VOLUME TWO OF THREE

THE STATE OF SOUTH CAROLINA
In the Supreme Court of South Carolina

APPEAL FROM PICKENS COUNTY
Court of General Sessions

Robin B. Stilwell, Circuit Court Judge

RECEIVED
APR 15 2019
S.C. SUPREME COURT

Case No. 2019-000475

THE STATE,

Respondent,

v.

MICHAEL LEVANT MEALOR,

Petitioner.

APPENDIX

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Q You went down there?
A I went to the jailhouse to visit someone.
Q Okay.
A Okay. And when -- they let me have my visit. I went with Denise, my daughter. We was going to see her friend. And when I come out, they arrested me.
Q Okay. But do you remember about when that was?
A It was like it was October.
Q Okay. In 2012 sometime?
A Yeah, I think.
Q Okay. Now, you said you buy the Sudafed for Michael because he has sinuses and stuff?
A Yeah.
Q How come you stopping buying Sudafed for Michael?
A Because all this came up.
Q Okay. But people didn't start getting arrested until around June of 2012, correct?
A I don't really know.
Q Okay. And your last purchase of Sudafed was in February of 2012, does that sound right?
A I guess.
Q Okay. So why did you stop purchasing -- why would you stop purchasing in February of 2012 if nobody got arrested until June of 2012?
A I don't know.

Q Okay.

MR. TOOKER: No further questions at this time, Judge.

CROSS-EXAMINATION

BY MS. WIYGUL:

Q Louise, did the State dismiss your charges on the first day of this trial or on Monday? Monday or Tuesday of this week?

A Yes, this week.

Q So they just dismissed your charges?

A Right.

Q Who's Tina Mealor?

A She was married to one of my sons.

Q Not Michael?

A No, Mark.

Q She was married to Mark?

A Right.

Q And did they have a custody dispute with the kids? Were they fighting about the kids?

A Yeah, they went to court about the kids.

Q Who got the kids?

A Mark.

Q When did that happen? A while back?

A Yeah, it's been a year or two. Probably two years.

Q Is it fair to say that she expressed some anger over

him getting the kids?
A Yeah.
Q Okay. Who did you drive to could today?
A Denise, Michael, Cindy, Jason and Kelley.
Q Okay. And is that because you're the only one with a car?
A That's right.
Q Has that kind of been going on on and off for years?
A Yeah.
Q Okay. After all this came about, did Michael go to the -- did you take Michael to the doctor's office?
A Yeah, I take them to the doctor's office.
Q And did he find out that he can, actually, get a prescription for his allergy medications?
A Right, yes.
Q Did he ever know that before?
A Not that I know of.
Q Okay. And so now he gets prescriptions for those allergies, doesn't he?
A Right.
Q Takes them as prescribed?
A Right, as far as I know.
Q All right. And, Louise, are you familiar with Michael Hayes?
A Yes, he was married -- well, they're still married,

to my daughter, Denise.

Q To Denise. Has he displayed some anger towards your family? Did he punch out a window at your house?

A He broke out a window with a brick, yes. It was a little brick and he broke out my window.

Q And was that because he was upset because she was dating somebody else?

A I really don't know the reason he did it.

Q You try to stay out of that drama?

A (Witness nods head.)

Q I don't blame you.

MS. WIYGUL: Thank you. I don't have any further questions.

CROSS-EXAMINATION

BY MR. NEWTON:

Q Ms. Mealor, to your knowledge, who owns the house at [redacted]?

A Me.

Q You are the owner of that house?

A I am the owner.

Q You, actually, live there?

A No. I stay with my boyfriend.

Q And where is that other address? Where do you stay?

A I stay in Seneca.

Q Okay. So do you let various people stay at the house

at [redacted]

A Say that again, please.

Q Do you let various people stay at the house on [redacted], over the years?

A Yes.

Q Okay. And why do you do that? Why do you let various people stay there?

A Well, mainly, it's my family. Denise has lived there. My son, Jimmy's lived there. I have three boys and one girl, Michael, Mark and Jimmy.

Q And sometimes they let friends stay there as well?

A Friends of theirs has stayed, yes.

Q Y'all are not a wealthy family, are you?

A No, sir.

Q So you try to help each other out by staying in the same place. That cuts out on rent, right? It's cheaper that way?

A Yes.

Q What was the name of the doctor that first told you --

A Frances. About Michael?

Q Yeah.

A Dr. Frances, but he's deceased.

Q When Michael was 13 years old?

A Right.

Q And you've been buying Pseudoephedrine for him all this time?

A Yes.

Q Until they started getting harassed by the police?

A Yes.

Q To your knowledge, was anybody manufacturing meth at [redacted]?

A No, sir.

MR. NEWTON: No further questions.

CROSS-EXAMINATION

BY MR. JOHNSON:

Q Good afternoon, Ms. Mealor. They call you Nana, I understand, is that correct? That's what my son calls my mother. Just want to look back at State's Exhibit and I'll put them up here on the projector in just a second when I get to the date I'm looking for, so bear with me, please. This is State's Exhibit No. 10 that you previously viewed. Just to show you the over page. This is the cover page. The solicitor, actually, went over this with you previously. This is State's Exhibit No. 6. Does that look familiar? You saw that just a little bit ago from the solicitor?

A I'm not sure who that is.

Q He was comparing the NPLEX records. Remember the dates and times he was asking -- the solicitor was asking

the dates and times of when you went to certain stores with certain people? Do you remember that?

A Who was that picture?

Q Let me show you again, sorry. That's an old picture.

A Denise.

Q Sure is, a long time ago. Now, specifically, the solicitor asked you about September 28th of 2011, whether or not it was possible that each of you could have gone on September 28th of 2011 about 10 minutes apart to the same Walgreens at the same address and purchased Sudafed. Well, is it also possible that Denise could have gone in and tried to get some Sudafed for her allergies and she was blocked, so you helped her out and just went ahead and purchased the Sudafed? I mean, that's feasible, correct?

A It's possible.

Q Because it says there -- the solicitor said that you both bought Sudafed on that day, but you didn't. Ms. Mealor, can you tell us the relationship of Tina Mealor to Susan Reese?

A Susan is her aunt.

Q Susan is Tina's aunt?

A Right.

Q Thank you. I just needed some clarification on that.

A Okay.

Q You stopped buying Sudafed, as the solicitor showed

you, in February of 2012, according to the records?

A Right.

Q And the solicitor explained the arrests in this particular case were made in June of 2012. Did you buy any Sudafed in March of 2012?

A I don't remember.

Q Did you buy any in April?

A Not that I know of.

Q Did you buy any in May?

A (Witness shook head.)

Q Did you ever recall at any time when you were living on [redacted] -- well, it's your house, but at any time, did you ever recall -- Jason Mealor, did he have occasion to get out of hand?

A Yes.

Q At any time when Jason would get out of hand, did you ever contact Cynthia and Michael?

A Michael.

Q What did you ask Michael to do?

A To go over there and see what was going on and see if he could straighten him out.

Q Okay. Did sometimes he have to stay for more than one day?

A He has stayed overnight.

Q Okay.

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of General Sessions

Robin B. Stilwell, Circuit Court Judge

Case No. 2013-002752

THE STATE,

Respondent,

v.

MICHAEL LEVANT MEALOR,

Appellant.

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MR. JOHNSON: I have no further questions. Thank you, Ms. Mealor.

THE COURT: Redirect?

MR. TOOKER: No, sir.

THE COURT: Okay. Thank you for being here. You may step down.

THE WITNESS: Thank you.

THE COURT: Mr. Tooker, do you have any additional witnesses, sir?

MR. TOOKER: The last one today will be Tony Robinson.

THE COURT: Okay.

MR. TOOKER: And the State calls Tony Robinson.

THE CLERK: Place your left hand on the Bible and raise your right hand.

TONY ROBINSON,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: Tony Dale Robinson.

DIRECT EXAMINATION

BY MR. TOOKER:

Q How you doing today, sir?

A Doing fine, sir.

Q Good. Lieutenant Robinson, where do you work?

A Pickens County Sheriff's Office.
Q And how long have you worked there?
A Twenty-four years.
Q And what is your current duty -- what are your current duties at the sheriff's office?
A I'm the lieutenant over the forensic unit and property and evidence.
Q So you're the top guy over property and evidence?
A Yes.
Q Okay. I'm going to show you what's been marked as State's 41?
A Yes, sir.
Q Did you bring those items to Court?
A I did.
Q And those items, where did they come from?
A They were submitted into evidence by Agent Tommy Blankenship on December 2nd, 2011.
Q And they've been in evidence since then?
A They have.
Q Has anybody tampered with them or altered them in any way?
A No, sir.
Q They're under lock and key?
A Yes, sir.
Q And they're in a secure facility?

A They are.

MR. TOOKER: At this point, Your Honor, the State would move State's 41 into evidence.

MS. WIYGUL: Without objection, Your Honor.

MR. NEWTON: No objection.

MR. JOHNSON: No objection.

THE COURT: Without objection, the same is moved into evidence.

MS. WIYGUL: I'm sorry, could I get clarification on the number?

MR. TOOKER: Forty-one.

(WHEREUPON, State's Exhibit No. 41 was admitted into evidence.)

MR. TOOKER: No further questions for this witness.

THE COURT: Any cross-examination?

MR. NEWTON: No, Your Honor.

MS. WIYGUL: None.

MR. JOHNSON: No, Your Honor.

THE COURT: Thank you, sir. Appreciate you being here. You may step down.

All right. No additional witnesses today?

MR. TOOKER: Not until we deal with that issue.

THE COURT: I understand.

Ladies and gentlemen, that issue is -- as you know, I intended to go a little bit later tonight to try to get

the State's case finished, but due to no fault of the State or the defense, there are a couple of witnesses who were drawn away from the courthouse and they're just not available to testify this afternoon.

And how many is that?

MR. TOOKER: It's most likely going to be one.

THE COURT: Just one, okay. So you anticipate tomorrow morning, you'll have one additional witness and then rest?

MR. TOOKER: Yes, sir.

THE COURT: And I'm not holding you to that, it's just what you anticipate as you sit here right now?

MR. TOOKER: Yes, sir.

THE COURT: Okay.

And the defense, on your witness list, you have nine. Do you still intend to call all nine of those witnesses?

MS. WIYGUL: Your Honor, at this point, we do and we may be calling one or two of the State's witnesses. We'll have to see how the morning goes.

THE COURT: Okay. Good enough. Good enough.

All right. Ladies and gentlemen, we'll resume testimony tomorrow. If you've been keeping count, we've heard from 19 witnesses so far. It doesn't seem like quite that many, but we've heard from 19. So at that pace, I believe if we've got somewhere around 10 left

tomorrow, we should be able to get them done tomorrow if we start on time and we go along at an even pace. So tomorrow morning, let's start a little bit earlier. Let's be here at 9:15. 15 minutes makes a difference, believe it or not, over the course of the day. So let's start at 9:15. I'll see you back tomorrow. Please don't discuss the case. Hope you have a great evening.

(WHEREUPON, the jury left the courtroom at approximately 4:24 p.m.)

THE COURT: All right. Anything further from the record this evening?

MR. TOOKER: Nothing from the State.

THE COURT: Okay. I'll see y'all back here tomorrow morning and we'll try to start at 9:15.

Y'all have a great evening.

(WHEREUPON, Court was adjourned for the day to be reconvened on Thursday, December 19, 2013.)

THURSDAY, DECEMBER 19, 2013

THE COURT: It is my understanding from the clerk of court that we have a juror that has business in Family Court this morning. And that is, if I'm not mistaken, Ms. Trotter, who is Juror No. 141. We've consulted in chambers in all counsel and we elected to excuse her from the trial of this case. And we will place Juror No. 65, Kimberly B. Hannon, on the jury as a main juror. So what I propose to

do is bring Ms. Trotter out here individually and go ahead and excuse her, then bring the remainder of the jury in.

MS. WIYGUL: And, Judge, I don't know if she would have the wish, but the defense would have no opposition after she finished with Family Court if she wants to observe.

THE COURT: Yes, ma'am, that's fine. And I'll tell her that. Ordinarily, when I release a juror, I tell them they can discuss the case, but in this instance, I'm going to ask her not to discuss the case with anyone just to make sure that we're safe and she doesn't feel like she can discuss it with another juror.

Would you bring out Ms. Trotter, please, and tell her to bring out all of her stuff.

(WHEREUPON, Juror No. 141, Nicole Trotter, enters the courtroom.)

THE COURT: Ms. Trotter, good morning, how are you doing?

MS. TROTTER: I'm good.

THE COURT: Good. It's my understanding you need to be in Family Court this morning.

MS. TROTTER: Just if I can say my piece and I can come right back.

THE COURT: Well, the problem is kind of like this court and it's not real efficient. And I want you to have the opportunity to go down there and say your piece. So

what I propose to do is just excuse you from the trial of this case so that you can go down and take care of your business. So that's what I'm going to do, I'm going to excuse you from the trial of the case. And, ordinarily, when I excuse a juror from the trial of a case, I tell you that you can discuss the case, but I'm going to ask you don't discuss the case yet with anyone just to be safe until we've reached a verdict in the case, which I suspect will be tomorrow morning. It could be tonight, but it's probably going to be tomorrow morning some time. So I'm just going to excuse you and you're excused for the entire week because we don't have anymore business before the Court after this trial, that is jury business. We'll have some nonjury stuff.

You are welcome to, if you'd like to after you've been in Family Court, come back and observe the trial. Just if you want to, you, certainly, don't have to. It's just an invitation if you're curious and you want to satisfy your curiosity. But my concern is and the attorneys' concern is up until such time as you, actually, go to court, you're going to be thinking about that because I know that's really an emotionally charged event. And then afterwards, you might still be thinking about what happened when you were down there.

MS. TROTTER: Exactly.

THE COURT: So I know if you're distracted and you've got something else to do, then let's just go ahead and let you concentrate on those things that are probably most important to you this morning.

MS. TROTTER: I appreciate it. Thank you.

THE COURT: Good enough. Thank you.

Bring them on in.

BAILIFF: Yes, sir.

(WHEREUPON, the jury entered the courtroom at approximately 9:22 a.m.)

THE COURT: Morning, ladies and gentlemen. I hope you're doing well and I hope you had a good evening.

Ms. Hannon, I'm putting you on the primary jury now. I've excused Ms. Trotter because Ms. Trotter had a family member who was going to Family Court and she needed to be there. So opposed to us just stopping and waiting for her to go to Family Court, which is in this very same building, I just decided it would probably be better off for her to concentrate on that matter that she has pending and for us not to stop so that we can get to the end of this case as expeditiously as possible.

So having said that, I believe, Mr. Tooker, it's your case, sir.

MR. TOOKER: Thank you, Your Honor. May it please the Court. The State calls Amanda Hurley to the stand.

THE CLERK: Place your left hand on the Bible and raise your right.

AMANDA HURLEY,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: Amanda Hurley.

DIRECT EXAMINATION

BY MR. TOOKER:

Q Ms. Hurley, thank you for being here today. Just make sure that you talk real loud into that microphone, please, okay?

A Okay.

Q Do you know why you've been called to testify today?

A Yes.

Q Have you been made any promises or have you been given anything in exchange for your testimony today?

A No.

Q I'm going to show you what's been marked as State's 4. Have you looked at this document?

A Yes.

Q Okay. And would you say that it's a fair representation of about how much Sudafed you purchased in 2011 to your recollection?

A Yes.

Q Okay. What did you do with the Sudafed that you purchase in 2011?

A I took some of it, some of it, I purchased for Michael and Cindy.

Q And by Michael and Cindy, do you mean Michael Mealor and Cindy Greenfield?

A Yes.

Q Do you know what they were doing with it?

A No.

Q You don't know?

A No.

Q And do you know anybody else who was purchasing Sudafed for Michael and Cindy?

A My husband.

Q Your husband, Danny?

A Yes.

Q Is that Daniel Hurley?

A Yes.

MS. WIYGUL: Your Honor, I'm going to object to this on the basis of hearsay unless she is testifying that she saw her husband make these purchases.

THE COURT: Okay. I haven't heard the response yet, but, generally speaking, I will sustain as to hearsay. I don't know if the question will elicit hearsay or not, but a general admonition against hearsay unless it falls

within an exception.

MR. TOOKER: Yes, sir, I think it's, actually, more foundational.

THE COURT: Well, I thought so, perhaps, as well, but I will sustain as to hearsay.

MR. TOOKER: Yes, sir.

BY MR. TOOKER:

Q Did you ever see Danny purchase or give anything to Mike and Cindy?

A I seen him purchase it, but if he gave it to Michael and Cindy, I wasn't -- I mean, I was with my kids.

Q Okay.

A I don't know that he did.

Q And how long have you and Danny been married?

A Since 2011, August of 2011.

Q And what about Kitty Hurley, did you ever see her purchase any Sudafed?

A I seen her buy some, but she took what she bought.

Q Okay.

A To the best of my knowledge.

Q To the best of your knowledge, so you don't know if she gave it to them or not?

A (Witness shook head.)

Q What about Carol Denise Hayes, did you ever know her to purchase Sudafed?

A If she did, I don't know of her giving it to anybody.
Q What would you get in exchange from Mike and Cindy for the Sudafed you purchased?
A They gave me the money to purchase it and I would buy it and whatever change was left, I usually kept just because I didn't think about giving it back.
Q Okay. And did you ever see anybody in that house cooking meth?
A No.
Q And do you remember talking to Agent Blankenship in November of 2011?
A Yes.
Q What did you tell him about purchases made with Kitty Hurley, your mother-in-law?
A I said that I went with her.
Q Did you say anything about both providing it to Michael Mealor?
A Not to my knowledge. I mean, that was -- that was back in 2011. And I was upset when I spoke to him. I had just got arrested and I was really upset.
Q So you don't know whether or not you told him that you and Kitty were both buying for Michael?
A Right.
Q And with regards to Danny, do you recall what you told Agent Blankenship about what you and Danny were doing

with your Pseudoephedrine?
A No.
Q You don't recall. Do you recall whether or not you told that both of your purchases went to Michael Mealor?
MS. WIYGUL: Your Honor, I'm going to object. She already said that she doesn't remember.
MR. TOOKER: And I think this is a bridge we crossed yesterday, Your Honor.
THE COURT: I'm going to overrule the objection.
THE WITNESS: I don't remember.
BY MR. TOOKER:
Q You don't remember what you told him?
A (Witness shook head.)
Q Okay. And who is your father?
A Michael Hayes.
Q Michael Hayes. Do you recall whether or not he ever purchased any Sudafed?
A No.
Q Do you recall whether or not he ever purchased any Sudafed for Michael Mealor?
A Not with me.
Q Okay. Do you recall talking to Agent Blankenship about your father?
A He asked me if I knew who he was, I told him he was my father.

Q Okay. And do you recall whether or not you said that you knew he purchased for Michael Mealor?
A I did not know if he purchased for Michael.
Q Do you know if you told him that?
A No.
Q You don't know if you told him that?
A (Witness shook head.)
Q And about how much of what you purchased in 2011 went to Michael Mealor?
A About half.
Q About half of what you purchased?
A (Witness nods head.)
Q Is there anything else that you haven't told us that you feel like you need to tell us about this case?
A No.

MR. TOOKER: No further questions, Judge.

CROSS-EXAMINATION

BY MR. NEWTON:

Q Do you remember when you met with the prosecutor in this courthouse last month?
A Yes.
Q A little bit after Thanksgiving?
A Yes.
Q Okay. And they asked you a series of questions in that interview, right? Do you remember that?

A Yes.
Q Now, when they initially asked you how much of the Pseudoephedrine that you gave to Michael Mealor, didn't you tell them it was a third initially, not a half?
A I believe the question in the -- I mean, I believe when Blankenship talked to me, I told him half. And when they talked to me, I told them it was -- I thought it was about a third, but it was anywhere from a third to a half. I'm not exactly --
Q So you're not sure. Do you remember much from 2011?
A Not too much. I was pregnant and really upset.
Q Okay. Thank you.
MR. NEWTON: No further questions.
MR. JOHNSON: No questions of this witness, Your Honor.
MS. WIYGUL: No questions of this witness, Your Honor.
THE COURT: Thank you.
Any redirect?
MR. TOOKER: No, sir.
THE COURT: All right. Thank you, ma'am. I appreciate you being here. You may step down.
Anything further from the State?
MR. TOOKER: No, sir.
THE COURT: The State rest at this point?

MR. TOOKER: Yes, sir, at this point, the State rest.

THE COURT: Ladies and gentlemen, the State has rested, meaning they have put up all the evidence and witnesses they intend to introduce in their case in chief. At this point in the proceeding, it's necessary for me to hear some legal arguments. Ordinarily, when the State rests, there's a certain refinement of the case that goes on from a legal perspective and I need to hear some arguments and I need to hear from the attorneys in that regard. That could take anywhere from 15 minutes to half an hour, I don't know exactly, but I'll get through it just as quickly as I can. So what I'm going to ask you to do is return to your jury room and as soon as we've resolved those legal matters, we'll come back in and the defense will have an opportunity to then present witnesses and present evidence into the record. Thank you.

(WHEREUPON, the jury left the courtroom at approximately 9:33 a.m.)

THE COURT: All right. Motions?

MR. NEWTON: Motion for a directed verdict on behalf of my client, Cynthia Greenfield, Judge. She is currently charged with the crime of -- or indicted for methamphetamine in the amount of 100 grams or more. There is no physical evidence in the form any actual methamphetamine presented at all. All we have is,

basically, a conspiracy theory. The State seems to be proceeding under the conspiracy branch of the trafficking statute. All they have is a certain amount of Pseudoephedrine purchases over a period of time in 2011, some testimony that was given to various people.

Now, this calls for rank speculation from the juror of what happened to the Pseudoephedrine, what it was used for, where did it go. If any of it was used for manufacturing meth, we don't know how much of it was used, we don't know how much meth was produced. There's ample testimony that the methods of making meth are, apparently, unreliable and dangerous to the extent when they do it at SLED, they have to wear massive protection suits. There has been testimony that the process of making it can be very inefficient. Even in the ultimate lab conditions, they get a 92 percent conversion at high end labs. There was testimony that it's 40 to 50 percent range on the street and that's if there a successful product. There's testimony of spillage, wastage, things can go wrong.

So we have no idea how much meth, if any, was actually produced by any of these Defendants. And it's just calling for rank speculation to send that to the jury with no supporting evidence showing any particular amount of meth.

The State, I guess, is going to try to argue this

certain amount of Pseudoephedrine should be considered a certain amount of meth. But, again, there's no factual basis for that. Nothing in the record. It's just pure speculation.

So I submit on behalf of my client and co-counsel -- I guess, we're doing some of this for their client. The evidence is simply insufficient to support a trafficking of meth charge in the amount of 100 grams. As an officer of the Court, I have to admit there has been testimony from one witness, Thomas Rooney, who said he saw Cynthia and Michael shaking some cans from time to time and cut open Lithium batteries. Out of all of those witnesses, he was the only one who, actually, said he saw with his own eyes anything like meth production. I think in the light most favorable to the State, that may be sufficient to send it on manufacturing, but not trafficking. Because trafficking, of course, requires 10-grams of meth and there is no evidence of any particular amount of meth, only opens the door to rampant speculation. Thank you.

THE COURT: Thank you, Mr. Newton, I appreciate it.

Mr. Johnson? Ms. Wiygul?

MR. JOHNSON: Thank you, Your Honor. I would just join in that motion in large part. And just to add, again, even Captain Brooks testified it very much depends on the cook as to -- let's just assume this

Pseudoephedrine was being transformed or used to manufacture methamphetamines, which, obviously, we would say it was not, obviously, but assuming it was, it all depends on the cook. It depends on if they know what they're doing, he said. He said it depends on how long they let it go. It depends on if it blows up on them. We don't know if any methamphetamines were every yielded from the Pseudoephedrine. And, also, again, I'll just join in the motion of co-counsel.

THE COURT: Okay.

Ms. Wiygul.

MS. WIYGUL: Your Honor, I would join Mr. Newton's motions in total as to my client, Michael Mealor. If the Court is not inclined to grant that motion for a directed verdict as to the entire trafficking charge and if the Court is to believe every single State's witness and every amount and the estimate of what could possibly have been made out of -- what Pseudoephedrine could have possibly been converted to meth, then by our calculations -- and I believe that the State's expert testimony was that the least yield was 40 percent, so assuming that every attempt to making the meth went through and was successful, and produced, at least, 40 percent of meth and that every single Pseudoephedrine purchase went to the Defendants and they made meth with it, the yield would be 63.1792 grams.

So I don't believe that would reach the trafficking 100 to 200 grams that the State has charged, at least, Mr. Mealor and Ms. Greenfield with. So we would ask for a directed verdict on that, please. Thank you.

THE COURT: All right.

Be happy to hear your response?

MR. WILKINS: Yes, sir, Your Honor. Mr. Newton is very much accurate in his assessment of our theory in the case, that we're proceeding on trafficking inasmuch as it is a conspiracy to traffic. Of course, in a conspiracy case, the key is both the criminal intent and the agreement. It's our assertion in this case that the criminal intent is the intent to manufacture more than 100 grams of methamphetamine.

Now, I think what Ms. Wiygul touched on was the amount of meth that could have been manufactured based on all the Pseudoephedrine that's thus been put on Mr. Mealor based on the -- I think she was using a 50 percent yield?

MS. WIYGUL: Actually, Your Honor, I was discussing the Pseudoephedrine alleged to have been provided to all three Defendants because I understand the State's proceeding under a conspiracy theory. And I was going on a 40 percent yield because that was the testimony of the State's expert.

THE COURT: But even with a 50 percent yield --

MS. WIYGUL: Even with 50 percent yield, I believe it would be 78.97 grams, Your Honor.

MR. NEWTON: But for the sake of argument, let's assume a range of 40 percent to 92 percent, or better yet, zero to 92 percent. I mean, you can blow up your one pot and get nothing. And the key in this case is criminal intent, so if it's their intent to manufacture methamphetamine and it's their intent to make it so that can either use it or give it to their friends or give it to the people who give them Sudafed or whatever, then it's their intent to make as much as possible. So it's the State's theory that based on Captain Brooks' testimony, a 92 percent yield is what we would, at least, argue to the jury is something they can consider in determining how much methamphetamine these parties intended to make.

So if we look at the totality of the evidence and talking about, I think, like 68 grams of Sudafed purchased on average by each of the Defendants. And then let's say we put seven grams on them from Ms. McCall and about eight grams from Ms. Armstrong and somewhere in the neighborhood of four grams for Mr. Rooney and 60 something grams from Mr. Hayes, we start talking about somewhere in the range of 200 plus grams of Pseudoephedrine. So we're talking about all this Pseudoephedrine and if it's their intent to make as much as possible, then they get well over that

yield.

Now, I think based on the testimony, the defense is entitled when it comes time to the jury charges and final arguments to request lesser included. And I think the lesser included is there is evidence to support those. But for the sake of argument and, you know, showing our hand a little bit inasmuch as this is what we intend to argue to the jury, the maximum possible yield as testified by law enforcement is what we will argue was their criminal intent to manufacture. And I regret that I've only printed one copy for this case and that's my fault, I can prepare other copies, but there was recently published on November 6th of 2013 -- and this is not from South Carolina or the Fourth circuit, but the Sixth circuit of court of appeals, which governs Kentucky, a case. And that case is United States vs. Darlene Smith and Roscoe Dean Smith. And in that case -- and that is opinion numbers 12-5895 and 5896. Actually, those aren't the opinion numbers, those are the indictment numbers. It's not yet on West Law or on Lexus. This is something, actually, when communicating with law enforcement we became aware of.

But, in essence, in this case, the case against the Smiths, it's a similar circumstance. And there were, I believe, five cooperating individuals. And these five

cooperating individuals all testified that they purchase Sudafed and that Sudafed, or some of that Sudafed went to the Smiths, Mr. and Mrs. Smith. And that there was some evidence that that was for the purposes of manufacturing methamphetamine. And it was either they give them the Sudafed for methamphetamine or they gave them the Sudafed for money.

Now, the big difference, the factual distinction in that case is at the residence itself, there were implements found associated with the manufacture of methamphetamine.

Now, this case, I think, goes more to Ms. Wiygul's arguments regarding weight. Because in this case, the District of Kentucky charged them with conspiracy to traffic over 500-grams. Now, that conspiracy to traffic over 500 grams is, basically, the totality of the purchases made by all the parties involved. So not just the amount they said went to them, but each party who purchased, just for sake of argument, let's say 100 grams of Sudafed, that they would say okay, yes, several boxes went to these people and then several boxes went to other people. Despite that fact, the court concluded because it is a conspiracy, they were justified in wrapping up all of that weight for the sake of argument. And they also relied on a 92 percent yield. There was a 92 percent

yield proffered by the expert in that case and that is what the State argued and that is what the court supported or held was sufficient in upholding the convictions against the Smiths.

So while, you know, while the State thinks that case, because it contains a lot of the same elements and a lot of the same reasons is something that Your Honor might find beneficial in review.

THE COURT: If you'll make a copy of it and make sure the defense gets a copy of it as well.

MS. WIYGUL: Your Honor, if I may briefly respond to that argument. I am completely unfamiliar with Sixth circuit law, but in Fourth circuit, a conspiracy requires an agreement. And there has not been one witness that has entered any testimony in this courtroom that they entered into an agreement to manufacture methamphetamine with these Defendants. Not one. So I would add that, too, and I believe Mr. Johnson and Mr. Newton would join me, to our motion for a directed verdict.

In addition, I can just point out the differences in this case as presented by Mr. Tooker off the top of my head. In that case, they had evidence, not just a bunch of people testifying that they had bought Pseudoephedrine and given it to somebody. They had actual evidence. They had an expert that testified to a 92 percent yield, which

their expert does not. Their expert testified to a 40 to 50 percent yield on average from the shake and bake method and a 92 percent yield in the laboratory under idea conditions using the full birch method. I mean, there was evidence of manufacturing in this case. There's no evidence of manufacturing in this case, except for the testimony of Mr. Rooney. There's no physical evidence whatsoever. And we would renew our motion for a directed verdict.

MR. JOHNSON: We would join in that, Your Honor.

THE COURT: Okay.

MR. NEWTON: If I may respond?

THE COURT: Sure.

MR. NEWTON: The prosecution said that it's a conspiracy to manufacture as much as they can. Under that theory, why not charge with conspiracy to manufacture 400 grams? That's not how conspiracy works. It can't be some open-ended amount. Say we're going to make an infinite amount of meth, conspiracy to make as much meth as we can for the rest of our lives. Under what he just argued, that would be acceptable. That's not the law. The law requires for a conspiracy, there be a specific meeting of minds and agreement about a particular goal. And there's been no evidence of any conspiracy to traffic any considerable amount of methamphetamine in this case. At

most, you have -- well, there's been no testimony by anybody there was any conspiracy to manufacture anything, but maybe a small amount of meth. Again, that goes back to the lesser included of manufacturing. But, certainly, not to the trafficking levels. If there's a conspiracy at all, it appears to me there's a series of little small conspiracies, perhaps, in a short period of time between one or two individuals. I'll give you a little bit of Pseudoephedrine, I'll get a little bit of meth back in return, a series of small conspiracies. As far as what the State is alleging, one grand conspiracy to manufacture a 100 grams of meth, no, there is no evidence of that. It's pure speculation to try to argue that it is.

MR. JOHNSON: Judge, may I add just one thing further. And this does go towards the lesser included argument. But I think that's the whole problem here. I think we're sitting here -- this case that the State's trying to make is about trafficking methamphetamine. The intent of the statute was not for this type of case, Your Honor. I would argue, if anything, this would be a manufacturing case at best. It's not trafficking. There's not people flying planes in, you know, plane loads full of drugs, bringing them in from out of state. I see the solicitor chuckling over there, but if he does read the statute, it would be actual or constructive possession

of more than 28 grams which you deliver or bring into the state.

Your Honor, I admire the State's imagination and creativity, Judge, but this is not a trafficking case. It's insufficient evidence.

THE COURT: I'll allow you to briefly respond to that if you'd like.

MR. WILKINS: Okay. With regards to his recitation of the statute, I think it's aid, abet and conspire or attempt to help anybody manufacture, possess, bring into the state. I mean, it's a very broad statute.

With regards to the potential use, I believe the testimony was low end is going to be 40 to 50 percent, the max is going to 92 percent.

With regards to Mr. Newton's motion of conspiracy, I think maybe take an IPhone. I believe my phone is made by Apple and it's manufactured, I believe in China with parts from people in Taiwan and Japan and southeast Asia and it's shipped back to California, where it's then shipped to South Carolina where somebody puts it onto a UPS truck and drives it to the Verizon store where I purchase it. All those people, even though they don't know each other and they cannot say what one is doing, the right hand doesn't know what the left hand is doing, doesn't mean they're not both involved in the same conspiracy. The

Iphone example, that is a conspiracy to distribute Iphones to customers.

I think in this case, Kelley McCall and Angie Armstrong were saying we gave them Sudafed for meth. They were saying they were cooking meth because they could make it cleaner and better and cheaper. I think that goes to show the conspiracy as participated by these individuals. I think everything the defense said is perfectly fine for closing argument, but as far as directed verdicts, I mean, taken in the light most favorable to the State, I think the evidence as we presented it is enough to sustain going to a jury.

MS. WIYGUL: Fourth circuit conspiracy law is about as broad as it gets and they still don't permit an implied conspiracy. It requires an agreement, an actual agreement.

MR. JOHNSON: Judge, I just want to issue an apology on the record to Solicitor Wilkins. I got worked up on that one, just the whole intent, the legislative intent and things of that sort. He knows more about the law -- or he'll forget more about the law than I will probably ever know.

THE COURT: He deserves what he gets, Mr. Johnson.

The arguments that you make are interesting. And they do give me some cause to pause and think. Obviously,

the standard for directed verdict is that it be viewed in the light most favorable to the nonmoving party. And I'm not looking at the sufficiency of the evidence, I'm looking at the existence of the evidence. The conspiracy can be proven through circumstantial evidence. It doesn't have to be direct evidence wherein there is witnesses who get on the stand sand say we conspired to do this, although, I'm not convinced that there weren't witnesses who, essentially, said that, if not in those words. But, circumstantially, taken together and given the statements that the witnesses have made, I think there is evidence in the record. I'm not suggesting to you that it's sufficient evidence to meet the burden of proof, I'm saying it exist. And that's the standard for conspiracy.

But on a finer note, I am concerned with the weight right now. That is with the 100 grams or more. I am concerned -- and I'm -- this is more an issue for charging to the jury than for a directed verdict necessarily. And I'm going to take it under advisement with respect to over 100 grams. But what I'm try to determine, right now, what I'm trying to do is go back and look at the evidence that I heard and determine whether it is appropriate to go forward to the jury with over a 100 grams based on the testimony that was given and whether an amount of over 100 grams can only be characterized as speculative. I don't

know that right now. As I sit here, I vacillate, I go back and forth.

Because there is, certainly, if you take all of the Sudafed that was purchased by all of these conspirators, and I use that terms loosely just to characterize all of them, if you take all of that and you say all of that was going to be used to make methamphetamine and the yield was at best case scenario 90 percent, worst case scenario, 40 percent, then there's evidence. But there is also evidence in the record that not all of that Sudafed was used to manufacture methamphetamine.

So there seems to me -- if you look at it, you can, certainly, speculate. And, logically, you can say, certainly, it would have been over a 100 grams, but the question is are you forced to speculate to arrive at that conclusion? Right now as I sit here, I don't know. I'm going to think about it. I'm going to think about it.

I'll hear the rest of the case and then we decide to, actually, charge the jury, decide what charge to be given to the jury. And right now, I'm comfortable with the charges as they exist under 100 grams, but I'm vacillating on over 100 grams. Just to let you know where I stand.

So the directed verdict with respect to the charges in their totality are denied based on the applicable standard, however, I'm taking under advisement whether to

direct a verdict as to trafficking over 100 grams. Okay. That shouldn't affect the manner and method or the way in which y'all present your case in any way shape or form if I'm anticipating that correctly. Okay.

Anything further?

MS. WIYGUL: Your Honor, could we request a brief break just to organize our witnesses?

THE COURT: I'm going to take a break, too.

MR. TOOKER: And I'll go ahead and make copies and give to counsel.

THE COURT: I appreciate it.

All right. We'll take 10 or 15 minutes. If you need more time, tell the bailiff to keep my powder dry for a little bit.

MS. WIYGUL: Thank you, Your Honor.

(WHEREUPON, a short break was taken.)

THE COURT: Bring the jury in.

(WHEREUPON, the jury entered the courtroom at approximately 10:25 a.m.)

THE COURT: Mr. Johnson, I believe it's your case.

MR. JOHNSON: Your Honor, the defense calls Jean Canzanella.

THE CLERK: Place your left hand on the Bible and raise your right.

JEAN CANZANELLA,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record, please.

THE WITNESS: Jean Canzanella.

DIRECT EXAMINATION

BY MR. JOHNSON:

Q Good morning, Ms. Canzanella. Should I call you Jean?

A That works.

Q Could you please tell this Court what your -- hold old are you?

A I'm 18.

Q Okay. Eighteen. Are you in school, working?

A I'm working and in school.

Q Okay. Where do you go to school?

A Daniel High School.

Q Okay. And what grade are you in?

A I'm a senior.

Q Senior. It's around exam time?

A Yeah.

Q Have you finished taking your exams?

A No, I have an exam right after this.

Q Oh. Thank you for being here. Where do you work?

A McDonald's in Pickens.

Q Please tell the Court -- what is your current

address?

A [redacted] Six Mile, South Carolina.

Q And who lives there with you?

A My mom and my stepfather.

Q Okay. Is that address anywhere near [redacted]

[redacted]

A Yes.

Q How close?

A It's right down the hill.

Q Right down the hill. Are there any other houses between you and --

A No.

Q Okay. Did you ever have -- let me back up. Do you know any of the people who lived or stayed at [redacted] [redacted] in 2011?

A Yes.

Q Did you ever have occasion in 2011 to go over to [redacted]

[redacted]

A Yes.

Q And why did you go over there?

A I used to baby sit and that's where the school bus dropped us off.

Q Who did you baby sit?

A Eric and Lastat.

Q Whose children are Eric and Lastat?

A Jason's.
Q Jason?
A Mealor.
Q So you mention -- I'm assuming if you babysat his kids, you know Jason Mealor?
A Yes.
Q Who was Jason seeing at the time -- or in 2001, who was Jason's significant other?
A Melissa Wardlaw.
Q Melissa Wardlaw. Okay. Did you have the occasion to meet ever and talk with Melissa and, you know, just on occasion?
A Sometimes, yes.
Q Okay. How often would you go up to [redacted] in 2011?
A Well, everyday and then every occasion. Like I'd get off the bus, so I was there for a couple of minutes.
Q Did you ever see anything unusual occur inside the house or outside the house on [redacted]?
A I saw the use of marijuana and on one night some smoke.
Q Some smoke. Inside the house?
A Outside the house. I saw it outside. I wasn't inside.
Q Okay. Who else was there at this time?

A At the time, I would think Denise, Lastat and Eric and Jason and Melissa, I believe.
Q Okay. So you saw smoke outside?
A Yes, sir.
Q Was it in the front yard or backyard?
A Backyard.
Q So it was you, Denise, Jason, Melissa?
A And the kids.
Q Were you babysitting at this time?
A Yes, I had just left the house. I was heading down to my house.
Q Was everyone inside the house when you left?
A Yes, I think so.
Q Everyone was inside?
A As far as I know.
Q When the smoke was going on out back?
A It was kind of dark and so I'm not sure if anybody was outside.
Q Okay. Okay. Were Cynthia Greenfield and Michael Mealor at the house at all, inside or out, to your knowledge?
A No, sir, not that night.
Q So for clarification, I'm sorry, I didn't hear your answer, were Cynthia and Michael inside?
A No, sir.

Q Or outside?

A No, sir.

Q And you mentioned the time of day, approximately what time was it?

A It was around, between 10:00 p.m. to midnight, I believe. It was dark outside.

Q Okay.

A I was just leaving.

Q The smoke that you mentioned, did you see it, did you smell it?

A I smelt it and I saw it, yes.

Q How would you describe the smell? Burning leaves?

A I just remember it smelling really bad and it didn't smell like anything I've ever smelt before. It wasn't leaves and it wasn't trash.

Q Okay. And when did this particular incident to your knowledge occur approximately?

A All I can remember is around fall time, maybe early winter. It was kind of chilly.

Q Okay. Can you narrow it down to the year?

A Probably 2011, maybe 2012.

Q Okay. When you -- you mentioned before you left, you were leaving to go home. Where was Denise at this time?

A She was inside asleep.

Q Okay. And where were the children?

A They were asleep.
Q Okay. Did you ever see at any time any of these three Defendant sitting at this table, did you ever see them use methamphetamine?
A No, sir.
MR. JOHNSON: No further questions, Your Honor. Oh, I'm sorry.
THE COURT: Yes, sir.
BY MR. JOHNSON:
Q Just a couple more questions.
A Okay.
Q Why were you there until that time that night? What were you doing?
A We usually had movie nights and I stayed up there with the kids. After the movie, we played a couple of video games and it was getting late, so Denise told them they needed to go to bed, so I left.
Q Okay. Did you ever see the makings of a methamphetamine lab or?
A I wouldn't know what that looked like, so -- but I don't think I did.
Q Do you know what a blister pack is?
A No, sir.
Q Are you familiar with decongestant medication?
A Yes, sir.

Q Are you familiar with the little packets they have the tablets that punch out?

A Yes.

Q Okay. Did you ever see any of those laying around that were completely empty?

A No, sir.

Q Did you ever see any batteries cut in half?

A No, sir.

Q One moment.

A Okay.

Q Were Cynthia and Michael, were they living there at this time?

A I don't think so.

Q Okay. Were there any cats in this house?

A Yes.

Q Approximately how many do you remember?

A Probably two.

Q Two?

A Okay.

MR. JOHNSON: No further questions. Thank you, Jean. Please answer questions the State would have.

CROSS-EXAMINATION

BY MR. TOOKER:

Q I want to make sure I say your name right, Canzanella?

A Yes, sir.
Q And I'll be brief. What final do you have today?
A Med term.
Q Med term, what is that?
A Medical terminology.
Q Okay. So in 2011, you would have been what, 15 or 16?
A Yes, sir.
Q Okay. And you were a sophomore or freshman?
A Freshman.
Q And you don't know what a meth cook would like if you saw one?
A No.
Q All right. You mentioned there was marijuana in the house?
A Yes, sir.
Q Who did you see using marijuana?
A Denise, Jason, Melissa and that's it. That's all I saw.
Q What about Michael Mealor?
A I've never seen them do marijuana.
Q Have you ever seen Michael Mealor?
A Yes.
Q So you know who he is?
A Yes.

Q Have you ever seen Carol Denise Hayes?

A Yes.

Q Did those people also live at [redacted]?

A At the time, I don't think Michael lived there. But -- not to my knowledge.

Q Not to your knowledge?

A They came over, but I don't know if they lived there.

Q You didn't know if they lived there or not?

A No. Denise lived there, yes.

Q Did you know who owned the house?

A Yes.

Q Who owned the house?

A Louise.

Q Now, is Louise Michael and Denise's momma?

A Yes.

Q Okay. All right. And you didn't know if they were living there or not?

A No.

Q Okay. Do you know Mike to be with Cindy?

A Yes.

Q And Cindy lived there?

A Not that I remember.

Q And you said you'd go over there to baby sit?

A Yes, sir.

Q Okay. You babysat Lastat and Eric?

A Yes.
Q Did you think it was funny they were smoking marijuana around the kids?
A No, they didn't smoke in front of the kids.
Q They didn't do it in front of the kids?
A No, we always went outside. We would go out to play.
Q And they would smoke in the house?
A Yes.
Q And you mentioned smelling some sort of smoke outside the house at night?
A Yes, sir.
Q Who were you with again?
A I was up there with Denise and the kids and Melissa and Jason.
Q So Melissa, Jason, Denise and the kids. And y'all were outside?
A No, sir. Denise and the kids were inside and I'm not sure where Jason and Melissa were. And I was walking down towards my house.
Q And you smelled a smoke coming from inside of their house?
A Yes.
Q And you didn't know what that smoke smell was?
A No.
Q And it smelled very strong?

A Yeah.

Q Did it smell like chemicals?

A Yeah.

Q It smelled like chemicals. Okay.

MR. TOOKER: No further questions, Judge.

MS. WIYGUL: Your Honor, just very briefly.

CROSS-EXAMINATION

BY MS. WIYGUL:

Q Jean, the prosecutor just asked you if the smoke was coming from inside of the house. Did you mean to tell him yes, the smoke was coming from inside of the house?

A No.

Q Okay. Could you clarify where the smoke was?

A No. It was near the house, but I'm not sure if it was in the house.

Q So you smelled the smoke outside not inside?

A Yes. No, I didn't smell it inside.

MS. WIYGUL: Thank you.

MR. JOHNSON: No further questions.

THE COURT: Mr. Newton, any questions?

MR. NEWTON: No, Your Honor.

THE COURT: All right. Thank you. I appreciate you being here, Miss Canzanella. Good luck on your exam.

THE WITNESS: Thank you.

MS. WIYGUL: The defense would call Juanita

Canzanella.

THE CLERK: Place your left hand on the Bible and raise your right.

JUANITA CANZANELLA,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record, please.

THE WITNESS: Juanita Canzanella.

DIRECT EXAMINATION

BY MS. WIYGUL:

Q Juanita, where do you live?

A 398 Lusk Road, Six Mile, South Carolina.

Q How old are you?

A Fifty-five.

Q And do you have any children?

A Two.

Q What are your children's names?

A Rose Canzanella, Jean Canzanella.

Q Okay. So you live next door to [redacted]?

A Yes, right on the corner.

Q How long have you lived there?

A I moved in in '94.

Q Okay.

A But I have had dating Robert since '89.

Q So how long had you known the occupants of [redacted]

[redacted]?

A Since -- I didn't hear you.

Q How long have you known Louise Mealor?

A Since '89.

Q How long have you known Michael Mealor?

A I saw him off and on from '89, but I never spoke to him until he started mingling with us, going in and out eating dinner with them. And we usually swap stuff, if he needs something or I need something, we would swap out food and clothing or whatever we needed. Sometimes, he'd come over and help me cut grass, lift stuff I couldn't lift, help me with the kids off and on.

Q Okay. I'm going to narrow the time frame here to 2011?

A Okay.

Q Do you know who lived next door to you in 2011?

A It was Denise and it was -- hold on a minute. It was Denise and Melissa and Jason and the two kids, Eric and Lastat.

Q And by Jason, do you mean Jason Mealor?

A Yeah, Jason Mealor.

Q To your knowledge, did Michael Mealor and Cynthia Greenfield live in that home in 2011?

A No, they moved in in 2012 when I fell and broke my arm. They started living there because they were helping

me out because I couldn't lift anything and my husband has heart problems. They'd been coming down and helping me with the housework and cutting the grass and doing stuff for me.

Q Do you know why Cynthia and Michael would have been at [redacted] in 2011?

A Well, his mother would always call when they had fights or something happened to the kids or something like that. And he would go up there and just straighten out the household. At one time, they needed the house cleaned up because DSS was coming and they needed to help Denise get the house cleaned up and move stuff around, just different things.

Q So that's when --

A He started coming over.

Q Do you know who would call them?

A It was his mother and sometimes his niece would call when something would happen physically to her or the children.

Q Okay. And when you talk about the rights and physicality, who did those involve?

A It was Melissa and Jason. And sometimes they'd have somebody over there and wouldn't know who it was and maybe it was jealousy or something and they'd start fights with them. I think Jason usually has mood swing and he'd get

involved. And she'd bring the kids down to my house, Denise would and she'd stay down there until he calmed down. Then the brother would come over, Mike, and straighten him out. Sometimes take him to Greenville or where he needed to go. Sometimes, he went to the hospital occasionally.

Q Okay. Would you characterize Cynthia and Michael as kind of be enforcers for Louise?

A Yes, they always came to do what they needed to do and they also took the trash off for her when he had a truck.

Q Okay. Who mowed the grass at [redacted]?

A Well, Steve used to cut it and then after he couldn't do it anymore, Mike came over. And he also borrowed my lawn mower to cut the grass.

Q Did Michael fix lawn mowers?

A Yes, he fixed my lawn mowers. For him doing the work for me, I gave him three other lawn mowers. And he fixed my riding lawn mower and he's in the process of fixing my other two lawn mowers.

Q Okay. Now, you stated that you and Louise or Denise or whoever was there would sometimes trade food or clothes if one of you was running short, is that correct?

A Yes.

Q Are you wealthy people?

A No, ma'am.
Q Are they wealthy people at [redacted]?
A No.
Q Do you know if they used to have yard sales to raise money?
A Yes. I give them stuff what we outgrew or the kids outgrew. Just to get it out of the house, I'd give it to them. I gave my old TV's and I've given them reorders, tape recorders and stuff like that, and VCR for the kids so they could watch TV, and give them movies we didn't watch. Sometimes they'd keep them and sometimes they'd sell them. So we just kind of rotated. And if I needed money, they'd give me some money off of the yard sale, but I never took any from them.
Q Okay. Ma'am, do you have any criminal history?
A No, ma'am.
Q Okay. So you've never been arrested?
A No, ma'am.
Q You're not charged in all this?
A No, ma'am.
Q With anything?
A No, ma'am.
Q Okay. Now, you said that Michael would come over and help you out and Cynthia would help out. Did Melissa ever help you out?

A She did come and start painting for me, but she took her time and I would pay her cash whenever I had cash and she would just stand around and paint one area the whole time. My husband would be in the bedroom and he said she took so long on that back porch and you shouldn't pay her, but I went ahead and paid her because I told her to paint it. And she would always lie about what time -- how long she was doing it, so I would end up trying to give her what I could, but I did take them out to eat.

Q Okay.

A And sometimes they ate with us.

Q Who ended up painting your porch?

A It was Melissa and Jason came down and did that for me.

Q They finally got it finished?

A Yeah, they got it finished. I hate to go out there and help them, though.

Q Okay. Ma'am, have you ever seen drugs at [redacted]?

A No, ma'am.

Q Have you ever seen Cynthia Greenfield do drugs?

A No, ma'am.

Q Have you ever seen Michael Mealor do drugs?

A No, ma'am.

Q Have you ever seen Denise Hayes do drugs?

A No, ma'am.
Q Has Cynthia ever asked you to go Pseudoephedrine for her?
A No, ma'am.
Q Has Michael ever asked you to go buy Pseudoephedrine for him?
A No, ma'am.
Q Has Denise ever asked you to go buy Pseudoephedrine?
A No, ma'am.
Q Did the police speak with you in this case?
A When I was gone from the house on February the 14th, they came by and asked my husband for me to call this number. And I called the number and the guy asked me why I was going up to my neighbor's house in my van at certain times. And I said I went up to take food. And he said well, we're watching the house. And I said well, if you were watching the house, you should have seen the box of food I brought up, should have been the bags of clothes I took up and I took up some toys for the kids. I said usually, if I have anything they can bring, I bring to them. People have been giving me things off and on and I give it to them.
Q Do you recall which officer you spoke with?
A No, I don't.
Q Okay.

A I had the card, but I threw it away. They called me back and asked me several questions, did I buy drugs and take it up there and I said no, ma'am, no, sir, whatever it was. And he says well, we need to call you back. So they kept calling me back and they kept questioning the same thing and I told them no, sir. And he says well, can you come to court and I said yes, sir, if you want me to, but I have nothing to do. And he said why does your van keep going up there and I said because I can't walk up the hill. I have to drive up the hill and sometimes I drive from my yard up to their yard. And he said okay, well, we won't need you. Thank you. And that was it.

Q Okay. All right, ma'am. Did you ever have an opportunity to give Melissa a ride to work or observe her working?

A Yes, I took -- I would take her to work in Liberty at the Dollar Store that she worked at. And me and Jason would wait on her in the car until she got off work.

Q Did you see anything that concerned you?

A Well, when they didn't have money to pay me for gas, he'd go in there and get stuff. And she would end up -- I saw the check out. He'd put the stuff on the check out and she'd act like she was ringing it up and he'd like he'd give her money and then he got the stuff out of the store. And I asked him about it and he said you don't

need to know, so I just shut my mouth and didn't say no more.

Q But after he went in the store, he had money?

A Yeah, they had money. Then I believe she was fired from there because I didn't take her back and forth to work anymore.

Q Okay. Ma'am, your husband's in fairly poor health, isn't he?

A Yes, ma'am.

Q And you've had some health problems in the past, haven't you?

A Yes, ma'am, I've got congestive heart failure.

Q And as a result of that, you've had a lot of prescription medications laying around your house, haven't you?

A Yes, ma'am, we have them in the kitchen and on the table.

Q Has Cynthia or Michael or Denise ever stolen your medication?

A No, ma'am.

Q Okay. Now, you stated you went up to the house a lot, did you go inside of the house a lot?

A Yes, they keep the doors unlocked and I keep mine unlocked. If we need anything, we just knock on the door and just walk right in.

Q Do you know what a meth lab would look like?
A No, ma'am.
Q Okay. Did you ever see excessive amounts of plastic bottles, batteries, blister packs of cold medicines laying around the house?
A No, ma'am.
Q Okay. Did you ever smell anything at the house?
A No, ma'am.
Q Okay. About how --
A Except for cooking when we cooked.
Q About how many cats were in that house in 2011?
A More likely three or four, maybe more because when they got arrested, all their animals came to my house, so I've got like 14 cats. And I have no idea -- I only have one, it's black and the kitten from him is black, a little small kitten.
Q But there's about 14 cats running around?
A Yeah.
Q And is that because the four or five cats they had had litters?
A Yeah. Or my cat impregnated them, I don't know, because I've got a male cat.
Q Okay.
A But I do feed them.
Q Ma'am, do you know -- are you aware of an incident

that occurred in November of 2011 where someone was shot --

A Yes.

Q -- at [redacted]?

A I was not home. My husband was home. And Melissa, he said, came flying down the hill, came in our back porch. We had the back porch rigged so that you couldn't get in the door. So she ripped the door off, tried to get in our glass sliding doors and Robert had it barricaded with the axe handles and she kept banging on the door, banging on the door --

MR. TOOKER: Your Honor, I'm going to object. She said she wasn't there, her husband was there. And I don't know that she's got any personal knowledge of the events that transpired.

THE COURT: I'll sustain.

You can move on.

BY MR. WIYGUL:

Q Ma'am, do you have any personal knowledge of what the repercussions of that shooting was?

A All I know is Jason got shot and went in the hospital.

Q Did Jason and Melissa there after that shooting?

A No, ma'am.

Q Okay.

MS. WIYGUL: That's all I have. Thank you, ma'am. Please answer any questions this gentleman has for you.

CROSS-EXAMINATION

BY MR. TOOKER:

Q How are you doing today, ma'am?

A Not too good.

Q Not too good?

A My husband's in ICU.

Q I'm sorry to hear that. We'll be as quick as we can, okay. I'm going to show you first thing a picture. Now, you said you've known Carol Denise Hayes for how long?

A Since '89.

Q 1989. Okay. Is that about how she looked in 1989?

A She's always had hair loss, so I really --

Q She had a fuller face?

A Yeah. And her hair usually came out. She had real bad, like I do, hair loss?

Q Okay. Would you characterize her as having lost weight?

A Well, she loses weight and gains weight like all woman.

Q Sure. Sure. But anything -- well, I'm just going to ask.

Ms. Hayes, would you please stand up for the court. Compare her image on that driver's license photograph

with her appearance today in court.
A Well, I'm blind in one eye and can't see out the other, so I can't really see that far. That's my problem.
Q Yes, ma'am. I'll just move on. You said they're a poor family, they don't have a lot of resources?
A Yes.
Q Let me show you what's been marked as State's 1. Have you ever purchased Pseudoephedrine before?
A Yes, for my daughter.
Q You've been to the store and you've bought it?
A Yeah.
Q How many times would you say in your life you think you've purchased it?
A I think about three times.
Q About three times in your whole life?
A Three to four, I'm not sure.
Q Do you remember about how much it cost?
A No, sir, I don't.
Q You don't? Does $10 sound like a fair amount?
A I have on idea, I can't remember.
MS. WIYGUL: Your Honor, I'm going to object. She just said she doesn't know.
THE COURT: Okay. I'll sustain. You'll have to be satisfied with that answer. She said she doesn't know how much it costs.

MS. WIYGUL: And she's also stated that she cannot see this exhibit, so it really doesn't need to continue to be up here.

BY MR. TOOKER:

Q How about I show you personally. Would you say buying Sudafed 37 times would be expensive or inexpensive?

A I have no idea.

Q Okay. I'm going to show you what's been marked as State's --

MS. WIYGUL: I would object --

THE WITNESS: I can't see, hon.

MR. TOOKER: Judge, this is me presenting my case to both the jury and the witness.

THE COURT: I understand. I understand. If you ask her a question related to that, you do need to show it to her so she can see it.

BY MR. TOOKER:

Q Ma'am, I'm going to hand you another document marked as State's 6. Would you say that purchasing Pseudoephedrine 33 times would be expensive or inexpensive?

A I have no idea because I don't buy drugs except for whenever I buy it from prescriptions.

Q And, finally, I'm going to show you what's been marked as State's No. 2. Would you say that purchasing

Pseudoephedrine --

MS. WIYGUL: Your Honor --

BY MR. TOOKER:

Q --34 times --

MS. WIYGUL: -- I'm going to have to make an objection. He's attempting to testify. She's already said she doesn't know.

THE WITNESS: I have no idea.

MR. TOOKER: Your Honor, this is cross-examination.

THE COURT: I'm going to let her answer the question. I believe her answer to that question was I don't know.

BY MR. TOOKER:

Q And you don't know if it's expensive to buy Pseudoephedrine 34 times?

A I have no idea.

Q Okay. And you said you never saw meth at the house, right?

A No, sir.

Q Would you know what meth looked like if you saw it?

A No, sir.

Q Okay. Would you know what a methamphetamine lab looked like if you saw it?

A No, sir.

Q Okay. You said that you've got bad vision?

A Well, I did have bad vision this year and last year,

yeah.

Q Okay. In 2011, how was your vision?

A It was a little bit better. I'm a diabetic and got high blood pressure and I've lost one eye already.

Q And when you were at the residence in 2011, you wouldn't know if you'd seen a shake and bake meth lab or not, would you?

A Well, I mean, the house always had food in it. All I went up there for was food. And had cats in there and children.

Q Yes, ma'am.

A And my kids went up there, so I would not send my kids up there if there was a meth lab.

Q Yes, ma'am. And I'm not insinuating that you would and I'm not insinuating that you would know anything about methamphetamine. I'm just asking if you saw it, would you know it?

A Well, if it was there, my kids would know it because my kids know more about it than I do because I've never dealt with anything like this before. Her house was just like mine. All of us came to eat. The kids went up there and watched movies. We had movie night. We had adult nights where the kids would go to bed and we'd sit and watch movies and eat popcorn, then I'd go home. Sometimes they'd come to my house, we'd do the same thing. When

they went out to the movies, I kept their kids and they kept my kids.

Q If you found out that they were, in fact, cooking meth at that residence, would it make you feel bad?

A Yes.

MS. WIYGUL: Objection, Your Honor --

THE WITNESS: I don't think that they would do it.

MS. WIYGUL: -- that's irrelevant.

MR. TOOKER: It goes to potential bias.

THE COURT: I sustain it.

MR. TOOKER: No further questions, Judge.

MS. WIYGUL: Very briefly, Judge.

REDIRECT EXAMINATION

BY MS. WIYGUL:

Q Juanita, did you have both eyes in 2011?

A Yes, I did.

Q Okay. And did you know anyone over at [redacted] to suffer from allergies or sinus issues?

A The children did.

MR. TOOKER: Judge, that's outside the scope of cross-examination.

THE COURT: Is that within the scope?

MS. WIYGUL: I withdraw the question.

THE COURT: Okay. Good enough.

MR. NEWTON: I have one question.

THE COURT: Yes, sir, you may ask it.

CROSS-EXAMINATION

BY MR. NEWTON:

Q The solicitor asked you about income of these folks. To your knowledge, did you ever help them provide tools to scrap metal parts for sale?

A Yeah, when Michael would help me, I would give him my lawn mowers that weren't working. I'd give him any kind of metal that was in my shed. I had a problem with my sister-in-law, so I told them if they didn't come get their stuff, I was giving it away. So I had Michael and Cynthia come over and they took everything out of my shed. And just as soon as it came out of that shed, my sister-in-law showed up in a big yellow truck, wanted to know why I was getting rid of her stuff. I said well, you got rid of me. I've washed my hands of you, you washed your hands of me, I was getting everything out of my house that's ours. And I said if you want it, you better get it because I've given it to Mike and Cynthia. So they were getting it and taking it up there to do what they needed to do. They had yard sales. They got rid of the stuff they didn't need. What they didn't want, I hauled it in my van and took it to the dump. And that was the last I saw my sister-in-law. She took what she wanted and she moved to Charleston.

Q Thank you.
A You're welcome.
THE COURT: Any additional questions?
MR. JOHNSON: No further questions.
THE COURT: Okay. Good enough.
Ms. Canzanella, thank you for being here. You may step down.
THE WITNESS: Thank you.
MS. WIYGUL: Your Honor, I would ask that Ms. Canzanella and the prior witness be excused.
MR. TOOKER: No objection.
THE COURT: All right. You're excused.
next witness.
MS. WIYGUL: Your Honor, defense would call Tobias Vogle.
THE CLERK: Place your left hand on the Bible and raise your right.

TOBIAS VOGLE,

after having been duly sworn, testified as follows:
THE CLERK: If you would, have a seat and state your name for the record.
THE WITNESS: My name is Tobias Vogle.

DIRECT EXAMINATION

BY MS. WIYGUL:
Q Mr. Vogle, where do you live?

A In Pickens County.
Q Okay. Do you know any of these parties on a personal level?
A No, I do not.
Q Okay. Did I contact you to come today and bring some records to the court?
A Yes, you did.
Q Okay. And what records did I ask you to bring?
MR. TOOKER: Your Honor, I'm going to object to the publication of any records that we have not received in reciprocal discovery.
THE COURT: Well, she hasn't gotten there yet, so let's go ahead and see how it develops and then pose an objection based on what she wants to do.
BY MR. WIYGUL:
Q Sir, did I ask you to bring any records with you today?
A Yes, you did.
Q And what records did I ask you to bring?
A The patient's name is Michael Mealor.
Q And did I ask you to bring his medical file?
A His medical records and the medications.
Q Sir, could you refer to those records and tell me if Mr. Mealor went to the Samaritan Health Clinic beginning in August of 2012?

MR. TOOKER: Judge, with regards to anything that happened in August of 2012, the State is going to object on relevance. The time period covering this indictment is 2011. August 2012 is post-arrest, so any activities or behaviors of the Defendant at that time, I think would be -- or can't be considered by the jury inasmuch they don't go to what he was doing in 2011.

THE COURT: Overruled.

BY MR. WIYGUL:

Q Could you tell me if Mr. Mealor began going to the Samaritan Health Clinic in August of 2012?

A That is correct.

Q And on September 20th of 2012, was he referred to an ear, nose, throat doctor?

A Yes, he was.

Q And was that because --

MR. TOOKER: I'm going to object on leading.

THE COURT: Overruled.

BY MS. WIYGUL:

Q Referring to your records, sir, would that be because he had a tooth that had broken through his sinus cavity and had sinus troubles since 2007?

A According to the notes from the physician, that is what he was in for that day and that is why we referred him to an ENT.

MR. TOOKER: Judge, now, I've got to object on hearsay. We're talking about the physician's notes. This person hasn't been authenticated or introduced as the records custodian, so I don't think these records are admissible.

BY MS. WIYGUL:

Q Are you the records custodian for Samaritan Health Clinic?

A I oversee that. I'm the executive director for the clinic.

Q And are you responsible for keeping track and maintaining the records?

A I am responsible for the procedure and process of the records that are maintained by our records keeper. She's a student in school right now.

THE COURT: With respect to the objection, I find this is a business record kept in the normal course of business and I'll allow him to testify.

MS. WIYGUL: Thank you, Your Honor.

BY MR. WIYGUL:

Q Sir, just jumping over, can you scan through those notes and tell me if Mr. Mealor has continued to be a patient at Samaritan Health Clinic through this month?

A The last date of service that we provided care for Mr. Mealor was December 12th of this year, 2013.

Q Thank you, sir. And Samaritan Health Clinic, actually, has a pharmacy on site, don't they?

MR. TOOKER: And that's leading again, Judge.

THE COURT: I'll overrule.

BY MS. WIYGUL:

Q Samaritan Health Clinic has a pharmacy on site, don't they?

A That is correct.

Q So the patients there can go to that pharmacy to fill their prescriptions, is that correct?

A That is correct.

Q Did you bring Mr. Mealor's prescription record with you, sir?

A I have his record from the pharmacy of the prescriptions that we have provided him.

MR. TOOKER: Judge, may we approach?

THE COURT: Sure.

(WHEREUPON, a bench conference was held.)

BY MS. WIYGUL:

Q Sir, can you tell me is Mr. Mealor prescribed allergy and sinus medications? And you can reference the pharmacy notes if you'd like, sir.

A As far as I know he is, yes.

Q Thank you, sir.

MS. WIYGUL: I have no further questions. Please

answer any questions Mr. Tooker may have for you.

CROSS-EXAMINATION

BY MR. TOOKER:

Q You said there was an abscessed tooth?

A Well, he was seen for what he complained of was a broken tooth.

Q He complained of a broken tooth, not sinuses?

A He also complained of sinuses throughout -- I see that in other office visits, but could you reference the day in regards to --

Q I'm just referencing your prior testimony. You said something about a broken tooth or an abscessed tooth.

MS. WIYGUL: I believe that's September 20th.

THE WITNESS: He had a tooth removed, sinus trouble since 2007.

BY MR. TOOKER:

Q Okay. And when somebody comes in and they tell you they've got sinus trouble, that's based on -- I say tell you, you're the records custodian --

A I'm not a physician.

Q When they talk to a physician, is it a practice at your clinical that they give them a case history, they said this is what's been wrong with me? Is that how it works?

A Typically, the physician will ask, yes, what their

issues are and prior medical history.

Q Okay. So if I go to the doctor and I say I've had a sinus infection since 2007, that's what the doctor will write down, complains of sinuses since 2007?

A Correct.

Q And if I go in in August of 2012 when I've got pending charges for manufacturing meth, it's awful convenient for me to say I've got a sinus problem, isn't it?

MS. WIYGUL: Objection, Your Honor.

MS. TOOKER: No further questions.

THE COURT: I'll overrule the objection. If you want him to answer, it's fine.

MR. TOOKER: It doesn't matter.

THE COURT: Good enough.

Any additional cross-examination or redirect?

MS. WIYGUL: No, sir. I would ask that Mr. Vogle be excused.

THE COURT: Okay. Mr. Vogle, I appreciate you being here, sir. Have a great day and a great weekend.

THE WITNESS: Thank you.

THE COURT: You may call your next witness.

MR. NEWTON: The defense would call Julie Williams to the stand.

THE CLERK: Place your left hand on the Bible and

raise your right.

JULIE WILLIAMS,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: My name is Julie Williams.

DIRECT EXAMINATION

BY MR. NEWTON:

Q Ms. Williams, how are you today?

A I'm fine.

Q You a little bit nervous?

A Yeah, I've never been on the stand.

Q You've never testified in Court before?

A No.

Q Never. Okay. Do you know Ms. Cynthia Greenfield?

A Yes.

Q Who is she?

A My mother.

Q That's your mother. You know Michael Mealor?

A Yes.

Q Who is he?

A Well, her husband.

Q As of recently?

A As of recently.

Q And Denise Hayes?

A Yes.
Q Do you know her?
A Yes.
Q Who is she?
A Michael's sister.
Q Where do you reside?
A 120 Newton Road.
Q How long have you been at 120 Newton Road?
A Since I was about three.
Q Okay. And is that near Six Mile?
A Yeah, it's Pickens, but it's on the line between Six Miles and Pickens.
Q Okay. How far away is that house from the house on [redacted], about how far?
A I guess it's about a 12 or 13 minute ride if you're driving.
Q Okay. All right. Where was your mother living in 2011? Was she living at [redacted] or [redacted] or somewhere else?
A Well, for three months out of that year, she was staying with me on 120 Newton Road because my father had went into the hospital and I was pregnant and had another child and I didn't have a driver's license, so she had to stay with me. And other than that, they have a place on Brandy Lane in Six Mile. 219, that was -- is Nana's

house, but she wasn't living there.

Q Who is Nana?

A Louise Mealor, Michael's mom.

Q So it's your testimony that in 2011, Cynthia Greenfield was not, actually, living at [redacted]?

A That's correct.

Q Would she ever go over there?

A Yeah.

Q How often would she go over there?

A For special occasions like dinner, if there would be like a dinner, like Mother's Day dinner, and whenever Nana wanted them to go -- needed for the house to be cleaned or if there's a conflict with Jason.

Q So who really was living there during 2011 at [redacted]?

A Denise, I think Brandon, if not, he was staying there a lot, Jason, Melissa. I think that's it.

Q Two kids?

A Yes, and the two boys.

Q Whose kids?

A They're, actually -- biologically, they're Jason's kids, but they were -- Denise had custody of them.

Q Would you ever go over there to [redacted] in 2011?

A Like for the dinners and stuff, but not hardly.

Q You said Michael Mealor and Cynthia Greenfield, which would be your mother, would go over to [redacted] whenever they were needed over there?
A Yeah.
Q What were some circumstances they would be sent over there?
A Okay. Well, Jason sometimes will -- he would act out and get violent or out of control. And Nana, his grandmother, she would call to have, I guess, Michael resolve the situation or if she wanted him out of the house. She couldn't physically do it herself.
Q You said if there was a problem in the household, who would the problem come from?
A Jason. Jason would act out a lot.
Q His acting out, actually, let him to being shot, didn't it?
A Yeah.
Q When did that happen?
A That happened towards the -- I don't even -- I guess in June or July.
Q Of what year?
A 2012 -- I don't know.
Q You're not sure?
A I'm not sure. I'm bad with dates and stuff.
Q Okay. Were you present when the shooting happened?

A No, I was not.

Q So all you know about it is what you've heard from other people?

A Yes.

Q Okay. Tell me about this Mother's Day dinner in 2011. Do you recall that?

A Okay. It was just a Mother's Day dinner where Denise had cooked and Nana was there. And it was right around -- my mom's birthday is May 10th, so, you know. And so we all went over there. Jason was there. Melissa was there. Danny and Amanda Hurley was there.

Q And when you say there, where is there?

A Oh, on [redacted].

Q Okay.

A I think that's all that was there. I might be forgetting somebody. But what had happened that day is right before we got started eating, Thomas Rooney had showed up. And me and Jason got into like a little tiff about it because I didn't think it was right for him to be coming over there. But Jason told me that his company was his business and that was his house and I needed to keep my mouth shut. So he was right, I didn't live there. So they went in Jason and Melissa's room. And when we made plates and everybody sat down, they were joking, Jason, Melissa and Rooney were joking about bruises that she had

had on her thigh.

Q Who is she?

A Melissa. That Melissa had going up and down her thigh. So I asked like what was so funny and she pointed to the bruises. And I said well, what is it from? And she laughed and said it's from shaking a bottle, shake and bake. And she said that when her arm would get tired that she would bang it on her leg and it created a bunch of little circle bruises up and down her thigh.

Q Melissa Wardlaw?

A Melissa Wardlaw.

Q You said that Jason and Thomas were laughing about that with her?

A Yeah, they were all laughing about it and joking about it.

Q Okay. Why didn't you think it appropriate for Thomas Rooney to be there?

A Because in 2010, me and Thomas used to date and we broke up in 2010 and I just -- I didn't understand when you split up with somebody, you expect them to stay out of your life. And, you know, it was a family occasion, Mother's Day, and I just didn't think it was appropriate for him to have shown up, I guess.

Q Was there another occasion -- has Thomas Rooney left you alone or has he continued to bother you?

A Well, he -- what do you mean?
Q Have you had encounters with him since this Mother's Day dinner?
A Yes.
Q Disturbing encounters?
A Yes.
MR. TOOKER: Your Honor, I'm going to object on relevance.
THE COURT: What's the relevance?
MR. NEWTON: Observations about Thomas Rooney, one of the witnesses from yesterday, actually, shaking the meth himself, trying to blame it on other people.
THE COURT: Okay. I'll grand you some latitude in that regard. So I'll let you ask that question.
BY MR. NEWTON:
Q Go into that encounter.
A Okay. What happened then -- okay --
THE COURT: Now, relevance is as to whether she answers yes or no. The specifics of the same are a different matter. I don't think the specifics of any incident are relevant. She can answer yes or no if she's had run-ins with him.
BY MR. NEWTON:
Q Okay. Have you had, at least, one run-in with him?
A Yes.

Q Since May of 2011?
A Yes.
Q Okay. And could you describe what happened on that occasion?
A Yes. It was in January and I had --
Q January of what year?
A January of 2012.
Q Okay.
A I had just had a baby in December of 2011. And I had a lot of friends and family that were coming in and out to see the new baby. And he had showed up at my house on 120 Newton Road. He had showed up. He said that he needed air because he had --

MR. TOOKER: Objection to anything he said.

THE COURT: Sustained.

THE WITNESS: Okay. So what does that mean? I'm sorry. Okay. So he was outside for a while. Later on, I was in my dad's room watching a movie with my dad and he came in the house and he sat a soda bottle on top of my dad's heater. And I asked him what it was and he said it's too cold outside. It's got to boil or something like that -- oh, my God, my bad. Okay. And I said but, Thomas, what is that? And he said, it's shake and bake. So I got upset. My dad was sitting there, too, and I told him to get out of my house. He started arguing with me

like you can't kick me out, you can't make me leave. So I grabbed my dad's 22 rifle --

MR. TOOKER: Your Honor, I'm going to object again on relevance.

THE WITNESS: Okay. I'm sorry.

THE COURT: Sustained on relevance.

THE WITNESS: And I had to make him leave --

THE COURT: Hold on. Hold on.

I'm going to sustain on relevance.

BY MR. NEWTON:

Q Let's try another question.

A Okay.

Q Did you see him trying to shake up methamphetamine in your house?

A Yes.

MR. TOOKER: Judge, I think that's asked and answered. She's already testified to that.

THE COURT: I'm going to overrule. You can ask that question and move on.

BY MR. NEWTON:

Q Did you kick him out of the house or try to?

A Yes.

Q Okay. As a matter of fact, part of the reason you originally broke up, why was that?

A He was cheating -- there's many reasons. He was

cheating on me --

Q Regarding drugs?

A Okay. Whenever he would go visit his family, he would come back and would go into seizures. And at the hospital, after riding with EMS and be at the hospital, they would take me off into a room and say that the reason why he was having seizures was because he had meth in his system.

Q Is that part of the reason you broke up with him?

A Yeah.

Q Doing drugs?

A Yeah.

Q Okay.

MR. NEWTON: One moment, Your Honor, please.

BY MR. NEWTON:

Q When your mother was staying with you for that period at your house, was Michael also staying there at the house?

A Yeah.

Q They both were?

A Yeah.

Q With you?

A Yeah.

Q On Newton Road?

A Yeah.

Q Okay. Finally, do you have any criminal record at all?

A No.

MR. NEWTON: No further questions.

THE COURT: Cross-examination?

CROSS-EXAMINATION

BY MR. TOOKER:

Q So you dated Thomas Rooney?

A Yeah.

Q The guy with brain damage and half a tongue, is that right?

A Yeah.

Q Kind of a weird guy?

A Yeah.

Q He's been a meth addict since when, 2003?

A Well, I don't really know about his -- about any of that before we met. I don't really know. He didn't really -- we didn't talk about that. I'm not sure.

Q You dated a man for how long?

A Couple of months.

Q A couple months. You never talked about his addiction?

A It wasn't an issue. I didn't know about it until the hospital kept telling me that he was on -- that he had it in his system.

Q And, Ms. Williams, the way it's going to work, I'm going to ask you questions, you answer yes or no and then at that point, if you feel like you need to explain yourself, then you can do that.
A Okay.
Q So Mr. Rooney had a meth problem yes or no?
A Yes.
Q And Mr. Rooney also had seizures, yes or no?
A Yes.
Q And he had seizures because he was in some sort of motorcycle accident, yes or no?
A Yeah.
Q Okay. And the drug diction was something that was pervasive in his life, yes or no?
A Define pervasive.
Q It was something that really troubled him?
A I would have to say no. Because he wasn't troubled over drugs when we were together. I'm not understanding. Okay. I don't know.
Q You don't know if drugs were bad for him?
A No, I know that. I'm just saying that he didn't do drugs around me is what I'm trying to say.
Q And you're saying that you don't do drugs?
A He didn't talk about -- no, I do not.
Q You've never done any kind of drug?

A When I was a teenager, yeah.
Q What kind of drugs would you do?
A I smoked some marijuana.
Q Yeah. And you said you saw him doing a shake and bake in 2012?
A Yes.
Q And then you kicked him out of the house?
A Yes.
Q Then you went to the police, right?
A No, I didn't call the police.
Q Didn't call the police?
A Huh-uh.
Q And you knew that this case was coming up where your mom's a Defendant?
A No, at that time, I did not know.
Q No, I mean now. You knew your mom was going on trial?
A Yes.
Q Yes?
A Yes.
Q And you were aware of this thing about Thomas Rooney doing a shake and bake and you kicked him out of the house?
A Yes.
Q Okay. And with that information, did you then say

hey, maybe I should go to the police?

A No. Why?

Q And with that information, did you say hey, maybe I should go talk to the prosecutors on this case?

A No, I don't --

Q No, you didn't. And the only people you talked to were the defense attorneys, isn't that right?

A Yes.

MR. TOOKER: No further questions.

MR. NEWTON: I have follow-up to that, Judge.

THE COURT: Sure.

REDIRECT EXAMINATION

BY MR. NEWTON:

Q Did you express some reluctance to me to come here and testify here today?

MR. TOOKER: Objection, Judge, leading.

THE COURT: It's cross-examination. I'll allow --

MR. TOOKER: It's his witness that he called, Judge.

THE COURT: I believe that she was called by Mr. Mealor's attorney.

MR. NEWTON: No, I did.

THE COURT: You did?

MR. NEWTON: Yes, sir.

THE COURT: I'm going to allow him to ask the question.

And, ladies and gentlemen, I'm going to explain to you. You've had some objections to leading questions and it might be helpful for me to explain what that is. A leading question is that question which contains in the very question the answer. And what it does is it puts a witness in a position of just not having to think and say yes or no. And the attorney then is, essentially, in the position of testifying on behalf of the witness who's on the stand. And I have to make a determination whether the witness is just put in a position of just being automatically responding.

In most instances, I find just because it ask for a yes or no question does not mean that it's a leading question. If the witness has to put some thought into it and make a qualitative determination as to whether the response should be yes or no, then ordinarily it's not leading. And it can be fairly close. It can be fairly close from time to time. In this instance, I find that's not a leading question and I'm going to allow her to answer the question.

Go ahead.

BY MR. NEWTON:

Q The prosecutor asked you why didn't you go to the police. Is there any particular reason you might be concerned about Thomas Rooney?

A Because he's crazy -- well, I don't know. I think he's crazy. He has seizures and he gets very violent and -- yeah, I don't know. Can you repeat the question? I'm sorry.

Q Do you remember saying to me you were afraid to come testify?

A Yes.

Q Why?

A Because he's got the money -- because he's got money. And if he was to get mad at me, then he had the money to pay somebody to do something.

MR. TOOKER: Judge, I'm going to object. That's wild speculation. I mean, come on.

THE COURT: All right. All right. It's her perception and it may very well, but I'm going to overrule the objection.

MR. NEWTON: Nothing further from me.

MS. WIYGUL: Nothing further, Your Honor.

THE COURT: Mr. Johnson?

MR. JOHNSON: Nothing further.

THE COURT: Any --

MR. TOOKER: No, sir.

THE COURT: Ma'am, you may step down. I appreciate you being here.

MR. NEWTON: Your Honor, all that's left to testify

are the Defendants, could we have a break to go over their rights?

THE COURT: Sure. Absolutely.

Ladies and gentlemen, it sounds like we either have two or three more witnesses remaining. So let's take a quick break and we'll try to hear from one witness before we break for lunch and then come back and, perhaps, all the testimony. If we finish up soon enough, then I'll go ahead and do argument and charge this afternoon. Please don't discuss the case. We'll come back on the record in a few minutes.

(WHEREUPON, the jury left the courtroom at approximately 11:28 a.m.)

THE COURT: All right. Counsel, you want to conduct a colloquy with respect to the right to testify and the right against self incrimination?

MR. NEWTON: We have been over that with them, Judge.

THE COURT: Do you want me to do it? If you're comfortable, I'm, certainly, comfortable just allowing you to go forward.

MR. NEWTON: I'm okay.

THE COURT: I ask you on the record would you like me to protect your interest in that regard.

MR. NEWTON: I'm comfortable with it as it is. For the record, I believe the intention at this time is that

Michael Mealor will testify next, then Cynthia Greenfield. I do not believe Ms. Hayes is going to testify.

MR. JOHNSON: Judge, I will take you up on that offer.

THE COURT: Okay. Well, if I'm going to do it once, I might as well do it for everybody.

Mr. Mealor, Ms. Hayes and Ms. Greenfield, would y'all all raise your right hands, please.

(WHEREUPON, all Defendants raised their hand and were sworn.)

THE COURT: We've come to the point in the trial where you have the opportunity to testify if you'd like and you, certainly, do have the right to testify under the Constitution. But I advise you that you also have the right to remain silent, the right against self-incrimination, which means you're not required to do or say or prove anything to the jury. The State has the burden of proof. Understand that if you take the stand, then you will be subject to cross-examine, which means that the State will have the opportunity to ask you questions and, potentially, impeach your testimony based on either discrepancies on what you have said on the stand and before. Based on potential criminal records, which I'm not aware of at this point. And based on other matters that they may think are impeachable.

So understanding that if you testify, you assume risks. If you chose not to testify, you could possibly assume risks in not being able to tell the jury your side of the story. Do know this, that if you do not testify, I will instruct the jury that it is not to be held against you. That it is a sacred constitutional right, which every citizen of the United States is entitled to. And not only can they not consider it in their deliberations, they're not even allowed to talk about it in their jury room.

So having said that, I fully advised you of your rights. You're welcome to discuss the same with your attorney as you go forward. What I would ask of you now is do you have any questions of the Court regarding your right against self-incrimination and your right to remain silent versus your right to testify? Any questions?

MR. NEWTON: No, Your Honor.

THE COURT: Good enough. And each of you understand your right as I have explained it to you?

(Defendants answered in the affirmative.)

THE COURT: Good enough.

We'll come back on the record in about 10 minutes.

(WHEREUPON, a short break was taken.)

THE COURT: Let's bring the jury in.

(WHEREUPON, the jury entered the courtroom at

approximately 11:44 a.m.)

THE COURT: Defense counsel, your case.

MS. WIYGUL: Defense calls Michael Mealor.

THE CLERK: Place your left hand on the Bible and raise your right.

MICHAEL MEALOR,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: Michael Mealor.

DIRECT EXAMINATION

BY MS. WIYGUL:

Q Michael, are you nervous to be here today?

A Yes, I am.

Q Are you good at speaking in front of people?

A No, I'm not.

Q Okay. We will bear with you?

A All right.

Q When did you first become aware that you were being charged for the case that we're at trial?

A November 22nd of 2011.

Q Was that whenever you were pulled over at the Walgreens?

A It was.

Q After leaving Walgreens?

A Yes, ma'am.
Q Okay. Who was driving when you got pulled over?
A Amanda Hurley.
Q And who did they let drive home?
A Me.
Q Michael, when were you charged with trafficking?
A July the 6th.
Q Of what year?
A 2012.
Q Okay. And did you ever attempt to tell anyone that you didn't live at [redacted] during 2011?
A Yes, I believe I did.
Q Did they listen to you?
A No.
Q Did you tell them to go look at your water bill?
MR. TOOKER: Objection as to hearsay, Judge. It's an out-of-court statement asserted for the truth
THE WITNESS: Yes.
THE COURT: All right. I'm going to overrule the objection. You may ask the question.
Q Did you tell them to go look at your water bill?
A Yes, ma'am, I did.
Q To the best of your knowledge, did they ever go look at your water bill?
A No, ma'am.

MR. TOOKER: Judge, I think we've got another reciprocal hearsay violation.

MS. WIYGUL: Your Honor, this came into my possession this morning. It's a certified copy of a water bill.

MR. TOOKER: It didn't come into my possession until just now. She got it this morning.

MS. WIYGUL: Your Honor, I would simply state that Mr. Mealor told the police early on to please go look at his water bill. They had that power. If they chose not to investigate --

THE COURT: I'll overrule. I'll let you ask him the question.

BY MS. WIYGUL:

Q Mike, what's this?

A It's my water bill from the time it was turned on until the time it was turned off.

Q What address is that water bill for?

A [redacted].

Q Is that in Six Mile?

A It is.

Q When was the water turned on?

A Fourth month, 21st day of 2003.

Q 2003?

A Yes, ma'am.

Q When was it turned off?

A Ninth month, 13th day of 2012.

Q 2012?

A Yes, ma'am.

Q So in September of 2012, you were no longer living at [redacted], is that correct?

A That's correct.

Q And why was that?

A The bills that were generated from this case and bonds, I had sold my property to have to pay for the bonds and for everybody to get out of jail and myself and keep up -- my mother not having to --

Q You had to bond your mom out of jail?

A Yeah. Yeah.

Q And your mom is Louise Mealor, Nana?

A Yes, ma'am.

Q Okay. And her charge has now been dismissed, correct?

A Yes, ma'am.

Q Did they give you that bond money back?

A No, ma'am.

Q Okay. Michael, you've been sitting here this entire trial?

A Yes, ma'am.

Q You've heard all these people say what they said. At any point, did you ask any of these people to go buy you

Pseudoephedrine?

A No, ma'am.

Q At any point in 2011, did you -- and you're pausing because your mother bought medicine for you, didn't she?

A Yes, ma'am. And she always has. She would pick it up for me because of transportation. I didn't always have a way to go. She'd pick it up for me. Sometimes I didn't even ask her, she would just pick it up whenever she was at the store, so.

Q Do you know when your mom first started buying your cold medicine?

A Ever since I was like 13 years old.

Q So since you were a kid?

A Yes, ma'am.

Q Okay. Other than your mother, did anyone that took the stand ever buy Pseudoephedrine and give it to you?

A No, ma'am.

Q Okay. Did you buy your own Pseudoephedrine?

A Yes, ma'am.

Q In fact, you were buying Pseudoephedrine in 2010, weren't you?

A Yes, ma'am.

Q And you went to the drugstore in 2010 and every time you went you signed a little thing that notified you it was being reported?

MR. TOOKER: Objection, Your Honor, that's really leading, Judge.

THE COURT: Yeah, I agree. I sustain. Ask a question and let him respond.

BY MS. WIYGUL:

Q Michael, did you buy Pseudoephedrine in 2010?

A Yes, ma'am.

Q Were you aware that it was being reported to a database?

A I wasn't.

Q Did you sign for it?

A Yeah, I did.

Q Did you read the notice?

A I read over it, yeah.

Q Okay. Would it be fair to say you scanned it?

A Yeah.

Q Were you concerned about hiding your purchases?

A No, ma'am.

Q Did you ever know there was anything wrong with buying over-the-counter cold products?

A No, ma'am.

Q Okay.

A Not until now.

Q Now, Michael, have you ever done meth?

A I've tried it when I was about 18 years old.

Q Okay. Did you keep using it?
A No, ma'am.
Q Why did you stop?
A I just didn't enjoy -- I don't agree with it. I just don't do it.
Q You don't enjoy it?
A No.
Q Okay. Michael, when did you meet Cynthia?
A Somewhere around 2009.
Q Okay. When did y'all start dating?
A 2010.
Q Okay. And were your living together throughout 2011?
A Yes, ma'am.
Q And where did you live in 2011?
A We lived at Brandy Lane the majority of time, except for when we stayed with Julie when she needed us to -- well, particularly, me to drive her to the store when she was pregnant when her father was in the old folks home. Take her out to do her business, pay bills, buy food. I was there the whole time.
Q Okay. Did you ever have occasion in 2011 to go over to [redacted]?
A Yes, ma'am.
Q And when would you go to [redacted]?
A Either to help with cleaning up or to help with my

nephew. He's a handful, to say the least. He's trouble all the time either with the police or with my sister. I would pretty much go over there -- my mother ask me would I go over there and try to do something, she couldn't do nothing with him. They've had restraining orders and everything on him and they just can't do anything with him.

Q But they always let him come back, don't they?

A Yeah, they do. They do. He cut my nephew, urinated on my sister. He's a handful. Tore my mom's house all to pieces. We're still in the process of trying to fix it back up from when he lived there.

Q Okay. And I'm going to ask you to speak up a little bit. Nobody's rushing you. Are you, actually, prescribed medicine for anxiety?

A Yes, ma'am.

Q Okay. So you do have an anxiety disorder?

A Yes, ma'am.

Q We'll bear with you. Just take a deep breath. Michael, what kind of physical damage has your nephew, Jason Mealor, done to your mother's home?

A Busted every door --

MR. TOOKER: Judge, I'm going to object on relevance.

THE COURT: Okay.

MR. TOOKER: What does what he did to the house have

to do with whether or not they were making meth in 2011?

THE COURT: It's close, I acknowledge, but I will grant some latitude and overrule the objection. I'll let you ask him the question.

BY MS. WIYGUL:

Q What kind of damage did Jason Mealor do to [redacted] at your mother's home?

A Destroyed and punched holes in the walls, busted doors down. He's a handful all the time. Okay. They had just redone it before the -- my nephew and some kids. My mother and her boyfriend had just redone the whole house. They, over a period of time, just destroyed it.

Q Michael, we've heard some discussion about a shooting that occurred in 2011. Were you involved with that?

A Yes, ma'am.

Q Do you know why Cynthia shot Jason?

A Yes, ma'am.

Q Can you tell us?

A He was physically abusing her and fighting. He would go into one of his fits, fighting her. I had gone to the DMV to try to get the title straightened with my mother. While we were gone, he had jumped on Cynthia and hit on her and stuff because of a CD player that his girlfriend, Melissa -- I was working on it for her. He wanted it back. She said I'll give it back to you as soon Michael

gets back. He wouldn't have that. He punched on her, beat on her. Well, when we came back, I found out and me and him had a fight in the yard. He pulled a sword on me and we fought. Came back in. Ms. Wardlaw --

Q Melissa?

A Yeah. When we were figuring, she start hollering and wanted us to let him be. He's had enough, let him up, let him go. So I let him up. He went back in his room and she was -- I think started questioning him about the CD player and he came back out. And we were already in my mother's bedroom at the time. He came back out and busted the door down and came in swinging on me and me and him got to wrestling and fighting. He was, actually, reaching and grabbing our money. He said he was going to, you know, get his money one way or another.

Q He was on top of you, wasn't he?

A Yes.

Q And Cynthia came in and shot him?

A Yes, ma'am.

Q Because she was protecting you?

A Yes, ma'am.

Q Okay.

A And he did have our money when he went running out the door. He had $50, but it was blood on it. You know, he was robbing us. He hit her in the back of the head and

he jumped on me and she snapped. And she hit the floor and went into shock.

Q You can stop. I think we have a pretty good idea of what went on that day. Michael, what's your relationship with Amanda Armstrong?

A Just -- I know her from when she was kid. And then Cynthia and -- I hadn't seen her for a long time, she was done grown up. Then Cynthia's son, apparently, was friends with them, so we got reacquainted or whatnot through Cindy.

Q But no blood relation?

A No.

Q What's your relations to Kelley McCall?

A My brother used to date her years ago when he was about 16, 15, 16.

Q And they broke up?

A Yeah.

Q What's your relationship to Thomas Rooney?

A There isn't one, just an acquaintance. I just know him because he dated her, her daughter.

Q Is he friends with Jason?

A Yes.

Q Okay.

A And Melissa.

Q Okay. And I think we understand your relationship

with Jason and Melissa. What's your relationship with Juanita?

A She's a neighbor, a friend. She helps me and I help her, she helps us. She always has.

Q Okay.

A Real close.

Q What's your relationship with Amanda Hurley and Daniel?

A Amanda is my niece.

Q She's your niece?

A Yeah. And Danny is her husband.

Q Okay. Who did Danny date before he married Amanda?

A Denise.

Q And Denise is your sister?

A Yeah. He also dated my sister-in-law, ex-sister-in-law, Tina.

Q Tina Mealor?

A Yeah.

Q Okay. Do you know Steven Hurley?

A Yes.

Q How do you know him?

A I met him when he first started dating Susan, which was my neighbor at 330 Brandy Lane.

Q Okay.

A When he first started dating her, he came down

through the backyard to my yard and that's how I met him.
Q Do you know Ms. Reese?
A Yes, I've known her for a good while. That's Tina's aunt.
Q That's Tina Mealor's aunt?
A Yeah.
Q Do you know Rebecca Crisp?
A I met her -- I've been around her maybe once or twice, not really. I know she was friends with Denise and I know that Denise, her and Jason had some kind of check fraud. When they worked at the store in Six Mile, they had some kind of check fraud going on. I had heard about it through that, but as far as, actually, hanging out with her and knowing her, I don't.
Q Okay. Do you know Billy Miller?
A I haven't known him that long. I met him -- he would come to see Jason and Melissa at my mom's house. I've seen him with them, but, actually, I don't really know him that good either.
Q Do you know Lauren Summerall?
A Just through Julie being friends with her. They were friends. I met her over at Julie's house.
Q Are her and Julie still friends? You don't have to go into detail, just to your knowledge.
A No.

Q Okay.
A They're not.
Q All right. It is true that when your mom bought cold medicine, she would bring it back to your room?
A At my house at 330.
Q Right.
A To keep it from getting stolen. Every time I turn around and even at my house, when Jason and them would visit, mine and Cindy's both medicine would get stolen all the time.
Q When your medicine disappeared, what did you have to do?
A If I exceeded the limit that I would usually get and it locked out, I would have to get my mother to get it for me or somebody else.
Q So you'd have to replace it somehow?
A Yeah, or do without.
Q Okay. Michael, when did you become aware that you could get a prescription medication for all of your sinus trouble?
A When I started going to the Samaritan Health Clinic.
Q Did you know it before?
A No, I didn't. The only -- I had been buying it ever since the pediatric doctor prescribed it. Any time that -- you know, it used to be you could just buy it. You

didn't have to sign for it or nothing. And I've always treated my condition with that. And when I started going to the Samaritan Health Clinic -- I didn't really even know about the Samaritan Health Clinic until Cindy told me after I got out of jail. And we stopped buying Sudafed altogether after I got out of jail. I didn't know there was anything wrong with it.

Q So did the prescription medicines take care of your sinus problems?

A They do. They do. Now, they're a lot cheaper than going there. I'm glad I did find out.

Q And that is kind of expensive. How would y'all come up with money to buy your cold medicine?

A Me and Cindy would do work, cut grass you know, that's how we paid all our bills, did a lot of work for the family members. That's where I get most of my money.

Q Did you scrap metal?

A Yes, ma'am.

Q Did you have yard sales?

A Yes, ma'am.

Q Okay. All right.

MS. WIYGUL: That's all the questions I have, Michael. Please answer any questions Mr. Tooker has for you.

THE WITNESS: Yes, ma'am.

MS. WIYGUL: And I'll clarify, answer yes or no and then you'll have an opportunity to explain yourself.

THE WITNESS: Okay.

THE COURT: Mr. Tooker.

MR. TOOKER: Thank you, Judge. May it please the Court.

THE COURT: Yes, sir.

CROSS-EXAMINATION

BY MR. TOOKER:

Q You said you lived at 330 Brandy Lane in Pickens, South Carolina, right?

A Yes, sir.

Q What happened to that house?

A Still there.

Q Still there?

A Yes, sir.

Q Were there any incidents at that house that damaged it?

A No, not my house.

Q Not in your house?

A Not my house, no.

MS. WIYGUL: Your Honor, I'm going to ask that we approach.

THE COURT: All right.

(WHEREUPON, a bench conference was held.)

BY MR. TOOKER:

Q Now, you purchased a lot of Sudafed in 2011, right?

A Yes, sir.

Q A whole lot. Let's look at how much. You see that, State's 1?

A Yeah.

Q Is that a yes?

A Yes, I do.

Q You can see that?

A Yeah.

Q And you've had occasion to look at these records with your counsel, is that correct?

A Yes.

Q Would you say they were fair?

A No, there's some discrepancies between y'all's tally up sheets and the actual NPLEX records that don't coincide and aren't accurate. They have brought a few of them. Y'all don't have -- the one that they did bring, for example, I think y'all may have worked out, got rid of it.

Q All right. Why don't we look at your NPLEX records then. If you'd rather look at those than these.

A No, that's fine.

Q That's fine? Okay. So, totally -- let's start in the beginning, these NPLEX records. They've been marked as State's 21, okay? So in the beginning --

MS. WIYGUL: Your Honor, I'm going to object to the discussion of any purchases that were made in violation of South Carolina law, which is without an electronic signature.

THE COURT: Okay. I'll overrule.

You may ask the question.

MR. NEWTON: Well, Your Honor, we've raised that issue and you said you would revisit that issue, about whether the records were, actually, in compliance with what's required by South Carolina law. And it's our position they are not.

THE COURT: I understand. With respect to that evidence, it has been introduced over objection. I will allow him to ask questions relative to evidence that has been admitted into the record. Okay.

BY MR. TOOKER:

Q So, starting in December of 2010, we've got your first recorded purchase, right?

A Yes.

Q Ye?

A I suppose.

Q And we've got pages upon pages until the beginning -- or until the end of this record, right? But starting in December 2010 is when your purchases begin. Now, January 4th, 2011, first purchase, does that sound accurate?

A Yeah, but I purchased them way before then and I just hadn't signed the paper and didn't have to swipe a card.
Q Okay. And that's before we had the new NPLEX records, right?
A Yes, sir.
Q The digital records?
A Yeah.
Q Okay.
A But I've always purchased them.
Q But all the purchases you made in 2011 were under that new law and were digitized, right?
A No.
Q So you purchased more Sudafed that is included in these records?
A They may be on there, but they weren't digitized. The little mom and pop pharmacy in Pickens, you have to sign them, but they don't have a card you swipe. But it's on there.
Q Okay. So you're saying the mom and pop place in Pickens does or does not put records --
A No, they put records, but it's not digitized and it's not electronic. You have to hand sign it. They keep a lot that's not online.
Q So there are purchases out there that aren't included in this record then?

A No, they're probably on there. They should be on there.

Q Let's move on, Mr. Mealor. So you purchased a bunch of Sudafed in 2011 and it's your testimony because you had some sinus problems, right?

A Yes. And I had a hole through my sinus cavity.

Q Yeah, sinus problems?

A Yes.

Q Okay. But you were blocked on January 17th of 2011, could not purchase?

A I suppose.

Q And you were blocked on January 27th of 2011, could not purchase?

A Right.

Q And you were blocked again on January 27th. I guess you didn't believe that it was working?

A I have no idea. If I was blocked, it was because I had --don't know when it starts and when it stops. I only go to the store when I got a ride. That's why if I had a ride at that time, I purchased it. It wasn't any -- any time I could get a ride to the store or was out or had somebody a ride, I would try to buy me some to put up. So if the block came up, it's because I purchased enough to do me for the month and it either got stolen, didn't have enough or thought that I wouldn't get a ride. I had to

try to attempt to purchase whenever I could.

Q. Yeah, you had to get it as soon as you could, right?

MS. WIYGUL: Objection as to mischaracterization of the Defendant witness's answer.

MR. TOOKER: Judge, this is cross-examination.

MS. WIYGUL: It's cross-examination, but he's misstating what the witness is saying.

THE COURT: Overruled. Now, the jury is sitting here listening to this. They know if he's mischaracterizing it or not. And if any of you attorneys mischaracterize something that a witness says, they hear it. They know it. They're smart. They'll hold it against you if you're mischaracterizing something. So I'm going to overrule the objection. If you've mischaracterized it, you have. I don't know. I don't know take any position one way or the other.

You may proceed.

MR. TOOKER: Thank you, sir.

BY MR. TOOKER:

Q 02/10/2011, you got blocked, right?

A I suppose.

Q 05/20/2011, you got blocked, right?

A I suppose.

Q 06/29/2011, you got blocked, right?

A Yes.

Q 08/03/2011, you got blocked, right?
A Yes.
Q 10/11/2011, you got blocked, right?
A I guess. I don't remember ever getting that many blocks. I don't believe that I did.
Q Do you not remember not getting that many blocks because you don't remember making the purchase or because you were high on meth?
A No, not because I was high methamphetamine, because it's been two years ago and I can't keep -- you can't keep track of how many times you -- I can't get a ride, but whenever I can get a ride, so I have to get it when I can.
Q Even after you said -- you were like, man, something's going on here, 11/22, I get pulled over by the cops, according to your testimony, I think I'm in trouble, you kept purchasing, isn't that right?
A Never said that.
Q That's not what you said?
A I never said I think I'm in trouble.
Q When Ms. Wiygul was talking to you, she asked you when did you think something was up?
A Yeah.
Q On 11/22, right?
A Yeah. He said something about my -- you -- he asked me if -- he said you've had an awful lot of purchases,

haven't you? I said yes, sir, I have had a lot of purchases. To be honest with you, I can't directly tell you. I said they keep getting stolen from me. Every time I turn around, it get's stolen. That's what I told Mr. Blankenship.

Q You told him that?

A Yes, I did.

Q You told him that on scene on 11/22?

A Yes, sir. And I said I couldn't swear -- I couldn't say who was doing it or not, but I thought it was my nephew.

Q You told him all those things on 11/22?

A When he pulled me over to the side of my truck.

Q All right. Sure. So you kept buying after 11/22 despite the fact that he informed you that you were the subject of a drug investigation?

A No, he didn't say I was the subject of -- he said you've buying a lot of Sudafed lately. So I guess if that is under investigation, it was.

Q Mr. Mealor, did you not tell Ms. Wiygul and this jury that on 11/22, that's when you realized something was going on?

A Yeah, they took our Sudafed away from us.

Q Okay.

A I don't know for what reason. There was no reason.

Q And despite that fact, Mr. Mealor, you kept purchasing Sudafed into 2012, isn't that true?
A I guess I did.
Q Yes. And you even got blocked again in 2012, isn't that true?
A Yeah, I've always bought.
Q You're always blocked?
A I've always bought.
Q You've always bought it. You've always bought it. You bought it a lot with other people, too, isn't that right?
A If I had a ride and they would give me a ride, yeah, I bought it.
Q Okay. And you and Ms. Greenfield would buy it a lot together, isn't that right?
A Because we stayed together all the time. We never left each other's side.
Q And you were the one with the sinus problems, right?
A No, she has COPD and has to have pretty much the same medication I do.
Q COPD?
A Yeah.
Q Why does she need Sudafed for COPD?
MS. WIYGUL: Objection, Your Honor. This is not an expert witness that can testify as to what medications are

appropriate.

MR. TOOKER: Judge, he just testified she needs Sudafed for her COPD.

THE COURT: I'll sustain because he can't possibly tell you why she needs Sudafed for COPD. I don't think he has the relevant expertise to testify to that.

MR. TOOKER: Fair enough.

BY MR. TOOKER:

Q I'm going to put up here State's 1 and 2. 02/22/2011, 6:02 p.m., you went to a Wal-Mart pharmacy in Central. 02/22 at 6:30 p.m., Ms. Greenfield went to a Wal-Mart pharmacy in Central. You each bought Sudafed, but you bought a half hour apart. Why would you do that?

A Because probably she was shopping in the back of the store and I was shopping in sporting goods. I got mine and she went and got hers.

Q So you go to the store together and then you buy your things separately?

A I go to the sporting goods, she goes to --

Q So you purchased Sudafed and then went and sat in the car for half an hour?

A No, I sure didn't. I was shopping in the store.

Q Okay. Same thing happened on --

A You don't take those to the register when you check out. You have to check out at the pharmacy. So I went to

pick up --

Q Same thing happened on 04/25, didn't it?

A It happened frequently because we were together all the time.

Q But the difference on 04/25, you purchased at 5:57 p.m. at Wal-Mart pharmacy in Central, isn't that right? Is that right?

A Yes.

Q 04/25/2011, 5:37, 20 minutes before, she also went to a Wal-Mart pharmacy in Central, but she was blocked, is that right?

A Yeah.

Q I'm asking you a question, man?

A Yes.

Q Now, you purchased with other people, not necessarily just Ms. Greenfield, isn't that accurate?

A I rode to the store with many people and bought it at many different times whenever I had the opportunity to buy it.

Q How about Billy Mealor?

A No.

Q No?

A No, never. Never been with Billy Mealor to buy nothing.

Q Okay. So on 06/13/2011, if you bought within 40

minutes of him at a different pharmacy in Pickens, that's just a coincidence?

A It would have to be.

Q It would have to be? Would it also be a coincidence that Ms. Greenfield was with him on that same day at that same pharmacy in Pickens?

A Ms. Greenfield was not with him.

Q She wasn't?

A No. With Billy Miller, no, never.

Q So --

MS. WIYGUL: Your Honor, I'm going to object. The prosecutor is asking Mr. Mealor questions about Ms. Greenfield that he's already said he doesn't know and that as far as he knows she's never been around Billy Miller.

MR. TOOKER: This is his girlfriend and he just testified she never purchased with Billy Miller. I'm impeaching him.

THE COURT: I'm going to overrule. You can ask the question.

BY MR. TOOKER:

Q 06/13/2011, 5:38 p.m. Eastern, CVS in Pickens County, South Carolina, Carol Denise Hayes was blocked attempting to purchase Sudafed. 06/13/2011, 4:21, so happened to be just an hour prior, CVS in Pickens, he purchased as well. So that's a coincidence?

A You just said Carol Denise.
Q I'm sorry, Cynthia Greenfield. I apologize. I'm getting confused. Cynthia Greenfield. And these are Ms. Greenfield's records, State's No. 2. So that's a coincidence?
A It would have to be. Ms. Greenfield has never been to the store with him. Me and her are by each other's side all the time.
Q All the time?
A All the time.
Q When you're buying Sudafed?
A All the time any time.
Q Okay. You ever purchased with Jason Mealor?
A I have never purchased with Jason Mealor.
Q So you're saying that on 07/16/2011, you, Louise and Jason didn't go to three different stores in Seneca within an hour of each other?
A No, sir.
Q So it's just a coincident that your nephew and your mother both purchased Sudafed on the same day?
A My mother lives in Seneca.
Q Okay. So you would be visiting her in Seneca?
A If I --
Q And you would go purchase Sudafed?
A If I was there or I had a ride while I was there, I

would go purchase it.

Q So what I'm asking you is why would y'all buy within an hour of each other at different stores unless something nefarious was going on?

MS. WIYGUL: Objection, Your Honor. He has no way of knowing why Jason Mealor went to some store on some particular day.

THE COURT: Okay. I think --

MS. WIYGUL: It calls for speculation.

THE COURT: If I'm not mistaken, the question was y'all.

MR. TOOKER: Well, it was, actually, about Louise, Your Honor.

THE COURT: And Jason Mealor?

MR. TOOKER: Well, Jason Mealor, he's already said I don't know nothing about Jason Mealor and I asked about Louise.

THE COURT: Okay. So you're asking about those two, why they would be going some place together?

MR. TOOKER: Why it is -- the sheer coincidence of the fact that he and his mother happened to purchase at different stores in less than an hour of one another on the same day in Seneca.

THE COURT: He and his mother or Jason Mealor and his mother?

MR. TOOKER: He and his mother.

THE COURT: Okay. I'll let him ask questions with respect to what he did.

MR. TOOKER: Yes, sir, of course.

BY MR. TOOKER:

Q You need me to reask the question?

A No. I don't know why she would, but there's all kind of scenarios of why she would.

Q All kinds of scenarios?

A Yeah, there are. She could have picked up her medicine and dropped me off at the store while she was doing other business or something. That has no -- that makes no sense.

Q Why would you and Ms. Greenfield go to different pharmacies, both in Pickens, within an hour of one another and purchase Pseudoephedrine?

A If you're talking about on the 22nd, it was because we were -- I went there to fill a prescription before we went to court. She had court here over the shooting. We got a ride with Danny and them to come up here to this courtroom, to the courthouse.

Q I'm not talking about the 22nd.

A Then I don't --

Q I'm talking about 08/13/11. I'm talking about August 13th of 2011, y'all went to two different pharmacies in

Pickens, the City of Pickens, within one hour and both purchased Sudafed?

MS. WIYGUL: Your Honor, I'm going to object again. He keeps asking this witness to testify as to why other people did things. It's pure speculation, whatever he comes up with.

MR. TOOKER: We are talking about he and his girlfriend, who he said he never leaves her side.

THE COURT: I'm going to overrule. You can ask the question.

THE WITNESS: I mean, she could have went to the -- I don't know. I don't -- I can't remember that far back, but we could have went to the store. She may have wanted a particular type of cough drop they didn't carry at that store and while I was in there, I picked it up and went to another. I don't really know.

BY MR. TOOKER:

Q So it's not because you were trying to hide --

A No.

Q -- the fact that you were both purchasing --

A No, sir.

Q -- Sudafed from the folks selling it at the counter?

A No, sir.

Q It's not because you're trying to subvert the system?

A No, sir.

Q You know Susan Reese, right?
A Yes, sir.
Q What about Danny Hurley?
A Yes, sir.
Q You ever purchased Sudafed with them?
A No.
MS. WIYGUL: Your Honor, I'm going to renew my objection. He has no way of knowing why Danny Hurley went to some store on some given day.
THE COURT: I don't know that the question has been as to why did you go. I haven't heard the question yet, so I can't sustain it or overrule it for that matter.
MR. TOOKER: Thank you, Judge.
BY MR. TOOKER:
Q Susan Reese and yourself -- you're saying you never went to the store together to purchase Sudafed, that's your testimony?
A No, not that I can remember. I've never been with either one of those to purchase Sudafed.
Q Okay. So 08/27/2011, 6:31 at a Wal-Mart in Central, yeah, you purchased Sudafed. 08/27/2011, 6:23, eight minutes beforehand, Wal-Mart in Central, she purchased Sudafed. That's a coincidence, another coincidence?
A I have no idea. It may be because everybody gets their check on the third. I don't really know. I

couldn't tell you why.

Q It sure is a lot of coincidences, Mr. Mealor.

A Yes, there is.

Q And what about Amanda Hurley, you ever buy it with her?

A I have not.

Q You've never purchased it with Amanda Hurley?

A I have not.

MS. WIYGUL: Your Honor, I'm going to renew my objection at this time. The prosecutor is attempting to testify. He had Ms. Hurley on the stand. He could have asked her about this. In fact, I think he did, so it's been testified to and he's just attempting to retestify whenever Mr. Mealor has no way of knowing why Amanda Hurley did anything.

THE COURT: I don't think the question has been posed why. He's just asking him about evidence that's been introduced into the record. I think it's admissible. I'll allow him to ask it.

MR. TOOKER: Thank you, Judge.

BY MR. TOOKER:

Q So Amanda Hurley on 10/11 of 2012, if at 2:43, she purchased -- or attempted to purchase Sudafed at a Walgreens in Clemson and then you at a Wal-Mart in Clemson within 45 minutes of that were also blocked from

purchasing Sudafed, that's a coincidence?

A It has to be. Amanda Hurley lived a block away from Walgreens.

Q That's just another coincidence, okay.

MR. NEWTON: Your Honor, for the record, that's Central, not Clemson.

MR. TOOKER: Oh, I apologize, Central.

BY MR. TOOKER:

Q And what about Louise, your mother, have you purchased with her before?

A I ain't going to say I haven't. We could have been together. I tell you, I was always getting it. She purchased me some. She may have purchased me some to put back for me. She always has.

Q So you're saying she purchased Sudafed and that Sudafed, she gave to you?

A She has gave me Sudafed a bunch of times.

Q A bunch of times? A bunch of Sudafed, she bought --

A My mother, yes. I would ask her sometimes and sometimes she'd pick it up on her own.

Q Okay. And with Amanda Hurley, again, I apologize for missing this when this was up here. So it would be a coincidence if y'all were both in Walgreens at the same time on 11/22?

A There you go. No, no, sir. She did not purchase on

the 22nd.
Q Okay.
A That's where the discrepancy was between your records and the NPLEX records.
Q Okay. All right. So that's the big discrepancy?
A That was one of them.
Q So you think everything else is accurate?
A I have no way of knowing.
Q You have no way of knowing. So this whole case and this whole circumstance and all the testimony we've heard and all the folks that said you were making meth or you gave them meth, they are all lying and this is a horrible coincidence?
A I'm not saying it's a horrible coincidence. They got 20 years hanging over -- 25 years hanging over their head.
Q It's a horrible coincidence --
A They got --
Q -- you purchased Sudafed on the same day repeatedly as these parties?
A It would have to be, because it's not -- yeah.
Q And it just so happens that you've got a lot of cats and those cats maybe their urine smells like the kind of stuff that meth smells like?
A I have no idea what meth smells like.
Q You have no idea? You just said you smoked meth when

you were talking to Ms. Wiygul.

A I have no idea what meth smells like when it's manufactured.

Q Okay. But just when you're smoking it?

A And that's been since I was like 18 years old.

Q Yeah, okay.

MR. TOOKER: No further questions.

THE COURT: Mr. Newton, Mr. Johnson?

MR. JOHNSON: No questions, Your Honor.

MR. NEWTON: Just very briefly.

CROSS-EXAMINATION

BY MR. NEWTON:

Q I'll ask you to refer to your pages and pages of records, pages and pages. According to his records, the total amount of Pseudoephedrine you bought in 2011 was 69.36 grams, correct? Didn't we already go over that the State of South Carolina has decreed that a person perfectly legitimate can buy 108 grams a year for own personal medical reasons? So would you agree with me that any attempt to say 69.7 is some ridiculously high number is absurd?

A Yes, sir.

MR. NEWTON: Thank you.

THE COURT: Yes, ma'am?

MS. WIYGUL: I don't have any further questions.

THE COURT: All right. Sir, you can step down.

Okay. How many additional witnesses collectively does the defense intend to put on the record.

MR. NEWTON: Ms. Greenfield will testify, but I suspect her testimony will take quite a while.

THE COURT: All right. Let's take a break for lunch.

Ladies and gentlemen, let's take an hour break for lunch and then come back and hear one more witness from the defense and then move forward. Please during the lunch period don't discuss the case. I will see her back here at 1:30. Thank you. Enjoy your lunch.

(WHEREUPON, the jury leaves the courtroom at approximately 12:30 p.m.)

MS. WIYGUL: Your Honor, would it be possible for us to take an additional 30 minutes for lunch to go on and prep our closings and charge requests?

THE COURT: Y'all come back in an hour and a half, so y'all make it 2:00.

(WHEREUPON, a lunch break was taken.)

(WHEREUPON, Court's Exhibit No. 1 was marked for identification.)

THE COURT: I just want to disclose for the record that I did go to lunch and at lunch, I saw one of the jurors, our alternate juror. And we exchanged pleasantries, but I made sure to tell him that I couldn't

discuss the case and I wasn't really at liberty to discuss it with him. I only discuss that to you out of a sense of full disclosure so that you'll know. There was no prejudice and, certainly, we didn't discuss anything relative to this case. Just for the record, that was Mr. Lendon Sutton, 136.

I'll also tell you that with respect to the statute that we had discussed in chambers, it does say, Mr. Newton, what you purport that it says, however, there is an exemption as well that says that a retailer that does not have a compatible point of sale system is exempt from the electronic signature provision. So we can talk about whether we want to charge that or not. But if I do charge it, I will also charge the exemption. Okay.

Are we ready for the jury?

MR. TOOKER: Yes, sir.

MS. WIYGUL: Yes, sir.

THE COURT: Okay.

(WHEREUPON, the jury entered the courtroom at approximately 2:05 p.m.)

THE COURT: All right. Welcome back. All right. Defense, your case. You may call your next witness.

MR. NEWTON: The defense calls Cynthia Greenfield.

THE CLERK: Place your left hand on the Bible and raise your right.

CYNTHIA GREENFIELD,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: My name is Cynthia Greenfield.

DIRECT EXAMINATION

BY MR. NEWTON:

Q Ms. Greenfield, how are you?

A Just fine.

Q Are you nervous?

A Yes, very.

Q Have you ever testified in court before?

A No, sir.

Q All right. How long have you known Michael Mealor?

A I've known him ever since probably around 2009.

Q Okay. And do you know Ms. Denise Hayes?

A Yes, I do.

Q How long have you known her?

A I've been familiar with her a little bit longer than that because I knew her son, Jason Mealor, through my children.

Q How many children do you have?

A I have two children. One's deceased.

Q All right. I'm sorry. In 2011, where were you living, where were you residing?

A My address, I was residing at [redacted] part of the year and the other part of the year, I was residing at [redacted]. Michael and I had just started our relationship the latter part of 2010 and the final adjustments of us living together was not completely settled until around 2011, we started staying at my daughter's house on [redacted] right where I lived and then [redacted]

Q All right. Well, did you eventually move into the house where all this was alleged to have occurred?

A You are referring to [redacted]

Q Yes.

A Yes, I did. I moved in there after everyone got arrested in 2012, like August, September of 2012.

Q All right. Well, had you ever been by that house before then?

A Yes, sir, I had.

Q What occasions would you go over there?

A I went over there to visit Michael's -- we'd go visit his mother, holiday dinners and occasions where Ms. Mealor, Louise, could not control her grandson, Jason, that she had raised and he was out of control and inflicting violence upon other members of the household or to clean the house.

Q Okay. So how often would you go over there to clean

house?
A It, basically, depended. It would depend on what was going on. Maybe -- I can't count how many times in 2011, but every couple of months, I would go over there and help Denise clean up the house and put things in order.
Q Are There times in 2011 that you stayed overnight in that house?
A Yes.
Q All right. When you would stay overnight, how many nights in a row would you stay overnight?
A It would depend on what was going on. If Jason was out of control, it could be three to four nights.
Q Okay. And where in the house would you stay when you did stay there overnight?
A Sometimes we stayed in the living room on the couch, the couches. There were two couches in the living room. Other times, we would stay in Louise Mealor's bedroom, back bedroom.
Q Now, Louise Mealor is the one who owns the house?
A Yes, sir.
Q But she doesn't, actually, stay there?
A No, she stays in Seneca.
Q But the bedroom that was her back bedroom was the one y'all would use?
A Yes. We would use that one when we would stay over

sometimes, yes.
Q Okay.
A But not all times.
Q All right. Calling your attention to November of 2011, did you shoot somebody?
A Yes, sir, I did. I shot someone on November 10th, 2011.
Q Who was that?
A Jason Mealor.
Q Okay. In response to that shooting, did police officers arrive?
A Yes, sir, they did.
Q About how many police officers came out there?
A I really couldn't count them. There was, at least, 10 or 15 of them. I know of two, in particular, that was there by name.
Q Okay. Who would they be?
A Marvin Nix and Gary Anthony.
Q Okay. How long did the police stay out there after the shooting?
A A long time, hours and hours.
Q Did they -- what parts of the house did they go into?
A They went through the house, all through the house, but the main part that they focused on was the room that the shooting occurred.

Q And which room was that?
A That was Louise Mealor's back bedroom that Michael and I stayed in on occasions.
Q Okay. So Jason had come back into that room?
A Yes, he did.
Q I believe Michael described the altercation and the circumstances of the shooting, do you agree with his version of what happened?
A Some of it, yes.
Q What do you disagree with?
A Jason was out of control that day. Basically, it was over a DVD player that I knew nothing about and I told him that. And when Jason came flying through the door, he hit me in the back of the head and when I come up, he was on top of Michael violently. And that's, basically, about all I recall is hearing the sound of the gun. I can't remember anything else from that incident.
Q Were you charged with a crime out of that incident?
A Yes, sir, I was.
Q What crime were you charged with?
A I was charged with an unlawful carry of a pistol.
Q You weren't charged with murder?
A No, sir.
Q Attempted murder?
A No, sir.

Q Manslaughter?
A No, sir.
Q Attempted manslaughter?
A No, sir.
Q Assault and battery even?
A No, sir.
Q Just unlawful possession of a firearm?
A Right.
Q And what was unlawful about the firearm?
A It was a sawed-off shotgun.
Q So it wasn't, actually, a pistol?
A No.
Q That's just the name of it?
A That's the name of it. Apparently, it was -- the sawed-off shotgun, apparently, this is what they said, was shorter than its legal limit or something.
Q Did you know it was at the time?
A No, I did not.
Q Was it yours?
A No, it wasn't.
Q Who did it belong to?
A My son brought it to me in 2011 when a friend of his tried to commit suicide. And for his friend's safety, he brought it to me and no one ever came and picked it up.
Q So it was a gun your son had gotten from his friend

who tried to kill himself?
A Yes, he was going to kill himself with it.
Q That's the only reason it was there in the house?
A Jason kept after wanting to shoot the gun, okay. And prior to, a couple days before then, he had took the gun from [redacted] to [redacted] so he could piddle with it. Jason has an obsession with knives and firearms, you know, things of that nature.
Q Okay. Did you ever go to court on that charge?
A Yes, sir, I did.
Q What happened?
A I pleaded guilty to unlawful carry of a pistol. I got one day time served and $130 court costs.
Q That's all?
A That's it.
Q So, clearly, the police believed it was self-defense?
A Yes, sir.
Q Okay. Have you ever manufactured methamphetamine?
A No, sir.
Q Do you know how to manufacture meth?
A No, sir.
Q Have you ever tried to get anybody to buy Pseudoephedrine for you in order to manufacture methamphetamine?
A No.

Q Have you ever given Pseudoephedrine or Ephedrine to anybody else for them to manufacture methamphetamine?
A No.
Q Now, there are records of considerable purchases in 2011 of Pseudoephedrine?
A Yes, sir.
Q How long have you been purchasing Pseudoephedrine?
A As long as I can remember. My mother purchased medications for sinus infections and upper respiratory infections and stuff when I was a child. I had bad nose bleeds and I've got asthma and sinus infections.
Q Okay. And the amount that the State has shown that you purchased in 2011, that's well within the legal limit, isn't it?
A From what I understand, yes.
Q So there was, actually, nothing illegal about buying anything?
A No.
Q Do you know Rebecca Crisp?
A I only met her a couple of times. And I knew she was Denise's friend and that's about all I know about Ms. Crisp.
Q Okay. How about Steven Hurley?
A I knew Steven Hurley was affiliated with Denise or Carol Hayes and her daughter and he's the grandfather of

the twins.
Q Okay.
A They would come over to [redacted] and visit and they were at [redacted] with the Christmas dinners and Easter dinners and all of that.
Q Did you know him well at all?
A Not very well, no.
Q How about Kelley McCall?
A Kelley McCall, I didn't really know the McCall sisters or anything that well. They were associated with my son.
Q Who is your son?
A My son's name was Clarence Whitfield Williams.
Q He's the one who's deceased?
A Yes.
Q I'm sorry to hear that. Did you have a run-in with Pickens County Sheriff's Office regarding your son's death?
A I've had several discussions with them about my son's death, yes.
Q What was the nature of those discussions?
A My son was killed by a guy that was on methamphetamine and he drove my son off an embankment in a car that he had taken with my son in it and left him there for dead.

Q Who was that person?

A Billy Beleu.

Q And did you try to get the sheriff's office to file charges against him?

A Yes, I did.

Q Did they ever do so?

A No, not yet.

Q Did you have angry verbal altercations with the sheriff's office?

MR. TOOKER: Your Honor, I object to relevance. It's a sad thing that happened, but I don't see how that has anything to do with this case.

THE COURT: I'll overrule. You can ask.

THE WITNESS: Yes, I did have several strong words about it of it being unfair and that justice should be served and no one should get by with it regardless of what they remember or don't remember because they're on drugs. Yes, I did.

BY MR. NEWTON:

Q Was one of those verbal altercations with Chad Brooks?

A Yes.

Q One of the officers who was here yesterday and testified?

A Yeah, I did talk to him about it, too. My son is

just one person he said among thousands that they were trying to save their lives.

Q I'm sorry?

A Chad Brooks told me that my sone was only one person. They were trying to save thousands of other people's lives.

MR. TOOKER: Objection, Your Honor.

THE COURT: All right. I'll sustain. Go ahead.

BY MR. NEWTON:

Q So would you say that since that time, there's been some degree of ill will between you and Pickens County Sheriff's Office?

A Somewhat, yeah.

Q Do you know Thomas Rooney?

A Yes, I know of Thomas Rooney. I don't know him personally. I know of him.

Q Did you ever associate with him?

A As little as possible.

Q All right. How about Billy Miller?

A Billy Miller, I just knew of him through him being related to the McCall girls.

Q Okay. Did you ever hang out with him?

A No, never.

Q Okay.

A He's a sex offender. I have two grandchildren I have

to worry about.

Q How about Lauren Summerall, do you know her?

A Yes, sir, I knew of her when she was younger, quite a few years. She was in a relationship with my son's best friend.

Q Okay. Do you ever associate with her much?

A No. Just off and on. She drifts in and out of my daughter's life or visits or what have you, but, no.

Q How about Michael Hayes?

A No. I met Michael Hayes through Denise Hayes. He was visiting or staying with her off and on on [redacted] Road.

Q Okay. And Amanda Hurley?

A Amanda Hurley, I knew of her being Jason's sister. I've known Jason longer than I've known anyone else in the family. Okay. I knew that she was Jason's sister, but really didn't have any one-on-one communication with her or anything until I started going to the family dinners and that was 2010.

Q Okay. All those names I just asked you about, did you take Pseudoephedrine from any of them?

A No.

Q Were they giving you Pseudoephedrine to do anything with?

A No.

Q Were they giving Pseudoephedrine to Michael as far as you know?
A No, not that I know of.
Q All right. Have you ever tried meth yourself?
A I tried meth in 2006 when my son got killed to find out why someone would excuse someone of harming someone and claim a memory loss, okay.
Q What did you think of the experience?
A I thought it was horrible.
Q Have you ever done it since?
A No, I don't.
Q Just that one time in your life?
A Right. I do not agree with it. My drug addictions are food, as you can see.
Q You were in court yesterday when Melissa Wardlaw testified, correct?
A Yes.
Q And do you call her saying that originally she made up all these lies about you to the police about you, trafficking in meth, making meth because she was mad at you --
MR. TOOKER: Judge, this is leading.
THE COURT: Okay. I sustain. You can ask her questions, but you can ask her a question relative to that if you'd like, but don't lead.

BY MR. NEWTON:

Q Did Melissa Wardlaw openly admit that she had made up those lies because she was mad at you?

A Yes, she sure did.

Q All right. And what do you think the motivation is for someone to lie?

MR. TOOKER: Judge, that's speculation.

THE COURT: All right. I think that the witness testified what her motivation was. So I think it's inappropriate for this witness to testify as to what someone else's motivation may have been. But I think the record has been established in that regard.

MR. NEWTON: Okay.

THE COURT: So I'll sustain.

BY MR. NEWTON:

Q Melissa at the time was Jason's girlfriend?

A Yes. She is also related to Billy Beleu, too.

Q And these people who are accusing you of this activity, they are all friends of Jason and Melissa, aren't they?

MR. TOOKER: That's leading, Judge.

THE COURT: I'll allow you to answer that question.

THE WITNESS: They're friends or family.

BY MR. NEWTON:

Q Were they mad at you as well for shooting Jason?

A Yes.
Q All right.
A They felt like I did not get what I deserved. I should have been put under the jail for shooting one of their family members.
Q Now, do you buy Pseudoephedrine anymore?
A Not since I found out it was illegal or they said it was illegal.
Q Well, it's not actually illegal, is it, to buy Pseudoephedrine?
A No, it's not illegal to buy it.
Q Did you not like the way you were treated or something, is that what you're saying?
A Right. What I'm saying is to be completely and totally harassed by law enforcement every time that you purchase a box of sinus medication for your allergies and health condition, I don't want to go through that.
Q So what do you do now for your sinuses and allergies?
A I go to the free medical clinic.
Q Along with Michael?
A Yes, we do.
Q The one the gentleman testified about earlier today?
A Right.
Q Do you get prescription medication now?
A Yes, sir, I do.

Q What prescription medications are you prescribed for your condition?

A I'm prescribed Claritin. I'm prescribed Alacort and I'm also on Combivent inhaler for my asthma and my sinuses.

Q Okay. Where is the Samaritan free clinic, where is that?

A It's on the other side of Easley going toward Davisville, what they call Davisville.

Q There was some testimony earlier that Denise would sometimes, at least, on one occasion put some Pseudoephedrine in your room. Why would people put their Pseudoephedrine in your room, back bedroom.

A Well, that wasn't considered my room.

Q Okay. At that time?

A At the time of putting it in the back bedroom was Louise's room and it was like a hands-off room to -- for anyone else to mess with, plus she would hide it back there. If you've ever been into the house, Ms. Mealor, she collects a lot of stuff and things are packed up, boxes after boxes everywhere. So it was kind of easy to hide something where you didn't want someone else to get to it.

Q There was some testimony, also, I believe about a problem with people stealing Pseudoephedrine?

A Yes.
Q Any idea who that might have been stealing it?
A No, I don't know which family member it was. I don't want to be pointing fingers at family members without, actually, seeing them do that, but there was some talk about it was Jason and Melissa that could have been doing it.
Q Okay. Go back to the shooting again. When all the officers arrived, did they -- did you notice any of them taking pictures of the inside of the house?
A Yes, the bedroom. They did a complete search on the back bedroom and took photographs, yes.
Q Okay. And they didn't find any indication of any meth manufacture or anything at that time with all those officers going through the house?
A No, sir, they didn't.
MR. NEWTON: I have no further questions at this time.
MR. TOOKER: May it please the Court.
THE COURT: Yes, sir.

CROSS-EXAMINATION

BY MR. TOOKER:
Q You said there's nothing illegal about buying Sudafed, right?
A Not that I know of, I mean, just what I have heard

from this case.

Q But there is something illegal about buying too much Sudafed, right?

A If you buy too much.

Q Yes, ma'am. And if you buy too much, you get blocked, right?

A Well, the block isn't for saying you're buying too much. It's over a 30-day period and it's to keep you within the legal limits.

Q Yes, ma'am. So if you try to buy more than you're legally allowed to within 30 days, you get blocked?

A I suppose.

Q So if you try to break the law, it prevents you from breaking that law, right?

A It protects us.

Q Protects you?

A Yes.

Q Ensures that you're complying. So would you consider on 02/03/11, when you tried to buy Sudafed after having bought one, two, three boxes in the 30 days immediately beforehand, would you consider that an attempt to break the law?

A No.

Q Okay.

A I don't know -- I don't know how to figure the -- how

much the grams, milligrams or whatever limits are. Okay. And in a 30-day period, if you'll flip that back.

Q Yes, ma'am.

A If you don't mind.

Q Not at all.

A Okay. 01/02/2011, okay, three boxes. All right. 02/03/2011 is starting another month, isn't it?

Q Excuse me? I'm not starting at 01/02, ma'am, we're starting at 01/19.

A Okay.

Q 01/19, 01/24, 01/29, you bought Sudafed. So you bought Sudafed, 2.88 grams worth and then five days later, bought 2.88 grams more and then four days after that, you bought 1.44 grams more?

A I'm not sure of the grams.

Q And then four days after that, you got blocked?

A I don't know. It's possible.

Q And again you were blocked on the 25th of April, 2011, got blocked twice, is that right?

A I'm not sure.

Q So you buy so much Sudafed you can't keep it straight whether or not you get blocked or not?

A No, I'm just saying that that's been a couple of years ago. I'm not really sure.

Q Okay. 06/13/11, you were blocked after having

purchased within the immediate 30 days before 2.88 grams. On 05/18, five days later, 2.88 grams. And then 10 days after that, 2.88 grams. Does that sound right?

A I'm not sure of the grams part because it goes by milligrams.

Q Okay, ma'am. Boxes, let's just say boxes.

A Okay.

Q Would that be better? Do you take issue with the word boxes?

A No, because it goes by -- the boxes has milligrams, but the federal thing has grams, okay. I'm not -- I'm not -- I'm not --

Q I'm not going to ask you about grams or milligrams anymore, I'm going to ask you about boxes, okay?

A All right.

Q Does that work? So you got blocked on 08/21, right, after having purchased on 08/13, 08/01 and 07/25?

A It's possible.

Q And you got blocked on 10/04 after having purchased on 09/10, 09/18 and 09/30?

A I guess it's possible.

Q And in total, you made 34 attempts in the calendar year of 2011, including the times you were blocked to purchase Pseudoephedrine, is that right?

A I suppose.

Q You suppose. Okay. Now, you were talking about the people that are involved in this case and you're saying you didn't know a lot of them. You know Louise Mealor, right?
A Yes, but at 2011, I was getting to know them.
Q You're getting to know them?
A Right.
Q So you got to know Louise well enough that y'all went and bought Sudafed together?
A No.
Q No?
A I was living on 330 Brandy Lane, if you go and pull up first part of January.
Q I'm not talking about where you were living. I'm asking if you bought Sudafed with Louise Mealor?
A Not that I know of, no.
Q So if on January 19th, 2011, you purchased at 12:16 p.m. at a Wal-Mart pharmacy in Easley --
A Uh-huh.
Q -- and she purchased on January 19th, 2011 at 12:00 p.m., 16 minutes before at a Wal-Mart in Easley, that's just a coincidence?
A Yeah, it's a small community.
Q Okay. Now, Michael and you, you guys bought together a few times, right?

A We went to the store together, yes.
Q What about times where are guys go to different stores within a half hour and buy Sudafed?
A Not every time I was with Michael, but there was times that we shopped separate.
Q Okay. But y'all are a couple and it's just a coincident that within a half hour of each other on the same day y'all happen to go to different stores to buy Sudafed?
A Well, if anyone knows me, and knows me from the past, I raised two children alone, okay, for many, many years. I'm a very independent woman.
Q Okay. Ms. Greenfield, I'm going to ask you real quick, like I talked to somebody else before, when I ask you a yes or no question, say yes or no, then if you need to explain yourself, at that point explain yourself, okay. So yes or no that was a coincidence?
A Yes.
Q Yes, that was a coincidence?
A Yes.
Q Thank you. Now, with regards to Carol Denise Hayes. Did you get to know her pretty well?
A Yes.
Q How well did you know her in May of 2011?
A From family dinners and stuff and going over there

with instances with Jason acting up and what have you.
Q So you would you say then that if you bought Sudafed within nine minutes of her at a different pharmacy on 05/18 of 2011 that would be because y'all went together and went to different stores or was it coincidence?
A No, we weren't together. I'd have to say that we --
Q That was another coincidence?
A Yes.
Q Okay. Now, you said Kelley McCall, you know her a little bit, is that right?
A Yeah, I know her some.
Q You know her some?
A Right.
Q Was it her or her sister dated somebody in your family?
A Neither one of them dated anyone in my family.
Q Nobody?
A No.
Q You said somebody dated someone in your family?
A Lauren Summerall.
Q I'm mixing up the --
A Or Sanford, she was a Sanford then.
Q Yes, ma'am. So Kelley McCall, you didn't even know her from being around your family very often?
A No. The relationship that Kelley McCall is to my

family is my son hung out with the same -- with a guy that Angie had children by, which was Brad Bond.

Q Okay. So was that relationship enough for y'all to go to the store together and buy Sudafed?

A No.

Q No?

A As their statements said no. They went with --

Q Ma'am, I'm asking you a question. 05/23/2011 at 11:30, you bought Sudafed at a Wal-Mart. 05/23/2011 about 30 minutes before, she bought Sudafed at that same Wal-Mart. You're saying that's a coincidence?

A Yes, I do.

Q Okay. Now, would you admit that you went with Mike Mealor and Carol Hayes to purchase Sudafed all at the same time, all three of y'all?

A No, I don't recall that.

Q You don't recall that?

A No, sir.

Q Okay. So on 07/25 of 2011, you don't recall having gone to the store with Mike and Carol, maybe go into a Wal-Mart in Easley?

A No, sir, I don't recall that.

Q Okay. And I'm going to pull up Mike's records here. So on 07/25/2011 at 5:39, you purchased 2.88-grams of Sudafed at a Wal-Mart in Easley and he did the same thing

at 5:54, but that's just a coincidence?
A He probably didn't know what I picked up.
Q So you and your boyfriend happen to be at the same store on the same day buying the same product within, what, 15 minutes of one another and you didn't see each other? You didn't bump into each other?
A Well, after we all got finished shopping -- me and him got finished shopping for our own personal needs.
Q And Carol Denise Hayes, if she were there on that day, that would be a random occurrence as well?
A Yes, that would be.
Q That would be. So if on 07/25/2011 at 5:11, about 20 minutes before the first purchase, she purchased Sudafed, that would be random?
A Yes, that probably was random.
Q Okay. Another coincidence?
A Yes, sir.
Q Kelley McCall again. You say if y'all both purchased at a Walgreens in Seneca on 08/21, that's a coincidence?
A We didn't. I never went with -- as her testimony stated, we weren't never together.
Q I'm asking you?
A No, I did not.
Q So that's a coincidence?
A Yes, it is.

Q Okay. Just be careful to listen to my question and answer yes or no to what the question is, okay, then you can explain yourself. Kitty Hurley and Jason Mealor, you ever go to the store and buy Sudafed with them?

A No, Ms. Kitty doesn't drive.

Q I'm not asking if she drove, I'm asking if she went to the store with y'all --

A No.

Q -- and bought Sudafed?

A No.

Q No? So on September 10th of 2011, you went to a Wal-Mart pharmacy and you purchased Sudafed at 5:53, it would be a coincidence if they were there as well?

A Like I said, a small community, yeah.

Q Small community. Uh-huh. So if on 09/10, Jason Mealor bought four minutes before you at a Wal-Mart in Central, that's a coincidence?

A Yes, it is.

Q Your boyfriend's nephew?

A Right.

Q Okay. And if Ms. Kitty Hurley bought 09/10, Wal-Mart in Central, 5:45, that exact same time, also, bought Sudafed, that's another coincidence?

A Yes, sir, I do believe so.

Q Man. And Jason Mealor, you said y'all would go

sometimes together to buy, so if you were both at the Wal-Mart in Easley and bought within 10 minutes of each other, were you there together or was it a coincidence?

A Jason and I never went anywheres and bought anything together.

Q Never?

A Not in 2011, no.

Q Do I need to pull the record up?

A You can pull the record up.

Q Okay. And you think that that's a coincidence --

A Yes, I do.

Q -- or you don't think that he went?

A Huh?

Q Do you think it was a coincidence or you don't believe that he went?

A I know that I didn't go with him to buy anything like that.

Q Okay. And Michael Mealor, you said y'all would go together sometimes?

A Yeah, we went shopping together.

Q And y'all would both buy Sudafed at the same time?

A I'm not sure of every time, no.

Q You're not sure of every time. And every once in a while, y'all would go to different stores?

A I got prescriptions filled at the stores that was

different.
Q You know, the funny thing in looking at these records and looking at all these records is opposed to going to one pharmacy, it seems y'all move around a lot. Does that sound accurate?
A No.
Q No?
A Well, yes and no.
Q Yes and no? Why don't we just look at the stores you go to.
A I use several pharmacies.
Q Ma'am?
A I have several pharmacies that has my prescriptions at.
Q Your prescriptions?
A Yeah.
Q This is not a prescription medication, is it?
A No.
Q Okay. Wal-Mart pharmacy in Central, Wal-Mart pharmacy in Easley, Walgreens pharmacy in Pickens, Wal-Mart pharmacy again in Central, that's three separate pharmacies on six separate occurrences in a month and a half. Why would you do that?
A Because I have prescriptions that get filled at every one of those pharmacies. I could have been picking up

those, my sinus medications along with my prescriptions.
Q And we can sit here and go through the records and talk about stores --
A Yes, we can.
Q -- in Central and Easley and Wal-Marts and Walgreens and we can talk about stores in Clemson and stores all over Pickens County and even Seneca. And you just happen to go to different stores to buy your Sudafed because that was what was more convenient?
A Yeah, actually, more convenient. The reason it was more convenient is because I don't drive.
Q Yeah. And it's more convenient and it's not that you're trying to go to different stores so the pharmacists don't pick up on your purchasing habits, that's not it?
A No, it's not.
Q So it's not that you're afraid that they're going to see you buying Sudafed with this fellow and that lady and all the other people that came and testified and think man, maybe these people are making meth and we shouldn't sell to them?
A No.
Q Yeah, because that would be ridiculous?
A Yes, it is ridiculous.
MR. TOOKER: Okay. No further questions.
THE COURT: Redirect? Before you go to redirect, do

y'all have any cross-examination?

MR. JOHNSON: I do not, Your Honor.

THE COURT: Ms. Wiygul?

MS. WIYGUL: No, Your Honor.

THE COURT: Go ahead, Mr. Newton. I didn't mean to cut you off. I just wanted to make sure we were following the process.

REDIRECT EXAMINATION

BY MR. NEWTON:

Q Would you consider a claim that a person always should shop at the same store be a ridiculous claim?

A That is ridiculous.

Q Do you think if this prosecutor tried to tell the jury that he always shops at the same store that would be a ridiculous lie?

MR. TOOKER: I'd say that would be a leading question, Judge.

THE COURT: Yes, sustained.

BY MR. NEWTON:

Q A lot of these people this prosecutor was asking you about, don't they get -- aren't they on like -- do they get any payments from the government, disability or anything like that?

A Which people?

Q Some of the ones he was naming?

A Yeah, they do.

MR. TOOKER: Judge, this is outside of the scope of cross-examination.

THE COURT: I'm going to give you some latitude with respect to the redirect. I would advise you to maintain it within the scope of cross-examination.

MR. NEWTON: Yes, sir.

BY MR. NEWTON:

Q Isn't it true that government disability checks are all issued on the same day so people are picking them up on the same day?

A Well, yes. The government is -- some of them have retirement checks that they get other times in the month, though.

Q Okay. But the ones who did get those checks, they all get them on the same day, don't they?

A Yes, they do.

Q So they get certain money, they go hopping on the same day?

A Yes, sir.

MS. WIYGUL: No further questions.

THE COURT: Recross?

MR. TOOKER: Yes, sir.

RECROSS-EXAMINATION

BY MR. TOOKER:

Q I thought it was your testimony that you didn't really know any of these folks all that well?
A Just over the past few years of meeting Michael and I just known them in passing or at community events, convenience stores or whatever. Just familiar with them.
Q You're familiar with them?
A But not really knowing them. There's difference.
Q Okay. You don't really know them, but you happen to know how much money they get a month and where they get it?
A Now, I do that I have been living with them a couple of years, yes.

MR. TOOKER: No further questions, Judge.

THE COURT: Thank you, ma'am. You may step down.

Any additional witnesses for the defense?

MR. WIYGUL: No, Your Honor.

THE COURT: The defense rest collectively?

MR. NEWTON: Yes.

MS. WIYGUL: Yes.

MR. JOHNSON: Yes.

THE COURT: Ladies and gentlemen, at this point, the defense as rested. So at this point, it is necessary that I hear some motions on the law, so I ask you to return to your jury room. Please do not discuss the case. Right now, it's quarter to 3:00. We'll probably to go argument

and charge this afternoon, but I'm going to talk to the attorneys a little bit first to see how quickly we can make that happen.

(WHEREUPON, the jury left the courtroom at approximately 2:46 p.m.)

THE COURT: All right. Motions?

MR. NEWTON: Renew the motion on directed verdict on the charge of trafficking 100 grams so more.

MS. WIYGUL: We would join that motion, Your Honor, as will Mr. Johnson.

THE COURT: I just saw that. He's protected on the record in that regard.

Mr. Tooker, I know that in chambers we had a discussion and I had a specific discussion regarding amounts. And I was curious to know what your records reflect the evidence was regarding the testimony, that is how much Sudafed was purchased and, potentially, exchanged or allegedly exchanged by Amanda Hurley, Melissa Wardlaw, Rebecca Crisp, Billy Miller, Thomas Rooney, Lauren Summerall, Michael Hayes, Steven Hurley, Louise Mealor, not Susan Reese because I disqualified her, Angela Armstrong and Kelley McCall. Do you have that number?

MR. TOOKER: Would you like me to address them one by one because I wrote my numbers down and did not tie them to the parties?

THE COURT: No, I don't want you to address them one by one. What I'd like for you to do is give me the total.

MR. TOOKER: So the total as the State's calculated it, Mr. Mealor, not including the purchases made by Ms. Greenfield and Ms. Hayes, so just his Sudafed purchases and the purchases as reduced by the fraction. So Mr. Hurley said, then I reduced the amount he purchased in total by half to reflect how much he said. But that puts Mr. Mealor by the State's calculation at 161. It puts Ms. Greenfield at 182 and Ms. Hayes at 80.

Now, if you put on each Defendant the amount of Sudafed each purchased, of course, you'd be adding an additional 68, 69 grams on each party.

THE COURT: Okay.

MR. TOOKER: But that's just the amount each person purchased and how much each testifying co-conspirator put on them.

THE COURT: Okay. I've got you. So what you've done is you've looked at it with specificity to determine how much each particular testifying witness said they gave to each particular Defendant?

MR. TOOKER: Yes, sir.

MR. NEWTON: Your Honor, I have done that and my figures disagree.

THE COURT: What are yours?

MR. NEWTON: For my client, in particular, I've come up with a total contributing to people who said they gave it to either her individually or to her and Michael together, approximately 80 grams, Judge, of Pseudoephedrine. That's not including the ones she purchased herself. You add those it, it would be 80 plus the amount she purchased herself.

THE COURT: Which was how much?

MR. NEWTON: Which was 68.6.

THE COURT: Okay. So you're somewhere around 140, 150 with that addition. Okay. I've got it.

MR. JOHNSON: Judge, my numbers, in particular with my client, are a little off as well compared to the State. I have Rebecca Crisp testifying to approximately 10.8 grams, is that --

MR. TOOKER: Yes, I have about 10 for Ms. Crisp going to Ms. Hayes. And that's all who testified put on Ms. Hayes.

MR. JOHNSON: Okay. So I had her total as about 70.

MR. TOOKER: And she purchased about 70, so the State's calculation --

MR. JOHNSON: So you're saying the 80 total before you factor in any fractions? Okay. I'm with you. That's just Sudafed?

MR. TOOKER: Yes, sir.

MS. WIYGUL: And, Your Honor, I'm deferring to Mr. Newton because he's better at math than myself and we came up with 132 as to Michael without what he purchased.

THE COURT: Okay. All right. I don't think y'all's numbers are really that much different because you're including what they individually purchased and y'all are not. That's what it sounds like your distinction is.

MR. JOHNSON: Actually, I think we're on the same page.

THE COURT: I think y'all are. You know, y'all deviate by five to 10 grams, but in total you are about in the same spot.

Okay. All right. I will tell you that I've -- and I told you this in chambers that I've misgivings about whether this is trafficking greater than 100 grams. And my question during the entire time is are there certain assumptions that have to be made that amount, ultimately, to speculation as to whether there was over 100 grams. So, you know, I've put thought into it. And I've thought that it came down really to a matter of math and really looking at the evidence. Because, obviously, under a directed verdict standard, it's a matter of looking at the evidence and determining whether it's sufficient or substantial, but whether it exists and view the same in the light most favorable to the nonmoving party.

If I look at all of this evidence and I see that the testimony regarding each of these individuals was the numbers that y'all collectively have told me, with only minor disagreements between the grams, if you take the yield at the light most favorable to the nonmoving party, then there is evidence in the record upon which a jury could determine that the State had met its burden of proof.

I'll also tell you this, inasmuch as this is a case wherein, you know, in accordance with the language of the statute it makes it illegal to conspire to manufacture methamphetamine, you can also look at the numbers in the aggregate. And it doesn't necessarily have to pertain individually to which one gave it to which one. Because in the aggregate, if there was a conspiring to manufacture the methamphetamine, then you could look at it in total and aggregate the weight. Therefore, again, I've told you my personal feelings regarding that. My personal feelings don't matter. It's just look at the evidence and existence of the same in the light most favorable to the nonmoving party. And given the testimony regarding the amounts and the yields, both in best case scenario and worst case scenario, it adds up.

So given that fact, the math works, so I will respectfully deny the motion.

MR. NEWTON: Well, Your Honor, if I can make a comment for the record on that?

THE COURT: Yes, sir.

MR. NEWTON: I believe, with all due respect, I'm sorry, the math does not work in my opinion. We've heard testimony that there's no guarantee that you'll get any result whatsoever in trying to make meth. There's some testimony it's usually in the 40 to 50 percent range. But this is pure speculation, Judge. And I believe the standard is the light most favorable to the nonmoving party. Basically, if any rational trier of fact could find the essential elements of the crime had been satisfied beyond a reasonable doubt. I believe that's the standard. I submit that any rational trier of fact could not possibly arrive at that conclusion beyond a reasonable doubt. Because of the speculation because we have no idea how much of it was, actually, converted into meth in the end. It's sheer speculation.

THE COURT: I share your skepticism, but your's is a jury argument because let us that the jury were to decide that the testimony from the State was credible that the yield could be 92 percent. A reasonable juror could conclude that. It could. You would disagree with it. Perhaps, I would disagree with it. But a reasonable juror based on all of the evidence that was presented could

conclude that. And given the fact that a rational juror based on this evidence could conclude that, I think it even meets the standard that purport that it is.

Again, I share your skepticism. And a lot of times what I have to do in my position is put my personal skepticism aside and just look at it as a very sterile objective analysis, is it there or is it not? And I struggled with this one because I thought that there may be some deal of speculation that was required. That's why I had everybody do the math. Because I didn't just want to make an assumption, I wanted to see the numbers in black and white. That's why I went through that exercise.

MR. NEWTON: Thank you.

MR. TOOKER: And, Judge, that having been said, at lunch, Mr. Wilkins and I talked about this and it's our intent and request that we amend the indictment to over 28 grams. We think that given the circumstances and what was seen at trial -- and I don't -- this isn't any kind of gamesmanship or anything, I don't want y'all to think that. We think this is the right thing to do to remove the minimum mandatory 25 and have it within a range instead. So that was -- the State would like to move to amend that. I don't know if there is opposition from defense counsel, but that is, certainly, our motion.

THE COURT: Well, I'll tell you what will I do. I'll

let y'all think about that. I mean, that's a gracious offer on one hand and y'all have to talk to your clients and really have a talk with them about this because it's the difference mandatory minimum and, perhaps, not subsequent to a jury verdict.

MS. WIYGUL: I believe that's still a mandatory --

MR. TOOKER: Mandatory is seven to 30.

THE COURT: Yeah, I know, but it's significantly less.

So y'all just need to talk with them and advise them of that before you make that argument. And we'll come in, we'll make that argument and then we'll move forward.

I still have not done the verdict forms yet because I don't know exactly what we're going to arrive at yet.

MR. WIYGUL: And, Judge, just for clarification, there's been some talk that there may be a rebuttal witness called.

MR. TOOKER: We do have one rebuttal witness.

THE COURT: Okay. Who is that?

MR. TOOKER: It's going to be Gary Parsons from the sheriff's office.

THE COURT: Okay. How long do you anticipate that will take?

MR. TOOKER: Not long, five minutes.

THE COURT: All right. Good enough. We'll come back

in and we'll talk about that a little bit.

MR. TOOKER: Thank you, sir.

THE COURT: Mr. Johnson.

MR. JOHNSON: Yes, sir.

THE COURT: I don't know where we left it, but there was a motion to amend the indictment. And before y'all took a position one way or the other, I just gave you the opportunity to discuss it with your clients, so if you were to make an objection, it would in the form of the objection informed with your client's knowledge. Any issues with respect to that?

MR. JOHNSON: No issues, Your Honor.

MR. NEWTON: Your Honor, as an officer of the Court, I have to admit that I believe the State has the power to do that as long as they don't raise the amounts. I think they have the absolute power to amend the indictment, whether we object or not.

MS. WIYGUL: And that's my understanding, also, Your Honor.

THE COURT: I agree. I just wanted to make sure if you were going to object that you really thought about it. So I'll allow the amendment.

With respect to charge, are you going request anything other than trafficking 28 to 100, either side?

MS. NEWTON: Yes, Your Honor.

MS. WIYGUL: Yes, Your Honor.

MR. NEWTON: Frankly, in all candor, when the indictment was at 100 a more, we were thinking of going all or nothing. But this changes things and now, we would request a lesser included charge on trafficking 10 to 28 and even down to distribution or manufacturing, which is a lesser included.

MS. WIYGUL: Your Honor, I would also ask that the Court consider a common law conspiracy drug charge, conspiracy to violate drug laws.

MR. TOOKER: Your Honor, if I may respond?

THE COURT: Sure.

MR. TOOKER: Yeah, I think they're justified on the trafficking 10 to 28. I think the problem with doing PWID or manufacturing, one of those lesser drug charges, is that they're not lesser included of the trafficking charges. The trafficking charges is they aid, abet or conspire. I do think the common law conspiracy would be a lesser included of trafficking.

So I think the way it should go if Your Honor's inclined to do this is trafficking 28 or more, trafficking 10 or more and then common law conspiracy or just conspiracy. And the reason I believe that to be the case is the conspiracy common law, it is very broad. It's just -- you know, the same conspiracy law we're going to charge

them with regards to trafficking and then do something in violation of the law. And I think that, actually, fits within the trafficking statute. And I don't think possession with intent to distribute or manufacturing does. That's my person position.

MR. NEWTON: Your Honor, if I may respond to that. The manufacturing statute does also conflict conspiracy to manufacture and distribute, the same as the trafficking statute does. So I think conspiracy to manufacture or distribute is, certainly, a lesser included in conspiracy and trafficking. And there is case law on that.

THE COURT: And I think the same argument, essentially, holds true for the distribution. All right. Not possession with intent to distribute because I don't think possession is appropriate, but just the distribution because it's an element of the trafficking and there's evidence in the record to support there was an exchange of Sudafed for methamphetamine.

MR. TOOKER: And, Your Honor, I, actually, want to withdraw my objection. I think Mr. Newton is right. I had it wrong in my mind.

THE COURT: So this is what we're going to do, we're going to come in. I'm going to bring the jury back in. Let's go ahead and do the reply testimony. Okay. And we're getting on to 3:30 and what I may end up doing --

probably the time we're finished with that reply testimony, it's going to be beyond 3:30.

What I had intended to do is tell the -- just put it to the jury and ask them whether they wanted to argue and charge tonight and, essentially, do the backward timing analysis letting them know that each of you is probably going to be afford anywhere from 20 minutes to 45 minutes to argue, so that's four of you. So then they have to allot 30 minutes for my closing argument, which means they're not going to even be done with closing arguments or the charge on the law until after 5:00 and then they start deliberating. But I think at this point, we may have gotten to the point if we decide to go forward, they're not even going to get the case until after 5:00 and maybe even 5:30 because it's not just two lawyers we're talking about, it's four. And y'all have been very good, defense counsel, about being efficient and I commend you on that. But y'all are all going to want to have your say and that's fair.

MS. WIYGUL: Your Honor, just for clarification, can the Court let us know which lesser included --

THE COURT: We're going to talk about that afterwards because I want y'all to talk about it, okay? I want y'all to talk about it because it sounds to me like y'all are in agreement on a lot of things. But you're giving the jury

a big cornucopia of charges that they can just pick from and I want y'all to think about it a little bit more before you decide we're just going to throw it all with them. Because it may benefit you and it may not, either side. So y'all think about it and make sure that you want to be real surgical about what you want the jury to consider.

MS. WIYGUL: All right.

THE COURT: And if you are considering these lesser included charges, then maybe you should have a moment of quiet contemplation and decide whether there should be offers given one to the other given the evidence in the record that you all agree is in the record that would support a lesser included offense. Okay. So I think a night to think about that would probably be helpful. And I'm not suggesting you shouldn't, it doesn't matter to me because I'm going to be here anyway and I'm not going to either profit or suffer from the verdict in this case. So it doesn't matter to me, but y'all have a certain degree of consensus here regarding the list of charges that could be arrived at or verdicts that could be arrived at by the jury.

Okay. Let's bring in the jury.

(WHEREUPON, the jury enters the courtroom at approximately 3:23 p.m.)

THE COURT: All right. Ladies and gentlemen, as you know, the defense has rested. The State at this point has the opportunity to very briefly put into the record reply testimony. And that reply testimony is intended to do just what it suggest, reply to evidence the defense may have put into the record. We anticipate that is going to be fairly short.

After that, what I suspect is what we're going to do is break for the day and probably argue and charge tomorrow. The reason I'm doing that is because if we had gone straight to argument and charge, probably what I was going to do was explain to you the process for argument and charge and do a backward timing analysis so you could make the decision. I was going to let you decide, actually, whether you wanted to do it today or tomorrow morning.

But right now, if we just take another 10 minutes for reply, and it will probably be a little bit more than that since I'm jacking my jaws right now, it we get on close to 4:00 or quarter to 4:00, then you've four attorneys who are going to argue to you. And they're going to take a little bit of time because they're representing very important interest. So you think and just conservatively if you say that each of them are going to take on the outside of half an hour, you allot them half an hour,

that's two hours. And then I have to give you a closing charge on the law and that's going to take a little bit of time as well, 20 minutes to half hour. So you're looking at a two and a half hour process before you even get the case to begin to consider it.

And once I give it to you, then y'all begin deliberations. And I'm reluctant to let you go home once you begin deliberations because if you go home, it creates a lot of potential problems if you get outside of the courthouse during deliberations. So it's my preference not to let you go home. And, frankly, I don't want y'all to have to stay tonight until 10:00, 11:00, 12:00. Because you can come to a verdict in a minute or you can come to a verdict in two days. And that's up to y'all, y'all decide how long it takes. So I just want to make sure y'all don't feel rushed or pressured in any way and that y'all have enough time to consider all of the evidence. So I'm making a call that what we're going to do is listen to this testimony, then I'm going to release y'all for the day. We'll come back tomorrow at, again, 9:15 and we'll do closing arguments and charge on the law. Then we'll let you begin considering the evidence tomorrow morning at some point.

Okay. Mr. Tooker.

MR. TOOKER: Thank you, Your Honor. The State calls

Gary Parsons.

THE CLERK: Place your left hand on the Bible and raise your right.

GARY PARSONS,

after having been duly sworn, testified as follows:

THE CLERK: If you would, have a seat and state your name for the record.

THE WITNESS: My name is Gary Parsons.

DIRECT EXAMINATION

BY MR. TOOKER:

Q Where do you work, Mr. Parsons?

A Pickens County Sheriff's Office.

Q And what's your rank?

A Captain.

Q What are you in charge of?

A Uniform patrol unit.

Q Have you ever occasion to encounter the Defendants, Mr. Mealor and Ms. Greenfield?

A Yes, sir.

Q And when was that?

A August 28th, 2011.

Q And when you encountered them, where were you, what residence?

A It was on Brandy Lane in the Six Mile area. It was right above -- I think it's 330 Brandy Lane.

Q Were you able to ascertain the primary residence of the Defendants?

A Yes. During the investigation, I was talking to them and all and they told me that they lived at Mr. Mealor's parents' residence at [redacted] in Six Mile.

Q They told you they lived at [redacted] in Six Mile?

A Yes, sir.

Q And when was this?

A That night during when I responded on August 28th, 2011.

Q In August of 2011, they said their primary residence was [redacted] in Six Mile?

A Yes, sir.

MR. TOOKER: No further questions.

THE COURT: Any cross-examination?

MR. NEWTON: Yes, sir.

CROSS-EXAMINATION

BY MR. NEWTON:

Q Do you file a report?

A Yes, sir.

Q An incident report?

A Yes, sir.

Q On your typical incident reports, do you write the names and addresses of the parties involved?

A I did.

Q Okay. What did you write down for Michael Mealor's address?

A I put what was on his driver's license, [redacted]

[redacted]

Q What did you write down for Cynthia Greenfield's address?

A [redacted] in Pickens.

Q Okay. And is there anything in the report that you wrote that said that they lived somewhere other than the addresses --

A Yes, there are. My incident report stated -- the last line there, Mealor and Greenfield stated that they came to the Brandy Lane residence to check on the dogs, but they are living at Mealor's parents' residence at [redacted] in Six Mile.

Q At that particular moment in time?

A Yes, sir.

Q Did they say how long they had been staying there? A day or two?

A I can't answer that.

MR. NEWTON: Thank you. No further questions.

THE COURT: Any additional questions on cross-examination?

MR. JOHNSON: No other questions.

MS. WIYGUL: Just very briefly.

CROSS-EXAMINATION

BY MS. WIYGUL:

Q Officer, there were no charges brought against either Ms. Greenfield or Mr. Mealor as a result of you responding to this address, were there?

A No, there were not.

MS. WIYGUL: I have no further questions.

THE COURT: Redirect?

MR. TOOKER: No, sir.

THE COURT: Thank you for being here, sir. Appreciate it.

Anything further from the State?

MR. TOOKER: No, sir. Nothing further.

THE COURT: Okay. Good enough.

All right. Ladies and gentlemen, you have heard all the evidence that will be submitted in this case. We'll move to argument and charge tomorrow morning.

Just as an administrative matter, I am going to appoint Mr. Green as foreman of the jury.

Congratulations. The roles and responsibilities of a foreperson of a jury are fairly ill defined, but I'll sum it up by saying you have the responsibility of ensuring that everyone in the jury room has the opportunity to be heard, that everyone has a voice. When you go into your

jury room and begin your deliberations, that's y'all's province. I can't encroach upon it, neither can the attorneys or the parties. We can't tell you how to deliberate. We can't tell you what process to follow. And I wouldn't presume to do that. So y'all deliberate in whatever manner that you think is appropriate, however, understand, as I suggested to you, Mr. Green, your job is to make sure that everybody has the opportunity to be heard, everybody has a voice.

Also, if, in fact, there are any questions that need to be posed during your deliberations, you can simply write them down in your handwriting, Mr. Green, and give them to the bailiff and to the extent possible, I'll answer them. I can't all the questions that you pose to me in your deliberations. A lot of times, I'm just not allowed to. And I'm hopeful that after we argue and charge you won't have any outstanding questions. But if you do, you can pose them in your writing and to the extent I'm capable of doing so, I will answer them.

Also, when you have reached a unanimous verdict, Mr. Green, you will, actually, sign the verdict form that I will provide for you at the time of my closing charge on the law.

So y'all have a great evening. I'll see you tomorrow. Please don't discuss the case. Tomorrow night,

maybe you can discuss the case. Tonight, don't discuss the case yet. I'll see you tomorrow at 9:15. Y'all have a great evening.

(WHEREUPON, the jury left the courtroom at approximately 3:31 p.m.)

THE COURT: All right. Ladies and gentlemen, before we go off the record this afternoon, just for purposes of letting you contemplate your closing argument, I do intend to charge the trafficking 28 and above, the trafficking 10 and above, distribution, manufacture, conspiracy because I believe that is what y'all have collectively asked me to charge as lesser included offenses. Am I correct?

MS. WIYGUL: Yes, sir.

MR. TOOKER: Yes, sir.

THE COURT: So I'm going to be here -- because that makes the verdict a little bit more complicated. If y'all need me for anything in the next hour, let me know. If y'all come to any conclusions, let me know and I'll be available for you.

Yes, sir?

MR. TOOKER: One thing, Judge, I think -- and this a personal preference, but when you're listing the potential verdicts on the form, I was thinking in terms of their order, whichever order you start out with, either 28 or conspiracy, I think the appropriate should be -- it should

go 10, manufacturing, this distribution. I think manufacturing is the more serious charge -- it is serious, I believe, for violent for the law, whereas I think distribution is nonviolent.

THE COURT: I had intended that. I had intended that. Did I say it like that or did I say it differently?

MR. TOOKER: You said distribution, manufacturing and I was just asking for a little switcheroo.

THE COURT: Anything else?

MR. NEWTON: Maybe I'm confused, but I think that's the same statute, distribution and manufacturing.

MR. TOOKER: It is, but manufacturing is violent and distribution is nonviolent.

THE COURT: Yeah. And we're talking about for, essentially, listing on the verdict forms?

MR. TOOKER: Yes, sir.

THE COURT: So, essentially, they'll know.

Okay. Good enough. If y'all don't need me today, I'll see you tomorrow, but, again, I'll be here for a little while.

(WHEREUPON, Court was adjourned for the day to be reconvened on Friday, December 20, 2013.)

FRIDAY, DECEMBER 20, 2013

THE COURT: Are we ready for the jury?

MR. TOOKER: Yes, sir.

MS. WIYGUL: Yes, sir.

THE COURT: Let's bring them in.

(WHEREUPON, the jury entered the courtroom at approximately 9:18 p.m.)

THE COURT: Good morning, ladies and gentlemen. Welcome back. We're ready to argue the testimony and charge this morning.

The State will have the opportunity to open, then each defense attorney will have the opportunity to argue, then the State will have the right to close and speak last. Now, as I told you when we first began this case, lawyer's arguments are not evidence. You've heard all the evidence that you're going to hear in this case, so when the attorneys argument, they are just doing that. They are just representing their side, but it is not evidence. You have seen and heard all the evidence and that's what you are to consider. You are not to consider the argument as evidence.

Now, there's one thing I think I need to advise you of and that is when we first began this case and I read the indictments to you, I advised you that Ms. Greenfield and Mr. Mealor were charged with trafficking over 100 grams. That indictment has been amended by the State, so now, the charges upon which the State is proceeding against the Defendants Cynthia Greenfield and Michael Mealor is trafficking 28 to 100 grams. When I give you the charge on

the law, I will talk to you about charges that are outstanding and potentially lesser included offenses as well that you can consider in your deliberations.

So having said that, ladies and gentlemen, we'll begin with closing arguments. We know we've got five arguments. I've already had a discussion with them. I've asked them to be surgical and to the point. I'm sure they will be considerate of your time.

Mr. Tooker.

(Court Reporter Note: Undiscernible portions in closing arguments and charge due to equipment malfunction.)

CLOSING ARGUMENTS

MR. TOOKER: May it please the Court.

Ladies and gentlemen of the jury, I know it's been a long week. I thank you for your time. I want to talk to you about the law very briefly, so bear with me. [Undiscernible]. Finally, the last charge is trafficking methamphetamine over 28 grams. And, again, the elements are the same of trafficking over 10. The only difference is the intended weight, the intent of the parties be more than 28 grams.

Now, this is a conspiracy case. The building blocks of this case are the criminal conspiracy. And the key, as His Honor will instruct you, is intent, criminal intent. In any case, criminal intent is what has to be shown

[undiscernible].

Now, with that being said, I'm going to turn it over to defense counsel so they can make their closing arguments. I will speak to you again at the end.

MR. NEWTON: Ladies and gentlemen, I know this has been a long trial. We do appreciate your attention. This is a very serious case for both sides. In any criminal case, the State has the burden of proof. The defense does not have to prove innocence. It's up to the State to prove guilt beyond a reasonable doubt.

You've heard from many witnesses from the defense in this case, most of which the State has presented. [Undiscernible]. Your memories of it may be different from mine. When the 12 of you get together, you discuss what you've heard and listen to each other's memories.

Some of the witnesses the State presented are facing their own very serious charges. You heard the prosecutor met with them. [Undiscernible]. Almost every one of those witnesses has a long history of meth use. They have criminal records, unlike the Defendants in this case. My client, Cynthia Greenfield, has one incident, the shooting, which was justified in self-defense as the police determined. That's it. In her entire life, no other criminal record as opposed to the people who are making accusations against her. Anybody that tells you

those people are not under a lot of pressure from the State are either a fool or a liar. They are.

Every drug case I've ever been involved in, you have actual physical real evidence. Like drugs, drug paraphernalia, items to manufacture drugs with. There is absolutely none of that, not one little bit of meth. Not one. Not one bit of anything. Where is it? It's not here. It does not exist.

The State is on a crusade here in this case to turn something perfectly legal into something sinister. The only items that have been entered into evidence that are real objects are perfectly legal items, Pseudoephedrine. And you can buy it legally. Y'all can go the store right now and buy some. Anybody can.

You heard a great of testimony what was supposedly being done with this. Where is the evidence? The time of the shooting, the very time in 2011 when this supposed conspiracy was happening. The shooting happened November 10th, 2011. You heard a lot of testimony that that house was swarmed by police officers. They were all inside the house, all out in the yard. You think with that many police officers if there had been anything, any sort of drug manufacturing going on they wouldn't have seen that? All the police officers, not one of them [undiscernible].

You heard some testimony about calculations, chemical

calculations and the amount of Pseudoephedrine it takes to produce a certain amount of meth. And you heard from Office Chad Brooks that you can get all kinds of results. And the ideal controlled lab conditions at SLED where he said he did it one time, he said even under ideal lab conditions, the success rate was 92 percent. He also testified that in the nonideal condition, the success rate is only like 40 to 50 percent. And that's assuming you get everything right. So it's sheer speculation that a certain amount of Sudafed they're claiming is a certain amount of meth. It's not a fact, it's pure speculation. It's getting you to imagine things, imagine the possibilities. Well, that's not your duty, ladies and gentlemen. Your duty is to stick to the actual facts. What might have been done is not evidence of anything that was done factually.

Out of all the people who testified, only one said she, actually, saw meth manufacturing take place. Just one. The very person who is still continuing to do meth. He knows how to cook meth. He is here trying to blame other people. He would love for his charges to be dismissed. That is the only one out of all those witnesses who says he saw meth being manufactured.

A conspiracy requires an agreement to conspire for a common purpose. [Undiscernible]. The State would have

you believe that the Defendants are part of some great conspiracy. There is no evidence that supports that at all. Even if you believe the State's witnesses, all it shows was maybe [undiscernible].

My client, her total purchase was about 78 grams and the same for Michael Mealor. It was, certainly, less than 108 grams. [Undiscernible]. The State wants you to believe that [undiscernible]. The State's theory doesn't make any sense. [Undiscernible]. I wish that I could respond to what he says, what he's going to say, but I do not have the right. He gets the last word, but for what it's worth, it does not make it the right word. It does not make it the truth. Thank you.

MR. JOHNSON: Ladies and gentlemen, I also want to thank you for your participation this week. Y'all have been very attentive.

Ladies and gentlemen, the State opened in this case and they told you they were going to take all these little pieces of the puzzle and in the end were going to have a grand conspiracy of trafficking methamphetamine. Well, I'm still waiting. We're all still waiting. I've yet to see it. They put up a number of witnesses, a number of lay witnesses. There were people that didn't remember. There were people who, at least, and an implied bias. I ask you to carefully consider the credibility of each of

those witnesses. Out of all of those witnesses, you didn't hear one ever testify that my client, Carol Denise Hayes, purchase methamphetamine, used the shake and bake method to make methamphetamine. Not one. Saw her exchange Sudafed for her own personal use of methamphetamine. For that matter, no one testified that they saw her use methamphetamine. Not one person out of all of those witnesses testified they saw my client take [undiscernible] to the back bedroom. You did not hear any of the them say they even saw my client hand Sudafed over to anyone else. They said they saw her take it to the back bedroom.

Ladies and gentlemen, as you can see there [undiscernible]. My client was charged with 28 to 100 grams of trafficking meth. That's what she was indicted for. Lesser included in the case, it will step down to more than 10-grams. My client -- there was one witness that said she saw her take 10 grams to the back bedroom. Not more than 10 grams. The fact of the matter is, she's not charged with illegal purchase of Sudafed. You saw times she was blocked. They can't charged them with illegal purchase of Sudafed every time they were blocked. They were charged with trafficking meth every time they were blocked.

Ladies and gentlemen, we haven't seen one spec of

methamphetamine. There's no physical evidence of methamphetamine in this trial. Not one milligram, much less 28 grams.

They also called a couple of officers with the Pickens County Sheriff's Office. In particular, they did call Agent Blankenship. If you remember, ladies and gentlemen, Agent Blankenship did testify that in November, the same year in which investigation was ongoing, they pulled over one of these co-defendants with several other people that were charged in this. The co-defendant, in particular, that they pulled over, he wasn't arrested. He was allowed to drive the vehicle home. One of the other females in the car, who's not at defense counsel as speak, she was arrested. But yet, you also heard Agent Blankenship later testify that he also made a traffic stop on Tina Mealor. And at that time, they did find a meth lab in the car. She was arrested, but she's not a party to this. They determined that she was not a part of this investigation. Why? Because that's what people told them and all they can do is go off what people tell them. They want you to go off what a lot of people have told you, basically, lay witnesses, it is credible.

We've been flooded with information about Sudafed, Sudafed purchases, what kind of yield this or that makes, all speculation. Again, no methamphetamine lab, no

pictures of any kind, blister packs, cut batteries, Coleman oil, fuel, none of that. We have none of that. We don't even have a spec of meth in evidence.

The bottom line is this, ladies and gentlemen, the State did tell you when they opened they were going to link these pieces together. You have this grand trafficking methamphetamine. It's a big conspiracy. They have not done that. The burden is on the State. It's not our burden to prove innocence. It's their burden to prove guilt. They've not delivered.

I'll give you an analogy and try to close with this. I'm sure we've all made our Christmas list when we were children. And there's probably been a time, if you were anything like myself, you asked for everything under the sun. I remember sitting on Santa Claus's lap making out my Christmas list. You usually had that one special gift you were really, really wanted. And you were waiting. You couldn't sleep on Christmas. You fell asleep probably about 5:00 in the morning on the couch waiting on Santa to come down the chimney. You were excited about that one special gift. You just knew you were going to get it. You just knew you were. Then you got up, guess what? It wasn't there. My mother always told me in situations like that, mind your manners, be satisfied with what you got and you be quiet.

I'm all for that at Christmas time. But, unfortunately, this isn't Christmas we're talking about here. We're talking about these three individuals' rights here. It's not about being satisfied with what the State's giving you. Satisfied you get just enough and you say okay. We're talking about beyond a reasonable doubt. The State's got to prove beyond a reasonable doubt. Judge, His Honor will instruct you as to his definition of beyond a reasonable doubt. When you get that definition and your charge of the law and you look at the totality of the evidence, you will come back, I feel confident, that my client, Carol Denise Hayes is not guilty of trafficking 28 to 100, 10 to 28 or any amount of methamphetamine. Thank you again, ladies and gentlemen.

MS. WIYGUL: I just want to briefly reiterate something that Mr. Newton said. These aren't cartoon characters. This case is not a joke. It's not a laughable mater. These are real people and we're talking about their lives.

I do want to briefly go through what some of the State witnesses said. And, unfortunately, I'm going to have to go back to my law school days because my memory is not good enough to keep all those witnesses straight. You first heard from Rebecca Crisp. And she told you her children's ages are 10 and nine and they are her first

priority. And she admitted that she had a drug problem. Then we heard from Steven Hurley. You remember Mr. Hurley. He was a disabled vet. He was heartbreaking. Throughout his testimony, Mr. Tooker told him this is what happened. Mr. Hurley said okay, that's what happened. The prosecutor asked him what he had seen at [redacted] and he told you he had seen cockroaches. That's what he saw at [redacted]

Kelley McCall told you she hoped the State would cut her a deal. She has children in her home. She lives with her sister. Amanda Armstrong, she said methamphetamine keeps you from sleeping and you don't think right. I think after this trial, we all have a real good understanding of the effects of methamphetamine. They're scary. She told you if the government said it, it must be the truth. Her sister, Angela, she told you meth affects your memory bad. Both of them said they were spending two to three days a week at this house with their cousin because they got their methamphetamine from Mr. [Undiscernible]. He's not part of this case. Melissa Wardlaw told her lies even though she didn't think it would go this far. She's mad Cynthia shot her boyfriend. Thomas Rooney admitted to lying previously to the police trying to get someone charged with a felony. He said it been a few weeks since he smoked meth.

Billy Miller has been doing meth over 15 years. He's got five failures to comply with court orders over a period of six years. But after he spoke, Agent Blankenship let him sign his own bond. You heard Michael's testimony. He had to sell his house to post him and his mother's bond. They don't have criminal records. Lauren Summerall has a pending drug charge in addition to this trafficking charge. She, obviously, knows something we don't. Michael Hayes was another witness that told you if the government said it, it must be true. Captain Chad Brooks, the State's expert in this case, told you he would expect pictures of evidence of a methamphetamine lab. He told you that both he and Agent Blankenship have that capability on their phones. He told you that he has never went to look at [redacted]. Then we heard from Agent Blankenship, who's never been to [redacted]. He's never even been there. He talked to Tina Mealor, [undiscernible] and he's the lead investigator.

Before the trial started, Mr. Tooker stood right here where I'm standing and he told you credibility is key in this case. Focus on the credibility. This is a case of equations. Credibility is key. But now, this is a case of circumstantial evidence. It's about the circumstantial evidence. It's not about credibility anymore. Not after those witnesses. He didn't deliver what he promised. He

promised to prove that Michael and Cynthia were guilty of trafficking meth over 100 grams. He promised to prove that Denise was guilty of trafficking methamphetamine over 28-grams. [Undiscernible].

Now, the Judge is going to tell you to use your common sense when deliberating. I'm ask that you do the same thing. If someone picks up some seeds, the seeds [undiscernible]. If someone that doesn't know what they're doing tries to build a car with bad parts, the car isn't going to start. If someone just goes out and tries to build a house and they use rotten wood, the house is going to fall down. [Undiscernible].

Well, this case has not been investigated properly. And the evidence is faulty. I'm asking that you find Michael Mealor not guilty on all of the charges that the State has presented to you. Thank you.

THE COURT: Mr. Tooker.

MR. TOOKER: Thank you, Your Honor, may it please the Court.

THE COURT: Yes, sir.

MR. TOOKER: Hello again. I want to first address a couple of things Ms. Wiygul said. Why reduce the charges? We start off with over 100 grams, now we've got 28 grams. She said scattered, shot gun approach and that is not the case. It is the case that we thought that that was

appropriate given the totality of the circumstances and the amount of punishment that the Defendants were looking at based on the charges as they were at over 100 grams. So that's what we call mercy. That's what we call understanding. To characterize it as anything other than that, I believe is inaccurate.

The second thing she talked about well, now there's all these charges, the scattered shot approach. Lesser includeds are something they have to consent to. It doesn't just happen. They're here because they want them here, too. They're here because they're hoping you're not going to be convinced of one of these bigger charges, maybe you would put them on the books for a small charge. So don't get confused and think this is some sort of tactic by the State to somehow subvert justice because it's not. This is part of the process. It's something that they're well aware of and any characterization that it's not is false.

And Ms. Wiygul also said well, we changed our theory. Said now it's all about intent and before we said it was all about credibility. It is still all about credibility. Every case is all about intent. There's not a criminal case in the world that's not about intent. Intent is the cornerstone or the keystone of criminal charge. Credibility is key because in any case where you're

relying on witnesses to say something happened, you have to evaluate their credibility and determine whether or not what they're saying makes sense given what they've told you. That's credibility. Credibility is, is that logical and it is reasonable and does it sound like the kind of thing that person might say?

Now, I was well aware of the cast of characters we had in this case. I mean, like you heard, I met with all of them before trial. And despite that, I told you credibility was key. And why would I say that knowing that we've got Steve Hurley taking the stand with his eyes like this and his teeth rotting out from meth? I mean, why would I say that knowing these people are the people that we're basing our case on? Because birds of a feather block together. Because you're not going to have a meth conspiracy case with your church deacon and your school principal and your best friend from high school. That's not going to be the individuals who are purchasing Pseudoephedrine and providing it to meth cooks. Who's going to buy Pseudoephedrine and give it to meth cooks? Meth addicts. Meth addicts who need meth. Meth addicts who are so desperate for another high that they have to purchase Sudafed and provide it to people who can then manufacture methamphetamine out of that Sudafed.

Now, I notice the defense didn't really want to talk

much about these records, but I do because I do think they are, in fact important. You've got the records of Mr. Mealor. Of course, as you've seen, Mr. Mealor was blocked purchasing Sudafed multiple times. Multiple times attempted to violate the law of the State of South Carolina and because of precautions that we have in place, he was not successful in violating the law.

Who is that also true for? Ms. Mealor. Now, we heard talk of some parties who did not testify, one of which was Jason Eric Mealor. Jason Eric Mealor bought some 40 grams of Sudafed. Jason Eric Mealor, who was he implicated by? Melissa Wardlaw, his girlfriend. Who else was he implicated by? The defense, there was some talk about, well, he and Melissa would make meth. He and Melissa were the ones making meth on [redacted]. Maybe. Maybe they're making meth, too. They are part of this conspiracy. If they're making it and they're making it and everybody's making meth, it makes it no less of a conspiracy and it makes these parties no less culpable.

There was Amanda Hurley. Amanda Hurley testified about herself and her husband, Danny, and that they purchased Sudafed. They purchased that Sudafed and they gave it to Mr. Mealor and Ms. Greenfield. There is the Defendant Amanda Hayes. Now, I want y'all to look at these pictures of her. You'll have it back there. And

look at her now.

Now, I'll say I think there are two tiers of culpability with regards to the regards to the --

MR. JOHNSON: Your Honor, I believe he referred to her as Amanda Hayes.

MR. TOOKER: Oh, excuse me. I apologize.

Carol Denise Hayes.

Thank you, Mr. Johnson.

I think there are two tiers of culpability. You can look at these parties and you can say we have the serious addict and you have a couple of folks [undiscernible]. Michael D. Hayes, her ex-husband, testified of all the Sudafed he purchased in 2011, all of it went to these parties. All of it went to these parties. And every time he bought it and gave it to them, what did he get? He got meth. And when did he say he got it? Did he say we had this big elaborate meeting or we worked all this stuff out? No. He said we talked in the parking lot the day he testified. I ran out to the parking lot, I said hey, can I talk to you real quick. And I talked to him and then he left. There's no coercion. There's no force. There's no threat. There's no promise.

There was Steve Hurley. He said he was a vet. Look at his driver's license picture, then remember the man that you saw on the stand. Who is that man? He's someone

in horrible, horrible shape because of his addiction. And this case is about people like him. People like him.

Kitty Hurley, Daniel Hurley's mother, Amanda Hurley also testified that Kitty purchased Pseudoephedrine with them. I called Louise Mealor to the stand, Michael Mealor's mother and Carol Denise Hayes' mother. And I called her specifically so y'all could see what happens when an innocent party is taken advantage of by people like the Defendants. Somebody who's like I want to help my son. I want to do what I can for him. And what she says is yeah, I would buy him some Sudafed because he has sinus problems. I'm sure that's what he told her. That woman knows nothing about making methamphetamine. That woman knows that she loves her son and wants to help take care of him. He took advantage of that position.

Now, Melissa Wardlaw talked about a bunch of parties involved in this case, one of whom is Brandon Hayes. Melissa Wardlaw also testified -- well -- yeah, she was giving all of that Sudafed to him and she was getting weed and she was getting money and she was getting cigarettes in exchange. But no, she didn't know he was making meth. Remember what she said when she talked about Tommy Blankenship. She said when she was interviewed by him, she told him that she was giving them Sudafed so they could manufacture methamphetamine. When was this

conversation? This conversation was some four or five months before she was charged. What reason would she have to change what she said back in 2011 versus after she's charged? All of a sudden, the fact that she purchased Pseudoephedrine and gave it to them with intent, with the knowledge that they were going to make meth. She said, I'm in trouble. I'm part of this conspiracy. I'm as guilty as they are. I'm as culpable as they are. So she's going to get up here and say I did give them all that Sudafed and I gave that Sudafed for all the stuff I said I did and all those other people who I said gave them Sudafed, yes, they gave them Sudafed, too, I just didn't know it was for shake and bake. Why would she even use the term? She used the term shake and bake with Tommy Blankenship, but no, she doesn't know anything about making meth. She implicated Ms. Susan Reese, who I don't think we need to talk about.

Rebecca Crisp took the stand and Mr. Johnson hit on something. Ms. Crisp is the only party who implicates Ms. Hayes in this conspiracy other than the records. So when you have these records and you're back there deliberating and you're examining the purchases and purchase dates, I think it's important to note the dates that Ms. Hayes was blocked and the dates that her purchases coincided with other co-defendants' purchases. And I'll talk about that

in a little bit.

But, also, what did Ms. Crisp say? She said she gave Ms. Hayes Pseudoephedrine in exchange for Xanax. Right? If I need Sudafed because I've got allergies, am I going to give somebody prescription medication that may abuse it in exchange for that Sudafed? Does that make sense? Or does it make more sense that you give them something that they can't legally purchase because you can't legally purchase that thing you want because you've got to do something illegal with it.

Angie Armstrong and Kelley McCall, a pair of sisters, a pair of meth addicts. And, honestly, I think a couple of the most honest people that we've seen all trial. I mean, they were honest about their addiction. They were honest about the fact that they don't want to be in trouble. And I'll say, I agree with these parties, everybody who testifies doesn't want to be in trouble. I mean, everybody who testified I'm sure is open for some kind of deal, but they had not been promised anything in exchange for their testimony. What they did is they got up there in good faith and said what they knew.

Now, they could have said yeah, I was buying Sudafed and giving it to so and so so they could manufacture it or so and so so they could manufacture meth. We are here because everybody said they were giving Sudafed to these

parties. Everybody said they're giving Sudafed to these parties and getting meth. Did not say they're giving Sudafed to other people and we're trying to them in. This is a case where everybody who took the stand said that stuff went to them.

Billy Miller. I mean low life, no doubt. If I saw that guy coming down an alley at night, I'd be a little worried. It does not make him a liar with regards to the Sudafed he purchased and gave to these people. Again, like I said, the thing that makes these people credible is the fact that they are low lives, the fact that they are addicted to methamphetamine and are willing to do whatever they can to get their next fix.

Thomas Rooney, the brain-damaged, half-tongued guy who said yeah, I saw them making methamphetamine at this residence, who's had a meth addiction since the '90's, some 15 years, who just recently relapsed. He was all real candid about all that with you. And I'm sure, you know, Ms. Wiygul is right, he's probably made meth before. This is what meth addicts do. Meth addicts manufacture methamphetamine and they also help other meth addicts manufacture methamphetamine.

Finally, there was Lauren Summerall. And Lauren Summerall talked about herself and her husband, Curtiss, and said both of them purchased Sudafed a few times and

both of them gave all their Sudafed to the Defendants in this case. They gave the Sudafed to these Defendants in exchange for meth because they're both addicted to meth.

Now, like we said, it is a case based on the intent and is a conspiracy case. But we heard the defense keep talking about grand conspiracy, grand conspiracy. I'll say the best analogy anybody ever told me about conspiracy is one that has to do with a pretty famous company. And that's Apple. And I've got an Iphone. Apple manufactures a product. Apple is based on California. They manufacture a product in China. They've got people who manufacture widgets that go into that product all over the world. They make that thing and they bring it back to the United States and it's shipped and it's sent to Verizon and it's sold to me and I purchase it. And every single person in that chain is a co-conspirator in the conspiracy to distribute Iphone. Apple Corporation, they're co-conspirators. You can call them the cooks. FedEx or whoever it is that ships the product, they're a co-conspirator. Any of the suppliers who give them things that they rely on in manufacturing the product, they are a co-conspirator. All these parties are co-conspirators in the conspiracy to make a product.

So in a meth case, a conspiracy to manufacture meth case, your co-conspirators are going to be at varying

levels of culpability. You're going to have cooks. You're going to have people who know the cooks and know the cooks are cooking and giving the stuff to the cooks so they can get meth. You're going to have people who think that might be going on, but really want meth. And you're going to have people, like, for instance, Louise Mealor, who have no idea what's going on and are being taken advantage of by the cooks. No matter what, they are part of the conspiracy and it makes the conspirators no less guilty for that.

I said at the beginning, too, this is going to be a case of calculations. And the first calculation that y'all have to determine is who is involved in this case. Now, I've said who I think is involved. Y'all are going to have to determine who you think is involved. You might say I don't buy that person's testimony or I don't believe that that person was involved in this case. And that's your prerogative. But you'll have to calculate that in your deliberations. It's my contention that all the parties are involved, with the exception, of course, of Ms. Mealor, Louise Mealor.

You're also going to have to calculate how much Sudafed was purchased and when. And that is why we included those summaries in addition to the records as provided by NPLEX.

So let's look at how much Sudafed everybody purchased. And I took this from the testifying individuals. So if they did not testify, I did not include them with the exception of Mr. Curtiss Summerall. And you'll notice Curtiss Summerall and Louise Mealor are both in italics and that's because I did not include them in my total calculation of these amounts. You'll see on the left hand side the amount of Sudafed purchased by each party. Crisp 10 grams, Hurley 30 grams, McCall 17 grams, Wardlaw 40 grams, et cetera. Then on the right, you'll see how much each person was to have received pursuant to their testimony. So Ms. McCall said everything that I bought I gave to Mealor and Greenfield for meth. In parenthesis, what do we have, what they received. They received meth. Ms. Crisp said I gave 10.8 grams to Ms. Hayes for Xanax. Angie Armstrong, everything I got, minus a 1.2 gram liquid form of Pseudoephedrine that I purchased for my child, all of that -- and that's something interesting, too. And that's something that I think is important when it goes to credibility. You know, they're tacking them on, they can't remember, they can't remember, they can't remember. She said -- she looked at those six purchases in 2011 and she said, five of them went to them, but the one I know didn't was the liquid form that I bought for my child. That's a very specific memory.

That's the kind of thing you don't make up if you're making up a lie. You just say oh, yeah. She says 11.4 grams went to them for meth. Wardlaw says half of what I bought, 72 grams, went for meth. Rooney said two boxes --

MR. JOHNSON. Your Honor, I have to object. This is a misstatement of what Ms. Wardlaw said.

THE COURT: I will tell the jury, you heard the testimony. If any of the attorneys' arguments differs from the testimony as you remember it, then you rely on your recollection. The attorney's arguments are simply arguments. It's not evidence to be considered by you. So you rely on your own recollection of what the evidence was in this case.

You may continue.

MR. TOOKER: Thank you.

Lauren Summerall, 7.2 grams, everything she bought went to them. Billy Miller, everything he bought went to them. Michael Hayes, everything he bought went to them. Amanda Hurley, about half of what she bought went to them. And what they got in return? What did most of these people get? Meth. Some of them got marijuana, money, cigarettes, but everyone got something in exchange for purchasing a legal product for these people.

Total on Mealor pursuant to this testimony, 164.64 grams of Pseudoephedrine. On Greenfield, 179.76 grams of

Pseudoephedrine. On Hayes, 7.8 grams.

Now, how much did each of these parties purchase themselves? Mr. Mealor purchased 69 grams. Ms. Greenfield purchased 68 grams. Ms. Hayes purchased 70 grams. Their subtotals added up with the amount that was put on them by the testifying witnesses, what do we have on Mr. Mealor, 243 grams, Ms. Greenfield, 248 grams, and on Ms. Hayes 80.88 grams. So that's the first calculation, the first mathematic calculation. How much weight of Sudafed can we put on them?

Now, the next calculation, and this is the one that I think they attacked most wholeheartedly during the court of the trial, is how much meth are you going to get out of that Sudafed? Now, I believe -- this is our potential yields. Chad Brooks testified that if you're not cooking so good, you might get 40 percent. If you're the best cook in the world, you might get 90 percent. It's the State's contention that well, if it's the intent of these parties to manufacture meth, then it's their intent to manufacture as much as possible. If it's 40 percent, what's 40 percent of 164 grams? 65 grams. That gets you to the threshold of over 28. If it's 50 percent, 82 grams. 98 at 60, 115 at 70, 131 at 80, 148 at 90. And that's just based on what the testifying co-defendants put on them.

Let's look at including the amounts that they purchased in 2011. At 40 percent, they're almost at 100 grams -- or Mealor's almost at 100 grams. At 50 percent, he's 117, 140 at 60, 163 at 70, 187 at 80 and 210 grams at 90 percent. Now, they mentioned again the fact that we reduced the charge. The reduction is not based on our ability to prove the case. The reduction is based on our concern and our concern that if they are convicted that they are punished fairly.

Ms. Greenfield, what do her numbers show? At 179 grams that's put on her by the testifying co-defendants, 71 grams at 40 percent, 71 grams of methamphetamine, 89 grams at 50 percent, 107 grams at 60 percent, 125 grams at 70 percent, 143 at 80 percent and 161 grams at 90 percent. If we include what she bought, it's more, of course, and it's well over 28 grams.

Carol Denise Hayes, at 10.8 grams, no matter how good a cook they are, you cannot get her over 28 grams. Cannot get her there. You would have to include the amount she purchased for herself to get to the threshold. So with Ms. Hayes, if you want to convict her for trafficking over 28 grams, then you have to believe that what she purchased also went to the manufacture of methamphetamine. And if you do, then even at 40 percent, she's over 28 grams.

Now, like I said, credibility is the key.

Credibility is something you've got to base on what these folks say. But I'll say, in determination of credibility, what is more credible? Is it more credible that these people are purchasing Pseudoephedrine and giving it to the Defendants for meth or is it more credible that this is just one horrible coincidence? That this is just the worse set of facts in the world and it's just a terrible thing and there's just a lot of bad luck floating around?

You've got to calculate the circumstances that indicate there was a methamphetamine cook. We talked about the mathematical calculations. You've got to calculate what showed you there was a meth lab. The smell. We've got a lot of cats. Just so happens they bought a lot of Sudafed and there are a lot of cats at that house. Okay. They called a girl, the high school girl, to testify. She testified that she didn't see them doing meth, but she testified there was smoke coming from the property in 2011. Their own witness. Their own witness, a girl who had no reason to lie. What else did she testify to? She didn't see them doing meth, but she did see them smoking marijuana. Their witness. Our witness, yeah, they told us they were making meth. They told us they could make it cheaper, make it cleaner. They said that they were doing this, so we gave them the Sudafed for them to manufacture. How did the transaction

work? Usually, we would give them the Sudafed and then we'd get a 20 to 40 bag of meth. [Undiscernible] more than a gram, maybe two grams. They are sucking off of these people. [Undiscernible] don't think that we don't take it seriously, because we do. Testimony that there was a shake and bake at the house. There were bottles all over the place, two-liter bottles. Testimony of glass bottles blow up. What did Chad Brooks say? Why would it blow up? [Undiscernible].

THE COURT: All right. Ladies and gentlemen, it's time for me to give you the charge on the law. We're going to take a five-minute break. When we come back in, I'm going to give you a charge on the law. Don't discuss the case yet.

(WHEREUPON, the jury left the courtroom at approximately 10:54 a.m.)

THE COURT: Okay. Let's take a short break. We'll come back in and I'll give the charge.

(WHEREUPON, a short break was taken.)

THE COURT: Before we went on the record, we were talking about section 44-53-398 and there had been originally a request from the defense to charge that portion of the law under the theory that that statute stands for the proposition that there must be an electronic signature attached to the purchase or incident

to the purchase of any Pseudoephedrine. And although the first portion of the statute does, indeed, require an electronic signature, there is an additional exemption which exempts any and all pharmacies who don't have a point of sale system to accommodate the electronic signature.

So although the defense would move to exclude the evidence based on the lack of an electronic signature and furthermore, have the law read into the record, the position of the Court is it is not an absolute requirement under the law in the State of South Carolina for there to be an electronic signature because there are exceptions. I am not going to charge that on that basis because it is not an accurate recitation of the law to say absolutely that there must be an electronic signature. Therefore, I wouldn't exclude the evidence on that basis and I'm not going to charge the law on that basis because at this point, given the evidence that's been presented in this case, it is a superfluous and gratuitous bit of law. It will only serve to confuse the jury in their deliberations and I don't intend to do that. Let me make it very clear on the record that I am not refusing to charge that bit of law because the attorneys didn't argue it. It has absolutely nothing to do with that. It has to do with my understanding of the statute and the specific verbiage of

the statute in total.

(WHEREUPON, the jury enters the courtroom at approximately 10:50 a.m.)

CHARGE

THE COURT: Ladies and gentlemen, it is time for me to give you the facts on the law. Now, at the very start of this case, I told you what your job was as jurors. You are the finders of the fact. But I also distinguished my role as the judge of the law. Under your oath, you swore you would accept the law as I charge it to you, which means that if you come into this courtroom with any opinions of what the law is or what you think the law should be, I'm going to ask to disregard that and you accept the law as I give it to you.

Now, you all are the judges of the facts and I am the judge of the law. Now, what your job is is decide whether the State has met their burden of proof. Now, I'm going to state to you again what I've told you several times and that is [undiscernible]. The presumption of innocence is not just a legal theory. It is the bedrock of our criminal justice system. And the Defendants in this case are innocent until such time as the 12 of you determine that the State has met its burden of proof by proving every element of each offense beyond a reasonable doubt. Now, when you go into your jury room, you will have separate verdict forms.

So you are going to consider each Defendant, each charge separately and independent from one another, which means that each one is a separate and distinct case. So if you were to find one Defendant not guilty, that doesn't mean that you have to find the other two or one not guilty. And by distinction, if you find one guilty, it doesn't mean you have to find the others guilty. You will look at each charge on each Defendant independently and determine whether the State has met its burden of proving each and every element of the offense beyond a reasonable doubt.

[Undiscernible].

Now, you may have been or you may have heard in other cases where you have [undiscernible]. And in criminal cases the burden of proof is beyond a reasonable doubt. Now, proof beyond a reasonable doubt is that proof which leaves you convinced of the Defendants guilty. However, understanding there are very few things [undiscernible] you feel there is a real possibility that the Defendants are not guilty, you must find the Defendants not guilty of the offense.

Now, ladies and gentlemen, in this case, you will note that Ms. Hayes elected not to testify. Under the Constitution of United States and the State of South Carolina, everyone has the right, the constitutional right to remain silent, which means that no person is required to

do, say or prove anything in a criminal court of law. She has elected to exercise that right. That is her right. You cannot hold that against her. As a matter of fact, it is so sacred that not only can you not hold it against her, you can't consider it. You can't even discuss it in your jury room because that would be inappropriate if you were hold it against someone who simply chose to exercise a constitutional right that we have all enjoy.

Now, you're going to take a look at all of the evidence in this case and you're going to weigh that evidence and you're going to decide what's important and what's not important. You're going to take pieces of evidence and you may decide that they're very valuable. You're going to take other pieces of evidence and discard those. In analyzing that evidence, you're going to look at the witnesses and determine who was credible and who was not credible. You and your own common sense determine who was and who wasn't. You can look at the witnesses who took the stand. And you can look at what they said, the way they said it, their mannerisms and their body language, what they may have had to gain or what they may have had to lose to determine whether you believe them or not. You determine if they had a bias one way or the other. That's all up to you. No one can tell you what to do or who to believe. You will decide who's credible or who's not. You will look at that

testimony and decide what to believe and what not to believe. So you can take a portion of a witness's testimony and find it very credible, then decide that another portion of that same witness's testimony is not credible. Again, that is entirely up to you. You are the fact finders in this case.

Now, I tell you again, you were charged about expert witnesses earlier. And I told you that an expert witness is someone who by virtue of his or her training, education or experience is allowed to testify as an expert. [Undiscernible]. You consider their testimony just as you would any other evidence or testimony in this case. [Undiscernible].

In this instance, you may have a heard of a criminal conviction of a Defendant. Again, that can only be considered toward whether or not they are credible. It cannot be considered as proof that the Defendant may have had the propensity to commit this crime. It can't be considered for that. It only goes to the believability. That is only purpose for which you can consider that testimony.

Now, ladies and gentlemen, in order to establish criminal liability, criminal intent is required. Criminal intent must be proven by the State beyond a reasonable doubt. Criminal intent is always a matter that must be

determined by the jury from the circumstances surrounding the situation. There's no way to prove intent to a mathematical certainty. Criminal intent may be inferred from the circumstances shown to have existed. This is how you make a determination of whether or not an element requiring intent was present. It is not necessary to establish intent by direct positive evidence, but intent may be established by inference in the same way as any other fact by taking into consideration the acts of the parties and all the facts and circumstances of the case. Criminal intent is a mental state, a conscious wrongdoing. It is up to you to determine what the Defendants intended to do based on the circumstances shown to have existed.

Now, ladies and gentlemen, you've received evidence in this case that was both direct and circumstantial. Evidence will always take one of those two forms, direct and circumstantial. Direct evidence is that evidence which immediately establishes the fact to be proven. Circumstantial evidence is proof of collateral facts which are taken together to prove the main fact to be proven. Those are nice definitions. I'm going to give you examples which hopefully will conceptualize it a little bit better for you. Say, on January 1, you're in your house, you're in your apartment. You walk past the front window as you're going to bed. You look across the parking lot or your front

lawn and you see it's clear. No precipitation. When you wake up the next morning and you look out that very same window and you see that there's a blanket of snow which is covering the parking lot or the ground. And you see in that snow footprints which lead to the front of your house and then lead away. Now, you've got the evidence that it snowed that night. You can feel it. You can pick up. You can feel it. You can taste it. You can sense it. It's right there. You got it. The evidence is right there. But you've circumstantial evidence that someone early that morning or during the night came to your door. They're not there and you can't have a conversation with them, but you know that because of those footsteps and the time span in which that snow fell someone must have come to your door. That is circumstantial evidence.

Now, there's no distinction to be drawn between direct and circumstantial evidence. You decide which evidence you believe. The law makes no distinction between direct and circumstantial evidence. You decide what value it has. A crime may be proven by circumstantial evidence. The law makes no distinction between the weight or value you give to circumstantial or direct evidence. [Undiscernible]. However, to find for the State, all of the circumstantial evidence must connect with each other and when taken together point exclusively to the guilt of the Defendants

beyond a reasonable doubt. [Undiscernible]. The State has the burden of proving the Defendants guilt beyond a reasonable doubt. [Indiscernible].

We're getting close to the end. As you know, ladies and gentlemen, in this case, the State has charged all three Defendants with trafficking 28-grams and above. So I'm going to read to you the law with respect to trafficking. Thereafter, I'm also going to read to you the lesser included offenses that you will be able to consider in this case.

So, the first case in which all the Defendants are charged with is trafficking. The Defendants are charged with trafficking methamphetamine. In this case, the State must prove beyond a reasonable doubt that the Defendants knowingly sold, manufactured, cultivated, delivered, purchased, brought into this state, provided financial assistance or otherwise aided, abetted, attempted or entered into a conspiracy to sell, manufacture, cultivate, deliver, purchase or bring into this state, was knowingly in actual or constructive possession, knowingly attempted to become in actual or construction possession of methamphetamine. The State must also prove beyond a reasonable doubt that the methamphetamine was 28 grams or more, but not less than 100 grams.

Now, ladies and gentlemen, if you decide, if you decide

that the State has not proven their case beyond a reasonable doubt with respect to the weight of 28 grams of methamphetamine [undiscernible], then you may consider as a lesser included offense the offense to trafficking 10 to 28 grams.

Now, I defined for you trafficking. And I don't intend to read it again, but I will tell you it is the exact thing, except for the weight. So if you decide to consider or if you consider trafficking 10 to 28 grams, the burden of proof is the same with respect to trafficking, but the weight would be different. And the State would have to prove beyond a reasonable doubt that the amount of methamphetamine was between 10 and 28 grams.

Now, ladies and gentlemen, if you decide that the State has not met its burden of proof with respect to trafficking either 28 or more or with respect to 10 to 28, then you may consider the lesser included offense of manufacturing methamphetamine. Manufacture means to produce, prepare, convert, process, plant, cultivate, grow or harvest a drug naturally or chemically. Manufacturing includes packaging or repackaging of the drug or labeling or relabeling of the drugs container. Again, ladies and gentlemen, with respect to manufacture, all of the elements of manufacturing methamphetamine must be proven beyond a reasonable doubt by the State.

If the State does not prove beyond a reasonable doubt by your estimation and by your analysis, then you may consider distribution of methamphetamine. The State must prove beyond a reasonable doubt that the Defendants distribute methamphetamine. Distribute means to deliver or to actually, constructively or attempt to transfer a drug other than by administering or dispensing. Deliver means to actually constructively or attempt to transfer a drug. A transfer can involve an exchange for money, a barter or a gift. There does not have to be anything given in exchange for the drugs for a transfer to constitute distribution.

Ladies and gentlemen, if you determine that the State has not met its burden of proof with respect to any of the previous charges that I have defined for you, then you may consider conspiracy. The State must prove beyond a reasonable doubt that the Defendant combined with one or more persons for the purpose of committing an unlawful act or of committing a lawful act by unlawful means, there must be a mutual understanding, agreement or common intention and plan. Mere passive knowledge or consent to the criminal conduct of another is not enough to make a person a conspirator. There must be guilty knowledge and participation. Similarly, the fact that the Defendant may have associated with another person or met with another person and discussed common aims and interests does not

necessarily establish proof of the existence of a conspiracy or that the Defendant was involved in a conspiracy. On the other hand, it is not necessary that the agreement be a formal one, that it be writing, that the persons hold a meeting and expressly state the terms of the common plan or that the agreement be stated in words between them. The agreement of a criminal conspiracy may come into being through an implied mutual understanding. The willful, intentional and knowing adoption by two or more persons of a common plan is sufficient. No overt acts need to be shown to establish a conspiracy. A conspiracy may be shown by circumstantial evidence and the conduct of the parties. In order to convict the Defendants of conspiracy, the State must prove beyond a reasonable doubt not only that the Defendants knew of the unlawful conduct, but that the Defendants agreed to combine with other persons for the purpose of accomplishing the unlawful conduct.

Ladies and gentlemen, I'm going to go over the verdict forms with you briefly. These are the verdict forms which I'm going to give to you and they should coincide with the charge that I just gave you and the definitions that I just gave you on the law. You will see there are three verdict forms. There is a verdict form for each Defendant in each case. As I told you, you need to consider them independent of one another. So you have three separate verdict forms

and you must consider all of them distinctly and separately. You will see on each of them it says, we, the jury, unanimously find the Defendant, then you have all of the Defendants in descending order, which includes all of the lesser included offenses that I have defined to you.

So the first one says guilty of trafficking methamphetamine or if you find that the State has not met their burden of proof of trafficking methamphetamine 28 grams or more, then you would consider guilty of methamphetamine 10 to 28 grams. If you find that the State has not met its burden of proof, then you may consider manufacturing methamphetamine. If you find the State has not met its burden of proof to your satisfaction, then you may consider distribution. If you find that the State has not met its burden of proof with respect to proving each and every element of the offense of distribution or the other charges, then you may consider criminal conspiracy.

Once the jury has come to a unanimous verdict, then Mr. Green, you simply sign it, let the bailiff know that the jury has reached a unanimous verdict. Now, it's important to tell you that it must be a unanimous verdict. All of you must agree on the verdict. It can't be 11 to one or 10 to two, you all must agree on the verdict. Also, know that your verdict must be based on the evidence that was presented in the trial and the law that was charged to you.

It can't be based on anything or consideration from outside of this courtroom. It can't be based on passion, prejudice, or bias. It has to be based on the evidence that was presented in the courtroom.

So, I'm going to send you back to your jury room. What I'm going to do is I'm going to give the attorneys an opportunity to take exception to what I've said, that is correct a matter of law that I may have misstated or to ask me to charge you something in addition that I may have left out. So for the immediate time being, please don't discuss the case. But if my charge was satisfactory and I don't need to bring you back out to correct something or add something, then I'm going to send the bailiff back with the verdict form and the evidence presented in this case and you may begin your deliberations. But don't begin until I send this back. Thank you.

(WHEREUPON, the jury left the courtroom at approximately 11:12 a.m.)

THE COURT: All right. Any exceptions to the charge?

MR. TOOKER: None from the State, Your Honor.

MR. NEWTON: None from me, Judge.

MS. WIYGUL: None from me, Your Honor.

MR. JOHNSON: None, Your Honor.

THE COURT: Thank you. I'll congratulate all of you for having tried an excellent case. It's very nice to

have attorneys who are civil and prepared and professional. I, certainly, appreciate it.

I also commend all the parties to the case as well. You all conducted yourselves very well. And I thank you for that. I don't know how the trial will turn out, but I congratulate you all on having tried an excellent case and having conducted yourselves both personally and professionally very well.

Y'all do an inventory of the exhibits and if they're all there, give them to the bailiff to send back to the jury and they will get started.

(WHEREUPON, the jury began deliberations at approximately 11:15 a.m.)

THE COURT: Okay. Let's go back on the record. There is a motion from defense counsel to read realize compensation greater than the allotted amount because of the time incident to trying and representing these clients, so I'll be happy to hear from one or all of you.

MS. WIYGUL: Your Honor, I believe I speak for all of us in stating that this trial did involve the potential for more than 40 witnesses, involved trying three co-defendants, required excessive amounts of investigation and research in preparation for trial as well as the trial, including jury selection and qualification lasting for five days.

THE COURT: Anything in addition, Mr. Newton, Mr. Johnson?

MR. NEWTON: I agree with her.

MR. JOHNSON: I agree with her motion.

THE COURT: I'll grant your motion. I do find that as a matter of fact that this did take an inordinate amount of time and there were a significant amount of witnesses and not witnesses, which were necessarily easy to talk to and communicate with. We have tried it, essentially, all week long. It involved multiple defendants and, ultimately, multiple charges as well. So I think it's appropriate and I will sign the order.

MS. WIYGUL: Thank you, Your Honor.

(WHEREUPON, Court was in recess awaiting a verdict.)

THE COURT: Okay. We have everybody back. Are you waiting for anybody, Mr. Tooker, or are you ready to go?

MR. TOOKER: I'm ready to go, Your Honor. If you'll bear with me, I'm writing down all of the potential CVR codes and statutes just so I have them on hand.

THE COURT: That's okay. Regardless of what happens, before I release the jury, I'm going to talk to them anyway, so you'll have five or 10 minutes to prepare anyway.

MR. TOOKER: Yes, sir. Thank you.

THE COURT: Are we prepared for the verdict?

MR. TOOKER: Yes, sir.

THE COURT: Tell them we're ready.

(WHEREUPON, the jury enters the courtroom at approximately 12:44 p.m.)

VERDICT

THE COURT: Mr. Green, has the jury reached a unanimous verdict with respect to all three Defendants, sir?

THE FOREMAN: We have.

THE COURT: Will you give the verdict form, sir, to the clerk of court?

You may publish the verdict, sir.

THE CLERK: This is case number 2013-GS-39-3150, The States vs. Carol D. Hayes, we, the jury, unanimously find the Defendant, Carol D. Hayes, guilty of criminal conspiracy. This is case number 2013-GS-39-3149, The State vs. Michael L. Mealor, we, the jury, unanimously find the Defendant, Michael L. Mealor, guilty of trafficking methamphetamine 28 grams or over. This is case number 2013-GS-39-3151, The State vs. Cynthia Greenfield, we, the jury, unanimously find the Defendant, Cynthia Greenfield, guilty of trafficking methamphetamine 28 grams or over.

If this is your verdict and still your verdict, so say you all by raising your right hand.

(WHEREUPON, all jurors raised hands.)

THE CLERK: Thank you very much.

THE COURT: Ladies and gentlemen, anything additional for this jury?

(WHEREUPON, there was no response.)

THE COURT: I am going to dismiss the jury informally in their jury room. And then I'll come back in for any post-trial motions and we'll proceed to sentencing.

Ladies and gentlemen, if you will proceed to your jury room, I'm going to come and I'm just going to dismiss you formally and thank you for your service.

(WHEREUPON, the jury leaves the courtroom at approximately 12:46 p.m.)

THE COURT: Any motions?

MR. TOOKER: Nothing from the State.

MR. NEWTON: Your Honor, basically, I would renew the directed verdict at this time. I would make a motion to set aside the verdict as of insufficient evidence, that a rational trier of fact could not conclude beyond a reasonable doubt the charge that my client was convicted of. Again, Your Honor, the basis of that is it's pure speculation is what it is. It's a territory of trying to convert a certain amount of Pseudoephedrine into an amount of meth. It's just pure speculation. It's not fact based.

THE COURT: Okay. Thank you, Mr. Newton.

Anything additional?

MS. WIYGUL: Your Honor, I would make the exact same motion on behalf of Mr. Mealor. In addition, I would like to renew all motions and objections made during the trial as well as joining all motions and objections made by co-defendants' counsel, Mr. Newton and Mr. Johnson.

MR. JOHNSON: I join in that as well, Your Honor.

THE COURT: Okay.

MR. NEWTON: I have nothing to add to that, Your Honor.

THE COURT: But you join in the same?

MR. NEWTON: Yes, sir.

THE COURT: I'll respectfully deny the same. I respect the jury's verdict. I understand exactly your position in that matter. I don't comment on the value or sufficiency of the evidence, but the evidence that there was a conspiracy to purchase Sudafed and to manufacture methamphetamine was, certainly, present as evidence. Circumstantial, however, it was present, therefore, based on the existence of the evidence, mere existence of the evidence, I will respectfully deny the motion.

So we can approach, if you will, for sentencing.

SENTENCING

THE COURT: Mr. Tooker, I, certainly, have heard the facts in this case and have received the verdict. Is there anything the State needs to add bearing upon sentencing?

MR. TOOKER: Just briefly, Judge. I'll say this has been trying, I believe, on all parties. It's not light matter that's before the Court. Having talked to Agent Blankenship relatively extensively to prepare for this trial, he and I talked a lot about manufacturing methamphetamine and what is going on in the county currently and why he feels so strongly about it. I'd sa his biggest concern is for the safety of he and his fellow officers. He says every time they go in and clear on of these meth labs, they're very much concerned that something very bad could happen and they could be harmed irreparably. So I thought it worthwhile to express that sentiment to the Court because it's one that I didn't really appreciate until this trial.

Having said that, I think the facts are out there and Your Honor has before him a decision and is perfectly capable.

THE COURT: Good enough.

Mr. Newton, I'd be happy to hear from you, sir, with respect to Ms. Greenfield.

MR. NEWTON: Your Honor, I believe the sentencing range is seven to 25?

THE COURT: Yes, sir.

MR. NEWTON: Briefly in response to what Mr. Tooker just told the Court, Your Honor, there has been no / allegation of any danger the officers were in in this

case. There was no meth lab they found or were exposed to. I think that's an irrelevant concern in this case. I'll keep my comments brief. You've heard all the testimony from the witnesses. You've sat through this long trial. You've seen my client testify and her demeanor all during the trial. As you know, she only has one conviction on her record, that was for illegal possession of a firearm. Nothing else in her entire life. So she has no significant prior record at all, Your Honor. Taking that into consideration, I would urge the Court for the minimum seven year sentence. Frankly, I think that's too harsh as it is, but I understand you cannot go any lower than that. So that being the lowest you can go, I would ask the Court to do that.

THE COURT: Thank you, Mr. Newton. I appreciate it.

Ms. Wiygul, I'll be happy to hear from you with regard to Mr. Mealor.

MS. WIYGUL: Thank you, Your Honor. I would again, basically, join in Mr. Newton's arguments. The Court has seen the demeanor of both of these Defendants throughout the trial. Mr. Mealor is very respectful of the Court. I believe seven years is just horrific, but we would ask that the Court impose the minimum, which is seven years in this case. In addition, I would ask that the Court recommend that Department of Corrections permit Mr. Mealor

and his wife to communicate while they serve their sentence.

THE COURT: All right. I don't know if the executive branch of government will honor that recommendation.

MS. WIYGUL: That is totally understood, Your Honor, and that's why I asked for just a recommendation.

THE COURT: Okay. All right. Good enough. I'll put it on the record before we get out of here.

MS. WIYGUL: In addition, Your Honor, it's my understanding there are some other pending charges against Mr. Mealor in Pickens County. In discussions with Mr. Tooker, it's my understanding that he will be dismissing all other charges pending in Pickens County at this time.

THE COURT: Is that correct, sir?

MR. TOOKER: Yes, sir.

THE COURT: All right. Good enough.

All right. Mr. Johnson, I'll be happy to hear from you with respect to Ms. Hayes.

MR. JOHNSON: Thank you, Your Honor. Ms. Hayes is -- well, I'd be a fool to sit up here and say I could not see where she possibly -- on a conspiracy a jury could not possibly find that there was somewhat some evidence towards that. Obviously, I'd much rather be walking out of here today with having to go before Your Honor.

There was testimony at the trial regarding Jason

Mealor and his children, Eric and Lastat. Those children are currently in a temporary foster care situation with a temporary foster parent because they, actually, were adopted by Ms. Hayes. Prior to her being arrested, she was taking care of them. She has not returned to that location, obviously, at any time post-arrest before the trial other than to meet with us as far as our investigations to the [redacted] She explains to me that she's living with her mother right now. She is trying to get custody of the children back. Family Court, particularly, Judge Johnson has advised her that once this is taken care of that would be a possibility assuming she did not receive a significant jail sentence or prison sentence.

Judge, she's 49 years of age. In my opinion, her involvement in this was very similar to her mother's, which that case was dismissed by the State. I would ask Your Honor -- I believe the sentence range is zero to five on conspiracy. And if Your Honor would see fit have her do house arrest day for day rather than active time. Preferably probation, but I do not want to insult the Court by asking for such a thing after a five-day trial.

THE COURT: Mr. Johnson, I appreciate that.

Ms. Greenfield, Mr. Mealor or Ms. Hayes, is there anything you would like to say?

MS. GREENFIELD: Thank you Your Honor for being fair.

THE COURT: Thank you, I appreciate that, Ms. Greenfield.

Mr. Mealor, anything?

MR. MEALOR: Same thing my wife said.

THE COURT: Ms. Hayes, anything you'd like to say?

MS. HAYES: Thank you, sir, for anything you can do.

THE COURT: All right, ladies and gentlemen. All right. With respect to Ms. Greenfield and Mr. Mealor, the sentence of the Court is that each of you be confined in Department of Corrections for a period of nine years concurrent, credit for any time served. I state clearly on the record that there is a recommendation that you be allowed to communicate while you're in the Department of Corrections. I, certainly, see no harm in that whatsoever. I encourage the Department of Corrections to allow you to do so.

Ms. Hayes, sentence of the Court is you be committed to the Department of Corrections for a period of three years, credit for time served, concurrent with any other charges that you may have outstanding.

Ladies and gentlemen, good luck to you. I wish you luck.

(WHEREUPON, Court's Exhibit No. 2 was marked for identification.)

(WHEREUPON, the proceedings were concluded.)

THE COURT: Okay, all right. We are here this morning on case of the State vs. Michael L. Mealor. And that is case No. 2013-GS-39-3149. It was a case that emanates from Pickens which was tried before the Court in its totality resulting in convictions. The portions of the transcript were unintelligible and the South Carolina Court of Appeals has ordered that those portions of the transcript which was unintelligible be, to the extent possible, reconstructed. I have here today all counsel of record at the time of trial with the exception of one defense counsel who is no longer practicing law. If I'm not mistaken that's Mr. Johnson.

So, what I propose to do, lady and gentlemen, is just go through those missing and unintelligible portions of the transcript bit by bit and to offer into the record those questions and those ostensible answers which were offered to the same. I have met with counsel before and have had a conference call as well and we have talked through the manner and method of reconstructing the hearing.

So, based on my conversations with counsel, I believe that the first matter that needs to be addressed is testimony which begins on Page 116, Lines 15 and 16, the direct examination of Mr. Paul Forced. That was the

examination by the State of South Carolina. Mr. Tooker was representing The State at the time and is here on behalf of The State.

So, Mr. Tooker, can you tell me to your best recollection and by and through your notes and script of the trial what the questions were that were posed and your recollection of the answers that were elicited?

MR. TOOKER: Yes, sir Your, Honor, may it please the Court?

THE COURT: Yes, sir.

MR. TOOKER: My understanding of this too is that we're actually not missing testimony at Line 15 and 16 but The State's responses to Defense's objection to a particular witness' testimony. So, that witness was Mr. Paul Forced. Mr. Walt Wilkins examined Mr. Force. He and I worked together on this case and I instructed the question from Mr. Force. And the questions, as reflected in the record, were about his qualifications and what he did and laying a foundation for the admission of the NPLEx records which were the records of the Sudafed purchase logs. So, to lay a foundation for the admission of those records as business records under the business record exception of 803(6).

My understanding is that Mr. Newton objected to

to admission of the NPLEx records primarily based on a foundational objection. The State's response to the best of my recollection is that the foundation was sufficient for the purposes of admitting the records under 803(6) as business records. And that, you know, the foundational objection, I think, is one of sufficiency and trustworthiness. And that they were sufficiently reliable. And trustworthiness, based on the totality of the circumstances. Which included the testimony of three other witnesses, the three representatives from the pharmacies. One's from, I believe, Wal-Mart, CVS and Walgreen's. And those pharmacy representatives said it was policy procedure of those stores to check ID's when people are purchasing Sudafed. And so for the purpose of sufficiency and reliability of those records, the argument was that, you know, we have this testimony from representatives of the stores. And we have testimony from Mr. Force who explained that these records are kept in the normal course of business and how they're kept, how they're preserved, they came to court in an unaltered state. And that that information was sufficient for, Your Honor, to determine that they should be admitted as business records.

THE COURT: Okay. All right.

Does Defense counsel agree with that?

I know Mr. Newton your objection.

MR. NEWTON: Yes, Your Honor, that does accurately reflect my recollection.

THE COURT: Okay.

MS. WIYGUL: Yes, Judge, it does accurately reflect my recollection also, Your Honor.

THE COURT: All right. And I agree with that. Mr. Newton's objection was one of foundation. And, I believe, The State argued essentially that the appropriate foundation had been met, had been laid. And I agreed with that. I think my ruling thereafter is very fairly clear. There's one portion that's indiscernible on Page 117 in my ruling, but I will tell you that was the end of the sentence. I'm satisfied that they received all of them that this was entered into a larger system. It says, Undiscernible, but that was the end of the sentence and there's no portion of my ruling that that's -- that follows. Okay.

So, let's go to the next portion that's indicated as undiscernible. I know that there is a -- there's a portion, I believe, Ms. Wiygul, it's on your examination on Page 125 or 126.

MS. WIYGUL: That's correct, Your Honor. Page 125, Line 18.

THE COURT: Yes, ma'am.

MS. WIYGUL: The question was, Have you heard the phrase garbage in, garbage out?

THE COURT: Okay. And so, the part that's missing is garbage in, garbage out.

MS. WIYGUL: That's correct, Your Honor.

THE COURT: All right. Anybody take --

MS. WIYGUL: Ironically.

THE COURT: Okay. Anybody take exception to that?

MR. TOOKER: No, sir, Your Honor. That's pretty consistent with the Defense teams recollection.

THE COURT: All right, good enough.

MS. WIYGUL: And on Page 126.

THE COURT: Yes, ma'am.

MS. WIYGUL: I cannot recall what the answer was.

MR. TOOKER: So, the question was--

MS. WIYGUL: I would tend to think just from my memory that the answer was, Yes. If they put the information in wrong they wouldn't have any way of knowing it.

THE COURT: Okay. All right.

What's your recollection of that, Mr. Tooker?

MR. TOOKER: That's accurate.

THE COURT: Okay. All right. Then the record will so reflect the same.

MS. WIYGUL: Then on Page 128, Your Honor, Lines 3 and 4.

THE COURT: Yes, ma'am.

MS. WIYGUL: I have no recollection of what that was.

THE COURT: Okay.

MS. WIYGUL: Line 8, I believe the answer was Pharmaceutical companies.

THE COURT: Okay.

MS. WIYGUL: Line 11, I have no recollection. Unless it was just companies.

THE COURT: Okay. Okay, good enough.

Mr. Tooker, anything you need to add to that?

Or Mr. Newton?

MR. TOOKER: Yeah, for what it's worth, I think the testimony was that there's some sort of agency that gives them their funding.

THE COURT: Right.

MR. TOOKER: But that agency is funded by the pharmaceutical companies.

THE COURT: Okay. All right. I will tell you

in so far as the determination of admissibility had already been made by the Court, I know that that was just going to credibility so I'm not so certain that it's necessarily relevant or instructive. I will say that in Lines 3 and 4, there's a question posed, But it's not used in Michigan [verbatim], it is.

Not, it is not.

Then it follows up your question, Is private -- your company is private, is that correct?

I'm not so certain that there was anything of any substance in between Lines 2 and 5. It seems to me like that's pretty steady flow.

With respect to Lines 7, I believe that the answer in 8 was, as you say, Mr. Tooker, an organization that represents and works for and on behalf of those pharmaceutical companies, am I right?

MR. TOOKER: Yes, sir.

THE COURT: Okay. Let's move on to the next then. Our next one, do we have nothing on Line -- nothing on Page 129. Then the next one Page 132 or 133?

MS. WIYGUL: 133.

THE COURT: Okay, 133. Is that -- whose examination is that?

Is that yours, Mr. Newton?

MR. NEWTON: It is, Your Honor.

THE COURT: And on Page 18 and 19, there's a portion that says, All right, now you're familiar with an association called the. . .

MR. NEWTON: Your Honor, I do not remember what I said. And there's nothing in my notes reflecting that. It appears that I asked that one question then stopped that line of questioning entirely. I don't think it was particularly significant.

THE COURT: Okay. All right. And, ultimately, the question, I believe, at the close of that line of questioning was the company to which you referred doesn't work in conjunction with the witnesses company?

MR. NEWTON: Yes, sir.

THE COURT: So, there's a question of whether line of questioning came to any good or substantive end in any event.

MR. NEWTON: My recollection it was a dead end, Judge, pursuing it went no where.

THE COURT: Okay. All right. Then at the very end of the page at 24 and 25, undiscernible portions due to equipment malfunction. I --

Mr. Newton, I'm looking at that. It seems like you, just as you suggested on Line 23, that line of

questioning hit a dead end then you resumed your line of questioning on Page 134, Number 1, discussing Exhibit No. 24. Do you remember anything of substance that you discussed or that you asked in between those two lines of questioning?

MR. NEWTON: No, Your Honor, I do not remember anything specific.

THE COURT: Okay. In looking at that transcript, does the State or Ms. Wiygul, do you have anything of substantive that was included in the record at that time?

MS. WIYGUL: I have no recollection of, it Your Honor.

MR. TOOKER: I do not either, Your Honor.

THE COURT: And based on the flow in reading the entire transcript in context, it is my recollection and my understanding that there was nothing of any relevance or substance on Line 24 and 25. I believe that the full cross-examination was picked up on the next page on Line 1. That is Page 134, Line 1. It just makes logical sense. Okay.

MR. NEWTON: I agree, Judge.

THE COURT: Okay. All right. Moving on I believe Mr. Johnson -- on let's see, that's Page 134, he was beginning his cross-examination on Line 18 and

19. Does anyone have any specific recollection of what Mr. Johnson may have said there? Or the Court?

MR. TOOKER: Based on the answer it looks like Mr. Johnson was questioning Mr. Force with regards to how the information is collected and preserved.

THE COURT: Okay. All right. Anybody take any exception to that?

MS. WIYGUL: No.

MR. NEWTON: No, Your Honor.

THE COURT: Okay. All right. I do find that based on the answer and based on the line of questioning in context, Mr. Johnson simply asked how it was served -- or excuse me, how it was stored. And I will also note that there were no objections on the record to the question that was asked. It was answered without any objection and the testimony moved on. All right. So, let's go to the next indiscernible portion. There's one, it looks like one word on Page 135, Line 4.

MR. TOOKER: I believe he said, My client.

THE COURT: Yeah, and I think that's right. Anybody take any exception to that?

MR. NEWTON: No.

MS. WIYGUL: No, Your Honor.

THE COURT: Okay. All right. So, that portion

will be undiscernible, it's actually, My client.

Okay, let's go to the next one. I think we're on Page 686 -- or excuse, me I think it goes to 687. I will tell you that that was -- I was beginning -- the Court was beginning closing arguments. And I will tell you that it's suggestive there's a undiscernible portion, but I will tell you that I said, I'm sure they will be considerate of your time.

And that's addressing the jury and commenting on the attorneys.

Then I say, Mr. Tooker.

Which is a clear indication that I intended Mr. Tooker, The State, to begin closing arguments.

The next line that picks up is at Line 13, Mr. Tooker starts with, May it please the Court.

I don't think that there was anything uttered or said. There may have been a gargled audio portion of the tape but there was nothing said of any substance at that point either to the Court or by the Court. Anybody take any exception to that? Is that your recollection?

MR. TOOKER: Yes, sir.

MR. NEWTON: No exception, Judge.

MS. WIYGUL: No exception, Your Honor.

THE COURT: All right. Well, then let's move

on.

All right, then Mr. Tooker on the top of the -- it looks like on Line 17 of that page in your closing argument, again, I don't think that you said anything.

MR. TOOKER: I actually, I think what I said -- I went through the charges.

THE COURT: Yes, sir.

MR. TOOKER: Because they had all the lesser included going all the way down to just general conspiracy, common law conspiracy. So, I just went through the elements of each charge starting with common law conspiracy, conspiracy, possession with intent to distribute, then the conspiracy to manufacture, all the way up to conspiracy to manufacture over 28 grams.

THE COURT: So, does anybody take any exception to that?

MR. NEWTON: No exception.

MS. WIYGUL: No exception.

THE COURT: All right. And also, I'll note for the record that there was no objection on the record to that portion of the closing argument.

And, Mr. Tooker, on Page 688, Line 1, that there's an undiscernible portion. Do you have any

recollection of what you may have said in that portion?

MR. TOOKER: I don't. I don't recall what I said.

THE COURT: I know before that you said, In any case criminal intent is what has to be shown.

And then I believe you just continued with your expounding on what criminal intent is. And I also note for the record that there was no objection on the record to -- there was no objection to anything -- any of that closing argument from the State.

Is that the Defense's recollection?

MR. NEWTON: Yes, Your Honor.

MS. WIYGUL: Yes, Your Honor.

THE COURT: Any exceptions to that?

MR. NEWTON: No, Your Honor.

MS. WIYGUL: No, Your Honor.

THE COURT: Okay. All right. Let's see the next one, again, on page -- excuse me, the very next page, same Page 688, it looks that it was a portion on Line 13 of counsel's closing argument. Mr. Newton's closing argument.

Do you have any idea what you may have said in that undiscernible block on Line 13?

MR. NEWTON: Page 688, Judge?

THE COURT: Yes, sir.

MR. NEWTON: Your Honor, I think I was just following up on the first statement in the paragraph. Just talking about you have to go by your own memory, basically, along those lines.

THE COURT: Okay.

MR. NEWTON: I can't recall what else it might have been.

THE COURT: Okay. All right. Just general advocacy, is that correct, sir?

MR. NEWTON: Right.

THE COURT: Okay. And it was, obviously, in context with the sentences around it. But I would note again there was no objection to that at the trial of the case. Anybody take exception to that? That's your recollection of it?

MS. WIYGUL: No exception, Your Honor.

MR. TOOKER: No exception, sir.

THE COURT: All right. Okay. So, then later on on Line 18, again, it starts on Line 17, You heard the prosecutor met with them.

Then undiscernible.

Can you remember, Mr. Newton, what you may have said?

MR. NEWTON: Again, Your Honor, I think it was probably just a few words. Maybe a short sentence or something. But again, it's just in the same vain as the sentence before and sentence after.

THE COURT: Okay. All right.

MR. NEWTON: Just talking about credibility of witnesses, Judge.

THE COURT: Okay.

MR. NEWTON: I don't recall anything more specific than that.

THE COURT: Okay. And I also note that there was no objection on the record to that line of argument and advocacy. Is that everyone's recollection of that -- of that portion of the transcript?

Ms. Wiygul?

MS. WIYGUL: Yes, sir, Your Honor.

THE COURT: Mr. Tooker?

MR. TOOKER: Yes, sir.

THE COURT: Okay. Okay. I believe that's everything. Did we miss. . .

MS. WIYGUL: Your Honor, I believe there were some undiscernible words, maybe one word at a time at random portions throughout the transcript.

THE COURT: Yes, ma'am.

MS. WIYGUL: I have no recollection of what any of the missing words might have been.

THE COURT: Okay. Anything else that anyone would like to discuss or any recollection?

Yes, sir.

MR. ANDREWS: Well, I just have some affidavits I'd like to put on the record.

THE COURT: Yes, sir.

MR. ANDREWS: The Court Reporters, April Herron, who was present during the trial and Court Reporter, Penny Johnson, who transcribed the actual trial. They just note that they're not -- well, there's no complete record, they note -- and they're not sure of how much testimony, how much of the actual trial was missing from the recordings.

THE COURT: Good enough. All right, you want to present those on the record, make those Court's Exhibits for this record?

MR. ANDREWS: Yes, sir.

THE COURT: Okay. All right, you can pass those up, we'll make those Court's Exhibit 1 and 2.

(WHEREUPON, Court's Exhibits Nos. 1 & 2 were marked for identification and received into evidence.)

MR. ANDREWS: Your Honor --

THE COURT: Let her mark it.

MR. ANDREWS: Okay.

THE COURT: She'll give you a thumbs up when she's ready.

Okay, yes, sir.

MR. ANDREWS: I just want to note on the record also that Mr. Wilkins the other solicitor, assistant solicitor prosecuting the case, wasn't here, actually. I think you said everybody was here.

THE COURT: Okay. Good enough. Good enough. And just let me say for the record that we had the opportunity to discuss this reconstruction hearing twice by way of conference call and we had a conference in chambers before we come on to the record. And I don't want to speak for anyone but I think there was a general consensus that although this can't be described as a absolute, full and complete record, that substantively it was full and complete. There was nothing substantively that was missing that would significantly effect a third person or third party giving the gist of not only all of the testimony and the argument but also any and all exceptions or objections that may have been put on the record at the time.

All right, lady and gentlemen, anything

additional that we need to put on the record today, are you satisfied?

MR. ANDREWS: Your Honor, I think to preserve on appeal, I need to ask for an order that we were unable to reconstruct the record. And look for an order that we were unable to reconstruct the record and move for a new trial.

THE COURT: Now, articulate that a little bit more fully because I'm not sure I understand what you are saying.

MR. ANDREWS: I'm moving for an order -- request an order that we cannot reconstruct the record so that Mr. Mealor may be afforded a new trial. Giving the time -- giving the two years that has past, given that we don't know how much of the testimony that's missing and everything, I need to make that motion.

THE COURT: Okay, I appreciate that. And I respectfully deny the same. I think that we have been successful in reconstructing the record. Again, in looking at all of the undiscernible portions in context, I think that, again, although it's not an absolute, fully complete record, substantively it is. It doesn't appear to me or any of counsel in this matter that there were any objections or exceptions which were not included in the record that has gone

forward.

And, you know, generally speaking, those portions which were left out are innocuous, they really seem to be fairly innocuous. So, on that basis I will respectfully deny the motion. Okay. All right. Good luck. Y'all have a great day and a great week, good luck.

(WHEREUPON, the proceedings were concluded.)

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of General Sessions

Robin B. Stilwell, Circuit Court Judge

Case No. 2013-002752

State of South Carolina

Respondent,

v.

Michael Levant Mealor

Appellant.

PETITION FOR ORDER
TO RECONSTRUCT THE
RECORD OF APPELLANT'S TRIAL

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned counsel requests an order requiring the parties to reconstruct the record of Appellant's trial, and that this appeal be held in abeyance pending a ruling in this matter. In support of this petition, counsel would submit the following information:

1. Appellant and two co-defendants were tried for trafficking methamphetamine before the Honorable Robin B. Stilwell in Pickens County from December 16 – 20, 2013. Ms. Elizabeth P. Wiygul represented Appellant at trial. A jury found Appellant guilty and Judge Stilwell sentenced Appellant to imprisonment for nine years. Appellant timely filed a Notice of Appeal of his conviction and sentence on December 30, 2013.

2. The undersigned has reviewed a copy of the transcript of Appellant's trial proceedings. The transcript contains forty-nine "undiscernible" [sic] portions of the trial. The court reporter attributed that a number of these "undiscernible" [sic] portions were "due to equipment malfunction." The testimony of prosecution witness Paul Forst contained eighteen "undiscernible" [sic] portions of testimony. Mr. Forst's testimony was key for the prosecution in that his testimony allowed for the introduction of Appellant's and multiple co-defendant's NPLEX records into evidence. NPLEX records are the personal histories of pseudoephedrine purchases or attempts to purchase pseudoephedrine. The records were introduced into evidence under the "business records" exception to hearsay. The undersigned intends to argue on appeal that admitting such records was in error. It is imperative that counsel has at his disposal a complete copy of the transcript of Appellant's trial in order for Appellant to have a meaningful appellate review Therefore, the undersigned counsel would request an order for the trial record to be reconstructed.
3. When a trial transcript has been lost or destroyed, the Court may remand to have the record reconstructed. See Whitehead v. State, 352 S.C. 25, 574 S.E.2d 200 (2002), and China v. Parrott, 251 S.C. 329, 162 S.E.2d 276 (1968). See also State v. Ladson, 373 S C. 320, 644 S.E.2d 271 (Ct. App. 2007), where the Court granted the appellant's motion to set aside his conviction and remand for a new trial when attempts to reconstruct the incomplete trial transcript were unsuccessful, thus not permitting the appellant meaningful appellate review.

WHEREFORE, the undersigned counsel requests an order from this Court for the reconstruction of the record of Appellant's trial, and that this appeal be held in abeyance pending a ruling in this matter.

Respectfully submitted,

November 10, 2014

Ryan C. Andrews
270 W. Coleman Blvd., Suite 1B
Mt. Pleasant, SC 29464
(843) 732-3476

ATTORNEY FOR APPELLANT

DOCKET NO. 2013-GS-39- 3149
SBT

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

DEC 10 2013 TERM 2013

THE STATE

vs.

MICHAEL LEVANT MEALOR

Indictment for

0368

TRAFFICKING METHAMPHETAMINE

VIOLATION § 44-53-0375(C)(3)

WITNESSES

T Blankenship

Pickens County Sheriff's Office

7/6/2012

ARREST WARRANT NUMBER

I677986

ACTION OF GRAND JURY

TRUE BILL
Date DEC 10 2013

Steven Richardson
Foreperson of Grand Jury

VERDICT

GUILT

T. Duane Greene
Foreperson of Petit Jury
Date:

794

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
TRAFFICKING METHAMPHETAMINE

At a Court of General Sessions, convened on DEC 10 2013 the Grand Jurors of Pickens County present upon their oath:

That MICHAEL LEVANT MEALOR did in Pickens County, on or about or between January 1st, 2011 and December 31st, 2011, knowingly sell, manufacture, deliver or bring into the State of South Carolina or did knowingly provide financial assistance or otherwise aid, abet, attempt or conspire to sell, manufacture, deliver or bring into the State or was knowingly in actual or constructive possession of more than 100 grams of Methamphetamine (Crank). This is in violation of §44-53-375 of the South Carolina Code of Laws (1976) as amended.

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

SOLICITOR

MICHAEL LEVANT MEALOR

[redacted]

STATE'S EXHIBIT
1 12-17-13

Date / Time	Location	Amount Purchased
01/04/2011 10:07:00 AM EST	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS 12HR NSL DCN (10 CNT), 1.2grams
01/14/2011 7:27:36 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHED 12-HOUR (20 CNT) 2.4grams
01/17/2011 3:30:11 PM EST	Walgreens#11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT) Blocked
01/17/2011 3:30:45 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT) 1.44 grams
01/23/2011 5:10:26 AM EST	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR X (48 CNT) 1.44grams
01/27/2011 3:33:20 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE Blocked

RECEIVED
MAY 18 2015
Referred to
Answered

6/2/2015

Date / Time	Location	Amount Purchased
01/27/2011 3:35:22 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE Blocked
01/31/2011 4:41:41 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ ALRGY RELIEF D (10 CNT) 2.4grams
02/10/2011 4:28:44 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT), Blocked
02/22/2011 6:02:41 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT) 2.4grams
02/26/2011 4:35:54 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT) 2.4grams
03/14/2011 7:14:54 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
03/26/2011 1:45:13 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
04/03/2011 6:27:03 AM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
04/11/2011 6:07:02 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
04/25/2011 5:57:44 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT) 2.4grams

Date / Time	Location	Amount Purchased
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05/16/2011 1:07:54 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4grams
05/20/2011 8:58:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON 12 HR (20 CNT), Blocked
06/07/2011 6:59:39 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE 2.88grams
06/13/2011 3:27:35 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
06/23/2011 5:40:46 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
06/29/2011 8:20:12 PM EDT	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), Blocked
07/13/2011 5:28:30 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88grams
07/16/2011 2:17:00 PM EDT	CVS03537 210 Ingles Pl Seneca, SC 29678	CVS ALG-D 24HR (10CT), 2.4grams
07/25/2011 5:54:09 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88grams

Date / Time	Location	Amount Purchased
08/03/2011 7:52:12 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT), Blocked
08/13/2011 5:00:43 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
08/27/2011 6:31:55 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT) 2.4grams
09/15/2011 10:25:34 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
09/18/2011 12:29:14 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88
09/30/2011 7:35:43 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4grams
10/11/2011 3:18:47 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), Blocked
10/20/2011 6:03:15 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4grams
11/05/2011 5:45:29 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
11/10/2011 2:43:21 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams

Date / Time	Location	Amount Purchased
11/22/2011 10:25:35 AM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88grams
Total Number of Purchases **37 Attempts**		**Total Weight** **69.36**

STATE'S EXHIBIT
2 12.17.13

Cynthia Greenfield

[redacted]

[redacted]

Date / Time	Location	Amount Purchased
01/02/2011 4:50:53 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
01/19/2011 12:16:28 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88grams
01/24/2011 4:11:27 PM	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88grams
01/29/2011 3:16:04 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 1.44grams
02/03/2011 3:48:01 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	EQ SUPHEDRINE (Block)
02/18/2011 8:16:33 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams

Date / Time	Location	Amount Purchased
02/22/2011 6:30:21 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
03/01/2011 8:36:51 PM EST	Wal-Mart Pharmacy #631 115.Rolling Hills Cir Easley, SC 29640	EQ SUPHED 2.4grams
03/18/2011 8:28:07 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 2.4grams
03/28/2011 8:01:15 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
04/08/2011 1:29:53 PM EDT	WALGREENS #11400 5312 Calhoun Memorial Hwy Easley, SC 29640	WAL-PHED 12HR (20 CNT), 2.4grams
04/17/2011 4:38:00 PM EDT	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
04/25/2011 5:37:39 PM EDT x2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE (Block)
05/03/2011 2:56:48 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT), 1.44 grams
05/11/2011 7:20:00 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams

Date / Time	Location	Amount Purchased
05/18/2011 5:14:09 PM EDT	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
05/23/2011 11:30:22 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
06/03/2011 1:29:24 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
06/13/2011 5:38:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS ALG-D 24HR (10CT), (Block)
06/20/2011 9:58:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
06/24/2011 8:27:52 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/05/2011 8:37:47 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/25/2011 5:39:20 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88 grams
08/01/2011 8:49:53 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams

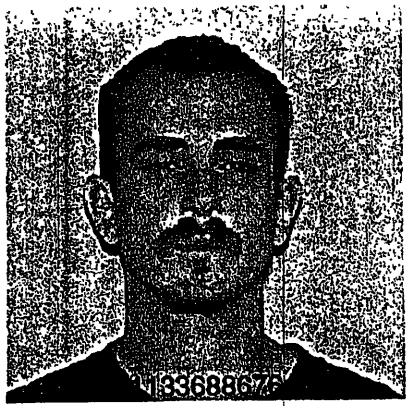
Date / Time	Location	Amount Purchased
08/13/2011 6:00:00 PM EDT	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
08/21/2011 11:57:08 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), (Block)
09/10/2011 5:53:13 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4 grams
09/18/2011 12:17:17 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4 grams
09/30/2011 7:04.38 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
10/04/2011 10:59:05 AM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE, (Block)
10/04/2011 10:59:05 AM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 1.44 grams
10/17/2011 6:06:13 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHED 12-HOUR (20 CNT), 2.4 grams
11/05/2011 6:15:01 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams

765 781

Date / Time	Location	Amount Purchased
11/22/2011 11:46:00 AM EST	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
Total Number of Purchases **34 Attempts**		**Total Weight** **68.64 Grams**

STATE'S EXHIBIT

3 12.17.13



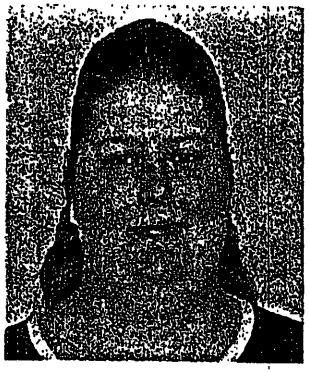
Jason Eric Mealor

[redacted]

Date / Time	Location	Amount Purchased
01/30/2011 1:14:49 PM EST	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE 1.44grams
03/03/2011 9:33:30 PM EST	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT) 2.88grams
04/30/2011 5:31:02 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
05/10/2011 4:50:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88grams
05/26/2011 3:59.00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88grams

Date / Time	Location	Amount Purchased
06/07/2011 6:33:00 PM EDT	CVS03537 210 Ingles Pl Seneca, SC 29678	CVS DECON TAB (96 CNT), 2.88grams
06/09/2011 7:18:43 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
06/25/2011 12:01:56 AM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
07/01/2011 8:07:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), Blocked
07/16/2011 12:53:33 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
07/18/2011 8:30:00 PM EDT	CVS05598 305 W Main St Liberty, SC 29657	CVS DECON TAB (96 CNT), 2.88grams
07/22/2011 5:34:41 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), Blocked
08/26/2011 8:51:02 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHED 12-HOUR (20 CNT), 2.4grams

Date / Time	Location	Amount Purchased
09/10/2011 5:49:22 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
09/18/2011 11:19:45 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
10/04/2011 11:09:20 AM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHED 12-HOUR (20 CNT), 2.4grams
10/18/2011 8:39:03 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED 12HR (20 CNT), 2.4grams
10/24/2011 4:51:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT 2.88grams
11/13/2011 4:53:16 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED 12HR (20 CNT), 2.4grams
Total Number of Purchases **19**		**Total Weight** **45.12 Grams**



Amanda Gene Hayes (Hurley)

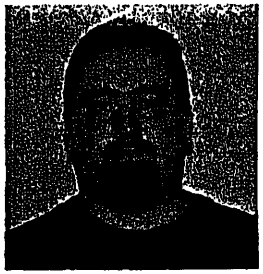
[redacted]

STATE'S EXHIBIT
4 12.17.13

Date / Time	Location	Amount Purchased
01/24/2011 3:42:19 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
04/29/2011 6:21:52 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
05/04/2011 3:42:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88grams
06/04/2011 6:27:30 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
06/18/2011 3:48:46 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
07/02/2011 8:01:14 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams

Date/Time	Location	Amount Purchased
07/24/2011 5:53:11 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
07/28/2011 7:38:43 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
08/19/2011 7:06:41 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
09/03/2011 7:01:52 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
09/20/2011 3:46:47 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
09/24/2011 3:22:40 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
10/08/2011 1:08:02 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88grams
10/11/2011 2:43:56 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), Blocked
10/11/2011 2:45:19 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), Blocked
10/11/2011 2:56:54 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE Blocked

Date/Time	Location	Amount Purchased
10/21/2011 7:39:43 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88grams
10/24/2011 4:28:31 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
11/15/2011 3:54:08 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
12/11/2011 1:36:41 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
Total Number of Purchases		**Total Weight** **48.96 Grams**



Daniel Ray Hurley

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STATE'S EXHIBIT

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Date / Time	Location	Amount Purchased
05/08/2011 2:38:08 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
05/25/2011 4:52:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
07/18/2011 10:17:14 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
07/31/2011 3:32:00 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
08/27/2011 4:46:21 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
09/24/2011 3:58:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT) 2.88 grams
09/28/2011 4:06:04 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams

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Date / Time	Location	Amount Purchased
10/27/2011 11:33:43 AM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	EQ SUPHEDRINE 2.88 grams
11/15/2011 5:01:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
Total Number of Purchases **9**		**Total Weight** **25.92 Grams**

CAROL DENISE HAYES

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STATE'S EXHIBIT

6 12 17 13

Date / Time	Location	Amount Purchased
01/05/2011 2:26:10 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88 grams
01/13/2011 2:49:31 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88 grams
01/20/2011 6:36:04 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44 grams
03/23/2011 2:39:35 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88 grams
03/31/2011 12:44:33 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
05/10/2011 11:24:00 AM EDT	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams

Date / Time	Location	Amount Purchased
05/13/2011 11:40:00 AM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
05/18/2011 5:05:21 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
06/10/2011 3:29:53 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/15/2011 9:29:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON 12 HR (20 CNT), 2.4 grams
06/21/2011 8:44:44 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/27/2011 5:12:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), (Block)
07/02/2011 9:06:02 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), (Block)
07/11/2011 8:09:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
07/21/2011 5:14:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
07/25/2011 5:11:15 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88 grams

Date / Time	Location	Amount Purchased
07/28/2011 8:32:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), (Block)
08/05/2011 3:22:11 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE (Block)
08/19/2011 6:40:29 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
09/03/2011 6:35:24 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
09/13/2011 7:33:43 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
09/20/2011 3:28:20 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
09/28/2011 5:23:23 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-ACT TABS (48 CNT), (Block)
10/06/2011 5:51:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
10/14/2011 6:12:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
10/21/2011 7:19:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams

Date / Time	Location	Amount Purchased
10/27/2011 12:27:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), (Block)
11/04/2011 12:53:00 PM EDT x3	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), (Block)
11/07/2011 12:36:59 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
11/23/2011 7:20:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
12/11/2011 12:44:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TBM, 2.88 grams
12/21/2011 4:58:00 PM EST	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
Total Number of Purchases **33 Attempts**		**Total Weight** **70.08 Grams**

STATE'S EXHIBIT
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12-17-13

MICHAEL GENE HAYES

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Date / Time	Location	Amount Purchased
01/15/2011 2:54:25 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
03/13/2011 10:35:05 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
05/04/2011 4:26:35 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
05/18/2011 4:43:27 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
06/04/2011 4:11:33 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
06/15/2011 9:22:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88grams

Date/Time	Location	Amount Purchased
06/24/2011 11:49:42 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
07/02/2011 8:37:39 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), Blocked
07/11/2011 8:28:03 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
07/22/2011 8:19:14 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS	EQ SUPHEDRINE, 2.88grams
07/28/2011 8:18:20 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
08/11/2011 8:33:40 PM EDT	WALGREENS #02681 6057 White Horse Rd Greenville, SC 29611	WAL-PHED TABS PPR X (48 CNT), 1.44grams
08/19/2011 6:47:40 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, Blocked
08/19/2011 6:49:11 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44grams
08/31/2011 6:26:41 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE 2.88grams
09/16/2011 8:05:49 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88grams

Date/Time	Location	Amount Purchased
09/23/2011 10:52:46 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88grams
10/05/2011 6:17:54 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
10/18/2011 9:27:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88grams
10/27/2011 11:39:21 AM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88grams
11/07/2011 12:45:40 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88grams
11/23/2011 7:32:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88grams
12/04/2011 11:11:45 AM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88grams
12/18/2011 1:18:29 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
12/28/2011 2:59:02 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
Total Number of Purchases **23**	**Number of Blocks** **2**	**Total Weight** **60.74 Grams**

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Steven Earl Hurley
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STATE'S EXHIBIT
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Date / Time	Location	Amount Purchased
01/13/2011 7:25:26 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
01/30/2011 12:28:33 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
01/31/2011 6:31:58 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
02/04/2011 4:18:17 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, BLOCKED
02/04/2011 4:19:10 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, BLOCKED
02/04/2011 4:44:48 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), BLOCKED

Date/Time	Location	Amount Purchased
02/09/2011 1:24:31 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), BLOCKED
02/11/2011 7:03:41 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, BLOCKED
02/23/2011 6:57:01 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 Grams
03/03/2011 3:55:43 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 Grams
03/07/2011 9:06:49 AM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT), 1.44 Grams
03/07/2011 9:06:53 AM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (48 CNT), 1.44 Grams
08/10/2011 12:21:36 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 Grams
09/20/2011 11:40:47 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88Grams
12/04/2011 11:19:58 AM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88Grams
12/16/2011 2:22:41 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 Grams

Date/Time	Location	Amount Purchased
12/25/2011 9:57:33 AM EST	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 Grams
Total Number of Purchases **12**	**Number of Blocks** **5**	**Total Weight** **30.24 Grams**

Kitty Hurley

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STATE'S EXHIBIT

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Date / Time	Location	Amount Purchased
05/04/2011 3:36:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
08/11/2011 7:20:38 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
09/03/2011 6:52:29 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
09/10/2011 5:45:10 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, (1.44 x2) 2.88 grams
09/24/2011 2:43:13 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
10/07/2011 4:12:50 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams

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785

Date / Time	Location	Amount Purchased
10/24/2011 4:30:08 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
11/30/2011 11:50:28 AM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
12/19/2011 4:51:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
Total Number of Purchases 9	**Number of Blocks** 0	**Total Weight** **24.48 Grams**

LOUISE PRUITT MEALOR

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STATE'S EXHIBIT

10 12.17.15

Date / Time	Location	Amount Purchased
01/19/2011 12:00:34 PM EST	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS	EQ SUPHEDRINE 2.88 grams
03/07/2011 4:14:00 PM EST	Rite Aid #11656 1020 E North 1st St Seneca, SC 29678	RA SUPHEDRN 12HR TAB 20CT, 2.4 grams
03/20/2011 5:21:25 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED 12HR (20 CNT), 2.4 grams
05/05/2011 7:39:38 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHED 12-HOUR (20 CNT), 2.4 grams
06/02/2011 11:50:35 AM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/29/2011 8:54:57 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE, 2.88 grams

Date / Time	Location	Amount Purchased
07/06/2011 1:55:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
07/16/2011 1:27:34 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE, 2.88 grams
08/05/2011 6:50:19 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE, 2.88 grams
09/06/2011 1:21:00 PM EDT	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678	EQ SUPHEDRINE, 2.88 grams
09/28/2011 5:13:11 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR X (96CNT), (1.44 x2) 2.88 grams
10/11/2011 10:24:31 AM EDT	Wal-Mart Pharmacy #396 3812 Liberty Hwy Anderson, SC 29621	SUDAFED (24 CNT), 0.72 grams
10/11/2011 1:49:41 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
10/31/2011 5:35:42 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
11/10/2011 4:06:00 PM EST	CVS07534 204 Hampton Ave Pickens, SC 29671 PICKENS	CVS DECON TAB (96 CNT), 2.88 grams

Date / Time	Location	Amount Purchased
12/20/2011 10:42:36 AM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
Total Number of Purchases **16**	**Number of Blocks** **0**	**Total Weight** **42.48**

STATE'S EXHIBIT

11 12-17-13

BRANDON MICHAEL HAYES

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Date / Time	Location	Amount Purchased
01/20/2011 6:29:24 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
02/11/2011 6:12:58 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
05/08/2011 2:29:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
05/20/2011 8:29:56 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/15/2011 8:35:36 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/21/2011 9:50:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams

Date/Time	Location	Amount Purchased
07/18/2011 6:19:52 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	SUDAFED MAX STRENGTH NASAL DECON (48 CNT), 1.44 grams
08/03/2011 8:33:45 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
09/15/2011 9:43:36 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
09/23/2011 11:20:28 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
09/28/2011 9:52:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
10/02/2011 8:27:38 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR X (48 CNT), (Block)
10/18/2011 8:17:47 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR X (48 CNT), 1.44 grams
Total Number of Purchases 12	Number of Blocks 1	Total Weight 28.8 Grams

STATE'S EXHIBIT

12 10-17-13

MELISSA PAIGE WARDLAW

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Date / Time	Location	Amount Purchased
01/24/2011 3:58:11 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44grams
02/05/2011 2:05:00 PM EST	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
03/03/2011 9:27:32 PM EST	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
03/22/2011 5:21:04 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
03/31/2011 8:33:12 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
04/28/2011 7:26:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams

Date / Time	Location	Amount Purchased
05/02/2011 4:32:21 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
05/18/2011 3:43:00 PM EDT	CVS05598 305 W Main St Liberty, SC 29657	CVS DECON TAB (96 CNT), 2.88 grams
06/24/2011 11:44:01 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/01/2011 6:56:40 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/06/2011 1:51:00 PM EDT	CVS04026 1300 Tiger Blvd Clemson, SC 29631	CVS DECON TAB (96 CNT), 2.88 grams
07/22/2011 6:41:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), (Block)
09/08/2011 7:33:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
09/28/2011 8:45:20 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
10/17/2011 8:55:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TBM, 1.44 grams

Date / Time	Location	Amount Purchased
11/04/2011 4:15:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
11/22/2011 8:27:30 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88grams
12/09/2011 3:41:12 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88grams
Total Number of Purchases 17	**Number of Blocks** 1	**Total Weight** 44.64

Susan Margret Reece

[redacted]

[redacted]

STATE'S EXHIBIT

13 12-17-13

Date / Time	Location	Amount Purchased
01/09/2011 1:30:54 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
02/03/2011 12:27:27 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
02/04/2011 4:20:31 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
02/08/2011 4:00:57 PM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
02/11/2011 7:04:48 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
03/10/2011 2:48:01 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
04/01/2011 5:56:47 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams

Date/Time	Location	Amount Purchased
04/07/2011 12:35:32 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
05/10/2011 1:53:39 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
06/13/2011 5:41:10 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
07/04/2011 9:21:48 AM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/06/2011 10:51:23 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
07/21/2011 8:08:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
08/08/2011 12:16:39 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABLT PPR X (24 CNT), 0.72 grams
08/08/2011 12:16:42 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABLT PPR X (24 CNT), 0.72 grams
08/08/2011 1:30:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TBM, 1.44 grams
08/18/2011 8:48:00 AM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams

Date/Time	Location	Amount Purchased
08/27/2011 6:23:31 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
09/09/2011 7:11:38 AM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
09/20/2011 11:37:04 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
11/26/2011 5:00:04 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
12/02/2011 7:53:20 AM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
12/08/2011 10:39:06 AM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
12/19/2011 8:31:29 AM EST	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
TOTAL NUMBER OF PURCHASES **24**		**TOTAL WEIGHT** **57.6 grams**

7813

Rebecca Ann Crisp

[redacted]

[redacted]

STATE'S EXHIBIT

14 12-17-13

Date / Time	Location	Amount Purchased
07/10/2011 12:02:48 AM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/11/2011 8:25:36 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
07/18/2011 7:10:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
08/01/2011 8:18:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), BLOCKED
08/11/2011 8:25:00 PM EDT	CVS02331 718 Mills Ave Greenville, SC 29605	CVS DECON TAB (24 CNT), 0.72 grams
08/11/2011 8:38:30 PM EDT	WALGREENS #02681 6057 White Horse Rd Greenville, SC 29611	WAL-PHED TABS PPR X (48 CNT), 1.44 grams
Total Number of Purchases **6 Attempts**		**Total Weight** **10.8 Grams**

STATE'S EXHIBIT

15 D-1713

Angela Mae Armstrong

[redacted]

[redacted]

Date / Time	Location	Amount Purchased
01/05/2011 10:35:10 AM EST	Bi-Lo Pharmacy #539 501 Old Greenville Hwy Clemson, SC 29631	SILFEDRINE LIQUID, 1.77 grams
04/30/2011 7:45:24 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED 12HR (20 CNT), 2.4 grams
05/04/2011 7:47:49 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
05/09/2011 7:42:14 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/18/2011 3:25:59 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
Total Number of Purchases **5**		**Total Weight** **12.81 Grams**

8148

7815

Kelley Earline McCall

[redacted]

[redacted]

STATE'S EXHIBIT

16 id. 1713

Date / Time	Location	Amount Purchased
05/12/2011 4:26:14 PM EDT	WALGREENS #11769 1100 Tiger Blvd Clemson, SC 29631	WAL-PHED TABS PPR (96 CNT), 2.88 grams
05/21/2011 8:45:43 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
05/23/2011 11:00:19 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 2.88 grams
07/08/2011 9:34:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
07/18/2011 4:48:15 PM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
08/21/2011 10:22:33 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
Total Number of Purchases **6**		**Total Weight** **17.28 Grams**

STATE'S EXHIBIT

17 31713

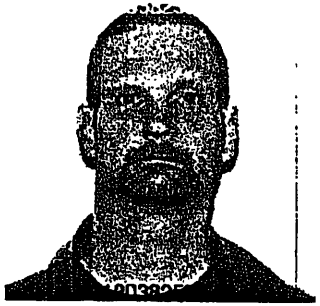
Billy Earl Ray Miller

[redacted]

[redacted]

Date / Time	Location	Amount Purchased
06/09/2011 2:39:58 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
06/13/2011 4:21:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
06/18/2011 4:26:54 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/28/2011 10:02:36 PM EDT	WALGREENS #10163 1601 Sandifer Blvd Seneca, SC 29678	WAL-PHED TABS PPR (96 CNT), 2.88 grams
08/09/2011 11:14:25 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE 1.44 grams
08/09/2011 11:16:57 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
08/19/2011 11:26:08 AM EDT	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 2.88 grams
Total Number of Purchases **7**		**Total Weight** **17.28**

817



Thomas Joseph Rooney

[redacted]

[redacted]

STATE'S EXHIBIT

18 12-17-13

Date / Time	Location	Amount Purchased
04/05/2011 7:34:41 PM EDT	WALGREENS #11400 5312 Calhoun Memorial Hwy Easley, SC 29640	WAL-FINATE ALRGY DECN TAB PPR (48 CNT), 2.88 grams
06/09/2011 8:33:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
06/29/2011 4:54:00 PM EDT	CVS07397 3901 Pelham Rd Greenville, SC 29615	CVS DECON TAB (96 CNT), 2.88 grams
06/29/2011 5:03:14 PM EDT	Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615	EQ SUPHEDRINE, BLOCKED
07/14/2011 11:58:00 PM EDT	CVS03586 2401 Reidville Rd Spartanburg, SC 29301	CVS 12HR NSL DCN (10 CNT), 1.2 grams
07/22/2011 10:50:38 AM EDT	WALGREENS #11400 5312 Calhoun Memorial Hwy Easley, SC 29640	WAL-PHED TABS PPR (96 CNT), 2.88 grams
07/28/2011 7:18:09 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE, BLOCKED

Date/Time	Location	Amount Purchased
07/28/2011 7:19:10 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHEDRINE, 1.44 grams
08/05/2011 7:08:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TBM, 2.88 grams
08/13/2011 2:33:15 PM EDT	Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615	EQ SUPHEDRINE BLOCKED
08/13/2011 2:35:03 PM EDT	Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615	EQ SUPHEDRINE 1.44 grams (RETURNED -1.44)
10/08/2011 11:56:33 AM EDT	WALGREENS #09774 1 The Pkwy Greenville, SC 29615	WAL-PHED 12HR (20 CNT), 2.4 grams
10/18/2011 6:16:56 PM EDT	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640	EQ SUPHED 12-HOUR (20 CNT), 2.4 grams
10/22/2011 7:04:51 PM EDT	WALGREENS #07648 2410 Reidville Rd Spartanburg, SC 29301	SUDAFED SINUS & PAIN 12HR, 1.92
11/02/2011 2:55:57 PM EDT	Wal-Mart Pharmacy #641 6134 White Horse Rd Greenville, SC 29611	EQ SUPHEDRINE, BLOCKED
11/09/2011 11:09:33 AM EST	Wal-Mart Pharmacy #641 6134 White Horse Rd Greenville, SC 29611	EQ SUPHEDRINE 2.88 grams
11/12/2011 1:09:44 PM EST	WALGREENS #07279 101 W Wade Hampton Blvd Greer, SC 29650	WAL-PHED TABS PPR (96 CNT), 2.88 grams

819
803

Date/Time	Location	Amount Purchased
11/16/2011 6:37:06 PM EST	WALGREENS #07648 2410 Reidville Rd Spartanburg, SC 29301	WAL-PHED TABS PPR X (48 CNT) 1.44 grams
11/16/2011 6:37:09 PM EST	WALGREENS #07648 2410 Reidville Rd Spartanburg, SC 29301	WAL-PHED TABS PPR X (48 CNT), 1.44 grams
11/22/2011 9:24:34 AM EST	Wal-Mart Pharmacy #1244 3027 Wade Hampton Blvd Taylors, SC 29687	EQ SUPHEDRINE, 2.88 grams
12/07/2011 6:08:00 PM EST	CVS03928 700 E Main St Duncan, SC 29334	CVS DECON TBM, BLOCKED
12/31/2011 1:55:53 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
Total Number of Purchases **16**	**Number of Blocks** **5**	**Total Weight** **39.6 Grams**

STATE'S EXHIBIT

19 12-1113

Curtiss Charles Summerall

[redacted]

[redacted]

Date / Time	Location	Amount Purchased
11/02/2011 3:32:00 PM EDT	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
11/06/2011 11:42:20 AM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
11/13/2011 4:47:40 PM EST	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
12/01/2011 8:42:00 PM EST	CVS03537 210 Ingles Pl Seneca, SC 29678	CVS DECON TAB (96 CNT), Blocked
Total Number of Purchases **3**	**Number of Blocks** **1**	**Total Weight** **8.64 Grams**

821
805

STATE'S EXHIBIT

20 12-17-13

Lauren Nicole Summerall

[redacted]

[redacted]

Date / Time	Location	Amount Purchased
01/15/2011 2:11:41 PM EST	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630	EQ SUPHEDRINE, 1.44 grams
11/02/2011 2:20:37 PM EDT	WALGREENS #11698 101 Hampton Ave Pickens, SC 29671	WAL-PHED TABS PPR (96 CNT), 2.88 grams
11/06/2011 12:54:00 PM EST	CVS07534 204 Hampton Ave Pickens, SC 29671	CVS DECON TAB (96 CNT), 2.88 grams
Total Number of Purchases **3**	**Number of Blocks** **0**	**Total Weight** **7.2 Grams**

822
806

STATE'S EXHIBIT

21 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:51 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]
My Commission Expires 3/9/2015

Search Results - Person Summary

MEALOR, MICHAEL
Date of Birth: [redacted]

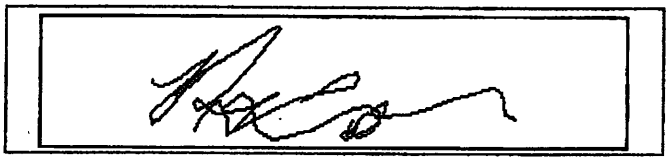
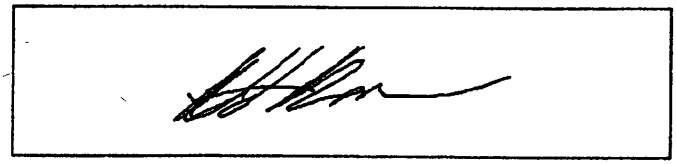
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
MEALOR, MICHAEL MEALOR, MICHAEL LEVANT MEALOR, MICHEAL MICHAEL, MEALOR MEALOR, MICHAEL LEVANT NEALER, MICHALE	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

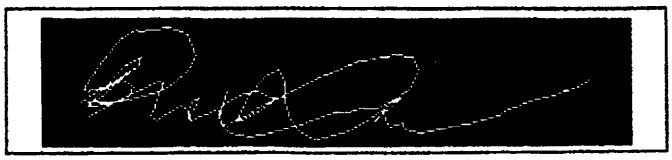
All Activity Types (51) Purchases (42) Blocks (9) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 154249863 (S) 13791919	06/13/2012 3:33:10 PM EDT	Purchase	DECONGESTANT 12HR MAX,	2.5	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details MICHAEL MEALOR [redacted]							
View (N) 151942183 (S) 120530243707	05/30/2012 9:38:00 PM EDT	Purchase	CVS ALG-D 24HR (10CT),	2.4	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details MICHAEL MEALOR [redacted]							
View (N) 149657080 (S) 1736662	05/18/2012 3:33:48 PM EDT	Purchase	DECONGESTANT 12HR MAX,	2.5	1		Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details MICHEAL MEALOR [redacted]							
View (N) 145292511 (S) 13791918	04/26/2012 10:40:20 AM EDT	Purchase	DECONGESTANT 12HR MAX,	2.5	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile

Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL MEALOR ,
[redacted]



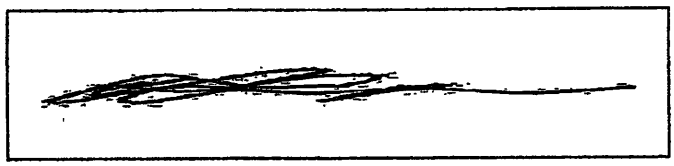
View
(N) 142690296
(S) 10163413590712041420010512902

04/14/2012 1:07.10 AM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2 88 | 1

WALGREENS
#10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MEALOR MICHAEL
[redacted]



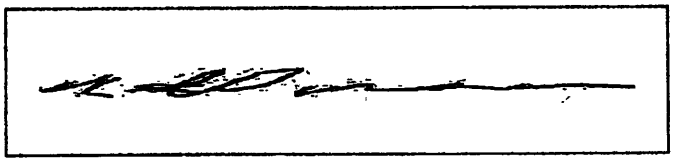
View
(N) 134612714
(S) 11769374803812030720192043299

03/07/2012 7:22:41 PM EST | Purchase | WAL-PHED 12HR (20 CNT), | 2.4 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

MEALOR MICHAEL
[redacted]



View
(N) 131010443
(S) 13791917

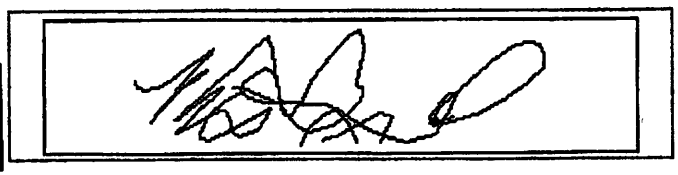
02/20/2012 4:42:25 PM EST | Purchase | DECONGESTANT 12HR MAX, | 2.5 | 1

Wal-Mart
Pharmacy
#3222

1286
Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL MEALOR
[redacted]



View
(N) 127289397
(S) 120203183507

02/03/2012 9:15.00 PM EST | Block | CVS DECON 12 HR (20 CNT), | 2 4 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

CVS04026
8646538724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

MICHAEL MEALOR
[redacted]

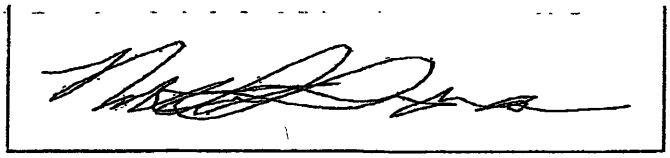
View
(N) 125524775
(S) 11400341643712012620160051810

01/26/2012 4.02:26 PM EST | Purchase | WAL-PHED 12HR (20 CNT), | 2.4 | 1

WALGREENS
#11400
864-855-2925
5312 Calhoun Memorial Hwy
Easley, SC
29640
PICKENS

Transaction Details

MEALOR MICHAEL [redacted]



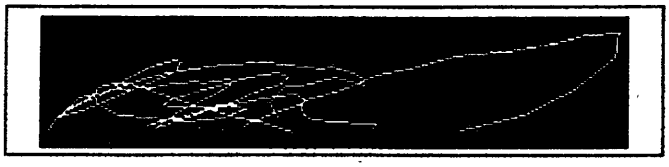
View
(N) 122484987
(S) 1736661

01/11/2012 3:38:09 PM EST | Purchase | DECONGESTANT 12HR MAX, | 2.5 | 1

Wal-Mart Pharmacy #1123
1636 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MICHEAL MEALOR [redacted]



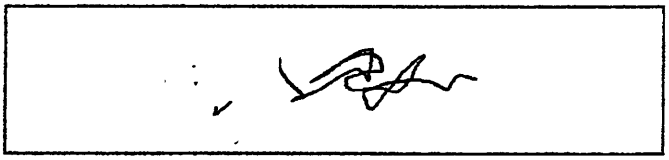
View
(N) 121688724
(S) 120107283506

01/07/2012 3:27:00 PM EST | Purchase | CVS ALG-D 24HR (10CT), | 2.4 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

MICHAEL MEALOR [redacted]



View
(N) 112408822
(S) 116983499138111122201024378 29

11/22/2011 10:25:35 AM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

MEALOR MICHAEL [redacted]

No Electronic Image For Transaction

View
(N) 110435660
(S) 116983486869111110201442338 22

11/10/2011 2:43:21 PM EST | Purchase | WAL-PHED 12HR (20 CNT), | 2.4 | 1

WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

MEALOR MICHAEL [redacted]

No Electronic Image For Transaction

View
(N) 109680032
(S) 101633218471111110520174447814

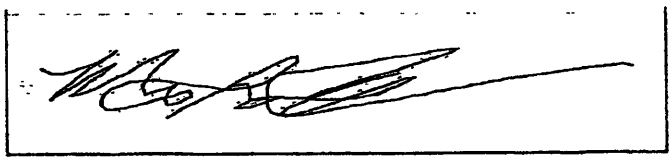
11/05/2011 5:45:29 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MEALOR MICHAEL [redacted]

[redacted]



View
(N) 107064771
(S) 13791916

10/20/2011 6:03.15 PM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

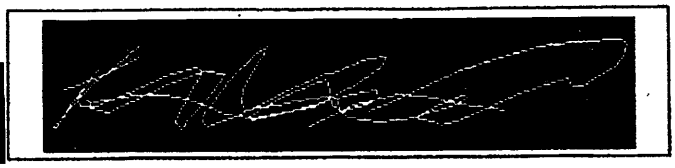
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]



View
(N) 105566150
(S) 13791915

10/11/2011 3:18:47 PM EDT | Block | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]

No Electronic Image For Transaction

View
(N) 103776772
(S) 13791914

09/30/2011 7:35:43 PM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

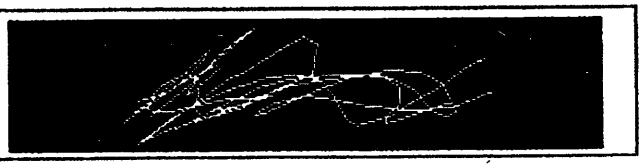
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]



View
(N) 101692395
(S) 11769363310411091820122845910

09/18/2011 12:29:14 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View
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09/15/2011 10:25:34 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View
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(S) 13791913

08/27/2011 6:31:55 PM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

Wal-Mart Pharmacy #3222
1286 Eighteen Mile Rd
Central, SC 29630
PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]

View
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(S) 11698349717011081320170049850

08/13/2011 5:00:43 PM EDT | Purchase | WAL-PHED 12HR (20 CNT), | 2.4 | 1

WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC 29671
PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View
(N) 95747133
(S) 11698348789311080320195218916

08/03/2011 7:52:12 PM EDT | Block | WAL-PHED TABS PPR X (48 CNT), | 1.44 | 1 | Federal Compliance Agent: 9g in 30 days; SC Compliance Agent: 9g Per 30 Days

WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC 29671
PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View
(N) 94767061
(S) 1755625

07/25/2011 5:54:09 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #631
115 Rolling Hills Cir
Easley, SC 29640
PICKENS

Transaction Details

MICHAEL LEVANT MEALOR

[redacted]

View
(N) 93830903
(S) 110716715306

07/16/2011 2:17:00 PM EDT | Purchase | CVS ALG-D 24HR (10CT), | 2.4 | 1

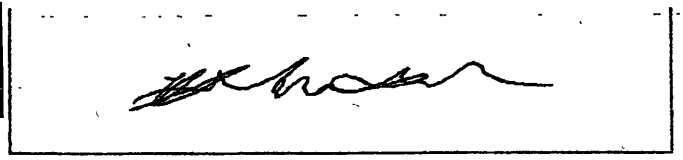
CVS03537
8648826706
210 Ingles Pl
Seneca, SC 29678
OCONEE

Transaction Details

MICHAEL MEALOR

[redacted]

[redacted]

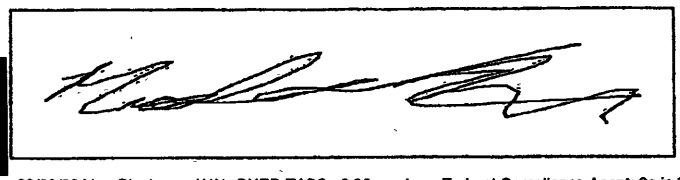


View (N) 93529402 (S) 11698346677311071320172835829	07/13/2011 5:28:30 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]



View (N) 92020145 (S) 10163324172511062920202014814	06/29/2011 8:20:12 PM EDT	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MEALOR MICHAEL

[redacted]

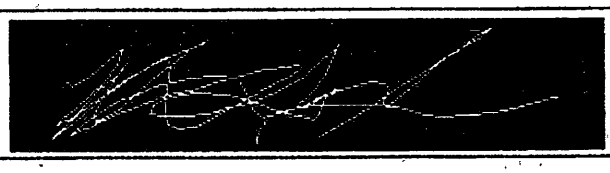
No Electronic Image For Transaction

View (N) 91377655 (S) 13791912	06/23/2011 5:40 46 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]



View (N) 90424187 (S) 11698343751211061320152738822	06/13/2011 3:27:35 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

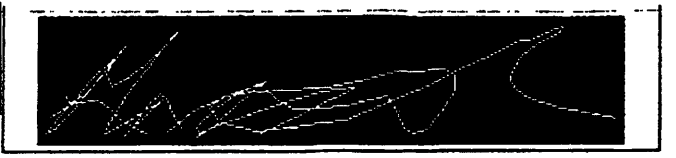
No Electronic Image For Transaction

View (N) 89868452 (S) 1736660	06/07/2011 6 59.39 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MICHEAL MEALOR

[redacted]

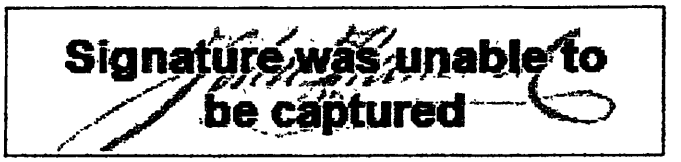


View (N) 88000934 (S) 110520014214	05/20/2011 8:58:00 PM EDT	Block	CVS DECON 12 HR (20 CNT),	2.4	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]

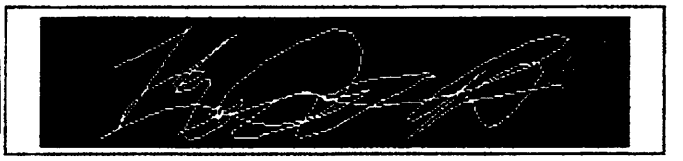


View (N) 87474197 (S) 13791911	05/16/2011 1:07:54 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]



View (N) 86475437 (S) 1169834006591105072017023885O	05/07/2011 6:02:32 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

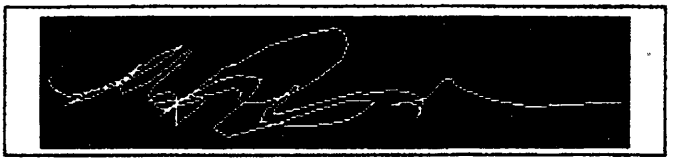
No Electronic Image For Transaction

View (N) 85018999 (S) 13791910	04/25/2011 5:57:44 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]

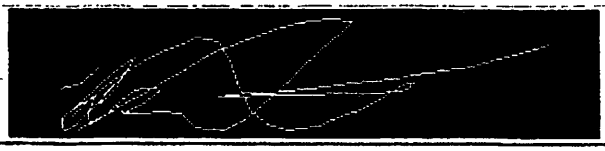


View (N) 83438130 (S) 1379199	04/11/2011 6:07:02 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL MEALOR

[redacted]



View (N) 82432315 (S) 10163325622811040320052702902	04/03/2011 6:27:03 AM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View (N) 81570513 (S) 11698345976011032620124517916	03/26/2011 1:45:13 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View (N) 80145729 (S) 1379198	03/14/2011 7:14.54 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 78285419 (S) 1379197	02/26/2011 4:35.54 PM EST	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 77811525 (S) 1379198	02/22/2011 6.02.41 PM EST	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 76381652 (S) 1169833256761102102015284882S	02/10/2011 4:28:44 PM EST	Block	WAL-PHED TABS PPR X (48 CNT),	1 44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL

[redacted]

No Electronic Image For Transaction

View (N) 75232203 (S) 1379195	01/31/2011 4:41:41 PM EST	Purchase	EQ ALRGY RELIEF D (10 CNT),	2.4	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 74754033 (S) 1379194	01/27/2011 3:35:22 PM EST	Block	EQ SUPHEDRINE,	1 44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent. 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 74753774 (S) 1379193	01/27/2011 3:33:20 PM EST	Block	EQ SUPHEDRINE,	1 44	1	Federal Compliance Agent. 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

[redacted]

No Electronic Image For Transaction

View (N) 74251906 (S) 1016332047491101232004102190Z	01/23/2011 5:10:26 AM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MEALOR MICHAEL [redacted]

No Electronic Image For Transaction

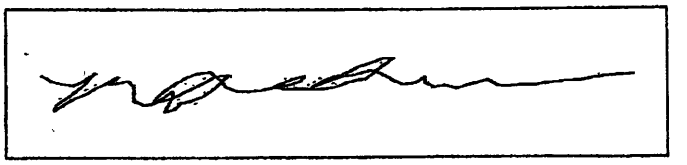
View
(N) 73630054
(S) 1169833205141101172014304882 2

01/17/2011 3:30:45 PM EST | Purchase | WAL-PHED TABS PPR X (48 CNT), | 1.44 | 1

WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL [redacted]



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(S) 1169833205141101172014301582 2

01/17/2011 3:30:11 PM EST | Block | WAL-PHED TABS PPR (96 CNT), | 2 88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MEALOR MICHAEL [redacted]

No Electronic Image For Transaction

View
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(S) 1755624

01/14/2011 7:27:36 PM EST | Purchase | EQ SUPHED 12-HOUR (20 CNT). | 2.4 | 1

Wal-Mart Pharmacy #631

115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

MICHAEL LEVANT MEALOR [redacted]

No Electronic Image For Transaction

View
(N) 72066866
(S) 110104312214

01/04/2011 10:07:00 AM EST | Purchase | CVS 12HR NSL DCN (10 CNT), | 1.2 | 1

CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MICHAEL MEALOR [redacted]

View
(N) 71195802
(S) 1379192

12/28/2010 7:19:04 PM EST | Purchase | EQ SUPHEDRINE, | 1.44 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHALE NEALER

No Electronic Image For Transaction

[redacted]

View (N) 70453932 (S) 1755623	12/22/2010 6:28.26 PM EST	Purchase	EQ SUPHED 12- HOUR (20 CNT),	2.4	1	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

MICHAEL LEVANT MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 68971181 (S) 1755622	12/09/2010 8:08:05 PM EST	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

MICHAEL LEVANT MEALOR

[redacted]

No Electronic Image For Transaction

834
818

STATE'S EXHIBIT
22
12.17.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 8:51PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 16th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]
My Commission [illegible] 3/2015

Search Results - Person Summary

GREENFIELD, CYNTHIA
Date of Birth [redacted]

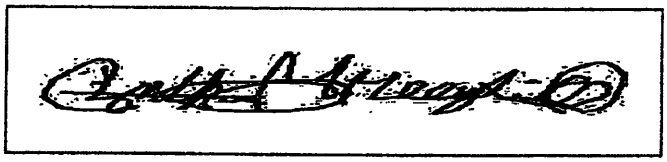
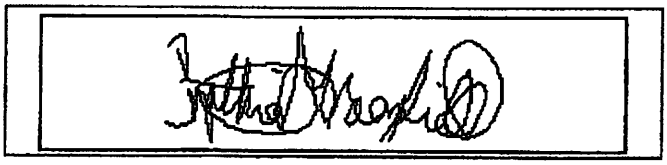
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
GREENFIELD, CYNTHIA GREENFILED, CYNTHIA GREENFILED, CYNTHIA MANSELL GREENFIELD, CYNTHIA M 0GREEFIELD, CYNTHIA GREEFIELD, CYNTHIA	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (45) Purchases (39) Blocks (6) Exceedances (0) Purchase Attempts (0) Returns (0)

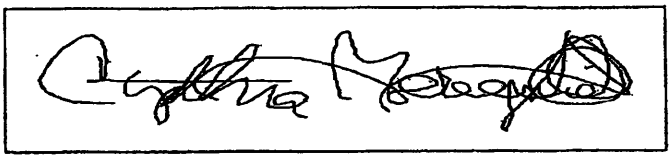
Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 149654071 (S) 10163411727012051820142033801	05/18/2012 2:23:28 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details CYNTHIA GREENFIELD [redacted]							
View (N) 147058026 (S) 1699120	05/04/2012 8:37:33 PM EDT	Purchase	CLARITIN-D 24 HOUR (10 CNT),	2.4	1		Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details CYNTHIA GREENFILED [redacted]							
View (N) 141750830 (S) 10163412626012041020231451975	04/09/2012 11.17:04 PM EDT	Purchase	WAL-FEX D 24HR TAB (10CNT),	2.4	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details CYNTHIA GREENFILED [redacted]	No Electronic Image For Transaction						
View (N) 132861059 (S) 10163326074012022820192144801	02/28/2012 7:23 33 PM EST	Purchase	WAL-ITIN D24 (10 CNT),	2.4	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678

OCONEE

Transaction Details

CYNTHIA GREENFILED

[redacted]



View
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(S) 120220808206

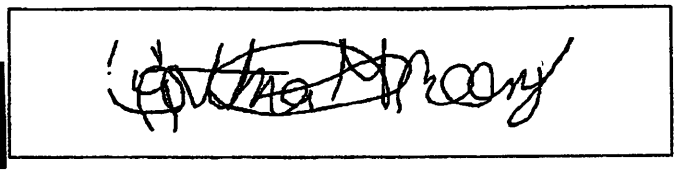
02/20/2012 8:20:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]



View
(N) 126076995
(S) 1176937375881201292012272129 9

01/29/2012 12.28:58 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2 88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

No Electronic Image For Transaction

View
(N) 124980070
(S) 1176936676691201232019243791 0

01/23/2012 7:25.56 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2 88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 121662856

01/07/2012 2:20:12 PM EST | Purchase | OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT), | 2.4 | 1

Bi-Lo
Pharmacy
#539
864-653-7113
501 Old Greenville Hwy
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

No Electronic Image For Transaction

View
(N) 112412965
(S) 111122314613

11/22/2011 11:46 00 AM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

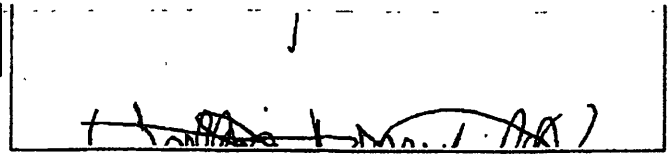
CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

[redacted]

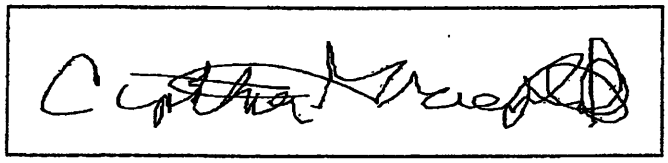


View (N) 109884252 (S) 10163321856311110520181411814	11/05/2011 6:15:01 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #10163 864-885-0689 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

CYNTHIA GREENFILED

[redacted]

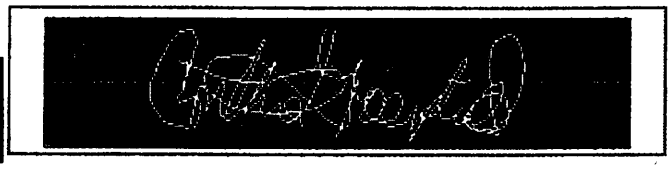


View (N) 106567238 (S) 12299617	10/17/2011 6:06 13 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

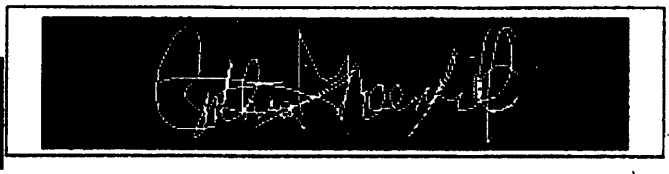


View (N) 104346246 (S) 1668278	10/04/2011 11:00:07 AM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]



View (N) 104346019 (S) 1668277	10/04/2011 10:59:05 AM EDT	Block	EQ SUPHEDRINE,	2.88	2	Federal Compliance Agent. 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

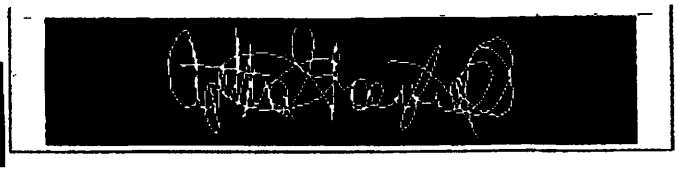
No Electronic Image For Transaction

View (N) 103769042 (S) 12299616	09/30/2011 7:04 38 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA 0GREEFIELD

[redacted]



View
(N) 101671629
(S) 12299615

09/18/2011 12:17:17 PM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

CYNTHIA 0GREEFIELD

[redacted]

View
(N) 100493597
(S) 12299614

09/10/2011 5:53:13 PM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

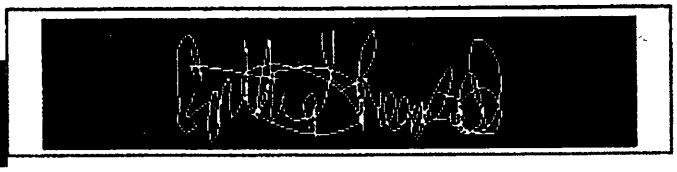
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

CYNTHIA 0GREEFIELD

[redacted]



View
(N) 97737448
(S) 10163325416411082220235659902

08/21/2011 11:57:08 PM EDT | Block | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 96824704
(S) 110813692813

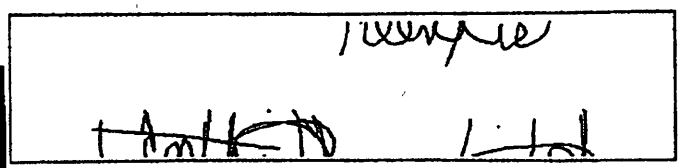
08/13/2011 6:00:00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]



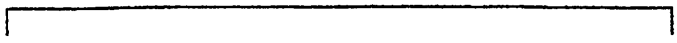
View
(N) 95530639
(S) 12299613

08/01/2011 8:49:53 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

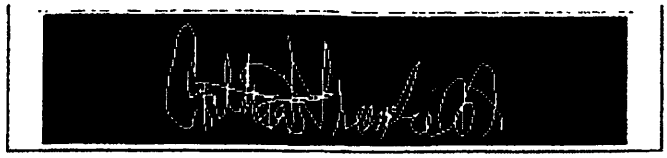
1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details



CYNTHIA GREEFIELD

[redacted]



View
(N) 94764511
(S) 1668278

07/25/2011 5:39:20 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

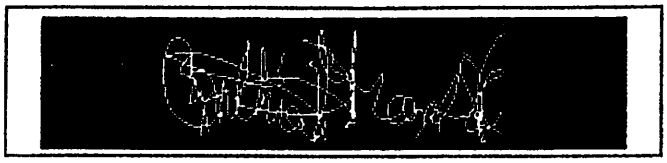
Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]



View
(N) 92669912
(S) 11769322062711070520203746177

07/05/2011 8:37:47 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

No Electronic Image For Transaction

View
(N) 91517309
(S) 11769321422411062420202753900

06/24/2011 8:27:52 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

No Electronic Image For Transaction

View
(N) 91120283
(S) 110620002106

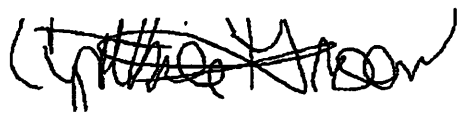
06/20/2011 9:58 00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]



View
(N) 90435062
(S) 110613297313

06/13/2011 5:38:00 PM EDT | Block | CVS ALG-D 24HR (10CT), | 2.4 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent 9g Per 30 Days

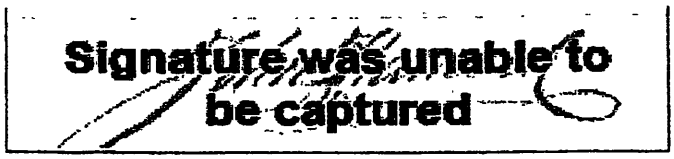
CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

[redacted]

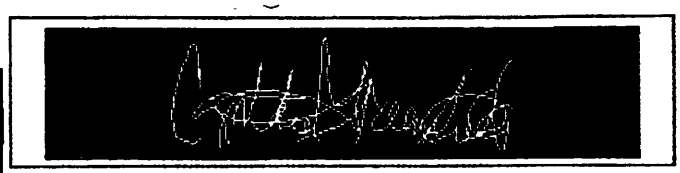


View (N) 89412017 (S) 12299611	06/03/2011 1:29:24 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA 0GREEFIELD

[redacted]



View (N) 89795575 (S) 12299612	05/23/2011 11:30:22 AM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA 0GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 87742111 (S) 1176932888211051820161406856	05/18/2011 5:14:09 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-853-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CYNTHIA GREENFILED

[redacted]

No Electronic Image For Transaction

View (N) 86959438 (S) 1169834050221105112018200291 6	05/11/2011 7:20:00 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View (N) 85940430 (S) 1169834954861105032013565282 2	05/03/2011 2:56:48 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CYNTHIA GREENFIELD

No Electronic Image For Transaction

[redacted]

View (N) 85015368 (S) 12299610	04/25/2011 5:40:03 PM EDT	Block	EQ SUPHEDRINE,	2.88	2	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 85014913 (S) 1229969	04/25/2011 5:37:39 PM EDT	Block	EQ SUPHEDRINE,	2.88	2	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 84127631 (S) 116983481391110417201538039 16	04/17/2011 4:38:00 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View (N) 83065966 (S) 1140034208161104082012295 1869	04/08/2011 1:29:53 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11400 864-855-2925 5312 Calhoun Memorial Hwy Easley, SC 29640 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View (N) 81827799 (S) 1229968	03/28/2011 8:01:15 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

[redacted]

View (N) 80644417 (S) 1229967	03/18/2011 8:28:07 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 78654381 (S) 1668275	03/01/2011 8:36:51 PM EST	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View (N) 77817102 (S) 1229966	02/22/2011 6:30:21 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 77379978 (S) 1229965	02/18/2011 8:16:33 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View (N) 75555364 (S) 11698332382911020320144802829	02/03/2011 3:48:01 PM EST	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CYNTHIA GREENFIELD

No Electronic Image For Transaction

[redacted]

View
(N) 75004567
(S) 1668274

01/29/2011 3:16:04 PM EST | Purchase | EQ SUPHEDRINE, | 1.44 | 1

Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 74412111
(S) 1668273

01/24/2011 4:11:27 PM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 73822855
(S) 1668272

01/19/2011 12:16:28 PM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CYNTHIA GREENFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 71878176
(S) 1229964

01/02/2011 4:50:53 PM EST | Purchase | EQ SUPHEDRINE, | 1.44 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

CYNTHIA GREEFIELD

[redacted]

No Electronic Image For Transaction

View
(N) 70596662
(S) 1229963

12/23/2010 5:47:41 PM EST | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

No Electronic Image For Transaction

– CYNTHIA GREEFIELD [redacted]

View (N) 70043284 (S) 1229962	12/19/2010 3 12:33 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

No Electronic Image For Transaction

CYNTHIA GREEFIELD [redacted]

845

STATE'S EXHIBIT

23 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:52 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]
My Commiss[illegible]2015

Search Results - Person Summary

MEALOR, JASON
Date of Birth: [redacted]

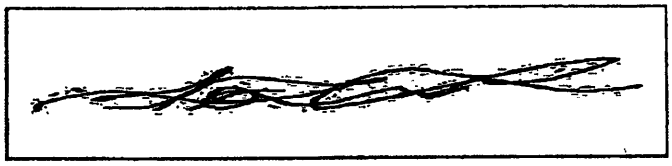
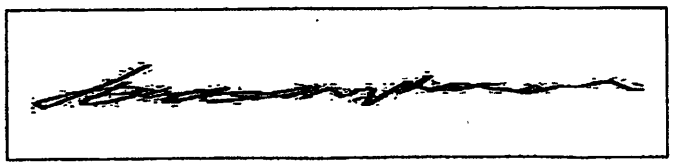
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
MEALOR, JASON ERIC, JASON MEALOR, JASON ERIC MEALOR, JASON ERIC	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (26) Purchases (24) Blocks (2) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 125539458 (S) 11769367088612012620164432856	01/26/2012 4:46:06 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details JASON MEALOR [redacted]							
View (N) 123940751 (S) 11769366264412011820170625856	01/18/2012 5:07:55 PM EST	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details JASON MEALOR [redacted]	No Electronic Image For Transaction						
View (N) 123345443 (S) 11769365963012011520163041910	01/15/2012 4:31:58 PM EST	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details JASON MEALOR [redacted]							
View (N) 110978913 (S) 11698348999511111320165234822	11/13/2011 4:53:16 PM EST	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671

PICKENS

Transaction Details

JASON ERIC

[redacted]

No Electronic Image For Transaction

View
(N) 107674081
(S) 111024407206

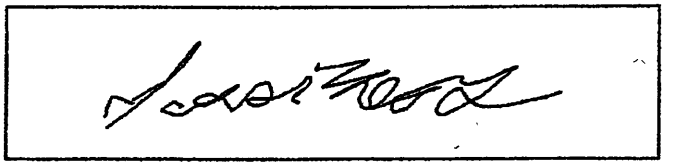
10/24/2011 4:51:00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

JASON MEALOR

[redacted]



View
(N) 106785611
(S) 11769366890411101820203825125

10/18/2011 8:39:03 PM EDT | Purchase | WAL-PHED 12HR (20 CNT), | 2.4 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

JASON ERIC

[redacted]

No Electronic Image For Transaction

View
(N) 104347794
(S) 1813031

10/04/2011 11.09.20 AM EDT | Purchase | EQ SUPHED 12-HOUR (20 CNT), | 2.4 | 1

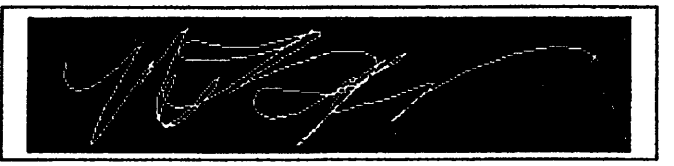
Wal-Mart
Pharmacy
#631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

JASON MEALOR

[redacted]



View
(N) 101657301
(S) 1233393

09/18/2011 11:19:45 AM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

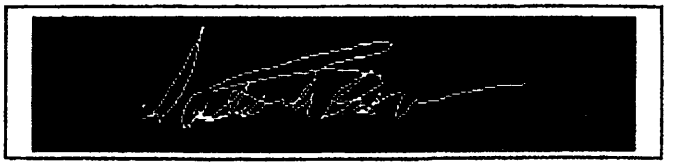
Wal-Mart
Pharmacy
#3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

JASON MEALOR

[redacted]



View
(N) 100492683
(S) 1233392

09/10/2011 5:49:22 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart
Pharmacy
#3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

JASON MEALOR

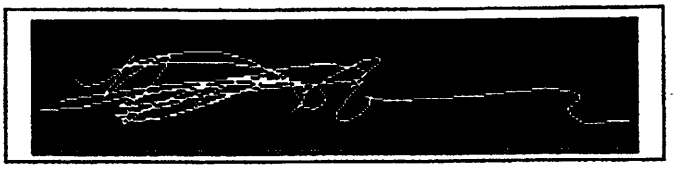
[redacted]

View (N) 98382166 (S) 1813030	08/26/2011 8:51:02 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

JASON MEALOR

[redacted]



View (N) 94478573 (S) 116983476224110722201734489 91	07/22/2011 5:34:41 PM EDT	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent 9g Per 30 Days	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON ERIC MEALOR

[redacted]

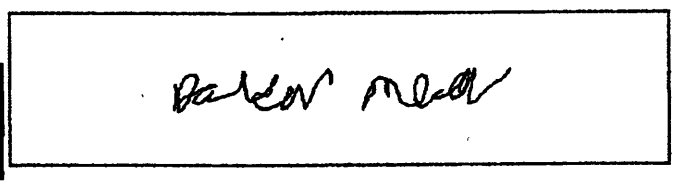
No Electronic Image For Transaction

View (N) 94071672 (S) 110718005714	07/18/2011 8 30:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS05598 8648432726 305 W Main St Liberty, SC 29657 PICKENS

Transaction Details

JASON MEALOR

[redacted]



View (N) 93826785 (S) 101633277419110716201253348 14	07/18/2011 12:53:33 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

JASON MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 92259153 (S) 110701114313	07/01/2011 8:07.00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent. 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR

[redacted]

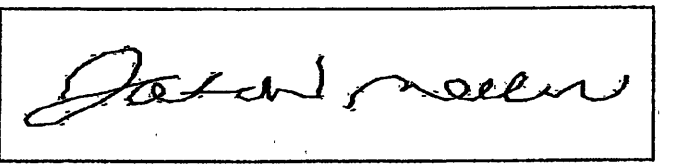
[redacted]

View (N) 91523604 (S) 10163323185211062520000152902	06/25/2011 12:01:56 AM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

JASON ERIC MEALOR

[redacted]



View (N) 90076718 (S) 11698343435611060920191845850	06/09/2011 7:18 43 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2 4	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR

[redacted]

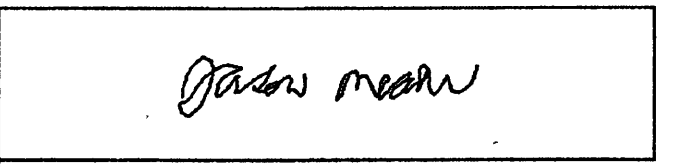
No Electronic Image For Transaction

View (N) 89863924 (S) 110607302206	06/07/2011 6:33:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2 88	1	CVS03537 8648826706 210 Ingles Pl Seneca, SC 29678 OCONEE

Transaction Details

JASON MEALOR

[redacted]

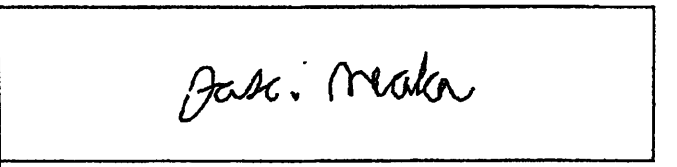


View (N) 88587254 (S) 110526796907	05/26/2011 3:59:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

JASON MEALOR

[redacted]



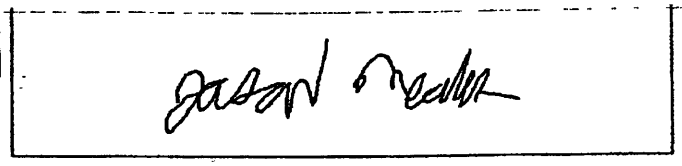
View (N) 86802769 (S) 110510187013	05/10/2011 4:50:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR

[redacted]

[redacted]

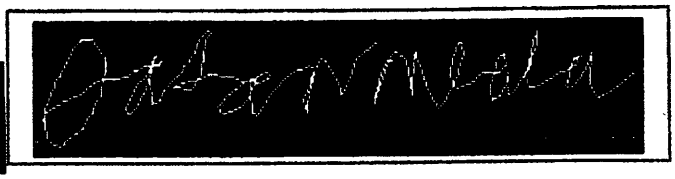


View (N) 85614039 (S) 1233391	04/30/2011 5:31:02 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

JASON MEALOR

[redacted]



View (N) 78901528 (S) 10163329101311030320203329845	03/03/2011 9.33:30 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

JASON ERIC MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 75085939 (S) 1712662	01/30/2011 1:14 49 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

JASON MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 59939016 (S) 100830024513	08/30/2010 8:19:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR

[redacted]

View (N) 58612491 (S) 100810418614	08/10/2010 9:26:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR

219 HOLLIDAY RD
[redacted]

Jason Mealor

View (N) 56788497 (S) 100709096013	07/09/2010 6:18 00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR
[redacted]

J Mealor

View (N) 56262178 (S) 100630927613	06/30/2010 7:22 00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2 88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

JASON MEALOR
[redacted]

J Mealor

852
836

STATE'S EXHIBIT

24 12.17.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:52 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]
My Commission [illegible] 2015

Search Results - Person Summary

HAYES, AMANDA
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HAYES, AMANDA HAYES, AMANDA GENE	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

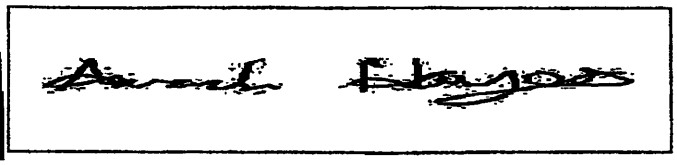
All Activity Types (25) Purchases (22) Blocks (3) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 144132009	04/20/2012 4:23:08 PM EDT	Purchase	OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT),	2.4	1		Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS
Transaction Details AMANDA HAYES [redacted]	No Electronic Image For Transaction						
View (N) 126128968	01/29/2012 4:04:30 PM EST	Purchase	OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT),	2.4	1		Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS
Transaction Details AMANDA HAYES [redacted]	No Electronic Image For Transaction						
View (N) 123934412	01/18/2012 5:49:24 PM EST	Purchase	OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT),	2.4	1		Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS
Transaction Details AMANDA HAYES [redacted]	No Electronic Image For Transaction						
View (N) 122019810 (S) 11769365286912010920120936926	01/09/2012 12:10:45 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962

1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

AMANDA HAYES
[redacted]



View
(N) 115815705
(S) 11769362B1471112120133549900

12/11/2011 1:36:41 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 111284724
(S) 11769360041411111520155314925

11/15/2011 3:54:08 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 107684076
(S) 11769367515811102420162748856

10/24/2011 4:28:31 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 107258952
(S) 11828812

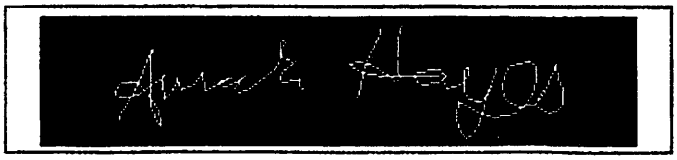
10/21/2011 7:39:43 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

AMANDA HAYES
[redacted]



ID Expires: 08/04/2016

View
(N) 105561697
(S) 11828811

10/11/2011 2:56:54 PM EDT | Block | EQ SUPHEDRINE, | 2.88 | 2 | Federal Compliance Agent 9g in 30 days SC Compliance Agent: 9g Per 30 Days

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC

29630
PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View (N) 105571894 (S) 11769366107211101120144452805	10/11/2011 2:45:19 PM EDT	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View (N) 105571607 (S) 11769366106911101120144403805	10/11/2011 2:43:56 PM EDT	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

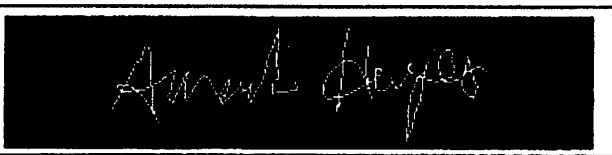
AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View (N) 105084573 (S) 11828810	10/08/2011 1:08:02 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES
[redacted]



View (N) 102765888 (S) 11769364095811092420152226910	09/24/2011 3:22:40 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

AMANDA HAYES
[redacted]

No Electronic Image For Transaction

View (N) 102052944 (S) 1182889	09/20/2011 3:46:47 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

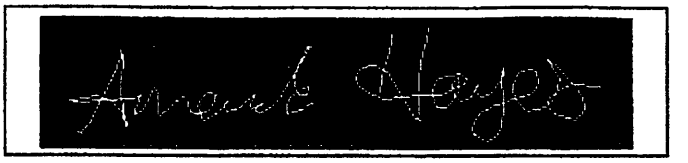
AMANDA HAYES
219 HOLLIDAY RD
SIX MILE, SC 29682
12/03/1987
090601879 - SC - Driver's License ID

ID Expires. 08/04/2016

View (N) 99496940 (S) 1182888	09/03/2011 7:01:52 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES
[redacted]



View (N) 97502944 (S) 1182887	08/19/2011 7:06:41 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

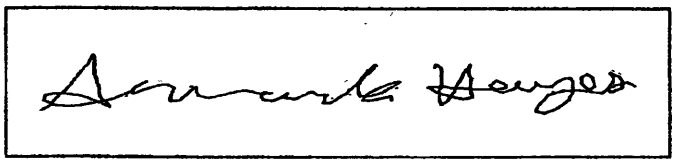
Transaction Details

AMANDA HAYES
[redacted]

View (N) 95106116 (S) 11769323632211072820193845900	07/28/2011 7:38:43 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

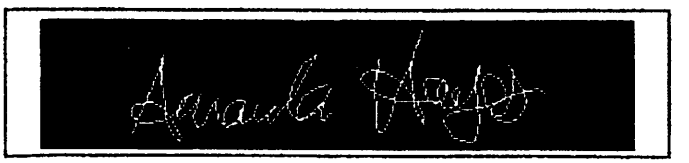
AMANDA HAYES
[redacted]



View (N) 94673508 (S) 1182886	07/24/2011 5 53:11 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES
[redacted]



View (N) 92382336 (S) 10163324913011070220200113845	07/02/2011 8 01.14 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

AMANDA HAYES

[redacted]

No Electronic Image For Transaction

View (N) 90915680 (S) 1182885	06/18/2011 3:48:46 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES

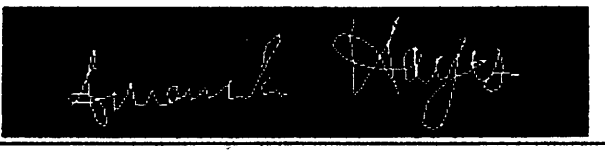
[redacted]

View (N) 89584768 (S) 1182884	06/04/2011 6:27:30 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES

[redacted]



View (N) 86071939 (S) 110504504906	05/04/2011 3:42:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

AMANDA HAYES

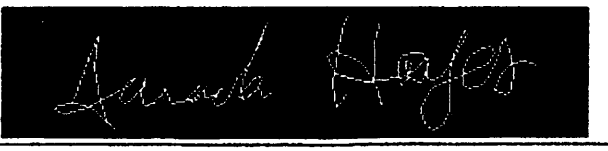
[redacted]

View (N) 85484777 (S) 1182883	04/29/2011 6:21:52 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

AMANDA HAYES

[redacted]



View (N) 74406934 (S) 1182882	01/24/2011 3:42:19 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630

PICKENS

Transaction Details

AMANDA HAYES

[redacted]

No Electronic Image For Transaction

View (N) 68808177 (S) 1615022	12/08/2010 2:23 37 PM EST	Purchase	EQ SUPHEDRINE,	2 88	2 .	Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

AMANDA HAYES

[redacted]

No Electronic Image For Transaction

859

STATE'S EXHIBIT

25 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:53 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

NOTARY PUBLIC In and for the State of Kentucky
My commission expires: [illegible]15

Search Results - Person Summary

HURLEY, DANIEL RAY
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HURLEY, DANIEL RAY HURLEY, DANIEL RAY HURLEY, DANIEL	[redacted]	[redacted]	[redacted]

Transaction Summary

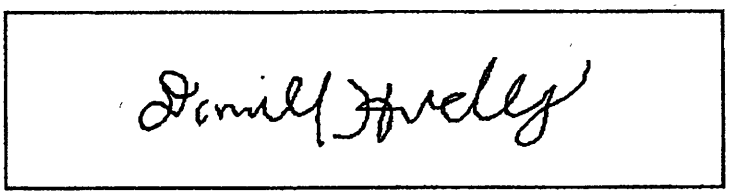
☑ **Show Transaction Details and Signatures**

All Activity Types (9) Purchases (9) Blocks (0) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 111286721 (S) 111115912907	11/15/2011 5:01:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

DANIEL HURLEY [redacted]



View (N) 108104624 (S) 11698347240911102720113303430	10/27/2011 11:33:43 AM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

DANIEL RAY HURLEY [redacted]

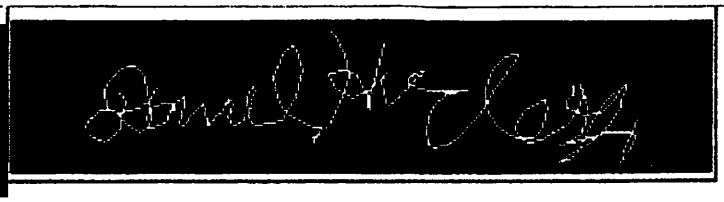
No Electronic Image For Transaction

View (N) 103382847 (S) 1422873	09/28/2011 4:06:04 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

DANIEL HURLEY

[redacted]

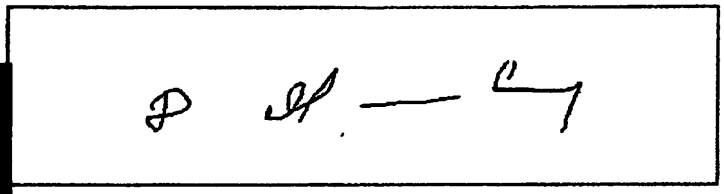


View (N) 102759463 (S) 110924045106	09/24/2011 3:58:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

DANIEL HURLEY

[redacted]

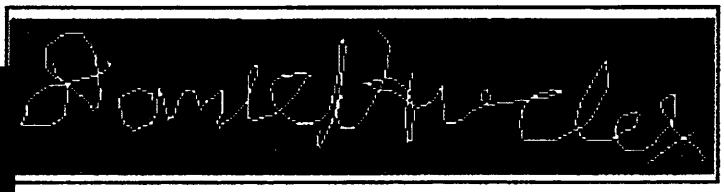


View (N) 98496407 (S) 1422872	08/27/2011 4:46:21 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

DANIEL HURLEY

[redacted]

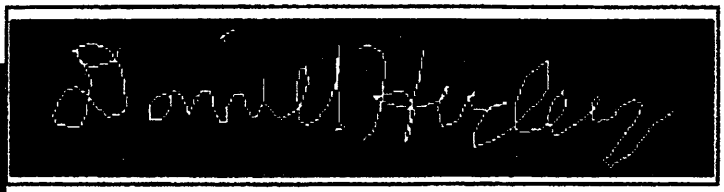


View (N) 95382462 (S) 1422871	07/31/2011 3:32:00 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

DANIEL HURLEY

[redacted]



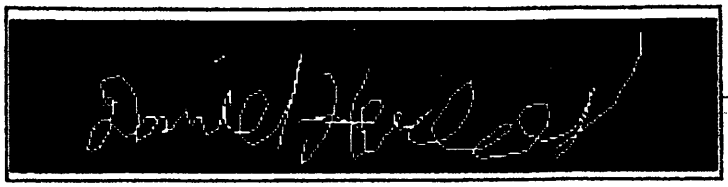
View (N) 93981157 (S) 1422870	07/18/2011 10:17:14 AM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC

29630
PICKENS

Transaction Details

DANIEL HURLEY

[redacted]

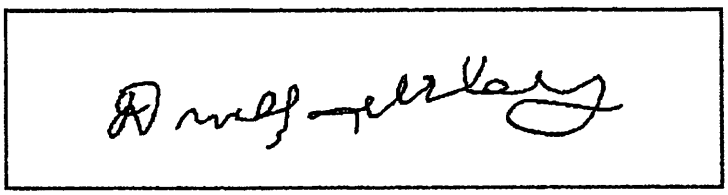


View (N) 88487304 (S) 110525727406	05/25/2011 4:52:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

DANIEL HURLEY

[redacted]

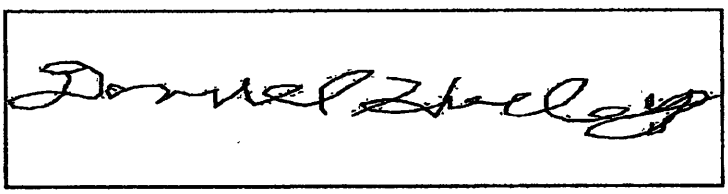


View (N) 86544184 (S) 11769328121011050820133808910	05/08/2011 2:38:08 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

DANIEL RAY

[redacted]



STATE'S EXHIBIT

26 12.17.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:53 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]
My Comm. [illegible] 2015

Search Results - Person Summary

HAYES, CAROL
Date of Birth: [redacted]

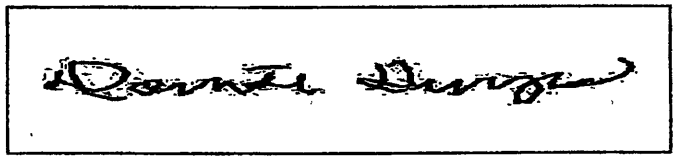
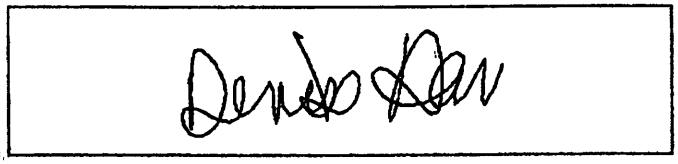
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HAYES, CAROL HAYES, CAROL DENISE 11062013HAYES, CAROL	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

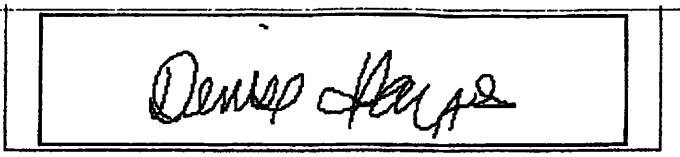
All Activity Types (43) Purchases (34) Blocks (9) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 154245854 (S) 11769361115012061320141444935	06/13/2012 2:14:34 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details CAROL HAYES [redacted]							
View (N) 151554222 (S) 120528157007	05/28/2012 5:36:00 PM EDT	Purchase	CVS ALG-D 24HR (10CT),	2.4	1		CVS03537 8648826706 210 Ingles Pl Seneca, SC 29678 OCONEE
Transaction Details CAROL HAYES [redacted]							
View (N) 150784203	05/24/2012 2:10:26 PM EDT	Purchase	OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT),	2.4	1		Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS
Transaction Details CAROL HAYES [redacted]	No Electronic Image For Transaction						
View (N) 147512263 (S) 1709786	05/07/2012 3:22:03 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

CAROL HAYES

[redacted]



View
(N) 139692112

03/31/2012 12:44:06 PM EDT | Purchase | OHM ALLERGY RELIEF AND NASAL DECONGESTANT (10 CNT), | 24 | 1

Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]

No Electronic Image For Transaction

View
(N) 126066462
(S) 120129434107

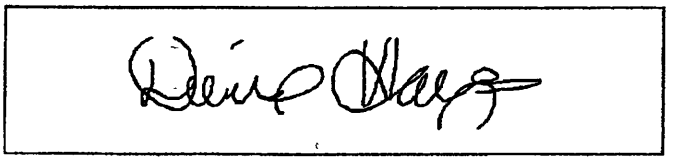
01/29/2012 12:58:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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(S) 120115372106

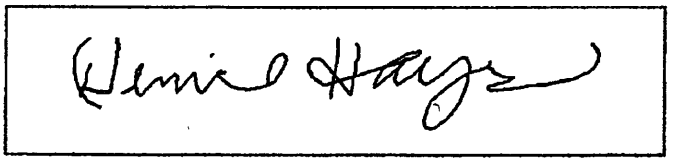
01/15/2012 5:28:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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(S) 120104249606

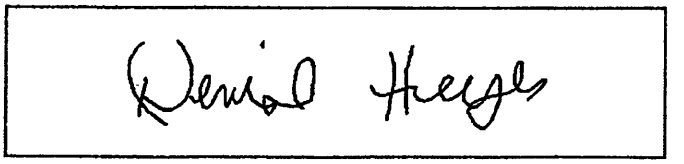
01/04/2012 1:36:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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(N) 117844135
(S) 111221755913

12/21/2011 4:58:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

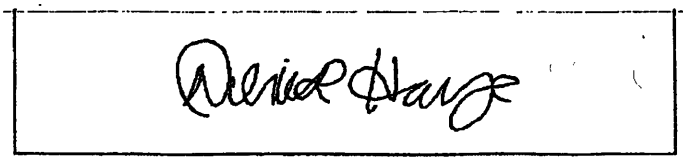
CVS07534 8648767954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CAROL HAYES

[redacted]

[redacted]



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(N) 115782500
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12/11/2011 12:44:00 PM EST | Purchase | CVS DECON TBM, | 2.88 | 2

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CAROL HAYES
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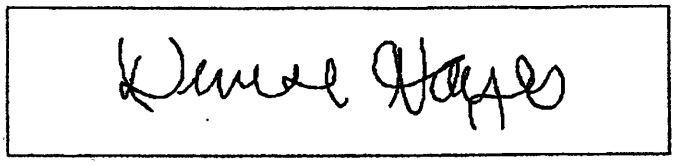

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(S) 111123796806

11/23/2011 7:20:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CAROL HAYES
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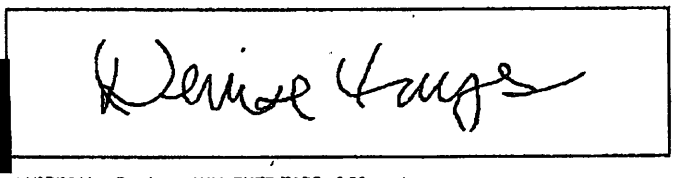

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(S) 11769369047811110720123618856

11/07/2011 12:36:59 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CAROL HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 109406286
(S) 111104659913

11/04/2011 12:54:00 PM EDT | Block | CVS DECON TAB (96 CNT), | 2.88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CAROL HAYES
[redacted]

View
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(S) 111104659513

11/04/2011 12:53:00 PM EDT | Block | CVS DECON TAB (96 CNT), | 2.88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CAROL HAYES
[redacted]

View (N) 109406253 (S) 111104659713	11/04/2011 12:53:00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS	

Transaction Details

CAROL HAYES

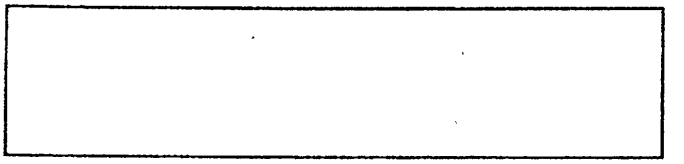
[redacted]

View (N) 108103352 (S) 111027430513	10/27/2011 12:27:00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS	

Transaction Details

CAROL HAYES

[redacted]

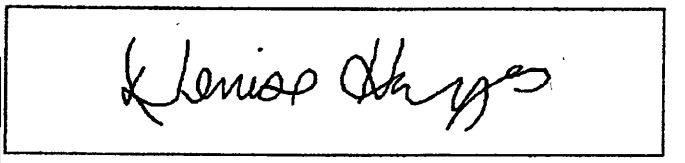


View (N) 107254251 (S) 111021381708	10/21/2011 7:19:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS	

Transaction Details

CAROL HAYES

[redacted]

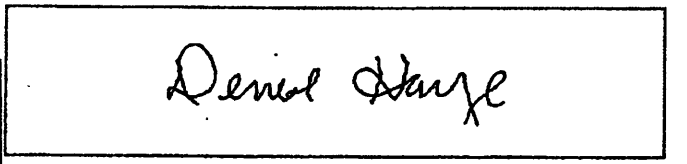


View (N) 106091149 (S) 111014691807	10/14/2011 6:12:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS	

Transaction Details

CAROL HAYES

[redacted]



View (N) 104787787 (S) 111006195506	10/06/2011 5:51:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS	

Transaction Details

CAROL HAYES

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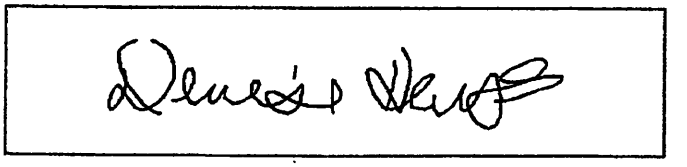


View (N) 103417045 (S) 116983441125110928201723068 40	09/28/2011 5:23:23 PM EDT	Block	WAL-ACT TABS (48 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11698 - 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS	

Transaction Details

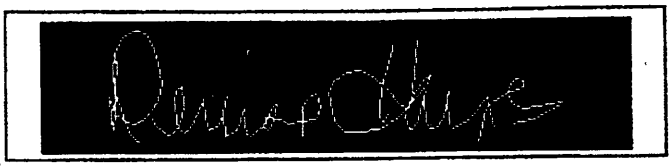
No Electronic Image For Transaction

CAROL HAYES
[redacted]

View (N) 102048720 (S) 1231668	09/20/2011 3:28:20 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

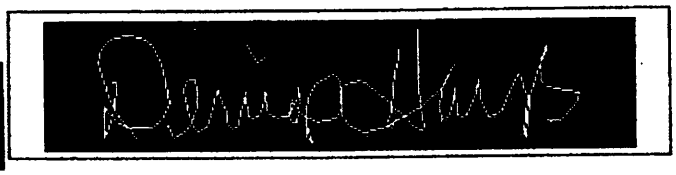
CAROL 11062013HAYES
[redacted]



View (N) 100937939 (S) 1231667	09/13/2011 7:33.43 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

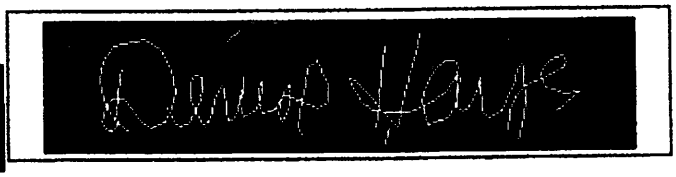
CAROL 11062013HAYES
[redacted]



View (N) 99493137 (S) 1231666	09/03/2011 6:35:24 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

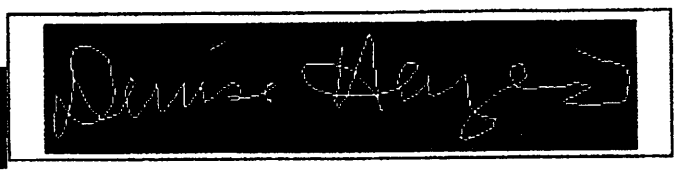
CAROL 11062013HAYES
[redacted]



View (N) 97498524 (S) 1231665	08/19/2011 6:40.29 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CAROL 11062013HAYES
[redacted]



View (N) 95916686 (S) 1747670	08/05/2011, 3:22:11 PM EDT	Block	EQ SUPHEDRINE,	2.88	2	Federal Compliance Agent 9g in 30 days SC Compliance Agent. 9g Per 30 Days	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678

OCONEE

Transaction Details

CAROL HAYES

[redacted]

No Electronic Image For Transaction

View
(N) 95105244
(S) 110728028806

07/28/2011 8:32:00 PM EDT | Block | CVS DECON TAB (96 CNT), | 2.88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days | CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]

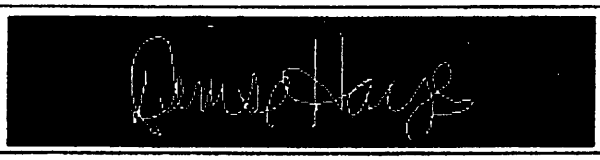
View
(N) 94759813
(S) 1709785

07/25/2011 5 11:15 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2 | | Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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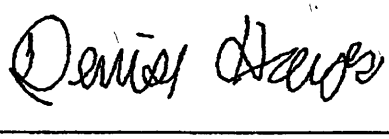
(S) 110721316413

07/21/2011 5:14 00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2 88 | 1 | | CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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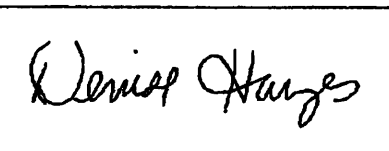
(S) 110711209506

07/11/2011 8:09:00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1 | | CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]



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07/02/2011 9:06:02 PM EDT | Block | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1 | Federal Compliance Agent: 9g in 30 days SC Compliance Agent. 9g Per 30 Days | WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

CAROL HAYES

[redacted]

No Electronic Image For Transaction

[redacted]

View (N) 91773084 (S) 110627115406	06/27/2011 5:12:00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]

Signature was unable to be captured

View (N) 91211599 (S) 1176932123401106212020444390O	06/21/2011 8:44.44 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]

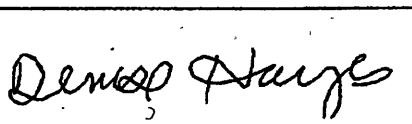
No Electronic Image For Transaction

View (N) 90660117 (S) 110615915007	06/15/2011 9:29:00 PM EDT	Purchase	CVS DECON 12 HR (20 CNT),	2.4	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]



View (N) 90146370 (S) 1176932043361106102015295045G	06/10/2011 3:29:53 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

CAROL HAYES

[redacted]

No Electronic Image For Transaction

View (N) 87740658 (S) 1231664	05/18/2011 5:05:21 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

CAROL 11082013HAYES

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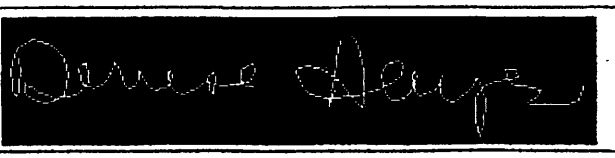

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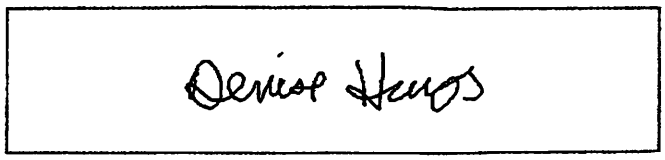
(S) 110513597506 AM EDT

1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

CAROL HAYES
[redacted]



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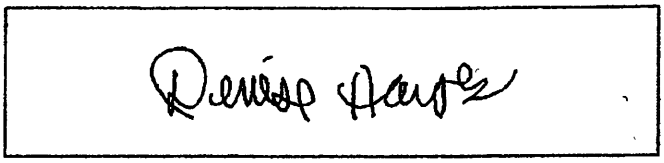
05/10/2011 11:24:00 AM EDT | Purchase | CVS DECON TAB (96 CNT), | 2 88 | 1

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CAROL HAYES
[redacted]



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03/31/2011 12:44:33 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

CAROL 11062013HAYES
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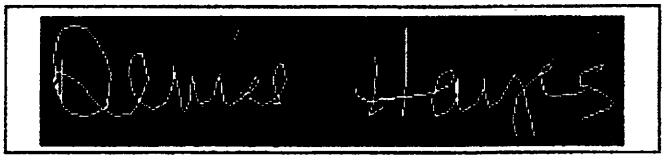

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03/23/2011 2.39.35 PM EDT | Purchase | EQ SUPHEDRINE, | 2 88 | 2

Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CAROL HAYES
[redacted]

No Electronic Image For Transaction

View
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(S) 1231662

01/20/2011 6:36:04 PM EST | Purchase | EQ SUPHEDRINE, | 1 44 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

CAROL HAYES
[redacted]

No Electronic Image For Transaction

View
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01/13/2011 2:49:31 PM EST | Purchase | EQ SUPHEDRINE, | 2 88 | 2

Wal-Mart Pharmacy #631

115 Rolling

Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CAROL HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 72241317
(S) 1709782

01/05/2011 2:26:10 PM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #631
115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

CAROL HAYES
[redacted]

No Electronic Image For Transaction

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(S) 101206107814

12/06/2010 1:41:00 PM EST | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

CAROL HAYES
[redacted]

Denise Hayes

873

STATE'S EXHIBIT

27 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:53 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 20 13 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

HAYES, MICHAEL
Date of Birth: [redacted]

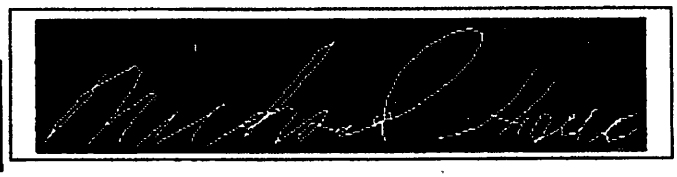
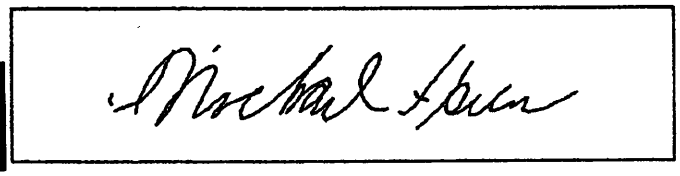
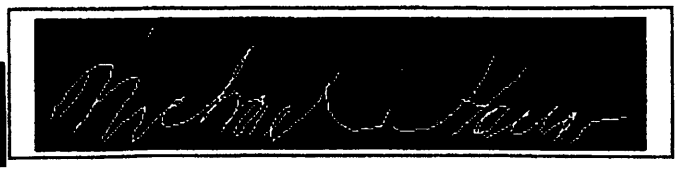
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HAYES, MICHAEL HAYES, MICHAEL GENE	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (28) Purchases (26) Blocks (2) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 124106529 (S) 13869718	01/19/2012 4:17:58 PM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details MICHAEL HAYES [redacted] 							
View (N) 122054315 (S) 120109050413	01/09/2012 3:10:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details MICHAEL HAYES [redacted] 							
View (N) 119324957 (S) 13869717	12/28/2011 2:59:02 PM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details MICHAEL HAYES [redacted] 							
View (N) 117136814 (S) 13869716	12/16/2011 1:16:29 PM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222

1286
Eighteen Mile
Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]

View (N) 114516245 (S) 13869715	12/04/2011 11:11:45 AM EST	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

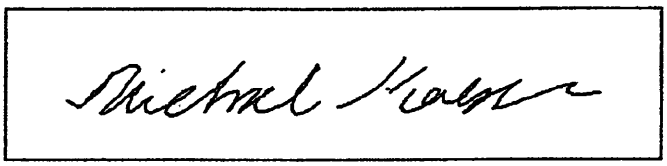
Transaction Details

MICHAEL HAYES
[redacted]

View (N) 112745217 (S) 111123967207	11/23/2011 7:32:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

MICHAEL HAYES
[redacted]



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Transaction Details

MICHAEL HAYES
[redacted]

No Electronic Image For Transaction

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Transaction Details

MICHAEL HAYES
[redacted]

No Electronic Image For Transaction

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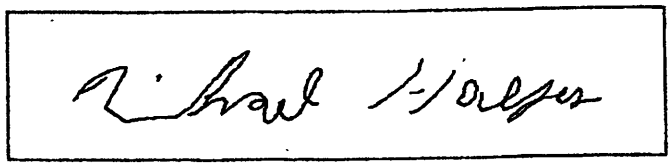
Clemsen, SC
29631
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]



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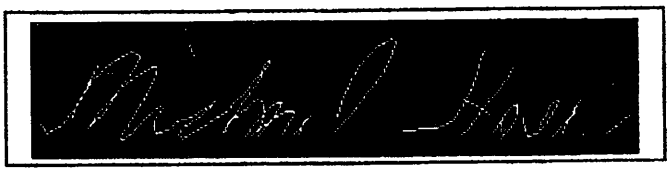
10/05/2011 6:17.54 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]



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09/23/2011 10:52:46 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MICHAEL HAYES
[redacted]

No Electronic Image For Transaction

View
(N) 101444698
(S) 13869713

09/16/2011 8:05:49 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]

View
(N) 99011305
(S) 1813990

08/31/2011 6:26:41 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]

ID Expires: 01/04/2014

View
(N) 97499985
(S) 13869712

08/19/2011 6:49:11 PM EDT | Purchase | EQ SUPHEDRINE, | 1.44 | 1

Wal-Mart Pharmacy #3222

								1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details MICHAEL HAYES [redacted]								
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Transaction Details MICHAEL HAYES [redacted]	No Electronic Image For Transaction							
View (N) 96608273 (S) 02881329702011081120203340815	08/11/2011 8:33:40 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #02681 864-295-0243 6057 White Horse Rd Greenville, SC 29611 GREENVILLE	
Transaction Details MICHAEL HAYES [redacted]	No Electronic Image For Transaction							
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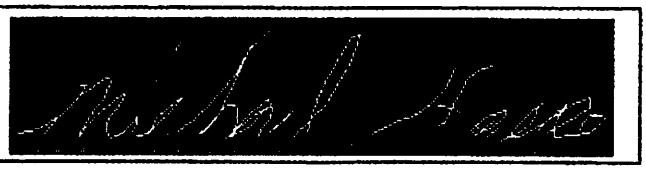
Transaction Details MICHAEL HAYES [redacted]								
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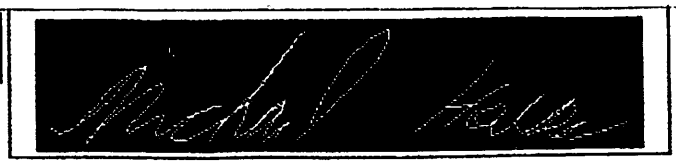

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07/11/2011 8:28:03 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222
1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]

View
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(S) 10163324921911070220203739988

07/02/2011 8:37:39 PM EDT | Block | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1 | Federal Compliance Agent. 9g in 30 days SC Compliance Agent. 9g Per 30 Days

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MICHAEL HAYES
[redacted]

No Electronic Image For Transaction

View
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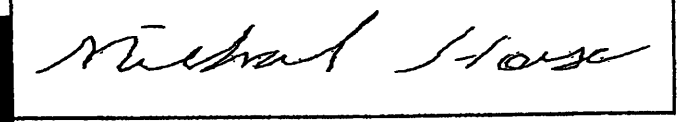
06/24/2011 11:49:42 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

MICHAEL HAYES
[redacted]



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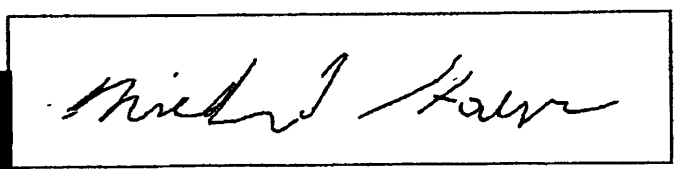
(S) 110615949106

06/15/2011 9:22:00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS04026
8646536724
1300 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]



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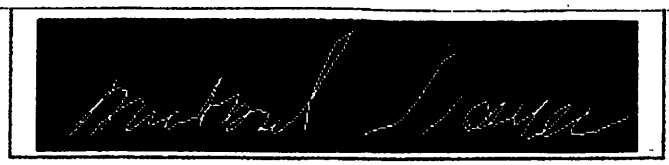
06/04/2011 4:11:33 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222
1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES

[redacted]



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(S) 1386976

05/18/2011 4:43:27 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

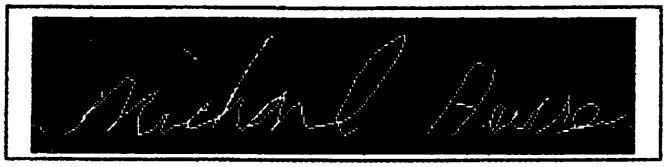
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL HAYES

[redacted]



View
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(S) 1386975

05/04/2011 4 26:35 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL HAYES

[redacted]

View
(N) 79951852
(S) 1386974

03/13/2011 10 35:05 AM EDT | Purchase | EQ SUPHEDRINE, | 1.44 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL HAYES

[redacted]

No Electronic Image For Transaction

View
(N) 73429883
(S) 1386973

01/15/2011 2.54:25 PM EST | Purchase | EQ SUPHEDRINE, | 1 44 | 1

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MICHAEL HAYES

[redacted]

No Electronic Image For Transaction

View
(N) 70764266
(S) 1386972

12/24/2010 5:21:51 PM EST | Purchase | EQ SUPHEDRINE, | 1 44 | 1

Wal-Mart Pharmacy #3222

1286
Eighteen Mile
Rd
Central, SC
29630
PICKENS

Transaction Details

MICHAEL HAYES
[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

28

12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:54 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

HURLEY, STEVEN
Date of Birth: [redacted]

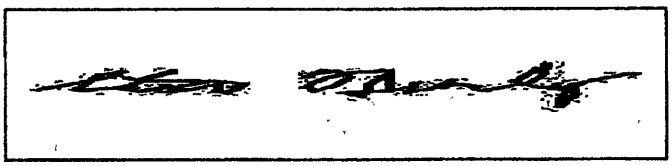
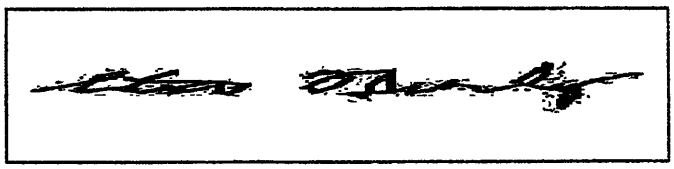
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HURLEY, STEVEN	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

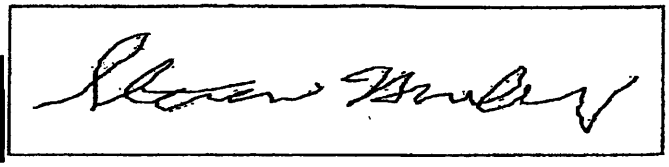
All Activity Types (21) Purchases (15) Blocks (6) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 130567404 (S) 11769369634712021820123043910	02/18/2012 12:32:20 PM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details STEVEN HURLEY [redacted]							
View (N) 130567206 (S) 11769369634712021820123026910	02/18/2012 12:31:52 PM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details STEVEN HURLEY [redacted]							
View (N) 121839141 (S) 1394558	01/08/2012 1:26:10 PM EST	Block	SUDAFED 24HR (10 CNT),	2.4	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction						
View (N) 121566298 (S) 10163324956312010720065739924	01/07/2012 6:59:04 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd

Seneca, SC
29678
OCONEE

Transaction Details

STEVEN HURLEY
[redacted]



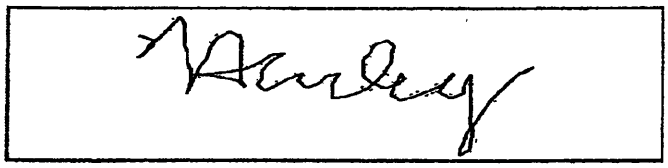
View
(N) 118680037
(S) 10163322356811122520095622802

12/25/2011 9:57:33 AM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#10163
864-885-0889
1601 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

STEVEN HURLEY
[redacted]



View
(N) 116773234
(S) 11698342592611121620142134822

12/16/2011 2.22:41 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View
(N) 114517904
(S) 1394557

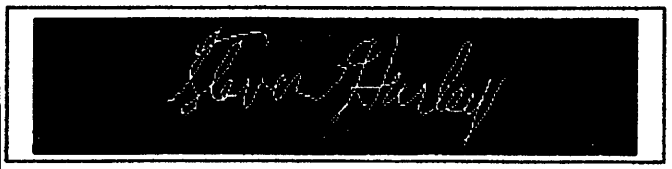
12/04/2011 11:19:58 AM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart
Pharmacy
#3222

1286
Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]



View
(N) 102002559
(S) 1394556

09/20/2011 11 40:47 AM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart
Pharmacy
#3222

1286
Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

View
(N) 96425097
(S) 11698349352611081020122138822

08/10/2011 12:21:36 PM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11698
864-878-0599
101 Hampton

Ave
Pickens, SC
29671
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 79250376 (S) 11698343911611030720080658991	03/07/2011 9:06:53 AM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 79250374 (S) 11698343911611030720080655991	03/07/2011 9:06:49 AM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 78844951 (S) 1394555	03/03/2011 3:55:43 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 77941316 (S) 11698342771011022320175711829	02/23/2011 6:57:01 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 76536262 (S) 1394554	02/11/2011 7:03:41 PM EST	Block	EQ SUPHEDRINE,	1.44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286

								Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction							
View (N) 76236255 (S) 11698341195511020920122433829	02/09/2011 1:24:31 PM EST	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent. 9g in 30 days SC Compliance Agent. 9g Per 30 Days	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS	
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction							
View (N) 75690985 (S) 11769329823711020420154453825	02/04/2011 4:44:48 PM EST	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS	
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction							
View (N) 75686001 (S) 1394553	02/04/2011 4:19:10 PM EST	Block	EQ SUPHEDRINE,	1 44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS	
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction							
View (N) 75685818 (S) 1394552	02/04/2011 4:18:17 PM EST	Block	EQ SUPHEDRINE,	1.44	1	Federal Compliance Agent. 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS	
Transaction Details STEVEN HURLEY [redacted]	No Electronic Image For Transaction							
View (N) 75256582 (S) 11698340321111013120173205822	01/31/2011 6:31 58 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1		WALGREENS #11698 864-878-0599 101 Hampton	

Ave
Pickens, SC
29671
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View
(N) 75077906
(S) 116983401715110130201128398 50

01/30/2011 12:28:33 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

No Electronic Image For Transaction

View
(N) 73227937
(S) 116983485576110113201825288 22

01/13/2011 7:25:26 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS
#11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

STEVEN HURLEY
[redacted]

Steven Hurley

887

STATE'S EXHIBIT

29 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

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Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is Paul Forst.

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Custodian of Records

12/9/13 3:54 PM
Date and Time

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SUBSCRIBED AND SWORN TO before me, this the 10th day of December 2013 A.D.

Karen S Yates

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

HURLEY, KITTY CHRISTINE
Date of Birth: [redacted]

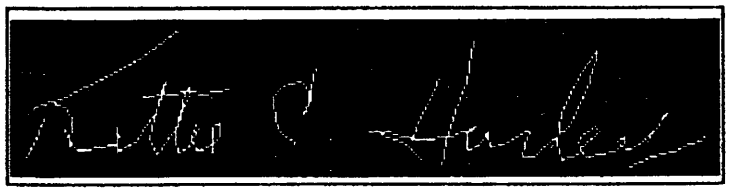
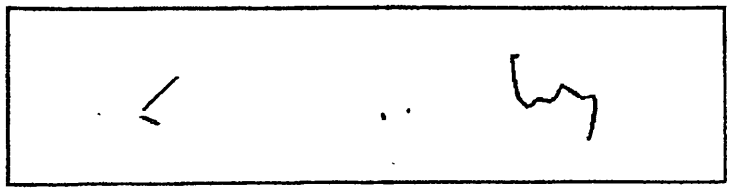
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HURLEY, KITTY CHRISTINE HURLEY, KITTY CHRISTINE HURLEY, KITTY	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ **Show Transaction Details and Signatures**

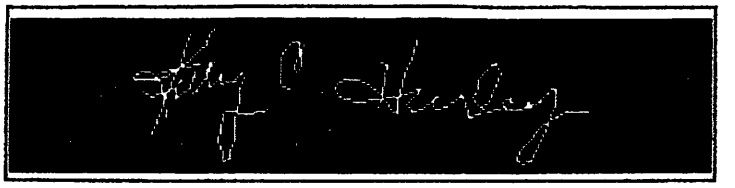
All Activity Types (12) Purchases (12) Blocks (0) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 121169140 (S) 1430455	01/05/2012 1:34:18 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details KITTY CHRISTINE HURLEY [redacted]							
View (N) 117384316 (S) 111219093106	12/19/2011 4:51:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details KITTY HURLEY [redacted]							
View (N) 113779756 (S) 1430454	11/30/2011 11:50:28 AM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286

Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

KITTY CHRISTINE HURLEY
[redacted]



View (N) 107684575 (S) 11769367516111102420162931856	10/24/2011 4:30:08 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

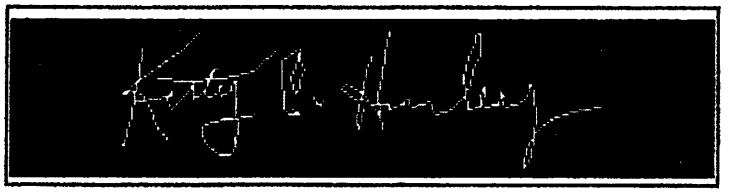
KITTY HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 104942631 (S) 1430453	10/07/2011 4:12:50 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

KITTY CHRISTINE HURLEY
[redacted]



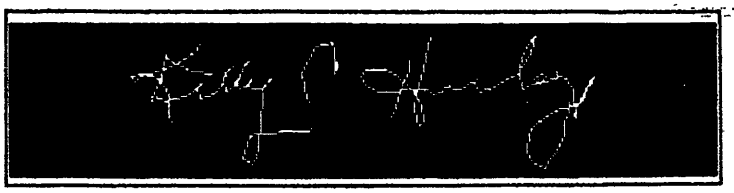
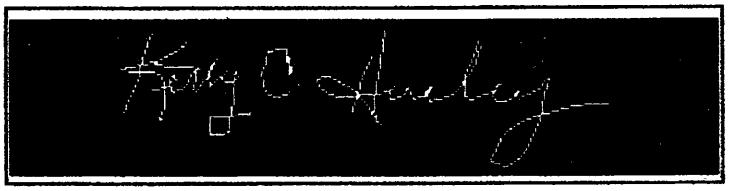
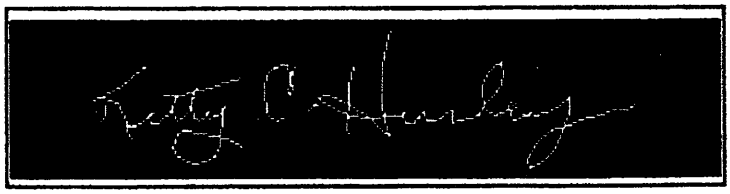
View (N) 102755581 (S) 11769364089511092420144253125	09/24/2011 2:43:13 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

KITTY HURLEY
[redacted]

No Electronic Image For Transaction

View (N) 100492135 (S) 1430452	09/10/2011 5:46:52 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222

							1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details KITTY CHRISTINE HURLEY [redacted]							
View (N) 100491810 (S) 1430451		09/10/2011 5:45:10 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details KITTY CHRISTINE HURLEY [redacted]							
View (N) 99495527 (S) 1430450		09/03/2011 6:52:29 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details KITTY CHRISTINE HURLEY [redacted]							
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Transaction Details KITTY HURLEY [redacted]	No Electronic Image For Transaction						

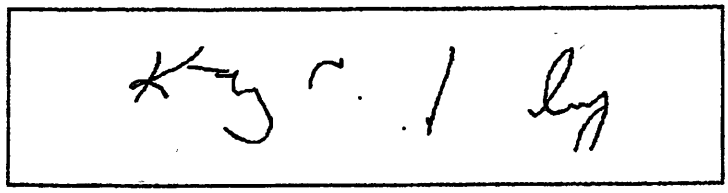
[redacted]

View (N) 86070769 (S) 110504504706	05/04/2011 3:36:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2 88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

KITTY HURLEY

[redacted]



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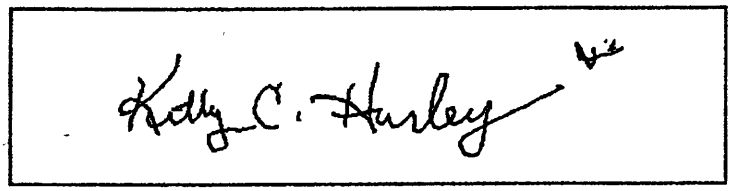
Transaction Details

KITTY HURLEY

[redacted]



892
876

STATE'S EXHIBIT

80 12.12.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

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SUBSCRIBED-AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

MEALOR, LOUISE PRUITT
Date of Birth: [redacted]

[redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
MEALOR, LOUISE PRUITT MEALOR, LOUISE MEALOR, LOUISE PRUITT	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

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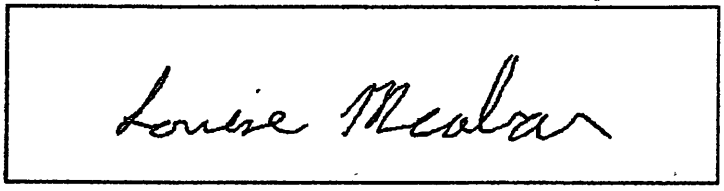
Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 126770926 (S) 120201461707	02/01/2012 5:22:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]

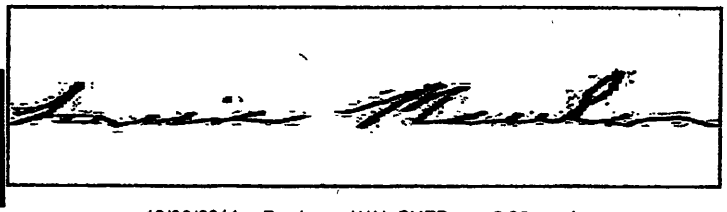


View (N) 120929385 (S) 11769364905112010420122439805	01/04/2012 12:26:10 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]



View (N) 117520681 (S) 11769363748811122020104122805	12/20/2011 10:42:36 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

LOUISE MEALOR

No Electronic Image For Transaction

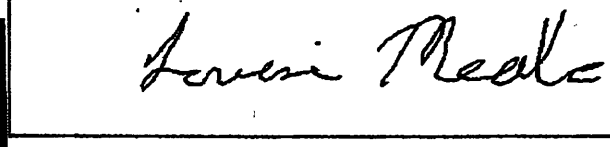
[redacted]

View (N) 110440863 (S) 111110130413	11/10/2011 4:06:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]



View (N) 108804590 (S) 116983476712111031201734559l0	10/31/2011 5:35:42 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 105560306 (S) 1176936610271110120134921910	10/11/2011 1:49:41 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]

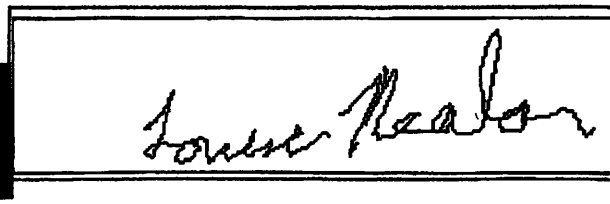
No Electronic Image For Transaction

View (N) 105510631 (S) 1916300	10/11/2011 10:24:31 AM EDT	Purchase	SUDAFED (24 CNT),	0.72	1	Wal-Mart Pharmacy #396 3812 Liberty Hwy Anderson, SC 29621 ANDERSON

Transaction Details

LOUISE MEALOR

[redacted]



[redacted]

View (N) 103414368 (S) 116983362585110928201712549 16	09/28/2011 5:13:18 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 103414350 (S) 116983362585110928201712479 16	09/28/2011 5:13:11 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

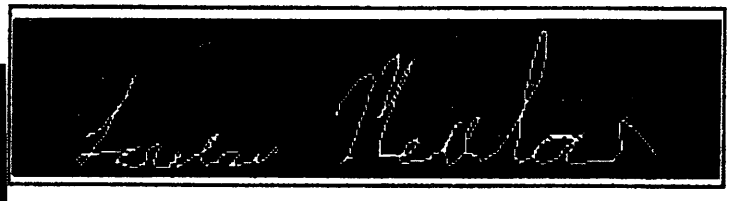
No Electronic Image For Transaction

View (N) 99776497 (S) 1058084	09/06/2011 1:21:00 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

LOUISE MEALOR

[redacted]



View (N) 95951058 (S) 1058083	08/05/2011 6:50:19 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

LOUISE MEALOR

[redacted]

View (N) 93822539	07/16/2011 1:27:34 PM	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy

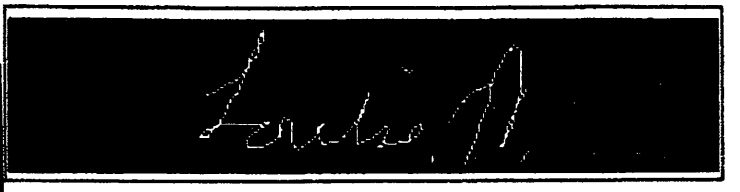
(S) 1058082 EDT #1123

1636 Sandifer Blvd
Seneca, SC
29678
OCONEE

Transaction Details

LOUISE MEALOR

[redacted]

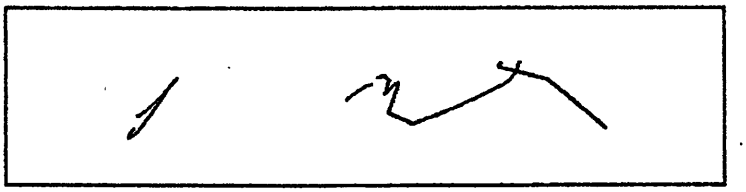


View (N) 92716557 (S) 110706155906	07/06/2011 1:55:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]



View (N) 92017875 (S) 1058081	06/29/2011 8:54:57 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

LOUISE MEALOR

[redacted]

View (N) 89286479 (S) 11698342639411060220115040829	06/02/2011 11:50.35 AM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 86223429 (S) 1058080	05/05/2011 7:39:38 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1	Wal-Mart Pharmacy #1123 1636 Sandifer Blvd

Seneca, SC
29678
OCONEE

Transaction Details

LOUISE MEALOR

[redacted]

View (N) 80860424 (S) 10163322787711032020162123850	03/20/2011 5:21:25 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

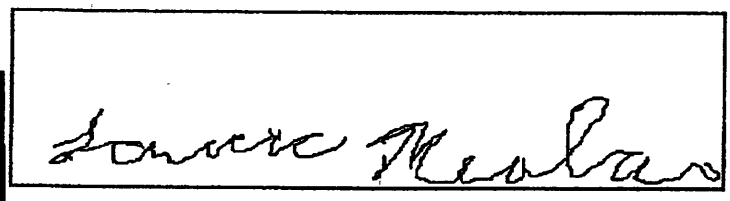
No Electronic Image For Transaction

View (N) 79307466 (S) 116560600272792011O307	03/07/2011 4:14:00 PM EST	Purchase	RA SUPHEDRN 12HR TAB 20CT,	2.4	1		Rite Aid #11656 864-882-9610 1020 E North 1st St Seneca, SC 29678 OCONEE

Transaction Details

LOUISE PRUITT

[redacted]



View (N) 73820768 (S) 1304162	01/19/2011 12 00:34 PM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

LOUISE MEALOR

[redacted]

No Electronic Image For Transaction

(N) 69703055 (S) 1383763	12/16/2010 5:09:12 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630

PICKENS

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

No Electronic Image For Transaction

View (N) 68494568 (S) 1383762	12/05/2010 2:18:49 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

LOUISE PRUITT MEALOR

[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

3/ 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:55 pm
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December 2013 A.D.

Karen S Yates

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

HAYES, BRANDON
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
HAYES, BRANDON HAYES, BRANDON MICHAEL	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

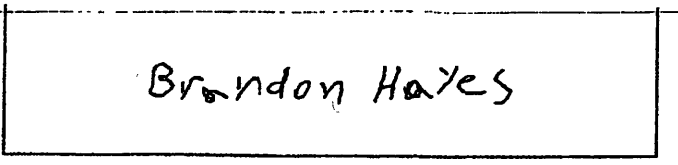
All Activity Types (15) Purchases (14) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 127710084 (S) 10163321007012020520205745922	02/05/2012 8:59:13 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details BRANDON HAYES [redacted]	No Electronic Image For Transaction						
View (N) 106783294 (S) 11769366887011101820201708925	10/18/2011 8:17:47 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details BRANDON HAYES [redacted]	No Electronic Image For Transaction						
View (N) 104118613 (S) 10163324562811100220202705812	10/02/2011 8:27:38 PM EDT	Block	WAL-PHED TABS PPR X (48 CNT),	1.44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details BRANDON HAYES [redacted]	No Electronic Image For Transaction						
View (N) 103458676 (S) 110928567707	09/28/2011 9:52:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2 88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

BRANDON HAYES

[redacted]



View (N) 102655049 (S) 101633226276110924202320049 75	09/23/2011 11:20:28 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

BRANDON HAYES

[redacted]

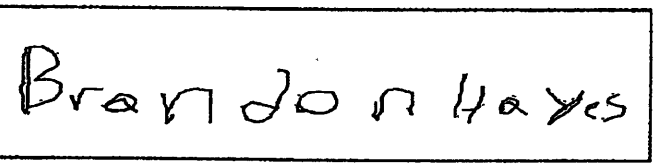
No Electronic Image For Transaction

View (N) 101288604 (S) 101633208483110915202143129 02	09/15/2011 9:43:36 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

BRANDON HAYES

[redacted]



View (N) 95750740 (S) 101633217513110803202033478 16	08/03/2011 8.33 45 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

BRANDON HAYES

[redacted]

No Electronic Image For Transaction

View (N) 94060882 (S) 116983472074110718201819558 22	07/18/2011 6:19:52 PM EDT	Purchase	SUDAFED MAX STRENGTH NASAL DECON (48 CNT),	1 44	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

BRANDON HAYES

[redacted]

No Electronic Image For Transaction

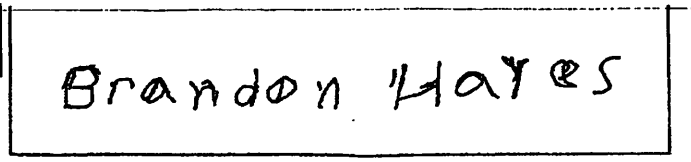
View (N) 91211869 (S) 110621013506	06/21/2011 9:50:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

BRANDON HAYES

[redacted]

[redacted]

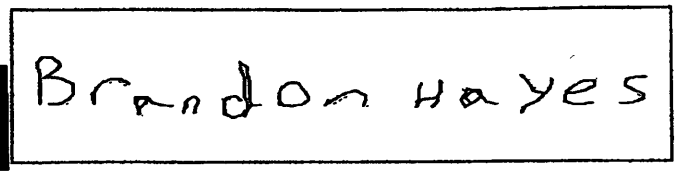


View (N) 90660645 (S) 11769320807611061520203534990	06/15/2011 8 35 36 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

BRANDON HAYES

[redacted]



View (N) 87997408 (S) 11698341507811052020193001850	05/20/2011 8:29.56 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

BRANDON HAYES

[redacted]

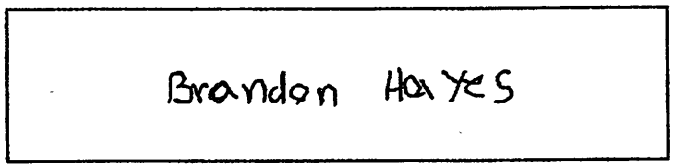
No Electronic Image For Transaction

View (N) 86542365 (S) 110508674307	05/08/2011 2:29:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

BRANDON HAYES

[redacted]



View (N) 76526540 (S) 1378914	02/11/2011 6:12.58 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

BRANDON HAYES

[redacted]

No Electronic Image For Transaction

View (N) 73993675 (S) 1378913	01/20/2011 6.29:24 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details BRANDON HAYES [redacted]	No Electronic Image For Transaction							
View (N) 70300969 (S) 1378912	12/21/2010 5:03:06 PM EST	Purchase	EQ SUPHEDRINE,	1 44	1			Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details BRANDON HAYES [redacted]	No Electronic Image For Transaction							

STATE'S EXHIBIT

32 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:55 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

WARDLAW, MELISSA
Date of Birth: [redacted]

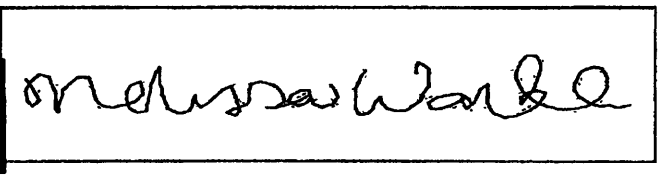
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
WARDLAW, MELISSA WARDLAW, MELISSA PAIGE WAFRDLAW, MELISSA	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (24) Purchases (23) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 123981028 (S) 116983403222120118201924068 22	01/18/2012 7:25:25 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details MELISSA WARDLAW [redacted]	No Electronic Image For Transaction						
View (N) 121472274 (S) 116983450715120106201615318 22	01/06/2012 4:16:39 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details MELISSA WARDLAW [redacted]							
View (N) 115486469 (S) 116983377832111209201540138 29	12/09/2011 3:41:12 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details MELISSA WARDLAW [redacted]	No Electronic Image For Transaction						
View (N) 112553081 (S) 116983374529111122202026429 10	11/22/2011 8:27:30 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave

Pickens, SC
29671
PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

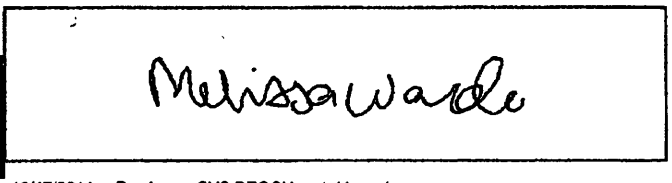
No Electronic Image For Transaction

View (N) 109454899 (S) 111104034013	11/04/2011 4:15:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

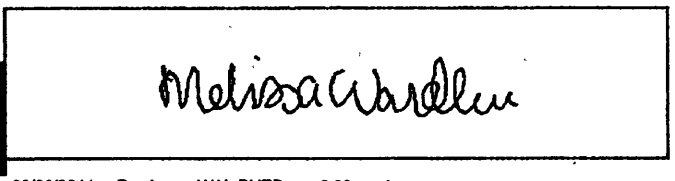


View (N) 106611457 (S) 111017726213	10/17/2011 8:55:00 PM EDT	Purchase	CVS DECON TBM,	1.44	1		CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]



View (N) 103457949 (S) 11769371026011092820204448110	09/28/2011 8:45:20 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

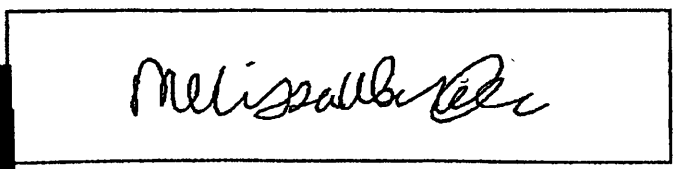
No Electronic Image For Transaction

View (N) 100189404 (S) 110908101013	09/08/2011 7:33:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]



View (N) 94479537 (S) 110722618413	07/22/2011 6:41:00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

300 HIDDEN VALLEY RD

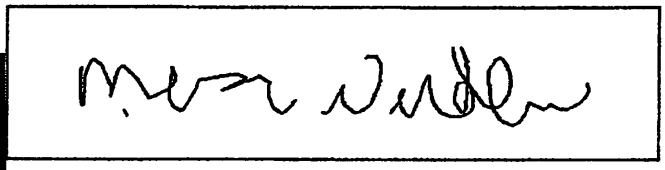
[redacted]

View (N) 92715864 (S) 110706155806	07/06/2011 1:51:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]



View (N) 92257507 (S) 11698345562411070120185645829	07/01/2011 6:56:40 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

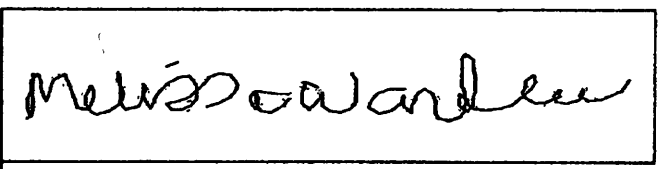
No Electronic Image For Transaction

View (N) 91523428 (S) 10163323182311062520234400902	06/24/2011 11 44.01 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MELISSA WARDLAW

[redacted]

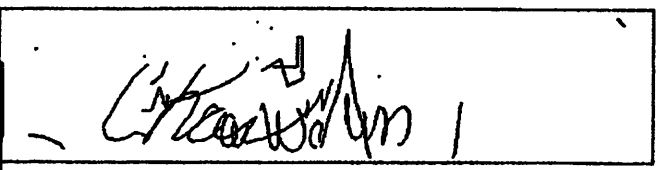


View (N) 87728030 (S) 110518360413	05/18/2011 3.43:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2 88	1	CVS05598 8648432726 305 W Main St Liberty, SC 29657 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

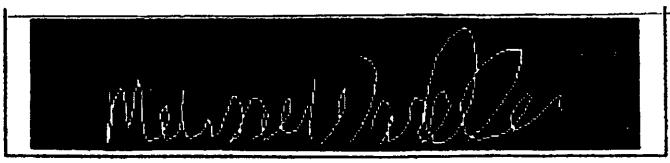


View (N) 85823700 (S) 1357925	05/02/2011 4.32:21 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

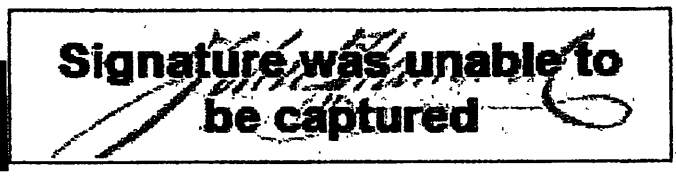


View (N) 85375640 (S) 110428994613	04/28/2011 7:26:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]



View (N) 82186484 (S) 11769324777111033120203311900	03/31/2011 8:33:12 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

No Electronic Image For Transaction

View (N) 81099243 (S) 1357924	03/22/2011 5:21:04 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

No Electronic Image For Transaction

View (N) 78901009 (S) 10163329096611030320202731845	03/03/2011 9:27:32 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

MELISSA WARDLAW

[redacted]

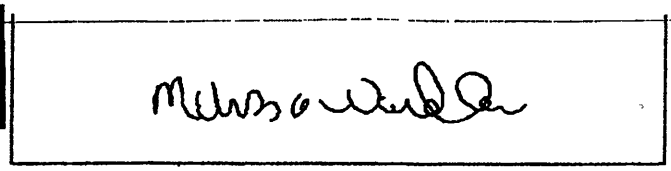
No Electronic Image For Transaction

View (N) 75795653 (S) 110205949607	02/05/2011 2:05:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

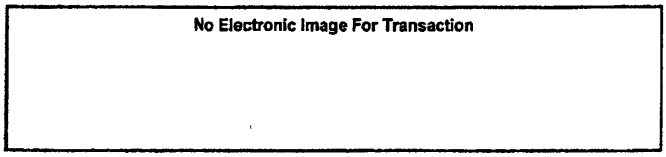


View (N) 74409766 (S) 1357923	01/24/2011 3:58.11 PM EST	Purchase	EQ SUPHEDRINE,	1 44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

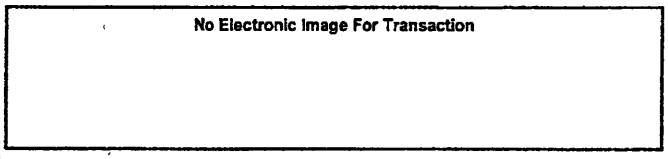


View (N) 71360633 (S) 1357922	12/29/2010 8.23:03 PM EST	Purchase	EQ SUPHEDRINE,	1 44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]

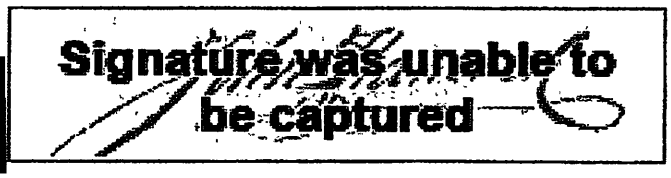


View (N) 59296613 (S) 100821868313	08/21/2010 5:44:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARDLAW

[redacted]



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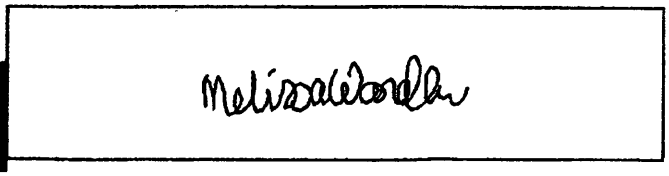
Transaction Details

MELISSA WARDLAW

[redacted]



View (N) 58310143 (S) 100805578713	08/05/2010 8:10 00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

MELISSA WARD LAW [redacted]

Melissa Ward

911

STATE'S EXHIBIT

33 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared Paul Forst. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is Paul Forst.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:56 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

REECE, SUSAN
Date of Birth: [redacted]

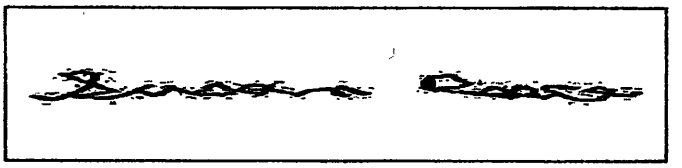
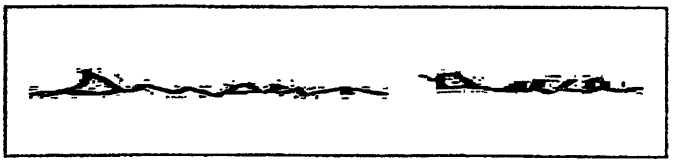
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
REECE, SUSAN 02282018REECE, SUSAN REECE, SUSAN MAGRET 0228REECE, SUSAN	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (28) Purchases (27) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 121838505 (S) 1446261	01/08/2012 1:24:30 PM EST	Block	SUDAFED 24HR (10 CNT),	2.4	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details SUSAN REECE [redacted]	No Electronic Image For Transaction						
View (N) 121177621 (S) 11769364980312010520130008925	01/05/2012 1:01.24 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details SUSAN REECE [redacted]							
View (N) 120255456 (S) 11769364656712010120092335910	01/01/2012 9:24:41 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details SUSAN REECE [redacted]							
View (N) 117261006 (S) 11769363628511121920083029910	12/19/2011 8:31:29 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd

Clemson, SC
29631
PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View
(N) 121841850
(S) 1446262

12/08/2011 10:39:06 AM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View
(N) 114130397
(S) 11769361718111120220075219900

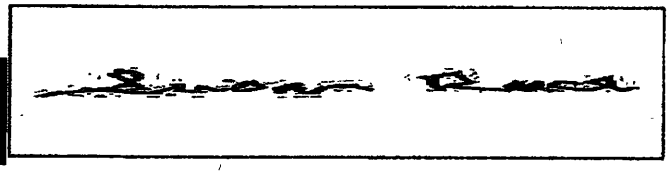
12/02/2011 7 53 20 AM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

SUSAN REECE

[redacted]



View
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(S) 13894413

11/26/2011 5:00:04 PM EST | Purchase | EQ SUPHEDRINE, | 2.88 | 2

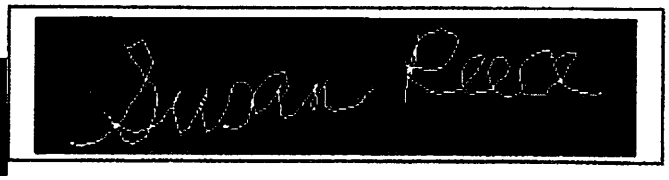
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN 02282018REECE

[redacted]



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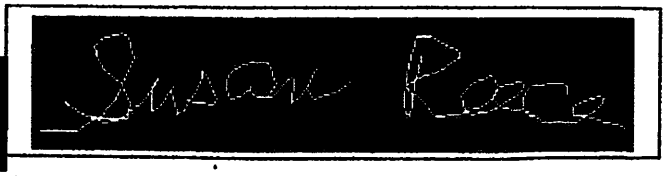
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN 02282018REECE

[redacted]



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WALGREENS #11769

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1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

SUSAN REECE
[redacted]

No Electronic Image For Transaction

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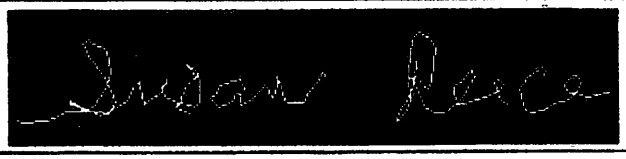
(S) 13894411

08/27/2011 6:23.31 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222
1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN 02282018REECE
[redacted]



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08/18/2011 8:48:00 AM EDT | Purchase | WAL-PHED TABS PPR (96 CNT), | 2.88 | 1

WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

SUSAN REECE
[redacted]

No Electronic Image For Transaction

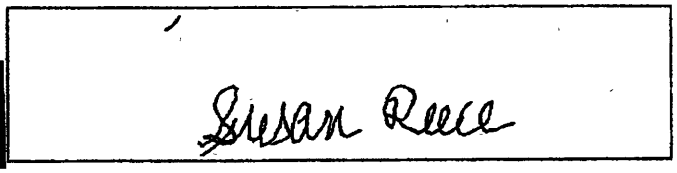
View
(N) 96204480
(S) 110808596813

08/08/2011 1:30.00 PM EDT | Purchase | CVS DECON TBM, | 1.44 | 1

CVS07534
8648787954
204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

SUSAN REECE
[redacted]



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WALGREENS #11698
864-878-0599
101 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

SUSAN REECE
[redacted]

No Electronic Image For Transaction

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(S) 11698349160811080820121640822

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WALGREENS #11698
864-878-0599
101 Hampton

Ave
Pickens, SC
29671
PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

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07/21/2011 8:08:00 PM EDT | Purchase | CVS DECON TAB (96 CNT), | 2.88 | 1

CVS07534
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204 Hampton Ave
Pickens, SC
29671
PICKENS

Transaction Details

SUSAN REECE

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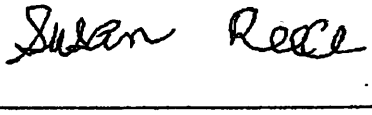

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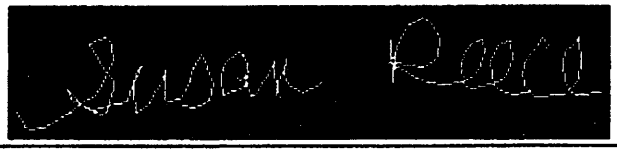
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN REECE

[redacted]



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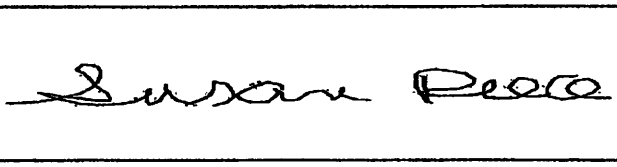
WALGREENS #11769
864-653-7962
1100 Tiger Blvd
Clemson, SC
29631
PICKENS

Transaction Details

SUSAN REECE

[redacted]



View
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06/13/2011 5 41.10 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

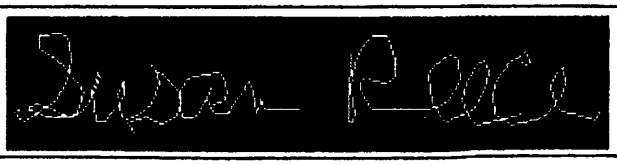
Wal-Mart Pharmacy #3222

1286 Eighteen Mile Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN REECE

[redacted]



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(S) 1389448

05/10/2011 1:53:39 PM EDT | Purchase | EQ SUPHEDRINE, | 2.88 | 2

Wal-Mart Pharmacy #3222

1286
Eighteen Mile
Rd
Central, SC
29630
PICKENS

Transaction Details

SUSAN REECE

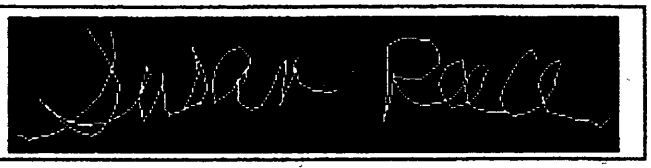
[redacted]

View (N) 82938047 (S) 1389447	04/07/2011 12:35:32 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

SUSAN 0228REECE

[redacted]



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Transaction Details

SUSAN REECE

[redacted]

View (N) 79647106 (S) 1389445	03/10/2011 2:48:01 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View (N) 76536493 (S) 1389444	02/11/2011 7:04:48 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

[redacted]

View (N) 76142050 (S) 11769320133011020820150059825	02/08/2011 4.00.57 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View (N) 75686242 (S) 1389443	02/04/2011 4:20 31 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View (N) 75523726 (S) 11698340595211020320112729822	02/03/2011 12:27:27 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View (N) 72734102 (S) 1389442	01/09/2011 1:30.54 PM EST	Purchase	EQ SUPHEDRINE,	1.44	1	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

SUSAN REECE

[redacted]

No Electronic Image For Transaction

View (N) 16445984 (S) 081125564304	11/25/2008 11:37:00 AM EST	Purchase	CVS DECONT AB,	2 88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

SUSAN REECE

[redacted]

[redacted]

Susan Reece

STATE'S EXHIBIT

34 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:56 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

CRISP, REBECCA
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
CRISP, REBECCA CRISP, REBECCA ANNA CRISP, REBECCA ANN	[redacted]	[redacted]	[redacted]

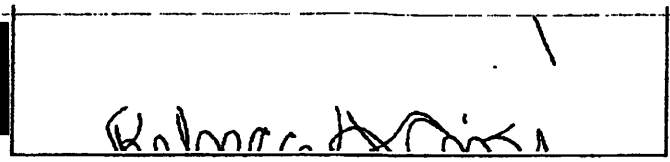
Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (6) Purchases (5) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 96608677 (S) 026813297046110811202038308l5	08/11/2011 8:38:30 PM EDT	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #02681 864-295-0243 6057 White Horse Rd Greenville, SC 29611 GREENVILLE
Transaction Details REBECCA CRISP [redacted]	No Electronic Image For Transaction						
View (N) 96600853 (S) 110811741617	08/11/2011 8:25:00 PM EDT	Purchase	CVS DECON TAB (24 CNT),	0.72	1		CVS02331 8644211586 718 Mills Ave Greenville, SC 29605 GREENVILLE
Transaction Details REBECCA CRISP [redacted]	Rebecca A Crisp						
View (N) 95526268 (S) 110801846913	08/01/2011 8 18:00 PM EDT	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details REBECCA CRISP [redacted]							
View (N) 94059292 (S) 110718273613	07/18/2011 7:10:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details							

REBECCA CRISP
[redacted]



View (N) 93334206 (S) 1190330	07/11/2011 8:25:36 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

REBECCA CRISP
[redacted]

View (N) 93129116 (S) 10163326428811071020000242902	07/10/2011 12:02:48 AM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

REBECCA CRISP
[redacted]

No Electronic Image For Transaction

922
906

STATE'S EXHIBIT
35
12.17.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

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Custodian of Records

12/9/13 3:56 PM
Date and Time

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SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

ARMSTRONG, ANGELA MAE
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
ARMSTRONG, ANGELA MAE ARMSTRONG, ANGELA ARMSTRONG, ANGELA M	[redacted]	[redacted]	[redacted]

Transaction Summary

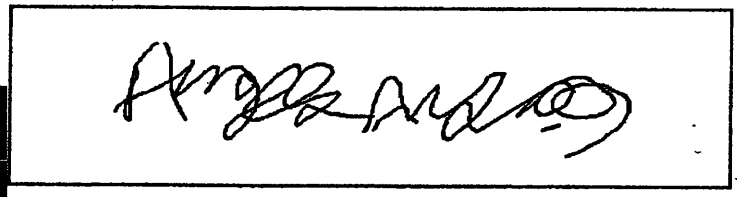
☑ **Show Transaction Details and Signatures**

All Activity Types (6) Purchases (6) Blocks (0) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 126667622 (S) 120201562306	02/01/2012 11:24:00 AM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

ANGELA ARMSTRONG
[redacted]



View (N) 94031069 (S) 11769339842911071820152556456	07/18/2011 3:25:59 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

ANGELA ARMSTRONG
[redacted]

No Electronic Image For Transaction

View (N) 86703500 (S) 116983402457110509201842198 22	05/09/2011 7:42:14 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

No Electronic Image For Transaction

ANGELA ARMSTRONG
[redacted]

View (N) 86115802 (S) 11698349719511050420184755829	05/04/2011 7:47:49 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

ANGELA ARMSTRONG
[redacted]

No Electronic Image For Transaction

View (N) 85629477 (S) 10163321042611043020184520845	04/30/2011 7:45:24 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

ANGELA ARMSTRONG
[redacted]

No Electronic Image For Transaction

View (N) 72206046	01/05/2011 10:35:10 AM EST	Purchase	SILFEDRINE LIQUID,	1.77	1	Bi-Lo Pharmacy #539 864-653-7113 501 Old Greenville Hwy Clemson, SC 29631 PICKENS

Transaction Details

ANGELA ARMSTRONG
[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

36 12.11.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST.
Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

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2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

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6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:57 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 20 13 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2015

Search Results - Person Summary

MCCALL, KELLEY
Date of Birth: [redacted]

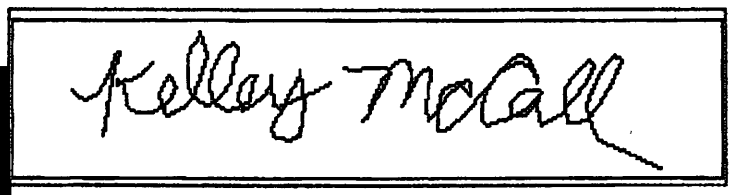
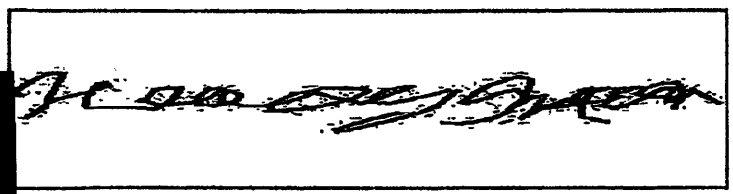
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
MCCALL, KELLEY MCCALL, KELLEY EARLINE	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (8) Purchases (8) Blocks (0) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 148167252 (S) 1414492	05/10/2012 7:55:29 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details KELLEY MCCALL [redacted] 							
View (N) 125499960 (S) 11769373674812012620143758800	01/26/2012 2:39:26 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details KELLEY MCCALL [redacted] 							
View (N) 97736682 (S) 10163325411211082120222229902	08/21/2011 10:22:33 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

KELLEY MCCALL

[redacted]

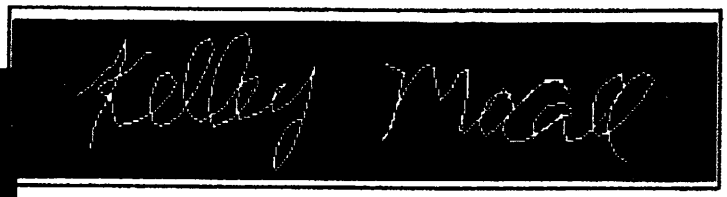
No Electronic Image For Transaction

View (N) 94034762 (S) 1414491	07/18/2011 4:48:15 PM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

KELLEY MCCALL

[redacted]

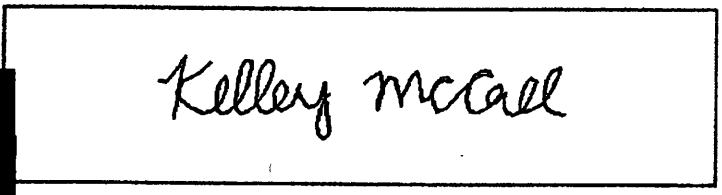


View (N) 93019083 (S) 110708205514	07/08/2011 9:34:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

KELLEY MCCALL

[redacted]



View (N) 88218328 (S) 1414490	05/23/2011 11:00:19 AM EDT	Purchase	EQ SUPHEDRINE,	2.88	2	Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS

Transaction Details

KELLEY MCCALL

[redacted]

No Electronic Image For Transaction

View (N) 88108167 (S) 10163325783511052120194542995	05/21/2011 8:45:43 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE

Transaction Details

KELLEY MCCALL
[redacted]

No Electronic Image For Transaction

View (N) 87049989 (S) 11769328431311051220152611825	05/12/2011 4:26:14 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11769 864-653-7962 1100 Tiger Blvd Clemson, SC 29631 PICKENS

Transaction Details

KELLEY MCCALL
[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

37 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

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Custodian of Records

12/9/13 3:57 PM
Date and Time

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SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]

Search Results - Person Summary

MILLER, BILLY EARL RAY
Date of Birth: [redacted]

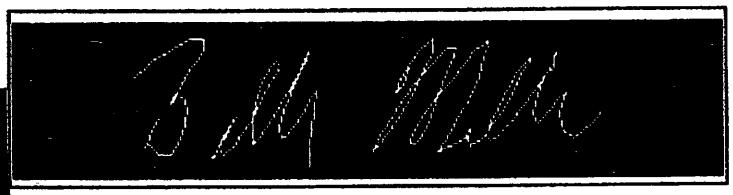
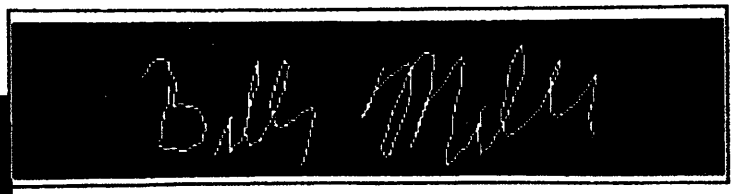
Biographical History

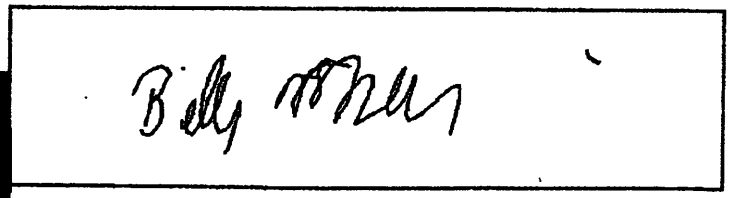
Name/Alias	Date of Birth	Driver's License #	Address
MILLER, BILLY EARL RAY MILLER, BILLY MILLER, BILLY EARL RAY	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ **Show Transaction Details and Signatures**

All Activity Types (7) Purchases (7) Blocks (0) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 97425649 (S) 1425842	08/19/2011 11:26:08 AM EDT	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details BILLY EARL RAY MILLER [redacted]							
View (N) 96299098 (S) 1425841	08/09/2011 11:16:57 AM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286 Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details BILLY EARL RAY MILLER [redacted]							
View (N) 96298813 (S) 1425840	08/09/2011 11:14:25 AM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #3222 1286

							Eighteen Mile Rd Central, SC 29630 PICKENS
Transaction Details BILLY EARL RAY MILLER [redacted]							
View (N) 95115481 (S) 10163320392911072820220238975		07/28/2011 10:02:36 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #10163 864-885-0889 1601 Sandifer Blvd Seneca, SC 29678 OCONEE
Transaction Details BILLY MILLER [redacted]	No Electronic Image For Transaction						
View (N) 90929068 (S) 11698344307111061820162656850		06/18/2011 4:26:54 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details BILLY MILLER [redacted]	No Electronic Image For Transaction						
View (N) 90423206 (S) 110613719713		06/13/2011 4:21:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1	CVS07534 8648787954 204 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details BILLY MILLER [redacted]							
View (N) 90038027 (S) 11698343395911060920144000822		06/09/2011 2:39:58 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

BILLY MILLER

[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

38 12-10

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

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Custodian of Records

12/9/13 3:58 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December 2013 A.D.

Karen S Yates

NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]

Search Results - Person Summary

ROONEY, THOMAS
Date of Birth: [redacted]

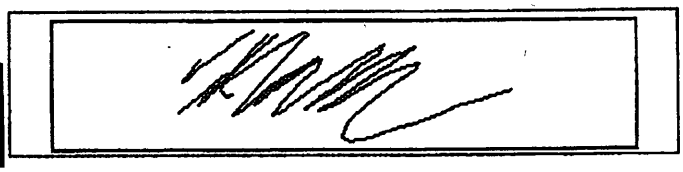
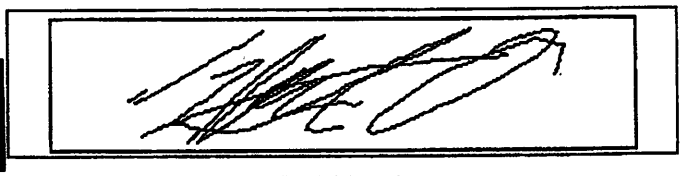
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
ROONEY, THOMAS ROONEY, THOMAS JOSEPH ROONEY, THOMAS J. ROONEY, THOMAS J ROONEY, THOMAS JOSEPH	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (56) Purchases (48) Blocks (7) Exceedances (0) Purchase Attempts (0) Returns (1)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 266142522 (S) 11939615	11/27/2013 3:23.13 PM EST	Purchase	DECONGESTANT 12HR MAX,	2.4	1		Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE
Transaction Details THOMAS ROONEY [redacted]							
View (N) 260796453 (S) 2266050	11/01/2013 9:57:53 AM EDT	Purchase	DECONGESTANT 12HR MAX,	2.4	1		Wal-Mart Pharmacy #640 1451 Woodruff Rd Greenville, SC 29607 GREENVILLE
Transaction Details THOMAS ROONEY [redacted]							
View (N) 258257623 (S) 11939613	10/19/2013 3:10:01 PM EDT	Purchase	DECONGESTANT 12HR MAX,	2.4	1		Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE
Transaction Details THOMAS ROONEY [redacted]							
View (N) 241122653 (S) 130723345613	07/23/2013 5:32:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS03802 8648792146 715 E Wade Hampton Blvd Greer, SC 29651 GREENVILLE
Transaction Details							

THOMAS ROONEY
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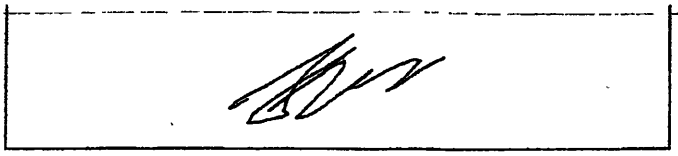
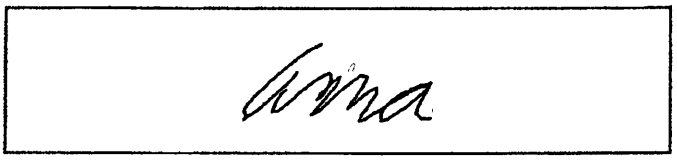


View (N) 238884989 (S) 130709090113	07/09/2013 12:11:00 PM EDT	Purchase	ALEVE COLD + SINUS (20 CNT),	2.4	1	CVS03928 8644391574 700 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

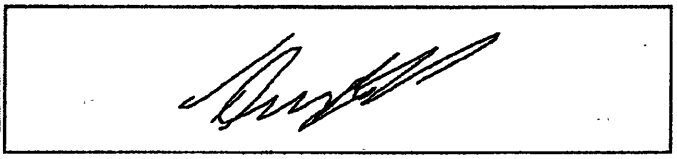
THOMAS ROONEY
[redacted]



View (N) 235396530 (S) 130618362813	06/18/2013 11:37 00 AM EDT	Purchase	ALEVE COLD + SINUS (20 CNT),	2.4	1	CVS04185 8644722831 11211 Asheville Hwy Inman, SC 29349 SPARTANBURG

Transaction Details

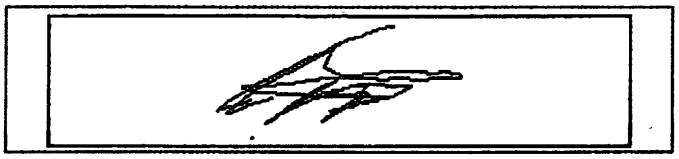
THOMAS ROONEY
[redacted]



View (N) 233245795 (S) 1868540	06/06/2013 2:57:52 PM EDT	Purchase	DECONGESTANT 12HR MAX,	2.4	1	Wal-Mart Pharmacy #2687 14055 E Wade Hampton Blvd Greer, SC 29651 SPARTANBURG

Transaction Details

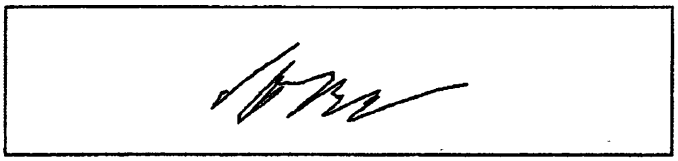
THOMAS ROONEY
[redacted]



View (N) 230603570 (S) 130524737213	05/24/2013 6:20.00 PM EDT	Purchase	ALEVE COLD + SINUS (20 CNT),	2.4	1	CVS03928 8644391574 700 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

THOMAS ROONEY
[redacted]



View (N) 221949991 (S) 09774410495113050420080821923	05/04/2013 9:14:16 AM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1	WALGREENS #09774 864-288-9334 1 The Pkwy Greenville, SC 29615 GREENVILLE

Transaction Details

THOMAS ROONEY
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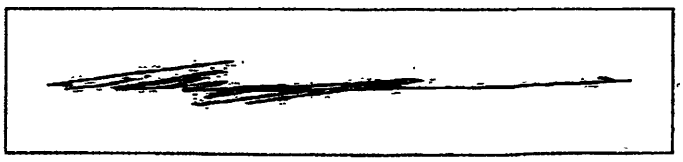


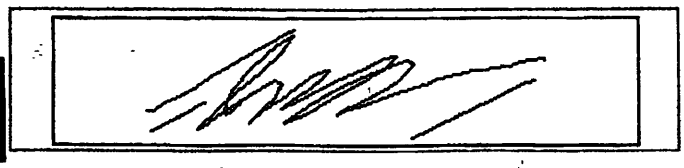
View (N) 219011235 (S) 11939612	04/22/2013 11 55 31 AM EDT	Purchase	DECONGESTANT 12HR MAX,	2.4	1	Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC

29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]



View
(N) 214611313
(S) 11939611

04/03/2013 8:34:28 PM EDT Purchase DECONGESTANT 2.4 12HR MAX, 1

Wal-Mart Pharmacy #4583

3925 Pelham Rd
Greenville, SC
29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View
(N) 210670414
(S) 11939610

03/18/2013 5:37 41 PM EDT Purchase DECONGESTANT 2.4 12HR MAX, 1

Wal-Mart Pharmacy #4583

3925 Pelham Rd
Greenville, SC
29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View
(N) 207909356
(S) 1193968

03/07/2013 10:31:54 AM EST Purchase DECONGESTANT 2.4 12HR MAX, 1

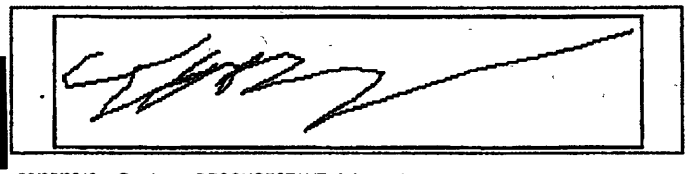
Wal-Mart Pharmacy #4583

3925 Pelham Rd
Greenville, SC
29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]



View
(N) 205521395
(S) 1193967

02/25/2013 11:46:11 AM EST Purchase DECONGESTANT 2.4 12HR MAX, 1

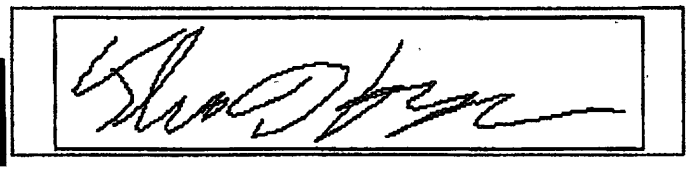
Wal-Mart Pharmacy #4583

3925 Pelham Rd
Greenville, SC
29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]



View
(N) 202922250
(S) 1193966

02/14/2013 11:41:07 AM EST Purchase DECONGESTANT 2 4 12HR MAX, 1

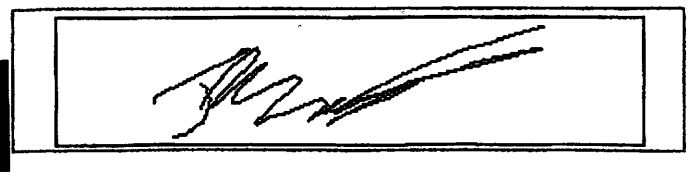
Wal-Mart Pharmacy #4583

3925 Pelham Rd
Greenville, SC
29615
GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]



View (N) 200572406 (S) 1193965	02/04/2013 11:35:59 AM EST	Purchase	DECONGESTANT 2.4 12HR MAX,	1			Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE

Transaction Details

THOMAS ROONEY

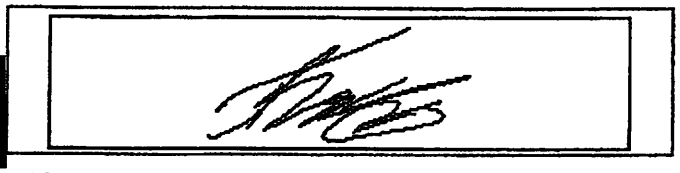
[redacted]

View (N) 186201472 (S) 1096122	12/05/2012 6 45:51 PM EST	Purchase	DECONGESTANT 2.4 12HR MAX,	1			Wal-Mart Pharmacy #641 6134 White Horse Rd Greenville, SC 29611 GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

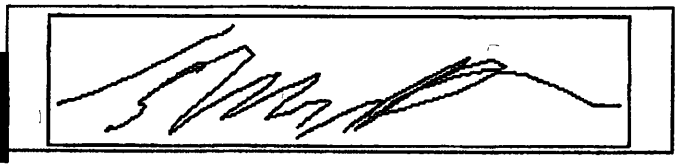


View (N) 182075901 (S) 1193964	11/15/2012 12.47.59 PM EST	Purchase	DECONGESTANT 2.4 12HR MAX,	1			Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

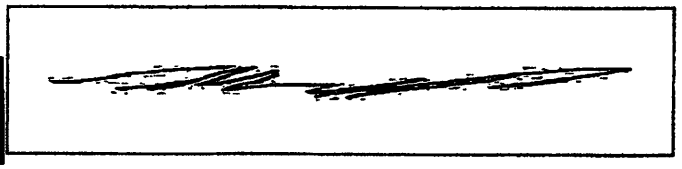


View (N) 178066165 (S) 12447419862112102520113159905	10/25/2012 11 31:40 AM EDT	Purchase	SUDAFED 12 HR 24 20CT,	1			WALGREENS #12447 864-486-1779 2196 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

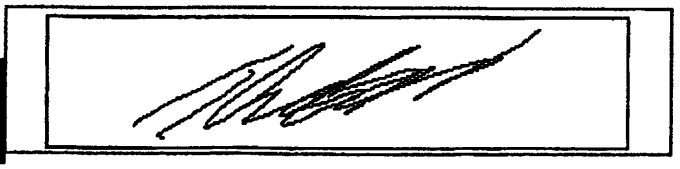


View (N) 153633295 (S) 1662160	06/09/2012 4:29:02 PM EDT	Purchase	DECONGESTANT 2.5 12HR MAX,	1			Wal-Mart Pharmacy #831 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

THOMAS ROONEY

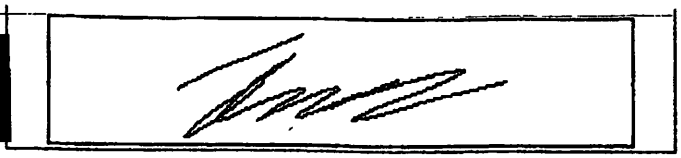
[redacted]



View (N) 152353261 (S) 1783690	06/02/2012 12:20:12 PM EDT	Purchase	DECONGESTANT 2.5 12HR MAX,	1			Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

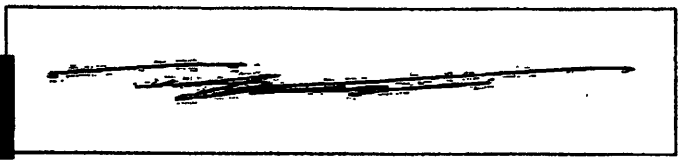
THOMAS ROONEY [redacted]



View (N) 147587571 (S) 12447421260012050720181306870	05/07/2012 6:15:35 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #12447 864-486-1779 2196 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

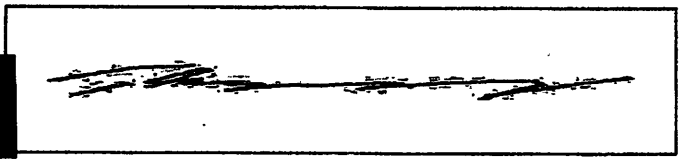
THOMAS ROONEY [redacted]



View (N) 146461509 (S) 12447416732612050120191444908	05/01/2012 7:17:09 PM EDT	Purchase	WAL-PHED 12HR (20 CNT),	2.4	1		WALGREENS #12447 864-486-1779 2196 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

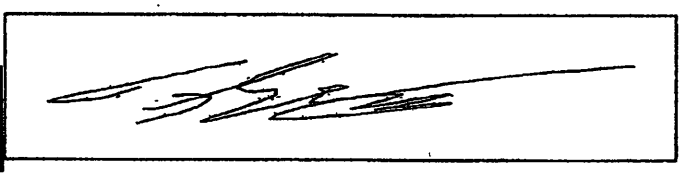
THOMAS ROONEY [redacted]



View (N) 145060741 (S) 07648328735512042520033123970	04/25/2012 3 33:49 AM EDT	Purchase	ALEVE COLD + SINUS (20 CNT),	2 4	1		WALGREENS #07648 864-587-9486 2410 Reidville Rd Spartanburg, SC 29301 SPARTANBURG

Transaction Details

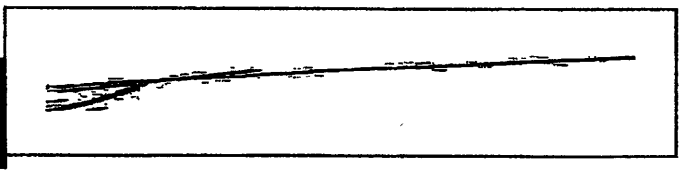
THOMAS ROONEY [redacted]



View (N) 139514431 (S) 12447412715312033020145351870	03/30/2012 2 56:00 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #12447 864-486-1779 2196 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

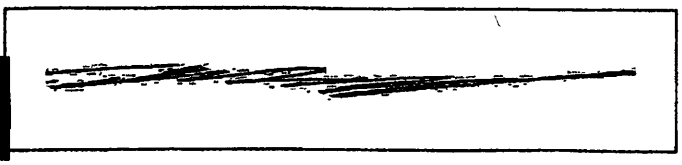
THOMAS ROONEY [redacted]



View (N) 137104728 (S) 12447411328512031920143333870	03/19/2012 2:35:15 PM EDT	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #12447 864-486-1779 2196 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

THOMAS ROONEY [redacted]



View (N) 131536289	02/22/2012 8:37:00 PM	Block	ALEVE COLD + SINUS (20 CNT),	2.4	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS03928 8644391574

(S) 120222907513 EST

700 E Main St
Duncan, SC
29334
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

View
(N) 130217283
(S) 12447340720012021620191526280

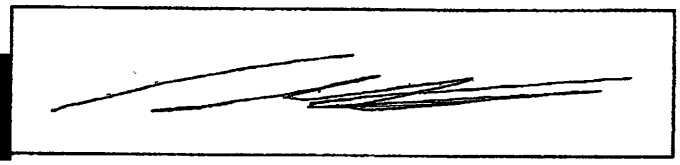
02/16/2012 7:17.14 PM EST | Purchase | ALEVE SINUS AND HEADACHE (10 CNT), | 1 2 | 1

WALGREENS
#12447
864-486-1779
2196 E Main St
Duncan, SC
29334
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]



View
(N) 129139930
(S) 07648324177712021220042904910

02/12/2012 4:30.49 AM EST | Purchase | ALEVE SINUS AND HEADACHE (10 CNT), | 1.2 | 1

WALGREENS
#07648
864-587-9486
2410 Reidville Rd
Spartanburg, SC
29301
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View
(N) 127256373
(S) 12447339694812020320180614905

02/03/2012 6:07 44 PM EST | Purchase | WAL-PHED TABS PPR X (48 CNT), | 1 44 | 1

WALGREENS
#12447
864-486-1779
2196 E Main St
Duncan, SC
29334
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View
(N) 126629813
(S) 07648321930312013120212547144

01/31/2012 9:27.27 PM EST | Purchase | WAL-PHED TABS PPR X (48 CNT), | 1.44 | 1

WALGREENS
#07648
864-587-9486
2410 Reidville Rd
Spartanburg, SC
29301
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View
(N) 125605299
(S) 07648320894512012620215427910

01/26/2012 9:55:53 PM EST | Purchase | WAL-PHED TABS PPR (96 CNT), | 2 88 | 1

WALGREENS
#07648
864-587-9486
2410 Reidville Rd
Spartanburg, SC
29301
SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

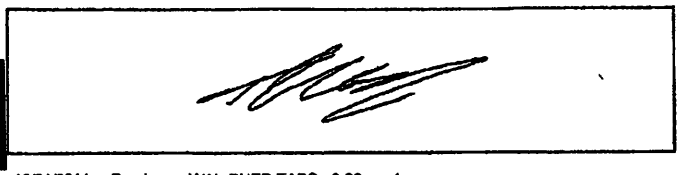
[redacted]

View (N) 122212058 (S) 120110695313	01/10/2012 11 26:00 AM EST	Purchase	CVS DECON TAB (96 CNT),	2 88	1		CVS07505 8644391040 101 Locust St Lyman, SC 29365 SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

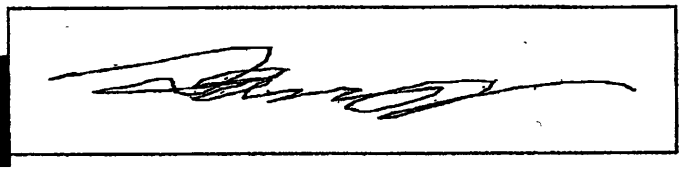


View (N) 120135918 (S) 116983443152111231201354468 22	12/31/2011 1:55:53 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

THOMAS ROONEY

[redacted]

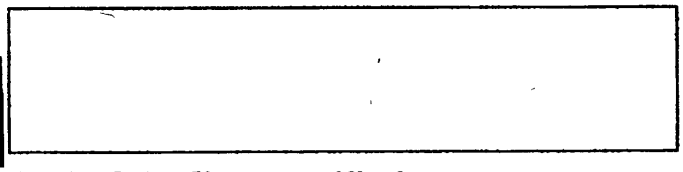


View (N) 115152787 (S) 111207069313	12/07/2011 6:08:00 PM EST	Block	CVS DECON TBM,	1.44	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	CVS03926 8644391574 700 E Main St Duncan, SC 29334 SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

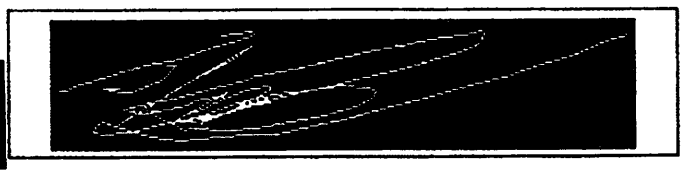


View (N) 112389453 (S) 1839960	11/22/2011 9 24 34 AM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #1244 3027 Wade Hampton Blvd Taylors, SC 29687 GREENVILLE

Transaction Details

THOMAS JOSEPH ROONEY

[redacted]



View (N) 111498405 (S) 07648325724711111620183622810	11/16/2011 6:37:09 PM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #07648 864-587-9486 2410 Reidville Rd Spartanburg, SC 29301 SPARTANBURG

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View (N) 111498402 (S) 07648325724711111620183619810	11/16/2011 6:37:06 PM EST	Purchase	WAL-PHED TABS PPR X (48 CNT),	1.44	1		WALGREENS #07648 864-587-9486 2410 Reidville Rd

Spartanburg, SC
29301
SPARTANBURG

Transaction Details

THOMAS ROONEY
[redacted]

No Electronic Image For Transaction

View (N) 110775742 (S) 07279347765811111220130849870	11/12/2011 1:09:44 PM EST	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #07279 864-968-1949 101 W Wade Hampton Blvd Greer, SC 29650 GREENVILLE

Transaction Details

THOMAS ROONEY
[redacted]

No Electronic Image For Transaction

View (N) 110213111 (S) 1096121	11/09/2011 11:09:33 AM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #641 6134 White Horse Rd Greenville, SC 29611 GREENVILLE

Transaction Details

THOMAS ROONEY
[redacted]

View (N) 109084169 (S) 1096120	11/02/2011 2:55:57 PM EDT	Block	EQ SUPHEDRINE,	2.88	2	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	Wal-Mart Pharmacy #641 6134 White Horse Rd Greenville, SC 29611 GREENVILLE

Transaction Details

THOMAS ROONEY
[redacted]

No Electronic Image For Transaction

View (N) 107432080 (S) 07648320575411102220190446982	10/22/2011 7:04 51 PM EDT	Purchase	SUDAFED SINUS & PAIN 12HR,	1.92	1		WALGREENS #07648 864-587-9486 2410 Reidville Rd Spartanburg, SC 29301 SPARTANBURG

Transaction Details

THOMAS ROONEY
[redacted]

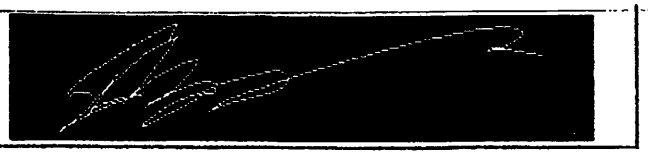
No Electronic Image For Transaction

View (N) 106742804 (S) 1823152	10/18/2011 6:16:56 PM EDT	Purchase	EQ SUPHED 12-HOUR (20 CNT),	2.4	1		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS

Transaction Details

THOMAS ROONEY
[redacted]

[redacted]



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Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View (N) 96790017 (S) 1193963	08/13/2011 2:35:36 PM EDT	Return	EQ SUPHEDRINE,	-1.44	1		Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

View (N) 96789926 (S) 1193962	08/13/2011 2:35:03 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #4583 3925 Pelham Rd Greenville, SC 29615 GREENVILLE

Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

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Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

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Transaction Details

THOMAS ROONEY

[redacted]

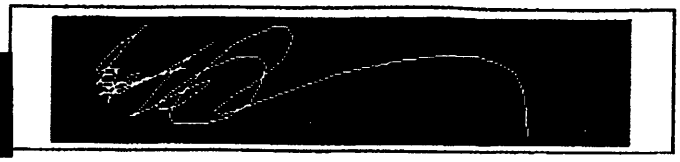
View (N) 95095117 (S) 1623151	07/28/2011 7:19:10 PM EDT	Purchase	EQ SUPHEDRINE,	1.44	1		Wal-Mart Pharmacy #631

115 Rolling Hills Cir
Easley, SC
29640
PICKENS

Transaction Details

THOMAS ROONEY

[redacted]



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Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

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Transaction Details

THOMAS ROONEY

[redacted]

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Transaction Details

THOMAS ROONEY

[redacted]

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Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

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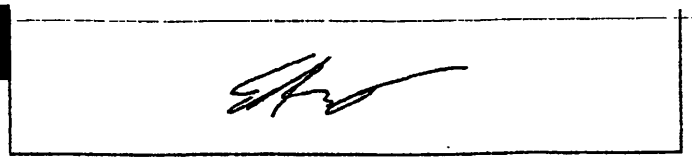
Transaction Details

THOMAS ROONEY

[redacted]

[redacted]



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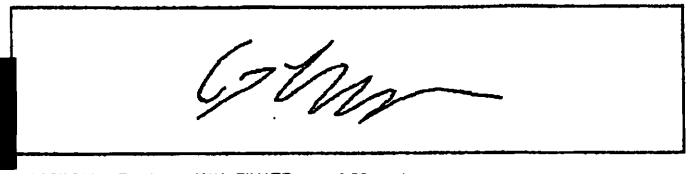
Transaction Details

THOMAS ROONEY

[redacted]



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Transaction Details

THOMAS ROONEY

[redacted]

No Electronic Image For Transaction

STATE'S EXHIBIT

39 12-17-13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

3. I am the custodian of the records of all pseudoephedrine/ephedrine sales logs for retailers that are maintained by Appriss Inc. 10401 Linn Station Road, Louisville, KY 40223-3842 (the "Business Records Holder").

4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 8:52 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December, 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible]

Search Results - Person Summary

SUMMERALL, CURTISS CHARLES
Date of Birth: [redacted]

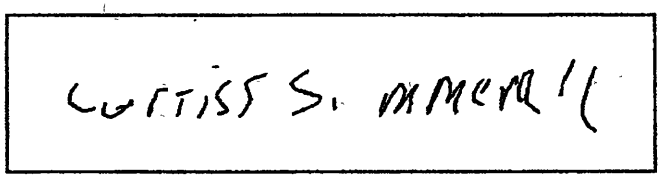
Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
SUMMERALL, CURTISS CHARLES SUMMERALL, CURTISS	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (6) Purchases (5) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box(es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 127934454 (S) 120206629706	02/06/2012 6:29:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd Clemson, SC 29631 PICKENS
Transaction Details CURTISS SUMMERALL [redacted]							
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Transaction Details CURTISS SUMMERALL [redacted]	No Electronic Image For Transaction						
View (N) 114108165 (S) 111201009207	12/01/2011 8:42:00 PM EST	Block	CVS DECON TAB (96 CNT),	2.88	1	Federal Compliance Agent: 9g In 30 days SC Compliance Agent: 9g Per 30 Days	CVS03537 8648826706 210 Ingles Pl Seneca, SC 29678 OCONEE
Transaction Details CURTISS SUMMERALL [redacted]							
View (N) 110977513 (S) 116983372165111113201646498 22	11/13/2011 4:47:40 PM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CURTISS SUMMERALL

[redacted]

No Electronic Image For Transaction

View (N) 109738728 (S) 116983482819111106201141388 29	11/06/2011 11:42:20 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2 88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CURTISS SUMMERALL

[redacted]

No Electronic Image For Transaction

View (N) 109091992 (S) 111102994813	11/02/2011 3:32:00 PM EDT	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS07534 8848787954 204 Hampton Ave Pickens, SC 29671 PICKENS

Transaction Details

CURTISS SUMMERALL

[redacted]

Curtiss Summerall

948
932

STATE'S EXHIBIT

40 12.17.13

BUSINESS RECORDS AFFIDAVIT BY CUSTODIAN OF RECORDS

Before me, the undersigned authority, personally appeared PAUL FORST. Custodian of Records, who, after being by me duly sworn, stated upon oath as follows:

1. My name is PAUL FORST.

2. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

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4. The computerized database of pseudoephedrine/ephedrine sales logs by retailers are kept by the Business Records Holder in the regular course of business, and it was the regular course of that business for its employee or representative, with knowledge of the act, event, condition, or opinion recorded to make the record or to transmit information thereof to be included in such record.

5. Appriss, Inc. provides a secured login website available to law enforcement called JusticeXchange. JusticeXchange enables law enforcement to have the capability of searching for and printing out pseudoephedrine/ephedrine sales logs and information maintained by the Business Records, as a function of the National Precursor Log Exchange (NPLEx).

6. This affidavit certifies that all pseudoephedrine/ephedrine records printed by law enforcement from the JusticeXchange website are exact representations of the pseudoephedrine/ephedrine sales logs.

Custodian of Records

12/9/13 3:58 PM
Date and Time

BEFORE ME, the undersigned Notary Public and for the State of Kentucky, on this day personally appeared Paul Forst known to me to be the person whose name is subscribed to the above statement, and after being sworn by me, duly stated that the statements contained herein are true and correct to the best of his/her knowledge.

SUBSCRIBED AND SWORN TO before me, this the 10th day of December 2013 A.D.

Karen S Yates
NOTARY PUBLIC - In and for the State of Kentucky
My commission expires: [illegible] 2016

Search Results - Person Summary

SANFORD, LAUREN
Date of Birth: [redacted]

Biographical History

Name/Alias	Date of Birth	Driver's License #	Address
SANFORD, LAUREN SUMMERALL, LAUREN NICOLE SANFORD, LAUREN NICOLE	[redacted]	[redacted]	[redacted]

Transaction Summary

☑ Show Transaction Details and Signatures

All Activity Types (8) Purchases (7) Blocks (1) Exceedances (0) Purchase Attempts (0) Returns (0)

Transaction ID(s) (N)PLEx (S)tore	Transaction Date	Activity Type	Product(s)	Grams	Box (es)	Compliance Fail Type/Purchase Attempt	Pharmacy
View (N) 127450368 (S) 116983422445120204201517178 29	02/04/2012 3:18.52 PM EST	Block	WAL-PHED TABS PPR (96 CNT),	2.88	1	Federal Compliance Agent: 9g in 30 days SC Compliance Agent: 9g Per 30 Days	WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details LAUREN SANFORD [redacted]	No Electronic Image For Transaction						
View (N) 126050834 (S) 116983414253120129201103508 22	01/29/2012 11:05:10 AM EST	Purchase	WAL-PHED TABS PPR (96 CNT),	2.88	1		WALGREENS #11698 864-878-0599 101 Hampton Ave Pickens, SC 29671 PICKENS
Transaction Details LAUREN SANFORD [redacted]	No Electronic Image For Transaction						
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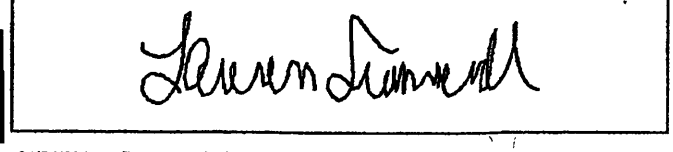
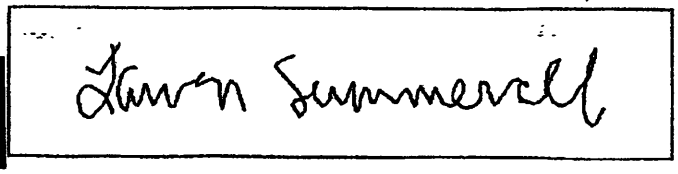
Transaction Details LAUREN SUMMERALL [redacted]							
View (N) 125186467 (S) 120124477906	01/24/2012 8:41:00 PM EST	Purchase	CVS DECON TAB (96 CNT),	2.88	1		CVS04026 8646536724 1300 Tiger Blvd

							Clemson, SC 29631 PICKENS
Transaction Details LAUREN SUMMERALL [redacted] 							
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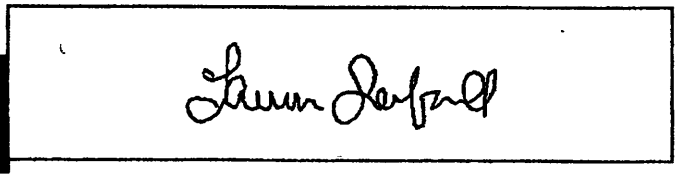
Transaction Details LAUREN SANFORD [redacted] 							
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Transaction Details LAUREN SANFORD [redacted]	No Electronic Image For Transaction						
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Transaction Details LAUREN SANFORD [redacted]	No Electronic Image For Transaction						
View (N) 67908635 (S) 1379462	11/30/2010 9:51 11 AM EST	Purchase	EQ SUPHEDRINE,	2.88	2		Wal-Mart Pharmacy #631 115 Rolling Hills Cir Easley, SC 29640 PICKENS
Transaction Details LAUREN SANFORD [redacted]	No Electronic Image For Transaction						

CERTIFICATE OF COUNSEL FOR APPELLANT

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

August 4, 2017

Robert M. Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
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(803) 734-1330

Ryan C. Andrews
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300 W. Coleman Blvd, Suite 106
Mt. Pleasant, SC 29464
(843) 936-6680

ATTORNEYS FOR APPELLANT

ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of General Sessions

Robin B. Stilwell, Circuit Court Judge

Case No. 2013-002752

RECEIVED
AUG 24 2017
SC Court of Appeals

State of South Carolina

Respondent,

v.

Michael Levant Mealor

Appellant.

FINAL BRIEF OF APPELLANT

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Chief Appellate Public Defender
S.C. Office of Appellate Defense
1205 Pendleton St., Room 306
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ATTORNEYS FOR APPELLANT

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STATEMENT OF ISSUES ON APPEAL

I. The Circuit Court erred in permitting the introduction of NPLEX Logs into evidence.

II. The Circuit Court erred in permitting testimony as to the yield of methamphetamine production.

III. The Circuit Court erred in denying Appellant's Motion for Directed Verdict.

STATEMENT OF THE CASE

Appellant, along with his wife and other co-defendants, were indicted for one count of trafficking over 100 grams of methamphetamine pursuant to S.C. Code § 44-53-0375(C)(3). The case was called for a jury trial on December 16, 2013, before the Honorable Robin B. Stilwell. The jury convicted Appellant of trafficking over 28 grams of methamphetamine, to which the Circuit Court sentenced Appellant to nine years incarceration. Appellant timely filed the notice of appeal.

When Appellant received the trial transcript, Appellant discovered many portions of the transcript were missing due to the court reporter's equipment malfunction.[1] Appellant subsequently filed a Motion to Reconstruct the Record, which was granted. (*See* R. pp. 751-753). The Honorable Robin B. Stilwell convened a record reconstruction hearing on February 29, 2016, with counsel for Appellant and Respondent present, and, after conferring with counsel, ordered that the record could properly be reconstructed despite Appellant's objection. Appellant initially appealed Judge Stilwell's order regarding the record reconstruction but subsequently withdrew it. This appeal followed.

[1] It was determined that one court reporter recorded the trial while another court reporter transcribed the recording.

STATEMENT OF FACTS

Appellant was indicted by the Pickens County Grand Jury on one count of trafficking over 100 grams of methamphetamine on December 10, 2013. (*See* R. pp. 754-755). The case was called for trial on December 16, 2013, with the Honorable Robin B. Stilwell presiding.

At trial, Respondent did not offer into evidence any actual methamphetamine or methamphetamine laboratory equipment. Rather, Respondent was permitted to introduce database records of Appellant's and co-defendants' alleged purchases of the medication Sudafed over Appellant's objection. Sudafed's primary ingredient is pseudoephedrine, which is the key component in producing methamphetamine. By law, the amount of pseudoephedrine someone can purchase is restricted, and pharmacies in South Carolina submit records of pseudoephedrine sales to a national precursor database (NPLEX). This database is maintained by Appriss, a private company, located in Kentucky. (R. p. 103, line 5-p. 118, line 14; p. 732, line 22-p. 742, line 25).

Additionally, Respondent presented witnesses at trial whom were employees at CVS, Walgreen's, and Wal-Mart pharmacies (pharmaceutical witnesses). None of the pharmaceutical witnesses testified that they personally witnessed Appellant or any of the co-defendants purchase pseudoephedrine products. Instead, the pharmaceutical witnesses testified as to their individual pharmacies' policies and procedures regarding pseudoephedrine purchases. The policies and procedures required that customers wishing to purchase pseudoephedrine must present a government-issued identification card to the pharmaceutical employee whom then scans the card into the NPLEX system. The system allegedly records the purchase or attempted purchase and also notifies the pharmacies if that customer should be prohibited from purchasing the product due to that customer being over his/her limit for allowable purchases. The customer is also required to read and electronically sign a warning concerning the pseudoephedrine purchases. The

pharmaceutical witnesses further testified that they do not compare the customers' signatures with that of the signature located on the identification card. Additionally, the pharmaceutical witnesses could not testify as to where the records in which they were entering the Sudafed purchases were sent or kept, with some erroneously believing that the records were being sent to a government database. Lastly, they testified that, in South Carolina, a person can legally purchase up to nine grams of pseudoephedrine per month. This equates to a maximum of 108 grams per year. (R. p. 73, line 13-p. 102, line 10).

Paul Forst, a business records analyst with Appriss, was called to testify as the records custodian for Appriss in order to introduce the NPLEX Logs into evidence. He testified that his company and law enforcement have access to the NPLEX Logs. Further, he presented NPLEX Logs for the alleged pseudoephedrine purchases made by Appellant and co-defendants for the 2011 calendar year. The logs did not contain the date in which the logs were requested by law enforcement or Respondent, nor did the logs include Appellant's or co-defendants' electronic signatures. Appellant and co-defendants objected to the NPLEX Logs' introduction. (R. p. 103, line 5-p. 118, line 14; p. 732, line 22-p. 742, line 25).

Respondent later called John Ross to explain the pseudoephedrine purchases as to Appellant and each co-defendant in which the NPLEX Logs allegedly purported. He testified that during the calendar year, according to the NPLEX Logs, Appellant allegedly purchased 69.36 grams of pseudoephedrine—well within the legally permitted 108 grams per year. (R. p. 165, line 10-p. 201, line 19).

Additionally, Respondent introduced the NPLEX Logs for the pseudoephedrine purchases of multiple co-defendants, whom testified that they gave some of their pseudoephedrine to Appellant or other co-defendants. Discrepancies in the co-defendants' testimony remained as to the

amount of pseudoephedrine they allegedly gave to Appellant as some testified that they kept some pseudoephedrine for personal consumption. Further, some co-defendants admitted their propensity to lie to law enforcement. (R. p. 131, line 6-p. 164, line 23; p. 202, line 5-p. 416, line 14; 485, line 21-p. 501, line 6; p. 509, line 5-p. 531, line 4).

With the testimony of the pharmaceutical witnesses, Forst, Ross, and co-defendants, Respondent alleged that Appellant had an additional 164 grams of pseudoephedrine at his disposal to produce methamphetamine. (R. p. 703, lines 24-25).

In attempts to explain the amount of methamphetamine one can produce from pseudoephedrine, Respondent offered Capt. Chad Brooks as an expert in clandestine methamphetamine manufacturing. Capt. Brooks, while having experience in narcotics investigations, had only a high school education in chemistry. Nevertheless, over Appellant's objection, Capt. Brooks was permitted to testify as to the chemical reactions and yield rates in the production of methamphetamine using pseudoephedrine. He was permitted to testify as to the different methods of methamphetamine production. Additionally, he testified as to a single instance in which he participated in the production of methamphetamine during a training seminar. This occurred while under the direct supervision of state chemists and while in a group of ten or so people in a SLED controlled laboratory. From this, the group of trainees and chemists were able to produce methamphetamine using the birch method of production at a 92% pseudoephedrine to methamphetamine yield. Further, Capt. Brooks was permitted to testify that the theoretical lowest yield rate was 40% in certain circumstances. The yield rates in which Capt. Brooks testified all assumed that the actual production of methamphetamine was successful. No testimony was offered as to the yield in which Appellant could produce methamphetamine given the particular environment where Respondent alleged Appellant produced methamphetamine nor any testimony

given as to how proficient Appellant actually was at producing methamphetamine. (R. p. 416, line 20-p. 455, line 17).

Appellant moved for a directed verdict at the close of Respondent's case. Appellant argued that, given the fact no physical evidence of actual methamphetamine or methamphetamine lab equipment was introduced together with the highly speculative nature of the amount of methamphetamine Appellant allegedly produced, Respondent failed to meet its burden. The court denied the motion. (R. p. 516, line 20-p. 531, line 4).

At the close of Appellant's case, Appellant renewed his directed verdict motion. It was again denied. Respondent then moved to amend the indictment and reduce the amount of trafficking to between 28 and 100 grams, which was granted. (R. p. 657, line 7-p. 665, line 22).

The jury convicted Appellant of manufacturing over 28 grams of methamphetamine, to which the court sentenced him to nine years incarceration. (R. p. 737, lines 8-12). For the following reasons, Appellant respectfully requests this Court reverse his conviction and sentence.

ARGUMENT

I. The Circuit Court erred in permitting the introduction of NPLEX Logs into evidence.

By allowing the introduction of the NPLEX Logs under the business records exception to hearsay, the lower court committed reversible error. The logs were hearsay not applicable to the business records exception. Additionally, Respondent failed to lay a proper foundation for the introduction of the logs. Lastly, the introduction of the NPLEX Logs was in violation of SCRE 403.

A. The information contained in the NPLEX Logs constituted hearsay not applicable to the Business Records Exception.

The NPLEX Logs were erroneously introduced into evidence under the business record exception of hearsay. Hearsay is an out of court statement, which may be written, offered to

prove the truth of the matter asserted therein. Rule 801, SCRE; *See State v. Brown*, 317 S.C. 55, 451 S.E.2d 888 (1994). The rule against hearsay prohibits the admission of evidence of an out of court statement to prove the truth of the matter asserted unless an exception to the rule applies. Rule 802, SCRE; *See Simpkins v. State*, 303 S.C. 364, 401 S.E.2d 142 (1991) (overruled on other grounds). By admitting the NPLEX Logs into evidence, Respondent introduced the purchase logs to prove the truth of the matter asserted; that Appellant purchased pseudoephedrine to assist in the manufacturing of methamphetamine.

Further, the trial court erroneously concluded that the NPLEX Logs fell under the business records exception as to hearsay. South Carolina adopted Section 19-5-510 of the South Carolina Code of Laws (the Uniform Business Record as Evidence Act), prior to the promulgation of the South Carolina Rules of Evidence. Section 19-5-510 provided:

> A record of an act, condition or event shall, insofar as relevant, be competent evidence if the custodian or other qualified witness testifies to its identity and the mode of its preparation, and if it was made in the regular course of business, *at or near the time of the act, condition or event* and if, in the opinion of the court, the sources of information, method and time of preparation were such as to justify its admission.

S.C. Code Ann. § 19-5-510 (1985) (emphasis added). This statute gives the trial court control to exclude or require additional proof when the authenticity or trustworthiness of the business record is suspect. *See Kershaw County Dep't of Soc. Servs. v. McCaskill*, 276 S.C. 360, 362, 278 S.E.2d 771, 773 (1981).

Patterned after the Business Record Act and the Federal Rules of Evidence, Rule 803(6), of the South Carolina Rules of Evidence provides an exception to the hearsay rule for "records of regularly conducted [business] activity." The prohibition against hearsay does not exclude:

> A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, or diagnoses, *made at or near the time*

> *by,* or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, unless the source of information or the method or circumstances of preparation indicate lack of trustworthiness; *provided, however,* that subjective opinions and judgments found in business records are not admissible. The term "business" as used in this subsection includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

Rule 803(6), SCRE (emphasis added) (known as the business record exception).

In this case, the NPLEX Logs do not fall under the business records exception to the hearsay rule because the logs were prepared primarily for use in litigation and not "in the course of a regularly conducted business activity." *See Palmer v. Hoffman*, 318 U.S. 109 (1943) (finding accident report completed by railroad employee not admissible under the business records exception to the hearsay rule because it was prepared primarily for use in litigation and not in the conduct of business). Specifically, South Carolina law prohibits pharmacies from using the purchase logs for any business function other than for law enforcement purposes. *See* S.C. Code Ann. § 23-3-1200(E) ("The information in SLED's electronic monitoring system *is confidential* and *not a public record* as defined in Section 30-4-20(C) of the Freedom of Information Act.") (emphasis added). Further, the NPLEX Logs are not maintained by the pharmacy in which pseudoephedrine is allegedly purchased. In essence, it is hearsay within hearsay, which does not fall under any hearsay exceptions. Certainly no evidence was presented as to the individual pharmacies' personal record keeping policies.

The record provides additional proof that Appriss' NPLEX Logs were not created in "in the course of regularly conducted business activity." Rule 803(6), SCRE. Paul Forst, the State's Records Custodian for Appriss, testified "[t]he only people that have access to [NPLEX Logs]

are individuals that work with the product at Appriss and the records are also available to law enforcement by law. [Law enforcement] can access them through a web portal that we provide for law enforcement, that once they are vetted and receive an account, then they can access and search the records." (R. p. 106, lines 15-20). Further, as far as the NPLEX Logs segment of Appriss are concerned, Appriss does not have a "business." The only reason these records are created in the first place is to benefit law enforcement in their anticipated litigation. This is evident in that the only entities that statutorily have access to this confidential information are law enforcement (unfettered access), government officials (limited access), and the Board of Pharmacy (limited access). *See* S.C. Code Ann. § 23-3-1200(E). SLED "serve[s] as the statewide central repository for log information" and "monitor[s] the sales and purchases of nonprescription products containing ephedrine, pseudoephedrine, or phenylpropanolamine." S.C. Code § 23-3-1200(A) ("SLED shall maintain the information received from the data collection system . . ."). Accordingly, pharmacies do not rely upon these purchase logs to conduct their business affairs. Rather, the records are kept and monitored exclusively for law enforcement purposes by a different private entity, namely Appriss. *See Palmer*, 318 U.S. 109; Rule 803(6), SCRE.

Accordingly, the logs cannot fall within with the definition of "regularly conducted business" as laid out in Rule 803(6). To allow these records to be an exception to the hearsay rule would violate the Rule's intended purpose to protect the sanctity of records that are regularly created for a business to run smoothly. Appriss has no reason to create and store NPLEX Logs other than to provide access to law enforcement. Appriss receives their parameters for data to collect based solely upon statutes and only provides access to this data to law enforcement. (R. p. 106, lines 15-20). As previously stated, no records belonging to any pharmacies were

introduced. As such, the NPLEX Logs should not have been admitted under the business records exception of hearsay.

B. A proper foundation was not made for the introduction of the NPLEX Logs.

Additionally, a proper foundation was not laid for the introduction of the NPLEX Logs as business records. Business record entries must be made at or near the time of the act to which they relate; this mandate aids in establishing that the record was honestly and fairly kept. *South Carolina Nat'l Bank v. Jones*, 302 S.C. 154, 155, 394 S.E.2d 323, 324 (1990). In the same vein, the business records exception requires evidence of authenticity and reliability. *See McCaskill* at 362, 278 S.E.2d at 773 (1981). To ensure the trustworthiness of the NPLEX Logs, there must be evidence regarding the business practices of each pharmacy and of each transaction in question: (1) Who recorded the purchase; (2) what training did the employee who sold the pseudoephedrine receive from the pharmacy; and (3) what method/procedure did the employee use to record this information. *See* S.C. Code Ann. § 44-53-398(D)(1)[2] and (I);[3] *see also State v. McFarlane*, 279 S.C. 327, 330, 306 S.E.2d 611, 613 (1983) (finding trial court properly refused to admit medical report when no one could testify to the identity, mode of preparation, or whether report was made in the regular course of business at or near the time of the accident). In the present case, the trial court erroneously determined that a proper foundation was laid as to the

[2] Section 44-53-398(D)(1) ("*A retailer selling nonprescription products containing ephedrine, pseudoephedrine . . . shall require* the purchaser to produce a government issued photo identification showing the date of birth of the person and require the purchaser to sign an electronic log showing the date and time of the transaction, the person's name and address, the type, issuing governmental entity, identification number, and the amount of the compound, mixture, or preparation. *The retailer shall* determine that the name entered in the log corresponds to the name on the identification and that the date and time entered are correct and shall enter in the log the name of the product and the quantity sold. *The retailer shall* ensure that the product is delivered directly into the custody of that purchaser.") (emphasis added).

[3] Section 44-53-398(I) ("*A retailer shall* provide training on the requirements of this section to all agents and employees who are responsible for delivering the products regulated by this section into the custody of purchasers or who deal directly with purchasers by obtaining payments for the products. *A retailer shall* obtain a signed, written agreement from each employee or agent that the employee or agent agrees to comply with the requirements of this section. *The retailer shall* maintain records demonstrating that these employees and agents have been provided this training and the documents executed by the retailer's employees and agents agreeing to comply with this section.") (emphasis added).

authenticity and reliability of the NPLEX Logs.

As previously stated, Respondent presented no witnesses whom actually witnessed Appellant or co-defendants purchase pseudoephedrine but instead only offered testimony as to three separate pharmacy's policies and procedures regarding pseudoephedrine sales. (*See* R. p. 4, line 18-p. 735, line 14). Those witnesses testified broadly as to the training regarding pseudoephedrine sales the employees of those individual pharmacies were suppose to receive. No testimony, however, was offered as to the specific *individual* employee known to have allegedly sale any pseudoephedrine to Appellant or co-defendants. In fact, the record is silent as to whether Respondent knows the names of the employees who supposedly sold, or who were working the day of the alleged pseudoephedrine purchases. No direct evidence was offered as to prove Appellant's purchase of pseudoephedrine except these NPLEX Logs. Indeed, anyone whom had a copy of Appellant's identification and bore any striking resemblance could likely purchase pseudoephedrine as easily as any underage teenager does in attempts to illegally purchase alcohol.

Moreover, the pharmaceutical witnesses could not testify with certainty details as to the database in which they were supposedly entering the pseudoephedrine purchases. In fact, Judith Hamilton, the pharmaceutical witness from Wal-Mart, erroneously testified that the database in which she entered pseudoephedrine purchases was a governmental database. (*See* R. p. 108, lines 3-5). This logical disconnect from Ms. Hamilton, as well as the lack of knowledge from the Respondent's other pharmaceutical witnesses should have defeated the foundational requirements needed to introduce the NPLEX Logs.

Further, the NPLEX Logs did not contain the date in which the records were requested nor was any evidence offered as to when such requests were made. (*See* R. p. 109, lines 3-5).

This is troublesome as the business records exception specifically requires that such records must be "made at or near the time" of the acts in which the records are purporting to prove. Rule 803(6), SCRE. Without this information, the court should not have allowed the records' introduction because it is impossible to know their reliability in this regard.

Appellant further contends that the confidentiality requirement in Section 23-3-1200(E) seemingly prevents pharmacies from using this information for any business purpose and essentially prohibits the disclosure of this information for any purpose other than providing evidence to law enforcement. *See* § 23-3-1200(E). Without having to rely on the NPLEX Logs in the ordinary course of business, pharmacies have no incentive to ensure the accuracy and reliability of the information inputted into the NPLEX system. Accordingly, the NPLEX Logs indicate a lack of trustworthiness and reliability, and are not applicable under the business records exception to hearsay. *See State v. Rice*, 375 S.C. 302, 652 S.E.2d 409 (Ct. App. 2007) (noting "Rule 803(6), SCRE, focuses on the source of the information or the method and circumstances of preparation as indicia of trustworthiness."), *rev'd on other grounds by State v. Byers*, 392 S.C. 438, 710 S.E.2d 55 (2011). Permitting the logs' introduction was in error.

C. The Circuit Court erred in permitting the introduction of the NPLEX Logs in violation of SCRE 403.

Even if this Court determines that the NPLEX Logs were admissible under the business records exception to hearsay, the lower court erred in determining that the log's prejudicial effect was outweighed by its' probative value in violation of Rule 403, SCRE. "Unfair prejudice means an undue tendency to suggest decision on an improper basis." *State v. Chisholm*, 295 S.C. 259, 272, 717 S.E.2d 614, 621 (Ct. App. 2011) (citations omitted). Moreover, "[t]he determination of prejudice must be based on the entire record, and the result will generally turn on the facts of each case." *State v. Martucci*, 380 S.C. 232, 241, 669 S.E.2d 598, 608 (Ct. App.

2008) (citations omitted). In the present case, the lower court erroneously allowed the introduction of the NPLEX Logs as the logs were highly more prejudicial than probative. Looking at the record as a whole, the NPLEX Logs simply show Appellant allegedly purchased 69.36 grams of pseudoephedrine within a year—well within the 108 grams a year a person can legally purchase. (R, p. 179, lines 1-2; p. 192, lines 21-25). Respondent did not introduce any actual methamphetamine or any methamphetamine lab equipment into evidence and instead relied exclusively on the circumstantial NPLEX Logs. Without anything more, the trial court erred in not determining that the introduction of these NPLEX records were highly more prejudicial than probative and should not have permitted such introduction. As such, this Court must reverse Appellant's conviction.

II. The Circuit Court erred in permitting testimony as to the yield of methamphetamine production.

The lower court committed reversible error in allowing the testimony as to the theoretical yield of methamphetamine that could be produced given the amount of pseudoephedrine. Respondent called Capt. Brooks, whom the court qualified as an expert in clandestine methamphetamine manufacturing, to testify as to the theoretical yield of methamphetamine despite Appellant's objection that such testimony should come from a chemistry expert. Admission of expert testimony is governed by Rule 702 of the South Carolina Rules of Evidence, which provides that "[i]f scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise." The South Carolina Supreme Court explains that, the trial court:

> [I]n executing its gatekeeping duties . . . must make three key preliminary findings which are fundamental to Rule 702 before the jury may consider expert testimony. First, the trial court must find that the subject matter is beyond the ordinary knowledge of the jury, thus requiring an expert to explain the matter to the jury. *See State v. Douglas*, 380 S.C. 499, 671 S.E.2d 606 (2009) (holding that the witness was improperly qualified as a forensic interviewing expert where the nature of her testimony was based on personal observations and discussions with the child victim.) Next, while the expert need not be a specialist in the particular branch of the field, the trial court must find that the proffered expert has indeed acquired the requisite knowledge and skill in a profession or science that he is better qualified than the jury to form an opinion on the particular subject of his testimony). Finally, the trial court must evaluate the substance of the testimony and determine whether it is reliable. *See State v. Council*, 335 S.C. 1, 20, 515 S.E.2d 508, 518 (evaluating whether expert testimony on DNA analysis met the reliability requirements).

Watson v. Ford Motor Co., 389 S.C. 434, 446, 699 S.E.2d 169, 175 (2010). Capt. Brooks' testimony regarding the amount of methamphetamine which could be produced from pseudoephedrine was beyond his expertise as he had no training in chemistry or chemical processes.

Respondent alleged that Capt. Brooks was qualified to testify as to the chemical yield because, during only one particular narcotics training course, he participated in the manufacturing of methamphetamine from pseudoephedrine. However, as Capt. Brooks concedes, this was only done once, in a controlled environment, while he was in a group of around ten people, and "*under the supervision of a chemist.*" (R. p. 445, line 19 – p. 446, line 7 (emphasis added)). Testimony of the potential yield was improper as Capt. Brooks had no other "specialized chemical training . . . other than high school chemistry." (R. p. 428, lines 5-6). Undoubtedly, the majority of Capt. Brooks testimony involved him testifying regarding chemical processes and reactions with the mixtures of chemical compounds as it pertains to making methamphetamine from pseudoephedrine. This was in error as, while Capt. Brooks obviously

had experience and training regarding certain law enforcement functions, narcotics, and methamphetamine labs, he did not have the requisite knowledge and skill to testify as to chemical science.

Additionally, the trial court erred in improperly determining Capt. Brooks' testimony regarding the theoretical yield to be reliable. In *State v. Council*, the Supreme Court laid out factors that a trial court should consider whether scientific expert evidence is reliable: "(1) the publications and peer review of the technique; (2) prior application of the method to the type of evidence involved in the case; (3) the quality control procedures used to ensure reliability; and (4) the consistency of the method with recognized scientific laws and procedures." 335 S.C. 1, 19, 515 S.E.2d 508, 517 (1999) (citations omitted). Here, there is nothing on the record that the lower court evaluated Capt. Brooks' reliability despite Appellant's objection that "experts [of manufacturing methamphetamine] disagree about the actual measurements of conversion that's possible from [p]seudoephedrine to actual methamphetamine . . . [and] that there's serious arguments about whether that yield is effected by the way its cooked, by who cooks is, by what's done with it." (R. p. 429, lines 12-18). Instead, the trial court erroneously permitted Capt. Brooks' chemical testimony.

Had the lower court properly evaluated Capt. Brooks' expertise regarding him testifying as to chemistry and yield rates, the court would have determined such testimony was unreliable. Capt. Brooks provided no testimony regarding any of the four *Council* factors as discussed above. Instead, he testified that he participated in one training exercise which involved him participating in the making of methamphetamine. From this exercise, he testified that 2.7 grams of methamphetamine was produced out of 3 grams of pseudoephedrine—a 92% yield. (R. p. 441, line 23 – p. 442, line 6). He additionally testified that the lowest yield rate would be

between forty to fifty percent. (R p. 442, lines 7-12). However, this is not reliable and should not have been permitted. First, the 40-92% theoretical yield rates assumed that during the process of making methamphetamine the process "doesn't flash fire" and assumes "your [sic] successful" in actually producing methamphetamine. (R. p. 442, lines 7-17). Moreover, Capt. Brooks' single participation in this production method is unreliable as to the present case because this was done in a fully controlled environment using the birch method to produce methamphetamine. (R. p. 435, lines 9-11.) No testimony was presented or evidence offered that Appellant produced methamphetamine using the birch method nor in a controlled environment. In fact, no physical evidence of any methamphetamine labs were presented at all through trial. Further, Capt. Brooks provided no testimony to distinguish the yield rates between the birch method and the shake and bake method in which Appellant allegedly participated, but rather acknowledged that there were thousands of different ways to produce methamphetamine. (TT p. 447, line 20 – p. 458, line 5). Permitting this unqualified and unreliable testimony of Capt. Brooks certainly prejudiced the jury because no other evidence was presented at trial as to any theoretical yield of methamphetamine which could be produced from pseudoephedrine.

Because the trial court erroneously permitted Capt. Brooks to testify as to chemistry processes, together with the unreliable and highly prejudicial nature of such testimony, Appellant's conviction must be reversed and remanded for a new trial.

III. The Circuit Court erred in denying Appellant's Motion for Directed Verdict.

Appellant's motion for directed verdict as to the trafficking methamphetamine charge was erroneously denied. At trial, Respondent presented highly speculative evidence in which a jury could not find Appellant guilty beyond a reasonable doubt. Defendants are entitled to a directed verdict "when the state fails to produce evidence of the offense charged." *State v.*

Cherry, 361 S.C. 588, 593, 606 S.E.2d 475, 478 (2004) (citations omitted). Moreover, "[w]hen the state relies exclusively on circumstantial evidence and a motion for directed verdict is made, the circuit court is concerned with the existence or nonexistence of evidence, not with its weight." *Id.* at 594, 606 S.E.2d at 475 (citations omitted). Further, if evidence raises a mere suspicion that the Defendant is guilty, the court "should not refuse to grant the directed verdict motion." *Id.*

In the instant case, Respondent offered no direct physical evidence of a methamphetamine lab, but rather put forth only circumstantial testimony concerning the above-discussed NPLEX Logs of pseudoephedrine purchases and theoretical yields of methamphetamine production, and testimony of co-defendants[4] concerning whom they allegedly gave a portion of their purchased pseudoephedrine. Many of the testifying co-defendants admitted that they kept some of their pseudoephedrine purchases for personal consumption, confirmed their propensity to lie, and acknowledged that they did not even know they were under criminal investigation.[5] Even viewing the evidence in light most favorable to the state, given the extremely circumstantial and highly speculative nature of Respondent's case, a directed verdict should have been granted in favor of Appellant.

Moreover, the South Carolina Supreme Court recently held that when "the State did not establish the level of efficiency [a defendant can] actually achieve[] in [the defendant's] attempt to manufacture methamphetamine, the jury [is] forced to speculate as to whether [the defendant] could have actually produced the requisite quantity" when prosecuting under S.C. Code §44-53-

[4] Appellant further contends that the circuit court erroneously denied Appellant's motion to publish the testifying co-defendant's potential sentences to the jury as it is a violation of the Confrontation Clause of the Sixth Amendment as explained in *State v. Gracely*, 399 S.C. 363, 731 S.E.2d 880 (2012). In the instant case, Respondent conveniently chose not to adjudicate the co-defendants prior to trial seemingly in attempts to sidestep *Gracely*.

[5] *See* Testimony of Melissa Wardlaw. R. p. 302, line 22-p. 343, line 12 (stating that "a lot of what I told [the investigating officer about Appellant] was a lie because I was mad at Cindy and Michael."); Testimony of Susan Reese. R. p. 343, line 19-p. 351, line 5; Testimony of Thomas Rooney. R. p. 351, line 14-p. 374, line 3.

375(C), then a directed verdict is required. *State v. Cain*, 2017 WL 57159, *4 (S.C. Sup. Ct., January 5, 2017). In *Cain*, while serving a bench warrant, deputies found the defendant to be in possession of pseudoephedrine and equipment used to manufacture methamphetamine. *Id.* at *1. A *forensic chemist* employed by the Sheriff's Office investigated the scene and determined that such evidence could make methamphetamine. *Id.* Using a *scientific theory* known as stoichiometry, the *forensic chemist* calculated that the 19.2 grams of pseudoephedrine found could theoretically produce 17.67 grams of methamphetamine, if manufactured at maximum efficiency. *Id.* Based on the *forensic chemist's* analysis, the State charged Cain under §44-53-375(C)—the same statute in which Appellant was charged. *Id.* The *forensic chemist* testified at trial as to the maximum yield under the assumptions of ideal conditions, but offered no testimony which provided any basis "for calculating the level of efficiency Cain could actually have reached under the circumstances that existed in [Cain's] home." *Id.* at *3.

On appeal of his conviction, Cain argued that the lower court erred in denying his motion for directed verdict because the jury was left in the position of having to speculate as to his efficiency in "making methamphetamine, and therefore having to guess at how much of the drug he attempted to manufacture." *Id.* Moreover, Cain argued that a directed verdict motion was proper because the state failed to show Cain "could actually have produced ten grams or more of methamphetamine with the equipment and ingredients [Cain] had at his disposal." *Id.* at *2. The Supreme Court agreed. *Id.* at *4.

The facts of *Cain* mirror the present case, besides the facts of Cain actually being found with equipment to manufacture methamphetamine and the state's testifying expert as to the yield of production was an actual forensic chemist. Indeed, these distinguishing facts from *Cain* only

strengthen Appellant's argument that the jury in the present case was erroneously forced to speculate as to the amount of methamphetamine in which Appellant allegedly produced.

When viewing the evidence in light most favorable to Respondent, it is undisputed that no evidence was ever admitted at trial as to the conditions of Appellant's alleged methamphetamine production lab nor was any evidence admitted as to how proficient and good of a methamphetamine cook Appellant was. Moreover, there were inconsistences with the amount of pseudoephedrine co-defendants allegedly gave to Appellant. Without direct evidence of Appellant's supposed methamphetamine lab, his proficiency at producing meth, as well as testimony from an actual forensic chemist expert testimony regarding how much methamphetamine Appellant could have produced given these factors, the jury was left to speculate as to the amount of methamphetamine Appellant allegedly produced.

Respondent is likely to argue that the theoretical yield of 40% production is sufficient testimony for Appellant's conviction for trafficking over 28 grams of methamphetamine given the co-defendants' testimony with the NPLEX Logs. This, however, is assuming that a flash fire does not occur and that the methamphetamine cook is successful in his/her attempts to produce methamphetamine. Additionally, the NPLEX records were based on hearsay not applicable to the business records exception as discussed above. Further, the testimony of the co-defendants differs on the amounts they kept for themselves or allegedly gave to Appellant or other co-defendants. This left the jury to purely speculate as to the amount of methamphetamine Appellant allegedly produced. Accordingly, the circuit court erred in denying Appellant's motion for a directed verdict.

CONCLUSION

For the foregoing reasons, Appellant respectfully requests this Court reverse Appellant's conviction and sentence.

Respectfully submitted,

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CERTIFICATE OF COUNSEL FOR APPELLANT

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

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ORIGINAL

STATE OF SOUTH CAROLINA

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The Honorable Robin B. Stilwell, Circuit Court Judge
Appellate Case No. 2013-002754

THE STATE,

Respondent,

v.

MICHAEL LEVANT MEALOR,

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STATEMENT OF ISSUES ON APPEAL

I. The circuit court properly admitted the NPLEX logs of Appellant's and the co-defendants' purchases of pseudophedrine in as business records because the evidence established the logs are required by law, and how the information is submitted, compiled and maintained in the ordinary course of business.

II. The circuit court properly admitted testimony regarding the amount of methamphetamine that could be produced given the amount of pseudophedrine attributed to Appellant and his co-defendants in light of the co-defendants' testimony regarding their receipt of methamphetamine from Appellant, and their observations of methamphetamine related activity and smells in Appellant's home.

III. The circuit court properly denied Appellant's directed verdict motion because there was ample evidence from which a reasonable juror could find him guilty of trafficking over twenty-eight grams of methamphetamine.

STATEMENT OF THE CASE

The Pickens County Grand Jury indicted Appellant Michael Levant Greenfield on one count of trafficking over 100 grams of methamphetamine. The case was called for a jury trial on December 16, 2013, before the Honorable Robin B. Stilwell, Circuit Court Judge.

The jury convicted Appellant of trafficking over twenty-eight grams of methamphetamine, and the circuit court sentenced him to nine years incarceration. This appeal followed.

STATEMENT OF FACTS

On December 10, 2013, the Pickens County Grand Jury indicted Appellant on one count of trafficking over 100 grams of methamphetamine, arising from a year long investigation of pseudoephedrine purchases by Appellant and multiple co-defendants. The case was called for a jury trial on December 16, 2013, before the Honorable Robin B. Stilwell, Circuit Court Judge.

Many named co-defendants testified they made multiple purchases of Sudafed (or the generic brands) during 2011, and gave all or some of it to Appellant and his wife co-defendant Cynthia Greenfield ("Greenfield"). The primary ingredient in Sudafed is pseudoephedrine, which is a key component (a/k/a precursor) in manufacturing methamphetamine. In exchange for the Sudafed, most of the co-defendants received methamphetamine from Appellant and Greenfield, and others received money.[1]

The amount of pseudoephedrine someone can purchase per day and month is restricted (3.6 grams/day, 9 grams/month), and pharmacies are required by law to submit records of all pseudoephedrine sales to a national precursor log exchange (NPLEX) database maintained by Appriss, a software company headquartered in Kentucky. The system notifies a pharmacy if a person attempting to purchase pseudoephedrine has already purchased the maximum amount allowed that day or month, and blocks the sale. (Trial Transcript [TT], pp. 110-125; Record on Appeal [R.], pp. 103-118).

A Pickens County Sheriff's Department reserve officer testified he started investigating after he reviewed NPLEX records, and noticed multiple pseudoephedrine purchases by people using the same address in Six Mile, SC. The investigation ultimately revealed Appellant and

[1]The specific testimony, with relevant record citation, is set forth in Issue III below.

numerous people associated with him, purchased pseudoephedrine on multiple occasions in 2011. (TT, pp. 172-175; R., pp. 165-168).

The State presented evidence from employees at various pharmacies frequented by Appellant and the co-defendants, who testified about the record keeping requirements regarding purchases of pseudoephedrine, and how their pharmacies submitted the purchase records to a computer database at the time of purchase. (TT, pp. 80-109; R., pp. 73-116). The records custodian for Appriss testified about the process of receiving, compiling and maintaining the NPLEX records, and submitted the actual NPLEX records related to Appellant and the co-defendants. (TT, pp. 110-136; R., pp. 103-129).

The NPLEX records reflected the co-defendants' pseudoephedrine purchases, including dates when they attempted to purchase it but were blocked by the system. Based on the co-defendants' testimony, Appellant and his co-defendant wife ("Greenfield") received at least 179.76 grams of pseudoephedrine from the other co-defendants between January and December, 2011. In addition, NPLEX records showed Appellant personally purchased 69.36 grams of pseudoephedrine during that time period, and was blocked from purchasing it eight times, for a total of 234 grams of pseudoephedrine received or purchased by Appellant in 2011.[2] (TT, pp.175-190, State's Exhibits 1-40; R., pp. 168-183, 756-934).

Captain Chad Brooks of the Pickens County Sheriff's Department testified his law enforcement career began in 1989, and he supervised the Department's detectives division, which includes narcotics investigations. He worked full-time as a narcotics investigator until he became the division supervisor in January 2013, and participated in over 10,000 narcotics investigations over the course of his career. In addition, he had over 1000 hours specialized

[2] The NPLEX records also revealed Greenfield personally purchased an additional 68.64 grams of pseudoephedrine in 2011.

purchase pseudoephedrine for them in order to avoid the amount restrictions. (TT, pp. 447-448; R., pp. 440-441).[3]

Over objection, Capt. Brooks testified he used three grams of pseudoephedrine in the SLED lab, which produced 2.7 grams of methamphetamine, or a 92% yield. Depending on the method used, he stated his training and experience indicated the lowest yield would be 40% to 50%, and outlined various factors that could affect the yield. (TT, pp. 448-452; R., pp. 441-445).

At the close of the State's case, Appellant moved for a directed verdict on the ground the State failed to produce sufficient evidence of a conspiracy to manufacture over 100 grams of methamphetamine, and all the evidence regarding amounts was speculative. The circuit court took the motion under advisement, particularly as to the weight manufactured. (TT, pp. 523-538; R., pp. 516-531).

After the defense rested its case, Appellant and his co-defendants renewed the directed verdict motion on the indicted charge of trafficking over 100 grams of methamphetamine. The circuit court denied the motion, but the State then moved to amend the indictment and reduce the amount to trafficking between 28 and 100 grams, which the circuit court granted without objection. (TT, pp. 664-672; R., pp. 657-665).

The jury convicted Appellant of manufacturing over 28 grams of methamphetamine, and the circuit court sentenced him to nine years incarceration. (TT, pp. 730, 737; R., pp. 723, 730). This appeal followed.

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[3]This is a commonly known method used to "game" the system. *See* http://www.wistv.com/story/25524990/meth-makers-can-easily-game-pseudoephedrine-system?page=full&N=F.

training on narcotics investigations, including specific training regarding the manufacturing of methamphetamine, and was certified by the U.S. Drug Enforcement Agency as a methamphetamine site safety officer, which authorized him to enter locations and seize methamphetamine labs. (TT, pp. 423-427; R., pp. 416-420).

During his methamphetamine training, Capt. Brooks learned about various methods used to manufacture it, he personally manufactured it in the SLED lab under controlled conditions, and he learned about pseudoephedrine to methamphetamine yield rates. He stated he was previously qualified in court as an expert in narcotics investigations generally, and clandestine methamphetamine labs specifically. (TT, pp. 427-429; R., pp. 420-422).

The State offered Capt. Brooks as an expert in the field of clandestine methamphetamine manufacturing. Appellant objected to any testimony regarding pseudoephedrine to methamphetamine yield rates, contending it required an expert in chemistry, and Capt. Brooks was not a chemist. The circuit court overruled the objection, and qualified Capt. Brooks as an expert in the field requested by the State, finding he was qualified by his training and experience, and testifying about yield rates did not require a specific degree. (TT, pp. 429-437; R., pp. 422-430).

Capt. Brooks testified he had investigated approximately 200 methamphetamine labs, and explained the three basic manufacturing methods: red fee, birch, and shake and bake (also called one pot). People using the shake and bake/one-pot method generally use two liter plastic bottles, and add all the ingredients, including pseudoephedrine, at the same time, which initiates the chemical reaction. The reaction produces a liquid, which is then salted or gassed out to leave the methamphetamine powder. (TT, pp. 439-447; R., pp. 432-440). He also testified about "smurfing," which is the term used when the methamphetamine cooks have other people

ARGUMENT

I. The circuit court properly admitted the NPLEX records as business records because the evidence established the records are required by law, as well as how the information is submitted, compiled and maintained in the ordinary course of business.

Appellant asserts the circuit court erred in admitting the NPLEX logs as business records, the State failed to lay a proper foundation for admission, and admitting the records violated Rule 403, SCRE. As a threshold matter, the 403 issue is not preserved for appeal. Appellant's remaining assertions are meritless.

The admission or exclusion of evidence is a matter addressed to the sound discretion of the trial court, and its ruling will not be disturbed in the absence of a manifest abuse of discretion accompanied by probable prejudice. State v. Kromah, 401 S.C. 340, 737 S.E.2d 490, 495 (2013); State v. Price, 368 S.C. 494, 498, 629 S.E.2d 363, 365 (2006) (same); State v. Brown, 411 S.C. 332, 768 S.E.2d 246, 249 (Ct. App. 2015) (same); State v. Weaverling, 337 S.C. 460, 523 S.E.2d 787 (Ct. App. 1999) (same). A prejudicial abuse of discretion occurs when the conclusions of the trial court either lack evidentiary support, or are controlled by an error of law. State v. White, 382 S.C. 265, 676 S.E.2d 684, 686 (2009); State v. Douglas, 369 S.C. 424, 429, 632 S.E.2d 845, 847-848 (2006) (same).

A. Rule 403, SCRE

Appellant argues admission of the NPLEX logs was error under Rule 403, SCRE, because they were unduly prejudicial. The only objections to admission of the NPLEX logs at trial were the reliability of the records and Appriss system, and lack of foundation. None of the co-defendants, including Appellant, objected to the logs under Rule 403. Therefore, the issue is not preserved for appellate review. *See* State v. Dunbar, 356 S.C. 138, 587 S.E.2d 691, 693

(2003) ("In order for an issue to be preserved for appellate review, it must have been raised to and ruled upon by the trial judge.").

B. Business Records

Prior to the promulgation of the South Carolina Rules of Evidence, South Carolina adopted S.C. Code Ann. § 19-5-510, the Uniform Business Record as Evidence Act, which provides:

> A record of an act, condition or event shall, insofar as relevant, be competent evidence if the custodian or other qualified witness testifies to its identity and the mode of its preparation, and if it was made in the regular course of business, at or near the time of the act, condition or event and if, in the opinion of the court, the sources of information, method and time of preparation were such as to justify its admission.

See State v. Rice, 375 S.C. 302, 652 S.E.2d 409, 423–24 (Ct. App. 2007) (*citing* S.C. Code Ann. §19-5-510 [1985]), *overruled on other grounds by* State v. Byers, 392 S.C. 438, 710 S.E.2d 55 (2011).

Rule 803(6), SCRE, adopted in 1995 and modeled after § 19-5-510 and the Federal Rules of Evidence, allows admission of regularly conducted activity records otherwise inadmissible as hearsay. Pursuant to the Rule, memorandum, reports, records, etc. in any form of acts, events, conditions, or diagnoses, are admissible if they are: (1) prepared near the time of the event recorded; (2) prepared by someone with or from information transmitted by a person with knowledge; (3) prepared in the regular course of business; (4) identified by a qualified witness who can testify regarding the mode of preparation of the record; and (5) found to be trustworthy by the court. Ex parte Dep't of Health & Envtl. Control, 350 S.C. 243, 565 S.E.2d 293, 297 (2002) (*citing* Rule 803(6), SCRE; S.C. Code Ann. § 19-5-510).

Both § 19-5-510 and Rule 803(6), SCRE, require evidence regarding the manner in which records are prepared, or the source of information. Rice, 652 S.E.2d at 424 (internal

citations omitted). Additionally, the business record entries must have been made at or near the time of the act to which they relate in order to aid in establishing the record was honestly and fairly kept. South Carolina Nat'l Bank v. Jones, 302 S.C. 154, 394 S.E.2d 323, 324 (1990). In the instant case, the evidence supported each requirement for admission as a business record.

1. Prepared near the time of the event recorded

Pursuant to S.C. Code §44-53-398(D)(1) (Supp. 2016), all retailers selling nonprescription products containing ephedrine, pseudoephedrine, or phenylpropanolamine must require purchasers to produce appropriate identification, and require purchasers to sign a log showing the date and time of the purchases, the purchasers' names and addresses, the type of identification used, and the amount of the substance purchased. Before completing the sale, the retailer "shall transmit the information entered in the log to a data collection systems provided by the National Association of Drug Diversion Investigators, or a successor or similar entity. S.C. Code §44-53-398(D)(2) (Supp. 2016). The data collection system "must collect this data **in real time** and generate a stop sale alert" if the sale would constitute a violation of applicable state and federal restrictions, and upon receipt of such an alert, "the retailer must not complete the sale." *Id.* (emphasis added).

Contrary to Appellant's assertion Appriss does not have a "business" in connection with the NPLEX logs, Appriss' regular business includes, *inter alia*, establishing the necessary transmission connection with pharmacies for compliance with the applicable statutes, collecting the data and maintaining the NPLEX logs nationwide. (TT, p. 110; R., p. 103). In this case, the pharmacy employees testified their pharmacies comply with the legal requirements and record, in real time, information regarding each sale, or attempted sale, of restricted drugs, which is immediately submitted to the data collection system. The Appriss records custodian testified

how the information is received, stored and maintained on Appriss' dedicated NPLEX secure system. Therefore, the records at issue were prepared simultaneously with the events.[4]

2. Prepared by someone with or from information transmitted by a person with knowledge

The only way Appriss' data collection system gets the information in the NPLEX logs is by transmission from a pharmacy, which occurs at the time of sale. Since the transmission occurs in real time at the point of purchase, it cannot be seriously disputed the pharmacy employee transmitting the information has personal knowledge of the information transmitted.

3. Prepared in the regular course of business

The NPLEX logs are prepared in the ordinary course of business by the pharmacies submitting the information, and Appriss receives and stores the information in the ordinary course of its business. The pharmacies are legally required to obtain the data when the restricted drugs are purchased, and Appriss is the designated entity to receive, store and maintain the data.

Contrary to Appellant's continued assertion the sole purpose of the NPLEX logs is to support law enforcement's litigation efforts, the data collection is intended to **stop** the illegal production of illicit and dangerous drugs, which would be sold in the community. For instance, the stop sale alerts are intended to **prevent** purchases of excessive amounts of known drug precursers, which protects the public at the point of sale just as much as the records may assist law enforcement at some later date. The mere fact law enforcement has access to the NPLEX logs does not remove the logs from the business records exception. *See* United States v. Lynn, 851 F.3d 786, 793 (7th Cir. 2017) (NPLEX records are not created for litigation, but are

[4]Appellant confuses the time the act occurred with the time the logs are printed off from Appriss' system. The relevant information is transmitted, and the record created, at the time the sale actually occurs. The NPLEX logs are originally received, stored and maintained in electronic form, and the logs presented at trial were print outs of the original records.

"regularly maintained and updated each time an individual purchases an over-the-counter cold medicine that includes pseudoephedrine," and state regulatory bodies may have a legitimate interest in maintaining the records beyond their evidentiary value, such as deterring pseudoephedrine misuse); *see also* Montgomery v. State, 22 N.E.3d 768, 775 (Ind. Ct. App. 2014) ("NPLEX records may occasionally be used to establish or prove some fact at trial, but "the main purpose is to track and regulate the sale of non-prescription pseudoephedrine and ephedrine sales").

4. Identified by a qualified witness who can testify regarding the mode of preparation of the record

Paul Forst testified he was the records custodian for the NPLEX records, and explained how Appriss receives, stores and maintains the information in the NPLEX logs. (TT, pp. 110-114, 118; R., pp. 103-107,111). Clearly, he was a qualified witness who was able to testify regarding the mode of preparation of the record.

5. Found to be trustworthy by the court

The circuit court made a specific finding the NPLEX logs were reliable based on the testimony of the pharmacy employees and Paul Forst. The records were then admitted in evidence as business records. (TT, pp. 116-119; R., pp. 109-112).

There is ample evidence in the record to support the circuit court's finding of reliability and admitting the NPLEX records as business records. Therefore, the circuit court's ruling on this issue should be affirmed.

C. Foundation

Appellant further contends the State failed to lay a proper foundation for admission of the NPLEX records, which he asserts required the name of each individual employee who recorded the purchases, what training that employee received, and what procedures that employee used to record the information. Appellant's argument essentially guts the purpose of the business records hearsay exception.

The Rule 803(6) business records hearsay exception "does not require the testifying witness to have personally participated in the creation of the document or to know who actually recorded the information." Midfirst Bank, SSB v. C.W. Haynes & Co., Inc., 893 F.Supp. 1304, 1311 (D.S.C.1994) (*citing* United States v. Keplinger, 776 F.2d 678, 693 (7th Cir.1985)). "[S]uch a requirement would eviscerate the business records exception, since no document could

be admitted unless the preparer (and possibly others involved in the information-gathering process) personally testified as to its creation." Keplinger, 776 F.2d at 694. Rather, the exception requires the witness offering the document as a business record to be familiar with the recordkeeping system. *Id.*; *see also* United States v. Hathaway, 798 F.2d 902, 906 (6th Cir.1986).

As Appellant acknowledges, the pharmacy employees testified about their pharmacy's policies and procedures regarding the sale of pseudophedrine, which complied with the statutory requirements, as well as the training all pharmacy employees must undergo on the computer based system. The information required by law is the same regardless of which employee enters the information into the system, and pharmacies have ample incentives to ensure employee compliance to avoid criminal charges and fines.

Further, as discussed above, there was sufficient evidence regarding the reliability of the Appriss system and the resulting logs. Appriss has an incentive to ensure the information in its system complies with the legal requirements regarding the type of information obtained, how it is gathered and how it is entered into the system. There is absolutely no evidence suggesting the sources of the information recorded in the NPLEX logs were not credible, or the methods and circumstances of preparation were unreliable. Rice, 652 S.E.2d at 424.

The record supports the circuit court's finding the NPLEX logs were admissible as business records. Therefore, the court's ruling should be affirmed.

II. The circuit court properly admitted testimony regarding the amount of methamphetamine that could be produced given the amount of pseudophedrine attributed to Appellant and his co-defendants in light of the co-defendants' testimony regarding their receipt of methamphetamine from Appellant, and their observations of methamphetamine related activity and smells in Appellant's home.

Appellant contends the circuit court erred in allowing Captain Brooks to testify regarding the theoretical yield of methamphetamine from the amount of pseudoephedrine attributed to Appellant and his co-defendants. He argues this testimony exceeded the scope of Captain Brooks' expertise since he was not an expert in chemistry.

If scientific, technical, or **other specialized knowledge** will assist the trier of fact in understanding the evidence, or determining a fact in issue, a witness qualified as an expert by **knowledge, skill, experience, training,** or education, may testify about the evidence or fact in the form of an opinion or otherwise. Rule 702, SCRE. To be competent to testify as an expert, "a witness must have acquired by reason of **study** or **experience** or both such **knowledge** and **skill** in a **profession** or science that he is better qualified than the jury to form an opinion on the particular subject of his testimony." Gooding v. St. Francis Xavier Hospital, 326 S.C. 248, 487 S.E.2d 596, 598 (1996) (citation omitted) (emphasis added).

Qualification of an expert witness and the admissibility of the expert's testimony are matters within the trial court's discretion, and absent a showing of abuse, the appellate court will not disturb the trial court's determination regarding a witness' qualifications as an expert. State v. Baker, 411 S.C. 583, 769 S.E.2d 860, 869 (2015) (Toal, CJ, dissenting opinion) (*citing* State v. Schumpert, 312 S.C. 502, 435 S.E.2d 859 [1993]). Defects in an expert witness's education and experience go to the weight of the expert's testimony, rather than its admissibility. *Id.* (*citing* Gooding, 487 S.E.2d at 598).

Capt. Brooks had over twenty years experience in law enforcement, much of which involved narcotics investigations. He also had extensive training and experience involving methamphetamine manufacturing. He testified he "had over a thousand hours just specialized in narcotics investigations," and was DEA certified as a site safety officer at methamphetamine labs. He had participated in "thousands" of general methamphetamine investigations, and approximately 200 investigations dealing with methamphetamine labs. (TT, pp. 423-430, 439; R., pp. 416-423, 432).

During his methamphetamine specific training, Capt. Brooks actually manufactured methamphetamine from pseudoephedrine in the SLED lab, and was trained on the methamphetamine yield rates from precursors, which is primarily a mathematical equation. Using the birch method in the SLED lab, he used three grams of pseudoephedrine to produce 2.7 grams of methamphetamine (92% yield). Based on his training and experience, Capt. Brooks testified the yield rates depend on the method used and other factors, and the lowest yield rate was 40% to 50% pseudoephedrine to methamphetamine. (TT, pp. 448-449; R., pp. 441-442).

Capt. Brooks' testimony clearly reveals his extensive knowledge, training and experience regarding methamphetamine manufacturing. As part of his training and experience, he learned there is a mathematical formula for calculating the amount of methamphetamine that can be manufactured from a given amount of pseudoephedrine, how to use the formula and factors affecting the yield rate. Notably, he did not render an opinion of the specific yield in this case, but merely testified the general yield rates ranged from 40% (worst case scenario) to 92% percent (best case scenario).

Appellant does not contest the fact methamphetamine can be manufactured from pseudoephedrine, but argues an expert chemist was required to testify about the yield rates.

Published DEA data, however, indicates the typical yield rate is 50% to 75%, and the United States Sentencing Guidelines Commission used that data to establish a conversion rate of 50% pseudoephedrine to methamphetamine for sentencing purposes in federal courts. *See* U.S.S.G. §2D1.1, n. 8(D) (Drug Conversion Tables); *see also* United States v. Stacy, 769 F.3d 969, 977 (7th Cir. 2014) (sentencing guidelines use yield ratio of 50% pseudoephedrine to methamphetamine based on yield rates in typical clandestine methamphetamine labs); United States v. Martin, 438 F.3d 621, 625, 633-636 (6th Cir. 2006) (discussing basis for 50% conversion rate); U.S. Government Accountability Office Report to Congressional Requesters, GAO-13-204, 6-7 (January 31, 2013) (discussing conversion process and noting certain methods result in 90% to 95% conversion rates).

In short, the yield rates of pseudoephedrine to methamphetamin are generally accepted and well-documented. Thus, Capt. Brooks was not required to be a chemist, personally develop the yield rates, or even know all the technical science behind the process, in order to testify as an expert about the generally accepted yield rates. *See* People v. Reatherford, 345 Ill.App.3d 327, 802 N.E.2d 340, 347 (2003) (police officer properly qualified as an expert in manufacturing methamphetamine and allowed to testify regarding yield rates of pseudoephedrine to methamphetamine based on his training and experience). Any purported "defects" in Capt. Brooks' education and experience go to the weight of his testimony, not its admissibility. Baker, 860 S.E.2d at 869.

There is ample evidence in the record to support the circuit court's qualification of Capt. Brooks as an expert in clandestine methamphetamine labs, and admission of his testimony regarding the range of yield rates from such labs. The circuit court did not abuse its discretion, and its rulings should be affirmed.

III. The circuit court properly denied Appellant's directed verdict motion because there was ample evidence from which a reasonable juror could find him guilty of trafficking over twenty-eight grams of methamphetamine.

Appellant asserts the circuit court erred in denying his directed verdict motion because there was no evidence any amount of methamphetamine was actually possessed, produced, or trafficked within the timeframe of the investigation, and because experts disagree on yield rates, the State's evidence regarding the amount of methamphetamine produced was speculative. On the contrary, there was direct evidence Appellant possessed, produced and trafficked methamphetamine in 2011, and substantial circumstantial evidence of the amount of methamphetamine Appellant and Greenfield manufactured during that time.

When ruling on a directed verdict motion, the trial court is concerned with the existence or nonexistence of evidence, not its weight, and must deny the motion when the State presents any direct evidence, or substantial circumstantial evidence, to prove guilt. State v. Gaines, 380 S.C. 23, 667 S.E.2d 728, 733 (2008); State v. Phillips, 411 S.C. 124, 767 S.E.2d 444, 448 (Ct. App. 2014). In reviewing the denial of a directed verdict, the appellate court must view the evidence and all reasonable inferences in the light most favorable to the State, and find the case was properly submitted to the jury if there is sufficient direct and/or circumstantial evidence reasonably tending to prove guilt. State v. Lane, 410 S.C. 505, 765 S.E.2d 557, 558 (2014); State v. Lynch, 412 S.C. 156, 771 S.E.2d 346, 354 (Ct.App. 2015) (same); Phillips, 767 S.E.2d at 448 (same) "Unless there is a total failure of competent evidence as to the charges alleged, refusal by the trial judge to direct a verdict of acquittal is not error." State v. Arnold, 361 S.C. 386, 605 S.E.2d 529, 531 (2004); State v. Bennett, 408 S.C. 302, 758 S.E.2d 743, 745 (Ct. App. 2014) (same).

Direct evidence is based on personal knowledge or observation, and immediately establishes the fact to be proved, while circumstantial evidence is proof of a chain of facts and circumstances from which the jury may infer the existence of a separate fact. Phillips, 767 S.E.2d at 448 (citations omitted). If the State relies exclusively on circumstantial evidence to prove guilt, that evidence must be "substantial" to justify denying a directed verdict motion. *Id.*

In this case, the State presented the following evidence:

1. NPLEX records documented numerous purchases of pseudoephedrine by Appellant and his co-defendants at multiple pharmacies between January and December 2011. (State's Exhibits 1-40; R., pp. 756-934);

2. Co-defendant Rebecca Crisp testified she gave all the Sudafed she purchased during that time (10.8 grams) to another co-defendant who lived in the home with Appellant and Greenfield, she saw methamphetamine used in that home, as well as plastic bottles and batteries with the labels peeled off, and she detected a "toxic" smell there a few times. (TT, pp. 138-147; R., pp. 131-140);

3. Co-defendant Steven Hurley testified he purchased Sudafed for Greenfield, who told him the legal limits he could purchase, and gave one-half (15.12 grams) of what he purchased in 2011 to Greenfield in exchange for methamphetamine. (TT, pp. 213-216; R., pp. 206-209);

4. Co-defendant Kelley McCall testified she gave her 2011 Sudafed purchases (17.28 grams) to Appellant and Greenfield, and a few days later they gave her a bag of methamphetamine; Greenfield told her they could make methamphetamine cheaper and cleaner than what they could buy on the street; she saw many plastic bottles where Appellant lived, and Appellant said they could feel the plastic bottles expand better than glass bottles; and when she noticed a strong odor in the home, Greenfield told her the less she knew, the better. (TT, pp. 241-252; R., pp. 234-245);

5. Co-defendant Angela Armstrong testified she purchased 12.81 grams of Sudafed in 2011, gave all but 1.77 grams (11.04 grams) to Appellant and Greenfield, and several days later, she received methamphetamine in return; Appellant and Greenfield told her they were making methamphetamine, and said they could make it cheaper and better. (TT, pp. 275-280, 294-296; R., pp. 268-273, 287-289);

6. Co-defendant Melissa Wardlaw testified she gave one-half (22.32 grams) of the Sudafed she purchased in 2011 to Appellant, who gave her the money to buy it and she kept the change; she knew other people were also buying it for him, and

she saw Greenfield with Sudafed at times; she knew Appellant was making methamphetamine; she saw him purchase ether and batteries; and she heard Appellant and Greenfield talking about cooking methamphetamine and saying they could do it.[5] (TT, pp. 312-331, 346; R., pp. 305-324, 339).

7. Co-defendant Thomas Rooney testified he gave at least two boxes (5.76 grams) of his 2011 Sudafed purchases to Appellant and Greenfield, in exchange for methamphetamine and money; he saw Appellant and Greenfield use the shake and bake method to make methamphetamine in their bedroom "quite a few" times; he saw plastic bottles, big bottles of Coleman fuel, and cut open batteries at the home; and he smelled a strong ammonia type smell in the home when they were making the methamphetamine. (TT, pp. 361-371; R., pp. 354-364);

8. Co-defendant Billy Miller testified he gave all his 2011 Sudafed purchases (17.28 grams) to Appellant and Greenfield in exchange for methamphetamine, and they told him they were making methamphetamine. (TT, pp. 384-397; R., pp. 377-390);

9. Co-defendant Lauren Summerall testified she and her husband purchased Sudafed (7.2 grams) for Appellant and Greenfield in 2011 in exchange for money and methamphetamine, and they knew Appellant and Greenfield were making methamphetamine with the Sudafed they provided. (TT, pp. 393-397; R., pp. 386-390);

10. Co-defendant Michael Hayes testified he gave all of his 2011 Sudafed purchases (60.74 grams) to Appellant in exchange for methamphetamine, which he picked up a few days after he provided the Sudafed. (TT, pp. 407-414; R., pp. 400-407);

11. Co-defendant Amanda Hurley testified Appellant and Greenfield gave her and her husband money to purchase Sudafed in 2011, and they gave about one-half (23.02 grams) of their 2011 Sudafed purchases to Appellant and Greenfield. (TT, pp. 516-521; R., pp. 509-514).

12. In addition to the pseudoephedrine they received from the co-defendants, Appellant and Greenfield each purchased over sixty-five grams of pseudoephedrine in 2011. (State's Exhibits 1 [Appellant] and 2 [Greenfield]; R., pp. 756-760; 761-765); and

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[5]Wardlaw originally told law enforcement she saw Appellant cooking methamphetamine using the shake and bake method several times after people gave him pseudoephedrine, and he purchased other ingredients he needed from the hardware store. At trial, she claimed she lied to law enforcement because she was mad at Appellant and Greenfield. When confronted with specific discrepancies, however, Wardlaw's memory conveniently got hazy regarding which parts of her earlier statement were lies. (TT, pp. 316-328; R., pp. 309-321).