

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Aiken County

Honorable William P. Keesley, Circuit Court Judge

THE STATE,

v.

WILLIAM TIAY CHANDLER,

RESPONDENT

RECEIVED

SEP 27 2019

SC Court of Appeals

APPELLANT

APPELLATE CASE NO 2018-000455

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT #80 (CD AUDIO)**

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5 W. Chandler
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21 Inv. Graybeal
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35 Inv. Graybeal
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38 W. Chandler
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44 Inv. Graybeal
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I was thinking it was his because --- ?

So they got there about the same time y'all did?

Yes, sir. They pulled up a few minutes after us. I comes in I come in the house. Jacob asked me, well, first of all I'm going too fast. Jacob had give me a handshake and Bat gave me a handshake and we walked in the house. Jacob asked me do I wanted to play Call of Duty Zombies. It's a game. I was like sure why not. When he popped the game in he getting the game set up David sat down. Bat went in the back room and Joe come out of the back room so I was guessing Joe was already home. My sister I heard her laugh and she was in the next room over so when Jacob was getting the game ready. They all had went back there in the back room while me and Jacob was still out there so at that time we in the game, we're playing the game, and then I'm about to pause that really fast pause that so you can get a whole picture.

Okay.

About to pause that. A week before that, like I say, I don't I really didn't know these guys like that. I knew them of my sister.

When you come back to that -- I'm trying to keep up with you so walk me through what happened playing video game and how did y'all get in the car?

Yeah, I was about to say I was about to get to that because like it might it wasn't gonna follow the play like ---

Just tell me what happened in order so I can understand it and we'll go back and let you explain and fill in.

Okay. Okay, well Joe had came back and Joe was like well, what's up with the mission?

I was like ---

Now tell me what the mission is.

1 W. Chandler A mission is, uh, like breaking in doors like yeah
2 breaking in doors.
3
4 Inv. Graybeal And did y'all talk about it earlier? Did he talk about it
5 earlier? How did he come up with the term "the
6 mission?"
7
8 W. Chandler That's what I was about to, uh, that's what I was going to
9 tell you.
10
11 Inv. Graybeal Now you can tell me.
12
13 W. Chandler Well, a week before that maybe a week-and-a-half before
14 that day my sister had brought him down to the house and
15 whatever they was going to do ---
16
17 Inv. Graybeal Brought Joe down or brought everybody?
18
19 W. Chandler She brought Joe down. She had brought Joe to the house
20 and me and everybody who knows me, I mean, I like
21 being around older people, I mean, that's just me and I
22 thought Joe was cool. I thought Joe was cool so I was you
23 know what I'm saying just you know what I'm saying ---
24
25 Inv. Graybeal So she brought him to the house a week ago?
26
27 W. Chandler A week before the 9th.
28
29 Inv. Graybeal Yeah, and tell me what happened then.
30
31 W. Chandler And we was just chilling outside. My sister she was going
32 to get her some food and I came outside and I was like
33 what's up Joe? And that was like my fourth time seeing
34 him. I was like I was like hey, I got a mission and he was
35 oh you got a mission. I was like yeah and he was like
36 well when you trying to do it? And I was like I don't
37 know. I don't know. I kept trying to throw it off because
38 like I ---
39
40 Inv. Graybeal Did he ask you to break into houses? Is that how you
41 came up with the term "mission?"
42
43 W. Chandler Yes, well, yes, sir.
44
45 Inv. Graybeal What exactly did he ask you to do?
46

1 W. Chandler Are you talking about that day? The week before the 9th
2 or the 9th?
3

4 Inv. Graybeal The week before what did he tell you? What were his
5 words?
6

7 W. Chandler Well, his words were after I told him that I had a mission
8 he was like well, what are you trying to do? Are you
9 trying to break in houses? I was like well, like I said, I
10 was bluffing him basically. I was bluffing him. I didn't
11 really have a mission. He was like well, let's go break
12 into houses now. Let's go do it now. Let's go do it now
13 and I was like well, just me and you? He was like, yeah,
14 let's go do it now. Let's just me and you go do it now and
15 then threw him off all like naw
16

17 He didn't know though on the
18 17th I was going back to my uncle house so I could just
19 throw him off so after that you know what I'm saying
20 after that we take it back to the 9th. They had say what's
21 up with the mission and I was like well, I tried to play it
22 off again.
23

24 and then everybody was like what?
25 You got a mission. You got a mission. You got a mission.
26 I was like yeah, I got a mission, but like I said even my
27 sister my sister I mean I got witnesses are always, I don't
28 know why, but I've always been like that. I just, you
29 know, I just like to bluff with people to make me seem
30 cool.
31

32 Inv. Graybeal So to go back to the 9th and he asked you what was his
33 exact words?
34

35 W. Chandler Yes. That was his exact words exact words that came out
36 of his mouth. He came out of that back room and he was
37 like oh, what's up with the mission and everybody was
38 like where you got a mission. I want to come on. I want
39 to come. Let's go on a mission.
40

41 Inv. Graybeal Okay, at that point it was you, Bat, Joe, Cappell, Jacob.
42

43 W. Chandler And Jacob. We were all sitting in the den.
44

45 Inv. Graybeal Where was Faith then? Was she with y'all or she was ---
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3 Inv. Graybeal
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31 W. Chandler
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39 Inv. Graybeal
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42 W. Chandler
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44 Inv. Graybeal
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She was in the back room.

Okay, what did y'all decide to do?

What did we decide to do?

Yeah, you decided there to go find a house?

Well, I told them then I told them I was like man, and I'm pretty sure I mean if my sister were here she could be my backup because I said it loud enough.
but if y'all want to go hit a mission I can just drive y'all. I told him I can just drive because I was like really though I don't really don't feel like doing it today anyway.

So did you tell Faith what y'all were fixing to do?

I didn't. I just told her that we was going to Wagener and I told her that I had to go to a pit stop.

And she gave you the keys?

Yes, sir, cause she know like she like I'm going to be honest about it like she know I don't have a license but she also know that I know how to drive. Like that wasn't going to be her first time giving me the keys to the car.

I'm not worried about license. What about the guns?

The guns, uh ---

Did you have a gun when y'all left the house?

No, sir, well, I didn't even know that I didn't even know that the Taurus was in the Taurus gun was in the car until I got in the car and we got down the road.

Okay. What about the other ones. Who all had guns? The Taurus was already in the car?

Yes, sir.

That's the black and silver Taurus?

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3 Inv. Graybeal
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8 Inv. Graybeal
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35 Inv. Graybeal
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42 Inv. Graybeal
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44 W. Chandler
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Yeah, that's the one that she was supposed to give that ---
Where was it in the car?
It was like in between the seat the driver's seat and the I forgot what you call it the part in between.
The console?
Yeah, it was it wasn't in there, but it was in between the seat all the way down.
And that belongs to Jar?
Yeah, that belongs to my big brother friend Jar.
Okay, and Jar has the Ruger.
Yeah, he has ---
They got the guns mixed up.
Yeah, they got the guns mixed up and she was supposed to the next day she was supposed to, you know what I'm saying, return it.
Go from there who had the 380?
Jacob. Jake.
How did he get the 380?
He had took it and I seen him take it.
From?
My sister. She has a Ruger case she like when she bought the gun they gave her a Ruger case and you know what I'm saying all the stuff that comes with a gun. I seen him take it out of the case.
That was in the house?
No, that was in the car too.

1 Inv. Graybeal Okay.
2
3 W. Chandler That was in the car.
4
5 Inv. Graybeal And who else had guns?
6
7 W. Chandler And Bat he had his 380.
8
9 Inv. Graybeal And that was it or did y'all have one more?
10
11 W. Chandler That was it. That's all that I recall. I didn't see nobody
12 else with a gun.
13
14 Inv. Graybeal And what did Bat's 380 look like?
15
16 W. Chandler It was black at the top [inaudible] 380, but the bottom
17 they had two different colors. Like I say his it can go for
18 a violet a light violet color.
19
20 Inv. Graybeal Okay, and your sister's was a little darker?
21
22 W. Chandler Yeah, my sister's was a dark purple.
23
24 Inv. Graybeal Okay, um, so y'all left the house. You were driving.
25
26 W. Chandler Yes, sir.
27
28 Inv. Graybeal Who was up front with you?
29
30 W. Chandler David Cappell was in the passenger seat. Bat was sitting
31 behind me and Joe was in the middle and Jake was sitting
32 right behind David.
33
34 Inv. Graybeal Okay, so Jake was behind David. Who was behind you?
35
36 W. Chandler Bat. I don't know his real name.
37
38 Inv. Graybeal And who was in the middle?
39
40 W. Chandler Joe.
41
42 Inv. Graybeal And who picked what houses to go to?
43
44 W. Chandler Jake.
45

1 Inv. Graybeal How did y'all get to Wagener from Windsor? Just said go
2 and I'll show you or you just riding around or what?
3

4 W. Chandler That's what I say cause at first I was making a pit stop.
5 I'm sorry, I get emotional about this cause ever since I
6 been in here I've been thinking about that moment. I wish
7 I could go back. I wouldn't have made a pit stop.
8

9 Inv. Graybeal Where'd you stop?
10

11 W. Chandler No, I stopped at my mama and them house.
12

13 Inv. Graybeal On J. B. Swartz?
14

15 W. Chandler On J.B. Swartz. I parked in front of the garage. I parked
16 in front of the garage and got out of the car. Jake got out
17 of the car and he asked he was like do I have something
18 to drink. I was like I don't have nothing to drink, but my
19 sister probably do. We went in the house asked my sister
20 can Jake get something to drink? She like all I have is a
21 soda and some KoolAid and she was like but I'm trying
22 to [inaudible] you know what I'm saying all that, but she
23 eventually told him yes. I went in the kitchen I went in
24 the kitchen ---
25

26 Inv. Graybeal Take a deep breath. Take your time.
27

28 W. Chandler I went in the kitchen. I had went in the kitchen and I
29 don't know how my mother knew. I guess it was the
30 sound of my voice what brought her out, but my mama
31 had came out of the room and me and my mama we
32 started joking. We started joking and playing around and
33 I asked her for a cup. Asked her for a cup and she was
34 like well, [inaudible] where did we park. I told her I
35 parked in front of we call that the building at our house
36 we parked at the building. She was like go check the
37 building. You and your brother always leaving cups out
38 there. I was like no, mama, that wasn't that ain't me.
39 That's your oldest that's your oldest son. She was like
40 what you gonna do check in their room for a cup. In their
41 room they got a refrigerator like one of the refrigerators
42 that you see in a hotel or something one of those small
43 ones. She was like go check on --- I checked in there and
44 there wasn't no cup. Checked in the garage and on that
45 dresser was a getaway bottle. I got the getaway bottle.
46 My Pop was sitting on the bed and I asked him I said how

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you doing Pop? Pop said I'm doing good and then we left. I had you know what I'm saying I done rinsed out his bottle, put the Kool-Aid inside his bottle and then we left and from there we left from the house and I was like we already like seven minutes because we live like seven minutes from Wagener so I was like it just closer to go to Wagener. We went to Wagener. I drove we drove around.

10 W. Chandler We went to the next house, which is the house with the
11 dogs.
12
13 Inv. Graybeal Okay, how did y'all pick that?
14
15 W. Chandler Well, we was just driving. We was just driving and I was
16 getting ready to take them back. I was about to take the
17 back way to Windsor and then as soon as I passed by that
18 house Bat he was like stop, stop, stop and I had hit on the
19 brakes and I was like what? And he was like go back to
20 that house. I backed up and I was like that look like an
21 abandoned house. He was like just pull in and I pulled in
22 and this is how you know, I mean, I thought it was an
23 abandoned house cause I pulled right in front of like the
24 house like it wasn't like right in front of the house, but
25 like right in front of the house.
26
27 Inv. Graybeal In the driveway by the front porch?
28
29 W. Chandler Yeah. Yes, sir, and Joe he went to go knock on the door.
30 When he went to go knock on the door and all the dogs
31 came around barking and that's when I didn't even have
32 the Taurus on me like when I got in the car before we left
33 to go to Wagener I seen it down there. I seen it down
34 there, but I didn't pick it up. I didn't pick it up because I
35 knew who's it was and I didn't even know if it had
36 [inaudible] on it, but after he knocked on the door and I
37 seen the dogs come around getting ready to bite him, or I
38 thought they was about to bite him, I reached down there
39 and picked it up and I had put one in the chamber and I
40 leaned my hand out the window. I made sure that I was
41 pointing down at the ground and when I shot I know I hit
42 I shot at the ground cause the dust flew up in the air and
43 the shell had flew on top of the car and fell down. So
44 when it did that I knew I was going to scare away the
45 dogs and Joe came running back to the car and he was

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4 Inv. Graybeal like you saved me, you saved me, you saved me. I
5 thought I was about to get bit by them dogs.
6
7 W. Chandler Where did the rest of the guys go? Were they still in the
8 car then or did they ---
9
10 Yeah, we was all still in the car when Joe after all that
11 happened and then Joe was like y'all trying to go in
12 there? He was like you trying to come in this time? I was
13 like naw I sit down. Right when everybody got in the car
14 I'm just sitting down biting my nails sitting down biting
15 my nails they had I wouldn't I wouldn't even say ten
16 seconds after they passed after they turned the corner like
17 probably ten seconds after they turned the corner they
18 come running back. They come running back and they
19 hopped in the car and was like go, go, go, go. So I turned
20 on the car and I got out of there. I got out of the driveway
21 and I went back like I'm going back the back way going
22 towards Windsor.
23
24 Inv. Graybeal Did you shoot at the dogs a second time then or just the
25 one time?
26
27 W. Chandler No, I shot at the dogs just the one time. That's the God's
28 honest truth. That's on my dead nephew.
29
30 Inv. Graybeal Did any of them shoot a round off as y'all were leaving?
31
32 W. Chandler I was about to say if anything it could have been Bat
33 because Bat yeah he was letting off rounds out the
34 window.
35
36 Inv. Graybeal That's what I'm asking at that house he was shooting
37 rounds out the window?
38
39 W. Chandler He let two rounds off that time. He let two rounds off. I
40 don't know if y'all got the shell casings but he ---
41
42 Inv. Graybeal What was he doing that for? Just to do it?
43
44 W. Chandler I guess so. I guess because because they told me because
45 they told me when we got down the road a little bit he
46 was like it was a woman in the house. So if anything if he
shot two rounds out he probably was just trying to scare
the old woman.

1 Inv. Graybeal
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8 W. Chandler
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10 Inv. Graybeal
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12 W. Chandler
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33 Inv. Graybeal
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Okay, um, I'm going to back up a little bit. Did anybody wear gloves on the first house that you saw?

Oh, I think all of them had gloves on.

How about the second house?

They had gloves on through all the houses. I mean, I'm not really that ---

The one y'all just left were they wearing gloves too?

Yes, sir.

Okay, and where did y'all go after that house?

After we left that house they was kinda shaken up, but they was like they was shaken up they was probably they seemed kinda happy because they was laughing about it and then once we had passed the other house, the last house Bat told me to stop again and I had stopped. I said bro, what? I'm like I'm about to take y'all back to the crib. I'm about to go pick up my sister. I was like and then we had pulled in at the church because I had pulled in. He was like just go back, just go back. So I pulled in at the little thing that it's not a church, but it's dealing with the church. I pulled in right there.

Is that like a metal building there on your left?

Uh-huh, and I pulled in right there and I stopped and I thought about it. I was like man you know what I'm going to [inaudible] get caught. They be too greedy and I was like bad enough I ain't got nothing to do with this. I ain't got nothing to do with this. I told I said that like four or five times over and over that I ain't got nothing to do with this. I ain't got nothing to do with that. I told them if y'all want to go hit that house y'all can get out of the car and they was like well, this is what we're going to do. We're going to get out and once we go hit the house you can just pull up and come get us and I thought about it before they got out of the car. I thought about it. I was

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12 Inv. Graybeal
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29 Inv. Graybeal
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31 W. Chandler
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34 Inv. Graybeal
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36 W. Chandler
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38 Inv. Graybeal
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40 W. Chandler
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42 Inv. Graybeal
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44 W. Chandler
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like okay. I just said okay. So they got out of the car. I backed out and I went down the road and I came back up. Once I came back up I didn't see nobody come out, so I was like well, I'm about to leave these guys. I'm about to leave them and then after I noticed I turned around I turned around and came back. Once I came back they was running out like they was running out of the house so I pulled in I pulled in and I had they had got in the car. They put everything in the back trunk and they got in the car.

Okay, what did they get out of that house?

I seen Jacob, Jacob had a small flat screen. Jacob had a small flat screen and Joe he had a big flat screen. He had a big one and David he had got in the front seat with a game and I don't think Bat had got anything out of the house.

Did they have any more change from that house that you saw?

More change?

Yeah. Coins?

I don't think so.

Um...

They probably could. They probably could have had them in their pockets over there.

But you didn't see a container or anything?

No, sir. I didn't see a container.

Um, did you see them with anything else?

Anything else?

Yeah.

Um, no, sir.

1 Inv. Graybeal
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 4 W. Chandler
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Did you see nobody was carrying a jar or a jug or anything and if you don't remember that's fine.

I was about to say it's not coming back to me.

Okay, where'd y'all go from there?

After we go from there I went back well, made a left again. Went back to the back road to go to Windsor and they was telling me how well, even though you ain't doing nothing you ain't doing nothing I'm still gonna break you off a little bit cause you know they knew that, because I don't know how they know, I guess my sister told him, but now now my girlfriend could be nine to ten weeks, but she tell you she's pregnant and they was looking out I guess they was told told me they was looking out for me. So with that being said, you know what I'm saying, they was talking you know talk. We get down the road ---

What do they give you or tell you they were going to give you?

Joe say once he sell the TV for \$500.00 he was going to break me off \$250.00. David said once he sell the game he gonna try to sell the game for \$150.00 and he was going to give me about \$75.00 and Bat he ain't said he was going to give me nothing and Jake they didn't say they were gonna give me nothing and I was like even though I didn't do nothing y'all like thank you, thank you and they was like yeah, they was like they was like what's his name told me, who they said. I want to say Faith. That's why I say I don't know who told them that my girlfriend's pregnant. I want to say Faith, but I don't think they said it was Faith.

From there what happened?

What happened well, we're driving and Jake he had he lays out the window with my sister gun and he shot and me and David we was like bro, what is you doing? Why would you do something so stupid like that and he got in his face he caught an attitude and I see him and David going back and forth. I didn't say nothing. I was just like in ---

1 Inv. Graybeal

Shot up in the air?

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3 W. Chandler

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38 Inv. Graybeal

Um, I know it's kind of hard for you. The last question I want to ask, um, we got the Taurus out of the roadway, the black and silver Taurus and we got the 380.

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42 W. Chandler

Yes, sir.

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44 Inv. Graybeal

Where would the other 380 be that you were telling me about? You know after y'all wrecked the car and went in the woods tell me what happened.

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All right, after we wrecked the car we ran. We ran back behind the house and we shot right past I guess roosters and chickens. We kept straight through there running through bushes and we seen this open field like there was still trees out there, but it was mostly open field. We cut up that field. Now by then we had stopped and we was resting. That's when they had caught up with us and they had rested and we continued to jog a little bit across the field. Once we had got like in the middle of the field where it was I guess it's a ranch a ranch with a fence and with horses and all we had got right there and it was a tree. I remember like it ain't nothing. I remember like it's nothing. There was a tree. It was like a tree right there on our side. We sitting down. I look over at Bat and I see Bat take his clip out of his gun and he throw it and now you can this how you know I ain't lying. You going to look it up and see if he if he you know what I'm saying he got a gun cause I know what my sister told me way before that day she had told me she was like guess what Bat done did? Bat done got him a 380 just like mine. He went and bought him a 380 just like mine because I don't want to date him.

Okay, and do you think you could show us where that gun is out in the woods? Do you think you could find it again?

Yes, sir, I could pretty much find it again, sir.

Okay, um, is there anything else you want to add to the statement right now the recorded statement we haven't already addressed?

Um, not really.

Okay, is everything you've told me true and accurate to the best of your knowledge?

Yes, sir, a hundred percent accurate.

Okay, this interview concludes at 1158 hours.

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W. Chandler

something that happened in the station wagon right before you wrecked. Will you put that on tape for me?

Yes, sir. Before we had wrecked the car and the cop was gaining on us we had seen the cop was gaining on us and Bat had leaned out the window and he had asked us he said do y'all want me to shoot at the cop? I immediately yelled out and screaming no, no, don't you shoot at him and David started yelling at him like you are stupid. Why are you trying to shoot at the cop and Bat said I'm not going to shoot at him. I'm shooting at the tire so he can slow down or get off of us. So that's what happened, but he did want to shoot at the officer. He did want to shoot at the officer.

Inv. Graybeal

Okay, but he didn't as far as you know?

W. Chandler

No, he didn't.

Inv. Graybeal

All right. Was there anything else you wanted to add?

W. Chandler

No, sir.

Inv. Graybeal

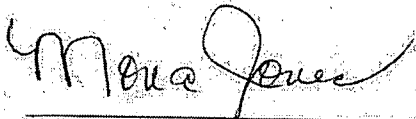
All right. This interview concludes at 12:03 P.M.

[END OF AUDIO]

TRANSCRIBER'S CERTIFICATE

I, Mona Jones, hereby certify that the foregoing pages are a true, accurate, and complete transcript of the interview provided by William Chandler, transcribed by me from a copy of the electronic audio recording to the best of my knowledge and ability.

Date: January 25, 2018



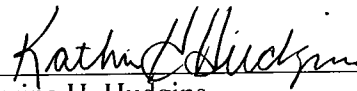
Mona Jones, Transcriber
at North Augusta, South Carolina

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CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Kathrine H. Hudgins
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 27th day of September, 2019.

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SC Court of Appeals