

State of South Carolina) In the Court of General Sessions
County of Richland) Fifth Judicial Circuit
2016-CP-40-00387

Sammie L. Goodwin,)
Plaintiff,)
vs.)
Richland County Sheriff's)
Office,)
Defendants.)

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SC Court of Appeals

March 28, 2018

Columbia, South Carolina

B e f o r e :

The Honorable Alison Lee, Judge

A p p e a r a n c e s :

Sammie L. Goodwin,
Pro se, Plaintiff

Robbie Garfield, Esquire
Attorney for the Defendants

Bonnie H. Kelly, CVR
Circuit Court Reporter

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-- NO EXHIBITS ENTERED --

1 THE COURT: Number 2016-CP-40-00387, *Sammie Goodwin v*
2 *Richland County*. Mr. Goodwin, you're representing
3 yourself; is that correct?

4 MR. GOODWIN: Yes, Ma'am.

5 THE COURT: And the County is represented by Robbie
6 Garfield.

7 We're here on two motions. One is Mr. Garfield's
8 renewed motion to dismiss, and Mr. Goodwin is -- is
9 objecting to that and so we'll take up those.

10 Mr. Goodwin --

11 MR. GOODWIN: Yes, ma'am?

12 THE COURT: -- you -- you know how this works?

13 MR. GOODWIN: Yes, ma'am.

14 THE COURT: I've seen you several times before. I'll
15 give Mr. Garfield a chance to -- to make his motion and --
16 and give you a chance to respond to it and add anything
17 that you wish to add related to your motion.

18 MR. GOODWIN: Yes, ma'am.

19 THE COURT: Yes, sir, Mr. Garfield?

20 MR. GARFIELD: Thank you, Your Honor. And again, I
21 appreciate the Court willing to take this -- hear our
22 motion. This is our -- Defendant's motion to dismiss, a
23 renewed motion to dismiss, and I know Your Honor indicated
24 that you're familiar with the basic facts, but just --

25 THE COURT: I am. And I -- and I actually had a

1 chance to look at the record yesterday and refresh my
2 recollection about it and so --

3 MR. GARFIELD: Yes, ma'am.

4 THE COURT: -- I'm -- and I -- and I've heard other
5 motions previously --

6 MR. GARFIELD: Yes, ma'am.

7 THE COURT: -- relating to discovery as I recall. So
8 I'm -- I'm familiar with it.

9 MR. GARFIELD: But I would like to address a couple
10 of issues previously with discovery, at least to establish
11 a time line for Your Honor.

12 THE COURT: Yes, sir.

13 MR. GARFIELD: The initial discovery requests that we
14 had sent Mr. Goodwin were served in September of 2016. He
15 did not respond. We sent a Rule 11 letter and then we
16 filed a motion to compel.

17 The hearing on the motion to compel was heard before
18 Judge McFaddin on June 6, 2017. And again, Your Honor, I
19 know realizes this is all in the record, but a couple of
20 pertinent points here. At the hearing before Judge
21 McFaddin, we placed several things on the record, concerns
22 from our standpoint.

23 From the little bit we had gleaned up into that time
24 as far as the Plaintiff's medical course, and EMS had been
25 summoned to the scene, the Plaintiff had refused any kind

1 of attention, any kind of treatment by the -- by the
2 paramedics. Didn't really want the paramedics to get near
3 him.

4 He was later seen at Providence emergency room and he
5 was told by the emergency department officials that he
6 needed a follow up, of course, with his primary care
7 physician and he did that.

8 And he went to his family doctor, and his family
9 doctor examined him and then referred him out to an
10 orthopaedic specialist for his complaints.

11 He went to an orthopaedist. It's a local
12 orthopaedist that's now with the Providence Group, saw him
13 three times during the interim of September, 2014 to July,
14 2015.

15 We had explained to Judge McFaddin, and again to Your
16 Honor it -- at -- at the subsequent hearing, that we
17 basically had a glaring blind spot because what -- what
18 had happened up until that point is that Mr. Goodwin had
19 provided us pieces and parts -- if I may approach -- of
20 his overall medical record.

21 (Mr. Garfield hands documents to the Court.)

22 And what I'm providing -- what I'm providing for the
23 Court are deposition -- exhibits to the -- my deposition
24 of the Plaintiff in June of last year. And what you see
25 here, as Exhibit No. 4, is an MRI patient medical history

1 screening in which, before he actually goes in to have his
2 MRI conducted as Your Honor would be familiar with, he
3 needs to go ahead and provide a history.

4 And as the Court can note, it says -- unless my eyes
5 are playing tricks on me (as read): "Body part to be
6 examined, left shoulder." And (as read): "Reason for the
7 visit ..." or the exam, it said (as read): "Bad pain in
8 left shoulder."

9 At his deposition, you can see in the second page,
10 with his permission, we took a picture of him, and under
11 oath he pointed to the body part, which is his left
12 shoulder area, and that is where he testified that the
13 officers tased him and that's -- relates his injuries back
14 to the initial tasing in January of 2014.

15 So Judge McFaddin, at that time, had given him 30
16 days to comply and get his medical records. He was
17 unwilling nor was he under an obligation, but he was
18 unwilling to sign any authorizations. He assured the
19 Court that he would personally go to all these entities
20 and -- and round them up.

21 And that brings me to the history to Your Honor's
22 hearing on this. Last summer this came up on the trial
23 roster. We were still basically empty handed. We didn't
24 have the medical records. In August of 2017, we moved to
25 dismiss for failure to prosecute, and this was the hearing

1 before Your Honor on August 30 of last year where we moved
2 to dismiss for failure to prosecute.

3 Your Honor did not grant my -- grant my motion, but
4 you graciously provided him the opportunity to assist and
5 facilitate getting those records and he did. And he got
6 his medical authorizations and we promptly went -- sent
7 those out and we pursued these medical records.

8 And when we started collecting them, we finally
9 started to have some ideas about what this case about --
10 what this case was about and his allegations. So we
11 noticed Dr. Plymale -- his treating orthopaedist, we
12 noticed his deposition and we took his deposition on
13 January 22 of this year, and he provided sworn testimony
14 as far as Plaintiff's medical reports and now we were able
15 to piece together what really happened.

16 And what really happened, according to Dr. Plymale,
17 was that on September 5 of 2014, that this would be
18 roughly seven-and-a-half/eight months post event, the
19 Plaintiff presents to Dr. Plymale's office with Providence
20 Orthopaedic Group and his only complaint at the time was a
21 left shoulder pain. Dr. Plymale treated this soft tissue
22 related complaint, performed a full physical exam. He
23 ordered x-rays at that time, revealed no acute
24 abnormalities. So he ordered, as the normal course, an
25 MRI of the shoulder.

1 Mr. Goodwin reports to the MRI appointment three days
2 later on September 5 -- excuse me -- September 8, 2014,
3 and the same screen form that I handed up to Your Honor,
4 this is the form we received.

5 (Mr. Garfield hands a document to the Court.)

6 MR. GARFIELD: I just have two copies. This is the
7 form we received pursuant to our medical authorizations
8 and the HIPPA request.

9 And as Your Honor can note, that the actual document
10 states that Mr. Goodwin indicated that he had bad pain
11 left in his shoulder, that he was hurt at work lifting a
12 motor.

13 So I asked Dr. Plymale about this, and Dr. Plymale
14 testified, looking through the records, looking a little
15 deeper, well, when he went in, obviously to the MRI as
16 they do, the tech asks him once again, "What's the basis
17 for your complaints?" And he had indicated, and you can
18 see here, Your Honor (as read): "Clinical data, left
19 shoulder pain after a lifting injury."

20 According to Dr. Plymale, he orally provides this
21 history to the MRI -- MRI technician, and Dr. Plymale
22 testifies that he diagnosed him with a small labrum tear
23 in his shoulder -- a rotator cuff -- excuse me, rotator
24 cuff related injury.

25 So he goes on a -- does not want to -- excuse me.

1 Mr. Goodwin does not elect surgery at that time. He
2 agrees with the doctor's recommendation. He undergoes
3 conservative management of the left shoulder complaints,
4 and he goes in two or three or four times for some
5 cortisone shots.

6 And during these office visits, you will note that
7 there is one office visit on October 2 of 2014, and there
8 is a note here by Dr. Plymale, and he testified that Mr.
9 Goodwin had told him personally -- and you can see here
10 that the method of injury he had told Dr. Plymale, he
11 states that (as read): "He was moving a motor at work,
12 when he suddenly felt pain. He had difficulty moving his
13 arm in reaching."

14 Now, nine months later, he doesn't go back to the
15 doctor. Nine months later he returns to Dr. Plymale for a
16 follow up and according to Dr. Plymale, we're hearing a
17 completely different story from Mr. Goodwin. And in these
18 notes of July 9, 2015 -- thank you -- where it says -- and
19 I've highlighted this portion, and Dr. Plymale testified
20 consistent with this, that -- that Mr. Goodwin was there
21 for a follow up on his left shoulder and he would like to
22 discuss surgical intervention.

23 Dr. Plymale puts down that Mr. Goodwin notes that
24 this all started when he was tased during an altercation
25 with the police, and at the end of that office visit, Mr.

1 Goodwin and Dr. Plymale had a conversation and
2 specifically Dr. Plymale -- thank you. I'm giving you two
3 at a time, Your Honor.

4 And Dr. Plymale told him -- told Mr. Goodwin (as
5 read): "I did not think that him getting tased caused the
6 pain he's currently experiencing." That's in July of
7 2015. Six months later Mr. Goodwin files this lawsuit
8 against my client.

9 We now, with the benefit of hindsight, can go back
10 and ascertain several things. First of all, that the
11 specialist specifically told Mr. Goodwin that he would not
12 relate his injury to the taser. Mr. Goodwin had wrote --
13 orally provided history to the MRI office that the cause
14 of his shoulder injury was lifting a motor at work.

15 Your Honor, not unlike the testimony we heard from
16 the witness in the previous damage -- damage hearing, that
17 it referenced soft tissue injuries or having problems
18 because he worked on cars. Well, Mr. Goodwin works on
19 cars. It's -- it can be a problem.

20 He also verbalized, Mr. Goodwin, to the MRI
21 technician the same thing, and then personally told his
22 doctor the same thing.

23 Now, if -- if I'd be so bold to submit, comparing the
24 records he obviously pulled out of a stack and produced
25 versus what we waited for and what we paid for, that he

1 tampered with these records. He's got deposition
2 testimony that states otherwise.

3 January, 2016, he brings this lawsuit and he knows
4 full well that the officers did not cause his shoulder
5 injury. He knows full well that he would not have any
6 physician. He has not identified one, he would have no
7 medical testimony to relate the injury back. In fact, in
8 Dr. Plymale's deposition, stated very succinctly -- and I
9 have this one, I can make it a Court Exhibit or I can --
10 I'm just gonna read it into the record.

11 It's January 22, 2018, testimony from Dr. Mickey
12 Plymale, M.D. Page 23, line 7, Dr. Plymale stated (as
13 read): "I told him I did not think that him getting tased
14 caused the pain he is currently experiencing."

15 Question: "Why not?"

16 Answer: "Because he had dealt with these issues for a
17 while, and based on his previous MRI, a lot of this looked
18 like a kind of wear-and-tear type pattern as opposed to an
19 acute, traumatic type of injury."

20 Question: "So if he did not think that him getting
21 tased caused that pain that he was experiencing, would it
22 be fair to say that you could not say to a reasonable
23 degree of medical certainty most probably that any type of
24 tasing encounter would have resulted in any kind of left
25 shoulder issue?"

1 Answer "No."

2 Last Question: "Could you really say with any
3 reasonable degree of certainty that tasing by the police
4 or that kind of activity could approximately cause a
5 shoulder injury such as the one he was complaining?"

6 Answer: "No."

7 Your Honor, what Mr. Goodwin has done, with all due
8 respect, is caused Richland County to spend more than two
9 years defending this claim. We've had several motions, we
10 had many court appearances, we've had roster meetings,
11 we've ordered records, we've taken depositions, we are now
12 in full trial prep. We're on the trial roster for
13 probably the third or fourth time. In fact, this Monday,
14 we are No. 1 for trial, as -- as Your Honor may be aware,
15 in Richland County. We are now planning -- Ms. All's here
16 in attendance and she's assisting me getting the officers
17 involved to spend the rest of the remaining part of the
18 week preparing for trial.

19 We would ask this Court to -- and I can tell you in
20 24 years of practicing law, I have never made this request
21 in this way, but I believe I'm compelled to do so. We're
22 asking this Court, as a sanction, to dismiss this case
23 with prejudice under Rule 41(b) and put -- put a halt to
24 the amount of time and expenses and resources my client
25 has had to incur.

1 We also ask this Court to additionally award costs
2 and fees for perpetrating a fraud upon this Court. It is
3 fairly obvious, as your Court -- as Your Honor can note,
4 that these records were tampered with. Evidence has been
5 falsified, and he has also lied under oath in his
6 deposition. We would ask that the County be reimbursed
7 for fees and expenses.

8 At a minimum, Your Honor could plainly see, going
9 forth to trial, that a dismissal of the case on the merits
10 would be warranted because this case, frankly, lacks truth
11 and does lack merit and the Plaintiff can allege no facts
12 that a fact finder could reasonably return a verdict in
13 his favor.

14 And I have whatever records that I need to to make a
15 full record of this case and be able to answer questions.

16 THE COURT: And Mr. Garfield, the -- the underlying
17 incident occurred in, what, March of 2014?

18 MR. GARFIELD: January --

19 THE COURT: January.

20 MR. GARFIELD: -- 2014. Yes, ma'am.

21 THE COURT: Okay.

22 MR. GARFIELD: Now, I will say this one thing for the
23 record. I'd like to put this as an exhibit. I understand
24 that Mr. Goodwin is going to contend that he didn't have
25 proper notice or raise an objection to the actual video

1 deposition. This was exhibit No. 1 to Dr. Plymale's
2 deposition in which, on January 11, 2018 -- I know I'm
3 loading -- loading y'all up with paper. On January 11,
4 2018, knowing we were coming back up on the trial roster,
5 we served him with proper notice. We didn't just put it
6 in the mail, but we also sent it to his email address. So
7 he would've had 11 days notice.

8 And as Your Honor can tell, that we did notice the
9 deposition, pursuant to Rule 30, also informing Mr.
10 Goodwin that we were gonna do so by way of a video
11 deposition. And this was also referenced in this
12 narrative of what I just stated for the Court, on the
13 record, during his deposition.

14 And he did not -- he failed to attend. He was aware
15 that the deposition was gonna go forward. Mr. Goodwin,
16 and I'll allow him to address this, did leave a message on
17 my voice mail stating that he did receive this, but he did
18 object to it, and I noted that objection on his behalf and
19 in his absence at the deposition.

20 But I just think, for housekeeping matters, that's
21 what I'd just like to include. And thank you, Your Honor.

22 THE COURT: Mr. Goodwin?

23 MR. GOODWIN: Yes, ma'am. The facts, what he talking
24 about -- okay. Number one, the fact is this here: I did
25 not have a job. I was getting a SSI check. That's the

1 fact. I went out to get a day's work, and when I went
2 down to reach down there to the lawnmower, clean up around
3 it a little, that's when I got the pain that's in my arm.

4 I came back home, complained to my wife right here
5 that the pains is getting to feel bad. So she made me go
6 to the emergency room.

7 That's the same arm that the officer tased me about
8 four times on the same -- I never had the problem. And I
9 told the doctor that he gave -- like, he just gave me a
10 paper right here where I said -- oh, I also told the
11 doctor -- when he got a statement where I told the doctor
12 I got tased on my arm. He wouldn't -- he wouldn't give
13 you that part.

14 THE COURT: I think I -- I think I have one of them
15 that says that.

16 MR. GOODWIN: That's what I told him. I got tased on
17 my arm. That's when the problems start.

18 THE COURT: But that's not -- but -- but it doesn't
19 relate to the injury relating to the rotator cuff and the
20 -- and the need for surgery.

21 MR. GOODWIN: That's what -- that's where I got tased
22 at. That's where the injury come from 'cause I -- I went
23 down to lift a little small engine, that's when I felt the
24 pain at. So I didn't even much lift the engine, little
25 lawnmower engine. And I didn't have a job.

1 THE COURT: Anything else you wanna tell me?

2 MR. GOODWIN: And -- and every time this case get
3 ready to go forward to trial, he'll find some kinda way to
4 delay the case.

5 I went before you the last time. You ordered me to
6 give him all the medical records --

7 THE COURT: Yes, sir.

8 MR. GOODWIN: -- and I signed everything over to him
9 right then that he wanted and needed. Okay?

10 Now, he come back with the same motion, talking
11 dismissal up under the same rule which I done comply --
12 you can make me comply 'cause that's double jeopardy. You
13 can't -- I already comply one time with you. You gonna
14 come back with the same rule again and try to get me to
15 comply again with the same rule.

16 The law says in civil -- civil in-state proceeded
17 (sic) double jeopardy work both ways and you cannot try
18 for the same thing twice.

19 THE COURT: And so Mr. -- Mr. Goodwin, what are --
20 what are you claiming your -- I understand about the
21 incident and that the incident was -- at the time that the
22 police officers came, they -- they were responding to an
23 alleged domestic situation and they were placing you in
24 the police car --

25 MR. GOODWIN: Yes, ma'am.

1 THE COURT: -- and during the course of whatever the
2 interaction was with the police officers, they ended up
3 tasing you.

4 And I -- and I understand that -- that -- that --
5 that you had a dispute with one of the officers, and --
6 and your -- your position is that because of that dispute
7 was when he tased you.

8 MR. GOODWIN: That was when he tased me. I was
9 already in handcuffs in the back seat of the car --

10 THE COURT: Okay.

11 MR. GOODWIN: -- like this here (indicates.) And I
12 mean -- and I asked him why he was locking me up for. He
13 tell me to shut my mouth. I said, "I got a right to ask
14 you why I was -- would you locking me up for."

15 THE COURT: Right. And -- and -- and you said he
16 then tased you.

17 MR. GOODWIN: Yeah. He tased me twice --

18 THE COURT: Okay.

19 MR. GOODWIN: -- shut the door, then he tased me when
20 I hollered, start huffling (sic) and then he finally took
21 the little stinger or whatever off and let it go.

22 Then I asked him again, he snatch the door open
23 again. Then the tased me again on the same arm. It
24 grabbed right here (indicates.)

25 So that's when my arm start bothering me and stuff.

1 So my wife, she the one that made me go to the doctor.
2 And I told the doctor that I got tased on the arm. That's
3 when my pain started.

4 THE COURT: And all of the medical records relating
5 to that incident have been provided to -- to Mr. --

6 MR. GOODWIN: Right.

7 THE COURT: -- Garfield?

8 MR. GOODWIN: To the doctor.

9 THE COURT: Right? You -- you've gotten --

10 MR. GOODWIN: Yes.

11 THE COURT: -- you've gotten all the medical records,
12 Mr. Garfield, about any treatment that he received related
13 to his arm?

14 MR. GARFIELD: At this time, yes, ma'am.

15 THE COURT: Yeah. And the -- and -- and Mr. Gar --
16 I'm sorry -- Mr. Goodwin is relating the -- the issues
17 related to the rotator cuff to the tasing. Is that -- is
18 that --

19 MR. GARFIELD: Yes.

20 THE COURT: -- your understanding?

21 MR. GARFIELD: That's -- that's what's in the
22 complaint and that's what he's testified to in his
23 deposition. Yes, ma'am.

24 THE COURT: Okay.

25 MR. GARFIELD: And -- and if I may, Your Honor,

1 'cause --

2 THE COURT: Wait a minute. Well --

3 MR. GARFIELD: Yes, ma'am.

4 THE COURT: Let me --

5 MR. GARFIELD: I'll wait --

6 THE COURT: -- make sure --

7 MR. GARFIELD: -- my turn.

8 THE COURT: -- he finished. Okay. Yes, sir.

9 MR. GOODWIN: Okay. And all of that it says is here
10 in my report 'cause I told my doctor, and he said your
11 bones and -- is scoured (sic.) He said they're little
12 chipped bone and you need surgery in your arm.

13 I coulda been had the surgery done 'cause I was on
14 that Social Security. My wife said I make Social Security
15 pay for it, and when -- they didn't do it. Why should I
16 make the State pay for something they didn't do?

17 So every time they come up with trial, he'll try to
18 delay. He'll come with something, he -- he want -- he
19 wouldn't even try to make a -- okay. When he went -- but
20 anyway. Every time we just think this case be on the
21 docket for trial, he'll come -- he -- he always throw
22 something else. He don't -- he don't want the people to
23 hear the case, he don't want nobody to know the truth what
24 happened, he just trying -- trying to get the Court decide
25 the case for him. That what he trying to do instead of

1 letting the people decide the case.

2 THE COURT: Okay. Any -- anything else, Mr.
3 Garfield?

4 MR. GARFIELD: Briefly, Your Honor. There was just
5 two points I wanted to make. Number one, I -- I -- I
6 spared the Court the -- the factual rendition that we
7 believe that the officers will testify to. But with the
8 officers or -- have not been deposed, but they anticipate
9 testifying that they did tase him, that they drive --
10 drive-stunned him twice because Mr. Goodwin was in the
11 back of the patrol car kicking at the doors. And despite
12 asking him to stop, he -- he kept continuing to kick at
13 the doors.

14 By their own policy, by authority, that if he
15 refuses, that the force they could use is intermediate
16 level of force, and they tased him twice on the thigh area
17 'cause that's where he was kicking. There would be no
18 reason for officers -- it'd be contraindicated for them to
19 tase him in the upper extremities. There's just all sorts
20 of problems that can cause injuries to not only them, but
21 for officers's safety. So they did it twice to the meaty
22 pop -- part of the thighs.

23 Two other points I just want to make for the record,
24 Your Honor. Just wanted to just cite two cases and I'll
25 hand these up. One is *Qzo Incorporated v Moyer*, M-o-y-e-

1 r. This is 594 SE 2nd 541. It's a Court of Appeals case
2 that was decided in 2004 that the Court of Appeals
3 examined this -- it's almost the same issue, and they held
4 that when a party fails to obey an order relating to
5 discovery, the trial court may strike that party's
6 pleadings and enter a default judgement. There's a lot of
7 pertinent language here, but -- but one point that I
8 thought was applicable, the Court of Appeals held that (as
9 read): "When a sanction would be tantamount to granting
10 it's a judgement by default, the moving party must show
11 bad faith, willful disobedience or gross indifference --
12 or gross indifference to its rights to justify the
13 sanction."

14 Your Honor, we believe that we have established all
15 three of those, and that's not been disputed by the
16 Plaintiff in this case from the issue that I brought up.

17 The second case is *Griffin Grating v Tire Service*
18 *Equipment Manufacturing*. It's another Court of Appeals
19 case and it's from 1999. Very interesting case in which
20 Judge Pyle had struck a manufacturer's answer as a
21 discovery sanction. And the Court took a look at this
22 thing, and I learned some things from reading this case,
23 and the -- the one portion here that I thought would be
24 pertinent to -- to our argument, the Court of Appeals held
25 that (as read): "If there was ever a case where striking

1 a party's pleading was an appropriate sanction, it is this
2 case where the record is full of multiple egregious
3 discovery abuses that block the opposing party's attempts
4 to conduct meaningful discovery." And I'm just gonna hand
5 these up for Your Honor.

6 (Mr. Garfield hands a document to the Court.)

7 MR. GARFIELD: And we believe that it would be the
8 appropriate remedy under these circumstances that the only
9 other case that I've referenced is actually directly on
10 the notice of motion and now -- renewed motion to dismiss.
11 And that's *Brandt v Gooding*, 360 (sic) SE 2nd 259, 2006.
12 I had this up on my laptop. I was unable to pull it up as
13 a -- as a print job. But just basically that, in this
14 case, just like this one, the Plaintiff in -- introduced a
15 falsified document in his deposition, and the Supreme
16 Court took a look at this and found the Plaintiff in that
17 case -- that he had violated the -- that he -- he had
18 committed discovery abuses and that he should be held in
19 civil contempt. And the complaint was dismissed and the
20 Supreme Court upheld this and there's some language that
21 obviously -- a deposition is also a court proceeding, and
22 that also acts as defrauding the Court. And that's our
23 argument.

24 THE COURT: And what was that case?

25 MR. GARFIELD: Yes, ma'am. It is *Brandt v Gooding*

1 and it's on our notice of motion. And -- and I'm happy to
2 provide Your Honor with a copy of this.

3 THE COURT: What's the cite number?

4 MR. GARFIELD: It's 630 -- I'm sorry. It's 630 SE
5 2nd 259, a 2006 case. Thank you, Your Honor.

6 THE COURT: Yes, sir?

7 MR. GOODWIN: Your Honor, another thing I say. I
8 read the deposition that he start with. In that
9 deposition -- what I told him in deposition, he left out
10 everything what I tell him where the police tased me, and
11 how they tased me, is -- he left all of that out the
12 deposition. What I, you know, testify in the deposition,
13 he left everything out of it what I said -- told him.

14 THE COURT: You gotta -- you gotta copy of the entire
15 deposition?

16 MR. GOODWIN: Yeah. I got a copy of it. He never --
17 I ain't brought it with me. I shoulda brought it with me.
18 But he left everything out there that I told him what
19 happened to me in the deposition. And he don't want
20 nobody to know the truth. See, he trying to hide the
21 truth from everybody.

22 THE COURT: And -- and when was your deposition, Mr.
23 Goodwin? Do you --

24 MR. GOODWIN: It was on -- what day you just told
25 her?

1 MR. GARFIELD: Yes, ma'am. It was June 2 of 2017.

2 UNKNOWN FEMALE: June 2nd.

3 MR. GARFIELD: I'm sorry. June 2nd, I thought I
4 said.

5 UNKNOWN FEMALE: Yes, sir.

6 MR. GARFIELD: Yes, ma'am. If I -- June 2 of 2017.
7 I'm happy to provide one for the Court. And --

8 THE COURT: Please.

9 MR. GARFIELD: -- with all due respect, he -- his
10 testimony was that he was tased on his shoulder. What
11 Your Honor will read is basically perjured testimony.

12 THE COURT: All right. If you'll provide me a copy
13 of the ---

14 MR. GARFIELD: Yes, ma'am. I --

15 THE COURT: --- deposition.

16 MR. GARFIELD: -- can provide that as soon as I get
17 back to the office today.

18 THE COURT: Yes, sir. Okay.

19 MR. GOODWIN: And I -- like I -- like -- okay.

20 Another thing, Your Honor, the reasons why he tased me
21 'cause I asked him a question. I asked him was he racist.
22 I asked him was he racist. Why he don't like black men.
23 One officer.

24 There was three of them. The -- the black ones
25 didn't do nothing. They just stood there and watch him

1 snatch the doors open with me handcuffed and tasing me.
2 Then all the charges that they put against me, they
3 dropped them from resisting arrest to domestic violent.
4 They dropped every charge 'cause they know I didn't do any
5 of them things that the officer claimed that I done. The
6 Court drop all that, clear my records of all them counts.

7 THE COURT: All right. Thank you, Mr. Goodwin.

8 MR. GOODWIN: Yes, ma'am.

9 THE COURT: Mr. Garfield, I will -- I'm gonna wait
10 'til I get the deposition. I'll read it and I'll make a
11 decision.

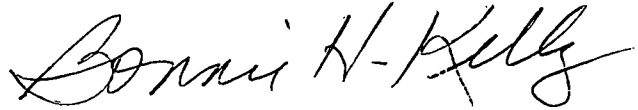
12 And I understand that you're on the trial roster for
13 Monday. I am one of the judges holding court next week,
14 so I may very well be the one that's involved in it.
15 We'll go from there.

16
17 -- END OF TRANSCRIPT OF RECORD --
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CERTIFICATE

1
2 I, the undersigned Bonnie H. Kelly, Official Court
3 Reporter for the Fifth Judicial Circuit of the State of
4 South Carolina, do hereby certify that the foregoing is a
5 true, accurate, and complete transcript of record of all
6 the proceedings had and evidence introduced in the hearing
7 of the captioned cause, relative to appeal, in the Fifth
8 Circuit Court for Richland County, South Carolina, on the
9 28th day of March, 2018.

10 I do further certify that I am neither of kin,
11 counsel, nor interest in any party hereto.

12
13 

14 E/BONNIE H. KELLY

15 Bonnie H. Kelly, CVR

16 Official Court Reporter

17
18 Columbia, South Carolina

19 August 1, 2019

Certificate

I the under-sign Sammie L Goodwin the plaintiff has hand delivered a copy transcript of records to the court of appeal on the date of August 12,2019

Case no-2019-CP-40-00387

Sammie L Goodwin

Sammie L Goodwin

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SC Court of Appeals

Sammie L Goodwin
Vs
Richland County Sheriffs
Case No 2016-CP-40-00387

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