, or if we had seen him

24 with a laptop.

25 Q Seen who with a laptop?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1. A Cleophas Edwards.
2. Q And what did you say? Had you seen him with a
- 3 laptop recently?
- 4 A Yes.
- 5 Q How long would you say before, approximately,
- 6 before that night?
- 7 A It was like that Monday.
- 8 Q Okay. And did you ask him, or did he say
- 9 anything about the laptop to y'all?
- 10 A No.
- 11 Q Did he say where he got it?
- 12 A Oh, he said that he had purposed it for, like,
- 13 \$200 off somebody.
- 14 Q Okay. And do you recall what it looked like,
- 15 or was it just a laptop, anything. . .
- 16 A It was red.
- 17 Q Okay. And after you gave them a statement
- 18 about the laptop, what happened?
- 19 A They released us. We left the station.
- 20 Q Okay. Did you leave together with Melvin?
- 21 A Yes, I left with Melvin.
- 22 Q Where did y'all go?
- 23 A We went back to [REDACTED] to get some
- 24 of his things.
- 25 Q And that's Melvin's things?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1 A Yes. To get some of Melvin's things, and then
2 we went to [REDACTED], which was where Isaiah
3 Smith was already. And we were asking for a place for
4 Melvin to stay.

5 Q Okay. How long -- now, Simba -- on the date
6 you went to the police department, was Simba a roommate
7 of Melvin's at that point?

8 A No, sir.

9 Q How long had he left before that or about, the
10 best you remember?

11 A It had been like a couple of weeks.

12 Q And so when you went there, was Simba or Isaiah
13 at Corona Apartments?

14 A Yes.

15 Q And what happened when you went up there?

16 A Well, he said that we -- Melvin could stay in
17 Cleo's room, and when we went up there, the suitcases
18 were there, and we knew those were Cleo's belongings.
19 So we packed it up in the truck, and we took it back to
20 the 1347 Campus Drive.

21 Q Was it suitcases or a suitcase?

22 A A suitcase.

23 Q Okay. So Cleo was moving out as well from
24 1347 Campus Drive?

25 A Yes, uh-huh.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Bell of Britney Davis

1 Q So you took the -- do you recall what the
2 suitcase looked like?

3 A It was about -- it was black. It was a pretty
4 big suitcase about yea-high.

5 Q And you took it back to the Campus Drive
6 location?

7 A Yes.

8 Q And what happened when you took it back there?

9 A The officer actually opened it in front of us,
10 and he shined a light. And he was just like, We have
11 what we need. And he closed the suitcase.

12 Q So you pulled back up -- I mean, you drive up
13 to the Campus Drive. I mean, do you get out and hand it
14 to somebody or bring a police officer over to the
15 vehicle?

16 A I get out, and I get the attention of one of
17 the officers that was standing outside.

18 Q Okay. And he came over?

19 A Yeah.

20 Q You showed him the suitcase?

21 A Yes.

22 Q He opened it?

23 A Yes.

24 Q And then took possession of it; is that
25 correct?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Britney Davis

1 A Yes.

2 Q Okay. And whose suitcase was that?

3 A Cleophas Edwards.

4 Q Okay. Let me show you what has been marked as

5 State's 31 in evidence and ask if you recognize that?

6 A Yes, that's the suitcase.

7 Q That's the suitcase?

8 (Mr. Bell speaks with Mr. Sorenson off the

9 record.)

10 MR. BELL: No further questions. Please answer

11 any questions the Defense has.

12 THE COURT: Ms. Hinds.

13 MS. HINDS: I just have a few very questions.

14 CROSS-EXAMINATION

15 BY MS. HINDS:

16 Q I think that your testimony was that you knew

17 that it was Mr. Edwards' suitcase. How did you know?

18 A Because he was in the process of moving to

19 Corona Drive. All three of them were friends, so that

20 was his room, the one where Melvin -- the room that

21 Isaiah offered up to Melvin was Cleo's room -- was

22 supposed to be Cleo's room.

23 Q Had you been there before?

24 A Yes.

25 Q And you recognized the suitcase at that point

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Britney Davis

1 in time, or somebody told you that it was Cleo's?

2 A Recognized the suitcase, and I was told it was
3 Cleo's.

4 Q And this was after leaving the police station,
5 after leaving Campus, where you picked up some things?

6 A Yeah, I -- yes.

7 Q You went to [REDACTED]; correct?

8 A Yes.

9 Q You didn't actually see Mr. Edwards bring that
10 suitcase there, did you?

11 A No, ma'am.

12 Q Okay. Had you been asked to bring anything
13 back to the police, or why did you bring the suitcase
14 back?

15 A We thought it was a serious issue. We thought
16 that anything that belonged to Cleo, we didn't need to
17 have possession of it.

18 Q And so you brought it back and turned it over
19 to one of the officers; correct?

20 A Yes.

21 Q You don't have any personal knowledge of what
22 may have happened on [REDACTED]?

23 A [REDACTED]?

24 Q The crime that was committed?

25 A No, ma'am.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Redirect Examination by Mr. Bell of Britney Davis

1 Q You don't have any personal knowledge of that?

2 A No.

3 Q And Mr. Edwards never talked to you or said
4 anything to you implicating himself, did he?

5 A No, ma'am.

6 MS. HINDS: One moment.

7 (Ms. Hinds speaks with Mr. Wise off the
8 record.)

9 Q (By Ms. Hinds) When you came upon the
10 suitcase, was it zipped up, closed, or did you have to
11 put his belongings into the suitcase?

12 A No. It was packed and zipped up and closed
13 already.

14 MS. HINDS: Okay. No further questions.

15 THE COURT: Redirect, if any.

16 MR. BELL: A couple, just real quick.

17 REDIRECT EXAMINATION

18 BY MR. BELL:

19 Q You or Melvin never opened it that night?

20 A No, we did not open it.

21 Q And whose idea was it to take the suitcase back
22 to the police?

23 A We discussed it before we did it.

24 Q So it was y'all's own idea?

25 A Right.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Redirect Examination by Mr. Bell of Britney Davis

1 MR. BELL: All right. Thank you.
2 THE COURT: You may step down.
3 Anything else?
4 MR. BELL: Not with this witness, your Honor.
5 THE COURT: Thank you. Thank you for coming,
6 ma'am.
7 Is she free to go back to Indiana?
8 MR. BELL: Yes, sir, your Honor.
9 THE COURT: That's sort of a quick trip, isn't
10 it?
11 Next witness, please.
12 MR. BELL: And, your Honor, based on that
13 testimony, we would offer State's 36, which is the
14 bloodstained blue jeans from the suitcase; State's 37,
15 which I believe is the T-shirt; and State's 40, which
16 are the pair of shoes.
17 THE COURT: Any objection by the Defendant?
18 MS. HINDS: No objection.
19 THE COURT: Thank you.
20 (State's Exhibit No. 36, Jeans, is admitted
21 into evidence.)
22 (State's Exhibit No. 37, T-Shirt, is admitted
23 into evidence.)
24 (State's Exhibit No. 40, Shoes, is admitted
25 into evidence.)

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Redirect Examination by Mr. Bell of Britney Davis.

1 MR. BELL: And State's 34, which were the items
2 taken out of the suitcase, items of documentation.

3 THE COURT: Any objection?

4 MS. HINDS: No objection.

5 THE COURT: Thank you.

6 (State's Exhibit No. 34, Search Warrant, is
7 admitted into evidence.)

8 MR. SORENSON: Be Karl Kenley.

9 THE COURT: Please place your left hand on the
10 Bible, raise your right.

11 (The oath is administered by the Deputy Clerk
12 of Court, and the witness answers as follows:)

13 THE WITNESS: I do.

14 THE DEPUTY CLERK OF COURT: Thank you. Please
15 have a seat and state your name for the record and spell
16 your last name.

17 THE WITNESS: Karl Kenley, Karl with a K.
18 Kenley is K-e-n-l-e-y.

19 THE DEPUTY CLERK OF COURT: Thank
20 you.

21 KARL KENLEY,
22 having been first duly sworn by the Deputy Clerk of
23 Court to tell the truth, the whole truth, and nothing
24 but the truth, was examined and testified upon his oath
25 as follows:

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

DIRECT EXAMINATION

BY MR. SORENSON.

Q Agent Kenley, if you would, please tell the jury where it is that you're employed.

A I'm a Special Agent with the South Carolina Law Enforcement Division, commonly known as SLED.

Q And how long have you been employed with SLED?

A Seven years.

Q And you have prior law enforcement background prior to that?

A Yes, sir, 22 years.

Q Tell the jury where you were employed prior to going to SLED.

A I started with South Carolina State University Police Department for about nine years. Then I went to the Benedict (phonetic) Department of Public Safety, and from there to the Casing (phonetic) Department of Public Safety, and then I went to SLED in 2005.

Q Will you tell the jury what department you're employed in out at SLED?

A The crime scene latent print department.

Q And have you been in that department the entire time at SLED?

A Yes, seven years.

Q And tell the jury just kind of what -- what the

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1 crime scene latent print department does at SLED.

2 A The SLED lab is located in Columbia, and local
3 agencies, sheriff's department, city police departments
4 submit evidence to the lab to be tested. And in the
5 latent print crime scene section, we test that evidence
6 for fingerprints. We also do fingerprint comparisons,
7 tire tread comparison, bloodstain pattern analysis,
8 crime scene reconstruction. And when requested, we also
9 respond to all 46 counties in the state to process crime
10 scenes for physical evidence.

11 Q Okay. And specifically in this case, does
12 part of your training deal with the field of footwear
13 comparisons?

14 A Yes.

15 Q And tell the jury just kind of specifically
16 with regards to that what kind of training you've had.

17 A I've completed the SLED in-house training
18 program, which incorporates all of the disciplines that
19 I've just mentioned, to include tire and footwear tread.
20 I've completed several seminars on footwear put on by
21 William Bodziak, and several seminars from the South
22 Carolina International Association of Identification.

23 Q Okay. And then part of your duties out at
24 SLED, then, have you been involved in doing footwear
25 comparisons out at SLED over the last seven years?

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 A Yes.

2 MR. SORENSON: At this time, we would offer
3 Agent Kenley as an expert in the field of footwear
4 identification or footwear comparisons.

5 THE COURT: Any cross-examination of his
6 qualifications?

7 MS. HINDS: No, sir, no objection.

8 THE COURT: Thank you. He'll be qualified as
9 an expert in that field and allowed to give opinion
10 testimony.

11 MR. SORENSON: Thank you, your Honor.

12 Q (By Mr. Sorenson) Now, I want to turn your
13 attention, if I could, Agent Kenley, specifically to the
14 items that you received in this case. The first main
15 thing I want to talk to you about initially is item --
16 State's Exhibit No. 40, a pair of shoes. Were those
17 submitted to you out at SLED?

18 A Yes.

19 Q And tell the jury, initially, kind of what --
20 First of all, what type of shoes are they? You
21 may have to pull them out to see.

22 A It's a pair of black boot-like tennis shoe.

23 Q All right. What's the brand name? Is there a
24 brand name on them? You can pull them out if you need
25 to.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 A Greedy.

2 THE COURT: I'm sorry, what?

3 THE WITNESS: Greedy.

4 THE COURT: Greedy?

5 THE WITNESS: Greedy, G-r-e-e-d-y.

6 Q (By Mr. Sorenson) And were those the shoes

7 that were submitted for your -- to you out at SLED?

8 A Yes.

9 Q All right. And what initially -- tell the jury

10 what initially you did with those -- with those shoes.

11 A After I received the shoes from the evidence, I

12 sent them to our photograph department to have him

13 photograph in the condition they were in when I received

14 them. After I received them from photograph, I took

15 them back to our laboratory and visually examined them

16 and swabbed them for blood or presumptive blood -- test

17 for presumptive blood.

18 Q Okay. And how many swabs did you end up taking

19 off of those two shoes?

20 A Total of five.

21 Q Okay. And tell the jury where those --

22 those -- were they given kind of those -- swabbed five

23 separate item numbers?

24 A Yes.

25 Q And I believe the SLED Item Nos. 17.1 through

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 17.5; is that correct?

2 A That's correct.

3 Q And where were those five swabs collected from?

4 A The first swab was taken from the left edge of
5 the left shoe, on the sole near the edge. The second
6 swab was taken from the toe area of the rubber sole.
7 And that is all on the right shoe. The third was taken
8 from the big toe side of the shoe near the front fabric
9 portion. The fourth was taken from the top of the shoe
10 on the fabric. And the fifth was taken from the little
11 toe side near the crack, near the outsole design.

12 Q Were those all spots that appeared to
13 potentially be blood?

14 A Yes. They were positively tested for
15 presumptive blood, and then they were swabbed again and
16 sent to DNA.

17 Q Showing you State's Exhibit No. 52. What is
18 contained within State's Exhibit 52?

19 A These are actually the swabs that I placed in
20 the envelopes after I swabbed them in the lab and sealed
21 it and sent them to the DNA department.

22 Q You sealed them in that plastic envelope, then?

23 A Yes. It has my initials and the date that I
24 sealed it.

25 MR. SORENSON: Your Honor, at this time, we'd

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 offer State's 52 into evidence.

2 MS. HINDS: No objection.

3 (State's Exhibit No. 52, Swabs -- Shoes, is
4 admitted into evidence.)

5 Q (By Mr. Sorenson) All right. Now, as part of
6 your analysis also out there, in addition to those pair
7 of shoes, did you receive a compact disc from the
8 Orangeburg County Sheriff's Office with multiple
9 footwear impressions on it?

10 A I did.

11 Q And in those impressions, were there
12 impressions both on a hardwood floor and also in dirt?

13 A That's correct.

14 Q What did you then do with that CD when you
15 received that?

16 A That CD, also, just like the shoes, were sent
17 to our photograph department, and they individually
18 printed out all of the pictures so that I could use
19 those pictures in comparison with the known shoes that I
20 had.

21 Q And those impressions that you then got back
22 from your photography lab, were there several of them
23 that were the same picture, just from different angles
24 of the same impression?

25 A Yes. There were several duplicate pictures.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 It was the same -- exact same picture, but it was taken
2 just from different angles, but it was the same picture.

3 Q So were you able to kind of, I guess, narrow it
4 down to just a handful of different impressions that you
5 were looking at?

6 A That's correct.

7 Q And tell the jury what your -- as a -- in your
8 department at SLED, what your capabilities are when it
9 comes to trying to compare a pair of known footwear,
10 like this pair of shoes, and impressions that were
11 documented at a crime scene.

12 A When you talk about shoe or tire tread
13 impressions or fingerprints, that's considered
14 impression evidence. And that's -- that's defined as
15 objects or materials that retain the characteristics of
16 other objects or materials by direct contact.

17 Now, what does that mean? If I walk outside
18 and step in mud, when I lift my foot, the outsole design
19 of my shoe is going to be left in mud. So it simply
20 means transferring the outsole design from my shoe to a
21 material that will retain it once my shoe is lifted.

22 Q Okay. And what ultimately, as far as --
23 especially with footwear with shoes in this case -- let
24 me kind of back up. When it comes to leaving
25 fingerprints behind, are fingerprints unique to us?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 A Yes.

2 Q So if you find a fingerprint, you can match it
3 positively that I left it behind?

4 A Absolutely.

5 Q Is footwear impressions, do they work the same
6 way?

7 A Yes. You can definitely positively identify a
8 shoe based on the characteristics on the known shoe that
9 you have, comparing it to the unknown. And if you have
10 individual characteristics in the bottom of a shoe, like
11 a crack or a rock or anything that's not there when the
12 shoe was made, and you can match that and compare that
13 with the unknown, and it's in the same position in the
14 known as the unknown, and you can actually match that
15 more than one time in that unknown impression, you can
16 positively identify that shoe as having made that print.

17 Q Okay. But if you have a shoe that doesn't have
18 a -- a -- you know, a cut mark or a rock stuck in the
19 tread or some other individual identifying feature to
20 it, what then are your limitations as far as comparing a
21 known shoe to an impression that may have been left on a
22 floor at a crime scene?

23 A Then you have what you call just simply
24 combined class characteristics. For example, like an
25 Air Force 1 is a common shoe. If you see an Air

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 Force 1, that's a known, and then you have an unknown,
2 whether it be a picture or a cast, you can look at the
3 outsole design and basically tell by the size and by the
4 pattern that the only similarities or characteristics is
5 that that outsole design on both of them are the same.
6 So that's all you have to go on.

7 Q So in that case, it could be the shoe, but --

8 A Or any other shoe.

9 Q -- you can't really tell any other shoe of the
10 same, you know, make and what have you, size?

11 A That's correct. It may be that shoe or any
12 other shoe like it.

13 Q Now, is there anything that you may look for
14 that may help kind of narrow down the shoe you are
15 looking at?

16 A If you don't have a positive identification, if
17 you have -- start with class characteristics, then you
18 start looking at wear. We all walk on our shoes
19 differently. Some people walk on the inside; some
20 people walk on the outside, for whatever reason, and the
21 shoe tends to wear in that particular part of the shoe
22 when it comes in contact with the crime. So, again, if
23 you have a known shoe that has a wear pattern, and you
24 can match that same wear pattern in the unknown, then
25 you get a little closer to an identification. But

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 still, you've got more than just class. You've got
2 class and wear, which means the outsole design is there,
3 it's the same size, outsole design is the same, and the
4 shoe is worn in the same area in the known shoe as it is
5 in the unknown.

6 Q Okay. Now, specifically turning to the items
7 that were submitted to you in this case, in order to go
8 about attempting to compare those shoes to any of those
9 impressions off of that compact disc, what has to be
10 done first with those shoes?

11 A I actually take these shoes back in the lab and
12 actually put them on, and then I use what's called a
13 piece of Mylar paper, which is just a clear piece of
14 paper. I powder the bottom of the shoe with the same
15 kind of powder you can for fingerprints, but it's red,
16 so that you get a better contrast, and I wet the Mylar
17 paper and actually step on -- with the shoe on, step on
18 that Mylar paper so that I can duplicate the outsole
19 design on a piece of paper that I can see and use to
20 make a comparison.

21 Q I'm showing you State's Exhibits No. 53 and 54.
22 Are those the two impressions that you then created off
23 of that pair of shoes?

24 A Yes. These are what we refer to as test
25 impressions, but these are just the outsole designs of

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 both of these shoes that I made.

2 MR. SORENSON: So we'd offer State's 53 and 54
3 into evidence.

4 THE COURT: Any objection?

5 MS. HINDS: No objection.

6 (State's Exhibit No. 53, Microcil -- Shoelifts,
7 Right, is admitted into evidence.)

8 (State's Exhibit No. 54, Microcil -- Shoelifts,
9 Left, is admitted into evidence.)

10 Q (By Mr. Sorenson) Now, out of the -- were
11 there multiple impression on the disc that were then
12 developed and photographed for you to look at?

13 A Yes.

14 Q Let me ask you: Were there several of those or
15 a significant number of those, actually, that were of
16 insufficient quality to do anything with?

17 A Yes. That means that there is a photograph of
18 an impression but there was not enough characteristics
19 or information in the print for me to actually make an
20 identification, or a comparison, for that matter.

21 Q All right. Let me show you State's Exhibits
22 47, 48, and 49, and ask you, are those three impressions
23 that you looked at that you were able to make at least
24 some sort of identification with?

25 A Yes.

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1 MR. SORENSON: Your Honor, I think they are in
2 evidence, but just in case they're not, we'd offer 47,
3 48, and 49 in.

4 MS. HINDS: No objection.

5 MR. SORENSON: I think they all are, but. . .

6 (State's Exhibit Nos. 47, 48, and 49 have been
7 previously admitted into evidence.)

8 Q (By Mr. Sorenson) And so these are three
9 photographs that you received out at the lab?

10 A That's correct.

11 Q And I guess initially, let me kind of go
12 through dealing with these one at a time, then I may get
13 you down in front of the jury and kind of show them a
14 little bit more of what you're looking at.

15 Specifically, initially, with State's 47, which
16 is your Item, I believe, 21.1 --

17 A Okay.

18 Q -- what were your findings when you compared
19 the impression in State's 47 to the two impressions that
20 you made off of -- off of those black shoes?

21 A The result for 21.1, which is that photograph,
22 was that it had combined characteristics for Item 17,
23 which are the shoes, but specifically the right shoe,
24 which means the right shoe of the known and that unknown
25 impression had combined class characteristics, which

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 means this shoe or any other shoe like it could have
2 made that impression.

3 Q And State's Exhibit No. 48, which is item 21.5,
4 give me the results of that.

5 A 21.5, again, is a duplicate of 21.4. And,
6 again, it's the same combined class characteristics,
7 which means that unknown impression could have been made
8 by that shoe or another shoe.

9 Q Right or left shoe?

10 A Right shoe.

11 Q Right shoe. And those two, obviously, are -- a
12 red substance and a hardwood floor?

13 A Suspected blood.

14 Q And then the last one out of the ones that you
15 were able to identify, State's 49, which is your 21.25.

16 A Correct.

17 Q And that one is obviously in dirt?

18 A In dirt.

19 Q And what were the results of State's Exhibit
20 No. 25 -- I'm sorry -- State's Exhibit No. 49?

21 A That is a shoe that has an outsole design class
22 characteristic, and it also has wear. So it's combined
23 class and wear, which means the outsole design and the
24 designs, are the same, but it also exhibits the
25 characteristics of wear in the unknown as well as the

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 known.

2 Q What shoe is that?

3 A That is the left shoe.

4 Q Okay. So that was the left shoe. Okay.

5 MR. SORENSON: Can I get him to step down, your
6 Honor, so we kind of. . .

7 (Witness steps down from the witness stand.)

8 Q (By Mr. Sorenson) These are State's Exhibit
9 Nos. 49 and 54. And I'm also going to get the left shoe
10 out, so we can kind of get you to show the jury -- make
11 sure you kind of turn so they can all see you -- kind of
12 what we are talking about, as far as the -- initially,
13 the class characteristic, but then additionally, the
14 wear pattern that you're talking about that led you to
15 what you saw on that impression.

16 A Okay. Again, when I talked earlier about
17 making test impressions is for this purpose. This is
18 what is considered the unknown. We have the known shoe
19 that's submitted. So after I put that shoe on, make
20 this impression, this starts out as a piece of paper
21 about this size, but we normally cut it down so that we
22 can use it. We simply have to put it down over this
23 unknown and just try and match it. Now, of course, if
24 this were a -- for example, a photograph of an Air
25 Force 1, but I've got this design, I don't even have to

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 do a comparison because I know that outsole design is
2 just completely different. But when I visually look at
3 the shoe and then I look at the unknown, you see the
4 similarities in the -- initially, you see the
5 similarities in the characteristics.

6 So then you have the test impression. And
7 also, we also make sure that if it's evidence that's
8 submitted to us, it has a scale so that we can at least
9 say that the shoes are the same size. And we send them
10 to photography. We have the shoes and the photographs,
11 photograph what we call one-to-one, which means
12 life-size. So when you're looking at that picture, it
13 is the real life-size of that actual shoe.

14 After you realize that the outsole design is
15 similar and the same, then you try to match it to see if
16 you can go forward making a positive identification. In
17 this case, we did not. But, again, you simply lay the
18 overlay over the shoe -- and I'd like to -- most of you
19 can't see it. But once you do that, each characteristic
20 in the unknown will match up with the characteristics in
21 the known.

22 And, again, there isn't any rocks or cuts or
23 anything in the unknown and the test impression or the
24 shoe itself that made me conclude that this was an
25 identification. But there was enough in the size --

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 and, of course, you see the scale right here -- enough
2 in the size and enough in the little characteristics,
3 every -- every circle, every X mark, everything in this
4 impression, when you lay it on top of the actual
5 picture, matches. That means that at least this shoe or
6 another shoe like it could have made this impression.

7 But then when you start going to wear, if you
8 can see down at the bottom, right here where the design
9 kind of falls off, which means that's where the shoe is
10 worn. At the bottom of this shoe, again, in that same
11 area -- it all depends on if it is in the same place in
12 the unknown and the known is when you start going to
13 where that wear pattern being.

14 In the bottom of this shoe, again, you got the
15 pattern that starts, and then toward the heel, it wears,
16 which means whoever wore this shoe, they put more
17 pressure on the heel first when their foot comes in
18 contact with the ground. In the unknown that was
19 submitted from the disc, again, you've got the pattern,
20 and then down toward the bottom, it starts to fall off.
21 Again, which is wear pattern, which means, initially,
22 this part of the shoe will look just like this, but
23 because of the wear, it's no longer there.

24 And then when I put that shoe on to make the
25 test impression, the same thing happened. You've got

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 the pattern, and then down toward the bottom, there's
2 nothing there again. So, again, when you match it --
3 and now we have class characteristics combined with
4 wear, it's not an identification, but it also means that
5 you're getting a little closer to an identification,
6 because not only do you have the same size shoe, you've
7 got the same outsole design, you've got a wear pattern
8 in the known, the unknown, and the test that all match
9 up. And that's how you do the class and wear, because
10 it wears in the exact same place in the shoe.

11 Q Going back to State's Exhibits 47 and 48, that
12 you said matched the combined class characteristics of
13 the right shoe --

14 A Correct.

15 Q -- are either one of these a full impression of
16 the whole shoe?

17 A No. That's a partial. And if you just, again,
18 look at the outsole -- look at the outsole design, you
19 see that this part and this part is there, but there's
20 nothing back here, which means either the rest of the
21 impression was wiped off before it hit the ground. But
22 the only thing you can match, again, is what you have in
23 your known. And, again, here you would do that and
24 exact same thing. You got everything that matches here.
25 The size matches. Again, because we have the ruler.

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1 Because without the ruler, we can't say that it's the
2 right size. Everything that matches in this shoe in the
3 unknown impression from the photograph matches in the
4 test impression. And, again, that's when you -- kind of
5 doing it standing up. But we actually have to lay it
6 down and basically move it around on the picture until
7 you get everything lined up.

8 Q Was there any wear patterns in that right shoe
9 impression that you made?

10 A No.

11 Q Okay. So, therefore, there would be nothing to
12 look for in this either?

13 A There's no wear pattern to look for in the
14 unknown, correct.

15 Q I guess, as far as leaving an impression like
16 this, assuming that this is blood, you're only going to
17 leave the impression with wherever there's blood on the
18 bottom of your shoe; is that correct?

19 A That's correct.

20 Q And the last thing, when you talked about those
21 individual class characteristics --

22 A Correct.

23 Q -- or it's like a cut or a rock stuck in the
24 shoe or something of that nature, on either one of these
25 shoes, were there any of those individual

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 characteristics found on either one of those shoes?

2 A No. And if there were, just say a cut, even if
3 it's very small, when I made the test impression, every
4 time I compare the test impression to the photograph,
5 that little cut or rock or whatever, every time I did
6 this, it would have duplicated, and it would have shown
7 that that was a random act and could not be duplicated
8 to exclude any other shoe. It had to have been made by
9 that particular shoe.

10 Q But with these not having that, is there any
11 way you would ever be able to positively, without a
12 doubt, identify these shoes to an impression left at a
13 crime scene?

14 A No.

15 Q The best you're going to get is the combined
16 class characteristic plus --

17 A With wear. And that's not enough to make a
18 positive identification, just with class and wear.

19 Q So there's nothing that was inconsistent in
20 these shoes with either of these three impressions that
21 were left at that scene?

22 A No.

23 Q Thank you, Mr. Kenley.

24 (The witness resumes the witness stand.)

25 MR. SORENSON: I believe that's all I have.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Karl Kenley

1 Thank you.

2 THE COURT: Cross.

3 MS. HINDS: No questions, your Honor.

4 THE COURT: Thank you. You may step down.

5 Do you have somebody that can go another 15 or
6 20 minutes?

7 MR. SORENSON: The State would call
8 Verona Gibson.

9 THE COURT: May he be excused to go back to
10 Columbia? Any objection to him --

11 MS. HINDS: No objection. I'm sorry.

12 (Mr. Kenley is excused.)

13 THE COURT: Ma'am, please come around and place
14 your left hand on the Bible and raise your right.

15 (The oath is administered by the Deputy Clerk
16 of Court, and the witness answers as follows:)

17 THE WITNESS: Yes.

18 THE DEPUTY CLERK OF COURT: Thank you. Please
19 state your name for the record and spell your last name.

20 THE WITNESS: Verona Gibson, G-i-b-s-o-n.

21 THE DEPUTY CLERK OF COURT: Thank you.

22 VERONA GIBSON,

23 having been first duly sworn by the Deputy Clerk of
24 Court to tell the truth, the whole truth, and nothing
25 but the truth, was examined and testified upon her oath

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 as follows:

2 DIRECT EXAMINATION

3 BY MR. SORENSON:

4 Q And, Ms. Gibson, if you would, tell the jury
5 where you are employed.

6 A The South Carolina Law Enforcement Division,
7 commonly known as SLED.

8 Q And how long have you been with SLED?

9 A Approximately four and a half years.

10 Q Okay. And what department do you work in?

11 A It's the evidence processing department for the
12 DNA lab.

13 Q And tell the jury kind of what you do there.

14 A We get larger pieces of evidence: clothing,
15 car parts, bed linens, that type of thing, to look for
16 body fluids, touch or ownership DNA, and hairs.

17 Q Okay. And is that something that you did in
18 this case?

19 A Yes, sir, it is.

20 Q Okay. And let me ask you -- let me show you
21 State's Exhibit No. 57. Did you ultimately prepare some
22 diagrams kind of indicating where you collected some
23 evidence from on the items that were submitted to you?

24 A Yes, sir, I did. Yes, sir, this appears to be
25 copies of my diagrams.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 MR. SORENSON: Your Honor, at this time, I'd
2 offer State's 57 into evidence.

3 MS. HINDS: No objection.

4 (State's Exhibit No. 57, Diagrams, is admitted
5 into evidence.)

6 Q (By Mr. Sorenson) Now, just kind of take these
7 one at a time. What items were submitted to you for
8 your analysis out there?

9 A There was a jacket, a T-shirt, another shirt, a
10 knife, jeans, and then a pair of shoes at a later date.

11 Q Okay. And we'll start initially with the
12 jacket, I guess. Was there two items that were
13 submitted together?

14 A Yes, sir, the jacket and the T-shirt.

15 Q And showing you State's Exhibit No. 35, are
16 those -- appear to be the items -- if you need to take
17 them out, you can, but do those appear to be the items
18 that were submitted to you?

19 A Yes, sir, they do. I can tell by our item
20 number, my initials, the lab number, and the date on
21 which I processed them, which is on the outer packaging
22 as well as the still sealed package and paper on the
23 inside.

24 Q And on those items, did you ultimately give
25 them a -- individual item numbers or sub-item numbers?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 A I did, yes, sir.

2 Q And dealing initially with the black, kind of,
3 hoodie jacket, what item number did that receive out at
4 SLED?

5 A That is 15.1.

6 Q And with regards to Item 15.1, tell the jury
7 what you did with that item.

8 A The request for that item was for ownership and
9 for blood. So, first, we do a visual exam to see if we
10 see any areas that could possibly be blood. If we find
11 any areas that do appear to be possible blood, we do a
12 quid (phonetic) chemical change test. It's just
13 swabbing the area with a moistened cotton swab -- like a
14 big cotton swab, dropping a couple of chemicals on it;
15 and if there's a color change, there's a possibility
16 that's blood. So we would cut that area and forward it
17 to the DNA department.

18 For ownership, we scrape the neck and usually
19 the cuffs or the collar -- I, mean the collar or the
20 -- excuse me -- the collar and the cuffs or the collar
21 and the underarms, because those are areas that impact
22 the skin the most as you wear it. Then we swab that
23 area, swab the scraper, and swab the paper on which we
24 process the item.

25 Q And, specifically, with Item 15.1, the hoodie,

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 what did you end up collecting from that item?

2 A I took one cutting that was positive for the
3 presumptive test for blood.

4 Q And where was that item?

5 A That was on the top, right sleeve.

6 Q Okay. And showing on this diagram, is that
7 where my finger is pointing right there?

8 A Yes.

9 Q So you took a cutting from that part of the
10 jacket?

11 A Yes, sir.

12 Q What was then done with that cutting?

13 A It's sealed in a small coin envelope, which is
14 like a little manila envelope, my initials and the date
15 that I collected it are placed on the seal in the back,
16 and then it's put into a larger envelope.

17 Q And that was given the Number 15.1.1?

18 A Point one, yes, sir.

19 Q And how about any other things collected from
20 there?

21 A I also scraped the neck and the cuffs of this
22 item, and then swabbed it. And that swab was given the
23 Item No. 15.1.2.

24 Q And that's kind of noted on here also with an
25 arrow, I guess, pointing to the --

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1 A To the two cuffs in the collar area.

2 Q Okay. And did you collect anything else, then,
3 from that item?

4 A There was possible hair collected in with the
5 hair for the possible hair from the T-shirt.

6 Q And that was 15.2.2?

7 A Yes, sir.

8 Q Okay. All right. And then the T-shirt that
9 came in with that jacket, that was given Item 15.2. Did
10 that test positive anywhere for possible blood?

11 A No, sir, it did not. There were several areas
12 negative, but no areas were positive.

13 Q So what, if anything, did you collect, then,
14 from that item?

15 A On this item, I scraped the neck and the
16 underarms of this item, since it didn't have cuffs, and
17 the swab from that item was 15.2.1.

18 Q And that's documented in your worksheets as
19 being the swabs that you took?

20 And then I believe you received, also, your
21 Item 16; is that correct?

22 A Yes, sir.

23 Q Which is State's Exhibit 37. Let me show you
24 that and see if you see recognize that.

25 A Yes, sir. My initials and the item number and

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 the lab number are on the outer package -- both outer
2 packaging and the processing paper that appears to be
3 still sealed.

4 Q And that Item 16, then -- your Item 16, did you
5 also process that for the possibility of blood being
6 present?

7 A Yes, sir, I did.

8 Q And did you get any positives?

9 A Yes, sir. There was areas on there that were
10 positive. I took one of these, which is Item -- we --
11 became Item 16.1.

12 Q And that is where my finger is located right
13 there?

14 A Correct, yes, sir.

15 Q So that was cut out and sent to DNA?

16 A Yes.

17 Q And did you also do the same type thing as you
18 did with the other shirt, as far as swabbing the cuffs
19 and the underarms?

20 A The underarms and the neck, yes, sir.

21 Q And that's 16.2?

22 A Yes, sir.

23 Q Next item, at least in the order I've got them
24 here, is -- your Item 18, I believe, is our Item 38.
25 Show you that. That's actually been repackaged in a

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1 plastic tube.

2 A But my initials are on the item itself, along
3 with the item number and the lab number.

4 Q Did you do the same thing with that as far as
5 processing that for the possible presence of blood?

6 A I did, yes, sir.

7 Q What were the results?

8 A The blade area tested positive for the
9 presumptive test for blood. So swabs from that were
10 sent to the DNA department.

11 Q Your diagram for that --

12 A 18.1.

13 Q 18.1. Did you do anything with the handle of
14 that knife?

15 A I swabbed it, yes, sir, for what we considered
16 touch DNA. It tested negative to the presumptive
17 presence for blood. So those swabs were sent for skin
18 cells of who might have held the knife.

19 Q And that's 18.2?

20 A Yes, sir.

21 Q And then, I believe, you also received a pair
22 of jeans, your Item 19, our Item 36?

23 A Yes, sir. And, yes, sir, I recognize my
24 initials on all three areas of this too.

25 Q What, if anything, did you do with those jeans?

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 A There was a cutting taken from those jeans that
2 was positive for the presumptive presence for blood and
3 forwarded to the DNA department.

4 Q And what part of the --

5 A The front near the zipper.

6 Q And, then, again, on your diagram?

7 A Yes, sir.

8 Q Where? And that's your Item 19.1, then, would
9 have been that cutting?

10 A Yes, sir.

11 Q And did you do any swabbing as far as --
12 otherwise, on the jeans?

13 A I scraped and swabbed the waistband of the
14 jeans.

15 Q Did that become your Item --

16 A -- 19.2.

17 Q And that also was sent for DNA?

18 A Yes, sir, it was.

19 Q Then you had indicated -- and all those items
20 that you collected, how would they be packaged?

21 A All those items would be packaged in small
22 envelopes, sealed. They're placed in a plastic, big
23 envelope, and then that is sealed as well?

24 Q And showing you State's Exhibit No. 56. Is
25 that all those swabs that you just -- swabs and cuttings

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 that you just talked about to the jury?

2 A Yes, sir, it does appear to be those.

3 Q And is that the envelope that you ultimately
4 sealed them in with your initials?

5 A Yes. You can tell with my initials and the
6 date at the top, as well as I filled out the front
7 section of the envelope.

8 MR. SORENSON: Your Honor, at this time, I'd
9 offer State's Exhibit 56.

10 MS. HINDS: No objection.

11 (State's Exhibit No. 56, Swabs and Cuttings, is
12 admitted into evidence.)

13 Q (By Mr. Sorenson) All right. And then you
14 testified ultimately that you -- that you kind of later
15 on had received a pair of shoes also?

16 A Correct, yes, sir.

17 Q Showing you State's Exhibit No. 40, which I
18 believe is y'all's Item 17. Let you look at those and
19 see if you recognize those.

20 A Yes, sir. My initials and the item number and
21 the lab number are on the shoes.

22 Q Okay. And what was the purpose of you -- are
23 you aware of whether those shoes had gone through
24 another department before coming to you?

25 A Yes, sir. They had been through the latent

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Verona Gibson

1 prints department for testing, but I was requested to do
2 ownership on those.

3 Q So you were aware at that point in time
4 whether -- the fact that Agent Kenley had already taken
5 some swabs for potential blood on them?

6 A Correct, yes, sir.

7 Q So what did you then do with those two items?

8 A Swabbed the interior of each shoe.

9 Q Okay. And showing you State's Exhibit No. 55.
10 Are those the swabs from those two shoes?

11 A Yes, sir, these do appear to be those swabs.

12 Q And those ended up being y'all's Items 17.6 and
13 17.7; is that correct?

14 A Yes, sir.

15 MR. SORENSON: Your Honor, at this time, we'd
16 offer State's 55 into evidence.

17 MS. HINDS: No objection.

18 (State's Exhibit No. 55, Swabs, interior of
19 shoes, is admitted into evidence.)

20 Q (By Mr. Sorenson) And, ultimately, then,
21 Ms. Gibson, State's 55 and 56 were then forwarded to
22 what department?

23 A To the DNA department.

24 Q And any further analysis would have been done
25 by that analysis?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Verona Gibson

1 A Correct, yes, sir.

2 MR. SORENSON: Thank you, Ms. Gibson. That
3 would be all I have.

4 THE COURT: Ms. Hinds.

5 CROSS-EXAMINATION

6 BY MS. HINDS:

7 Q Good afternoon, Ms. Gibson.

8 A How are you?

9 Q Just to keep things simple, I would -- you have
10 a very important job, so I don't mean it in any way
11 detracting. But you're kind of like a gatekeeper?
12 You're the initial person that's going to go through and
13 look at something that the police have determined may
14 have some value, you're doing testing, and then you're
15 deciding if it goes on? Is that -- would that be
16 correct, for further testing?

17 A Correct. Depending on the testing that I do,
18 yes, ma'am.

19 Q And your testimony is that you tested the
20 jacket or hoodie, the T-shirt, and another shirt;
21 correct?

22 A Yes, ma'am.

23 Q And just to make sure I've got it right, the
24 positive -- excuse me -- the hoodie, which would be
25 15.1.1, was -- the cutting was positive for blood on the

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Verona Gibson

1 top, right sleeve. So you sealed that to go on;
2 correct?
3 A Yes, ma'am.
4 Q Okay. You also testified that you also found a
5 possible hair?
6 A There were some possible hairs, yes, ma'am.
7 Q And that was forwarded also?
8 A Correct, yes, ma'am.
9 Q Okay. You said the other T-shirt did not test
10 positive?
11 A The 15.2 had no areas that tested positive
12 for phenolphthalein, that's --
13 Q Okay. But you did scrape and swab it, and so
14 15.2.1 went on; correct?
15 A Yes, ma'am.
16 Q Okay. And then your Item 16, which would be
17 another T-shirt, there were areas that were positive for
18 blood; correct?
19 A Yes, ma'am.
20 Q So you did a cutting on that and also swabs;
21 correct?
22 A That is correct, yes.
23 Q Your Item 18, which would have been the blade
24 of the knife, my understanding is, is that you did swabs
25 on that also?

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Verona Gibson

1 A 18.1 was the swab from the blade of the knife.

2 18.2 was swabs from the handle of the knife.

3 Q Okay. And 18.2, the handle, tested negative
4 for blood; is that correct?

5 A Negative, yes, ma'am.

6 Q But you sent for other -- for them to look for
7 other cells; correct?

8 A Other types of DNA, yes, ma'am.

9 Q Again 19, which would have been the jeans, did
10 test positive for blood so you sent that on? You did a
11 cutting and sent that on; correct?

12 A Correct, yes, ma'am.

13 Q Okay. And similarly for the jeans, it was a
14 cutting that was positive for blood. Also, you scraped
15 the waistband of the jeans, which would be 19.2;
16 correct?

17 A Yes, ma'am.

18 Q Okay. Finally, to the shoes. Again, you
19 swabbed the interior; correct?

20 A Yes, ma'am.

21 Q Okay. Would that be -- where exactly in the
22 interior would you do? The tongue, the back heel, or --

23 A All.

24 Q All of it?

25 A The insole, the upper area on the inside, the

1 back side of the tongue, and the back side of -- like,
2 the back cuff area.

3 Q Okay. And you sent those swabs on; correct?

4 A Yes, ma'am.

5 Q So at that point, that would have been the
6 extent of your involvement in this case; correct?

7 A Yes, ma'am.

8 Q And you don't have any personal knowledge about
9 any other part of the case; correct?

10 A No, ma'am.

11 MS. HINDS: One moment.

12 (Ms. Hinds speaks with Mr. Wise off the
13 record.)

14 Q (By Ms. Hinds) You did collect the hair and
15 sent it on; correct?

16 A Yes, ma'am.

17 MS. HINDS: Thank you. No further questions.

18 THE COURT: Redirect.

19 MR. SORENSON: No further questions.

20 THE COURT: All right. Ms. Gibson, you may
21 step down.

22 MR. SORENSON: May I approach?

23 THE COURT REPORTER: On the record?

24 MR. SORENSON: Huh-uh.

25 (A discussion is held off the record, and then

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Sheree Brown

1 the proceedings continue as follows:)

2 THE COURT: Short witness?

3 MR. SORENSON: Real short.

4 The State calls Sheree Brown.

5 THE COURT: Ms. Brown, if you would come, to
6 your right, at the witness stand, place your left hand
7 on the Bible, please raise your right.

8 (The oath is administered by the Deputy Clerk
9 of Court, and the witness answers as follows:)

10 THE WITNESS: Yes.

11 THE DEPUTY CLERK OF COURT: Thank you. Please
12 have a seat. State your name again for the record and
13 spell your last name.

14 THE WITNESS: Sheree Brown, B-r-o-w-n.

15 SHEREE BROWN,

16 having been first duly sworn by the Deputy Clerk of
17 Court to tell the truth, the whole truth, and nothing
18 but the truth, was examined and testified upon her oath
19 as follows:

20 DIRECT EXAMINATION

21 BY MR. SORENSON:

22 Q Ms. Brown, if you would, tell the jury where
23 you are employed.

24 A South Carolina Law Enforcement Division, also
25 known as SLED.

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1 Q All right. And what department are you
2 employed in out at SLED?
3 A In the DNA department.
4 Q And how long have you been employed there?
5 A Eighteen and a half years.
6 Q Okay. And tell the jury what -- just briefly,
7 what your duties are in the DNA department.
8 A One of my duties, as far as a forensic
9 technician in the DNA department, is I go down to
10 evidence control and retrieve evidence that's been
11 submitted to SLED to be analyzed for DNA.
12 Q Okay. And did you do that in this case?
13 A Yes.
14 Q Okay. And showing you State's Exhibit No. 43.
15 I'm going to let you hold onto that for a second. Tell
16 the jury what item you came into contact with in regards
17 to this case and the victim, Carolyn Hanton.
18 A This is heat-sealed pouch with Case Number
19 L11-01372, Container C.
20 Q And what would you have come -- would have been
21 in that when it came into your custody?
22 A Just looking at the heat-sealed pouch, it looks
23 like it would have been a liquid blood tube and some
24 fingernail clippings.
25 Q And specifically with those items of evidence,

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Sheree Brown

1 as your job as a forensic technician, would there have
2 been anything that you would have been required to do
3 with those items that were in the packaging?

4 A Yes.

5 Q Tell the jury what that is that you would have
6 been inquired to do.

7 A A liquid blood stainer was submitted, so we had
8 found out, through the years, that liquid blood doesn't
9 hold DNA as long. But -- so if you were to put it on a
10 filter paper and let it air dry, the DNA will stay, and
11 you can test it for years later.

12 Q And did you ultimately do that with that blood
13 sample from Mrs. Hanton?

14 A Yes, I did.

15 Q Okay. You indicated that that basically just
16 entails putting it on a piece of filter paper?

17 A Correct.

18 Q Letting it air dry?

19 A Yes.

20 Q And then what's done after that?

21 A Well, in this case, it was -- a coin envelope
22 was created with the person's name that the blood was
23 from, and it was -- filter paper with also their name on
24 it, where it's poured onto the filter paper, air dried,
25 and repackaged into the heat-sealed -- I mean, coin

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Sheree Brown

1 envelope and then back into the heat-sealed pouch.

2 Q And that was done in this case?

3 A Yes.

4 Q And is that it right there? State's Exhibit
5 43, I think it was?

6 A Yes.

7 MR. SORENSON: Your Honor, at this time, we'd
8 offer State's Exhibit No. 43 into evidence.

9 MS. HINDS: No objection.

10 (State's Exhibit No. 43 was previously admitted
11 into evidence at page 354.)

12 Q (By Mr. Sorenson) And that ultimately, then,
13 would have been forwarded on to the DNA analyst to do
14 any further testing with it?

15 A Yes.

16 MR. SORENSON: Thank you, Ms. Brown. That
17 would be all I have.

18 THE COURT: Ms. Hinds.

19 MS. HINDS: I don't have any questions, your
20 Honor.

21 THE COURT: Thank you, ma'am. You may step
22 down.

23 MR. SORENSON: May she be excused, your Honor?

24 MS. HINDS: Yes.

25 THE COURT: Mr. Sorenson.

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1 (A discussion is held off the record, and then
2 the proceedings continue as follows:)

3 THE COURT: Madam Forelady, ladies and
4 gentlemen of the jury, we're getting into the short end
5 of the presentation of the evidence. I think the State
6 has one more witness. That will be the DNA lab
7 lady/man, and then I'm not sure whether the Defense --
8 they'll advise me after lunch as to how long their case
9 will take.

10 Fair enough?

11 MR. WISE: That's correct.

12 THE COURT: And then we may finish the
13 testimony up right after lunch. We'll just have to see.

14 And then I will talk to y'all about how you
15 want to handle the balance of the case.

16 So y'all have a pleasant lunch. Let's see.
17 It's 1:15 -- 2:30, give you time to eat? All right. We
18 will start back at 2:30. Please don't discuss the case,
19 and don't let anybody discuss it with you..

20 Everybody else remain seated, please.

21 (The jury is escorted from the courtroom at
22 1:15 p.m.)

23 THE COURT: Anything for the record by the
24 State before we break for lunch?

25 MR. SORENSON: No, sir.

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Sheree Brown

1 THE COURT: By the Defendant?

2 MR. WISE: No, your Honor.

3 THE COURT: Thank you. We'll stand at ease
4 until 2:30.

5 (The Judge steps off the bench at 1:15 p.m.)

6 (A lunch break is taken from 1:15 p.m. until
7 2:31 p.m.; at which time, the proceedings continue as
8 follows:)

9 THE COURT: Anything from the State before we
10 start back with the testimony?

11 MR. SORENSON: No, sir.

12 MR. WISE: No, your Honor.

13 (The jury is escorted into the courtroom
14 at 2:33 p.m.)

15 THE COURT: Madam Foreman, we're going to start
16 back with testimony. My best guesstimate right now is
17 that we'll probably finish the testimony about 3:15 to
18 3:30, and then when we get to that point, I'll talk with
19 you a little bit about the planning and see what suits
20 y'all best; okay? Fair enough?

21 All right. You may call your next witness.

22 MR. SORENSON: Thank you, your Honor. The
23 State calls Catherine Leisy.

24 THE COURT: Ms. Leisy, please come around.
25 Please your left hand on the Bible and raise

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 your right hand.

2 (The oath is administered by the Deputy Clerk
3 of Court, and the witness answers as follows:)

4 THE WITNESS: I do.

5 THE DEPUTY CLERK OF COURT: Thank you.

6 Please state your name again for the record and
7 spell your last name.

8 THE WITNESS: Catherine Leisy, L-e-i-s-y.

9 CATHERINE LEISY,

10 having been first duly sworn by the Deputy Clerk of
11 Court to tell the truth, the whole truth, and nothing
12 but the truth, was examined and testified upon her oath
13 as follows:

14 DIRECT EXAMINATION

15 BY MR. SORENSON:

16 Q Ms. Leisy, if you would, tell the jury where it
17 is that you are employed.

18 A I work for the South Carolina Law Enforcement
19 Division, commonly known as SLED. I'm a forensic
20 scientist assigned to the DNA Serology Unit.

21 Q If you would, tell the jury, just briefly --
22 well, first of all, how long have you been with SLED?

23 A I've been with SLED for six years.

24 Q And have you been in the DNA department that
25 whole time?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 A I have.

2 Q Okay. Can you tell the jury, if you would,
3 your educational background.

4 A I have a Bachelor of Science degree in genetic
5 engineering from Cedar Crest College in Allentown,
6 Pennsylvania. I have received in-house training at SLED
7 by other court-qualified analysts in all the different
8 type of tests and analyses that I'm required to perform.
9 I also spent approximately four years as a forensic DNA
10 analyst at a private testing facility, known as Orchid
11 Cellmark, where I ran essentially the same type of
12 testing that I do at SLED.

13 Q And have you -- let me ask you this: Have you
14 had an opportunity, then, Ms. Leisy, to come and testify
15 in court before, here, in South Carolina, regarding your
16 findings in the field of DNA analysis?

17 A I have.

18 Q All right. And been qualified as an expert?

19 A I have.

20 Q About how many times has that occurred?

21 A Here in South Carolina, approximately 30 times.
22 I've also been qualified in jurisdictions in California,
23 Massachusetts, New Jersey, Florida, the District of
24 Columbia, and the United States District Court.

25 MR. SORENSON: At this time, we would offer

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 Ms. Leisy as an expert in the field of DNA analysis.

2 THE COURT: Any Cross-Examination as to her
3 qualifications?

4 MS. HINDS: No objection, your Honor.

5 THE COURT: All right. This witness will be
6 qualified in the field of DNA and will be allowed to
7 render opinion testimony.

8 MR. SORENSON: Thank you, your Honor.

9 Q (By Mr. Sorenson) Ms. Leisy, if you would,
10 tell the jury -- just kind of start off in just kind of
11 laymen's terms, what is DNA?

12 A DNA stands for deoxyribonucleic acid. It's the
13 genetic material found in all of our body cells with the
14 exception of our red blood cells. DNA is packaged into
15 structures called chromosomes which contain our genes.
16 And genes are simply strands of DNA that incorporate our
17 physical characteristics, such as our height or our eye
18 color. We receive half of our DNA from our mother and
19 half from our father, and, therefore, we have two copies
20 of every gene. It's -- approximately 99.9 percent of
21 an individual's DNA is identical to that of everyone
22 else's, and it's the remaining .1 percent that allows us
23 to tell different people apart.

24 Q Okay. Your DNA, that last .1 percent, is that
25 unique to you?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 A It is. With the exception of identical twins,
2 everyone's overall DNA profile is unique to them.

3 Q And where -- you kind of touched on this. Your
4 DNA is found within your cells?

5 A It is. Basically, all the cells within your
6 body: skin cells, body fluids, all your cells, with the
7 exception of the red blood cells.

8 Q So if you took a blood standard from somebody,
9 your DNA would be in that blood standard?

10 A That's correct.

11 Q How about a -- if you took a buccal swab, or
12 swabs from the inside of somebody's mouth?

13 A There would be DNA in those swabs, yes.

14 Q And skin or sweat, would that also leave DNA
15 behind?

16 A It would.

17 Q All right. And, ultimately, in your lab out
18 at SLED, you have the ability, then, to take a known
19 standard from somebody else -- say you took a blood
20 standard from me -- and compare that to items of
21 evidence they may have been either found by law
22 enforcement or left behind at a crime scene?

23 A That's correct. Basically, what we're trying
24 to do is determine whether an unknown biological stain
25 left at a crime scene or an item of evidence could have

1 been contributed by a known individual whose DNA
2 standards have been submitted for comparison.

3 Q And tell the jury just briefly how you go about
4 doing that -- those comparisons.

5 A The basic procedure requires three steps. The
6 first is DNA extraction, where we remove DNA from the
7 item of evidence in question. The next is what's called
8 amplification, where we make copies of the specific DNA
9 locations that we're interested in testing. We then
10 assign DNA types to those locations. Basically, we're
11 counting the number of repeats that appear at each
12 location. And as you inherit half of your DNA from
13 your mother and half from your father, if the copy that
14 you inherited from your father has ten repeat units and
15 the copy you inherited from your mother has eleven, your
16 DNA types are ten and eleven at that location. You're
17 simply counting the number of repeat units. It's the
18 overall collection of DNA types at these 15 locations
19 that gives us what we call a DNA profile. Once I've
20 developed a DNA profile from an item of evidence, I can
21 compare it to the profile of --

22 THE COURT: Ma'am, can you slow down just a tad
23 for my court reporter?

24 THE WITNESS: Yes, sir.

25 Once I've developed a profile from the item of

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 evidence, I can compare it to the DNA profile of a known
2 individual to try and determine if the two profiles
3 match, and if that individual could have contributed
4 that DNA to the piece of evidence.

5 Q (By Mr. Sorenson) Okay. And in your case
6 here, that we're here about today, Ms. Leisy, did you
7 receive any DNA standards from anybody in this case?

8 A Yes, I did.

9 Q And who and what did you receive?

10 A I received a blood standard from a
11 Carolyn Hanton, and a buccal swab, or cheek swab, from
12 Cleophas Edwards.

13 Q Okay. And were you able to then take those two
14 items and develop a DNA profile from the blood standard
15 of Mrs. Hanton and the cheek swabs from Mr. Edwards?

16 A Yes, I was.

17 Q Okay. And I assume, then, you also had other
18 items that were submitted to you, then, to compare to
19 those profiles that you obtained?

20 A I did.

21 Q Okay. And that's, I guess, want I'll go
22 through now. Let me show you -- let's see here.

23 State's Exhibits -- State's Exhibit 43, is that the
24 blood standard of Mrs. Hanton?

25 A Yes, it is.

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 Q Okay. And State's Exhibit No. 44, are those
2 the cheek swabs from Mr. Edwards?

3 A It is.

4 Q Okay. So those are the items that you
5 developed a DNA profile for each of them off of?

6 A Yes, sir.

7 Q And showing you State's Exhibits 52, 55,
8 and 56, are those the other cuttings and swabs, that
9 the jury's heard about this morning from the other
10 witnesses, that were submitted to you for your analysis?

11 A Yes, sir, they are.

12 Q And that's what I want to kind of go through.
13 I guess, just kind of take them -- I guess the best way,
14 is just kind of go through your report, if you would. I
15 guess kind of chronologically numberwise, and if you
16 would, just kind of tell the jury what items that you --
17 were submitted to you, and what if any analysis you
18 performed on them, and what your findings were.

19 A I received a cutting taken from a jacket. It
20 was identified as a cutting from the right sleeve of a
21 jacket. My first step in that particular item was to
22 perform a presumptive or preliminary test for the
23 presence of blood. That test was positive, indicating a
24 possible presence of blood on that particular item. I
25 was able to develop a DNA profile from that item, and

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 the profile developed from the cutting of the right
2 sleeve of the jacket does match the DNA profile of
3 Carolyn Hanton.

4 Q And that is -- just so we -- kind of going back
5 to Ms. Gibson's diagrams that she did, what item is
6 that?

7 A That would be SLED Item 15.1.1.

8 Q And, again, what were the results of that when
9 you developed a DNA profile from that cutting?

10 A The DNA profile matches the DNA profile of
11 Carolyn Hanton.

12 Q And let me ask you, were you able to then
13 ultimately develop a probability of another person
14 having that same DNA profile?

15 A I am.

16 Q And were you able to do that in this case?

17 A I was.

18 Q What is the probability of someone else besides
19 Mrs. Hanton having that same DNA profile that you took
20 off of that cutting on that black hooded jacket?

21 A The probability of randomly selecting an
22 unrelated individual having a DNA profile matching the
23 cutting from the jacket is approximately 1 in 510
24 trillion.

25 Q Are you aware of about how many people there

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 are in the world at this time?

2 A Approximately seven billion.

3 Q So that's -- we're talking four or five more
4 zeros, I guess?

5 A It's quite a bit larger than the current
6 population of the earth, yes, sir.

7 Q So do you have an opinion, then, as to whose --
8 as to whose blood that was that was on that -- in that
9 cutting from 15.1.1?

10 A It's my opinion within a reasonable degree
11 of scientific certainty that Carolyn Hanton is the
12 contributor of the DNA that was obtained from that
13 particular cutting.

14 Q All right. And if you can kind of just keep
15 going through your report.

16 A The next item I tested was SLED Item 15.1.2,
17 which was a swab taken from the neck and cuff area of
18 that same jacket. The DNA profile developed from the
19 swab from the jacket is a mixture of at least three
20 individuals. Carolyn Hanton and Cleophas Edwards cannot
21 be excluded as possible contributors to the mixture.
22 And the probability of randomly selecting an unrelated
23 individual who could have contributed to the mixture is
24 approximately 1 in 2,300.

25 Q Okay. And you said that was 15.1.2?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 A That's correct.

2 Q And explain to the jury what a mixture is, such
3 as you had in this case.

4 A A mixture just means that we have DNA for more
5 than one person on a particular item, so when I make a
6 comparison between a mixture and a known individual
7 profile, I can determine whether or not it's possible
8 that that individual contributed to the mixture
9 developed.

10 Q And your opinion in this case as to that swab
11 taken from the cuff area and I guess around the neck
12 area of the hood of that sweat jacket is that you
13 couldn't exclude Mr. Edwards or Mrs. Hanton?

14 A That's correct. It's possible that they both
15 contributed to that mixture.

16 Q All right. What's the next item that you
17 tested?

18 A The next item tested was SLED Item 15.2.1,
19 which was a swab from the neck and underarm of a
20 T-shirt. And the DNA profile developed from the
21 T-shirt is a mixture of at least three individuals.
22 Cleophas Edwards cannot be excluded as a possible
23 contributor to this mixture. The probability of
24 randomly selecting an unrelated individual who could
25 have contributed to the mixture is approximately 1 in

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 700. And Carolyn Hanton is excluded as a possible
2 contributor.

3 Q Going back to Ms. Gibson's diagram, this
4 T-shirt that was along with the jacket in Item 15, no
5 blood was present that you observed or --

6 A I did not --

7 Q -- tested?

8 A I did not test for blood on that particular
9 item.

10 Q And that, yet again, was a mixture, in this
11 case, you said of at least three individuals?

12 A That's correct.

13 Q And you excluded Mrs. Hanton, so her DNA wasn't
14 present?

15 A Not in the profile that I developed.

16 Q Couldn't exclude Mr. Edwards, so, in other
17 words, that could have been his DNA, along with at least
18 two other persons?

19 A Correct. He could be a contributor.

20 Q All right. And the next item that you
21 received?

22 A The next item that I tested was SLED Item 16.1,
23 which was a cutting from a shirt from the front left
24 bottom portion of the shirt. On that particular item, I
25 again performed a test for the possible presence of

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1 blood and received a positive result, indicating
2 possible presence of blood.

3 Q So, again, that's 16.1, that's there?

4 A That's correct.

5 Q And what were the results -- you're saying it
6 was positive for blood, what were the results on that
7 T-shirt, Item 16?

8 A The DNA profile developed from the shirt
9 matches the DNA profile of Cleophas Edwards, and the
10 probability of randomly selecting an unrelated
11 individual having a DNA profile matching this particular
12 item is approximately 1 in 110 quadrillion.

13 Q So, in your opinion, then, who's blood is that
14 on that T-shirt?

15 A Within a reasonable degree of scientific
16 certainty, it's my opinion that Mr. Edwards is the
17 contributor of the DNA developed from that item.

18 Q All right. And that was SLED Item 16; is that
19 correct? So the cutting is 16.1?

20 A That's correct.

21 Q Now, additionally, did you have some swabs that
22 were taken also from the neck and underarm area of that
23 item, 16.2?

24 A I did.

25 Q And did you test those?

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 A Yes, I did.

2 Q What were the results as to those?

3 A The DNA profile developed from the swabs

4 taken from the shirt is a mixture of at least three

5 individuals. The DNA profile developed from the major

6 contributor to this mixture also matches the DNA profile

7 of Cleophas Edwards, and Carolyn Hanton is excluded as a

8 possible minor contributor to this mixture.

9 Q Mr. Edwards' DNA matches that as a major

10 contributor. Explain what that means.

11 A That's correct. When we have a mixture where

12 one individual contributes significantly more DNA than

13 another, we can essentially pull out their DNA profile

14 and treat it as a single source profile and make a

15 direct comparison between that major contributor and an

16 individual whose standard is half the comparison.

17 Q And in this case that did match Mr. Edwards?

18 A Yes, it does.

19 Q Okay. All right. Moving on to -- you received

20 several swabs from Item 17, the shoes?

21 A I did.

22 Q Okay. And it looks like there are about seven

23 of them that you received?

24 A Correct.

25 Q Did you test all seven of those swabs?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

- 1 A I did not.
- 2 Q Okay. How many of them did you end up testing?
- 3 A I tested three swabs that were taken from the
- 4 outside of the shoe, and then a set of swabs each from
- 5 inside the left shoe and inside the right shoe.
- 6 Q And, I guess, initially, if we could deal with
- 7 the three swabs from, I guess, the inside of the shoe.
- 8 A Well, the three were from the outside --
- 9 Q That's what I meant. I'm sorry.
- 10 A -- they would be SLED Items 17.1, 17.3, and
- 11 17.5. For 17.1 and 17.3, the DNA profile developed
- 12 matches the DNA profile of Carolyn Hanton, and the same
- 13 statistic of approximately 1 in 510 trillion applies.
- 14 And for SLED Item 17.5, the DNA profile developed is a
- 15 mixture of at least two individuals. The DNA profile
- 16 developed from the major distributor to this mixture
- 17 also matches the DNA profile of Carolyn Hanton. And the
- 18 partial DNA profile developed from the minor contributor
- 19 is insufficient for a reliable interpretation.
- 20 Q Okay. So 17.1 and 17.3, which were two swabs
- 21 from the outside of that right shoe --
- 22 A Correct.
- 23 Q -- they both matched, in your opinion,
- 24 within a reasonable degree of scientific certainty,
- 25 Carolyn Hanton's DNA?

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State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 A That's correct.

2 Q And 17.5, she was matched as -- it's a mixture
3 where she is the major contributor to that mixture?

4 A Correct. She matches the major.

5 Q All right. Now, how about the two swabs from
6 the inside of the shoe -- shoes?

7 A SLED Item 17.6 was a swab taken from the
8 inside of the left shoe. The DNA profile developed
9 from this item is a mixture of at least three
10 individuals. Cleophas Edwards cannot be excluded
11 as a possible contributor to this mixture. And the
12 probability of randomly selecting an unrelated
13 individual who could have contributed to the mixture is
14 approximately 1 in 20. Carolyn Hanton is excluded as a
15 possible contributor.

16 And then SLED item 17.7 is a swab from the
17 inside of the right shoe. The DNA profile developed
18 in this item is also a mixture of at least three
19 individuals. Cleophas Edwards cannot be excluded as
20 a possible contributor to this mixture. And the
21 probability of randomly selecting an unrelated
22 individual who could have contributed to the mixture is
23 approximately 1 in 9. Carolyn Hanton is also excluded
24 as a possible contributor to this mixture.

25 Q So he is a potential -- Mr. Edwards is a

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1 potential contributor to the DNA inside both of those
2 shoes?

3 A That's correct.

4 Q Explain -- obviously, those numbers are a lot
5 smaller than those numbers you were giving earlier.
6 Explain what leads to that.

7 A When we generate a statistic on a mixture
8 where we don't have a major contributor, we have to take
9 into consideration all of the types that have been
10 contributed to the mixture. We're not making a direct
11 comparison or identification with a specific individual.
12 We're just trying to determine approximately how common
13 or rare this overall collection of types is, and what
14 the probability is that any random person selected may
15 have contributed a portion of DNA to this item. And it
16 generally gives us much lower numbers than we would see
17 with a single-source match of an individual.

18 Q Nothing you found would exclude him from being
19 a contributor to the DNA from both of those shoes?

20 A That's correct.

21 Q Okay. All right. And then I believe the next
22 item you received were two swabs from the knife; is that
23 correct?

24 A That's correct.

25 Q One from the blade, I guess, 18.1, and then the

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

1 handle, 18.2. What were your results as to those two?

2 A I initially performed the same blood test on
3 SLED Item 18.1, which were swabs taken from the
4 blade of the knife. That particular test was negative,
5 indicating that the swab I tested did not indicate
6 the possible presence of blood. I did develop a
7 DNA profile from the swabs, and the DNA profile
8 developed from those swabs are a mixture of at least
9 two individuals. The DNA profile developed from the
10 major contributor to the swabs matches the DNA profile
11 of Carolyn Hanton. And the partial DNA profile
12 developed from the minor contributor is insufficient for
13 a reliable interpretation.

14 Q Okay. So that DNA profile matched -- the major
15 contributor matched Carolyn Hanton?

16 A It did.

17 Q Now, the jury had heard earlier, when
18 Ms. Gibson had done her initial testing of the item in
19 her initial swabbing of the item, that it tested
20 presumptively positive for blood. I believe you
21 testified that when you did that same presumptive test,
22 it came back negative for blood?

23 A That's correct.

24 Q Explain to the jury what could be going on
25 there. What would lead to those results?

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1 A It's possible that during Ms. Gibson's testing
2 for the presence of blood, she swabbed all of the
3 biologic material or all of the possible blood that may
4 have been on the knife. I can't retest the swab that
5 she tested for the blood. She included in the packet
6 that was sent to me, both the swab that she used for
7 testing as well as the second swab that she used to
8 collect more material. I can only test that second
9 swab, and it's possible that all of the possible blood
10 that was collected remained on the first swab. I took
11 cuttings from both of the swabs and combined them to
12 determine the DNA profile, so it's possible there's just
13 not enough left on the swab that I tested for that
14 particular item.

15 Q Okay. All right. How about 18.2, the swab
16 from the knife handle?

17 A For SLED Item 18.2, the DNA profile developed
18 is a mixture of at least two individuals. Cleophas
19 Edwards cannot be excluded as a possible contributor to
20 this mixture, and the probability of randomly selecting
21 an unrelated individual who could have contributed to
22 the mixture is approximately 1 in 3. Carolyn Hanton is
23 excluded as a possible contributor.

24 Q Okay. So about a third of the population
25 conceivably could have contributed to that mixture?

1 A A third would not be excluded as a possible
2 contributor based on the comparison.

3 Q But nothing, yet again, that would exclude him
4 from being a possible contributor?

5 A That's correct.

6 Q And Mrs. Hanton, though, you were able to
7 exclude as far as from that swab on the handle, her DNA;
8 is that correct?

9 A Yes, sir.

10 Q And then the last item would be Item 19. You
11 received a couple of items from Item 19?

12 A I did.

13 Q That would be -- I guess, tell the jury what
14 Item 19.1 is that you tested.

15 A SLED Item 19.1 is a cutting taken from a pair
16 of jeans, near the zipper. I, again, performed a
17 presumptive or preliminary test for blood, receiving a
18 positive result, indicating a possible presence of
19 blood. I then developed a DNA profile that matches the
20 DNA profile of Carolyn Hanton, and, again, the same
21 statistic of approximately 1 in 510 trillion applies.

22 Q So yet, again, your opinion that that's her
23 DNA?

24 A That's correct.

25 Q And how about Item 19.2, that Ms. Gibson

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Direct Examination by Mr. Sorenson of Catherine Leisy

- 1 testified about, the swab from the inside of the
2 waistband of the jeans?
- 3 A The DNA profile developed from the waistband of
4 the jeans is a mixture of at least three individuals.
5 Cleophas Edwards cannot be excluded as a possible
6 contributor to this mixture. The probability of
7 randomly selecting an unrelated individual who could
8 have contributed to the mixture is approximately 1 in
9 180. Carolyn Hanton is excluded as a possible
10 contributor to this mixture.
- 11 Q But, yet again, nothing that would exclude
12 him -- a little bit bigger number here, of 1 in 180?
- 13 A That's correct.
- 14 Q Okay. Is that all the items that you tested?
- 15 A It is.
- 16 Q Okay.. Let me ask you, do you have a few other
17 items that were submitted to you out there in the DNA
18 department?
- 19 A Yes, I do.
- 20 Q And did you test -- did you do anything on any
21 of those additional items?
- 22 A I did not.
- 23 Q Is there a reason why you stopped where you
24 stopped, as far as what you tested?
- 25 A We try and ask submitting agencies to chose

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1 what they consider to be the most probative items or the
2 items they believe are most likely to give us an
3 informative link between two people, or a person and a
4 location, or items of evidence. We try and be as
5 efficient as we can, so we start with what they think is
6 going to be the most important, and we try to limit it
7 to about five items of evidence to begin with, and they
8 can request further testing if necessary. I started
9 with the particular items that were determined by the
10 submitting agency that needed to be started with.

11 Q You, ultimately, in this case, ended up testing
12 well over five items; is that correct?

13 A I did. Mostly, because a lot of the items
14 ended up being multiple swabs taken or multiple cuttings
15 taken, but it's essentially five items that we start
16 with processing.

17 Q And, in this case, just to kind of be clear on
18 other things, there was some fingernail clippings, you
19 didn't do anything -- there was no analysis performed on
20 those; is that correct?

21 A That's correct.

22 Q And I guess there was some swabs taken at the
23 scene, also, I believe that were returned to the agency,
24 right, without being -- anything done with those; is
25 that correct?

1 A That is correct.

2 Q So, ultimately, in looking at and kind of a
3 summary in your thing, I think there were four different
4 swabs that you came back with that 1 in 510 trillion
5 number, matching the victim, Carolyn Hanton. It's
6 15.1.1, which was the cutting from the jacket, top right
7 sleeve; is that correct?

8 A Correct.

9 Q 17.1, which was a swab off of the right shoe
10 from the front left edge of the sole?

11 A That's correct.

12 Q 17.3, a swab from the right shoe, big toe side
13 of the shoe on the front fabric?

14 A Correct.

15 Q And 19.1, which was a cutting from the jeans
16 near the front, near the zipper; is that correct?

17 A It is.

18 Q It's all your opinion that that's Carolyn
19 Hanton's blood that was found on those four items?

20 A It's my opinion that it is her DNA, yes.

21 MR. SORENSON: All right. Beg the Court's
22 indulgence.

23 (Mr. Sorenson speaks with Mr. Bell off the
24 record.)

25 MR. SORENSON: Thank you, Ms. Leisy. Please

State versus Cleophas Edwards, 12/12/12
Volume III of IV -- Jury Trial
Cross-Examination by Ms. Hinds of Catherine Leisy

1 answer any questions Ms. Hinds may have.

2 THE WITNESS: Yes.

3 CROSS-EXAMINATION

4 BY MS. HINDS:

5 Q Good afternoon.

6 A Good afternoon.

7 Q If I pronounce any of this wrong, I apologize
8 in advance.

9 A Sure.

10 Q I think earlier -- early on in your testimony,
11 you stated that only identical twins had identical DNA
12 patterns; is that correct?

13 A The overall DNA is only identical in twins;
14 that's correct.

15 Q Okay. And that's true when 100 percent of the
16 DNA is analyzed; is that correct?

17 A We only test, again, 15 locations in the DNA.
18 We inspect and meet profiles just based on those 15.

19 Q Okay. In a forensic situation, you do only
20 test the 15 loci, and, again, I don't know if I'm going
21 to pronounce this right -- the amelogenin is analyzed;
22 is that correct?

23 A Correct. Amelogenin, a gender marker.

24 Q Thank you for the correction. And those loci
25 represent less than 1 percent of the total of the

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1 The above-styled cause came on for hearing on
2 the 13th day of December, 2012, at 9:00 a.m., before
3 Judge Doyet A. Early, III, presiding over the General
4 Sessions Court for the County of Orangeburg, when the
5 following proceedings were had and entered of record,
6 to wit:

7 PROCEEDINGS

8 JURY TRIAL

9 (The jury trial continues, Thursday,
10 December 13, 2012.)

11 (The Defendant is present for the proceedings,
12 accompanied by his counsel.)

13 THE COURT: Thank you. Good morning. Good
14 morning. You know, you're the loudest court crier I
15 have in the state. You do the best job.

16 THE BAILIFF: Thank you, sir. Thank you. I
17 appreciate it.

18 THE COURT: Please be seated.

19 Anything for the record before we start back?

20 MR. SORENSON: No, sir. Just one minute just
21 for the family to come in.

22 THE COURT: Absolutely.

23 MR. SORENSON: Otherwise, we'll be ready right
24 after that.

25 THE COURT: Sure. I looked at that Price case

1 last night, and in light of that ruling and the other
2 case that we talked about, I'm going to go ahead and
3 charge that inference part of the murder statute. I
4 think that's applicable in this case because there's no
5 mitigation, no issues of self-defense, or anything else.
6 It's strictly who did it.

7 MR. WISE: We had one matter. There was an
8 article in the paper again today. If the Court would
9 inquire of the jury if they read it or discussed it?

10 THE COURT: I did read today's.

11 (A discussion is held off the record.)

12 THE COURT: Good morning, everyone. Y'all
13 ready to proceed? The State ready?

14 MR. SORENSON: Yes, sir.

15 THE COURT: Defense ready?

16 MR. WISE: We are.

17 (The jury is escorted into the courtroom
18 at 9:03 a.m.)

19 THE COURT: Good morning.

20 THE JURORS: Good morning.

21 THE COURT: Everyone enjoy their evening and
22 biscuits?

23 THE JURORS: Thank you.

24 THE COURT: Thank the nice Clerk.

25 There was another article this morning in The

1 Times and Democrat. Did anybody read that? If you did,
2 please raise your hand.

3 MR. WISE: Thank you.

4 THE COURT: No one raised their hand, for the
5 record.

6 Okay. Where we are now is, as I told you
7 yesterday, we finished all that we had to do while you
8 were gone. And we're now ready to have the closing
9 arguments or the final arguments by the lawyers. Please
10 bear in mind that closing argument, that is not evidence
11 in the case. You've already heard all the evidence from
12 which you'll make your decision. Obviously, the lawyers
13 are adversaries for their respective sides, so they'll
14 be arguing the evidence in the light most favorable to
15 their position. But that simply is argument; it is not
16 the facts in the case.

17 So please listen carefully to the final
18 arguments. And once we complete that, then I'll
19 instruct you, or charge you, on the law in the case.
20 Thank you.

21 MR. SORENSON: Please the Court, your Honor?

22 THE COURT: Yes, sir.

23 CLOSING ARGUMENTS

24 BY MR. SORENSON:

25 As I walked in, the lady saw me and screamed.

1 And I backed up to the door. I was so scared, I stood
2 there trembling. From Cleophas Edwards' words, his own
3 handwriting, on February 17th, 2011, two weeks after he
4 went into Carolyn Hanton's home and did this to her. I
5 submit to you, it's almost unfathomable to me that he
6 has the nerve to sit down in that interview room and
7 talk about fear and talk about being scared. To make
8 matters worse, it's almost as if he's trying to turn it
9 to portray himself as the victim in this because he
10 continues after that: I was so scared, I stood there
11 trembling -- trembling. She came towards me and kicked
12 me and punched me. I turned around and pulled out the
13 knife. I started swinging it, and I didn't stop until
14 she stopped fighting me.

15 He's not the victim in this. You want to
16 talk about fear? Talk about being scared? Fear is a
17 44-year-old woman sitting in her own home at one o'clock
18 in the afternoon, or shortly before one o'clock in the
19 afternoon, looking after four small children so their
20 parents can be out working. Fear is that woman seeing
21 that man right there come into her home with his
22 black-hooded sweat jacket on, armed with this knife. I
23 have no doubt about it that she fought him. No doubt
24 about it. Fear is being -- is her being stabbed over
25 and over and over again. You heard the pathologist, and

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1 you're going to have her report back there. And I
2 counted it up. Fifty-five times, he took this knife and
3 plunged it into her body: 20 times into her head, her
4 cheeks, her lips, her ear, her neck, her head; eight
5 times into her chest, penetrating her heart, her
6 shoulder; three times into her abdomen; and 11 times
7 into her back; 12 times into her arms. He talks about,
8 in at least one of his statements, passing out, waking
9 up, and seeing some kids and hearing them crying -- I
10 think it's in the video statement -- hearing them
11 crying. I submit to you what fear is, ladies and
12 gentlemen, is 44-year-old Carolyn Hanton being stabbed
13 55 times, still trying to get up off of that floor. And
14 he talks about hearing those children cry. I submit to
15 you that's the last thing she heard as she took her
16 dying breath on that floor.

17 Now, as his Honor told you, kind of the way
18 this thing was going to go is I have the opportunity now
19 to come before you and talk to you a little bit about
20 the facts, submit to you what the evidence in this case
21 has proven beyond not only a reasonable doubt, but I
22 submit to you in this case, beyond any shadow of a
23 doubt. I'm not going to get an opportunity after I sit
24 down to get back up here. When I sit down, either
25 Mr. Wise or Ms. Hinds is going to have an opportunity to

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1 come before you and argue to you, basically, what they
2 think the facts have proven or not proven.

3 So a little bit of what I've got to do right
4 now is kind of anticipate a little bit of what they're
5 going to argue to you. And that's why I want to just
6 take a couple of minutes and talk to you about a little
7 bit of that before I get into the facts. I suspect a
8 lot of what they're going to try to do is to get you to
9 take your attention off of all of this, because, see, if
10 you focus on the facts in this case, if you focus on the
11 fact that Mr. Edwards gave basically four statements
12 admitting to not only breaking or burglarizing Carolyn
13 Hanton's home, the four statements admitting to killing
14 her, you can't focus on that because if I do -- if you
15 do, ladies and gentlemen, all the rest of this is just
16 gravy. Those statements in and of themselves convict
17 him of murder, convict him of burglary in the first
18 degree. So they're going to try to get you to focus
19 your attention away from those; to try to get you to
20 disregard the fact that after he gave those statements
21 on the night of February 16th in 2011, that he took the
22 police over to that abandoned house and showed them
23 where he got rid of the knife and the clothing he was
24 wearing and where they ultimately found this that was
25 stolen from Mrs. Hanton's home. You've got to disregard

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1 that. You've got to disregard the fact that on the
2 night of February 16th -- I mean, keep in mind, the
3 police, when they went to his home that night, they
4 weren't there investigating this homicide. They were
5 there on a totally unrelated matter. But you've got to
6 disregard the fact that he's sitting on the floor
7 smoking a -- smoking a joint, playing on Mrs. Hanton's
8 computer. And you've got to disregard the fact that his
9 own roommate and his roommate's girlfriend -- got to
10 disregard the fact that on the night of February 16th,
11 his own roommate and roommate's girlfriend, when they
12 knew what was going on, because they were even brought
13 down to the police station and questioned, and when they
14 went to go find a place to stay, at the apartment that
15 they were hoping to all move to, they bring Cleophas
16 Edwards' suitcase. Because at that point in time, they
17 knew they didn't want to have anything to do with
18 anything associated with that man. But you've got to
19 disregard the fact that when, ultimately, when that
20 suitcase is searched, that these shoes -- and I'm going
21 to talk to you a little more about that in a little
22 while -- these shoes in it and a pair of bloody jeans
23 with the victim's blood on it.

24 You see, for the 12 of you to get back there in
25 your jury room at the close of all of this and find him

1 not guilty, you've got to disregard all of that. And I
2 submit to you, that makes no sense whatsoever, no sense
3 whatsoever. They're going to get up, and I assume
4 they're going to argue to you the fact that, you know,
5 the state law enforcement didn't test some fingernail
6 clippings; you know, we didn't find any fingerprints
7 belonging to Cleophas Edwards in Mrs. Hanton's house; we
8 didn't find any on the vase. We didn't find anybody's
9 on the vase. We didn't find anybody's in the house.
10 But we sure as heck know that she was killed; know that
11 she was stabbed 55 times in her home. I submit to you,
12 those are things that are going to -- to try to get you
13 take your, pardon the sports analogy, but to take your
14 eye off the ball.

15 I'm going to be real curious how they're going
16 to address those statements. All right. Because as I
17 said, when you look at -- take the video statement --
18 you take, first of all, Agent Thrower -- Investigator
19 Thrower's testimony, Agent Boltin's testimony about what
20 he initially told them on the night of February 16th,
21 and you take the videotaped statement he gave after
22 that, on the night of February 16th, and then the
23 following written statement, the following day, on the
24 17th, if -- if it's not there, and there was nothing
25 else, he's guilty beyond, I submit to you, any doubt at

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1 that point in time. So how -- how -- how are they going
2 to address that?

3 You know, the fact that he was sitting and
4 smoking a joint and that there was maybe some evidence
5 of a liquor bottle inside the residence. And I submit
6 to you that there's been no evidence that he was
7 drinking. You've heard from the officers that dealt
8 with him. No evidence that he appeared to be under the
9 influence when they took him back to the Sheriff's
10 Office and questioned him that night. I submit to you
11 that the mere fact that he was smoking a joint doesn't
12 make these statements go away. Doesn't make these
13 statements go away. So what you've got to look at is,
14 you know, did he freely and voluntarily give them? Did
15 he freely and voluntarily waive his Rights and
16 understand what he was doing at eight o'clock on
17 February 16th of 2011?

18 You heard the testimony from Agent Thrower;
19 heard the testimony from Agent Boltin. And in this
20 case -- it's very unusual -- you had the opportunity to
21 actually see him, to see him that night, to see what
22 they asked him. I mean, went back over those Rights on
23 the video with him and asked him if he understood them.
24 I submit to you that's a person -- I mean, he knew what
25 he was doing. And maybe the fact that he had been

1 smoking a little bit and it kind of had gotten him in
2 that mood, you know, where -- where it was easier for
3 him to kind of break down and ultimately end up
4 admitting what he did, but it doesn't make it not true.
5 It doesn't make it not admissible. It doesn't make
6 it -- the evidence, I submit to you, convicts him.

7 That's on the night of the 16th. What on earth
8 is the excuse the following day? You know, they can get
9 up here and try to argue to you that, you know, the fact
10 that he was smoking on the night of the 16th and knew he
11 was. You know, the following day, what's his excuse
12 then? He spent the night at the Orangeburg County
13 Detention Center. He's not under the influence the
14 following afternoon at 3:48 in the afternoon. He's not
15 under the influence then. He's not under the influence
16 when Investigator Kittrell goes over his Rights with
17 him, and he initials each of those. He gives his
18 four-page statement in his own handwriting as to what he
19 had done two weeks earlier. This four-page statement, I
20 submit to you, basically mirrors what he had told them
21 the night before.

22 Let's look at the facts. This case, they
23 basically -- it boils down to two basic issues. First
24 one is: Do we have the right guy? I submit to you
25 that's the main one, and I'm going to spend most of my

1 time now talking to you about. You know, do we have the
2 right guy charged sitting over there in this courtroom?
3 The only other issue that's possibly out there is
4 whether we've proven that -- that, assuming it was
5 Cleophas Edwards, that he committed murder and burglary
6 in the first degree in possession of a weapon, then,
7 during a violent crime. Those are the two things I'm
8 going to talk about.

9 So let's look at what happened back in February
10 of 2011 and the investigation that ultimately led up to
11 Cleophas Edwards' arrest on February 16th. All right.
12 What do we know? It's about one o'clock in the
13 afternoon, Aaron Hanton -- Mr. Hanton comes home from
14 work, comes through his garage door, and finds his wife
15 in a pool of blood, unresponsive. Police arrive, EMS
16 arrive, announce she's dead. We know, ultimately,
17 from -- from 50-some-odd stab wounds about her body.

18 What else do we learn that day? That upon
19 looking around his house, this laptop and this ceramic
20 vase, purse, whatever you want to call it, with a little
21 bit of money and some cards are missing out of his house
22 also. We also learned that there's no forced entry.
23 You know, nobody kicked the door in, nobody's broken a
24 window, or anything of that nature. And that's
25 important when you get to looking at his statements

1 later on, because it corroborates what he says how he
2 got in the house. All right.

3 So I submit to you what happened that
4 afternoon, we know that from his statement. You know,
5 he gets up and is wandering around looking for, you
6 know, complaining about, you know, having pressure on
7 him and bills due and things of that nature. He's
8 looking for a house to break into. And, tragically,
9 and, unfortunately, for Mrs. Hanton, I submit to you
10 what happened that morning, is one of those children
11 that she was watching, his mother or father or parent
12 had just dropped that child off. I submit to you when
13 he talks about in that statement seeing a silver car
14 pull away, where he's thinking that's the homeowner, and
15 that's why he thinks it's an empty house. If you look
16 at it, there's no other car in the driveway. He goes in
17 that house. The door is open because Mrs. Hanton's
18 sitting in there. Parents dropping kids off, and I
19 submit to you that was a parent who had just left.
20 That's why there's not going to be a sign of forced
21 entry. He just walked straight on in.

22 What else do we find out that day? You know,
23 they find some footwear impressions not only inside the
24 house, they're in between the door and her, some others
25 going down the hallway in blood, and also a footwear

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State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the State

1 impression that appears to match that out in the
2 driveway. All right. At that point in time, you know,
3 they don't know who Cleophas Edwards is. All right. We
4 do know that seven days later, on February 10th, on
5 February 10th, he gets his girlfriend, Ms. Weldon, to go
6 pawn that laptop, pawn that red Acer laptop over on --
7 at Woody's Pawn Shop. And probably, I mean, the most
8 amazing twist of fate or lucky break the Sheriff's
9 Office could have gotten in this case -- there are a
10 couple them. But the first one is that the day before
11 they show up at his house, he gets his girlfriend to go
12 get that laptop back on February 15th, paying \$180.

13 So turn to February 16th. Sheriff's Office,
14 probation show up at [REDACTED] -- show up over at
15 [REDACTED] you know, about -- kind of around the
16 block, you know, four blocks or so away from -- away
17 from the victim's house, up here on Goff. And, luckily,
18 one of the officers that's along, just happens to be the
19 officer that was involved in entering the laptop into
20 the computer system as being stolen back on the 3rd.
21 And the minute he sees it, he knows there's a pretty
22 good chance this is the laptop he's looking for. And,
23 lo and behold, when they run the serial number -- serial
24 number through the computer, it's -- it's Mrs. Hanton's
25 -- Mrs. Hanton's computer. Fate was shining down; luck

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1 was shining down on the Sheriff's Office that day. You
2 know, if he doesn't get that laptop back out the -- the
3 day before or if he's not sitting there playing on it or
4 if it's not the same officer that was familiar with it,
5 he may never get caught. But, thankfully, that's not
6 what happened.

7 So what else happens? He's taken down to the
8 Sheriff's Office about dinnertime. All right. You
9 know, initially -- what do we know he's initially told
10 people about that laptop? We know that he's told his
11 girlfriend, Nadia Weldon, that he'd gotten it from some
12 white guy on the street. We know that he had told
13 Britney, his roommate's girlfriend, that he had bought
14 it from somebody for \$200. And he initially tries to
15 tell the police he had got it from some guy named Izzie.
16 You know, they go and find Izzie, and they bring Izzie
17 down there, and there's a -- kind of a confrontation
18 between the two of them. Izzie's not a white guy.
19 Izzie's a black male. So that's not even the same
20 person that he's told his girlfriend he had gotten the
21 computer from. And, you know, and then they're trying
22 to somehow imply through the questioning that Izzie's
23 the roommate -- Izzie's the other roommate. Well, we
24 know that's not even true from the two girls' testimony.
25 The third roommate, that had been living there that had

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the State

1 moved over to the other apartments, nickname is Simba,
2 Isaiah Smith. It's not Isaac Riley, is it?
3 Then ultimately what ended up happening? Keep
4 in mind, during this whole point in time, Investigator
5 Thrower and Agent Boltin, one of the two of them were
6 with him the entire time, from the time he was taken
7 from his house up until the time that he was basically
8 let go for the night and put in the detention center.
9 Okay? But he ultimately starts to break down. Tells
10 Agent Boltin that he wants to talk to -- talk to
11 Thrower.

12 What does Investigator Thrower tell us? He
13 goes in there, sits down. At that point in time, he
14 doesn't quite know what he's going to tell him, what
15 he's going to hear, thinking it's still going to have
16 something to do with where he got the laptop from. What
17 are his words to Investigator Thrower? I messed up. I
18 messed up. I killed that lady. Then he proceeds to go
19 into detail about what he did that morning, how he had
20 gone wandering around looking for somewhere to break in
21 to, about how she started screaming when he went in, at
22 him, how he had to start stabbing her. Tells him where
23 he took and threw the knife and the jacket he was
24 wearing.

25 At that point in time, Investigator Thrower

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the State

1 comes out and gets Agent Boltin and Lieutenant Shumpert,
2 who you saw in the video, back in there. Basically,
3 gets him, You need to tell them what you just told me.
4 And he goes through it all again.

5 At that point in time, they advise him, well,
6 you need to -- you really need to put this -- you're
7 going to need to write this down, put this in writing.
8 He says: I'm too upset to write it. Can you record it?

9 That's how we end up with this. You saw at the
10 beginning of this how they go over -- initially, back
11 over the Advice of Rights form with him. And he
12 indicates: Yeah, I understand, and I want to keep
13 talking. He tells them that -- you know, they ask him
14 that: We're recording this at your request. Is that
15 correct?

16 Yes.

17 At no point in time do any of those officers in
18 there do they raise their voice at him, yell at him,
19 threaten him. They basically let him talk. Let him
20 tell them what happened.

21 And the thing is, when you start looking at all
22 these statements, as I said, I -- I guess they're going
23 to have to somehow argue -- because they can't deny that
24 he made them. I mean, one of them's a four-page
25 statement in his own handwriting. And the other one is

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1 on video. And you'll have that to watch, if you want
2 to, back in the jury room. They can't deny that he made
3 those statements. So I guess they're going to have to
4 argue that law enforcement somehow told him what to say,
5 somehow made him tell the police that. I submit to you,
6 does that -- does that make any sense at all? I submit
7 to you, it makes none.

8 Look at the details in these statements that he
9 gives. You know, details like what color the trim on
10 the Hantons' house was, you know, red brick house with
11 yellow trim; the fact there was a truck parked on the
12 side that he had had some interest in initially; you
13 know, the layout of the house; the fact that there was a
14 bedroom, you know, you come into the carport door in the
15 living room and the fact that there's bedrooms in the
16 back of the house down the hallway; where the laptop was
17 located. Not only that, but -- but remember back to his
18 description of the laptop when they asked him about it?
19 I mean, it's not just -- you know, if you ask me, I
20 mean, that -- that's a red laptop. You know, his
21 description of the laptop he took was a red Acer 64-bit
22 with Windows 7 on it. Yet, this is a person that we're
23 supposed to believe that -- that, you know, was too
24 intoxicated to know what he was saying? Does that make
25 any sense that -- I mean, we can't even get any more

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Official Court Reporter for the State of South Carolina

1 details -- you know, if the cops are somehow just going
2 to force him to confess, you know, he's just going to
3 say: I did it. It's not going to have all these
4 details. You know, the fact that there were kids in the
5 house.

6 But then what happens else that night? You
7 know, he takes them by and shows them this house on
8 Mingo Street. It's an abandoned house. Overgrown in
9 the back. You've got some pictures of the backyard.
10 Unfortunately, it's dark out at that point in time so
11 they don't get a chance to search that -- that yard that
12 night. But what do we know the following day when they
13 go back out? Also, keep in mind where this is. And,
14 yet again, you've got the victim living up here,
15 Mrs. Hanton, up on [REDACTED], the Defendant down here on
16 [REDACTED]. You know, the street that connects them is
17 Mingo. Almost smack-dab in the middle is this abandoned
18 house and abandoned field back here where all these
19 items are found.

20 But what do they find when they get out there?
21 What do they find? In the ground behind the house, the
22 knife -- the big knife that he describes -- that when it
23 gets sent out to SLED, has got Carolyn Hanton's blood on
24 the blade of it; this black hoodie tucked into the fence
25 line beside the house. It gets sent out to SLED; has

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 Carolyn Hanton's blood up on the shoulder of it. DNA
2 consistent with him having worn the shirt, the T-shirt
3 under it. And this glass vase that was stolen that, in
4 his written statement on the 17th, he admits to taking.
5 Yet again, in his own handwriting.

6 Did you take anything else from the house
7 besides the computer?

8 His handwriting: Yes. I took a vase with \$60
9 and some cards.

10 Just what Mr. Hanton said it had. Now, he
11 actually said he thought it had \$40 in it and some loose
12 cards. They found it on the ground right next to the
13 vase.

14 But then what else happens the night -- let me
15 back up a little bit. What else happens the night of
16 the 16th? Well, he tells them he can take them to where
17 the shoes are that he was wearing, because they know
18 that they want to find them because there's -- they've
19 got bloody footwear impressions at the scene. So they
20 want to try to find the shoes he was wearing. What's
21 important on that video is, you know, he describes the
22 shoes. This is before they had been found, before they
23 come into contact with law enforcement, that they hadn't
24 even, from looking around in shoe stores, hadn't been
25 able to figure out what type of shoes at that point in

1 time they were looking for. On that video, he describes
2 them. They're not Air Jordan; he doesn't like to wear
3 that type of shoe. They're black designer dress shoes,
4 and Genius, I think, is the name he gives.

5 What ultimately do we have turned in the night
6 of the 16th? You heard, remember, Britney Davis' --
7 the -- his roommate's girlfriend's testimony. You know,
8 they got taken down, basically got drug into this
9 because of him, and then taken down to the police
10 station. Boyfriend does, and she shows up and gives a
11 statement.

12 So they know what's going on. They're being --
13 they realize how -- how serious things are at this point
14 in time. They go back over to their house, and, of
15 course, the police are there searching the house, so
16 they've got to go find some place to stay. So they go
17 over to the apartment that the -- their other roommate,
18 Isaiah, has moved in to, and that the Defendant and
19 Melvin are hoping to move in to. And, lo and behold,
20 the roommate goes in to, which is his room, has got this
21 suitcase sitting in it. Got his U.S. Airways luggage
22 tag on it. And they search it, and it's ultimately got
23 paperwork from South Carolina State in here with his
24 name on it.

25 And when it gets searched by the police the

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the State

1 following day, it's got these shoes in it. It's Greedy
2 Genius brand, size ten-and-a-half black shoes. What do
3 we ultimately learn about those shoes? A couple of
4 things. We learn that they've got Carolyn Hanton's
5 blood on them in several spots, and we learn they
6 basically match these footwear impressions. We also
7 know when they swabbed the inside that he can't be
8 excluded as wearing -- as having worn them, from the DNA
9 from the interior swabs. So we knew that already, not
10 only from his statement, but also from his girlfriend's
11 statement, her testimony where identified these as being
12 her boyfriend's, Cleophas Edwards', shoes.

13 But what else is in that bag? A pair of jeans.
14 A pair of jeans that tested positive for blood around
15 the zipper area. Lo and behold, it comes back being
16 Carolyn Hanton's blood on the -- around the zipper of
17 those jeans. Yet again, the same thing when they test
18 the waistband, he can't be excluded as being the person
19 who -- that wore those jeans.

20 Then they find a T-shirt. SLED's Item
21 Number 16, I believe it was. And it's got blood on it
22 also. It's his blood; it's not her blood. And the
23 reason we put that into evidence was basically to show
24 that, you know, there are items of his -- I mean, with
25 his blood on it, inside that suitcase. Don't know if

1 that happened from that night or if that's just
2 somewhere where he had cut himself at some other time.
3 But needless to say, T-shirt with his blood in that
4 suitcase with the jeans and the shoes that he wore when
5 he killed Carolyn Hanton.

6 And if you stop there, I mean, you know -- I
7 mean, what more do you need, I guess? But the kind of
8 icing on the cake, then -- you know, they've got, you
9 know, multiple officers that he's confessed to. They've
10 got him on video confessing. But, you know, they give
11 him an opportunity the following day when Investigator
12 Kittrell goes and gets him out of the jail and brings
13 him over to the Sheriff's Office; goes back over his
14 Rights with him. He initials them, and says he
15 understands them; cooperative with him; wants to give
16 them a -- wants to give a written statement now. He
17 didn't actually give one -- a written statement the
18 night before.

19 So February 17th at 3:48 in the afternoon, he's
20 given a chance, you know, if something about what he
21 said the night before was wrong, if somehow those
22 officers the night before had, you know, tricked him
23 into saying something that he didn't want to say, he was
24 given an opportunity to take it back, to do it over, to
25 tell us what really happened. And he gives this

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 four-page written statement that is almost entirely in
2 his handwriting where he admits to going into Carolyn
3 Hanton's home armed with a knife, looking for something
4 to steal, admits to stabbing her over and over and over
5 again, admits to taking that laptop, admits to taking
6 that vase with the money in it. You know, what did you
7 do with the laptop?

8 I didn't use it for two to three days because I
9 felt bad.

10 He felt bad.

11 Later on, I used it for a few days, and then I
12 pawned it at Woody's. Got it back from Woody's two days
13 ago.

14 Yet again, it corroborates what we already
15 knew; corroborates his girlfriend's testimony.

16 Describes where he hid the items behind the
17 house, the abandoned house. Asked him where he put his
18 pants and his shoes. In a green suitcase.

19 Where did you put the green suitcase?

20 Carried it to the apartments in my new
21 apartment.

22 You know, they're going to try to imply that we
23 don't know how the suitcase got there. We know how the
24 suitcase got there. He told us.

25 And then the kicker. You know, Investigator

1 Kittrell, you know, typically will ask the question: Is
2 there anything else that you would like to tell me or
3 add to this statement? You know, we get this, Page 4,
4 entire page of him apologizing to his family for what he
5 has done. I mean, I don't know how much of this is
6 sincere. I don't know how much of it is truthful, that
7 he actually feels this way. But I submit to you, this
8 last page right here is all you need. I submit to you
9 there is no doubt, no doubt, Cleophas Edwards, on
10 February 3rd of 2011, burglarized the Hantons' home and
11 brutally and maliciously killed Carolyn Hanton.

12 That leaves us to just the last two -- the last
13 issue that I told you about. You know, beyond I.D., is
14 whether we've proven what he's guilty of. And I want to
15 take just a few minutes just to touch -- touch on the --
16 on the elements of the law involved in the charges that
17 he's charged with.

18 The first one is burglary in the first degree.
19 Burglary in the first degree is the unlawful entry into
20 another's home without their consent, and to make it --
21 to rise it to the level of first degree, there's got to
22 be some aggravating circumstance. In this case, there's
23 two possible ones. The fact that he was armed with a
24 deadly weapon, this knife. The mere fact that you go
25 into somebody's home armed with a deadly weapon,

1 assuming you go in there without their consent and with
2 the intent to commit a crime, in this case, to steal
3 something, makes it burglary in the first degree. There
4 doesn't have to be anybody home. If you go into
5 somebody's home armed with a deadly weapon, whether it
6 be a knife like this or a handgun, you'd be guilty of
7 burglary in the first degree.

8 And the other one is, causes physical injury to
9 a nonparticipant. In other words, it doesn't matter if,
10 you know, somebody that's assisting you. But in this
11 case, the victim. And -- and, obviously, we're well
12 beyond physical injury. If he went in there and pushed
13 her down and she scuffed her elbow up, he'd be guilty of
14 first degree burglary, notwithstanding the fact that he
15 stabbed her 55 times.

16 The other couple of things with burglary, if
17 you notice in the statute what it doesn't require. It
18 doesn't require you to break into somebody's house. You
19 don't have to kick a door in, you don't have to climb in
20 through a window. All there has to be is unlawful
21 entry. If you go into somebody's home without their
22 consent and you have that intent to commit a crime,
23 you're guilty of burglary. You're guilty of burglary.
24 I submit to you when you look at his statements, every
25 one of them convict him of burglary in the first degree.

1 He's also charged with possession of a weapon
2 during the commission of a violent crime, and his
3 Honor's going to -- going to instruct that -- that both
4 burglary first and murder are -- are violent crimes. So
5 if you find him guilty of either of those and find
6 that he was armed with this knife when he did it, he is
7 guilty of that charge. All right.

8 Then the other one, and obviously the most
9 serious of the three, is murder. And murder, while --
10 while it's the most serious crime that you can commit in
11 South Carolina, probably has maybe the shortest -- the
12 shortest definition. Murder is very simply the unlawful
13 killing of another person with malice aforethought,
14 either expressed or implied.

15 And I'm going to talk to you a little bit about
16 what malice is. Okay? And malice can either be
17 expressed or implied, and what those two terms mean,
18 expressed malice is if, you know, I come up to somebody
19 and say, I'm going to kill you. That means I've
20 expressed the hatred and ill will in my heart to that
21 person. All right. A lot of times you don't have that,
22 you know. He may have said that to her before he killed
23 her. I don't know. But, obviously, with her not being
24 here, we don't know that. So that's -- oftentimes, you
25 don't have that.

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Official Court Reporter for the State of South Carolina

1 So the other way that you can find malice, as a
2 juror, is you can infer it or imply it from -- from not
3 only the facts and circumstances around the case, you
4 know, the number of times she was stabbed, where she was
5 stabbed, how she was stabbed, you can infer malice from
6 that. You can also infer malice merely from the use of
7 a deadly weapon, such as this knife.

8 And the other way you can infer malice is
9 malice can be inferred if a defendant intentionally
10 kills another person during the commission of a felony.
11 In other words, if you break into somebody's house with
12 the intent to commit a burglary, as a result of that
13 burglary, you end up killing somebody intentionally, you
14 can infer malice and find him guilty of murder.
15 Cleophas' intent that day when he went through that door
16 may not have been to -- to physically assault anybody.
17 But I honestly think he probably thought it was an empty
18 house when he was going into it. But when he broke in
19 and committed that burglary, when he went through her
20 door with that intent to commit a crime without her
21 consent, she had every right at that point in time to
22 defend herself. It's her home; it's her castle. So
23 when he intentionally stabbed her over and over and over
24 again, you, ladies and gentlemen, can infer malice from
25 that and find him guilty of murder.

1 Now, murder -- I'm sorry, malice. Let's talk
2 real briefly about what the definition of malice is.
3 Malice is hatred and ill will, hostility towards another
4 person, the intentional doing of a wrongful act without
5 just cause or excuse with an intent to inflict an injury
6 or under circumstances that the law will infer that evil
7 intent, such as the fact that you were committing --
8 committing a felony. Malice may be inferred from
9 conduct that shows a total disregard for human life. It
10 also arrives when a deed is done with a deadly weapon,
11 and I've talked to you a little bit about that already.
12 A total disregard for human life. When you look at
13 these circumstances of this case, I'm not quite sure
14 you can have any less regard for human life than what
15 Cleophas Edwards showed to Carolyn Hanton back on
16 February 3rd.

17 It's hard to imagine how her death could have
18 been, quite frankly, any -- any more -- any less
19 senseless than it was or how it could have been much
20 more malicious. What it boils down to, ladies and
21 gentlemen, is she lost her life over less than a couple
22 hundred bucks. That's the value on February 3rd that
23 Cleophas Edwards placed on that young lady's life, less
24 than a couple hundred bucks. He got 40 to \$60, a laptop
25 that he promptly pawned for \$150, and then turned around

1 and paid \$30 to get back 5 days later. That's what her
2 life meant to him back on February 3rd. That is truly
3 senseless.
4 I'm just about done. I've got just a couple --
5 couple of lasting and parting comments. You know, I've
6 never -- I've never had the fortune or ill fortune,
7 whichever way you look at it, of sitting on a jury. And
8 I'm not sure I really want that, anyway. But I imagine
9 that it's got to be very difficult to sit there. Can't
10 talk about the case; can't ask questions. The Judge has
11 told you every time you've left the jury box and gone
12 back to the jury room and gone home for lunch or home
13 for the night: Can't talk about it amongst each other;
14 can't talk about it with your family and friends about
15 what's going on. You've had to just sit there quietly.
16 And as Ms. Hinds told you in her opening, and it's
17 absolutely correct, because Mr. Edwards, even here
18 today, still sits here today, he's presumed innocent.
19 And that continues up until the time that you go back
20 and ultimately reach a verdict. While you've had to sit
21 there quietly, you're ultimately, ladies and gentlemen,
22 when you come back into this jury room after your
23 deliberations, you're going to have the loudest voice
24 in this courtroom.
25 You took an oath back on Tuesday, and you stood

1 up and the Clerk gave it to you after you were selected
2 to well and truly try and true deliverance make between
3 the State of South Carolina and the Defendant who
4 shall -- who shall have in your charge and a true
5 verdict reach. A true verdict. "Verdict" comes from a
6 Latin word. It means to speak the truth. And that's
7 all we're going to ultimately ask from you is a truthful
8 verdict. A truthful verdict.

9 I'm going to kind of leave you with one
10 little -- one other kind of comment from Mr. Edwards
11 from the video. When he's bemoaning how he got himself
12 into all this, he makes the comment: You know, I should
13 have done a coward move and just ran out. I should have
14 done a coward move and just ran out. He was talking
15 about when she started screaming at him and coming at
16 him. And I guess that somehow implies, what I'm getting
17 out of that, is that what he ended up doing was brave
18 and manly. He wished he had done the coward thing and
19 left, instead of doing what he did. Absolutely amazing.

20 Ladies and gentlemen, on behalf of the citizens
21 of Orangeburg County, the family of Carolyn Hanton, I'm
22 going to ask you to go back at the close of all this in
23 the jury room and to bring back that truthful verdict.
24 I submit to you, the only truthful verdict in this
25 case is a verdict that holds that man right there

1 responsible, accountable for his actions, and tells him
2 loud and clear that he is a coward. He's a murderer.
3 He's guilty of murder, burglary in the first degree in
4 possession of that big knife, in his own words.

5 Thank you.

6 MR. WISE: Please the Court.

7 CLOSING ARGUMENTS

8 BY MR. WISE:

9 The telling part, I think, of this case is
10 what can be seen in the State's closing argument.
11 Mr. Sorenson started his closing argument by talking
12 about the statement. He ended his closing argument by
13 talking about the statement. Throughout this closing,
14 he referred to that statement -- statements. And that's
15 a good thing. We're going to talk about those
16 statements. In his words, the statements in and of
17 themselves are enough, in and of themselves. In his
18 words, Mr. Sorenson's words, he can't deny he made the
19 statements. Those statements are important, and they
20 are critical. We're going to come back to them and talk
21 more about those statements.

22 But what I want to talk about first is
23 some -- some thing -- some things about this case that
24 makes those statements important. And that's the
25 physical evidence. If you step back and look at this

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the Defense

1 case, it really has two components: It has physical
2 evidence, and it has the statements. And if you look at
3 the physical evidence first, I submit to you that the
4 case is not as clear as the State makes out.

5 For all the experts that they brought in, for
6 all the analysis, the one thing that they cannot
7 definitively say is, that -- that Mr. Edwards is the
8 person who committed this act. There are issues that
9 you just cannot ignore.

10 Probably the simplest one is the fact that they
11 were looking for DNA, the person who did this, under the
12 fingernails of Mrs. Hanton, they bagged her hands to do
13 that, they took her fingernails to do that, and they did
14 not find anything under her fingernails to connect
15 Cleophas to this accident. The knife that they put into
16 evidence was analyzed. One person says there's blood;
17 one person says there's not -- one expert says there's
18 blood; another expert says there's no blood. The expert
19 who says there's no blood, I think her position is that
20 the person who said there was blood may have wiped all
21 the blood off with a Q-Tip. I submit to you that they
22 can't say definitively that that was the knife. They
23 just can't. Obviously, Cleophas' fingerprints are not
24 on that knife; Cleophas' fingerprints are not on that
25 vase; his fingerprints are not on that EBT card; his

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Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the Defense

1 fingerprints were not found in the house. Now, I
2 don't -- nobody disputes what happened here. And I
3 don't care about the fact that somebody did this.
4 That's not what's important. What's important today is
5 whether or not Cleophas did this. And all of those
6 things are a good indication that Cleophas did not do
7 this.

8 But there's something that I found more
9 interesting about how the State went about their
10 investigation. If you remember the testimony of Officer
11 Ketcherside, he said there was some, what I described,
12 and he agreed, were inconsistent blood droplets around
13 the body. And what basically happened was, as he
14 describes it, they were 90-degree blood droplets that
15 came straight down, different than the other blood. And
16 as Investigator Ketcherside said, the person holding
17 that knife could have cut themselves and dripped on the
18 floor, because if that happens -- that's why I asked him
19 that. That happens. So if the person who was wielding
20 that knife cut themselves and dripped on the floor, if
21 they had simply analyzed those blood droplets, they
22 would have had the DNA of the person who did this. It's
23 a simple thing to do. And it answers the question about
24 who did this. But they didn't. I was wondering as they
25 were testifying, and this was going on: What does SLED

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Official Court Reporter for the State of South Carolina

1 have to do more important than that?

2 If a defense attorney, just a plain ol'
3 everyday lawyer, recognizes that that could be the blood
4 of the person who did this, if I can recognize that,
5 obviously, they can recognize that, and they can give
6 the answer to that. I submit that you deserve to have
7 that information. You deserve the answer to that
8 question, and you don't have it. And it's another
9 indication, I submit, that there's nothing to indicate
10 that Cleophas Edwards is the person who did this.

11 Let's talk about the computer for a moment.
12 The obvious assumption -- this whole case starts with
13 this assumption, that Cleophas took the computer at the
14 time of the murder. But the problem in this case is, we
15 recognize that we don't know who else had or used the
16 computer. And we know this. We all know this: Simply
17 because he had it, doesn't mean that he took it.

18 SLED could have done a little more to find out
19 a little more about this computer. They could have
20 fingerprinted the computer. It may have just been
21 Cleophas' fingerprints on the computer, but there may
22 have been fingerprints of the other folks who had access
23 to the computer. They could have checked the computer
24 for DNA because people are using it. They could have
25 seen how the computer was being used. Whose websites

1 was on it? Whose E-mails accounts are being looked at?
2 Why do I raise these issues? Why are these issues
3 important? Well, in this case, these issues are
4 important because every piece of evidence that the State
5 says connects Cleophas to this crime, other people had
6 access to, every piece. They cannot take one of the
7 critical pieces of evidence and say it was only
8 Cleophas': The jacket that was worn, the knife, the
9 computer, obviously the suitcase that contained the
10 jeans and the shoes. Remember, the suitcase was brought
11 to the police by roommates. It was unlocked. They just
12 opened it with a zipper.

13 I guess I could understand how they approached
14 this. But they never really considered looking at
15 anybody else. They never questioned anybody else. They
16 never took the DNA of anybody else. I assume they
17 simply took the words of these roommates and the other
18 people and assumed they weren't involved. It would seem
19 to me, at least with this suitcase, if somebody brings a
20 piece of evidence and says: You know, I've got this
21 thing. And they bring it to you, and it's someone with
22 a connection to the person who they say this evidence
23 belongs to and it's someone who has access to, not just
24 that, but all the other evidence, you would spend some
25 time to do a little more investigation. But they -- but

1 they didn't.

2 I submit to you -- and I was sitting there. I
3 was watching the State's case go on, and I asked myself,
4 at some point, Melvin's going to come in or Isaiah's
5 going to come in, the roommates, and testify. But
6 instead, they had to go and bring a witness from Indiana
7 to come in and put that suitcase in evidence. Why --
8 why would they do that? Why wouldn't Melvin and Isaiah
9 come in and tell what they knew? Why would they not?

10 What's critical in this case to me, physical
11 part of the case, what's most important in this case is
12 that the most important piece of evidence has the DNA of
13 other people on it: the jeans, the jacket, the knife
14 handle, the right shoe, and the left shoe. Every piece
15 of evidence contains the DNA of other people. All of
16 them had their DNA. And some of these items have at
17 least two and sometimes more people who have worn or
18 held each item. Based on what the State's given you
19 with all their experts, we don't know how many people
20 wore these items: the shoes, the jacket, held the
21 knife. We don't know who. We don't know when. So I
22 submit to you, based on the evidence that you have right
23 now, you have no indication of who was wearing the
24 jacket, the jeans, and holding that knife when this
25 crime was committed. You just don't have it. It's just

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Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 not there.

2 The perplexing part of it, as I -- as I thought
3 about this is, when they try to make this case, saying,
4 obviously, all the stuff belongs to Cleophas; obviously,
5 he was the person who did this, when they try to make
6 that case, they talked about that jacket. And if you
7 remember what the expert said, she said, that they
8 cannot exclude that Mrs. Hanton was the owner of that
9 jacket. They can't exclude Cleophas; you can't exclude
10 Mrs. Hanton. And what that says is, with all their
11 scientists and investigators and SLED agents and fancy
12 equipment, you cannot tell from this evidence who the
13 attacker was. All that testimony, all those scientists,
14 all this stuff, the shoes, in terms of knowing who did
15 this, absolutely worthless.

16 I'm going to talk for a minute very briefly
17 about the clothes that were in that suitcase, and maybe
18 have this question -- I had the question: Why would, if
19 this was Cleophas' stuff, why would he keep them -- the
20 clothes in the suitcase? And I submit to you, he'd keep
21 them because he didn't think there's anything wrong with
22 them. You can look at the -- the pants that were in the
23 suitcase. I don't think you can see any blood on them.
24 So I submit to you this: If the pants were -- he knew
25 that he had these pants on when this happened, he would

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the Defense

1 have gotten rid of them. The reason they were in a
2 suitcase, the reason they were not disposed of from
3 wherever, is because he didn't know that there was any
4 blood on them. He didn't know there was a problem with
5 them. And that, I think, is a good indication that he
6 was not the person who's involved in this.

7 Take one minute to talk about the knives.
8 Obviously, there were similar knives in the house shared
9 by Cleophas and his two roommates. There were similar
10 knives found in the bedrooms of each of the roommates.
11 There was a similar knife found on the kitchen table.
12 And the problem is, they didn't do anything with those
13 knives. They didn't test them; they didn't swab them;
14 nothing.

15 These are the kinds of things that the State
16 could have done, I think, to give you the information
17 you need to know what happened here. But they didn't.
18 And there's a reason. So because they didn't do that,
19 how are they going to make this case? They know that
20 this of no value. So what do they need? What do they
21 need? They need a confession. That's what they've got
22 to have. Because without a confession, there is no
23 case. That's why they keep talking about the
24 statements, the confessions, the confessions, the
25 statements.

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 I have two concerns about the statements. I'm
2 going to lay these things out for you. I think some of
3 you may have already seen this. They are what we don't
4 know about what happened in these statements and what
5 about these statements that I think just doesn't add up.
6 I submit to you, you can't just accept these statements
7 at face value. That's what they'd like you to do.
8 Everything he said was true. Everything he said was
9 accurate. Why else would he say it if it weren't? But
10 it's not so. You know, we just don't know what happened
11 here. That's the problem that I have.

12 I have a concern about the amount of time that
13 the police interacted with Cleophas. And we just don't
14 know what happened during that time. Basically, if you
15 just step back and think about it, what they had was
16 this -- was a kind of a black box secret interrogation.
17 They pick him up, they take him to CID, they put him in
18 rooms, they talk to him, and nobody knows. Nobody knows
19 what's going on. Now, I don't know why they would do
20 that.

21 I am not going to stand up here and say that
22 the police were trying to -- I wasn't there -- trying to
23 do anything or torture him or do anything. But why
24 would you treat a person that way in a case like this
25 when you know that this statement's going to be

1 important, because, obviously, if they haven't solved
2 the case before, why would you interrogate him in
3 secret? Why you treat him like some terrorist down in
4 Gitmo? You bring him in, you turn on the cameras, which
5 they can do, and you let everybody know everything
6 that's said from the beginning to the end. Remember,
7 he's arrested between 7:00 and 7:30 on the 16th. That
8 video statement was at ten o'clock. So by the time that
9 statement was taken, he was in custody for two and a
10 half hours.

11 Then on the 14th [sic], Investigator Kittrell
12 takes him out of the jail, and he makes a statement at
13 four o'clock in the afternoon after some time --
14 spending some time with Investigator Kittrell. So from
15 the time he's taken into custody until the very last
16 statement, twenty -- 21 and a half hours is what I
17 figured. But, obviously, some of that time he was in
18 jail, 21 and a half hours. Of all that time -- of all
19 the time he was with -- at CID, when he was in that
20 room, they recorded 15 minutes, 15 minutes. Well,
21 what's going on the rest of the time? What are they
22 talking about? What's happening? Now, that concerns
23 me. Look, they could have recorded everything, and you
24 would know exactly what was going on.

25 They knew when they started down this road that

1 this was the most serious crime they could investigate.
2 They knew they were looking at a murder. And they
3 had -- they spent all this time working on him, and all
4 they record is 15 minutes. There's no recording of his
5 one-on-one time with Investigator Shumpert. No
6 recording of his one-on-one time with Thrower. No
7 recording of his one-on -- one-on-one time with
8 Investigator Kittrell. So that leads to the question,
9 What's happened? Why do they not want you to know and
10 to see? What's happening is they're trying to get a
11 confession. That's why it took so long. That's why
12 there's no recording. They needed a confession. And
13 that's why they were willing to start immediately
14 working on him, even though they know he was sitting in
15 his house, smoking marijuana, possibly drinking vodka.
16 His state of mind at the time they put him in that room
17 didn't matter as long as they got a confession. Fifteen
18 minutes is all they recorded. They recorded what they
19 wanted you to know.

20 One thing we know, and there's no doubt about
21 this, when he voices adamant denial of being involved
22 in that murder, they didn't record that. When he was
23 overcome at the time, they didn't record that. They
24 just recorded one piece of it. And the result of that
25 interrogation are these three statements. I submit,

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 each one providing more detail than the previous one.

2 So the second statement is when he adds
3 the information about the house. Not in his first
4 statement. In the second statement is when he makes his
5 excuse. Makes the, I messed up and pressures of life
6 and all that. And I submit that that's his attempt to
7 help himself because that's what he was told he should
8 do. Say something to make you look -- you know, we're
9 going to try to help you. We're going to try to work
10 with you. So say something so that, you know, doesn't
11 make yourself look so bad.

12 Then there's a third statement. He's already
13 given two. There's a third statement. In the third
14 statement, you get more details. Some things he never
15 said before like, he's wearing jeans. Why does he say
16 that? Well, you know, by the time the third statement
17 comes around, they now have the suitcase with the jeans
18 in it. He adds about the vase and EBT cards. He adds
19 about putting the shoes now in the suitcase. But,
20 remember, in his first statement, he said the shoes
21 were -- these shoes that he said that he had were at
22 home in storage. Now the story's changed. But why
23 would he change? It's changed now because they know
24 the shoes are not there. He says now, this -- these
25 suitcases are not at home, but they're in some other

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the Defense

1 apartments. They continue to take statements from him
2 because they need more information to solidify their
3 case. Why? Because, as Mr. Sorenson said, the
4 statements in and of themselves make this case.

5 Now, about the third statement, very briefly.
6 He's already confessed; he's made an oral statement;
7 he's made a written statement. So why would you need a
8 third statement? Why would you need to do it again?
9 Well, you need it to do it again because you need more
10 information. I submit to you Investigator Kittrell
11 didn't have to hear it. Why would he have to hear a
12 confession himself? He could look at the video; he
13 could talk to Thrower. Two statements would be enough,
14 but they needed more nails for his coffin.

15 Let's talk for a moment about the problem with
16 the statements themselves. The inconsistencies between
17 what he said to the police and what the reality is. And
18 I've got to start with this. The problem -- and
19 everybody knows this. He knows this. Police were in
20 his house; he's got that computer; he is in trouble. He
21 knows it. The police knows it -- know it. His back is
22 against the wall. He has to come up with a story, so he
23 starts making things up because he doesn't know. But he
24 has to do something because he knows he's in trouble.
25 And that's why his statements don't match up. That's

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 why he told the police the shoes were at Campus Drive
2 when they weren't, because he didn't know. That's why
3 he makes up this story about trying to run out the back
4 door. Obviously, he has no idea what happened. He's
5 obviously making that up, because this thing would have
6 been at the front door.

7 He says in his statement, if you remember, he
8 tried to run out the back door, but there was no back
9 door. But there is a back door. We know that. We know
10 there's a back door, and we know that the person who did
11 this was at the back door because of -- Investigator
12 Ketcherside said he walked into the kitchen where there
13 was a bloody footprint where the back door's located.

14 Obviously, Cleophas is not speaking from any
15 personal knowledge of what happened here. He's making
16 up stories to try to fit the evidence that the police
17 have in this case. Remember his statement, he talked
18 about placing the hooded sweatshirt under the house. He
19 made it up. It wasn't under the house. The police know
20 that. He made a comment about a do-rag.

21 I think the interesting thing, and
22 Mr. Sorenson touched on this, he saw a room with a
23 laptop. I mean, obviously, that's just -- that's not
24 how this thing happened. Whatever happened, that's not
25 how it happened. How do we know? Because I asked

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Closing Arguments by the Defense

1 Detective Ketcherside -- Investigator Ketcherside: Did
2 you find any footprints in that room where you think
3 this was? And there weren't any. Up and down the
4 hallway, all around, but not in that room, which means
5 that that computer was someplace else. And what
6 he's talking about, he's just making up. He doesn't
7 know. He doesn't know where the laptop was. Officer
8 Ketcherside -- Investigator Ketcherside doesn't know
9 where the laptop was.

10 So -- so what happened here? The police have a
11 murder. They can't solve it. It's a cold case. They
12 come across Cleophas with that computer. And all their
13 efforts at that point were geared towards getting a
14 confession, getting a statement. They made no effort to
15 look at any other possibilities, no effort to look at
16 anyone else, no effort to really do any detailed
17 analysis of the physical evidence. They needed a
18 confession, and they worked on him until they got it.
19 And that's why it was done in secret. That's why you
20 had Officer Thrower, Officer Boltin, Officer Young,
21 Officer Shumpert all involved in interrogating Cleophas.
22 They had one goal in mind, and that was to get a
23 confession. And they got it. And if you look at that
24 video, you look at him in that video, sitting in the
25 corner, surrounded by police, just look at him, he looks

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Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 defeated. He looks overcome, because he was.

2 The State wants you to accept this as a good
3 statement. Just accept it on face value. I don't think
4 we can. If they had come in, if they had said they
5 brought him in, they put him in the room with those
6 video cameras, where he was from the moment he hit CID,
7 they put him in that room with that video camera, and
8 you can see everything that went on, that'd be one
9 thing. But when they give you just a piece, a very
10 small piece of what happened when they were trying to
11 get that confession out of him, you just can't accept
12 that confession at face value. Now, I don't know. I
13 wasn't there. Mr. Sorenson wasn't there. I don't know.
14 But you would know they had not done it in secret.

15 The -- the -- one of the statements that
16 Mr. Sorenson made -- and I think it's key -- his
17 confessions corroborate what we already knew. They
18 corroborate what they already knew. And there's reason
19 that they do, because the knowledge comes first and then
20 the statement. And that's why the statements are
21 questionable. Mr. Sorenson said: What more do you
22 need? That's a good question. What more do you need?
23 What more should you ask for? Well, let's start with
24 this. What more do you need? Analyze the blood on the
25

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Charge

1 floor. What more do you need? Check the DNA of others
2 who had access to these items. Who was wearing these
3 shoes? Well, we know this. It's more than Cleophas'
4 shoes because somebody else was wearing them. Who's the
5 ownership of the shoe? They can't tell you. Who's
6 wearing the jacket? Don't know. Can't exclude
7 Cleophas; you can't exclude Mrs. Hanton. What more do
8 you need? You need more analysis of what was going on
9 there. What more do you need? You need to see the
10 entire interrogation. That's what you need.

11 As I said, there are many things about this
12 case that should concern you. I suggest that the
13 evidence is not as clear as the State makes out. When
14 you're dealing with a murder investigation, does it get
15 more serious? The investigation has to be precise.
16 Do it the right way. And, indeed, if you look at the
17 investigation, I submit to you that it's kind of a --
18 somewhat of a paradox. Because for all the efforts to
19 make a case against Cleophas, the results point away
20 from Cleophas. I submit the State's case fails. The
21 investigation fails. It's just insufficient, and I
22 think that's what you should find.

23 Thank you.

24 JURY INSTRUCTIONS

25 THE COURT: Madam Forelady, ladies and

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Official Court Reporter for the State of South Carolina

1 gentlemen, my charge is about 15 or 20 minutes. Does
2 anybody need a break before we start? Y'all good?

3 In a case that we try here in General Sessions
4 of Criminal Court, we have certain propositions of law
5 that apply to all criminal cases. Let me go over those
6 with you first, and then I will go over the specific
7 charges in this case.

8 In this case, the Indictments charge the
9 Defendant with three offenses: Murder, burglary in the
10 first degree -- we have three degrees of burglary, but
11 this is burglary in the first degree -- and the
12 possession of a weapon during the commission of a
13 violent crime.

14 Let me remind you as I told you when we
15 started, the fact that he's been charged, arrested, and
16 indicted in the case cannot be consider by you as
17 evidence of guilt in this case, nor does it create any
18 presumption or inference of guilt. The Indictment is
19 simply the formal document which leads us into the
20 courtroom. It has brought him into the courtroom. Now,
21 because we have three Indictments in the case, you must
22 decide each Indictment separately on the evidence or law
23 applicable to it uninfluenced by your decision as to any
24 other Indictment. The Defendant may be convicted or
25 acquitted on any or all of the offenses charged. You

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 will be asked to write a separate verdict of guilty or
2 not guilty for each of the Indictments.

3 The Defendant has pled not guilty to all three
4 Indictments.

5 Ma'am, please keep that door closed.

6 And that plea of not guilty puts the burden
7 on the State to prove the Defendant guilty. A person
8 charged with committing a criminal offense in South
9 Carolina is never required to prove himself innocent.
10 I charge and instruct you that it is an important
11 constitutional rule of law that a defendant in a
12 criminal trial, no matter how serious the crimes may be,
13 will always be presumed to be innocent of the crime for
14 which the Indictments were issued unless guilt has been
15 proven by evidence satisfying you of that guilt beyond a
16 reasonable doubt.

17 The presumption of innocence does not end
18 when you start your deliberations, but it stays with a
19 defendant throughout the trial until you reach a verdict
20 of guilt based on evidence satisfying you of that guilt
21 beyond a reasonable doubt. The presumption of innocence
22 is not a mere legal theory. It's not a legal phrase.
23 It is a substantial, constitutional right to which every
24 defendant is entitled unless you, the jury, are
25 satisfied of that guilt beyond a reasonable doubt.

1 Now, what is a reasonable doubt? Our law has
2 defined a reasonable doubt as the kind of doubt that
3 would cause a reasonable person to hesitate to act. It
4 is the kind of doubt that would cause a reasonable
5 person to hesitate to act. Proof beyond a reasonable
6 doubt is proof that leaves you firmly convinced of the
7 Defendant's guilt. There are very few things in this
8 world that we know with absolute certainty. And in
9 criminal cases, the law does not require proof that
10 overcomes every possible doubt. If, based on your
11 consideration of the evidence, you are firmly convinced
12 that the Defendant is guilty of the crimes charged, you
13 must find him guilty. If, on the other hand, you think
14 there's a real possibility that he is not guilty, you
15 must give him the benefit of the doubt and find him not
16 guilty.

17 Let me remind you, ladies and gentlemen, during
18 the trial of this case that you and I have had certain
19 duties to perform. Obviously, my duty is to rule on the
20 admissibility of the evidence and to charge you and
21 instruct you on the law. More importantly, your duty is
22 to determine the true facts in this case. You are the
23 finders of the facts; you are the judges of the facts.
24 So, please, if at any time during the trial of this
25 case, I've done anything up here to make you think I

1 have an opinion about the facts, please set that aside.
2 The law does not allow me to have any opinion whatsoever
3 about the facts. So if I've yawned or smiled or frowned
4 or did anything that you think I had an opinion about
5 these facts, set that aside. I try these cases day in,
6 day out, week after week. I cannot have an opinion
7 about the facts.

8 You are the sole finders of the facts in the
9 case. And in handling that duty or your responsibility
10 as the finders of the facts, obviously, you must
11 determine and judge the credibility of the witnesses who
12 have testified in the case. Credibility simply means
13 believability. It becomes your duty as jurors to
14 analyze and to evaluate the evidence and determine which
15 evidence convinces you of its truth. In carrying out
16 this responsibility and in determining the believability
17 of the witnesses who have testified in the case, you may
18 believe one witness over several, several over one, you
19 can believe a little bit about what somebody says and
20 disregard the other. You can believe everything he says
21 or reject everything he says. You may consider whether
22 any witness has exhibited to you any interest, bias,
23 prejudice, or other motive in this case. And you can
24 consider the appearance and manner of the witness while
25 on the witness stand. So I ask you to please use your

1 ordinary common sense in telling how people and judging
2 how people tell the truth and use that in this case.
3 You determine the believability of the witnesses.

4 We have had a number of witnesses in this case
5 who have testified and have been qualified as an expert.
6 Normally, our rules of evidence do not allow a person to
7 testify about an opinion. You can only testify about
8 what you see, hear, smell, have direct opinion about, or
9 direct knowledge about. There is an exception to that
10 rule. A person, who by way of education, training, and
11 experience has become an expert in some art, science, or
12 profession, then the state -- he may state an opinion.
13 You should consider any expert opinion received in this
14 case and, like any other evidence, give it the weight
15 you think it deserves. If you decide that the opinion
16 of an expert witness is not based on sufficient
17 education and experience, or if you conclude that the
18 reasons given in support of the opinion are not sound or
19 that the opinion is outweighed by other evidence, you
20 may disregard the opinion entirely. An expert witness's
21 testimony is to be given no greater weight than that of
22 any other witness simply because the witness is an
23 expert. Further, you are not required to accept an
24 expert's opinion even though it is not contradicted.

25 Now, there's another important constitutional

1 rule that we have that's involved in this case. So I
2 instruct and charge you and emphasize that the fact that
3 the Defendant did not testify in this case is not a
4 factor to be considered by you in any way in your
5 determination and in your consideration on the question
6 of the guilt or innocence of the Defendant. It must
7 not be considered by you in any manner whatsoever. A
8 defendant has the constitutional right to remain silent,
9 and the assertion of this right must not be considered
10 by you in your deliberations. Please do not draw any
11 conclusions whatsoever from the fact that the Defendant
12 in this case did not testify. The fact that he did not
13 testify should not be discussed at all in the jury room.
14 The burden of proof, as I've told you, is on the State.
15 The Defendant is not required to prove his innocence.
16 The burden of proof remains on the State to prove guilt
17 beyond a reasonable doubt.

18 In this case, there are several statements that
19 were alleged to have been made by the Defendant, and
20 these statements have been admitted into evidence in
21 this case. While I have made a determination that the
22 statements are admissible, I instruct you that you make
23 the ultimate decision of whether or not the Defendant
24 made the statement. If the Defendant, in fact, made the
25 statement, you must determine whether the statement was

1 made by the Defendant voluntarily and of his own free
2 will. This means that the statement was not caused
3 by pressure, force, fear, threats, coercion, or
4 intimidation or by any hope or a promise of leniency or
5 a reward of any kind. In determining whether the
6 statement was voluntary, you should consider both the
7 characteristics of the Defendant and the details of the
8 questioning.

9 Some of the factors that you must consider are
10 the age of the Defendant, his education or lack thereof,
11 his mental ability or capacity, his intelligence, the
12 Defendant's background and environment, the place and
13 length of detention, the nature of the questioning,
14 the advice or lack thereof to the Defendant of his
15 constitutional rights, including, but not limited to,
16 his right to remain silent, that any statement could be
17 used against him in a court of law, his right to have a
18 lawyer present, that if he or she cannot afford a
19 lawyer, a lawyer would be appointed to represent him
20 without any cost, and that he can stop making the
21 statement at any time. You must carefully consider all
22 of the surrounding circumstances before you give any
23 weight to a statement.

24 The State has the burden of proving beyond a
25 reasonable doubt that the statement was voluntary. If

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 you determine it was, you may give the statement any
2 further consideration that you deem proper. You must
3 decide what weight, if any, should be given to the
4 statement. If you determine the statement was not the
5 free and voluntary statement of the Defendant, then you
6 should not consider it at all.

7 Now, Madam Forelady, ladies and gentlemen,
8 those propositions that I've just gone over with you are
9 basic elements of law that apply to all criminal cases.
10 Now, in this case, let's turn to the three Indictments
11 that we're dealing with. And I will start with the
12 Indictment concerning the murder charge.

13 In this case, the Defendant is charged with the
14 crime of murder. The State must prove beyond a
15 reasonable doubt that the Defendant killed another
16 person with malice aforethought; must prove beyond a
17 reasonable doubt that the Defendant killed another
18 person with malice aforethought. Malice -- malice, I'm
19 sorry, is hatred, ill will, or hostility towards another
20 person. It is the intentional doing of a wrongful act
21 without just cause or excuse and with an intent to
22 inflict an injury or under circumstances that the law
23 will infer an evil intent. Malice aforethought does not
24 require that malice exists for any particular time
25 before the act is committed, but malice must exist in

1 the mind of the Defendant just before and at the time
2 the act is committed. Therefore, there must be a
3 combination of the previous evil intent and the act.

4 Malice aforethought may be expressed or
5 inferred. These terms "expressed" and "inferred" do not
6 mean different kinds of malice, but merely the manner in
7 which malice may be shown to exist. That is, either by
8 direct evidence or by inference from the facts and
9 circumstances which are proved.

10 Express malice is shown when a person speaks
11 words which express hatred or ill will for another or
12 when the person prepared beforehand to do the act which
13 was later accomplished.

14 Malice may be inferred. The conduct showing a
15 total disregard for human life. Malice may also be
16 inferred when the deed is done with a deadly weapon. A
17 deadly weapon is any type of instrument which is likely
18 to cause death or great bodily harm. And our courts
19 have held that a knife is an example of a deadly weapon.
20 If one intentionally kills another during the commission
21 of a felony, the inference of malice may arise. If the
22 facts are proved beyond a reasonable doubt sufficient to
23 raise an inference of malice to your satisfaction, this
24 inference would simply be an evidentiary fact to be
25 taken into consideration by you alone with all the other

1 evidence in the case and you may give it the weight that
2 you decide it should receive. Well, that is the offense
3 of murder; the State must prove beyond a reasonable
4 doubt that the Defendant killed another person with
5 malice aforethought.

6 The second offense, which is indicted as
7 burglary in the first degree, our State says that, to
8 prove burglary in the first degree, the State must prove
9 beyond a reasonable doubt that the Defendant entered a
10 dwelling without consent:

11 A dwelling is any building or portion of a
12 building in which a person ordinarily sleeps. In order
13 to prove that the Defendant entered the dwelling, the
14 State does not have to show his entire body entered it,
15 but the smallest entry is sufficient;

16 Next, the State must prove beyond a reasonable
17 doubt that the Defendant intended to commit a crime at
18 the time of the entry; must prove beyond a reasonable
19 doubt that the Defendant intended to commit a crime at
20 the time of the entry;

21 And, finally, the State must prove beyond a
22 reasonable doubt that when entering or while in the
23 dwelling, the Defendant was armed with a deadly weapon.
24 And, once again, a deadly weapon is a type of weapon
25 which is likely to cause death or great bodily harm, and

1 a knife is an example of a deadly weapon.

2 Also, the State showed burglary in the first
3 degree: Must prove either that he entered with a deadly
4 weapon, or while entering or when entering, the
5 Defendant caused physical injury to anyone not
6 participating in the crime. So burglary in the first
7 degree, the State must prove beyond a reasonable doubt
8 that the Defendant entered a dwelling without consent to
9 commit a crime therein, and while there, was armed with
10 a deadly weapon or caused physical injury to anyone not
11 participating in the crime. That's the offense of
12 burglary in the first degree.

13 And the last one is possession of a weapon
14 during the commission of a violent crime. Now, that one
15 is pretty simple. It simply says that the State must
16 prove beyond a reasonable doubt that the Defendant was
17 in possession of a weapon during the commission of a
18 violent crime. And that's -- says what it says. A
19 knife is considered a weapon. And, obviously, in order
20 to find him guilty of that, he must have had that
21 weapon during the commission of a violent crime, and,
22 obviously, burglary in the first degree and murder are
23 both considered violent crimes.

24 Ladies and gentlemen, your verdict must be
25 unanimous. All 12 of you must agree to the verdict.

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Charge

1 You must reach a verdict on all three Indictments:
2 murder, burglary first, possession of a weapon during
3 the commission of a violent crime. You have to consider
4 each one of those separate and apart from the other,
5 except the possession of the weapon during the
6 commission of a violent crime. If you find him not
7 guilty of murder and burglary, obviously, there was no
8 violent crime, so that would be not guilty. If you find
9 him guilty of murder or burglary, or both of them, then
10 if you find that he had a weapon during the commission
11 of that, you would find him guilty. So you have to make
12 that determination.

13 The verdict form is a very simple form. It
14 simply says: We find him not guilty or guilty. Your
15 verdict must be unanimous. All 12 of you must agree as
16 to each Indictment. Okay?

17 This is a tremendous civic responsibility.
18 You're not here to reward any friends, punish any
19 enemies. You're to make a decision based solely on the
20 evidence that you've heard, that you determine the true
21 facts to be. Apply those facts to the law as I just
22 have charged and instructed you. Once you reach a
23 verdict, check the appropriate mark, sign your name,
24 knock on the door, and tell the bailiff you're ready to
25 come back into the courtroom.

Reported By:
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Official Court Reporter for the State of South Carolina

1 You may have some questions. Your jury may
2 have some questions. If a question arises, please write
3 it out for me. There will be a pad back there. Notify
4 the bailiff. She'll bring it to me. Sometimes I can
5 answer it; sometimes I can't. It just depends on what
6 the question is.

7 I'm going to ask you now to retire to your
8 jury room, but do not start talking about the case,
9 deliberating yet. I have to ask the lawyers if I've
10 left anything out, and then we have to gather the
11 exhibits. Once we do that, we'll bring them back to
12 you, and then you may start your deliberations.

13 It is 10:30. If you see that we're going to go
14 through lunch and you want me to order some lunch for
15 you, we'll be glad to do that. Just let us know; okay?

16 Ma'am, separate the alternates.

17 THE BAILIFF: Okay.

18 (The jury is escorted from the courtroom at
19 10:32 a.m.)

20 THE COURT: Are there any objections, requested
21 additions, or deletions to the charge? By the State?

22 MR. SORENSON: No, your Honor.

23 THE COURT: By the Defendant?

24 MR. WISE: Your Honor, I do have one concern.
25 In the charge the Court gave on the murder -- actually,

1 on -- on all three -- the Court made the statement that
2 a knife is an example of a deadly weapon.

3 THE COURT: That's correct.

4 MR. WISE: I believe that would be a comment on
5 the facts of the case. The standard charge typically
6 says, an instrument or an object, depends on the facts
7 and circumstances of each case --

8 THE COURT: That's correct.

9 MR. WISE: -- so --

10 THE COURT: My standard charges all point out
11 that a knife, gun, all sorts of things, are examples of
12 a deadly weapon. I stand by my charge. You're
13 protected.

14 MR. WISE: Thank you.

15 THE COURT: Please look at the verdict form;
16 make sure you're okay with that. And gather the
17 evidence so that we'll know that we have it all marked
18 and entered, the evidence.

19 MR. SORENSON: What if they want to watch the
20 DVD? How are we going to address that?

21 THE COURT: I'll bring the foreperson back out
22 and just tell them. Is that satisfactory?

23 MR. SORENSON: Yeah. Then we're going to send
24 that back there, or have them watch it out here, or how
25 are we --

1 THE COURT: Well, let's -- I don't know. Do
2 you --

3 MR. SORENSON: It was going through a laptop,
4 and, unfortunately, I'm going to have to figure it out
5 because Harrison's --

6 THE COURT: I'll bring them out here and play
7 it out here.

8 MR. SORENSON: Okay.

9 THE COURT: That's the easiest way.
10 Bring the forelady right back out for me.
11 Any objection to me telling the forelady that?

12 MR. WISE: No, your Honor.

13 MR. SORENSON: Those are good.

14 THE COURT: All right. Y'all look at the
15 exhibits --

16 MR. SORENSON: Yes, sir.

17 THE COURT: -- and get them -- make sure we've
18 got them all.

19 (Madam Forelady enters the courtroom
20 at 10:34 a.m.)

21 THE COURT: Madam Forelady, I forgot to mention
22 this to you. One of the exhibits is the video, or the
23 CD player, tape, and if y'all want to look at that or a
24 portion of that, let me know, and I can bring you back
25 out, and we'll play it out here. We don't have the

1 means of sending it back there.

2 THE JURY FOREPERSON: Okay.

3 THE COURT: Fair enough?

4 THE JURY FOREPERSON: Yeah.

5 THE COURT: Just wait until I send everything
6 back to you.

7 (The exhibits are being prepared to be sent
8 back to the jury.)

9 THE COURT: Let the record reflect that both
10 State and Defense have reviewed all exhibits. They're
11 all accounted for and will now be submitted to the jury,
12 and they can commence the deliberations. They've also
13 reviewed the verdict form and are in agreement with it.
14 Is that correct, Mr. Sorenson?

15 MR. SORENSON: Yes, sir.

16 THE COURT: Mr. Wise?

17 MR. WISE: It is, your Honor.

18 THE COURT: All right. You may take that back
19 to the jury room, Bailiffs, and tell them that they can
20 commence their deliberation.

21 The Defendant is in custody. Everybody sort of
22 stand at ease, and we'll -- don't get far, because we
23 may have questions or whatever.

24 Thank you.

25 The Defense only had two exhibits for

1 identification that were not introduced, and there was a
2 Court Exhibit; is that correct?
3 MR. WISE: That is.
4 MR. SORENSON: Yes, sir.
5 (The exhibits were sent back to the jury for
6 deliberation at 10:45 a.m.)
7 (The Judge resumes the bench at 11:40 a.m.)
8 THE COURT: Thank you. Please be seated.
9 I received a note from the jury.
10 Let the record reflect the Defendant is present
11 in the courtroom.
12 Note is -- question is this: Why did the
13 roommates not testify?
14 My response is: I cannot answer your question.
15 Anything else by the State in response?
16 MR. SORENSON: No, sir.
17 THE COURT: By the Defendant?
18 MR. WISE: No, your Honor.
19 THE COURT: Mark that as a Court's exhibit.
20 (Jury Note is marked as Court's Exhibit
21 No. 2.)
22 THE COURT: Thank you, ma'am.
23 We will stand at ease until we hear again from
24 the jury.
25 (The Judge steps off the bench at 11:41 a.m.)

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1 (Recess.)
2 (The Judge resumes the bench at 1:55 p.m.)
3 THE COURT: Thank you. Please be seated.
4 Is the State ready to receive the verdict?
5 MR. SORENSON: Yes, sir.
6 THE COURT: Defendant ready?
7 MR. WISE: We are, your Honor.
8 THE COURT: All right. Members in the
9 audience, y'all have been a wonderful audience. You're
10 welcome to remain in the courtroom. However, if you are
11 unable to control your emotions --
12 I have no idea what the verdict is, whether it
13 be guilty or not guilty or a combination.
14 -- but if you think that you aren't able to
15 control yourself, I'm going to ask that you now leave.
16 If there are any outbursts or untoward behavior, I have
17 deputies here, and they will intervene. Fair enough?
18 And I'm not suggesting -- I say this to every jury
19 [sic], every time I have a verdict in a criminal case,
20 so I'm not picking on or selecting you out.
21 (The jury is escorted into the courtroom
22 at 1:57 p.m.)
23 THE COURT: Madam forelady, have y'all reached
24 a verdict?
25 JURY FOREPERSON: Yes.

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 THE COURT: Would you hand it to the bailiff,
2 please?

3 THE BAILIFF: Your Honor, may I approach?

4 THE COURT: Yes, ma'am.

5 (Document is handed to the Judge.)

6 THE COURT: Thank you.

7 Ma'am, will you publish it?

8 THE DEPUTY CLERK OF COURT: I can.

9 THE COURT: Rise, please.

10 JURY VERDICT

11 THE DEPUTY CLERK OF COURT: In the matter of
12 State versus Cleophas Edwards, as to the offense of
13 possession of a weapon during the commission of a
14 violent crime, we, the jury, find the Defendant guilty.
15 As to the offense of burglary in the first degree, we,
16 the jury, find the Defendant guilty. As to the offense
17 of murder we, the jury, find the Defendant guilty. And
18 this is signed today, December the 13th, by madam
19 foreperson.

20 THE COURT: Thank you, ma'am.

21 Anything additionally for the jury before I
22 dismiss them? By the Defendant?

23 MR. WISE: Would you poll the jury, please?

24 THE COURT: I certainly will.

25 Ma'am, if you will hand me the list of jurors.

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1 You want to do it, or you want me to do it?

2 THE DEPUTY CLERK OF COURT: You can do it.

3 I've got them circled there.

4 JURY POLLED

5 THE COURT: All right. The Defendant has
6 requested that I poll the jury. That simply means this:
7 I will call your name out, I will ask you to stand, and
8 I will say this: Is this your verdict, and is it still
9 your verdict? And if it is, please tell me yes; if it
10 is not, please tell me no.

11 THE COURT: Juror Number 192, Jeremy Williams.

12 THE JUROR: Yes.

13 THE COURT: Would you stand for me, please?

14 Mr. Williams, is this your verdict, and is it still your
15 verdict as to all three indictments?

16 THE JUROR: Yes.

17 THE COURT: Thank you, Mr. Williams.

18 Renee Clifton, Juror Number 29. Ms. Clifton,
19 is this your verdict, and is it still your verdict as to
20 all three indictments?

21 THE JUROR: Yes.

22 THE COURT: Thank you.

23 Juror Number 19, Angela H. Bowman. Ms. Bowman,
24 is this your verdict, and is it still your verdict as to
25 all three indictments?

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 THE JUROR: Yes.

2 THE COURT: Thank you.

3 Juror Number 2, Sha'nic M. Asbury. Ma'am, is
4 this your verdict, and is it still your verdict as to
5 all three indictments?

6 THE JUROR: Yes.

7 THE COURT: Thank you.

8 Gregory C. McLester, Juror Number 111.

9 THE JUROR: Georgy.

10 THE COURT: Georgy, I'm sorry. These things
11 don't work.

12 Is this your verdict, and is it still your
13 verdict as to all three indictments?

14 THE JUROR: Yes.

15 THE COURT: Thank you, ma'am.

16 Earl R. Johnson, Juror Number 85, is this your
17 verdict, and is it still your verdict as to all three
18 indictments?

19 THE JUROR: Yes, sir.

20 THE COURT: Thank you. Tamiko Shabass Ritter,
21 Juror Number 135, is this your verdict, and is it still
22 your verdict as to all three indictments?

23 THE JUROR: Yes, sir.

24 THE COURT: Thank you, ma'am, madam forelady.

25 Juror Number 122, Jalisa E. Nickles.

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1 THE JUROR: Yes.

2 THE COURT: Is this your verdict, and is it
3 still your verdict as to all three indictments?

4 THE JUROR: Yes.

5 THE COURT: Thank you, ma'am.

6 Rovenia H. Fogle, Juror Number 52, is this your
7 verdict, and is it still your verdict as to all three
8 indictments?

9 THE JUROR: Yes, sir.

10 THE COURT: Thank you, Ms. Fogle.

11 Amber A. Irick, Juror Number 78, is this your
12 verdict, and is it still your verdict as to all three
13 indictments?

14 THE JUROR: Yes, sir.

15 THE COURT: Thank you.

16 Juror Number 21, Brenda D. Bradbury.
17 Ms. Bradbury, is this your verdict, and is it still your
18 verdict as to all three indictments?

19 THE JUROR: Yes, your Honor.

20 THE COURT: Thank you.

21 And Juror Number 49, Christopher M. Fanning.
22 Mr. Fanning, is this your verdict, and is it still your
23 verdict as to all three indictments?

24 THE JUROR: Yes, sir, it is.

25 THE COURT: Thank you. The jury has been

1 polled, and all have answered in the affirmative.
2 Anything else for the jury?
3 MR. WISE: No, your Honor.
4 THE COURT: Thank you. You may be seated.
5 Madam forelady, ladies and gentlemen, on behalf
6 of the citizens of Orangeburg and the State, I thank
7 you. You've been a wonderful jury. You've paid close,
8 close attention. It certainly was not a pleasant case
9 to have to listen to, but your duties have been
10 fulfilled. I am going to excuse you now. You're
11 welcome to stay. We will be sentencing the Defendant
12 within the next 30 to -- 15, 20, 30 minutes, as soon as
13 they can get the paperwork done. You're welcome to stay
14 and listen to the sentencing, or you're certainly free
15 to leave. And the Clerk's Office will send you a check,
16 that's mailed to you. If anyone needs a work excuse --
17 THE DEPUTY CLERK OF COURT: Go downstairs.
18 THE COURT: -- go downstairs to the Clerk's
19 Office, and they'll be more than happy to furnish you
20 one. I want to thank each and every one of you. You've
21 done a wonderful job, and I thank you. You're free to
22 go, or you're welcome to stay.
23 You got sentencing sheets?
24 MR. SORENSON: Yes, sir.
25 THE COURT: Give them over there. Thank you.

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 (The jury is escorted from the courtroom
2 at 2:02 p.m.)

3 MR. WISE: May I approach the bench, sir?

4 (A document is handed to Mr. Wise from the
5 Judge.)

6 THE COURT: Mr. Sorenson, would you --
7 Mr. Wise?

8 (A discussion is held off the record between
9 Mr. Sorenson, Mr. Wise, and the Judge, and then the
10 proceedings continue as follows:)

11 SENTENCING

12 THE COURT: All right. Mr. Wise, anything you
13 need to tell me in connection with the sentencing of
14 Mr. Edwards?

15 And, Mr. Edwards, if you would stand, please.

16 MR. WISE: Thank you, your Honor. Some very
17 brief comments. But prior to that, we would renew the
18 motion made --

19 THE COURT: I'm sorry.

20 MR. WISE: -- at the conclusion of the State's
21 case and our case.

22 THE COURT: And respectfully denied for the
23 same reasoning as set forth earlier in my rulings at the
24 end of the directed verdict.

25 MR. WISE: May I have one moment?

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State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 THE COURT: Certainly.

2 (Respite.)

3 THE COURT: Mr. Wise, anything that you need to
4 tell me, or, ma'am, Ms. Hinds?

5 MR. WISE: Your Honor, just a very little bit
6 of background about Mr. Edwards. He's a single young
7 man. He has no children. His prior criminal history is
8 one conviction for burglary. I believe that was
9 burglary in the third degree. His background does not
10 include any kinds of violence; does not include any
11 crimes involving weapons. I've known Mr. Edwards,
12 I guess, for a year and a half or so now. When he
13 was -- he indicated to me initially that he had some
14 issues with depression. I think subsequent to this,
15 they've manifested themselves. I know he had some
16 problems in jail initially, and they had to medicate him
17 to deal with his inability to sleep. And I say that
18 just to let the Court know that this has -- what's
19 happened and what he has been going through has impacted
20 him.

21 THE COURT: I'm sure it has.

22 MR. WISE: And we just -- he has indicated he
23 would not like to address the Court.

24 THE COURT: Would not like to?

25 MR. WISE: Would not like to.

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1 THE COURT: Thank you.

2 MR. WISE: But, obviously, recognizing the
3 nature of what he's convicted of, ask the Court to be as
4 lenient as the Court sees fit to be.

5 THE COURT: Okay. Mr. Edwards, your lawyers
6 have said that you do not wish to address me. Is that
7 correct?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: You have nothing to say?

10 THE DEFENDANT: No, sir.

11 THE COURT: Thank you. Mr. Sorenson.

12 MR. SORENSON: Thank you. May it please the
13 Court, your Honor. Initially, as to the prior record --

14 THE COURT: Hold on one second.
15 (Respite.)

16 THE COURT: Go ahead.

17 MR. SORENSON: Your Honor, Mr. Wise is correct,
18 Mr. Edwards' prior record consists of a burglary, third
19 degree conviction.

20 THE COURT: When was that, please?

21 MR. SORENSON: I believe it was in June of
22 2010.

23 THE COURT: And he received what type of
24 sentence?

25 MR. SORENSON: He received a two-year sentence

1 suspended to a year of probation. That's what he was on
2 probation for when probation came looking for him
3 on the evening of February the 16th of 2011, was for a
4 violation of that probation.

5 THE COURT: And that violation, as I
6 understand, was a failure to report?

7 MR. SORENSON: That would be correct, your
8 Honor.

9 THE COURT: Okay.

10 MR. SORENSON: There are, your Honor, if you
11 would hear from them, there's three family members that
12 would like to address the Court.

13 THE COURT: Absolutely.

14 MR. SORENSON: If I could have maybe three of
15 them come around over here and --

16 THE COURT: Absolutely. I will take them in
17 whatever order the family desires. Let me just have you
18 one at a time, if you will, please. Ma'am.

19 (The family members approach.)

20 THE COURT: Sir, if you could, come right over
21 here, and please give me your full name for the record.
22 Right there is fine.

23 MR. ANTHONY WILLIAMS: Okay. My name is
24 Anthony Fitzgerald Williams. I'm the oldest sibling of
25 Barbara J. Williams. And I just wanted to stand here

1 for a minute, not to -- just to give you some brief
2 history of the things we do and what we're about on
3 Goff Avenue.

4 I've been in the Army for 28 and a half years.
5 I just retired the 1st of December. I've been to
6 Afghanistan, Kyrgyzstan, Jordan. I've been all over the
7 place, and I have to come back for something like this.
8 That year wasn't good for me at all. I got home
9 December, I think, the 18th. My father-in-law died
10 January the 3rd; my son-in-law died, 20 -- 15 January,
11 right after that, two weeks later; then February, when I
12 go back to work, I have to come back because my sister
13 is killed. It hadn't been a good year.

14 We were all born and raised on [REDACTED] My
15 grandparents were there. My grandfather was a reverend,
16 my great-grandfather was a reverend, my great-great-
17 grandfather was a reverend. All of us are preachers --
18 all of them were preachers, and, you know, we'd open our
19 home to anybody.

20 While State and Clarendon College were there,
21 they would take students in, bring them in as family,
22 and would clothed them, feed them, until the beginning,
23 until they graduated -- until they got out of there. So
24 we always had a big family, and we were known for that.
25 My grandmother started the park that's down there so

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Official Court Reporter for the State of South Carolina

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 people could have someplace to go. These are my
2 great-grandparents. So we were always charitable. We
3 would help anybody. We were professors; we were
4 teachers. Everybody next door had some kind of special
5 profession that they shared with other people.

6 I remember a time when -- I'm talking about
7 Janeese (phonetic) -- because it was Anthony; Janeese,
8 which is Caroline, my sister; T.J., which is my brother,
9 which he retired two years ago; and my younger sister,
10 Patreese (phonetic). I named my oldest daughter after
11 Patreese, because Patreese died when she was seven. No
12 tragic anything, but she died in that same house. My
13 father died at 27 in that same house. They built that
14 house for us. My grandparents did. We could walk
15 around, and the doors would stay open. Nobody would
16 bother anybody. Around the corner, there was drug
17 dealers, there was everybody else, but around on [REDACTED]
18 not even a quarter of a mile away, nobody bothered us,
19 because they appreciated the things that we did, and
20 they knew we were the family there.

21 It was a time when we were younger that
22 Patreese, where T.J. and Janeese, which is Caroline,
23 were fighting. It was three guys who jumped on my
24 brother and sister. My sister had the biggest stick and
25 ran the opposite way, hollering, going to get somebody.

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1 She didn't want to fight then, and she never fought
2 anybody. And momma would jump on her and say: You had
3 the stick in your hand, and you're going to run? She
4 didn't want no confrontation. But she had one love.
5 She had the love of children. She was baby-sitting
6 forever. She had other families that -- girlfriends
7 that couldn't take care of their kids. She took them in
8 from the hospital until they got nine years old. That
9 broke her heart. But she turned around, and she did it
10 again. Another one of her friends had a baby, she took
11 care of that baby until the family came and got that
12 baby, which it was torn away from her again. Both
13 girls. Because she didn't have girls. I have all
14 girls. But she still didn't have any girls. So she
15 wanted to do this so much that she opened her a
16 day-care. First, it was just something about
17 baby-sitting, but then she went to college and got her
18 stuff, and she was opening up a day-care. That's what
19 she was doing.

20 Now, during the whole case, you didn't talk
21 about the children. Those weren't babies. One of the
22 kids, Olden (phonetic), his mother is here today,
23 couldn't sleep for one, two weeks. He saw everything,
24 and he was there. The kids were disciplined enough to
25 sit and stay in their seats after all this happened and

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 didn't track around and bother things. But you got to
2 know that. There was no babies. Not small babies.
3 Those kids saw what was going on. They know what was
4 going on. They were troubled by it, because they
5 stopped talking and had to go get some treatment. I
6 just wanted to let you know about that part of it.

7 The other thing that I want to say, if
8 somebody come in that neighborhood and have problems,
9 and they came by [REDACTED], Janeese would help
10 them. She had a lot of stranglers -- that's what I,
11 call stranglers, because we knew everybody in the
12 neighborhood, and I really don't know them no more. If
13 you needed something, she would get it for you. If you
14 needed some money and wanted to do some work, she'd send
15 you out there to rake some leaves or something and scrap
16 to give you something.

17 Now, I don't know what I should call him, but
18 when he came in the house -- he's a whole lot smaller
19 than what he was then. He was big and jacked up when he
20 came in that house, because I saw him on film. He's a
21 big guy. You noticed from some of the clothing they
22 were saying it was 2-X. He doesn't wear that now, but
23 he's a big guy. So that day, Janeese took a stance
24 because of those kids. Somebody coming up in that
25 house. Because, normally, people would come to the

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Official Court Reporter for the State of South Carolina

1 house and knock on the door, and she would let them in.
2 If somebody would just come straight in -- because she
3 was always on that couch. When I come down, I know what
4 she's doing. So I know she -- I knew she was doing
5 something. And I had a feeling that it had to be
6 somebody that was not from the neighborhood that came up
7 in that house to do certain things. And I had to come
8 all the way back from Atlanta to find that.

9 I guess the last thing I want to talk about
10 is -- I think -- I think I've said enough.

11 But our family is deeply troubled, but we are a
12 strong family. We endure.

13 THE COURT: I've admired your family the whole
14 week I've been here. I've observed you; watched you.
15 What we all strive to be, is a close family, hard
16 workers, law abiding citizens.

17 MR. ANTHONY WILLIAMS: Okay.

18 THE COURT: Y'all are a prime example of that.

19 MR. ANTHONY WILLIAMS: But, thank you, sir.
20 And the last thing that I guess I wanted to say, when I
21 came home for the funeral, I looked at my sister, and I
22 could tell -- I could see some of the cuts, and, you
23 know, I know Paul, so I know what was done to her. And
24 when they embalmed her, her hands were still up. You
25 know? I don't know if she was still trying to get up or

State versus Cleophas Edwards, 12/13/12
Volume IV of IV -- Jury Trial

1 what. Her hands weren't resting on her side. They were
2 up. I had to buy a bouquet to put in her hands, because
3 they would not rest down, when we buried her. So I've
4 been troubled by this for a while. Out of all the stuff
5 that I've been through, this got me.

6 THE COURT: Thank you very much.

7 MS. BARBARA RILEY: Your Honor, my name is
8 Barbara Riley. Carolyn was a very close friend of mine.
9 We've been friends for 30-plus years. She helped me
10 raise my children, which I have five, and I have 12
11 grands. She overseed me through five or six of my
12 grands. She's a Godmother of one of my grands. I'm a
13 Godmother to her son. So I just say that he took a
14 very, very close friend from us. Not just me alone, my
15 whole entire family. My children -- my children's still
16 going through it. Even though they are adults, her
17 Goddaughter is still going through it. But for the
18 grace of God, we want to say thank you for the
19 commitment you have done this -- this week on sentencing
20 and seeing what is right in the eyes of the Lord.

21 So I just want to say that I love Carolyn and
22 still love her family, from the day I met her up until
23 now, and I will continue to love them and do whatever I
24 can do for her, because I go daily to that grave site on
25 Belleville Road, and I just cry. And right before her

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1 mom told me about the trial, I'd just been there two
2 weeks ago, and I was like: Girl, it will be two years
3 now you've been gone. I said: But you stay strong,
4 because I'm going to be strong. But I go by there, and
5 I just cry. I sit in my car, and I cry, because she was
6 a close friend of mine, and my family, and my children
7 -- she raised my children. She was the babysitter of
8 one of my grands. And so I want to say it was the Lord
9 that kept me and my daughter from that house that
10 morning, because we were supposed to take the baby to
11 her house. I told my daughter, I said: No, you go on
12 and do what you got to do. I'm going to be here, and
13 you come on back, because I got to go to work. If we
14 would have went to that house that morning, I don't know
15 whether we would have been in the midst of it, or my
16 grand would have been inside when it happened. But I
17 thank God for the intervening of what He did, to keep us
18 away from that house, because we know what -- know --
19 know what would have happened after that. But I thank
20 you for what you all did this week.

21 THE COURT: Thank you.

22 MR. SORENSON: There's one more, your Honor.

23 MRS. ANGELA WILLIAMS: Your Honor, my name is
24 Angela Williams. I'm married to Anthony Williams.
25 Carolyn was my sister-in-law. She was my sister-in-law

1 for 20 years. I just want to take a moment to tell you
2 what type of person she was and how all of us have been
3 impacted by her loss. Carolyn was the glue that held
4 our immediate and our extended families together. She
5 never had a cross word with anyone. She never made a
6 commitment or a promise that she did not honor. I can't
7 tell you how many times over the almost past two years
8 that I've picked up the phone to call her, because I
9 don't have any sisters. My brother-in-law, Aaron, is
10 heartbroken because he's missing a helpmate. He's
11 struggling on a daily basis for some sense of normalcy.
12 My nephews are motherless. One of them is struggling to
13 raise his own family. The other one is continuing his
14 college career. And as I think about it, his mom isn't
15 there to give him guidance that only a mother can when
16 you're raising your family, and she'll never attend her
17 son's graduation from college.

18 My mother-in-law had already lost one daughter.
19 She buried her. As a retiree, she should be enjoyig her
20 retirement. But because she's lost her daughter, she's
21 now had to take on an active role as a parent again. As
22 my husband already said, he was active duty military and
23 so was his brother at the time of Carolyn's death.
24 Between the two of them, they have over 50 years of
25 active military service, and they spent every day

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 serving the country and protecting our freedom, both
2 home and abroad. But you can't imagine how it feels to
3 know that they couldn't even protect their own sister at
4 home.

5 I last hugged Carolyn 28 days before her death.
6 I hugged her at my father's funeral. Fourteen days
7 after that, was the last time I saw her. She brought my
8 mother-in-law to my house to attend my son-in-law's
9 funeral. So when we lost her, as my husband said, she
10 was the third death for us in 30 days. Again, as my
11 husband said, Caroline loved children, and she loved
12 people. Our family can't replace her, nor can we fill
13 that void that we have for her. We long for her
14 presence, her laughter, and her selfless acts. No
15 matter where I lived in the world as a military family,
16 she made her way to us. Now that we live here, she's
17 not here, and we're incomplete. Thank you.

18 THE COURT: Thank you. Anyone else from the
19 family that would like to say anything?

20 MR. SORENSON: I believe that's it, your Honor.

21 THE COURT: All right. Ladies and gentlemen,
22 as I read this statute on -- I'm not sure what it says
23 about this commission of a violent crime with a weapon
24 on the sentencing. It says a five-year sentence does
25 not apply in cases where the death penalty or a life

1 sentence without parole is imposed. Five-year sentence
2 doesn't apply, or it does apply?

3 MR. SORENSON: I think it's just -- there's
4 just not a sentence on it. Obviously, if you give him
5 anything less than life, then I think you would sentence
6 him to that.

7 THE COURT: All right. Mr. Edwards, you've
8 heard these family members speak. Is there anything you
9 want to tell me before I impose sentence?

10 THE DEFENDANT: I spent most of my life
11 trying to please people, you know, and that's what I
12 tried to do in the interrogation room. That's what the
13 officers -- that's what their job is, to protect and
14 serve, and they convinced me that I needed to do the
15 same thing, so. . .

16 THE COURT: Well, Mr. Edwards, the jury has
17 spoken. The evidence is overwhelming. I've been doing
18 this -- practicing law 30 years, I've been on the bench
19 nine years, and I've never seen evidence so convincing
20 and so overwhelming and so indicative of your guilt.
21 I'm sorry, I don't believe you.

22 (Respite.)

23 THE COURT: It seems all the courts that I
24 hold, recently, in the last several years, we have had a
25 rash of killings, murders, just indiscriminate use of

Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

1 weapons. But, you know, it almost -- most all of them
2 today, dealing with drugs, just a wealth of fights at
3 night clubs, drive-by shootings, people mad at each
4 other, fighting each other. It's often -- or it's very
5 seldom that we have a case where we have a lady who is
6 such a pillar in the community, her family is such a
7 pillar in the community, her family has established
8 their reputation through generations, someone who has
9 opened their arms to anyone and help people out like
10 this lady's family has done. And we're all supposed to
11 be able to go home to our homes and stay in our homes
12 and be safe. And here she was, doing what she loved to
13 do, keeping children, and in the middle of the day,
14 she's intruded upon and brutally, brutally violated and
15 stabbed over 55 times, bleeding to death right there in
16 front of those small children.

17 Mr. Edwards, the law dictates that I protect
18 other members of society from people like you. As to
19 Indictment 2011-GS-38-566, on the murder charge, the
20 sentence of this Court is that you be committed to the
21 State Department of Corrections for the balance of your
22 natural life. As to the burglary charge, the same
23 offense, same charge, same sentence: Life. They run
24 concurrent. Good luck to you.

25 (The Defendant is escorted from the courtroom.)

1 THE COURT: Once again, let me express my
2 thanks to the jury. It's not an easy task. I thank you
3 on behalf of this family and the State.

4 Mr. Hanton, may I see you up here?

5 We stand adjourned.

6 COURT IN ADJOURNMENT.

7 (Court adjourned at 3:35 p.m., on December 13,
8 2012.)

9 (End of Transcript, Volume IV of IV.)

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Reported By:
Rolayne M. Volpe, CCR, RPR
Official Court Reporter for the State of South Carolina

South Carolina Department of Probation, Parole and Pardon Services
Notice of the South Carolina Reduction of Recidivism Act of 2010

On April 28, 2010, The South Carolina Reduction of Recidivism Act of 2010 went into effect. In passing this Act, the General Assembly's stated intent was: "to provide law enforcement officers with the statutory authority to reduce recidivism rates of probationers and parolees, apprehend criminals, and protect potential victims from criminal enterprise" through the limited use of warrantless searches.

Specifically, the Act provides conditions under which offenders being supervised by the Department of Probation, Parole and Pardon Services (the Department), may be subject to warrantless searches by probation agents and other law enforcement officers, and the permissible limits of such searches.

(A) If you are currently under supervision for ONE OR MORE OF THE FOLLOWING PROGRAMS:

- (1) juvenile conditional release;
- (2) youthful offender act (YOA) conditional release;
- (3) supervised furlough;
- (4) shock incarceration parole;
- (5) community supervision program; or
- (6) parole;

you MAY be subject to a warrantless and suspicionless search as described in the following condition:

Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to search or seizure, without a search warrant, with or without cause, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

(B) If you are currently under supervision for PROBATION ONLY, you MAY be subject to a warrantless search as described in the following condition:

Unless I was convicted of or pled guilty or nolo contendere to a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year, I shall be subject to a search or seizure, without a search warrant, based on reasonable suspicions, of my person, any vehicle I own or am driving, and any of my possessions by: (1) any probation agent employed by the Department; or (2) any other law enforcement officer.

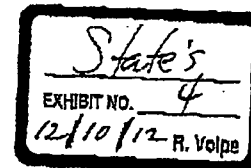
I have read, or had read to me, this "Notice of the South Carolina Reduction of Recidivism Act of 2010" and I understand its meaning. I was given an opportunity to ask questions about the information contained in this Notice and I have received a written copy for future reference. By signing below, I am agreeing in writing to be subject to the relevant search or seizure condition described above.

Offender Name (print) / SID#

[Signature]
Offender Signature

Laguna Yoy
Agent / Employee Name (print)

6/15/10
Date



ORANGEBURG COUNTY SHERIFF'S OFFICE
CENTRAL INVESTIGATIVE DIVISION
DEFENDANT AFFIDAVIT

Date: 2-17-11 Time: 15:48 Place: 1032 Chestnut St.
Defendant Name: Elephas Edwards SSN: _____
Age: 22 Date of Birth: _____ Phone Number _____
Address: _____ Orangeburg, SC

I understand my rights and have initialed each. I have been advised of the rights by Det. Pittrell of the Orangeburg County Sheriff's Office, and wish to make the following statement.

I woke up and I ~~was~~ ^{CF} walked out the house around 8:00. I had on a black hoodie and blue jeans and I tucked a knife in my pants. I smoked a block and mild walking around the block thinking about what I was going to do about finding a new house to stay in and how to start paying bills and start a store. As I was walking I saw a car leave a red & yellow brick house and I parked around it and walked in. As I walked in a lady saw me and screamed and I backed up to the door. I was so scared I stood there trembling. She came towards me and kicked me and punched me and I turned around and pulled out the knife. I started swinging it and I didn't stop until she stopped fighting me. I tried to run out the back but I fell and passed out. I woke up inside the house and went to the back to leave but I could not find the back door. All I saw was a room with a laptop and I took it and went out the door. I came in. I ran to an abandon building and threw up and cried for about 10 min. and I took my heart off and tucked it under the house then I

Page 2 Defendant Affidavit

threw the knife as far as I could and ran back to my house. I was in ~~great~~ pain that day and smoked Marijuana and went to sleep and prayed for forgiveness. I stayed home for the rest of the day.

The next day I took my roommate's car and threw a shirt ~~at~~ out the window near a street.

Q. How many times did you swing the knife?
A. I don't know

Q. Did anybody else go into the house with you?
A. No

Q. What did you do with the laptop computer?
A. I didn't use it for 2-3 days cause I felt bad and later on I used it for a few days then pawned it at Woody's. I got it back from Woody's two days ago.

Q. What color is the laptop that you took?
A. Red

Q. What color is the house that you were behind?
A. ~~was~~ White and grayish.

Q. Did you take anything else from the house besides the computer?

A. Yes, I took a vase w/ \$60 and some cards

Q. Where did you put these items?

A. Behind the house.

Q. What did you do with your prints and shoes?

A. I put them in the bag.

A. Put them in a green suitcase

Q Where did you put the green suitcase?

A.A. Ross ~~_____~~ ^{CE} ~~_____~~ in My New Apt.

Q. Did you tell anybody about what you did?

A. I told my ex-gf that I hurt somebody and that I need help.

I have read the above thoroughly. I have made the necessary corrections and initialed each to make this a factual and complete representation.


Signature of Defendant

~~Witnesses:~~

Charles F. Bell

Notary Public
Sworn to before me this _____
Day of _____, 20____
My Commission Expires _____

Q. Is there any thing else that you would like to add to this statement?

A. I am in alot of pain before and after the incident. This has been the worst I have ever been and I can't go on ~~on~~ without the proper help. I made a mistake that will haunt me for the rest of my life and there is nothing I can do about it. I am emotionally and spiritually depressed and I am tired of defending others as well as myself. I pray every day for another chance and I would do anything ~~to~~ to not only free myself of this incident but also to those that were hurt emotionally and physically and/or spiritually. I am a sinner and I have broken one of God's commandments but I am willing to help others and guide them to a better path than the one I took. My heart and soul goes out to the family that is suffering from my wrong doings and I shall serve them until my days on earth are no longer existent. I pray for a way out and I pray for God to let me in.

To My Family,

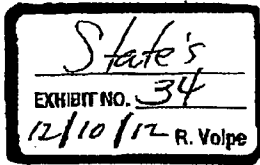
I am sorry that I put each of you through all of my selfish ways and I hope Adam & Matt will grow up to be better men than me. To my Mother I love you and I will always think about the Mother that gave me everything. You are my heart and I love you. To my father I let you down and I take responsibility for what I have done to you. I always wanted to be like you but in my own way. If I could I would spend most of my time with you and follow in your footsteps.

Adam & Matt: Don't do what I do. Be smart & love one another. Stay in school and live a life with God through Jesus. He will guide you all the way. I love you guys.

2-17-11
Date

James R. Riddle
WITNESS

John Edward
Signature of person giving statement



STATE OF SOUTH CAROLINA

County of ORANGEBURG

Search Warrant

DATE: 2/17/2011
OFFICER: Lt. Gerald Carter

=====

483

STATE OF SOUTH CAROLINA

SEARCH WARRANT

COUNTY OF ORANGEBURG

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF
THE MUNICIPALITY OF: ORANGEBURG :

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-23-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON, PLACE, OR THING
TO BE SEARCHED)
SEE AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY
SEE AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to

within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such persons as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Orangeburg County

S.C

2/17

, 2011


SIGNATURE OF JUDGE (L.S.)

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

AFFIDAVIT

Personally appeared before me, one Lt Gerald Carter who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

The following but not limited to, photographs, Body fluids, clothing, shoes, cuttings, knives or other sharp objects, documents, and anything which readily appears to be evidence pertaining to the murder of Caroline Hanton occurring at [REDACTED] in Orangeburg.

DESCRIPTION OF PREMISES (PERSON, PLACE, OR THING)
TO BE SEARCHED

A suit case presently secured at the Orangeburg County Sheriff's Office in evidence storage. The suit case an American Tourister suit case of canvas construction. The suit case is green in color and has a U.S. Airways luggage tag attached to the handle. The tag bears the name Cleo Edwards and the number US875482

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECTS PREMISES

SEE ADDITIONAL AFFIDAVIT

Sworn to and subscribed before me
This 17 Day of Feb, 2011

J. C. [Signature] (L.S.)
Signature of Judge

Lt Gerald Carter
Signature of Affiant
Address: P. O. Box 9000
Orangeburg, S. C. 29116
Phone: 803-533-5818

AFFIDAVIT

Reason for Affiant's belief that the
Property sought is on the subject's Premises

The affiant has been a law enforcement officer for approximately 18 years. I am presently assisting with the investigation into the death of Caroline Hanton who was found in her residence at [REDACTED] in Orangeburg stabbed to death. Investigator William Ketcherside and Lt. Gerald Carter processed the scene at [REDACTED] for evidence. We observed a great deal of blood letting at the scene due to the violence of the attack on the victim with a sharp object. We also documented bloody footwear impressions on the living room floor at [REDACTED] which we believe were left by the perpetrator. This led us to believe the perpetrator would have gotten blood on his clothing and shoes. On 2/16/2011 Investigator William Ketcherside and Lt. Gerald Carter responded to [REDACTED] Orangeburg in reference to a computer reported as stolen from the victim's residence [REDACTED], having been located at [REDACTED]. Investigator Ketcherside and Lt. Gerald Carter executed a search warrant on the residence [REDACTED]. Investigators interviewed the individuals who live at [REDACTED] including Cleo Edwards who had possession of the computer reported as stolen from [REDACTED]. While still at [REDACTED] Lt. James Shumpert informed me that Cleo Edwards confessed to killing the victim, Caroline Hanton. Lt. Shumpert said Cleo Edwards stated the shoes he wore during the incident were still at [REDACTED] and he had hidden the clothing and a knife at another location. At 11:50pm while we were still executing the search warrant at [REDACTED] Cleo Edwards' room mate, Melvin Simmons, as well as Brittney Davis, and Isaiah Smith pulled up to [REDACTED]. Brittney Davis pulled a suit case out of the back of the truck they were driving and gave it to me stating Cleo Edwards left the suit case at 3B Corona Apartments the residence of Isaiah Smith. I unzipped one side of the suit case and immediately saw clothing and a black shoe which matched the description of the shoes, as given by Cleo Edwards, and worn during the incident. I closed the suit case and secured it in my vehicle and later secured it in evidence storage at the Orangeburg County Sheriff's Office. Based on the facts that the stolen computer was found in the possession of Cleo Edwards, Cleo Edwards confession to committing the crime, Cleo Edwards apparently giving false information as to the whereabouts of the shoes he was wearing when he committed the crime, and the shoe in the suit case which match the description given by Cleo Edwards of the shoes he wore during the incident I believe the items sought will be found in the place to be searched

Sworn to and Subscribed before me
This 17 day of Feb, 2011

J. Cant
SIGNATURE OF JUDGE

(L.S)

L. P. Gerald Carter
Affiant

Address P. O Box 9000
Orangeburg, SC 29115
Phone (803) 533-5812

RETURN

I received the attached Search Warrant February 17, 2011 and have executed it as follows:
on February 17, 2011 at 3:20 o'clock PM, I searched
(The person) described in the warrant and (the premises)

I left a copy of the warrant with In Suitcase
Name of person searched or "at the place of search" with.
Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

Photographs
Blue Jeans (Blood Stained)
White T-Shirt (Blood Stained)
Black Shoes
Documents

This inventory was made in the presence of Det. William Ketcherside

AND

I swear that this Inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 18th

Day of February, 2011

Richard M... (L.S.)
Signature of Judge

Det. William Ketcherside
(Signature of Officer Executing Warrant)

NOT TO SCALE

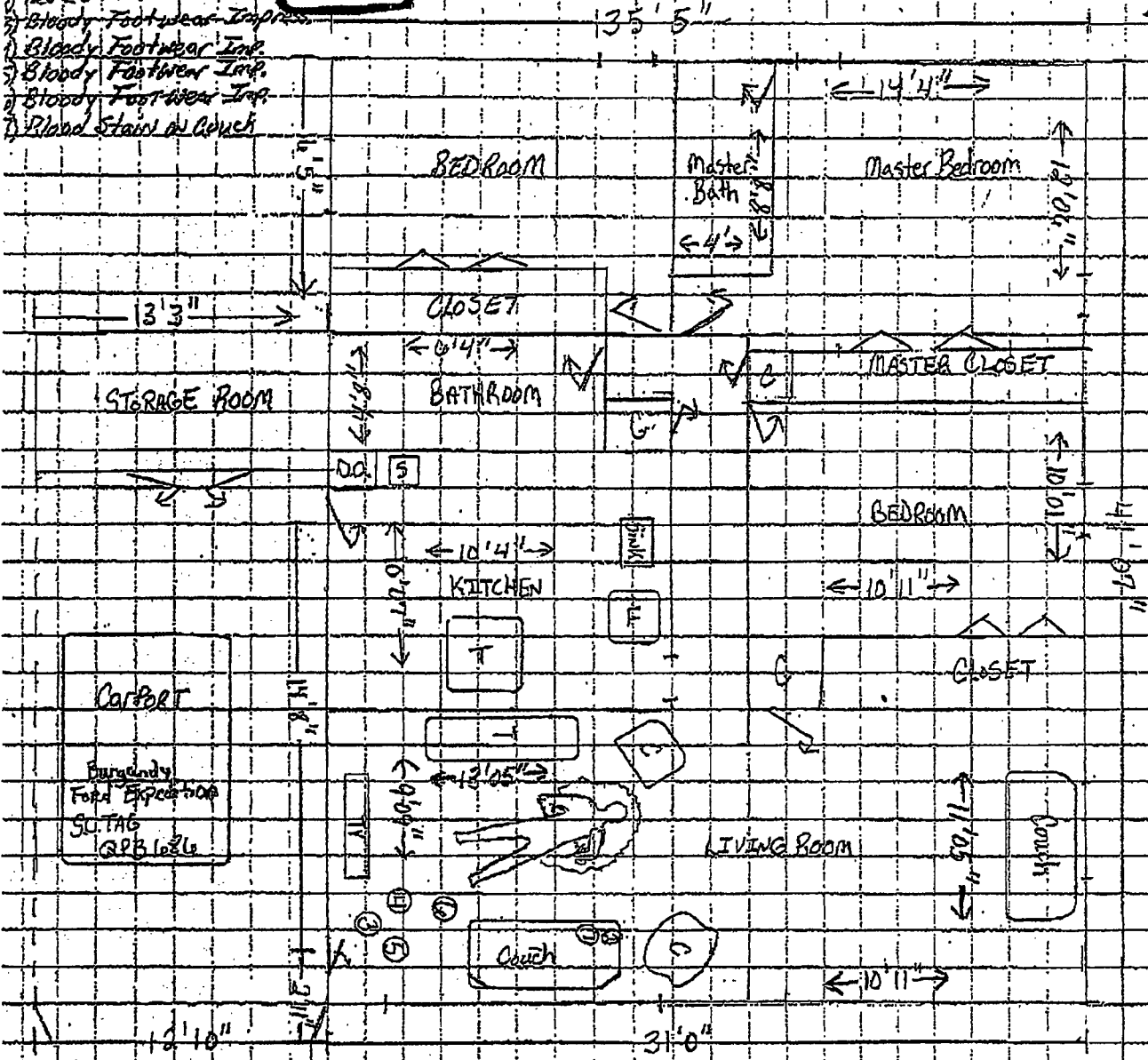
State's
CRIME NO. 44
110112 R. Volpe

2011001285
Homicide

Inv. With ? Ketcheride ?

LEGEND

- 1) Footwear Impression
- 2) Red LG Phone on Couch
- 3) Bloody Footwear Impression
- 4) Bloody Footwear Imp.
- 5) Bloody Footwear Imp.
- 6) Bloody Footwear Imp.
- 7) Blood Spatter on Couch



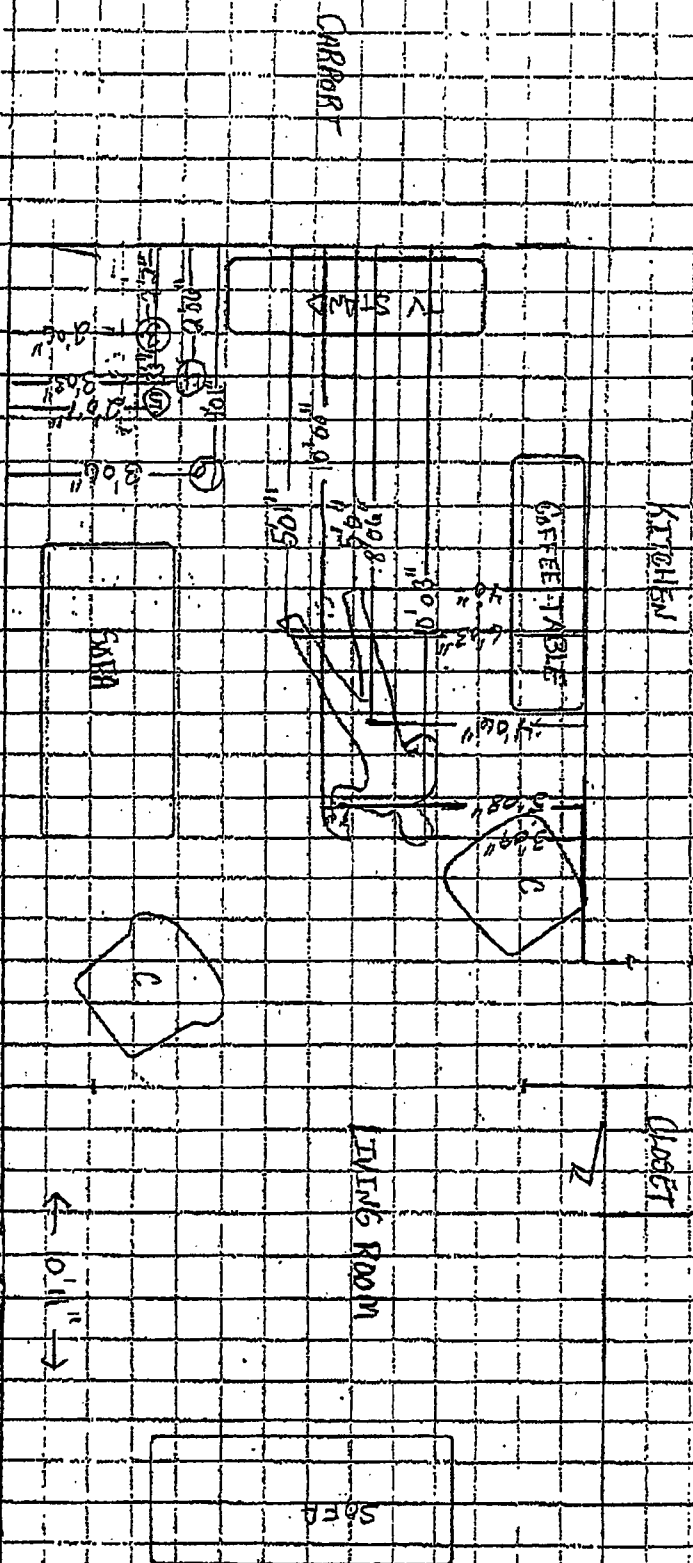
NOT TO SCALE

20H001285
HOMICIDE

Inv. With J. Ketcherside J.

LEGEND

- 3) Bloody Footwear Impression
- 4) Bloody Footwear Impression
- 5) Bloody Footwear Impression
- 6) Bloody Footwear Impression



State's
EXHIBIT NO. 57
12/12/12 R. Volpe



Evidence Processing Department

Victim/Suspect:

Jacket

Page #

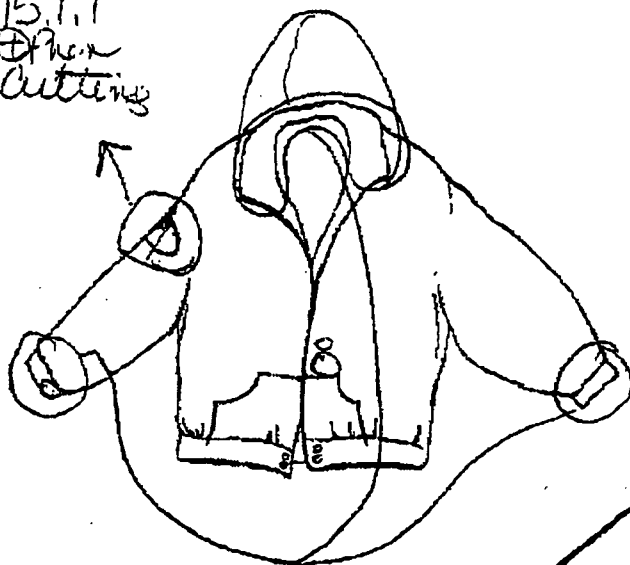
Lab # L11-1372

Item #: 15.1

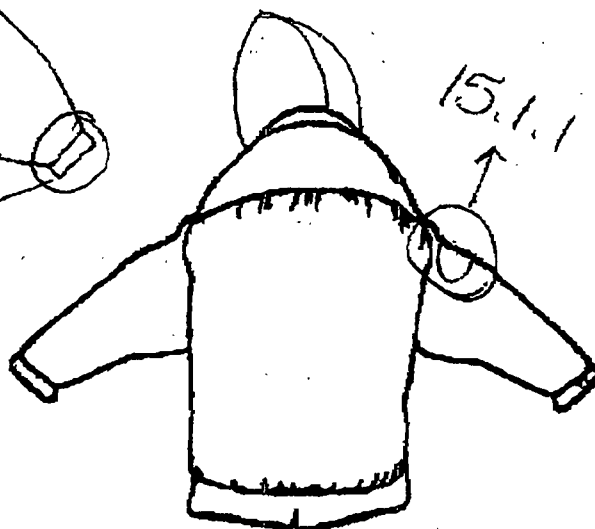
Examiner: VAG

Date: 3/2/11

15.1.1
Other
cutting



15.1.2
Swab
any DNA
(inside)



Notes:

15.2.2
~~15.1.3~~ = Possible chain from 15.1 & 15.2.
(na)



Evidence Processing Department

Page # _____

Victim/Suspect:

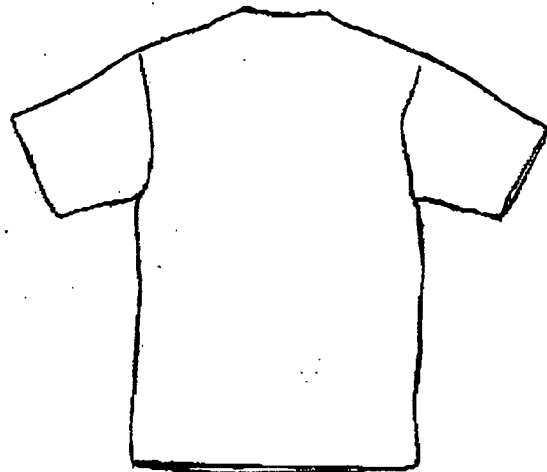
T-Shirt

Lab #: L11-1372

Item #: 15.2

Examiner: YAG

Date: 3/2/11



Notes: 15.2.2 = Possible hair from 15.1 & 15.2



Evidence Processing Department

Page #

Victim/Suspect:

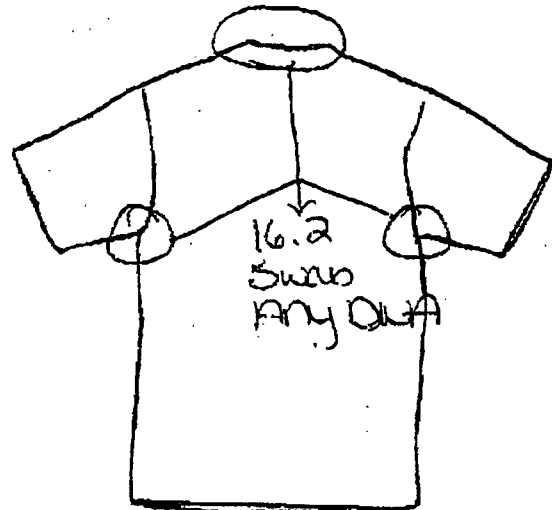
Shirt

Lab #: L11-1372

Item #: 16.0

Examiner: YTC

Date: 3/11/11



16.1
Open
Cutting

Notes: 16.3 = Possible hair.



Evidence Processing Department

Page # _____

Victim/Suspect:

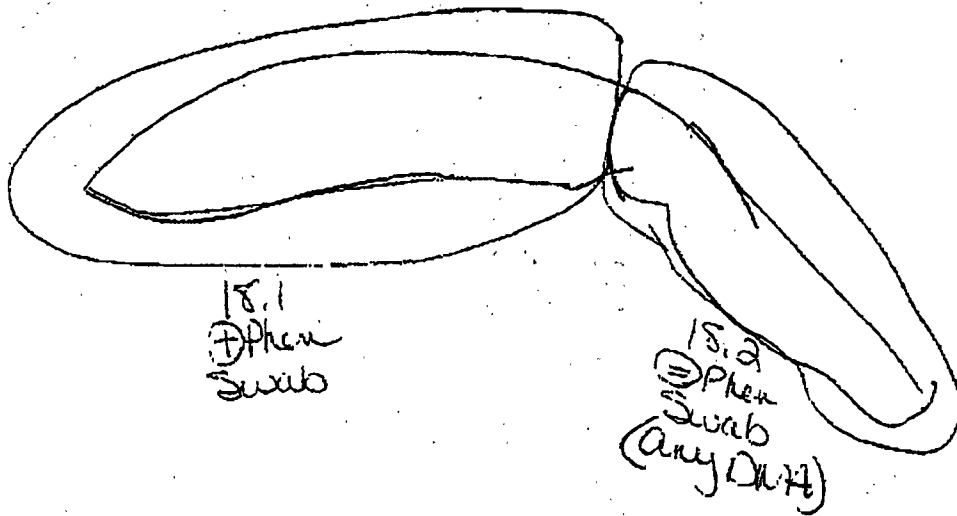
Knife

Lab #: 44-1372

Item #: 18.0

Examiner: YNS

Date: 3/11/11



Notes: Badly curved/Bent handle to left of blade.



Evidence Processing Department

Page # _____

Victim/Suspect:

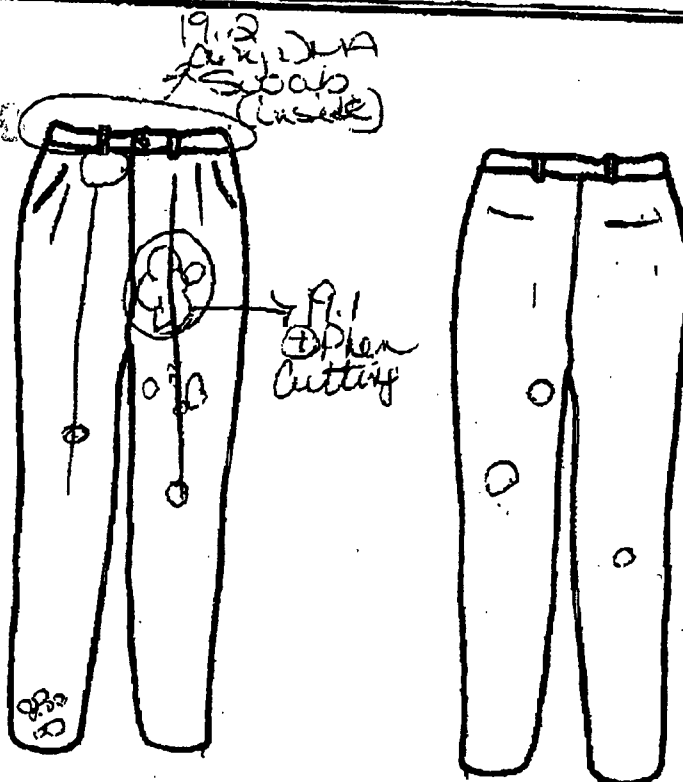
Jeans

Lab #: 11-1372

Item #: 19.0

Examiner: YIG

Date: 3/2/11



Notes:

19.2 = 19.3 = Possible hair.

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ORANGEBURG COUNTY
Court of General Sessions

Doyet A. Early, III, Circuit Court Judge

Appellate Case No. 2012-213596

RECEIVED

DEC 19 2014

SC Court of Appeals

The State.....Respondent

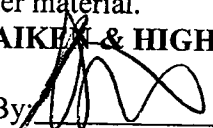
v.

Cleophas N. Edwards, Jr.....Defendant/Appellant

RULE 210(g) SCACR CERTIFICATE

The undersigned certify that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

AIKEN & HIGHTOWER, P.A.

By: 

ARTHUR K. AIKEN

2231 Devine Street, Suite 201

Columbia, South Carolina 29205

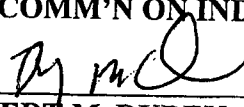
Phone: 803-799-5205

Fax: 803-799-5206

Email: art@aikenandhightower.com

ATTORNEYS FOR APPELLANT

S.C. COMM'N ON INDIGENT DEFENSE

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PO Box 11589

Columbia, SC 29211

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Email: rdudek@sccid.sc.gov

ATTORNEYS FOR APPELLANT

Columbia, SC
December 18, 2014

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM ORANGEBURG COUNTY
Court of General Sessions

Doyet A. Early, III, Circuit Court Judge

Appellate Case No. 2012-213596

RECEIVED

DEC 19 2014

SC Court of Appeals

The State.....Respondent
v.

Cleophas N. Edwards, Jr.....Defendant/Appellant

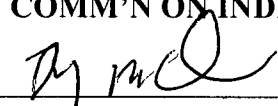
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AIKEN & HIGHTOWER, P.A.

By: 
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Phone: 803-734-1330
Email: rdudek@sccid.sc.gov
ATTORNEYS FOR APPELLANT

Columbia, SC
December 18, 2014

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County
Doyet A. Early, III, Circuit Court Judge

RECEIVED

DEC 19 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

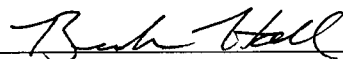
CLEOPHUS N. EDWARDS JR. ,

APPELLANT

APPELLATE CASE NO. 2012-213596

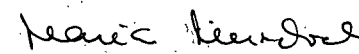
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 19th day of December, 2014.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 19th day of December, 2014.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.