

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM WILLIAMSBURG COUNTY

DeAndrea G. Benjamin, Circuit Court Judge

RECEIVED

MAY 31 2012

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LAWRENCE BROWN,

APPELLANT

RECORD ON APPEAL

WANDA H. CARTER
Deputy Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

Attorney for Appellant

ALAN WILSON
Attorney General

JOHN W. MCINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

MARK R. FARTHING
Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211
(803) 734-3727

ERNEST A. FINNEY, III
Solicitor, Third Judicial Circuit
Sumter County Courthouse
141 N. Main Street
Sumter, SC 29150-4965
(803) 436-2185

Attorneys for Respondent

INDEX

INDEX	i
TRIAL TRANSCRIPT	1
TESTIMONY	
DAKOTA COOPER	
Direct Examination by Solicitor Barr.....	4
Cross Examination by Mr. Carraway	18
ROBERT WILLIAMS	
Direct Examination by Solicitor Barr.....	24
Cross Examination by Mr. Carraway	31
Redirect Examination by Solicitor Barr	47
Recross Examination by Mr. Carraway	48
LAWRENCE WILLIAMS	
Direct Examination by Solicitor Barr.....	51
Cross Examination by Mr. Carraway	62
Redirect Examination by Solicitor Barr	70
Recross Examination by Mr. Carraway	71
DEPUTY HAYES	
Direct Examination by Solicitor Barr.....	72
Cross Examination by Mr. Carraway	74
MOTION FOR DIRECTED VERDICT	76
CHARGE CONFERENCE	77
CLOSING ARGUMENT BY SOLICITOR BARR.....	78
CLOSING ARGUMENT BY MR. CARRAWAY	87
CHARGE ON THE LAW	99
VERDICT	107
SENTENCING	114
STATE'S EXHIBIT #2 (BILL OF SALE)	116

ARREST WARRANTS	117
INDICTMENT	121
SENTENCING SHEETS	123
CERTIFICATE OF COUNSEL	125

State of South Carolina)
)
County of Sumter)
)

The State of South Carolina,
Plaintiffs

vs.

Lawrence Brown,
Defendant

Trial
2010-GS-45-197

May 12, 2011
Kingstree, S.C

BEFORE THE HONORABLE DeAndrea G. Benjamin, Judge.

A P P E A R A N C E S:

Ms. Kimberly Barr,
Assistant Solicitor for the State

Mr. W. Legrand Carraway,
Attorney for Defendant

Margaret T. Sullivan,
Court Reporter

1 MS. BARR: Your Honor, the State calls the case
2 of Lawrence Brown on Indictment 2010-GS-45-197. On two
3 counts of grand larceny over \$1,000. The State is ready
4 for trial.

5 THE COURT: Are you ready for trial?

6 MR. CARRAWAY: I'm ready, Your Honor.

7 THE COURT: Ladies and gentlemen, the fact that
8 Mr. Brown is not here cannot be considered by you in any
9 way in deciding whether or not he is guilty. The State
10 has the burden of proving the defendant guilty beyond a
11 reasonable doubt. But we will talk about that more
12 later.

13 The State is represented by the Solicitor's
14 Office. Ms. Barr, if you will introduce yourself and
15 anyone else you want to introduce at your table.

16 MS. BARR: Please the Court, good morning,
17 Ladies and gentlemen, my name is Kimberly Bar. I
18 am an Assistant Solicitor in Williamsburg County.
19 And also, I am in the private practice with the
20 law firm of Ronnie Sabb. And also with attorney
21 Helen McFadden. In addition, Tyler Brown from
22 Sumter County is assisting with the trial.

23 THE COURT: And also at your table, Ms.
24 Barr.

25 MS. BARR: Yes, sir. We have got Mr.

1 have to prove that the taking of the personal
2 property that belonged to the victims was without
3 their permission or consent. And the third
4 element that we have to prove in the case is that
5 the value of the property taken was more than
6 \$1,000.

7 And, folks, based on the testimony that
8 you will hear from the witnesses who will take the
9 stand, based on some of the exhibits that will
10 come in through the trial, we will submit to you
11 at the close of the case that we have met our
12 burden of proof on each element of each offense.
13 And at that time, I will have a chance to stand
14 before you again, and I'll be asking you to return
15 a guilty verdict on each count. Thank you most
16 importantly in advance for your attention to the
17 case. Thank you.

18 THE COURT: Thank you. Yes, sir,
19 Mr. Carraway.

20 MR. CARRAWAY: The defense waives opening.

21 THE COURT: Ms. Barr, you may call your
22 first witness.

23 MS. BARR: We would call Mr. Dakota
24 Cooper.

25 Dakota Cooper, being first

1 duly sworn, testified as follows:

2 Direct Examination by Ms. Barr:

3 Q State your full name for me.

4 A Dakota Cooper.

5 Q And if you will introduce yourself to the
6 ladies and gentlemen of the jury. Tell them who
7 you are, and where you live, and what you do for a
8 living.

9 A My name is Dakota Cooper.

10 Q Wait a minute. Slow down. I need you to
11 speak up. We need to be able to hear you nice and
12 clear back here, okay?

13 A My name is Dakota Cooper. I am from
14 Conway, South Carolina. I used to haul cars. And
15 heating and cooling.

16 Q Now you say you used to haul cars?

17 A Yes, ma'am.

18 Q Did you work for a particular company?

19 A It was basically Don's Car Crushing, but
20 not technically Don's Car Crushing.

21 Q Don's Car Crushing, that's located in
22 Hemingway, South Carolina?

23 A Yes, ma'am.

24 Q How long did you do that?

25 A I've done it for six months. Close to a

Dakota Cooper-direct by Ms. Barr

1 year.

2 Q So during the month of April of 2010, you
3 would have been hauling cars for Don's?

4 A Yes, ma'am.

5 Q Typically what would be your
6 responsibility? How would you know to go out on a
7 call and actually pick up a vehicle?

8 A My boss man Ashley Brewer, which is the
9 brother of the company.

10 Q Yes, sir.

11 A He hired me to haul cars for him. And he
12 would get calls off the -- off of people calling
13 his number for junk removals and so forth as that.
14 And on top of that, he would give me a call while
15 I am out in the field doing the jobs, picking up
16 these cars and giving me the numbers or send me a
17 text on it. And then I will go pick up the cars,
18 you know, I would fill out the paperwork for them;
19 and pay me the money for them.

20 Q Now as it relates to this defendant,
21 Lawrence Brown, tell us how you got involved, and
22 how did you come to pick up cars for him.

23 A One day I was out around Hemingway, going
24 to Coward, South Carolina. And my bossman gave me
25 a call and said, I got a guy who has got some cars

Dakota Cooper-direct by Ms. Barr

1 he wants you to pick up. I said, yes, sir. He
2 says they are in Salters. Do you know where
3 Salters is. I said, no, sir. And he told me
4 where it was. And he told me the location. So I
5 punched my GPS. And I give the boy a call;
6 Mr. Brown. He says I got four cars out here. You
7 know, a couple I want to pick up today.

8 Q Now when you say the guy called;
9 Mr. Brown. You are talking about the defendant,
10 Lawrence Brown.

11 A Yes, ma'am.

12 Q Please continue.

13 A And I told him the time I would be here.
14 And we met about 12o'clock. And I showed up, an
15 he come in about 30 minutes. And I got to looking
16 around the property and there was a bunch of cars
17 around the property.

18 Q Slow down. I may have to interrupt you
19 from time to time. I just need you to be some
20 specific about some things. You mentioned that
21 you punched in your GPS to get to the location; is
22 that right?

23 A Yes, ma'am.

24 Q Do you remember the address?

25 A 267. I forgot the name of the road. But

Dakota Cooper-direct by Ms. Barr

1 it's Salters, I believe.

2 Q Was it Marion Church Road? Does that
3 sound familiar?

4 A Yes, ma'am.

5 Q And when you got out there, what type of
6 vehicle were you driving?

7 A I was driving a 92 International Rollback
8 with a 16 foot trailer on the back of it.

9 Q So you could tow the vehicles?

10 A Yes, ma'am.

11 Q Based on the vehicle you were driving, how
12 many cars could you tow at one time?

13 A I could tow, basically the truck was
14 designed to do two. The trailer hooked up to it,
15 I could still do two. But all I could do right
16 then was two.

17 Q Now the vehicle you were driving, who did
18 it belong to?

19 A The truck belonged to Don's Car Crushing.
20 But as I said, Ashley Brewer was my bossman. He
21 was the son of Don.

22 Q Who was the owner of Don's Car Crushing.

23 A Yes, ma'am. That's his son. So we could
24 use anything we wanted basically.

25 Q Now you testified that you got out to the

Dakota Cooper-direct by Ms. Barr

1 address on Marion Church Road about 12 o'clock?

2 A Yes, ma'am. Because he said he was right
3 down -- Mr. Lawrence Brown said he was right down
4 the road.

5 Q Okay.

6 A He was coming from his house or his mama's
7 house is what he was telling me.

8 Q And so I am assuming that while you were
9 waiting there, there was nobody else that arrived.
10 There was no one else at the property?

11 A No, ma'am. Besides a few cars going by
12 the road in and out maybe the property owner..

13 Q Yes, sir.

14 A There was one car that came out. I guess
15 they came back in. Other than that, there wasn't
16 nobody around.

17 Q Tell me what happened when Mr. Brown came
18 to that address on Marion Church Road.

19 A He came to the address. He was describing
20 to me what cars he wanted to pull first. It was
21 in the front yard of the property.

22 Q Yes, sir.

23 A In front of the trailer. There was a
24 Taurus and a red car; monte Carlo. I believe a
25 Cutlass in the bushes. And I told him I would

Dakota Cooper-direct by Ms. Barr

1 give him \$100 a car. Because I was the one that
2 made the choice on how much to give on cars.

3 Q Okay.

4 A Because I was the one that needed to see
5 them.

6 Q Okay.

7 A Me judging by the weight and everything,
8 they bring in money; us making money on them. I
9 told him \$100 a car. And he agreed to that. And
10 I hauled two cars out of there, which was the
11 Taurus and a Chrysler, I believe it was.

12 Q What color was the two vehicles that you
13 hauled?

14 A One was -- the Taurus was tan and the
15 Chrysler was burgundy or a reddish color.

16 Q Was it a Chrysler or Corsica?

17 A Corsica, I am sorry.

18 Q Now when you were out there talking with
19 Mr. Brown, did he give you any background
20 information, in terms of why he was purporting to
21 sell those vehicles?

22 A Well my first thing, when I got to the
23 scene, it looked like it was -- it might have been
24 a shop there. Because it was a shop there it was
25 closed. Back at the time it was open. It looked

Dakota Cooper-direct by Ms. Barr

1 like they had been running cars in and out. And
2 collecting cars as a junk car and a salvage part
3 yard. And my concern was, I asked him how come
4 all those cars are there. And he told me his
5 father, and his father just died.

6 Q Lawrence Brown had told you his father had
7 just died.

8 A Yes, ma'am.

9 Q What else did he tell you about family?

10 A I said there are no problems with me
11 getting these cars? "No, sir." He said: "My
12 sisters are up North. My mom is around the
13 corner. And nobody don't want to take time to
14 deal with the house and clean it up. And it's my
15 job as a son to take care of the property." And
16 he said he was going to move in the trailer. And
17 we got into a deep discussion about the rest of
18 the cars while I was there. I told him I would
19 bring him \$2400 back the next day, and buy the
20 rest of the cars, which I believe was about 75
21 cars there.

22 And the next day I come back, I called
23 him. He said he would get to me in another 30
24 minutes. I sat there and waited.

25 Q Slow down, you talk real fast. So you

Dakota Cooper-direct by Ms. Barr

1 hauled off the two cars that day.

2 A Yes, ma'am.

3 Q And your plan was to come back. And the
4 agreement with Mr. Brown was, that you would come
5 back the next day, get some more cars and pay the
6 \$2400.

7 A Yes, ma'am. Get \$2400. And in the
8 process of me giving him the \$2400, he give me a
9 time basically as much time as I needed, to haul
10 the rest of the cars off.

11 Q Now when you hauled -- before you hauled
12 off the two cars that day, did you give Mr. Brown
13 any money that day?

14 A Yes, ma'am. We went through the process
15 of the steps. I give him \$400. We done a Bill of
16 Sale. On the Bill of Sale I put four old cars,
17 because, you know, I didn't go through the process
18 of writing the vin number down because some of
19 them had busted windshields in them. One of them
20 had a busted windshield. The rest of the -- the
21 other two was under some poison ivy, and I am
22 allergic to it. So I didn't take the steps to go
23 get them.

24 Q Okay.

25 A So that's why I wrote four old cars. He

Dakota Cooper-direct by Ms. Barr

1 signed the bottom of it. I looked at his ID and
2 wrote his license number down and everything.
3 Everything checked out good.

4 Q Stop for me. You indicated he give you a
5 driver's license?

6 A Yes, ma'am.

7 Q First of all, marked State's Exhibit No.
8 1, do you recognize that particular document?

9 A Yes, ma'am, I recognize it.

10 Q Is that the defendant or the individual
11 who you sold the two cars to you that day?

12 A That is the guy. Yes, ma'am.

13 Q Is that the individual who also signed the
14 Bill of Sale?

15 A Yes, ma'am.

16 MS. BARR: Judge, we would move State's
17 Exhibit No. 1 into evidence. Any objection?

18 MR. CARRAWAY: Without objection.

19 (Copy of photo from DMV of Lawrence Brown
20 marked as State's Exhibit No. 1 into evidence.)

21 Q I am also going to hand you what has been
22 marked as State's Exhibit No. 2. You talked about
23 the Bill of Sale.

24 A Yes, ma'am.

25 Q And that's your Bill of Sale.

Dakota Cooper-direct by Ms. Barr

1 A Yes, ma'am.

2 Q And that's what Mr. Brown signed that day?

3 A Yes, ma'am.

4 Q And you indicated that you just put down
5 as a description, four old cars?

6 A Yes, ma'am.

7 MS. BARR: Judge, we would move State's
8 Exhibit No. 2 in.

9 THE COURT: Any objection?

10 MR. CARRAWAY: Without objection.

11 (Bill of Sale marked State's Exhibit No. 2
12 into evidence.)

13 Q Now, sir, as it relates to State's Exhibit
14 No. 1, who is the name of the individual who
15 presented his driver's license to you that day?

16 A Mr. Lawrence Brown.

17 Q Lawrence Brown, III?

18 A Yes, ma'am.

19 Q Now what is driver's license number?

20 A It was

21 Q Okay. What is the address that is listed
22 on State's Exhibit No. 1?

23 A It IS 256 Nicolas. Lane, South Carolina.

24 Q So the address on his driver's license is
25 Lane, South Carolina?

Dakota Cooper-direct by Ms. Barr

1 A Yes, ma'am.

2 Q Now on the Bill of Sale in terms of the
3 license number, well first of all, did he write
4 his license number or did you write it?

5 A I wrote that. That's my handwriting.

6 Q Okay.

7 A I let everybody fill theirs out at the
8 top.

9 Q Yes, sir.

10 A And I asked him why did he put his address
11 there of the location. Because he said he was
12 getting all the paperwork ready to transfer over
13 to the address.

14 Q Now your testimony is that when he signed
15 the Bill of Sale, he gave the address, 268 Marion
16 Church Road.

17 A Yes, ma'am. That's where the location
18 was.

19 Q And that was the address where you
20 actually hauled vehicles from?

21 A Yes, ma'am.

22 Q Does the license number that was written
23 down on the Bill of Sale match his license number
24 from the South Carolina Department of Motor
25 Vehicles?

Dakota Cooper-direct by Ms. Barr

1 A Yes, ma'am.

2 Q So you hauled off the two vehicles, the
3 Chevy and the Ford. And the agreement was you
4 would come back the next day to get more vehicles.

5 A Yes, ma'am.

6 Q Tell us what happened the next day when
7 you came out to the same address?

8 A It was about approximately 12:00 o'clock
9 lunch time. I got back out there the same time.
10 And when I got there and I called him, and like I
11 said, he said 30 minutes. And he said he was down
12 the road at his mom's house. He said his mom
13 stayed around the corner.

14 Therefore, I waited. I sat across the
15 road. Parked across the road before I touch any
16 more vehicles. And the next thing I know I am
17 sitting there. I waited 30 minutes, and called
18 him again. He said I will be there in 10 minutes.
19 I started hearing drums as I was walking around
20 the property seeing what I need to do to get the
21 rest of the cars out. Well me hearing drums, I
22 called him back and I said somebody is in your
23 house. He said I will take care of it.

24 So after that was said and done, I come
25 around the property around the woods there. I

Dakota Cooper-direct by Ms. Barr

1 come up to the house, knocked on the door and
2 asked them what they were doing there.

3 Q You knocked on the door and someone was
4 inside?

5 A Yes, ma'am. There was about four head
6 inside.

7 Q Okay.

8 A And when I did Mr. Lawrence Williams came
9 out and he says---

10 Q Slow down. Mr. Lawrence Williams is the
11 gentleman here?

12 A Yes, ma'am.

13 Q Raise your hand. He answered the door.

14 A He answered the door. He asked me what
15 was I doing there. And I was explaining to him
16 about the car situation. About, I'm two more
17 cars. I would appreciate it if maybe you all can
18 maybe move your vehicles out of the way where I
19 can back in here and get them. And he says, "You
20 can't be getting the cars." And he told that --
21 so he asked me was I the one that took the other
22 two cars. And he said I had a police report
23 saying they are stolen. And I showed him the Bill
24 of Sale and the paperwork that I went -- the steps
25 I went through with Lawrence Brown on them. And I

Dakota Cooper-direct by Ms. Barr

1 explained to him why I bought the cars, and the
2 reason I hauled them out. And he understood. And
3 when he called the cops, and I sat there for about
4 30 minutes to an hour until the officer arrived.
5 So....

6 Q Okay. And, sir, clearly the individual
7 who gave you his license and signed the Bill of
8 Sale was not the same individual who was in that
9 house?

10 A No, ma'am.

11 Q And after the police were called, did you
12 freely give a statement to the police?

13 A Yes, ma'am, I did.

14 Q Did you give them copies of the Bill of
15 Sale?

16 A Yes, ma'am. I give him -- I handed the
17 officer the Bill of Sale and wrote documents on it
18 and everything.

19 Q And you gave him information about
20 Lawrence Brown's driver's license number.

21 A Yes, ma'am.

22 Q Is that correct? Now, after you had the
23 conversation with Lawrence Williams, whatever
24 happened to Mr. Brown? Did he ever come back up?

25 A No, ma'am. He never showed back up. I

Dakota Cooper-direct by Ms. Barr

1 called him and he quit answering the phone. Right
2 then in my mind, he knew he had been had. Because
3 I told Mr. Lawrence Williams that if I could get
4 him up there, then that's what I would do.
5 Because I was trying to get the situation solved
6 so I wouldn't be in no trouble.

7 Q Right. I'm assuming you never got your
8 \$400 back from Mr. Brown.

9 A No, ma'am.

10 MS. BARR: I beg the Court's indulgence.
11 All right, sir. That's all the questions I have.
12 Please answer any questions that Mr. Carraway may
13 have.

14 A Yes, ma'am.

15 Cross Examination by Mr. Carraway:

16 Q What happened to the two cars that you
17 took?

18 A I loaded them up that day that I gave him
19 the \$400 for them. I told him I would take two
20 now, and come back and get the other two. Because
21 I couldn't haul but two, because I had another car
22 I had to go get that was basically urgent to the
23 other person. And I took them straight to Don's
24 Car Crushing there off of 261 in Hemingway.

25 Q Okay. Were the cars crushed?

Dakota Cooper-cross by Carraway

1 A As far as my knowledge, yes, sir. I
2 pulled them in to unload them, and I haven't seen
3 them since.

4 Q Well I mean did these fellows go out to
5 check it? You told him you go to Don's Car
6 Crushing; didn't you?

7 A Yes, sir.

8 Q Okay. And you don't know whether they
9 went to try to get the cars back?

10 A They called up there. And by the time
11 they called up there, somebody in operations that
12 day had them crushed.

13 Q As far as you know.

14 A Yes, sir.

15 Q Okay.

16 A As far as I know.

17 Q Okay. But you, and how much did Don pay
18 you?

19 A It depends on the weight of the cars, and
20 the weight, and how it goes. And the weight and
21 everything, and the small cars get anywhere from
22 150 to \$200. And both of those cars the estimate
23 of \$400. And the \$400 that we pay back. But as I
24 was saying, that's a business rule.

25 Q So you think you got -- can you tell me

Dakota Cooper-cross by Carraway

1 how much money you got for those two cars? Or do
2 you know, or do you recall?

3 A From what I recall, one was \$251, and
4 another one was \$230.

5 Q Okay. Well that's a lot of money for
6 cars; isn't it?

7 A Yes. Like I said, it depends on how much
8 they weigh.

9 Q Yes. But you're talking about much less
10 money. You're talking about \$150 for some of
11 them; right?

12 A Yes, sir.

13 Q Okay.

14 A There are a lot of things it ain't much
15 too it. \$150, you know, by weight. That's just
16 how it is.

17 Q But you recall \$250 and \$230. So what you
18 recall is \$480 for these; right?

19 A Yes, sir.

20 Q And you paid \$200 for them.

21 A Yes, sir.

22 Q Is that right?

23 A Yes, sir.

24 Q Okay. Who do you work for?

25 A Now?

Dakota Cooper-cross by Carraway

1 Q I mean were you working for Don's Car

2 Crushing then?

3 A I was working for Ashley Brewer of Don's

4 Car Crushing.

5 Q The same thing.

6 A Yes, sir.

7 Q You were working for---

8 A Well technically not the same thing.

9 Q Okay.

10 A The reason I say that is, the difference
11 is Mr. Don died. And Donnie Brewer and Ashley
12 Brewer is Donnie's brother. And Ashley is not --
13 he has got family ties that he basically can use
14 anything with permission of Donnie in the
15 business. But I wasn't getting paid by Don's, I
16 was getting paid by Ashley.

17 Q Okay. You weren't working for yourself.

18 A No.

19 Q Now you could have done that. You could
20 have worked independently or whatever. You could
21 of---

22 A Yes sir.

23 Q ---somehow picked cars up. And say, call
24 me, and I will pay you for old cars or whatever.
25 And then you just worked on your own. And then

Dakota Cooper-cross by Carraway

1 you could pay somebody. And then you could go to
2 Don's and try to work something out, right?

3 A Yes, sir.

4 Q Now how did you get any money for this?
5 Or how did -- I thought this was Don's operation
6 anyway. I thought this was Don's.

7 A It is Don's. Like I said before and
8 stated is, Ashley Brewer was the son of Don. And
9 Don Brewer, which Donnie is his brother. And he
10 has family ties that he can use basically anything
11 with the permission of Donnie out there. And his
12 truck was messed up. So he referred to it as a
13 rollback. So nobody had used it when Ashley put
14 conditioners on it, so he can use it.

15 Q Okay. But who got the money?

16 A Ashley Brewer.

17 Q Ashley Brewer. How much money did you
18 get? Do you work by the hour; is that what you
19 do?

20 A Yes, sir. It's like this here. I got
21 paid by the hour. And by the end of that day, he
22 would get 10, 20 a car for pulling them.

23 Q Okay. But you recall Ashley Brewer, Don's
24 Car Crushing, paid you or paid Ashley Brewer to
25 roll the car.

Dakota Cooper-cross by Carraway

1 A Yes, sir. The checks are always made out
2 to Ashley Brewer. And that day Ashley was -- he
3 couldn't make it to the bank. So he asked me to
4 put it in my name. So I went to Anderson
5 Brother's and cashed it and gave him straight
6 cash.

7 Q Okay. You don't have any documentation of
8 that; do you?

9 A No, sir.

10 Q You didn't bring anything with you to show
11 how much you got. But you show that to us as
12 \$480. Less than \$500?

13 A Yes, sir.

14 Q Okay.

15 A Totally, by the time we got -- if we got
16 the other two cars, it would be about past right
17 up to \$1,000. Because them other two was two old
18 heavy cars. And the heavy cars come out close to
19 \$400.

20 Q Would that have -- and the dark car and on
21 your own, did you ever decide, you know, I think I
22 would like this car? I think this car is worth an
23 awful lot of money, and I'm going to talk to
24 Ashley and see what I can buy this for? I bought
25 it -- I got it for \$100 here. And I think this

Dakota Cooper-cross by Carraway

1 car has really got some value. Have you ever done
2 that?

3 A No, sir. I only make so much money not to
4 collect junk.

5 Q Not to collect junk.

6 A Yes, sir.

7 Q And this is junk.

8 A In my opinion, one was junk and one might
9 still be running. But I also think it's junk.

10 Q Okay.

11 A Especially if you have got no title for
12 it. No use to keep it around if you don't have
13 any title for it.

14 MR. CARRAWAY: I don't have any further
15 questions. Thank you.

16 MS. BARR: We would call Robert Williams.

17 Robert Williams, being

18 first duly sworn, testified as follows:

19 Direct Examination by Ms. Barr:

20 Q Sir, state your name for the record.

21 A Robert Williams.

22 Q And tell us where you live.

23 A I live at 270 Marion Church Road.

24 Q Okay. Where is that?

25 A That's down there where the car was stolen

Robert Williams-direct by Barr

1 from. That's my home.

2 Q What town is it in?

3 A Salters.

4 Q Okay. Williamsburg County?

5 A Williamsburg County.

6 Q How long have you lived in Salters, South
7 Carolina?

8 A I have been in Salters for quite some
9 time.

10 Q And you are going to have to tell us what
11 that means. Is that a couple of years or a couple
12 of decades?

13 A Probably about 15 years.

14 Q Sir, are you related to Lawrence Williams?

15 A That's my nephew.

16 Q Okay. And how far does your nephew live
17 from you?

18 A Right. He almost lives right over here in
19 Kingstree. Right there by 261 by Grace Helen's
20 Salvage.

21 Q Okay. Who is Joseph Williams?

22 A That's my brother. Deceased brother.

23 Q When did your brother pass?

24 A Well It's been over a year now. Well
25 about a year and some months.

Robert Williams-direct by Barr

1 Q Joseph Williams is Lawrence's father?

2 A Yes.

3 Q Now, sir, did you have one of your
4 vehicles at the address located at 268 Marion
5 Church Road?

6 A Yes, ma'am.

7 Q That vehicle was a 1989 Chevrolet Corsica?

8 A Corsica, yes.

9 Q And at my request, did you provide me with
10 a copy of the title to that vehicle?

11 A Yes.

12 Q I am going to hand you what has been
13 marked as State's Exhibit No. 4. Is that the
14 title to your vehicle?

15 A Yes, it is.

16 Q How long have you owned this vehicle?

17 A Probably before he took it, I probably had
18 it for about 5 years.

19 Q Okay. And you are listed on this exhibit
20 as the registered owner; is that correct?

21 A Yes.

22 MS. BARR: Judge, we would move State's
23 Exhibit No. 4 in evidence.

24 THE COURT: Any objection?

25 MR. CARRAWAY: Without objection.

Robert Williams-direct by Barr

1 (Title to vehicle marked State's Exhibit
2 No. 4 into evidence.)

3 Q Now, sir, tell us how you became about
4 the -- your vehicle being taken from 268 Marion
5 Church Road.

6 A Okay, during that time, I was at work.
7 And Lawrence, which is my nephew right there; he
8 give me a call and told me that he had just left
9 the house. And the car was there around noon
10 time. And when he come back that afternoon after
11 work, the car was gone.

12 Q What color was the vehicle?

13 A Burgundy.

14 Q Okay.

15 A Chrysler four-door. So I asked him did he
16 have any clue to what happened. And he said no.
17 He said all he can say at the moment is someone
18 stole my car and his dad's car.

19 Q Sir, prior to you receiving that call, had
20 you given anybody any permission to come and
21 remove your vehicle?

22 A No, ma'am, I didn't.

23 Q Did you have any knowledge that somebody
24 was going to come and move your vehicle?

25 A No, ma'am.

Robert Williams-direct by Barr

1 Q Now tell me what happened after the
2 conversation with your nephew?

3 A Okay. After I spoke with Lawrence, I told
4 him I said -- he said well don't try to get off
5 work to come down. He said, I'll just hold on
6 until you get off from work and you and I, you
7 know, we will talk about this. I said, okay.
8 When I got off work, I went immediately to his
9 house. So we -- see we sat there and talked about
10 the situation. We was trying to figure out who
11 might have taken the cars.

12 So we couldn't never come to no
13 conclusion. So he said well what I will probably
14 do, I'll probably just take off tomorrow and just
15 stay around the house in case they may come back
16 to get some more. I said well that will be a good
17 idea, I said, in case they may come back. So in
18 the meantime, that's what happened after the guy
19 came back again to pick up the other two, which he
20 said that he had paid me for. And that's when we
21 found out who stole the first two.

22 Q Were you present when Mr. Cooper came out
23 the next day---

24 A No, I was at work.

25 Q I am sorry?

Robert Williams-direct by Barr

1 A I was at work.

2 Q Where do you work?

3 A International Paper in Eastover.

4 Q Now, sir, the Chevrolet Corsica vehicle
5 that we have got the title for, was it operational
6 at the time? Was it running?

7 A Yes, ma'am.

8 Q What was the value of your vehicle?

9 A Well the value -- well when I bought the
10 car, I paid \$700 for the car. And I took it in
11 and it had some engine work that needed to be
12 done. So I approximately put about 500 into the
13 engine and got it in running condition.

14 Q Yes, sir..

15 A So I drove it for awhile after I got it
16 fixed. So I said well I'm just going to take it
17 to my brother's house because he will be there all
18 the time. And I didn't have use to have another
19 car with me at the time. So I took it there and
20 I parked it. I asked him if it would be okay to
21 park it there. He said it would fine. So I left
22 it there. At the time I took the insurance and
23 everything off. And I just leave the car. I left
24 it there at my brother's house. And that was it.

25 The car was in excellent running shape.

Robert Williams-direct by Barr

1 It wasn't nothing wrong with the car after I fixed
2 it. Actually it was running when I got it, but I
3 wasn't satisfied with the way it was running, you
4 know, mechanically. So I tore it down and did
5 some work.

6 Q So prior to it being stolen, how much was
7 it worth in your opinion as the owner?

8 A Well to just give a decent price, I'd say
9 about 1200. Because I paid, when I bought the
10 car, I bought as it as it was at \$700. And I put
11 over 500 into it. I mean, as parts not labor.

12 Q Yes, sir.

13 A Just parts. And, you know, I would have
14 more in the car than 1200 if I would just put on
15 my labor. Because I've done -- I done the
16 mechanical work myself.

17 Q Now when your nephew notified you about
18 someone coming back the next day to get some more
19 vehicles, did you try to track down where your
20 vehicle had gone to? Did you later learn that it
21 had gone to Don's Car Crushing?

22 A Well, give it to me one more time.

23 Q Yes, sir. The next day when Mr. Cooper
24 came back, and your nephew told you that
25 Mr. Cooper had come back for some more vehicles.

Robert Williams-direct by Barr

1 A Right.

2 Q Were you able to determine that your
3 vehicle had actually been taken to Don's Car
4 Crushing? Or do you know where it had been taken?

5 A Well yes, he told me. Because my nephew
6 told me that the guy when he came back to pick up
7 the other two he paid for, then we knew that Don
8 had the first.

9 Q Okay. All right, were you able to get
10 your vehicle back?

11 A No.

12 Q Did anybody ever pay you any money for
13 your vehicle?

14 A No, ma'am.

15 MS. BARR: Please answer any questions Mr.
16 Carraway may have.

17 Cross Examination by Mr. Carraway:

18 Q This car was taken in April of 2010; is
19 that right?

20 A Right.

21 Q Okay. This title, you got this about 4
22 months later; right? You got this title 4 months
23 later? You got this title in July of 2010?

24 A Oh, no. I went to the motor vehicle and
25 got a copy. I couldn't find my actual title, so I

Robert Williams-cross by Carraway

1 went up there and I had a copy ran off. As a
2 matter of fact, I bought a new title.

3 Q So you bought a new title.

4 A Yes.

5 Q You don't really have the other title; do
6 you?

7 A Yes, I got it, I just have to look for it.
8 That many times---

9 Q Tell me where it is. Why isn't it here
10 today?

11 A Why it's not here today?

12 Q Why isn't it here today?

13 A Huh?

14 Q Why isn't it not here?

15 A Why it's not here today? I have it.

16 Q Let me see it.

17 A Yes.

18 Q No, this the same one. I'm talking about
19 when you bought that car 5 or 6 years ago, where
20 is that title?

21 A Oh, that title, I don't have that title.

22 Q I know you don't.

23 A Right, but I mean---

24 Q I know you don't.

25 MS. BARR: Judge, objection. Would the

Robert Williams-cross by Carraway

1 counsel let him finish his response?

2 Q Go ahead.

3 A So what happened at the present time when
4 I spoke with the solicitor, they told me to bring
5 a title or a copy of anything stating that that
6 was my car. So I went to the DMV and I got a
7 printout of the title. And I bought it to them,
8 and they said that it was secure.

9 Q But you don't have a title. You got a
10 title 4 months after you bought this car. You got
11 a title 4 months after it was stolen?

12 A No, I had the title after I bought the
13 car. I just got a copy ran off, because I
14 couldn't find immediate title at the present time.

15 Q Did you get this in July, 4 months after
16 your car was stolen?

17 A July.

18 Q July 23rd 2010. Isn't that what that
19 says?

20 A Okay.

21 Q So you don't have a title from 5 or 6
22 years before; do you?

23 A 5 or 6 years after -- before I got the
24 car? After I bought the car?

25 Q Didn't you say you bought the car 5 or 6

Robert Williams-cross by Carraway

1 years before it was stolen?

2 A Yes, but I had a title. When I bought the
3 car, I got the title.

4 Q I know, but you don't have a title now for
5 when you bought it; do you?

6 A No, I don't have the title here---

7 Q I know you don't.

8 A What I'm saying---

9 MS. BARR: Objection.

10 THE COURT: Hold on one second. Yes,
11 ma'am.

12 MS. BARR: Judge, they are kind of going
13 back and forth. I don't think the Court Reporter
14 can keep up with all of it. I would ask that
15 counsel allow the witness to respond to the
16 question before he starts talking.

17 THE COURT: Mr. Carraway, let him answer
18 the question. And then ask the next question.
19 Restate your question.

20 Q You do not have a title from when you
21 bought this car. The title -- the only title you
22 have is from 4 months after it was stolen in April
23 of 2010; is that not correct?

24 A Yeah, but this is the original title of
25 the car. The only thing I didn't have the title

Robert Williams-cross by Carraway

1 active at the time. And they needed a title to
2 have a copy of being that it's my car. So I just
3 went to DMV, and I got a -- they give me an extra
4 title.

5 Q Show me---

6 A But you are talking about the original
7 title of when I bought the car. I had it
8 transacted. Is that what you are saying?

9 Q Yeah.

10 A Okay. That would be the same as this
11 title right here. Because the fact I didn't have
12 it.

13 Q Show me your Bill of Sale of how much you
14 paid for that car?

15 A I don't have a Bill of Sale.

16 Q Why not?

17 A I have the title. The title---

18 Q You got the title from 4 months after it
19 was stolen?

20 A No, I had the title before the car was
21 stolen.

22 Q Does this title say July 23rd 2010? Is
23 that what it says?

24 A Yeah, but I had the title before the car
25 got stolen.

Robert Williams-cross by Carraway

1 Q I know it. But you don't have that title;
2 do you? You've got the one you got 4 months
3 later; don't you?

4 A Well it's still the same title.

5 Q It's not the same title. If you did you
6 would have it here. You don't have the title from
7 when you bought the car; do you?

8 MS. BARR: Judge, objection. Asked and
9 answered.

10 Q You don't have a Bill of Sale as to how
11 much you paid for the car either; do you?

12 A I don't have that here, but the car is
13 mine.

14 Q You don't have any proof of any insurance?

15 A Yes, ma'am.

16 MS. BARR: Judge, my objection asked and
17 answered. And secondly, counsel is being
18 argumentative with the witness.

19 THE COURT: Sustained.

20 Q Show me any insurance that you got that
21 showed that you ever drove this car from when you
22 bought it 5 years before. Show me where you ever
23 had insurance on this car at any time during the 5
24 years you claim you had it before it was stolen.
25 Let me guess, you don't have it.

Robert Williams-cross by Carraway

1 A Okay. I could have gotten all that
2 information. But I was only told to bring my
3 title; as I'm being the owner of the car. That's
4 the only reason I didn't go down to the insurance
5 company to get a record as I had insurance at that
6 time. But the deed and title tells everything.

7 Q The deed and title tells nothing. The
8 deed and title doesn't tell how much you paid for
9 the car. The deed and title doesn't tell
10 whether you ever drove that car; does it?

11 A Well I'm the owner of the car.

12 Q It doesn't tell that you ever drove it.
13 If you had put insurance on it, then we would
14 know whether you had driven it.

15 A So in other words, the car is not mine is
16 what you are saying.

17 Q I didn't say that.

18 A Well I own the car so I had to have
19 insurance on.

20 Q You didn't have to have insurance on it if
21 you don't drive it on the road.

22 A No.

23 Q All right.

24 A I can go back and get records saying that
25 I had insurance on the car during that time. They

Robert Williams-cross by Carraway

1 didn't tell me to bring that information. The
2 only thing they asked me to get a copy of the
3 title, and that's all they needed, and that's all
4 I brought.

5 Q You had one year to prove that you had
6 ever driven this car. You don't have any proof
7 that you ever drove this car; do you?

8 A Yes, I have the title.

9 Q You don't any proof of anything. Let me
10 ask you this.

11 A I don't have it with me. What I'm saying
12 the registration card. That's when I got my
13 title. I went to the Highway Department and the
14 registration card and all that to show that I had.

15 Q What did you do with your Bill of Sale to
16 show you paid \$700? You don't have that either;
17 do you?

18 A I don't think I need to have that.

19 Q Oh, we're just supposed to take your word
20 for it; is that right?

21 A Well it's my car. The title is in my
22 name.

23 Q You can't prove to us that you drove that
24 car one day.

25 A I went to the DMV and I can trace it back.

Robert Williams-cross by Carraway

1 Give you the information.

2 Q Well you had a year to do that today. You
3 could have brought it today; couldn't you?

4 A And I wasn't told to bring that.

5 Q I know.

6 A If I was told to bring it, I would have
7 brought it down here.

8 Q Yeah.

9 A No one told me to bring that information.
10 They only told me to bring the title.

11 Q Did somebody tell you that you were going
12 to have to prove the value of this car?

13 A Yes.

14 Q Didn't you think maybe the Bill of Sale as
15 to how much you paid for it might be helpful?
16 That didn't occur to you?

17 A No.

18 Q No, just didn't occur to you; how much I
19 paid for it as to what the value was.

20 A No, because after I bought the car, the
21 car is mine. And I know what -- I don't know
22 exactly what the book price. She told me what it
23 was. But I know I couldn't get what the book
24 price, because it's not up to top priority as
25 being in that standard. But from what I got in

Robert Williams-cross by Carraway

1 the car and what I want for the car, I mean, I
2 could simply say that. But I am not going on the
3 value of what the car is worth. So I mean...

4 Q You didn't even bring a blue book value of
5 that car in here today; did you?

6 A I wasn't told to bring a blue book.

7 THE COURT: Mr. Carraway.

8 Q Yes. You didn't bring one in; did you?

9 A I wasn't told to bring a blue book.

10 Q I know it. But you didn't bring one.

11 A No, because I wasn't told to bring a blue
12 book value, because she told me -- she went and
13 got the value of the car. And she told me how
14 much the car would sell for as of now.

15 Q Who told you that?

16 A This lady right here. She told me.

17 Q You don't have the blue book value of your
18 car.

19 A I don't think I need to have the blue
20 book.

21 Q You didn't think you needed -- you didn't
22 think you needed to prove the value of your car;
23 which is exactly what this case is about.

24 A I'm not asking -- if I was asking what the
25 car was worth as of today, then I would need a

Robert Williams-cross by Carraway

1 blue book value. But I am not going on the blue
2 book value. So I am under the blue book value,
3 so why, what do I need to have a -- why would I
4 need to have a blue book value.

5 Q And you didn't bring with you how much you
6 paid for the car. You said 5 or 6 years ago.

7 A I didn't think that was necessary.

8 Q You didn't think it was necessary.

9 A I wasn't told it was necessary.

10 Q Let me finish my question and then you can
11 answer it.

12 THE COURT: Mr. Carraway, there is an
13 objection.

14 MS. BARR: Your Honor, that question has
15 been asked and answered. And asked and answered.
16 We would object to this line of questioning as
17 irrelevant.

18 THE COURT: Sustained. Move on to the
19 next question.

20 MR. CARRAWAY: Excuse me, the value of the
21 vehicle is irrelevant? That line of questioning
22 is irrelevant; as to how much he paid for it? And
23 how much the blue book value is? Excuse me?

24 THE COURT: The objection is -- the
25 objection is asked and answered. And it's been

Robert Williams-cross by Carraway

1 asked and answered.

2 MR. CARRAWAY: But not that it's -- I
3 thought she said it was irrelevant.

4 THE COURT: No, it was asked and answered.

5 MR. CARRAWAY: She didn't say that? Did
6 she say it was irrelevant?

7 THE COURT: She said asked and answered.

8 MR. CARRAWAY: Okay. She didn't say it
9 was irrelevant. I thought that's what she closed
10 with.

11 THE COURT: Mr. Carraway, let's move on.

12 Q Okay. Show me the pictures you have of
13 this car so we can see for ourselves how nice this
14 car looked; so a jury might can tell, that might
15 can help them determine the value of your car. I
16 didn't think, I know it. Finish it. You didn't
17 think that that was important to bring in any
18 pictures of your car; am I correct?

19 A I wasn't told to bring any.

20 Q I know it. So we're supposed to -- excuse
21 me. We're supposed to judge the value of this
22 car. You bring no pictures in. You bring no Bill
23 of Sale in for how much you paid. You bring no
24 proof in here to show that you ever -- any
25 insurance to show that you ever for a second,

Robert Williams-cross by Carraway

1 paid for any insurance to have that car on the
2 road? You didn't think any of that was important;
3 isn't that right?

4 A No, that's not right. Because I wasn't
5 informed to bring that information. If I was
6 informed to bring that information, I would have
7 brought it down here.

8 Q You can think; can't you? You can figure
9 some of this. You can think.

10 A I can only do what they asked me to do.

11 Q Well---

12 A I mean, if they didn't tell me to bring
13 it, I brought -- I give them the information they
14 asked me for.

15 Q And you're sure---

16 A The blue book value and all that situation
17 was handled by them.

18 Q Oh, well, you're on the stand here though;
19 aren't you? And this is supposedly your car;
20 right?

21 A That's right.

22 Q We have nobody telling us what that car is
23 worth; do we? No independent and nobody to tell
24 us what you paid for it. Nobody to tell us the
25 blue book value. No pictures so we can look and

Robert Williams-cross by Carraway

1 see what condition it was in. Do you have any
2 pictures?

3 Let me -- if you left here at lunch and
4 went home, I bet you couldn't show one picture of
5 that car; could you? If we gave you an hour, you
6 couldn't go home and find one picture of that car;
7 could you?

8 A No, I don't have a picture of the car.

9 Q Could you go home and find a copy of that
10 Bill of Sale that you claim you paid \$700 for?

11 A Yes, sir. If I have to, I would.

12 Because---

13 Q Do you have it?

14 A I don't have it in my presence.

15 Q Do you have it at home? Do you know where
16 it is at home?

17 A I have to look for it.

18 Q You have to look for it.

19 A And that's the main -- the reason why she
20 told me to just go ahead and get the title or
21 anything with the serial number or anything saying
22 that's my car. And I know what they asked me to
23 do. And if I was informed to do anything else, I
24 would have.

25 Q The question here today is, not whose car

Robert Williams-cross by Carraway

1 it is. The question is, what the value of the car
2 is. Isn't that what the question is here today?

3 A Right. Not the question of whose car it
4 is.

5 Q We know. It's already established that
6 it's your car. You're here to prove what the car
7 is worth; isn't that right?

8 A No, you asked me -- they asked me what the
9 car is worth. I'm not here to prove what the car
10 is worth, you know.

11 Q You are not here to do that, okay.

12 A The reason I am here; is that, the car has
13 got stolen from me and shit. And you asked me how
14 much the car is worth. I didn't say a blue book
15 value of what the car is worth. I didn't go over
16 the blue book value. I stayed under the blue book
17 value, because if I go over what the car was like,
18 if it was -- and the blue book value would be
19 more. More; right? So I said \$1200.

20 Q I don't know whether it would be or not,
21 because you haven't brought anything in here.

22 A I said \$1200.

23 Q Yeah, how old is -- how many years has it
24 passed since that car was new?

25 A How many years what now?

Robert Williams-cross by Carraway

1 Q How many years has passed since that car
2 was new?

3 A Since it was driven?

4 Q Since it was new.

5 A Since it was new, oh, I don't know. I
6 don't have exactly the year as to how long and all
7 that now. But I'm saying---

8 Q You take 2011, and you go back to 1989,
9 that's 22 years?

10 A Okay.

11 Q 22-year-old car.

12 A All right.

13 Q Okay. You can't tell us when the last
14 time you drove it. You can't prove to us if you
15 ever drove that car; can you?

16 A Yes, I can prove it.

17 Q Okay. If you had your insurance
18 information.

19 A I have to get my insurance information.
20 And the only reason I don't have that, because I
21 wasn't informed to bring that. And it wasn't like
22 a car that has never been driven before. The car
23 was.

24 Q I'm asking if you ever drove it.

25 A Of course I did. I did.

Robert Williams-cross by Carraway

1 Q And when you bought it at all. Because
2 all I can see is a title here. That doesn't tell
3 anything about when you bought it. That doesn't
4 tell when you bought it. You ain't proved you've
5 ever driven it. You ain't proven what you paid
6 for it. You've proven nothing.

7 MS. BARR: Objection.

8 THE COURT: Those questions have been
9 asked and answered. Move on.

10 MR. CARRAWAY: I don't have any further
11 questions.

12 MS. BARR: One quick question, Judge.

13 Redirect Examination by Ms. Barr:

14 Q Mr. Williams.

15 A Yes, ma'am.

16 Q If you had known that Lawrence Brown was
17 going to come out and steal your car---

18 A No.

19 Q And if you had known that you would have
20 to come in to court and all this stuff, would you
21 have taken a nice, big, fancy colored picture of
22 it? If you had known all this was going to
23 happen?

24 A Yes, ma'am. I didn't never took a
25 picture. I didn't figure, because something that

Robert Williams-redirect by Barr

1 is parked in -- in other words, where the car was
2 parked, he didn't have no right over there.

3 Q That's right.

4 A It was in my brother's yard where I left
5 it, and Lawrence Brown didn't have no reason to
6 come across that line and come in to our yard and
7 take anything from that property.

8 Q Thanks.

9 A So I didn't feel like I need a picture and
10 all that, because that was my car, and all our
11 property. So he didn't have no right over there.
12 He took up on his own to do what he done. So I
13 mean, I don't think I should have to be that
14 secure.

15 MS. BARR: Yes, sir. Your Honor, I'd
16 object to any---

17 MR. CARRAWAY: Excuse me. Excuse me,
18 please.

19 THE COURT: Overruled. Yes, sir.

20 MR. CARRAWAY: May I? May I proceed?

21 THE COURT: Yes. Your response to her
22 questions, sir.

23 Recross Examination by Mr. Carraway:

24 Q But you had 6 years to take pictures of
25 that car before; isn't that right?

Robert Williams-recross by Carraway

1 A I didn't have a reason to take pictures of
2 that car, because I didn't feel that no one would
3 steal my car.

4 Q Don't you take---

5 A So if you're telling me right, if I have a
6 car in your yard, you have to take pictures of
7 all of your belongings on your property in case
8 someone steals something?

9 Q If I've got a car worth some value or
10 whatever, I'd take a picture of it. Because I'd
11 like to keep pictures of it.

12 A Okay.

13 Q You don't have anything of yours; do you?

14 A No, I don't have anything. Because I
15 wasn't expecting this man to come on my premises
16 to take anything away from me.

17 Q That's not why you take pictures of
18 things.

19 A Sir, I didn't think I would need a
20 picture.

21 Q Yeah, yeah. But you don't have one; do
22 you?

23 A I don't have pictures---

24 Q You never took one; did you? Did you ever
25 take a picture of that car? Did you ever take

Robert Williams-recross by Carraway

1 one?

2 A I didn't have a reason to take a picture
3 of it.

4 Q Is that a no?

5 THE COURT: Mr. Carraway.

6 MR. CARRAWAY: Yes, ma'am.

7 THE COURT: Asked and answered. Yes, sir.

8 A I didn't have a reason to take a picture,
9 because I wasn't expecting no one to steal my car.
10 So why would I take a picture if I don't think
11 somebody is going to steal it?

12 THE COURT: Step down.

13 MR. CARRAWAY: Excuse me, I do have
14 another question.

15 Q Who did you buy this car from?

16 THE COURT: No, sir. That's not in the
17 line of cross from any questions she asked. We
18 will at this time, take a lunch break until 2:15.
19 You all are to report back to the jury room. And
20 remember do not speak with anybody; not even the
21 other jurors regarding this case. Thank you.

22 (Whereupon, at 1:00 p.m. jury breaks for
23 lunch.)

24 THE COURT: You may bring the jury.

25 (Whereupon the following takes place

Robert Williams-recross by Carraway

1 within the presence of the jury.)

2 THE COURT: Ms. Morris, I am going to
3 appoint you to be the forelady of the jury. If
4 you will take the first seat right there. As the
5 foreperson, you will serve as the spokesperson for
6 the jury. You will preside over the jury
7 deliberations and complete the verdict form
8 representing the jury's verdict. Do you think you
9 can handle that?

10 MS. MORRIS: Yes, sir.

11 MS. BARR: We would call Lawrence Williams.

12 Lawrence Williams, being first duly
13 sworn, testified as follows:

14 Direct examination by Ms. Barr:

15 Q Mr. Williams, please introduce yourself
16 to the ladies and gentlemen of the jury.

17 A Lawrence Edward Williams.

18 Q You are going to have to speak up.

19 A I'm Lawrence Edward Williams.

20 Q Thank you. Mr. Williams, where do you
21 live?

22 A I live here in Kingstree.

23 Q Yes, sir.

24 A 268 Marion Church Road.

25 Q And that's in Salters?

Lawrence Williams-direct by Barr

1 A That's in Salters.

2 Q And that's also in Williamsburg County;
3 right?

4 A Yes, it is.

5 Q How long did you live at that address?

6 A At this address here?

7 Q Yes, sir.

8 A I lived there for 17 years until I went to
9 college.

10 Q And give us a little bit of information
11 about your background. Where did you work? Where
12 did you go to school? That sort of thing.

13 A I'm a graduate of C.E. Murray. And I went
14 to Benedict College in Columbia And now I'm
15 employed at South Carolina D.O.T.

16 Q Department of Transportation?

17 A Yes.

18 Q Now, sir, who is Joseph Williams?

19 A That was my father.

20 Q Okay. And we've heard testimony that
21 Joseph Williams passed.

22 A Correct.

23 Q Now to kind of give us a point of
24 reference on April of 2010, when this incident
25 occurred, how long had it been since your father

Lawrence Williams-direct by Barr

1 had passed?

2 A My father died just in the 5 months from
3 when---

4 Q Okay.

5 A ---the guy actually came and stole the
6 car.

7 Q So that would have been around November
8 and December of 2009?

9 A It was beginning of March/April.

10 Q And when was his death?

11 A Oh, October.

12 Q Oh, October. Now prior to his death, did
13 he reside at 268 Marion Church Road address?

14 A He was sick a little while. So he was
15 down at the house. And then he was back and
16 forth.

17 Q Yes, sir.

18 A We took care of everything -- I took care
19 of everything while he was gone.

20 Q Now was he married at the time of his
21 death?

22 A No.

23 Q Now describe the property that is located
24 at 268 Marion Church Road. In terms of, what kind
25 of home is it? Tell us a little bit about the

Lawrence Williams-direct by Barr

1 premises and that sort of thing. Give us a mental
2 picture.

3 A It's a mobile home. It has a -- my uncle
4 has a shop next to it. And he has some cars that,
5 that he was working, you know, that he worked on
6 and everything. He brought his car over to my
7 dad's house, because that car was running. But my
8 dad, his car was running also. And---

9 Q Now your dad's car, the car that we are
10 talking about, is the 87 Ford Taurus.

11 A Ford Taurus. Yes.

12 Q Now as it relates to that car, at the time
13 the car was titled in your father's name.

14 A Yes, it is.

15 Q When he died, you were one of his heirs.

16 A Yes.

17 Q Now you indicated that that vehicle was
18 running.

19 A Yes, ma'am.

20 Q What kind of condition was it in?

21 A It was in good condition. He actually
22 drove it up until he stopped driving; which was
23 about, I'd say 6 months, 6 months. And then it
24 was parked in the yard, because me and my brother
25 bought him another car.

Lawrence Williams-direct by Barr

1 Q Okay. You and your brother bought him
2 another car?

3 A Yes, we bought him another car.

4 Q So go ahead. You mentioned something
5 about your uncle having a shop.

6 A Yeah, he has a shop. And he has a lot of
7 cars around there. And he parked his car over in
8 my yard. Well in my dad's yard because, you know,
9 like he said, you know, he wasn't expecting nobody
10 to steal the cars.

11 So I was in there. As a matter of fact, I
12 was there the night before the car got stolen and
13 everything. And When I came back from work, I
14 didn't see the car.

15 Q Now and this date before the vehicle was
16 stolen, had you given anybody permission to move
17 that vehicle?

18 A No, I didn't.

19 Q Were you aware that anybody was coming to
20 move that vehicle?

21 A No, I didn't.

22 Q Tell us what happened -- do you remember
23 what time you got home from work and realized the
24 vehicle had been stolen?

25 A I got there about 5:30. Well actually I

Lawrence Williams-direct by Barr

1 get off at 5:30. So I got there about 6 o'clock
2 that evening. And I noticed the car was missing.
3 And I saw the way it was drug. I looked at the
4 marks on the ground. And I was wondering whether
5 my uncle came and got the car. But when I called
6 him, he didn't move the cars. And that's when I
7 called the police and let them know the car was
8 stolen.

9 Q Tell us what happened, Mr. Williams, the
10 next day when Mr. Cooper came to your home?

11 A Well my band and I; we were in the house
12 practicing some music.

13 Q You're in a band?

14 A Yes.

15 Q Okay.

16 A Yes.

17 Q So that's the noise that he is talking
18 about he heard?

19 A Yes; He heard the drums.

20 Q Do you play the drums?

21 A No, I play base.

22 Q Okay. So you and your band were
23 practicing.

24 A Yes, we were practicing. I actually
25 didn't hear the truck outside. And so he came and

Lawrence Williams-direct by Barr

1 knocked on the door and asked us about moving the
2 cars. And he said he needed to get his rollback
3 in there so he could get the other two cars that
4 he paid for. I asked him, I said well you can't
5 have the cars, because I didn't authorize; and
6 nobody authorized you to get the case.

7 Q Okay.

8 A Basically he came and he said well, I
9 paid Lawrence for picking up the cars.

10 Q Okay.

11 A I said I am Lawrence. And he showed me
12 Lawrence Brown. I said I am Lawrence Williams.

13 Q He showed you what on Lawrence Brown?

14 A He had a Bill of Sale.

15 Q Yes, sir.

16 A And he had a number on there. I guess the
17 ID number from his license or whatever.

18 Q Yes, sir.

19 A He had all that on there. He showed it to
20 me.

21 Q Hold on for a minute, Mr. Williams. I
22 hand you State's Exhibit No. 2. Is that the Bill
23 of Sale that Mr. Cooper showed you that day?

24 A That's it.

25 Q And it has an address for Lawrence Brown,

Lawrence Williams-direct by Barr

1 268 Marion Church Road in Salters. That's your
2 address?

3 A That's -- I remember it, because this here
4 is taken from Salters zip code.

5 Q Now this zip code says what?

6 A That's a Lane zip code.

7 Q What is the zip code for Salters?

8 A 29590.

9 Q And this is an address -- this is a zip
10 code for Lane.

11 A Yes.

12 Q Now Lawrence Brown, the defendant, never
13 resided at 268 Marion Church Road; did he?

14 A Never did.

15 Q An in terms of some information that you
16 got from his license, you later found out that he
17 had a Lane address; is that correct?

18 A Yes, exactly.

19 Q So he told you that he talked with
20 Lawrence. And you said, no, I am Lawrence
21 Williams. And then he showed you some paperwork.
22 Tell us what happened next.

23 A After he showed me the paperwork, he stood
24 there for awhile, and I told him he wasn't going
25 to get the car. And he tried to call this guy,

Lawrence Williams-direct by Barr

1 because we called the police. And by the time the
2 police would get there, we were hoping that he
3 would come back by. But after he told him that
4 somebody was here in the house, he never showed
5 back up. So he already knew what he had done.

6 Q Okay.

7 A By looking at the paper, he evidently
8 forgot and put his regular zip code on there
9 versus the one that I would.

10 Q You later found out that the vehicle had
11 been towed from Don's Car Crushing?

12 A Yes. Yeah, I---

13 Q I'm sorry?

14 A No, when I told -- well I saw the truck.
15 It was a big advertisement of Don's crushing. So
16 I already knew where it was going.

17 Q That's the truck that Mr. Cooper was
18 driving.

19 A Exactly.

20 Q You saw the business insignia on the side
21 of the truck he was driving.

22 A Yes, that was the logo.

23 Q Did you ever have that vehicle recovered?

24 A Never did.

25 Q Have you ever been paid for the value of

Lawrence Williams-direct by Barr

1 that vehicle?

2 A Never was.

3 Q Sir, tell the ladies and gentlemen how
4 much that vehicle was worth at the time?

5 A Well it wasn't for sale. To me, it wasn't
6 for sale, because 5 months later, I didn't even
7 touch the car. It was a sentimental value to me.
8 My dad just passed. It wasn't even 6 months,
9 clearly. I couldn't put any value on the car, but
10 it wasn't -- I mean that's not why I am here. But
11 I mean the car was in good running condition.

12 Q Okay.

13 A And if I had to sell the car, I would have
14 actually gotten more than what I would, you know,
15 give the guys in book value for what. The book
16 value don't really matter to me.

17 Q Okay.

18 A It's the sentimental value to me. So if I
19 would tell you 1100 is what I would sale the car
20 for, then that's what I would sell the car for.
21 But that's -- it wasn't for sale.

22 Q In your mind and in your heart, that
23 vehicle was priceless, because it belonged to your
24 dad?

25 A It was priceless. Yeah, it was priceless.

Lawrence Williams-direct by Barr

1 Q If there wasn't the obvious sentimental
2 value attached to it, your opinion was that
3 vehicle, you would sell it -- you would offer it
4 for sale for a fair market value would be about
5 \$1,100?

6 A Yes.

7 Q I am going to hand you what has been
8 marked as State's Exhibit No. 3. Is that a copy
9 of the title that relates to that specific
10 vehicle?

11 A It is.

12 Q And did you get this at my request and
13 bring it to my office?

14 A I did.

15 MS. BARR: Your Honor, we would move
16 State's Exhibit No. 3 in evidence at this time.

17 THE COURT: Any objection?

18 MR. CARRAWAY: Without objection.

19 THE COURT: It will be admitted as State's
20 Exhibit No. 3 into evidence.

21 (Certificate of Title marked State's
22 Exhibit No. 3 into evidence.)

23 MS. BARR: Sir, that's all the questions
24 I have. Please answer any questions Mr. Carraway
25 may have.

Lawrence Williams-direct by Barr

1 Cross Examination by Mr. Carraway:

2 Q You were sitting here before lunch;
3 weren't you?

4 A Yes, I was.

5 Q Did you get any insurance information to
6 show that your father had driven that car up until
7 his death?

8 A I did not.

9 Q You did not. You didn't do that?

10 A No.

11 Q Did you know who he had insurance with?

12 A Yes, I do.

13 Q And you, during lunch, you could have
14 gone and gotten that, couldn't you?

15 A I wasn't going to do that.

16 Q You weren't going to do that. You
17 weren't going to come in here. You understand
18 it's your duty to prove that this car is worth
19 over \$1,000. But you weren't going to prove it;
20 right? You we're going to do that.

21 A It wasn't for sale.

22 Q I didn't say that. I said, you weren't
23 going to prove---

24 A He came in my yard.

25 Q Let me finish my question.

Lawrence Williams-cross by Carraway

1 A Okay.

2 Q You weren't going to prove your father had
3 driven this car right up until his death; were
4 you? You weren't going to prove that; were you?

5 A I don't have to answer that; no questions.

6 Q Huh?

7 A I don't have -- I can't answer that.

8 Q You can't answer that. You didn't prove
9 it; did you? You didn't come in here and prove
10 this car -- this car is 24 years; is it not?

11 A Exactly.

12 Q 24 years old. But yet you could have
13 proven that, and you heard what we went through
14 before. You could have proven, it is important to
15 prove the value of a car to show if it is still
16 running; is that right?

17 A Oh, yes.

18 Q But you could have proven if it was still
19 running; couldn't you?

20 A I didn't have to.

21 Q You didn't have to. But you didn't do it.
22 Well do you have any other proof other than what
23 you say; that it was drivable?

24 A I have the deed and title.

25 Q No, that's not saying that it was driven.

Lawrence Williams-cross by Carraway

1 No, listen to my question.

2 MS. BARR: Objection, Your Honor.

3 THE COURT: Mr. Carraway.

4 MR. CARRAWAY: Yes.

5 THE COURT: Let him answer the question.

6 And let him finish your question.

7 MR. CARRAWAY: He's not answering the
8 question. He is answering something else.

9 A You asked me two questions that one time.

10 Q Let me ask you one question. Can you
11 prove that your father was driving that car right
12 until the time of his death?

13 A Yes.

14 Q How?

15 A I have the deed and title.

16 Q That doesn't prove anything. That doesn't
17 prove nothing.

18 MS. BARR: Objection, Your Honor.

19 THE COURT: Mr. Carraway.

20 MR. CARRAWAY: Yes.

21 THE COURT: Argumentative.

22 Q If you had insurance, if you prove that --
23 if you've got a car on the road, you have got to
24 have insurance; don't you?

25 A Exactly.

Lawrence Williams-cross by Carraway

1 Q Okay. You know who his insurance agent
2 id; don't you? If we took a recess right now
3 would you go get it?

4 A No.

5 Q No, because you don't have it. It was not
6 drivable and that's why; isn't that true?

7 A The man has died.

8 Q Huh?

9 A It's his car, I know his car.

10 Q No the question is, did he stop driving it
11 20 years ago, 25 years ago? Or when did he stop
12 driving the car? That's what the question is
13 here. And you heard before; what I asked before
14 and you claim. Here's the thing---

15 THE COURT: Let him answer the question.

16 Q Wouldn't you take a half hour here, and
17 get that proof? Wouldn't you do that? You won't
18 because you can't. You cannot do it. Anybody
19 else to come in here and say he was driving that
20 car? No, I know, because he wasn't.

21 A I can call my brother.

22 Q Call your brother. Why don't you call
23 your insurance agent?

24 A I don't have to.

25 Q Call your insurance agent.

Lawrence Williams-cross by Carraway

1 A I don't have to.

2 Q You don't have to, because you can't. You
3 can't.

4 THE COURT: Mr. Carraway, ask the
5 questions.

6 Q You can't.

7 THE COURT: Any other questions?

8 MR. CARRAWAY: Yes, I've got plenty.

9 Q There are no pictures of that car.

10 A I don't have to.

11 Q No, you don't. I already know the answer.
12 You don't.

13 A Can I answer that for you?

14 Q Yes.

15 THE COURT: One second. Mr. Carraway.

16 MR. CARRAWAY: Yes, ma'am.

17 THE COURT: Ask the question so he can
18 answer the question.

19 Q We are here to determine the value of that
20 car; are we not? Isn't that correct? And the way
21 the car looks has something to do with the value,
22 doesn't it?

23 A Yes.

24 Q And you don't have pictures; do you?

25 A Do you have pictures of my father's cars?

Lawrence Williams-cross by Carraway

1 Q Yes, I do.

2 A You do?

3 Q Yes, I do.

4 A Can I see it?

5 THE COURT: Sir, Mr. Carraway will ask the
6 question and you answer the question.

7 Q Yes. And you had an hour during lunch to
8 go prove all this; didn't you?

9 A I couldn't take a picture.

10 Q Huh?

11 A I couldn't take a picture. It is crushed
12 now.

13 Q You could go look for it. But you don't
14 have any pictures though; do you?

15 A I do not.

16 Q Do you have any independent person to come
17 in here that's aware of that car, to come in here
18 and give an opinion about the value of that car?

19 A I don't have to.

20 Q Do you have a blue book value on that car?

21 A It doesn't matter.

22 Q No. No, you do not; do you?

23 A It doesn't matter to me.

24 Q You do not have it. It doesn't matter to
25 you. Okay.

Lawrence Williams-cross by Carraway

1 A And the reason it doesn't is because my
2 dad's car was stolen out of my yard.

3 Q That's right.

4 A That's big enough.

5 Q That's right.

6 A He wasn't in the ground 6 months. So no,
7 I don't have to worry about the insurance. I
8 don't have to worry about the pictures. I don't
9 have none of that. He shouldn't have come on my
10 property.

11 Q No. You came here to prove the value of
12 that car based on your report. You could have,
13 and you didn't because you can't. And you are
14 exactly right. The guy has no business coming in
15 your yard to do anything. That's your -- or it's
16 your daddy's yard or whatever. But even more so.
17 And what you believe here; is that, he knew your
18 dad, knew that your daddy passed away and no one
19 was staying at that house. That's what you
20 believe. Do you know him?

21 A I don't know him.

22 Q You don't know him. Does he live far from
23 you?

24 A I guess. My man said 8 miles so....

25 Q But for some reason he knew that nobody

Lawrence Williams-cross by Carraway

1 was living at that house. And that somebody had
2 passed away. I don't know whether he knew that.
3 But he knew nobody was living at the house. And
4 that's why he came there and took, went on
5 property that didn't belong to him. And took
6 something that didn't belong to him; isn't that
7 right?

8 A He also said his father passed.

9 Q Pardon?

10 A He also said his father passed. So he was
11 impersonating me---

12 Q Well---

13 A ---from the beginning.

14 Q ---whatever he did is dead wrong.

15 Stealing is what it is. And he is a thief is what
16 he is. He stole something that didn't belong to
17 him. And acted like to this man who came up here,
18 like this was his or whatever.

19 A Yes.

20 Q And there is no question about that.

21 A The car wasn't for sale.

22 Q Pardon?

23 A It just wasn't for sale. I mean you can't
24 put a book value on it or anything.

25 Q Yeah.

Lawrence Williams-cross by Carraway

1 A But if it's not for sale, it doesn't
2 matter to me.

3 Q You heard the guy that picked the car up
4 describe that car as junk; didn't you?

5 A That's what he said.

6 Q That's what he said.

7 A Yes.

8 MR. CARRAWAY: I don't have any further
9 questions.

10 THE COURT: Yes, ma'am, Ms. Barr.

11 Redirect Examination by Ms. Barr:

12 Q Mr. Williams, just a couple of follow-up
13 questions. Mr. Carraway asked you whether or not
14 you knew the blue book value of the vehicle.

15 A Yes.

16 Q I need you to say yes or no for the
17 record.

18 A Yes.

19 Q And did you in fact look to try to
20 determine what the blue book value if any your
21 vehicle was?

22 A I did.

23 Q And what is the minimum retail value of
24 that vehicle? An 87 Ford?

25 A \$1,080.

Lawrence Williams-redirect by Barr

1 Q And if it was in pristine prime condition
2 what would be the retail value today?

3 A \$2,678.

4 Q \$2,678.

5 A Yes.

6 MS BARR: That's all the questions I have.

7 Recross Examination by MS. BARR:

8 Q The car is not running. Did you hear what
9 that man, said? The car is not running, it's
10 junk? It's junk. Is that what was said?

11 A Nah, I didn't hear that.

12 Q But is that what he said?

13 A He also stated this is a car that he had
14 never run. He just saw it parked for awhile. The
15 car was running. He didn't pick the car up. The
16 car was actually running. He didn't have a key to
17 crank it. He pulled it in with his rollback with
18 a chain. He didn't no whether it was running or
19 not.

20 Q Okay. You could have proved that it was
21 running. If it was running, you could have proved
22 it. You could have proved it; couldn't you?
23 Couldn't you prove it?

24 A I didn't have a choice. It was crushed.

25 Q Right. You could have proved by---

Lawrence Williams-recross by Carraway

1 A It was crushed.

2 Q No, listen to me. You could have proved
3 by getting insurance information that your father
4 provided---

5 MS. BARR: Judge, asked and answered.

6 Beyond the scope of recross.

7 THE COURT: Sustained.

8 MR. CARRAWAY: I have no further
9 questions.

10 THE COURT: Sir, you may step down.

11 Deputy Hayes, Being first duly
12 sworn, testified as follows:

13 MS. BARR: We would call Deputy Lloyd
14 Hayes.

15 Deputy Lloyd Hayes, being
16 first duly sworn, testified as follows:

17 Direct Examination by Ms. Barr:

18 Q State your name for the record.

19 A Deputy Lloyd Hayes.

20 Q And how are you doing this afternoon.

21 A Good.

22 Q Tell the ladies and gentlemen of the jury
23 where you work?

24 A I work with the Williamsburg County
25 Sheriff's Department.

Deputy Hayes-direct by Barr

1 Q And what do you do there? Are you a law
2 enforcement officer?

3 A Yes, ma'am. I am a sheriff's deputy.

4 Q And how long have you been employed with
5 the county, the Sheriff's Office?

6 A Four years.

7 Q Now, sir, you were working back on April
8 29th of 2010?

9 A The 30th it was.

10 Q The 30th, I'm sorry. I got you. You came
11 in the next day.

12 A Right.

13 Q Did you participate at all in
14 investigating the stack of vehicles belonging to
15 the Williams'?

16 A Yes, ma'am, I did.

17 Q And you came out and spoke with Mr. Dakota
18 Cooper.

19 A Yes, ma'am.

20 Q And he was the gentleman who testified.
21 The first witness in this case.

22 A Right.

23 Q In addition, did you happen to speak with
24 either Lawrence Williams, or his uncle regarding
25 the case?

Deputy Hayes-direct by Barr

1 A I spoke with Lawrence.

2 Q Now at some point, the case was being
3 assigned to investigate; is that correct?

4 A Yes, ma'am.

5 Q And as a result of the investigation, the
6 defendant, Lawrence Brown, III, was arrested and
7 charged with two counts of grand larceny.

8 A Yes.

9 Q Now the individual who is identified in
10 State's Exhibit No. 1, is that the same individual
11 who was arrested and booked in to the Williamsburg
12 County jail?

13 A Yes, ma'am, it is.

14 Q And that is the defendant Lawrence Brown.

15 A Yes, it is.

16 MS. BARR: That's all the questions I
17 have. Please answer any questions Mr. Carraway
18 has for you.

19 THE COURT: Yes, sir, Mr. Carraway:

20 Cross Examination by Mr. Carraway:

21 Q You never saw any of these cars; did you?

22 A No, sir.

23 MR. CARRAWAY: I don't have any further
24 questions.

25 THE COURT: Anything else from the state?

Deputy Hayes-cross by Carraway

1 MS. BARR: No. Your Honor, that is the
2 state's case.

3 THE COURT: Thank you. Ladies and
4 gentlemen of the jury, at this time, there are
5 some matters of law that we need take up. I am
6 going to send you back into your jury room to
7 refresh yourselves and bring you back out shortly.
8 And Remember that you are not supposed to talk
9 about any testimony that you've heard so far while
10 you are in there. I am going to send you to your
11 jury room. Thank you.

12 (Whereupon, the following takes place
13 outside the presence of the jury.)

14 THE COURT: Anything from you,
15 Mr. Carraway?

16 MR. CARRAWAY: I don't have anything right
17 now. I would like a break, a 20-minute break.

18 THE COURT: A 20-minute break?

19 MR. CARRAWAY: Yes, ma'am.

20 THE COURT: I will give you 10 minutes,
21 Mr. Carraway. We will take a 10-minute break.

22 (Whereupon, court takes a 10-minute
23 break.)

24 (Whereupon, the following takes place
25 outside the presence of the jury.)

1 THE COURT: Are we ready to proceed with
2 this case?

3 MR. CARRAWAY: We are ready.

4 THE COURT: The State has rested. And
5 Mr. Carraway, do you wish a make a motion for a
6 directed verdict?

7 MR. CARRAWAY: I make a motion for
8 directed verdict. The main reason is, they
9 haven't come in here and proven anything. All
10 they have done in here is come in here and talk.
11 They haven't come in here and put any documents up
12 which were available, to prove any of their
13 assertions or whatever. So for that reason, I
14 would ask that a verdict be directed at this time.
15 If what they were saying is true, they could have
16 easily proven it. They didn't because they are
17 not telling the truth about whether these cars
18 have been driven in the last 10 or 15 years.

19 THE COURT: Yes, ma'am. Anything in
20 response?

21 MS. BARR: Well, judge, I think that is an
22 argument that Mr. Carraway is free to make to the
23 jury. We would submit there is testimony as to
24 the value of the vehicle is evidence from which
25 the jury can infer. And the amount of the

1 vehicles from defendant's standpoint; that's the
2 only thing they did not refer; is obviously a fact
3 the jury has to decide.

4 THE COURT: Okay. Well I am respectfully
5 deny the motion for a directed verdict. Of
6 course, that I believe it goes to the weight of
7 the evidence. And, Mr. Carraway, I am sure you
8 are going to argue that to the jury. Are we --
9 also the law states that an owner of personal
10 property provide an estimate of reasonable value
11 of that personal property. And for that reason, I
12 am denying your motions. I believe we are ready
13 for closing arguments. We will hear from.

14 I'm sorry, anything from the defense?

15 MR. CARRAWAY: Nothing from the defense,
16 and I am ready for closing arguments.

17 THE COURT: Yes, sir.

18 MR. CARRAWAY: Defense rests.

19 THE COURT: Other than the standard jury
20 charges, does either side have any other request
21 to charge?

22 MS. BARR: Your Honor, do you in charging
23 the jury, as the owner's right to give an opinion
24 about the value of personal?

25 THE COURT: Yes, ma'am. That's a required

1 charge.

2 THE COURT: Anything additional from you,
3 Mr. Carraway?

4 MR. CARRAWAY: No, Your Honor.

5 THE COURT: Bring them own.

6 (Whereupon, the following takes place
7 within the presence of the jury.)

8 THE COURT: Madam Forelady, is everything,
9 is everyone okay?

10 THE FORELADY: Yes.

11 THE COURT: At this time, the state has
12 rested. As we explained to you in the beginning,
13 if the defendant wishes to present evidence he can
14 present evidence. He can present evidence;
15 however, the burden is upon the state to prove his
16 guilt beyond a reasonable doubt. Mr. Carraway,
17 will you be presenting any evidence now on behalf
18 of---

19 MR. CARRAWAY: The defense rests.

20 THE COURT: The defendant has rested at
21 this time. We will have closing arguments from
22 first Ms. Barr, and then we will hear from
23 Mr. Carraway.

24 MS. BARR: Madam Forelady and Ladies and
25 gentlemen of the jury, good afternoon. One of the

1 things I learned in law school my, one of my
2 professors told me when we were doing preparations
3 for trial, he told me never make a promise to the
4 jury that you can't kept. So, I'm often mindful
5 that when I get up and I say, "We're not going to
6 be long." I always hope and pray that I can keep
7 that promise. And I'm satisfied today that I was
8 able to keep that promise.

9 However again, and I can't stress to you
10 how important it is, that even though the trial
11 wasn't very long, it is a serious case. Mr. --
12 both Mr. Williams' waited a whole year to come in
13 to court and get their justice today. And they
14 certainly want you to deliver justice in this
15 case. Do you remember when I started off the case
16 telling you what the state has to prove?
17 Obviously two charges; that you have to consider
18 each of them individually for grand larceny.

19 And what I wanted to expound on was that
20 in order to find this defendant guilty of two
21 counts of grand larceny, you have to prove that
22 there was a taking. In other words, he took or
23 aided and abetted somebody in taking property that
24 belonged to another person. Two, that the taking
25 was without consent. Obviously the victims that

1 testified in this case, they didn't know anybody
2 was coming to the house, and certainly didn't give
3 anybody permission to take their vehicles.

4 Another element of grand larceny is that
5 we have to show that when the individual took the
6 property he did so with the intent to permanently
7 deprive the true owner of the use of that
8 property. It would be a different situation then
9 if the defendant had come, took the vehicle, took
10 it for a joy ride -- they'll take it for a joy
11 ride, and then they'll bring it back. That's not
12 grand larceny. Because that's not -- you're not
13 permanently intending to deprive the owner.

14 However, when you take a car and you have it towed
15 to a place where it can be crushed, i.e.,
16 prohibiting them from ever using it again, that's
17 an intent to permanently deprive the true owner.

18 The last element that we have to prove in
19 this case is that the value of the property
20 exceeds a \$1,000. Now as you all probably can
21 tell from the tone of the cross examination, the
22 real issue that is going to be before you, is the
23 value of those vehicles. When both of the
24 Williams' were testifying, the defense lawyer
25 hounded them and went after them. And my

1 co-counsel kind of leaned over and said, "Well
2 goodness, who is on trial today." And you would
3 think that it was the victims. And how dare these
4 victims so goes the defense, to come in to court
5 and say that these vehicles were worth more than
6 \$1,000.

7 Mr. Carraway he and I have tried a number
8 of cases together. And I can anticipate that he
9 is going to get up there and say, "Oh, they were
10 junk cars." That's what the driver said. They
11 were junk. They weren't worth that much money. I
12 am going to tell you, folks, that really makes me
13 angry. How dare somebody come on to somebody
14 else's property; steal their vehicles, and then
15 want to come in here and assert how much it is
16 worth.

17 I remember a time I was trying another
18 criminal case, and the defendant charged, had ran
19 into another vehicle and had left the scene of
20 that accident. And it caused a good little bit of
21 damage to the vehicle. Well the defendant left
22 the scene. They later arrested him. He came back
23 and talked with the owner, and said, "Listen, you
24 know, I don't want my insurance to go up. If we
25 can work something out, I will get your vehicle

1 fixed."

2 And my victim said, "Well, okay, I am not
3 trying to hurt you, I will do that. You just pay
4 to get my car fixed. I am trying to get any
5 extra." So my victim goes out and gets an
6 estimate. Comes back and says "Listen, this is
7 how much it is going to cost to fix it." The
8 defendant didn't want to pay that. He basically
9 wanted to take my victim's car to the person; some
10 little shade tree mechanic. Somebody who could do
11 it for 2 or \$300 and basically get off the hook.
12 And that's exactly what Lawrence Brown is coming
13 in here and trying to do.

14 He basically or the defense's notion; is
15 that, well I don't think the vehicles were worth
16 that much money. Well they probably weren't to
17 him. But, Ladies and gentlemen of the jury, the
18 judge is going to tell you, the owner of personal
19 property has the right to come in here, get on
20 this witness stand and tell you how much his
21 property is worth. And that is competent evidence
22 that you can consider. And when you think about
23 it, when you honest to God think about, who has
24 the better idea? Who knows better how much the
25 property is worth than the person who owns it?

1 Not the person who steals it, but the person who
2 owns. You don't get the benefit of coming and
3 stealing somebody else's property and then
4 dictating how much it is worth.

5 And then he talks about -- you heard about
6 Mr. Lawrence Williams tells you, you know, to me
7 it was priceless. You know, if I had to sell it,
8 I would say it's about \$1100. But it wasn't for
9 sell. That belonged to my dad. And my dad wasn't
10 in the ground 6 months. So it's priceless to me.
11 So Mr. Carraway goes on and on and on. Oh well
12 you don't know how much the value is. You don't
13 know how much the blue book value. And he says, I
14 don't care how much that is. This is my property.

15 And so I asked him, I said, "Sir, did you
16 actually look up and see how much the blue book
17 value in the vehicle." And he said, "Yeah, the
18 least amount of it is worth \$1,080. That
19 corroborates his testimony. He said it was worth
20 about \$1100. And I am going to tell you one thing
21 quite frankly, and it is a separate issue but it
22 is an issue that I have to deal with. One thing
23 that sticks in my crawl a little bit, and this
24 deals with the driver.

25 You know the idea that somebody can just

1 pick up this phone, and say, "Oh there is this
2 vehicle." Just call somebody and say, and "Oh by
3 the way, this is my vehicle." Can tell an out and
4 out lie. And that's all it takes? That somebody
5 can come to your house and take your car? And you
6 not even be aware about it. My sister was driving
7 my vehicle one time and got a flat tire, and got
8 stuck in Gaffney, South Carolina. Well we had
9 Triple AAA. And I call Triple AAA out to get the
10 vehicle. Now this is my vehicle. I have triple
11 AAA. And wouldn't come out and tow the vehicle
12 unless I was there.

13 I had to have my driver's license. I had to
14 have registration. And proof of ownership. And that's
15 just to tow my own vehicle. But the idea that somebody
16 can come and take your vehicle, and not ask for
17 registration, not ask for a title, and it's just gone.
18 And, you know, I look, some of the simple things that
19 you look at.

20 Write this address down for the home where the
21 vehicles were taken. Mr. Williams testified that that
22 is not a close assumption. Now, folks, these drivers
23 that are going back and forth all over Williamsburg
24 County and all over the state pulling cars from this
25 place and that place. It wouldn't have taken a quick

1 second to look and say, wait a minute, there is not
2 something quite right about this.

3 And then they were gone. And the vehicles were
4 crushed that quick. That doesn't take a whole lot of
5 time. But aside from the fact that the driver, they
6 were diligent. It does not negate the fact that this
7 defendant committed a criminal act. Now some of us
8 work every day, and spend our money, especially in this
9 day and age, you have to be real careful about how you
10 spend your money. But we have to sometimes not always
11 get what we want to get, because we can't afford it.
12 But for most of us, we work hard for what we get.

13 We don't want -- we don't take anything that
14 doesn't belong to us. And we don't expect anybody to
15 take anything from us. But this defendant doesn't care.
16 And it really makes me believe that he was really
17 calculating, because he knew the victims. He knew
18 enough to know that Lawrence Williams' dad had died
19 recently. And just to think the level of lies that the
20 defendant took to carry this off. "Oh, my dad died.
21 And we've got all there cars out here. I've got my
22 three sisters, and they won't help me. So I am trying
23 to clean all this place up."

24 And the guy said, and he realizes that the
25 address is different. And he says "Oh, we are just

1 moving. I am in the process of getting that paperwork
2 straight." This wasn't a spur of a moment decision.
3 This was planned. But apparently Lawrence Brown knew
4 when Lawrence Williams wasn't at home. He knew when he
5 came back. And I would submit to you, the driver came
6 around the same day the next day. Lawrence Brown wasn't
7 planning on Lawrence Williams being there. And I can
8 promise you that if Lawrence Williams hadn't been at the
9 house that day, we would have more cars stolen.

10 When we come in to this courtroom, we come
11 obviously seeking justice. Mr. Carraway can argue
12 all day long. There are no pictures. There are
13 no pictures. There is no insurance papers. As
14 far as I am concerned, it really doesn't matter a
15 hill of beans whether the car was driven the day
16 before it was taken or a year before it was taken.
17 I don't care. It doesn't matter to me. It wasn't
18 his car to take. That's all that the law
19 requires. It was not his car to take. We know
20 that the car, Mr. Lawrence's Williams' car had not
21 been driven in a while because his dad had been
22 deceased for 5 months.

23 When the defense lawyer starts talking about,
24 you don't have any pictures of this and you don't have
25 any pictures of that. I started thinking about it,

1 golly, I have had my car this summer will be 6 years.
2 And I started thinking in my mind, I said, I don't have
3 one single picture of my vehicle. But what does that
4 matter, folks. The only reason he threw that out there
5 is, that it is a red herring. So you all can sit there
6 and think, oh, yeah, he didn't a have picture of a car.
7 But the question you have to ask yourselves is: Did he
8 steal it, and was it worth more than \$1,000.

9 And we would submit to you, Ladies and
10 gentlemen, that the answer to both of those questions is
11 yes. We would further submit to you that justice as we
12 get to a verdict is required in this case. We only ask
13 you to speak the truth in your verdict. And, folks, the
14 only truth that can be spoken in this case is by
15 returning a verdict of guilty on both counts. And I
16 implore you all to do just that. Thank you so much.

17 THE COURT: Thank you. Mr. Carraway.

18 MR. CARRAWAY: Lawrence Brown is a guy I
19 know. I just know him. I'm not married to
20 Lawrence Brown. I come in here speaking the truth
21 of what happened here. And the truth of what
22 happened here is my client, he's like a lot of
23 people in this county right now. They get up
24 every day and they drive around and they look
25 around for metal or cars or whatever, out in

1 somebody's yard. And all they hear about is, all
2 right, I see these cars that have been sitting
3 here. And then they perhaps aren't being driven
4 or whatever.

5 And now this house. And is somebody staying at
6 this house. All you have got to do is come by a house
7 at 7 or 8 o'clock at night and see if their lights are
8 on. I don't know whether he knew these guys or their
9 father. But what he did know, and this is 8 miles from
10 his house. I would suggest maybe he didn't know that.
11 But what he did know was, somebody is not staying here.
12 Because I am going to come back three or four nights,
13 and I am going to look and see if there are any other
14 cars pulling up at that house or if there are any
15 lights.

16 So after going by there for four or five days,
17 he was sure nobody is living here. Or somebody has gone
18 off here. And somebody hasn't come back. I don't know
19 how exactly or whatever. But nobody is living at the
20 house. These fellows just came back. They had -- this
21 fellow had, I guess he had electricity at the house
22 because they were playing music there. But he doesn't
23 live there. So that is what happened. And that is the
24 truth as to what happened. And he came there, and he
25 lied. And people are picking everything up that is not

1 nailed down and taking it to these businesses that
2 require almost nothing here. And then in one day they
3 crush this.

4 You know, you could have gone away to the beach
5 for a week. And you could have left a 2002 Explorer in
6 the yard. And then you could come back and the same
7 thing would have happened. It would be gone. Somebody
8 would come and pick that up. And it would be crushed
9 and gone, and you are still out there or whatever. So
10 I'm not here -- I'm here telling straight truth. I'm
11 not here trying to take up for my guy. Yeah, they
12 didn't say anything good about my guy. Nothing. But
13 what the crime is here, and I know there are some
14 verdicts you've got to look at the truth. And sometimes
15 you have got to hold your nose about it. My guy is the
16 bad guy. These guys are the good guys. There is no
17 doubt about that. But, they bear the burden.

18 Ms. Barr talks about all this, that and
19 the other or whatever here. The only truth is,
20 Ms. Barr is a terrific lawyer. The proof was
21 there as to whether this car had -- the last time
22 these cars have been driven. Let me tell you what
23 the real deal is here. You get a -- this is a
24 Taurus and a Chevrolet. These weren't particular
25 -- these were just your average cars from 1987

1 through 1989. What happens there -- I've got a
2 1993 car, ten years ago and I was going to keep
3 driving that car. I put a whole new engine in
4 that car. And not only an engine, but I replaced
5 everything under that hood for \$7,000. I got a
6 whole new engine. You had to replace everything,
7 because things wear out in a car. This was a
8 bigger engine. A very big engine; a stronger
9 engine of whatever.

10 But what happens is, you have gaskets which are
11 rubber between pieces of machinery. When those gaskets
12 go, you get leaks and everything. What really happens
13 here is, you can't fix these cars. It's not worth
14 fixing these cars. You're not going to go to a junk
15 yard and find one of these cars there. You can't find
16 parts for them or whatever. And I would suggest to you
17 or whatever, and I got on that first guy up there or
18 whatever. You may think oh, he's taking -- I'm just
19 trying to find out the truth. I was giving this guy
20 every chance to go. He said I know where my daddy had
21 his car insurance. I know where it was.

22 Boy I know I tell you, this guy would love to
23 say, well, I hope that cat asks me "Have you got this
24 insurance about your daddy." I am going to cram this
25 down Mr. Carraway's throat. "I have got it right here.

1 Yes, I do have this. And I can show you right here
2 where it was." But I know and you know and everyone of
3 you knows, they are not telling at all about these cars,
4 about how much they drove them or nothing. Because they
5 could have proven it. Forget about the pictures.
6 Everybody doesn't keep pictures. But once I said, I
7 know it was important as to what the value of the car
8 is, how long has it been sitting there.

9 It's just like the guy that came to pick it up.
10 It's really turns in to, if you're not driving it and
11 it's sitting in your yard, it's junk. That T.V.; that
12 the picture tube burned out about 10 years ago, and it's
13 got a beautiful console. And you -- I'm not saying any
14 of you all have got it. But if you go over to
15 somebody's house there is a portable one sitting on the
16 docket. The key, get rid of that T.V. there. It looks
17 like good furniture, but it's not really. It's not, and
18 you're not, you can't even fix the T.V. And what you go
19 by is the actual value.

20 I submit to you that these cars haven't been
21 driven in 10 years. One car was 24-years-old. One car
22 was 22-years-old. And it gets to point where you can
23 fix one thing. But what you have is the hoses, and all
24 these other things break down. And it's just not
25 practical. And it looks pretty good, and you always

1 think well I might do something with this. Because one
2 of the cars was burgundy. And you might think, gosh,
3 that's a pretty car or whatever here. And I think one
4 of them they mentioned something about they had some
5 interest in Helen's recycling or some relative or
6 something involved. They knew something about that or
7 whatever.

8 But, you know, you just, you know, you're going
9 to fix something but you don't fix things. I've got a
10 neighbor, I'm not going to mention who it is. But I was
11 cleaning up some stuff next to my property. And I said,
12 you know, there was a bicycle sitting there. All rusted
13 up, just twisted around and all that. I said do you
14 want me to fix that. And he said, no, my wife is
15 thinking about getting that fixed. I said, that bike
16 was so old or whatever, you would have had to -- you
17 would have had to, I don't know, you could have bought
18 one for a 1/10th of what you could have fixed that bike
19 for.

20 And that's what all we're here about, is the
21 truth of the value of that. You know, these guys
22 deserve whatever. But the law says and the judge will
23 give you, they have to prove to you that this value was
24 over \$1,000 or whatever. And I like these guys, you
25 know. You don't even know my guy. You would -- if you

1 knew him you might like him even less or whatever. But
2 I can tell you, these are good guys. But we are talking
3 about the truth. Have they come in here and told the
4 truth about that car? That isn't even close to the
5 truth about it. Because the second guy could have come
6 in here. And he claimed my daddy is driving that car
7 right up to the end. And I know they let me go by
8 there. It's just been a year. Let me go by there. I
9 hope that guy asks me has my daddy been driving that
10 car. A 22-year-old car. A 24-year-old car.

11 They weren't drivable. And once it gets to that
12 point where a car, you know, once a 24-year-old car sits
13 for a couple of years, it's not ever unless it's some
14 real sporty car or whatever. It's a mustang or
15 something else, somebody may put some money into it and
16 say, I'll have something if I get this painted; some
17 tires on it. Get a new engine on it. Get it painted
18 up. You know, fix that top, fix that interior. I'll
19 have something I like to drive around. But they're not
20 many cars like that. It's just, there just aren't many
21 around. And these weren't like that.

22 You can talk about whatever. I agree with
23 Ms. Barr about everything about people going around
24 picking up stuff. And what my guy did was
25 reprehensible. You haven't heard me say anything about

1 anything he's got in writing. The one thing is, if she
2 would have proven; she heard, if she would have proven
3 that these cars had been driven, that has something to
4 do about the value of it. You may think well, the law,
5 they would have gotten Mr. Carraway. I just wanted to
6 reveal the truth. If that's the truth that that man was
7 driving that car for them, that does indicate that it
8 has got some more value. There's no doubt about it.

9 You might say, oh, Mr. Carraway, he's upset.
10 I'm not upset. If that's the truth then that's what
11 they deserve. That's what they deserve there. But it's
12 not the truth. And they can't show anything about; that
13 these cars were driven five or six years.

14 And they aren't but what the actual value
15 is; which is, if you can tell what you may think
16 it's worth. Here's the other thing. They aren't
17 -- you can't take them to a junk, they're not
18 worth but what the actual value is. You can tell
19 what you may think it's worth.

20 Here's the other thing. Now did anybody
21 believe the blue book or whatever the value?
22 Anybody knows that blue books go back to 2003.
23 Anybody knows that. Now if he had those figures;
24 he had through lunch. If he had that, wouldn't he
25 have shown it to you? So that's, and people don't

1 like to hear this word. But in the dictionary, a
2 word has a meaning. A lie is something you tell
3 that you know is not true. That's what he did.
4 He lied. He lied about it. If his daddy had
5 driven his car like he said up until March or
6 October of 2009, after hearing me tell this guy,
7 he would have gone, I would have guaranteed you.
8 I would have gone during this hour.

9 He said, oh, I didn't have to do that or
10 whatever. He didn't do it because he couldn't do
11 it. And he doesn't want to hear about, but he's
12 lying about it. Just like my client, lied and
13 lied and lied and lied. Telling that man that he
14 owned those cars. And come on over here, and sign
15 up doing that, he lied. That is what a lie is.
16 If you don't like it, a lie is when you tell
17 something that is not true. And he may not have
18 been telling the truth. And I know you like those
19 guys. And I know you're sitting over here, golly,
20 I don't like this guy over here. I don't
21 particularly like this guy either. And I like
22 these guys. But they're not telling the truth.
23 That's what the truth is.

24 My client is guilty of stealing those cars. And
25 it's something less than \$1,000. Whether it's 250 or

1 240, or 230 or whatever was paid there. Because you
2 can't take cars that are old to a junk yard because they
3 are used parts. They want to sell the parts or
4 whatever. And there is no market for parts for cars
5 that old. You can't do that. What you see mostly in
6 junk yards are wrecked cars which are somewhat new that
7 have a lot of different parts. They ain't wrecked all
8 over. They are wrecked on this side. And they ain't
9 wrecked -- they are wrecked on the driver's door, but
10 they are not wrecked on the passenger door. And
11 somebody needs that. But there are a lot of parts that
12 you can use. There's a need for that or whatever. For
13 those parts.

14 But really the value of this car is
15 probably close to what those guys got here or
16 whatever. And I'm not going to suggest to you.
17 And we've all had neighbors that have driven
18 through places. And we've said, somebody needs to
19 get that car out of the yard or whatever. That
20 looks junky. They don't live out in the country.
21 That doesn't make any -- these fellows I think
22 live out in the country. This is their property.
23 They don't live in town.

24 When you live in town, you need to keep
25 your house and your yard straight for your

1 neighbors. These guys live out in the country.
2 They can do whatever they want to do. And I
3 didn't get the idea that this was any grown up
4 situation; grass grown up, rusted out. And people
5 coming by, oh, man, this is what is horrible or
6 whatever here. Whatever it is, when you live out
7 in the country and you own a lot of acres, which I
8 think these guys did. You can do whatever you
9 want to do. It's nobody's business to come on
10 your property and steal what you've got there
11 whatever it is.

12 My client has always admitted, and he probably
13 admitted because he had to because he got caught or
14 whatever. To be frank, but he's admitted that he had to
15 admit that he stole them or whatever. And that's what
16 he did, he stole them. He's a thief. He went in
17 somebody's yard and stole something that belonged to
18 them. And he needed to stay out of that yard, and not
19 steal or whatever. And I don't, the truth of the matter
20 is, the only thing we disagree on, and they've got to
21 prove this. And I think we know deep down, they ain't
22 been driving these cars. Because they could have proven
23 that. The insurance information; they could have gone
24 and done that. They could have shown. That would have
25 shut me up and that would have been fine.

1 It would have shown not only them; my daddy
2 drove that car in 2005, 2006. He paid insurance in
3 2007, 2008, and in 2009. Hey, we wouldn't be arguing
4 with you here. I would have sat over here, and after
5 Ms. Barr finished, I would say if somebody is driving a
6 car, I don't know what it's worth. I think it's worth
7 \$1,000 somebody driving a car. Somebody is doing that.
8 They must have it. And if somebody paid that insurance
9 to drive it or whatever, I believe that. But if they're
10 not being driven, you let a 24 year old car sit for
11 three or four years. And I don't think those cars were
12 driven in 10 or 15 years.

13 He never showed who he brought that car from.
14 He never presented any Bill of Sale or anything about
15 that. You may say that is not important or whatever.
16 They could have proven they had those cars in this case.
17 Even if those cars had been on the road in the past
18 5 years, they had ample time to prove that fact. And
19 that would have been enough for me. And I'm worried
20 about it. If they had proven it. Don't get the idea,
21 oh, I'm upset. I'm not upset. That's what I want to
22 know. And I want you all to know. But they ain't been
23 driving those cars. They ain't been driving them. This
24 guy said one of them was junk. And the other one looked
25 like it could have been drivable. He's in here to help.

1 He's sure leaning that way or whatever. But that's the
2 fact of the matter. And for that reason, my client is
3 guilty. He is guilty of whatever they charge him with;
4 going in that yard trespassing, and doing whatever,
5 stealing out of that yard. And he's guilty. But the
6 value is not \$1,000 is what I would suggest.

7 And they have the burden of proving it. And
8 they could have easily done it. And they didn't do it,
9 because it's not -- they could have done it if they
10 weren't driving; they could have proven that. But they
11 weren't. And that is just the fact of it. And that is
12 the truth, and that is all I am looking for; is just the
13 truth. The only question is the value of the car.
14 Everything else they said about my guy is true. But
15 the value, they weren't worth that much. They were
16 worth about what that guy paid, \$250-\$230. And I,
17 that's just a fact. That's what you all are supposed to
18 do; not being swayed by sympathy here. My guy is a bad
19 guy. These guys are good guys. The truth is, the cars
20 are not worth \$1,000. They have the burden of proving
21 that they could have been, and they weren't. Thank you.

22 THE COURT: Thank you, Mr. Carraway.
23 Ladies and gentlemen of the jury, under the
24 constitution and laws of South Carolina, you are
25 the finders of facts in this case. I do not have

1 any matter solely for you the jury to determine.
2 As jurors then, it is your duty to determine the
3 effect, the value, the weight, and the truth of
4 the evidence presented. You are also the judges,
5 the sole judges, of the credibility; this is, the
6 believability of the witnesses who have testified,
7 and the evidence in this case.

8 In passing upon the credibility you may take
9 into consideration many things; such as, whether the
10 witness had reason to be biased or prejudice. And
11 whether the testimony was contradicted on the one hand
12 or supported or corroborated on the other hand. You may
13 believe a small portion of a witness' testimony and
14 disregard the larger or vice versa. You may believe one
15 witness against many or many against one. All these
16 things you will consider bearing in mind that you should
17 give the defendant the benefit of any reasonable doubt.
18 It becomes your duty as jurors to analyze and to
19 evaluate the evidence which convinces you of its truth.

20 Our state law provides that a defendant may
21 voluntarily waive his right to be present and may be
22 tried in his absence upon a finding by the court that
23 this person has received notice of his right to be
24 present, and that a warning was given that the trial
25 would proceed in his absence upon a failure to attend

1 the court. The court has made such a finding in this
2 case. That fact, the fact that the defendant is not
3 present however, should not be considered by you in any
4 way during your deliberations.

5 As the trial judge, it is my responsibility to
6 preside over the trial of this case and to rule upon or
7 pass upon the admissibility of the evidence offered
8 during this trial. You are to consider only the
9 testimony of the record. I have the additional duty to
10 charge the law applicable to this case. And as the
11 presiding judge, I am the sole judge of the law of this
12 case. It is your duty as jurors to accept and apply the
13 law as I now state it to you, and then reach your
14 verdict.

15 And finally I charge you in this regard that you
16 should not be concerned with what you think the law
17 ought to be, but what I charge you the law is. The fact
18 that a defendant was arrested, charged and indicted is
19 not evidence in this case, and cannot be considered by
20 you as evidence of his guilt. Nor does it create any
21 presumption or inference of guilt. This indictment is
22 simply the formal written instrument which contains the
23 charges made against the defendant. The indictment is
24 the formal document by which this case is brought in to
25 court.

1 : The defendant has pled not guilty to the charges
2 in this indictment. And that plea puts the burden on
3 the state to prove the defendant guilty. A person
4 charged with committing a criminal offense in South
5 Carolina is never required to prove himself innocent. I
6 charge you that it is an important rule of the law that
7 a defendant in a criminal trial no matter what the
8 seriousness of the charge may be, will always be
9 presumed to be not guilty of the crime from which the
10 indictment was issued unless guilt has been proven by
11 evidence satisfying you of that guilt beyond a
12 reasonable doubt.

13 This presumption of innocence does not end when
14 you begin your deliberations. But it accompanies the
15 defendant throughout the trial until you reach a verdict
16 of guilt based upon the evidence satisfying you of that
17 guilt beyond a reasonable doubt. The presumption of
18 innocence is like a robe of righteousness placed upon
19 the shoulders of the defendant which remains with the
20 defendant until it has been stripped from the defendant
21 by evidence satisfying you of the defendant's guilt
22 beyond a reasonable doubt. The presumption of innocence
23 is not mere legal theory. It is not a mere legal
24 phrase. It is a substantial right to which every
25 defendant is entitled unless you the jury are satisfied

1 from the evidence of the defendant's guilt beyond a
2 reasonable doubt.

3 The state must prove the defendant guilty beyond
4 a reasonable doubt. So what is a reasonable doubt in
5 the law? A reasonable doubt is a doubt which makes an
6 honest, conscientious juror in search of the truth in
7 this case to hesitate to act. Prove beyond a reasonable
8 doubt must therefore be proof of such a convincing
9 character that a reasonable person would not hesitate to
10 rely and act upon it in the most important of his or her
11 own affairs. Proof beyond a reasonable doubt can also
12 be described as proof that leaves you firmly convinced
13 of the defendant's guilt.

14 Now there are very few things in this world that
15 we know with absolute certainty. And in a criminal
16 case, the law does not require proof that overcomes
17 every possible doubt. If based on your consideration of
18 the evidence you are firmly convinced that the defendant
19 is guilty of the crimes charged, you must find him
20 guilty of the crimes charge. If on the other hand you
21 think there is a real possibility that he is not guilty,
22 you must give him the benefit of the doubt and find him
23 not guilty.

24 I instruct you and emphasize to you the fact
25 that the defendant did not testify is not a factor to be

1 considered by you in any way in your deliberation and in
2 your consideration of the guilt, or to be considered by
3 you in any manner whatsoever. A defendant has a
4 constitutional right to remain silent. And the
5 assertion of his right must not be considered by you in
6 your deliberations. I repeat, under your oath you are
7 to draw no conclusion whatsoever of the fact that the
8 defendant in this case did not testify. The fact that
9 this defendant did not testify should not even be
10 discussed. The burden of proof as I stated to you, is
11 on the state. The defendant is not required to prove
12 his innocence. The burden of proof remains on the state
13 to prove guilt . beyond a reasonable doubt.

14 The defendant is charged with two counts of
15 grand larceny of a motor vehicle. The state must prove
16 beyond a reasonable doubt that the defendant took a
17 motor vehicle with the will or without the consent of
18 the other person. The slightest removal of the motor
19 vehicle or the complete possession of the motor vehicle
20 even for an instant by the defendant, is enough to show
21 a taking and carrying away of a motor vehicle.

22 The state must prove that the value of the motor
23 vehicle taken was \$1,000 or more. An owner of personal
24 property may provide an estimate of the reasonable value
25 of personal property. If the state has failed to prove

1 the defendant guilty of grand larceny, you may consider
2 whether the defendant is guilty of the offense of petty
3 larceny. Proof of petty larceny includes proof of the
4 same element as grand larceny except that the value is
5 \$1,000 or less.

6 You have been selected by the both the state and
7 the defendant to be fair and impartial jurors. It is
8 your duty then in your joint deliberations to determine
9 the proof in this case, giving the defendant the benefit
10 of every reasonable doubt on each and every issue. And
11 from the facts which you have determined to be true, you
12 take and apply the law which I have just given you, and
13 thus arrive at a verdict which speaks the truth of this
14 case.

15 I told you the standards you have to apply; the
16 charges of grand larceny of a motor vehicle and the
17 lesser included. I will give you a copy of these
18 instructions in written form. During your deliberations
19 you may refer to your instructions to guide your
20 decision making. You must consider the instructions as
21 a whole, and not follow some and ignore others. Please
22 return the instructions to the court at the time your
23 verdict is rendered. You have heard the evidence and
24 now you have heard the law.

25 Whatever your verdict, Madam Forelady, you

1 will indicate it by checking Count 1, regarding
2 grand larceny of a Chevrolet Corsica, guilty or
3 guilty of petty larceny or not guilty. And as to
4 Count 2, as to the charge of grand larceny of a
5 Taurus, guilty, guilty of petty larceny or not
6 guilty on the verdict form. You will then sign
7 and date the verdict form. Remember, although the
8 foreperson is the only juror who writes a verdict,
9 it is not her verdict alone. The verdict has to
10 be a unanimous verdict.

11 Madam Forelady, you are not authorized to write
12 verdict until you all agree as to what the verdict
13 should be. Ladies and gentlemen, I am going to send you
14 to your jury room. I will also send the verdict form
15 and the exhibits. Once you receive these things, that
16 will be your signal to begin deliberations. Once you
17 deliberate until you have reached a verdict, at which
18 time you will knock on the door and advise the bailiff,
19 and we will bring you out to receive your verdict.

20 The bailiffs will escort you to the jury room.

21 (Whereupon, the following takes place outside
22 the presence of the jury.

23 THE COURT: Any additions or exceptions to
24 the charge?

25 MS. BARR: No, Your Honor.

1 THE COURT: Any exceptions?

2 MR. CARRAWAY: None, Your Honor.

3 THE COURT: You may send the verdict form and
4 the exhibits.

5 (Whereupon, at the jury commences
6 deliberations.)

7 (Whereupon, at 5:01 p.m. the jury reached a
8 verdict.)

9 THE COURT: You may bring the jury.

10 (Whereupon, the following takes place
11 within the presence of the jury.)

12 THE COURT: Madam Forelady, have you
13 reached a verdict?

14 THE FORELADY: Yes, we have.

15 THE COURT: You may publish the verdict.

16 THE CLERK: In the case of the State
17 versus Lawrence Brown in Count 1, grand larceny of
18 a Chevrolet Corsica, the verdict is guilty. And
19 Count 2, grand larceny of a Ford Taurus, guilty.
20 If this is your verdict so say you all by raising
21 your right hands.

22 (Whereupon, all jurors affirm.)

23 THE COURT: Thank you.

24 THE COURT: Mr. Carraway, do you request
25 polling of the jury?

1 MR. CARRAWAY: No, sir.

2 THE COURT: Madam forelady and members of
3 the jury, thank you for your service. Mr. Brown
4 will be picked up by a law enforcement officer.
5 And after he is picked up, he will be brought back
6 in to court and receive sentencing and given some
7 time.

8 Madam Clerk, do you have anything?

9 THE CLERK: I want to thank you for your
10 service. And if I can be of assistance to you at
11 any time, please don't hesitate to call my office.
12 And these are certificates for your work.

13 THE COURT: Thank you all. You are free
14 to go.

15 (Whereupon, the jury is excused.)

16 THE COURT: Madam Clerk, what do you have
17 for us on Mr. Brown?

18 MS. BARR: Your Honor, Mr. Brown was
19 convicted of simple possession of marijuana and
20 open container in July of 2004. He was convicted
21 of criminal domestic violence in October of 2005.
22 Convicted of criminal domestic violence second
23 offense, in July of 2010. He currently, I
24 believe, he is currently on probation for that
25 offense. Am I correct, Adam?

1 PROBATION AGENT: Yes.

2 MS. BARR: He also as it relates to the
3 same victim, who is his wife, has a pending charge
4 for criminal domestic violence third offense. But
5 that indictment is being dismissed because we
6 can't locate the victim.

7 THE COURT: Mr. Carraway?

8 MR. CARRAWAY: Your Honor, I would like
9 to make a motion for a directed verdict in this
10 case. Or in lieu of that, a new trial.

11 THE COURT: And your motion for a directed
12 verdict is what you stated earlier. Basically.

13 MR. CARRAWAY: Yes, ma'am.

14 THE COURT: I will respectfully deny both
15 motions. A motion for a directed verdict and a
16 motion for a new trial.

17 MS. BARR: Your Honor, I think the victims
18 may wish to address the court. I didn't explain
19 to them that the sentence will sealed. But the
20 court of course imposes whatever sentence it is
21 going to, but I ask that they be allowed to
22 address the court in terms of their losses and
23 that sort of thing.

24 THE COURT: Yes, sir.

25 MS. BARR: State your name.

1 MR. WILLIAMS: Lawrence Williams. The
2 guy, Lawrence Brown, for what he did, it is
3 unforgivable to me. I have a statement in my hand
4 where just seven days ago, he came to my house in
5 Kingstree, and stole something out of one of my
6 cars here in Kingstree.

7 So he's actually a menace to society. And
8 he really doesn't need to be on the street. And
9 nobody knows where he is. I am fearing my life
10 now, because I don't know where I can be, and he
11 can walk to up to me and take my life. And I am
12 very, and this is kind of -- and I know this is a
13 different case. But I, you know, what he did to
14 my pops. My dad wasn't dead long. And it hurt
15 me. And like I say, I heard Carraway talk about
16 the value of the car, and all that stuff. And
17 like I say, to me it didn't have a price on it.

18 THE COURT: Thank you, sir.

19 MR. WILLIAMS: Well in the depths of this
20 statement that I have, that was put on file for
21 the next -- it's in the incident report. That's
22 exactly what it is. And he came to my house
23 about seven days ago here in Kingstree. And I
24 left, and came back home. And when I got there,
25 he was my yard. And he was walking away from my

1 Mustang. And I pulled up and asked him why was he
2 in my yard. I didn't really recognize him at the
3 time. And I asked him -- he asked me about, do I
4 want to sell the car. And I told him no. And he
5 asked me some other questions, and I told him no.

6 So what happened, I asked him his name. I
7 said, "Who are you." And he said, "Lawrence
8 Williams." He was imposing as me again; that he
9 was Lawrence Williams. But he didn't realize, he
10 didn't recognize me and know he was in my yard.

11 So along with that, I told him, I said,
12 "Well you look like Lawrence Brown." And he got
13 fidgety. So I knew something wasn't right to
14 start with when he told me he was me. And I was
15 about to do some things, you know, because he was
16 trying to get in my truck. And he jumped in his
17 car and left. And he filed a report that I pulled
18 a gun on him; which I didn't. But if I had time
19 enough, I don't know what would have happened.
20 But I am just saying, he was on my property again,
21 and didn't know who I was at that time.

22 So I came and I done the report. And I
23 went back out a couple of days later to finish
24 putting my car back together, and I noticed the
25 battery was gone out of the car. I just bought

1 the battery to put it in. And that was gone. And
2 I know it's a totally different case, but he is a
3 menace to society. He's a thief. And I don't
4 know to what extent he would actually go to just
5 walk in somebody's yard and do anything. He could
6 actually get any one of you guys in this
7 courtroom. He could actually do any one of you
8 guys like that in here. And he don't need to be
9 on the streets.. Thank you, sir.

10 THE COURT: Yes, sir, anything you would
11 like to tell me.

12 MR. WILLIAMS: I agree with my nephew. I
13 feel for the crime he committed, I feel he should
14 get the full extent for the crime he committed.
15 He is a bad guy, and he's a bad risk.

16 THE COURT: Thank you.

17 MR. WILLIAMS: And he's just a risk. And
18 so with him getting some time, he might have time
19 to consider his life; and see what it is all about
20 being locked up. And know what society is; having
21 a good life on the outside. And once he have time
22 to consider his life, he might come out being a
23 better man and to be a much better person.

24 THE COURT: Thank you.

25 MR. WILLIAMS: Thank you.

1 MS. BARR: Judge, the only thing that I
2 would add; is that, we attempted to subpoena
3 records from to Don's Car Crushing relating to the
4 sale of these two vehicles. They were not able to
5 find paperwork for Lawrence Brown on the these two
6 vehicles. But it is interesting that they told me
7 that they had numerous sales of vehicles from
8 Lawrence Brown to Don's Car Crushing back during
9 the calendar year 2010. So we know that these two
10 folks aren't the only two victims.

11 THE COURT: Mr. Carraway, anything?

12 MR. CARRAWAY: I don't have anything to
13 add.

14 THE COURT: Well, I will fill out the
15 sentencing form. And that will be under seal.
16 And I guess they will catch up with Mr. Brown and
17 bring him back before the court.

18 MS. BARR: Yes, ma'am. Thank you, Your
19 Honor.

20 THE COURT: Thank you all for being here.

21 MS. BARR: Your Honor, of course, since he did
22 not appear, he has been tried in his absence. We would
23 ask that a bench warrant be issued for his arrest.

24 THE COURT: Yes, ma'am. We will order that a
25 bench warrant be issued.

1 (Whereupon, the sealed sentence was read on May 16th,
2 2011.)

3 THE COURT: How about the defendant in
4 this other case? Yes, sir.

5 MR. BROWN: This is case number
6 2010-GS-45-197. It's the matter of Lawrence
7 Brown, III. This case was tried last Thursday in
8 front of judges Newman and Judge Benjamin. He was
9 tried in the defendant's absence. He did not
10 appear in court. He was found guilty on two
11 charges of grand larceny. And we are just here
12 for sentencing. The sealed sentence right now.

13 THE COURT: Are you Lawrence Brown, III?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Mr. Brown, my purpose today,
16 I'm not the judge who presided over your trial.
17 This was a verdict which was rendered last week;
18 is that right, Mr. Carraway?

19 MR. CARRAWAY: Yes, Your Honor.

20 MR. BROWN: Judge Benjamin actually
21 presided over the case, Your Honor.

22 THE COURT: Judge Benjamin who is of
23 course not presiding this week, issued the
24 following sentences. As to grand larceny more
25 than \$1,000, 5 years in the Department of

1 Corrections. And she also issued a consecutive
2 sentence of 3 years on grand larceny greater than
3 \$1,000. All right, that's the sentence. You will
4 get credit for any time you have served. And I
5 will note. Any objection to noting that on the
6 sentencing sheets?

7 MR. BROWN: No, Your Honor.

8 THE COURT: Mr. Carraway, I assume you
9 don't object to that?

10 MR. CARRAWAY: No, Your Honor.

11 THE COURT: Any motions would have to be
12 made to Judge Benjamin. Thank you. Okay.

13 ---End of Requested Transcript of Record---

14

15

16

17

18

19

20

21

22

23

24

25

116



BILL OF SALE

(Must Be Typed Or Printed in Black Ink)

FOR DEPARTMENT USE ONLY
 Check Only:
☒ Priced as 1 Case (Pkg)
☒ Transfer to Case File

29.16

Street _____ City _____ State _____ Zip Code _____

state that on the 22 day of July, 1987, the following vehicle:

MAKE FORD MODEL 600 BODY TYPE SEDAN YEAR 1964

OFFICE IDENTIFICATION NO. _____ LICENSE NO. _____

was sold to

Street	City	State	Zip Code
10000	10000	10000	10000

And the above does not include the encumbrances in the above name except

100-443887-100

(List here any mortgages, liens or encumbrances)

Unit 7: Sale price per yard

Total

Federal and State law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

Passing the rho gage meter now reads _____ (no loads) must and to the best of my knowledge and true belief, by A/C TALL, VIN# 4100 of the vehicle described herein, UNLESS one of the following statements is checked:

STOP! DO NOT check one of the following unless it applies

1. I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in EXCESS of its mechanical limits.
2. I hereby certify that the odometer reading is NOT the actual mileage. **WARNING: ODOMETER DISCREPANCY**

WARNING: Federal and state law requires that you sign the affidavit in connection with the transfer of ownership. Failure to complete or provide a false statement may result in fines and/or imprisonment.

Signature(s) of Buyer(s) De/Or Cook Date 10/1/7
Signature(s) of Seller(s) De/Or Cook Date 10/1/7

<i>Robert Cook</i> Hand Print Name(s) of Buyer(s)	<i>Lawrence Brown</i> Hand Print Name(s) of Seller(s)
---	---

Return to: South Carolina Department of Motor Vehicles

P.O. Box 1498
Bluffton, S.C. 29916-0020

ANY ALTERATION OR ERASURE VOIDS THIS DOCUMENT.
ORIGINALS MUST BE SUBMITTED TO THE DEPARTMENT.

ARREST WARRANT

M-062177

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

THE STATE

against

LAWRENCE BROWN III

Address: LANE SC 29594

Phone: SSN:

Sex: M Race: B Height: 5-4 Weight: 123

DL State: SC DL#:

DOB: Agency OR#: SC0450000

Prosecuting Agency: WILLIAMSBURG COUNTY

Prosecuting Officer: JUSTIN WHACK

Offense: GRAND LARCENY >\$1,000.00

Offense Code: 0478

Code/Ordinance Sec. 16-13-0030(B)(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be dealt with according to law.

Signature of Judge

(L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant LAWRENCE BROWN III

on 5/23/2010

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

WILLIAMSBURG COUNTY MAGISTRATE

209 SHORT STREET

KINGSTREE, SC 29556

(843) 355-9565

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

AFFIDAVIT

Form Approved by
S.G. Attorney General
July 28, 1990
SCCA-518

Personally appeared before me the affiant JUSTIN WHACK

who

being duly sworn deposes and says that defendant LAWRENCE BROWN III

did within this county and state on 04/29/2010

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of WILLIAMSBURG)

In the following particulars:

DESCRIPTION OF OFFENSE: 16-13-0030(B)(1) / GRAND LARCENY >\$1,000.00

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

ON THE 29TH OF APRIL 2010, BETWEEN THE TIME OF 0630HRS AND 1820HRS, WHILE AT LOCATED IN THE SALTERS AREA OF WILLIAMSBURG COUNTY, LAWRENCE BROWN III DID COMMIT THE OFFENSE OF GRAND LARCENY. LAWRENCE BROWN III DID PRESENT HIMSELF AS THE OWNER OF A FORD TAURUS, LOCATED AT THE PROPERTY OF 268 MARION CHURCH ROAD AND DID SELL THE VEHICLES TO DON'S CAR CRUSHING TO GAIN A PROFIT AND TO DEPRIVE THE ACTUAL OWNERS OF THE PROPERTY. GRAND LARCENY IS IN VIOLATION OF SC CODE OF LAWS.

Signature of Affiant

Affiant's Address WMSBG CO SHERIFF, 126 S. JACKSON ST.

KINGSTREE SC 29556

Affiant's Telephone 843-355-6381

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 04/29/2010 defendant LAWRENCE BROWN III

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of WILLIAMSBURG) as set forth below:

DESCRIPTION OF OFFENSE: LARCENY / GRAND LARCENY, VALUE MORE THAN \$5,000 BUT LESS THAN \$5,000

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 05/22/2010

GLEN KENNEDY (L.S.)

Judge Code: 030

Judge's Address 209 SHORT STREET

KINGSTREE SC 29556

Judge's Telephone 355-9565

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

Case: 1003522

ORIGINAL

BAIL set by

Judge

on

Type and Amount:

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defense Attorney:

Decision:

DISPOSITION before

Judge

on

by

(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

WITNESSES

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

CODEFENDANTS

M-062177

FILED

10 JUN 16 PM 3:38

CAROLYN F. WILLIAMS
CLERK OF COURT
KINGSTREE, S.C.

ORIGINAL

ARREST WARRANT

M-062179

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

THE STATE

against

LAWRENCE BROWN III

Address:

LANE SC 29594

Phone:

SSN:

Sex: M Race: B Height: 5-4 Weight: 123

DL State: SC DL#:

DOB

Agency OR#: SC0450000

Prosecuting Agency: WILLIAMSBURG COUNTY

Prosecuting Officer: JUSTIN WHACK

Offense: GRAND LARCENY > \$1,000.00

Offense Code:

0478

Code/Ordinance Sec. 16-13-0030(B)(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be
dealt with according to law.

Signature of Judge

(L.S.)

Date:

RETURN

A copy of this arrest warrant was delivered to
defendant LAWRENCE BROWN III

on 5/23/2010

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

WILLIAMSBURG COUNTY MAGISTRATE

209 SHORT STREET

KINGSTREE, SC 29556

(843) 355-9565

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

AFFIDAVIT

Form Approved by
S.C. Attorney General
July 85, 1890
SCCA 518

Personally appeared before me the affiant JUSTIN WHACK who
being duly sworn deposes and says that defendant LAWRENCE BROWN III
did within this county and state on 04/29/2010 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of WILLIAMSBURG)
in the following particulars:

DESCRIPTION OF OFFENSE: 16-13-0030(B)(1) / GRAND LARCENY > \$1,000.00

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:

ON THE 29TH OF APRIL, 2010 BETWEEN THE TIME OF 0630 HRS AND 1820 HRS, WHILE AT
LOCATED IN THE SALTERS AREA OF WILLIAMSBURG COUNTY, LAWRENCE BROWN III DID COMMIT THE OFFENSE OF
GRAND LARCENY. LAWRENCE BROWN III DID PRESENT HIMSELF AS THE OWNER OF A CHEVROLET CORSICA, LOCATED
AT THE PROPERTY OF 268 MARION CHURCH ROAD, AND DID SELL THE VEHICLES TO DON'S CAR CRUSHING TO GAIN A
PROFIT AND TO DEPRIVE THE ACTUAL OWNERS OF THE PROPERTY. GRAND LARCENY IS IN VIOLATION OF SC CODE OF
LAWS.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

WILLIAMSBURG

Affiant's Address WMSBG CO SHERIFF, 126 S. JACKSON ST.

KINGSTREE SC 29556

Affiant's Telephone 843-355-6381

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER IN THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that
on 04/29/2010 defendant LAWRENCE BROWN III

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of WILLIAMSBURG) as set forth belowDESCRIPTION OF OFFENSE: LARCENY / GRAND LARCENY, VALUE MORE THAN \$1,000 BUT LESS
THAN \$5,000

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said
defendant and bring him or her before me forthwith to be dealt with according to the law. A copy of this Arrest Warrant shall be delivered
to the defendant at the time of its execution, or as soon thereafter as is practicable.

Sworn to and subscribed before me

on 05/22/2010

GLEN KENNEDY (L.S.)

Judge Code: 030

ORIGINAL

Judge's Address 209 SHORT STREET

KINGSTREE SC 29556

Judge's Telephone 355-9565

Issuing Court:

☒ Magistrate☐ Municipal☐ Circuit

Case: 1003522

No. 0302 P. 1

BAIL set by

Judge

Carolyn H. Lemon

on *5-23-12*

Type and Amount: *4000.00 C/S*

Name of Surety:

PRELIMINARY HEARING held by

Judge

on

Defense Attorney:

Decision:

DISPOSITION before

Judge

on

by
(indicate jury trial, bench trial, plea, nol. pros., etc.)

Disposition:

Sentence:

JURORS

WITNESSES

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

Name:

Address:

Telephone:

CODEFENDANTS

M-062179

FILED

10 JUN 16 PM 3:38

CAROLYN F. WILLIAMS
CLERK OF COURT
KINGSTREE, S.C.

May 31, 2012 12:55 PM

ORIGINAL

121

WITNESSES

Justin Whack
Williamsburg County Sheriff

ARREST WARRANT NUMBER

M062179

M062177

ACTION OF GRAND JURY

Nancy McBride
Foreperson of Grand Jury
Date: 5/5/11

VERDICT

Foreperson of Petit Jury
Date:

AMENDED

DOCKET NO. 2010-GS-45-0197

The State of South Carolina

County of WILLIAMSBURG

COURT OF GENERAL SESSIONS

MAY TERM 2011

THE STATE

vs.

LAWRENCE BROWN, III

Indictment for

**Grand Larceny- Auto, value more than
\$1,000 but less than \$5,000 (2 counts)**

C. KELLY JACKSON, SOLICITOR

FILED
11 MAY -5 AM 11:50
CLERK OF COURT
WILLIAMSBURG, S.C.

INDICTMENT FOR

Grand Larceny - Auto, value more than \$1,000 but less than \$5,000- Two Counts

At a Court of General Sessions, convened on May 5, 2011 the Grand Jurors
of WILLIAMSBURG County present upon their oath:

COUNT ONE - GRAND LARCENY (AUTO)

That **LAWRENCE BROWN, III** did in Williamsburg County, South Carolina, on or about April 29, 2010, did take and carry away a Chevrolet Corsica vehicle, valued at more than One Thousand Dollars, belonging to victim, Robert Williams, with intent to deprive said owner permanently of such property; in violation of §16-13-30 (B), Code of Laws of South Carolina, (1976), as amended.

COUNT TWO – GRAND LARCENY (AUTO)

That **LAWRENCE BROWN, III** did in Williamsburg County, South Carolina, on or about April 29, 2010, did take and carry away a Ford Taurus vehicle, valued at more than One Thousand Dollars, belonging to victim, Lawrence Williams, with intent to deprive said owner permanently of such property; in violation of §16-13-30 (B), Code of Laws of South Carolina, (1976), as amended.

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

James A. Frazier

SOLICITOR

SALE OF THE ESTATE
CLARK & GORDON
KING STREET, S.E.

OS : 1144 S-1000

SECRET

JUL 20 2011

GLCNY DOT - 2006

STATE OF SOUTH CAROLINA

COUNTY OF Williamsburg

STATE VS.

Lawrence Brown III

AKA:

Race: 2 Sex: M Age: 29

DOB: SS#:

Address:

City, State, Zip: Kingstree, SC 29556

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Grand Larceny More Than \$1,000

in violation of § 16-13-30(B)(1) of the S.C. Code of Laws, bearing CDR Code #

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.ATTORNEY: *Harvin, Edward Keith*8443
SC Bar#

Defendant

Attorney for Defendant

13157
SC Bar#WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2010-GS-45-197 on 5-12-11☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
3% to County (if paid in installments)		\$
TOTAL		\$

IN THE COURT OF GENERAL SESSIONS

123

INDICTMENT/CASE#: 2010-GS-45-0197

A/W#: M062177

Date of Offense: 4/29/2010

S.C. Code § : 16-13-0030(B)(1)

CDR Code #: 0478

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS

0478

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.ATTORNEY: *Harvin, Edward Keith*8443
SC Bar#

Defendant

Attorney for Defendant

13157
SC Bar#WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: 2010-GS-45-197 on 5-12-11☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114 (BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
3% to County (if paid in installments)		\$
TOTAL		\$

PTUP

days/hours Public Service Employment

Obtain GED ☐Attend Voc. Rehab. or Job Corp. ☐

May serve W/E beginning

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning

\$ paid to Public Defender Fund

Other: A CERTIFIED TRUE COPY

CAROLYN F. WILLIAMS
CLERK OF COURT☐ Appointed by the court pursuant to S.C. Code § 47-12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

Carolyn F. Williams
Margaret Sullivan
 opened & published by Judge George James 5-16-2011

STATE OF SOUTH CAROLINA

COUNTY OF Williamsburg
 STATE VS.
Lawrence Brown, III
 AKA: _____
 Race: 2 Sex: M Age: 29
 DOB: _____ SS#: _____
 Address: _____
 City, State, Zip: Kingstree, SC 29556
 DL#: _____ SID#: _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Grand Larceny > \$1,000

in violation of § 16-13-30(B)(1) of the S.C. Code of Laws, bearing CDR Code # 0478

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC ☐ §17-25-45
 w/minor 1st or Lewd Act)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury (defendant's initials)

The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST: Harvin, Dorend Keith 8443 SC Bar# _____ Defendant [Signature] Attorney for Defendant SC Bar# _____

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of 3 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

☐ CONCURRENT or ☒ CONSECUTIVE to sentence on: Count 1 on 5-12-11
☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
 by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
 Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine: _____

§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
3% to County (if paid in installments)		\$
TOTAL		\$

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2010-GS-45-0197

A/W#: M062179

Date of Offense: 4/29/2010

S.C. Code § : 16-13-0030(B)(1)

CDR Code #: 0478

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS

PTUP _____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____

\$ _____ A CERTIFIED TRUE COPY
 paid to Public Defender Fund

Other: Carolyn F. Williams

CAROLYN F. WILLIAMS
 CLERK OF COURT
 WILLIAMSBURG COUNTY

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk Carolyn F. Williams

Court Reporter: Margaret Sullivan

SCCA/217 (03/2011) Entered & Published by

Presiding Judge

Judge Code: 216

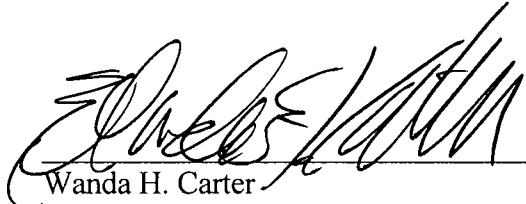
Sentence Date: 5-12-11

Under James 5-12-2011

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

May 31st, 2012



Wanda H. Carter
Deputy Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Williamsburg County
DeAndrea G. Benjamin, Circuit Court Judge

RECEIVED

MAY 31 2012

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LAWRENCE BROWN,

APPELLANT

CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Mark R. Farthing, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 31st day of May, 2012.


Emily Bryson
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 31st day of May, 2012.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 2, 2013.