

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas  
Post Conviction Relief

S.C. SUPREME COURT

Honorable Walton J. McLeod, IV, Circuit Court Judge

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App. Case No: 2019-001060

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Andrew E. Torrence,

Petitioner,

vs.

State of South Carolina,

Respondent.

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APPENDIX  
VOLUME III OF IV

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1 Q. Okay.

2 A. He also -- if I can add the other things that  
3 have been consistent, he's consistently reported  
4 this monitoring, and he's not always sure.  
5 Sometimes he thinks it may be the government.  
6 Originally he thought his family may have had  
7 something to do with it. While he initially viewed  
8 it as benevolent, it is no longer benevolent. It is  
9 not helpful to him, it impairs him, he feels  
10 persecuted.

11 The other things that have not changed over  
12 time is he still does not believe the victim in this  
13 case is dead. And his father has since died and he  
14 does not believe that his father is dead. And those  
15 have been consistent beliefs since 2016 as well.

16 Q. And just to be clear, you've mentioned ham  
17 operators. That would be part of ham radio system;  
18 is that correct?

19 A. Yes.

20 Q. And are you aware of your evaluation and the  
21 information you obtained regarding Mr. Torrence that  
22 he actually went through Marine training? Were you  
23 aware of that?

24 A. I don't recall.

25 Q. Okay.



1       A.    I'm sorry.

2       Q.    Now, you've given us some of the information  
3       that he presented to you and your observations.  
4       Unless you have anything further to add, would you  
5       like to take us through the testing that you  
6       conducted on Mr. Torrence?

7       A.    Sure.  After I obtained a history from him, I  
8       performed a mental status examination, Your Honor,  
9       which is basically the psychiatrist physical exam,  
10      where we're looking at cognitive processes, looking  
11      for symptoms of mental illness, and those sorts of  
12      things.

13       What I noticed, similar to today, he always has  
14      very neat hygiene, he's very clean.  Sometimes in  
15      mental illness, you can see some things where  
16      persons are not taking care of their activities of  
17      daily living.  And he's very concerned about his  
18      hygiene, those sorts of things.

19       When he speaks, he has a rapid rate of speech,  
20      usually because he has a lot say, and it's usually  
21      related to the neuromonitoring system and the things  
22      that are happening to him, basically, all day long.

23       He also exhibits what's called a flight of  
24      ideas.  He'll go from one topic to the other.  And  
25      it's, again, because he has a lot of things that he

1       wants to talk about. He exhibits what's called  
2       perseveration. And what perseveration is, it means  
3       your brain is focused on the same topic. And he did  
4       that similar to this morning.

5               I was trying to discuss his understanding of  
6       what was happening today and he's very focused on  
7       the content about the neuromonitoring system. So  
8       when you're talking to him about other topics, he  
9       will always come back. For example, my resident was  
10      with me this morning and he was concerned that my  
11      resident was maybe a government agent or FBI or some  
12      kind of law enforcement agent. But he'll usually go  
13      back to the topic of the neuromonitoring system.

14             He does not believe he's mentally ill. He  
15      understands that the psychiatrists call this  
16      delusions, but he does not think he's mentally ill.  
17      He believes that all the symptoms that he has is  
18      because of the remote monitoring system. He knows  
19      there's some kind of conspiracy, but he's not sure  
20      why.

21      Q.     What was the validity of the testing that you  
22      were able to conduct on him?

23      A.     Well, other than the validity, it's regular  
24      methodology used by psychiatrists. You obtain a  
25      history, you perform a mental status examination. I

1 ordered the neuropsychological testing to look at  
2 that as well. And after looking at all those, I was  
3 able to render a diagnosis.

4 Q. And you've interacted with him, I believe,  
5 twice at the prison and twice now here at the  
6 courthouse; is that correct?

7 A. That's correct.

8 Q. Did you have any concerns regarding the  
9 conditions under which you met with him?

10 A. Yes.

11 Q. Did you feel that they in any way affected your  
12 ability to make findings in this case?

13 A. No. No. But when you see people -- I have  
14 four data points on him -- actually, five. So when  
15 you see them in different places and times -- so I  
16 saw him at the Lexington County Detention Center  
17 where he was not psychotic, I saw him two times in  
18 the department of corrections where he was acutely  
19 psychotic, I've seen him two times in court where  
20 he's psychotic. And those symptoms have been,  
21 basically, stable.

22 At the Broad River Correctional Institute, I  
23 had concerns because his mental status had changed  
24 so dramatically since the time I had seen him in  
25 2010.

1 Q. And, Dr. Maddox, we are here today alleging  
2 that his attorney was ineffective for failing to  
3 properly utilize your services at the time of trial.  
4 And you keep saying he was not psychotic at that  
5 time, but yet you've testified that you had  
6 recommended further testing by Dr. Brawley. Can you  
7 just kind of go back and explain why you would have  
8 recommended that at that time if he was not  
9 psychotic? Kind of address the differentiation for  
10 us, please.

11 A. Sure. And it actually would have been easier  
12 back in time. Because of his history of the  
13 encephalitis and the being hit as a pedestrian and  
14 the football injuries and when I originally  
15 evaluated him -- I don't have the data there. And I  
16 apologize. But I have, obviously, on some of the  
17 cognitive tests that I gave him, they raised a  
18 concern that I wanted a neuropsychological  
19 evaluation. You don't need a neuropsychologist to  
20 diagnose psychosis.

21 The neuropsychologist, the purpose of that  
22 evaluation, was to show where his brain had  
23 deficits. And, ideally, Your Honor, had he not been  
24 drinking, it may have risen to the level that he had  
25 a GBMI defense. But at that time, that was not an

1 option because he was impaired, intoxicated with  
2 alcohol, so it ruled that out. But, in my opinion,  
3 I would have been able to testify in sentencing,  
4 talking about the exact issues, what's going on with  
5 his brain, that he had numerous impairments.

6 It wasn't just the memory, it wasn't just  
7 frontal lobe function, that he had numerous  
8 impairments, and that that affects your judgment.  
9 It makes you impulsive. And, in my opinion, it  
10 would have been mitigating.

11 Q. And if you can expand again, just because you  
12 have reviewed the video in this case and are  
13 familiar with the factual circumstances in this  
14 case. When you say it could affect your impulses,  
15 what do you mean by that?

16 A. When you have underlying organicity, people  
17 react without thinking or you can react irritably.  
18 You're not always impulsive. So, for example, if I  
19 call someone impulsive, that's somebody whose mental  
20 status -- their mood could change dramatically very  
21 quickly. But when I say impulsive, it's being  
22 driven by a brain disorder, not just a conscious  
23 choice.

24 And the problem is when you add alcohol to an  
25 impaired brain, it makes you more impulsive. It

1 makes you use poorer judgment. So the alcohol just  
2 would have exacerbated all of his underlying  
3 pathology.

4 Q. And I understand that you don't have your  
5 records and that you made the recommendation for  
6 Dr. Brawley. Would you have reached the point where  
7 you could have made a determination regarding his  
8 competency to stand trial and/or his competency to  
9 take the stand at his trial?

10 A. Good question. At the time I saw him in 2010,  
11 he was competent. There was no question. But  
12 whatever -- at the time -- from 2010 to the time  
13 that he had his hearing, I did not see him.

14 As I did today, as I do before every  
15 proceeding, my methodology is to evaluate the  
16 defendant and to make sure there's been no changes  
17 in his mental state.

18 Now, Mr. Torrence has told me at the time that  
19 he testified in the trial he was hallucinating. He  
20 had been under the -- he had already felt the remote  
21 neuromonitoring system was affecting him. He told  
22 me that when he took the stand, Your Honor, that he  
23 was hallucinating, hearing voices telling him how to  
24 sit, how to move, telling him to get angry. He  
25 reports that this system can invoke rage and mania

1 in him. And he felt that at the time he was on the  
2 stand, that he was having these symptoms.

3 Q. And if you had seen Mr. Torrence shortly before  
4 his trial and that would have been communicated to  
5 you, this information regarding the remote  
6 neuromonitoring and the hallucinations, what expert  
7 opinion would you have provided to Mr. Floyd about  
8 him taking the stand and proceeding with his trial?

9 A. I need to add too, my opinion would have been  
10 of course he would have needed to be evaluated. But  
11 the one thing that was key to his competency to  
12 stand trial -- and again, I didn't see him, so this  
13 is only if he had the same delusion that he does  
14 now. He did not believe the victim was dead. That  
15 could have been a competency to stand trial issue.

16 My concern was more his competency to testify.  
17 To testify in court, you have to know the difference  
18 between truth and a lie. And, unfortunately, when  
19 you have delusions, you believe things that may not  
20 be true. And just similar to the hearing that we  
21 had last year, I would have had concerns about his  
22 ability to differentiate delusional thinking from  
23 the truth.

24 Q. And what are your findings now regarding his  
25 delusional beliefs and his ability to tell the

1 difference between a truth and a lie?

2 A. He's not able to. It's similar to the last  
3 time I testified. There's been no change. Although  
4 he is medicated now and that's -- and he reports  
5 he's compliant with his medication. So that's been  
6 the only variable that has changed. And he's now --  
7 I think last time he was at Broad River, he's now at  
8 McCormick Correctional Institution.

9 Q. And as his PCR counsel that retained your  
10 services, what was your expert opinion to me as to  
11 whether or not Mr. Torrence should take the stand in  
12 this proceeding?

13 A. It was my opinion that he should not.

14 Q. And that's based upon the explanations that  
15 you've already provided; is that correct?

16 A. Yes.

17 Q. Dr. Maddox, unless there's further explanation  
18 that's appropriate, could you please share your  
19 diagnoses in this case at this time?

20 A. Yes.

21 Your Honor, for his psychosis, I'm calling it  
22 unspecified schizophrenia and psychotic spectrum  
23 disorder. The DSM-5 -- the DSM keeps changing, so  
24 every edition, the unspecified kind of changes  
25 nuances. But what that means is I can't tell



1       whether the psychosis is coming from his traumatic  
2       brain injury -- you can have traumatic brain  
3       injuries and develop psychosis later over time -- or  
4       if he, indeed, is very unfortunate and has both  
5       organicity and schizophrenia. So I left it in the  
6       unspecified characterization because I'm not sure.  
7       And at this point, I don't think anybody could be  
8       sure.

9               Then I also diagnosed him based on  
10       Dr. Brawley's testing with what's called a major  
11       neurocognitive impairment. And it's secondary to  
12       his history of meningitis, his history of  
13       closed-head injuries, and also alcohol abuse over  
14       the years that he had could contribute to that. And  
15       that means that he's got cognitive impairment in, I  
16       believe, it's four areas which Dr. Brawley  
17       mentioned: The concentration, the attention,  
18       working memory, some verbal learning, those sorts of  
19       areas that she's already testified to.

20              And then, of course, I diagnosed him with  
21       alcohol abuse disorder. He's had a longstanding  
22       history of alcohol abuse over the years and he's  
23       not -- according to his report, he has not had any  
24       alcohol since his department of corrections  
25       confinement, which may account for why Dr. Brawley

1       also reported there was improvement. You could  
2       expect someone with organicity if they're no longer  
3       drinking to improve, their cognitive function to  
4       improve.

5               MS. BLANCHETTE: Your Honor, if I can beg the  
6       Court's indulgence just one moment?

7               Your Honor, if I could just have another  
8       moment.

9               THE COURT: Certainly.

10              MS. OPPENHEIMER: Your Honor, Mr. Torrence is  
11       talking very loudly at this point. And because this  
12       is one of the main issues of his PCR, we'd ask that  
13       either he and Ms. Blanchette talk outside of the  
14       courtroom or outside of your presence just because  
15       he is talking very loudly.

16              THE COURT: Okay. All right. You want to take  
17       a very short -- well, I don't want to stop in the  
18       middle of a witness.

19              You want to finish your examination?

20              MS. BLANCHETTE: I can, Your Honor. My client  
21       was just saying he hears whispering. He was just  
22       indicating otherwise, so I felt that that needed to  
23       be addressed.

24              THE COURT: Okay.

25              BY MS. BLANCHETTE:

1 Q. Dr. Maddox, I know that you have, throughout  
2 the course of your testimony today, hit on your  
3 opinions in this case. But you did do a formal  
4 report and listed those out as four formal opinions.  
5 Is there anything further from that section of your  
6 report that you would like to address regarding your  
7 opinions that you've rendered regarding  
8 Mr. Torrence?

9 A. No.

10 Q. And, Dr. Maddox, you have indicated at the time  
11 you started your testimony that you had Dr. Brawley  
12 conduct a malingering test this morning; is that  
13 correct?

14 A. Yes.

15 Q. And what was the reasoning for that?

16 A. Because prior to my evaluating him, that had  
17 been a diagnosis. Dr. Watson had examined him, and  
18 I wanted to, number one, ensure -- I have never  
19 suspected malingering in him. His symptoms are  
20 classic for Schneiderian schizophrenic symptoms.  
21 They're classic. And I never suspected that he was  
22 malingering those symptoms.

23 But I wanted to have that test performed just  
24 because it's been a diagnosis in the past. I would  
25 like to present that to the department of

1 corrections so that they will continue treating him  
2 if he is returned there and, also, just to  
3 demonstrate whether he was malingering or not today.

4 And again, as Dr. Brawley said, those tests are  
5 only good for the day that you're seeing the person.  
6 The test results can change each day. But there's  
7 no evidence that he's malingering psychotic symptoms  
8 at this time.

9 Q. And the findings of that test, how did that  
10 impact your opinions of findings?

11 A. It confirmed my opinion.

12 Q. And just to be clear, you have met with  
13 Mr. Torrence today; is that correct?

14 A. Yes.

15 Q. And you have addressed his competency to take  
16 the stand as of today?

17 A. Yes.

18 MS. BLANCHETTE: I beg the Court's indulgence  
19 just one moment.

20 BY MS. BLANCHETTE:

21 Q. You mentioned that if he was suffering from  
22 delusions at the time, that would have impacted his  
23 ability to tell the difference between a truth and a  
24 lie. Would that also include if he was hearing  
25 voices? Would that impact his ability?

1       A.    Yes.  Specifically the delusion if he did not  
2       believe the victim was dead.  That certainly would  
3       have affected his capacity to assist in his defense  
4       and it could have affected his rational competency.  
5       And if he were hallucinating, it could affect his  
6       capacity to assist in his defense because he's  
7       listening to hallucinations instead of testimony.

8       Q.    But as far as you can recall, you were not  
9       further contacted by attorney Wayne Floyd after your  
10      initial evaluation of Mr. Torrence?

11     A.    After the phone call, that's correct, I don't  
12      recall any further contact.

13     Q.    And that wasn't on your part that you weren't  
14      willing to further assist in the case; is that  
15      correct?

16     A.    No, I was more than glad to and felt I would be  
17      helpful.

18     Q.    Dr. Maddox, going back to that time, you've  
19      been working on this case for a number of years,  
20      nearly a decade at this point.  Is there anything  
21      further you'd like to add regarding your  
22      interactions, evaluations, and opinions regarding  
23      Mr. Torrence?

24     A.    No.

25           MS. BLANCHETTE:  Your Honor, I have no further

1 questions of this witness.

2 THE COURT: Cross-examination?

3 CROSS-EXAMINATION

4 BY MS. OPPENHEIMER:

5 Q. You reviewed the records from -- Mr. Torrence's  
6 records from SCDC in preparation, right?

7 A. Yes.

8 MS. OPPENHEIMER: And, Your Honor, I believe  
9 that Ms. Blanchette has stipulated to the  
10 introduction of these records that's marked as  
11 Defendant's Exhibit 1.

12 If I can just approach the witness?

13 THE WITNESS: Thank you.

14 MS. OPPENHEIMER: Would Your Honor like a copy  
15 as well?

16 THE COURT: Sure.

17 MS. BLANCHETTE: Yes, Your Honor, I do  
18 stipulate.

19 Did you already provide me a copy?

20 MS. OPPENHEIMER: I gave it to you this  
21 morning.

22 THE COURT: Well, take a moment to find them  
23 before you proceed. Or if you need this --

24 MS. BLANCHETTE: That's fine, Your Honor.

25 MS. OPPENHEIMER: I know I e-mailed you a copy

1 too.

2 MS. BLANCHETTE: Yes, Your Honor, I did receive  
3 these via e-mail, as long as they're the same  
4 records. They've also been provided to Dr. Maddox.  
5 Once we redacted this morning, I didn't see my copy  
6 again.

7 THE COURT: All right. Stipulated and moved  
8 into evidence.

9 MS. OPPENHEIMER: Thank you, Your Honor.

10 (Respondent's Exhibit No. 1 admitted into  
11 evidence.)

12 BY MS. OPPENHEIMER:

13 Q. Dr. Maddox, are you familiar with MMPI-2?

14 A. Just that it's a psychological test. I'm not a  
15 psychologist, so I'm not licensed to administer or  
16 interpret them, but they're certainly used in  
17 psychiatry. They diagnose personality disorders.

18 They also have scales that can tell if you're  
19 consistent in reporting the answers. Basically,  
20 it's a true/false test and it looks at things like,  
21 I like mechanics, true or false? So they have  
22 different questions that kind of can develop a  
23 personality profile of persons.

24 Q. And it can be used to test for schizophrenia,  
25 correct?

1 A. I don't know. I mean, certainly there can be  
2 scales that are elevated, but with it being a  
3 personality test, that would probably be a question  
4 better for a psychologist. I'm not sure.

5 Q. So you did not run an MMPI-2?

6 A. Oh, no.

7 Q. Did not request anyone to run an MMPI-2 in this  
8 case?

9 A. No.

10 Q. You also didn't analyze one?

11 A. No.

12 Q. Are you familiar with the SIMS test?

13 A. It's a malingering test. I'm somewhat  
14 familiar, but I'm not licensed to administer nor  
15 interpret it.

16 Q. Are you aware that the cutoff for that test is  
17 16?

18 A. I'm not aware of anything about that test.

19 Q. Are you aware that SCDC administered a SIMS  
20 test on Mr. Torrence?

21 A. Yes.

22 Q. And he scored a 35, correct?

23 A. I don't know and I don't know what that means.

24 Q. If you'll turn to Pages 14, 17, and 42.

25 MR. BLANCHETTE: And, Your Honor, at this



1 point, I'd object if she's being asked to interpret  
2 the results, because she's already said she's not  
3 familiar with the test, that's not a test that she  
4 gives.

5 MS. OPPENHEIMER: That's okay. I can move on.

6 THE COURT: Thank you.

7 BY MS. OPPENHEIMER:

8 Q. Is it strange that Mr. Torrence reports these  
9 auditory hallucinations in connection with his court  
10 case?

11 A. I guess the question is I don't agree. I think  
12 he's reported them outside as well. He reports them  
13 on a daily basis, not just related to the legal  
14 proceedings. But I think your question is, is it  
15 odd that he reports the onset while he was  
16 testifying in the trial?

17 Q. Well, there are certain instances in the  
18 records that indicate that he hears these voices or  
19 noises, but he also indicates that they may help  
20 with his case. Is that strange?

21 A. That, per se, no. Voices -- when persons with  
22 mental health hear voices, there's usually more than  
23 one. Many times, they have conversations about you  
24 like you're not present. So it's not uncommon.  
25 Sometimes people will hear good things. Sometimes

1       some people are really lucky and they might have one  
2       or two voices that say nice things or make them  
3       laugh. So it's not uncommon.

4       Q. But he also didn't report hearing these voices  
5       until after he went to SCDC, correct?

6       A. I don't know. The only thing we can base it on  
7       is the records. Certainly when I saw him, he did  
8       not -- I did not get any history of hallucinations.  
9       I did not detect any symptoms of psychosis in him.  
10      So, you're right, the only record we would have  
11      would be once he was confined in the department of  
12      corrections and began reporting the voices. So I  
13      don't know the onset.

14     Q. And your prior evaluation would have been in  
15     2010, correct?

16     A. I think it would have been 2009 or 2010, but  
17     I'm guessing. Just based on the records, it would  
18     have been 2010.

19     Q. That would have been before the trial, correct?

20     A. Correct.

21     Q. And did you ever produce a report?

22     A. No, I never finished the evaluation because the  
23     neuropsychological testing wasn't done.

24     Q. But at that time you didn't note any unusual  
25     behavior and there was no evidence of psychosis,

1 correct?

2 A. That's correct.

3 Q. And at that time you didn't have any concerns  
4 about his competency, correct?

5 A. No.

6 Q. And there was actually no evidence whatsoever  
7 in 2010 that he was psychotic?

8 A. I can only speak to the last time I saw him. I  
9 don't know what would have happened after the -- I  
10 saw him at the Lexington County Detention Center, so  
11 I don't know, you know, what month I saw him or what  
12 would have happened after that. But up to the point  
13 I had seen him, there was no history of psychosis,  
14 no evidence when I evaluated him.

15 Q. If you had concerns about his competency or his  
16 mental status at the time, would you have reported  
17 that to Mr. Floyd?

18 A. Absolutely.

19 Q. And you didn't do that, correct?

20 A. That's correct. I did not have any concerns.

21 Q. And everything you're testifying that you would  
22 have done is looking back at this case, correct?

23 A. That's right.

24 Q. It was not your opinion at the time, correct?

25 A. That's correct.

1 Q. And is it unusual that someone who's allegedly  
2 schizophrenic does not appear to be in any distress?

3 A. No. When I worked on the 45-bed unit with my  
4 women who were mainly schizophrenic, they would do  
5 laundry, they would laugh, they would be very  
6 pleasant. You could, every once in a while, see one  
7 off to the side hallucinating. But they can  
8 function.

9 The symptoms, they're not always continuous.  
10 They come and go depending upon what level of stress  
11 you're under, depending upon your health, depending  
12 upon your environment. So it's kind of an  
13 interplay. So you can observe them and they can be  
14 appearing to be functioning.

15 Q. And none of these voices that Mr. Torrence was  
16 allegedly hearing have ever told him to kill anyone,  
17 correct?

18 A. That's correct. He has never reported that.  
19 In fact, he reports that they're persecuting him.

20 Q. And are you familiar with the DSM-5?

21 A. I am.

22 Q. And doesn't the DSM-5 instruct that malingering  
23 should be strongly suspected when there's a  
24 combination of medicolegal context of presentation,  
25 marked discrepancy between the claimed stress or

1       disability and the objective findings and  
2       observations, lack of cooperation during the  
3       diagnostic evaluation and in complying with the  
4       prescribed treatment regimen and the presence of  
5       antisocial personality disorder?

6       A.    It does.

7       Q.    And Mr. Torrence, at one point, specifically  
8       requested that you come in and evaluate him,  
9       correct?

10      A.    I don't know.

11      Q.    If you'll turn to Page 82 of those records, on  
12      January 12th, 2012.

13      A.    I see that.

14      Q.    So he specifically requested that you come and  
15      evaluate him, correct?

16      A.    Yes.

17      Q.    And he also refused to have the SIRS  
18      administered while he was in SCDC, correct?

19      A.    Well, my understanding was -- the notes I saw  
20      said it was upon the advice of his attorney.

21      Q.    And at some point in time, I believe it's  
22      between 2011 and 2014, he would not have been  
23      compliant with his medication, correct?

24      A.    There have been periods of time where he was  
25      not compliant, that's correct.

1 Q. And psychosis and schizophrenia is treatable  
2 with medication, correct?

3 A. It is.

4 Q. And if someone is not compliant with his  
5 medications, the symptoms could become exaggerated,  
6 correct?

7 A. That's correct. And also, many times when  
8 people do take their medicines, they can remain  
9 symptomatic. The things you look at, the longer the  
10 psychosis has been present, the more difficult it is  
11 to treat over time. And you look at other  
12 variables. But, you're right, if you have the  
13 illness, you need to take your medication. You have  
14 a much bigger chance of going into remission if  
15 you're compliant with your medications.

16 Q. And would you agree with me that when he was  
17 compliant with his medications at SCDC that he  
18 reported no auditory hallucinations?

19 A. I don't know that. I'm sorry. I'm not being  
20 difficult. But I would have to look at each of  
21 those records. If there's some you'd like me to  
22 respond to, I'd be glad to.

23 Q. I believe there's a period of time, but I don't  
24 have the exact records. There's a chunk of it.

25 MS. OPPENHEIMER: And Your Honor can review the

1 records if you'd like.

2 BY MS. OPPENHEIMER:

3 Q. And isn't it entirely possible that he could  
4 have decompensated while being in prison?

5 A. Sure.

6 Q. And in 2010, you had evidence of psychosis?

7 A. That's correct.

8 Q. No concerns that you reported to Mr. Floyd?

9 A. That's correct.

10 Q. And you performed no psychological testing or  
11 requested that anyone perform psychological testing?

12 A. That's correct.

13 MS. OPPENHEIMER: Beg the Court's indulgence.

14 BY MS. OPPENHEIMER:

15 Q. And you testified that he has no prior history  
16 of psychiatric treatment, correct?

17 A. That's correct.

18 Q. And his alcohol abuse at the time of this crime  
19 would have precluded a guilty but mentally ill  
20 defense?

21 A. That's correct.

22 Q. And you testified that based on his  
23 impairments, he could be impulsive. You reviewed  
24 the video, correct?

25 A. Yes.

1 Q. And you're aware that Mr. Torrence left the bar  
2 for a period of six minutes?

3 A. Yes.

4 Q. Sat in his car?

5 A. Yes.

6 Q. Decided what to do?

7 A. Yes.

8 Q. Took a gun into the bar, correct?

9 A. Yes.

10 Q. So that cooling-off period, would you agree  
11 that that was not impulsive?

12 A. Yes and no. Not only impulsive though. You  
13 have to remember also, persons with organicity, they  
14 can become extremely irritable. And then when you  
15 combine that with alcohol -- the impulse could have  
16 been at the time of shooting. Impulse doesn't  
17 necessarily mean that you -- cooling-off period is  
18 kind of a legal term and impulsivity is a  
19 psychiatric term.

20 So, for example, is it very poor judgment that  
21 he goes and gets his gun? Absolutely. But once he  
22 came into that bar, it's very impulsive when he's  
23 firing. So it's a combination of those things.

24 Q. And he didn't report that he was hearing voices  
25 at his trial until after the trial, correct?



1       A.    I didn't see him until -- I don't know when he  
2       originally reported them.  He reported them to me in  
3       2016 in March when I first saw him and told me at  
4       that time.

5       Q.    But he did not report that to you in 2010 that  
6       he was hearing voices?

7       A.    That's correct.  I only saw him the one time.  
8       So what happened after the time I saw him, I have no  
9       idea.

10       MS. OPPENHEIMER:  Beg the Court's indulgence.

11       No further questions, Your Honor.

12       THE COURT:  Redirect?

13       MS. BLANCHETTE:  Briefly, Your Honor.

14                   REDIRECT EXAMINATION

15       BY MS. BLANCHETTE:

16       Q.    Dr. Maddox, just there towards the end, the  
17       State was asking you a series of questions.  You  
18       were asked if you had no concerns that you shared  
19       with Mr. Floyd.  You did actually share concerns  
20       with Mr. Floyd, didn't you, after that first  
21       evaluation?

22       A.    Yes; that he had impairment and that he needed  
23       neuropsychological testing.

24       Q.    And you recommended further testing by Dr. Tora  
25       Brawley?

1 A. Correct.

2 Q. And in preparation for this PCR, the timeframe  
3 from 2016 forward, you had an initial meeting with  
4 Mr. Torrence; is that correct?

5 A. Yes.

6 Q. And then you made recommendations that he meet  
7 with Dr. Brawley; is that correct?

8 A. Yes.

9 Q. And then thereafter you met with him to do a  
10 full evaluation; is that correct?

11 A. Yes.

12 Q. And then after that, along with an additional  
13 meeting here at the courthouse, that is when you  
14 issued a report in this case?

15 A. That's correct.

16 Q. So is it fair to say that that one meeting with  
17 him would have been very premature for you to issue  
18 opinions and findings regarding Mr. Torrence back in  
19 2010?

20 A. That's correct. I didn't have the information  
21 I needed. In order to diagnosis him, I needed to  
22 have that neuropsychological testing.

23 Q. And the day of his trial, which was May 31st,  
24 2011, to determine if he was competent to proceed  
25 with his trial on that date and to determine if he

1       was competent to testify on that date, when would  
2       you have needed to see him?

3       A.     That morning.

4       Q.     So it wouldn't have mattered what you found  
5       back in 2010, you would have wanted to meet with him  
6       that morning?

7       A.     That's correct.

8       Q.     And the State asked you some questions about  
9       Mr. Torrence being compliant with his medications  
10      that have been administered while he's been  
11      incarcerated. In reviewing the reports of the  
12      treatment that he's received, did you take issue  
13      with some of the medications that he was receiving?

14      A.     I did.

15      Q.     Could you please explain that?

16      A.     Yes. For a long period of time, because of  
17      that malingering test, he was not given  
18      antipsychotic medications. And if I may, I'd like  
19      to -- there's some notes there where he specifically  
20      described the same symptoms that he describes to me.  
21      They've been very consistent reports, Your Honor,  
22      throughout the records. And unfortunately, because  
23      of that, he was diagnosed with malingering and not  
24      offered antipsychotic medications. He was being  
25      given, Your Honor, antidepressants and antianxiety

1 medications, not antipsychotic medications.

2 THE COURT: Doctor, are you looking at a  
3 specific page right now?

4 THE WITNESS: Yes, sir. I'm going to try to  
5 find one for you.

6 THE COURT: I'm happy to review all the  
7 records, but would like to know page numbers, if  
8 possible.

9 THE WITNESS: Okay. For example, here's one  
10 from January 12th from 2016. It's on Page 17 of the  
11 notes. And he's at Broad River. It says: Spoke  
12 with Dr. Selman Watson, psychologist, yesterday with  
13 reference to this inmate. Dr. Watson had performed  
14 the SIMS, which is a test, on this inmate in  
15 September 2014 and he scored 35 indicating strong  
16 symptom embellishment. Now inmate is endorsing a  
17 completely different symptomatology. He endorses  
18 that his thoughts are being controlled by NSA  
19 through remote neuromonitoring. Dr. Watson agreed  
20 to perform a SIRS, which is more comprehensive than  
21 the SIMS testing. I sent an e-mail to have it  
22 administered.

23 On 11/6/2015, this is on Page 18, he did not  
24 endorse his thoughts being controlled by NSA through  
25 remote neuromonitoring, rather he endorsed auditory

1       hallucinations telling him to say the word, and it  
2       was a racial epitaph. He had psychological testing  
3       in 2014, which confirmed malingering.

4               Here's a note from 10/27/15, the same page, he  
5       was -- I asked how he was feeling. He stated he was  
6       fine outside of the government having a chip in his  
7       head and is communicating with him through the vents  
8       and speakers. He appears he has a fixed illusion  
9       that his mind is being controlled by the government.

10              He states that his father is a Freemason and is  
11       recruiting his friends. He stated that he began  
12       hearing voices in his ear ten years ago and that the  
13       government is being an A-S-S hole for experimenting  
14       on him.

15              Again, there's just numerous recordings where  
16       he's reporting these psychotic symptoms. And  
17       because he was diagnosed with malingering, he was  
18       not treated.

19       Q.     And, Dr. Maddox, the State had pointed out in  
20       those records where he asked to see you  
21       specifically, but he was reporting a number of these  
22       things that he shared with you to other individuals  
23       at SCDC, as well; is that correct?

24       A.     Yes.

25       Q.     So this is not just information based upon the

1 records the State has admitted that was shared with  
2 you?

3 A. That's correct. And there was also a point in  
4 time where Mr. Torrence thought I was maybe involved  
5 in the neuromonitoring as well. I know when I  
6 originally saw him in March of 2016, he was  
7 concerned and somehow thought that I was also  
8 responsible for that.

9 Q. And the State asked you some questions about  
10 individuals that didn't show distress. Would you  
11 classify Mr. Torrence with your interactions with  
12 him as ever showing distress?

13 A. In my opinion, he doesn't show distress. He's  
14 concerned, he gets irritated, he's upset about it,  
15 but he's still able -- even when he's discussing the  
16 monitoring system, he's calm about it and he's able  
17 to relate what's going on with him.

18 Q. So for someone who did not know Mr. Torrence  
19 well or was not an expert as you are, if he was  
20 presenting normally during the trial, would that  
21 seem askew or odd from your evaluations of  
22 Mr. Torrence?

23 A. No.

24 MS. BLANCHETTE: Your Honor, I have no further  
25 questions.

1 MS. OPPENHEIMER: Just very briefly, Your  
2 Honor.

3 RECROSS-EXAMINATION

4 BY MS. OPPENHEIMER:

5 Q. On Page 7 of the records, Mr. Torrence was  
6 evaluated by someone in SCDC that morning and there  
7 was no clear indication to indicate that he was  
8 psychotic; however, he met with you that afternoon  
9 and he had increased delusional symptoms. Is that  
10 weird? Is that unusual?

11 A. What page?

12 Q. Page 7, which would be --

13 A. 12/2/16?

14 Q. That's correct. Or above that, I apologize.

15 MS. OPPENHEIMER: May I approach the witness,  
16 Your Honor?

17 THE COURT: Certainly.

18 THE WITNESS: I think this note came from  
19 12/8/16. I don't believe that I saw him that day.  
20 It may have been maybe another examiner.

21 BY MS. OPPENHEIMER:

22 Q. Would it be unusual for him to report symptoms  
23 to you, but to no one in SCDC?

24 A. Repeat your question, please.

25 Q. Would it be unusual to report symptoms to you,

1       exaggerated symptoms, to use that term, and report  
2       nothing to SCDC within a very short time frame?

3       A.    I don't think he's done that. But, certainly,  
4       when people are malingering, that is what they can  
5       do. They can report some symptoms to some persons  
6       and not to others. But, again, this is a perfect  
7       example of how he's been diagnosed with malingering  
8       and withheld treatment when, in my opinion, his  
9       symptoms are genuine.

10       So even on this day, Dr. Hedgepath, who I know,  
11       who evaluated him, he wrote: His mood was sometimes  
12       driven into mania with these symptoms, affect is  
13       incongruent. So he thought malingering. But I --  
14       again, even looking at Dr. Hedgepath's notes, I  
15       consider them genuine symptoms of mental illness and  
16       not malingering.

17       Q.    And I believe you testified that scores on  
18       malingering tests can change day to day; is that  
19       correct?

20       A.    Sure.

21       Q.    So his score might be a zero on the SIRS today,  
22       but it could have been elevated at the time he was  
23       given that test in SCDC?

24       A.    Well, he wasn't given the SIRS, he was given  
25       the SIMS. But sure, sure. And people can have



1        mental illness and exaggerate symptoms on some days.  
2        This is the problem with the test though, this is  
3        the issue: The test is designed for someone who is  
4        faking psychosis who is not psychotic. So if you  
5        are psychotic and you're exaggerating symptoms, the  
6        test loses its value. It's only good if you have no  
7        psychosis and you are faking symptoms of psychosis.  
8        That's when it is clinically used.

9        Q.     And he did refuse to have the SIRS administered  
10       previously in SCDC, correct?

11       A.     That's correct. And the record noted that it  
12       was because of the request of his attorney. I'm not  
13       sure if that -- that's what the record says. I'm  
14       not sure what the history is behind that.

15               MS. OPPENHEIMER: Beg the Court's indulgence.  
16               No further questions, Your Honor.

17               THE COURT: You may step down.

18               THE WITNESS: Thank you, Your Honor. May I  
19       also be excused?

20               MS. BLANCHETTE: Your Honor, it's my  
21       understanding the State does not intend to call  
22       Mr. Torrence, therefore, I would not need the  
23       services of Dr. Maddox further. I would ask that  
24       she remain just for a portion of Mr. Floyd's  
25       testimony that may directly address her.

1 THE COURT: Okay. Very well.

2 We're going to take a five- or ten-minute  
3 break.

4 (Brief recess.)

5 THE COURT: We can proceed if the State's  
6 ready.

7 MR. OPPENHEIMER: Ready to proceed, Your Honor.

8 MS. BLANCHETTE: Thank you, Your Honor. I'd  
9 call Wayne Floyd to the stand.

10 WAYNE FLOYD

11 being first duly sworn, testified as follows:

12 THE WITNESS: I do.

13 DIRECT EXAMINATION

14 BY MS. BLANCHETTE:

15 Q. Can you please state your name for the record?

16 A. Howard Wayne Floyd.

17 Q. And, Mr. Floyd, do you have a copy of the  
18 transcript there in front of you or do you need a  
19 copy?

20 A. I have what y'all provided me.

21 Q. Okay. What is your current profession?

22 A. I'm a lawyer.

23 Q. And how long have you been a lawyer?

24 A. Forty-four years.

25 Q. And during those 44 years, what has been the

1 primary areas of your practice?

2 A. Criminal law.

3 Q. Do you have any idea how many cases you've  
4 handled over those 44 years in the area of criminal  
5 law?

6 A. It's hard to say. Couple thousand maybe.

7 Q. Okay. That's fair enough. Do you recall your  
8 representation of Mr. Andrew Torrence seated here  
9 beside me today?

10 A. Yes, I do.

11 Q. And how was it that you became involved in his  
12 case?

13 A. His mother retained me.

14 Q. And do you recall attending a bond hearing on  
15 his behalf right away in the case?

16 A. Yes. I believe that's true.

17 Q. Okay. And I'll ask you more about your  
18 representation and the things leading up to his  
19 trial. But I want to jump right into the first  
20 issue in the amendment.

21 As you've heard me state, we have Dr. Maddox  
22 here. Do you recall getting Dr. Maddox involved in  
23 Mr. Torrence's case?

24 A. Yes, I remember having some contact with her.  
25 I believe his mother, Brenda, brought her name up to

1 me, although I knew of her.

2 Q. And do you recall her being retained to  
3 evaluate Mr. Torrence at the Lexington County  
4 Detention Center?

5 A. Yes.

6 Q. And do you recall communicating with her after  
7 that evaluation?

8 A. I remember a phone call with her. I don't  
9 think I ever got a report, but I do believe we had a  
10 phone call.

11 Q. Do you recall her recommending a further expert  
12 to utilize, such as Dr. Tora Brawley?

13 A. I don't remember that specifically, but I don't  
14 deny it either.

15 Q. And do you recall why or why not Dr. Maddox --  
16 let me rephrase that. That was a poor question.

17 Can you explain to us, if you have a  
18 recollection, of why you did not further utilize the  
19 services of Dr. Maddox?

20 A. If my recollection is correct, she was unable  
21 to provide us information that I thought would be  
22 useful at the trial on the issue of guilt or  
23 innocence.

24 MS. BLANCHETTE: Your Honor, may I approach the  
25 witness?

1 THE COURT: Certainly.

2 THE WITNESS: Nor on competency to stand trial.

3 BY MS. BLANCHETTE:

4 Q. Mr. Floyd, I'm going to hand you a document.

5 See if you can identify that for us for the record.

6 A. That's my witness list.

7 Q. Okay. And that's the witness list from the  
8 case of the State vs. Andrew Torrence?

9 A. Yes, it is.

10 Q. And that's a two-page document?

11 A. Yes, it is.

12 MS. BLANCHETTE: Your Honor, at this time, I  
13 would move to admit this witness list as Applicant's  
14 No. 8.

15 MS. OPPENHEIMER: No objection, Your Honor.

16 THE COURT: So admitted, Exhibit 8, without  
17 objection.

18 (Applicant's Exhibit No. 8 admitted into  
19 evidence.)

20 BY MS. BLANCHETTE:

21 Q. And, Mr. Floyd, could you tell us who is listed  
22 as number nine on this list?

23 A. Donna Schwartz-Watts.

24 Q. So her name was placed on a witness list that  
25 you prepared in anticipation of trial?

1 A. Yes, as were 24 people.

2 Q. And do you have a report or any contemporaneous  
3 notes in your file that indicate to you why she was  
4 not called at trial?

5 A. No.

6 Q. Do you have any specific recollection of her  
7 findings that led to your, I believe, determination  
8 that you've testified about that she was not needed  
9 for trial?

10 A. Well, nothing inconsistent with what she  
11 testified to a while ago.

12 Q. Could you please explain that? I'm sorry if I  
13 cut you off.

14 A. That he was competent to stand trial, she  
15 didn't notice any psychosis, so she didn't feel like  
16 there was any defenses to the act itself available  
17 through what she had seen up to that point in time.

18 Q. And in this case you attempted to negotiate a  
19 plea for Mr. Torrence; is that correct?

20 A. That's correct.

21 MS. BLANCHETTE: Your Honor, do I need to  
22 continue to ask to approach the witness?

23 THE COURT: No, ma'am.

24

25 BY MS. BLANCHETTE:

1 Q. I'll hand you that document. Can you identify  
2 that for us for the record?

3 A. This would be the plea offer that they -- that  
4 was offered to me by Mr. Graham, who was the deputy  
5 solicitor prosecuting the case.

6 Q. And what is the date on this?

7 A. February the 15th of 2011.

8 MS. BLANCHETTE: Your Honor, at this time, I  
9 would move the written plea offer dated February  
10 15th, 2011 as Applicant's No. 9.

11 MS. OPPENHEIMER: No objection, Your Honor.

12 THE COURT: So admitted. Exhibit No. 9 is  
13 admitted without objection.

14 (Applicant's Exhibit No. 9 admitted into  
15 evidence.)

16 BY MS. BLANCHETTE:

17 Q. And, Mr. Floyd, I see you reviewing the  
18 exhibit. What is the plea offer that was indicated  
19 in this written document?

20 A. A straight-up plea to voluntary manslaughter.  
21 The only other part would have been that he had a  
22 charge that came about later of assault and battery  
23 second degree. So that was if he doesn't take the  
24 plea offer, then they were going to call the assault  
25 and battery second degree to trial before the murder

1 charge.

2 Q. Did you ever consider or discuss, as far as you  
3 recall, with Dr. Schwartz-Watts at the time how she  
4 could assist you with presenting information to the  
5 State as far as plea negotiations?

6 A. No, I never did.

7 Q. And did you discuss with her at the time of the  
8 possibility of her assisting with mitigation since,  
9 in this plea offer, it was a range of zero to 30  
10 years?

11 A. No.

12 Q. Now I want to take you to some of the  
13 information that's contained in the record and I  
14 want to talk with you a little bit about the  
15 capacity of Mr. Torrence to testify.

16 If you could look at page 456 of the  
17 transcript, please. In there, Mr. Torrence is being  
18 questioned by the Court whether he's on any  
19 medications. And he indicates that he is on Zoloft.  
20 He specifically says he's not a chemist, so he  
21 doesn't know how it affects him.

22 Is that a matter that you discussed with him  
23 before he gave that information to the Court there  
24 on page 456? And please let me know if you need  
25 more time in finding it.



1 A. You're talking about page 456?

2 Q. Yes.

3 A. And the question was?

4 Q. Did you discuss with him the medications that  
5 he was on and how that affected him prior to this  
6 discussion with the Court?

7 A. I don't think I talked about it with him before  
8 this colloquy he had with the judge, no.

9 Q. And in the days leading up to or the day of his  
10 trial, did you undertake any measures to evaluate  
11 the competency of Mr. Torrence to either proceed  
12 with his trial or to testify at his trial?

13 A. Just meeting with him.

14 Q. Now I'm going to direct you to some citations  
15 from Mr. Torrence's testimony. Please let me know  
16 if you need me to repeat these. If you could look  
17 at page 573, line 2. There, he's being  
18 cross-examined and he responds that -- I apologize.

19 If you look at 572, is the beginning of the  
20 question. He's asked by the solicitor: The truth  
21 is, you don't remember everything you said that  
22 night, do you? And he indicates: No. A lot of  
23 times that's what happens when you have a traumatic  
24 event.

25 A. I'm sorry. 572 there?

1 Q. 572 line 25, and then carry over to the  
2 beginning of 573. In there, Mr. Torrence is trying  
3 to qualify his answer to the solicitor, it appears,  
4 because he suffered a traumatic event. Did you  
5 utilize an expert to look into the impact a  
6 traumatic event could have on his ability on the  
7 stand?

8 A. No.

9 Q. On page 550 -- and, I apologize, I'm going  
10 backwards here. Looking at line 7, he indicates  
11 when asked -- and he indicates this repeatedly  
12 through this section of cross-examination -- that  
13 that night, he made the worst decision of his life.  
14 Prior to trial, did you have an expert's findings  
15 regarding his ability to make decisions?

16 A. No.

17 Q. If you could turn back to page 486. Line 6, he  
18 is again repeating that it's the worst mistake he's  
19 ever made in saying that it was his intention just  
20 to hold them. Again, did you have an expert  
21 evaluate his impulse control in decision-making  
22 prior to him being subjected to taking the stand at  
23 trial?

24 A. No.

25 Q. Then on page 562, if you could turn there, at

1 line 24, when you get there, he responds to the  
2 solicitor that he's playing with words. Did it  
3 appear to you that Mr. Torrence was getting confused  
4 while he was on the stand?

5 A. I didn't notice any confusion unusual to what a  
6 normal defendant is on cross-examination. I didn't  
7 pick up on it.

8 Q. Is there any reason why you didn't conduct  
9 redirect examination of Mr. Torrence?

10 A. I felt he had done pretty good. I didn't want  
11 to expose him to additional recross because I  
12 thought he made some errors on his recross. So  
13 sometimes you just leave things the way they are.  
14 Sometimes that's just a decision you make.

15 Q. Now looking at the testimony of other  
16 witnesses, during the cross-examination of Liam  
17 Stoval on page 293, if you could turn there.  
18 Specifically, if you're there on page 293, you ask  
19 her if she's ever seen anyone in shock, 293, line  
20 14.

21 A. Okay.

22 Q. Is there a reason that you were asking the  
23 State's lay witnesses about the defendant being in  
24 shock or Mr. Torrence being in shock versus using an  
25 expert?

1 A. I was trying get the idea to the jury.

2 Q. And what was that idea?

3 A. That maybe Mr. Torrence was in shock. I tried  
4 to plant that idea in the jury's mind.

5 Q. And then I want to direct your attention to  
6 some of the testimony of Ms. Muszynski. If you  
7 could turn to page 352. And, I apologize, the  
8 question is actually asked on page 351.

9 Ms. Muszynski's asked about something that he said.  
10 And she responds on page 352, line 1: I think  
11 that's why I don't recall what he said, but at that  
12 time I knew that something wasn't right. He was  
13 just inappropriate and strange.

14 And there, the State's witness on direct is  
15 saying that something wasn't right with  
16 Mr. Torrence. Did you explore presenting that  
17 either through testimony or mitigation that  
18 something was not right -- potentially something was  
19 not right with his mental state?

20 A. I'm sorry. Where did you start that from?

21 Q. And, I'm sorry, that was about a ten-minute  
22 question, it felt like. Page 351 through 352. The  
23 question is at the bottom of 351 asked by the  
24 solicitor, the answer is on 352. Would you like for  
25 me to re-ask the question?

1 A. No. I was just reading the exchange. Yeah, I  
2 guess you can give me the question.

3 Q. There, the State's witness is characterizing  
4 that there was something inappropriate and strange  
5 about Mr. Torrence. Is that an issue that you  
6 looked into prior to or during trial, his behavior?

7 A. No.

8 Q. And then finally, when Judge McMahon is  
9 sentencing him on page 743, looking at line 23.

10 A. Okay.

11 Q. There, Judge McMahon says: It's kind of like a  
12 Dr. Jekyll and Hyde. Did you see Mr. Torrence as  
13 having Jekyll-and-Hyde-type characteristics?

14 A. No.

15 Q. And it appears here that that's something that  
16 the trial judge clued into; is that correct?

17 MS. OPPENHEIMER: Objection, Your Honor. He  
18 can't speak to Judge McMahon's reasoning or thought  
19 process.

20 THE COURT: Sustained.

21 MS. BLANCHETTE: Your Honor, I believe the  
22 transcript speaks for itself. I'll leave that  
23 alone. And you sustained, so I will -- I'll move  
24 on.

25 BY MS. BLANCHETTE:

1 Q. And, Mr. Floyd, did you look into any possible  
2 defenses in the area of mental health regarding  
3 Mr. Torrence?

4 A. Well, he asked what I thought of it and I  
5 discussed it with the one conversation I had with  
6 Dr. Schwartz-Watts. But I didn't feel like we had  
7 enough evidence to -- for any type of mental health  
8 issue, mental health defense anyway.

9 Q. Was it communicated to you by the defendant at  
10 any time that he did not believe the victim was  
11 deceased in this case?

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

13 Q. Did he raise any questions regarding the victim  
14 dying as a result of other reasons?

15 A. Well, sure, we explored that possibility  
16 because the victim didn't die right away. The  
17 victim, if I recall correctly, was sent to, like, a  
18 VA rehab center and lived, I don't recall exactly  
19 how long, three weeks, four weeks, something in that  
20 regard. The victim did not participate in all of  
21 his medical treatment.

22 And so, yes, that was an issue we tried to  
23 bring up, that his death wasn't really the cause of  
24 the shooting, but of his refusal to follow through  
25 with his treatment because he was very depressed

1 after the shooting. I think he speculated he was  
2 going to be a quadriplegic or paraplegic and he just  
3 didn't want to live.

4 Q. And jumping way forward, you actually argued  
5 for and received a charge of proximate cause; is  
6 that correct?

7 A. Yes. We tried to raise that issue.

8 Q. And that was part of your closing argument?

9 A. Uh-huh.

10 MS. BLANCHETTE: Your Honor, at this time, I'm  
11 prepared to move on to the second issue, and I just  
12 ask that Dr. Maddox be released unless there's any  
13 reason that the State would like her to stay  
14 further.

15 MS. OPPENHEIMER: We'll have cross-examination  
16 to this effect, but I don't know that Dr. Maddox  
17 needs to be here for it.

18 THE COURT: If y'all are comfortable.

19 Dr. Maddox, have a nice trip.

20 BY MS. BLANCHETTE:

21 Q. Now turning to the second issue in the  
22 amendment that was recently filed on October 26th,  
23 thereby there's an issue for failure to prepare and  
24 investigate prior to trial. Can you explain to us  
25 what you did as far as an investigation in this

1 case?

2 A. I studied the evidence, went out to the scene,  
3 talked to potential witnesses, researched, typical  
4 things you usually do to prepare for trial.

5 Q. Do you recall how many times you met with  
6 Mr. Torrence?

7 A. I couldn't tell you off the top of my head, no.

8 Q. Did you utilize a private investigator in this  
9 case?

10 A. I don't think that I did.

11 Q. Okay. And in the State's opening argument in  
12 this case, they reference Tonya Muszynski [sic] and  
13 Steve that were going to be testifying about how  
14 Mr. Torrence told them that he -- when they were at  
15 the bar prior to the shooting, that he wanted to go  
16 to his truck, get his gun, and shoot the victim. Do  
17 you recall that?

18 A. Say that again now.

19 Q. Both witnesses named Tonya and Steve, the State  
20 argued in opening, said that he had told them about  
21 the victim prior to the shooting, that he needed to  
22 go to his truck, get his gun, and shoot the victim.

23 A. Yeah. I mean, I assume -- you say that, I  
24 accept it.

25 Q. Okay. And then the State called Tonya



1 Muszynski to the stand as part of their case in  
2 chief. And if you could turn to page 166, I'd like  
3 to take you through some of her testimony.

4 Beginning on page 166 and through 167 -- and  
5 I'll give you a minute to look over that.

6 A. What was your question?

7 Q. My question is, do you agree that she testifies  
8 there that she saw the defendant when she arrived at  
9 State Street Pub before midnight on the night of  
10 September 27th, 2008?

11 A. I see where she says when she got to the State  
12 Street bar, Drew was there.

13 Q. And specifically on line 21, she says: I got  
14 there probably around 12:00. I'm sorry; line 21 of  
15 166.

16 A. Yes. That's correct.

17 Q. She then details throughout her testimony --  
18 and I'll give you page cites or you can answer from  
19 memory, if you recall. After saying he was there  
20 upon arrival, on page 169 she details how he was  
21 getting more and more intoxicated and that her and  
22 her companion, Steve, actually went to another bar  
23 to get away from him. Is that what she testified  
24 to?

25 A. What page are you on now?

1 Q. Page 168 through page 169. If you look at 169,  
2 beginning on line 15, specifically.

3 A. Yes, she says that.

4 Q. Then if you can turn to page 171, looking at  
5 lines 8 and 9, does she indicate that while they  
6 were at this bar, she shared six shots with  
7 Mr. Torrence?

8 A. Yes.

9 Q. If you could turn to page 173 through 174,  
10 she's discussing his drunken demeanor. And on page  
11 174, line 12, she says: He seemed exactly the same  
12 way he was at State Street.

13 So she is connecting back his conduct at  
14 Shaggy's to State Street; is that correct?

15 A. Yeah. She said it continued. Yeah.

16 Q. She is then asked by the State about  
17 Mr. Torrence's behavior towards the victim. And on  
18 line 18, she says: He was very aggravated. Do you  
19 recall that?

20 A. What page are you on now?

21 Q. 175, looking at line 18 through 19.

22 A. Yes, it says that.

23 Q. And then if you could look at page 177, lines  
24 13 to 14. You see there where she makes the  
25 statement that he told her and her companion that he

1       should go to his truck, get his gun, and shoot the  
2       victim?

3       A.    Yes.

4       Q.    And she also repeats that on page 178.  In your  
5       cross-examination of her on page 182 and 190, you  
6       asked her if she's sure she has the right night that  
7       she saw him at State Street Pub.  Did you have  
8       concerns going into trial that she may be testifying  
9       about a different event or a different night that  
10      she saw Mr. Torrence at State Street Pub?

11      A.    No.  We just felt her testimony was not  
12      accurate -- or what she was going to say wasn't  
13      going to be accurate from the statements we had  
14      gotten.

15      Q.    And did you have information from your client  
16      that he was not at State Street Pub at the time she  
17      was saying that he was there?

18      A.    Yes.

19      Q.    And what did you do to look into that?

20      A.    Well, independently of just talking to Drew  
21      about it, nothing.

22      Q.    Okay.  And I apologize for being redundant.  
23      But on PCR, we have to build a record, so I'm going  
24      to take you through the testimony of Steven Smith as  
25      well.

1           If you could look at page 213 of his direct  
2 testimony. He's asked about when he arrived at  
3 State Street Pub. And page 213, line 15, he says he  
4 arrives somewhere around 12:00 or a little after.  
5 Do you recall his testimony to that effect?

6           A. Yes, I recall that their testimony seemed to  
7 line up with each other.

8           Q. Uh-huh.

9           A. Both of which, according to Drew, was not  
10 accurate.

11          Q. Okay. And the transcript -- the Court has the  
12 transcript, so I won't go through his full testimony  
13 about what they did at State Street Pub with him.

14                But if you could turn to page 216. When asked  
15 about Mr. Torrence at State Street versus at  
16 Shaggy's where the incident took place, on page 216,  
17 line 18, he relates that Mr. Torrence was more drunk  
18 at Shaggy's than he was at State Street; is that  
19 correct?

20          A. Yes.

21          Q. And then he testified -- if you could turn to  
22 page 217, lines 5 through 13, he testifies that  
23 multiple times, more than once, Mr. Torrence said he  
24 was going to go to his vehicle, get his gun, and  
25 shoot the victim, which is the same argument

1 Solicitor Graham made in opening, the same he makes  
2 in close. And he says that that statement was made  
3 several times by Mr. Torrence. Is that correct?

4 A. Yes. What page were you just reading on?

5 Q. I was on page 217, lines 5 through 13.

6 A. Yes.

7 Q. And I know it's been a while since you tried  
8 this case, but can you tell us your gauge of how  
9 damaging the testimony of Tonya Muszynski and Steven  
10 Smith was to the defense of Mr. Torrence?

11 A. Very damaging.

12 Q. Would you like to explain that?

13 A. Well, there was a video of the shooting itself.  
14 And the question is always going to be what's the  
15 motive behind the shooting. And, of course, our  
16 defense was that he was making a citizen's arrest,  
17 and then once he was trying to effect the arrest,  
18 you can see on the video the victim reaching for the  
19 gun and trying to take it away from him. So that's  
20 when the shooting occurred. So, yes, this provides  
21 a motive -- this type of testimony would provide a  
22 motive to counteract our defense.

23 Q. And your defense also involved two charges that  
24 you asked for, involuntary manslaughter and accident  
25 as well?

1 A. Yes.

2 Q. Now, when Mr. Torrence took the stand, on page  
3 473, on direct, he testifies that he was at Rush's  
4 working during the hours from 9:28 p.m. to  
5 1:50 a.m., and that's page 473. Was that the time  
6 frame that you were working with as far as when he  
7 was at Rush's, from 9:28 p.m. to 1:50 p.m.?

8 A. Yes. I believed Drew on that.

9 Q. And then he says on the following page, on page  
10 474, line 16, that he didn't arrive at State Street  
11 Pub until, he'd say, somewhere between 2:25 or 3:00.  
12 Is that the time frame you were working under as to  
13 when he arrived at State Street Pub?

14 A. That's correct.

15 Q. And that was contradictory to what Tonya  
16 Muszynski and Steve Smith had testified to; is that  
17 correct?

18 A. Yes; they put him about midnight.

19 Q. Now, on cross-examination, he's asked again  
20 about those time sheets. And if you could flip to  
21 page 503, please. There begins a pretty lengthy  
22 back-and-forth questions by the solicitor about the  
23 time that he was at Rush's. And he's asked there by  
24 the solicitor on lines 17 through 20 if he has tapes  
25 to show the security cameras that he was at Rush's

1       this whole time. He says he does not. Did you ever  
2       look into getting security camera footage from when  
3       he was working at Rush's?

4       A.    No.

5       Q.    And I kind of skipped over an obvious thing  
6       that we both know because we've handled the case,  
7       but in what capacity was he at Rush's that night?

8       A.    Security guard.

9       Q.    And the time sheet was for the times in which  
10      he had clocked in and clocked out as a security  
11      guard; is that correct?

12      A.    That's correct.

13      Q.    He then -- the solicitor begins asking him on  
14      page 504 about there being a difference in his  
15      signatures on the time sheet. Do you recall that?

16      A.    I didn't really recall that happening. I know  
17      we put the time sheets in evidence, if I recall  
18      correctly.

19      Q.    And you actually -- if you turn on page 505,  
20      this kind of culminates in you asking actually for a  
21      motion for a mistrial on the basis of prosecutorial  
22      misconduct. I will summarize in asking you this  
23      question, but please provide us the proper  
24      information. It appears you're arguing that you had  
25      received a letter from the solicitor regarding an

1 interview of the Rush's manager and you did not know  
2 the time frame that he was at Rush's was going to be  
3 an issue. Is that a correct summary of your  
4 position and your understanding at that time?

5 A. Yes. Is that discussed somewhere specifically  
6 in here?

7 Q. Your response -- your primary response begins  
8 on page 505, line 7.

9 A. I think that's a correct characterization.

10 Q. Now if you could help me understand what  
11 happens here at the end of the argument. At the  
12 bottom of page 505, you're arguing there's no basis  
13 for asking that question, asking him about if he  
14 could come and leave or about the different  
15 signatures that appear. You're trying to prejudice  
16 him in the eyes of the jury: We would move for a  
17 dismissal.

18 But as the transcript reads, the next comment  
19 is by the Court: Would you withdraw your motion for  
20 a mistrial? You respond at this point: Your Honor.  
21 And the Court says: Thank you. Do you recall what  
22 happened there? It appears you were moving for a  
23 mistrial and then you immediately withdraw it, but  
24 yet the discussion goes on. And if you need a  
25 minute to read through that --



1 A. Well, I think what's going on there is that we  
2 upped the ante and moved for a dismissal.

3 Q. So you were opting for the dismissal versus the  
4 mistrial?

5 A. Yes.

6 Q. I just wanted to be clear because I got  
7 confused as I was reading it.

8 A. I agree. But I think that's what was going on  
9 there.

10 Q. Because you do then continue to argue and the  
11 judge makes a ruling, on pages 507 through 508, that  
12 there was no prosecutorial misconduct, it was more  
13 an issue of credibility regarding Tonya Muszynski  
14 and Steven Smith. The argument does not end there  
15 though. You all keep going through 510 where the  
16 Court decides that he would give a curative  
17 instruction. And then there's some discussion that  
18 a curative would actually be a comment on the facts.

19 So it becomes a pretty big issue here as you  
20 guys are arguing back and forth from, essentially,  
21 505 -- I apologize, essentially all the way through,  
22 I think, about 515 as to whether or not Tonya and  
23 Steve are telling the truth about him being at State  
24 Street Pub.

25 A. It appears the end result was the judge denied

1 the motion to dismiss. So we withdrew the mistrial  
2 and asked for a curative instruction, which he did  
3 not -- at least the one I asked for, he did not  
4 provide. I haven't read through to see if he did  
5 something other than that.

6 Q. And throughout the discussion, you indicate  
7 that this was a surprise, but you've also testified  
8 today that you were aware that Mr. Torrence was  
9 saying that he was not at State Street Pub at the  
10 times indicated by Tonya and Steve; is that correct?

11 A. Yes.

12 Q. Was the surprise in the issue the State's  
13 interpretation of what the Rush's manager was  
14 saying?

15 A. No. The surprise was when they were trying to  
16 make an issue of the fact that maybe Mr. Torrence  
17 was faking his employment records and that he was  
18 drinking on the job.

19 Q. And then the solicitor clarifies on page 517,  
20 looking at line 10. He says: The only point I was  
21 trying to make out of this is that Tonya and Steve  
22 are not lying and that he left. He went somewhere  
23 and came back during the hours, I guess, of midnight  
24 and 1:50.

25 So the solicitor clarifies that he's just

1 trying to, essentially, corroborate what Tonya and  
2 Steve are saying?

3 A. Well, that's what he said, but he also asked  
4 whether he had been drinking while at work. He  
5 didn't have to ask him if he was drinking at work if  
6 all he wanted to know was that question.

7 Q. And do you feel that that question that was  
8 asked, that was properly cured in front of the jury?

9 A. I don't think you could ever cure that in front  
10 of the jury in this regard.

11 Q. And that's why you moved for the dismissal?

12 A. Yes.

13 Q. Is that an issue you anticipated being raised  
14 on appeal? Is that why you're preserving the issue,  
15 for appellate review of Judge McMahon's decision?

16 A. Yeah. I thought that was potentially a good  
17 appeal question.

18 MS. BLANCHETTE: If I could beg the Court's  
19 indulgence one moment.

20 BY MS. BLANCHETTE:

21 Q. If you could look at page 519 through 520,  
22 that's where the judge actually gives an instruction  
23 to the jury regarding the question that was asked.  
24 And he there himself on line 13 says: It's hard to  
25 un-ring a bell. And you agree today that that bell

1 was hard to un-ring, what the jury had heard?

2 A. Yes.

3 Q. Then Mr. Torrence resumes his  
4 cross-examination. And on page 522, lines 17  
5 through 19, he says that he did not see Tonya and  
6 Steve that night at State Street Pub. Is that  
7 correct?

8 A. I'm sorry. What page were you on there?

9 Q. No. I apologize. I go too quickly sometimes.  
10 Page 522, lines 17 through 19.

11 A. That's correct.

12 Q. And then the solicitor continues to question  
13 him most of page 523 and 524 about why Tonya and  
14 Steve would be lying. Do you remember in your  
15 closing argument arguing that Tonya and Steve were  
16 lying?

17 A. I mean, I assume I did. I don't specifically  
18 remember it.

19 Q. If the record reflects on page 638 you argued  
20 that, would you agree with the record?

21 A. Yes.

22 Q. What investigation did you do prior to trial to  
23 establish that Tonya and Steve were not being  
24 truthful about the time they saw Mr. Torrence at  
25 State Street Pub?

1 A. Well, we had the time sheets and there was that  
2 letter from the solicitor. But other than that,  
3 nothing.

4 Q. Did you ever speak with the manager, Lynn  
5 Baldwin, who was ultimately called in reply by the  
6 State?

7 A. No, I didn't.

8 Q. And let's look at her testimony for a minute.  
9 If you could look at page 606 -- sorry. Beginning  
10 on 605, she's asked if she recognizes anyone in the  
11 courtroom from being the security guard for that  
12 night. And I'll give you a second to get there.  
13 That's at the bottom of 605.

14 And at the top of 606, she says: I don't  
15 recall the face. Did you know prior to her  
16 testimony that she was going to say she didn't even  
17 recall Mr. Torrence?

18 A. No. I don't think I had talked with her.

19 Q. On 607 -- I'm just summarizing what is here on  
20 607. The transcript will speak for itself. But she  
21 says that she doesn't remember seeing him between  
22 9:00 and 1:00 and he could have, in fact,  
23 disappeared during that time frame. Did you have  
24 notice that she was going to testify to that effect?

25 A. No.

1 Q. During his testimony, Mr. Torrence had  
2 testified that he walked her to her car at the end  
3 of his shift. On page 608, she testifies that she  
4 left at 2:46 a.m. and the guard did not walk her to  
5 her car. Were you aware that she was going to  
6 testify to that effect at trial?

7 A. No. If I recall correctly, she was called as a  
8 witness in reply, wasn't she?

9 Q. Yes.

10 A. So, no, she was a surprise to us.

11 Q. Okay. Now, I may have already asked this, and  
12 I apologize if I did. Did you look into getting  
13 surveillance from the time period at Rush's when  
14 Mr. Torrence reported on his time sheet that he was  
15 there?

16 A. You asked me that, and no.

17 Q. Thank you. Did you look into getting any  
18 reports of incidents he told you that had taken  
19 place while he was at work at Rush's that night?

20 A. No, I didn't.

21 MS. BLANCHETTE: Your Honor, may I approach the  
22 witness?

23 THE COURT: Yes, ma'am.

24 MS. BLANCHETTE: I apologize. You said I  
25 didn't have to ask.

1 BY MS. BLANCHETTE:

2 Q. I'm going to show you what's been previously  
3 marked as Applicant's No. 1.

4 MS. BLANCHETTE: If I can beg the Court's  
5 indulgence.

6 BY MS. BLANCHETTE:

7 Q. And, Mr. Floyd, did I previously provide you a  
8 copy of this report?

9 A. Yes, you did.

10 Q. Did you need a chance to familiarize yourself  
11 with it this morning?

12 A. No. I think I've read it.

13 Q. And this is a report for the date of September  
14 27th, 2008; is that correct?

15 A. Yes, I think it is.

16 Q. And this is a report for the location of 2640  
17 Broad River Road. And is that the location of  
18 Rush's, as you recall?

19 A. Yes, as I recall.

20 Q. Okay. And the time on this report is marked  
21 9/27/2008 at 23:44:57. Are you familiar with  
22 military time and can tell us what time this report  
23 says at the top there?

24 A. That would be 11:48:30 at night.

25 Q. And you reviewed this report; is that correct?

1 A. Not each and every word, but, yes, I've looked  
2 it over.

3 Q. If you could look at page 2 of 4 of this  
4 report. At the very bottom of the first section,  
5 what time does it say incident closed?

6 MS. BLANCHETTE: Your Honor, may I help the  
7 witness?

8 THE COURT: Yes.

9 THE WITNESS: 00:42:49, which would be 42  
10 minutes, 48 seconds after midnight.

11 Q. Okay. And we already indicated this is from  
12 the address of Rush's. If you could turn to the  
13 last page. Could you tell me who is listed as a  
14 supplemental person in the middle of page 4 of this  
15 report?

16 A. Andrew Torrence, security officer.

17 Q. Mr. Floyd, did you get this report prior to  
18 trial?

19 A. No, I didn't.

20 Q. Does this report coincide with information you  
21 were provided by Mr. Torrence that there had been an  
22 incident at Rush's that would show that he had not  
23 left his place of employment at the time that the  
24 State's witnesses said he was at the State Street  
25 Pub?



1 A. That's correct.

2 Q. And you reviewed this report in conjunction  
3 with this PCR; is that correct?

4 A. That's correct.

5 Q. How would you have utilized this report in your  
6 defense of Mr. Torrence?

7 A. I would use it to buttress his testimony and to  
8 show that Ms. Baldwin was incorrect in her testimony  
9 and also the two individuals, Steve and that  
10 Muszynski, or the lady's last name, that they were  
11 incorrect in their testimony.

12 Q. And in closing the State argued that the  
13 statements of his two witnesses, Steven Smith and  
14 Tonya Muszynski, that were not lying showed malice  
15 and established guilt for Mr. Torrence. Could this  
16 report --

17 MS. BLANCHETTE: Your Honor, I apologize. I  
18 had my phone to coordinate with the expert this  
19 morning and it appears it did not silence. I do  
20 know that is my ring before anybody else. I will  
21 silence my phone at this time and take any further  
22 action the Court would like.

23 THE COURT: That's all right. Let's proceed.

24 MS. BLANCHETTE: I apologize, Your Honor. All  
25 the media was silenced, but not the ring tone.

1 Q. That would be at this moment, Mr. Floyd, as I  
2 was asking you that question. I'll repeat it. The  
3 State argued malice and culpability on the part of  
4 Mr. Torrence based upon the testimony of Tonya and  
5 Steve. So showing through this report that their  
6 testimony was not accurate, how important would that  
7 have been in the defense of this case?

8 A. That would have been extremely important.

9 Q. Is there anything further you'd like to explain  
10 on that point?

11 A. No. I think that a large part of the State's  
12 case -- although they did have the video, a large  
13 portion of their case was centered on the  
14 credibility of these two witnesses. Their testimony  
15 was directly contradicted by Andrew. And they then  
16 used the manager, Ms. Baldwin, to try to show Andrew  
17 was obviously lying, which the report would show  
18 that's not accurate, that what he was saying was  
19 true. So, yes, I think it would have been an  
20 extremely important piece of evidence for use at his  
21 trial.

22 Q. And just going back to his report, it was kind  
23 of tedious of me going through Tonya and Steve's  
24 testimony, but they were both clear in the  
25 transcript that at midnight, Mr. Torrence was at

1 State Street Pub?

2 A. That's correct.

3 Q. And this report indicates to you, and correct  
4 me if I'm wrong, that from the time of 11:44 on  
5 September 27th through after midnight on September  
6 28th, Mr. Torrence was involved in an incident that  
7 was called in to Richland County Sheriff's  
8 Department?

9 A. That's correct.

10 Q. And it appears here that there was -- if we  
11 look through the -- I apologize. Let me look at the  
12 heading. It appears under comments, but it begins  
13 on page 3. The first entry, it says: Rush's,  
14 belligerent, intoxicated female on scene. Did he  
15 actually tell you that there was a belligerent  
16 female on the scene that had to be -- that law  
17 enforcement had to be called for that night?

18 A. I don't remember the exact details of the  
19 incident, but he did tell me that police and maybe  
20 even the fire department was called out there to the  
21 scene.

22 Q. And does it also indicate there that the PAT  
23 was transported. What would that mean to you?

24 A. The patient was transported.

25 Q. And would that coincide with what Mr. Torrence

1 was telling you about what occurred at Rush's at the  
2 time frame where the State's witnesses were saying  
3 he was at State Street Pub?

4 A. Yes.

5 Q. Mr. Floyd, did you have any concern that this  
6 incident report wasn't turned over to you by the  
7 State in this case?

8 A. Yes. I felt it would have been Brady material.  
9 I didn't anticipate the State Street Pub testimony  
10 or the Rush's testimony to be -- I didn't expect it  
11 to be significant, yet it turned out to be kind of  
12 the main focus of the prosecution's case.

13 And particularly when they're trying to show  
14 that he was not there at work when he said he was  
15 and this is a piece of evidence, a document that  
16 would have been exculpatory to him, I think it  
17 should have been provided through Brady.

18 Q. And this was not provided to you even though  
19 you filed a Brady motion; is that correct?

20 A. That's correct.

21 Q. And you also did not issue any type of subpoena  
22 or undertake any effort to get it yourself; is that  
23 correct?

24 A. No, I did not on my own.

25 Q. Do you remember if this was an issue you

1 discussed with the solicitor?

2 A. This?

3 Q. Having any proof or there possibly being a  
4 report indicating that he was at Rush's during that  
5 time frame.

6 A. I can't recall off the top of my head  
7 discussing that with him.

8 MS. BLANCHETTE: Your Honor, I indicated when  
9 we were off the record that I would let you know  
10 kind of a good breaking point for lunch. I'm  
11 getting ready to move into another long issue, so I  
12 just thought I'd indicate that to the Court at this  
13 time.

14 THE COURT: That's fine. And we'll go ahead  
15 and stand at ease for one hour. We'll come back at  
16 2:00.

17 (Luncheon recess 1:00 PM - 2:02 PM.)

18 THE COURT: All right. Let's proceed.

19 CONTINUED DIRECT EXAMINATION

20 BY MS. BLANCHETTE:

21 Q. Mr. Floyd, I next wanted to ask you about the  
22 video footage. There was a tape from the scene from  
23 Shaggy's bar. Are you familiar with that footage?

24 A. Yes.

25 Q. And that was played at trial; is that correct?

1 A. Yes.

2 Q. And admitted at trial?

3 A. Yes.

4 MS. BLANCHETTE: And, Your Honor, you'll have a  
5 copy of that as the trial exhibits. It was  
6 actually -- there were four separate exhibits, is my  
7 understanding. It is contained on trial exhibit 14,  
8 15, 16, and 17.

9 BY MS. BLANCHETTE:

10 Q. On the cross-examination of Sonny Nurang, who  
11 was the bar owner, specifically on page 210, line 8,  
12 you ask and he responds that he decided what video  
13 footage to copy. That's 210, beginning on line 8.

14 A. Okay.

15 Q. And then you ask him on page 211 how long he  
16 would have video footage for, how many days would be  
17 available. And he responds seven to eight days. My  
18 question to you is this: Did you look into getting  
19 additional footage from Shaggy's once you were  
20 retained in this case?

21 A. No; only what I was provided.

22 Q. And you were retained immediately in this case,  
23 is that correct, the day after the incident?

24 A. Pretty much, yeah.

25 Q. Okay. Did you ever speak with Sonny Nurang

1 about potentially getting additional footage?

2 A. No. I mean, I think we knew right away there  
3 was a video and that the police were getting it.

4 Q. Okay. Now, Joe West is actually called, he's a  
5 SLED agent, and he is the person that the State  
6 plays the video through. He does what I would  
7 categorize as narration and he discusses how he has  
8 not altered the video, but put it in a format that's  
9 more viewable for the jury. Throughout the course  
10 of his testimony, is there any reason you didn't  
11 object to him giving opinions about what he saw on  
12 the video?

13 A. I would have to look and see what you're  
14 referring to specifically.

15 Q. On pages 234 through 239. And, specifically,  
16 he's talking about his qualifications with firearms  
17 and reverberation he sees on the video from the  
18 firearm.

19 A. I'm sorry. What specifically were you  
20 referring to?

21 Q. Is there any reason you didn't object to the  
22 testimony he offered about the firearms and what he  
23 was viewing on the video when he wasn't qualified as  
24 an expert to offer opinions?

25 MS. OPPENHEIMER: Your Honor, the State would

1 object. This is outside the pleadings. This was  
2 never alleged in any of the amendments.

3 THE COURT: I'll hear from Ms. Blanchette.

4 MS. BLANCHETTE: We did not specifically allege  
5 a failure to object. This just goes to the use of  
6 the video and counsel's handling of the video from  
7 the bar.

8 THE COURT: Specifically to utilization of the  
9 video?

10 MS. BLANCHETTE: Yes, Your Honor.

11 THE COURT: Overrule the objection.

12 THE WITNESS: No -- I mean, no objection.  
13 There's no reason. No trial strategy, if that's  
14 what you mean.

15 BY MS. BLANCHETTE:

16 Q. That is what I'm asking.

17 A. It appears to me they were asking him questions  
18 to qualify him, which I assume they could have done.  
19 But I had no trial strategy involved in not  
20 objecting at those points.

21 Q. Okay. And he does testify in 232 -- I  
22 apologize. I have to look at my transcript here.  
23 232, he's asked at the bottom of the page  
24 approximately how long he calculated between when  
25 Mr. Torrence left the bar and came back. And do you



1 see where he responds on pages 232 to 233 that it  
2 was four minutes and 42 seconds?

3 A. Yeah, I see that.

4 Q. So that would be different than what the State  
5 said today, I believe six or seven minutes. It was  
6 just four minutes and 42 seconds, is what the  
7 State's witness said as far as the gap?

8 A. Uh-huh.

9 Q. I want to ask you about the in-car video.

10 A. Okay.

11 Q. Beginning on page 66, in pretrial motions, the  
12 State is actually moving to admit an in-car video  
13 from the patrol video of Officer Griffin.

14 MS. BLANCHETTE: And, Your Honor, as a point of  
15 reference, the in-car video is here for your review.  
16 It's Defendant's Exhibit 2 for ID and State's  
17 Exhibit 1 for ID.

18 THE COURT: Thank you.

19 BY MS. BLANCHETTE:

20 Q. Have you familiarized yourself to where the  
21 State was moving to admit the in-car video?

22 A. I'm sorry. What page did you say that was on?

23 Q. I have it as 66 is where they call Officer  
24 Griffin regarding it.

25 A. I see where they call him. But --

1 Q. There, they're saying that they're calling him  
2 on page 66 as a witness to the second statement,  
3 which is the in-car video. My question for you is  
4 this: Had you reviewed the in-car video prior to  
5 the start of trial?

6 A. Yeah, if it had been provided to me. I assume  
7 it had been provided, and if so, I would have  
8 reviewed it. Yeah.

9 Q. Do you recall the approximately hour-long  
10 in-car video where Mr. Torrence is sitting in the  
11 back of the patrol car of Officer Griffin?

12 A. Yes.

13 Q. And on page 71, you actually indicate you had  
14 no objection for that in-car video coming in?

15 A. Okay.

16 Q. Line 25, you say we have no objection to it.

17 A. Uh-huh.

18 Q. Mr. Floyd, later on when Officer Griffin is on  
19 the stand, on page 438, you attempt to introduce the  
20 video.

21 A. Yes.

22 Q. And at that point, the State objects on the  
23 basis of hearsay. At the start of trial, was it  
24 your understanding the State was going to introduce  
25 the video?

1 A. I assumed they were because of our pretrial  
2 situation.

3 Q. And then you attempted to enter it through  
4 Officer Griffin. And, ultimately, the Court ruling  
5 on 584 through 586 was that it was inadmissible  
6 self-serving hearsay. Do you recall that?

7 A. Yes.

8 Q. Okay. Was it part of your trial strategy to  
9 utilize the in-car video in the defense of  
10 Mr. Torrence? And if so, how?

11 A. Well, I thought it would be evidence in our  
12 favor. I thought Drew sounded logical on the video,  
13 that he also showed remorse on the video. And I  
14 don't recall specifically what was said, but he  
15 never does say he murdered the guy, that that was  
16 what he was planning on doing. So, yeah, I thought  
17 it was beneficial to us.

18 Q. And the Court will have the video to review. I  
19 was not going to play the full hour video, unless  
20 the Court would like at this time. But you've  
21 mentioned some of the reasons why you want to admit  
22 it.

23 Do you also recall that he made a statement  
24 that he had tried to contact West Columbia Police  
25 Department on the video?

1 A. Yeah. I think that was on there also.

2 Q. And if that is on there, does that verify one  
3 of the key portions of his testimony that he tried  
4 to call law enforcement before he returned back into  
5 the bar?

6 A. Yes.

7 Q. That was not verified by any other way?

8 A. Yes. Because they said they had no record of  
9 it. Yeah.

10 Q. And so could his statement on the video helps  
11 corroborate that information, that he had -- he is  
12 instantaneously right there on the scene saying he  
13 had tried to contact law enforcement?

14 A. Yes.

15 Q. Okay. Now, like I said already, the judge  
16 ruled that it was inadmissible. And then there's  
17 further discussion on page 587 that culminates on  
18 page 589. And on page 589, line 12, after the Court  
19 has allowed -- has said the video could be played  
20 without the sound, you state: Your Honor, that  
21 would not -- I would withdraw offering of the video.

22 Can you explain why you withdrew offering the  
23 video? Or if I'm reading that incorrectly, please  
24 let me know. If you're still looking for it, it's  
25 589, line 12.

1 A. Well, that's because he ruled that they  
2 couldn't put in the audio.

3 Q. So regarding the redacted video, you did not  
4 want that admitted?

5 A. Right. Because all it looked like then is just  
6 him sitting there and saying nothing.

7 Q. But you still wanted the version with audio  
8 admitted?

9 A. Oh, yes. Yes. It was only after he ruled the  
10 audio could not come in. Because the audio was the  
11 only real part of the tape that we wanted. And  
12 without it, it would just be him sitting there  
13 saying nothing to anybody about anything.

14 Q. And based upon your prior testimony, you  
15 confirmed that you anticipated the State would  
16 introduce it. Had you anticipated having to argue  
17 for the admission of the tape?

18 A. I didn't think that was going to be an issue.  
19 Yeah.

20 Q. Did you do any research regarding cases that  
21 would stand for the fact that it could be admissible  
22 prior to the trial?

23 A. No.

24 Q. And are you familiar with the case of State vs.  
25 Goldson, which was a 2002 Court of Appeals decision

1 dealing with a similar audio and the admissibility  
2 of an in-car video-audio?

3 A. I'm familiar with it in that you presented me a  
4 copy of it or referred it to me.

5 Q. Prior to that, were you aware of that case?

6 A. No. I never even looked that issue up.

7 Q. Mr. Floyd, as you went throughout the several  
8 days of trial, did you have any concern regarding  
9 judicial bias?

10 A. Well, I wasn't winning any motions. Is that  
11 what you're referring to?

12 Q. I was just asking if you had any concerns that  
13 you didn't make part of the record regarding  
14 judicial bias?

15 A. None that I can recall. Now, does -- I do  
16 think the judge had some previous contact --

17 MS. OPPENHEIMER: Objection, Your Honor; calls  
18 for speculation.

19 THE COURT: Well, they're asking about judicial  
20 bias. We'll let him finish his response.

21 A. -- with one of the witnesses for the State.  
22 Now, whether or not that rose to the issue of bias  
23 or a close enough relationship to be a concern, I  
24 don't think I made it an issue on the record.

25 BY MS. BLANCHETTE:

1 Q. And if the transcript reflects the judge  
2 disclosed that, that would be your memory as well?

3 A. Did I actually bring it up?

4 Q. That Judge McMahon brought it up on the record,  
5 is that what you would recall?

6 A. Yes. I believe it came up in some way.

7 Q. I'll move on. If you could look at page 678 of  
8 the State's closing argument. At the beginning of  
9 the page -- I apologize. I'll let you get there  
10 first.

11 A. Okay.

12 Q. At the beginning of the page, the solicitor  
13 makes the comment: Then find him not guilty and let  
14 him have his gun back. And you object and that's  
15 sustained. Do you see that there?

16 A. Yeah.

17 Q. And then lower on the page there, beginning on  
18 line 16 and 21, he characterizes the victim as a  
19 hero. Is there any reason you did not object to  
20 that language, lines 16 and 21?

21 A. No. I had no tactical reason.

22 Q. If you could flip over to pages 680 through  
23 682. There you make further argument about the  
24 solicitor's comments. And it appears the Court  
25 agrees to give a curative instruction. Did you

1 ensure that that curative instruction was given?

2 A. I don't recall.

3 Q. Now, Mr. Floyd, I'd like to ask you about the  
4 charges that were given and requested in this case.

5 A. Okay.

6 Q. As the transcript reflects on page 616 and 617,  
7 very briefly the charge of accident and involuntary  
8 manslaughter are discussed.

9 A. Yes.

10 MS. OPPENHEIMER: Your Honor, we would just  
11 renew our motion to dismiss the involuntary  
12 manslaughter allegation at this time.

13 THE COURT: We discussed it this morning --

14 MS. OPPENHEIMER: I know, I'm just preserving  
15 it for appellate review.

16 THE COURT: Your objection is preserved. Thank  
17 you.

18 BY MS. BLANCHETTE:

19 Q. Beginning approximately on line 11, you discuss  
20 accident. And then very briefly on 617, the judge  
21 says, I do not intend to charge accident or  
22 involuntary manslaughter. Was there further  
23 discussion off the record or was that the only  
24 discussion about whether accident and involuntary  
25 manslaughter would be charged in this case?



1 A. I have no independent recollection if there was  
2 any discussion off the record.

3 Q. Do you know what basis as I -- and please  
4 correct me if I'm wrong. Do you know on what basis  
5 you were arguing for involuntary, because I don't  
6 see it reflected here in the transcript?

7 A. I don't recall off the top of my head unless it  
8 was within the written jury instruction itself.

9 Q. How vital was it to the defense of Mr. Torrence  
10 that you get an involuntary manslaughter instruction  
11 in this case? What value did you place on that?

12 A. Extremely valuable to give the jury an  
13 alternative solution to the question.

14 Q. And I'm sure you're familiar with the case law  
15 going back as far as 1932 with Mae Quick, where  
16 Ms. Quick got an involuntary manslaughter charge  
17 even though she did admit to intentionally pulling  
18 the trigger. We have the Gibson case that's more  
19 recent where it appears that our appellate courts  
20 are now telling us that an intentional  
21 trigger-pulling negates any involuntary manslaughter  
22 charge.

23 We have cases where the court discusses if you  
24 can have both a self-defense and an accident charge,  
25 which you were asking for in this case, we have

1 cases that discuss --

2 MS. OPPENHEIMER: Your Honor, is there a  
3 question being asked? She's just rattling off case  
4 law at this point.

5 THE COURT: I think she's setting up a  
6 question.

7 MS. BLANCHETTE: I am, Your Honor. I can get  
8 to it sooner than later if you'd like.

9 THE COURT: Thank you.

10 BY MS. BLANCHETTE:

11 Q. What I'm asking is, on what basis were you  
12 asking for these involuntary and accident charges  
13 based upon the facts in this case?

14 A. Do you have the written instructions requested?

15 MS. BLANCHETTE: Your Honor, I understand the  
16 witness has asked me a question. If I can just  
17 have -- beg the Court's indulgence.

18 THE COURT: Sure.

19 MS. BLANCHETTE: To help move things along,  
20 Your Honor, I do have an exhibit I can show to  
21 Mr. Floyd.

22 BY MS. BLANCHETTE:

23 Q. Can you identify this for the record.

24 A. This would be my requests to charge.

25 Q. And how are those numbered?

1 A. 1, 2, 3, and 4.

2 Q. And do you know if those are the complete  
3 requests that you made to charge in this case?

4 A. I assume they are.

5 MS. BLANCHETTE: Your Honor, at this time, I  
6 would move the requests to charge as Applicant's  
7 No. 10.

8 MS. OPPENHEIMER: No objection.

9 THE COURT: Applicant's Exhibit No. 10 admitted  
10 without objection.

11 (Applicant's Exhibit No. 10 admitted into  
12 evidence.)

13 BY MS. BLANCHETTE:

14 Q. Mr. Floyd, now we're back on the record.  
15 You've identified these requests 1 through 4. I'll  
16 give you a chance to review those to see if those  
17 would help better answer the question on what basis  
18 you are arguing for accident and involuntary  
19 manslaughter.

20 A. Well, two reasons: One, we were arguing that  
21 it was a legal citizen's arrest. Once he took his  
22 gun in to make a citizen's arrest, that would negate  
23 the intent to premeditate the death of an  
24 individual. But, by law, any person by efficient  
25 means has a darkness and probability of escaping

1       when necessary, even if the life of the person  
2       should be taken when the person has committed a  
3       felony. And he doesn't have to prove a felony was  
4       committed and actual guilt of the suspect is not  
5       required to justify the citizen's arrest.

6               And it's sufficient if the defendant had  
7       reasonable belief that the suspect committed a  
8       felony; therefore, he had the right to arrest the  
9       alleged victim, even if it included the assistance  
10      of a weapon and even if it resulted in the death of  
11      the suspected felon.

12             We also argued that there's no criminal  
13      responsibility if it was an accident, the harm was  
14      accidentally inflicted without intent to harm and  
15      without recklessness or negligence. Those were the  
16      two charges that were requested. We also argued  
17      that the burden of proof was on the State to prove  
18      the homicide was not accidental beyond a reasonable  
19      doubt.

20      Q.     And do you recall in this case, as is  
21      reflected, I believe, on page 725, that the jury  
22      sent out a question whether or not they could  
23      consider involuntary manslaughter?

24      A.     Yeah, I remember a question coming out.

25      Q.     It appears on page 725, it's being put on the

1 record what was being discussed in chambers, if  
2 you'd like to review that.

3 A. You talking about 725 where I'm arguing for a  
4 new trial?

5 Q. Yes. You say: When we were in chambers, when  
6 the question was addressed.

7 A. You talking about it starts on the bottom of  
8 page 724?

9 Q. Yes, that's correct.

10 A. Yeah. I think it became very important then.  
11 It appears the jury sent out a question, according  
12 to what the judge informed us. At 4:40 p.m., the  
13 jury sent out a question to the Court, asked whether  
14 or not they could consider the crime of involuntary  
15 manslaughter, at which point in time we then argued  
16 that the judge should have done that when we  
17 requested it. And I think argued -- we just had an  
18 argument on whether or not it would have been an  
19 appropriate charge at that time.

20 Q. And looking at 726, you say: We would, of  
21 course, renew our objection to the Court's refusal  
22 to charge involuntary manslaughter, which we  
23 requested in our charge conference.

24 So I again ask, just because it was so briefly  
25 mentioned on the record, do you think this charge

1 conference happened off the record?

2 A. Well, the judge was pretty short with it. I  
3 mean, we -- I assume -- I think that was the charge  
4 conference. We may have met in chambers beforehand  
5 and discussed it some. I don't recall that.

6 Q. So where he just briefly discussed accident and  
7 said, essentially, I'm denying your request for  
8 involuntary manslaughter, that would be your  
9 recollection as to what was put on the record  
10 regarding your request for involuntary manslaughter?

11 A. He had made his mind up. We had submitted the  
12 written request and, you know, he had made his mind  
13 up.

14 Q. But as far as arguing any cases or arguing the  
15 facts and preserving those matters for appellate  
16 review, can you point to anywhere in the transcript  
17 where that was done?

18 A. I don't know whether you need to preserve  
19 anything that he said no, I'm not going to give it.  
20 Doesn't matter what your reasons are if he's not  
21 going to give it.

22 Q. So it's your belief that you don't have to put  
23 the basis on which you want that charge on the  
24 record?

25 A. Well, I think we put it in our request to

1 charge.

2 Q. I will move on. Let me ask you about a charge  
3 the judge did give. On page 703, line 4, he gives,  
4 what begins on line 3, the contemptuous language  
5 charge. Is there any reason you did not object to  
6 this being included since this charge negates  
7 self-defense?

8 A. I had no reason not to object to it, no.

9 Q. Do you find that objectionable?

10 A. Yes.

11 Q. Why?

12 A. I think it basically negates self-defense in  
13 most situations.

14 Q. And how did that impact the case of Andrew  
15 Torrence or impact your defense of Andrew Torrence?

16 A. Well, I think there was some words going back  
17 and forth, if I recall correctly, that were  
18 considered objectionable by the other people there.

19 Q. Mr. Floyd, I'm now going to turn to the issue  
20 in the amendment regarding docket manipulation and  
21 the use of the defendant's prior conviction. Now,  
22 you represented Mr. Torrence in a plea proceeding in  
23 April of 2011 before Judge McMahon; is that correct?

24 A. That's correct.

25 Q. I'm going to show you two documents and see if

1       you can identify these for the record. If you can  
2       review and identify that first, please.

3       A.     Yes. This is the letter from Mr. Graham.

4       Q.     And what's the date on this letter?

5       A.     March 23rd.

6       Q.     And this letter is addressed to you; is that  
7       correct?

8       A.     Correct.

9             MS. BLANCHETTE: And at this time, I would move  
10       this letter dated March 23rd, 2011, from Deputy  
11       Solicitor Shawn Graham to Mr. Floyd as Applicant's  
12       No. 11.

13            MS. OPPENHEIMER: No objection, Your Honor.

14            THE COURT: All right. Plaintiff's Exhibit 11  
15       is admitted without objection.

16            (Applicant's Exhibit No. 11 admitted into  
17       evidence.)

18       BY MS. BLANCHETTE:

19       Q.     Mr. Floyd, have you had a chance to review the  
20       letter?

21       A.     Yes.

22       Q.     And would you agree that in this letter, it  
23       discusses the issue of the trial that's going to be  
24       called in April of 2011 for assault on a  
25       correctional officer as well as the trial for the



1 murder case being called in April of 2011?

2 A. Yes.

3 Q. If you could just kind of take us through what  
4 was going on with this. You were representing him  
5 on both charges; is that correct?

6 A. That's correct. The murder charge, which  
7 incidentally was not initially a murder charge until  
8 the defendant died a couple months later. But that  
9 charge happened. I don't recall off the top of my  
10 head the date, but over a year later, Mr. Torrence  
11 picked up an additional charge of assault on a  
12 police officer when he got arrested. That charge  
13 had just happened and, of course, it was predated by  
14 a substantial period of time by the murder charge.

15 So then what they wanted to do was to try him  
16 on the assault on a correctional officer charge  
17 first, that way he would have some type of a record  
18 for when they then charged him with the murder  
19 charge. So that's what this letter is setting up,  
20 is they want to call the assault on a police officer  
21 trial April the 4th, 2011, and then the murder trial  
22 April 25th, 2011.

23 Q. And what ultimately happened with the assault  
24 on the correctional officer charge?

25 A. When we first objected to the proposal on the

1 grounds that it was docket manipulation by the  
2 Solicitor's Office to Mr. Torrence's prejudice, that  
3 motion was denied. And, accordingly, we ended up  
4 having to go to trial on April the 4th on the  
5 assault charge, which Drew had always admitted that  
6 he was guilty of. So we ended up pleading guilty to  
7 that charge on April the 4th.

8 Q. And I want to show you here this document and  
9 see if you can identify it for the record, please.

10 A. This appears to be the transcript of record of  
11 April 25th. This is, I guess, where we moved for a  
12 continuance, which was denied, and the continuance  
13 based on the docket manipulation.

14 Q. And that ultimately resulted in a guilty plea  
15 that day; is that correct?

16 A. Yes, that's correct.

17 MS. BLANCHETTE: Your Honor, at this time, I  
18 would move the April 25th, 2011 transcript in as  
19 Applicant's No. 12.

20 MS. OPPENHEIMER: No objection, Your Honor.

21 THE COURT: Applicant's Exhibit No. 12 is  
22 admitted without objection.

23 (Applicant's Exhibit No. 12 admitted without  
24 objection.)

25 BY MS. BLANCHETTE:

1 Q. And, Mr. Floyd, you've alluded to it, but you  
2 did make an argument regarding the docket  
3 manipulation and asking for a continuance at the  
4 beginning of this transcript; is that correct?

5 A. That's correct.

6 Q. And only after that argument was lost, then you  
7 advised Mr. Torrence to enter a guilty plea?

8 A. That's correct.

9 Q. Are you familiar with the case of State v.  
10 Langford that addresses solicitor-set dockets and  
11 docket manipulation in the State of South Carolina?

12 A. Yes, I'm familiar with it.

13 Q. And are you familiar that in that case, they  
14 argued that the statute that allows the solicitors  
15 to set the dockets was, in fact, unconstitutional?

16 A. Yes.

17 Q. And is that the argument that you were  
18 attempting to make in this case?

19 A. Well, yeah. I mean, I argued that to allow  
20 them to manipulate the docket was a denial of his  
21 right to a fair trial and due process of law.

22 Q. And that was going to be my next question.  
23 Would you also have been arguing a due process  
24 violation in the argument that you were making?

25 A. Yes.

1 Q. Do you recall if you specifically argued at any  
2 time that South Carolina Code Section 1-7-330 itself  
3 was unconstitutional?

4 A. I don't recall making that argument.

5 Q. Now, you renewed your argument at the trial of  
6 Mr. Torrence for the murder charge; is that correct?

7 A. That's correct.

8 Q. If you could flip to the transcript in front of  
9 you from the murder trial, page 451. And that is  
10 where it appears you begin your argument regarding  
11 the use of the prior plea or the prior record?

12 A. Yes, I see that.

13 Q. And on page 452, you specifically note that you  
14 objected when the first case -- I hate to call it  
15 the first case. When the subsequent case was called  
16 first, you had made an objection to that case being  
17 called first?

18 A. Yeah.

19 Q. The court ultimately rules on pages 453 through  
20 463 that he will allow the State to ask about it,  
21 and at that time you decided that you would ask him  
22 about it. Can you explain your reasoning there?

23 A. If the judge is going to let the State bring  
24 the information out, my way of thinking, it's better  
25 to go ahead and bring it out on your own with the

1 jury so it doesn't appear you're trying to hide  
2 something from them. Doesn't mean you agree with  
3 it.

4 Q. Correct. Mr. Floyd, on the bottom of page 464  
5 through 465, and I'm just summarizing there, the  
6 judge is talking about his own research that he did  
7 trying to find a case as to whether he could do it  
8 or not do it.

9 A. You said 464?

10 Q. Yeah. At the very bottom, line 25, the judge  
11 begins by saying: Well, I tried to find a case in  
12 that regard.

13 A. Yeah.

14 Q. What research did you do on this issue prior to  
15 trial?

16 A. I didn't find one either. That point right  
17 there was -- it was our position, the credibility  
18 issue, which is the reason you allow the  
19 cross-examination to occur, should be based upon the  
20 record at the time of the incident, not some stain  
21 on his credibility that he got after the incident.  
22 No, I didn't find anything on that and neither did  
23 the judge.

24 Q. Is that an issue you anticipated would be  
25 raised on appeal?

1 A. Yeah. I thought it was a pretty good issue.

2 Q. And is that the reason you preserved it at the  
3 time the case was called that ultimately resulted in  
4 a guilty plea and why you argued it again at trial?

5 A. Yes.

6 MS. BLANCHETTE: Your Honor, if I could beg the  
7 Court's indulgence one moment.

8 THE COURT: Sure.

9 MS. BLANCHETTE: Your Honor, I have no further  
10 questions of this witness at this time.

11 THE COURT: All right. Cross-examination.

12 CROSS-EXAMINATION

13 BY MS. OPPENHEIMER:

14 Q. Ms. Blanchette had asked you about State v.  
15 Langford. Are you aware that that is a case from  
16 2012?

17 A. I don't recall the exact date of it.

18 Q. But if it is from 2012, that would have been  
19 after Mr. Torrence's trial, correct?

20 A. That's correct.

21 Q. And you did attempt to argue docket  
22 manipulation but the Court denied it saying that  
23 there was nothing that said that the solicitor could  
24 not set the trial docket?

25 A. That's correct.

1 Q. And isn't it true that Judge McMahon severely  
2 limited the manner in which the solicitor could go  
3 into that prior conviction?

4 A. I mean, I agree that he limited it; I disagree  
5 with the decision that he made to allow it to  
6 happen.

7 Q. Well, he wasn't allowed to ask him exactly what  
8 charge that was, correct?

9 A. That's correct.

10 Q. And, in fact, the only other information that  
11 ever came out about it was when you asked  
12 Mr. Torrence if he had been convicted of a felony  
13 which carried up to three years, correct?

14 A. I think that was the way it was characterized,  
15 yes.

16 Q. And there was never any other mention of it,  
17 correct?

18 A. That's correct.

19 Q. Going back to the mental health concerns, did  
20 you speak with Mr. Torrence at length prior to trial  
21 preparing for this case?

22 A. Yes.

23 Q. Did you explain to him the elements of the  
24 charges and the defenses that you would raise?

25 A. Yes, we discussed it all.

1 Q. Did he seem to understand those conversations?

2 A. I thought he did.

3 Q. And so you didn't have any indication that he  
4 might not understand, correct?

5 A. No, I didn't. If I missed that, I was  
6 ineffective, because I didn't see it.

7 Q. He never reported anything to you, correct?

8 A. That's correct.

9 Q. And Dr. Maddox never provided you with a  
10 report, correct?

11 A. That's correct. Well, we talked. But, no, I  
12 didn't get a written report.

13 Q. And you said after that conversation, there was  
14 no reason to call her to the issue of guilt or  
15 innocence, right?

16 A. That's correct.

17 Q. So she never raised any concerns about his  
18 competency or mental health to you at that time,  
19 right?

20 A. No.

21 Q. And so you really could not have created a  
22 defense based on his mental health, right?

23 A. No. I mean, unless I had the ability to see  
24 something that I didn't see.

25 Q. But you didn't see anything, correct?



1 A. That's correct.

2 Q. He didn't exhibit any odd behavior?

3 A. No.

4 Q. Ms. Blanchette asked you about the plea  
5 negotiations. Did Mr. Torrence ever want to take a  
6 plea?

7 A. Not to voluntary manslaughter or to murder.

8 Q. So that was the only plea that was offered, the  
9 voluntary manslaughter, correct?

10 A. Yes. I mean, I think he may have taken  
11 involuntary, but we never got there.

12 Q. So because he didn't want to take the plea  
13 offer that was offered, there was no reason to call  
14 Dr. Maddox in mitigation of a plea, correct?

15 A. Right. If we had done a manslaughter plea,  
16 voluntary manslaughter plea, then the emphasis would  
17 have been more on whatever mitigation we could come  
18 up with, yeah.

19 Q. And Ms. Blanchette also asked you about your  
20 witness list. Just because you put someone's name  
21 on a witness list, does that mean that you're going  
22 to call them at trial?

23 A. No.

24 Q. Is it true that oftentimes you wouldn't call  
25 many of those witnesses that you listed?

1       A.    Yeah.  A lot of times, those are just in case  
2       something comes up or just because you want to have  
3       a smokescreen, I guess, to the solicitor, hiding who  
4       you're really going to call.

5       Q.    And Ms. Blanchette also asked you about, I  
6       believe, the advice of rights on page 456 of the  
7       transcript where Mr. Torrence indicates that he's  
8       taking Zoloft.

9       A.    Okay.

10      Q.    After he mentioned that he was on Zoloft for  
11      anxiety and depression, the Court asked him if he  
12      suffered from any physical or mental problem that  
13      was affecting his thinking, correct?

14      A.    Yes.

15      Q.    And his response was no, sir?

16      A.    That's right.  Well, he didn't exactly say  
17      that.  But, I mean, yeah, he does eventually say  
18      that, yes.

19      Q.    All right.  And on page 572 to 573,  
20      Ms. Blanchette asked you about the traumatic event  
21      that caused him to not remember everything.  Would  
22      shooting a person be characterized as a traumatic  
23      event?

24      A.    I think it would be.

25      Q.    And just because he says it's his worst

1 decision of his life, did that raise any mental  
2 health red flags to you?

3 A. No. I didn't -- I didn't interpret those  
4 remarks as anything other than reaction to a  
5 traumatic event.

6 Q. Okay. And you testified on direct that you  
7 didn't notice any confusion unusual to a normal  
8 defendant on cross-examination. Do you typically --  
9 with clients that testify, is it typical that they  
10 might get confused when the solicitor is asking them  
11 questions?

12 A. Yeah, that's why you often don't even have them  
13 testify.

14 Q. And Mr. Torrence was always adamant that he  
15 wanted to testify, correct?

16 A. Yeah. I mean, in some cases, you almost have  
17 to have a person testify; for example, they've got a  
18 video of him with a weapon and somebody dead. So  
19 you have to have a reason for it.

20 Q. And he wanted to tell his side of the story,  
21 correct? He alleged that he was effectuating a  
22 citizen's arrest?

23 A. He was always consistent with me on that.

24 Q. And let's talk about what happened at the bar a  
25 little bit. The video shows -- well, first, does

1 the video show the entire incident between

2 Mr. Torrence, Mr. Buchanan, and the victim?

3 A. I don't think it shows the entire incident.

4 Q. Well, doesn't it show Mr. Torrence sitting at

5 one end of the bar talking to the victim and

6 Mr. Buchanan?

7 A. I mean, it shows a lot of what went on. I

8 can't say it showed the entire incident. I can't

9 recall whether it showed Mr. Torrence coming in the

10 bar or other people coming in the bar or any kind of

11 talking they did between themselves. You know,

12 before you kind of focused on --

13 Q. Did you feel that the footage that you were

14 provided was adequate, it showed enough of the

15 incident?

16 A. I think it showed the actual interchange with

17 the gun.

18 Q. And there was ample testimony that Mr. Torrence

19 was calling Mr. Buchanan gay all night, correct?

20 A. There was evidence to that effect, yeah.

21 Q. And he was also calling Mr. Buchanan a faggot?

22 A. Mister?

23 Q. Buchanan a faggot.

24 A. Yeah. I mean, I don't recall the exact words,

25 but there was some bad language.

1 Q. And there was also testimony that he made some  
2 derogatory comments to Donna Muszynski, correct?

3 A. Yeah. I don't recall what those were, but it  
4 wasn't --

5 Q. And when Ms. Muszynski testified, on page 352,  
6 that Mr. Torrence was inappropriate and strange,  
7 wouldn't that be a characterization of his behavior  
8 at the bar towards not only her, but Mr. Buchanan as  
9 well?

10 A. Well, I just took it as her characterization of  
11 it. Yes.

12 Q. And on page 743, I believe Ms. Blanchette asked  
13 you about Mr. Torrence's Jekyll-and-Hyde  
14 characteristics. Was that not a reference to when  
15 Mr. Torrence was drinking?

16 A. On what page are you on?

17 Q. 743.

18 A. I assume that's what it was. I think that's  
19 the judge talking to him at that point.

20 Q. In reference to how much Mr. Torrence drank,  
21 correct?

22 A. Yeah, I assume it was. There may have been  
23 some argument or statements earlier before that, how  
24 Mr. Torrence has a lot of good qualities also.

25 Q. And with regards to State Street Pub, you

1 attempted to contradict that testimony through  
2 various means, correct?

3 A. Yes.

4 Q. And you attempted to get that information out  
5 through cross of Tonya Muszynski and Steven Smith,  
6 correct?

7 A. That's correct.

8 Q. That maybe they were lying, that they weren't  
9 sure that it was this exact night?

10 A. Yes.

11 Q. And you also introduced the time sheet from  
12 Rush's, correct?

13 A. Yes.

14 Q. But at the time, you had no -- well, you did  
15 not have this report at the time, correct?

16 A. Are you talking about --

17 Q. The incident report from Rush's.

18 A. No. I did not have -- never had that before  
19 trial.

20 Q. And nowhere on there does it say how long  
21 Mr. Torrence was there. His name is listed,  
22 correct?

23 A. Yes.

24 Q. But it doesn't say if he remained there during  
25 the entire incident, correct?

1       A.    Well, it's not a lot of narrative in the  
2       incident report.  It has dates, it has some times  
3       and so forth.  It has him as a contact person.  I  
4       don't remember what was right next to it as to what  
5       is actually said at that point.

6           MS. OPPENHEIMER:  Your Honor, may I approach  
7       the witness?

8       A.    Wait a minute.  I've got it up here.  It has  
9       him listed as a supplemental person.

10       Q.    But nowhere in there does it say that he was  
11       there for this entire incident, correct?

12       A.    Not specifically.

13       Q.    And his position at Rush's was both inside the  
14       restaurant and outside the restaurant, correct?

15       A.    Yes, I think it was.

16       Q.    And the manager testified that it wasn't  
17       unusual for her not to see the security guard,  
18       correct?

19       A.    That's correct.

20       Q.    But you also attempted to ask Ms. Lynn, I  
21       believe, was she aware if Mr. Torrence had left  
22       Rush's that night, correct?

23       A.    That was asked.  I don't remember whether I  
24       asked it or Mr. Graham asked it.

25       Q.    Well, you did ask her if she smelled any

1 alcohol on Mr. Torrence, correct?

2 A. That's correct.

3 Q. And that was an attempt to show Mr. Torrence  
4 had not been drinking during that time, correct?

5 A. That's correct. And if I recall correctly, her  
6 response was, no, she did not.

7 Q. And she also testified if she had, she would  
8 have reported it, correct?

9 A. That's correct.

10 Q. So you tried to get out that he wasn't at State  
11 Street Pub through various means?

12 A. Yes.

13 Q. Just not this specific incident report,  
14 correct?

15 A. That's correct.

16 Q. And there was also no question that  
17 Mr. Torrence was at Shaggy's, correct?

18 A. Correct.

19 Q. And there's no question that he got into a  
20 fight with the victim?

21 A. That's correct.

22 Q. And there's no question that he left the bar  
23 and stayed away for a period of time, correct?

24 A. Yes.

25 Q. And there's no question when he came back, he



1 had a gun?

2 A. That's correct.

3 Q. And there's no question that he shot the victim  
4 not just once, but twice, correct?

5 A. I think there were two shots.

6 Q. And the second shot would have been while the  
7 victim was in a slouched position on the ground,  
8 correct?

9 A. I don't know. They were pretty quick.

10 Q. Okay. And Mr. Torrence --

11 A. Kind of bam, bam.

12 Q. Well, I believe there was testimony that it was  
13 a bam, pause, bam. Do you recall that from the  
14 testimony presented at trial?

15 A. I don't recall that. I'm not denying it, but I  
16 don't recall that specific testimony. On the tape,  
17 it seemed pretty bam, bam.

18 Q. And Mr. Torrence admitted to intentionally  
19 shooting, correct?

20 MS. BLANCHETTE: Your Honor, I object to the  
21 characterization of intentional shooting.

22 MS. OPPENHEIMER: It's in the testimony, Your  
23 Honor.

24 THE COURT: Hold on just a second.

25 MS. OPPENHEIMER: Beg the Court's indulgence.

1 THE COURT: Thank you. Thank you. Please.

2 MS. OPPENHEIMER: I apologize, Your Honor. I'm  
3 looking through my notes.

4 THE COURT: Take your time.

5 MS. OPPENHEIMER: It's on page 496, Your Honor,  
6 and it continues to page 498. Specifically, on page  
7 497, Mr. Torrence testifies -- or the question is --  
8 my question was: Did you pull the trigger  
9 intentionally?

10 Mr. Torrence says: Yes.

11 Next question is: Two times, you pulled the  
12 trigger intentionally?

13 The answer is: Yes.

14 THE COURT: Okay.

15 BY MS. OPPENHEIMER:

16 Q. So he did admit to shooting the victim twice,  
17 correct?

18 A. I'm just still trying to find that. Just hold  
19 on.

20 Q. I'm sorry.

21 A. 497, you said?

22 Q. 497, that's correct.

23 A. Yes. That's what's in the transcript.

24 Q. Would you agree with me that there was no clear  
25 struggle over this gun? And what I mean by this is

1 Mr. Torrence and the victim were not wrestling over  
2 this gun, correct?

3 A. I'm not sure I'd agree with that. I mean,  
4 there was interaction.

5 Q. Well, the video will speak for itself, correct?

6 A. Yes.

7 Q. And Agent West had extensive qualifications  
8 regarding firearms, correct?

9 A. I'm sorry. What was the first part of that  
10 question?

11 Q. Did Agent West have extensive qualifications  
12 regarding firearms, training and the like?

13 A. He had some training requirements, yes.

14 Q. And he testified that when you see particles  
15 falling from the ceiling in the video, that is when  
16 the gun went off, correct?

17 A. Yeah, I think that's what was said. I don't  
18 recall that specifically, but I think that's what  
19 was said.

20 Q. And do you believe that was a correct  
21 characterization of what actually happened in the  
22 video?

23 A. Well, I don't know why dust would fall from the  
24 ceiling unless the shot went up into the ceiling,  
25 just off the top of my head.

1 Q. All right. And you attempted to introduce the  
2 in-car video, correct?

3 A. That's correct.

4 Q. And you wanted that in because why?

5 A. I thought it would show there was remorse from  
6 Andrew. If I recall correctly, he had a lot of  
7 concern about the health of the alleged victim. And  
8 I don't recall there being anything in the video  
9 that would have hurt, nothing in there like I meant  
10 to kill him or -- I think there was remorse about he  
11 didn't want it to happen and he hoped the guy was  
12 okay, things like that.

13 Q. And Judge McMahon ruled that that was all  
14 self-serving hearsay, correct?

15 A. Correct.

16 Q. Because, really, the only thing he says is I  
17 hope the victim is okay. He expresses concern for  
18 the victim and that's it, doesn't ever say anything  
19 else, correct?

20 A. That's pretty much it.

21 Q. And most of the video, Mr. Torrence is just  
22 sitting in the car quietly?

23 A. That's correct.

24 Q. And Ms. Blanchette asked you about State v.  
25 Goldson. Are you aware that the Court of Appeals in

1       that case, the statement by the defendant was that  
2       he and the victim were in a struggle over the gun  
3       and that's why it should have been admitted?

4       A.    I think so.

5       Q.    And there never would have been any concern in  
6       that case about the victim, correct?

7       A.    That's correct.

8       Q.    And you didn't want to introduce it without the  
9       audio because, really, it didn't show anything to  
10      support your case, correct?

11      A.    That's correct.

12      Q.    And Ms. Blanchette asked you about your  
13      objection during the State's closing argument. You  
14      later on articulated your objection for the court,  
15      correct?

16      A.    Yes.

17      Q.    And the trial court said that taking the  
18      argument as a whole, the statement by the solicitor  
19      was not delivered in the sense as to inflame the  
20      passions of the jury against Mr. Torrence, correct?

21      A.    That's correct.

22      Q.    And he stated that he would give a charge to  
23      the jury that they cannot make their decision based  
24      upon passion, emotion, or any consideration not  
25      connected to the case, correct?

1 A. That sounds like his ruling.

2 Q. And that charge was actually given on pages 709  
3 to 710, correct?

4 A. I'm sorry. Did you have a question for me?

5 Q. On page 709 to 710, didn't the trial court give  
6 that curative instruction that the jury could not  
7 make their decision based on passion, emotion, or  
8 any consideration not connected to the case? It  
9 begins on line 23 of page 709.

10 A. Right.

11 Q. And you also requested a charge on accident,  
12 correct?

13 A. Yes, I did.

14 Q. And on involuntary manslaughter, correct?

15 A. Yes, I did.

16 Q. And the trial court said he would not rule --  
17 or give those charges, correct?

18 A. That's correct.

19 Q. Do you recall his reasoning?

20 A. I think he just said he wasn't going to give  
21 them.

22 Q. I'm sorry?

23 A. If I recall correctly, he said I'm not going to  
24 do it, I'm not going to do that.

25 Q. Well, isn't it true that the shooting wasn't

1 intentional based on Mr. Torrence's testimony that  
2 we talked about earlier?

3 MS. BLANCHETTE: Your Honor, I object. I think  
4 that calls for a legal conclusion without a proper  
5 foundation in the question, or speculation.

6 MS. OPPENHEIMER: I'll move on.

7 THE COURT: Okay.

8 BY MS. OPPENHEIMER:

9 Q. As we pointed out earlier, Mr. Torrence  
10 admitted to shooting the gun, correct?

11 A. That's correct. And I imagine that went into  
12 the judge's decision. I still disagree with the  
13 judge's decision.

14 Q. And Mr. Torrence wasn't acting lawfully by  
15 bringing a loaded gun into a crowded bar, was he?

16 A. That was a factor.

17 Q. Did you follow the appeal in this case?

18 A. Follow it -- well, yeah. I didn't do it.

19 Q. Right. But are you aware of what happened and  
20 what the Court of Appeals ruled?

21 A. Yes.

22 Q. And do you recall the Court of Appeals stating  
23 there was no evidence that would warrant a charge on  
24 involuntary manslaughter?

25 A. Yeah, I remember that was a ruling.

1 Q. So that issue was presented to the appellate  
2 courts, correct?

3 A. That's correct.

4 Q. And they said there was no evidence of it?

5 A. That's correct.

6 Q. Despite the fact that you asked for it,  
7 correct?

8 A. Correct.

9 Q. And you had preserved that for appellate  
10 review, correct?

11 A. Correct.

12 Q. And Ms. Blanchette asked you about the  
13 contemptuous language charge. Would you agree that  
14 repeatedly calling someone gay and other derogatory  
15 terms would cause someone to respond negatively?

16 A. Well, I don't think they're fighting words, if  
17 that's what you meant.

18 Q. But some people might interpret being called  
19 gay or faggot as contemptuous, correct?

20 A. I guess they would, some would.

21 Q. And your whole theory of this case was that  
22 Mr. Torrence was effectuating a citizen's arrest and  
23 shot in self-defense, correct?

24 A. That's correct.

25 Q. And you actually got a pretty extensive charge



1 on citizen's arrest, correct?

2 A. Yes, the judge gave us one.

3 Q. So the jury was given that option? They were  
4 allowed to consider that he was effectuating a  
5 citizen's arrest, correct?

6 A. That's correct.

7 Q. The same with self-defense?

8 A. Yeah, although some of them -- at least one of  
9 them obviously thought that involuntary manslaughter  
10 should have been an option.

11 Q. Well, as we've gone over, the Court of Appeals  
12 disagreed, correct?

13 A. Uh-huh.

14 Q. And Ms. Blanchette -- this is kind of going  
15 back -- asked you about the statements by Tonya and  
16 Steven that Mr. Torrence was making, that he wanted  
17 to go out to his truck, get his gun, and shoot the  
18 victim, correct? Those statement were made at  
19 Shaggy's, correct?

20 A. Allegedly.

21 Q. And they were not made at State Street Pub?

22 A. Correct.

23 Q. And the solicitor argued that that was how the  
24 jury could come to a conclusion that this was a  
25 malice murder, correct?

1 A. Yes, I think they made that argument.

2 Q. And he was actually convicted of voluntary  
3 manslaughter, correct?

4 A. That's correct.

5 MS. OPPENHEIMER: Beg the Court's indulgence.

6 BY MS. OPPENHEIMER:

7 Q. And going back to your motion to dismiss based  
8 on prosecutorial misconduct, the judge denied your  
9 motion, correct?

10 A. Yes, he did.

11 Q. But he did give -- in fact, give a curative  
12 instruction, correct? If you'll look at pages 519  
13 to 520.

14 A. Yes, he did give a curative instruction.

15 Q. And you felt that was exactly what you asked  
16 for, correct, a curative instruction?

17 A. Well, we asked for -- probably asked for a  
18 mistrial, if I recall correctly.

19 Q. Well, after the Court denied that motion, then  
20 you asked for a curative instruction, correct?

21 A. Yeah.

22 Q. And that was, in fact, given. And at the time,  
23 you thought the time sheets and cross-examination  
24 and the info from the Rush's manager was good enough  
25 to contradict the State's theory that Mr. Torrence

1 was at State Street Pub, correct?

2 A. Yeah. Well, we thought we had that covered  
3 pretty good.

4 Q. And with regards to the judicial bias that  
5 Ms. Blanchette alleged, would you agree that you got  
6 several favorable rulings in this case?

7 A. Well, that kind of depends on how you interpret  
8 it.

9 Q. Well, you got charges on citizen's arrest and  
10 self-defense, correct?

11 A. Yes.

12 Q. And that was your whole theory of the case?

13 A. That's true.

14 Q. And he severely limited the manner in which you  
15 could go into that prior conviction, correct?

16 A. That's kind of a Pyrrhic victory as we lost on  
17 the issue we felt was correct, that they should not  
18 have been allowed to manipulate the docket, so  
19 whether that's a victory or not...

20 Q. Well, at the time there was nothing saying that  
21 the solicitor could not determine the trial docket,  
22 correct, as we discussed earlier?

23 A. Well, the constitution.

24 MS. OPPENHEIMER: Beg the Court's indulgence.

25 MS. OPPENHEIMER: Your Honor, I have no further

1 questions.

2 THE COURT: Redirect.

3 MS. BLANCHETTE: Yes, Your Honor.

4 REDIRECT EXAMINATION

5 BY MS. BLANCHETTE:

6 Q. Mr. Floyd, I will go in reverse of what the  
7 State asked you, so the most recent things we'll hit  
8 first. Okay?

9 A. Okay.

10 Q. The State was just asking you about docket  
11 manipulation. And you would agree that there was  
12 both due process and constitutional separation of  
13 powers concerns whether Langford had been decided or  
14 not at that point?

15 A. That's correct.

16 Q. Okay. Regarding the video -- you were asked  
17 quite a few questions about the video, but what I'd  
18 like to highlight is the questions about the  
19 interaction between Mr. Torrence and the victim and  
20 his friends and different things that happened in  
21 the bar.

22 Wouldn't it have been very useful to have more  
23 than approximately ten minutes of what happened in  
24 the bar, you know, to address the facts of what  
25 happened between Mr. Torrence and these individuals

1 while he was there?

2 A. Well, extensively, it would. Depends on what  
3 would be on it but, yes, the more the better.

4 Q. Okay. Now, you were asked about the State's  
5 arguments regarding both Tonya and Steve's  
6 statements about Mr. Torrence's indication to them  
7 that he was going to go get his gun and shoot the  
8 victim that the State attributed to malice.

9 Now, in your argument regarding the jury asking  
10 for involuntary, your argument for a new trial,  
11 didn't you indicate to the Court that you thought  
12 that, essentially, the jury had just defaulted to  
13 voluntary manslaughter in this case?

14 MS. OPPENHEIMER: Objection, Your Honor. He  
15 can't testify to what the jury thought at the time.

16 THE COURT: Rephrase your question.

17 BY MS. BLANCHETTE:

18 Q. Mr. Floyd, when you were making the argument  
19 for a new trial where you referenced the jury asking  
20 for involuntary, were you arguing to the Court that  
21 it appeared -- or you were making the argument that  
22 the jury had defaulted to involuntary manslaughter?

23 A. That it defaulted to voluntary?

24 Q. Yes.

25 A. Or involuntary?

1 Q. Yes.

2 A. The fact they brought it up, to me, meant that  
3 on their own, they considered the fact that it  
4 really wasn't as strong as he'd been charged with,  
5 but their only option was to either find him guilty  
6 of the voluntary manslaughter, guilty of the murder,  
7 or not guilty, and they didn't want to just let him  
8 go.

9 So, obviously, on their own, at least one and  
10 maybe more and maybe all of the jurors felt the  
11 appropriate charge would have been involuntary  
12 manslaughter.

13 Q. Let me ask you, the State in cross-examination  
14 kept asking you about your strategy or primary  
15 defense being citizen's arrest and self-defense.  
16 But you also argued accident in this case; is that  
17 correct?

18 A. That's correct.

19 Q. Would you agree, and I can give you a specific  
20 cite, that there was evidence in the record to  
21 support an accident charge?

22 A. Yes.

23 Q. And I can direct your attention if you'd  
24 like -- and this comes from the State's actual  
25 petition for rehearing on appeal -- I'm sorry, not

1 the State. This comes from the Appellate's petition  
2 for rehearing on appeal. And on the third page  
3 there, his appellate attorney argues that there is  
4 evidence that he did not intentionally discharge his  
5 firearm. And it cites to his testimony on page 382  
6 that he had to make a fast decision and went with  
7 instinct. He also didn't know how to explain it.

8 And then when he was asked on page 393 about  
9 whether there was a struggle for control of the  
10 weapon, he replied: Yeah, there was a struggle. I  
11 don't remember whether the deceased touched the  
12 weapon or not.

13 So to you, is all that testimony supportive of  
14 your request for an accident charge?

15 A. Yes.

16 Q. You were asked on cross-examination about the  
17 in-car video and you gave some reasons for wanting  
18 that admitted as well as you did on direct. Was the  
19 in-car video also demonstrative of the fact that  
20 Mr. Torrence had stayed at the scene and was  
21 cooperative with law enforcement?

22 A. Yeah. I mean, sure.

23 Q. I want to ask you some further questions about  
24 the Rush's report. And just to be clear for the  
25 record, I'll refer to it as exhibit number.

1 A. Is this it?

2 Q. Oh, yes, the exhibit you have, Exhibit No. 1.  
3 Now, if you turn to the third page of this report,  
4 the first entry is on 9/27/2008 at 23:44:57. It  
5 says: Response, Rush's, belligerent intoxicated  
6 female on scene. As it goes on, there's another  
7 entry that says: Motioning like swallowed  
8 something. Then it says: Patient was transported,  
9 and then finish, clear. And the approximate time  
10 there is about an hour, from 2344 to 42:49, would  
11 you agree?

12 A. That's correct.

13 Q. When the State called the Rush's manager in  
14 reply, would this report not have aided you in  
15 asking her if she noticed that there had been an  
16 incident when law enforcement called in a patient  
17 transported at her location for over an hour on that  
18 evening -- or for about an hour on that evening?

19 A. Sure. It would have been helpful.

20 Q. And Mr. Torrence was the security officer at  
21 Rush's, that was his employment that night; is that  
22 correct?

23 A. That's correct. He's so identified on page 4.

24 Q. And he informed you that this incident would  
25 help verify that he was, in fact, at Rush's during



1 this time period; is that correct?

2 A. Yes.

3 Q. And beyond him telling you about this, is it  
4 also just a matter of common sense that the hired  
5 security officer would not leave a scene while there  
6 are responding officers at that scene?

7 A. Well, he certainly shouldn't.

8 Q. And do you think if he had left while there was  
9 an ongoing scene where he's hired to be the security  
10 guard, the manager that night would have recalled  
11 that happening?

12 MS. OPPENHEIMER: Objection, Your Honor; calls  
13 for speculation.

14 MS. BLANCHETTE: I can rephrase my question,  
15 Your Honor.

16 THE COURT: Thank you.

17 BY MS. BLANCHETTE:

18 Q. Mr. Floyd, if you had this report, would you  
19 have questioned the manager about her failure to  
20 recall this incident and whether or not Mr. Torrence  
21 left while this incident was ongoing?

22 A. Sure.

23 Q. And because you didn't have this report, you  
24 could not do that; is that correct?

25 A. That's correct.

1 Q. And you also could not cross-examine and/or  
2 impeach the State's two witnesses, Tonya and Steve,  
3 who testified at length regarding Mr. Torrence's  
4 conduct at State Street Pub and at Shaggy's that  
5 night, as well as statements he made against the  
6 victim and regarding the victim?

7 A. It would have been very helpful in that issue.

8 Q. One of the very first things the State asked  
9 you about was Judge McMahon's comments during  
10 sentencing on page 743. And the full sentence does  
11 say: It's kind of like a Jekyll and Hyde, that  
12 you're not a good person when you drink.

13 Now, would you agree that in mitigation you had  
14 presented lay witnesses to offer information about  
15 the good character of Mr. Torrence in an attempt to  
16 get him a lesser sentence?

17 A. Yes.

18 Q. And based upon your experience, being there  
19 during that mitigation and sentencing phase, does it  
20 appear this is referencing the favorable information  
21 you presented regarding Mr. Torrence versus the  
22 negative information that was presented during  
23 trial?

24 A. Yeah, I think it's in response to it. Yeah.

25 Q. Now here he's calling him a Jekyll and Hyde.

1 But you did not use an expert in mitigation to  
2 explain or help mitigate the conduct of  
3 Mr. Torrence, did you?

4 A. I don't recall exactly who all we used, what  
5 evidence we presented, but we didn't have any expert  
6 testimony.

7 Q. And the State asked you on cross-examination  
8 about using an expert such as Dr. Maddox in plea  
9 negotiations and that this wasn't a plea case. But  
10 you can also utilize an expert in her capacity, as  
11 oftentimes is done, in sentencing mitigation; is  
12 that correct? .

13 A. Yes, we could have.

14 Q. And here the judge had quite a range in the  
15 sentencing he could give to Mr. Torrence; is that  
16 correct?

17 A. That's correct.

18 Q. And did he fall in the low end or the high end  
19 of that range when he handed him a 25-year sentence?

20 A. To me, it was the high end.

21 MS. BLANCHETTE: Your Honor, if I could beg the  
22 Court's indulgence one moment.

23 Your Honor, I have no further questions.

24 THE COURT: Very briefly.

25 MS. OPPENHEIMER: Very briefly.

1                                    RECROSS-EXAMINATION

2            BY MS. OPPENHEIMER:

3            Q.    The fact of the matter is, you don't see a need  
4            to use a mental health expert, correct?

5            A.    No, I didn't.

6            Q.    And the report, because it doesn't specifically  
7            indicate the length of time in which Mr. Torrence  
8            was at Rush's during this incident, it's very  
9            possible he was not there, correct?

10           A.    Well, I guess anything is possible. But I  
11           would think --

12           Q.    Well, you have no definitive information  
13           otherwise, do you?

14           A.    No, although I think there's pretty strong  
15           evidence to support his statement.

16           Q.    And the Rush's manager actually indicated  
17           during her testimony that she -- that it is very  
18           possible for the security guard to leave during his  
19           shift, correct; that she doesn't keep --

20           A.    Said something to that effect.

21           Q.    She doesn't keep tabs on them while they're  
22           there?

23           A.    Uh-huh.

24           Q.    And there is ample testimony that Mr. Torrence  
25           was indeed cooperative with law enforcement,

1 correct?

2 A. Yeah, I think he was.

3 Q. So without the video being introduced, you got  
4 that through direct or cross-examination of the  
5 various witnesses, correct?

6 A. Well, that's true, although I think it would  
7 have been useful for other purposes too. Of course  
8 I haven't seen the video in seven years, but if I  
9 recall correctly, I think in the video, he expressed  
10 remorse, asked about Zach, the victim.

11 Q. And Mr. Torrence did testify at trial that he  
12 was unaware if the victim actually touched the  
13 weapon, correct?

14 A. I think so.

15 Q. But he admitted to intentionally shooting,  
16 correct? And the jury was also given the ability to  
17 convict Mr. Torrence of ABHAN, correct?

18 A. Were they given an ABHAN? I don't even  
19 remember that.

20 Q. They were.

21 MS. OPPENHEIMER: No further questions, Your  
22 Honor.

23 THE COURT: Mr. Floyd, you may step down, sir.

24 THE WITNESS: Thank you, Your Honor. Can I be  
25 excused, Your Honor?

1 THE COURT: Well, I believe so.

2 MS. BLANCHETTE: Your Honor, we actually wanted  
3 him to stay for the testimony of Shawn Graham. As  
4 we had talked about, that may be tomorrow, so I  
5 assume he couldn't be excused from his subpoena.

6 MS. OPPENHEIMER: We've discussed that if we  
7 don't get done today that we'll start in the  
8 afternoon after your plea in federal court.

9 THE WITNESS: I've got to be in federal court  
10 in the morning, Judge.

11 THE COURT: But as far as today, can you hang  
12 around?

13 THE WITNESS: Y'all want me to hang around  
14 today?

15 MS. BLANCHETTE: I don't have any reason to.

16 THE COURT: Okay. I'm sorry.

17 MS. BLANCHETTE: I don't have any reason for  
18 him to stay around today. I just wanted to make  
19 sure when we say excused, it was conditioned.

20 THE COURT: We'll have to coordinate with him  
21 tomorrow, obviously.

22 MS. BLANCHETTE: Yes, Your Honor.

23 THE WITNESS: Thank you, Judge.

24 THE COURT: Yes, sir.

25 Let's take five, please.

1 (Brief recess.)

2 THE COURT: Impressed the audio-visual is set  
3 up.

4 MS. BLANCHETTE: Your Honor, if I may, that is  
5 my personal computer now sitting at your bench. It  
6 is the bar video. I intend to play it in  
7 conjunction with my next witness. I'm actually  
8 going to call a witness out of turn. I feel that  
9 we've been referencing this so much, I need to play  
10 it.

11 THE COURT: Okay.

12 MS. BLANCHETTE: It is a very grainy video and  
13 there's no sound, so I've spoken with opposing  
14 counsel; we both believe it's just best for you to  
15 be able to view it, so even if you'd like to pull  
16 that closer --

17 THE COURT: I can see it fine.

18 MS. BLANCHETTE: Is that okay with Your Honor  
19 that that is sitting there?

20 THE COURT: Sure.

21 MS. BLANCHETTE: Okay. I'm prepared to call my  
22 next witness to the stand.

23 THE COURT: Okay.

24 MS. BLANCHETTE: Your Honor, I'd call Peter G.  
25 Skidmore to the stand.

1 PETER G. SKIDMORE

2 being first duly sworn, testified as follows:

3 THE WITNESS: I do.

4 DIRECT EXAMINATION

5 BY MS. BLANCHETTE:

6 Q. Can you please state your name for the record.

7 A. Peter G. Skidmore.

8 Q. And, Mr. Skidmore, what's your current  
9 occupation?

10 A. I'm a private -- licensed private investigator.

11 Q. And what states are you licensed in?

12 A. North and South Carolina.

13 Q. How many years have you had that occupation?

14 A. Twenty-five.

15 Q. Do you work for yourself or how do you work in  
16 this capacity?

17 A. Yes, I work for myself. We have a company.

18 Q. I'm sorry. What was that?

19 A. We have a company.

20 Q. And what is the name of that company?

21 A. Skidmore Investigations.

22 Q. And how is it that you became involved in the  
23 case of Mr. Andrew Torrence?

24 A. Several years ago, you and I met and we met  
25 with his mother and she retained me.



1 Q. And you've also had the opportunity to meet  
2 with Mr. Torrence; is that correct?

3 A. I have.

4 Q. And as part of your retainer and assistance  
5 with this case, have you reviewed all of the  
6 evidence that has been provided through discovery?

7 A. I have.

8 Q. And, in particular, have you reviewed the bar  
9 video?

10 A. I have.

11 MS. BLANCHETTE: Your Honor, at this time,  
12 before we further address this bar video, I do have  
13 it queued up to play for you to review.

14 THE COURT: Okay. You said it's about 10  
15 minutes long?

16 MS. BLANCHETTE: I think it's 10 minutes and 19  
17 seconds.

18 THE COURT: Okay.

19 (Video played.)

20 THE COURT: Just for the record, he's pointing  
21 out where Mr. Torrence was sitting at the bar.

22 (Video played.)

23 MS. OPPENHEIMER: I see the video, but I would  
24 object to Mr. Skidmore characterizing any of this  
25 video to Your Honor while it's being played.

1 MS. BLANCHETTE: I can pause it and have him  
2 point out the parties because of his familiarity in  
3 the case.

4 THE COURT: Let's let him give a little bit of  
5 background.

6 You can pause it now.

7 BY MS. BLANCHETTE:

8 Q. Mr. Skidmore, based upon your review of the  
9 video and familiarity with the case, can you  
10 identify the parties in the video?

11 A. I can.

12 Q. Can you do that for Your Honor?

13 A. Yes. Mr. Torrence was here and has come back  
14 around to over here. Here's the gentleman he was  
15 talking to. The victim is right here. There's the  
16 lady here that testified that her purse never came  
17 back up onto the counter of the bar. And it comes  
18 up several times, as you'll see.

19 THE COURT: All right. So the victim is in the  
20 corner?

21 THE WITNESS: He's right here.

22 THE COURT: Okay.

23 THE WITNESS: He's going to move back around  
24 here and have an altercation with him.

25 BY MS. BLANCHETTE:

1 Q. And would you also like to point out to the  
2 Court before it gets to that juncture? You'll see  
3 on the video where Mr. Torrence leaves and then  
4 comes back in, correct?

5 A. That's correct. He'll leave out this door and  
6 then there'll be a period of time and then he'll  
7 come back through that same door.

8 THE COURT: Okay.

9 You can proceed playing.

10 (Video resumed.)

11 THE WITNESS: And this is the person that  
12 they're saying --

13 MS. OPPENHEIMER: Objection, Your Honor;  
14 outside the scope of the allegations raised.

15 THE COURT: I tell you what, let me just watch  
16 the video without any input. Thanks.

17 MS. BLANCHETTE: Your Honor, I should have done  
18 this before I played the video: But I believe the  
19 State would stipulate to identity of several of the  
20 individuals on the video. Lee Buchanan was the  
21 individual in the baseball cap that went and  
22 answered the door, the victim was the individual  
23 that assaulted Mr. Torrence and then you see come  
24 around the bar at the end of the video, and then  
25 Donna Muszynski, one of the State's witness, was the

1 female that you would have seen with those two on  
2 the majority of the video.

3 THE COURT: Sitting in the back corner at the  
4 end of the bar?

5 MS. BLANCHETTE: Yes. And that's just for  
6 clarification purposes.

7 Is that correct, Kelly?

8 MS. OPPENHEIMER: That's correct, Your Honor.  
9 And the State would stipulate to her  
10 characterization of the individuals in the video.

11 THE COURT: Thank you.

12 MS. BLANCHETTE: Your Honor, this is a trial  
13 exhibit and will be left for your review as needed.

14 Your Honor, I'll resume the examination of  
15 Mr. Skidmore at this time.

16 BY MS. BLANCHETTE:

17 Q. Mr. Skidmore, I should have asked you -- just  
18 jumped right into the video because we had it queued  
19 up there -- in your years working as a private  
20 investigator, what type of cases have you worked on?

21 A. In excess of 150 murder investigations,  
22 probably 35 death penalty cases, federal death  
23 penalty case; I've spoke at Old Miss Law School, USC  
24 Law School, and Cornell Law School.

25 Q. Okay. And you may have stated this, I'm sorry,

1 I was thinking about grabbing this exhibit. How  
2 many cases that you work on -- like, what percentage  
3 of your cases would be murder cases or homicide  
4 cases?

5 A. The majority of my criminal defense work is  
6 murder investigations for the defense.

7 Q. And you did not work on this case prior to the  
8 trial of this matter; is that correct?

9 A. I did not.

10 Q. But you have reviewed all the discovery and  
11 worked on the case in preparation for the PCR; is  
12 that correct?

13 A. That's correct.

14 Q. And as part of that, were you requested to  
15 essentially prepare the case as if you would have  
16 leading up to a trial?

17 A. Yes.

18 Q. And that is something you're familiar with,  
19 working with defense counsel, to prepare a case for  
20 trial?

21 A. Yes.

22 Q. Let's first talk about the video because the  
23 Court just reviewed that. Upon review of the video,  
24 what matters would you have raised to defense  
25 counsel leading up to a trial and what matters did

1       you raise to me regarding your review of the video?

2       A.    I would have wanted to see the equipment.

3       There is not a time/date stamp on there.  And I

4       think it was brought up prior about there had to be

5       video footage prior to everything happening and

6       you'd want to see the interaction with everybody

7       within the bar prior to all the events that led up,

8       because you can clearly see Mr. Torrence at one

9       corner and he comes over to talk to the gentleman in

10      the ball cap, but never do you see any interaction

11      with the victim until he comes around and fights

12      Mr. Torrence.

13      Q.    And did you ask myself if there was any

14      additional footage to review in this case?

15      A.    I did.

16      Q.    And did you review the portion of the

17      transcript where trial counsel asked the owner about

18      additional footage?

19      A.    Yes.

20      Q.    And, in the transcript, the owner does indicate

21      he was the one who chose what footage would be

22      recorded; is that correct?

23      A.    Yes.  And that would have been a huge red flag,

24      particularly if you had gotten involved early on as

25      Mr. Floyd said that -- I think he was retained a

1 couple days right after the incident happened. And,  
2 therefore, the video probably would have still been  
3 there and --

4 MS. OPPENHEIMER: Objection, Your Honor; calls  
5 for speculation. He has no knowledge of whether or  
6 not the video was available. He's speculating that  
7 it was.

8 THE COURT: I think he heard the testimony  
9 earlier from Mr. Floyd. I think that's what he was  
10 basing it on.

11 Perhaps you can rephrase the question.

12 MS. BLANCHETTE: Yes, Your Honor. I can refer  
13 to the portion of the transcript that Mr. Skidmore  
14 has reviewed. Just one second, let me pull that up.  
15 BY MS. BLANCHETTE:

16 Q. Mr. Skidmore, I'll provide you my copy of the  
17 transcript. Pages 210 through 211, are you familiar  
18 with that section of the transcript?

19 A. I have looked at it.

20 Q. And you were also present for Mr. Floyd's  
21 testimony today; is that correct?

22 A. Correct.

23 Q. And based upon his testimony and your review of  
24 the transcript, do you have concerns or a belief  
25 that there could have been additional footage

1       obtained?

2       A.    Yes.

3       Q.    And that is something you would have urged  
4       defense counsel to do?

5       A.    Absolutely.

6       Q.    Okay.  Now also regarding the bar video --  
7       since we have two separate videos, I'll refer to  
8       this one as the bar video.

9               Are there any issues with whether or not it  
10       appears Mr. Torrence is pointing a weapon as it  
11       would relate to his detainer or citizen's arrest of  
12       Lee Buchanan in the video that you noticed?

13              That was poorly worded.  Let me try again.  You  
14       don't even have to tell me.  Based upon your review  
15       of the video and the testimony about the witnesses  
16       saying -- and this is going to be long again.  I  
17       apologize.

18              Mr. Floyd pointed out that they added to their  
19       testimony at trial that he was pointing the weapon.  
20       What would be your perception of that and what would  
21       you have discussed with defense counsel about that?

22       A.    He was not pointing the weapon at the victim  
23       until the victim comes from the far side of the bar,  
24       picks up a barstool, and assaults Mr. Torrence.

25              MS. OPPENHEIMER:  Objection to the



1       characterization that the victim assaulted  
2       Mr. Torrence.

3               THE COURT: Well, he stated -- he pointed out  
4       in the video that the chair was thrown across the  
5       bar by the victim. I'll allow that characterization  
6       for the specific purpose of when he refers to the  
7       barstool being thrown.

8               THE WITNESS: And then he proceeds to come  
9       around the corner where he had been seated  
10      previously and rush Mr. Torrence. And it appears  
11      from the video that there is no way to escape the  
12      back side. You see the gentleman in the ball cap  
13      jump over the bar to get away from the physical  
14      altercation with the victim and Mr. Torrence.

15      BY MS. BLANCHETTE:

16      Q.     And in the trial transcript, which you're  
17      familiar with, Joe West, the SLED agent, essentially  
18      narrates the video as it plays and provides  
19      information to both the Court and the jury. But was  
20      anybody called from the defense to address the  
21      video?

22      A.     No, not from the transcript.

23      Q.     Also regarding the video, you indicated -- we  
24      were watching the video and then the Court asks that  
25      we leave the commentary until you were on the stand.

1 In close, Mr. Floyd argues that Donna Muszynski was  
2 getting in and out of her purse. What is your  
3 understanding as to why that mattered in this case  
4 and why would that have mattered to you as an  
5 investigator?

6 A. From what I've learned, there apparently was  
7 given some type of consideration to her for her  
8 testimony. And it appeared, if you watch the video,  
9 that she's going in her pocketbook at least two,  
10 maybe three times, and getting something out of it  
11 and possibly giving it to the victim.

12 Q. And when you say possibly giving something in  
13 response to her testimony, you're referring to the  
14 fact as is addressed in the transcript of the  
15 proffer of Donna Muszynski, beginning approximately  
16 on page 334 of the transcript, that there was  
17 cocaine found in her purse. She was not honest with  
18 law enforcement about it and she was not prosecuted  
19 for that?

20 A. That's correct.

21 MS. OPPENHEIMER: Your Honor, we're going to  
22 object to the fact that Mr. Skidmore just testified  
23 that she possibly could have handed the victim  
24 something from her purse. He doesn't know what was  
25 in her purse, specifically; he doesn't know that

1 she, in fact, handed him anything. That's something  
2 for Your Honor to decide, based on the video.

3 THE COURT: Was it addressed in the transcript  
4 specifically?

5 MS. BLANCHETTE: In response, Your Honor,  
6 there's a motion in limine, beginning on page 56,  
7 regarding evidence of the victim using drugs. At  
8 that time, the State says there's no evidence. It  
9 is later presented that there is evidence of the  
10 victim with cocaine in his system as well as  
11 amphetamine.

12 Then there is a proffer of Donna Muszynski,  
13 beginning at or around page 334, where her and the  
14 solicitor both address that she was -- she says  
15 promised immunity, are her exact words, for the  
16 cocaine that was found in her purse that she was not  
17 truthful with law enforcement about when she first  
18 spoke with law enforcement.

19 MS. OPPENHEIMER: And, Your Honor, to clarify,  
20 our objection is to Mr. Skidmore suggesting that  
21 Ms. Muszynski gave the victim cocaine that night.  
22 What Ms. Blanchette says is, in fact, true, but  
23 Mr. Skidmore's characterization of handing the  
24 victim something is his own interpretation, and he  
25 has no hard evidence of that.

1 THE COURT: Okay.

2 MS. BLANCHETTE: And, Your Honor, I'm just  
3 asking what information he would have conveyed to  
4 counsel or to myself upon review of the video; not  
5 offering it as truth of the matter asserted that she  
6 did, in fact, do that.

7 THE COURT: Okay. We've been talking so long  
8 since the original objection, but to the extent --  
9 I'm going to overrule it. But, that said, keep your  
10 testimony specifically --

11 MS. BLANCHETTE: I'll move on, Your Honor.

12 BY MS. BLANCHETTE:

13 Q. Mr. Skidmore, you have pored over this video,  
14 you've dissected the video with myself, we've  
15 discussed how you would have dissected that with  
16 defense counsel. Is there anything further from the  
17 video that you would have wanted to further  
18 investigate in this case?

19 A. If I had been brought in for trial purposes, I  
20 would have checked the bar to see if there were any  
21 other angles, because that angle is coming from the  
22 back, what I would call the right side, if you're  
23 facing the bar. And there very possibly could have  
24 been another camera, or I would have thought, based  
25 on my experience with establishments and video, that

1       there could have been one with an angle that would  
2       give more light on whether there was a struggle for  
3       the gun, whether the gun was touched.

4             And somebody should have gone in and tried to  
5       see what angles, if there were any other video  
6       cameras, and gotten that tape for review for defense  
7       counsel.

8       Q.     Okay. Let's talk about the other video.

9       You've also reviewed the in-car video that was  
10      admitted by both parties for ID at the trial, and  
11      it's approximately an hour in length. And the Court  
12      will have that for his review.

13            I just want to ask you about your review of it  
14      and the information that you gave to myself and/or  
15      would have given in preparation for a trial in this  
16      case.

17            When Mr. Torrence testifies, he testifies he  
18      tried to contact law enforcement. Unfortunately, at  
19      trial, there's no record of that call introduced.  
20      At about the 28-minute mark on that video, does  
21      Mr. Torrence make a statement that would corroborate  
22      his version of events regarding contacting law  
23      enforcement?

24      A.     Yes. It's like Mr. Floyd said: He was very  
25      remorseful. The thing that struck me, in all the

1 murder investigations that I do, it's very rare that  
2 somebody sticks around at the scene and does not  
3 flee. And that would indicate and go back to what  
4 has been said today and in the transcript that he  
5 was honestly trying to make a citizen's arrest  
6 because he had been assaulted.

7 MS. OPPENHEIMER: Objection, Your Honor. He  
8 can't testify to what Mr. Torrence believed at the  
9 time. He doesn't know that information.

10 THE COURT: Ms. Blanchette?

11 MS. BLANCHETTE: You want me to respond, Your  
12 Honor?

13 THE COURT: Yes, please.

14 MS. BLANCHETTE: Okay. Your Honor, I am --  
15 I've utilized Mr. Skidmore in this capacity in many  
16 PCR cases. I'm simply calling him -- we're alleging  
17 an investigation should have been done. So to meet  
18 my burden of proof in this case, I'm calling an  
19 investigator who has gone through the evidence and  
20 is testifying to what he would have done as far as  
21 an investigation and we're going to get into what he  
22 has done as an investigation in this PRC case.

23 MS. OPPENHEIMER: Your Honor, just to respond  
24 very briefly, he can testify to what he would have  
25 done. He can't characterize the evidence as to what

1           it would have shown at the time. He's corroborating  
2           this defense, so that's my objection.

3           THE COURT: I see your point, but what I also  
4           heard was that he was taking the investigation he  
5           has done and just said based on my experience, I  
6           find that interesting. So I'm going to overrule  
7           your objection.

8           MS. OPPENHEIMER: Thank you, Your Honor.

9           MS. BLANCHETTE: And, Your Honor, if it would  
10          allow things to move more expeditiously, I would be  
11          happy to attempt to qualify him as an expert in  
12          homicide investigations. I've never had to do that,  
13          but I would be happy to do that.

14          THE COURT: No. I think he can testify to what  
15          investigation work he's done and how it plays into  
16          the case.

17          BY MS. BLANCHETTE:

18          Q. And, Mr. Skidmore, you're familiar with -- in  
19          the video where he continuously asks -- in each  
20          interaction that he has with the officer in the  
21          in-car video, he asks about the victim's state and  
22          how he is, and then he also tells the officer that  
23          he had tried to contact West Columbia Police  
24          Department.

25          A. That's correct.

1 Q. And Your Honor will have that video to review,  
2 so I will move on, unless there's anything further,  
3 Mr. Skidmore, regarding any video, your review of  
4 those videos in preparation for your investigation  
5 for the PCR.

6 A. You can just see that, under the circumstances,  
7 he's concerned for the victim. And based, there  
8 again, on my experience with homicide investigation,  
9 from my perspective with the events that happened,  
10 there did not seem to be any malice whatsoever and  
11 more so concern on the videotape for the victim's  
12 wellbeing. And not even self-serving that the fact  
13 that he didn't say --

14 MS. OPPENHEIMER: Objection; calls for a legal  
15 conclusion. He's not a lawyer. He can't testify to  
16 that.

17 THE COURT: I'm going to let him finish his  
18 response. Overruled.

19 You can continue your answer, sir.

20 THE WITNESS: Thank you.

21 He was more concerned about him whereas in  
22 other murder investigations that I have been  
23 involved with, usually the defendant is more worried  
24 about saving themselves than what happened to the  
25 victim in the case and they're trying to give



1 statements of self-preservation.

2 BY MS. BLANCHETTE:

3 Q. So you would have conferred with defense  
4 counsel as you did with myself that the video would  
5 be important to a defense strategy in this case?

6 A. Absolutely.

7 Q. I want to ask you about what's been marked as  
8 Plaintiff's Exhibit 1. Mr. Skidmore, when we  
9 consulted about this case and I provided you with  
10 the testimony and statements of Tonya Mozenko -- and  
11 I may have been using her name wrong throughout the  
12 course of the day -- and her companion, Steve, they  
13 both offer testimony that Mr. Torrence was at the  
14 State Street Pub at midnight when they both arrived;  
15 he stayed and had six shots, he was drunk, he was  
16 belligerent, so they left and they went to another  
17 bar just to get away from him. I provided you  
18 discovery, I showed you the portions of the  
19 transcript, and you also discussed that matter with  
20 Mr. Torrence; is that correct?

21 A. That's correct.

22 Q. And in discussing that matter with  
23 Mr. Torrence, did he raise to both of us information  
24 that he had provided to defense counsel that could  
25 have refuted that testimony?

1 A. Emphatic about it.

2 Q. What was he emphatic about?

3 A. That he could not have been at the State Street  
4 Pub because he had been taking care of an incident  
5 that happened at his employment where there were  
6 police officers called, first responders called, as  
7 well as an ambulance.

8 Q. And do you even recall him informing us during  
9 that meeting about the individual at the scene  
10 choking on something?

11 A. Yes.

12 Q. And as a result of that and as a result of the  
13 discovery order in this case, were you aware of the  
14 subpoena that I issued to Richland County Sheriff's  
15 Department based upon the information obtained from  
16 Mr. Torrence trying to obtain incident reports,  
17 anything to corroborate what he was telling us?

18 A. Yes.

19 Q. And, I apologize, I gave you the -- I kind of  
20 jumped the gun with that exhibit. I want to show  
21 you one first here. Are you familiar with what's  
22 been marked as Plaintiff's Exhibit 3, a letter from  
23 Britton All?

24 A. Yes.

25 Q. And by way of that letter, was I informed and

1       turned that over to you that they were saying there  
2       were no incident reports?

3       A.    Yes, which I found very strange.

4       Q.    But we given information on how to try to  
5       obtain the call reports?

6       A.    That's correct.  And you issued a subpoena for  
7       this.

8       Q.    And upon receipt of the response from that  
9       subpoena, did I provide you the information which  
10      has been marked as Applicant's No. 1?

11      A.    Yes.

12      Q.    And upon thorough review of Applicant's No. 1,  
13      did it corroborate the information that we had  
14      obtained from Mr. Torrence?

15      A.    Absolutely.

16      Q.    And just to be clear, Mr. Torrence said he gave  
17      that information to Wayne Floyd prior to his trial?

18      A.    That is correct.

19      Q.    And if you were the investigator working on  
20      this case prior to trial, would you have assisted  
21      the attorney in the steps that you assisted me in  
22      taking in getting this report?

23      A.    Yes.  As quickly as Mr. Floyd got on the case,  
24      a day, several days after the incident, if I had  
25      been retained to come in as an investigator, I would

1       have gone and interviewed the officers from Rush's  
2       incident, the paramedics, and also tried to get  
3       ahold of the victim to see what had actually  
4       happened.

5       Q.    And when you say victim, that would be the  
6       belligerent woman?

7       A.    That's correct, that was transported by  
8       ambulance.

9       Q.    Now, in the State's questioning of Mr. Floyd --  
10      which you were here for; is that correct?

11      A.    That's correct.

12      Q.    It appeared they were trying to minimize the  
13      information that's in that report, but we did  
14      attempt to get a full incident report; is that  
15      correct?

16      A.    Absolutely.

17      Q.    And the letter there states Richland County  
18      Sheriff's Department does not have an incident  
19      report?

20      A.    Which is bizarre.

21      Q.    Do you think, based upon your experience, it  
22      would have been easier to obtain the incident report  
23      back in 2008 versus when we were asking for it?

24      A.    Absolutely. It being that fresh and the  
25      incident happened, I would also have gone to the

1 manager at Rush's, interviewed her where her mind  
2 was fresh on the incident. Also, I would be willing  
3 to bet that there were video surveillance in Rush's,  
4 based on my experience with fast food chains and gas  
5 stations, and that probably would have also  
6 corroborated what Mr. Torrence was saying, that  
7 there was no way he was at the pub on State Street.

8 Also, there were probably videos on State  
9 Street, whether in the State Street Pub or other  
10 establishments along that street.

11 Q. And he says in his transcript testimony: Get  
12 the surveillance from Rush's, I was there. And is  
13 that what you're referring to, surveillance from  
14 both Rush's and State Street --

15 A. Absolutely.

16 Q. -- could have confirmed and refuted these  
17 witnesses that the State put up to say he was there  
18 at that exact time?

19 A. Absolutely. And particularly after Mr. Floyd's  
20 testimony today and the transcript of how damaging  
21 both of their testimonies were. They could have  
22 been impeached and really made a swing in the case.

23 Q. And you've mentioned surveillance at Rush's,  
24 surveillance at State Street. Unfortunately,  
25 because all that we could get at this juncture was

1       this limited report, we don't have responding  
2       officers' names. But if you had an incident report,  
3       you could also see if there was any in-car video or  
4       anything -- body camera, anything of that nature; is  
5       that correct?

6       A.    That is correct. I'm sure their lights were  
7       running and the cameras would have been on and would  
8       have documented it as well.

9       Q.    And the State's witnesses say that he was doing  
10      six shots and so drunk that they had to leave, that  
11      surveillance or the body camera would have shown the  
12      demeanor of Mr. Torrence at a different location at  
13      the time in question; is that correct?

14      A.    That is correct. And if he had had six shots  
15      or any alcohol, there would have been note of it and  
16      he possibly could have been arrested and possibly  
17      fired for drinking on the job.

18      Q.    And you drove the distance, didn't you, from  
19      the Rush's on Broad River Road to State Street Pub?

20      A.    I did.

21      Q.    And approximately how long did that take you to  
22      drive?

23      A.    Approximately 15 minutes, eight miles.

24      Q.    And based upon the State's witnesses' testimony  
25      that he was there at midnight, the times on that

1 report, it would have been a 30-minute round trip as  
2 well; is that correct?

3 A. Absolutely. It just didn't happen that way.

4 Q. Is that what you would have told Mr. Floyd if  
5 you were retained in an investigative capacity prior  
6 to trial?

7 A. Yes, I would have been sitting behind him  
8 jumping up and down.

9 Q. Mr. Skidmore, is there anything further  
10 regarding what I'm calling the Rush's report in the  
11 investigation that you would have done and did do  
12 regarding that?

13 A. No. You know, as I said, if it would have been  
14 handled several days, several weeks and, possibly,  
15 even 30 days after the fact, it would have been a  
16 whole different situation.

17 Q. In this case, the transcript reflects that  
18 there is an issue where Mr. Floyd relied upon the  
19 solicitor's interview of the manager and the  
20 solicitor's summary of that interview. If you were  
21 the investigator on this case, would you have done  
22 your own investigation and not relied upon the  
23 solicitor's investigator and summary of that  
24 investigation?

25 A. I think this is a perfect example of why you

1       don't rely on the Solicitor's Office to do your  
2       investigation for you. It's very clear, based on  
3       this report that you've gotten, that there was  
4       perjury as far as the two witnesses saying that  
5       Mr. Torrence was at State Street Pub. There is no  
6       possible way --

7               MS. OPPENHEIMER: Objection, Your Honor, to the  
8       characterization that the witnesses committed  
9       perjury.

10              THE COURT: Sustained.

11              THE WITNESS: I'm sorry.

12       BY MS. BLANCHETTE:

13       Q.     I will attempt to re-ask that question. I had  
14       asked if you were working the case, would you have  
15       relied upon the solicitor's investigation and the  
16       solicitor's report of that, as Mr. Floyd indicated  
17       he was surprised at how that was being used at  
18       trial, what would have been your recommendation to  
19       him regarding that?

20       A.     To completely do an independent investigation  
21       so that you would have the proper materials to  
22       impeach the State's witness.

23       Q.     Now, we have already discussed the fact that  
24       you met with Mr. Torrence; is that correct?

25       A.     That is correct.



1 Q. And you've had conversations with him that  
2 weren't brief; is that correct?

3 A. That is correct.

4 Q. And approximately how many inmates or  
5 defendants do you think you've met with in your  
6 career?

7 A. I would say in excess of a thousand.

8 Q. Okay. And, Mr. Skidmore, based upon your  
9 experience, did Mr. Torrence exhibit any behaviors  
10 or bring up any conversation with you that concerns  
11 you regarding his mental health?

12 A. Absolutely.

13 Q. Could you please explain?

14 A. I'll try to. We could be talking about things  
15 that were very pertinent to the case and he would go  
16 off and start talking to us about brain waves and  
17 other things within his head that were going on.

18 And I have been fortunate or unfortunate over  
19 my 25 years to deal with Dr. Schwartz-Watts, other  
20 people that are world-renowned psychiatrists and  
21 forensic psychiatrists, and sometimes my  
22 interviewing of witnesses or people that are  
23 awaiting trial and/or in the department of  
24 corrections, I have brought to the attention to the  
25 attorney. And by bringing that to the attorney's

1       attention, they have gone out and sought forensic  
2       psychiatrists.

3       Q.    And did you make sure that I was utilizing the  
4       services of a forensic psychiatrist in this case?

5       A.    Yes, and I feel quite sure that's why she  
6       testified today.

7       Q.    And would you have been comfortable working on  
8       this case if there weren't mental health experts  
9       involved?

10      A.    No, I would not have.

11      Q.    And you have been involved in mitigation and  
12      sentencing and both in pleas?

13      A.    That's correct.

14      Q.    I'm sorry, in plea sentencing and in trial  
15      sentencing?

16      A.    That's correct.

17      Q.    And upon review of the mitigation that was  
18      offered here and your interaction with Mr. Torrence,  
19      were you shocked that there wasn't any mention of  
20      his mental health?

21      A.    Yes.

22            MS. BLANCHETTE: Your Honor, if I could beg the  
23      Court's indulgence one moment.

24

25      BY MS. BLANCHETTE:

1 Q. Mr. Skidmore, have you ever heard of the term  
2 remote neuromonitoring?

3 MS. OPPENHEIMER: Objection, Your Honor. He's  
4 not a mental health expert. I don't think he can  
5 testify to remote neuromonitoring.

6 THE WITNESS: I don't think that was --

7 THE COURT: What was it, remote  
8 neuromonitoring?

9 MS. BLANCHETTE: Neuromonitoring, Your Honor.

10 MS. OPPENHEIMER: That's what both Dr. Brawley  
11 and Dr. Maddox testified to earlier.

12 MS. BLANCHETTE: I can rephrase the question,  
13 Your Honor.

14 THE COURT: Okay.

15 BY MS. BLANCHETTE:

16 Q. In your interaction with Mr. Torrence, did you  
17 ever hear the term remote neuromonitoring?

18 A. Yes, on multiple times.

19 Q. Is that something he asked you to investigate  
20 and look into, but you deferred to the mental health  
21 experts on that?

22 A. That would be correct.

23 Q. Also in your review of the video, just based  
24 upon what you pointed out to me in preparation for  
25 this PCR, what you have pointed out if you were

1       working on the case prior to trial, in your  
2       perception, did you ever see Mr. Torrence point the  
3       weapon?

4       A.    No, I did not. From an investigator's  
5       standpoint, he didn't really have time to point the  
6       weapon at the victim because he was rushed at the  
7       time.

8       Q.    Mr. Skidmore, you have worked at length on this  
9       case. You have digested a lot of discovery in this  
10      case. Is there anything further that you would like  
11      to add regarding the investigation that you worked  
12      on in this case?

13      A.    Yes.

14      Q.    Please.

15      A.    The other thing that I don't think was  
16      investigated thoroughly is about approximately a  
17      year prior to this, he had some issues with a  
18      condition that affected his brain. And with the  
19      violent hits that he took during the first  
20      altercation --

21            MS. OPPENHEIMER: Objection, Your Honor. He's  
22      offering medical testimony that Dr. Brawley and  
23      Dr. Maddox have already testified to.

24            THE COURT: Well, I don't know where you're  
25      going here, sir.

1           THE WITNESS: I would have insisted that  
2           Mr. Floyd get those medical records from a year  
3           prior and also some medical attention promptly to  
4           see if there was any damage as far as a concussion  
5           or anything else based on the blows that he took to  
6           the head.

7           MS. BLANCHETTE: Your Honor, I have no further  
8           questions, but if you'd like to rule --

9           THE COURT: Well, to the extent that he's going  
10          to give medical testimony, it's sustained. But he  
11          just noted that he was aware of the past instances  
12          of, I use the word head trauma, so to that extent,  
13          it's overruled.

14          MS. BLANCHETTE: Thank you, Your Honor. I have  
15          no further questions of this witness.

16          MS. OPPENHEIMER: May it please the Court, Your  
17          Honor.

18                                   CROSS-EXAMINATION

19          BY MS. OPPENHEIMER:

20          Q.    Mr. Skidmore, you testified that you do  
21          criminal defense investigations?

22          A.    That's correct.

23          Q.    Have you ever assisted the State in an  
24          investigation?

25          A.    And I can't think off the top of my head. I

1 think I assisted -- a client came and retained me to  
2 help in a matter with law enforcement, but it was no  
3 more than once or twice in 25 years.

4 Q. So the majority of your work is for the  
5 defense?

6 A. Yes.

7 Q. And you work with Ms. Blanchette quite  
8 frequently; is that correct?

9 A. We do.

10 Q. And you testify very frequently in PCRs that  
11 she's handling, correct?

12 A. Correct.

13 Q. And she often calls you and hires you as a  
14 private investigator in these PCRs, correct?

15 A. That's correct.

16 Q. And going back to the last thing you stated  
17 about these alleged concussions or head injuries, do  
18 you have those medical records with you?

19 A. No, I don't.

20 Q. Do you know if they exist?

21 A. I have spoken at length with his mother, who I  
22 would trust that she would tell me his medical  
23 conditions prior to this incident.

24 Q. And you have no degrees in psychology, correct?

25 A. Absolutely not.

1 Q. No degrees in psychiatry?

2 A. No.

3 Q. Don't have a Ph.D.?

4 A. No.

5 Q. You've never been qualified as an expert in  
6 mental health, have you?

7 A. No.

8 Q. So you really can't testify to someone's mental  
9 diagnosis, correct?

10 A. Well, I can tell you and I can cite the cases  
11 that I've been involved with, Maurice Hughes being  
12 one of them, that it was because of my investigation  
13 that he was found incompetent to stand trial for a  
14 murder in York County.

15 Q. But you don't have the qualification to make  
16 that determination?

17 A. No, I do not, just my life experiences the last  
18 25 years.

19 Q. And you said that Mr. Torrence never pointed  
20 the gun at the victim. If he never pointed the gun  
21 at the victim, how did the victim get shot?

22 A. Because he came around the corner after  
23 throwing a barstool at Mr. Torrence and rushed him.  
24 He could have left without incident.

25 Q. And so could Mr. Torrence, correct? You said

1       that he could have jumped over the bar, correct? As  
2       you've stated, you saw another occupant in the bar  
3       jump over that bar and escape, correct?

4       A.    And at that particular time when he did that,  
5       Mr. Torrence was being assaulted by the victim.

6       Q.    Allegedly. And you're aware that Mr. Torrence  
7       admitted to drinking at Shaggy's?

8       A.    That's clear on the video.

9       Q.    He admitted to having about ten drinks,  
10      correct?

11      A.    Yes.

12      Q.    And you don't have any video today of Rush's  
13      from that date?

14      A.    I got involved probably two years ago, which  
15      would have been approximately eight years. And,  
16      typically, based on my investigative experience,  
17      even now with technology, you're not going to be  
18      able to get more than 90 days on a DVR. So --

19      Q.    So, no, you don't have that video, correct?

20      A.    I do not.

21      Q.    So any testimony as to what that video would  
22      have shown is just your speculation, correct?

23      A.    Yes. I don't believe I speculated about the  
24      video.

25      Q.    And you have no video from State Street Pub,



1 correct?

2 A. No. I wish we did.

3 Q. And there was no record of the 911 call that  
4 Mr. Torrence allegedly made from Shaggy's, correct?

5 A. No. And I don't believe I've seen a subpoena  
6 by Mr. Floyd requesting that from 911 communication.

7 Q. Well, have you reviewed the transcript in this  
8 case?

9 A. I have, but I'm not an expert in that area  
10 either. I don't read transcripts on a regular  
11 basis, but I have referred to this transcript.

12 Q. Are you familiar that the 911 operator and, I  
13 believe, the custodian of those CAD reports  
14 testified at trial and said they had no record of a  
15 call that Mr. Torrence allegedly made that evening,  
16 correct?

17 A. I'm going to take you at your word, but that  
18 isn't surprising based on the fact that they also  
19 said at the Richland County Sheriff's Department  
20 that there's not an incident report of any type, but  
21 yet we got this incident report.

22 Q. This would be in Lexington County, not Richland  
23 County, correct?

24 A. I'm sorry?

25 Q. This would be in Lexington County that --

1 A. Rush's?

2 Q. The Shaggy's bar.

3 A. Yes, in Lexington County.

4 Q. Okay. And you did testify earlier that you  
5 reviewed the transcript. Do you recall during Donna  
6 Muszynski's testimony that testimony came out that  
7 her purse was primarily behind the bar all evening?

8 A. I'd say it was primarily behind the bar. But  
9 if you watch the video, it does come up onto the bar  
10 at least two times.

11 Q. And she testified that she never gave  
12 Mr. Chaplin, the victim, any cocaine, he didn't sell  
13 it to her, and that cocaine actually came from an  
14 entirely different source, correct?

15 A. Could you rephrase -- I mean --

16 Q. She testified that she did not do cocaine with  
17 the victim that night, correct?

18 A. Well, she also lied previously to the  
19 solicitor's -- I'm sorry, to the police department.

20 Q. Yes or no? She testified that she did not do  
21 cocaine with the victim that night?

22 A. I'm going to take you at your word --

23 MS. BLANCHETTE: Your Honor, I'd object and  
24 just ask if she could show him the transcript so we  
25 don't have to get in this area of speculation.

1 MS. OPPENHEIMER: Does he have a copy of the  
2 transcript up there?

3 THE WITNESS: Yes.

4 Q. Page 332.

5 THE COURT: Thank you.

6 MS. OPPENHEIMER: Sorry, Your Honor. I  
7 apologize.

8 THE WITNESS: 392?

9 BY MS. OPPENHEIMER:

10 Q. 332.

11 A. Okay.

12 Q. She testified that she did not do cocaine with  
13 the victim that night, correct?

14 A. What line?

15 Q. 16 to 17.

16 A. On those two lines, it's going into whether she  
17 and Zach did cocaine, not specifically herself.

18 Q. Right. But there's -- she testified that she  
19 and the victim did not do cocaine, correct?

20 A. That's correct. Yes.

21 Q. And she testified that the victim did not sell  
22 her any cocaine, correct?

23 A. That's what she said in the transcript.

24 Q. And do you have any additional video from  
25 Shaggy's bar that evening?

1       A.    No.  There again, when I got involved with it,  
2       it was eight years after the fact.  I certainly  
3       would have had, I feel on my investigation, video,  
4       if I had been brought in a week to 30 days into the  
5       case.

6       Q.    And do you recall Mr. Nurang testifying about  
7       the camera system that was in the bar?  It's page  
8       198 for your reference.

9       A.    What line?

10      Q.    Starts at line 11, goes to the end of the page.

11      A.    I'm glad you brought that to my attention,  
12      because I had forgotten to bring up this fact:  In  
13      reality, there were, by his testimony, another  
14      camera that was pointing toward the bar, that that  
15      video was not secured for whatever reason.  And that  
16      seems a little suspect, from my prospective.

17      Q.    Do you have any knowledge of what that angle  
18      would have shown?

19      A.    Well, if it was pointing -- if you read this,  
20      and it was pointing toward the bar, it would have  
21      given you a better angle, possibly, not knowing  
22      where it was set up toward the incident that he has  
23      been convicted of.

24      Q.    But you don't have that additional footage, do  
25      you?

1       A.    No, but I'm glad you brought this to my  
2       attention, because I had seen this.

3       Q.    Okay.  And would you agree with me that the  
4       video actually shows a specific period of time  
5       before the physical altercation and then after the  
6       shooting?

7       A.    Absolutely not.  He had two beers during that  
8       video, one in each hand.  You said earlier that he  
9       had ten beers at Shaggy's.  So at some point during  
10      the course of the night, he had eight additional  
11      beers.  And I would say there was probably another  
12      hour of footage that should have been looked at.  
13      So, no, I disagree totally with your synopsis.

14      Q.    But it shows the entire altercation, correct,  
15      that was testified to?

16      A.    Yes.  And it also shows no interaction with the  
17      two people that testified.

18      Q.    All right.  And if you'll turn to page 523 to  
19      524 of the transcript, this is during Mr. Torrence's  
20      testimony.

21      A.    523?

22      Q.    To 524.

23      A.    Okay.  Both pages?

24      Q.    Yes.

25      A.    Okay.

1 Q. Mr. Torrence admits to being at State Street  
2 Pub in the early morning hours --

3 A. Excuse me. Can I finish reading?

4 Q. I apologize.

5 A. That's okay.

6 Okay. I'm sorry.

7 Q. Mr. Torrence admits to seeing Tonya and Steve  
8 in the early morning hours of September 28th, 2008,  
9 at State Street Pub, correct?

10 A. Yes. But there again, going back to what  
11 Mr. Floyd said, he's obviously mistaken and confused  
12 about that.

13 Q. Well, he testified that he invited Tonya to  
14 join him at Shaggy's that night, correct?

15 A. That's what it said.

16 Q. And he testified that nobody lied about that,  
17 correct?

18 A. That's what it said.

19 Q. And he testified that nobody is confused about  
20 that, correct?

21 A. That's what he said.

22 MS. OPPENHEIMER: Beg the Court's indulgence.

23 No further questions, Your Honor.

24 THE COURT: All right.

25 Redirect?

1 MS. BLANCHETTE: Yes.

2 REDIRECT EXAMINATION

3 BY MS. BLANCHETTE:

4 Q. Mr. Skidmore, let's pick up where you left off,  
5 page 523 of the transcript. I apologize. I could  
6 have told you not to close it.

7 A. Okay.

8 Q. Beginning on 522, he's being asked repeatedly  
9 about this incident by the solicitor on cross. And  
10 he's asked on 523: But it was not the night of this  
11 incident?

12 He responds: It was not the night of the  
13 incident. Ms. Mozenko is lying giving her testimony  
14 and so is Mr. Smith.

15 Question: I understand you.

16 Answer: Or they are confused about what night  
17 all of this happened.

18 Question: So it's your testimony that you did  
19 not see Tonya and Steve at the State Street Pub?

20 Answer: Which night?

21 Question: The night we're talking about, the  
22 night that Mr. Chaplin was shot.

23 Answer: Did I see them the morning Mr. Chaplin  
24 was shot, the morning before?

25 It goes on back and forth like that. I believe

1       that's the section the State was just asking you  
2       about. He makes it clear they have the night  
3       confused and it's only after it appears he continues  
4       he gets confused in that page that he starts  
5       answering questions that make it appear as if  
6       they're talking about that night.

7       A. That is correct. I mean, I do this and have  
8       done it for 25 years. I can't imagine sitting where  
9       I'm sitting if you're trying to testify and be asked  
10      questions, badgered back and forth, how it must feel  
11      and how confused you can get, because even sometimes  
12      I get confused.

13      Q. But if Mr. Floyd would have gotten just that  
14      limited CAD report, if that's what we want to call  
15      it, that we can get now all these years later, when  
16      we can't get the incident report, can't get the  
17      surveillance, Mr. Torrence wouldn't have been  
18      subjected to that cross-examination; is that  
19      correct?

20      A. That is correct.

21      Q. That incident report, the limited information  
22      in that incident report, you could have assisted him  
23      in Mr. Torrence having to avoid that completely  
24      complicated cross-examination?

25               MS. OPPENHEIMER: Objection of the



1        characterization by Ms. Blanchette that the  
2        cross-examination was completely complicated. It's  
3        her characterization of it. The record speaks for  
4        itself.

5                THE COURT: All right. Overruled. Thank you.

6        BY MS. BLANCHETTE:

7        Q.    You can answer.

8        A.    And I lost my train of thought. Other than the  
9        fact that, typically, given the amount of evidence  
10       that, my professional opinion, could have been  
11       gathered, we would have taken that with the trial  
12       attorneys that I work with, Jack Swerling, John  
13       Delgado, John Blume, we would have prepared the  
14       witness to be on the witness stand. We would have  
15       even mocked it up and done it and had a mock trial.  
16       And from what I can tell from the testimony today  
17       and everything, I don't believe that there was very  
18       much preparation with Mr. Torrence to be prepared to  
19       take the stand, which is, in my opinion, a crucial  
20       error.

21       Q.    And after Mr. Torrence went through this  
22       cross-examination, however you want to characterize  
23       it, there was no redirect testimony; is that  
24       correct?

25       A.    That is correct.

1 Q. Now, you were asked questions about the video.  
2 I'm not going to go back through it all again,  
3 you've already testified, but would you agree that  
4 the portion of the video that was shown, the ten  
5 minutes, is a portion that the State wanted shown  
6 and as a defense investigator, you would have wanted  
7 additional footage?

8 A. Going back to what I testified to earlier,  
9 that's exactly why I would not trust the State's  
10 investigation on a case like this. You've got ten  
11 minutes of video, you have the State's witness  
12 testifying that there are two angles in the bar,  
13 only one angle was used in the bar. And it also,  
14 through the testimony, says that he was drinking ten  
15 beers. Where is all that time and where is all that  
16 video?

17 Q. Do you think it's interesting that the State  
18 made sure they got the surveillance at Shaggy's, but  
19 the State didn't get any surveillance from State  
20 Street Pub?

21 A. Yes. It's -- I always thought that there  
22 should be a lot of due diligence when you're talking  
23 about somebody's life and 25 years or 30. And, you  
24 know, right's right and wrong's wrong.

25 Q. And then I want to ask you a little bit because

1       the State explored, quite extensively on  
2       cross-examination, this issue of the cocaine in the  
3       purse. You're familiar with the pretrial motion in  
4       limine, it's found on page 56 of the transcript,  
5       where the State's moving to exclude any evidence of  
6       cocaine use by the victim.

7               And it actually states on line 6 of 56: I  
8       wasn't able to find any evidence that he was using  
9       drugs that night. Are you aware that both the  
10      forensic pathologist and the State's expert  
11      testified that toxicology showed that the victim was  
12      positive for cocaine and amphetamines?

13      A.    Yes.

14      Q.    And if you were the investigator in this case,  
15      would you have made sure that the defense attorney  
16      corrected that statement regarding the evidence by  
17      the solicitor?

18      A.    I would certainly hope so.

19      Q.    And later, like I said, both the forensic  
20      pathologist and the State's expert testify that  
21      there is evidence of cocaine in his system, I want  
22      to ask you a little bit then about what you  
23      mentioned regarding the purse and why that matters.  
24      There is somewhat extensive discussion regarding the  
25      proffer and the information that the solicitor gave

1 to Ms. Donna Muszynski about being, as she said,  
2 immune from prosecution. Do you feel that that  
3 issue was properly explored by Mr. Floyd or would  
4 you have pushed him to further investigate that  
5 matter?

6 A. Absolutely push him, because now she has a  
7 motive, because of her self-serving, not wanting to  
8 be prosecuted for cocaine, to implicate someone that  
9 it may have been, as it shows in the video, a  
10 different picture completely.

11 Q. And does it appear to you on the video that the  
12 victim is actually handed something out of her purse  
13 shortly before he exits and then returns and throws  
14 the barstool?

15 A. That's what it appears from my perspective.

16 MS. BLANCHETTE: If I could beg the Court's  
17 indulgence just one moment.

18 BY MS. BLANCHETTE:

19 Q. If you could look at page 656, lines 18 through  
20 21, this is the State's closing argument. And what  
21 is said there regarding the victim using cocaine  
22 that night?

23 A. Give me the lines again. I'm sorry.

24 Q. I apologize. It is on page 656, lines 18  
25 through 21, just so you have the whole paragraph.

1 A. Okay.

2 Q. Beginning where the solicitor said there was no  
3 evidence that the victim was using cocaine, what  
4 does he say in closing?

5 A. That he met a man who was coursing with cocaine  
6 and amphetamines in his system.

7 Q. So the tune changed from the start to the end  
8 of the trial?

9 A. Absolutely. Total mischaracterization at the  
10 beginning to what it ended up as.

11 Q. And does that raise overall concerns for you  
12 regarding the need to do an independent  
13 investigation by the defense in this case?

14 A. I think this trial transcript speaks for itself  
15 and why anybody that's accused of a crime, such as  
16 Mr. Torrence, should have independent investigation.  
17 And it's really sad that I have to sit here and say  
18 that after everything that's been said today.

19 MS. BLANCHETTE: Your Honor, I have no further  
20 questions.

21 THE COURT: Brief recross?

22 MS. OPPENHEIMER: Nothing further, Your Honor.

23 THE COURT: You may step down, sir.

24 THE WITNESS: Thank you.

25 THE COURT: Counsel, y'all want to step forward

1 real quick?

2 (Sidebar conference.)

3 MS. BLANCHETTE: Your Honor, I would call Blake  
4 Hewitt to the stand.

5 THE WITNESS: Good afternoon.

6 BLAKE HEWITT

7 being first duly sworn, testified as follows:

8 THE WITNESS: Yes, ma'am.

9 DIRECT EXAMINATION

10 BY MS. BLANCHETTE:

11 Q. Can you please state your name for the record.

12 A. Blake Hewitt.

13 Q. And, Mr. Hewitt, what is your current  
14 profession?

15 A. I'm a lawyer.

16 Q. How long have you been a lawyer?

17 A. I graduated from law school in 2005, so is that  
18 13 years?

19 Q. It is.

20 A. I left math behind when I took this job.

21 Q. If math is not the primary area of your focus,  
22 what is?

23 A. So my focus throughout that time has been  
24 appellate work.

25 Q. And do you handle both civil and criminal

1 appeals?

2 A. I do.

3 Q. And in what capacity were you involved in  
4 Mr. Torrence's case?

5 A. I was retained to handle his direct appeal.

6 Q. And once you were retained to handle his direct  
7 appeal, were there concerns regarding his mental  
8 health that were raised to you by his mother?

9 A. My recollection is that in one of our first  
10 meetings, if not the first meeting -- I believe our  
11 first meeting was me, two of my law partners, and  
12 his parents, Brenda and Andy. Either in that  
13 meeting or one afterwards, we were made aware, in  
14 some form or fashion, that Donna Schwartz-Watts had  
15 been consulted but had not testified.

16 And that came up, you know, that was mentioned  
17 several times over the course of my representation.  
18 But, of course, in the context of a direct appeal,  
19 I'm only looking at what was in the transcript and  
20 what was raised, so I directed my attention  
21 elsewhere.

22 Q. Did you have the opportunity to meet with  
23 Mr. Torrence in person?

24 A. Many times.

25 Q. And during those many meetings, did he present

1 to you in any way that caused you to validate or  
2 also have similar concerns regarding his mental  
3 health that was shared with you by his mother?

4 A. So I'm not --

5 MS. BUTTERBAUGH: Your Honor, we would object  
6 because this is not an allegation that goes to  
7 ineffective assistance of appellate counsel in these  
8 allegations, so we would object to this being raised  
9 with Mr. Hewitt's testimony.

10 THE COURT: Ms. Blanchette?

11 MS. BLANCHETTE: Your Honor, I don't think I'm  
12 limited to ask him about allegations of ineffective  
13 assistance of appellate counsel. I'm asking him  
14 about his representation, which will ultimately go  
15 to those issues. But I think I'm free to ask him  
16 about his interaction with Mr. Torrence, the issues  
17 he looked at, the issues he did not.

18 THE COURT: To the extent that -- I'll overrule  
19 your objection to the extent that he can testify  
20 about what he gathered from meeting Mr. Torrence.  
21 But as far as anything gauged of his mental health,  
22 I'll stop it there.

23 MS. BLANCHETTE: Your Honor, just for  
24 clarification, could I ask him what he thought  
25 regarding his mental health based upon those



1 meetings and how that led to his interactions and  
2 handling his communication with him.

3 THE COURT: Strictly based upon what he saw  
4 with his eyes in meeting with him.

5 BY MS. BLANCHETTE:

6 Q. Strictly based upon what you saw, what was your  
7 gauge regarding his mental health?

8 A. Sure. I wouldn't know how to gauge someone's  
9 mental health one way or the other. From the  
10 beginning though, Drew struck me as off in some way.  
11 Now, I have no training in that. I would not  
12 have -- I wouldn't know whether to refer someone to  
13 an expert for mental health issues or not. I mean,  
14 I have zero competence in that area.

15 But I recall thinking on a number of occasions  
16 I'm glad he looks -- let me say it this way, and it  
17 sounds critical and I don't mean it that way: I'm  
18 glad he looks better on paper in the transcript than  
19 in person, because our interactions were sometimes  
20 difficult. He said some strange things, things that  
21 struck me as strange, and gave the impression  
22 sometimes of just not being completely with it.

23 Q. Did he ever reference to you remote  
24 neuromonitoring or being controlled by some outside  
25 source or the government?

1       A.    I heard things -- you know, I occasionally  
2       heard things like that. I can't say that I heard  
3       those specific words, but, you know, sort of things  
4       that struck me as just not normal.

5       Q.    And this would have been immediately after he  
6       was convicted, you took over representation and  
7       handled his direct appeal; is that correct?

8       A.    I went back through the file. The notice of  
9       appeal was filed in June of '11 and my first meeting  
10      with his parents was in July of '11. And we met at  
11      the jail, I want to say, relatively shortly  
12      thereafter and on many occasions throughout his  
13      case. I think seven times, we visited in person.

14      Q.    And regarding that, would your advice to  
15      Ms. Torrence -- or was your advice to Ms. Torrence  
16      that that was an issue that possibly could be looked  
17      at for postconviction relief, but his mental health  
18      was not an issue that you would be able to address  
19      on the direct appeal?

20      A.    I feel like I said that to her, both orally and  
21      in written communication, on a number of occasions.  
22      But don't hold me to that, that's just my  
23      recollection.

24      Q.    In just a minute I'm going to go through some  
25      of the issues you did and did not raise on appeal.

1 Prior to today, did I provide you a copy of what's  
2 been marked as Applicant's No. 1?

3 A. I don't -- I don't remember. You sent me an  
4 e-mail with some stuff. If it was in that, then the  
5 answer is yes.

6 Q. Are you aware of the fact that as part of the  
7 PCR, we were able to obtain the incident report that  
8 you have there from Rush's during the time period in  
9 which the State's witnesses testified that  
10 Mr. Torrence was at the State Street Pub?

11 A. Yes, I'm aware of that.

12 Q. How would that information have impacted either  
13 your ability to make arguments on appeal or just  
14 your overall, I guess, perception of the case if  
15 that information had been utilized by the defense?

16 A. You know, in hindsight, it certainly would have  
17 been helpful to be able to poke as many holes in  
18 sort of the credibility of the State's witnesses as,  
19 you know, it's always helpful the more holes you can  
20 poke.

21 Of course, as you know from the trial, for  
22 anything to have consequence, a material consequence  
23 for Drew, it would have to amount to something that  
24 allowed a retrial on voluntary manslaughter or the  
25 possibility of involuntary manslaughter being

1 charged. Whether, you know, impeachment, additional  
2 impeachment evidence for the State's witnesses would  
3 have bearing on those issues, you know, it's  
4 difficult for me to say.

5 But the context of additional impeachment  
6 information, I mean, you might could raise --  
7 demonstrate a clear abuse of discretion if this  
8 information had been presented and kept out or -- so  
9 it's difficult for me to say in hindsight. But  
10 would it have been valuable information to have? Of  
11 course. Because you're able to demonstrate the  
12 State's witnesses were giving testimony that seems  
13 to be correct.

14 Q. And if in closing the State argued the case was  
15 down to credibility, the credibility of  
16 Mr. Torrence, who is saying there's surveillance,  
17 there's proof I was there versus the State's  
18 witnesses that say he left Rush's, that would be a  
19 major factor in this case?

20 A. That is, in fact, precisely the theory that the  
21 State argued for the value of introducing his prior  
22 plea to the assault charge because it impeaches his  
23 credibility. And it doesn't matter that it happened  
24 after because all we're about is determining his  
25 credibility on this date. So they absolutely built

1       their argument around credibility.

2       Q.    And since you kindly went there, I would like  
3       to ask, one of the allegations is that you were  
4       ineffective for not raising an issue regarding  
5       docket manipulation on appeal.

6       A.    Yes.

7       Q.    Can you explain your reasoning and basis for  
8       not doing that?

9       A.    It may well have been a mistake.  I'm as  
10      capable of making a mistake as anyone else.  But  
11      this is in the time period before State v. Langford,  
12      so that docket stuff was still unsettled.  There  
13      were lawyers raising it throughout the state, Rock  
14      Wise is well-known to everybody as sort of a cutting  
15      edge criminal defense lawyer, trial and appellate.  
16      I don't recall seriously evaluating it.  I don't  
17      think you dilute a strong issue with a weak one.  I  
18      felt we had a strong issue in the ones that we  
19      raised.  You know, but there again, I'm just as  
20      capable of making a mistake as anyone else.

21      Q.    And you are familiar with Langford where the  
22      Court found the statute under which the solicitors  
23      were setting the docket to be in violation of  
24      separation of powers and unconstitutional?

25      A.    Yes, I'm aware of that case.

1 Q. But that case, to be fair, was not decided  
2 until after Torrence. But it was in 2012, which  
3 would have been simultaneously with the time when  
4 his appeal was pending; is that correct?

5 A. Yes. Well, I defer to you when the case came  
6 out. I don't recall when it was.

7 Q. Okay. I wanted to next jump to -- because you  
8 were talking about raising strong issues with weak  
9 issues. What was your reasoning for not arguing  
10 accident in this case? And I'd just like to preface  
11 that question by referring you to your petition for  
12 rehearing, if you have that in front of you.

13 On page 3, just shortly before your conclusion,  
14 you start arguing there that there's some evidence  
15 that he did not intentionally discharge the firearm,  
16 but you don't go into a full-blown accident argument  
17 nor did you raise the Court's failure to charge  
18 accident.

19 A. Yeah.

20 Q. So going all the way back around, my question  
21 is, why did you not raise the issue of failure to  
22 charge accident on appeal?

23 A. Well, sort of from the beginning, we focused on  
24 the involuntary manslaughter. You know, that was  
25 sort of the lead. My recollection is that that

1 issue was one of the things Wayne Floyd made as part  
2 of his lead arguments in his written motion for a  
3 new trial. The discussion that you'll probably  
4 recall from the transcript with the jury charges is  
5 that they were sort of jumbled together. Accident  
6 and -- I think they're actually arguing accident and  
7 then Judge McMahon says, I'm not going to charge  
8 accident, I'm not going to charge involuntary. Now,  
9 my recollection of that may not be correct, I would  
10 defer to the transcript. So I don't really recall  
11 seriously evaluating accident.

12 Now having gone back through the transcript a  
13 little bit, you know, I might have been sort of  
14 focused on some of the discussion where Mr. Torrence  
15 says, you know, I shot and shot as a reaction, like,  
16 right as the guy was coming at me. And, perhaps, if  
17 there had -- you know, given that testimony, which  
18 sounds like, you know, intentionally pulling the  
19 trigger, you know, I might have looked right past  
20 it.

21 Now, if accident had been fleshed out in more  
22 detail and, you know, there had been discussion,  
23 like, Judge McMahon, don't take him at his word.  
24 This thing is happening very fast. Mr. Chaplin is  
25 diving towards the firearm and we know guns don't

1 shoot themselves. Mr. Torrence says he shot. But  
2 this is really close to those cases where it's a  
3 struggle over the firearm and the shooting may have  
4 been intentional. But that discussion wasn't in the  
5 record, so I just didn't think it about.

6 Q. So the discussion regarding involuntary and  
7 accident, which is on pages 616 and 617 in the  
8 transcript that you're saying they're discussing,  
9 then, quickly, the judge indicates he won't charge  
10 involuntary. Based upon that, you did not see an  
11 argument that lent itself to being a viable argument  
12 on appeal --

13 A. That's put better -- I'm sorry, I didn't mean  
14 to interrupt you.

15 Q. No, go ahead.

16 A. I agree with the way you put it.

17 Q. My only confusion there is involuntary gets,  
18 like, a sentence?

19 A. Yeah.

20 Q. And you deemed that the most viable issue, the  
21 only viable issue to raise on appeal. Can you  
22 explain that to us, how you reached that conclusion?

23 A. Well, again, I think it was influenced by, to  
24 an extent, the way the new trial, the written new  
25 trial motion, you know, sort of led with that. And



1       when we started doing legal research, you know, we  
2       found helpful case law outside this jurisdiction  
3       that was sort of directly on point refuting this  
4       argument that you hear -- I say you hear; you read  
5       it a lot in the cases that say you can't get an  
6       involuntary charge when the act is intentional,  
7       which doesn't make any sense. Because if there's  
8       not an intentional act, it's an accident and there's  
9       no criminal liability. So for there to be criminal  
10      liability, there always has to be some intentional  
11      act.

12             And our thought process was, well, there's some  
13      evidence in this case that this killing was  
14      committed without malice. So if it's committed  
15      without malice, it can't be murder. And there's  
16      some evidence that the killing in this case was  
17      committed not in a sudden heat of passion. So if  
18      it's not committed in a sudden heat of passion,  
19      can't be voluntary manslaughter. Well, what is it  
20      then? And the only thing left is involuntary  
21      manslaughter.

22             So given the way Wayne phrased it in his motion  
23      for a new trial and the legal research we conducted,  
24      I mean, it sort of led us towards focusing on  
25      involuntary, because at the end of the day, you

1 know, we were trying to draft arguments that would  
2 lead to a successful outcome for Mr. Torrence,  
3 which, in this case, would be a new trial, hopefully  
4 with a jury charge on a lesser included offense.

5 Q. And is it fair to say though that in your  
6 appeal, you focused on the North Carolina statute  
7 and their definition given in trying to make the  
8 argument that as a result of this being a no-malice  
9 murder, it was therefore involuntary?

10 A. Yes. We focused on those cases because, as I  
11 say, that was the most helpful precedent that we  
12 found. You know, there are helpful South Carolina  
13 precedents as well, State v. Quick case, where  
14 there's an involuntary manslaughter charge given,  
15 even though the lady admits intentionally firing the  
16 weapon.

17 Q. And earlier this morning I gave the judge a  
18 copy of Mae Quick that dates back to 1932, I think.  
19 And you did eventually argue that on appeal, but  
20 would you say you first led with the North Carolina  
21 statute?

22 A. Oh, definitely. Yeah. Yeah. I mean, it took  
23 a long time to -- it takes a long time sometimes to  
24 find those really old cases.

25 Q. And then by the time you got to the petition

1       for rehearing, would you agree that you're starting  
2       to kind of dance around accident a little bit and an  
3       unintentional firing?

4       A.    I agree with that characterization.  Yeah, we  
5       were trying -- the thought process was, you know,  
6       sort of a how many angels can dance on the head of a  
7       pin?  You know, the victim charges Mr. Torrence,  
8       he's clearly going for the firearm.  He's not  
9       running at Mr. Torrence to give him a kiss.  You  
10      know, he looks like he dives for the weapon.  I  
11      mean, I don't know, I can't get in the fellow's  
12      mind.

13            So is it one of those struggle-for-the-firearm  
14      cases where, if it is, clearly an involuntary  
15      manslaughter charge is appropriate?  Or is it one of  
16      those cases like -- I think it's the Causey case  
17      where the guy says, I saw him coming at me, I put my  
18      hand up, I closed my eyes, and I pulled the trigger  
19      and I didn't even know I pulled the trigger.  Like,  
20      that just makes no sense to me.

21            So I think you put it very well.  We're sort of  
22      dancing around accident because we're sort of being  
23      like, you know, it's really not fair to the  
24      defendant to sort of pick his testimony apart in a  
25      very technical fashion when this interaction looks a

1       lot like those interactions where involuntary  
2       manslaughter would be completely appropriate.

3       Q.    And are you familiar with the line of cases --  
4       Tisdale is a PCR case where they found PCR counsel  
5       was ineffective for not arguing for both accident  
6       and involuntary.  There's a number of cases, I know  
7       you're very familiar with the case law, where  
8       accident and involuntary seem to go hand in hand.  
9       But in this case, you decided those charges didn't  
10      go hand in hand?

11      A.   Well, it just wasn't -- had it been fleshed out  
12      differently below, we might have taken a different  
13      tact.  But given the transcript, you know, as we  
14      discussed earlier, the discussion over the jury  
15      charges, it was handled very quickly.  And so, you  
16      know, it -- we either deemed it to be a situation  
17      where we didn't have the room to make the argument  
18      and say, sort of with a straight face, this is the  
19      same argument that was made below, or we just missed  
20      it.

21      Q.   And I think you hit on the point that we're a  
22      preservation state.  So you are essentially stuck  
23      with what is in this transcript, that is what you  
24      then get to argue on appeal.  You can't start  
25      raising issues and errors for the first time on

1       appeal?

2       A.    No.

3       Q.    In this case, did Mr. Floyd's argument impair  
4       your ability to argue involuntary accident on  
5       appeal?

6       A.    I don't know how -- I don't know how on this  
7       record -- I could be wrong, but I don't know how on  
8       this record you could argue accident. And if the  
9       record looked differently, you might -- you know, if  
10      there was -- and I'm basing that not on --  
11      necessarily just on the evidence in the record, I'm  
12      saying the evidence in the arguments that were  
13      presented. Does that make sense?

14      Q.    Yes. And just correct me if I'm wrong, but  
15      you're saying the facts weren't argued in a way to  
16      the trial court and preserved for appeal regarding  
17      this accident charge in a way that you could  
18      regurgitate those and argue those in a --

19      A.    That's correct. I agree with that.

20      Q.    Because, interestingly, in the Tisdale case,  
21      the facts there is that the victim was shot twice in  
22      the back of the head. There's a lot of facts that  
23      are negative, but yet the positive facts are pulled  
24      out that would show that there's evidence in the  
25      record to give a charge. And is this record

1        lacking, in your opinion, as far as evidence for  
2        giving the accident charge?

3        A.     Yes.

4        Q.     Or the arguments? I apologize.

5        A.     I agree with that. And there's a really good  
6        Supreme Court case, I think written by Justice  
7        Kittridge, where he says, you know, this area of the  
8        law, voluntary manslaughter, involuntary  
9        manslaughter, you know, all of these cases are fact  
10       driven.

11                And the problem in a lot of these cases is that  
12       we look at the case, we're given the facts, a  
13       particular charge wasn't appropriate and the case  
14       says the charge wasn't appropriate, and then we  
15       equate that to a broad principle of law. And that's  
16       really not okay because you can't have -- it would  
17       seem contradictory to have self-defense be in the  
18       same case as -- of self-defense and accident. But  
19       we know that they can be in the same -- both be  
20       justified by the facts.

21       Q.     And just recently, the Court of Appeals, on  
22       October 17th, Justice Thomas -- or Judge Thomas  
23       issued an opinion that's been provided to the Court,  
24       State v. White, where they discuss how self-defense  
25       and accident can be charged in the same case?

1 A. Right.

2 Q. And is that what you're alluding to,  
3 essentially that idea?

4 A. Correct.

5 Q. Or that the reasoning that the court sets forth  
6 in White, I think, is very similar?

7 A. Right.

8 Q. All right. I'd like to move on to some of the  
9 other allegations as far as issues that were not  
10 raised on appeal. Is there a basis or a strategy as  
11 to why you did not raise the denial of defense  
12 counsel's request to question Mr. Nurang, who was  
13 the owner of the bar, about the aggressive nature of  
14 the victim?

15 A. My understanding of the case law, and I could  
16 be wrong, but is that the prior incidences of  
17 violence have to be directed to the defendant. But  
18 I could be wrong about that.

19 Q. And is there a reason you did not raise the  
20 directed verdict motion?

21 A. Other than I thought there was probably -- I  
22 don't want to say a scintilla of evidence. But  
23 probably a scintilla of evidence to justify the  
24 charges, no.

25 Q. And today we've discussed quite a bit the

1 court's denial of defense counsel's request to admit  
2 an hour-long, in-car patrol video where Mr. Torrence  
3 is sitting in the back of the patrol car. Are you  
4 familiar with that video?

5 A. I am familiar with it.

6 Q. And is there a reason you did not raise that on  
7 appeal?

8 A. Evidentiary issues are an abuse of discretion.  
9 I mean, I certainly would have liked to have had it  
10 in. If it's probative for the same -- given that  
11 the State made Mr. Torrence's credibility about his  
12 mental state at the time an issue, it struck me that  
13 it should have come in, but it's an abuse of  
14 discretion on appeal.

15 Q. At at least two junctures in the course of the  
16 trial, Mr. Floyd made motions regarding  
17 prosecutorial misconduct. Why was the issue of  
18 prosecutorial misconduct not raised on appeal?

19 A. I'm having trouble remembering --

20 Q. To give you a reference point, you argued  
21 regarding the use of a reply witness as in the  
22 records from his Rush's employment and questions  
23 about him leaving and possibly drinking on the job.  
24 It was also raised in conjunction with closing  
25 argument. Those are two points in the transcript.



1       A.    Yeah.  I don't remember the first incident.  
2       The second incident, I think there was a curative  
3       instruction given.  And my recollection of that is  
4       if the curative instruction is given and you don't  
5       think it's sufficient, you have to renew your  
6       objection and say I don't think that cured it, and  
7       then it's preserved for review.  But there again, I  
8       could be wrong.

9       Q.    Do you recall, Mr. Hewitt, reviewing the  
10       transcript and identifying some possible PCR issues  
11       for Mr. Torrence?

12       A.    I do.

13       Q.    And was one of those the failing of Mr. Floyd  
14       to object to the contemptuous language charge?

15       A.    Yes.

16       Q.    And what was the issue that you took with that  
17       in this case?

18       A.    So that charge -- at least my reading of the  
19       case law, is that -- I just remember in law school  
20       hearing that words are not enough.  You know, you  
21       can't respond to words with deadly force.

22                So from the beginning, I thought, well, this  
23       just makes no sense that this charge was given, so I  
24       started reading the cases.  And what you see --  
25       you'll find a constellation of cases from, like, the

1 '20s and '30s and '40s or something where this  
2 charge shows up, and then you don't see it again  
3 until it shows up in one Court of Appeals case  
4 that's a fairly recent vintage.

5 And those older cases say that words are not  
6 enough, but you can't sit back and use words that  
7 are calculated to bring about a deadly assault and  
8 then claim words are not enough. So it really has  
9 to be offensive.

10 The cases use the word opprobrious, which I  
11 don't know what that means, but I think it means  
12 offensive. You can't use this language and then  
13 claim, you know, all I did was use words, I didn't  
14 start the fight. And I didn't see any basis for  
15 that charge in this record. I thought it was  
16 ridiculous that it was given. I could be wrong.

17 Q. And if he would have objected to that charge,  
18 is that something you would have possibly raised on  
19 appeal?

20 A. Absolutely.

21 Q. On the case law you just discussed?

22 A. Absolutely.

23 Q. And, also, you indicated or found that counsel  
24 had failed to request a more detailed charge on  
25 citizen's arrest?

1       A.    Yes.

2       Q.    And what was your -- if you could explain the  
3       issue you took with that, the citizen's arrest  
4       charge.

5       A.    Sure.  So both with self-defense and with  
6       involuntary manslaughter, the State's argument was  
7       that self-defense wasn't warranted because  
8       Mr. Torrence was at fault through his words and that  
9       Mr. Torrence took an act -- Mr. Torrence was not at  
10      fault in -- excuse me, let me just start that over.

11            The first element of self-defense is you have  
12      to be without fault in bringing on the difficulty.  
13      And so the State argued that Mr. Torrence was at  
14      fault in bringing on the difficulty, both through  
15      his words and because he was not acting lawfully by  
16      bringing a firearm into the bar.

17            And so when we were trying to fit this case in  
18      involuntary manslaughter, we were looking at things  
19      that could satisfy the acting lawfully component of  
20      involuntary manslaughter, and one of those being a  
21      citizen's arrest; either a citizen's arrest that was  
22      performed recklessly by bringing a weapon into the  
23      bar or an unlawful citizen's arrest that would not  
24      ordinarily produce -- would not ordinarily make it  
25      likely to produce death or serious bodily injury.

1           So the law on citizen's arrest, when it's  
2           raised, is that the State has to prove -- has the  
3           burden of proving beyond a reasonable doubt that the  
4           citizen's arrester was not acting lawfully. And the  
5           charge on citizen's arrest in this case was just not  
6           very extensive, to my recollection, didn't describe  
7           whether it had to be a felony or not a felony;  
8           didn't describe, to my recollection, that the State  
9           had the burden of proving, beyond a reasonable  
10          doubt, the citizen's arrest had been unlawful, that  
11          sort of stuff.

12           And I probably said it before, I don't mean to  
13          say it again, but the reason we were looking at this  
14          is because we were trying to fit this case into  
15          existing involuntary manslaughter doctrine, which  
16          requires either a lawful act, not naturally tending  
17          to produce serious injury, or an unlawful act.  
18          Y'all know the statute of the cases.

19          Q.   And I think this hits on the next issue: You  
20          identified that counsel should have requested a jury  
21          charge on the difference between acting lawfully and  
22          being lawfully armed in self-defense.

23          A.   Right.

24          Q.   And did that tie into what you were explaining  
25          regarding the citizen's arrest?

1 A. Yes.

2 Q. And is there anything further regarding that  
3 differentiation in language that you would like to  
4 explain?

5 A. I don't --

6 Q. Acting lawfully versus being lawfully armed at  
7 self-defense?

8 A. Yeah, I think so, other than this is just an  
9 extremely complicated area of law. So to the  
10 extent -- so it's better if you -- if the jury heard  
11 more detailed instructions, because this jury was  
12 clearly concerned sorting through it because they  
13 sent back a note saying can we consider involuntary.

14 Q. And that was -- was that one of the primary  
15 things that caught your attention when you were  
16 reviewing this record for appellate issues?

17 A. Maybe you see that often. I don't see that  
18 often, that sort of note from a jury asking about  
19 something that hasn't been charged.

20 MS. BLANCHETTE: Your Honor, if I can beg the  
21 Court's indulgence for just one moment? I've also  
22 lost a contact, so it's going to take me a second in  
23 regards to reviewing my notes as I typically would,  
24 but I believe I'm just about done with his  
25 examination.

1 THE COURT: All right.

2 MS. BLANCHETTE: I have no further questions of  
3 this witness.

4 THE COURT: Cross-examination?

5 MS. BUTTERBAUGH: Your Honor, may we approach?

6 THE COURT: Certainly.

7 (Sidebar conference.)

8 THE COURT: Mr. Hewitt, we recognize the  
9 inconvenience being late in the day.

10 What we're going to do, ladies and gentlemen,  
11 is recess for the day now. We'll commence with the  
12 State's cross-examination of Mr. Hewitt first thing  
13 in the morning at 9:30.

14 Mr. Hewitt, as you know, please don't discuss  
15 your testimony with anyone over the evening.

16 Anything else for the record before we adjourn  
17 for the day?

18 MS. BUTTERBAUGH: No, Your Honor.

19 MS. BLANCHETTE: No, Your Honor.

20 THE COURT: All right. We'll be in recess  
21 until tomorrow morning at 9:30. Thank you.

22 (The following proceedings were held November  
23 6, 2018.)

24 THE COURT: Briefly for the record real quick,  
25 let's just discuss what we just discussed on the

1 record.

2 MS. BLANCHETTE: Yes, Your Honor. We're back  
3 on the record on Andrew Torrence vs. The State,  
4 which is docketed at 2015-CP-32-1993. I'm Tricia  
5 Blanchette and I represent Andrew Torrence.

6 Yesterday when we broke for the day, we were in  
7 the middle of the testimony of Blake Hewitt, so I  
8 didn't think it was appropriate at that time. But  
9 at this time, I would concede the allegation  
10 regarding bias or judicial bias in this case. That  
11 was in the original amendment filed back in 2017  
12 based on information that I had received from  
13 Mr. Floyd.

14 He did not testify in a way yesterday that  
15 would support that allegation, so at this point, we  
16 would waive the allegation of any type of judicial  
17 bias.

18 MS. OPPENHEIMER: State consents, Your Honor.

19 THE COURT: So noted.

20 All right. Mr. Hewitt, we can pick back up.  
21 Nice to see you again.

22 THE WITNESS: Nice to see you, Your Honor.

23

24

25

CROSS-EXAMINATION

1 BY MS. BUTTERBAUGH:

2 Q. Good morning.

3 A. Good morning..

4 Q. My name Sherrie Butterbaugh and I represent the  
5 respondent. I kind of want to start with some of  
6 the things that Ms. Blanchette was asking you about  
7 yesterday. She had talked about some of the issues  
8 that you had identified when you were looking at the  
9 record.

10 Let's kind of talk about what you do when you  
11 start -- when you get the record. How do you  
12 identify issues for a direct appeal?

13 A. So because we're a strict error-preservation  
14 state, in an appeal, direct appeal, you're limited  
15 to the arguments that were made below. And even  
16 more so than that, not just the arguments, but the  
17 objections that were made.

18 And so the first thing I do when I get a case  
19 in is I sort of start in reverse. If there was a  
20 motion for a new trial or to alter or amend, I start  
21 there and identify what arguments were made to the  
22 trial court judge. And then sort of with that  
23 constellation of issues in hand, I go back and work  
24 my way through the case chronologically.

25 In a criminal case, it tends to begin with the



1 transcript because there's not as many, or at least  
2 it doesn't seem to be as many, written motions,  
3 interlocutory decisions as there are in a civil  
4 case. So I go through there and try to flag each  
5 objection that was made. And, of course, if  
6 something was made and not renewed in a motion for a  
7 new trial, I can't try to argue it in a direct  
8 appeal because I'll just lose. That's -- it's  
9 probably some more detail to it than that, but  
10 that's sort of a general overview.

11 Q. So when you talked about mental health,  
12 obviously that's not going to be an issue that you  
13 had for direct appeal, correct?

14 A. Correct.

15 Q. Because there's nothing in that record like a  
16 Blair hearing, that would have led you to think that  
17 there were any kind of mental health issues in this  
18 transcript?

19 A. I don't remember anything reflected in the  
20 transcript in any way, shape, or form about mental  
21 health. My recollection could be wrong, but that's  
22 my recollection.

23 Q. So even the Blair hearing and the colloquy that  
24 the judge had with Mr. Torrence and even in  
25 Mr. Torrence's, maybe his cross-examination and

1 direct examination, there was nothing to indicate to  
2 you in that transcript that there were mental health  
3 issues?

4 A. I think I agree with that.

5 Q. In any of these PCR issues that you have said  
6 that you kind of directed Ms. Blanchette to, when  
7 you're talking about the contemptuous language, that  
8 kind of stuff, were those just interesting issues to  
9 you as an appellate attorney that you saw in the  
10 transcript?

11 A. I think I agree with that characterization. I  
12 mean, when I'm working through a transcript, in  
13 addition to, you know, objections, I mean, I'll make  
14 a specific effort to make a note about any page  
15 there is an objection. But, you know, you'll see  
16 things occasionally that strike you as odd, and so I  
17 think that this was probably one of those instances,  
18 that's something I flag. It was like I've never  
19 seen that before. So then in the course of working  
20 up stuff, you know, we spent a little time looking  
21 at that. Not a whole lot because we knew there  
22 wasn't much we could do about it.

23 But from the beginning, I feel like I had told  
24 Mr. Torrence and his parents that when we went  
25 through the transcript, we would flag -- try to flag

1 not only direct appeal issues, but anything for PCR.  
2 Because one of the first conversations we have with  
3 clients is, you know, you may have a list of a  
4 thousand things that you think went wrong. A direct  
5 appeal is not about that. I can only look at the  
6 rulings that the judge made. You know, if you have  
7 other things that you think went wrong, that may be  
8 something you have to raise for PCR. So I might  
9 have flagged it because of those conversations as  
10 well, if that makes sense.

11 Q. It does. Because you're an appellate attorney  
12 who's looking at it in hindsight?

13 A. Right.

14 Q. And that is what we, even now today, are not  
15 supposed to do, right? According to Strickland and  
16 our case law, looking at it from -- with the trial  
17 attorneys, you know, at the time of trial is what  
18 they're concerned with. We, as appellate attorneys  
19 or as PCR attorneys, hindsight really is not what  
20 we're supposed to be doing, correct, with the  
21 standard of Strickland?

22 A. Well, I agree, I suppose, to a point. I mean,  
23 the thing about hindsight is it's 20/20. But, of  
24 course, the clear lens of hindsight may show you  
25 that in the moment, you know, something was clear

1 error that should have been -- you know, there was  
2 no reasonable basis, no possible strategic decision  
3 for not objecting to it. So I would gristle at that  
4 description a little bit, but not in a way that's  
5 overly critical, if that makes sense.

6 Q. It does. Thank you.

7 When you talked about the Rush's incident  
8 report, one of the things that you had said when you  
9 answered that question was talking about the  
10 credibility findings because credibility findings --  
11 talk about that a little bit. When -- like, who  
12 makes credibility findings on -- do appellate judges  
13 make credibility findings?

14 A. They do not.

15 Q. So who makes credibility findings --

16 A. In criminal cases, they do not.

17 Q. Correct. So who makes credibility findings?

18 A. In a criminal trial, if it's a jury trial, the  
19 jury; if it's a bench trial, the judge.

20 Q. How about here in a PCR court?

21 A. You know, I don't know how to answer that, I  
22 don't think. The PCR court, I suppose, would  
23 potentially make a credibility determination if  
24 there is some evidence that a decision was a  
25 strategic decision and some evidence that it wasn't.

1       So there would be some instances where I think the  
2       court in a PCR setting would make a credibility  
3       determination.

4               Now, as to things that were determined at  
5       trial, you know, that's not really -- at least my  
6       understanding of PCR, that's not really the issue of  
7       PCR.

8       Q.     Thank you.

9               Let's look at some of the allegations. You  
10      raised involuntary manslaughter, correct, as the  
11      issue on appeal?

12     A.     That's correct.

13     Q.     So the denial of the request to question the  
14      witness about the aggressive nature, talk about that  
15      a little bit, as the issue when you were looking at  
16      Mr. Nurang and his testimony. Why was that not an  
17      issue you felt you could raise?

18     A.     Well, as I said, or attempted to say yesterday  
19      and did so probably poorly, my understanding of that  
20      body of law is that in order to introduce prior acts  
21      of violence by the victim, those acts of violence  
22      have to have been directed towards the defendant.

23              It just -- analogy is probably not correct, but  
24      it just -- if it were not so, it strikes me as  
25      evidence that would immediately be excluded under

1 Lyle and 404(b). And that's why we don't let prior  
2 bad acts in for the defendant because the fear is  
3 that when the jury hears somebody has done bad  
4 things in the past, they're going to say, oh, he's  
5 done bad things before, he did this.

6 Q. So it's your reasonable professional judgment  
7 that you used to not raise that issue on appeal?

8 A. I don't recall thinking about it in any detail.  
9 It did not strike me as -- you know, I don't want to  
10 throw weak punches, I want to try and throw strong  
11 ones.

12 Q. And how about this issue of the docket  
13 manipulation? Again, your reasonable professional  
14 judgment was not to raise that as an issue?

15 A. I think it's up to somebody else, whether my  
16 judgment was reasonable or not. But as I attempted  
17 to say yesterday, you know, this is before Langford,  
18 that issue was being litigated and not getting a lot  
19 of traction. I think it would be a fair description  
20 of my mental thought process to say if the appellate  
21 court is not going to go with me on involuntary  
22 manslaughter, which I thought was quite clear and  
23 still do, then they're not going to -- they're not  
24 going to give me relief on that Langford argument.

25 Q. And how about the denial of the directed

1 verdict? I mean, looking at the existence of the  
2 evidence at the time, the two times that Mr. Floyd  
3 made the directed verdict motion.

4 A. Yeah. It struck me as a weak murder case.  
5 Now, this is looking at it in hindsight, but is  
6 there some evidence? You know, my thought process  
7 then was probably, yes, there's some evidence.

8 Q. And what about the denial of the admission of  
9 the in-car video?

10 A. So I don't know how I could have used that in  
11 conjunction with the argument that I made in the  
12 appeal, which is to say I don't know how that  
13 corroborative evidence of Mr. Torrence's state of  
14 mind, you know, after this incident, would have any  
15 bearing on the involuntary manslaughter argument I  
16 made.

17 But had -- how do I want to say this? Or how  
18 should I say this? If the trial had gone  
19 differently, by that I mean if some of the jury  
20 charges I think should have been given were given,  
21 it might have been possible to raise a different  
22 issue, you know, on which that evidence would have  
23 had some bearing.

24 But, you know, all I have is the box of  
25 objections that I have and, you know, the requests,

1 the jury requests. I'm falling all over myself. I  
2 need to start over. All I have is the box of  
3 objections that I have, and if certain jury charges  
4 weren't requested, I can't make an issue about any  
5 of them.

6 So if, for example, there had been a more  
7 robust request to charge on the law of citizen's  
8 arrest or on the law of being lawfully armed in  
9 self-defense where the credibility component of the  
10 case was more relevant to accident, involuntary  
11 manslaughter, self-defense, I think it's possible  
12 that the exclusion of that video could have helped  
13 that argument.

14 But, given the record that I had, it just  
15 seemed like a straight-up evidentiary abuse of  
16 discretion ruling that -- you know, all of us  
17 lawyers know the abusive discretion standard is very  
18 difficult to overcome. And at the end of the day,  
19 of course, Mr. Torrence was not convicted of murder,  
20 you know, he was convicted of something else.

21 Q. Let's talk about the citizen's arrest charge  
22 for one second. Because the citizen's arrest charge  
23 that was given was pretty much the statute, and the  
24 judge read the statute. Isn't there case law that  
25 says if you read the statute, then that is a



1 sufficient charge on the law?

2 A. I would have to defer to what the cases say. I  
3 haven't looked at that recently. That strikes me as  
4 right, but there's also case law that says if a  
5 charge is an accurate statement of the law, you  
6 know, it ought to be given. But I would just have  
7 to defer to the case law.

8 Q. So failure to charge accident --

9 A. Can I finish, sort of amend that answer?

10 Q. Yes.

11 A. I mean, you didn't interrupt me. That was  
12 probably a poor choice of words.

13 The deficiencies that struck me about that  
14 charge is there's case law that says the State has  
15 the burden of proving beyond a reasonable doubt that  
16 the defendant was not acting lawfully. And so I  
17 thought that was something that should have been  
18 included because that would have been an important  
19 component in trying to fit this case in the context  
20 of involuntary manslaughter or explain more fully  
21 why an involuntary manslaughter charge could have  
22 been given, because the citizen's arrest could be  
23 either Mr. Torrence acting lawfully but with  
24 reckless disregard for the safety of others or  
25 acting unlawfully because he took a firearm into a

1 bar, which was illegal at that time. It's not now  
2 if you have a concealed weapons permit, but acting  
3 unlawfully with reckless disregard for the safety of  
4 others.

5 And so to my mind, it seemed like a more robust  
6 citizen's arrest charge that said the State has the  
7 burden to affirmatively prove Mr. Torrence was not  
8 acting lawfully in conjunction with a more robust  
9 charge on the law of possessing a firearm illegally,  
10 but being lawfully armed in self-defense could have  
11 better stated why an involuntary charge was  
12 appropriate.

13 Q. And are these some of the arguments that you  
14 made to the court of appeals that were ultimately  
15 rejected?

16 A. No, I couldn't make an argument about the  
17 citizen's arrest charge because I don't recall there  
18 being an objection to that.

19 Q. But when you're referencing involuntary  
20 manslaughter, were these some of the arguments that  
21 you made to the Court of Appeals?

22 A. I mean, certainly the central argument that we  
23 made to the Court of Appeals was that involuntary  
24 manslaughter is an unintentional killing that lacks  
25 malice but is criminally stupid. And that's sort of

1 my language description of the charge of involuntary  
2 manslaughter, and that's what we argued.

3 Now, I think in the answer that I sort of  
4 wandered all over the reservation in trying to give  
5 you a couple of minutes ago is a much more -- I  
6 mean, it has more components to it than just that.

7 Q. Is this your attempt to change the law as it is  
8 in South Carolina and argue to us and to the Court  
9 change as an attempt to change how it stands? Like,  
10 when you're talking about accident, is this your  
11 attempt now to argue to change the law as it stands  
12 currently in the state of South Carolina?

13 A. No, I don't think so.

14 Q. What is the law on accident right now in South  
15 Carolina?

16 A. The law on accident, I just -- I don't know  
17 that I can pop off the elements of that with the  
18 same degree that I could, say, self-defense. But  
19 accident is an unintentional killing and, I think,  
20 with an unintentional act. I mean, it's akin to  
21 self -- my understanding, it's akin to self-defense.

22 Q. But somebody intentionally pulling the trigger  
23 twice would not qualify as an accident under the law  
24 as it is currently in the State of South Carolina?

25 A. Oh, I agree with that completely.

1 Q. So arguing, you know, an allegation of failure  
2 to argue that the trial court should have charged  
3 accident would not have been a successful appellate  
4 issue for you, correct?

5 A. I think it would be very difficult to argue  
6 accident successfully in this record. I found it  
7 strange that there was no development of  
8 Mr. Torrence's testimony in a way that might support  
9 an accident charge more fully because it struck me  
10 as a bang-bang sort of situation.

11 And by that, I mean, you know, he goes into the  
12 bar with a firearm. There's this -- it's been a  
13 while since I watched the video, but there's a  
14 period where everyone is sort of standing around,  
15 then the throwing of the barstool and the running at  
16 him, and that happens very fast.

17 And as I said yesterday, probably very poorly,  
18 you know, when Mr. Chaplin is diving for the weapon  
19 and it -- it seemed like there should have been some  
20 development of -- you say you pulled the firearm  
21 intentionally, but did you really pull it  
22 intentionally, you know, or was this sort of --

23 Q. So it's semantics?

24 A. Yes. Thank you.

25 Q. So even by his own words and his testimony

1       where he says he intentionally pulled the trigger  
2       twice, you still would argue it's semantics?

3       A.    I think it's possible for a record -- I'd like  
4       to answer it this way: I think it's possible for a  
5       record to support jury charges of both accident and  
6       either or both of the manslaughters.

7       Q.    Okay.

8       A.    And I'm not trying to be too cute by half --  
9       anyway...

10      Q.    Let's move on to the prosecutorial misconduct,  
11      which was the final allegation. Talk about that a  
12      little bit. I think you touched on that a little  
13      bit yesterday. Why was that not an allegation that  
14      you thought could be raised, an issue that could be  
15      raised?

16      A.    I don't remember significant issues. Maybe the  
17      better way to say it is significant objections  
18      regarding prosecutorial misconduct other than two  
19      instances. And I'm not alleging there was  
20      prosecutorial misconduct, I'm just talking about the  
21      two objections I remember.

22            I remember the docket manipulation, that  
23      allegation or objection, and then I remember,  
24      towards the conclusion of trial, a motion for a  
25      mistrial based on a question that was asked about

1       whether Mr. Torrence might have left Rush's and gone  
2       drinking and then come back. I don't remember  
3       anything other than that. I hate to amend already.  
4       And then the closing argument for which a curative  
5       instruction was given. Those are the only things  
6       that I remember from the transcript and they did not  
7       strike me as equal strength or stronger to the  
8       involuntary manslaughter issue that we raised on  
9       appeal.

10      Q.     Because once a curative decision is given,  
11      appellate courts look at that strongly, correct?

12      A.     Well, you have to object again. My  
13      understanding of the case law is you have to object  
14      again. You know, object to the curative instruction  
15      and say, I appreciate the curative instruction, I  
16      don't think that was sufficient to cure the  
17      prejudice in order for it to be preserved on appeal.

18      Q.     And going back to this involuntary manslaughter  
19      that was the issue raised on appeal, you said that  
20      was your strongest issue, correct?

21      A.     That's what I thought was the strongest issue  
22      we had.

23      Q.     Okay. And the court of appeals ultimately  
24      found that there was no evidence of involuntary  
25      manslaughter?

1       A.    You know, if you'll give me just a second, I  
2       want to see what it was precisely that they said,  
3       because when I was preparing, I underlined it again.  
4       I think what they said was you have to act  
5       unintentionally. You know, it was like a three-page  
6       unpublished decision.

7       Q.    Do you need a copy?

8       A.    If you have a copy to hand me, that would be  
9       helpful.

10       MS. BUTTERBAUGH: May I approach, Your Honor?

11       THE COURT: Sure.

12       THE WITNESS: Thank you.

13       Yeah. So you're familiar with it as I am,  
14       probably more so now. But the Court of Appeals said  
15       there's no evidence Mr. Torrence did not  
16       intentionally fire his weapon, so he's not entitled  
17       to a charge of involuntary manslaughter. Then the  
18       court said we cited cases from North Carolina,  
19       however, we have to analyze this under South  
20       Carolina law. Of course, my editorial opinion on  
21       that is that North Carolina law and the South  
22       Carolina law is the same, which is why I cited it.  
23       But anyway...

24

25       BY MS. BUTTERBAUGH:

1 Q. Then what happened after the Court of Appeals'  
2 opinion? What were your next steps that you took?

3 A. We filed a petition for rehearing, which is a  
4 necessary step under the court rule before you ask  
5 for a petition of review from Supreme Court. That  
6 petition was denied. And then we filed -- that  
7 petition for rehearing was denied. Then we filed a  
8 petition for cert with the state supreme court, who  
9 did -- and the state supreme court denied the  
10 petition for cert electing not to review the case.

11 Q. So you thoroughly took all of the steps  
12 necessary to vet this issue of involuntary  
13 manslaughter all the way up as far as you could, to  
14 the highest state court that you could --

15 A. I took it as far as -- I didn't mean to  
16 interrupt you. I'm sorry. I took it as far as I  
17 could in the state court system.

18 Q. Okay.

19 MS. BUTTERBAUGH: One moment, Your Honor.

20 No further questions.

21 THE COURT: Redirect?

22 MS. BLANCHETTE: Yes, Your Honor.

23

24

25

REDIRECT EXAMINATION



1 BY MS. BLANCHETTE:

2 Q. Mr. Hewitt, I think your testimony made it  
3 clear, and correct me if I'm wrong, that you are  
4 limited by the record when you are determining what  
5 issues can be raised on appeal.

6 A. That's right.

7 Q. And as a preservation state, one of the key  
8 components in that record that you analyzed was the  
9 motion for a new trial in this case; is that  
10 correct?

11 A. That's right.

12 Q. Do you have a copy of it in front of you or  
13 would you like a copy to look at?

14 A. It would probably help me to have a copy to  
15 look at. I've got it in this bundle somewhere.

16 MS. BLANCHETTE: And it's my understanding,  
17 Your Honor, this was included in the packet provided  
18 to the Court, the motion for a new trial.

19 THE COURT: I think so. But I'm looking now.

20 BY MS. BLANCHETTE:

21 Q. Mr. Hewitt, if you could just review that  
22 briefly. Did Mr. Floyd cite to any specific cases  
23 in the arguments that he made in his motion for a  
24 new trial?

25 A. Not that I see.

1 Q. And in the transcript that you reviewed and  
2 worked through to find the issues for appeal,  
3 specifically as to the involuntary and accident  
4 charges, do you recall him citing to any cases or  
5 making any specific arguments based upon case law  
6 for those charges?

7 A. I don't recall. The record may contradict me,  
8 but I don't recall.

9 Q. And if you could, review that. On the motion  
10 for new trial, does he raise the failure to charge  
11 accident?

12 A. I don't believe it's specifically mentioned.  
13 The -- this written motion for a new trial has seven  
14 numbered paragraphs, so, for example -- and many of  
15 them are very specific. So, for example, numbered  
16 paragraph 1, the court erred when it refused the  
17 defendant's request to charge involuntary  
18 manslaughter. And then it continues on in  
19 character.

20 But the last one is sort of a catchall, number  
21 7, the court erred when it refused motions for  
22 directed verdict and for all reasons set forth above  
23 and for any other motions made during trial. So it  
24 has sort of a catchall, which is common, and, I  
25 think, prudent because we're a strict

1 error-preservation state, you have to throw  
2 everything in there. But, no, there's no specific  
3 mention of accident.

4 Q. And you were answering some questions about  
5 semantics or the testimony of Mr. Torrence that  
6 would have lent itself to potentially being able to  
7 better argue accident. Are you aware that after the  
8 State did cross-examination and kept questioning  
9 Mr. Torrence about whether or not he  
10 intentionally -- using the word intentionally --  
11 pulled the trigger, Mr. Floyd chose to do no  
12 redirect of Mr. Torrence?

13 A. That sounds right. But I would defer to the  
14 transcript.

15 Q. And is it fair to say that you were limited by  
16 the record in the arguments that you were able to  
17 make in this case?

18 A. Yes, I think that's fair to say. Now, to be  
19 fair, I would say that for -- in a sense, that  
20 statement is true about every record, you know,  
21 because we're a strict error-preservation state. I  
22 mean, I put -- I focus on the transcript and the  
23 record to such a degree that it's almost like  
24 putting blinders on.

25 So from the beginning, when Ms. Torrence would

1 e-mail me about things that concerned her with  
2 respect to the trial, I mean, I -- we tried to be  
3 responsive, as I think lawyers' offices should be.  
4 But in a sense, it was almost in one ear and out the  
5 other because I'm so -- you know, it's just not  
6 worthwhile to think about anything outside the  
7 transcript because I can't argue it. So why waste  
8 your time?

9 But were there things in this record that  
10 concerned me that I would have liked to have been  
11 able to argue? Yes. How ever you look at it, it's  
12 an awful case.

13 Q. And that was going to be my next question.  
14 Specifically, the issues you flagged for possible  
15 postconviction relief that you discussed on direct  
16 and on cross-examination, were those issues that  
17 either impaired your arguments or issues that you  
18 would have wanted to raise if they were properly  
19 preserved?

20 A. They are certainly issues I would have liked to  
21 have looked at in more detail and they might have  
22 grown into something that I would deem worthwhile  
23 arguing on appeal.

24 Q. I'll direct your attention back to the motion  
25 for a new trial. In that motion, I think under two

1 of the points, the argument is made about docket  
2 manipulation. It's made under the heading, I  
3 believe, of prosecutorial misconduct, and then it  
4 also has its own separate heading.

5 A. I see the prosecutorial misconduct. I think I  
6 see both of them, number 3 and 4.

7 Q. And anywhere in those, do you see where  
8 Mr. Floyd argued that it was unconstitutional or a  
9 violation of the separation of powers which became  
10 the issue in Langford?

11 A. I don't.

12 MS. BLANCHETTE: And, Your Honor, may I  
13 approach the witness? I have a copy of Langford. I  
14 was going to be referring to it.

15 THE COURT: Yes, ma'am.

16 BY MS. BLANCHETTE:

17 Q. I believe it's page 3 where they begin  
18 discussing that issue that I just referenced. Are  
19 you familiar that in Langford it was actually the  
20 public defender's association, I believe, that  
21 raised the issue that was addressed to -- via amicus  
22 and is not an issue preserved by defense counsel?  
23 And I'll give you a chance to read over that where  
24 they begin discussing the issue.

25 A. If you say it, I'm sure it's right. But I was

1 not aware of that.

2 Q. Okay. So there are avenues in the state where  
3 issues can be raised that aren't properly preserved?

4 A. See now, the Latin phrase on the seal of the  
5 state Supreme Court says nil ultra, which means none  
6 higher. And in layman's terms, we might say that  
7 means whatever three of them do, they can do. By  
8 that, I mean if there's an issue the court wants  
9 addressed that's not strictly preserved and the  
10 majority of the court wants to do that, they can  
11 certainly do it.

12 Of course, the case law is pretty -- you'll  
13 also find lots of case law talking about how we're a  
14 strict error-preservation state.

15 Q. And if I can borrow that back, because I gave  
16 you my copy. I apologize. In Langford, they use --  
17 I believe that exact language --

18 MS. BLANCHETTE: Just one moment, if I can beg  
19 the Court's indulgence.

20 THE WITNESS: I bet it features prominently in  
21 the descent.

22 BY MS. BLANCHETTE:

23 Q. Here they say: We've previously considered  
24 arguments raised by an amicus when they concern a  
25 matter of significant public interest?

1 A. What case do they cite for that?

2 MS. BLANCHETTE: Your Honor, may I answer the  
3 question?

4 THE COURT: Sure.

5 THE WITNESS: I'm sorry. I'm sorry.

6 BY MS. BLANCHETTE:

7 Q. They cite to the Brown case. But there are  
8 instances, you would agree, where they determine  
9 that they will hear issues that are not properly  
10 preserved?

11 A. Yes. That's attorneys fee for indigent  
12 representation case.

13 MS. BLANCHETTE: Your Honor, I have no further  
14 questions of this witness.

15 THE COURT: Anything else?

16 MS. BUTTERBAUGH: Just briefly.

17 RE CROSS-EXAMINATION

18 BY MS. BUTTERBAUGH:

19 Q. Are you aware that Langford's conviction was  
20 actually upheld in that case because --

21 A. I have no idea one way or the other.

22 Q. And it was because the error was found to be  
23 harmless.

24 Thank you. No further questions.

25 THE COURT: You may step down, Mr. Hewitt.

1 THE WITNESS: Thank you. And I'm sorry for --  
2 I think maybe we stayed late yesterday on my  
3 account, and I'm sorry about that.

4 THE COURT: No problem at all.

5 MS. BLANCHETTE: Your Honor, my next witness  
6 will be Brenda Torrence.

7 BRENDA TORRENCE

8 being first duly sworn, testified as follows:

9 THE WITNESS: Yes.

10 DIRECT EXAMINATION

11 BY MS. BLANCHETTE:

12 Q. Could you please state your name for the  
13 record.

14 A. Brenda Senn -- spelled S-E-N-N -- Torrence.

15 Q. And, Ms. Torrence, how is it that you know  
16 Andrew Torrence sitting next to me?

17 A. I'm his mother.

18 Q. And as a mother, I know that you would do  
19 anything for your son, but you understand you're  
20 here today to tell the truth and only the truth? Is  
21 that correct?

22 A. Absolutely. Yes.

23 Q. And I just want to take you back, if I could,  
24 to the events of September 27th and 28th. Was your  
25 son living with you on September 27th of 2008?



1 A. He was living with me and his dad, yes.

2 Q. And is his dad with us today?

3 A. No, ma'am.

4 Q. Okay. And going back to that day of September  
5 27th, when was the last time you saw your son?

6 A. That was Saturday, the 27th. We had spent the  
7 day painting our den. I was cooking homemade  
8 chicken noodle soup. We were -- Drew was sort of  
9 laughing at the color we painted the den, then he  
10 said, no, it really looks good. And we ate dinner  
11 and he had to go to work.

12 So it was 20 minutes to 9:00, 8:30 -- 20  
13 minutes to 9:00 or somewhere. And I walked down --  
14 his grandmother, my husband's mother, lived directly  
15 behind us, and I went down to check on her for the  
16 evening. And he pulled around to her driveway. And  
17 as I came out of her house, he had a little laser  
18 thing and he said, hold it right there, ma'am. And  
19 I said, yes, sir, Officer. And he said, I just want  
20 to tell my mama I love her and I'll see her later.  
21 And I said, tell my son I love him too. And he  
22 left. He told me to leave a bowl of soup on the  
23 stove for him.

24 Q. When was the next time you heard from your son?

25 A. Sunday morning. We were getting ready for

1 church and the phone rang about 7 -- it was 7:30.  
2 And I looked at the caller ID and it said West  
3 Columbia Police Department. And I answered and Drew  
4 was on the phone and he said, Mama, get me an  
5 attorney, and he hung up.

6 My husband asked me what was the call about and  
7 I said it was Drew and he said get me an attorney.  
8 And he said, where was he calling from? And I said,  
9 I think it said West Columbia Police Department.

10 So I redialed the number and a police officer  
11 answered and I asked what was going on, could I  
12 speak to my son again. And I could hear Drew in the  
13 background crying. And the officer said, he can't  
14 speak to you right now. And I said, why? And he  
15 said, he's too upset. And I hung up the phone. And  
16 my husband said, what are we going to do? I said,  
17 we're going to church. And we went to church.

18 But before we left, the only attorney I knew,  
19 and I knew his home number was listed in the phone  
20 book, was Wayne Floyd, so I called and left a  
21 message for him to call me. And then we went on to  
22 church.

23 Q. And while you were in church, did you have the  
24 opportunity to speak with Wayne Floyd?

25 A. He called -- the service started about 9:30 and

1 I think it was somewhere between 9:30 and 10:00 or  
2 so, he called me. So we stepped out of the church  
3 and I took his call and I told him what had  
4 happened. And he said he would go to -- I think he  
5 told me he was going to Lexington County Detention  
6 Center to check and see what was going on and he'd  
7 let me know.

8 Q. And did you hear from him after he met with  
9 your son that day?

10 A. Yes, I did. He called -- I don't remember what  
11 time it was, but he called and told me what the  
12 charges were and what had happened and told me  
13 when -- I think he told me when the bond hearing  
14 would be. And it wasn't that day, I don't believe;  
15 I believe it was the next day, I think. I'm not  
16 sure.

17 Q. And from that day forward, was it your  
18 understanding -- did that commence the retainer,  
19 essentially, of Mr. Floyd to work on your son's  
20 case?

21 A. I said, can you handle this? And he said yes.  
22 I said, okay, well, let's do that. And he said he'd  
23 meet us at the bond court.

24 Q. Then you attended the bond hearing; is that  
25 correct?

1 A. My husband and I did, yes, and my brother.

2 Q. And you said you asked Mr. Floyd, can you  
3 handle this? Did you raise that question to him  
4 throughout the course of his representation of your  
5 son?

6 A. On at least two or three occasions, I asked him  
7 did he feel like he could handle this, did he need  
8 any help. I asked him did he need -- I heard the  
9 name Wade Moore and, of course, I knew the name Dick  
10 Harpootlian. I said, do you need anybody like that  
11 to come alongside you to help you? And he said, no,  
12 I'm okay.

13 Q. Did you address the issue of your son's mental  
14 health and whether a mental health expert was needed  
15 with Mr. Floyd?

16 A. Yes, I did. I told him that it was apparent to  
17 us that Drew's mental and emotional state was  
18 deteriorating. And I asked him could he ask  
19 Mr. Graham, Shawn Graham, could we get a mental  
20 health expert to interview Drew or talk with him,  
21 evaluate him. And I even sent a letter to  
22 Mr. Graham asking him could we do that and we would  
23 pay for it. We didn't expect the State to do that.  
24 And at some point, Mr. Graham agreed and Wayne  
25 recommended Dr. Donna Schwartz-Watts, was her name

1 at the time.

2 Q. And you have checked through -- did you  
3 communicate with Mr. Floyd and his office through  
4 e-mail correspondence?

5 A. Yes, a lot.

6 Q. And you have checked back through those  
7 e-mails; is that correct?

8 A. Yes.

9 Q. And in July of 2010, were you raising specific  
10 concerns regarding your son having some type of  
11 mental health issues?

12 A. Yes, I did.

13 Q. And did you put them on notice about his prior  
14 brain infection?

15 A. I did.

16 Q. And did you also raise concerns that you  
17 thought he could have some type of bipolar or some  
18 type of disorder --

19 MS. OPPENHEIMER: Objection, Your Honor;  
20 hearsay. She's talking specifically about an e-mail  
21 that contains her beliefs of a medical diagnosis.  
22 She's not qualified to make those. And this e-mail  
23 is an out-of-court statement, so we would object.

24 THE COURT: Let me see the e-mail.

25 MS. BLANCHETTE: Your Honor, I haven't moved to

1       introduce it. I can show it to the witness and have  
2       her address it, if you prefer. I do have it.

3               THE COURT: I just heard her asking her  
4       recollection of her discussions with Mr. Floyd.

5               MS. BLANCHETTE: That was my point, Your Honor.

6               THE COURT: Why don't you go through the  
7       e-mail?

8               MS. BLANCHETTE: Yes, Your Honor, I'd be happy  
9       to. Yes.

10       BY MS. BLANCHETTE:

11       Q.     Ms. Torrence, can you identify that?

12       A.     Yes, ma'am. It's an e-mail from me dated July  
13       20th, 2010, and it's to Michelle, who was the  
14       paralegal at the time for Mr. Floyd.

15       Q.     And what were the specific concerns you were  
16       raising in your e-mail, Ms. Torrence?

17       A.     In my original e-mail to her at 4:12 p.m., I  
18       said: I spoke with Wayne yesterday afternoon and  
19       told him that in a conversation with Jakey -- that  
20       would have been Jakey Knotts -- had with Shawn  
21       Graham, Shawn indicated he had no problem with Drew  
22       being evaluated if the family were willing to pay  
23       for it. Please keep in mind, when we say evaluated,  
24       we're not referring to a competency evaluation but,  
25       rather, we want to know does Drew have a personality

1 disorder or chemical imbalance that could be the  
2 root cause of some of these issues. Considering the  
3 meds that Drew has been on since 2007, beginning  
4 with the brain infection, could they have had a  
5 negative effect on his judgment, especially when  
6 combined with any amount of alcohol.

7 If, and I don't know for sure, he used any  
8 steroids during high school -- he graduated in  
9 1998 -- could there be long-lasting impact on him  
10 even years later? Can this person question Drew and  
11 have him finally respond to whatever may be  
12 troubling him so very much?

13 Wayne, you said you have contacted a doctor,  
14 the name of who -- Wayne said he would have to  
15 contact a doctor, the name of whom he could not  
16 remember at the moment; also had been given the name  
17 Dr. Donna Schwartz-Watts, she's a psychiatrist with  
18 much experience in the criminal justice system. Her  
19 name was given to me by Dori Smith of Lexington.  
20 Please let me know if this can be arranged.

21 Do you need me to read any further?

22 Q. No. Those were the concerns that you were  
23 raising to Mr. Floyd; is that correct?

24 A. Yes.

25 MS. BLANCHETTE: Your Honor, I hadn't planned

1 to admit it. I can admit this as an applicant's  
2 exhibit. It would be number 13.

3 MS. OPPENHEIMER: We would still object, Your  
4 Honor. It's an out-of-court statement and it's  
5 offered for the truth of the matter asserted and we  
6 were not provided a copy of it before just now.

7 THE COURT: Well, I think we can leave out the  
8 e-mail. I'll sustain your objection. She's  
9 testified to what she communicated to Mr. Floyd.

10 MS. BLANCHETTE: Yes, Your Honor. You  
11 indicated you'd like to see it, so I thought I would  
12 see if it should be admitted.

13 THE COURT: I would like to see it.

14 BY MS. BLANCHETTE:

15 Q. Now, after this e-mail communication and  
16 further communication with Mr. Floyd, was Dr. Donna  
17 Schwartz-Watts retained?

18 A. Yes.

19 Q. And who paid that retainer?

20 A. I did -- my husband and I did.

21 Q. How much did you pay?

22 A. \$1,500, I believe it was.

23 Q. And were you aware that she went to the  
24 detention center to evaluate or meet with your son?

25 A. I know she did.



1 Q. And why do you know that she did?

2 A. Because she called me when she left there.

3 Q. And what was your understanding following that  
4 conversation with her regarding what she had  
5 determined about her son?

6 A. She told me that she had met with --

7 MS. OPPENHEIMER: Objection, Your Honor;  
8 hearsay, out-of-court statement by the doctor who  
9 testified yesterday. It's offered for the truth of  
10 the matter asserted.

11 THE COURT: Rephrase your question.

12 BY MS. BLANCHETTE:

13 Q. Ms. Torrence, make sure you listen to my  
14 question. What did you discover or determine after  
15 having a conversation with Dr. Maddox? And she  
16 testified about that conversation yesterday. But  
17 what was your take away from that conversation?

18 A. That she knew what the issue was, that she said  
19 I would stake my reputation on it and he was on all  
20 the wrong medications.

21 Q. At that point, did that give you hope that  
22 these concerns that you were raising to Mr. Floyd  
23 about your son's mental health were going to be  
24 addressed?

25 A. Yes, it did. I didn't understand everything

1 she was saying because I'm not trained in that area,  
2 but I just felt like she knew what was wrong, based  
3 on her conversation with me.

4 Q. Is that the only time you recall speaking to  
5 her prior to your son's trial?

6 A. I'm not sure if I spoke with her again or not.  
7 It was a point at which I knew she was anticipating  
8 being called for trial, but then wasn't called for  
9 trial.

10 Q. Did Mr. Floyd ever present to you that he  
11 needed further funds to pay for an additional doctor  
12 for testing that Dr. Maddox had recommended?

13 A. No.

14 Q. If he would have asked for additional funds for  
15 experts in the area of mental health, would you and  
16 your husband have been willing to pay for that?

17 A. Absolutely.

18 Q. And at no time -- or let me rephrase that.

19 Did you ever tell Mr. Floyd you did not have  
20 funds for mental health experts in this case?

21 A. Never. Never.

22 Q. Was it ever proposed to you that funds were  
23 needed for Dr. Schwartz-Watts at the time to testify  
24 at your son's trial?

25 A. No.

1 Q. If you were asked to provide for whatever fee  
2 she needed to come and testify, would you and your  
3 husband have been willing to pay for that?

4 A. Yes, we would have.

5 Q. And just to help the court reporter, I know  
6 we're having a conversation here, but make sure I  
7 finish and then you start your answer so she can get  
8 both of us.

9 A. Okay.

10 Q. When Dr. Schwartz-Watts wasn't called at trial,  
11 did you question Mr. Floyd about that?

12 A. I don't remember questioning him specifically.  
13 I remember reaching out to Dr. Donna Schwartz-Watts  
14 and asking her why, after we paid her \$1,500, did  
15 she not come to trial, why she wasn't present at the  
16 trial.

17 Q. And when you reached out to her directly after  
18 trial, what was your understanding of why she was  
19 not there?

20 A. She was unaware that the trial had even been  
21 held. She wasn't contacted by Mr. Floyd at all or  
22 anyone else.

23 Q. And as a result of that, did you bring this  
24 issue to the attention of the appellate attorneys?

25 A. Yes, I did.

1 Q. And, specifically, what appellate attorneys'  
2 attention did you bring this to?

3 A. Blake Hewitt. And Mr. John Nichols may have  
4 been in that meeting that day, I'm not sure. I just  
5 remember talking to Blake most of the time.

6 Q. And, Ms. Torrence, in preparation for today,  
7 did you review an e-mail that you sent to  
8 Mr. Hewitt?

9 A. Yes.

10 Q. And specifically in that e-mail -- do you have  
11 a copy of it there in front of you?

12 A. I do not.

13 MS. BLANCHETTE: Your Honor, may I provide this  
14 copy?

15 THE COURT: Sure.

16 BY MS. BLANCHETTE:

17 Q. Do you know when you sent that e-mail?

18 A. It was August 24th, 2011, at 4:01 p.m.

19 Q. And specifically in that communication with  
20 Mr. Hewitt, what are the concerns that you're  
21 raising to him?

22 MS. OPPENHEIMER: Your Honor, we would just  
23 object again because it is an out-of-court statement  
24 offered for the truth of the matter asserted.

25 THE COURT: Y'all approach, please.

1 (Sidebar conference).

2 MS. BLANCHETTE: Your Honor, at this time,  
3 would you like me to admit that e-mail into the  
4 record?

5 THE COURT: Yes, ma'am.

6 MS. BLANCHETTE: May the record reflect that  
7 the first e-mail dated July 20th, 2010 is being  
8 admitted as Applicant's No. 13.

9 THE COURT: Admitted, subject to objection.

10 (Applicant's Exhibit No. 13 admitted into  
11 evidence.)

12 MS. BLANCHETTE: And, Your Honor, also at this  
13 time, I'd move to admit the e-mail that has been  
14 referenced as an e-mail to Mr. Blake Hewitt on  
15 8/24/2011 as Applicant's No. 14.

16 MS. OPPENHEIMER: Subject to our previous  
17 objection, Your Honor.

18 THE COURT: So admitted, subject to objection.

19 (Applicant's Exhibit No. 14 admitted into  
20 evidence.)

21 BY MS. BLANCHETTE:

22 Q. Ms. Torrence, the e-mail is in the record. But  
23 if you could, take us through the concerns that you  
24 were raising and why you were raising those to  
25 Mr. Hewitt at this juncture.

1       A.    I sent him an e-mail saying that sometime  
2       during his stay at Lexington County Detention  
3       Center, I believe it was in late summer of 2010, I  
4       asked for and got permission for him to be seen by  
5       an outside psychiatrist. Wayne Floyd recommended  
6       Dr. Donna Schwartz-Watts.

7               We paid \$1,500 through Wayne for her to visit  
8       Drew. She did, indeed, visit him for close to an  
9       hour on Sunday morning. After the visit, she called  
10      me. During our conversation, she said that she  
11      would stake her reputation; that she believes she  
12      knows what is wrong with Drew and he is on all the  
13      wrong meds. After that phone conversation, I didn't  
14      hear from her at all because she was not involved in  
15      the trial.

16             So recently I contacted her, primarily because  
17      I was curious as to why we paid \$1,500 for only one  
18      visit that lasted not quite an hour. She was  
19      totally unaware that Drew had already been to trial  
20      and was shocked at the outcome, and also asked why  
21      she wasn't called to testify. She felt very  
22      confident that she could have been of help to Drew  
23      in the trial. Dr. Schwartz-Watts also said that she  
24      knows John Nichols, has worked with him before, and  
25      she could be contacted regarding Drew's case.

1           And then I went on to say I know that the  
2           appeal can only use testimony or evidence introduced  
3           during the trial. This is just another example of  
4           something that was not used during trial. She told  
5           me that she very strongly believes that her  
6           testimony could have been beneficial to Drew. Her  
7           phone number, at least the number she called me  
8           from, and I provided that, I don't know if this is  
9           helpful or not, but I want to make sure you or  
10          Mr. Nichols are aware of it.

11           MS. BLANCHETTE: Your Honor, I apologize. I do  
12          have a Sharpie on me and I will redact  
13          Dr. Schwartz-Watts' personal cell phone number off  
14          of that exhibit.

15           THE COURT: Thank you.

16           BY MS. BLANCHETTE:

17          Q. Ms. Torrence, just kind of take us through your  
18          mind frame when you're bringing this information up.  
19          I know you read the e-mail, but what were you  
20          thinking?

21          A. It became very apparent to us that -- first of  
22          all, I need to say that I've known Mr. Floyd for a  
23          very long time. I was in banking for 18 years, I  
24          met him at that time. He was a customer of ours at  
25          the bank. I knew, as I said earlier, that his phone

1        number was in the phonebook, his home phone number,  
2        and that's the only -- I've never needed a lawyer,  
3        so I didn't know who to call. I just reached out to  
4        him.

5                But as things progressed, and especially as we  
6        headed into trial, it became apparent to us that we  
7        needed more help than Wayne Floyd could provide. I  
8        need to back up to say that I also recommended that  
9        he use an investigator and I gave him a name that  
10       had been given to me, and that was Chip Johnson.  
11       And I gave Wayne Floyd \$2,000 to pay Mr. Johnson.

12               Mr. Johnson wasn't at trial, nothing he did  
13       or -- I never knew what he did. And we were just  
14       aware that we had basically retained the wrong  
15       attorney, I felt like, especially after the events  
16       of the trial.

17       Q.     But it was never an issue where he asked you  
18       for funding or raised concerns to you that he  
19       couldn't handle this case?

20       A.     No. Every time we asked him, he said, I'm  
21       fine, I'm fine. There was only one time when he  
22       said I don't want to go to trial, it was right  
23       before trial, and I said, why? He never gave me an  
24       answer.

25       Q.     And you retained him on your son's behalf to



1 represent your son, trusting, even though you  
2 questioned it, that he could handle this case?

3 A. Yes.

4 Q. Now, you sat through the entire trial; is that  
5 correct?

6 A. Yes, ma'am.

7 Q. And -- let me back up, actually. Prior to  
8 these concerns that you were raising to Mr. Floyd,  
9 prior to the incident that resulted in his  
10 conviction, did you seek mental health treatment for  
11 your son?

12 A. Yes, ma'am, I did.

13 Q. Do you remember approximately when that was?

14 A. His age was about eight to ten, somewhere along  
15 in there. We had many conversations with his  
16 pediatrician, Dr. Nelson Weston. We were referred  
17 to Dr. Richard Harding. We later saw Dr. David  
18 Downey and we saw Dr. Joel Sussman.

19 Q. And what was your understanding of his  
20 diagnosis as a child and adolescent?

21 A. There was a diagnosis at one point by one of  
22 them. And I'm sorry I don't understand all that,  
23 and I didn't understand it at the time. I know a  
24 little bit more through research. But ADD,  
25 Attention Deficit Disorder, came up, ADHD came up.

1       There was a point in time he was put on some  
2       medication. He didn't tolerate the medication well  
3       and then they took him off of the medication.

4       Q.   Now, you sat through the entire trial of your  
5       son; is that correct?

6       A.   Yes, ma'am.

7       Q.   And you saw his demeanor through the course of  
8       the trial as well as when he was on the stand?

9       A.   Yes, I did.

10      Q.   And as his mother, who probably knows  
11      Mr. Torrence better than anyone in the world, did  
12      you have concerns when you were watching your son in  
13      the courtroom and on the stand?

14      A.   Particularly on the stand.

15      Q.   Could you please explain?

16      A.   I knew that he was struggling, and there was  
17      nothing I could do. I just had to sit there and  
18      watch him. At one point, I remember him just  
19      folding his hands and laying his head down on his  
20      arms. I knew about conversations I had had with  
21      Drew regarding this incident. I knew the remorse.  
22      And I just -- the questioning, just kept badgering,  
23      it seemed to me. He had told me time and time and  
24      time again what happened, and they didn't want to  
25      believe him, I don't think, they just didn't. I

1 just felt very sorry for him at that point.

2 Q. Did you have specific concerns when the  
3 solicitor was cross-examining Drew?

4 A. Yes, ma'am. Yes, ma'am.

5 Q. Can you please explain?

6 A. I understand that Mr. Graham has a job to do  
7 and my son also understands that. He told me more  
8 than once he's got a job to do. But he just kept  
9 coming at him, coming at him. And I think -- when I  
10 saw Drew lay his head down on his arms, I knew then  
11 he was almost just giving up. He didn't know what  
12 else to say. He didn't know what else to say.

13 Q. And after you perceived your son giving up, do  
14 you recall if his attorney redirected him or asked  
15 him any questions after Mr. Graham cross-examined  
16 him?

17 A. I don't think he did. No, I don't think he  
18 did. There was -- I don't really remember a whole  
19 lot about the trial till one thing that Mr. Graham  
20 said in, I think, his closing argument stood out to  
21 me and then the verdict and the sentencing. And I  
22 don't remember much after that either.

23 Q. Ms. Torrence, I'm going to take you back to  
24 before trial. Did you have discussions with your  
25 son and Wayne Floyd about the potential testimony of

1 individuals named Tonya and Steve about your son  
2 being at State Street Pub?

3 A. Yes.

4 Q. Please explain.

5 A. When Drew was at Lexington Detention Center, he  
6 told me to call Tonya Mozenko, I think was her name.  
7 And, of course, I don't know her and I don't have  
8 her number. But by this time, they have given us  
9 back his cell phone. He said, her number is in my  
10 cell phone, and he told me to call her.

11 And I did call her and I had told her that I  
12 was Drew's mother and he asked that I call her. And  
13 she asked me -- I asked her what happened that night  
14 and she said, do you want to know? And I said, yes,  
15 I do want to know. And she told me her version of  
16 what happened.

17 So the next time that I talked to Drew, I told  
18 him what she had to say. And that's when he told  
19 me. He said, she's lying, she's lying, I was not at  
20 State Street Pub.

21 Q. And in her statement, which you've reviewed  
22 that she provided after the incident, she recounts  
23 having that phone conversation with you; is that  
24 correct?

25 A. Could you repeat? I'm sorry.

1 Q. In her written statement you've reviewed prior  
2 to today, she recounts having that phone  
3 conversation with you?

4 A. Yes, she did.

5 Q. Now, once you had that phone conversation with  
6 her, you spoke with your son. Did you bring that  
7 issue up to Mr. Floyd?

8 A. I did.

9 Q. And did you bring it to his attention that it  
10 was your son's position that this possible State's  
11 witness had the day and time wrong that he -- day or  
12 time wrong that he was at State Street Pub?

13 A. I did.

14 Q. Did you question him about getting surveillance  
15 from the location at Rush's or at State Street Pub?

16 A. More than once. And, primarily, because Drew  
17 was saying, you need the surveillance from Rush's,  
18 you need my time sheet, you need to find out if  
19 there's surveillance at State Street Pub, get the  
20 surveillance at -- which we already had, I think,  
21 from Shaggy's.

22 And then he began to tell me about a woman that  
23 was at Rush's. A woman came in that was intoxicated  
24 and he had to call for back-up. So he -- I mean, he  
25 told me all that.

1 Q. And you relayed all that information to  
2 Mr. Floyd?

3 A. Yes, I did.

4 Q. And you were actively communicating with  
5 Mr. Floyd in this case; is that correct?

6 A. So much so that at one point he told me I was  
7 wearing his team out.

8 Q. So when Mr. Floyd said that he was aware of  
9 that in his testimony yesterday, you would agree  
10 with that, that you had made him aware and your son  
11 had made him aware?

12 A. Yes.

13 Q. That there was an incident -- possible incident  
14 report that could verify that he was at the Rush's  
15 location?

16 A. Right. Right.

17 Q. Did he ever follow up with you regarding those  
18 things that you asked him to obtain?

19 A. No, ma'am.

20 Q. When you sat through the trial, what was your  
21 reaction when none of that information was used in  
22 your son's defense?

23 A. I didn't really know what to think about what  
24 all was not being done. We had relatives there with  
25 us and they kept saying, Brenda, is it going well?

1 I was just shocked. Chip Johnson, where was he?  
2 Who did he talk to? What did he do? Donna  
3 Schwartz-Watts, where was she? I was very aware  
4 that things were not going well.

5 MS. BLANCHETTE: Your Honor, if I could beg the  
6 Court's indulgence one moment.

7 BY MS. BLANCHETTE:

8 Q. Ms. Torrence, did you also raise concerns --  
9 well, did you review the bar video from Shaggy's in  
10 this case?

11 A. Yes. Many, many --

12 Q. Did you raise concerns to Mr. Floyd about the  
13 limited angles or the limited time of that bar  
14 video?

15 A. I asked him about the angles. I also asked  
16 him, is this all? Where is the rest of it? I mean,  
17 what was happening before?

18 Q. And you retained or engaged the services of  
19 Mr. Floyd within hours of your son being arrested;  
20 is that correct?

21 A. I got that first call at 7:30. And, as I said,  
22 before I went to church, I called Wayne's number.

23 MS. BLANCHETTE: Your Honor, I have no further  
24 questions of this witness.

25 THE COURT: Cross-examination?

1 MS. OPPENHEIMER: May it please the Court, Your  
2 Honor?

3 THE COURT: Yes, ma'am.

4 CROSS-EXAMINATION

5 BY MS. OPPENHEIMER:

6 Q. You testified that you actively communicated  
7 with Mr. Floyd to the point he said that you were  
8 wearing his team out, correct?

9 A. Yes.

10 Q. You were wearing his team out, that's what he  
11 said to you?

12 A. Yes.

13 Q. And you also relayed this information to him  
14 about Rush's, told him to get the video and the time  
15 sheet. He did get the time sheet, correct?

16 A. Yes, I believe he did.

17 Q. And he did introduce that at trial, correct?

18 A. As best I can recall.

19 Q. And you stated that your son asked you to call  
20 a witness for the State.

21 A. Tonya Mozenko.

22 Q. He asked you to call that witness, correct?

23 A. Right.

24 Q. And you did call her?

25 A. Right.



1 Q. And she was consistent with what she told you  
2 as to what she testified, correct?

3 A. To me on that phone call, she was.

4 Q. And do you recall the testimony of your son at  
5 trial? It was quite lengthy, right?

6 A. Yes.

7 Q. And, at multiple times, the Court asked him if  
8 he needed a break, correct?

9 A. I don't remember that.

10 Q. And if the Court did ask him and if it's  
11 reflected in the transcript and your son said he  
12 didn't need a break, that would be in the  
13 transcript, correct?

14 A. Well, I guess.

15 Q. Do you recall him saying he did not need a  
16 break from his testimony?

17 A. I don't recall that.

18 MS. OPPENHEIMER: Your Honor, it's on page 575  
19 of the transcript where the Applicant indicates he  
20 does not need a break during testimony.

21 BY MS. OPPENHEIMER:

22 Q. So when he got upset and put his head down,  
23 that was just him getting tired after a lengthy  
24 cross-examination, correct?

25 A. That's not what I took it as.

1 Q. Well, you don't have a degree in psychology,  
2 correct?

3 A. I do not.

4 Q. Don't have a Master's degree in psychology?

5 A. I do not.

6 Q. Don't have a Ph.D., correct?

7 A. I do not, but I am his mother.

8 Q. You are his mother, correct. But do you recall  
9 Dr. Maddox saying that he had no prior psychiatric  
10 treatment yesterday?

11 A. As far as she knew.

12 Q. Well, you made her aware of everything. You  
13 were very active in this case, correct?

14 A. I was.

15 Q. And you would have made her aware of any prior  
16 treatment that he had, correct?

17 A. I think I may have. I'm not sure.

18 Q. And you testified his only prior diagnoses were  
19 ADD and ADHD, correct?

20 A. Either or, I can't remember which one.

21 Q. Those are attention deficit disorders, correct?

22 A. Yes.

23 Q. And do you recall Dr. Maddox yesterday  
24 testifying that because your son was drinking, that  
25 that precluded a guilty but mentally ill verdict?

1       A.    Ma'am, I'm sorry, but I sat here yesterday and  
2       I don't remember a lot of what was said. I truly  
3       don't. It was almost like the trial all over again.

4       Q.    And do you remember Mr. Floyd saying that he  
5       talked with Dr. Maddox and could not use her in the  
6       guilt or innocent phase of the trial?

7       A.    I heard him say that yesterday. I don't recall  
8       him ever telling me that before.

9       Q.    And your son drank very heavily, correct?

10      A.    At times.

11      Q.    He was an alcoholic, correct?

12      A.    Ma'am, it is my understanding that an alcoholic  
13      is the only one that can call himself an alcoholic.

14      Q.    That's fair. And you say that he had a brain  
15      infection. Do you have any of his medical records  
16      with you?

17      A.    Not on me not at the moment, I do not.

18      Q.    And this incident --

19      A.    They're in my car though.

20      Q.    In this incident where your son pointed the  
21      laser at you and said ma'am and you said yes, sir,  
22      Officer --

23      A.    Yes.

24      Q.    He was trained as an armed security guard,  
25      correct?

1 A. Yes.

2 Q. Went through extensive SLED training, correct?

3 A. That's what I was told, yes.

4 Q. And he wanted to be a law enforcement officer,  
5 correct?

6 A. At one point in time he did, yes.

7 Q. And he was really excited when he got that  
8 armed security guard position, wasn't he?

9 A. I don't know how excited he was. I assume.

10 Q. And you testified that you communicated with  
11 Mr. Floyd frequently throughout this trial, correct?

12 A. Yes.

13 Q. And he said that he was doing all right?

14 A. Yes.

15 Q. And you're aware he has extensive history in  
16 criminal defense, correct?

17 A. I did not know that until he said it yesterday.

18 Q. Well, if you had any issues with him, why  
19 didn't you fire him?

20 A. I kept asking him, do you need help? Do you  
21 need me to get Wade Moore, Dick Harpootlian? Who do  
22 you need? And he continued to tell us he was okay.

23 Q. Right, because he was the lawyer, correct?

24 A. Well, yes, ma'am.

25 Q. You're not a lawyer?

1 A. No, ma'am.

2 Q. So you trusted his decision as your son's  
3 attorney, correct?

4 A. To a point, yes, we did.

5 MS. OPPENHEIMER: I beg the Court's indulgence,  
6 Your Honor.

7 BY MS. OPPENHEIMER:

8 Q. And do you recall at a point during his  
9 testimony in which your son indicated to the trial  
10 court that he trusts his lawyer?

11 A. Could you rephrase that? Could you repeat it,  
12 please?

13 Q. Do you recall your son saying during his  
14 testimony that he trusted his lawyer?

15 A. I don't remember that specifically.

16 MS. OPPENHEIMER: Your Honor, that's on page  
17 509 of the transcript.

18 Beg the Court's indulgence.

19 BY MS. OPPENHEIMER:

20 Q. And do you have the medical records of his  
21 prior diagnosis of ADD and ADHD?

22 A. In my car.

23 Q. But you don't have them with you today up here?

24 A. No, ma'am.

25 MS. OPPENHEIMER: Beg the Court's indulgence.

1           No further questions, Your Honor.

2           THE COURT: Redirect?

3           MS. BLANCHETTE: Thank you, Your Honor.

4                           REDIRECT EXAMINATION

5           BY MS. BLANCHETTE:

6           Q.    Ms. Torrence, I'll pick up kind of where you  
7           left off. You obtained medical records that were  
8           very limited from those prior interactions with  
9           Dr. David Downey and one of the other doctors; is  
10          that correct?

11          A.    Yes.

12          Q.    And it's your understanding those were provided  
13          to Dr. Maddox; is that correct?

14          A.    Yes.

15          Q.    Is it also your understanding that those were  
16          counselors or psychologists that you took your son  
17          to see, not a psychiatrist?

18          A.    Correct.

19          Q.    So when she was asked yesterday if she was  
20          aware of any prior psychiatric treatment, that was  
21          not psychiatric treatment for your son, it was  
22          psychologists that you had been referred to by his  
23          pediatrician?

24          A.    Yes.

25          Q.    And you were also asked if you had the records

1 from his prior brain injury. You've reviewed the  
2 report of Dr. Donna Maddox. You are aware of  
3 everything she's reviewed; is that correct?

4 A. Yes.

5 Q. And she did review and those records were  
6 provided to her from your son's prior brain injury;  
7 is that correct?

8 A. Yes.

9 Q. And then you were also asked about the phone  
10 call made to Ms. Mozenko. How did you know Tonya  
11 Mozenko and why would her number have been in your  
12 son's phone?

13 A. He worked for her when she was working for  
14 Allegiance Security. He left Allegiance Security to  
15 go work for Hawkeye Security.

16 Q. And when you had that conversation with her,  
17 since it's recounted in her statement to law  
18 enforcement, she hadn't given her statement yet to  
19 law enforcement?

20 A. I don't think she had. I'm not sure.

21 Q. Okay. Were you merely reaching out to her as  
22 your son's former employer and as a friend to talk  
23 with her that day?

24 A. My son had asked me to call her, that she knew  
25 what happened. He said call her. And then the next

1           time I heard her voice was when we had paid the bond  
2           and Drew was home and he called her.

3           MS. BLANCHETTE: Your Honor, I have no further  
4           questions.

5           MS. OPPENHEIMER: Nothing on recross, Your  
6           Honor.

7           THE COURT: Ms. Torrence, you may step down.

8           MS. BLANCHETTE: Your Honor, Ms. Torrence would  
9           be my last witness. I do have a summation or an  
10          argument, but I would assume that would be more  
11          appropriate to do after the State's case.

12          THE COURT: That's fine.

13          MS. BLANCHETTE: But at this point, no further  
14          witnesses.

15          THE COURT: Who's your first witness? Y'all  
16          want to take a minute and chat?

17          MS. OPPENHEIMER: If that's okay, Your Honor.

18          THE COURT: Let's take five minutes.

19          (Brief recess.)

20          THE COURT: All right.

21          MS. BLANCHETTE: Your Honor, I know I said that  
22          I rested, but we discussed this morning putting on  
23          the record that Mr. Torrence acknowledges the PCR  
24          action and does, in fact, want to go forward and  
25          acknowledges the relief the Court can give, and I



1 forgot to do that before I rested.

2 THE COURT: Okay.

3 MS. BLANCHETTE: Did you want me to have him  
4 stand at this time?

5 THE COURT: Approach real quick.

6 (Sidebar conference.)

7 MS. BLANCHETTE: Your Honor, pursuant to the  
8 guidelines set forth and counsel, which I'm using to  
9 direct me in this case in handling this because we  
10 do have the issue of the doctor's finding that he  
11 was not competent to take the stand, I just wanted  
12 to acknowledge on the record that I have advised  
13 Mr. Torrence that we would be pursuing his PCR  
14 application today without him taking the stand.

15 I have also advised him and we've had multiple  
16 conversations about the relief that the Court can  
17 grant. Statutorily, that would be a new trial. I  
18 have explained to him that would put him back in the  
19 position he was before he was convicted and he would  
20 face the original charges all over again with no  
21 guarantee of less time. We've had conversations  
22 over a period of multiple years discussing that.

23 And I'd like to put on the record, it is my  
24 understanding, as his counsel, he does want to go  
25 forward with this PCR action. And I wanted to make

1       sure I put that on the record before we formally  
2       rested.

3               THE COURT: Thank you. I think your client is  
4       trying to speak.

5               THE APPLICANT: Can I ask a question?

6               MS. BLANCHETTE: Your Honor, may he ask a  
7       question?

8               THE COURT: Mr. Torrence?

9               THE APPLICANT: Murder -- if they charge me  
10       with murder and then say I do get relief, they can't  
11       charge me again, I thought. Wouldn't that be double  
12       jeopardy?

13              THE COURT: That's a question for your lawyer.  
14       The relief you get from a PCR proceeding may not be  
15       the relief you'll be happy with.

16              MS. BLANCHETTE: Your Honor, if I could just  
17       have a moment to consult with him and then I'll go  
18       back on the record to make sure that question was  
19       addressed.

20              Your Honor, I've conferred with my client,  
21       reminded him of the multiple conversations we've  
22       had, and he does want to go forward with the PCR  
23       action.

24              THE COURT: Thank you.

25              State's first witness?

1 MS. BUTTERBAUGH: Your Honor, the State calls  
2 Deputy Solicitor Shawn Graham.

3 SHAWN GRAHAM

4 being first duly sworn, testified as follows:

5 THE WITNESS: I do.

6 DIRECT EXAMINATION

7 BY MS. BUTTERBAUGH:

8 Q. Good morning, Mr. Graham.

9 A. Good morning.

10 Q. Let's start with some basics. How long have  
11 you been with the Solicitor's Office?

12 A. I joined the Lexington County Solicitor's  
13 Office in September of '98.

14 Q. Okay. And what is your current position?

15 A. Deputy solicitor.

16 Q. And how long have you been in that position?

17 A. I'm not sure. About ten years probably.

18 Q. Okay. And moving on to Mr. Torrence's case, do  
19 you remember how you became involved?

20 A. It was one of the cases that was assigned to  
21 me.

22 Q. Okay. So describe the facts of this case for  
23 us.

24 A. I guess chronologically, starting from the  
25 testimony that was at trial?

1 Q. Sure.

2 A. The main people -- and I may get their names  
3 wrong. I may need some help. Steve and Tonya said  
4 they saw him at the State Street Pub and that he was  
5 hitting on her and being obnoxious and that they  
6 slipped out to avoid him. They say they came back a  
7 few minutes later and that he was gone. They stayed  
8 there a little bit more and went to another pub and  
9 ended up at Shaggy's Bar. It's a small private  
10 club. There is a locked door. You would have to be  
11 a member -- my understanding was you had to be a  
12 member to get in. And I can be a little off on the  
13 order. I don't whether Mr. Torrence was there first  
14 or they were there first.

15 MS. BLANCHETTE: Your Honor, at this point, I'd  
16 object. I think the transcript speaks for itself.  
17 And he's making it clear that he is possibly not  
18 recalling these facts correctly.

19 THE COURT: Why don't we cite to the transcript  
20 if you're going to ask him testimony from the trial?

21 BY MS. BUTTERBAUGH:

22 Q. Okay. So let's go back to, then, Shaggy's Bar.  
23 Talk about what Donna talked about with -- because  
24 she testified she was the one who was the recipient  
25 of Mr. Torrence's affections that night. Talk about

1        what her testimony was at trial.

2        A.     Donna was at the bar. She was hoping to meet a  
3        friend of Zach's, I believe. She was there alone.  
4        I believe that Mr. Torrence was hitting on her, was  
5        flirting with her, bought her a drink or tried to  
6        buy her a drink.

7                Eventually Zach came in, and at that point, her  
8        attention was turned to Zach and away from  
9        Mr. Torrence. Mr. Torrence later on throughout the  
10       period then would make obnoxious or rude comments to  
11       Donna.

12       Q.     And what about some of the comments that were  
13       testified to that Mr. Torrence made toward Zach or  
14       to Mr. Buchanan?

15       A.     So Mr. Torrence, in his own testimony, admitted  
16       that he had made threatening remarks to Zach, the  
17       victim. I think there was another witness who also  
18       testified that he heard those as well. He made a  
19       slur across the bar to Lee Buchanan calling him,  
20       hey, gay guy, I believe it was more than one time;  
21       that he eventually moved over from across the bar to  
22       sit next to him and he continued to call him gay.  
23       Lee's testimony, I think, was --

24               MS. BLANCHETTE: Your Honor, I have to object  
25       again. We're just getting into I think, I believe.

1 And we're talking about a transcript, so there could  
2 be references to the record that we have before us.

3 THE COURT: Well, certainly to the extent that  
4 the transcript is different, I'm sure Mr. Graham  
5 will defer to the transcript. But I also recognize  
6 your concern. I'll overrule the objection, but  
7 let's try to --

8 MS. BUTTERBAUGH: Okay.

9 MS. BLANCHETTE: I appreciate the limit too,  
10 Your Honor, or acknowledging the transcript. I just  
11 wanted to make sure that's clear for the record.  
12 Thank you, Your Honor.

13 BY MS. BUTTERBAUGH:

14 Q. So what evidence did you have against  
15 Mr. Torrence?

16 A. Well, to continue what you just asked first,  
17 Lee, I believe, testified -- if not, somebody else  
18 did -- and, ultimately, Mr. Torrence said that he  
19 might have stated it, that he told Lee to kiss his  
20 ass. At that point, the testimony was -- is that  
21 Zach, who was sitting -- the bar was shaped like a  
22 horseshoe, the bartender was here. And Your Honor  
23 has seen the video.

24 Lee was over here and Donna and Zach were here.  
25 Zach told Mr. Torrence to stop -- to stop calling

1 Lee gay, to leave him alone. He didn't. He then  
2 told him to stop or I'm going to, I think he said,  
3 kick your ass, and he didn't. And then that's what  
4 provoked the altercation.

5 The video shows and the testimony, I think,  
6 backed up that Zach got up at that time and punched  
7 Mr. Torrence probably 12 times, I believe. Lee  
8 Buchanan had his arms on or around Mr. Torrence.  
9 The testimony was that he was trying to separate  
10 them and pull them apart. You can see Mr. Torrence  
11 make an attempt to go back at Mr. Chaplin during  
12 that altercation. At that point, Lee, I believe,  
13 picks up Mr. Torrence's glasses off the floor and  
14 puts him out the door and the door closes.

15 Q. And this is all reflected in the video?

16 A. Except for the words, yes.

17 Q. So what happens -- so all of this from the  
18 video -- you subsequently charged Mr. Torrence with  
19 murder. What was the evidence that you had in the  
20 case that led you to the murder charge?

21 A. It was a murder warrant.

22 Q. Murder warrant.

23 A. So I got the case file and I reviewed the file.  
24 There were the prior threats that Steve and Tonya  
25 said and testified to in court that at Shaggy's Bar,

1       the defendant stated, after there had already been  
2       some kind of bad blood between him and Zach over  
3       Donna, that he ought to go out in his car and shoot  
4       him. I think he also called him Wolverine. But  
5       that's the expressed malice because that's exactly  
6       what happened later.

7                You look at Mr. Torrence's conduct. It  
8       appeared to me and other people who were working  
9       with me that he didn't want to be told what to do  
10      and he didn't want to be ignored by people. He is  
11      attacked by the victim after he told him to stop  
12      with the gay slurs and he goes out -- he's outside  
13      for however long. I think the testimony was 4:24.  
14      I think I said six in my opening. If I said six, I  
15      would have believed six at the time.

16               But he's there for a significant period of  
17      time, which I thought would have been a cooling-off  
18      period of time, and he comes back in with a gun.  
19      According to Lee's testimony, Lee said that he said  
20      this doesn't have anything to do with you or words  
21      to that effect. You can see Lee looking like he's  
22      putting his hands on there.

23               So at this point, you've got Mr. Torrence  
24      coming in with a gun in a ready position. So it's  
25      not by his side. It's maybe at a 45 when he comes



1 in. You see Lee Buchanan trapped over in the corner  
2 because there's no outlet from that corner of the  
3 bar. You see Donna Muszynski going under the pool  
4 table. You see Zach and the others start to go  
5 out -- there's a back door on the far side of the  
6 bar, and the bartender is trapped in there.

7 He had no reason to go back in there with a  
8 gun. Bringing a gun to that situation is nothing  
9 but escalating. In my opinion, it was retaliation  
10 for what happened. He came in, in that situation I  
11 described, Zach Chaplin started to go around the  
12 corner. He then came back and he threw a chair at  
13 Mr. Torrence. He missed.

14 And then he rushed Mr. Torrence. He got into  
15 about a foot of Mr. Torrence. And that's  
16 Mr. Torrence's own testimony as well. And  
17 Mr. Torrence shot him. The first shot was in Zach's  
18 arm. And you'll see -- on the video, you'll see  
19 Zach going down to the floor and sliding across. At  
20 that time, you see Mr. Torrence turn and point the  
21 gun down and fire again while Zach was down on the  
22 ground.

23 This second shot, in my opinion, was murder.  
24 Him coming in with a gun, I believe he had malice  
25 when he came in and that's why I charged him with

1 murder. Zach lived for approximately -- he was  
2 paralyzed because of the neck shot and he survived  
3 for approximately two weeks and then got an  
4 infection, which resulted in his death.

5 Q. So in addition to the surveillance video from  
6 Shaggy's, what was some of the other evidence that  
7 you had? Statements, that kind of stuff?

8 A. Sure. All the people that testified at trial  
9 came at different parts. Mr. Torrence claimed that  
10 he called 911 when he went out to the car. We  
11 attempted to determine whether that was true. We  
12 checked with, I believe, the West Columbia Police  
13 Department, Lexington County, and the City of  
14 Columbia and weren't able to verify any kind of 911  
15 calls. We also checked with his phone company and  
16 they had no record of a 911 call as well.

17 Q. From Shaggy's?

18 A. From his cell phone -- from Mr. Torrence's cell  
19 phone.

20 Q. Okay. So at trial, what was the significance  
21 of Steven and Tonya's testimony about his  
22 whereabouts prior to being at Shaggy's that night?

23 A. That was their story. That was the time line  
24 they gave. They admitted they'd both been drinking  
25 a lot, but that was the time line they gave. They

1 say they were at Shaggy's and left. So that's the  
2 story that they told. As far as the charges against  
3 him, other than their time line and that being their  
4 story, the main part of their testimony came of what  
5 happened at the bar itself.

6 Q. At which bar?

7 A. I'm sorry, at Shaggy's bar. The threats  
8 against -- the threat to go get a gun and shoot  
9 Zach.

10 Q. Okay. So did you look for surveillance video?  
11 You know, there's been testimony here about, you  
12 know, Rush's incident report because you sat here  
13 yesterday and today. Did you guys look for any kind  
14 of surveillance video at Rush's?

15 A. My paralegal that I work with calls me a pebble  
16 turner. I try to figure out everything that I can.  
17 We -- I had an investigator go to Rush's and they  
18 did not have any video cameras at Rush's. I believe  
19 that we sent somebody to State Street as well and  
20 would have tried to get stuff from there. I don't  
21 have a recollection of doing that, but that is  
22 something I would have done if I was already looking  
23 for videos. And we didn't end up with video from  
24 either place.

25 Q. Okay. And what was your intent in the

1 transcript of asking Mr. Torrence why the signatures  
2 on his time sheets from Rush's looked different?

3 A. The story that Lee and Steve testified to in  
4 their time line would have had Mr. Torrence leaving  
5 the Rush's and going there and drinking. That is  
6 what they said happened in their time line. The  
7 question I had, I guess, was geared towards whether  
8 the change -- because it was an obvious change in  
9 his signature. He acknowledged, and I think his  
10 testimony was, that it was because he was tuckered  
11 after his shift. My thought would be maybe because  
12 he was drinking.

13 Q. Okay. And so Mr. Floyd objected to that  
14 question. Do you recall his reasoning in the  
15 transcript?

16 A. I think he was implying that I was saying that  
17 he was drinking while he was at Rush's at work.

18 Q. So actually there on the job rather than --

19 A. Correct.

20 Q. Okay. And what was the Court's ruling? Do you  
21 remember? Do you recall from the transcript?

22 A. I can look if you want me to.

23 Q. Page 519 -- 519 to 520.

24 A. Where do you want me to start reading?

25 Q. If you could just generally kind of, I guess,

1 summarize, did the Court give --

2 A. He gave a curative instruction.

3 Q. And going back a little bit, the video footage,  
4 you kind of referenced that a little bit earlier.

5 The video footage, I guess, was available from  
6 Shaggy's. You guys received that?

7 A. From the police report, it reflected that law  
8 enforcement would have collected that. And by the  
9 time the case gets assigned -- by the time it's  
10 submitted from the magistrate to the clerk of court  
11 and it gets to us, I'm sure it was well past seven  
12 days.

13 From talking to Sonny, who was the owner, he  
14 only kept things for seven days. What was collected  
15 by the police was a ten-minute segment that showed  
16 the shooting and then a ten-minute after the  
17 shooting from one camera. My understanding is the  
18 other camera angle didn't have anything -- it  
19 wouldn't collect it, my understanding was, because  
20 it didn't show anything or it wasn't working where  
21 you could see well.

22 Q. And, I'm sorry, I want to -- I apologize. Back  
23 to these time sheets. So -- because there's been a  
24 lot talked about with this incident at Rush's. Were  
25 you able to get this information and the evidence

1       about the time sheets in by other means from  
2       testimony from someone else, a different witness  
3       maybe?

4       A.    The testimony from his work and when he signed  
5       in and signed out?

6       Q.    Uh-huh.

7       A.    Well, we eventually called -- and I don't  
8       remember her name -- Lynn Baldwin, I think, the  
9       manager of Rush's. So she did testify later during  
10      the trial.

11      Q.    And what was her testimony about Mr. Torrence  
12      that night?

13      A.    I think her testimony is that she didn't  
14      remember seeing Mr. Torrence at all that night, that  
15      her job was inside and that the security job was  
16      outside. The records show that he signed in at  
17      roughly 9:00 and out, I think, at 1:45.

18      Mr. Torrence had testified that he had walked --  
19      first, earlier in his testimony, he testified that  
20      he walked a male manager out.

21            Later during his testimony, he said he walked a  
22      female manager out before he left. Ms. Baldwin  
23      testified that she stayed til about 2:46 that night  
24      and that nobody walked her to her car.

25            MS. BUTTERBAUGH: And, Your Honor, that

1 testimony is reflected on pages 605 to 610 of the  
2 transcript.

3 BY MS. BUTTERBAUGH:

4 Q. So, as you said, that video footage was the  
5 best footage available -- it was the only video  
6 available from Shaggy's?

7 A. Correct.

8 Q. Okay. The in-car video, that was something  
9 that you objected to. It was marked as  
10 identification from both you and the defendant  
11 pretrial and then you objected to that when the  
12 defense tried to move it in. Do you remember what  
13 it showed at all?

14 A. Yes. I think it was an hour, roughly an hour  
15 in time, it showed him in the back of a patrol  
16 vehicle, a lot of the times silence. There were a  
17 few times where he asked about Zach and how Zach  
18 was.

19 Q. Okay. And Donna, which was one of the  
20 witnesses who, obviously, we spoke about just  
21 briefly a few minutes ago. Excuse me. Do you  
22 recall why she was never charged with the cocaine  
23 that was in her purse?

24 A. In reviewing the file, I found out it showed  
25 that that was cocaine in her purse. She was taken

1       straight from the incident location to police  
2       headquarters to give her testimony. And I think  
3       Chuck Bramlett was the officer who worked for West  
4       Columbia at the time. And he found a piece -- well,  
5       a bag with what they thought was cocaine. They  
6       didn't charge her.

7               When I talked to them about it, their decision  
8       was not to charge her. As you know, we prosecute,  
9       we don't charge people. When she did come in and  
10      talk to me, I don't think I used the word immunity.  
11      I think I told her I had no intention of charging  
12      her.

13             So my understanding was, and Mr. Floyd was  
14      aware of it, they found cocaine or what they thought  
15      to be cocaine in her purse. She wasn't charged by  
16      West Columbia. She had already gave her statement  
17      and told that I wasn't going to charge her. She  
18      acknowledged in her testimony that she had cocaine  
19      in her purse. She said that she had gotten it  
20      earlier in the night. She said she didn't talk  
21      about cocaine with Zach, that she didn't do cocaine  
22      there, Zach didn't sell her any cocaine, they had no  
23      conversation about cocaine at the bar.

24      Q.     And that was something that she testified to at  
25      trial. But also she said -- I mean, was that



1 something that affected her testimony at trial or  
2 affected her statement to law enforcement at all?

3 MS. BLANCHETTE: Your Honor, I object. That  
4 calls for pure speculation.

5 THE COURT: Sustained.

6 BY MS. BUTTERBAUGH:

7 Q. If you'll look at page -- on 328, 344 -- or  
8 page 324, because she discusses it in her testimony,  
9 the kind of timing of this event.

10 THE COURT: What page?

11 MS. BUTTERBAUGH: 328 to 344. Because I can't  
12 remember exactly what page it's on. May I approach,  
13 Your Honor?

14 THE COURT: Yes, ma'am.

15 THE WITNESS: Page 333, starting at line 10.  
16 My question: When you gave your statement, did you  
17 have any idea that law enforcement had any knowledge  
18 that you had cocaine in your purse?

19 No, sir.

20 Since that time, have you been charged with  
21 crime of possession?

22 No, sir.

23 Has anyone in law enforcement made any promises  
24 to you in regard to your testimony in this case and  
25 the cocaine that was subsequently found in your

1       purse?

2               No, sir.

3       BY MS. BUTTERBAUGH:

4       Q.     Okay. And so this did come out at trial,  
5       correct?

6       A.     Yes.

7       Q.     And you brought it up during direct in front of  
8       the jury?

9       A.     Correct.

10      Q.     So they were aware of this?

11      A.     Yes.

12      Q.     So during the trial, what was some of the  
13      evidence that you thought -- or was there any  
14      evidence, do you think, of accident?

15      A.     No, there was no evidence of accident.

16      Mr. Torrence testified that it wasn't an accident.

17      Q.     Did Mr. Torrence admit to shooting Mr. Chaplin  
18      twice?

19      A.     Yes.

20      Q.     Was there any evidence of the struggle over the  
21      gun?

22      A.     No. The video showed that there was a distance  
23      between them. And Mr. Torrence's testimony was he  
24      was about a foot away from him.

25      Q.     Okay. Did you argue against the citizen's

1       arrest jury charge?

2       A.    No.

3       Q.    And why did you not argue against that?

4       A.    From the beginning, Mr. Floyd told me, and  
5       based on what Mr. Torrence told law enforcement,  
6       that it was a citizen's arrest and it was a  
7       self-defense claim.

8               In doing my job, I guess the only time I've had  
9       a case overturned is when a self-defense charge  
10      didn't get given in a case. It got overturned on  
11      appeal. So I'm very cognizant that if I believe  
12      there's any evidence and there's any justification  
13      that I'd rather have a case stand up on appeal --  
14      I'd rather lose at trial than convict somebody and  
15      lose on appeal. I'd rather do it right and do it  
16      right the first time.

17      Q.    So was that why you felt there wasn't any  
18      evidence of involuntary manslaughter and of  
19      accident?

20      A.    Correct. And if you look through the  
21      transcript, you're going to see that there's no  
22      witness, including Mr. Torrence, that talks about it  
23      being an accident. He repeatedly says throughout  
24      the transcript, on direct even, I believe, that it's  
25      an intentional -- that he pulled the trigger on

1        purpose, that he went in there to make a citizen's  
2        arrest, that he was charged by Mr. Chaplin, that he  
3        was in fear for his life, that he fired the gun at  
4        him and that he fired again, and that each time he  
5        pulled the trigger, it was intentional.

6        Q.     And let's talk about some of the jury charges  
7        that were given, the instructions. So what were  
8        some of the charges that were given?

9        A.     The jury was given to consider murder,  
10       voluntary manslaughter, assault and battery with  
11       intent to kill, and assault, and assault and battery  
12       of a high and aggravated nature. Those were the  
13       four levels of assault that were given. The murder,  
14       obviously, would have been malice; the voluntary  
15       manslaughter, heat of passion.

16                Mr. Floyd was arguing that there was a  
17       causation issue because he didn't die right away.  
18       There was some discussion about Zach refusing to  
19       take some medication at the hospital and how that  
20       led to him getting an infection that led to his  
21       death and so the shooting wasn't the direct cause.

22                Dr. Ross, the pathologist, testified that, in  
23       her opinion, it was the direct cause and, obviously,  
24       the jury felt the same. But that would have been  
25       why the assault and battery with intent to kill and

1       then absent the malice on that, the assault and  
2       battery of a high and aggravated nature was given.

3       Q.     So the jury --

4       A.     There was also self-defense and citizen's  
5       arrest.

6       Q.     So the jury had multiple charges to choose from  
7       and it wasn't -- so it wasn't just murder or  
8       voluntary manslaughter or a not guilty?

9       A.     Correct.

10      Q.     The jury had numerous charges to choose from?

11      A.     Yes.

12      Q.     So as a solicitor, do you have the authority to  
13      call cases for trial?

14      A.     Yes.

15      Q.     And that is solely within your discretion?

16      A.     That's my understanding.

17      Q.     So why did you call the assault and battery  
18      against the correctional officer first?

19      A.     The last offer that I gave to Mr. Floyd to  
20      communicate with Mr. Torrence was that his murder  
21      charge would be dismissed if he pled to a voluntary  
22      manslaughter straight up. If he didn't plead to a  
23      voluntary manslaughter straight up, then I was going  
24      to call what originally I thought was sent to us as  
25      an assault on a correctional officer, which would

1        have been -- at that time, I believe it was  
2        consecutive type of sentences. It had changed, so  
3        it was actually an assault and battery on a  
4        correctional -- assault and battery second.

5                What happened was -- is Mr. Torrence was  
6        arrested for voluntary manslaughter, he got out on  
7        bond; he got a DUI, he got out on bond; he got  
8        another DUI, and during the course of his processing  
9        in the jail, he broke one of the correctional  
10       officer's nose.

11               I had met with that correctional officer and if  
12       Mr. Torrence wasn't willing to take responsibility  
13       by admitting his guilt and pleading, I felt like  
14       that correctional officer, his case would have been  
15       ignored. I take injuries to our law enforcement  
16       seriously. That was one reason.

17               The second reason was the obvious one, that if  
18       Mr. Torrence testified at trial, I wanted to have a  
19       conviction to impeach him with.

20       Q.       And Judge McMahon though, at trial, when there  
21       was a discussion about the prior conviction, he  
22       severely limited your ability to go into that  
23       conviction at trial, correct?

24       A.       Yes. He -- which is not uncommon and really  
25       probably what I expected. Because the charge itself

1 involved violence, we were limited to just, I  
2 believe, stating that he had been convicted of a  
3 misdemeanor that carried up to three years. And, in  
4 fact, Mr. Floyd asked that on direct.

5 Q. And what about the Court's reasoning behind not  
6 letting Mr. Floyd ask Mr. Nurang about Mr. Chaplin's  
7 behavior? Do you remember any of that discussion at  
8 trial?

9 A. I read through it yesterday, I believe. I  
10 think that Mr. Nurang would have testified that  
11 Mr. Chaplin was quick to anger and that he would use  
12 his fist before he would talk. I thought it was  
13 improper character evidence, and that was my  
14 objection. And I think that's why the judge  
15 sustained me.

16 Q. Had Mr. Chaplin been aggressive to Mr. Torrence  
17 previously, previous to that night?

18 A. Not that I know that -- nothing that we could  
19 prove. We had heard there had been an altercation  
20 between them before and Zach had actually punched  
21 Mr. Torrence before, but we could never corroborate  
22 that evidence. It turned out to be -- I don't know  
23 if it's true or not.

24 Q. And your closing argument, did Mr. Floyd object  
25 during your closing argument at trial?

1 A. I don't remember.

2 Q. Okay. If you could look at page 677 of the  
3 transcript.

4 A. 677?

5 Q. Yes, to 678.

6 A. Yes. There was an objection.

7 Q. Okay. And he later articulated his reasoning  
8 for the objection. And do you recall if the Court  
9 may have given a curative instruction? It would  
10 have been on page 709 to 710.

11 A. I'm not sure specifically where you're pointing  
12 me to.

13 Q. 709 to 710 would be where the curative  
14 instruction is.

15 A. That's actually the jury charge.

16 Q. Okay.

17 MS. BUTTERBAUGH: The record will reflect that  
18 there is a curative instruction to the objection.

19 MS. BLANCHETTE: Your Honor, I would object to  
20 that characterization. I think it's mentioned in  
21 the Court's charges, but it's not specifically given  
22 as a curative instruction.

23 THE COURT: What lines are you talking about,  
24 Counsel?

25 MS. BLANCHETTE: If that's what she's referring



1 to. I'm not quite sure myself.

2 THE WITNESS: Back on 682, the judge is  
3 discussing the objection, and he says: I will give  
4 a charge to the jury in regard that they cannot make  
5 their decision -- make their verdict based on  
6 passion, emotion, or any consideration not connected  
7 to the case.

8 MS. BLANCHETTE: Your Honor -- sorry, I  
9 apologize. I was going to continue my objection. I  
10 may be -- I'm a little lost.

11 THE COURT: Okay. Let's go back, Counsel. Ask  
12 your question about the lines in the transcript and  
13 how they pertain to Mr. Graham's testimony.

14 BY MS. BUTTERBAUGH:

15 Q. So I think I need to go through the steps then.  
16 So if you look at page 680 to 682, line 24 -- I'm  
17 sorry, 681, lines 24, over to 682 to line 5.

18 A. This is Judge McMahon: I do not think it  
19 interjects in the trial any factor that would cause  
20 the defendant not to receive a fair trial by a fair  
21 and impartial jury. Taking the entire argument of  
22 the solicitor into account, I do not think it was  
23 delivered in a sense as to inflame the passions or  
24 prejudice of the jury against the defendant.

25 Q. Correct. And then he says: I will not give a

1 charge to the jury in that regard. They cannot make  
2 their decision -- make their verdict based on  
3 passion, emotion, or consideration not connected to  
4 the case.

5 A. Which I believe he did charge that to the jury.

6 Q. Correct. So then on page 709 --

7 A. And also --

8 Q. -- as part of his jury charge --

9 MS. BUTTERBAUGH: So I apologize,  
10 Ms. Blanchette.

11 BY MS. BUTTERBAUGH:

12 Q. So it's not a true curative instruction, but  
13 part of his jury charge that he charged to the jury  
14 to correct your statement in your closing. Did he  
15 then make that charge to the jury? Starting on page  
16 709, line 23 to page 710.

17 A. Once again, ladies and gentlemen, you cannot  
18 allow yourselves to be governed by sympathy or  
19 prejudice or passion or emotion or any other  
20 arbitrary factors that are not in evidence in this  
21 particular case.

22 Q. So in an effort to, I guess, cure the objection  
23 or --

24 A. Correct. That's what he said he was going to  
25 do and that's what he did.

1 Q. So I think in the big picture for this case,  
2 looking at it from your perspective, the evidence  
3 for you was a murder?

4 A. Correct.

5 Q. Okay. And, ultimately, the jury found that it  
6 was not. So what was some of the -- what was some  
7 of the evidence you think -- from the video footage  
8 to the statements, what were some of the things that  
9 you felt were the strongest, from the State's  
10 perspective, that you presented to the jury?

11 MS. BLANCHETTE: Your Honor, at this point I'd  
12 object. I think we're getting into opinion  
13 testimony regarding the strength of the evidence,  
14 which I think the State will then go into  
15 overwhelming evidence of guilt. And I'm just  
16 concerned -- the State and I have discussed  
17 previously the case of Greene v. State where lawyers  
18 aren't allowed to offer opinion testimony in PCR  
19 actions, and I think we're starting to get into that  
20 territory. And I have a copy of that case, Your  
21 Honor.

22 MS. BUTTERBAUGH: But overwhelming evidence of  
23 guilt, according to Geter, would be something that  
24 the Court is to consider when you're looking at the  
25 prejudice prong of a PCR action. And I'm not

1 getting into what he feels Wayne Floyd did, I'm  
2 getting into the evidence that he presented at trial  
3 that he felt supported the verdict, which would go  
4 to overwhelming evidence of guilt.

5 MS. BLANCHETTE: But, again, the verdict in  
6 this case was involuntary manslaughter. I believe  
7 she's asking him about murder.

8 MS. BUTTERBAUGH: I guess I was just going more  
9 to evidence in general.

10 THE COURT: Well, you did ask about murder.  
11 Why don't you rephrase your question to avoid the --

12 MS. BUTTERBAUGH: The murder reference?

13 THE COURT: Yes.

14 MS. BUTTERBAUGH: Okay. I apologize, Your  
15 Honor.

16 BY MS. BUTTERBAUGH:

17 Q. So what was some of the evidence that you felt  
18 supported a conviction in this case?

19 A. Voluntary manslaughter is a heat of passion  
20 upon sufficient legal provocation. When you look at  
21 the evidence that the jury had -- you can start with  
22 the video. The video doesn't show you the words,  
23 but it shows you that there was a physical  
24 altercation between Zach Chaplin and the defendant,  
25 Mr. Torrence. You see Lee Buchanan push him out the

1 door. And according to the testimony of Agent West  
2 from SLED, there's four minutes and 24 seconds that  
3 he's outside.

4 What he testified to -- Mr. Torrence, I'm  
5 sorry -- Mr. Torrence testified to was that he went  
6 outside to the car, he called 911. We couldn't find  
7 any evidence of that. He said that his phone died.  
8 He said that he was upset with Mr. Chaplin, that his  
9 intent was to go in and detain one of them using  
10 citizen's arrest. He just said detain them until  
11 the police came. He said that he made a call, 911  
12 call. He told me he was at Shaggy's. They said  
13 Shaggy's where, and it went dead.

14 So part of his testimony, he referred to  
15 waiting for law enforcement to come and he said that  
16 he was worried that they were going to leave and he  
17 wanted to detain them. He admitted that he had come  
18 off of work and that as an armed security guard, he  
19 had a .40-caliber handgun, he has an ASP baton, he  
20 had pepper spray, and he had handcuffs.

21 What he chose to take out of the car was the  
22 .40-caliber gun. He didn't take an ASP baton, which  
23 can be used in defense; he didn't take pepper spray,  
24 which can be used in the same way; he did not take  
25 handcuffs, which would be used to detain somebody.

1           He admitted that he was upset with Zach. He  
2 goes inside. He comes in with a gun presented and  
3 out for all to see for, in his words, to take  
4 control of the situation. That's why he took the  
5 gun. When he goes inside, you see what happens,  
6 where Lee goes in the corner, and I've already  
7 testified that Donna goes underneath.

8           The argument that the jury would have had at  
9 that point is they didn't believe malice and were  
10 talking voluntary manslaughter is one thing they  
11 could consider is he was under heat of passion from  
12 being assaulted four minutes and 24 seconds before.

13           He admitted that he was upset when he went back  
14 in. He chose to go in with a gun. He admitted that  
15 he had ten drinks when he went into the bar that  
16 night over a three-and-a-half-hour period. He  
17 admitted that he was intoxicated.

18           When he goes inside, according to him, he's  
19 making a citizen's arrest. But his own testimony,  
20 he stated that he never told anybody that he was  
21 arresting anybody. His statement -- testimony was  
22 that he told Lee Buchanan to put his hands on the  
23 bar. Lee Buchanan's testimony was when he came in,  
24 this has nothing to do with you. Everybody goes to  
25 run. Zach comes back, he throws the chair at him.

1           The jury could, again, take that as evidence of  
2           a legal provocation, if they wanted to look at it  
3           that way, and Mr. Chaplin's subsequent charge at him  
4           as an additional provocation.

5           The evidence in Mr. Torrence's own testimony  
6           showed that he did not get within a foot of the gun  
7           that he fired and that the video shows -- if you'll  
8           watch, you'll see dust come from the ceiling and  
9           come down from the percussion of the firing of the  
10          gun. So you can tell there's a period of time.

11          It's not -- because one of the questions  
12          Mr. Torrence and I discussed when he was testifying  
13          was the double tap; that would be when you're  
14          pointing the gun at a single location and you go  
15          pull the trigger twice fast. That's called a double  
16          tap.

17          What Mr. Torrence did was not a double tap. He  
18          shot as he was being rushed and then he turned and  
19          shot while Mr. Chaplin was down on the ground again.  
20          And you can see that there's a time distance between  
21          the two.

22          I think the jury could have looked then at  
23          either the altercation before or the rushing or the  
24          throwing of the chair as evidence that there had  
25          been a sufficient legal provocation. They can look

1 at what happened before and him making his decisions  
2 to go out and come back in and to shoot the first  
3 time, if they didn't believe the self-defense  
4 argument at all, and have gone with that being the  
5 voluntary manslaughter.

6 But the killing shot was the one that went to  
7 the neck. That was Dr. Ross' testimony. So it was  
8 the second shot while he was down on the ground  
9 after the first shot. The jury obviously  
10 considered, at least, that shot as being the  
11 unlawful killing in the heat of passion.

12 Q. All right. Thank you. Please answer any  
13 questions that Ms. Blanchette has.

14 THE COURT: Cross-examination?

15 MS. BLANCHETTE: Thank you, Your Honor. May it  
16 please the Court?

17 THE COURT: Yes, ma'am.

18 CROSS-EXAMINATION

19 BY MS. BLANCHETTE:

20 Q. Mr. Graham, I'd like to actually start with a  
21 portion of your closing argument. If you could turn  
22 to page 652, please.

23 A. 652?

24 Q. Yes. And look at line 14. You say to the  
25 jury, beginning on line 14: This is a case about



1       credibility. Who are you going to believe? Who is  
2       lying? Who is telling the truth? Why people lie.  
3       So for you, did this case boil down to credibility,  
4       as you were arguing there to the jury?

5       A. Every case is about credibility. I mean, you  
6       have witnesses testifying and you have them making  
7       statements, so every case is about credibility.

8       Q. Would it be fair to say this case was also  
9       about character, the character of Mr. Torrence, the  
10      character of your witnesses?

11      A. I don't know that we went into the character of  
12      any of our other witnesses. I mean, you had Donna  
13      Muszynski and the cocaine. I don't know that there  
14      was character evidence on anybody else at all.

15      Q. Let's jump back all the way to the beginning  
16      then, since you mentioned the cocaine. On page 56,  
17      you moved to exclude any evidence regarding cocaine.  
18      And there, I believe, you begin talking mostly about  
19      the victim. And, I apologize, it appears my  
20      transcript is falling apart, so I will need a  
21      second.

22             There, you're moving to exclude any potential  
23      drug use, both then and in the past. Do you recall  
24      that?

25      A. Yes.

1 Q. And you, on line 6, say you were unable to find  
2 any evidence that he was using drugs that night. Do  
3 you recall that?

4 A. I see it here.

5 Q. And what was the purpose of wanting to exclude  
6 that evidence right there at the beginning of the  
7 trial? Why were you raising that issue?

8 A. I'm sure that I was figuring that Mr. Floyd --  
9 the victim -- what the evidence showed is the victim  
10 had cocaine in his system as the toxicology report  
11 from the hospital when he was taken there. A review  
12 of his hospital records -- and it's in the record  
13 too. But on page 61 of his hospital records, he had  
14 told the hospital that he had taken -- that he used  
15 cocaine the previous night.

16 So as far as any evidence I had -- because  
17 cocaine can stay in your system up to 72 hours.  
18 That was also testimony in the trial. So as far as  
19 I knew, there was no evidence of him using cocaine  
20 during this incident, so I didn't see the relevance  
21 of it. And all it was going to be used for was to  
22 slander the victim.

23 Q. Now if I could direct you back to your closing  
24 argument, page 656, please. And beginning on line  
25 15, you're going into the argument about -- which I

1 think you referenced on direct, that Mr. Torrence  
2 wanted to be the man, he wanted to beat the man.  
3 This was all about showing up the victim in this  
4 case. And how do you describe the victim on lines  
5 20 through 21?

6 A. You want me to read --

7 Q. If you'd like to read it or just tell us what  
8 it is you said.

9 A. As I'm describing Mr. Torrence?

10 Q. As you're describing -- but you said -- if you  
11 want to read the paragraph, that's fine.

12 A. Oh, you want me to read the part that he has  
13 met a man who was coursing with cocaine and  
14 amphetamines with his system.

15 Q. And who are you referring to there? Who has  
16 Mr. Torrence met that has cocaine and amphetamines  
17 coursing through his system?

18 A. I believe that would have been what Mr. Floyd  
19 was saying.

20 Q. But who's saying this here?

21 A. I don't know. I would be guessing. I'm  
22 assuming I'm talking about the victim. And there's  
23 no evidence that Mr. Torrence had cocaine or  
24 amphetamines in his system.

25 Q. If you can look back at page 652, who does it

1 indicate as beginning their closing argument on page  
2 652?

3 A. I'm sorry?

4 Q. Who is it on line 10 at page 652 that begins  
5 their closing argument?

6 A. Me.

7 Q. Okay. And then if you could turn to page 656,  
8 based upon the transcript, who is speaking there?

9 A. That's me.

10 Q. So you are the person that says Mr. Torrence  
11 has met a man who is coursing with cocaine and  
12 amphetamines in his system. Who is the he you're  
13 referring to there?

14 A. I already answered that.

15 Q. I apologize if I missed it. Would you mind  
16 re-answering the question?

17 A. It was the victim. Because I had no evidence  
18 that your client had that. There wasn't anything  
19 there. So the only person who had cocaine -- I  
20 don't remember amphetamine. The only person that  
21 had anything in his system that I know of was  
22 cocaine and is Zach Chaplin.

23 Q. So can you understand my confusion? In the  
24 motion in limine, you're saying you have no evidence  
25 of cocaine use by the victim, and in closing

1 argument you're using that as part of your argument  
2 against Mr. Torrence.

3 A. I have no evidence of him using cocaine that  
4 night, the time of the shooting, the morning of the  
5 shooting. I think that's a true statement.

6 Q. I'll move on.

7 A. I stand by that statement.

8 Q. I want to ask you a little bit about the  
9 cocaine issue as it relates to Donna Muszynski.  
10 Now, the issue first arises on page 57, it appears.  
11 And there, you begin telling the Court your  
12 interpretation of the situation regarding Donna  
13 Muszynski. I believe you recounted that, maybe in  
14 some different terminology, but again today on your  
15 direct. During that summary, you stated, much like  
16 you did today, that you had not promised her  
17 immunity. Is that correct?

18 A. I think what I testified when I reviewed the  
19 transcript is I said I have no intention of charging  
20 her.

21 Q. Okay. And if you could turn, please --

22 A. I didn't think that I could promise immunity  
23 because she hadn't been charged yet.

24 Q. I'm sorry. Go ahead.

25 A. I did not believe that I could give her

1 immunity because she hadn't been charged yet. She  
2 can be charged by law enforcement regardless of what  
3 I say. If the case then comes in after she's  
4 charged, then I can dismiss it.

5 Q. And after the Court ruled -- well, I apologize,  
6 I misstated that.

7 Did you actually withdraw your objection to the  
8 testimony coming in regarding the cocaine found in  
9 Ms. Muszynski's purse?

10 A. Where would that be?

11 Q. You can look on page 346, if you need to  
12 refresh your memory, specifically line 15.

13 A. Looks like I withdrew it.

14 Q. Why did you withdraw that objection?

15 A. Had Ms. Muszynski testified yet?

16 Q. I'm afraid I can't answer a question, but I can  
17 give you time to review the transcript if you'd  
18 like.

19 A. From looking at the transcript, she hadn't  
20 testified yet. The only thing that I could think of  
21 is it would be -- I don't know. I mean, I would be  
22 guessing. It was obviously a strategy decision on  
23 my part.

24 Q. But you don't recall the strategy in  
25 withdrawing that objection?

1 A. No, not at this time.

2 Q. Do you recall, if you continue to flip over,  
3 that on direct examination you asked her about the  
4 cocaine? And, I'm sorry, this would not be you  
5 handling her direct because it appears on 365  
6 someone is referring to Deputy Solicitor Graham.

7 So it would be another person from the  
8 Solicitor's Office doing her direct examination.  
9 And on 365, she's being asked about a meeting with  
10 yourself and the person that's questioning her,  
11 beginning on line 19 of 365.

12 A. Yes, I see it.

13 Q. Then if you could flip to 366, and I will just  
14 read lines 8 through 14 and then ask you a question.  
15 Question: Did we go through the facts in your  
16 statement with you prior to the cocaine being  
17 mentioned?

18 Yes.

19 After we went through the statement, did Deputy  
20 Solicitor Graham tell you that you would not be  
21 prosecuted for possession of cocaine?

22 Yes.

23 That he would grant you prosecutorial immunity?

24 Yes.

25 Now, was your testimony on direct and just a

1 moment ago that you did not promise her any form of  
2 immunity because you could not?

3 A. If she would have testified -- I mean, I don't  
4 recall the conversation I had. I testified then as  
5 I testified which said that I told her that I had no  
6 intention of charging her. How she took that and  
7 what it to mean, I don't know. If it would have  
8 been -- I mean, the Court knew I testified what it  
9 was.

10 How she took what I said -- I don't know  
11 whether she knows -- I mean, the question was they  
12 grant you prosecutorial immunity. Nobody explained  
13 that to her. I have no idea whether she knows what  
14 it is. I didn't explain to her.

15 Q. And, again, I'm just a little confused because  
16 when you withdraw the objection, you say I thought  
17 through it during the night, we're going to withdraw  
18 the objection. Then the very next witness is Donna  
19 Muszynski. And the person representing the State  
20 asks her about the meeting with himself and you.

21 And the person representing the State, the  
22 Solicitor's Office, asks her about immunity. She  
23 doesn't even use that term. The person questioning  
24 her by the State uses that term. So did you all not  
25 discuss the use of that term before you put her up



1 on the stand to address this cocaine issue?

2 A. I don't remember that. I mean, what's here is  
3 what's here. If you're trying to accuse me of  
4 lying, I didn't lie.

5 MS. BLANCHETTE: Your Honor, I don't appreciate  
6 that characterization. And I'll move on.

7 BY MS. BLANCHETTE:

8 Q. I'd also like to point out in the transcript,  
9 Mr. Graham, if you could look at page 369 during  
10 cross-examination, on line 6, she's asked there  
11 about whether or not she was promised immunity. And  
12 she again confirms that she was promised immunity.

13 A. Is that a question or a statement?

14 Q. Is that what the transcript reflects?

15 A. Yes.

16 Q. Now, why I'm going into this is because you  
17 yourself said this case is all about credibility; is  
18 that correct?

19 A. Every case is about credibility. Yes.

20 Q. And on direct when you were asked to summarize  
21 or give your opinion about the testimony that  
22 supported the conviction, when you were also asked  
23 at the beginning to summarize the testimony, you  
24 started with Donna's testimony. So you placed  
25 importance on her testimony in this trial; is that

1 correct?

2 A. I mean, everybody was important. I wouldn't  
3 have called them if they weren't important.

4 Q. And wouldn't it be important that a key witness  
5 believed that she had been granted immunity by you?

6 A. I told her that I wasn't going to charge her,  
7 so she was never going to be charged. If you want  
8 to call it immunity -- I don't understand. I mean,  
9 I don't -- she understood after talking with me that  
10 she was not going to be charged. I understood after  
11 talking with West Columbia that she was not going to  
12 be charged. Whether we call it immunity or we call  
13 it I'm not going charge her, I don't know, at the  
14 end of the day, what it really matters. The jury  
15 didn't get to hear it all, so I don't understand  
16 what you want me to say.

17 Q. When you reviewed the video, and we played it  
18 for the Court yesterday, do you recall Ms. Muszynski  
19 going in and out of her purse during that video?

20 A. I didn't -- I heard the testimony from your  
21 investigator talking about that. Yes. I don't have  
22 independent knowledge of it.

23 Q. Okay. Is that something that you reviewed in  
24 making the determination whether or not she would be  
25 prosecuted for that potential charge?

1       A.     Again, I don't want make that determination.  
2       The arresting agency makes the choice of whether  
3       they arrest somebody. We don't arrest people.

4       Q.     Did you or did you not have a meeting with her  
5       that's addressed in the transcript on direct and by  
6       yourself where she was told she would not be  
7       prosecuted? Whether we use the term immunity or  
8       prosecution, did that meeting not take place?

9       A.     No. I testified that it did take place.

10      Q.     So prior to that meeting where she was informed  
11      she would not be prosecuted or granted immunity,  
12      whatever terminology you want to use, because it  
13      appears you're testifying there's a difference, did  
14      you review the video and specifically look at the  
15      purse where the cocaine was contained?

16      A.     Can you ask that again without insulting me?

17             THE COURT: Counsel, please approach.

18             (Sidebar conference.)

19             THE COURT: All right. Let's continue.

20             MS. BLANCHETTE: Your Honor, I don't believe  
21      the question was answered, if I recall correctly.

22             THE COURT: I believe he asked you to ask the  
23      question again. So you can ask the question again.

24             MS. BLANCHETTE: Okay.

25             BY MS. BLANCHETTE:

1 Q. Mr. Graham, I will move on. I'd like to ask  
2 you about the testimony of Tonya and Steve. You've  
3 reviewed it recently; is that correct?

4 A. I have reviewed part of it or the entire  
5 transcript.

6 Q. And you testified about it on direct; is that  
7 correct?

8 A. Yes.

9 Q. And we have been talking about this issue with  
10 Donna Muszynski and her not being charged or  
11 prosecuted.

12 A. Correct.

13 Q. What would be the basis for which you could  
14 charge someone for perjury?

15 A. Lying under oath, I believe.

16 Q. Would that be the same basis on which you could  
17 prosecute them for perjury?

18 A. Without having the law on my hand, I would say  
19 yes.

20 Q. Now, it appears -- and if I'm mischaracterizing  
21 this, please, let me know -- that on your direct,  
22 you were discounting the value of the portion of  
23 Tonya and Steve's testimony about their time at  
24 State Street Pub. Is that a fair characterization?

25 A. Can you repeat it and point to me where you're

1 at in the transcript?

2 Q. I'm kind of speaking generally and going from  
3 your testimony, the time frame they both testified  
4 to. And I can give you their exact testimony where  
5 they stated that.

6 A. Sure. We're talking about the testimony that  
7 had to do with them saying they were at the State  
8 Street Pub when Mr. Torrence -- the records would  
9 have shown that he signed in and signed out? Is  
10 that the time frame you're talking about?

11 Q. Yes. Ms. Mozenko testifies on direct that she  
12 arrived at State Street Pub -- and this is beginning  
13 on page 166 -- at midnight, and he was there. She  
14 went on to say that he got more and more  
15 intoxicated. He made statements to her that were  
16 derogatory.

17 On page 171, they shared six shots. They went  
18 to another bar for an hour and 15 minutes, and when  
19 they came back, he was no longer there -- I'm sorry,  
20 that they were there for about an hour and 15  
21 minutes together. They went to another bar,  
22 returned, and he was not there.

23 Mr. Steven Smith testified that the defendant  
24 was there when they arrived at 12 -- this appears on  
25 page 213 of the transcript -- that he was

1       intoxicated and he had been drinking since 6:00 p.m.  
2       That's on page 214 of the transcript. And then he  
3       says on page 216 that he was more drunk at Shaggy's  
4       than he was at State Street. So he was relating his  
5       conduct at Shaggy's back to State Street.

6               Was that an important part of their testimony  
7       in the story that they told the jury?

8       A.    In my opinion, it went to their whole story of  
9       seeing him that night and then how he was acting and  
10      that he had been drinking and continued to drink  
11      and -- I mean, Donna's testimony at State Street was  
12      that he was flirting with her and over the top and  
13      they had to leave to avoid him. And that was  
14      reminiscent -- or, in my opinion, it reflected his  
15      behavior at Shaggy's as well.

16      Q.    In your closing argument on page 653, lines --  
17      I apologize. 653, lines 13 through 16, you talk  
18      about Tonya and Steve and you say: Why would they  
19      come in here and put their hands on the Bible and  
20      lie to you about something that happened? There's  
21      no reason given why they would lie.

22             So it was important to you --

23             MS. BUTTERBAUGH: Your Honor, I object. Any  
24      allegations of perjury have not been brought up.  
25      They were never charged with perjury, so anything

1       that she's talking about would be credibility issues  
2       and not perjury. Perjury is a mischaracterization  
3       and it's her characterization of what happened at  
4       trial.

5               THE COURT: Where are we going here?

6               MS. BLANCHETTE: I just asked him the perjury  
7       question and he said it was lying under oath. I'm  
8       going to the Rush's record and the importance of  
9       impeaching those witnesses. They asked him about it  
10      on direct.

11              It would be my position that he minimized that  
12      portion of their testimony, and I'm trying to show  
13      that it was important that defense counsel got the  
14      records or attempted to impeach or refute that  
15      testimony.

16              MS. BUTTERBAUGH: But any references to lying  
17      or perjury would then be characterizing their  
18      testimony at trial as perjury.

19              THE COURT: Okay. If that's where it's going,  
20      I think counsel is aware now to ask the question  
21      appropriately to avoid that. However, to the extent  
22      that she's asking questions that support her  
23      ineffective counsel argument, she can proceed --

24              MS. BLANCHETTE: Your Honor, I'm just merely  
25      asking -- I'm reading his words verbatim. I just

1 wanted to ask him about those words.

2 THE COURT: Okay. Overruled.

3 BY MS. BLANCHETTE:

4 Q. Looking then at 653, lines 13 through 16, and  
5 the statement that I just read, and then if you  
6 could flip over to page 653 --

7 A. I thought that's where you were. I'm sorry.

8 Q. I'm sorry. 653. And then flip over to 655,  
9 lines 9 and 10. You state: So why is everybody  
10 lying on Drew Torrence? Or is it maybe Drew  
11 Torrence who was lying?

12 So it was important in this case that the facts  
13 that were given by the witnesses, as it would be in  
14 any case, were the truth; is that correct?

15 A. Sure.

16 Q. And in your closing argument -- and please  
17 correct me if this is a mischaracterization. But it  
18 appears from your own words that you were saying  
19 Tonya and Steve would not put their hands on a Bible  
20 and lie, and Mr. Torrence might, in fact, be the  
21 liar.

22 A. Where was the second citation?

23 Q. 655, lines 9 and 10.

24 A. Actually, the statement is: Why is everybody  
25 lying on Drew Torrence? Or is it true maybe Drew



1 Torrence is lying? So that would imply that anybody  
2 could be putting their hand on the Bible and lying.  
3 It could be Steve and all the State's witnesses or  
4 it could be Mr. Torrence.

5 Q. Were you aware of Mr. Torrence's position, when  
6 you did your investigation at Rush's, that there had  
7 been an incident that night where Richland County  
8 Sheriff's Department had been called?

9 A. No. If I would have, I would have tracked it  
10 down and I would have turned it over in discovery.

11 Q. So you agree that it was potential exculpatory  
12 evidence that should have been turned over in  
13 discovery, if you were aware of it?

14 A. Right. I didn't have it. If I had it, I would  
15 have turned it over. Yes.

16 Q. And on direct you stated that you didn't get  
17 surveillance from Rush's because you got involved in  
18 the case so far down the road; is that correct?

19 A. From Rush's, no. During the preparation of the  
20 case, when we realized that he was going to say he  
21 was at work at Rush's, and I don't know what time  
22 that was, I sent an investigator to Rush's to try to  
23 get video, and they did not have cameras.

24 Q. So when did it become known to you that he was  
25 going to say he was at work? That a surprise?

1       A.    I don't remember.

2       Q.    And let's talk a little bit about the  
3       investigation that was done at Rush's.  You sent  
4       someone out to Rush's to speak to the manager and  
5       then provided a letter to Mr. Floyd summarizing that  
6       meeting; is that correct?

7       A.    And I don't have a copy of the letter.  I know  
8       that it was produced during trial.  My understanding  
9       was -- what I said on the record was that the intent  
10      of the letter was to say that the manager did not  
11      notice any alcohol on him.  And I thought that would  
12      be exculpatory or favorable to him because it would  
13      go against what Steve and Tonya were saying about  
14      him drinking at State Street Pub during their time  
15      frame.

16      Q.    And that issue becomes a major argument on the  
17      record.  But I'm just going to jump forward to when  
18      you called Lynn Baldwin as a reply witness.  What  
19      was your reasoning for calling her as a reply  
20      witness after Mr. Torrence testified?

21      A.    Mr. Torrence -- I mean, you look at the story  
22      of Steve and Tonya and their time frame and you look  
23      at their story and he stated that he never left  
24      work.  I don't think he testified about an incident  
25      being there, but I could be wrong.  I read his

1 statement this morning and didn't see it.

2           Regardless, what she would say is that she  
3 didn't see him at all that night, and that she would  
4 be the keeper of the record as the manager, and it  
5 showed that he signed in at a certain time and he  
6 signed out at another time. And she actually, on  
7 her testimony, admitted it would be possible for him  
8 to leave and go somewhere else and come back. And  
9 also, he didn't walk her to the car like he  
10 testified.

11 Q.    So is it fair to say that you called her to  
12 show that Mr. Torrence was not truthful?

13 A.    Maybe not truthful, yes.

14 Q.    Did anyone ever ask her -- I know you didn't on  
15 the transcript -- if there were any incidents that  
16 night that she recalled?

17 A.    I don't -- I'm not aware. I mean, if she would  
18 have told us there was an incident, I don't even  
19 know -- I don't remember anyone asking her that  
20 conversation.

21 Q.    So you have no knowledge of her telling, I  
22 believe it was, your investigator that you sent out  
23 or yourself before she testified that Richland  
24 County Sheriff's Department had been on scene for  
25 approximately an hour during the time frame in which

1       you were asking her about?

2       A.     I don't think I was ever aware of that.  I  
3       think if I was, I would have tracked it down and  
4       tried to figure out what it was.

5       Q.     And is that something you would have expected  
6       defense counsel to bring to your attention or to  
7       produce at trial?

8             MS. BUTTERBAUGH:  Your Honor, objection.  This  
9       is State v. Greene and this is exactly what we  
10      talked about earlier.  She's asking him what defense  
11      counsel would have done.

12            (Sidebar conference.)

13            THE COURT:  For the record, I will sustain the  
14      objection.

15            MS. BUTTERBAUGH:  Thank you, Your Honor.

16      BY MR. BLANCHETTE:

17      Q.     And for the record, Mr. Graham, I'll move on.  
18      I think you've fully testified to that issue, so  
19      I'll move on to the matter as addressed in the trial  
20      and as addressed in the amendment of docket  
21      manipulation that you testified to on direct.  Why  
22      did you want in the prior conviction?

23      A.     To impeach him if he testified.

24      Q.     And is that a way to show potentially bad  
25      character to the jury?

1       A.    I don't know if it's bad character.  I would  
2       consider it credibility, I guess.  That's what the  
3       jury charge is.

4       Q.    And I believe I heard you say on direct that  
5       you have discretion in setting the trial docket.

6       A.    That's been my understanding, yes.

7       Q.    And post-Langford, do you still have discretion  
8       in setting the docket?

9       A.    I think everything is still under consideration  
10      at the Supreme Court of how the dockets are actually  
11      supposed to be run.  Personally, what I've done  
12      since Langford has come out is to ask the defense  
13      attorney to agree on a trial date, and if they  
14      don't, then have a status conference and have the  
15      judge set a trial date and then do a scheduling  
16      order.

17      Q.    And Langford did give some language at the end,  
18      an order regarding timing and different things like  
19      that.  But would you agree that we're still kind of  
20      waiting on the complete definition of what Langford  
21      means at this time?

22      A.    Yes.

23      Q.    Would you also agree though that Langford says  
24      that the solicitor having complete control over the  
25      docket is unconstitutional because it's a violation

1 of the separation of powers?

2 A. I haven't read it in a long time, but that  
3 sounds like a quote.

4 Q. The State asked you about the request for a  
5 curative on page 682 of the transcript. And  
6 beginning at the top of the page, the judge rules  
7 against the defense but says that he'll give a  
8 charge to the jury. And I believe that's the  
9 section the State asked you about, line 6, where he  
10 says I'll give a charge to the jury.

11 He goes on then on line 17 and says: I will  
12 certainly give an instruction in that regard and  
13 would certainly give a curative instruction if you  
14 desire one. Mr. Floyd responds: We would request a  
15 curative instruction, Your Honor.

16 So as you recall and as it appears in the  
17 transcript, is the Court offering to give both a  
18 curative and a jury instruction?

19 A. Can you give me a minute just to read it?

20 Q. Yes, please.

21 A. It looks like he says he's going to charge the  
22 jury that they can't make their decision -- or their  
23 verdict based on passion, emotion, or any  
24 considerations not connected to the case. And then  
25 at the end he says: I will give an instruction in

1       that regard and would certainly give a curative  
2       instruction, if you desire.

3       Q.     And then Mr. Floyd says he does want a  
4       curative; is that correct?

5       A.     Looks like it. Yes, ma'am.

6       Q.     And then thereafter, on the next page, the  
7       Court goes into his charge to the jury. And before  
8       he does that, does he give a separate curative  
9       instruction as requested by counsel?

10      A.     No. It looks like he starts into a standard  
11     jury charge.

12      Q.     Thank you. My final question is this: Kind of  
13     at the close of your direct testimony, the State  
14     asked you to go into the evidence that supported the  
15     voluntary manslaughter conviction. Do you recall  
16     doing that?

17      A.     Yes.

18      Q.     And do you also recall that in close -- and if  
19     I, again, am mischaracterizing, please correct me --  
20     that your argument was this is not voluntary  
21     manslaughter, this is murder? And you pointed  
22     directly to the statements made to Tonya and Steve  
23     prior to the shooting, that he was going to go out  
24     and get his gun and shoot the victim. Is that a  
25     correct characterization that you argued that it was

1 not voluntary manslaughter, it was murder?

2 A. That was my belief that it was murder, yes.

3 Q. So do you --

4 A. Well, because murder is a higher level, it's  
5 the one that requires the malice. And that's what  
6 he was charged with, that's what I believed it was,  
7 although the jury didn't find that. So that's what  
8 I'm arguing for was murder.

9 Q. So have you changed your belief just solely on  
10 the fact that the jury reached a verdict of  
11 voluntary manslaughter?

12 A. No. If the case came in again today, I would  
13 prosecute it as a murder. I believe it was a  
14 murder.

15 Q. And what's your take on the jury's question  
16 whether or not they could get involuntary  
17 manslaughter as an instruction -- or an option?

18 A. If they could give?

19 Q. If they could have involuntary manslaughter,  
20 the jury question. It's addressed somewhat later in  
21 the transcript --

22 MS. BUTTERBAUGH: Objection, Your Honor. He  
23 can't talk about what the jury thought.

24 MS. BLANCHETTE: I asked what his take was,  
25 Your Honor.



1           THE COURT: You were asking about his opinion  
2           on the -- ask the question again.

3           BY MS. BLANCHETTE:

4           Q. Mr. Graham, what was your take or your position  
5           on the jury's question if they could consider the  
6           charge of involuntary manslaughter?

7           A. My take would be that there was somebody back  
8           there who had some knowledge of the law or thought  
9           they had some knowledge of the law, and they asked  
10          and it was brought up and discussed.

11          MS. BLANCHETTE: Your Honor, I have no further  
12          questions.

13          THE COURT: Redirect?

14          MS. BUTTERBAUGH: Just briefly.

15                               REDIRECT EXAMINATION

16          BY MS. BUTTERBAUGH:

17          Q. Mr. Graham, if you take Tonya and Steve out of  
18          the equation as two witnesses at trial, were there  
19          other witnesses who testified about Mr. Torrence's  
20          behavior that night?

21          A. Steve and Tonya's testimony was limited really  
22          to two things: That he'd been drinking -- well,  
23          more than two things, that he had been drinking,  
24          that he was obnoxious and hitting on Tonya, and then  
25          the two statements of expressed malice that I ought

1 to go to my truck, get a gun, and come back and  
2 shoot him.

3 Obviously, the jury didn't believe them or give  
4 enough weight to them to find malice, because they  
5 found voluntary manslaughter. Their testimony  
6 actually has no bearing on the voluntary  
7 manslaughter conviction because they weren't even  
8 there when the shooting happened.

9 Q. Okay. So there were other witnesses that  
10 testified about his behavior at Shaggy's?

11 A. Sure; all the people who would have been there.  
12 You had Lee Buchanan, you had Donna Muszynski, you  
13 would have had the bartender who was there. I  
14 believe we called her. I know there was a man named  
15 Orlando and, I think, his girlfriend was there as  
16 well. They heard -- I know -- I think the female  
17 was a nurse, and she actually heard one of the  
18 insults that Mr. Torrence said to Ms. Muszynski  
19 about her being on her period.

20 MS. BUTTERBAUGH: Thank you.

21 THE COURT: Recross?

22 MS. BLANCHETTE: Briefly, Your Honor.

23

24

25

RECROSS-EXAMINATION

1 BY MS. BLANCHETTE:

2 Q. If you could look at page 652 of your closing  
3 argument. Shortly after you say this case is about  
4 credibility at the bottom of the page, you begin  
5 discussing Tonya and Steve. Will you please review  
6 652 to 654?

7 A. Right. Looking at 653, what I'm talking about  
8 is him coming in and saying he's going to go get a  
9 gun and shoot him, which would have gone to the  
10 malice.

11 Q. If you could look at 653 to 654, and then I  
12 have a question for you.

13 A. Okay.

14 Q. Would you agree, upon review of your argument  
15 there, that it wasn't just the statement you were  
16 using to show expressed malice? You went through  
17 from the time they saw him at State Street Pub all  
18 the way through the conduct that they observed as  
19 well as the statement made to the owner the next  
20 morning. So it wasn't just the statement.

21 A. Right. Going through it, to talk about it  
22 then, at the beginning, starting on page 653, I talk  
23 about him being at State Street Pub and Drew  
24 Torrence drinking with them. Then they said they  
25 all split up for a while and they went to Shaggy's.

1       That is consistent with how Mr. Torrence testified  
2       as well because Mr. Torrence acknowledged that he  
3       went to State Street Pub. He just had a different  
4       time than Steve and Tonya did.

5       Q.     But at the beginning of your closing  
6       argument -- I believe this is the beginning, yes --  
7       you spend what's reflected as several pages in the  
8       transcript recounting their testimony from start to  
9       finish.

10      A.     Where we at now?

11      Q.     652 to 655. It's not just a statement that  
12      they make.

13      A.     Right. And then I was going to continue  
14      through it. And we can talk about it, if that's all  
15      right.

16      Q.     Yes, please. Go ahead. I don't want to cut  
17      you off.

18      A.     The next section talks about them saying that  
19      they went to Shaggy's, they came in and sat down,  
20      and that Mr. Torrence came over to them. He was  
21      immediately complaining about Zach and Donna. Donna  
22      was the object of his affections and, you know, it  
23      didn't mean anything to her because you have heard  
24      that she really didn't notice that he was flirting  
25      with her. Tonya and Steve told you that he was

1       because they said so and why would they lie about  
2       that? Why would they come in here and put their  
3       hands on the Bible and lie to you about something  
4       that happened? There was no reason given why they  
5       would lie.

6               And what did they tell you? That he came in  
7       and sat down and started telling them how upset he  
8       was, how mad he was, how he -- Zach was getting in  
9       his way when he had a chance with Donna and how mad  
10      he was at Zach; so mad at Zach that he said, not  
11      once, not twice, but more than that, I'm going to  
12      get my gun and shoot him, shoot him.

13             At that moment, he was telling you that he was  
14      willing to do if he needed to because he wanted to  
15      win. He's not going to let somebody take a girl  
16      away from him. He's not going to let somebody make  
17      him look bad or let somebody embarrass him because  
18      Drew Torrence wants to be the man.

19             How else do we know that Tonya and Steve were  
20      telling the truth? What did Tonya tell you? The  
21      next morning she came by and she saw the crime scene  
22      tape out and she called the bar owner. And what did  
23      she say? Drew shot Zach, didn't he? Sonny, the bar  
24      owner, came up to the stand and he told you, Tonya  
25      called me the next morning and said that. Nobody is

1 making that up. I think that's all about them.

2 Q. Would you agree that there's components of that  
3 summary that you gave of their testimony and twice  
4 tell the jury they're not lying -- maybe three  
5 times -- that would support a conviction for  
6 voluntary manslaughter, such as Mr. Torrence being  
7 upset, words that were exchanged, those types of  
8 things? It's not just the comment that you said  
9 demonstrated expressed malice.

10 A. I don't know that any of that goes to voluntary  
11 manslaughter, to be honest. I don't know -- their  
12 conversation with Mr. Torrence, with Mr. Torrence  
13 complaining about the victim getting in the way of  
14 him flirting with Donna Muszynski, that's what their  
15 argument -- I mean, that's what their testimony was  
16 about.

17 And nothing in there would support -- there's  
18 no sufficient legal provocation resulting in heat of  
19 passion with anybody flirting with somebody and  
20 somebody being mad about it.

21 Q. So their testimony wasn't anything that you  
22 were referencing when you were back on direct  
23 talking about the evidence that supported the  
24 voluntary manslaughter conviction?

25 A. I don't remember. Maybe I did. I don't

1 remember. If I did, then I did.

2 MS. BLANCHETTE: Your Honor, I have no further  
3 questions.

4 THE COURT: You may step down, Mr. Graham.  
5 Thank you.

6 THE WITNESS: Thank you, Your Honor.

7 THE COURT: If counsel could just come up real  
8 quick.

9 (Sidebar conference.)

10 THE COURT: All right, ladies and gentlemen.  
11 We're going to go ahead and break for lunch now  
12 until 1:30 p.m. We'll start back at 1:30 p.m. in  
13 the courtroom. Thank you.

14 (Luncheon recess 12:21 - 2:49 PM.)

15 MS. OPPENHEIMER: May it please the Court, Your  
16 Honor. The State calls Wayne Floyd.

17 THE COURT: You want me to put that on the  
18 record?

19 MS. OPPENHEIMER: Yes, let's put that on the  
20 record first.

21 THE COURT: Real briefly, the lawyers spoke  
22 with me in chambers and defense counsel meant to ask  
23 me to do this earlier, but there's a lot going on,  
24 so -- but to be clear -- and let me know if I leave  
25 anything out -- Ms. Blanchette did disclose to the

1 State that she had a relationship with me. To be  
2 clear, our children went to preschool together and  
3 had various play dates together, so our relationship  
4 is social in nature and has always been involved  
5 with our young children. But that is the extent of  
6 it.

7 MS. OPPENHEIMER: Thank you, Your Honor.

8 THE COURT: All right. Next witness, please.

9 MS. OPPENHEIMER: The State calls Wayne Floyd.

10 THE COURT: Mr. Floyd, you're still under oath.

11 THE WITNESS: Thank you, Your Honor.

12 DIRECT EXAMINATION

13 BY MS. OPPENHEIMER:

14 Q. Mr. Floyd, I want to direct your attention to  
15 some of the testimony that you testified to  
16 yesterday. What independent investigation did you  
17 do in this case?

18 A. When you say independent investigation, you  
19 mean what did I do personally?

20 Q. Yes.

21 A. Reviewed all of the discovery, reviewed the  
22 videotapes. I had the videotapes clarified by a  
23 video person that I use sometimes. I did go out on  
24 the scene to look at the location of the shooting.  
25 That's all I remember off the top of my head.



1 Q. And what did you do at the scene?

2 A. Just looked it over just to have familiarity  
3 with it.

4 Q. Was there anything in particular that you  
5 observed about the scene that drew your attention?

6 A. Nothing that I didn't pick up from the video.

7 Q. Okay. And I believe yesterday you testified  
8 that you spoke with some witnesses. Do you recall  
9 which witnesses you spoke to prior to trial?

10 A. No, not off the top of my head. I mean, I  
11 assume I spoke to the officers who were on the  
12 scene, but I don't remember off the top of my head.

13 Q. Okay. And did Ms. Torrence ever provide you  
14 with any information that she had hired a private  
15 investigator?

16 A. Yes. Ms. Torrence and I had a lot of  
17 communication.

18 Q. Did she ever specifically inform you that she  
19 had hired a private investigator?

20 A. If she did, I assume, yes, she would have. Do  
21 I recall off the top of my head? No, I don't  
22 recall.

23 MS. OPPENHEIMER: Beg the Court's indulgence.

24 No further questions, Your Honor.

25 THE COURT: Cross-examination?

1 MS. BLANCHETTE: No cross-examination, Your  
2 Honor.

3 THE COURT: Mr. Floyd, you may step down.

4 THE WITNESS: Thank you, Your Honor. Am I now  
5 excused?

6 THE COURT: I believe you are.

7 MS. OPPENHEIMER: No objection, Your Honor.

8 MS. BLANCHETTE: None from the Applicant.

9 THE COURT: Does the State have any other  
10 witnesses?

11 MS. OPPENHEIMER: No other witnesses, Your  
12 Honor.

13 THE COURT: Okay.

14 Are y'all prepared to articulate your  
15 summations?

16 MS. BLANCHETTE: Yes, Your Honor.

17 THE COURT: I'll let the Applicant go first.

18 MS. BLANCHETTE: Thank you, Your Honor.

19 Your Honor, I know this is my first time  
20 appearing in front of you, so I just wanted to first  
21 thank you for giving us two days to present this  
22 case. I greatly appreciate it, as well as does my  
23 client and his family and the people supporting him,  
24 your judicial temperament and how you've handled  
25 this matter and your patience and kindness.

1           I know that for two days we've been talking  
2           about something that was a horrific event for two  
3           families, so I just appreciate the way that this has  
4           been handled in the courtroom.

5           Typically when I give a summation or a closing  
6           argument, I just try to hit some of the highlights.  
7           I'm happy to answer any questions that the Court  
8           has, further research, provide briefs, anything of  
9           that nature. But I'd like to hit some highlights.  
10          I'm not going to go back through every issue that is  
11          in the amendment nor all the testimony that has been  
12          elicited over these two days.

13          It would be nice if we could just present one  
14          issue and then the Court could decide how you rule  
15          on that. But the way the statutory construction is,  
16          we have to present every possible issue in our  
17          amendment because the Applicant only gets one bite  
18          at the apple.

19          The first issue that I'd like to address is the  
20          first one that does appear in the transcript, and  
21          I'll call that the mental health issue. I believe  
22          that mental health was not properly addressed in  
23          this case. And, sadly, it's not properly addressed  
24          in our criminal court system at this time.

25          Despite the comments that I made about how I

1 appreciate how they handled it, I did not appreciate  
2 the comments that were made that we are in any way  
3 trying to bolster my client's mental health issues  
4 by my discussions with him or anything of that  
5 nature. Because it is my opinion, based upon my  
6 interactions with him and what the experts provided,  
7 that he is suffering from a mental illness. This is  
8 not something that he is faking, so that is  
9 something we had to address.

10 When I met with Mr. Torrence and realized very  
11 quickly there could be a competence issue, that was  
12 something I had to address as part of this PCR. I  
13 could not look past that if I was going to be  
14 effective and represent him properly.

15 Now, I handed the Court, at the beginning, a  
16 number of cases. I'll just hit on some of those  
17 cases. But in the Reeves case, there, the attorney  
18 was ineffective for failing to properly utilize  
19 experts. And so that's why we called experts in the  
20 area of mental health. I handed the Court a copy of  
21 Ramirez, and that deals with the issue of  
22 incompetence as to a guilty plea.

23 But I also handed up the case of Hall, which  
24 gives the standard for competency to stand trial.  
25 And I think we thoroughly addressed, through

1 Dr. Maddox, the issue of competency to take the  
2 stand.

3 Now, competence, as explained in Hall, is  
4 addressed under a preponderance of the evidence  
5 standard. I'd submit, by a preponderance of the  
6 evidence, we have shown that he may not have been  
7 competent to take the stand or even proceed with the  
8 trial.

9 But if the Court finds we have not met that  
10 standard, I would alternatively submit under  
11 Rosemond, which is a case I handed up that deals  
12 with mitigation in a capital case and the issue of  
13 mental health, that counsel was ineffective for not  
14 utilizing these experts and properly addressing  
15 mental health in the area of mitigation and in plea  
16 negotiation. There's a long line of cases,  
17 including Padia, where counsel can be held  
18 ineffective for both their advice and negotiations  
19 as far as pleas are concerned.

20 It was clear from Dr. Maddox's testimony that  
21 she had been involved in this case, she was willing  
22 to continue to be involved in this case, and what  
23 she had done was just her preliminary evaluation of  
24 first meeting with Mr. Torrence. She wanted further  
25 testing done. She didn't even get to the point

1       where she had issued her report that she did in this  
2       case. But, for some reason, which I don't think was  
3       properly explained by Mr. Floyd, he chose to not go  
4       further with that.

5               I would say, based upon the testimony of  
6       Ms. Torrence and the testimony of Dr. Maddox, it was  
7       never explained to either of those ladies why he  
8       chose to not go further with the utilization of  
9       Dr. Maddox.

10              She said in her testimony that she would have  
11       aided in plea negotiations, done a competency  
12       evaluation, and been available for mitigation. And  
13       why I keep mentioning mitigation is because in this  
14       case, he was sentenced to 25 years by Judge McMahon  
15       when the jury wanted -- asked about involuntary. So  
16       I think the prejudice there speaks for itself.

17              Your Honor, I will turn to the second primary  
18       issue, which I would consider the Rush's report in  
19       the overall investigation. It appears from the  
20       testimony and what's been addressed over the last  
21       two days that the State is hanging their hat on the  
22       fact that Tonya and Steve's testimony was just not  
23       that important. Then why in opening and close does  
24       it appear the solicitor is hanging his hat on their  
25       testimony and bolstering their credibility?

1           As I pointed out during the solicitor's  
2       testimony, on page 652 of his closing argument, he  
3       says this case boils down to a credibility issue.  
4       And this issue is a credibility issue.

5           You have to ask, after hearing all the  
6       testimony, what did the defense attorney do to  
7       verify my client's version of events? What did he  
8       do to refute the State's witnesses? When he was  
9       recalled today, I thought we were going to hear  
10      something new. And all we heard, essentially, was  
11      what he said yesterday, which I don't think  
12      qualifies as a reasonable investigation.

13          And, furthermore, I think we've met our burden  
14      by, thankfully, all these years later, obtaining  
15      this incident call report from Rush's that just  
16      happens to have just enough information, I would  
17      submit, for us to be able to show clear prejudice.

18          Unfortunately, I can't go get the surveillance.  
19      I was told by Richland County there is not an  
20      incident report. We can't do all the steps that  
21      could have been done that next day when Wayne Floyd  
22      was retained. But, thank goodness, we were able to  
23      get our hands on that report that gives us enough  
24      information to show that Mr. Torrence's factual  
25      testimony could have been verified, and the factual

1 testimony of both Tonya and Steve that the State  
2 chose to put up as part of their case in chief and  
3 argue extensively about in closing argument was not  
4 factually correct.

5 Now, the State may have a video of the  
6 shooting. But, in opening, Mr. Floyd said he was  
7 grateful that they had the video, that it was  
8 favorable for the defense. They also have focused  
9 on these admissions made by the defendant. And I  
10 assume in their closing they may say there's  
11 overwhelming evidence of guilt, because until we had  
12 some recent precedent in the Supreme Court, it was a  
13 blanket that the State loved to throw down to  
14 smother any and all claims. Thankfully, our Supreme  
15 Court said that can't happen anymore.

16 But I assume, in this case, they're going to  
17 say that even if Wayne Floyd was deficient in his  
18 investigation and, specifically, for failing to get  
19 the Rush's report, the overwhelming evidence of  
20 guilt negates any prejudice.

21 I think they're going to try to convince you  
22 that this report doesn't matter. Well, it does.  
23 And why it matters is the report shows that Wayne  
24 Floyd did not do a proper investigation and it shows  
25 that the State put up false testimony.



1           Now, I want to be clear, I'm not saying  
2           knowingly false testimony. The solicitor testified  
3           under oath that he did not know about the report.  
4           We argued alternatively that it could be a matter of  
5           prosecutorial misconduct, but he made it clear that  
6           he did not know about the report and, if he would,  
7           he would have disclosed it.

8           Why this also matters is the testimony of Tonya  
9           and Steve was used to obtain a conviction, and  
10          counsel could have put a stop to it and he didn't.  
11          Tonya and Steve were not minor witnesses and their  
12          facts were wrong. The portion that I had the  
13          solicitor go through in closing, I think, shows it's  
14          not just the expressed malice statement that he was  
15          going to get the gun. He talked about and he  
16          questioned them about every moment that they  
17          encountered the defendant from the time they  
18          supposedly saw him -- well, they said it under oath,  
19          at State Street Pub all the way up until when they  
20          left the bar up, until the next morning when Tonya  
21          supposedly made a statement to the owner, about Drew  
22          shooting the victim because she had some kind of  
23          foresight that he was going to do it.

24          The other reason this report matters is, I  
25          submit to you, that if it would have been shown to

1       the jury, that Tonya and Steve had chosen to not  
2       tell the truth under oath, we would not have a  
3       conviction in this case.

4               Turning to one of the other major issues.  
5       Under assistance regarding trial and the amendment,  
6       I just want to hit on a couple of the issues there.  
7       One is the bar video. I won't belabor the point,  
8       but I think there has been quite a bit of testimony  
9       about the limited time, the lack of raising any type  
10      of defense perspective to that video, and just no  
11      investigation.

12             And I think that kind of ties us into, what I  
13      hate to term it, but this whole cocaine mess; this  
14      issue with the victim with cocaine and Donna with  
15      cocaine and immunity. These are all just  
16      credibility issues that counsel dropped the ball on  
17      and didn't explore.

18             In the bar video, I would submit that you see  
19      Donna going into her purse, but yet somehow she was,  
20      in her own words, granted immunity for the cocaine  
21      that was found in her purse and not disclosed to law  
22      enforcement until they asked her about it.

23             Also, the in-car video. Regarding that, it  
24      appears that counsel believed the State was going to  
25      use it and that was his anticipation, and when it

1        didn't happen, he didn't know what to do. I would  
2        submit that it's not self-serving hearsay, but  
3        counsel didn't really make any argument. The judge  
4        went out and did some research and tried to help him  
5        with it a little bit, but there was not an argument  
6        put up by defense counsel because he wasn't prepared  
7        to have to admit it.

8            I believe the video, as Your Honor will be able  
9        to review on his own, goes to demeanor. It includes  
10       excited utterances. It gives a present-sense  
11       impression. And it's the only piece of evidence  
12       that corroborates Mr. Torrence's statement that he  
13       tried to call 911 before re-entering the bar and  
14       only re-entered after they had not responded. And  
15       that would be at the 28-minute mark in that video.

16           I next want to turn to accident and involuntary  
17       that have been discussed as well. In my opinion,  
18       it's one of the most -- accident, self-defense, and  
19       involuntary manslaughter, it's one of the most  
20       complicated areas of our law. That's probably  
21       because I mostly deal with criminal defense cases.

22           When the Belcher decision came out, Rock Wise,  
23       who handled that, told me to read Belcher, read it  
24       again; the next week, read it again, and then wait  
25       two weeks and read it again. And that gave me

1       somewhat of a good understanding of how we address  
2       manslaughter, self-defense, accident, all of these  
3       things that kind of fall under murder in South  
4       Carolina.

5           I've also had the opportunity to represent  
6       Jacques Gibson. And his case seems to be the case  
7       that stands for if you intentionally shoot a gun,  
8       you can't get an involuntary manslaughter charge.  
9       But there are cases, and some of those were argued  
10      on appeal and some of those I handed to the Court,  
11      such as Crosby, Burris, and Quick, where there was  
12      an intentional trigger pull and an involuntary.

13           So this is just a very complex area of the law.  
14      We have cases where both involuntary, accident, and  
15      self-defense have been charged. And to that note, I  
16      provided the Court a copy of Tisdale, Brayboy, and  
17      White that deal more with the accident portion of  
18      this.

19           As Blake said, the record was just limited. He  
20      worked with what he had. I would submit that Blake  
21      missed the accident issue until he began arguing it  
22      as part of his petition for rehearing. And I would  
23      also submit that there is potentially more evidence  
24      in the record to support accident than to support  
25      involuntary, which was raised. And in raising

1 involuntary, he chose to address North Carolina  
2 precedent, which the Court clearly dismissed pretty  
3 quickly in that last paragraph of the written  
4 decision.

5           Someone on the jury was smart enough to ask  
6 about involuntary, but they didn't know about  
7 accident. Accident was a defense that was not  
8 charged. And I submit that is error on both the  
9 part of trial counsel and on the part of appellate  
10 counsel. And, I apologize, I referred to  
11 Mr. Hewitt -- I often refer to people by their first  
12 names, but I'll turn now a little bit more to the  
13 testimony of Mr. Hewitt.

14           He provided several other issues that he  
15 spotted that he would have either raised on appeal,  
16 if they would have been properly preserved, or he  
17 spotted them as issues. If they would have been  
18 addressed differently, they could have aided in his  
19 appellate argument.

20           And he gave very lengthy testimony on that. I  
21 won't go back over that, but we would submit that  
22 counsel was ineffective in the regards that he  
23 hindered Mr. Hewitt's ability to raise issues on  
24 appeal.

25           Your Honor, as I'm just briefly touching on

1       these, I want to be careful that I'm not conceding  
2       any of the issues I'm not addressing. I'm just  
3       trying to make sure I hit the highlights.

4               So I'm going to turn now to the last issue of  
5       docket manipulation. On behalf of the Applicant, I  
6       would submit that this is an issue of ineffective  
7       assistance of both trial and appellate counsel.  
8       Simply put, it's wrong, and Langford says so.  
9       Langford was decided at the same time that  
10      Mr. Torrence's case was up on appeal.

11             Now, I think, as the solicitor kind of alluded  
12      to in his testimony, we're still waiting to see  
13      exactly what Langford means and for things to be  
14      made right. But what happened here in this case  
15      can't happen post-Langford. I submit that  
16      Mr. Torrence could have been Langford, but it would  
17      have been different because he could have shown  
18      prejudice.

19             Here, Mr. Floyd didn't argue that the statute  
20      violated the separation of powers. He made other  
21      arguments, but he did not make the exact Langford  
22      argument. So, therefore, I think we have the issue  
23      of ineffective assistance of trial counsel.

24             Now, I said he could have been Langford, but --  
25      he could have been Langford, but we can show

1        prejudice. Here, the solicitor said in his own  
2        closing and confirmed on the stand that this was a  
3        credibility case, even possibly a character case.  
4        And if the case was all about credibility, that's  
5        exactly why the solicitor wanted this conviction in.

6                So in Langford, he couldn't show prejudice  
7        because his just dealt with a speedy trial motion.  
8        And the Court found it was harmless error. Here, we  
9        would be dealing with a much different issue. The  
10       arguments regarding prejudice made by Mr. Floyd were  
11       very clear and the reason why the solicitor wanted  
12       this in was very clear. Simply put, if the State  
13       didn't want it in to be detrimental to Mr. Torrence,  
14       why did they do it? I think it's a common sense  
15       question.

16               As I stated before, Your Honor, it's been a  
17       two-day hearing. I don't want to belabor any  
18       points. I'm happy to answer any questions the Court  
19       has, provide anything additionally, but at this  
20       time, that would be my summation.

21               THE COURT: Thank you.

22               All right. Glad to hear from the State.

23               MS. OPPENHEIMER: May it please the Court, Your  
24       Honor?

25               THE COURT: Yes, sir -- yes, ma'am. Pardon me.

1           MS. OPPENHEIMER: The State would again renew  
2           its motion to dismiss the allegation that counsel  
3           was ineffective for failing to obtain a charge on  
4           involuntary manslaughter. This issue was thoroughly  
5           vetted by both the Court of Appeals and the Supreme  
6           Court. And Ms. Blanchette wants to conveniently  
7           ignore the own words of our Court of Appeals, which  
8           to quote, they will say -- they said that there is  
9           no evidence that Torrence did not intentionally fire  
10          his gun at Chaplin. He was not entitled to a charge  
11          of involuntary manslaughter.

12           Moreover, this case does not fall under either  
13          prong of the involuntary manslaughter definition  
14          because, one, firing a gun is considered conduct  
15          naturally tending to cause death or great bodily  
16          harm; and, two, Torrence was not acting lawfully by  
17          brandishing the gun in a bar. And the Court of  
18          Appeals found that the charge of involuntary  
19          manslaughter was not supported by the evidence in  
20          this case.

21           Mr. Hewitt petitioned for rehearing, which was  
22          denied, and he again petitioned for a cert, which  
23          was also denied by our Supreme Court. Our Supreme  
24          Court has looked at this issue, so has our Court of  
25          Appeals. They said there was no evidence. And to



1       ignore what they said previously now would just be  
2       to fly in the face of our appellate court judges.

3               Turning to the allegations of ineffective  
4       assistance of counsel, Strickland requires that the  
5       Applicant prove not only that counsel was deficient,  
6       but also that he suffered prejudice from the alleged  
7       deficiency. Prejudice means that the result of the  
8       trial would have been different despite this  
9       deficiency. And our case law also says that we must  
10      look at these alleged errors at the time that the  
11      decisions were made without the distorting effects  
12      of hindsight.

13             With regards to the mental health issue, the  
14      State would submit there was no deficiency.  
15      Mr. Floyd testified that Mr. Torrence helped prepare  
16      for his defense, helped prepare for trial. He  
17      understood what was being told to him and understood  
18      what was being asked of him. And nothing based on  
19      any of his conversation with Mr. Torrence would have  
20      led Mr. Floyd to question his competency or his  
21      mental health.

22             Furthermore, Dr. Maddox testified that in 2010,  
23      there was no evidence of psychosis. And she also  
24      didn't raise any concerns to Mr. Floyd at that time  
25      regarding competency or mental health. Mr. Floyd

1 testified that he spoke with Dr. Maddox and realized  
2 that he could not call Dr. Maddox in the  
3 guilt-or-innocence phase of the trial. He made a  
4 reasonable strategic decision in deciding not to  
5 call her at trial. And it's very possible that even  
6 if Mr. Torrence is suffering from any mental health  
7 problem right now, that both experts testified that  
8 he could have decompensated since being in prison.

9 Furthermore, the State would submit that there  
10 is no prejudice with regards to this alleged  
11 deficiency. Neither expert could testify to a  
12 reasonable degree of medical certainty that any  
13 psychological or brain defect caused Mr. Torrence to  
14 do this, or that he suffered the alleged deficit at  
15 the time that the crime was committed. And there's  
16 nothing in the record that reflects Mr. Torrence was  
17 exhibiting any odd behavior at trial and it was  
18 never indicated to the trial court -- or nothing was  
19 ever indicated to the trial court that would raise  
20 the trial court's concerns about Mr. Torrence's  
21 competency or mental health issues.

22 Ms. Blanchette argued about a plea. There's  
23 been ample testimony that the Applicant did not want  
24 to take any plea. He was offered voluntary  
25 manslaughter straight up. He rejected that. So any

1 discussion about a plea was expressly rejected by  
2 the Applicant.

3 And with regards to medication, the State would  
4 submit that Mr. Floyd made a reasonable strategic  
5 decision in deciding to present many members of  
6 Mr. Torrence's family and members of his community  
7 in mitigation. And the State would argue this would  
8 not -- even if this mental health issue was  
9 available or present before the trial, it would not  
10 have resulted in a different outcome at trial.

11 The Rush's record and the investigation in  
12 regards to that, our case law says that counsel is  
13 not required to uncover every scrap of evidence.  
14 Mr. Floyd got in information that Mr. Torrence might  
15 not have been at State Street Pub through other  
16 means. He did so through cross-examination of the  
17 witnesses. He questioned both Ms. Mozenko and  
18 Mr. Smith, whether or not they were sure they saw  
19 Mr. Torrence that night.

20 He introduced the time sheet from Rush's and he  
21 cross-examined the manager from Rush's, who  
22 testified that she did not notice any alcohol on  
23 Mr. Torrence that night and she would have reported  
24 it if she had noticed it and she didn't report  
25 anything.

1           This is reasonable trial strategy. He took  
2           what he had. He's not required to uncover every  
3           scrap of evidence. And he presented the information  
4           that he had at the time.

5           Furthermore, there's no prejudice, because even  
6           if we take Tonya and Steve and State Street Pub out  
7           of this equation, we still have every single person  
8           at Shaggy's who testified about the Applicant's  
9           behavior that night. They testified to the  
10          derogatory comments that Mr. Torrence made to  
11          Mr. Buchanan, and they were quite extensive and they  
12          were quite vulgar. And they testified to the  
13          derogatory statements and the inappropriate flirting  
14          that he exhibited towards Ms. Muszynski.

15          Again, we have a video showing he was there and  
16          we have the video showing his interactions and his  
17          actions with the victim. And we have the  
18          Applicant's own testimony that he was drinking that  
19          night and he was an obnoxious drunk.

20          And Ms. Blanchette cited to the State's closing  
21          and opening arguments. But arguments are what they  
22          are; they're arguments, they're not evidence, and  
23          the jury is reminded of that in the jury charge.

24          Furthermore, the report doesn't prove that  
25          Mr. Torrence was at Rush's the whole time during

1       this alleged incident. It doesn't have any time.  
2       He's merely listed as a supplemental person. He  
3       could have been there at the beginning and left.  
4       The only information we have from this report is  
5       that he was a supplemental person at the incident.

6             And we don't have a full incident report. They  
7       have not presented that information. They have not  
8       presented concrete evidence that he was there the  
9       entire time.

10            And the State would submit Mr. Torrence is not  
11       entitled to a perfect trial, but he's entitled to a  
12       fair trial, which he did, indeed, receive.

13            Your Honor, the Staté would also move to  
14       dismiss the prosecutorial misconduct allegation for  
15       this Rush's report. Mr. Graham testified that he  
16       had no knowledge of the report and he did not have  
17       it. So we would move to dismiss that allegation on  
18       those grounds.

19            Ms. Blanchette talked a lot about accident.  
20       There's no evidence of accident in this case.  
21       Mr. Torrence intentionally shot not once, but twice,  
22       and there was a pause between each shot. And the  
23       second shot came while the victim was down on the  
24       ground. And there was no clear struggle over the  
25       gun. The State would submit that they were some

1 distance away. And Mr. Torrence was not acting  
2 lawfully by bringing a loaded gun into a bar. So  
3 the State would, again, submit that the accident was  
4 not -- there is no evidence to support an accident  
5 charge in this case.

6 We touched on citizen's arrest a little bit.  
7 There was a very lengthy charge on citizen's arrest  
8 given. It was the theory of the Applicant's case at  
9 trial and it was presented to the jury. Field vs.  
10 Gregory, and that cite is 230 S.C. 39, states that  
11 reading a statute to the jury is sufficient. And if  
12 you'll look at the jury charge, Judge McMahon  
13 explicitly reads section 17-13-10 --

14 THE COURT: Which page?

15 MS. OPPENHEIMER: Beg the Court's indulgence,  
16 Your Honor.

17 THE COURT: I didn't mean to throw you off. I  
18 just wanted to make sure I know the page.

19 MS. OPPENHEIMER: The citizen's arrest charge  
20 begins on page 707 and concludes on 708.

21 He explicitly read the statute, both section  
22 17-13-10 and 17-13-20. And the jury was not only  
23 offered the option of citizen's arrest; clearly,  
24 they did not acquit based on citizen's arrest or  
25 self-defense. They were given multiple options in

1       this case: Murder, voluntary manslaughter, ABWIK,  
2       ABHAN, and an acquittal based on citizen's arrest  
3       and self-defense. The jury chose to convict of  
4       voluntary manslaughter.

5           Ms. Blanchette argues that counsel should have  
6       received additional bar video. However, there's  
7       case law that says that -- well, let me start over.  
8       Mr. Torrence didn't present any additional footage  
9       of the bar that he wanted to be shown at trial. And  
10      our case law says that his mere speculation as to  
11      what the video shows does not rise to the level of  
12      his burden of proof to determine that counsel was  
13      ineffective. Additionally, Mr. Graham testified  
14      that there was --

15           THE COURT: Where are you citing that from?

16           MS. OPPENHEIMER: Banister vs. State, Your  
17      Honor.

18           THE COURT: What's the cite?

19           MS. OPPENHEIMER: I don't know it off the top  
20      of my head. I use it all the time.

21           THE COURT: Okay. I'm going to quit talking.

22           MS. OPPENHEIMER: Mr. Graham testified that  
23      there was no additional footage of the bar. And the  
24      video provided -- clearly showed the entire  
25      altercation between Mr. Torrence and Mr. Chaplin.

1           Furthermore, with regards to the allegation  
2           that Donna Muszynski handed the victim something  
3           from her purse, we don't know what she handed him.  
4           Could have been a pen, it could have been a piece of  
5           gum, it could have been a Tic-Tac, it could have  
6           been a quarter. We just don't know. And the  
7           Applicant's mere speculation as to what it is, is  
8           just that, speculation.

9           Furthermore, her statement was given to the  
10          police before law enforcement found the cocaine and  
11          before she knew that law enforcement was aware that  
12          she had cocaine. All of this came out at trial.  
13          Even the fact that she lied to law enforcement about  
14          the cocaine in her purse came out at trial. Again,  
15          the jury was presented with that evidence.

16          With respect to the in-car video, the State  
17          would submit that there's no deficiency as Mr. Floyd  
18          attempted to enter the video, not only through  
19          Mr. Torrence, but also through Officer Griffin. And  
20          his strategy was to enter this video to show the  
21          Applicant's demeanor. However, the majority of the  
22          video, as Your Honor will see after reviewing it, he  
23          is just sitting there quietly not saying anything,  
24          just sitting in the back of the cop car.

25          It is only when the officer opens the door does



1       he state, how is the victim doing? As the trial  
2       court found, that is self-serving hearsay. His  
3       remorse for the victim does nothing but to boost his  
4       own credibility and to make it seem like he was  
5       remorseful.

6               Ms. Blanchette argued that it was present sense  
7       of impression or excited utterance. The State would  
8       submit that he was under no distress at that time.  
9       He appeared very calm sitting in that car. He  
10      wasn't agitated, he wasn't fidgeting. And there's  
11      testimony in the trial after the shooting that  
12      Mr. Torrence was very calm, turned to one of the  
13      witnesses and said, call them, referring to law  
14      enforcement.

15             Furthermore, there is no record of this 911  
16      call that Mr. Torrence allegedly made that  
17      Ms. Blanchette referenced at minute 28 of the video.  
18      The State attempted to look for it. There's  
19      absolutely no evidence. There were three 911 calls  
20      admitted, there were three 911 calls regarding this  
21      incident that morning or late night, none of them  
22      are from Mr. Torrence.

23             And, Your Honor, there's been some discussion  
24      about the contemptuous language charge. The State  
25      would submit this is a reasonable inference from the

1 testimony presented. Not only the language that he  
2 used with Mr. Buchanan, but also the language that  
3 he used towards Ms. Muszynski. Ineffective  
4 assistance of appellate counsel is a very high  
5 standard to meet.

6 Appellate counsel is not required to raise all  
7 meritorious issues on appeal. Mr. Hewitt testified  
8 that he believed the involuntary manslaughter charge  
9 was his strongest and he thoroughly advocated for  
10 Mr. Torrence through appeal at that time. And he --  
11 I apologize, I lost my train of thought. He  
12 testified earlier, I believe, that he did not want  
13 to weaken his strongest issue by raising other weak  
14 arguments.

15 And, in conclusion, Your Honor, the State would  
16 move to dismiss Mr. Torrence's motion to conform the  
17 allegations to the testimony presented here today.  
18 There has been no new information presented outside  
19 of the second amendment that Ms. Blanchette filed on  
20 behalf of Mr. Torrence, and we'd ask that you deny  
21 the application for postconviction relief.

22 THE COURT: Thank you.

23 Let me speak to counsel real quick.

24 (Sidebar conference.)

25 THE COURT: All right. The Court has heard all

1 of the testimony and evidence and arguments of both  
2 lawyers. I also want to commend counsel on both  
3 sides for vigorously trying their cases and for  
4 getting through the last two days. The Court will  
5 hold all the matters under advisement, and we're  
6 adjourned.

7 MS. BLANCHETTE: Thank you, Your Honor.

8 MS. OPPENHEIMER: Thank you, Your Honor.

9 -- END OF TRANSCRIPT OF RECORD --

## C E R T I F I C A T E

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

I, the undersigned, Bethanie K. Creppon, Circuit Court Reporter for the Eleventh Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete transcript of record of all the proceedings had and the evidence introduced in the hearing of the captioned cause, relative to appeal in the Circuit Court for Lexington County, South Carolina, on the 5th and 6th of November, 2018.

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

January 7, 2019

*s/Bethanie K. Creppon*Bethanie K. Creppon  
Circuit Court Reporter

# Incident Detail Report

Incident Status Closed  
Incident Number 080371273-L1329  
Incident Date 09/27/2008 23:44:57

## Incident Information

### Incident Type:

Priority: P3

Determinant:

Base Response #:

Confirmation #:

Taken By: RCSD2

Response Area:

Disposition: Clear Incident Report (RSI)

Cancel Reason:

Incident Status: Closed

Certification:

Longitude:

MGRS:

### Alarm Level:

Problem: Civil Disturbance In Progress

Agency: RCSD

Jurisdiction: RCSD

Division:

Battalion:

Response Plan:

Command Ch:

Primary TAC:

Alternate TAC:

Delay Reason:

Latitude:

UTM:

## Incident Location

Location Name:

Address: 2640 BROAD RIVER RD

Apartment:

Building:

City, State, Zip: RI, SC

County:

Location Type:

Cross Street: SEMINOLE RD

Tow Provider Area:

Map Reference: 19C5

## Call Receipt

Caller Name:

Method Received:

Caller Type:

Caller Address: L1329-20080927234457

Caller City, State, Zip: ,

Call Back Phone:

Caller Location:

Caller Apt/Bldg: /

Caller County:



**Time Stamps**

| Description            | Date       | Time     | User  |
|------------------------|------------|----------|-------|
| Phone Pickup           |            |          |       |
| 1st Key Stroke         |            |          |       |
| In Pending Queue       | 09/27/2008 | 23:44:57 |       |
| Call Taking Complete   | 09/27/2008 | 23:44:57 | RCSD2 |
| 1st Unit Assigned      | 09/27/2008 | 23:48:30 |       |
| 1st Unit Enroute       | 09/27/2008 | 23:49:13 |       |
| 1st Unit Arrived       | 09/27/2008 | 23:54:09 |       |
| Incident Under Control |            |          |       |
| Time Sent to Other CAD |            |          |       |
| Incident Closed        | 09/28/2008 | 00:42:49 |       |

**Elapsed Times**

| Description                 | Time     |
|-----------------------------|----------|
| Received to In Queue        |          |
| Call Taking                 |          |
| In Queue To 1st Assign      | 00:00:05 |
| Call Received to 1st Assign |          |
| Assigned to 1st Enroute     | 0:00:00  |
| Enroute to 1st Arrived      |          |
| Incident Duration           |          |

**ANI/ALI Calls**

No ANI/ALI Calls

**Units Assigned**

| Unit | Assigned               | Disposition | Enroute                    | Staged | At<br>Patient           | Delay<br>Avail | Complete                | Odm.<br>Enroute | Odm.<br>Arrived | Cancel Reason |
|------|------------------------|-------------|----------------------------|--------|-------------------------|----------------|-------------------------|-----------------|-----------------|---------------|
| R426 | 09/27/2008<br>23:48:30 | 511         | 09/27/20<br>08<br>23:49:13 |        | 09/27/200<br>8 23:54:09 |                | 09/28/200<br>8 00:42:49 |                 |                 |               |
| R420 | 09/27/2008<br>23:58:58 | hh:mm:ss    |                            |        | 09/27/200<br>8 23:58:59 |                | 09/28/200<br>8 00:10:42 |                 |                 |               |

**Personnel Assigned**

| Unit | Name                           |
|------|--------------------------------|
| R420 | TriTech Software Systems (TSS) |
| R426 | TriTech Software Systems (TSS) |
| R426 | TriTech Software Systems (TSS) |

**Pre-Scheduled Information**

No Pre-Scheduled Information

**Special Equipment**

No Special Equipment

**Transports**

No Transports

**Transport Legs**

No Transport Legs

**Comments**

| Date | Time | User | Type | Confidential | Comment |
|------|------|------|------|--------------|---------|
|------|------|------|------|--------------|---------|

|            |          |       |          |                                                             |
|------------|----------|-------|----------|-------------------------------------------------------------|
| 09/27/2008 | 23:44:57 | CPD1  | Response | RUSH'S/ BALLIGERANT INTOXICATED FEMALE ON SCENE             |
| 09/27/2008 | 23:48:30 | RCSD2 | Response | Res: R426 Disp                                              |
| 09/27/2008 | 23:49:07 | RCSD2 | Response | Changed Address From:RM                                     |
| 09/27/2008 | 23:49:07 | RCSD2 | Response | Changed Address To:RM/AAG                                   |
| 09/27/2008 | 23:49:13 | RCSD2 | Response | Res: R426                                                   |
| 09/27/2008 | 23:54:09 | RCSD2 | Response | Res: R426                                                   |
| 09/27/2008 | 23:58:58 | RCSD2 | Response | Res: R420 Disp                                              |
| 09/27/2008 | 23:58:59 | RCSD2 | Response | Res: R420                                                   |
| 09/27/2008 | 23:59:57 | RCSD2 | Response | R426 REQ FOR 10-56 SUBJ, MOTIONING LIKE SWALLOWED SOMETHING |
| 09/28/2008 | 00:00:04 | RCSD2 | Response | BUT UNIT CAN'T TELL                                         |
| 09/28/2008 | 00:09:27 | RCSD2 | Response | NOTIFIED                                                    |
| 09/28/2008 | 00:10:42 | RCSD2 | Response | Finish/Clear Resource Number: R420                          |
| 09/28/2008 | 00:42:02 | RCSD2 | Response | PAT WAS TRANSPORTED                                         |
| 09/28/2008 | 00:42:49 | RCSD2 | Response | Finish/Clear Resource Number: R426                          |

#### Address Changes

No Address Changes

#### Priority Changes

No Priority Changes

#### Transport Changes

No Transport Changes

#### Transport Priority Changes

No Transport Priority Changes

#### Alarm Level Changes

No Alarm Level Changes

#### Activity Log

| Date       | Time     | Unit | Activity   | Location | Log Entry              | User |
|------------|----------|------|------------|----------|------------------------|------|
| 06/26/2017 | 16:59:02 |      | UserAction |          | User clicked Exit/Save | JR   |
| 06/26/2017 | 16:59:31 |      | UserAction |          | User clicked Exit/Save | JR   |

#### Edit Log

No Edits

#### Custom Time Stamps

No Custom Time Stamps

#### Custom Data Fields

No Custom Data Fields

Report Generated: 06/26/2017 17:00:57.

## Case Number

No Case Numbers

## Attachments

No Attachments

## Dispositions

| Date       | Time     | Unit | Disposition                 | User          |
|------------|----------|------|-----------------------------|---------------|
| 10/08/2010 | 07:34:26 |      | Clear Incident Report (RSI) | Legacy System |
| 10/08/2010 | 07:35:34 | S202 | 11                          | Legacy System |
| 10/08/2010 | 07:35:34 | S221 | 511                         | Legacy System |

## Supplemental Person

| Name                    | Date of Birth | License Number | License State | Street Address | Apt. | City             | State                                                              | Zip   | Phone | SSN |
|-------------------------|---------------|----------------|---------------|----------------|------|------------------|--------------------------------------------------------------------|-------|-------|-----|
| ANREW TORRENCE SEC OFF, |               |                |               | RM/AAG         |      | COLUMBIA         | SC                                                                 | 29201 |       |     |
|                         | Gender        | Race           |               | Hair Color     |      | Eye Color        |                                                                    |       |       |     |
|                         | Weapon        |                |               | Age            |      | Flight Direction |                                                                    |       |       |     |
|                         | Hat           |                |               | Min Age        |      | Flight Mode      |                                                                    |       |       |     |
|                         | Jacket        |                |               | Max Age        |      |                  |                                                                    |       |       |     |
|                         | Shirt         |                |               | Height         |      | Characteristics  | ACT CODE: COM / HOME PHONE: 8034654609 / WORK PHONE: 803 [Ht.;Wt.] |       |       |     |
|                         | Pants         |                |               | Min Height     |      | Comments         |                                                                    |       |       |     |
|                         | Shoes         |                |               | Max Height     |      | Description      |                                                                    |       |       |     |
|                         | Facial        |                |               | Weight         |      |                  |                                                                    |       |       |     |
|                         | Glasses       |                |               | Min Weight     |      |                  |                                                                    |       |       |     |
|                         | Build         |                |               | Max Weight     |      |                  |                                                                    |       |       |     |

## Supplemental Property

No Supplemental Property

## Supplement Vehicle

No Supplemental Vehicles

## Supplemental Weapon

No Supplemental Weapons



LAW OFFICE OF  
**TRICIA A. BLANCHETTE**

June 15, 2017  
VIA HAND DELIVERY

Erika D. Moore, Columbia City Clerk  
1737 Main Street  
Columbia, SC 29201

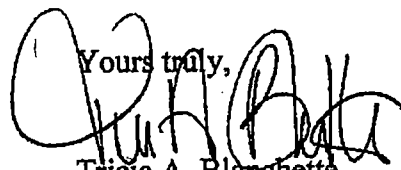
RE: Andrew Torrence v. State; Docket No.: 2015-CP-32-1993

Dear Madam Clerk:

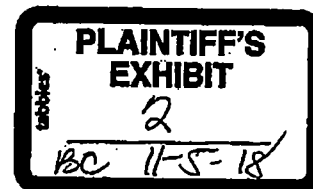
I represent Andrew Torrence on his PCR Application pending in Lexington County. I have enclosed a subpoena I received authorization to issue pursuant to the enclosed Order Authorizing Discovery.

I have also enclosed a letter from Britton All, Chief Legal Counsel for Richland County Sheriff's Department, in response to the subpoena previously issued in this matter. At his direction, I contacted dispatch and was given instructions to deliver this subpoena to your attention.

If you have any questions regarding the item(s) requested or need any additional information, please do not hesitate to contact me. Thank you for your assistance with this matter.

Yours truly,  
  
Tricia A. Blanchette  
Attorney at Law

cc: Office of the Attorney General (via email)



RECEIVED  
E. MOORE  
JUN 15 2017  
2:48 PM  
CITY OF COLUMBIA  
SC, USA

PO Box 2147 • LEESVILLE, SC 29070  
803.908.3266 • BLANCHETTELAW@GMAIL.COM  
1346

**STATE OF SOUTH CAROLINA**  
**ISSUED BY THE CIRCUIT COURT IN THE COUNTY OF LEXINGTON**

Andrew Torrence, 346350, Plaintiff

v.

SUBPOENA IN A CIVIL CASE

State of South Carolina, Defendant

Case Number: 2015-CP-32-1993

Pending in Lexington County

TO: Erika D. Moore, Columbia City Clerk, 1737 Main Street, Columbia, SC 29201

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME , AM

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME , AM

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents or objects:

Any and all records of calls coming in or dispatch made and/or records stemming from any calls made and responded to at Rush's located at 2640 Broad River Road, Columbia, SC 29210 from 9:00 p.m. on September 27, 2008 to 2:00 a.m. September 28, 2008.

PLACE  
Law Office of Tricia A. Blanchette  
PO Box 2147  
Leesville, SC 29201  
Email: blanchettelaw@gmail.com

DATE AND TIME July 15, 2017, AM

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME , AM

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature

Indicate if Attorney for Plaintiff or Defendant

Attorney's Address and Telephone Number:

PO Box 12725, Columbia, SC 29212 (803) 988-0008 blanchettelaw@gmail.com

June 15, 2017  
October 3, 2016

Date

Tricia A. Blanchette

Print Name

Clerk of Court/Issuing Officer's Signature

Date

Print Name

Pro. § Litigant's Name, Address and Telephone Number :

RECEIVED  
S. MOORE  
JUN 15 2017  
2:48pm  
City of Columbia  
City Clerk

## PROOF OF SERVICE

|           |                      |                  |                                                                                                                                           |
|-----------|----------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| SERVED    | DATE                 | <u>6/15/17</u>   | FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL<br><br><input type="checkbox"/> YES <input type="checkbox"/> NO   AMOUNT \$ |
|           | PLACE                | <u>City Hall</u> |                                                                                                                                           |
| SERVED ON | <u>Erica Moore</u>   |                  | MANNER OF SERVICE                                                                                                                         |
| SERVED BY | <u>Erica Polette</u> |                  | TITLE                                                                                                                                     |

## DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF SERVER

\_\_\_\_\_  
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

### (c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

**Moore, Erika**

17062769  
NVMP  
6/16/17  
6/22/17

**To:** Legal Review; Knox, Teresa A; Ardis, Shari  
**Cc:** Daniels, Schinikia (Niki)  
**Subject:** Subpoena

We just received a subpoena for Andrew Torrence v. State; Docket # 2015-CP-32-1993. The original documents are being placed in your box now.

Thank you,

Erika



**Erika D. Moore, CMC**  
City Clerk of Council  
1737 Main Street, Columbia, SC 29201  
Phone: 803.545.3043 / Fax: 803.255.8936  
Mail: [edmoore@columbiasc.net](mailto:edmoore@columbiasc.net)  
Web: [ColumbiaSC.net](http://ColumbiaSC.net)

*Please Comply.  
NMO 06/22/2017*





**Richland County Sheriff's Department**  
5623 Two Notch Road • Columbia, South Carolina 29223  
Office: (803) 576-3000  
WWW.RCSD.NET • SHERIFF@RCSD.NET

June 14, 2017

RE: Andrew Torrence v. State of South Carolina

Dear Ms. Blanchette,

I am in receipt of your enclosed subpoena as of today's date via email.

Please be advised that all emergency call and dispatch records are not maintained by the Richland County Sheriff's Department. Your subpoena is properly directed to the Richland-Columbia 911 Communications Headquarters, at 1800 Laurel Street.

The only records requested in your subpoena that would be in the custody of this Department are incident reports. According to the Records Department, there are no incident reports for 2640 Broad River Road on September 27, 2008 or September 28, 2008.

Please let me know if you have any other questions.

Sincerely,

A handwritten signature in cursive script that reads "Britton All".

Britton All  
Chief Legal Counsel  
Richland County Sheriff's Department

Enclosure: subpoena



STATE OF SOUTH CAROLINA )

IN THE COURT OF COMMON PLEAS  
ELEVENTH JUDICIAL CIRCUIT

COUNTY OF LEXINGTON )

2016 SEP 22 PM 2:16 CASE NO.: 2015-CP-32-1993

ANDREW E. TORRENCE, JR. #346350, BRIGG  
CLERK OF COURT  
vs. LEXINGTON, SC )

MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET

**COPY**

STATE OF SOUTH CAROLINA )

Defendant. )

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                     |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Plaintiff's Attorney:</b><br>Tricia A. Blanchette, Bar No. 74904<br>Address:<br>PO Box 12725, Columbia, SC 29211<br>Phone: 803-988-0008 Fax 803-988-8070<br>E-mail: blanchettelaw@gmail.com Other: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  | <b>Defendant's Attorney:</b><br>Johanna C. Valenzuela, Bar No. _____<br>Address:<br>PO Box 11549, Columbia, SC 29211<br>Phone: 803-734-3737 Fax _____<br>E-mail: _____ Other: _____ |  |
| <input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)<br><input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)<br><input checked="" type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                     |  |
| <b>SECTION I: Hearing Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                     |  |
| Nature of Motion: _____<br>Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES/ <input type="checkbox"/> NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                     |  |
| <b>SECTION II: Motion/Order Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                     |  |
| <input type="checkbox"/> Written motion attached<br><input checked="" type="checkbox"/> Form Motion/Order<br>I hereby move for relief or action by the court as set forth in the attached proposed order.<br><div style="display: flex; justify-content: space-between;"><div>Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant</div><div>September 21, 2016<br/>Date submitted</div></div>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                     |  |
| <b>SECTION III: Motion Fee</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                     |  |
| <input type="checkbox"/> PAID - AMOUNT: \$ _____<br><input checked="" type="checkbox"/> EXEMPT:<br>(check reason) <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support<br><input type="checkbox"/> Domestic Abuse or Abuse and Neglect<br><input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party<br><input type="checkbox"/> Sexually Violent Predator Act <input checked="" type="checkbox"/> Post-Conviction Relief<br><input type="checkbox"/> Motion for Stay in Bankruptcy<br><input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC)<br><input type="checkbox"/> Proposed order submitted at request of the court; or,<br>reduced to writing from motion made in open court per judge's instructions<br>Name of Court Reporter: _____<br><input type="checkbox"/> Other: _____ |  |                                                                                                                                                                                     |  |
| <b>JUDGE'S SECTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                     |  |
| <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order.<br><input type="checkbox"/> Other: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | JUDGE CODE _____<br>Date: _____                                                                                                                                                     |  |
| <b>CLERK'S VERIFICATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                     |  |
| Collected by: _____ Date Filed: _____<br><input type="checkbox"/> MOTION FEE COLLECTED: \$ _____<br><input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |                                                                                                                                                                                     |  |

SCCA 233 (11/2003)



**COPY**

STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
COUNTY OF LEXINGTON ) DOCKET NO.: 2015-CP-32-1993

Andrew E. Torrence, Jr. 246350 )

v. )

State of South Carolina, )  
Respondent, )

2015 SEP 22 PM 2: 16  
BETTA CARRIGG  
CLERK OF COURT  
LEXINGTON SC

ORDER AUTHORIZING DISCOVERY

**COPY**

This matter comes before the Court by way of an Application for Post Conviction Relief filed on June 1, 2015. On June 14, 2016, Applicant through counsel filed a Motion for Discovery. The State submitted a Return to Motion for Discovery on or about July 14, 2016. A motion hearing was conducted at the Lexington County Courthouse on August 3, 2016 in front of the Honorable Edward W. Miller. Applicant was present and represented by Tricia A. Blanchette, Esquire. Johanna C. Valenzuela, Senior Assistant Deputy Attorney General, appeared on behalf of the State.

At the motion hearing and by way of the written motion, counsel explained that she reviewed and obtained copies of trial and appellate counsel's file. Thereafter, she provided and reviewed the copied file with Applicant. After reviewing and discussing the case documents provided, it was apparent that a request for discovery was needed to properly prepare Applicant's case for an evidentiary hearing and to determine what witnesses are necessary to be called at an evidentiary hearing. Additionally, a request for discovery was needed due to the utilization of expert(s) and a private investigator. To ensure that Applicant and counsel have the case materials needed to properly prepare his case for an evidentiary hearing, counsel moved this Court for the opportunity to issue subpoenas to the appropriate people, offices or agencies for the production of the following case files/materials pursuant to S.C. Code Ann. §17-27-150(a) (2008) limited



to those files/materials that were subject to discovery during the underlying criminal proceeding:

1. Authorization to issue a subpoena to Richland County Sheriff's Department for any and all records stemming from any calls made from and responded to at the Rush's (located at 2640 Broad River Road, Columbia, SC 29210) during Applicant's shift hours on September 27-28, 2008.
2. A copy of all audio and video recordings and 911 records that were subject to discovery prior to the underlying trial from the Lexington County Solicitor's Office and if not available from the Solicitor's Office, from the Lexington County Sheriff's Department.
3. A copy of all trial exhibits, including audio and video recordings, from the Lexington County Clerk of Court.

Applicant further requested the opportunity for his counsel, private investigator and expert(s) to review any and all requested materials that cannot be copied or provided to counsel.

Respondent noted that 911 calls were part of the trial record and argued there was no good cause for records from the Rush's when Applicant was captured on camera committing the shooting and malice was not an element at issue. Counsel for Applicant explained to the Court that she was not asking to go on a fishing expedition, but she needed the opportunity to complete the requested inquiries and obtain the requested items to assist Applicant in determining the legitimacy of allegations to be raised and properly preparing to meet the burden of proof placed on Applicant. Simply put, counsel was making the request to ensure that Applicant obtained "one full bite of the apple."

Based upon a showing of good cause, this Court finds that Applicant's request shall be granted in part as addressed below to ensure that Applicant, through counsel, can properly prepare his Application for an evidentiary hearing. Therefore, Applicant, through counsel, shall be allowed to issue subpoenas to the appropriate people, offices or

agencies for the production of the following case files/materials pursuant to S.C. Code

Ann. §17-27-150(a) (2008):

1. From the Richland County Sheriff's Department, any and all records stemming from any calls made from and responded to at the Rush's (located at 2640 Broad River Road, Columbia, SC 29210) during Applicant's shift hours on September 27-28, 2008.
2. Applicant's counsel must review the trial exhibits and provide a list of all audio and video recordings, to include 911 calls or 911 records, that are part of the trial exhibits to the Solicitor's Office. Thereafter, the Lexington County Solicitor's Office shall provide any audio or video recordings, to include 911 calls or 911 records, in its possession that were not included as trial exhibits.
3. A copy of the trial exhibits from the Lexington County Clerk of Court.

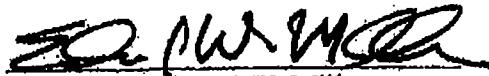
This Court further grants Applicant's request for his counsel, private investigator and/or experts to review any and all requested materials that cannot be copied or provided to counsel. This Court finds that Applicant, through counsel, should provide Respondent with all discovery received pursuant to this Order. This Court further finds that if a party fails to comply or does not have a file or requested item to produce, a written explanation must be provided for the failure to produce said file or item to Applicant's counsel.

**IT IS THEREFORE ORDERED:**

1. That Counsel for Applicant is permitted to serve a subpoena and/or submit a written request, along with a copy of this Order, upon the above listed agencies or entities for the production of the above listed items.
2. That any parties in receipt of a subpoena pursuant to this Order may file a timely objection, which will be addressed by this Court.

AND, IT IS SO ORDERED this 15 day of September, 2016.

Beale, South Carolina

  
Honorable Edward W. Miller  
Presiding Circuit Court Judge

BEETHA CARRIGG  
CLERK OF COURT  
LEXINGTON SC

2016 SEP 22 PM 2:16

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

IN THE COURT OF COMMON PLEAS  
DOCKET NO.: 2015-CP-32-1993

2016 SEP 22 PM 2:16

Andrew E. Torrence, Jr., #346350, )

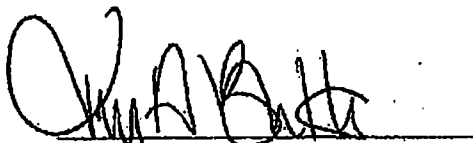
Applicant CARRIGG  
v. CLERK OF COURT CERTIFICATE OF SERVICE  
LEXINGTON, SC

State of South Carolina, )  
Respondent, )

**COPY**

I, Tricia A. Blanchette, Attorney for Applicant, hereby certify that I placed in the United States Mail this 21<sup>st</sup> day of September 2016, a copy of an Order for Discovery to Johanna C. Valenzuela of the Attorney General's Office, at:

Office of the Attorney General  
Att: Johanna C. Valenzuela, Sr. Ast. Deputy AG  
P.O. Box 11549  
Columbia, SC 29211-1549



Tricia A. Blanchette  
PO Box 12725  
Columbia, SC 29211  
(803) 988-0008

September 21, 2016

## CURRICULUM VITAE

TORA L. BRAWLEY



### EDUCATION:

|                            |     |                                                                                                                                     |
|----------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------|
| 1986                       | BA  | The University of Texas, Austin, Texas<br>Major: Pre Med/Psychology Minor: Sociology                                                |
| 1988                       | MA  | California School of Professional Psychology<br>Major: Clinical Psychology Proficiency: Neuropsychology<br>(Full APA Accreditation) |
| 1992                       | PhD | California School of Professional Psychology<br>Major: Clinical Psychology Proficiency: Neuropsychology<br>(Full APA Accreditation) |
| INTERNSHIP                 |     | Baylor College of Medicine, Department of Psychiatry<br>Houston, Texas (Full APA Accreditation)                                     |
| POSTDOCTORAL<br>FELLOWSHIP |     | Duke University Medical Center, Department of<br>Psychiatry/Medical Psychology<br>Durham, North Carolina                            |

### ACADEMIC HONORS:

|           |                                                           |
|-----------|-----------------------------------------------------------|
| 1985-1986 | Dean's List, University of Texas at Austin                |
| 1986-1990 | Dean's List, California School of Professional Psychology |

### LICENSES:

|              |                                                                                                                          |
|--------------|--------------------------------------------------------------------------------------------------------------------------|
| 1999-Current | Licensed Clinical Psychologist<br>State of South Carolina (License Number 752)                                           |
| 2012-Current | Temporary Practice Certificate, Board of Psychology<br>State of Mississippi                                              |
| 1997-2000    | Licensed Clinical Psychologist and Certified Health Services Provider<br>State of North Carolina (License Number PP2327) |
| 1993-2012    | Certified and Licensed Clinical Psychologist<br>State of Texas (License Number 24914)                                    |

## **PROFESSIONAL EXPERIENCE:**

- CURRENT     **Private Practitioner**  
Forensic Neuropsychology, Columbia, South Carolina
- 1999-2013     **Assistant Professor**  
South Carolina School of Medicine, Department of Neuropsychiatry and Behavioral Science, Columbia, South Carolina
- 1999-2002     **Clinical Psychologist - Forensic Neuropsychology**  
William S. Hall Psychiatric Institute - Forensic Unit, South Carolina Department of Mental Health, Columbia, South Carolina
- 1999-2002     **Faculty for Technical Trial Advocacy Course**  
National College of District Attorneys, Columbia, South Carolina
- 1999           **Neuropsychological Consultant**  
National Hockey League, Carolina Hurricanes, Raleigh, North Carolina
- 1998-1999     **Clinical Neuropsychologist**  
WakeMed Hospital, Rehabilitation Unit, Department of Neuropsychology, Raleigh, North Carolina
- 1997-1998     **Post-Doctoral Fellow/Clinical Associate**  
Duke University Medical Center, Department of Psychiatry/Medical Psychology, Durham, North Carolina
- 1992-1997     **Assistant Professor**  
Baylor College of Medicine, Department of Neurology, Houston, Texas.
- 1995-1997     **Co-Director**  
Baylor Post-Concussion Neurobehavioral Clinic, Baylor College of Medicine, Department of Neurology, Houston, Texas.
- 1990-1992     **Research Associate**  
Baylor College of Medicine, Department of Neurology, Houston, Texas.
- 1989-1990     **Psychology Intern**  
Baylor College of Medicine Outpatient Psychiatric Clinic, Houston, TX.
- 1989-1990     **Psychology Intern**  
Ben Taub General Hospital Emergency Room, Psychiatric Unit and Consultation and Liaison Service, Houston, Texas.
- 1989-1990     **Psychology Intern**  
Depelchin Children's Home, Cullen Bayou Place Outpatient Clinic, Houston, TX
- 1989-1990     **Psychology Intern**  
Transitional Learning Center Head Injury Rehabilitation, Galveston, Texas.

### **PROFESSIONAL EXPERIENCE (CONT.)**

- 1988-1989     Psychological Trainee  
Fresno Community Hospital, Rehabilitation Psychology Department,  
Fresno, California.
- 1988           Intake Counselor  
Baylor College of Medicine, Sex Offender Treatment Program, Department of  
Psychology, Houston, Texas.
- 1987-1989     Neuropsychological Assistant  
Baylor College of Medicine, Dept. of Neurology, Houston, Texas.
- 1987-1988     Psychological Trainee  
United States Air Force Mental Health Clinic, Castle Air Force Base, Atwater,  
California.
- 1987           Psychological Trainee  
Bullard High School, Scandinavian Jr. High and Jackson Elementary Schools,  
Fresno, California.
- 1986           Psychological Technician  
Medical Personnel Pool, Houston, Texas.  
Placement: Harris County Psychiatric Hospital
- 1985           Mental Health Worker  
Deer Park Psychiatric Hospital, Deer Park, Texas.
- 1985           Mental Health Worker  
Austin State Hospital, Travis Unit, Austin, Texas.
- 1984           Volunteer Services  
Texas Children's Hospital, Houston, Texas.
- 1984           Mental Health Worker  
Extend-A-Care Program, Autistic Unit, Austin, Texas.

### **RESEARCH EXPERIENCE:**

- 1987           Research Assistant  
California School of Professional Psychology, Fresno, California.
- 1984           Research Assistant  
Biopsychology Laboratory, University of Texas, Austin, Texas.

### **COMMUNITY CONSULTATION EXPERIENCE:**

- 1990-1997      Counselor, Muscular Dystrophy Association ALS Clinic, Houston, Texas.
- 1989-1990      Psychological Service Provider, Women's Christian Halfway House, Houston, Texas.
- 1989-1990      Psychology Intern, placed in Mid City Community Mental Health Center, Houston, Texas.
- 1988            Alzheimer's Disease Association family support group, Fresno, California.

### **PUBLICATIONS AND INVITED LECTURES:**

- Brawley, T.L. (2009, April). Forensic Neuropsychology. Presented at USC School of Medicine, Columbia, South Carolina.
- Brawley, T.L. (2005, June). Introduction to Forensic Neuropsychology. Presented to Center for Capital Litigation, Columbia, South Carolina.
- Brawley, T.L. (2004, March). Forensic Neuropsychology. Presented at William S. Hall Institute as Part of the Forensic Psychiatry Special Topics Seminar, Columbia, South Carolina.
- Brawley, T.L. (2003, February). Forensic Neuropsychological Assessment. Presented to Forensic Fellowship Program, William S. Hall Psychiatric Institute, Columbia, South Carolina.
- Brawley, T.L. (2003, January). Neuropsychological Assessment: Basic Overview for Psychiatrists. Presented to General Psychiatry Residency Program, University of South Carolina School of Medicine, Columbia, South Carolina.
- Buchman, A. L., Sohel, M., Brown, M., Jenden, D., Ahn, C., Roch, M., & Brawley, T. L. (2001). Visual Memory Improves Following Choline Supplementation in Long-Term Total Parenteral Nutrition. JPEN 25: 30-35.
- Brawley, T.L. (2000, May). Neuropsychological Evaluation of Traumatic Brain Injury: Forensic Implications. Presented to Forensic Grand Rounds, William S. Hall Psychiatric Institute, Columbia, South Carolina.
- Lande, R.G, Crawford, P., Shea S., Tezza, C, Brawley, T. (2000, January). How To Meet Your Duty to Provide Competent Legal Representation to Your Mentally Ill Client. Presented to Midyear Meeting of the South Carolina Bar, Charleston, South Carolina.
- Brawley, T.L. & Fowles, G. (1999, April). Functional Neuroanatomy and Brain Injury. Presented to WakeMed Rehab Brain Injury System Training Program, Raleigh, North Carolina.
- Brawley, T. L. & Harrison, K. W. (1996, November). Mild Traumatic Brain Injury In the Managed Care Environment. A paper presented to the Brain Injury Association National Symposium, Dallas, Texas.



### **PUBLICATIONS AND INVITED LECTURES (CONT.):**

- Brawley, T. L., Cooke, N & Roll, P. (1996, September). The Neuropsychological Evaluation: Utility in a Neurology Setting. Presented to the Neuroscience Conference, Baylor College of Medicine, Department of Neurology, Houston, Texas.
- Brawley, T. L. & Harrison, K. W. (1995, November). The Problem of Mild Traumatic Brain Injury. A paper presented to the Texas Psychological Association Annual Conference, San Antonio, Texas.
- Brawley, T. L. & Harrison, K. W. (1995, October). The Post-Concussive Patient. Invited lecture To the Family Practice Residency Program, St. Joseph's Hospital, Houston, Texas.
- Brawley, T. L. (1995, February). A Basic Overview of Neuropsychology. Invited lecture, Our Lady of the Lake University, Houston, Texas.
- Brawley, T. L. & Lai, E. (1993, November). Perspectives of the Patient Evaluation. Paper presented at Alzheimer's Disease: Insights, Research and Decisions Conference, Houston, Texas.
- Brawley, T. L. & Cooke, N. (1993, May). Mood Disorders and Memory Loss: Strategies to Remember. Presented to the Depressives and Manic Depressives Association (DMDA) support group, Houston, Texas.
- Brawley, T. L. (1992). Alzheimer's disease and multi-infarct dementia: Neuropsychological and magnetic resonance correlates. Dissertation Abstract International, 53/11B, 6029.
- Brawley, T. L. (1992, November). Handling Selective Behaviors in Dementia Patients. Paper presented at Harris County Hospital District Community Health Workshop.
- Brawley, T. L. (1991, November). Ethical Issues in Alzheimer's Disease. Paper presented at Alzheimer's Disease: Pathways to Discovery Conference, Houston, Texas.
- Brawley, T. L. (1991, June). Neuropsychological Testing: Basic Concepts, Ideas and Applications. Presented to Baylor College of Medicine medical students, Alzheimer's Disease Research Center, Department of Neurology.
- Pirozzolo, F. J., Bonnefil, V., Brawley, T. (1991). Development of the embryonic, fetal and neonatal nervous system. In J. W. Gray & R. S. Dean (Eds.), Neuropsychology of Perinatal Complications (pp. 22-58). New York: Springer Press.
- Brawley, T. L., & Cooke, N. (1991, April). Neuropsychological performance in Alzheimer's disease. Presented to the Neuroscience Conference, Baylor College of Medicine, Department of Neurology, Houston, Texas.
- Cooke, N., & Brawley, T. L. (1991, April). Neuropsychological Performance in Dementia and Pseudodementia. Presented to the Neuroscience Conference, Houston, Texas.

**REFERENCES:** Available Upon Request

**Curriculum Vitae**  
***DONNA SCHWARTZ MADDOX***

**POSITIONS:**

Owner, Donna S. Maddox, MD LLC

**Contract Forensic Psychiatrist**  
Department of Mental Health

**Clinical Professor of Psychiatry**  
Medical University of South Carolina  
Department of Psychiatry and Behavioral Sciences

**Affiliated Clinical Associate Professor of Psychiatry**  
University of South Carolina School of Medicine-Greenville  
Department of Psychiatry

**Professor of Psychiatry**  
Edward Via College of Osteopathic Medicine  
Carolinas Campus

**PROFESSIONAL LICENSURE:**

South Carolina Medical License # 16574  
Georgia Medical License #74584

**EDUCATION:**

|             |                                                                                                   |
|-------------|---------------------------------------------------------------------------------------------------|
| 1981 - 1985 | B.A. Psychology<br>Furman University<br>Greenville, South Carolina                                |
| 1985 - 1989 | Doctor of Medicine<br>University of South Carolina School of Medicine<br>Columbia, South Carolina |

**BOARD CERTIFICATIONS:**

Diplomate, Psychiatry, (Board Certification #40726), January 1995,  
recertified 7/05- 12/2015  
Added Qualifications in Forensic Psychiatry, July 1996 #471, recertified  
7/06-12/16



**POSTGRADUATE FELLOWSHIPS AND RESIDENCY POSITIONS:**

- 1989 - 1993      Resident in General Psychiatry  
William S. Hall Psychiatric Institute  
Columbia, South Carolina
- 1993 - 1994      Fellowship in Forensic Psychiatry  
William S. Hall Psychiatric Institute  
Columbia, South Carolina

**ACADEMIC POSITIONS/EMPLOYMENT/UNIVERSITY APPOINTMENTS:**

- 8/2016-4/2018      Contract Psychiatrist  
Harris Psychiatric Hospital
- 8/2013-8/2016      Psychiatric Service Director(certified)  
Harris Psychiatric Hospital
- 7/2010-8/2013      Senior Psychiatrist  
Bryan Psychiatric Hospital
- 4/24/13 to present      Clinical Professor of Forensic Psychiatry  
Medical University of South Carolina  
Department of Psychiatry and Behavioral Sciences
- 7/2010 to 2015      DMH Professor of Psychiatry  
University of South Carolina School of Medicine  
Department of Neuropsychiatry
- 7/2006-7/2010      Professor of Clinical Psychiatry  
Director, Forensic Psychiatry Services  
University of South Carolina School of Medicine  
Department of Neuropsychiatry and Behavioral Science  
3555 Harden Street Extension, Suite 102  
Columbia, South Carolina 29203  
(803) 434-4698      (803) 434-2367 (fax)
- Consulting and Treating Forensic Psychiatrist  
South Carolina Department of Juvenile Justice
- Consulting and Treating Forensic Psychiatrist  
South Carolina Department of Corrections

|                  |                                                                                                                                                                                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/98-6/2009     | Consulting and Treating Forensic Psychiatrist<br>Behavioral Disorders Treatment Program<br>(Sexually Violent Predator Program: SC 44-48-110)<br>South Carolina Department of Mental Health |
| 6/1997- 7/2006   | Associate Professor<br>Director, Forensic Services<br>Department of Neuropsychiatry<br>University of South Carolina School of Medicine                                                     |
| 1/2004-7/2004    | Acting Assistant Director, Psychiatry Residency Program<br>University of South Carolina School of Medicine<br>Department of Neuropsychiatry and Behavioral Science                         |
| 9/1995-5/1997    | Forensic Residency Training Director<br>University of South Carolina School of Medicine                                                                                                    |
| 7 /1996 – 6/1997 | Psychiatrist C William S. Hall Psychiatric Institute<br>Residential Treatment Director of NGRI Unit                                                                                        |
| 1/1995 – 6/1996  | Teaching Psychiatrist II William S. Hall Psychiatric Institute<br>Out-patient Forensic Psychiatrist                                                                                        |
| 1/1995 – 12/1997 | Assistant Professor University of South Carolina School of Medicine<br>Department of Neuropsychiatry                                                                                       |
| 7/1994 –6/1995   | Instructor University of South Carolina School of Medicine<br>Department of Neuropsychiatry                                                                                                |
| 7/1994 – 12/1994 | Teaching Psychiatrist I William S. Hall Psychiatric Institute<br>In-patient and Out-patient Forensic Psychiatrist                                                                          |

#### **MEDICAL STAFF APPOINTMENTS**

Patrick B. Harris Psychiatric Hospital (current)  
Bryan Psychiatric Hospital (current)

#### **UNIVERSITY/ MEDICAL STAFF COMMITTEES:**

|            |                                                           |
|------------|-----------------------------------------------------------|
| 2015-2016  | Vice-President, Medical Staff Harris Psychiatric Hospital |
| 2007-2010  | Member, Appointments and Promotions Committee, USC        |
| 2002- 2009 | Member, Alumni Committee, USC School of Medicine          |
| 1996- 2010 | Member, Residency Selection Committee                     |

|            |                                                                                                   |
|------------|---------------------------------------------------------------------------------------------------|
| 1995- 2010 | Member, Residency Training Committee                                                              |
| 2002- 2003 | Member, Search Committee, Chairman of Neuropsychiatry                                             |
| 2000-2001  | Member, Committee on Women USC                                                                    |
| 1997       | Member, Traditions Committee USCSM                                                                |
| 1997       | Member, Search Committee, Director Rehabilitation Counseling                                      |
| 1997       | Physician Advisor, Environment of Care                                                            |
| 1996       | Member, Search Committee Chair of Department of Neuropsychiatry and<br>Director of Hall Institute |
| 1996       | Member, Finance Committee, University Specialty Clinics                                           |
| 1994-1996  | Member, Infection Control Committee                                                               |
| 1993-1994  | Member, Research Committee                                                                        |

#### **HONORS AND AWARDS:**

|           |                                                                                                                      |
|-----------|----------------------------------------------------------------------------------------------------------------------|
| 2017      | Gold Humanism Award Greenville Hospital System                                                                       |
| 2016      | Clinical Mentor Award, University of South Carolina School of Medicine,<br>Greenville, South Carolina                |
| 2007      | Outstanding Female Physician Mentor Award                                                                            |
| 2004-2005 | Outstanding Forensic Teaching Award<br>Presented by the USC SOM Forensic Fellowship Training Program                 |
| 1992      | Rappeport Scholarship in Forensic Psychiatry<br>Presented by the American Academy of Psychiatry and the Law          |
| 1989      | Neurology Award, School of Medicine                                                                                  |
| 1985      | Cum Laude Graduate, Furman University<br>Phi Beta Kappa, Furman University<br>Alpha Epsilon Delta, Furman University |

#### **MEMBERSHIPS AND OFFICES IN PROFESSIONAL ORGANIZATIONS:**

|            |                                                                                                                                                                                                                                                                                  |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2002-2009  | American Board of Psychiatry and Neurology<br>Forensic Certification Committee                                                                                                                                                                                                   |
| 1999-2009  | American Board of Psychiatry and Neurology<br>1999-2010 Board Examiner                                                                                                                                                                                                           |
| 1997-2003  | Group for the Advancement of Psychiatry (GAP), General Member<br>1999 Chair                                                                                                                                                                                                      |
| 1992- 2014 | American Academy of Psychiatry and the Law (AAPL)<br>1995-2000 Rappeport Committee (President appointed)<br>1995-2000 Education Committee (President appointed)<br>1998-2000 Program Committee (President appointed)<br>1999 Program Chair<br>1995-97 Mentor to Rappeport Fellow |

- 1989-1998 American Psychiatric Association, General Member
- 1989-1998 South Carolina Psychiatric Association  
1995-1998 Federal Legislative Representative (President appointed)  
1995-1999 Executive Council  
1996-1998 Secretary-Treasurer
- 1997 NAMI Advisory Board Physician Representative

#### PUBLICATIONS:

Dehart, D., Dwyer, G., Seto, M., Letourneau E., Schwartz-Watts, D. Internet solicitation of children. A proposed typology of offenders based on their chats, E-mails and social network posts. *Journal of Sexual Aggression*, 2016

Schwartz-Watts DM: "Commentary: Stalking Risk Profile." *The Journal of the American Academy of Psychiatry and the Law*, 34:455-457, 2006.

Schwartz-Watts DM, Frierson RL: "20: Crisis Stabilization in Correctional Settings." in *Clinical Practice in Correctional Medicine*, Second Edition, edited by Michael Puisis, D.O., S.C. Mosby, Inc affiliate of Elsevier, Inc 2005.

Schwartz-Watts DM. "Asperger's Disorder and Murder." Analysis & Commentary *The Journal of the American Academy of Psychiatry and the Law* 33:390-3, 2005.

Schwartz-Watts DM, Rowell CN. "Commentary: Update on Assessing Risk for Violence Among Stalkers." *The Journal of the American Academy of Psychiatry and the Law* 31:440-3, 2003.

Giorgi-Guarnieri D, Zonana HV, Schwartz-Watts DM. "Practice Guideline: Forensic Psychiatric Evaluation of Defendants Raising the Insanity Defense." Supplement to *The Journal of the American Academy of Psychiatry and the Law* 30:2, 2002.

Frierson R, Schwartz-Watts D, Malone T, Morgan D. "Capital Versus Noncapital Murderers" in revision *The Journal of the American Academy of Psychiatry and the Law*, 1998.

Schwartz-Watts D, Morgan D. "Violent Versus Nonviolent Stalkers," accepted, *The Journal of the American Academy of Psychiatry and the Law*, 1998.

Schwartz-Watts D, Morgan D, Barnes C. "Stalkers: The South Carolina Experience," *The Journal of the American Academy of Psychiatry and the Law*, 1997, 24:541-545.

Schwartz-Watts D, Montgomery L, Morgan D. "Seroprevalence of Human Immunodeficiency Virus Among Pre-Trial Detainees," *The Bulletin of the American Academy of Psychiatry and the Law*, 1995, 23:285-289.

**POSTERS:**

Internet Chat Rooms: Who Solicits Children? R. Gregg Dwyer, MD, EdD, Donna Schwartz-Watts MD, William Burke, PhD, American Academy of Psychiatry and the Law 39<sup>th</sup> Annual Meeting, Seattle, WA October, 2008

**PRESENTATIONS:**

"Mass Murderers and Mental Illness" 5/18/18 Southeastern Symposium Mental Health, Greenville, South Carolina

"How To make Your Expert Shine" 2/7/18 Deep South Capital Defense Conference, Bay St. Louis Mississippi

"Communicating with Clients: 2/7/18 Deep South Capital Defense Conference, Bat St. Louis, Mississippi

"Truths and Myths About Mass Murder" 9/15/17, Department of Mental Health Day Long CME, Columbia SC

"How To Make Your Expert Shine" South Carolina Attorney General CLE, January 20, 2017 Columbia, SC

"Expert Testimony" Lecture to Medical University of South Carolina Forensic Residents, Charleston, SC 1/13/16

"Death Penalty and South Carolina" Lecture to Medical University of South Carolina Forensic Residents, Charleston, South Carolina, February 6, 2013

"Autistic Spectrum Disorders; What Capital Lawyers Should Know." Death Penalty 2013, Sheraton Four Seasons, Greensboro January 25, 2013

"Predators Among Us" University of South Carolina 2012 Mini Med School, October 2, 2012, Columbia, South Carolina

"How Death is Different-Using ABA Guidelines to Meet the Standard of Care in Death Penalty Cases and Social History Investigations: The team Approach" with Joe VonKallist, Capital Case Workshop, September 19, 2012, Wilmington, North Carolina

"Protecting Mental Health" South Carolina Attorney General's Continuing Legal Education Ethics Seminar, Blatt Building, Columbia, SC 12/2/11

"Autistic Spectrum Disorders and the Legal System ", DMH Annual CME, William S Hall Psychiatric Institute 9/11

"Issues of Mental Competency" South Carolina Circuit Court Judges Conference, Spartanburg, South Carolina, May 4-6, 2011

"Stalking in the New Millennium": Department of Mental Health Day Long CME, Columbia SC, October 2009

"Internet Predators": South Carolina Psychiatric Association Annual Meeting, Myrtle Beach, South Carolina, 1/2009

"Internet Predators": Panel Speaker, South Carolina Bar Association Annual Meeting, Myrtle Beach South Carolina, 1/2009

Internet Predators: ICAC Quarterly Meeting, Columbia, South Carolina 11/21/2008

Project Safe Childhood, Advanced Online Child Exploitation Seminar, National Advocacy Center Columbia, SC, July 29, 2008

"Violent Crimes and the Commitment of Sexually Violent Predators, MUSC Judges and Attorneys Substance Abuse and Ethics Seminar, Charleston, South Carolina, December 7, 2007

"Autistic Spectrum Disorders and Corrections" South Carolina Department of Corrections Mental Health Seminar, Columbia, South Carolina, December, 2007

"Pitfalls in Sex offender Commitment Hearings" Panel Speaker, American Academy of Psychiatry and the Law 38<sup>th</sup> Annual meeting, Miami, Florida, October 22, 2007

"Treating the Untreatable" Panel Speaker, American Academy of Psychiatry and the Law 38<sup>th</sup> Annual Meeting, Miami, Florida, October 19, 2007

"Risk Assessment in General Psychiatry: Department of Mental Health Annual Day Long CME, Columbia, SC September 21, 2007

"Mitigation in Noncapital Cases" SC Public Defender's Conference, Myrtle Beach, SC October 2007.

"Nuts and Bolts of Sexually Violent Predator Proceedings" SC Bar CLE, Columbia, South Carolina July 27, 2007

University of South Carolina School of Medicine Founder's Day Speaker for Woman in Medicine, Columbia, South Carolina, April 2007.

"Autistic Spectrum Disorders and Mitigation," Washington DC March 2007

"Sex Crimes and their Aftermath II" Panel Discussion and Presentation, Jack Swerling Moderator, South Carolina Bar Association Conference, Charleston, SC, January 25, 2007



"Psychiatry for the Brilliant Fact Finders" Invited Speaker, South Carolina Judges Conference, Greenville, SC, May 12, 2006.

"Sex Crimes and their Aftermath" Panel Discussion and Presentation, Jack Swerling Moderator, South Carolina Bar Association Conference, Charleston, SC January 27, 2006.

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice National Institute of Trial Advocacy, Atlanta Georgia , June 4-5, 2005

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice National Institute of Trial Advocacy, Atlanta Georgia , June 5-6, 2004

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice National Institute of Trial Advocacy, New York, New York, June 20-21, 2003

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice, New York, New York. June 20-22, 2002.

South Carolina Probation, Paroles and Pardons Annual Conference. "A State of Mind". Myrtle Beach, SC. November 11, 2002.

American Academy of Psychiatry and the Law, "Difficult Case? Consult your Colleagues." Newport Beach, California. October 26, 2002

South Carolina Public Defender's Conference, "Issues and Concerns Regarding the Sexually Violent Predator Statue" Litchfield Beach, South Carolina, September 30, 2002

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice, New York, New York, June 28-30-2002.

American Academy of Psychiatry and the Law, "Death Penalty" Boston, MA, October 28, 2001

American Academy of Psychiatry and the Law, "Ask the Expert" and "The Difficult Case" Panel Discussions. Boston, MA, October 28, 2001

Habeas Institute, Guest Faculty Teaching for the Federal Defenders, US Department of Justice, New York, New York, June 14-17-2001.

Annual Capital Defense Training Seminar, "The Importance of Timing in the Presentation of Your Client's Story: Frontloading Mitigation" with John Blum, Attorney, Jekyll Island, Georgia, February 9, 2001

University of Texas, Department of Psychiatry Grand Rounds "Profile of a Stalker" San Antonio, Texas, December 19, 2000

Willford Hall Medical Center, Lackland Air Force Base, Texas, "Death Penalty Evaluations,"  
December 18, 2000.

Willford Hall Medical Center, Lackland Air Force Base, Texas, "Texas Sexually Violent Predator  
Statute," December 18, 2000

American Academy of Psychiatry and the Law, "Juveniles Who Carry Weapons on School Grounds"  
Baltimore, Maryland, October 15, 1999

American Academy of Forensic Science, Workshop Presenter, San Francisco, 1998 "Classification  
and Typology of Stalkers."

Kansas City, Western Missouri Forensic Department, 1997 "Evaluation of Stalking."

University of South Carolina School of Medicine Women's Month Featured Presenter, 1997  
"Stalkers: The South Carolina Experience."

American Academy of Psychiatry and the Law, Denver, CO, 1997 "Psychotic versus Nonpsychotic  
Stalkers."

American Academy of Psychiatry and the Law, Denver, CO, 1997 "Harassing Telephone Callers."

American Academy of Psychiatry and the Law, Denver, CO, 1997 Panel on Maintaining Competence  
sponsored by Education Committee

American Academy of Psychiatry and the Law, Puerto Rico, 1996 "Violent Versus Nonviolent  
Stalkers",

American Academy of Psychiatry and the Law, Puerto Rico, 1996 "Capital Versus Noncapital  
Murderers"

American Academy of Psychiatry and the Law, Puerto Rico, 1996 "Treatment of Insanity Acquittes  
Across the United States."

William S. Hall Psychiatric Institute Forensic Forum, 1996 "Evaluation and Treatment of Sexual  
Offenders."

Georgia Regional Forensic Forum, 1996 "Evaluation and Treatment of Sexual Offenders."

American Academy of Psychiatry and the Law, Seattle, Washington, 1995 "Stalkers: The South  
Carolina Experience"

South Carolina Psychiatric Association, Hilton Head Symposium, 1995 "What General Psychiatrists  
Need to Know About Forensic Psychiatry."

American Academy of Psychiatry and the Law Annual Conference, San Antonio, Texas 1993  
"Seroprevalence of HIV Among Inpatient Pre-trial Detainees"

American Medical Association, North Carolina 1990 "Tertiary Metastases Presenting As  
Panhypopituitarism"

**Present Grants:**

Internet Chat Room Solicitation of Children: A Study of Psychosocial and Criminal Justice Factors as They Relate to Public Safety Risk; American Academy of Psychiatry and the Law Institute for Education and Research (AIER) Grant; Principal Investigator: RG Dwyer; Co-investigators: D DeHart, DM Schwartz-Watts, W Burke & R Moran; 2009 - 2010  
(Revised 11/2/18)

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
COUNTY OF LEXINGTON )

THE STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

ANDREW TORRENCE, )

Defendant, )

WITNESS LIST

1. Scott Shull
2. Ted Neeley
3. Daniel Cameron
4. Nick Burr
5. Troy Seybt
6. Chris Abram
7. Raymond Chavis
8. Cathy Burr
9. Donna Schwaz-Watts
10. Brenda Torrence
11. Andrew Torrence
12. Raymond P. Bynoe, MD
13. James Morrison, MD
14. Mai Yang, RN
15. Debra Knotts
16. Coleman Sullivan
17. Doug Manos
18. Chip Johnson
19. Shawn Salters
20. Edward W. Catalano, MD



21. Pat Simons
22. Ryan Carature
23. Sarah Walker
24. Stephen Schwab, MD

State of South Carolina  
Office of the Solicitor  
Eleventh Judicial Circuit

POSTED  
2-16-11  
w

COUNTIES  
EDGERFIELD / LEXINGTON  
McCORMICK / SALUDA  
FAXES: (803) 785-8431 or (803) 785-8255



LEXINGTON COUNTY JUDICIAL CENTER  
205 E. MAIN ST. ROOM 309  
LEXINGTON, SOUTH CAROLINA 29072  
TELEPHONE: (803) 785-8352

**DONALD V. MYERS**  
Solicitor

February 15, 2011

VIA Fax (739-1888); Confirm at 739-1824; Original by Mail

Wayne Floyd; Esquire  
P.O. Box 3972  
West Columbia, SC 29171

*Re: State v. Andrew Torrence*

Dear Mr. Floyd,

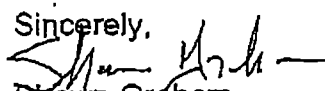
Please discuss the following offer with your client: Mr. Torrence will plead straight up to Voluntary Manslaughter (0-30 years) with no position on sentencing from the State. All of his remaining charges would be dismissed. If Mr. Torrence fails to plead during the week of February 28, 2011, this offer will be withdrawn and his cases will be set for trial.

If he fails to plea, his charge involving the assault on a correctional officer that has been indicted as an Assault and Battery 2<sup>nd</sup> degree will be called for trial the week of March 14, 2011. Enclosed is a certified true copy of the Assault and Battery 2<sup>nd</sup> degree indictment. Unless, I hear from you, I will not serve the indictment on him in court and will not worry about setting bond on this charge.

Additionally, his Murder charge will be called for trial the week of April 11, 2011. Finally, as we discussed, Mr. Torrence's cell phone will be sent to the Lexington County Sheriff's Department for analysis. I will provide you with that report as soon as I get it.

Please call me if you have any questions or wish to discuss this case.

Sincerely,

  
Shawn Graham  
Deputy Solicitor



STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

IN THE COURT OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

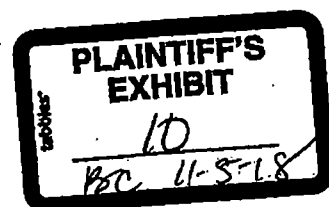
ANDREW TORRENCE, )

Defendant, )  
\_\_\_\_\_ )

REQUEST TO CHARGE #1

In order to convict the Defendant of Murder or Manslaughter you must be convinced beyond a reasonable doubt that the Defendant was the cause of death. When injury is inflicted upon a person who dies at a later time you have to be convinced beyond a reasonable doubt that the infliction of that initial injury was the cause of death, that it was the proximate cause, that there was a chain of causation from the time it happened until the time of death.

State v. Burton 302 SC 494, 397 SE 2<sup>nd</sup> 90 (1990).



STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

IN THE COURT OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA, )  
Plaintiff, )  
vs. )  
ANDREW TORRENCE, )  
Defendant, )  
\_\_\_\_\_ )

REQUEST TO CHARGE #2

Self defense is a complete defense. If established you must find the Defendant not guilty.

There are four (4) elements required by law to establish self defense. First, the Defendant must be without fault in bringing on the difficulty. Second, the Defendant must have been in actual imminent danger of losing his life or sustaining serious bodily injury, or he must have actually believed he was in imminent danger of losing his life or sustaining serious bodily injury. Third, if his defense is based upon his belief of imminent danger, a reasonably prudent person of ordinary firmness and courage would have entertained the same belief. If the Defendant actually was in imminent danger, then the circumstances were such as would warrant a person of ordinary prudence, firmness and courage to shoot the fatal shots in order to save himself from serious bodily harm or losing his own life. Fourth, the Defendant had no other probable means of avoiding the danger of losing his own life or sustaining serious bodily injury than to act as he did in this particular instance. These are the elements of self defense.

A Defendant in a self defense case has the right to act on appearances. A Defendant must have believed he was in imminent danger, not that he was actually in



such danger, because he had the right to act on appearances and under the circumstances as they appeared to him, he believed he was in such danger and a reasonable prudent man of ordinary firmness and courage would have entertained the same belief.

Words accompanied by hostile acts, may, depending on the circumstances establish a plea of self defense.

If the Defendant is justified in firing the first shot, the Defendant is justified in continuing to shoot until it is apparent that the danger to his life and body has ended.

There is no burden upon the Defendant to prove self defense. The Defendant is not required to prove any element of self defense. The burden is on the State to disprove self defense beyond a reasonable doubt.

If you have reasonable doubt of the Defendant's guilt after considering all the evidence, including the evidence of self defense, then you must find the Defendant not guilty. On the other hand if you have no reasonable doubt of the Defendant's guilt after considering all of the evidence, including the evidence of self defense, then you must find the Defendant guilty. State v. Davis, 282 S.C. 45, 317 SE.2<sup>nd</sup> 452 (1984); State v. Fuller, 297 S.C. 440, 377 S.E. 2<sup>d</sup> 328 (1989).

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

IN THE COURT OF GENERAL SESSIONS

THE STATE OF SOUTH CAROLINA, )  
Plaintiff, )  
vs. )  
ANDREW TORRENCE, )  
Defendant, )  
\_\_\_\_\_ )

REQUEST TO CHARGE #3

Upon view of a felony committed or certain information that a felony has been committed, or view of a larceny committed, any person may arrest the felon or thief and take him to a Judge or Magistrate to be dealt with according to law.

A citizen may arrest any person in the nighttime by efficient means as the darkness and the probability of escape render necessary, even if the life of the person should be taken when the person has committed a felony.

The Defendant is not required to prove that a felony was committed. Actual guilt of the suspect is not required to justify a citizen's arrest. It is sufficient if the Defendant has a reasonable belief that the suspect committed a felony.

§17-23-10; §17-23-20; State v. Cooney 320 S.C. 107, 463 SE 2<sup>nd</sup> 597 (1995).

STATE OF SOUTH CAROLINA ) IN THE COURT OF GENERAL SESSIONS  
COUNTY OF LEXINGTON )

THE STATE OF SOUTH CAROLINA, )

Plaintiff, )

vs. )

REQUEST TO CHARGE #4

ANDREW TORRENCE, )

Defendant, )  
\_\_\_\_\_ )

Harm caused to another, including death, cannot entail criminal responsibility for the Defendant if the harm was accidentally inflicted without intent to harm and without recklessness or negligence.

Where the death of a human being is the result of accident or misadventure, in the true meaning of the term, no criminal responsibility attaches to the act of the shooter. A homicide will be excusable on the ground of accident when:

1. the killing was unintentional;
2. the Defendant was acting lawfully; and
3. due care was exercised in the handling of the weapon.

The Defendant does not have to prove that the homicide was caused by accident.

The burden of proof is on the State to prove that the homicide was not accidental beyond a reasonable doubt.

State v. Chapman 336 S.C. 149, 519 SE 2<sup>nd</sup> 100 (1999).

State of South Carolina  
Office of the Solicitor  
Eleventh Judicial Circuit

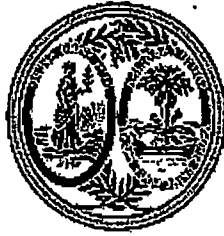
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3-23-11  
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COUNTIES

EDGEFIELD / LEXINGTON

McCORMICK / SALUDA

FAXES: (803) 785-8431 or (803) 785-8255



LEXINGTON COUNTY JUDICIAL CENTER  
205 E. MAIN ST. ROOM 309  
LEXINGTON, SOUTH CAROLINA 29072  
TELEPHONE: (803) 785-8352

**DONALD V. MYERS**

Solicitor

March 23, 2011

Trial Notice  
Via Email

H. Wayne Floyd, Esquire  
P O Box 3972  
West Columbia, SC 29171

Re: State v. Andrew E Torrence Jr

Dear Mr. Floyd:

As we discussed on the phone the week before last, Mr. Torrence's charge of Assault 1st, involving the Assault on Correctional Officer Tony Ward, will be called for trial on Monday April 4, 2011. Additionally, per our conversation, Mr. Torrence's Murder case will be called for trial on April 25, 2011.

Please note that Sgt. Jeremy Veter handled the Lexington County Detention Center disciplinary action against Mr. Torrence for the assault on C/O Tony Ward. At that hearing, Mr. Torrence admitted assaulting Ward. Additionally, when Sgt. Veter asked Mr. Torrence why he did it, Mr. Torrence responded that Ward had a smirk on his face when he came in.

In addition, please find an attached PDF file containing discovery material on the above referenced case. It has been date stamped as follows  
03/23/2011 and consecutively numbered from 0001 to 0045  
03/22/2011 and consecutively numbered from 0001 to 0002

Personal identifying information may be redacted to include: social security numbers, victim/witness addresses, and/or phone numbers.

If you have any questions regarding this matter, please do not hesitate to contact me

Sincerely,

*Shawn Graham*

Shawn Graham  
Deputy Solicitor



STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON

)  
) COURT OF GENERAL SESSIONS  
) 2010-GS-32-02727  
)

STATE OF SOUTH CAROLINA

vs.

)  
)  
) TRANSCRIPT OF RECORD  
)  
)

ANDREW E. TORRENCE  
\_\_\_\_\_  
DEFENDANT

April 25, 2011  
Lexington, South Carolina

B E F O R E:

THE HONORABLE R. KNOX MCMAHON, JUDGE.

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

DAVID SHAWN GRAHAM, ASSISTANT SOLICITOR  
Attorney for the State

WAYNE FLOYD, ESQ.  
Attorney for the Defendant

CAROL M. THUEME, RPR  
Official Court Reporter



I N D E X

DEFENDANT:

PAGE

ANDREW E. TORRENCE

7

EXHIBITS

(There were no exhibits marked.)

1 THE COURT: All right. This is 2010-GS-32-2727,  
2 Andrew Earl Torrence, assault and battery-2nd degree.

3 Mr. Floyd, this is your motion?

4 MR. FLOYD: That's correct, Your Honor.

5 THE COURT: All right.

6 MR. FLOYD: Your Honor, we respectfully move for  
7 a continuance in this matter.

8 For background, Your Honor, the defendant,  
9 Mr. Torrence, has a pending murder indictment which is now  
10 scheduled for trial in May, in May of this year. The  
11 murder trial stems from an incident occurring in September  
12 of 2008. This charge we're here before you this morning  
13 occurred in June of 2010, almost two years subsequent to  
14 the incident giving rise to the charge of murder.

15 In June of 2010, Mr. Torrence was arrested for a  
16 DUI. When he was taken into the jail, there was an  
17 incident in which he headbutted a corrections officer.

18 The State is calling this case for trial prior  
19 to the murder trial for only one reason: They know that  
20 Mr. Torrence at the current time does not have a record  
21 that could be used to impeach him. They also know that  
22 they have a weak murder case and they also, I guess,  
23 assume that Mr. Torrence would be testifying in that  
24 murder trial and, therefore, they are calling this case  
25 out of order solely in an attempt to impose upon

1 Mr. Torrence a record which they hope will allow them to  
2 be used to impeach him should he testify in the murder  
3 trial.

4 Judge, although we know the statute seems to  
5 give the solicitor full reign to call cases as they deem  
6 fit, we don't think that discretion is unfettered. And  
7 when they are using it -- when they are manipulating the  
8 docket in an attempt to gain an advantage in a collateral  
9 manner, we think they're violating the defendant's rights  
10 to fundamental fairness, equal protection and due process  
11 of the law.

12 The goal of the solicitor is to seek justice,  
13 not to manipulate the docket nor to gain an advantage in  
14 hopes to obtain a conviction in a collateral matter. For  
15 these reasons we feel that the matter should not be tried  
16 this week, it should be continued, to be tried and dealt  
17 with after the murder charge has been dealt with.

18 THE COURT: Thank you, Mr. Floyd.  
19 Solicitor.

20 MR. GRAHAM: Thank you, Your Honor.

21 There's no case law that I could find on this  
22 point at all. However, the statute, Your Honor, referred  
23 to last time there was a motion for a continuance,  
24 1-7-330, states that "The preparation of the dockets for  
25 general sessions shall be exclusively vested in the



1 circuit solicitor and the solicitor shall determine the  
2 order in which cases on the docket are called for trial."

3 I think Mr. Floyd conceded that the statutory  
4 authority is that the solicitor can call the cases as they  
5 choose and in the order they choose.

6 I don't believe that in exercising my discretion  
7 to call the assault case prior that I am infringing on any  
8 constitutional right he has. I don't know that there's a  
9 constitutional right that you have to try a case or cases  
10 in the chronological order that they occur. It is a trial  
11 strategy.

12 Your Honor would still -- or the trial judge  
13 would still have the discretion to not allow the  
14 conviction in for impeachment purposes if the prejudicial  
15 value outweighs -- the prejudicial effect outweighs the  
16 probative value, but I think that the status is clear that  
17 this case can be called for trial.

18 THE COURT: All right. Anything further,  
19 Mr. Floyd?

20 MR. FLOYD: Your Honor, I guess it's not new,  
21 but we understand the reason for the statute and I think  
22 the statute protects the solicitor's office from having to  
23 call cases in chronological order because, I mean, cases  
24 may not be ready to be tried and, therefore, they do have  
25 a lot of discretion when they call a case.

1           What we feel is at issue here is when they make  
2 a deliberate attempt to manipulate the roster for no good  
3 reason. It's not because this other case hasn't been  
4 investigated, because the murder case hasn't been  
5 investigated fully yet, but simply to gain an advantage in  
6 a collateral matter, that being the murder trial, that  
7 that would violate the defendant's right to a fair trial,  
8 fundamental fairness and due process and equal protection.

9           THE COURT: All right. I'm going to deny the  
10 motion to continue. I really don't think I have the  
11 authority to impose my opinion on the trial docket. I can  
12 either grant a continuance or deny a continuance and I'm  
13 going to deny the motion for a continuance.

14           Anything further?

15           MR. GRAHAM: Nothing from the State, Your Honor.

16           MR. FLOYD: Nothing from defense's standpoint,  
17 Your Honor.

18           THE COURT: Thank you very much.

19           MR. GRAHAM: Your Honor, it's my understanding  
20 that Mr. Torrence is going to plead to this charge. I  
21 don't know when you wish to handle that.

22           THE COURT: All right.

23           THE CLERK: Andrew Earl Torrence come around,  
24 please.

25           Indictment 2010-GS-32-2727, State versus Andrew

1 Earl Torrence, indicted for assault and battery-2nd  
2 degree. He is pleading as charged. It is signed and  
3 properly attested to, it is true-billed, and he is  
4 represented by Mr. Floyd, Your Honor.

5 Raise your right hand, please, sir.

6 ANDREW EARL TORRENCE, after being duly sworn,  
7 testified as follows:

8 THE COURT: Mr. Floyd, do you represent Andrew  
9 Earl Torrence?

10 MR. FLOYD: Yes, I do, Your Honor.

11 THE COURT: Have you explained to him the charge  
12 in the indictment, the possible punishment and his rights,  
13 including his right to a jury trial?

14 MR. FLOYD: Yes, I have, Your Honor.

15 THE COURT: In your opinion does he understand  
16 those things?

17 MR. FLOYD: Yes, he does, Your Honor.

18 THE COURT: How does he indicate he intends to  
19 plead to assault and battery in the second degree?

20 MR. FLOYD: Your Honor, he intends to enter a  
21 plea of guilty, although we also do wish to preserve our  
22 rights to argue that the conviction would not be  
23 admissible at his murder trial, which I understand you  
24 wouldn't be making a ruling on that today, but we do want  
25 to make sure we preserve our right.

1           THE COURT: All right. There was a recent case,  
2 Mr. Floyd, and I'm trying to think of the name of it --  
3 Judge Keesley handled it -- where the defense attorney  
4 made a motion, not an evidentiary issue, but a motion  
5 concerning some condition -- I can't quite wrap my mind  
6 around it -- but basically what happened is the Court said  
7 that that becomes a conditional plea, and there is no such  
8 thing as a conditional plea in South Carolina.

9           I don't know if that qualifies Mr. Torrence's  
10 plea as conditional when you preserve an evidentiary  
11 ruling in another case.

12          MR. FLOYD: We don't intend to make it  
13 conditional. We just don't want it to be argued that,  
14 well, you ended up pleading guilty and you can't now argue  
15 that they can't use it under 609 or 403.

16          THE COURT: Right. I think you still have the  
17 benefit -- I think Mr. Torrence would still have the  
18 benefit of 609 and 403 whether you bring that forward or  
19 not.

20          MR. FLOYD: I agree with you on that.

21          THE COURT: I just can't quite -- and it's been  
22 within the last couple of months because I actually ended  
23 up taking the plea after the case was remanded. I can't  
24 quite recall the name.

25          All right. How does Mr. Torrence indicate he

1 intends to plead to assault and battery-2nd degree, guilty  
2 or not guilty?

3 MR. FLOYD: Guilty, Your Honor.

4 THE COURT: Are you Andrew Earl Torrence?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Mr. Torrence, before I can accept a  
7 plea of guilty, it's necessary for me to determine if your  
8 plea is being given freely and voluntarily; therefore I need  
9 to ask you some questions. If you do not understand my  
10 questions, please let me know and I'll try to explain them  
11 to you. If at any time you wish to talk with your lawyer,  
12 please let me know, I will allow you to do so. Do you  
13 understand?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: How old are you?

16 THE DEFENDANT: Thirty-one.

17 THE COURT: How far did you go in school?

18 THE DEFENDANT: High school.

19 THE COURT: What type of work do you do?

20 THE DEFENDANT: I was currently before I got  
21 re-arrested I was working for the Commission doing  
22 landscaping.

23 THE COURT: The Recreation Commission of  
24 Lexington County?

25 THE DEFENDANT: Yes.

1 THE COURT: Today are you under the influence of  
2 any medication, drugs or alcohol?

3 THE DEFENDANT: No.

4 THE COURT: Are you aware of any physical,  
5 emotional or nervous problem that keeps you from  
6 understanding what you're doing today?

7 THE DEFENDANT: No, sir.

8 THE COURT: You've heard your lawyer tell me  
9 he's explained to you the charge, the possible punishment  
10 and your rights and that you understand these things; is  
11 that correct?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: I've been handed up Indictment  
14 2010-GS-32-02727. It basically reads that you did in  
15 Lexington County on or about 6-26-2010, knowingly and  
16 unlawfully injure another person, or offered or attempted  
17 to injure another person with the present ability to do so  
18 and moderate bodily injury to another person resulted, or  
19 moderate bodily injury to another person could have  
20 resulted; to wit, striking the officer between the eyes  
21 twice with his head, in violation of 16-3-600(d)(1).

22 That's a charge of assault and battery-2nd degree.

23 I believe you can receive a sentence of up to  
24 three years; is that correct?

25 MR. FLOYD: That's correct, Your Honor, zero to

1 three as I understand it.

2 THE COURT: Do you understand that charge and  
3 that particular punishment?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Mr. Torrence, when you plead guilty  
6 you give up certain very important constitutional rights.  
7 First, you give up your right to remain silent. Second,  
8 you give up your right to a jury trial. Third, you give  
9 up your right to confront and be confronted by the  
10 witnesses. Do you understand these rights?

11 THE DEFENDANT: Yes, sir, I do.

12 THE COURT: Do you understand that when you  
13 plead guilty you give up these very important  
14 constitutional rights?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Is that what you want to do?

17 THE DEFENDANT: Yes, sir. I'm guilty of the  
18 charge.

19 THE COURT: Do you understand you will not get a  
20 jury trial if you plead guilty?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Understanding, then, the nature of  
23 the charge of assault and battery-2nd degree and the  
24 potential punishment of up to three years, how do you  
25 plead to that charge, guilty or not guilty?

1 THE DEFENDANT: Guilty.

2 THE COURT: Did you commit that offense?

3 THE DEFENDANT: Yes, sir. And I was under the  
4 influence of alcohol and Xanax at the time, which I would  
5 not do it in a normal state of mind. But I am guilty and  
6 I have spoken with the Officer Ward and apologized to him.

7 THE COURT: I'm going to ask you all about that  
8 momentarily.

9 THE DEFENDANT: Yes.

10 THE COURT: Thank you for your forthrightness,  
11 Mr. Torrence.

12 Plea negotiations, Solicitor?

13 MR. GRAHAM: No, Your Honor.

14 THE COURT: Is that correct, Mr. Floyd?

15 MR. FLOYD: That's correct, Your Honor.

16 THE COURT: Is that your understanding,  
17 Mr. Torrence?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Do you still wish to plead guilty?

20 THE DEFENDANT: I do.

21 THE COURT: Has anyone promised you anything or  
22 held out any hope of reward to get you to plead guilty?

23 THE DEFENDANT: No, sir.

24 THE COURT: Has anyone threatened you or coerced  
25 you in any manner to get you to plead guilty?



1 THE DEFENDANT: No, sir.

2 THE COURT: Has anyone used any physical force  
3 or violence to get you to plead guilty?

4 THE DEFENDANT: No, sir.

5 THE COURT: Have you had enough time to make up  
6 your mind?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Are you pleading guilty of your own  
9 freewill and accord?

10 THE DEFENDANT: Yes, I am. Well -- yeah, yes,  
11 sir.

12 THE COURT: Well, you kind of hedged on that.  
13 Are you pleading --

14 THE DEFENDANT: Well, I know the -- I understand  
15 the tactic that the solicitor's trying to use and it's  
16 not -- I'm guilty of what we're talking about, yes, sir.

17 THE COURT: Well, if you understand that, you  
18 seem to be an intelligent young man. At the same time, do  
19 you feel like that has unduly coerced you into entering  
20 this plea?

21 THE DEFENDANT: No, sir. I'm guilty of the  
22 charge.

23 THE COURT: All right. Are you satisfied with  
24 your lawyer?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Have you had enough time to talk  
2 with your lawyer?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Do you need any more time to talk  
5 with your lawyer?

6 THE DEFENDANT: No, sir.

7 THE COURT: Are you totally and completely  
8 satisfied with your lawyer's services?

9 THE DEFENDANT: Yes, I am, sir.

10 THE COURT: Do you have any complaints you want  
11 to make about your lawyer, the solicitor, or any police  
12 officers involved in this case?

13 THE DEFENDANT: Not yet, sir.

14 No, I don't -- I'm pleased with my lawyer, sir.  
15 And like I said, I've talked to Officer Ward and I  
16 apologized. I'm guilty of the charge. If I could just  
17 move with my life, I'd like to do that.

18 THE COURT: Have you understood my questions?

19 THE DEFENDANT: Yes, sir, I have.

20 THE COURT: Is there anything you'd like to ask  
21 me about what we've just been over?

22 THE DEFENDANT: No, sir. I'm pleading guilty to  
23 zero to three assault and battery-2nd, correct.

24 THE COURT: You understand you have a right to  
25 appeal your guilty plea and the sentence of the Court and

1 that you or your lawyer must do so within ten days?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: All right. Solicitor.

4 MR. GRAHAM: Thank you, Your Honor.

5 Mr. Torrence was arrested by the Highway Patrol  
6 several hours before this incident. I believe that  
7 incident, the Highway Patrol asked for the Town of  
8 Lexington, I think, to transport Mr. Torrence to the jail.

9 He was transported to the jail, taken to one of  
10 the B.A. rooms. He refused to take the B.A. and asked for  
11 a blood test.

12 At that time I believe another Highway Patrolman  
13 came and he was transported -- I don't know if he was  
14 transported by both Highway Patrol officers in one car or  
15 how he was transported, but he was transported to the  
16 Lexington Medical Center for a blood draw and he was  
17 brought back to the detention center. He had not been  
18 booked in prior to that.

19 When he was brought back into the detention  
20 center, Correctional Officer Tony Ward was doing what's  
21 called a quick booking. They meet the officer and the  
22 inmate in the hallway outside the booking area and there  
23 is a computer on the other side of the glass where they  
24 start taking information.

25 Correctional Officer Ward was present along with

1 two Highway Patrol officers. Correctional Officer Ward  
2 told Mr. Torrence to have a seat. There is a single chair  
3 in that hallway where people being booked in are supposed  
4 to sit.

5 Mr. Ward states that Mr. Torrence refused to sit  
6 down. After asking him to sit down he then told him to  
7 sit down. And then finally he was moving toward -- to put  
8 his hands on Mr. Torrence to get him to sit down, or to  
9 make him sit down.

10 At that point Mr. Torrence headbutts -- he takes  
11 a step forward and headbutts Correctional Officer Ward,  
12 striking him between the eyes on the bridge of his nose.  
13 He then jerks his head. So it's unknown obviously whether  
14 there was an intentional second headbutting or whether  
15 that was an incidental contact on that one.

16 Mr. Ward then goes back to the booking area.  
17 The Highway Patrol officers take Mr. Torrence and take  
18 control of him.

19 Mr. Ward is taken to the hospital where his nose  
20 is x-rayed and he has a broken nose, a fracture of his  
21 nasal bone. He takes, I believe, a week off of work from  
22 that. He develops breathing problems, pressure in his  
23 head and headaches as a result of the injury inflicted by  
24 Mr. Torrence.

25 Mr. Ward then goes to an ENT. They end up doing

1 an MRI and discover that he has a deviated septum, which  
2 everyone would testify the symptoms were not present prior  
3 to this.

4 As a result of the deviated septum and the  
5 continued symptoms that didn't resolve, the ENT scheduled  
6 and performed a septoplasty to fix the deviated septum and  
7 additionally he took off some bone from Mr. Ward's nose  
8 during that surgery as well.

9 That satisfies the elements of moderate bodily  
10 injury. He was under general anesthesia at the time of  
11 that incident.

12 In a disciplinary hearing, Mr. Torrence was  
13 brought before jail staff. He was asked why he did it.  
14 He did admit that he did it and he stated that the officer  
15 smirked at him and that's why he did it. I know -- I want  
16 to say that there was also some discussion that Mr. Ward  
17 stated "welcome back," that Mr. Torrence could have taken  
18 the wrong way. This was his, I guess, his third arrest.  
19 He had been arrested for the murder, or the ABWIK to start  
20 with, Your Honor, made bond, there was a DUI that he was  
21 arrested for and got out, and this would have been the  
22 third arrest that he would have had.

23 Talking to Officer Ward, he states that if he  
24 did say that, that that was said toward the Highway Patrol  
25 officers because honestly the Highway Patrol officers

1 don't like taking people to the hospital to get blood  
2 draws because it cuts into their time out on the road.

3 Officer Tony Ward is present in the courtroom,  
4 Your Honor, and I don't know whether he wishes to address  
5 the Court.

6 The only other conviction that Mr. Torrence has  
7 is that he has a trespassing conviction from 2005.

8 At the appropriate time Officer Ward would like  
9 to address the Court.

10 THE COURT: All right. Yes, I'll be glad to  
11 hear from Officer Ward. Yes, sir.

12 OFFICER WARD: How are you doing, Your Honor?

13 THE COURT: Fine. Tell me your full name.

14 OFFICER WARD: Tony Ward.

15 THE COURT: All right. I'll be glad to hear  
16 from you, Mr. Ward.

17 OFFICER WARD: Yes, sir. And like Mr. Torrence  
18 did say, me and him did sit down and talk after the fact.  
19 Mr. Torrence has apologized to me about it. He does seem  
20 sincere, but we've had a couple of incidents after the  
21 fact. But Mr. Torrence, for the most part, he hasn't been  
22 the worse inmate we've had there. He's been real laid  
23 back.

24 But on that hand, the only thing we have in the  
25 correction field is the court of justice. We don't carry

1 weapons. We're not like our colleagues on the road, we  
2 don't really have much to defend ourselves except for now  
3 we have tasers, but that's it. And I think we do need to  
4 send a message to inmates that this ain't allowed. You're  
5 not going to come into our house and assault one of our  
6 officers.

7 That's all I have for you, Your Honor.

8 THE COURT: Thank you very much, Officer Ward.

9 OFFICER WARD: Yes, sir.

10 MR. GRAHAM: Nothing further from the State,  
11 Your Honor.

12 THE COURT: All right. I find there is a  
13 substantial factual basis for the plea. That the  
14 defendant's decision to plead guilty is freely,  
15 voluntarily, knowingly, and intelligently made. That he's  
16 had the advice and counsel of a very competent attorney  
17 with whom he says he's well and totally satisfied. His  
18 plea is accepted.

19 Mr. Floyd.

20 MR. FLOYD: Thank you, Your Honor.

21 As you've heard, Mr. Torrence is 31 years of  
22 age. He's pretty much a lifetime resident of the county.

23 He's a graduate of Airport High School where he  
24 had a distinguished athletic career there.

25 He spent some time in the Marine Corps and

1 actually was medically discharged because he developed  
2 something called plantar fasciitis or a foot situation  
3 that made him unsuitable for the Marine Corps.

4 He has worked security, was working security at  
5 the time that the murder indictment or the murder charge  
6 came down.

7 Once he got out of jail on that, he began  
8 working landscaping and maintenance with the Recreation  
9 Commission and was doing a very good job with it.

10 He has very good strong family support. His  
11 mother and his father are here, Andrew Torrence and Brenda  
12 Torrence.

13 He has been in jail continuously since this  
14 incident in June of 2010. He never did make his -- his  
15 family never bonded him out on that and then his bond was  
16 revoked from the previous charge.

17 We'd ask Your Honor for whatever mercy you can  
18 give him. He freely admits what he did.

19 We're certainly strongly fighting this murder  
20 charge, and we don't think that's an appropriate charge  
21 and he's fighting that. But from the get-go he's told me  
22 on this, "Wayne, I did wrong here. I like Ward." He was  
23 a Marine, too, I think, and they've had a lot of talks  
24 about the Marines.

25 He freely admits what he done was wrong and he



1 freely admits he was wrong on this occasion. He feels  
2 remorse about it. Mr. Ward did nothing to justify it.  
3 Sure, he reacted badly to the facial expressions of -- it  
4 wasn't Officer Ward's fault, it was Mr. Torrence's fault.

5 So we ask whatever mercy you can give him on it.  
6 He's a truthful man who freely admits what he's done  
7 wrong.

8 He may want to say something, his parents may  
9 want to say anything.

10 THE COURT: All right. I'll be glad to hear  
11 from anyone you'd like me to hear from, Mr. Floyd.

12 THE DEFENDANT: I'd just like to tell Officer  
13 Ward that I apologize once again. I think he's a good  
14 officer and I was totally in the wrong. And like I said,  
15 I wouldn't do that in the normal state of mind. I'd been  
16 intoxicated and I was giving the troopers, you know, a  
17 hard time, so it's my fault.

18 And like I said, I didn't know about Mr. Ward's  
19 deviated septum, you know. If there's anything I can do,  
20 I would do it, but I just want to tell you I apologize to  
21 Officer Ward, and that's it.

22 THE COURT: Thank you, Mr. Torrence.

23 Anything you'd like to say, ma'am? Tell me your  
24 name, please.

25 MRS. TORRENCE: Brenda Torrence. I'm Andrew's

1 mother.

2 When this initially happened, his story to us  
3 and how it happened and his responsibility for it has not  
4 varied one bit. He, at least as far as what he told me,  
5 has apologized to Officer Ward on two if not more  
6 occasions. He has spent numerous times talking with  
7 Officer Ward about the Marine Corps, about other matters,  
8 just in generalities, just talking with him. And we  
9 totally believe our son and we ask that you be merciful in  
10 your decision, sir.

11 THE COURT: Thank you, Ms. Torrence.

12 Sir, anything you'd like to say? Tell me your  
13 name.

14 MR. TORRENCE: Andrew Torrence, Sr.

15 THE COURT: All right. Yes, sir.

16 MR. TORRENCE: Your Honor, I'd just like to on  
17 behalf of my family apologize, you know, for everything  
18 that's going on. I love my son and I just pray that  
19 everybody that's involved in this thing will seek out  
20 God's will and not their own. And I just want to thank  
21 you, sir.

22 THE COURT: Thank you, Mr. Torrence.

23 Anything further, Mr. Floyd?

24 MR. FLOYD: Nothing further, Your Honor.

25 THE COURT: All right. 2010-GS-32-02727, Andrew

1 Earl Torrence, assault and battery-2nd degree, the  
2 defendant's committed to the State Department of  
3 Corrections for a determinat term of three years,  
4 provided upon the service of 18 months the balance is  
5 suspended, two years probation. Special conditions:  
6 Substance abuse counseling, random drug and alcohol  
7 testing. Credit for all time served.

8 Do you know the exact number of days, Mr. Floyd?

9 MR. FLOYD: It's June 26th of 2010.

10 THE COURT: All right. He'll get credit for all  
11 time served.

12 Good luck to you, Mr. Torrence.

13 THE DEFENDANT: Thank you, sir.

14 THE COURT: Yes, sir. Thank you.

15 MR. FLOYD: Thank you, Judge.

16 THE COURT: Good luck to you, Officer Ward.

17 OFFICER WARD: Thank you, sir.

18 (The proceedings were concluded.)

19 \*\*\* END OF REQUESTED TRANSCRIPT OF RECORD \*\*\*  
20  
21  
22  
23  
24  
25

## CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

I, CAROL M. THUEME, RPR, Official Court Reporter for the 11th Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Lexington County, South Carolina, on the 25th day of April, 2010.

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

November 14, 2011



CAROL M. THUEME, RPR  
Circuit Court Reporter

## Brenda Torrence

---

**From:** Brenda Torrence  
**Sent:** Tuesday, July 20, 2010 4:33 PM  
**To:** 'Michelle'  
**Subject:** RE: Information

Thank Michelle!

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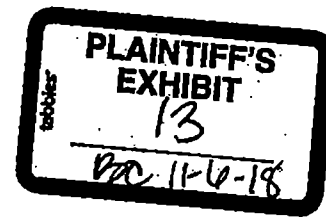
**From:** Michelle [mailto:michelle@waynefloydllaw.com]  
**Sent:** Tuesday, July 20, 2010 4:27 PM  
**To:** Brenda Torrence  
**Subject:** RE: Information

Hi Brenda,

I have printed this email out so that Wayne can look at it. I will let you know what he says.

Thanks,

*Michelle M. Wash*  
Paralegal/Office Manager  
WAYNE FLOYD LAW OFFICE, P.A.  
P.O. Box 3972  
West Columbia, S.C. 29171  
(803) 739-1824



[michelle@waynefloydllaw.com](mailto:michelle@waynefloydllaw.com)

---

**From:** Brenda Torrence [mailto:michelle@waynefloydllaw.com]  
**Sent:** Tuesday, July 20, 2010 4:12 PM  
**To:** Michelle  
**Subject:** Information

I spoke with Wayne yesterday afternoon and told him that in a conversation that Jakie had with Shawn Graham, Shawn indicated that he had no problem with Drew being evaluated if the family were planning to pay for it. Please keep in mind that when we say "evaluated" we are not referring to a competency evaluation, but rather we want to know if:

- 1) Does Drew have a personality disorder or chemical imbalance that could be the root cause of some of these issues?
- 2) Considering the meds that Drew has been on since 2007 (beginning with the brain infection), could they have had a negative effect on his judgment especially when combined with any amount of alcohol?
- 3) IF (and I don't know for sure) he used steroids during high school (graduated in 1998), could there a long lasting impact on him even years later?
- 4) Can this person question Drew and have him finally respond to whatever may be troubling him so very much?

Wayne said he would have you contact a doctor, the name of whom he could not remember at the moment. I have also been given the name Dr. Donna Swartz-Watts. She is a psychiatrist with much experience within the criminal justice system and her name was given to me by Dorri Smith of Lexington.

Please let me know if this can be arranged.

Wayne also said he would try to see Drew today or tomorrow. Please let me know if that happens or not.

Thanks so very much for all that you and Wayne are doing.

Brenda

---

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To: [Remove this sender from my allow list](#)  
From: [michelle@waynefloydlaw.com](mailto:michelle@waynefloydlaw.com)

*You received this message because the sender is on your allow list.*

**From:** Brenda Torrence [mailto:[btorrence@bmdlaw.com](mailto:btorrence@bmdlaw.com)]  
**Sent:** Wed 8/24/2011 4:01 PM  
**To:** Blake Hewitt  
**Subject:** Dr. Donna Swartz Watts

Blake,

Sometime during Drew's stay at the Lexington County Detention Center (I believe it was in the late summer of 2010), I asked for and got permission for him to be seen by an outside psychiatrist. Wayne Floyd recommended Dr. Donna Swartz-Watts. We paid \$1,500 through Wayne for Dr. Swartz-Watts to visit Drew. She did indeed visit him for close to an hour on a Sunday morning. After the visit she called me. During our conversation she said that she would stake her reputation on what she believes is wrong with Drew, that he was on all the wrong meds, etc. After that phone conversation I did not hear from her at all. She was not involved in the trial at all.

Recently I contacted her primarily because I was curious as to why we had paid \$1,500 for only one visit that lasted for not quite an hour. She was totally unaware that Drew had already been to trial, and was shocked at the outcome. She also asked why she wasn't called to testify. She felt very confident that she could have been of help to Drew in the trial. Dr. Swartz-Watts also said that she knows John Nichols, has worked with him before, and that she should be contacted regarding Drew's case.

I know that the appeal can only use testimony/evidence introduced during the trial. This is just another example of something that was not used during the trial. She told me that she very strongly believes that her testimony could have been very beneficial to Drew. Her phone number (or at least the number she called me from) is [REDACTED]. I don't know if this is helpful or not, but I wanted to make sure you and Mr. Nichols were aware of it.

Thank you,

Brenda

---

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Index

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From: [btorrence@bmdlaw.com](mailto:btorrence@bmdlaw.com)

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SCDC# 346350 TORRENCE JR, ANDREW E

PAGE 1

- \*\* ENCOUNTER: 390 EMERGENCY INHOUSE 09/12/17 15:08 BROAD RIVER COMP  
RECEIVED CALL FROM DORM, I/M WAS FEELING FAINT AND DIZZY  
I/M ARRIVED AT MEDICAL AND STATED HE WAS SEEING FLASHING LIGHTS AND FELT  
DIZZY  
VITALS 86/60 135 PULSE T 99.2 O2 SAT 97%  
MS HAMILTON TO SEE I/M  
SIGNED OFF ON 09/12/17 @ 15:10 BY CHERYL L WERRE, REGISTERED NURSE I  
BP TAKEN AGAIN AFTER I/M PLACED IN TRUNDELENBURG POSITION  
CONTINUES LOW 88/54 P 98 82/52 P 92  
PER MS HAMILTON NP GIVE LITER OF NORMAL SALINE AS I/M IS DEHYDRATED AND BEI  
NG DEHYDRATED AND TAKING HIS BLOOD PRESSURE MEDS DROPPED HIS BLOOD PRESSURE  
STARTED IV IN LEFT INNER FOREARM WITH 22G GELCO  
BP AT 350P 107/76 P 90 BP AT 410P 104/78 P 88  
IV PATIENT AND I/M HAS NO COMPLAINTS AT THIS TIME  
BP AFTER IV 114/79 P 82  
I/M ALLOWED TO SIT AND THEN STAND AND I/M STATED HE FELT OK, NO DIZZINESS  
PER MS HAMILTON NP ISSUE AN OTR FOR ORTHOSTATIC BLOOD PRESSURE IN THE AM  
AND ALLOW TO RETURN TO DORM  
OTR GIVEN TO I/M AND I/M LEFT THE AREA  
SIGNED OFF ON 09/12/17 @ 17:32 BY CHERYL L WERRE, REGISTERED NURSE I  
AS ABOVE.  
SIGNED OFF ON 09/13/17 @ 9:31 BY HALFORD E MEYER, PHYSICIAN
- \*\* ENCOUNTER: 389 INSIDE APPOINTMENT 09/10/17 1:18 BROAD RIVER COMP  
THE FOLLOWING MEDICATION HAS EXPIRED; PLEASE CONSIDER RENEWING AT THIS TIME  
P> ZOCOR 20MG (SIMVASTATIN)  
SIG: TAKE ONE TABLET BY MOUTH AT BEDTIME (KOP)  
SIG:  
START DATE: 09/10/17 TOTAL DAYS: 360  
MD: MEYER, HALFORD -  
WILL FORWARD TO MD/NP FOR CONSIDERATION/DISPOSITION.  
SIGNED OFF ON 09/10/17 @ 1:20 BY GENEVA E WALTERS, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 09/10/17 @ 10:04 BY HALFORD E MEYER, PHYSICIAN  
MAR UPDATED  
SIGNED OFF ON 09/12/17 @ 15:20 BY CHERYL L WERRE, REGISTERED NURSE I
- \*\* ENCOUNTER: 388 MENTAL HEALTH CLINIC 09/08/17 11:10 BROAD RIVER COMP  
A> DEFERRED  
RECEIVED COMMUNICATION FROM NURSING THAT THIS INMATE'S PSYCH MEDS EXPIRED.  
WILL RENEW FOR 1 MONTH ONLY AS I AM NO LONGER HIS TREATING PSYCHIATRIST (H  
E IS HOUSED IN SALUDA CURRENTLY). NURSING PLEASE FORWARD THIS MESSAGE TO C  
CC SO THAT INMATE CAN BE SCHEDULED FOR PSYCH CLINIC ASAP, AS HE HAS NOT BEE  
N SEEN FOR PSYCH CLINIC SINCE MARCH 2017.  
SIGNED OFF ON 09/08/17 @ 11:13 BY MOHAN SRIDARAN, PSYCHIATRIST  
PUT COPY OF THIS ENCOUNTER IN MENTAL HEALTH OFFICE IN MEDICAL AREA  
MAR UPDATED  
SIGNED OFF ON 09/12/17 @ 15:13 BY CHERYL L WERRE, REGISTERED NURSE I
- \*\* ENCOUNTER: 387 MENTAL HEALTH CLINIC 09/07/17 15:05 BROAD RIVER COMP  
DEFERRED



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I/M WAS NOT SEEN TODAY AS SCHEDULED DUE TO A LACK OF SECURITY STAFF. QMHP WILL ATTEMPTS TO MEET WITH I/M ON NEXT WEEK FOR HIS INDIVIDUAL SESSION AND TO DETERMINE TX. NEEDS DUE TO HIM BEING HOUSED IN RHU.

SIGNED OFF ON 09/07/17 @ 15:06 BY WILLIE M GODFREY, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 386 MENTAL HEALTH CLINIC 08/31/17 16:21 BROAD RIVER COMP  
OTHER SPECIFIED PERSONALITY D/O (R/O CLUSTER A, PARANOID PD)  
UNSPECIFIED ANXIETY D/O; ALCOHOL USE D/O; HISTORY OF MALINGERING OF  
PSYCHOTIC SYMPTOMS; ALCOHOL USE D/O, SEVERE, CONTROLLED ENVIRONMENT  
D: ROUTINE NOTE: RHU ROUND LATE NOTE 8/22/17  
QMHP OBSERVED I/M TORRENCE CELL 239. HIS CELL WAS CLEAN, HYGIENE IS NEAT,  
ATTITUDE CONTINUE TO BE SARCASTIC; HOSTILE, DENIES ANY SLEEPING, APPETITE,  
AND I/M REQUESTING TO SEE PSYCHIATRIST.

A:  
NO OVERT PSYCHOSIS/PSYCHOTIC SYMPTOMS NOTED, I/M IS ORIENTATED X 3, DENIES  
ANY SUICIDAL/HOMICIDAL IDEATIONS.

P: RHU ROUNDS WILL CONTINUE WHILE I/M IS IN RHU AS PER MH POLICY  
SIGNED OFF ON 08/31/17 @ 16:23 BY SYLVIA ROBERTS, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 385 MENTAL HEALTH CLINIC 08/24/17 14:10 BROAD RIVER COMP  
DEFERRED  
GROUP NOTE: INMATE TORRENCE DID NOT ATTEND TODAY'S QUARTERLY MEETING WITH  
VA REP., MARGARET BATTLE. HE IS CURRENTLY HOUSED IN RHU. LARRY WALTON, HSC  
II  
SIGNED OFF ON 08/24/17 @ 14:11 BY GEORGE L WALTON, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 384 MENTAL HEALTH CLINIC 07/25/17 12:17 BROAD RIVER COMP  
SIGNIFICANT NOTE: LATE NOTE FROM ASSESSMENT ON 7/21/17.  
DX: OTHER SPECIFIED PERSONALITY D/O (R/O CLUSTER A, PARANOID PD)  
UNSPECIFIED ANXIETY D/O; ALCOHOL USE D/O; HISTORY OF MALINGERING OF  
PSYCHOTIC SYMPTOMS; ALCOHOL USE D/O, SEVERE, CONTROLLED ENVIRONMENT.  
D: MHT MET WITH I/M DUE TO REFERRAL FROM MR. JAMES DRAKE. I/M HAS HX OF SHA  
RING THAT HE IS UNDER MIND CONTROL EXPERIMENTS DONE BY THE U.S. GOVERNMENT.  
PLEASE SEE PREVIOUS NOTE ENC'S ON I/M CONVERSATION DURING CONSULTATION. I/M  
ENDORSES SOME S/I AND V/H WHICH HE CALLS FLOATERS. I/M ENDORSE SOME H/I WHI  
CH IS BASED ON HIS FEELINGS OF ANGER. I/M STATES THAT HE HEARS VOICES THAT  
CAUSES HIM TO THINK AND CONSIDER S/I, BUT I/M STATES THAT HE HAS NEVER LET  
THE VOICES GET HIM TO ATTEMPT S/I. I/M STATES THAT HE SLEEPS OK WHICH HE  
BELIEVES IS A FORM OF HYPNOSIS AND HIS APPETITE IS GOOD. I/M IS CONCERN THA  
T THE GOVERNMENT IS TRYING TO KEEP HIM GUARDED THROUGH SENSORY OVERLOAD AND  
MIND CONTROL THROUGH ANTENNAS AND EQUIPMENT. I/M STATED THAT HE LIVES WITH  
THIS TYPE OF CONTROL EVERYDAY AND WISH TO BE LEFT ALONE TO MAKE HIS OWN  
DECISIONS IN DAILY LIVING. I/M WAS QUESTIONED ABOUT ANY PLANS OF C/I AND I/  
M STATED "I DON'T HAVE ANY PLANS TO COMMIT S/I" AND "MY FEELINGS OF H/I ARE  
REALLY ANGER". I/M STATES THAT HE SMOKES AROUND 2-10 CIGARETTES A DAY FOR  
MEDICINAL PURPOSES. I/M REPORTS SERVING IN THE U.S. MARINES FOR A SHORT TIM  
E BEFORE BEING INJURED. I/M REPORTS THIS AS THE BEGINNING OF HIS MIND CONTR  
OL BY GOVERNMENTAL AGENCIES.  
A: I/M MADE GOOD EYE CONTACT DURING CONVERSATION AND WAS COOPERATIVE WITH Q

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QUESTIONING AND FEEDBACK. I/M SPEECH WAS WNL AND CONTINUAL WITHOUT PAUSE. I/M WAS ALERT AND ORIENTED. THOUGHT PROCESS WAS FLIGHT OF IDEAS ON SENSORY OVERLOAD AND MIND CONTROL PROCEDURES UTILIZED ON HIM. I/M SPOKE CONSTANTLY ON SURVEILLANCE AND RADIO FREQUENCIES AFFECTING HIM DAILY CONSCIOUSLY AND SUBCONSCIOUSLY. I/M SPOKE OF HAVING H/I WITH FLOATING LIGHTED IMAGERY, AFFECT IS WNL AND ATTITUDE WAS OPEN. PSYCHOSIS WAS NOT SUBSTANTIATED. MALINGERING OF PSYCHOTIC SYMPTOMS ARE NOTED IN PREVIOUS ENCLOSURES.

P: I/M WILL CONTINUE TO BE FOLLOWED-UP WITH MH STAFF PER SCDC POLICY AND PROCEDURES. I/M WAS ENCOURAGED TO REMAIN COMPLIANT WITH PRESCRIBED MEDS AND REMAIN DISCIPLINARY FREE. I/M WILL BE PLACED ON NEXT PSY CLINIC LIST FOR ASSESSMENT AND EVALUATION.

JOHN GOUGH HSC-I

QMHP AGREE WITH ASSESSMENT. I/M IS SHOWING SIGNS OF MALINGERING SYMPTOMS OF PSYCHOTIC SYMPTOMS AS PER MHT. I/M IS ADAPTING TO HIS ENVIRONMENT OF GOING TO COURT. MS. ROBERTS LMSW.

SIGNED OFF ON 07/25/17 @ 15:28 BY SYLVIA ROBERTS, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 383 MENTAL HEALTH CLINIC 06/19/17 15:18 BROAD RIVER QMHP DEFERRED

D-INMATE TORENCE INTERVIEWED TODAY IN THE MENTAL HEALTH OFFICE IN THE MOULTRIE UNIT. HE WAS LUCID AND COHERENT. TONE OF VOICE AND SPEECH WITHIN NORMAL LIMITS. HE WAS COOPERATIVE. GOOD EYE CONTACT. ADMITS TO DISTRUST OF OTHER AND PARANOIA HE ATTRIBUTE OT RADIO FREQUENCY AND MIND CONTROL. HE REPORTS HE WAS IN THE MILITARY FOR ABOUT 8 1/2 MONTHS IN THE MARINES BEFORE HE INJURED HIS FOOT AND HAD TO BE DISCHARGED. HE REPORTS HE CONTINUES TO RECEIVE 10% DISABILITY RE: THE INJURY. REPORTS HE HAS GOOD FAMILY SUPPORT AND THAT HIS FAMILY CONTROLS A LOT OF WHAT GOES ON IN THE WORLD. REPORTS HE HAS A POST-CONVICTION HEARING SOON AND EXPECTS A GOOD OUTCOME FROM THE HEARING. REPORTS HE IS COMPLIANT WITH PRESCRIBED MEDICATIONS. DENIED S/H IDEATIONS/INTENT. DENIES SLEEP/APPETITE DIFFICULTY.

A-INMAHS DIAGNOSES OF OTHER SPECIFIED PERSONALITY D/O (R/O CLUSTER A, PARANOID PD); UNSPEC. ANXIETY D/O; ALCOHOL USE D/O; HISTORY OF MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL USE D/O, SEVERE, CONTROLLED ENVIRONMENT.

P-INMATE WILL CONTINUE TO BE FOLLOWED BY HSC STAFF PER SCDC POLICY. HE IS ENCOURAGED TO REMAIN COMPLIANT WITH PRESCRIBED MEDICATION, REMAIN DISCIPLINARY FREE AND FOLLOW-UP ON PCR HEARING. LARRY WALTON, HSC II

SIGNED OFF ON 06/19/17 @ 15:27 BY GEORGE L WALTON, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 382 NARRATIVE 05/25/17 15:41 BROAD RIVER COMP  
I/M IS SCHEDULED WITH ORTHO CLINIC ON 6/19/17.  
SIGNED OFF ON 05/25/17 @ 15:41 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED

SIGNED OFF ON 05/27/17 @ 17:12 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 381 NARRATIVE 05/25/17 14:35 BROAD RIVER COMP  
I/M IS SCHEDULED WITH ORTHO CLINIC FOR F/U ON 6/19/17.  
SIGNED OFF ON 05/25/17 @ 14:36 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED

SIGNED OFF ON 05/27/17 @ 17:13 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

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\*\* ENCOUNTER: 380 DOCTOR'S CLINIC 03/21/17 11:58 BROAD RIVER COMP  
INMATE RELATING OF HEARING VOICES IN HIS HEAD FROM RADIO. BEING TREATED.  
C/O REPEATING LEFT SHOULDER DISLOCATIONS AND REQUESTS ORTHO REFERRAL. ALSO T  
X FOR PSORIASIS SKIN LESIONS ON KNEES AND ELBOWS. STATES HX OF HPV. C/O  
ITCHING HEMORRHOIDS; WANTS SURGERY.  
EXAM - WT 267 O2 98% T 98.0 P 70 R 16 BP 122/84

HEENT-WNL  
C-P STABLE

ABD-SOFT, NONTENDER, NONDISTENDED, NO ORGANOMEGALY OR MASS PALPATED, BS+.

EXT- FROM, TENDER LEFT SHOULDER, PSORIATIC SKIN LESIONS ELBOWS AND KNEES.

A/P- PSORIASIS- TRIAMCINOLONE OINTMENT 0.1% APPLY TO LESIONS BID X 180 DAYS

TAR SHAMPOO -APPLY QHS

LEFT SHOULDER DISLOCATION-REFER TO ORTHO.

HEMORRHOIDS- ANUSOL HC SUPP 1 R QID X 3.

P> HEMORRHOIDAL HC SUPP 25MG (ANUSOL HC) #12/BOX  
SIG: 1 R QID

SIG:

START DATE: 03/21/17 TOTAL DAYS: 3

MD: MEYER, HALFORD -

PC TAR SHAMPOO

SIG: APPLY QHS

SIG:

START DATE: 03/21/17 TOTAL DAYS: 180

MD: MEYER, HALFORD -

TRIAMCINOLONE OINT 80GM TUBE .1%

SIG: APPLY BID TO RASH, 5 REFILLS

SIG:

START DATE: 03/21/17 TOTAL DAYS: 180

MD: MEYER, HALFORD -

SIGNED OFF ON 03/21/17 @ 12:13 BY HALFORD E MEYER, PHYSICIAN

CONSULT DONE

SIGNED OFF ON 03/23/17 @ 10:39 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

MARS UPDATED.

SIGNED OFF ON 03/24/17 @ 13:17 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 379 FOLLOW-UP DENTAL 03/08/17 7:59 BROAD RIVER COMP  
S- "FILLINGS". PATIENT IS NOT IN PAIN.  
O- CAVITIES. POINTING TO #'S 6 AND 11.  
A- SUBMIT REQUEST FOR FILLINGS.  
P- EMERGENCIES ONLY. THERE IS NO PERMANENT DENTIST HERE AT BRCI. SUBMIT RE-  
QUEST FOR FILLINGS AFTER NEW DENTIST IS HERE.  
SIGNED OFF ON 03/08/17 @ 8:04 BY JOHN W SUMMERS, DENTIST

\*\* ENCOUNTER: 378 MENTAL HEALTH CLINIC 03/02/17 11:33 BROAD RIVER COMP  
APPROPRIATE AT TODAY'S ENCOUNTER. SEE NOTES FROM PAST ENCOUNTER. WE  
DISCUSSED DIFFERENT CONCERNS EXPRESSED REGARDING HIS SYMPTOMS AND  
CONSIDERATIONS OF CLUSTER A PD AND IF HE HAS A LIFELONG PATTERN  
OF DISTRUST OF OTHERS OR PARANOID PERSONALITY SPECTRUM, FOR EXAMPLE.  
STATES THAT BEHAVIORS OF OTHER INMATES DRIVE HIM INTO "MANIA AND PSYCHOSIS"  
STATES HE COULD BENEFIT FROM A BENZO, REPORTS PAST BENEFIT FROM XANAX.

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MSE: COOPERATIVE. ALERT AND ORIENTED. MOOD IS "AGGRAVATED". AFFECT IS FULL RANGE AND APPROPRIATE. STILL SPEAKS OF SURVEILLANCE AND RADIO FREQUENCIES AFFECTING "SUBCONSCIOUS". UNSURE IF THIS IS TRULY PSYCHOTIC IN NATURE. STATES HE BELIEVES IN THOUGHT INSERTION AND THOUGHT BROADCASTING AND THAT THE TECHNOLOGY TO DO THIS "AVAILABLE SINCE THE 60'S". VAUELY DISCUSSES "PARANOIA". NO SI/HI.

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A:  
OTHER SPECIFIED PERSONALITY DISORDER ( R/O CLUSTER A, PARANOID PD)  
UNSPECIFIED ANXIETY DISORDER  
ALCOHOL USE DISORDER  
HX OF MALINGERING OF PSYCHOTIC SYMPTOMS.  
ALCOHOL USE DISORDER, SEVERE, CONTROLLED ENVIRONMENT

P:  
AFFECT INCONGRUENT WITH STATED LEVEL OF DYSFUNCTION. STILL CAN'T EXCLUDE ISSUES OF SECONDARY GAIN GOING ON HERE OR CLUSTER A SPECTRUM.

---

DOES NOT DESIRE MEDS.

--

FLUOXETINE 20MG CAPSULES (PROZAC)  
SIG:ONE TAB PO QPM . TAKE WITH 10 MG  
SIG:

START DATE: 03/02/17 TOTAL DAYS: 180  
MD:HEDGEPTH,ANDREW -

FLUOXETINE 10MG CAPSULES (PROZAC)  
SIG:ONE TAB PO QPM

SIG:  
START DATE: 03/02/17 TOTAL DAYS: 180  
MD:HEDGEPTH,ANDREW -

HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)  
SIG:TWO TAB PO QAM AND THREE TAB PO QPM

SIG:  
START DATE: 03/02/17 TOTAL DAYS: 180  
MD:HEDGEPTH,ANDREW -

--

CLARIFY IF ISSUES OF PCR HAVE RESOLVED OR IF THIS REMAINS POSSIBLE FACTOR IN SYMPTOM ENDORSEMENT.

SIGNED OFF ON 03/02/17 @ 11:47 BY ANDREW W HEDGEPTH, UNCLASSIFIED  
I/M HAS BEEN NON- COMPLAINT WITH MEDICATIONS MAJORITY OF TIMES. WILL CONTINUE TO MONITOR AS ORDERED ABOVE.

SIGNED OFF ON 03/21/17 @ 12:55 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 377 INSIDE APPOINTMENT 02/10/17 12:40 BROAD RIVER COMP  
I/M SIGNED UP FOR SICKCALL ON TODAY 2/10/2017. SICK CALL NOT HELD DUE TO COURT CLEARING LATE, AND A SECURITY ISSUE ON THE YARD.  
SIGNED OFF ON 02/10/17 @ 12:40 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 376 DOCTOR'S CLINIC 01/03/17 16:10 BROAD RIVER COMP  
REQUEST CLARIFICATION FROM COLUMBIA HEART REGARDING STARTING MAGNESIUM

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OXIDE IN OUR PATIENT ANDREW TORRENCE. REVIEWING NOTE FROM YOUR OFFICE STATED -START MGO IN THE HISTORY, YET DID NOT IN MEDICATIONS TO BE ADDED OR FINAL MEDICATION LIST.

SIGNED OFF ON 01/03/17 @ 16:14 BY HALFORD E MEYER, PHYSICIAN  
AWAITING FOR A CALL FROM DR. PROSSER FROM COLUMBIA HEART TO CLARIFY ORDER.  
1/5/2017 AT 2:15PM. PLEASE LEAVE OPEN.

RECEIVED CALL FROM DR. PROSSER FROM COLUMBIA HEART  
MAGNESIUM OXIDE 300MG ONE TABLET BY MOUTH DAILY  
AWAITING TO HEAR BACK FROM OFFICE. MAG OXIDE 300MG NOT AVAILABLE.

PER DR. PROSSER T/O TO GIVE MAGNESIUM OXIDE 400MG PO DAILY  
SIGNED OFF ON 01/05/17 @ 15:09 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 01/07/17 @ 17:45 BY JACQUES R DAYS, PHYSICIAN

MAR UPDATED

SIGNED OFF ON 01/10/17 @ 16:32 BY MELISSA L COOK, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 375 INSIDE APPOINTMENT 12/18/16 13:32 BROAD RIVER COMP  
I/M LISINAPRIL EXPIRED

WILL FORWARD TO MD FOR REVIEW.

LISINAPRIL 40MG (ZESTRIL) (PRINIVIL)

SIG: ONE TABLET BY MOUTH DAILY

SIG:

START DATE: 12/18/16 TOTAL DAYS: 360

MD: BLAKE, SALLY -

SIGNED OFF ON 12/18/16 @ 13:33 BY JANEAN HILL, LICENSED PRACTICAL NURSE

SIGNED OFF ON 12/23/16 @ 9:54 BY SALLY V BLAKE, NURSE PRACTITIONER II

NOTED. MARS UPDATED

SIGNED OFF ON 12/23/16 @ 15:43 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 374 OUTSIDE RECOMMENDATI 09/28/16 8:23 BROAD RIVER COMP  
INMATE RETURN FROM COLUMBIA HEART WITH THE FOLLOWING RECOMMENDATIONS:

ECHO COMPLETED WHILE IN OFFICE. ECHO IS NORMAL. EF IS 60%. DYSPNEA HAS MOSTLY RESOLVED. PALPITATIONS ARE PVC'S. EXPECTED MANAGEMENT EXPLAINED. START MAGNESIUM OXIDE.

WILL FORWARD TO MD FOR REVIEW.

SIGNED OFF ON 12/15/16 @ 8:28 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

NOTED- GOOD NEWS. I/M AGREEABLE TO MAG?

SIGNED OFF ON 12/16/16 @ 12:03 BY ELIZABETH A HOLCOMB, NURSE PRACTITIONER II

NOTED. CLARIFY THE DOSE AND THE AMOUNT PER DAY ..

SIGNED OFF ON 01/03/17 @ 16:34 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE  
SEE ENC 376.

SIGNED OFF ON 01/03/17 @ 18:17 BY HALFORD E MEYER, PHYSICIAN

INMATE IS WILLING TO TAKE MAG. NOTED. AWAITING A CALL FROM COLUMBIA HEART D  
R. PROSSER TO CLARIFY MAGNESIUM ORDER.

SIGNED OFF ON 01/05/17 @ 14:15 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 373 MENTAL HEALTH CLINIC 12/08/16 8:56 BROAD RIVER QMHP

SEE PAST NOTES. SOME PERSONS HAVE EXPRESSED CONCERNS OF SURVEILLANCE  
THROUGH HIDDEN TECHNOLOGY BUT THEN STATES "IT COULD BE DELUSIONAL".

DISCUSSES "MIND READING TECHNOLOGY".

HIS AFFECT IS INCONGRUENT WITH STATED LEVEL OF DYSFUNCTION. STATES THESE

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BELIEFS ARE CLINICALLY DISTRESSING AND "DRIVE ME INTO MANIA".  
HE HAS HAD SIGNIFICANT EXAGGERATION ON SIRS IN THE PAST.

MSE:

COOPERATIVE. MOOD IS "SOMETIMES DRIVEN INTO MANIA WITH THESE SYMPTOMS".  
AFFECT IS INCONGRUENT WITH STATED LEVEL OF DYSFUNCTION. NO COMMAND  
HALLUCINATIONS. NO SI/HI. "I AM NOT A THREAT TO OTHERS". NO SI/HI.  
SPEAKS OF COLLUSION OF PERSONS TO USE SURVEILLANCE TECHNOLOGY.

A:

OTHER SPECIFIED PERSONALITY DISORDER ( R/O CLUSTER A, PARANOID PD)  
UNSPECIFIED ANXIETY DISORDER  
ALCOHOL USE DISORDER  
HX OF MALINGERING OF PSYCHOTIC SYMPTOMS.

P:

PROBABLE ISSUES OF PRIMARY AND SECONDARY GAIN.  
PROZAC AND VISTARIL CONTINUED.  
NO CLEAR INDICATION TO INITIATE ANTIPSYCHOTIC. NO RESPONSE IN PAST  
AND ELEVATED SIMS. ALSO MAY BE MORE RELATED TO CLUSTER A PERSONALITY  
DISORDER.

NOW I HAVE BEEN MADE AWARE THAT HE HAS HAD A PRIVATE EXAM BY A  
FORENSIC PSYCH EXAMINER AND HAD INCREASED DELUSIONAL SYMPTOMS AT THAT  
APPOINTMENT.

ISSUES OF SECONDARY GAIN COULD ALSO BE AT PLAY HERE.  
SIGNED OFF ON 12/08/16 @ 9:12 BY ANDREW W HEDGEPTH, UNCLASSIFIED  
BE AWARE THAT I/M IS VERY NON-COMPLAINT WITH CURRENT MEDICATIONS  
SIGNED OFF ON 01/03/17 @ 16:36 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 372 NARRATIVE 12/07/16 9:57 BROAD RIVER COMP  
I/M WAS A NO SHOW FOR HIS G.I. APPT ON 12/6/16.  
SIGNED OFF ON 12/07/16 @ 9:57 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
SIGNED OFF ON 12/17/16 @ 8:20 BY COURTNEY O WILLIAMS, REGISTERED NURSE I

\*\* ENCOUNTER: 371 INSIDE APPOINTMENT 12/02/16 16:15 BROAD RIVER COMP  
I/M HCTZ EXPIRED. PLEASE CONSIDER FOR RENEWAL  
HYDROCHLOROTHIAZIDE (HCTZ) 12.5MG CAPS  
SIG: TAKE ONE TABLET BY MOUTH DAILY  
SIG:  
START DATE: 12/02/16 TOTAL DAYS: 360  
MD: BLAKE, SALLY -  
SIGNED OFF ON 12/02/16 @ 16:17 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 12/03/16 @ 7:10 BY JACQUES R DAYS, PHYSICIAN  
FORWARDING TO MLT NURSE FOR MAR UPDATE.  
SIGNED OFF ON 12/03/16 @ 10:05 BY SARAH F COLE, REGISTERED NURSE I  
JMARS UPDATED.  
SIGNED OFF ON 12/04/16 @ 13:31 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 370 OUTSIDE APPOINTMENT 12/06/16 13:03 BROAD RIVER COMP

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I/M IS SCHEDULED WITH G.I CLINIC ON 12/6/16.

SIGNED OFF ON 11/18/16 @ 13:04 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT NOTED.

SIGNED OFF ON 11/19/16 @ 12:45 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 369 NARRATIVE 11/17/16 11:05 BROAD RIVER COMP  
I/M GIVEN FLU VACCINATION IN RIGHT DELTOD, TOLERATED WELL.  
CONSENT SIGNED AND ALL QUESTION WERE ANSWERED NO.  
MAN.: SEQIRUS  
LOT#1619901  
EXP: 05/2017  
SIGNED OFF ON 11/17/16 @ 11:05 BY KERRY M CLOUD-PERRY, MEDICAL ASSISTANT TECH

\*\* ENCOUNTER: 368 NARRATIVE 11/15/16 21:09 BROAD RIVER COMP  
V.O. SALLY BLAKE, DC DIET DUE TO CHRONIC NONCOMPLIANCE OF GREATER THAN  
30%. INMATE MAY REQUEST RENEWAL AFTER 60 DAYS PER POLICY. MRS BARBER  
NOTIFIED VIA QUARTARLY COMPLIANCE REVIEW SHEET.  
SIGNED OFF ON 11/15/16 @ 21:09 BY JUSTIN R GUDVANGEN, NURSE ADMINISTRATOR/MGR  
SIGNED OFF ON 11/17/16 @ 11:31 BY HALFORD E MEYER, PHYSICIAN  
NOTED. WILL ISSUE OTR TO INMATE  
SIGNED OFF ON 11/17/16 @ 13:06 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 367 X-RAY 10/29/16 20:48 BROAD RIVER COMP  
SEEN AT IMAGECARE ON 10/27/16  
PROCEDURE: MRI ARTHROGRAM, LEFT SHOULDER  
IMPRESSION:  
1. HILL-SACHS DEFORMITY AND OSTEOCHONDRAL BANKART LESION.  
2. SUSPECTED SUPERIOR LABRAL TEAR, TYPE II AND EXTENDING THROUGH THE ANTERIOR LABRUM.  
3. INCOMPLETE GAGL LESION, WITH LAXITY.  
4. NO SIGNIFICANT ROTATOR CUFF PATHOLOGY.  
SIGNED OFF ON 10/29/16 @ 20:51 BY SANTANA K SHANNON, REGISTERED NURSE II  
ENSURE PT HAS F/U WITH ORTHO FOR TX.  
SIGNED OFF ON 10/31/16 @ 9:46 BY HALFORD E MEYER, PHYSICIAN  
SIGNED OFF ON 11/11/16 @ 9:38 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 366 X-RAY 10/29/16 20:43 BROAD RIVER COMP  
SEEN AT IMAGECARE ON 10/27/16  
PROCEDURE: LEFT SHOULDER ARTHROGRAM FOR MRI ARTHROGRAPHY  
IMPRESSION:  
1. LEFT SHOULDER ARTHROGRAM FOR PURPOSES OF MRI ARTHROGRAPHY.  
2. ABNORMAL IMAGES OBTAINED PRIOR TO MRI DEMONSTRATING HILL-SACHS DEFORMITY AND SUSPECTED BANKART LESION WITH NO LOOSE INTRAARTICULAR BODIES AND WITH NO EXTRAVASATION OF CONTRAST INTO THE SUBACROMION OR SUBDELTOID BURSA.  
3. MRI ARTHROGRAM REPORT WILL FOLLOW SEPARTELY.  
SIGNED OFF ON 10/29/16 @ 20:48 BY SANTANA K SHANNON, REGISTERED NURSE II  
NOTED.  
SIGNED OFF ON 10/31/16 @ 9:43 BY HALFORD E MEYER, PHYSICIAN  
NOTED  
SIGNED OFF ON 10/31/16 @ 14:13 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

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- \*\* ENCOUNTER: 365 OUTSIDE APPOINTMENT 10/27/16 15:30 BROAD RIVER COMP  
I/M SCHEDULED WITH IMAGE CARE ON 10/21/16 HAS BEEN RESCHEDULED TO  
10/27/16 AT 930AM. NPO I/M THE NIGHT BEFORE HAVE I/M TO SIGN NPO SHEET  
STATING THAT HE UNDERSTANDS NOT TO EAT OR DRINK AFTER MIDNIGHT.  
SIGNED OFF ON 10/24/16 @ 15:33 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NPO AGREEMENT COMPLETED.  
SIGNED OFF ON 10/24/16 @ 16:43 BY JANEAN HILL, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 364 INSIDE APPOINTMENT 09/30/16 10:37 BROAD RIVER COMP  
I/M TO MOULTRIE MEDICAL FOR THERA BAND THERAPY FOR 30 MINUTES. I/M TOLERATED  
AND LEFT MEDICAL IN NAD.  
SIGNED OFF ON 09/30/16 @ 10:40 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 363 OUTSIDE APPOINTMENT 10/21/16 12:34 BROAD RIVER COMP  
I/M SCHEDULED WITH IMAGE CARE ON 9/29/16 HAS BEEN CANCELLED DO TO NO  
TRANSP. I/M HAS BEEN RESCHEDULED TO 10/21/16 AT 10:30AM. NPO I/M THE  
NIGHT BEFORE HAVE I/M TO SIGN NPO SHEET STATING THAT HE UNDERSTANDS  
NOT TO EAT OR DRINK AFTER MIDNIGHT.  
SIGNED OFF ON 09/29/16 @ 12:37 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
ORDER NOTED. OTR ISSUED TO SIGN NPO AGREEMENT ON 10-20-16  
SIGNED OFF ON 09/29/16 @ 12:45 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 362 INSIDE APPOINTMENT 09/28/16 17:05 BROAD RIVER COMP  
FOUND OPENED. CLOSED  
SIGNED OFF ON 09/29/16 @ 12:45 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 361 INSIDE APPOINTMENT 09/26/16 14:04 BROAD RIVER COMP  
I/M A NO SHOW FOR THERABAND THERAPY.  
SIGNED OFF ON 09/26/16 @ 14:04 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 360 INSIDE APPOINTMENT 09/26/16 14:03 BROAD RIVER COMP  
LATE ENTRY FOR 09/23/16. I/M SHOWED UP FOR THERABAND THERAPY X'S 1 HOURS. T  
OLERATED.  
SIGNED OFF ON 09/26/16 @ 14:04 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 359 MENTAL HEALTH CLINIC 09/20/16 13:41 BROAD RIVER QMHP  
S: DENIES SI/HI. STATES HE HEARS VOICES THAT SAY "YADA YADA YADA." CANNOT  
IDENTIFY SEX, RACE, OR AGE OF VOICE. FURTHERMORE, HE DOES NOT APPEAR TO BE  
IN ANY ACUTE DISTRESS CURRENTLY NOR DOES HE APPEAR TO BE RESPONDING TO INTE  
RNAL STIMULI. HIS SX PRESENTATION IS RATHER ATYPICAL FOR GENUINE PSYCHOSIS  
, AND IT IS IMPORTANT TO NOTE THAT HE DOES HAVE A HX OF STRONG SYMPTOM EMBE  
LLISHMENT WHEN SIMS WAS PERFORMED ON HIM IN SEPTEMBER 2014. DENIES S/E TO  
PSYCH MEDS. DENIES COMMAND AH TO ME.  
DOES NOT MENTION ANYTHING TODAY ABOUT HIS THOUGHTS BEING CONTROLLED BY NSA  
THROUGH REMOTE NEURAL MONITORING.  
O: IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP - LINEA  
R. TC - DENIES SI/HI. STATES HE HEARS VOICES THAT SAY "YADA YADA YADA." DO  
ES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI THOUGH. DENIES COMMAND A  
H. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "I'M D



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OING ALRIGHT." EUTHYMIC AFFECT.

A: UNSPECIFIED ANXIETY D/O; UNSPECIFIED PERSONALITY D/O; HX MOOD D/O - CURRENTLY STABLE ON PSYCHOTROPIC MEDICATION REGIMEN; HX EMBELLISHMENT OF PSYCHOTIC SX WITH SCORE OF 35 ON SIMS PERFORMED IN SEPT 2014 (ENC 240); ETOH USE D/O

P: CONTINUE PROZAC 30MG PO QPM AND CONTINUE VISTARIL 100MG PO QAM AND 150MG PO QPM.

SIGNED OFF ON 09/20/16 @ 13:48 BY MOHAN SRIDARAN, PSYCHIATRIST

\*\* ENCOUNTER: 358 INSIDE APPOINTMENT 09/19/16 13:11 BROAD RIVER COMP  
I/M TO MLT MEDICAL FOR THERABAND THERAPY FOR 1 HOUR, INMATE TOLERATED WELL.  
SIGNED OFF ON 09/20/16 @ 13:11 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 357 OUTSIDE APPOINTMENT 09/29/16 15:39 BROAD RIVER COMP  
I/M IS SCHEDULED WITH IMAGE CARE FOR L SHOULDER MRI ON 9/29/16 AT 1PM.  
NPO I/M THE NIGHT BEFORE HAVE I/M TO SIGN NPO SHEET STATING THAT HE UNSTANDS NOT TO EAT OR DRINK AFTER MIDNIGHT.  
SIGNED OFF ON 09/19/16 @ 15:41 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NPO AGREEMENT COMPLETED.  
SIGNED OFF ON 09/20/16 @ 13:10 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 356 INSIDE APPOINTMENT 09/14/16 12:00 BROAD RIVER COMP  
NO SHOW FOR THERABAND THERAPY. WILL REISSUE ANOTHER OTR.  
SIGNED OFF ON 09/26/16 @ 14:02 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 355 MENTAL HEALTH CLINIC 09/08/16 14:24 BROAD RIVER COMP  
MED RENEWALS:  
FLUOXETINE 20MG CAPSULES (PROZAC)  
SIG:1 CAPSULE PO QPM (TAKE WITH 10MG PROZAC FOR TOTAL  
SIG:OF 30MG QPM)  
START DATE: 09/08/16 TOTAL DAYS: 180  
MD:SRIDARAN, MOHAN -  
FLUOXETINE 10MG CAPSULES (PROZAC)  
SIG:1 CAPSULE PO QPM (TAKE WITH 20MG PROZAC FOR TOTAL  
SIG:OF 30MG QPM)  
START DATE: 09/08/16 TOTAL DAYS: 180  
MD:SRIDARAN, MOHAN -  
HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)  
SIG:2 TABLETS PO QNOON AND 3 TABLETS PO QPM  
SIG:  
START DATE: 09/08/16 TOTAL DAYS: 180  
MD:SRIDARAN, MOHAN -  
SIGNED OFF ON 09/08/16 @ 14:24 BY MOHAN SRIDARAN, PSYCHIATRIST  
MAR UPDATED.  
SIGNED OFF ON 09/10/16 @ 10:10 BY THAKIYA M ST CYR, REGISTERED NURSE I

\*\* ENCOUNTER: 354 OUTSIDE APPOINTMENT 09/28/16 13:18 BROAD RIVER COMP  
I/M IS SCHEDULED WITH COLA HEART FOR F/U ON 9/28/16 AT 1:30PM.  
SIGNED OFF ON 08/26/16 @ 13:19 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED.

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SIGNED OFF ON 08/28/16 @ 11:18 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 353 MENTAL HEALTH CLINIC 08/23/16 12:38 BROAD RIVER QMHP  
DID NOT SHOW FOR PSYCH CLINIC. PLEASE RESCHEDULE.  
SIGNED OFF ON 08/23/16 @ 12:38 BY MOHAN SRIDARAN, PSYCHIATRIST

\*\* ENCOUNTER: 352 OUTSIDE RECOMMENDATI 08/19/16 13:34 BROAD RIVER COMP  
I/M RETURNED FROM KCI PT ON 08/08/16 WITH THE FOLLOWING RECOMMENDATIONS:  
TOL. WELL & PERFORMED ALL EX WITH GOOD TECHNIQUE  
PT TO EX 3X/WK FOR 1 HR FOR 2 MO USING BLUE BAND.  
WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION. SORANGE MED TECH  
SIGNED OFF ON 08/19/16 @ 13:48 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I  
- PER RECOMMENDATIONS, PHYSICAL THERAPY AS NOTED ABOVE.  
SIGNED OFF ON 08/20/16 @ 20:32 BY JACQUES R DAYS, PHYSICIAN  
NOTED. WILL GET THERABAND FROM MAIN MEDICAL.  
SIGNED OFF ON 08/31/16 @ 13:36 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 351 OUTSIDE RECOMMENDATI 08/19/16 11:06 BROAD RIVER COMP  
I/M RETURNED FROM KCI ORTHO CLINIC ON 08/08/16 WITH THE FOLLOWING  
RECOMMENDATIONS:  
36 Y/O RHD M W/HX (L) SHOULDER DISLOCATION W/SUBJECTIVE  
DISLOCATION/ SUBLUXATIONS.  
REFER FOR (L) SHOULDER MRI W/ ARTHROGRAM  
REFER PT FOR HEP FOR (L) SHOULDER ROM & RTC STRENGTHENING  
RTC AFTER MRI.  
WILL FOWARD TO MD FOR FURTHER REVIEW AND DISPOSITION. SORANGE MED TECH.  
SIGNED OFF ON 08/19/16 @ 13:30 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I  
- PER RECOMMENDATIONS REFER TO PHYSICAL THERAPY.  
SCHEDULE MRI OF LEFT SHOULDER WITH ARTHROGRAM.  
ORTHO RTC AFTER MRI IS COMPLETED.  
SIGNED OFF ON 08/20/16 @ 20:31 BY JACQUES R DAYS, PHYSICIAN  
NOTED.  
SIGNED OFF ON 08/31/16 @ 13:37 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 350 NARRATIVE 08/05/16 8:26 BROAD RIVER COMP  
I/M IS SCHEDULED WITH ORTHO CLINIC ON 08/08/16 FOR EVAL OF (L) SHOULDER.  
SIGNED OFF ON 08/05/16 @ 8:28 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I  
SIGNED OFF ON 08/07/16 @ 8:30 BY COURTNEY O WILLIAMS, REGISTERED NURSE I

\*\* ENCOUNTER: 349 NON-FORMULARY RX 08/04/16 10:47 BROAD RIVER COMP  
MOTRIN 600 MG PO TID PRN X 30 DAYS  
LEFT SHOULDER DISLOCATIONS  
STS HURTS ALL THE TIME AND MOTRIN HELPS WITH A RATING OF 2-10  
IBUPROFEN 600MG (NON FORMULARY > 10 DAYS)  
SIG:1 PO TID PRN X  
SIG:  
START DATE: 08/04/16 TOTAL DAYS: 30  
MD:BLAKE, SALLY -  
REQUIRES NON-FORM RX APPROVAL:08/04/16 @ 10:50 BY SALLY V BLAKE, NURSE PRACTI  
REQUIRES NON-FORM RX APPROVAL:08/04/16 @ 11:02 BY SALLY V BLAKE, NURSE PRACTI

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RX APPROVED 08/04/16 @ 11:58 BY JOHN B MCREE, PHYSICIAN  
NOTED. MARS UPDATED

SIGNED OFF ON 08/04/16 @ 12:21 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 348 DOCTOR'S CLINIC 08/04/16 10:19 BROAD RIVER COMP  
INMATE INTO MEDICAL TO FOLLOW UP LEFT SHOULDER DISLOCATIONS X 3. STS THE  
FIRST ONE DISLOCATED ON 6/26/16 AND THEN ON 6/30/16 BUT POPPED BACK INTO  
JOINT. STS THE FIRST WAS MOVING ARM ACROSS TORSO AND THE SECOND TIME LIFTED  
ARM WHICH BOTH RESULTED IN DISLOCATIONS. STS THEY POPPED BACK INTO JOINT  
EACH TIME

O: ---, NAD

LEFT SHOULDER-CURRENTLY IN SLING. NO BONEY/MUSCLE ABNORMALITY NOTED  
MOBILITY NOT ASSESSED DUE TO RECURRENT DISLOCATION

A; DISLOCATIONS OF LEFT SHOULDER-(X3)

P: REFER TO ORTHO FOR EVALUATION/CONSULT COMPLETED  
CONTINUE SLING

MOTRIN 600 MG PO TID PRN X 30 DAY-WILL WRITE NON FORMULARY

SIGNED OFF ON 08/04/16 @ 10:47 BY SALLY V BLAKE, NURSE PRACTITIONER II  
MARS UPDATED.

SIGNED OFF ON 08/07/16 @ 13:25 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 347 MENTAL HEALTH CLINIC 07/29/16 14:18 BROAD RIVER QMHP  
MOULTRIE DORM LOCKED DOWN TODAY, AND HE COULD NOT COME UP FOR PSYCH CLINIC.  
PLEASE RESCHEDULE.

SIGNED OFF ON 07/29/16 @ 14:18 BY MOHAN SRIDARAN, PSYCHIATRIST

\*\* ENCOUNTER: 346 OUTSIDE RECOMMENDATI 07/19/16 15:38 BROAD RIVER COMP  
SEEN IN COLUMBIA HEART WITH THE FOLLOWING RECOMMENDATION:

PALPITATIONS, ABN ECG, DYSPNEA

NEEDS 1 WEEK EVENT MONITOR, ECHO

WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION

Y. MUNRO LPN

SIGNED OFF ON 07/19/16 @ 15:40 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

PLEASE OBTAIN

SIGNED OFF ON 07/20/16 @ 16:22 BY SALLY V BLAKE, NURSE PRACTITIONER II  
NOTED.

SIGNED OFF ON 07/23/16 @ 14:13 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 345 OUTSIDE APPOINTMENT 08/02/16 11:06 BROAD RIVER COMP  
I/M IS SCHEDULED WITH G.I. CLINIC EVAL ON 8/2/16.

SIGNED OFF ON 07/15/16 @ 11:07 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED

SIGNED OFF ON 07/16/16 @ 11:47 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 344 MENTAL HEALTH CLINIC 07/13/16 17:56 BROAD RIVER COMP  
INCIDENTAL NOTE

I/M RECEIVED A COPY OF THE MENTAL HEALTH SETTLEMENT AGREEMENT PACKET.  
AFTER SIGNING THE RECEIPT.

P. JONES, HSC II

SIGNED OFF ON 07/13/16 @ 17:56 BY PATRICIA JONES, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 343 INSIDE APPOINTMENT 06/30/16 18:47 BROAD RIVER COMP

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I/M RETURNED FROM PRMH-ER S/P ADMISSION FOR POSSIBLE LEFT SHOULDER  
"DISLOCATION"

REPORTS THAT HIS SHOULDER WENT BACK IN PLACE BEFORE HE ARRIVED TO THE  
HOSPITAL

PRESENTS TO CLINIC WEARING A IMMOBILIZING SLING ISSUED FROM HOSPITAL  
I/M REPORTS THAT HE WAS GIVEN THE BIGGEST SLING THAT THEY HAD AND IT  
IS STILL TOO SMALL FOR HIM.

BRCI DOES NOT HAVE BIGGER SLING THAN WHAT HE WAS GIVEN

DISCHARGE INSTRUCTIONS: F/U WITH ORTHO IN 2-4 DAYS

RETURN FOR ANY CONCERNS. FOLLOW UP WITH ORTHO FOR  
FURTHER EVALUATION AND DEFINITIVE CARE

I/M INSTRUCTED TO F/U IN SICK CALL SHOULD HIS PAIN PERSIST OR WORSEN  
CONSULT NURSE TO SCHEDULE ORTHO APPT

SIGNED OFF ON 06/30/16 @ 18:59 BY COURTNEY O WILLIAMS, REGISTERED NURSE I  
NOTED

SIGNED OFF ON 07/06/16 @ 13:36 BY BENJAMIN F LEWIS JR, PHYSICIAN

\*\* ENCOUNTER: 342 OUTSIDE APPOINTMENT 06/30/16 13:41 BROAD RIVER COMP  
SEND TO PRMH ER FOR EVAL AND TX VIA VAN PER DR MEYER Y.MUNRO LPN  
SIGNED OFF ON 06/30/16 @ 13:42 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 341 EMERGENCY INHOUSE 06/30/16 13:01 BROAD RIVER COMP  
I/M TO MLT MEDICAL VIA W/C STATING "I DISLOCATED MY SHOULDER." OFFICER IN D  
ORM CALLED AND ASKED NURSE IF I/M COULD BE SEEN I/M COMPLAINING THAT HE DIS  
LOCATED HIS LEFT SHOULDER  
I/M WITH HX OF BROKEN SHOULDER AS WELL AS DISLOCATION. SEE ENC 340  
I/M AT DOOR YELLING TO I/M'S TO CHECK THE TIME BECAUSE THIS IS AN EMERGNACY  
AND I WANT TO SEE HOW LONG IT TAKES FOR THEM TO COME AND SEE ME. I/M YELLI  
NG AND CURSING, HE WAS RAMBLING ON ABOUT PEOPLE TRING TO MAKE HIM GIVE IN.  
I/M NON-COMPLIANT WITH PSYCH MEDICATIONS.  
UPON ASSESSMENT I/M REFUSED TO REMOVE HIS SHIRT. "JUST FEEL IT YOU CAN FEEL  
IT'S OUT OF PLACE. IT HURT TO MUCH FOR ME TO RAISE MY ARM". I/M WAS UNABLE  
TO RAISE HIS ARM, I/M HOLDING ARM TIGHT TO HIS BODY.. NO FLEXION, NO ABDUCT  
ION, I/M ATTEMPTED WITH GREAT PAIN.I/M SKIN WARM TO TOUCH,DIAPHORETIC,  
V/S 148/92-115-22-98.7  
COULD NOT DO COMPLETE ASSESSMENT DUE TO I/M REFUSING TO TAKE OFF SHIRT.  
CALL TO MAIN MEDICAL SPOKE WITH NURSE OLDS. "SEND I/M TO MAIN MEDICAL". I/M  
SENT VIA W/C WITH PUSHER. I/M IN PAIN.  
SIGNED OFF ON 06/30/16 @ 13:32 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 07/06/16 @ 13:36 BY BENJAMIN F LEWIS JR, PHYSICIAN

\*\* ENCOUNTER: 340 EMERGENCY INHOUSE 06/26/16 13:30 BROAD RIVER COMP  
S> I/M TO MLT MEDICAL STATING, " I WAS HOLDING MY HAND ABOVE MY HEAD, AND MY L  
EFT SHOULDER POP OUT OF PLACE. WHEN I WENT TO MAIN MEDICAL TO BE SEEN IT PO  
P BACK IN . I DISLOCATED MY LEFT SHOULDER BACK 2011."  
O> TEMP=098.4 PULSE=120 RESP=16 BP=142/ 86 WEIGHT=300 O2 SAT= 0  
INMATE ARRIVED TO MEDICAL IN WHEELCHAIR, GUARDING LEFT ARM, RAMBLING SPEECH  
, MENTAL HISTORY, REDDEN AREA NOTED TO POSTERIA LEFT SHOULDER, NOT ABLE TO  
DETERMINE IF SYMETRICAL TO RIGHT SHOULDER DUE TO POSITIONING OF I/M, INMATE  
STATES, " I CAN'T MOVE WITHOUT EXTREME PAIN. LIMITED ROM DUE TO INMATE GUAR

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DING, NO POPPING AND GRINDING. NO BRUISING OR DISCOLORATION NOTED. STATES PAIN LEVEL 8/10. NO VISIBLE DEFORMITIES NOTED. INMATE HAVE LEFT SHOULDER IN A SLING. ALLERGIES: NKA

A> SEE ABOVE.

P> I/M GIVEN MOTRIN FOR PAIN PER S.O.

I/M INSTRUCTED TO ICE LEFT SHOULDER TO REDUCE PAIN AND SWELLING.  
WILL FORWARD TO MD FOR REVIEW.

SIGNED OFF ON 06/26/16 @ 13:50 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
- OTR FOR F/U OF SYMPTOMS

- MD CLINIC FOR NEW OR INCREASED SYMPTOMS.

SIGNED OFF ON 06/27/16 @ 19:14 BY JACQUES R DAYS, PHYSICIAN  
NOTED.

SIGNED OFF ON 07/01/16 @ 11:07 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 339 TELEPHONE ENCOUNTER 06/17/16 17:37 BROAD RIVER COMP  
RECEIVED PHONE CALL FROM SGT DAVIS AT APPROXIMATELY 5:35 PM, STATING I/M  
"IS COMPLAINING OF DISLOCATING HIS SHOULDER". INSTRUCTED SGT DAVIS TO BRING  
I/M TO BRCI MAIN MEDICAL FOR EVALUATION WITH AN OFFICER, AS MEDICAL  
CURRENTLY DOES NOT HAVE AN OFFICER. SGT DAVIS VERBALLY ACKNOWLEDGED AND  
CALL ENDED.  
SIGNED OFF ON 06/17/16 @ 17:39 BY SARAH F COLE, REGISTERED NURSE I

\*\* ENCOUNTER: 338 DENTAL CLINIC 05/18/16 7:13 BROAD RIVER COMP  
S> FILLING CAME OUT, PALATAL OF #7.  
O> TEMP=000.0 PULSE= 0 RESP= 0 BP= 0/ 0 WEIGHT= 0 O2 SAT= 0  
A> INCIPIENT PERIODONTITIS WITH DECAY.  
P> TOOTH # 7: 2% XYLOCAINE WITH 1:100.000 EPI. (1):MESIAL-LABIAL-PALATAL CERAM  
IC RESTORATION WITH COPALITE. SEE HARD COPY.  
SIGNED OFF ON 05/18/16 @ 7:16 BY ROBERT A GOLDMAN, DENTIST

\*\* ENCOUNTER: 337 OUTSIDE APPOINTMENT 06/10/16 13:45 BROAD RIVER COMP  
I/M IS SCHEDULED WITH COLA HEART FOR EVAL EKG ON 6/10/16 AT 8:45AM.  
SIGNED OFF ON 05/16/16 @ 13:46 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
SIGNED OFF ON 05/16/16 @ 19:29 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE

\*\* ENCOUNTER: 336 MENTAL HEALTH CLINIC 03/22/16 10:34 BROAD RIVER COMP  
S: DENIES SI/HI. I ENCOURAGED INCREASED COMPLIANCE WITH PSY  
CH MEDS. LOOKING THROUGH NOTES, HE ACTUALLY REFUSED TO HAVE SIRS ADMINISTE  
RED TO HIM UNLESS APPROVED BY HIS ATTORNEY (ENC 334). SIMS ALREADY ADMINIS  
TERED IN PAST WITH SCORE OF 35 (INDICATING STRONG SX EMBELLISHMENT). DOES  
NOT ENDORSE AH/VH TODAY. DOES NOT APPEAR PARANOID AND DOES NOT ENDORSE ANY  
PARANOID OR DELUSIONAL THINKING TODAY.  
O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP  
- LINEAR, GOAL-DIRECTED. TC -DENIES SI/HI. DOES NOT ENDORSE AH/VH. NO SIG  
NS OR SX OF MANIA CURRENTLY. DOES NOT APPEAR PARANOID AND DOES NOT ENDORSE  
DELUSIONAL THINKING CURRENTLY. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL  
MOVEMENTS NOTED.  
A: UNSPECIFIED ANXIETY D/O; UNSPECIFIED PERSONALITY D/O; HX MOOD D/O - CURR  
ENTLY STABLE ON PSYCHOTROPIC MEDICATION REGIMEN; HX EMBELLISHMENT OF PSYCHO  
TIC SYMPTOMS WITH SCORE OF 35 ON SIMS TEST ADMINISTERED IN 2014 (ENC 240);

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ETOH USE D/O

P:

1. CONTINUE PROZAC 30MG PO QPM.

2. CONTINUE VISTARIL 100MG PO QNOON AND 150MG PO QPM. ENCOURAGED INCREASED COMPLIANCE WITH PSYCH MEDS.

FLUOXETINE 20MG CAPSULES (PROZAC)

SIG:1 CAPSULE PO QPM (TAKE WITH 10MG QPM FOR TOTAL OF SIG:30MG QPM)

START DATE: 03/22/16 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

FLUOXETINE 10MG CAPSULES (PROZAC)

SIG:1 CAPSULE PO QPM (TAKE WITH 20MG FOR TOTAL OF 30MG SIG: QPM)

START DATE: 03/22/16 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)

SIG:2 TABLETS PO QNOON AND 3 TABLETS PO QPM

SIG:

START DATE: 03/22/16 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

SIGNED OFF ON 03/22/16 @ 12:21 BY MOHAN SRIDARAN, PSYCHIATRIST

MARS UPDATED.

SIGNED OFF ON 03/26/16 @ 15:27 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 335 INSIDE APPOINTMENT 03/03/16 13:59 BROAD RIVER COMP

I/M SIMVASTATIN EXPIRES ON 4/15/16.

PLEASE CONSIDER FOR RENEWAL

ZOCOR 20MG (SIMVASTATIN)

SIG:TAKE ONE TABLET BY MOUTH AT BEDTIME

SIG:

START DATE: 03/03/16 TOTAL DAYS: 360

MD:BLAKE, SALLY -

SIGNED OFF ON 03/03/16 @ 14:00 BY JANEAN HILL, LICENSED PRACTICAL NURSE

SIGNED OFF ON 03/11/16 @ 10:37 BY ELIZABETH A HOLCOMB, NURSE PRACTITIONER II

MARS UPDATED

SIGNED OFF ON 03/12/16 @ 12:21 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 334 MENTAL HEALTH CLINIC 03/01/16 10:12 BROAD RIVER COMP

TEMPORARY CASEWORKER NOTE: MET WITH I/M ON 2-26-16. HE MADE A NUMBER OF SEEMINGLY DELUSIONAL REFERENCES TO BEING MONITORED BY AN OUTSIDE AGENT. I/M OTHERWISE REFUSED TESTING UNLESS APPROVED BY HIS ATTORNEY. SIMS SCORE IN THE PAST YIELDED AN ENDORSEMENT RATE OF 35. LEGAL WAS NOTIFIED OF THE DECISION TO WITHHOLD ADDITIONAL TESTING.

SIGNED OFF ON 03/01/16 @ 10:21 BY EDWIN S WATSON, UNCLASSIFIED

\*\* ENCOUNTER: 333 DOCTOR'S CLINIC 02/22/16 11:22 BROAD RIVER COMP

INMATE SEEN FOR PROSTATE EXAM AND RECTAL BLEEDING.

HE HAS SEEN BLOOD WITH BM'S. NO STRAINING, SOME HARD STOOLS THOUGH EXAM RECTAL EXAM - NO OVERT PROSTATE ENLARGEMENT

HYDROCORTISONE CREAM AROUND ANUS

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LABS CBC, CMP, PSA ALL NL.

CHOLESTEROL 247 LDL 151

OBESITY - PROBABLE CAUSE OF HIGH CHOLESTEROL  
WT LOSS

HEMOCCULT STOOL WAS POSITIVE

REFER TO GI FOR COLONOSCOPY - WRITTEN

SIGNED OFF ON 02/22/16 @ 11:35 BY DAVID M INGRAHAM, UNCLASSIFIED

CONSULT FORWARDED TO REFERRAL NURSE

SIGNED OFF ON 02/22/16 @ 11:43 BY MELISSA L COOK, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 332 LAB CLINIC 02/19/16 7:41 BROAD RIVER COMP  
FASTING CHEM18, LIPID PANEL, LFT, CBC W/DIFF, TSH, FREE T4, PSA, HGBA1C, RPR GC  
CHLAMYDIA, U/A. COLLECTED SENT TO LAB PER ENC#329/328.  
SIGNED OFF ON 02/19/16 @ 7:43 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 331 DOCTOR'S CLINIC 02/17/16 17:41 BROAD RIVER COMP  
EKG-INFEROLATERAL INFARCT, INTRAVENTRICULAR CONDITION DELAY, ABNORMAL EKG  
NO ACUTE FINDINGS  
REFER FOR CARDIOLOGY  
SIGNED OFF ON 02/17/16 @ 17:47 BY SALLY V BLAKE, NURSE PRACTITIONER II  
CRT MESSAGE SENT TO CONSULT NURSE.  
SIGNED OFF ON 02/19/16 @ 11:30 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 330 INSIDE APPOINTMENT 02/17/16 14:22 BROAD RIVER COMP  
I/M TO MLT MEDICAL FOR A EKG, I/M TOLERATED WELL. NO CONCERNS VOICED.  
WILL FORWARD HARD COPY TO MD FOR REVIEW.  
SIGNED OFF ON 02/17/16 @ 14:22 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 329 DOCTOR'S CLINIC 02/08/16 16:25 BROAD RIVER COMP  
INMATE INTO MEDICAL TO REQUEST BLOOD TEST FOR DIABETES. STS HAS HUNGER  
PAINS AND WHEN HE DOESNT EAT. STS FEELS NAUSEATED AND LIGHT HEADED. MY  
BIOLOGICAL FATHER HAS PSORIASIS. CONCERNED OVER RECTAL CANCER. THE STOOLS  
ARE RED SOMETIMES AND I HAVE HPV. I NEED HYDROCORTIZONE FOR THE ITCHING.  
STS HEART FLUTTERS SOMETIMES 1-2 PER WEEK  
O: RIGHT LOWER BACK-T10 AREA APP-4 CM X 2 CM NODULARITY, MOBILE  
SKIN-SCATTERED PLAQUES OVER BODY-ERYTHEMATOUS SCALING AREAS  
T-97.9, R-18, BP-136/99, P-108 SAT 97% WT 288  
A: PSORIASIS/RECTAL LESIONS/NODULARITY-BACK  
P: CBC WITH DIFF, CMP, TSH WITH FREE T4, HGAIC, LIPIDS AND LIVER  
SCHEDULE FU WITH DR INGRAHAM TOMORROW FOR EVALUATION  
RPR, GC AND CHLAMYDIA-UA  
HYDROCORTIZONE CREAM-APPLY TO RECTUM FOR ITCHING Q DAY PRN ITCHING  
X 14 DAYS ON AND 14 OFF X 90 DAYS  
HYDROCORTISONE 1% OINT (30GM)  
SIG: APPLY TO RECTUM Q DAY PRN X 14 DAYS ON AND 14 DAYS  
SIG: OFF X  
START DATE: 02/08/16 TOTAL DAYS: 90  
MD: BLAKE, SALLY -  
EKG  
BP QOD X 3 WITH PULSE

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SIGNED OFF ON 02/08/16 @ 17:07 BY SALLY V BLAKE, NURSE PRACTITIONER II  
OTR ISSUED TO REPORT TO MLT MEDICAL TO GET EKG DONE ON 2/15/2016.  
OTR ISSUED TO REPORT TO MLT MEDICAL FOR B/P QOD X3  
LAB SLIP COMPLETED.  
MARS UPDATED.

CRT MESSAGE SENT TO MD CLINIC NURSE.

SIGNED OFF ON 02/14/16 @ 13:50 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 328 SICK CALL 01/29/16 9:37 BROAD RIVER COMP  
S> I/M TO MLT MEDICAL FOR SICKCALL C/O NAUSEA, SHIVERING, MUSCLE CRAMPS, SWEAT  
S. I/M STATE, " I/M FEEL REALLY SICK WHEN I DON'T EAT. "  
I/M STATES, " I HAVE HPV I WANT TO TAKE SOME MEDICATION FOR IT. I  
THINK I HAVE A CYST ON MY KIDNEYS."

O> TEMP=098.4 PULSE= 84 RESP=20 BP=136/ 72 WEIGHT=300 O2 SAT= 0  
35 W/M, RESPIRATION EVEN AND UNLABORED, SKIN WARM AND VERY DRY, HX OF  
PSORIASIS, BLOODY UNDERWEAR DUE TO INMATE HAVE DRY SCALY RASH AROUND, AND  
ON SCROTUM SAC, ERYTHEMATOUS RASH NOTED TO THE UMBILICUS. MOVABLE LUMP  
TO THE LOWER BACK ON THE RIGHT SIDE, TENDER TO TOUCH, STATES PAIN LEVEL  
5/10, ABLE TO BEND BELOW THE WAIST, OBESE, DURING PALPATION PAIN FELT  
ON RIGHT FLANK, DENIES BLOOD IN URINE.

A> SEE ABOVE

P> I/M GIVEN TAO PER S.O, INSTRUCTED ON USE.

I/M REQUEST TO HAVE A FASTING A1C, TESTING FOR STDs.

WILL FORWARD TO MD FOR REVIEW.

SIGNED OFF ON 01/29/16 @ 10:17 BY JANEAN HILL, LICENSED PRACTICAL NURSE

I/M STATES, " I DIDN'T GET TO GO GET MY LABS DONE IN AUGUST, 2015. I/M REQU  
EST TO HAVE NEW ORDER FOR LABS.

WILL FORWARD TO MD FOR REVIEW.

SIGNED OFF ON 01/29/16 @ 10:20 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
F/U FROM ENC#318

I/M REQUEST TO HAVE LAB WORK REQUEST CHECKING FASTING LIPIDS, CMP, CBC, PSA  
AND CHECK TSH.

SIGNED OFF ON 02/01/16 @ 7:00 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
LAB OK

SIGNED OFF ON 02/02/16 @ 8:16 BY BENJAMIN F LEWIS JR, PHYSICIAN  
LAB SLIP COMPLETED.

SIGNED OFF ON 02/02/16 @ 14:53 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 327 MENTAL HEALTH CLINIC 01/12/16 10:44 BROAD RIVER COMP  
SPOKE WITH DR. SELMAN WATSON, PSYCHOLOGIST, YESTERDAY WITH REFERENCE TO THI  
S INMATE. DR. WATSON HAD PERFORMED SIMS ON THIS INMATE IN SEPTEMBER 2014,  
AND HE SCORED 35 INDICATING STRONG SYMPTOM EMBELLISHMENT. NOW, INMATE IS  
ENDORING A COMPLETELY DIFFERENT SYMPTOMATOLOGY. HE ENDORSES THAT HIS THOU  
GHTS ARE BEING CONTROLLED BY NSA THROUGH REMOTE NEURAL MONITORING. DR. WAT  
SON AGREED TO PERFORM SIRS, WHICH IS MORE COMPREHENSIVE THAN SIMS TESTING.  
I SENT E-MAIL TO MS. ANASTASIA EUBANKS, GPH MENTAL HEALTH COORDINATOR, TO  
HAVE THIS INMATE COME TO GPH TO HAVE SIRS TESTING PERFORMED BY DR. WATSON.  
SIGNED OFF ON 01/12/16 @ 10:47 BY MOHAN SRIDARAN, PSYCHIATRIST  
SIGNED OFF ON 01/14/16 @ 11:58 BY MICHELLE ELYSE SHERMAN, ADMINISTRATIVE ASSI



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- \*\* ENCOUNTER: 326 DOCTOR'S CLINIC 11/10/15 17:57 BROAD RIVER COMP  
PLEASE HAVE I/M TO SIGN REFUSAL FOR LABS PER ENC 320, 291 AND 286.  
SIGNED OFF ON 11/10/15 @ 17:57 BY SALLY V BLAKE, NURSE PRACTITIONER II  
OTR SENT  
SIGNED OFF ON 11/12/15 @ 10:45 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE
- \*\* ENCOUNTER: 325 MENTAL HEALTH CLINIC 11/06/15 8:57 BROAD RIVER COMP  
STILL MENTIONS TO MS. GODFREY ABOUT HIS THOUGHTS BEING CONTROLLED BY NSA TH  
ROUGH REMOTE NEURAL MONITORING. MENTIONED IT TO MS. GODFREY WHEN HE SAW HE  
R ON 10/27/15, THOUGH DID NOT MENTION IT TO ME WHEN I SAW HIM THE SAME DAY.  
HE HAS HAD PSYCHOLOGICAL TESTING WHEN HE WAS IN GPH IN 2014, BUT AT THAT  
TIME HE DID NOT ENDORSE HIS THOUGHTS BEING CONTROLLED BY NSA THROUGH REMOTE  
NEURAL MONITORING. RATHER, HE ENDORSED AH TELLING HIM TO SAY THE WORD "NI  
GGER." HAD PSYCHOLOGICAL TESTING IN 2014 WHICH CONFIRMED MALINGERING OF PSY  
CHOTIC SYMPTOMS. HOWEVER, SYMPTOMS HE IS ENDORSING TO MS. GODFREY COULD BE  
DELUSIONAL DISORDER. PLEASE OBTAIN ADDITIONAL PSYCHOLOGICAL TESTING IF POS  
SIBLE TO RULE OUT DELUSIONAL DISORDER.  
SIGNED OFF ON 11/06/15 @ 9:11 BY MOHAN SRIDARAN, PSYCHIATRIST  
SIGNED OFF ON 11/19/15 @ 11:48 BY MICHELLE ELYSE SHERMAN, ADMINISTRATIVE ASSI
- \*\* ENCOUNTER: 324 DENTAL CLINIC 11/05/15 8:42 BROAD RIVER COMP  
PATIENT WAS VERY UNCOOPERATIVE FROM THE BEGINNING OF THE OPERATIVE PROCEDUR  
E. CURSED ME, VERY VERY UNCOOPERATIVE. UNABLE TO RESTORE TOOTH PROPERLY.  
O-L CAVITY. PARTIALLY RESTORED RESTORTATION AND REMOVAL OF DECAY. 2-2% LIDO  
. COPALITE AND DYCAL. NEED COUNSELING BEFORE COMING TO MEDICAL OR DENTAL  
FOR TREATMENT.  
SIGNED OFF ON 11/05/15 @ 8:48 BY JOHN W SUMMERS, DENTIST
- \*\* ENCOUNTER: 323 MENTAL HEALTH CLINIC 11/02/15 14:43 BROAD RIVER COMP  
TREATMENT TEAM NOTE: TREATMENT TEAM WAS HELD ON 10/29/15  
I/M'S CASE WAS STAFF IN TREATMENT TEAM FOR ACCEPTANCE OF THE 6 MOS TREATM  
ENT PLAN. STAFF FROM THE APPROPRIATE AREA WERE PRESENT. TREATMENT TEAM IS I  
N AGREEMENT WITH TREATMENT PLAN. FOR MORE INFORMATION SEE HARD COPY OF TREA  
TMENT PLAN IN I/M'S MEDICAL RECORD ONCE REVIEWED AND SIGNED BY SUPERVISOR.  
WGODFREY, HSCI  
SIGNED OFF ON 11/02/15 @ 14:45 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 322 MENTAL HEALTH CLINIC 10/27/15 15:09 BROAD RIVER COMP  
D: MET WITH I/M TORRENCE TODAY FOR THE PURPOSE OF INDIVIDUAL SESSION. LISTE  
NED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATION AND I ASSESS FOR PSYCHIATRI  
C SYMPTOMS. I/M WAS ASKED HOW HE WAS FEELING AND HE STATED HE WAS FINE OUT  
SIDE OF THE GOVERNMENT HAVING A CHIP IN HIS HEAD AND IS COMMUNICATION WITH  
HIM THROUGH THE VENTS AND SPEAKERS. HE APPEARS AS THOUGH HE AS A FIXED DELU  
SION THAT HIS MIND IS BEING CONTROLLED BY THE GOVERNMENT. I/M STATES THAT H  
IS FATHER IS A "FREE MASON" AND IS RECUITING HIS FRIENDS. HE STATED THAT HE  
BEGIN HEARING VOICES IN HIS EARS 10 YEARS AGO AND STATED THAT THE GOVERNMEN  
T IS BEING A ASSHOLE FOR EXPERIMENTING ON HIM. HE ADMITTED TO HAVING A/H AN  
D STATED THAT THEY WILL NEVER GO AWAY. HE INSIST THAT HIS BELIEFS HAVE NOTHI  
NG TO DO WITH HAVING A MENTAL ILLNESS. HE DID NOT APPEARS TO BE A DANGER TO  
SELF/OTHERS AND DID NOT APPEARS TO BE RESPONDING TO EXTERNAL/INTERNAL STIMU

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LI DURING SESSION. HE STATED THAT HE WOULD FOLLOW ALL OF MENTAL HEALTH RECOMMENDATIONS; HOWEVER, WOULD LIKE TO BE TESTED AND TO TALK TO SLED ABOUT THE GOVERNMENT EXPERIMENT ON HIM. HE IS MEDS COMPLIANT AND SHARED THAT NOTHING HELP WITH THE VOICES IN HIS EARS. WHEN ASKED "WHY DID THE GOVERNMENT CHOSE YOU" HE STATED BECAUSE THEY ARE "ASSHOLE". HE DENIES HAVING S/H/I AND HE DENIES HAVING VH. HE REPORTED SLEEPING AND APPETITE AS GOOD. I/M HAS GAINED A LOT OF WEIGHT SINCE LAST SESSION. I/M WAS ENCOURAGED TO CONTACT STAFF IF THE VOICES ARE NO LONGER UNDER HIS CONTROL. HE AGREED.

A: UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; UNSPECIFIED PERSONALITY D/O; ALCOHOL USE DISORDER; MALINGERING OF PSYCHOTIC SYMPTOMS CONFIRMED BY PSYCHOLOGICAL TESTING IN 2014 (ENC. 240) I/M WAS ALERT & ORIENTED IN ALL SPHERES. I/M SPEECH WAS SOMEWHAT PRESSURED AND HE WAS HYPERVERBAL. I/M DO APPEAR TO HAVE A FIXED DELUSION STATING "THERE'S A CHIP IN MY HEAD AND THEY ARE CONTROLLING MY THOUGHTS." I/M ADMITS TO EXPERIENCING AUDITORY HALLUCINATIONS AND STATES THAT HE KNOW THE VOICES WILL NEVER GO AWAY. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND REPORTS THAT HIS APPETITE AND SLEEP PATTERNS ARE WNL.

P: HE WILL CONTINUE TO RECEIVE MENTAL HEALTH SERVICES AS PER POLICY OR AS NEEDED TO MONITOR FOR ANY SIGNS OF DECOMPENSATION.

WGODFREY, HSCI

SIGNED OFF ON 10/27/15 @ 15:36 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 321 MENTAL HEALTH CLINIC 10/27/15 10:09 BROAD RIVER COMP

S: INMATE DENIES SI/HI. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI. DENIES S/E TO PROZAC AND VISTARIL.

O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP - LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "I'M DOING OK." AFFECT APPEARS EUTHYMIC.

A: UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; UNSPECIFIED PERSONALITY D/O; ALCOHOL USE DISORDER; MALINGERING OF PSYCHOTIC SYMPTOMS CONFIRMED BY PSYCHOLOGICAL TESTING IN 2014 (ENC. 240)

P:

CONTINUE CURRENT MEDS - PROZAC 30MG PO QPM AND VISTARIL 100MG PO QNOON AND 150MG PO QPM.

FLUOXETINE 20MG CAPSULES (PROZAC)

SIG: 1 CAPSULE PO QPM (TAKE WITH 10MG FOR TOTAL OF 30MG

SIG: QPM)

START DATE: 10/27/15 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

FLUOXETINE 10MG CAPSULES (PROZAC)

SIG: 1 CAPSULE PO QPM (TAKE WITH 20MG FOR TOTAL OF 30MG

SIG: QPM)

START DATE: 10/27/15 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)

SIG: 2 TABS PO QNOON AND 3 TABS PO QPM

SIG:

START DATE: 10/27/15 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

MDCI880D  
OMINMDCA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
SCDC HEALTH SERVICES: MEDICAL SUMMARY

09/13/17  
C057031

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SIGNED OFF ON 10/27/15 @ 10:14 BY MOHAN SRIDARAN, PSYCHIATRIST  
MARS UPDATED

SIGNED OFF ON 10/28/15 @ 7:55 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE

\*\* ENCOUNTER: 320 LAB CLINIC 08/20/15 8:10 BROAD RIVER COMP  
INMATE WAS NO SHOW FOR MEDICAL LAB (PER ENC#318) INMATE HAS A HISTORY OF  
NOT SHOWING UP FOR MEDICAL LAB.  
SIGNED OFF ON 08/20/15 @ 8:12 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 319 NON-FORMULARY RX 08/12/15 10:45 BROAD RIVER COMP  
SEE ENCOUNTER 318; LONGTERM USE OF CLOBETASOL TO TREAT PSORIASIS WHICH IS  
PRESENTLY ERUPTED ON ELBOWS/KNEES AND TRUNK (GUTTATE)  
CLOBETASOL 0.05% OINTMENT (45GM) (TEMOVATE)  
SIG: APPLY TO AREAS OF PSORIATIC SKIN CHANGES QD TO BID  
SIG: . #1 TUBE. RF X5. KOP.  
START DATE: 08/12/15 TOTAL DAYS: 180  
MD: DAYS, JACQUES -  
REQUIRES NON-FORM RX APPROVAL: 08/12/15 @ 10:49 BY JACQUES R DAYS, PHYSICIAN  
RX APPROVED 08/12/15 @ 12:00 BY JOHN B MCREE, PHYSICIAN  
ORDER NOTED AND MARS UPDATED.  
SIGNED OFF ON 08/12/15 @ 14:09 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 318 DOCTOR'S CLINIC 08/12/15 10:34 BROAD RIVER COMP  
FH: PSORIASIS IN FATHER; DOES NOT KNOW OTHER CUZ ADOPTED  
PMH: SCHIZOPHRENIA, PERSONALITY D/O, HTN, DYSLIPIDEMIA  
A/P 1. PSORIASIS, ESP ON ELBOWS AND KNEES, GUTTATE ON TRUNK  
2. HTN, BP 138/92 AT PRESENT  
3. RECENT SINUS SYMPTOMS & SORE THROAT CLEARED AFTER HE BOUGHT ABX FROM  
ANOTHER INMATE  
4. DYSLIPIDEMIA ON ZOCOR WITHOUT GI OR MS SYMPTOMS  
5. OBESITY  
NURSE: 1. REFILL CLOBETASOL  
2. INCREASE LISINAPRIL TO 40MG; KEEP HCTZ AT 12.5 SINCE HE IS OUT IN  
HEAT MUCH OF THE TIME  
3. REPORT RECURRENCE OF SYMPTOMS  
4. CHECK FASTING LIPIDS, CMP, CBC, PSA  
5. CHECK TSH, HEART HEALTHY DIET

LISINAPRIL 40MG (ZESTRIL) (PRINIVIL)

SIG: 1 PO QD. #30. RF X 11. KOP.

SIG:

START DATE: 08/12/15 TOTAL DAYS: 365

MD: DAYS, JACQUES -

SIGNED OFF ON 08/12/15 @ 10:45 BY JACQUES R DAYS, PHYSICIAN

LAB SLIP COMPLETED AND PLACED IN LAB DOOR. MAR UPDATED.

SIGNED OFF ON 08/17/15 @ 8:35 BY LAUREN L NEWSOM, REGISTERED NURSE I

\*\* ENCOUNTER: 317 INSIDE APPOINTMENT 07/13/15 9:15 BROAD RIVER COMP  
MEDICATION RENEWALS  
HYDROCHLOROTHIAZIDE (HCTZ) 12.5MG CAPS  
SIG: TAKE 1 CAPSULE EACH MORNING

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SIG:

START DATE: 07/13/15 TOTAL DAYS: 360

MD: BLAKE, SALLY -

LISINAPRIL 20MG (ZESTRIL) (PRINIVIL)

SIG: TAKE 1 TABLET EACH MORNING

SIG:

START DATE: 07/13/15 TOTAL DAYS: 360

MD: BLAKE, SALLY -

SIGNED OFF ON 07/13/15 @ 9:16 BY MELISSA L COOK, LICENSED PRACTICAL NURSE

SIGNED OFF ON 07/24/15 @ 9:34 BY JACQUES R DAYS, PHYSICIAN

MAR UPDATED.

A. WORTHINGTON, RN

SIGNED OFF ON 07/26/15 @ 13:36 BY AUDRA J WORTHINGTON, UNCLASSIFIED

\*\* ENCOUNTER: 316 DENTAL CLINIC 06/30/15 10:07 BROAD RIVER COMP  
S- "LOST FILLING".  
O- #27 CL-5 B CAVITY. RECURRENT DECAY.  
A- COMPOSITE RESTORATION.  
P- #27 CL-5 B-COMPOSITE. COPALITE AND BONDING AGENT. 2-2% LIDO.  
SIGNED OFF ON 06/30/15 @ 10:09 BY JOHN W SUMMERS, DENTIST

\*\* ENCOUNTER: 315 SICK CALL 06/24/15 16:01 BROAD RIVER COMP  
S> RECEIVED CALL FROM DORM OFFICER REPORTING I/M MISSED CALL FOR SICK CALL THIS AM AND WOULD LIKE TO BE SEEN WITH C/O SINUS INFECTION AND COUGHING UP BLOOD BY DORM OFFICER REPORT. DORM OFFICER DENIED SEEING BLOOD OR I/M COUGH. I/M ARRIVED TO MEDICAL WITH C/O SINUS INFECTION X48 HOURS AND "I WAS COUGHING UP BLOOD." I/M REPORTED A SCANT AMOUNT OF DRAINAGE AND HIS COUGH WAS PAINFUL WHEN HE SAW THE BLOOD. I/M REPORTS HE WAS GIVEN A NUMBING MOUTHWASH BY ANOTHER I/M WHILE IN THE DORM. HOWEVER, DECLINED HAVING A SORE THROAT AT PRESENT, NO COUGHING OBSERVED.  
O> TEMP=098.2 PULSE= 86 RESP=22 BP=145/ 76 WEIGHT=305 O2 SAT= 0  
I/M IS ALERT AND ORIENTED X3. AMBULATED INTO CLINIC INDEPENDENTLY. CONSULTED WITH NP BLAKE WHO RECOMMENDED SALINE NASAL SPRAY AND ZYRTEC PER S.O.. I/M DEMANDED AN ANTIBIOTIC AND REFUSED TO ACCEPT RECOMMENDATIONS. STS HE CAN GET ANY ANTIBIOTIC HE WANTS IN THE DORM. I/M IS DEMANDING ABX ONLY. I/M DEFERRED TO MD CLINIC. ASSESSMENT ENDED.  
P> 1. SEE S.O. #2  
2. IF PATIENT HAS RHINORRHEA, RUNNY NOSE, OFFER LORATADINE 10 MG QD X 3 DAYS MFORT. GIVE FROM A STOCK STANDING ORDER PACK. IF HEPATITIS C POSITIVE GIVE IBUPROFEN 400MG 1 TAB QID X 3 DAYS. DOCUMENT MEDICATIONS GIVEN IN AMR.  
4. IF TEMPERATURE IS GREATER THAN 101 DEGREES F., GIVE TYLENOL 325MG 2 TABS STAT AND RE-CHECK IN ONE HOUR. IF HEPATITIS C POSITIVE GIVE IBUPROFEN 400MG 2 TABS STAT AND RE-CHECK IN ONE HOUR. IF TEMPERATURE IS NOT LOWER THAN 101 AT THAT TIME, CONSULT THE MD. DOCUMENT ALL MEDICATIONS GIVEN IN AMR.  
5. WARM COMPRESSES TO SINUS AREA FOR 20 MINUTES TID X 3 DAYS.  
6. IF SYSTOLIC B/P IS GREATER THAN 160 AND/OR DIASTOLIC B/P IS GREATER THAN 100, CONSULT THE M.D.  
7. DISCONTINUE SMOKING

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DEFERRED TO MD CLINIC CONSULT NURSE.

SIGNED OFF ON 06/24/15 @ 16:18 BY THAKIYA ST CYR, REGISTERED NURSE I  
SIGNED OFF ON 07/16/15 @ 13:12 BY JACK M VALPEY M D, PHYSICIAN

- \*\* ENCOUNTER: 314 TELEPHONE ENCOUNTER 06/24/15 9:20 BROAD RIVER COMP  
RECEIVED A CALL FROM THE INMATES MOTHER BRENDA TORRENCE STATING THAT HER  
SON WAS IN NEED OF SOME MEDICAL ATTENTION THIS MORNING. I INFORMED HER THAT  
HE WAS BEING SEEN IN SICKCALL THIS MORNING AND WE WOULD FOLLOW MEDICAL PLAN  
OF CARE ACCORDING TO OUR FINDINGS. SHE VERBALIZED UNDERSTANDING AND STATED  
THAT SHE HAD NO FURTHER CONCERNS AT THIS TIME.  
T. SMITH, RN  
SIGNED OFF ON 06/24/15 @ 9:24 BY TAKISHA A SMITH, NURSE ADMINISTRATOR/MGR II
- \*\* ENCOUNTER: 313 MENTAL HEALTH CLINIC 06/23/15 11:18 BROAD RIVER COMP  
S: INMATE STATES THAT HIS THOUGHTS ARE BEING CONTROLLED BY THE NSA THROUGH  
REMOTE NEURAL MONITORING. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STI  
MULI. DENIES AH/VH. DENIES SI/HI. DOES HAVE PSYCHOLOGICAL TESTING IN PAS  
T WITH SIMS SCORE OF 35 INDICATING MALINGERING OF PSYCHOTIC SYMPTOMS (ENC #  
240). DENIES S/E TO PROZAC AND VISTARIL, THOUGH I ENCOURAGED INCREASED COMP  
LIANCE WITH THESE MEDICATIONS.  
O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP  
- LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI/AVH. STATES HIS THOUGHTS ARE BEING  
CONTROLLED BY THE NSA THROUGH REMOTE NEURAL MONITORING. SPEECH NML RATE,  
RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "ALRIGHT." EUTHYMIC AFFECT  
T.  
A: UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; UNSPECIFIED PERSONALITY D/O;  
ALCOHOL USE DISORDER; MALINGERING OF PSYCHOTIC SYMPTOMS CONFIRMED BY PSYCHOLOGICAL  
TESTING IN 2014  
P:  
1. CONTINUE PROZAC 30MG PO QHS.  
2. CONTINUE VISTARIL 100MG PO QNOON AND 150MG PO QHS.  
FLUOXETINE 20MG CAPSULES (PROZAC)  
SIG:1 CAPSULE PO QPM (TAKE WITH 10MG FOR TOTAL OF 30MG  
SIG: QPM)  
START DATE: 06/23/15 TOTAL DAYS: 180  
MD:SRIDARAN,MOHAN -  
FLUOXETINE 10MG CAPSULES (PROZAC)  
SIG:1 CAPSULE PO QPM (TAKE WITH 20MG FOR TOTAL OF 30MG  
SIG: QPM)  
START DATE: 06/23/15 TOTAL DAYS: 180  
MD:SRIDARAN,MOHAN -  
HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)  
SIG:2 TABS PO QNOON AND 3 TABS PO QPM  
SIG:  
START DATE: 06/23/15 TOTAL DAYS: 180  
MD:SRIDARAN,MOHAN -  
SIGNED OFF ON 06/23/15 @ 11:45 BY MOHAN SRIDARAN, PSYCHIATRIST  
MAR UPDATED.  
SIGNED OFF ON 06/24/15 @ 2:13 BY GENEVA E WALTERS, LICENSED PRACTICAL NURSE

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\*\* ENCOUNTER: 312 MENTAL HEALTH CLINIC 06/17/15 12:42 BROAD RIVER COMP  
D: MET WITH I/M TORRENCE TODAY AFTER RECEIVING A MESSAGE FROM MR. DRAKE THAT HIS PARENTS WERE CONCERNED ABOUT HIS BEHAVIOR DURING A VISIT. I/M PRESENTED HIMSELF IN A CALM AND CORDIAL MANNER. I/M WAS ASKED HOW WAS HE FEELING AND HE STATED HE WAS FINE OUTSIDE OF THE GOVERNMENT HAVING A CHIP IN HIS HEAD AND IS COMMUNICATING WITH HIM THROUGH THE VENTS AND SPEAKERS. EVEN THOUGH I/M TORRENCE SPOKE WITH LOGICAL THOUGHTS AT TIMES BUT IT APPEARS AS THOUGH HE HAS A FIXED DELUSION THAT HE'S MIND IS BEING CONTROLLED BY THE GOVERNMENT. I/M BLAMES THIS ON HIS FATHER WHO HE REPORTS AS BEING A "FREE MASON" AND THE FACT HE WAS IN A CAR ACCIDENT THAT RESULTED IN SEVERE BRAIN DAMAGE. I/M ADMITS THAT HE EXPERIENCES AUDITORY HALLUCINATIONS AND STATED THAT THEY WILL NEVER GO AWAY AND THAT HE'S BEEN ON ALL TYPES OF MEDICATIONS TO HELP BUT NOTHING HELPED. HOWEVER I/M INSIST THAT HIS BELIEFS HAVE NOTHING TO DO WITH HAVING A MENTAL ILLNESS. I/M WAS HYPERVERBAL THROUGHOUT THE SESSION HOWEVER HE DOES NOT APPEAR TO CURRENTLY BE A DANGER TO HIMSELF OR OTHERS. I/M STATED HE IS WILLING TO TAKE ANY TEST NECESSARY AND TO SEE THE PSYCHIATRIST BUT REQUESTED TO REMAIN ON HIS CURRENT UNIT AND NOT BE PLACED ON CRISIS OR SENT TO GPH. I/M STATED HE'S WORKING ON HIS COURT CASE AND BEING MOVED WOULD HINDER HIS PROGRESS. COUNSELOR ADVISED I/M SHE WOULD ALLOW HIM TO REMAIN ON HIS UNIT BUT WILL SCHEDULE HIM TO SEE THE PSYCHIATRIST FOR A FURTHER EVALUATION. I/M WAS IN AGREEMENT WITH THIS.  
A: DX. UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; HX. OF ALCOHOL USE DISORDER. I/M AFFECT WAS BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS SOMEWHAT PRESSURED AND HE WAS HYPERVERBAL. I/M DOES APPEAR TO HAVE A FIXED DELUSION STATING "THERE'S A CHIP IN MY HEAD AND THEY ARE CONTROLLING MY THOUGHTS." I/M ADMITS TO EXPERIENCING AUDITORY HALLUCINATIONS AND STATES THAT HE KNOWS THE VOICES WILL NEVER GO AWAY. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND REPORTS THAT HIS APPETITE AND SLEEP PATTERNS ARE WNL.  
P: I/M WILL BE REFERRED TO THE PSYCHIATRIST FOR A FURTHER EVALUATION DUE TO WHAT APPEARS TO BE A FIXED DELUSION. I/M DOES NOT APPEAR TO BE A DANGER TO HIMSELF OR OTHERS AND WILL REMAIN IN GENERAL POPULATION. COUNSELOR WILL CONTINUE TO MONITOR FOR ANY SIGNS OF DECOMPENSATION.

K. JONES, HSC II

SIGNED OFF ON 06/17/15 @ 14:29 BY KIM M JONES, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 311 SICK CALL 05/18/15 7:35 BROAD RIVER COMP  
S> I AM HERE TO RENEW MY MEDS FOR MY PSORIASIS. I NEED THE CLOBETASOL, ELOCON, AND TRIPLE ANTIBIOTIC OINTMENT PLEASE.  
O> TEMP=098.3 PULSE= 84 RESP=18 BP=134/ 94 WEIGHT=305 O2 SAT= 0  
A> GAVE I/M TUBE OF HYDROCORTISONE CREAM PER SO#17 FOR ITCHY RED BUMPS ON BODY. PSORIASIS NOTED ON I/M'S ELBOWS. I/M MADE AWARE THAT TO WATCH SALT IN HIS DIET DUE TO DIASTOLIC BP. I/M EXPRESSED VERBAL UNDERSTANDING AND REPORTS HE HAS GAINED WT, IS STRESSED, HAS BAD DIET, AND HAS STARTED TO EXERCISE.  
P> TRIPLE ANTIBIOTIC OINT (30GM) (NEOSPORIN TOPICAL)  
SIG: APPLY TO UMBILICAL REGION TID FOR 10 DAYS (DISP 1  
SIG: TUBE)  
START DATE: 05/18/15 TOTAL DAYS: 10  
MD: DAYS, JACQUES -  
OTHER CREAMS I/M REQUESTS ARE NON-FORMULARY, THEREFORE MD MUST PUT IN IF

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APPROVED FOR CLOBETASOL AND ELECON CREAMS.

DEFER TO MD FOR CONSIDERATION.

SIGNED OFF ON 05/18/15 @ 10:03 BY RENEE S SHOOK, REGISTERED NURSE II

MD CLINIC FOR NEW, WORSE, OR PERSISTING SYMPTOMS.

SIGNED OFF ON 06/22/15 @ 13:26 BY JACQUES R DAYS, PHYSICIAN  
MAR UPDATED.

SIGNED OFF ON 06/27/15 @ 14:44 BY SARAH F COLE, REGISTERED NURSE I

- \*\* ENCOUNTER: 310 INSIDE APPOINTMENT 05/07/15 15:19 BROAD RIVER COMP  
I/M HANDED APPROVED M-148 TO RECIEVE EYEGLASSES FROM AN OUTSIDE SOURCE.  
SIGNED OFF ON 05/07/15 @ 15:19 BY CHELSEA N JOHNSON, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 309 PPD 05/06/15 17:27 BROAD RIVER COMP  
PPD PLACED ON 5-1-15  
PPD READ ON 5-4-15 OMM  
SIGNED OFF ON 05/06/15 @ 17:28 BY CHRISTINE W GASTON, REGISTERED NURSE I
- \*\* ENCOUNTER: 308 INSIDE APPOINTMENT 04/22/15 8:07 BROAD RIVER COMP  
MEDICATION RENEWAL  
ZOCOR 20MG (SIMVASTATIN)  
SIG: TAKE 1 TABLET AT BEDTIME  
SIG:  
START DATE: 04/22/15 TOTAL DAYS: 360  
MD: BLAKE, SALLY -  
SIGNED OFF ON 04/22/15 @ 8:07 BY MELISSA L COOK, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 04/23/15 @ 12:51 BY MADELYN GARCIA, PHYSICIAN ASSISTANT
- \*\* ENCOUNTER: 307 MENTAL HEALTH CLINIC 04/15/15 13:23 BROAD RIVER COMP  
D: I/M WAS SEEN ON 4/14/15 FOR INDIVIDUAL SESSION TO WORK ON TREATMENT OBJECTIVES, TO DISCUSS NON COMPLIANCE WITH MEDICATION AND TO ASSESS HIS LEVEL OF FUNCTIONING SINCE LAST SESSION. LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATION AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M STATED THAT HE IS DOING WELL WITH NO INCIDENT OR PROBLEMS TO REPORT. HE ADMITTED TO NOT TAKING HIS MEDICATION AND STATED THE CAUSES IS BEING LAZY. I/M WAS ENCOURAGED TO TAKE ALL OF HIS MEDICATION AS PRESCRIBED AND WE DISCUSSED WAYS TO MAINTAIN CURRENT LEVEL OF FUNCTIONING. NO DISTRESS NOTED OR REPORTED BY I/M. IMPROVEMENT NOTED AND I/M SHARED STUDYING LAW MATERIALS WHICH KEEPS HIM BUSY.  
A: UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; HX ALCOHOL USE DISORDER  
I/M AFFECT WAS BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGH PROCESS WAS LOGICAL AND COHERENT. HE DENIES S/H/I AND DENIES A/V/H. HE REPORTED MED COMPLIANT WITH NO SIDE EFFECT TO REPORT. HE ACTIVELY PARTICIPATED IN SESSION, HE WAS PLEASANT AND COOPERATIVE. THOUGHTS AND FEELINGS SHARED BY I/M WAS SUPPORTED EMPATHETICALLY.  
P: I/M WILL CONTINUE TO RECEIVE SERVICES AS PER POLICY OR AS NEEDED. NEXT SESSION WILL FOCUS ON TREATMENT OBJECTIVES.  
WGODFREY, HSCI  
SIGNED OFF ON 04/15/15 @ 13:33 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 306 MENTAL HEALTH CLINIC 04/14/15 10:53 BROAD RIVER COMP

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S: DENIES SI/HI/AVH. DOING OK. DENIES S/E TO MEDS. STATES THAT SOMETIMES HE IS NOT ALWAYS GOOD ABOUT MED COMPLIANCE. BOTH MS. GODFREY AND I ENCOURAGED COMPLIANCE.

O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP - LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI/AVH. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "OK." AFFECT EUTHYMIC.

A: UNSPECIFIED EPISODIC MOOD D/O; UNSPECIFIED ANXIETY D/O; HX ALCOHOL USE DISORDER

P:

1. CHANGE PROZAC TO PILLS - 30MG PO QHS.

2. CHANGE VISTARIL TO PILLS - 100MG PO QNOON AND 150MG PO QHS.

FLUOXETINE 20MG CAPSULES (PROZAC)

SIG:1 CAPSULE PO QHS (TAKE WITH 10MG FOR TOTAL OF 30MG

SIG: HS)

START DATE: 04/14/15 TOTAL DAYS: 90

MD:SRIDARAN, MOHAN -

FLUOXETINE 10MG CAPSULES (PROZAC)

SIG:1 CAPSULE PO QHS (TAKE WITH 20MG FOR TOTAL OF 30MG

SIG: HS)

START DATE: 04/14/15 TOTAL DAYS: 90

MD:SRIDARAN, MOHAN -

HYDROXYZINE HCL 50MG (MENTAL HEALTH ONLY) (VISTARIL/ATARAX)

SIG:2 TABLETS PO QNOON AND 3 TABLETS PO QHS

SIG:

START DATE: 04/14/15 TOTAL DAYS: 90

MD:SRIDARAN, MOHAN -

SIGNED OFF ON 04/14/15 @ 10:57 BY MOHAN SRIDARAN, PSYCHIATRIST

MAR UPDATED

SIGNED OFF ON 04/14/15 @ 11:25 BY MELISSA L COOK, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 305 FOLLOW-UP DENTAL 04/10/15 11:48 BROAD RIVER COMP  
NO SHOW FOR FILLINGS. SEE HARD COPY.  
SIGNED OFF ON 04/10/15 @ 11:48 BY JOHN LOCKE EDWARDS, DENTIST

\*\* ENCOUNTER: 304 FOLLOW-UP DENTAL 03/24/15 7:25 BROAD RIVER COMP  
BRCT LOCK DOWN. I/M R/S. SEE HARD COPY.  
SIGNED OFF ON 03/24/15 @ 7:25 BY KIM M GREGGS, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 303 FOLLOW-UP DENTAL 03/09/15 11:49 BROAD RIVER COMP  
N/S FOR FILLINGS  
SIGNED OFF ON 03/09/15 @ 11:50 BY DONALD G PRITCHETT JR, DENTIST

\*\* ENCOUNTER: 302 OUTSIDE RECOMMENDATI 03/03/15 17:56 BROAD RIVER COMP  
INMATE RETURN FROM ORTHO CLINIC ON 2/18/15 WITH THE FOLLOWING RECOMMENDATIO  
N:

CONT WBAT

ACTIVE ROM EXERCISES PER SELF

SHOULD SELF RESOLVE

NO NEED FOR FOLLOW UP

XR (-)



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STABLE LIGAMENT EXAM

F/U PRN

ACTIVITY AND ROM AS TOLERATED

WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION

Y. MUNRO LPN

SIGNED OFF ON 03/03/15 @ 18:01 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

NOTED

SIGNED OFF ON 03/26/15 @ 10:07 BY PHILLIP WILLIAM TOLMAN, UNCLASSIFIED

- \*\* ENCOUNTER: 301 TELEPHONE ENCOUNTER 02/27/15 10:27 BROAD RIVER COMP  
SPOKE WITH THE INMATES MOTHER REGARDING HIS OUTSIDE ELECTIVE FOR TREATMENT  
FORM THAT WAS FORWARDED TO THE MEDICAL DIRECTOR FOR APPROVAL. INMATE IS  
REQUESTING EYE EXAM AND GLASSES FROM SANDBURY EYE CLINIC. SHE STATED THAT  
SHE WOULD CONTACT ME AGAIN NEXT WEEK TO FOLLOW-UP. SHE STATED NO OTHER  
CONCERNS AT THIS TIME.  
T. SMITH, RN  
SIGNED OFF ON 02/27/15 @ 10:30 BY TAKISHA A SMITH, NURSE ADMINISTRATOR/MGR II
- \*\* ENCOUNTER: 300 OUTSIDE RECOMMENDATION 02/24/15 15:33 BROAD RIVER COMP  
FAXED REPORT RECEIVED FROM DR BRILL WITH THE FOLLOWING RECOMMENDATION:  
DR BRILL REVIEWED HIS CT AND STATED THAT HE DID NOT NEED TO SEE HIM  
UNLESS HE STARTED HAVING EYE ISSUES.  
WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION Y. MUNRO LPN  
SIGNED OFF ON 02/24/15 @ 15:43 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE  
NOTED  
SIGNED OFF ON 03/26/15 @ 10:00 BY PHILLIP WILLIAM TOLMAN, UNCLASSIFIED
- \*\* ENCOUNTER: 299 NARRATIVE 02/09/15 15:42 BROAD RIVER COMP  
I/M SCHEDULED WITH ORTHO CLINIC ON 2/23/15 HAS BEEN RESCHEDULED DO TO  
TB TESTING READING PER CLINIC CALL. I/M IS SCHEDULED ON 2/18/15.  
SIGNED OFF ON 02/09/15 @ 15:44 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED.  
SIGNED OFF ON 02/09/15 @ 16:25 BY SERAPHINE U NIATI, REGISTERED NURSE II
- \*\* ENCOUNTER: 298 OUTSIDE APPOINTMENT 02/20/15 15:54 BROAD RIVER COMP  
I/M IS SCHEDULED WITH IMAGE CARE ON 2/20/15 AT 12PM.  
SIGNED OFF ON 02/06/15 @ 15:55 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
SIGNED OFF ON 02/06/15 @ 15:57 BY MELISSA L COOK, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 297 MENTAL HEALTH CLINIC 02/05/15 10:24 BROAD RIVER COMP  
TREATMENT TEAM NOTE:  
I/M TORRENCE CASE WAS STAFFED ON 2/05/15 FOR ACCEPTANCE OF 6 MONTHS TREATM  
NT PLAN UPDATE. I/M HAS A DIAGNOSIS OF MOOD D/O, ANXIETY D/O, PERSONALITY  
D/O MOST LIKELY NARCISSISTIC, ALCOHOL DEPENDENCE IN A CONTROLLED ENVIRONMEN  
T AND MALINGERING OF PSYCHOTIC (CONFIRMED BY PSYCHOLOGICAL TESTING). STAFF  
FROM THE APPROPRIATE AREA WERE PRESENT. FOR MORE INFORMATION SEE HARD COPY  
IN I/M'S MEDICAL RECORDS.  
WGODFREY, HSCI  
SIGNED OFF ON 02/06/15 @ 9:34 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 296 MENTAL HEALTH CLINIC 02/04/15 10:54 BROAD RIVER COMP

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D: MET WITH I/M FOR THE PURPOSE OF INDIVIDUAL SESSION, TO REVIEW PROGRESS MADE ON TREATMENT PLAN GOALS AND TO DEVELOP NEW TREATMENT PLAN. LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATION AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M STATED THAT HE IS MED COMPLIANT AND ADAPTIVE FUNCTIONING WITH MINIMAL TO NO SYMPTOMOLOGY. TREATMENT PLAN GOALS DEVELOP TO REFER I/M FOR GROUP THERAPY AND TO ASSIST HIM WITH IRRATIONAL BELIEFS AND TO DECREASE PARANOID THINKING. HE WAS ENCOURAGED TO TAKE ALL MEDICATION AS PRESCRIBED AND TO WORK ON TREATMENT PLANS GOALS PRIOR TO NEXT SESSION.

A: MOOD D/O NOS; ANXIETY D/O NOS; MALINGERING OF PSYCHOTIC SYMPTOMS CONFIRMED BY PSYCHOLOGICAL TESTING; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC PERSONALITY D/O); ALCOHOL DEPENDENCE IN A CONTROLLED ENVIRONMENT  
I/M AFFECT WAS BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGH PROCESS WAS LOGICAL AND COHERENT. HE DENIES S/H/I AND DENIES A/V/H. HE REPORTED MED COMPLIANT WITH NO SIDE EFFECT TO REPORT. HE ACTIVELY PARTICIPATED IN SESSION, HE WAS PLEASANT AND COOPERATIVE. THOUGHTS AND FEELINGS SHARED BY I/M WAS SUPPORTED EMPATHETICALLY.

P: I/M WILL CONTINUE TO RECEIVE SERVICES AS PER POLICY OR AS NEEDED. I/M'S TREATMENT PLAN WILL BE PRESENT IN TREATMENT TEAM. NEXT SESSION WILL FOCUS ON TREATMENT PLAN OBJECTIVES.

WGODFREY, HSCI

SIGNED OFF ON 02/04/15 @ 11:11 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 295 OUTSIDE RECOMMENDATI 02/03/15 18:50 BROAD RIVER COMP  
INMATE RETURN FROM MIDLANDS ENT DR BRILL WITH THE FOLLOWING RECOMMENDATION:

REVIEWED XRAYSS  
EOM INTACT  
NO VISUAL PROBLEMS  
NO NUMBNESS  
OCCLUSION OK  
CT OF FACIAL BONE  
DOUBT HE WILL NEED ANY SURGERY

WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION Y.MUNRO LPN

SIGNED OFF ON 02/03/15 @ 18:54 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE  
PLEASE COMPELTE CONSULT FOR CT OF FACIAL BONE REASON: ? RIGHT ORBITAL FLOOR AND RIM FRACTURES ON XRAY

THOAMS E BYRNE MD

SIGNED OFF ON 02/06/15 @ 15:10 BY THOMAS E BYRNE, PHYSICIAN

NOTED

SIGNED OFF ON 02/07/15 @ 8:09 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 294 NARRATIVE 02/03/15 10:17 BROAD RIVER COMP  
I/M IS SCHEDULED WITH ORTHO CLINIC ON 02/23/15 FOR EVAL.  
SIGNED OFF ON 02/03/15 @ 10:18 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I  
NOTED  
SIGNED OFF ON 02/03/15 @ 10:37 BY MARTI WATKINS BROWN, LICENSED PRACTICAL NUR

\*\* ENCOUNTER: 293 BLOOD PRESSURE CLINI 02/02/15 13:18 BROAD RIVER COMP  
B/P = 130/ 90 PULSE = 62 WEIGHT = 0  
B/P: 130/90, PLS: 62  
I/M TO MLT MEDICAL FOR BP CHECK. I/M VOICED NO CONCERNS AND LEFT MEDICAL

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IN NAD.

SIGNED OFF ON 02/02/15 @ 13:19 BY SARAH F COLE, REGISTERED NURSE I

- \*\* ENCOUNTER: 292 BLOOD PRESSURE CLINI 01/30/15 12:54 BROAD RIVER COMP  
B/P = 122/ 90 PULSE = 0 WEIGHT = 0  
I/M TO MOULTRIE MEDICAL FOR B/P CHECK. B/P 122/90. I/M IN NAD WHEN LEAVING CLINIC.  
SIGNED OFF ON 01/30/15 @ 12:57 BY GINA M LOPEZ, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 02/04/15 @ 11:26 BY SALLY V BLAKE, UNCLASSIFIED  
SIGNED OFF ON 02/04/15 @ 14:17 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE
- \*\* ENCOUNTER: 291 LAB CLINIC 01/28/15 5:35 BROAD RIVER COMP  
LATE ENTRY FOR 1/27/15: INMATE WAS NO SHOW FOR MEDICAL LAB (PER ENC#284) DORM  
CALLED INMATE WAS STILL NO SHOW.  
SIGNED OFF ON 01/28/15 @ 5:36 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 290 TELEPHONE ENCOUNTER 01/27/15 16:34 BROAD RIVER COMP  
RECEIVED CALL FROM THE INMATES MOTHER STATING THAT SHE NEEDED TO RECEIVE  
INFORMATION REGARDING HIS OUTSIDE APPOINTMENT TO THE EYE DOCTOR.  
I FORWARDED THE INFORMATION TO THE MAJOR FOR FOLLOW-UP WITH THE INMATES  
MOTHER. SHE STATED THAT SHE HAD NO OTHER CONCERNS AT THIS TIME.  
T. SMITH, RN  
SIGNED OFF ON 01/27/15 @ 16:44 BY TAKISHA A SMITH, NURSE ADMINISTRATOR/MGR II
- \*\* ENCOUNTER: 289 BLOOD PRESSURE CLINI 01/26/15 20:07 BROAD RIVER COMP  
B/P = 144/ 90 PULSE = 107 WEIGHT = 0  
INMATE PRESENTS TO MEDICAL WITH AN OTR FOR BP CHECK PER ENCOUNTER #284.  
INMATE ENCOURAGED TO INCREASE FLUID INTAKE AS PULSE IS SLIGHTLY ELEVATED.  
INMATE STS THAT HE KNOWS THAT HE DOES NOT DRINK ENOUGH WATER AND THAT HE  
WILL TRY TO INCREASE HIS FLUIDS. INMATE VOICED NO COMPLAINTS. A. LAWYER, LP  
N  
SIGNED OFF ON 01/26/15 @ 20:09 BY GENEVA E WALTERS, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 01/30/15 @ 15:21 BY RICHARD C BEARDEN JR, PHYSICIAN
- \*\* ENCOUNTER: 288 BLOOD PRESSURE CLINI 01/24/15 16:07 BROAD RIVER COMP  
B/P = 120/ 98 PULSE = 68 WEIGHT = 0  
SIGNED OFF ON 01/24/15 @ 16:07 BY HARVEY BEACH, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 287 BLOOD PRESSURE CLINI 01/23/15 14:39 BROAD RIVER COMP  
B/P = 142/ 84 PULSE = 0 WEIGHT = 0  
SIGNED OFF ON 01/23/15 @ 14:39 BY RACHEL J TURNER, LICENSED PRACTICAL NURSE
- \*\* ENCOUNTER: 286 LAB CLINIC 01/23/15 7:10 BROAD RIVER COMP  
INMATE DID NOT FOLLOW OTR DIRECTIVE OF "DO NOT EAT" INMATE HANDED OTR FOR  
1/27/14.  
SIGNED OFF ON 01/23/15 @ 7:11 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 285 OUTSIDE APPOINTMENT 01/23/15 10:28 BROAD RIVER COMP  
I/M IS SCHEDULED WITH MIDLANDS ENT FOR FRACTURE ON 1/23/15 AT 12PM.  
SIGNED OFF ON 01/21/15 @ 10:30 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT

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NO FURTHER NURSING INTERVENTIONS REQUIRED AT THIS TIME.  
SIGNED OFF ON 01/21/15 @ 13:02 BY COURTNEY D OLDS, REGISTERED NURSE I

\*\* ENCOUNTER: 284 INSIDE APPOINTMENT 01/21/15 9:55 BROAD RIVER COMP  
S> I/M IN MEDICAL FOR MD CLINIC SP ASSAULT AND NP BLAKE ASSESSED I/M AND  
X-RAYS AND GAVE THE FOLLOWING V.O.: CLINDAMYCIN 300MG QID X 10 DAYS  
CBC, CMP, ALT, LIVER AND LIPID PANEL  
ORTHO CONSULT FOR RIGHT KNEE AND LEFT  
HAND PAIN SP ASSAULT  
LISINOPRIL 20MG QAM  
HCTZ 12.5MG QAM  
BP CHECKS Q OTHER DAY, QPM ON 1/26/15  
AND 1/21/15 IN AFTERNOON  
LISINOPRIL 20MG X 1 DOSE NOW  
HCTZ 12.5MG X 1 DOSE NOW  
O> TEMP=097.6 PULSE= 82 RESP= 0 BP=158/102 WEIGHT=292 O2 SAT= 0  
A> I/M GIVEN STARTER PACK OF CLINDAMYCIN, 3 DAY SUPPLY OF LISINOPRIL AND HCTZ  
P> AND OTRS AND V/U, LAB SLIP COMPLETED AND PLACED IN LAB DOOR BOX AND FORWARD  
ED TO CONSULT NURSE FOR ORTHO APPOINTMENT. BP RE-TAKEN AFTER 45 MINUTES OF  
TAKING MEDICINE AND NP BLAKE NOTIFIED AND ADVISED I/M TO GO BACK TO DORM  
AND RELAX AND TO COME BACK IN THE AFTERNOON TO HAVE BP RECHECKED. I/M DENIE  
D ANY QUESTIONS OR CONCERNS AND LEFT MEDICAL AMBULATORY AND IN NAD. FORWARD  
ED TO MD FOR REVIEW AND APPROVAL  
SIGNED OFF ON 01/21/15 @ 10:23 BY MARGO ROSANNA WILLIAMS, REGISTERED NURSE I  
SIGNED OFF ON 01/21/15 @ 10:25 BY SALLY V BLAKE, UNCLASSIFIED  
I/M RETURNED TO MEDICAL TO HAVE BP RETAKEN AND 130/93 AND LEFT MEDICAL  
AMBULATORY AND IN NAD.  
SIGNED OFF ON 01/21/15 @ 14:30 BY MARGO ROSANNA WILLIAMS, REGISTERED NURSE I  
MARS UPDATED. OTR ISSUE TO HAVE REPORT TO MLT MEDICAL FOR B/P CHECKS  
LAB SLIP COMPLETED.  
SIGNED OFF ON 01/21/15 @ 17:50 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
\*\* ENCOUNTER: 283 TELEPHONE ENCOUNTER 01/21/15 8:58 BROAD RIVER COMP  
RECEIVED APPROVAL VIA EMAIL BY DR MCREE FOR ENT APPT  
THOAMS E BYRNEMD  
SIGNED OFF ON 01/21/15 @ 8:59 BY THOMAS E BYRNE, PHYSICIAN

\*\* ENCOUNTER: 282 NARRATIVE 01/20/15 8:47 BROAD RIVER COMP  
XRAY BILATERAL ORBITS ON 1/16/2015  
FINDINGS: THERE APPEARS TO BE A FRACTURE IDENTIFIED AT THE INFERIOR  
ORBITAL RIM AND FLOOR OF THE RIGHT ORBIT, WITH SUSPECTED  
SMALL SUBCUTANEOUS EMPHYSEMA. THERE IS PARTIAL  
OPACIFICATOPM AT THE FLOW OF THE RIGHT MAXILLARY SINUS  
THE LEFT ORBIT APPEARS INTACT. THE FRONTAL, ETHMOID AND  
SPHENOID SINUSES APPEAR CLEAR AND UNREMARKABLE  
-----  
IMPRESSION: SUSPECTED RIGHT ORBITAL FLOOR AND INFERIOR ORBITAL RIM  
FRACTURES AS ABOVE WITH SUSPECTED SMALL AMOUNT OF  
SUBCUTANEOUS EMPHYSEMA AND CHANGES WITHIN THE RIGHT  
MAXILLARY SINUS. NO ADDITIONAL FRACTURES OR OTHER

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ABNORMALITIES

SIGNED OFF ON 01/20/15 @ 8:54 BY COURTNEY D OLDS, REGISTERED NURSE I  
SEE IF ENT (DR BRILL) CAN SEE THIS WEEK

THOMAS EBYRNEMD

SIGNED OFF ON 01/20/15 @ 11:23 BY THOMAS E BYRNE, PHYSICIAN  
THIS ENC. PRINTED FOR OUTSIDE APPT NURSE TO SCHEDULE

SIGNED OFF ON 01/20/15 @ 13:21 BY COURTNEY D OLDS, REGISTERED NURSE I

\*\* ENCOUNTER: 281 NARRATIVE 01/15/15 7:51 BROAD RIVER COMP  
I/M IS SCHEDULED WITH KCI X-RAY ON 116/15.  
SIGNED OFF ON 01/15/15 @ 7:52 BY VIVIAN - ELLIOTT, ADMINISTRATIVE ASSISTANT  
NOTED  
SIGNED OFF ON 01/15/15 @ 10:13 BY EBONY GUESS, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 280 INSIDE APPOINTMENT 01/14/15 17:15 BROAD RIVER COMP  
I/M TO MEDICAL TO BE REASSESSED AFTER ALTERCATION IN UNIT ON MONDAY 1/12/15  
. I/M AMBULATORY WITHOUT ASSIST. ALERT AND ORIENTED X 3. DARK BLUE PURPLE B  
RUISTING TO RIGHT EYE AND SMALL AMOUNT OF BLUISH PURPLE BRUISING TO LEFT UND  
ER EYE. LEFT HAND WITH SWELLING AND MILD BRUISING TO DIGITS 3-5. RIGHT KNEE  
WITH SWELLING AND BLUE-PURPLE BRUISING. NP ON SITE ASSESSED AND GIVEN VERBA  
L ORDER FOR ASAP XRAYs TO B/L ORBITS, LEFT HAND, AND RIGHT KNEE. XRAY REQUI  
SITION COMPLETED AND GIVEN TO NURSE FOR SCHEDULING.  
SIGNED OFF ON 01/14/15 @ 17:19 BY LAUREN L NEWSOM, REGISTERED NURSE I  
SIGNED OFF ON 01/16/15 @ 8:53 BY RICHARD C BEARDEN JR, PHYSICIAN

\*\* ENCOUNTER: 279 MENTAL HEALTH CLINIC 01/14/15 10:46 BROAD RIVER COMP  
D: MET WITH I/M FOR INDIVIDUAL SESSION TO ASSESS HIS LEVEL OF FUNCTIONING.  
LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATION AND I ASSESS FOR PSYCH  
IATRIC SYMPTOMS. I/M ATTENDED THE SESSION WITH HIS RIGHT EYE SWOLLEN AND IT  
WAS BLACK AND BLUE. I/M ALSO SHOWED CCC HIS RIGHT KNEE WHICH WAS ALSO BRUIS  
ED. I/M STATED THAT SOMEONE TOOK PICTURES THE DAY OF THE INCIDENT; HOWEVER, F  
EELS THAT MORE PICTURES ARE NEEDS TO BE TAKING SHOWING THE SEVERLY OF HIS I  
NJURIOUS. HE DENIES HAVING S/H/I AND HE DENIES HAVING A/V/H. HE WAS ASKED TO  
DESCRIBE HIS EXPERIENCE OF DEPRESSION FOR THE SIGNS AND SYMPTOMS THAT ARE P  
RESENT IN DAILY LIVING. I/M DENIES HAVING ANY DEPRESSION SYMPTOMS AND STATE  
D THAT HE FORGIVES THE I/M FOR PUNCHING HIM IN THE FACE. I/M ALSO STATED THA  
T HE WANTS THE I/M THAT HIT HIM REMOVED FROM BRCI. HE SHARED I DO NOT WANT  
TO BE PLACED IN PC, AND I WILL NOT ALTER MY LIFE STYLE. I/M WAS ENCOURAGED T  
O CONTACT CCC IF ANY SYMPTOMS/PROBLEMS ARISES. I/M WAS ALSO INFORMED THAT H  
E WILL BE REFERRED TO THE PSYCHIATRIC FOR MEDICATION MONITORING/EFFECTIVENE  
SS AFTER STAFF REPORTED AN INCREASE IN SLEEPING/POOR HYGEINCE IN WHICH I/M  
DENIES.

A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE I  
N A CONTROLLED ENVIRONMENT; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC P  
ERSONALITY D/O)

I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND  
THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS IN NEED OF A SHAVE, & MAINT  
AINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS P  
RESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBIT  
ING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE/SLEEP WNL.

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P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PLAN OBJECTIVES AND HE WILL RECEIVE SERVICES AS PER POLICY OR AS NEEDED, HE WILL BE REFERRED TO THE PSYCHIATRIST FOR FURTHER ASSESS OF MI AND MEDICATION EFFECTIVENESS.  
WGODFREY, HSCI  
SIGNED OFF ON 01/14/15 @ 13:04 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 278 SECURITY INIT 01/12/15 15:24 BROAD RIVER COMP  
I/M BROUGHT TO MEDICAL AFTER ALTERCATION  
I/M WAS HIT IN THE FACE BY ANOTHER I/M PER I/M  
I/M ALERT AND ORIENTED. ABLE TO VOICE NEEDS. NORMAL GAIT. SKIN WARM DRY  
INTACT. FACE IS COVERED WITH MULTIPLE SUPERFICIAL SCRAPS. SKIN IS REDDENED  
MILD SWELLING NOTED TO RIGHT EYE. EYE HAS MILD DISCOLORATION.  
EYE CHART COMPLETED. OS 20/70 OD I/M STS UNABLE TO SEE EVERYTHING IS BLURRY  
NOSE BLEEDING DURING INTERVIEW  
FACE AND NOSE CLEANSED. NOSE HELD UNTIL BLEEDING STOPPED. ICE GIVEN FOR  
EYE SWELLING. IBUPROFEN GIVEN FOR HEADACHE R/T TRAUMA  
WILL CONTINUE TO MONITOR PER SCDC PROTOCOL  
SIGNED OFF ON 01/12/15 @ 15:32 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE  
SIGNED OFF ON 01/16/15 @ 8:52 BY RICHARD C BEARDEN JR, PHYSICIAN

\*\* ENCOUNTER: 277 MENTAL HEALTH CLINIC 01/12/15 13:13 BROAD RIVER COMP  
CCC I/C NOTE:  
D: I/M ANDREW TORRENCE WAS SEEN AND EXPRESSED TO WRITER THAT HE HAD RECENTLY  
SENT A STAFF REQUEST TRYING TO GET MOVED OUT OF HIS CURRENT LIVING  
SITUATION. I/M ROOMMATE ALLEGES THAT I/M TORRENCE HAS REFUSED TO TAKE  
CARE OF HIS HYGIENE. I/M TORRENCE DENIED ANY PROBLEMS WITH HIS HYGIENE.  
I/M REPORTS THAT HE HAS BEEN COMPLIANT WITH TAKING HIS PRESCRIBED MEDS.  
I/M DENIED EXPERIENCING ANY A/V HALLUCINATIONS AS WELL AS S/H IDEATIONS  
AT THIS TIME. I/M VOICED THAT HE IS IN THE PROCESS OF BECOMING ENROLLED  
IN SOME COLLEGE COURSES TO HELP ENHANCE HIS EDUCATION. NO PSYCHOSIS NOTED.  
I/M WAS LATER ASSAULTED BY HIS ROOMMATE IN THE LOBBY AREA IN THE DORM.  
A/DX: MOOD D/O NOS; ANXIETY D/O NOS, PERSONALITY D/O. I/M EXPRESSED AN ANGRY  
AFFECT. HE IS ORIENTED TO PLACE, YEAR AND DATE. I/M MENTAL STATUS DOES NOT  
INDICATE ANY ACUTE EMOTIONAL/PSYCHOLOGICAL DISTRESS AT THIS TIME. NO  
SADNESS OR DEPRESSION NOTED. I/M APPEARS STABLE.  
P: PRIMARY COUNSELOR WILL CONDUCT A FOLLOW UP.  
P. DENNIS CCCIV.  
SIGNED OFF ON 01/12/15 @ 13:36 BY PAUL N DENNIS, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 276 BLOOD PRESSURE CLINI 12/16/14 13:12 BROAD RIVER COMP  
B/P = 122/ 78 PULSE = 72 WEIGHT = 285  
I/M TOLERATED. LEFT MEDICAL IN NAD  
SIGNED OFF ON 12/16/14 @ 13:12 BY ERRALYN ELIZABETH FURTICK, REGISTERED NURSE

\*\* ENCOUNTER: 275 BLOOD PRESSURE CLINI 12/15/14 11:00 BROAD RIVER COMP  
B/P = 110/ 72 PULSE = 82 WEIGHT = 285  
SIGNED OFF ON 12/15/14 @ 11:00 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 274 LAB CLINIC 12/15/14 7:03 BROAD RIVER COMP  
HEMOCCULT X3. COLLECTED SENT TO LAB PER ENC#263.

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SIGNED OFF ON 12/15/14 @ 7:04 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 273 SICK CALL 12/12/14 11:59 BROAD RIVER COMP  
S> I/M IN MEDICAL FOR RUNNY NOSE, COUGHING/SINUS AND TO RENEW MOBIC. I/M STATE  
S HE HAS HAD A RUNNY NOSE X 2 WEEKS BUT SEEMS TO BE GETTING BETTER SINCE HE  
IS NOW EXERCISING. I/M STATES THAT HE HAS INFLAMMATORY PAIN AND THE MOBIC  
WORKED REALLY WELL AND WOULD LIKE TO HAVE IT SCHEDULED TO TAKE EVERY DAY.  
O> TEMP=097.9 PULSE= 73 RESP=18 BP=149/101 WEIGHT=282 O2 SAT= 99  
I/M ALERT AND ORIENTED. RRR AND CTAB, INNER NARES NOTED MILDLY RED AND NO  
DRAINAGE NOTED, THROAT CLEAR. BP NOTED ELEVATED AND PREVIOUS BP NOTED 132/  
91.  
A> PER S.O. LORATADINE NOT TO BE GIVEN IF DIASTOLIC BP GREATER THAN 100 AND  
P> I/M ADVISED TO INCREASE WATER INTAKE AND TO RETURN TO MEDICAL IF SYMPTOMS  
WORSEN. I/M ADVISED TO SIT IN HOLDING TANK AND RELAX AND BP TO BE RE-TAKEN  
IN 30 MINUTES. I/M EDUCATED ON DIET, SODIUM INTAKE, WEIGHT CONTROL AND  
EXERCISE AND I/M V/U. I/M BP RETAKEN AND 144/95 AND PULSE 75 AND GIVEN OTR  
FOR NEXT 5 DAYS FOR BP CHECKS AND I/M LEFT MEDICAL AMBULATORY AND IN NAD.  
SIGNED OFF ON 12/12/14 @ 12:08 BY MARGO ROSANNA WILLIAMS, REGISTERED NURSE I

\*\* ENCOUNTER: 272 LAB CLINIC 12/05/14 7:40 BROAD RIVER COMP  
INMATE WAS NO SHOW FOR MEDICAL LAB (PER ENC#263)  
SIGNED OFF ON 12/05/14 @ 7:40 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 271 MENTAL HEALTH CLINIC 12/02/14 12:24 BROAD RIVER COMP  
D: MET WITH I/M FOR THE PURPOSE OF ASSESSMENT AFTER RECEIVING A CALL FROM M  
R DRAKE AT GPH ON 12/1/14. LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUA  
TION AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M REPORTED THAT HE IS DOING O  
K, HOWEVER, REPORTED HAVING A/H AND INCREASED SLEEP. HE SHARED LEARNING OF  
HIS GRANDMOTHER DEATH, HIS FATHER HAVING CANCER AND HIS COURT CASE WAS TURN  
ED DOWN. I/M STATED THAT HE DID NOT WANT TO BREAK DOWN IN FRONT OF OTHERS SO  
HE LEFT THE VISITATION ROOM AFTER LEARNING OF HIS GRANDMOTHER DEATH. HE DESC  
RIBED A PATTERN OF BEING SUSPICIOUS OF THE LOYALTY OF OTHERS WITHOUT REASON  
ABLE CAUSE. HE SHARED HIS RELIGIOUS BELIEF, AND STATED THAT THE "DEVIL" USE  
S PEOPLE TO DO EVIL AND TO WORK AGAINST HIM. HE SHARED THAT THE VOICES ARE  
TELLING HIM TO COUNT NUMBERS, TELLING HIM TO BE CAUTION AND NOT TO TRUST OT  
HERS. HE REPORTED BEING IN A CAR ACCIDENT AND HAVING A BRAIN INFECTION 7YEA  
RS AGO AND BEGIN HEARING VOICES SHORTLY AFTER THAT. ALTHOUGH HE REPORTED EX  
PERIENCING HALLUCINATION AND DELUSION (WORKING WITH A HYPNOSIS THERAPIST) HE  
IS ABLE TO UNDERSTAND THAT THEY ARE A PRODUCT OF HIS MENTAL ILLNESS RATHER  
THAN REALITY BASED. I/M DENIES HAVING S/H/I AND DID NOT APPEARED TO BE RESPO  
NDING TO INTERNAL/EXTERNAL STIMULI DURING ASSESSMENT. I/M IS NOT A DANGER T  
O SELF/OTHERS AND DO NOT REQUIRE HOSPITALIZATION AT THIS TIME. CCC SPOKE WIT  
H CLASSIFICATION REQUESTING THAT I/M BE MOVED BACK IN MLT DORN SO THAT HE  
CAN BE MONITORED CLOSELY TO PREVENT DECOMPENSATION.  
A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE I  
N A CONTROLLED ENVIRONMENT; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC P  
ERSONALITY D/O)  
I/M AFFECT WAS APPROPRIATE TO SITUATION, HE GAVE GOOD EYE CONTACT. THOUGHT  
PROCESS DELUSIONAL WITH PARANOIA. HE REPORTED PROBLEMS WITH SLEEP DUE TO DR  
EAMS AND REPORTED APPETITE WNL. HE DENIES HAVING S/H/I AND HE DENIES HAVING

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V/H.

P: I/M WILL RECIEVED SERVICES AS PER POLICY OR AS NEEDED.

WGODFREY, HSCI

SIGNED OFF ON 12/02/14 @ 13:12 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 270 MENTAL HEALTH CLINIC 12/02/14 9:13 BROAD RIVER COMP

S: SAW THIS INMATE WITH MS. GODFREY, HIS COUNSELOR. DENIES SI/HI CURRENTLY . STATES HE DOES HEAR VOICES SOMETIMES. HE DID HAVE SIMS TESTING PERFORMED BY DR. WATSON AT GPH WHICH WAS INDICATIVE OF MALINGERING OF PSYCHOTIC SYMPTOMS ON HIS PART. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI CURRENTLY. STATES SOMETIMES HE FEELS SUSPICIOUS OF OTHERS' INTENTIONS. DESCRIBES HIMSELF AS A CHRISTIAN MAN, BELIEVES THAT THE "DEVIL" SOMETIMES USES PEOPLE TO WORK AGAINST HIM. DENIES ANY S/E TO HIS PSYCHIATRIC MEDICATIONS.

DOES ASK ME TO SWITCH HIS VISTARIL LIQUID FROM AM/HS TO NOON/HS. STATES HE WAS INFORMED OF HIS GRANDMOTHER'S DEATH DURING VISITATION. HE DID NOT WANT TO CRY IN FRONT OF OTHERS UPON LEARNING THIS NEWS, SO HE JUST WALKED OUT OF VISITATION INSTEAD. HE ALSO LEARNED RECENTLY THAT HIS COURT CASE WAS TURNED DOWN. EVEN THOUGH HE HAS HAD THESE STRESSORS RECENTLY, INMATE CONTINUED TO DENY BOTH SUICIDAL AND HOMICIDAL THOUGHTS CURRENTLY.

O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. TP - LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI. ENDORSES AH, BUT DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI. DOES NOT APPEAR PARANOID DURING INTERVIEW EITHER. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "I'M ALRIGHT." AFFECT EUTHYMIC CURRENTLY.

A: MOOD D/O NOS; ANXIETY D/O NOS; MALINGERING OF PSYCHOTIC SYMPTOMS CONFIRMED BY PSYCHOLOGICAL TESTING; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC PERSONALITY D/O); ALCOHOL DEPENDENCE IN A CONTROLLED ENVIRONMENT

P:

1. WILL CHANGE VISTARIL LIQUID FROM 100MG AM AND 150MG HS TO 100MG NOON AND 150MG HS AT HIS REQUEST.

2. CONTINUE PROZAC LIQUID 30MG PO HS.

3. INMATE MAY BENEFIT FROM MOVE TO MOULTRIE DORM, SO HE CAN BE MORE CLOSELY MONITORED BY MENTAL HEALTH THERE FOR ANY SIGNS/SX OF DECOMPENSATION. MS. GODFREY SPOKE TO CLASSIFICATION WITH REGARDS TO HOPEFULLY HAVING THIS INMATE MOVED TO MOULTRIE DORM ONCE SPACE BECOMES AVAILABLE.

HYDROXYZINE 10MG/5ML LIQ (MENTAL HEALTH) (VISTARIL/ATARAX)

SIG:100MG PO AT NOON AND 150MG PO QHS.

SIG:

START DATE: 12/02/14 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

SIGNED OFF ON 12/02/14 @ 13:52 BY MOHAN SRIDARAN, PSYCHIATRIST

MAR UPDATED.

SIGNED OFF ON 12/03/14 @ 7:24 BY COURTNEY D OLDS, REGISTERED NURSE I

\*\* ENCOUNTER: 269 MENTAL HEALTH CLINIC 12/01/14 11:16 BROAD RIVER COMP

INCIDENTAL NOTE: WRITER RECEIVED A PHONE CALL AT GPH FROM INMATE'S MOTHER. SHE REPORTED THAT INMATE HAD RECENTLY BEEN TOLD THAT HIS COURT CASE WAS TURNED DOWN. SHE REPORTED SHE VISITED HIM ON THURSDAY AND HE WAS VERY BIZARRE. SHE STATED INMATE WAS STATING THAT HE WAS HEARING VOICES, CURSED AND WAS BELLIGERENT, WHICH IS UNUSUAL FOR INMATE. SHE REPORTED HIS FATHER CAME



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BACK THIS WEEKEND TO SEE HIM AND TO LET HIM KNOW THAT HIS GRANDMOTHER HAD PASSED AWAY. HE WAS VERY CLOSE TO HIS GRANDMOTHER REPORTEDLY. SHE STATED THAT INMATE TORRENCE WAS VERY BIZARRE, AGAIN COMPLAINED OF VOICES AND EVENTUALLY GOT UP AND WALKED OUT ON HIS FATHER. SHE ASKED THAT SOMEONE CHECK ON HER SON. I SPOKE WITH MS. GODFREY AT BRCI. SHE IS GOING TO SEE INMATE TODAY AND HAVE HIM SCHEDULED FOR STAFFING WITH PSYCHIATRIST FOR TOMORROW. INFORMATION FROM MOTHER WAS PASSED ON TO MS. GODFREY. MOTHER'S NUMBER IS  
SIGNED OFF ON 12/01/14 @ 11:21 BY JAMES S DRAKE, ADMINISTRATIVE MGR I

\*\* ENCOUNTER: 268 MENTAL HEALTH CLINIC 11/26/14 14:48 BROAD RIVER COMP  
CLINICAL NOTE:

D: CCC MET WITH I/M WHO WAS REFERRED TO HIM FOR WONDERING ABOUT AND NOT KNOWING WHERE HE WAS. CCC ASKED I/M WHAT THE PROBLEM WAS, HE STATED THAT HE WAS GOING TO THE CHAPLAIN AND HE WAS TOLD CHAPLE IS CANCELLED TODAY AND HE DECIDED TO RETURN TO MONTICELLO BUT HE WAS TOLD HE CANNOT GO THERE TO MO BY THE GUARD SO HE DECIDED TO GO TO MLT DORM WHERE HE WAS ASKED TO COME AND TALK WITH CCC. CCC ASKED I/M TO SPELL HIS LAST NAME BACKWARDS HE COULD NOT AND COULD NOT SPELL HIS FIRST NAME BACKWARDS AFTER FOURTH ATTEMPT CCC ASSISTED HIM TO GET IT RIGHT. I/M STATED THAT HE HAS NOT BEEN TAKING HIS MEDICATION IN THE DAY TIME THAT IS WHY HE IS DISORIENTED. I/M SAID IF HE TAKES HIS MED AS PRESCRIBED HE WILL BE OKAY. CCC EMPLOYED THE ASSISTANCE OF MS. WILLIAMS WHO WENT IN AND CHECKED THE MED LINE AND CONFIRMED THAT I/M'S MED REGIMEN HAS NOT CHANGED. I/M APPEARED TO BE A LITTLE DISORIENTED AND THAT MANIFESTED IN HIM NOT BEING ABLE TO SAY HIS PERSONAL NUMBER TO CCC WHEN ASKED TO DO SO. I/M SAID HE IS NO DANGER TO HIMSELF. CCC WAS CONCERNED ABOUT HIS SAFETY AND MAKE SURE HE IS SAFE TO WALK BACK TO HIS MO DORM. I/M WAS UNABLE TO SAY BACK TO CCC WHAT HE SAID TO HIM IMMEDIATELY AFTER. I/M WAS NOT SURE IF HE COULD WALK BACK TO THE DORM WITHOUT GETTING LOST. CCC ASSURED I/M HE WILL CALL HIS DORM AND INFORM THE LT THAT HE IS ON THE WAY IN CASE HE MISSED HIS WAY FOR ANY REASON.

A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE IN A CONTROLLED ENVIRONMENT; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC PERSONALITY D/O). I/M WAS ALERT BUT DISORIENTED TO HIS ENVIRONMENT AND TIME. I/M WAS UNABLE TO IDENTIFY HIMSELF TO CCC AND UNABLE TO READ HIS NAME BACKWARDS WHEN ASKED TO DO SO. NO SIGN OF DISTRESS WAS NOTICED. HOWEVER, I/M WAS CONCERNED ESPECIALLY WITH HIS MEDICATION. CCC HAS ALREADY ADDRESSED THAT WITH I/M. I/M DENIED HAVING ANY SUICIDAL AND HOMICIDAL IDEATIONS BUT SAID HE HEARS VOICES SOMETIMES AND THAT CONFUSES HIM. CCC MOTIVATED I/M TO IGNORE THOSE VOICES AS THEY ARE DISTORTIONS OF REALITY. I/M DISPLAYED SOME MALINGERING BEHAVIOR DURING THE ASSESSMENT.

P: CCC ENCOURAGE I/M NOT TO HESITATE SEEKING THE ASSISTANCE OF HIS COUNSELOR WHENEVER HE IS IN DISTRESS. CCC WILL CONTINUE TO MONITOR I/M'S MENTAL STATUS AS PER POLICY AND AS NEEDED. CCC RECOMMENDS THAT I/M BE PSYCHOLOGICALLY EVALUATED TO DETERMINE HIS CURRENT MENTAL FUNCTIONING IN RELATIONSHIP TO HIS CURRENT MEDICATION.

ASUQUO EDEM, PHD.  
SIGNED OFF ON 11/26/14 @ 15:57 BY ASUQUO OKON EDEM, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 267 LAB CLINIC 11/20/14 12:25 BROAD RIVER COMP

MDCI880D  
OMINMDCA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
SCDC HEALTH SERVICES: MEDICAL SUMMARY

09/13/17  
C057031

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LABS 11/6/14

CBC WNL

CHEM7 CO2 32 OTW WNL

LIVER WNL

LIPID TG 298 VLDL 60 OTW WNL

THOMAS E BYRNEMMD

SIGNED OFF ON 11/20/14 @ 12:26 BY THOMAS E BYRNE, PHYSICIAN II

\*\* ENCOUNTER: 266 MENTAL HEALTH CLINIC 11/17/14 12:36 BROAD RIVER COMP  
INCIDENTAL NOTE:

CCC RECEIVED A CALL FROM I/M'S MOTHER, MRS TORRENCE STATED THAT I/M IS ASKING TO BE PLACED BACK IN MOULTRIE DORM. CCC INFORMED MRS TORRENCE THAT CLASSIFICATION DETERMINE WHERE AN I/M IS PLACED. CCC WAS NOT ABLE TO GIVE MRS TORRENCE INFORMATION CONCERNING HER SON DUE TO CCC NOT HAVING A SIGNED RELEASED FORM. CCC SPOKE WITH CLASSIFICATION (MS MACON) CONCERNING I/M DESIRE TO MOVE BACK INTO THE MOULTRIE DORM. MS MACON STATED THAT THE MOULTRIE DORM IS FULL AT THIS TIME AND I/M WOULD BE CONSIDERED ONCE A BED BECOMES AVAILABLE.

WGODFREY, HSCI

SIGNED OFF ON 11/17/14 @ 12:56 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 265 MENTAL HEALTH CLINIC 11/06/14 13:23 BROAD RIVER COMP  
STRESS MANAGEMENT GROUP: 11/03/14

STRESS MANAGEMENT GROUP WAS NOT HELD DUE TO COUNSELOR ON LEAVE.  
GROUP WILL RESUME NEXT WEEK.

SIGNED OFF ON 11/06/14 @ 13:23 BY FAWN J FOULKS, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 264 LAB CLINIC 11/05/14 6:14 BROAD RIVER COMP  
FASTING CHEM18, LIPID PANEL, LFT, CBC W/DIFF. COLLECTED SENT TO LAB PER ENC# 263.

SIGNED OFF ON 11/05/14 @ 6:16 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 263 SICK CALL 11/03/14 8:52 BROAD RIVER COMP

S> I/M TO SICK CALL THIS AM WITH COMPLAINTS THAT HE JUST RETURNED FROM GPH AND HE DOES NOT HAVE ANY OF HIS CREAMS FOR HIS PSORIASIS, EAR DROPS FOR HIS EAR PAIN AND REPORTS THAT HE HAS BLOOD IN HIS STOOL X2 YEARS. STS THAT THIS IS HIS FIRST TIME REPORTING IT.

I/M REPORTS THAT HE HAS A BOWEL MOVEMENT DAILY AND BLOOD IN ONLY PRESENT IN HIS STOOLS ABOUT ONCE EVERY 2 WEEKS OR ONLY WHEN HE HAS TO STRAIN TO GO  
REPORTS THAT HE HAS A HISTORY OF HEMORRHOIDS THAT CAN BE PAINFUL AT TIMES.

I/M REPORTS RASH ON ABDOMEN AND AFRAID THAT IT MAY BE "RINGWORMS"

O> TEMP=99.8 PULSE= 74 RESP=18 BP=132/ 91 WEIGHT=275 O2 SAT= 0  
34 Y/O WM AMBULATORY WITH STEADY GAIT. LAST BLOOD WORK IN CHART 10/2011  
NP BLAKE IN HOUSE TO ASSESS. ABDOMEN WITH ROUND, REDDENED NONRAISED CIRCLES

A> SEE ABOVE

P> PHARMACY NOTIFIED AND ALL CREAMS, MEDICATIONS AND DROPS WILL BE REFILLED.  
V.O. PER NP BLAKE TO ORDER ANUSOL SUPPOSITORY QHS X2WEEKS THEN OBTAIN HEMOCULTS X3. ALSO OBTAIN CBC WITH DIFF, CMP, LIPID AND LIVER PROFILE.

V.O. TO ISSUED LOTRIMIN FOR ABDOMINAL RASH

LAB SLIP COMPLETED FOR HEMOCULTS TO BE OBTAINED ON 12/1/2014 AFTER COMPLET  
ED SUPPOSITORY AND OTHER LABS AT NEXT AVAILABLE DATE.

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I/M WAS ISSUED HYDROCORTISONE FOR TEMP RELIEF OF ITCHING AND WAS ISSUED LOT RIMIN CREAM.

I/M INSTRUCTED TO F/U WITH WORSENING SYMPTOMS OR NO RELIEF.

THIS ENC. TO MD FOR APPROVAL OF ORDERS.

SIGNED OFF ON 11/03/14 @ 9:14 BY COURTNEY D OLDS, REGISTERED NURSE I

SIGNED OFF ON 11/14/14 @ 15:04 BY RICHARD C BEARDEN JR, PHYSICIAN II

\*\* ENCOUNTER: 262 MENTAL HEALTH CLINIC 10/31/14 11:59 BROAD RIVER COMP  
SELF-ESTEEM GROUP NOTE: GROUP DID NOT MEET ON 10/17 OR 10/24/14 AS WRITER  
WAS ON LEAVE ON THOSE DATES. I/M WILL NOT BE ABLE TO ATTEND THIS GROUP FURTHER  
AS HE WAS DISCHARGED FROM GPH BACK TO BRCI ON 10/27/14. HIS NAME HAS  
BEEN REMOVED FROM THE GROUP ROSTER. DEBORAH HOLLIFIELD, HSCI  
SIGNED OFF ON 10/31/14 @ 12:00 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 261 MENTAL HEALTH CLINIC 10/31/14 11:41 BROAD RIVER COMP  
DOING OUR TIME GROUP NOTE: GROUP DID NOT MEET ON 10/16 OR 10/23/14 AS WRITER  
WAS ON LEAVE DUE TO ILLNESS ON THOSE DATES. I/M WAS DISCHARGED FROM GPH  
TO BRCI ON 10/27/14. THEREFORE, HE WILL NOT BE ABLE TO ATTEND THIS GROUP  
FURTHER. HIS NAME HAS BEEN REMOVED FROM THE GROUP ROSTER. DEBORAH  
HOLLIFIELD, HSCI  
SIGNED OFF ON 10/31/14 @ 11:42 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 260 BLOOD PRESSURE CLINIC 10/30/14 13:32 BROAD RIVER COMP  
B/P = 0/ 0 PULSE = 0 WEIGHT = 0  
BLOOD PRESSURE CLINIC WAS HELD TODAY.  
INMATE REFUSED TO HAVE HIS VITAL SIGNS AND WEIGHT CHECK FOR THIS WEEK.  
SIGNED OFF ON 10/30/14 @ 13:32 BY MATHLENE YOUNG, MEDICAL ASSISTANT TECH

\*\* ENCOUNTER: 259 MENTAL HEALTH CLINIC 10/29/14 9:16 BROAD RIVER COMP  
ASSESSMENT (RETURN FROM GPH)  
D: MET WITH I/M FOR THE PURPOSE OF ASSESSMENT. LISTENED ACTIVELY WHILE HE  
EXPLAINED CURRENT SITUATION AND I ASSESSED FOR PSYCHIATRIC SYMPTOMS. I/M REPORTED  
THAT HE IS DOING WELL, HOWEVER, CONTINUES TO HAVE A/H. HE REPORTED THAT THE  
VOICES ARE UNDER HIS CONTROL AND IT'S HIS VOICES OF REASON. HE REPORTED HAVING  
SOME DIFFICULTIES WITH SLEEP DUE TO HAVING VIVID DREAMS. HE STATED APPETITE  
IS WNL. I/M WAS DELUSIONAL IN HIS THINKING, HOWEVER, NOT A DANGER TO  
SELF/OTHERS. I/M SPOKE A LOT ABOUT THE GOVERNMENT AND STATED THAT THE GOVERNMENT  
HAS EQUIPMENT/TECHNOLOGY TO CONTROL PEOPLE. HE SMILED DURING SESSION AND  
SHARED THAT CRAZY PEOPLE DO NOT THINK THAT ARE CRAZY, SO HE MUST BE CRAZY.  
I/M WAS ENCOURAGED TO REPLACE NEGATIVE THINKING WITH POSITIVE REALITY BASED  
THINKING. HE WAS ALSO ENCOURAGED TO USE RELAXATION TECHNIQUES (DEEP BREATHING)  
TO REDUCE EMOTIONAL DISTRESS AND TO ASSIST WITH SLEEP. I/M WAS ENCOURAGED  
TO TAKE MEDICATION AS PRESCRIBED AND TO REPORT ANY SIDE EFFECT TO STAFF.  
I/M WAS ASKED TO MAKE A VERBAL COMMITMENT THAT HE WILL INITIATE CONTACT  
WITH STAFF IF SUICIDAL URGES RE-OCCUR/AND VOICES ARE NO LONGER UNDER HIS  
CONTROL BEFORE ANY SELF-INJURIOUS BEHAVIOR OCCURS. HE DENIES HAVING S/H/I AND  
HE DENIES HAVING V/H.  
A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE  
IN A CONTROLLED ENVIRONMENT; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC  
PERSONALITY D/O)

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I/M AFFECT WAS APPROPRIATE TO SITUATION, HE GAVE GOOD EYE CONTACT. THOUGHT PROCESS DELUSIONAL WITH PARANOIA. HE REPORTED PROBLEMS WITH SLEEP DUE TO DREAMS AND REPORTED APPETITE WITHIN NORMAL LIMIT. HE DENIES HAVING S/H/I AND HE DENIES HAVING V/H.

P: I/M WILL RECEIVE SERVICES AS PER POLICY OR AS NEEDED.

INTERN, MR GOUGH AND W GODFREY, HSCI

SIGNED OFF ON 10/29/14 @ 10:37 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 258 INSIDE APPOINTMENT 10/27/14 15:55 BROAD RIVER COMP  
INMATE IS DISCHARGED FROM GPH TODAY TRANSFERRED TO BRCI BY VAN ACCOMPANIED BY SECURITY OFFICERS. MEDICATIONS AND MEDICAL RECORDS SENT ALONG WITH INMATE. NO PENDING MEDICAL APPOINTMENTS OR MEDICAL PROCEDURES AT THIS TIME. REPORT GIVEN TO MR. BROOKS RN.  
SIGNED OFF ON 10/27/14 @ 15:56 BY MICHELLE M LYONS, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 257 MENTAL HEALTH CLINIC 10/27/14 12:59 GILLIAM PSY COMP  
SUBSTANCE ABUSE GROUP NOTE:  
D/ IN TODAY'S GROUP DISCUSSION, THE GROUP DISCUSSED THE EFFECT OF SUBSTANCE ABUSE AND THE BEHAVIOR CHANGE THAT IS NEEDED TO MASTERING A POSITIVE SELF-IMAGE AND BREAKING THE HABIT OF TRYING TO PLEASE EVERYONE THAT HAS NOT MEAN GOOD TO GOOD BEHAVIOR.  
A/ I/M WAS VERY ATTENTIVE, COOPERATIVE AND INTERACTED WELL WITH OTHERS IN THE GROUP. HE RESPONDED TO QUESTIONS AND PARTICIPATED IN GROUP DISCUSSIONS.  
P/ OUT NEXT GROUP WILL BE ON 11/03/14. HE HAS BEEN ENCOURAGED TO CONTINUE GROUP ATTENDANCE AND PARTICIPATION.  
INNOCENT NTIASAGWE, HSCII  
SIGNED OFF ON 10/27/14 @ 12:59 BY INNOCENT O NTIASAGWE, HUMAN SERVICES COORD

\*\* ENCOUNTER: 256 INSIDE APPOINTMENT 10/27/14 1:51 GILLIAM PSY COMP  
NURSING NOTE:  
INMATE HAS BEEN DISCHARGED FROM GPH AND IS PENDING TRANSFER TO BRCI BY VAN.  
FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)  
SIG: TAKE 30MG (7.5ML) Q HS (SEND TO BRCI)  
SIG:  
START DATE: 10/27/14 TOTAL DAYS: 180  
MD: WOOD, BEVERLY -  
ZOCOR 20MG (SIMVASTATIN)  
SIG: TAKE ONE Q HS (SEND TO BRCI)  
SIG:  
START DATE: 10/27/14 TOTAL DAYS: 180  
MD: WOOD, BEVERLY -  
HYDROXYZINE 10MG/5ML LIQ (MENTAL HEALTH) (VISTARIL/ATARAX)  
SIG: TAKE 100 MG Q AM. TAKE 150 MG Q HS (SEND TO BRCI)  
SIG:  
START DATE: 10/27/14 TOTAL DAYS: 180  
MD: WOOD, BEVERLY -  
SIGNED OFF ON 10/27/14 @ 1:58 BY KELLY BROWN, REGISTERED NURSE I  
SIGNED OFF ON 10/27/14 @ 13:43 BY MOHAN SRIDARAN, PSYCHIATRIST

\*\* ENCOUNTER: 255 INSIDE APPOINTMENT 10/26/14 1:42 GILLIAM PSY COMP

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WEEKLY NURSING NOTE: I/M TAKES HIS MEDS AS ORDERED BY MD. APPETITE/HYGIENE/  
SLEEP WITHIN NORMAL. NO MEDICAL COMPLAINTS VOICED. STAFF WILL MONITOR.  
SIGNED OFF ON 10/26/14 @ 1:43 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I

\*\* ENCOUNTER: 254 MENTAL HEALTH CLINIC 10/24/14 10:20 GILLIAM PSY COMP  
TEMPORARY CASEWORKER NOTE: INMATE WAS SEEN FOR INDIVIDUAL COUNSELING AND FO  
LLOW-UP. HE REPORTED HE WAS DOING WELL. HE STATED THAT HE FEELS HE HAS BEEN  
DOING WELL SINCE HE HAS BEEN AT GPH AND FEELS HE IS READY TO LEAVE. HE  
STATED HIS MOTHER HAD SURGERY AND IS DOING BETTER. HE REPORTED THAT HIS GRA  
NDMOTHER IS ON HOSPICE AND HAS NOT BEEN DOING AS WELL AS HER OXYGEN HAS BEE  
N LOW RECENTLY. INMATE REPORTED HE IS COPING WITH THE NEWS AND IS HOPEFUL  
THAT SHE DOES BETTER. HE STATED HE IS TRYING TO COPE WITH THE SITUATION AND  
PRPARE. HE IS WORRIED ABOUT HIS FATHER WHO IS ALSO IN BAD HEALTH AND IS  
WORRIED THAT IT WILL PUT MORE STRESS ON HIM. HE STATED HE HAS BEEN GOING ON  
VISIT, READING AND STUDYING THE BIBLE. HE STATED THAT HE NEVER REALLY HAD  
TIME TO DEVOTE TO READING THE BIBLE BEFORE BUT NOW IS TRYING TO USE THE TIM  
E THAT HE HAS TO GET THAT DONE. HE DENIED ANY CURRENT PROBLEMS OR DIFFICULT  
IES. A: INMATE IS MEDICATION COMPLIANT. HIS MOOD WAS NORMAL. SOME SADNESS  
WHILE TALKING ABOUT HIS GRTANDMOTHERS SITUATION BUT APPEARED TO BE AN EXPEC  
TED RESPONSE TO THE SITUATION. HIS THOUGHTS WERE NORMAL AND GOAL DIRECTED.  
HE DID NOT APPEAR DISORGANIZED AND HE WAS WAS ALERT AND FULLY ORIENTED. HE  
REPORTED HE HAS NO THOUGHTS TO HARM HIMSELF OR ANYONE ELSE. HE REPORTED HE  
SEES SOME LITTLE FLOATERS IN HIS EYE BUT STATED THE DOCTOR TOLD HIM IT WAS  
NORMAL AND NOT NECESSARILY HALLUCINATIONS. HE STATED HE DOES HEAR VOICES  
AT TIMES BUT THEY ARE NOT AS BOTHERSOME. INMATE APPEARS STABLE. P: STAFF TO  
USE THE KF- APPROACH WITH INMATE. HE IS BEING SCHEDULED FOR DISCHARGE BACK  
TO BRCI FOR OUTPATIENT TREATMENT.  
SIGNED OFF ON 10/24/14 @ 10:38 BY JAMES S DRAKE, ADMINISTRATIVE MGR I

\*\* ENCOUNTER: 253 MENTAL HEALTH CLINIC 10/23/14 13:49 GILLIAM PSY COMP  
GROUP NOTE LATE ENTRY:  
SUBSTANCE ABUSE GROUP WAS CANCELED ON MONDAY 10/20/14 DUE TO INADEQUATE  
SECURITY PERSONNEL. ALL APPROPRIATE STAFF WERE NOTIFIED.  
INNOCENT NTIASAGWE, HSCII  
SIGNED OFF ON 10/24/14 @ 14:31 BY JAMES EDWIN PAGE, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 252 MENTAL HEALTH CLINIC 10/21/14 7:47 GILLIAM PSY COMP  
D: GROUP NOTE-\*\*\*\*\*THIS SESSION TOOKPLACE ON THURS., OCT.16TH, 2014\*\*\*\*\*  
I/M TORRANCE WAS PRESENT FOR GROUP. TOPIC: DEPRESSION, SESSION#2. THIS WRIT  
ER PRESENTED INFORMATION ON THE CAUSES OF DEPRESSION (I.E., GENETIC, SUBSTA  
NCE ABUSE). FINAL 30 MINS. OF GROUP WAS DEVOTED TO LEISURE TIME.  
A: I/M WAS APPROPRIATE IN GROUP. ENGAGED IN LEISURE TIME (I.E.PLAYED CARDS)  
P: I/M IS PERMITTED TO PARTICIPATE IN NEXT WEEK'S GROUP  
SIGNED OFF ON 10/21/14 @ 7:51 BY NOI M ROSSER, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 251 INSIDE APPOINTMENT 10/19/14 2:34 GILLIAM PSY COMP  
WEEKLY NURSING NOTE: I/M TAKES HIS MEDS AS ORDERED BY MD. APPETITE/HYGIENE/  
SLEEP WITHIN NORMAL. NO VOICED MEDICAL COMPLAINTS. STAFF WILL MONITOR.  
SIGNED OFF ON 10/19/14 @ 2:35 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I

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- \*\* ENCOUNTER: 250 MENTAL HEALTH CLINIC 10/13/14 14:20 GILLIAM PSY COMP  
SELF-ESTEEM GROUP NOTE: D: I/M TORRENCE ATTENDED GROUP ON 10/10/14. HE PARTICIPATED IN THE GROUP EXERCISE ON MINDFULNESS SKILLS AND WAS ATTENTIVE TO THE GROUP DISCUSSION WHICH FOLLOWED.  
A: I/M DISPLAYED A NORMAL RANGE OF AFFECT DURING GROUP. HE TOOK PART IN THE GROUP EXERCISE "BAND OF LIGHT" WHICH FOCUSED ON RECOGNIZING PHYSICAL SENSATIONS IN THE BODY. HE WAS QUIET BUT ATTENTIVE AS OTHER GROUP MEMBERS TOOK AN ACTIVE ROLE IN THE DISCUSSION WHICH FOLLOWED THE EXERCISE. DURING THE SECOND HALF OF GROUP INMATES WERE ALLOWED TO ENGAGE IN LEISURE ACTIVITIES. DURING LEISURE TIME HE CHOSE TO SIT AND LISTEN TO MUSIC ON THE RADIO.  
P: WRITER WILL INVOLVE I/M IN THE NEXT GROUP WHICH IS SCHEDULED TO MEET THIS WEEK. DEBORAH HOLLIFIELD, HSCI  
SIGNED OFF ON 10/13/14 @ 14:24 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD
- \*\* ENCOUNTER: 249 MENTAL HEALTH CLINIC 10/10/14 9:43 GILLIAM PSY COMP  
DOING OUR TIME GROUP NOTE: D: I/M TORRENCE ATTENDED GROUP ON 10/9/14. HE WAS ATTENTIVE TO THE GROUP DISCUSSION ON CURRENT EVENTS IN THE NEWS.  
A: I/M DISPLAYED A GOOD RANGE OF AFFECT DURING GROUP. HE WAS QUIET BUT ATTENTIVE AS OTHER GROUP MEMBERS TOOK AN ACTIVE ROLE IN THE DISCUSSION. HE BRIEFLY JOINED IN THE DISCUSSION MAKING LOGICAL COMMENTS. DURING THE SECOND HALF OF GROUP INMATES WERE ALLOWED TO ENGAGE IN LEISURE ACTIVITIES. DURING LEISURE TIME I/M DECLINED TO JOIN OTHER INMATES TO PLAY CARDS BUT SAT AND LISTENED TO MUSIC ON THE RADIO WHILE WATCHING GROUPS MEMBERS WHO WERE PLAYING CARDS. HE ENGAGE IN BRIEF CONVERSATION INITIATED BY OTHER INMATES. HIS BEHAVIOR WAS COOPERATIVE.  
P: WRITER WILL INVOLVE I/M IN THE NEXT GROUP WHICH IS SCHEDULED TO MEET NEXT WEEK. DEBORAH HOLLIFIELD, HSCI  
SIGNED OFF ON 10/10/14 @ 13:53 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD
- \*\* ENCOUNTER: 248 MENTAL HEALTH CLINIC 10/09/14 14:54 GILLIAM PSY COMP  
STRESS MANAGEMENT GROUP: 10/06/14  
STRESS MANAGEMENT GROUP WAS NOT HELD DUE TO STAFFING CONCERNS.  
GROUP WILL RESUME NEXT WEEK.  
SIGNED OFF ON 10/09/14 @ 14:54 BY FAWN J FOULKS, HUMAN SERVICES COORD II
- \*\* ENCOUNTER: 247 MENTAL HEALTH CLINIC 10/09/14 10:15 GILLIAM PSY COMP  
CASEWORKER NOTE: D: WHEN SEEN IN WRITER'S OFFICE ON 10/8/14, I/M TORRENCE WAS ALERT, FULLY ORIENTED, POLITE, AND COOPERATIVE. HIS PERSONAL HYGIENE APPEARED GOOD. HIS EYE CONTACT WAS GOOD AND HE DISPLAYED A GOOD RANGE OF AFFECT. HE DESCRIBED HIS MOOD AS "BETTER, GOOD" AND REPORTED HE IS FEELING LESS DEPRESSED THAN WHEN HE CAME TO GPH. HE DENIED ANY SI/HI. HE REPORTED HE IS STILL HEARING VOICES BUT SAID THEY ARE NOT BOTHERING HIM AS MUCH. HOWEVER, HE DID NOT APPEAR TO BE IN ANY DISTRESS OR REPORT ANY DISTRESS DUE TO THE VOICES. PSYCHOLOGICAL TESTING ADMINISTERED TWO WEEKS AGO BY SELMAN WATSON, PHD INDICATED HE WAS EMBELLISHING PSYCHOTIC SYMPTOMS (SEE ENC # 240 FOR MORE INFORMATION). HIS THOUGHTS WERE LOGICAL AND GOAL DIRECTED ON 10/8/14. HE REPORTED GOOD APPETITE BUT SOME MINOR DIFFICULTIES WITH SLEEP. HE SAID HE HAS TROUBLE FALLING ASLEEP BUT THEN SLEEPS WELL THROUGH THE NIGHT. HE REPORTED SOME SLUGGISHNESS IN THE AM BUT SAID HE IS ABLE TO GET UP AND GET GOING. HE ADMITTED HE HAS NOT BEEN ATTENDING RECREATION WHILE AT GPH OF

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HIS OWN CHOOSING. HE SAID NOW THAT HE IS STARTING TO FEEL BETTER HE PLANS TO BECOME MORE ACTIVE AND ATTEND RECREATION AFTER HE RETURNS TO BRCI. HE REPORTED HAVING GOOD VISITS LAST WEEKEND WITH HIS PARENTS. HE SAID SEEING HIS PARENTS HELPED HIM TO FEEL BETTER. HE SAID HIS DAD WAS DIAGNOSED WITH 4 BRAIN TUMORS BUT HAS HAD 2 OF THEM SURGICALLY REMOVED AND THE OTHER 2 ARE SHRINKING IN SIZE. I/M REPORTED HE FEELS READY TO RETURN TO BRCI. HE HAS REMAINED COMPLIANT WITH MEDICATION AND HAS STARTED ATTENDING COUNSELING GROUPS. HIS CASE WAS REVIEWED IN GPH TX TEAM ON 10/8/14. HE WAS APPROVED FOR DISCHARGE AND WAS GIVEN A LEVEL INCREASE TO LEVEL III BY GPH TX TEAM ON 10/8/14.

A: I/M HAS DISPLAYED IMPROVEMENT AS EVIDENCED BY DECREASED DEPRESSION AND NO SUICIDAL IDEATION OR INTENT. HIS DISCHARGE DX IS: MOOD D/O NOS, PERSONALITY D/O NOS, ALCOHOL DEPENDENCE, IN REMISSION, IN A CONTROLLED ENVIRONMENT, AND MALINGERING OF PSYCHOTIC SYMPTOMS AS CONFIRMED BY PSYCHOLOGICAL TESTING P: I/M IS NOW ON LEVEL III. HIS APPROACH IS KF. CASEWORKER WILL COMPLETE INMATE'S DISCHARGE PAPERWORK. CASEWORKER WILL CONTINUE TO MEET WEEKLY W/ I/M FOR INDIVIDUAL COUNSELING WHILE HE REMAINS AT GPH. DEBORAH HOLLIFIELD, HSCI

SIGNED OFF ON 10/10/14 @ 16:40 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 246 INSIDE APPOINTMENT 10/08/14 14:01 GILLIAM PSY COMP  
REQUEST TO STAFF MEMBER RECEIVED WITH THE FF REQUESTS:

- EYE CHECK.

- RELEASE FORM TO SEE AN OPTOMETRIST FROM THE STREET TO DO AN EYE EXAM. ANALYTICAL EYE EXAM DONE WITH THE FOLLOWING REPORT:

OS- 20/70; OD- 20/50; OU 20/30.

PER SCDC POLICY, INMATE DOES NOT QUALIFY FOR ANY FURTHER EYE TREATMENT. CONSULT INITIATED FOR OUTSIDE OPTOMETRY PER INMATE REQUEST. CONSULT ATTACHED TO MD CLIP BOARD FOR APPROVAL.-----

-APPROVAL FOR PROSTHESIS AND RELEASE OF LIABILITY FORM GIVEN TO INMATE TO FILL OUT AS AN OPTION FOR MOTHER TO SEND EYEGLASSES FROM OUTSIDE.

SIGNED OFF ON 10/08/14 @ 16:27 BY MARIA N BOLOTANO, REGISTERED NURSE I

\*\* ENCOUNTER: 245 MENTAL HEALTH CLINIC 10/07/14 11:47 GILLIAM PSY COMP  
SELF-ESTEEM GROUP NOTE: D: I/M TORRENCE ATTENDED GROUP ON 10/3/14. HE PARTICIPATED IN THE GROUP EXERCISE AND DISCUSSION WHICH FOLLOWED ON MINDFULNESS SKILLS.

A: I/M DISPLAYED A NORMAL RANGE OF AFFECT DURING GROUP. HE TOOK PART IN THE GROUP EXERCISE ENTITLED, "FOCUS ON SINGLE OBJECT" AND BRIEFLY JOINED IN THE DISCUSSION WHICH FOLLOWED TO SHARE HIS OBSERVATIONS OF THE OBJECT. DURING THE SECOND HALF OF GROUP INMATES WERE ALLOWED TO ENGAGE IN LEISURE ACTIVITIES. DURING LEISURE TIME, I/M LISTENED TO THE RADIO AND WATCHED OTHER INMATES WHO WERE PLAYING CARDS GAMES. WHEN OTHER GROUP MEMBERS ASKED HIM TO JOIN THEM IN PLAYING CARDS HE DECLINED POLITELY. HIS BEHAVIOR WAS COOPERATIVE.

P: WRITER WILL INVOLVE I/M IN THE NEXT GROUP WHICH IS SCHEDULED TO MEET THIS WEEK. DEBORAH HOLLIFIELD, HSCI

SIGNED OFF ON 10/07/14 @ 11:53 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 244 MENTAL HEALTH CLINIC 10/06/14 12:07 GILLIAM PSY COMP  
SUBSTANCE ABUSE GROUP NOTE;

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D/ SUBSTANCE ABUSE GROUP WAS HELD EARLIER THIS MORNING. TOPIC FOR THE GROUP DISCUSSION WAS "DECIDING TO CHANGE AND THE STAGES OF CHANGE". WE FURTHER DISCUSSED THE STAGES: THE PRECONTEMPLATION, CONTEMPLATION, PREPARATION, ACTION AND THE MAINTENANCE STAGES.

A/ I/M DID NOT ATTEND GROUP TODAY AND NO REASON WAS GIVEN.

P/ NEXT GROUP SESSION IS SCHEDULED FOR 10/13/14. I/M HAS BEEN ENCOURAGED TO BE IN ATTENDANCE.

INNOCENT NTIASAGWE, HSCII

SIGNED OFF ON 10/06/14 @ 12:07 BY INNOCENT O NTIASAGWE, HUMAN SERVICES COORD

\*\* ENCOUNTER: 243 INSIDE APPOINTMENT 10/05/14 5:55 GILLIAM PSY COMP  
WEEKLY NURSING NOTE:  
INMATE TAKES HIS MEDS AS ORDERED BY THE MD.  
HE EATS, DRINKS, AND SLEEPS WELL.  
HIS HYGIENE IS WNL FOR INMATES.  
NO MEDICAL COMPLAINTS VOICED AT THIS TIME.  
STAFF WILL CONTINUE TO MONITOR INMATE.  
SIGNED OFF ON 10/05/14 @ 5:55 BY KELLY BROWN, REGISTERED NURSE I

\*\* ENCOUNTER: 242 MENTAL HEALTH CLINIC 10/03/14 11:15 GILLIAM PSY COMP  
DOING OUR TIME GROUP NOTE: D: I/M TORRENCE ATTENDED GROUP ON 10/2/14. HE WAS ATTENTIVE TO THE GROUP DISCUSSION ON THE TOPIC OF PREPARING FOR RETURN TO SOCIETY.  
A: I/M DISPLAYED A GOOD RANGE OF AFFECT DURING GROUP. HE WAS QUIET BUT VERY ATTENTIVE AS OTHER GROUP MEMBERS TOOK AN ACTIVE ROLE IN THE DISCUSSION. HIS BEHAVIOR WAS COOPERATIVE. HE REPORTED HE ENJOYED ATTENDING THIS GROUP WITH STRAIGHT LEVEL INMATES NOW THAT HIS CUSTODY LEVEL WAS UPDATED BY BRCI STAFF TO REFLECT THAT HE IS NOT ON LOCK-UP.  
P: WRITER WILL INVOLVE I/M IN THE NEXT GROUP WHICH IS SCHEDULED TO MEET NEXT WEEK. DEBORAH HOLLIFIELD, HSCI  
SIGNED OFF ON 10/03/14 @ 11:22 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 241 MENTAL HEALTH CLINIC 10/02/14 15:21 GILLIAM PSY COMP  
CASEWORKER NOTE: D: WHEN SEEN TODAY IN WRITER'S OFFICE, I/M TORRENCE WAS ALERT, FULLY ORIENTED, COOPERATIVE, AND POLITE. HE DISPLAYED MAINLY BRIGHT AFFECT BUT ALSO A GOOD RANGE OF AFFECT. HE REPORTED HIS DEPRESSION HAD DECREASED SOME. HE DENIED ANY SI/HI. HE CONTINUED TO REPORT HEARING VOICES COMING FROM OUTSIDE HIS HEAD. HE WAS EVASIVE ABOUT WHAT THE VOICES SAY EXCEPT TO STATE, "WEIRD STUFF. SOME OF IT MAKES SENSE AND SOME OF IT DOESN'T". HE SPENT A LOT OF TIME TALKING ABOUT THE SOURCE OF THE VOICES BUT VERY LITTLE TIME TALKING ABOUT THE CONTENT OF THE VOICES. HE REPORTED, "I THINK IT IS PEOPLE WITH TECHNOLOGY AND HYPNOSIS TREATMENT. IT IS TECHNOLOGY THAT READS THOUGHTS AND CAN READ BACK AND TRANSMIT WHAT THEY ARE SAYING AT A LOUD DECIBEL. IT SOUNDS CRAZY I KNOW BUT IT'S WHAT I THINK IS CAUSING WHAT I'M HEARING. IT'S PROBABLY PARANOIA. I BELIEVE IT IS AN OUTSIDE SOURCE AND NOT INTERNAL. I FEEL AGGRAVATED BECAUSE I BELIEVE SOMEONE IS TRYING TO MODIFY MY BEHAVIOR. I DON'T THINK IT IS ALIENS. I THINK IT IS TECHNOLOGY THAT IS HOOKED UP TO THE TONGUE AND EYES. I BELIEVE SOMEONE IS HYPNOTIZING ME." DESPITE HIS REPORTS OF HEARING VOICES, HE DID NOT APPEAR TO BE IN ANY OVERT DISTRESS. HE REPORTED HIS SLEEP AND APPETITE WERE GOOD.



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HE ASKED WHAT HIS MOST RECENT CHOLESTEROL LEVEL WAS BUT WRITER WAS NOT ABLE TO LOCATE IT IN HIS GPH CHART OR IN A MEDICAL NOTE. WRITER TOLD HIM SHE WOULD CHECK HIS MEDICAL RECORD IN NURSE'S STATION TO SEE IF SHE COULD LOCATE HIS CHOLESTEROL LEVEL IN RECENT LAB RESULTS. I/M VOICED CONCERN ABOUT HIS PROPERTY AT BRCI AND THAT HE HOPED IT WAS PACKED UP QUICKLY AFTER HE LEFT AS HE SAID HE HAD A LAW DITIONARY. HE HAS REMAINED COMPLIANT WITH MEDICATION. I/M REPORTED HE HAS NOT BEEN ATTENDING RECREATION OUTSIDE AT GPH AS HE HAS LITTLE INTEREST IN DOING SO. HE HAS BEGUN ATTENDING COUNSELING GROUPS. SELMAN WATSON, PHD AND DR SRIDARAN HAVE BOTH INDICATED I/M HAS IMPROVED SINCE ADMISSION AND APPEARS READY TO BE DISCHARGED BACK TO BRCI. HIS CASE WAS REVIEWED IN GPH TX TEAM ON 10/1/14 AND HE WAS GIVEN A LEVEL INCREASE TO LEVEL II AS HE IS NOT SERVING ANY LOCK-UP TIME.

A: I/M HAS DISPLAYED IMPROVEMENT SINCE ADMISSION INCLUDING DECREASED SX'S OF DEPRESSION. BASED ON STAFF OBSERVATIONS AND PSYCHOLOGICAL TESTING I/M'S REPORTS OF HEARING VOICES APPEAR TO BE EMBELLISHED. HIS DX IS MOOD D/O NOS, PERSONALITY D/O NOS, ALCOHOL DEPENDENCE, IN REMISSION, IN A CONTROLLED ENVIRONMENT, AND MALINGERING OF PSYCHOTIC SYMPTOMS AS CONFIRMED BY PSYCHOLOGICAL TESTING.

P: I/M IS ON LEVEL II. HIS APPROACH IS KF. CASEWORKER HAS REFERRED I/M TO COUNSELING GROUPS. CASEWORKER WILL COMPLETE DISCHARGE PAPERWORK SO THAT I/M MAY RETURN TO BRCI. CASEWORKER WILL MEET WEEKLY W/ I/M FOR INDIVIDUAL COUNSELING WHILE HE REMAINS AT GPH. DEBORAH HOLLIFIELD, HSCI SIGNED OFF ON 10/07/14 @ 14:32 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 240 MENTAL HEALTH CLINIC 09/29/14 9:50 GILLIAM PSY COMP  
MET WITH I/M ON 9-26-14 FOR THE PURPOSE OF INTERVIEW AND TESTING. ON THE SIMS, HE PRODUCED A SCORE OF 35 WHICH IS INDICATIVE OF STRONG SYMPTOM EMBELLISHMENT. I/M'S CLINICAL PRESENTATION IS ALSO UNREMARKABLE FOR PSYCHOTIC OR DEPRESSIVE FEATURES. NO DISTRESS APPEARED TO BE REFLECTED AS WELL IN HIS FACE, EYES, OR VOICE WHICH IS CONSISTENT WITH THE DATA AND SUPPORTS A DECISION TO RELEASE THIS INMATE FOR TRANSFER BACK TO HIS INSTITUTION.  
SIGNED OFF ON 09/29/14 @ 9:59 BY EDWIN SELMAN WATSON, LICENSED PSYCHOLOGIST

\*\* ENCOUNTER: 239 INSIDE APPOINTMENT 09/27/14 5:30 GILLIAM PSY COMP  
WEEKLY NURSING NOTE:  
INMATE TAKES HIS MEDS AS ORDERED BY THE MD.  
HE EATS, DRINKS, AND SLEEPS WELL.  
HIS HYGIENE IS WNL FOR INMATES.  
NO MEDICAL COMPLAINTS VOICED AT THIS TIME.  
STAFF WILL CONTINUE TO MONITOR INMATE.  
SIGNED OFF ON 09/27/14 @ 5:30 BY KELLY BROWN, REGISTERED NURSE I

\*\* ENCOUNTER: 238 DOCTOR'S CLINIC 09/25/14 16:53 GILLIAM PSY COMP  
I/M WITH ELEVATED CHOL. WILL PLACE ON HEALTHY HEART DIET AND START MEDS  
F5  
ZOCOR 20MG (SIMVASTATIN)  
SIG: 1 PO QHS 30/MO  
SIG:  
START DATE: 09/25/14 TOTAL DAYS: 90

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MD: TOLMAN, PHILLIP -

SIGNED OFF ON 09/25/14 @ 16:56 BY PHILLIP WILLIAM TOLMAN, UNCLASSIFIED  
NOTED MAR AND PILL PACK UPDATED.

SIGNED OFF ON 09/26/14 @ 12:28 BY CLAIRE M DOMOND, REGISTERED NURSE I

\*\* ENCOUNTER: 237 MENTAL HEALTH CLINIC 09/24/14 10:06 GILLIAM PSY COMP  
INMATE DENIES SI/HI CURRENTLY. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI. ASKS TO COME OFF OF SP, AND I THINK HE IS APPROPRIATE TO COME OFF OF SP. HE STARTED TAKING HIS PROZAC LIQUID AND VISTARIL LIQUID LAST WEEK, SO HE HAS EXHIBITED COMPLIANCE WITH HIS PSYCHIATRIC MEDICATION AFTER WE SPOKE LAST. DENIES S/E TO HIS PSYCH MEDS AFTER HE STARTED TAKING THEM AGAIN.

O: INMATE IN NO ACUTE DISTRESS. ALERT, ORIENTED TO PERSON, PLACE, TIME. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. MOOD "ALRIGHT."

AFFECT EUTHYMIC CURRENTLY. TP - LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI CURRENTLY, AND HE DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI.

A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE IN A CONTROLLED ENVIRONMENT; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC PERSONALITY D/O)

P:

1. D/C SP.

2. CONTINUE PROZAC LIQUID 30MG PO QPM.

3. CONTINUE VISTARIL LIQUID 100MG PO QAM AND 150MG PO QPM.

4. CONTINUE BENADRYL LIQUID 50MG PO Q8HRS PRN AGITATION/ANXIETY.

5. APPARENTLY PSYCHOLOGICAL TESTING WAS ADMINISTERED BY DR. WATSON ON THIS INMATE, AND AM AWAITING FORMAL RESULTS OF PSYCH TESTING.

SIGNED OFF ON 09/24/14 @ 10:13 BY MOHAN SRIDARAN, PSYCHIATRIST

SIGNED OFF ON 09/24/14 @ 10:13 BY MOHAN SRIDARAN, PSYCHIATRIST

SIGNED OFF ON 10/24/14 @ 14:23 BY JAMES EDWIN PAGE, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 236 INSIDE APPOINTMENT 09/24/14 4:55 GILLIAM PSY COMP  
NURSING NOTE:

INMATE ON SP STATUS W/O INCIDENT THIS SHIFT, NO SI/HI VOICED OR GESTURES NOTED. MEDICATION COMPLIANT, NO MEDICAL

COMPLAINT VOICED. REST THROUGH THE NIGHT. STAFF TO MONITOR.

NO ABNORMAL BEHAVIOR NOTED.

V/O PER DR. WOOD CONT. SP STATUS, FF NO SPORKS X 24HRS.

SIGNED OFF ON 09/24/14 @ 4:56 BY BRENDA WILLIAMS, REGISTERED NURSE I

SIGNED OFF ON 09/24/14 @ 12:04 BY BEVERLY A WOOD, PSYCHIATRIST

\*\* ENCOUNTER: 235 INSIDE APPOINTMENT 09/23/14 18:02 GILLIAM PSY COMP  
NURSING NOTE

INMATE REMAINS ON SP FOR SAFETY PRECAUTION WITHOUT ANY INCIDENT, NO ABNORMAL BEHAVIOR NOTED DURING SHIFT, DENIES ANY SUICIDAL IDEATION AT THIS TIME. COMPLIANT WITH HIS MEDICATION, APPETITE IS GOOD. NO MEDICAL COMPLAINTS MADE WILL CONTINUE TO MONITOR INMATE.

SIGNED OFF ON 09/23/14 @ 18:04 BY CLAIRE M DOMOND, REGISTERED NURSE I

\*\* ENCOUNTER: 234 INSIDE APPOINTMENT 09/23/14 4:45 GILLIAM PSY COMP  
NURSING SP NOTE: THE INMATE HAS BEEN PLACED ON SP FOR SAFETY.

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HAS BEEN MED COMPLIANT. NO MEDICAL COMPLAINTS VERBALIZED.  
NO SI/HI OR GESTURES NOTED. RESTED QUIETLY DURING THE NIGHT.  
STAFF TO MONITOR.

VERBAL ORDER PER DR. WOOD: PLEASE CONTINUE SP WITH FF AND NO SPORK X, 24HRS  
SIGNED OFF ON 09/23/14 @ 4:45 BY LETRESSA A FLEMMING, REGISTERED NURSE I  
SIGNED OFF ON 09/23/14 @ 13:37 BY BEVERLY A WOOD, PSYCHIATRIST

- \*\* ENCOUNTER: 233 INSIDE APPOINTMENT 09/22/14 17:29 GILLIAM PSY COMP  
I/M REMAINS ON SP. DENIES S/I& H/I NO C/O PAIN OR DISCOMFORT VOICED. NO  
S/S DISTRESS PRESENT. COMPLIANT W/ACCEPTANCE OF MEDS AND CONSUMPTION  
OF MEALS PROVIDED. WILL CONTINUE TO MONITOR. A. CARTLEDGE, LPN  
SIGNED OFF ON 09/22/14 @ 17:35 BY YOLANDA S BLUNT, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 232 BLOOD PRESSURE CLINI 09/22/14 16:47 GILLIAM PSY COMP  
B/P = 0/ 0 PULSE = 0 WEIGHT = 0  
I/M REFUSED V/S THIS SHIFT.  
SIGNED, A. CARTLEDGE, LPN  
SIGNED OFF ON 09/22/14 @ 16:47 BY YOLANDA S BLUNT, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 231 MENTAL HEALTH CLINIC 09/22/14 13:49 GILLIAM PSY COMP  
PLEASE GIVE INMATE REGULAR TRAY WITHOUT SPORK INSTEAD OF FINGER FOODS.  
SIGNED OFF ON 09/22/14 @ 13:49 BY MOHAN SRIDARAN, PSYCHIATRIST  
SIGNED OFF ON 09/22/14 @ 13:49 BY MOHAN SRIDARAN, PSYCHIATRIST  
SIGNED OFF ON 10/24/14 @ 14:23 BY JAMES EDWIN PAGE, HUMAN SERVICES COORD II
- \*\* ENCOUNTER: 230 MENTAL HEALTH CLINIC 09/22/14 13:17 GILLIAM PSY COMP  
CASEWORKER NOTE: D: WRITER'S SUPERVISOR, STONEY DRAKE, ADM MGR I INFORMED  
WRITER THAT INMATE'S MOTHER HAD BEEN CALLING ADMINISTRATIVE STAFF AT HEAD-  
QUARTERS ASKING TO SPEAK TO HER SON. HE IS ON PHONE RESTRICTION BUT PER MR  
DENNIS PATTERSON IS TO BE ALLOWED TO CALL AND TALK TO HIS MOTHER. I/M WAS  
BROUGHT TO WRITER'S OFFICE AND WRITER EXPLAINED HIS MOTHER HAD BEEN CALLING  
AND WANTED TO TALK TO HIM. WRITER CALLED I/M'S MOTHER, BRENDA TORRENCE, AND  
SPOKE TO HER BRIEFLY TO EXPLAIN THAT HER SON HAD BEEN ADMITTED TO GPH FROM  
BRCI A LITTLE OVER A WEEK AGO. SHE WAS ALLOWED TO SPEAK TO HER SON. HE RE-  
ASSURED HER THAT HE IS GETTING THE TREATMENT HE NEEDS HERE AND ENCOURAGED  
HER NOT TO WORRY ABOUT HIM. AFTER SPEAKING TO HER SON SHE SPOKE TO WRITER  
AND ASKED WRITER TO KEEP HER UPDATED ON HER SON'S PROGRESS WHILE AT GPH.  
SHE ASKED IF SHE COULD BE GIVEN PERMISSION TO SEND HIM PRESCRIPTION EYE  
GLASSES. WRITER TOLD HER SHE WOULD TALK WITH MEDICAL ABOUT THIS REQUEST.  
MRS TORRENCE IS AWARE A FORM MUST BE COMPLETED AND APPROVAL GIVEN BY MD AND  
THE WARDEN BEFORE SHE COULD BE ALLOWED TO SEND HIM GLASSES. AFTER TALKING  
WITH HIS MOTHER WRITER TALKED W/ I/M. HIS AFFECT WAS BLUNTED BUT HE DESCRIBED  
HIS MOOD AS "OKAY". HE INSISTED HE IS NOT GOING TO HURT HIMSELF BUT TOLD  
WRITER THAT IF HE WANTED TO HURT HIMSELF HE COULD AND HE WOULD NOT TELL  
STAFF ABOUT IT IF THAT WAS WHAT HE REALLY WANTED TO DO. HE REPORTED HE IS  
CONTINUING TO HEAR VOICES COMING FROM OUTSIDE HIS HEAD. HE SAID HE THINKS  
THE VOICES ARE OCCURRING BECAUSE SOMEONE HAS SET UP AN INTERVENTION FOR HIM  
TO CAUSE HIM TO HEAR VOICES. I/M SAID HE NEEDED TO BRUSH HIS TEETH AND TAKE  
A SHOWER. UPON RETURNING TO B-WING BAY AREA WITH INMATE WRITER SPOKE TO  
SECURITY AND BAY COUNSELOR AND INMATE WAS ALLOWED TO TAKE SHOWER. HIS

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HYGIENE BAG COULD NOT BE LOCATED SO BAY COUNSELOR ASKED DORM WORKER TO MAKE A HYGIENE BAG FOR HIM. WRITER SPOKE TO SELMAN WATSON, PHD TO INFORM HIM THAT DR SRIDARAN HAD REFERRED THIS INMATE FOR TESTING TO R/O MALINGERING. WRITER GAVE DR WATSON SOME BACKGROUND INFORMATION AND INMATE'S DX AS LISTED BY DR SRIDARAN. DR WATSON MET W/ I/M ON 9/22/14 AND ADMINISTERED SIMS. I/M'S MOTHER BRENDA TORRENCE CALLED WRITER ON 9/24/14 AND ASKED FOR UPDATE ON GETTING APPROVAL TO SEND GLASSES TO HER SON. WRITER EXPLAINED SHE AND NURSING STAFF WERE NOT ABLE TO FIND ANY INFORMATION IN HIS MEDICAL RECORD ABOUT CORRECTIVE LENSES OR A PRESCRIPTION. WRITER TOLD MRS TORRENCE SHE WOULD SEE HER SON ON 9/24/14 AND HAVE HIM WRITE A REQUEST TO STAFF FORM ASKING FOR PERMISSION TO HAVE GLASSES SENT TO HIM FROM AN OUTSIDE PROVIDER. WRITER GOT I/M TORRENCE TO HER OFFICE AND HE WROTE REQUEST ASKING FOR FORM TO REQUEST PERMISSION FOR AN OUTSIDE EYE APPOINTMENT TO OBTAIN GLASSES PAID FOR BY HIS FAMILY. ON 9/24/14 I/M DENIED ANY SI AND WAS REMOVED FROM SP BY DR SRIDARAN. HE WAS THEN PLACED ON LEVEL I-A. HE SAID HE IS STILL DEPRESSED BUT SAID HE IS GLAD TO BE REMOVED FROM SP SO THAT HE CAN HAVE HIS CLOTHES BACK AND KEEP HIS HYGIENE ITEMS IN HIS ROOM. HE HAS REMAINED COMPLIANT WITH MEDICATION SINCE 9/18/14. HIS CASE WAS REVIEWED IN GPH TX TEAM ON 9/24/14. WRITER WILL REFER I/M TO LOCK-UP GROUPS AS SOON AS AN OPENING OCCURS.

A: I/M CONTINUES TO REPORT DEPRESSION AND HEARING VOICES BUT DENIES ANY PLANS OR INTENT TO HARM SELF. NO OVERT SX'S OF PSYCHOSIS WERE NOTED. HIS DX IS PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SX'S, ALCOHOL DEPENDENCE IN REMISSION IN A CONTROLLED ENVIRONMENT, AND PERSONALITY D/O NOS.

P: LEVEL I-A. USE KF APPROACH. CASEWORKER WILL MEET WEEKLY W/ I/M FOR EVALUATION AND INDIVIDUAL COUNSELING. DEBORAH HOLLIFIELD, HSCI  
SIGNED OFF ON 09/25/14 @ 13:39 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

\*\* ENCOUNTER: 229 INSIDE APPOINTMENT 09/22/14 5:21 GILLIAM PSY COMP  
NURSING SP NOTE: THE INMATE HAS BEEN PLACED ON SP FOR SAFETY.

HAS BEEN MED COMPLIANT. NO MEDICAL COMPLAINTS VERBALIZED.  
NO SI/HI OR GESTURES NOTED. RESTED QUIETLY DURING THE NIGHT.  
STAFF TO MONITOR.

VERBAL ORDER PER DR. WOOD: PLEASE CONTINUE SP WITH FF AND NO SPORK X 24HRS  
SIGNED OFF ON 09/22/14 @ 5:21 BY LETRESSA A FLEMMING, REGISTERED NURSE I  
SIGNED OFF ON 09/22/14 @ 9:14 BY BEVERLY A WOOD, PSYCHIATRIST

\*\* ENCOUNTER: 228 INSIDE APPOINTMENT 09/21/14 14:43 GILLIAM PSY COMP  
NURSING SP NOTE: I/M REMAINS ON SP FOR SAFETY. SAFETY MAINTAINED. DENIES SI/HI. ATE ALL HIS MEALS. TAKES ALL OF HIS MEDS. HYGIENE AND SLEEP NORMAL. NO MEDICAL COMPLAINT MADE. REFUSED VITALS.

SIGNED OFF ON 09/21/14 @ 14:45 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I

\*\* ENCOUNTER: 227 INSIDE APPOINTMENT 09/21/14 3:49 GILLIAM PSY COMP  
I/M REMAINS ON SP FOR SAFETY. NO SI/HI VOICED OR OBSERVED. COMPLIANT WITH MEDICATION. DENIES ANY MEDICAL COMPLAINTS. STAFF WILL CONTINUE TO MONITOR.  
V.O. DR. WOOD: CONTINUE ON SP STAU. FINGER FOODS NO SPORK X 24 HOURS.  
SIGNED OFF ON 09/21/14 @ 3:52 BY SANDRA E SIDNEY, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 09/22/14 @ 9:11 BY BEVERLY A WOOD, PSYCHIATRIST

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- \*\* ENCOUNTER: 226 INSIDE APPOINTMENT 09/20/14 15:23 GILLIAM PSY COMP  
NURSING SP NOTE: DENIES SI/HI. ATE ALL MEALS. SLEPT IN LONG INTERVALS. HYGIENE WNL. REFUSED VITAL SIGNS TAKING. NO MEDICAL COMPLAINT VOICED.  
SIGNED OFF ON 09/20/14 @ 15:25 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I
- \*\* ENCOUNTER: 225 INSIDE APPOINTMENT 09/20/14 6:10 GILLIAM PSY COMP  
I/M REMAINS ON SP FOR SAFETY. NO SI/HI VOICED OR OBSERVED. I/M COMPLIANT WITH MEDICATION. I/M DENIES MEDICAL COMPLAINTS. STAFF WILL CONTINUE TO MONITOR.  
V.O. DR. WOOD: REMAIN ON SP FOR SAFETY. FF AND NO SPORK X 24 HOURS.  
SIGNED OFF ON 09/20/14 @ 6:15 BY SANDRA E SIDNEY, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 09/22/14 @ 9:11 BY BEVERLY A WOOD, PSYCHIATRIST
- \*\* ENCOUNTER: 224 INSIDE APPOINTMENT 09/20/14 1:57 GILLIAM PSY COMP  
WEEKLY NURSING NOTE:  
INMATE REFUSES MEDS ORDERED BY THE MD AT TIMES.  
HE EATS, DRINKS, AND SLEEPS WELL AT TIMES.  
HIS HYGIENE IS WNL FOR INMATES.  
NO MEDICAL COMPLAINTS VOICED AT THIS TIME.  
STAFF WILL CONTINUE TO MONITOR INMATE.  
SIGNED OFF ON 09/20/14 @ 1:58 BY KELLY BROWN, REGISTERED NURSE I
- \*\* ENCOUNTER: 223 INSIDE APPOINTMENT 09/19/14 5:40 GILLIAM PSY COMP  
NURSING NOTE:  
INMATE ON SP STATUS W/O INCIDENT THIS SHIFT, NO SI/HI VOICED OR GESTURES NOTED. MEDICATION COMPLIANT, NO MEDICAL COMPLAINT VOICED. REST THROUGH THE NIGHT. STAFF TO MONITOR.  
NO ABNORMAL BEHAVIOR NOTED.  
V/O PER DR. WOOD CONT. SP STATUS, FF NO SPORKS X 24HRS.  
SIGNED OFF ON 09/19/14 @ 5:41 BY BRENDA WILLIAMS, REGISTERED NURSE I  
SIGNED OFF ON 09/19/14 @ 12:53 BY BEVERLY A WOOD, PSYCHIATRIST
- \*\* ENCOUNTER: 222 INSIDE APPOINTMENT 09/18/14 17:54 GILLIAM PSY COMP  
NURSING NOTE  
INMATE REMAINS ON SP FOR SAFETY PRECAUTION WITHOUT ANY INCIDENT, NO ABNORMAL BEHAVIOR NOTED DURING SHIFT, DENIES ANY SUICIDAL IDEATION AT THIS TIME. COMPLIANT WITH HIS MEDICATIONS, APPETITE IS GOOD. NO MEDICAL COMPLAINTS MADE WILL CONTINUE TO MONITOR INMATE.  
SIGNED OFF ON 09/18/14 @ 17:58 BY CLAIRE M DOMOND, REGISTERED NURSE I
- \*\* ENCOUNTER: 221 NON-FORMULARY RX 09/18/14 13:54 GILLIAM PSY COMP  
BENADRYL LIQUID 50MG PO Q8HRS PRN ANXIETY/AGITATION.  
DIPHENHYDRAMINE LIQUID 12.5MG/5CC (ORDER EXCEEDING 7 DAYS)  
SIG: 50MG PO Q8HRS PRN ANXIETY/AGITATION  
SIG:  
START DATE: 09/18/14 TOTAL DAYS: 180  
MD: SRIDARAN, MOHAN -  
REQUIRES NON-FORM RX APPROVAL: 09/18/14 @ 13:54 BY MOHAN SRIDARAN, PSYCHIATR  
RX APPROVED 09/18/14 @ 13:54 BY MOHAN SRIDARAN, PSYCHIATRIST  
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SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
SCDC HEALTH SERVICES: MEDICAL SUMMARY

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SIGNED OFF ON 09/20/14 @ 1:17 BY KELLY BROWN, REGISTERED NURSE I

\*\* ENCOUNTER: 220 MENTAL HEALTH CLINIC 09/18/14 13:46 GILLIAM PSY COMP

MED RENEWAL:

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG: 30MG PO QPM

SIG:

START DATE: 09/18/14 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

HYDROXYZINE 10MG/5ML LIQ (MENTAL HEALTH) (VISTARIL/ATARAX)

SIG: 100MG PO QAM AND 150MG PO QPM

SIG:

START DATE: 09/18/14 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

SIGNED OFF ON 09/18/14 @ 13:47 BY MOHAN SRIDARAN, PSYCHIATRIST  
WILL ALSO ORDER PRN GEODON AND PRN BENADRYL IM FOR ANXIETY/AGITATION. INMATE HAS NO KNOWN DRUG ALLERGIES PER MEDICAL RECORDS.

SIGNED OFF ON 09/18/14 @ 13:50 BY MOHAN SRIDARAN, PSYCHIATRIST

SIGNED OFF ON 09/18/14 @ 13:51 BY MOHAN SRIDARAN, PSYCHIATRIST

ERROR: WILL NOT ORDER PRN IM GEODON AS INMATE IS A VOLUNTARY ADMISSION. WILL ORDER BENADRYL LIQUID 50MG PO Q8HRS PRN AGITATION/ANXIETY.

SIGNED OFF ON 09/18/14 @ 13:53 BY MOHAN SRIDARAN, PSYCHIATRIST  
MAR UPDATED.

SIGNED OFF ON 09/18/14 @ 21:02 BY BRENDA WILLIAMS, REGISTERED NURSE I

\*\* ENCOUNTER: 219 MENTAL HEALTH CLINIC 09/18/14 13:18 GILLIAM PSY COMP

INMATE IS A VOLUNTARY ADMISSION FROM BRCI. WAS HAVING SUICIDAL THOUGHTS WITH AUDITORY HALLUCINATIONS AT BRCI. STATES THAT HE STILL HAS SUICIDAL THOUGHTS, BUT HE STATES, "I WOULD NEVER ACT ON THEM." CURRENTLY PRESCRIBED PROZAC LIQUID 30MG PO QPM AND VISTARIL LIQUID 100MG PO QAM AND 150MG PO QPM. HOWEVER, INMATE HAS BEEN NONCOMPLIANT WITH HIS PSYCH MEDS SINCE COMING TO GP H. WHEN I ASK HIM WHY HE WILL NOT TAKE THE MEDICATIONS, HE STATES, "I WOULD REALLY LIKE TO GET OFF OF MEDICATIONS ALTOGETHER." WHEN I ASK WHY, HE STATES, "I DON'T WANT TO BE ON THOSE MEDICATIONS FOR THE REST OF MY LIFE." HOWEVER, WHEN I MENTIONED THAT BEING ON THE MEDICATIONS IS CERTAINLY BETTER THAN FEELING SUICIDAL AND DEPRESSED, HE SIMPLY NODDED HIS HEAD. I ASKED HIM WHAT THE VOICES TELL HIM, AND HE STATED, "THEY SOMETIMES TELL ME TO SAY OFFENSIVE THINGS, LIKE 'NIGGER, NIGGER, NIGGER.' I DON'T WANT TO SAY THAT WORD BECAUSE IT HURTS PEOPLE'S FEELINGS." HE STATES THAT HE STARTED HEARING VOICES AFTER SERIOUS CAR ACCIDENT IN 2005. I DOUBT THE VERACITY OF HIS STORY, AS HE DOES NOT SEEM TO BE IN ANY PARTICULAR DISTRESS AS HE IS TELLING HIS STORY NOR DOES HE APPEAR TO BE RESPONDING TO INTERNAL STIMULI. IN FACT, HE WAS BEING TAPERED OFF OF HIS RISPERDAL LIQUID AT BRCI WITH NO EVIDENCE OF REAPPEARANCE OF PSYCHOTIC SYMPTOMS UNTIL A WEEK AGO.

PAST PSYCH HX: DENIES PAST PSYCHIATRIC HOSPITALIZATIONS. DENIES HX OF OUTPATIENT MENTAL HEALTH TX. DENIES HX OF SUICIDE ATTEMPTS. CURRENTLY PRESCRIBED PROZAC LIQUID AND VISTARIL LIQUID, BUT IS CURRENTLY NONCOMPLIANT WITH BOTH.

SUBSTANCE HX: HX OF ADDICTION TO ALCOHOL. WOULD DRINK ON DAILY BASIS ON THE STREET WITH HX OF ALCOHOL WITHDRAWAL TREMORS, BUT DENIES HX OF ALCOHOL WITH

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THDRAWAL SEIZURES AND DTS. 28-DAY REHAB AT HOMES VIEW IN GREENVILLE, SC PRIOR TO INCARCERATION. OUTPT TX IN LRADAC PRIOR TO INCARCERATION AS WELL. DOES HAVE A HX OF TAKING OTHERS' MEDS ON THE YARD, AND HE FREELY ADMITS THIS. HE IS PRESCRIBED LIQUID MEDICATION IN ORDER TO AVOID THE POSSIBILITY OF HIM SELLING/HOARDING MEDICATION. SNORTED COCAINE PRIOR TO INCARCERATION. PMH: FACIAL RASH. NO KNOWN DRUG ALLERGIES.

FH: DOES NOT KNOW MUCH ABOUT HIS BIOLOGICAL PARENTS, AS HE STATES HE WAS RAISED BY HIS ADOPTIVE PARENTS. HE DOES NOT BELIEVE THAT THERE IS A FAMILY HX OF MENTAL ILLNESS IN HIS BIOLOGICAL FAMILY, THOUGH NOT COMPLETELY SURE. ADOPTIVE FATHER WITH HX OF ALCOHOL DEPENDENCE.

SH: RAISED BY ADOPTIVE PARENTS. FINISHED HIGH SCHOOL. DROPPED OUT OF COLLEGE X2 AT MIDLANDS TECH AND SPARTANBURG TECH. DENIES HX OF BEING SEXUALLY ABUSED.

MSE: INMATE IN NO ACUTE DISTRESS. ON SP CURRENTLY. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. TP - LINEAR, GOAL-DIRECTED. TC - ENDORSES SI. DENIES HI. STATES HE HAS SUICIDAL THOUGHTS BUT WOULD NEVER ACT ON THEM. MOOD AND AFFECT MILDLY IRRITABLE. ENDORSES AH, STATES VOICES TELL HIM TO SAY OFFENSIVE THINGS LIKE, "NIGGER, NIGGER, NIGGER." DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI THOUGH. DOES NOT ENDORSE VH. ALERT, ORIENTED TO PERSON, PLACE, TIME.

A: PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SYMPTOMS; ALCOHOL DEPENDENCE; PERSONALITY D/O NOS (MOST LIKELY NARCISSISTIC PERSONALITY D/O)

P:  
CONTINUE PROZAC LIQUID 30MG PO QPM AND VISTARIL LIQUID 100MG PO QAM AND 150 MG PO QPM. INMATE HAS BEEN NONCOMPLIANT WITH MEDICATIONS SINCE COMING TO GPH, BUT ENCOURAGED HIM TO TAKE MEDS AS COMPLIANCE WITH TREATMENT IS A REQUIREMENT FOR CONTINUED INPATIENT PSYCHIATRIC HOSPITALIZATION. INMATE STILL ENDORSES SI AND HAS BEEN NONCOMPLIANT WITH MEDS SINCE COMING TO GPH, SO I DO NOT FEEL COMFORTABLE TAKING HIM OFF OF SP. WILL CONTINUE SP. LABWORK WAS ALREADY OBTAINED AT BRCI (CBC, BMP, LIPID PANEL) PRIOR TO HIS ADMISSION AT GPH, SO NO NEED TO REORDER BLOODWORK. PLEASE OBTAIN PSYCHOLOGICAL TESTING ON THIS INMATE TO RULE OUT MALINGERING OF PSYCHOTIC SYMPTOMS.

SIGNED OFF ON 10/24/14 @ 14:23 BY JAMES EDWIN PAGE, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 218 MENTAL HEALTH CLINIC 09/18/14 12:10 GILLIAM PSY COMP  
CASEWORKER NOTE: D: WHEN SEEN TODAY IN WRITER'S OFFICE, I/M TORRENCE WAS ALERT AND COOPERATIVE. HIS AFFECT WAS BLUNTED AND EYE CONTACT WAS MINIMAL. HE DESCRIBED HIS MOOD AS "DEPRESSED", BUT DENIED ANY SI. WHEN ASKED HOW LONG HE HAD BEEN DEPRESSED HE REPLIED, "MY WHOLE LIFE I GUESS. I LOOK BACK ON THE STUFF I'VE DONE WRONG." HE REPORTED, "MY THOUGHTS ARE SO SCATTERED I DON'T KNOW WHAT TO THINK ANYMORE. ANYTHING JUMPS IN AT ANY TIME, GOOD, BAD, AND INDIFFERENT. IT'S SO EMBARRASSING I TRY NOT TO TALK ABOUT IT." WHEN ASKED FOR AN EXAMPLE OF HIS THOUGHTS HE HESITATED. WITH ENCOURAGEMENT HE FINALLY SAID, "I THINK ABOUT HOW TO SAY HURTFUL SHIT TO SOMEBODY. I KNOW IT'S NOT ME. IF I SPOKE MY MIND IT WOULD BE RANDOM AND OFFENSIVE." WHEN ASKED FOR AN EXAMPLE HE REPLIED, "WHEN I'M AROUND BLACK PEOPLE I THINK 'NIGGER, NIGGER, NIGGER'." HE STATED, "I THINK SOMEBODY HAS HOOKED ME UP TO SOME INTERVENTION, A MACHINE THAT IS CAUSING ME TO HEAR VOICES. I THINK MY MOM AND DAD DID SOMETHING. I HAD BRAIN INFECTIONS AND SOMETHING HAPPENED IN

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2005." HE ADMITTED HEARING VOICES THAT ARE BOTHERSOME AND THAT HE BELIEVES ARE COMING FROM OUTSIDE OF HIS HEAD. HE SAID HE WISHES HE COULD SHUT THE VOICES OFF. HE REPORTED BEING HIT BY A CAR IN 2005. WHEN ASKED IF HE HAD A HEAD INJURY FROM THIS ACCIDENT HE REPLIED, "I HAD A DAMAGED SPLEEN, SCARS ON MY HEAD AND RIGHT SIDE, AND A BROKEN PELVIS." HE REPORTED HE WAS HOSPITALIZED FOR SOME TIME AFTER THIS ACCIDENT. HE ALSO RELATED, "I'VE HAD SPINAL MENINGITIS IN 2007, I THINK." HE APPEARED SOMEWHAT INTERNALLY PRE-OCCUPIED DURING SESSION BUT WAS ABLE TO HEAR AND RESPOND TO QUESTIONS. HE DENIED ANY KNOWLEDGE OF FAMILY MEMBERS HAVING ANY MENTAL HEALTH PROBLEMS. HE SAID HIS DAD WAS ALCOHOLIC AND GOT TREATMENT FOR THIS. HE REPORTED A HX OF ALCOHOL ADDICTION AS WELL FOR WHICH HE RECEIVED REHAB TX AT HOLMESVIEW IN GREENVILLE AND OUTPT SUBSTANCE ABUSE TX AT LRADAC . HE DENIED ANY HX OF MENTAL HEALTH TX PRIOR TO INCARCERATION IN SCDC. HE ADMITTED TAKING PILLS OBTAINED FROM OTHER INMATES WHILE AT BRCI INCLUDING NEURONTIN, ULTRAM, AND SABOXIN. HE THOUGHT THE LATTER WAS A REPLACEMENT FOR METHADONE. HE SAID HE WAS RX'D VISTARIL, PROZAC, AND RISPERDAL AT BRCI, BUT ASKED TO BE TAKEN OFF THE MEDICATIONS AS HE FELT HE WAS ADDICTED TO THEM. HE SAID, "I'M REAL, REAL TIRED OF EVERYTHING, MYSELF INCLUDED. I'M TIRED OF BEING LOCKED UP." HOWEVER, HE AGAIN DENIED ANY PLANS OR INTENT TO HARM HIMSELF. HE REPORTED SLEEPING A COUPLE OF HOURS AT NIGHT. HE SAID HIS APPETITE IS GOOD. HE VOICED RELUCTANCE TO TAKE MEDICATION, BUT STATED, "I WANT TO GET HELP."

A: I/M PRESENTED WITH BLUNTED AFFECT AND DETACHED DEMEANOR. HE REPORTED AUDITORY HALLUC'S WHICH HE BELIEVES MAY BE COMING FROM AN "INTERVENTION OR MACHINE" THAT SOMEONE HAS HOOKED HIM UP TO. HIS DX IS PSYCHOSIS NOS VS MALINGERING OF PSYCHOTIC SX'S, ALCOHOL DEPENDENCE, AND PERSONALITY D/O NOS.

P: I/M REMAINS ON SUICIDE PRECAUTIONS (SP-A) WITH 15 MINUTE STAFF OBSERVATIONS. HIS APPROACH IS KF. DR SRIDARAN HAS RX'D PSYCHOLOGICAL TESTING TO R/O MALINGERING OF PSYCHOTIC SX'S. CASEWORKER WILL MEET DAILY W/ I/M ON WEEK DAYS FOR EVALUATION AND TO OFFER INDIVIDUAL COUNSELING TO TEACH COPING SKILLS. DEBORAH HOLLIFIELD, HSCI

SIGNED OFF ON 09/19/14 @ 16:16 BY DEBORAH R HOLLIFIELD, HUMAN SERVICES COORD

- \*\* ENCOUNTER: 217 INSIDE APPOINTMENT 09/18/14 5:10 GILLIAM PSY COMP  
NURSING NOTE:  
INMATE ON SP STATUS W/O INCIDENT THIS SHIFT, NO SI/HI VOICED OR GESTURES NOTED. NON-COMPLIANT WITH MEDICATION, NO MEDICAL COMPLAINT VOICED. REST THROUGH THE NIGHT. STAFF TO MONITOR.  
NO ABNORMAL BEHAVIOR NOTED.  
V/O PER DR. WOOD CONT. SP STATUS, FF NO SPORKS X 24HRS.  
SIGNED OFF ON 09/18/14 @ 5:11 BY BRENDA WILLIAMS, REGISTERED NURSE I  
SIGNED OFF ON 09/18/14 @ 13:20 BY BEVERLY A WOOD, PSYCHIATRIST
- \*\* ENCOUNTER: 216 INSIDE APPOINTMENT 09/17/14 15:52 GILLIAM PSY COMP  
SP NURSING NOTE: I/M REMAINS ON SP FOR SAFETY. NOTED LYING ON BUNK FOR MOST OF DAY WITH ENTIRE BODY COVERED WITH GREEN SP BLANKET. I/M IS NONCOMPLIANT WITH MEDICATIONS. APPETITE FAIR. NO PHYSICAL C/O OFFERED OR VERBALIZATION OF SI/HI. WILL CONTINUE TO MONITOR  
SIGNED OFF ON 09/17/14 @ 15:53 BY DELADUMORE MARTHENE BAILEY, REGISTERED NURS
- \*\* ENCOUNTER: 215 INSIDE APPOINTMENT 09/17/14 5:16 GILLIAM PSY COMP



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NURSING SP NOTE: THE INMATE HAS BEEN PLACED ON SP FOR SAFETY. CONTINUES TO NOT BE MED COMPLIANT. NO MEDICAL COMPLAINTS VERBALIZED. DOES NOT TAKE SNACK. NO SI/HI OR GESTURES NOTED. RESTED QUIETLY DURING THE NIGHT. STAFF TO MONITOR.

VERBAL ORDER PER DR. WOOD: PLEASE CONTINUE SP WITH FF AND NO SPORK X 24HRS SIGNED OFF ON 09/17/14 @ 5:17 BY LETRESSA A FLEMMING, REGISTERED NURSE I SIGNED OFF ON 09/17/14 @ 9:40 BY BEVERLY A WOOD, PSYCHIATRIST

\*\* ENCOUNTER: 214 INSIDE APPOINTMENT 09/16/14 17:47 GILLIAM PSY COMP  
NURSING NOTE

INMATE REMAINS UP AND ABOUT, REMAINS ON SP FOR SAFETY PRECAUTION WITHOUT ANY INCIDENT, NO ABNORMAL BEHAVIOR NOTED DURING SHIFT, DENIES ANY SUICIDAL IDEATION AT THE MOMENT. COMPLIANT WITH HIS MEDICATIONS. NO MEDICAL COMPLAINTS MADE WILL CONTINUE TO MONITOR INMATE.

SIGNED OFF ON 09/16/14 @ 17:52 BY CLAIRE M DOMOND, REGISTERED NURSE I

\*\* ENCOUNTER: 213 MENTAL HEALTH CLINIC 09/16/14 12:28 GILLIAM PSY COMP  
INTAKE NOTE:

D: INMATE TORRENCE IS A THIRTY FOUR YEAR OLD SINGLE MALE SERVING A TWENTY FIVE YEAR SENTENCE FOR VOLUNTARY MANSLAUGHTER. HE IS FROM WEST COLUMBIA SC. HIS SENTENCE STARTED ON 04/21/10 AND IS SCHEDULED TO END ON 08/13/32.

INMATE WAS REFERRED TO GPH ON 9/13/14 FOR EVALUATION. I/M WAS ON CI STATUS AND WAS EXPERIENCING AUDITORY HALLUCINATIONS. I/M REPORTS HE WAS TAKING HIS MEDICATION AS WELL AS OTHERS. HE DENIES PRIOR MENTAL HEALTH TX. IN THE COMMUNITY. HE REPORTS TX FOR ALCOHOL DEPENDENCE IN GREENVILLE SS AT HOMESVIEW REHAB. CENTER. HE REPORTS TX. AT LRDAC IN RICHLAND COUNTY. HE REPORTS USE OF ETOH 2 WEEKS AGO. I/M STATES HE HAS DONE ALL DRUGS BUT SMOKE CRACK PRIOR TO HIS INCARCERATION. REPORTS RECENT ABUSE OF OTHERS MEDICATION. HE CURRENTLY DENIES SI PLAN. I/M STATED HE THOUGHT ABOUT SI A FEW TIMES BUT NEVER FOLLOWED UP. I/M STATED IF A PERSON WANTED TO COMMIT SI THEY WILL ALWAYS FIND A WAY. HE REPORTS STRONG FAMILY SUPPORT FROM PARENTS HE HAS SISTERS THAT HE DOES NOT KNOW. HE DENIES FAMILY HISTORY OF MENTAL ILLNESS BUT HIS FATHER WAS TREATED FOR ALCOHOL AT CHARTER RIVERS PAST HX. INMATE STATED WAS IN THE MARINE CORP FOR EIGHT (8) MONTHS RECEIVED MEDICAL DISCHARGE FOR FOOT PROBLEMS. HE DROPPED OUT OF COLLEGE X2 AT MIDLANDS TECH. AND SPARTANBURG TECH. HE DENIES HISTORY OF SEXUAL ABUSE OR JUVENILE INCARCERATION. HE WOULD ONLY SAY IT'S IN MY RECORD WHEN ASKED ABOUT HIS EMPLOYMENT HISTORY.

A: PSYCHOSIS NOS IN REMISSION; PERSONALITY D/O; CIRROHOIS  
INMATE WAS ALERT AND ORIENTED. HE PRESENTED WITH FLAT AFFECT. HE REPORTS DEPRESSION. NOTED MINIMAL EYE CONTACT. FLAT/ SAD AFFECT. INCREASE IN AUDITORY HALLUCINATIONS. NORMAL MOTOR ACTIVITY. NO ACUTE DISTRESS. CONTINUED TO DENY ACTIVE SI. MODERATE INSIGHT REGARDING NEED FOR ADMISSION TO GPH. POOR SIGHT REGARDING NEED FOR MEDICATION. I/M STATES HE WANTS TO COME OFF ALL MEDS. DISCUSSED WITH INMATE PURPOSE OF MEDICATION. FURTHER ENCOURAGED COMPLIANCE.

P: INMATE WAS ASSIGNED TO CELL 121 B LEVEL: SP-A. MS. HOLLIFIELD IS THE ASSIGNED CASE WORKER. HE WILL CONTINUE ON SP UNTIL ASSESSED FOR SAFETY RISK. SIGNED OFF ON 09/16/14 @ 13:25 BY FAWN J FOULKS, HUMAN SERVICES COORD II

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- \*\* ENCOUNTER: 212 INSIDE APPOINTMENT 09/16/14 5:09 GILLIAM PSY COMP  
NURSING NOTE:  
INMATE ON SP STATUS W/O INCIDENT THIS SHIFT, NO SI/HI VOICED OR  
GESTURES NOTED. NON-COMPLIANT WITH MEDICATION NO MEDICAL  
COMPLAINT VOICED. REST THROUGH THE NIGHT. STAFF TO MONITOR.  
NO ABNORMAL BEHAVIOR NOTED.  
V/O PER DR. WOOD CONT. SP STATUS, FF NO SPORKS X 24HRS.  
SIGNED OFF ON 09/16/14 @ 5:10 BY BRENDA WILLIAMS, REGISTERED NURSE I  
SIGNED OFF ON 09/16/14 @ 11:40 BY BEVERLY A WOOD, PSYCHIATRIST
- \*\* ENCOUNTER: 211 INSIDE APPOINTMENT 09/15/14 16:45 GILLIAM PSY COMP  
I/M REMAINS ON SP FOR SAFETY. I/M IS NONCOMPLIANT WITH MEDICATIONS. VERY LI  
TTLE INTERACTION WITH STAFF. NOTED TO BE LYING ON BUNK THROUGHOUT THE SHIFT  
WITH ENTIRE BODY COVERED. NAD NOTED. CONT TO MONITOR  
SIGNED OFF ON 09/15/14 @ 16:46 BY DELADUMORE MARTHENE BAILEY, REGISTERED NURS
- \*\* ENCOUNTER: 210 INSIDE APPOINTMENT 09/15/14 4:32 GILLIAM PSY COMP  
NURSING NOTE:  
INMATE ON S/P FOR SAFETY.  
NO S/I OR H/I NOTED OR EXPRESSED AT THIS TIME.  
STAFF WILL CONTINUE TO MONITOR INMATE PER PROTOCOL.  
VERBAL ORDER PER DR. WOOD.  
INMATE ON S/P FOR 24 HR WITH FINGER FOODS AND NO SPORK.  
SIGNED OFF ON 09/15/14 @ 4:32 BY KELLY BROWN, REGISTERED NURSE I  
SIGNED OFF ON 09/15/14 @ 8:20 BY BEVERLY A WOOD, PSYCHIATRIST
- \*\* ENCOUNTER: 209 INSIDE APPOINTMENT 09/14/14 9:33 GILLIAM PSY COMP  
I/M REFUSED TO HAVE SP/VS ASSESSMENT COMPLETED. REFUSED AM MEDICATIONS.  
NAD NOTED.  
SIGNED OFF ON 09/14/14 @ 9:33 BY ERIN MCDOWELL COLEMAN, LICENSED PRACTICAL N
- \*\* ENCOUNTER: 208 INSIDE APPOINTMENT 09/13/14 18:54 GILLIAM PSY COMP  
I/M IS A 34 YEAR OLD CAUCASIAN MALE ADMITTED TO GPH FROM BRCI VOLUNTARILY D  
UE TO DEPRESSION AND ANXIETY. I/M ARRIVED AT GPH AT APPROXIMATELY 1600. I/M  
ARRIVED VIA FOOT AND CALM MOOD. HE IS COOPERATIVE. VITAL SIGNS ON ADMISSIO  
N WERE 130/107-105/MIN-18/MIN-98.2, STANDS 5'10". I/M WAS ALERT AND ORIENTE  
D X3. DENIES SI/HI/AH/VH. APPETITE IS GOOD AND SLEPT FAIR. NO KNOWN ALLERGI  
ES. HISTORY OF DEPRESSION AND ANXIETY IN 2011.  
SIGNED OFF ON 09/13/14 @ 19:00 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I  
ADMISSION ORDERS:  
ADMIT TO GPH  
DIET: REGULAR  
ACTIVITY: AD LIB  
VITAL SIGNS: QDAY X 3 DAYS  
MEDS: FLUOXETINE 20 MG/5 ML, 30 MG (7.5 ML) PO EACH EVENING  
HYDROXYZINE HCL LIQUID 10 MG/5 ML, 100 MG (50 ML) PO EACH MORNING AND  
150 MG (60 ML) PO EACH EVENING.  
MOBIC 7.5 MG, 1 TAB Q DAY  
T.O DR. WOOD  
SIGNED OFF ON 09/13/14 @ 19:05 BY ALLAN SANCHEZ CAHIGAN, REGISTERED NURSE I

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SIGNED OFF ON 09/15/14 @ 8:16 BY BEVERLY A WOOD, PSYCHIATRIST  
NOTED ON MAR AND PP

SIGNED OFF ON 09/15/14 @ 10:39 BY DELADUMORE MARTHENE BAILEY, REGISTERED NURS

\*\* ENCOUNTER: 207 MENTAL HEALTH CLINIC 09/13/14 9:45 BROAD RIVER COMP  
CRISIS INTERVENTION NOTE:

D: HSCI MET WITH I/M IN ORDER TO ASSESS HIS CURRENT LEVEL OF FUNCTIONING DUE TO I/M BEING ON CRISIS INTERVENTION STATUS. DURING THE ASSESSMENT, I/M ADMITTED THAT HE HAD LIED TO HIS PRIMARY COUNSELOR BY REPORTING THAT HE WAS OK AND NOT HAVING ANY ISSUES. I/M REPORTED THAT HE WAS HEARING THE VOICES OF HIS MOTHER, FATHER, OTHER I/M'S, PEOPLE THAT HE THOUGHTS WERE FRIENDS AND SOME UNIDENTIFIABLE VOICES. I/M STATED THAT SOME THE VOICES OF HIS PARENTS WERE TELLING HIM GOOD THINGS AND THAT THE OTHER VOICES WERE TELLING HIM HE WAS THE DEVIL AND TELLING HIM TO MURDER. I/M STATED THAT HE HAD TURNED HIS LIFE OVER TO CHRIST AND SINCE DOING SO THINGS HAVE BEEN HARD. I/M REPORTED FEELING PARANOID AND THAT HE WAS BEING PULLED EVERY WHICH WAY. I/M STATED THAT HIS THOUGHTS "PLAY WITH ME" AND THAT IT WAS HARD TO KEEP THOUGHTS AND CONCENTRATE. I/M REPORTED THAT HE HAD MANY THOUGHTS IN HIS HEAD AND THAT HE FELT DISTRACTED. DURING THE ASSESSMENT I/M SAID "LIKE NOW, I'M HAVING THOUGHTS OF NIGGERS." "WHY AM I THINKING NIGGERS." "THEY ARE TELLING ME NOT TO SAY ANYTHING AND THEN I NEED HELP." I/M BEGAN TO CRY AND THEN APOLOGIZED FOR WHAT HE HAD SAID. I/M THEN SAID HE FELT "TIRED." I/M REPORTED THAT HE BEGAN HEARING VOICES IN 2005 AFTER BEING HIT BY A CAR. I/M WOULD NOT STATE WHY HE GAVE HIS BELONGINGS AWAY AND WOULD NOT SAY YES OR NO WHEN ASKED IF HE WOULD HARM HIMSELF. I/M REPORTED THAT HE TOOK VISTARIL AND REMERON AND ASKED HIM OR NOT. I/M ALSO REPORTED USING DRUGS 2-3 DAYS AGO. I/M STATED THAT HE OBTAINED THE DRUGS FROM OTHER I/M'S AND USED "ANYTHING I COULD GET MY HANDS ON." I/M DID NOT STATE WHAT DRUGS HE USED. WHEN ASKED WHAT THE MONTH WAS I/M STATED "AUGUST"; WHEN ASKED WHAT THE DATE WAS I/M STATED "9/11" AND WHEN ASKED WHERE HE WAS I/M STATED "THE PENITENTIARY, I THINK A PLACE CALLED SMU." HSCI ASKED I/M WHAT HELP HE WOULD NEEDED AND I/M COULD NOT STATE ANY SPECIFIC NEEDS JUST THAT HE NEEDED HELP. "WHEN ASKED ABOUT GOING TO GPH, I/M STATED THAT HE WOULD SIGN THE FORMS TO BE ADMITTED TO GPH. HSCI CONTACTED BRCI MEDICAL STAFF AND INFORMED THEM THAT I/M HAS SIGNED VOLUNTARILY TO GO TO GPH. HSCI THEN CONTACT GPH STAFF AND MADE THEM AWARE OF THE SITUATION. HSCI SPOKE WITH THE COUNSELOR ON DUTY, MS. RAISER AND THE ON-CALL STAFF STONEY DRAKE AND WAS INFORMED THAT I/M WOULD BE ADMITTED TO GPH AND TO CONTACT BRCI OPERATIONS AND INFORM THEM AND THAT MR. DRAKE WOULD ALERT OPERATIONS AT KCI. HSCI GATHER NECESSARY DOCUMENTATION, I/M MEDICAL RECORDS AND MEDICATIONS AND PROVIDED THEM TO THE OPERATIONS STAFF FOR TRANSFER TO GPH. COPY OF CONSENT FOR GPH PLACEMENT WAS PLACED IN MEDICAL RECORD.

A: CURRENT DIAGNOSTIC IMPRESSION: PSYCHOSIS NOS IN REMISSION, PERSONALITY D/O NOS. I/M PRESENTED WITH A SAD AFFECT, DISORIENTED/DISTRACTED THOUGHTS, AND SEEMED AS IF HE WERE ATTEMPTING TO BLOCK/NOT RESPOND TO INTRUSIVE THOUGHTS/AUDITORY HALLUCINATIONS. I/M WAS CRYING AND SCREAMING. I/M DID NOT APPEAR TO BE MAINTAINING HYGIENE.

P: I/M WILL BE ADMITTED TO GPH FOR FURTHER ASSESSMENT.

SOPHIA RICHARDSON, HSCI

SIGNED OFF ON 09/13/14 @ 15:34 BY SOPHIA L RICHARDSON, HUMAN SERVICES COORD I

MDCI880D  
OMINMDCA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
SCDC HEALTH SERVICES: MEDICAL SUMMARY

09/13/17  
C057031

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- \*\* ENCOUNTER: 206 INSIDE APPOINTMENT 09/12/14 21:50 BROAD RIVER COMP  
I/M OBSERVED LAYING ON BED WITH BLANKET WRAPPED AROUND WAIST. ALERT AND  
ORIENT X3. VOICED NO COMPLAINTS AT PRESENT TIME. WILL CONTINUE TO MONITOR  
SIGNED OFF ON 09/13/14 @ 6:09 BY KAREN Y MCCULLOUGH, LICENSED PRACTICAL NURS
- \*\* ENCOUNTER: 205 MENTAL HEALTH CLINIC 09/12/14 11:40 BROAD RIVER COMP  
CRISIS INTERVENTION NOTE:  
D: CCC ASSESSED I/M ON THIS DATE. HE ENTERED OFFICE SLOWLY & BEGAN CRYING.  
I/M INFORMED CCC HE HAS GIVEN HIS LIFE TO CHRIST. HE ALSO STATED GOD IS  
SPEAKING TO ME TELLING ME TO GIVE MY PERSONAL BELONGINGS (CANTEEN) AWAY.  
I/M INFORMED CCC ALL OF HIS LIFE HE HAS MADE GOD ASHAMED & HE IS NOW TIRED.  
I/M STATED HE NOW WANTS TO BE AT PEACE. I/M HAS NOT BEEN TENDING TO HIS  
PERSONAL HYGIENE NEEDS. CCC ALSO INSPECTED THIS INMATE ROOM & IT WAS NOT  
IN COMPLIANCE WITH SCDC STANDARDS.  
A: PSYCHOSIS NOS - IN REMISSION; PERSONALITY D/O NOS  
INMATE WAS ALERT/ORIENTED. SOME DISTRESS NOTED. DENIES A/V/H & S/H/I. HAS  
NOT BEEN MED COMPLIANT. GROOMING/HYGIENE ARE POOR AT THIS TIME.  
MOOD/SAD; AFFECT/FLAT; THOUGHTS/ILLOGICAL (AT TIMES); TONE/SOFT/LOW  
P: I/M WILL BE PLACED ON CI STATUS. HE WILL BE STRIPPED OF ALL PERSONAL  
BELONGINGS, PROVIDE WITH TISSUE (AS NEEDED) AND RECEIVE FINGER FOOD TRAYS.  
SECURITY WILL CONDUCT 15 MINUTE OBSERVATIONS. I/M MAY HAVE PRECAUTIONARY  
BLANKET & SMOCK.  
K.KELLER, HSCI  
SIGNED OFF ON 09/12/14 @ 11:58 BY KAYLA D KELLER, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 204 LAB CLINIC 09/11/14 7:39 BROAD RIVER COMP  
FASTING CHEM7, LIPID PANEL, CBC. COLLECCTED SENT TO LAB PER ENC#201.  
SIGNED OFF ON 09/11/14 @ 7:39 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 203 LAB CLINIC 09/10/14 7:20 BROAD RIVER COMP  
INMATE WAS NO SHOW FOR MEDICAL LAB (PER ENC#201) WILL RESCHEDULE.  
SIGNED OFF ON 09/10/14 @ 7:20 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 202 INSIDE APPOINTMENT 09/05/14 10:07 BROAD RIVER COMP  
I/M IN CLINIC RE: BROKEN GLASSES. I/M STATES HE DID NOT MEET THE CITERIA TO  
GET STATE GLASSES. I/M WAS INFORMED OF OUTSIDE ELECTIVE FORM M-42 WHICH HE  
ACCEPTED.  
SIGNED OFF ON 09/05/14 @ 10:11 BY KERRY M CLOUD-PERRY, MEDICAL ASSISTANT TECH  
NOTED  
SIGNED OFF ON 09/05/14 @ 11:40 BY MARTI WATKINS BROWN, LICENSED PRACTICAL NUR
- \*\* ENCOUNTER: 201 DOCTOR'S CLINIC 09/05/14 9:53 BROAD RIVER COMP  
34YO MALE WITH PSORIASIS, UNDER CONTOL WITH CLOBETASOL, WITH C/O GLSSES NEE  
DING REPAIRD AND BILATERAL KNEE PAIN WITH ACTIVITY. PT HAS BEEN TAKING IBU  
PROFEN WITH SOME RELIEF. PT STS HE DOES NOT EXERCISE. PT C/O BURNING RASH  
IN UMBILICAL REGION FOR PAST 3-4 DAYS.  
EXAM: 114/76 75 20 98.1  
NAD / CHEST CTAB / CARD NML S1S2 / PSORIATIC PLAQUES NOTED TO BILAERAL ELBO  
WS AND KNEES / ERYTHEMATOUS RAISED RASH OF UMBILICUS AND 5MM SURROUNDING AR

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EA, 2 PUSTULES NOTED, NO D/C NOTED.

A/P: PTS GLASSES TO BE EVAL'D IN CLINIC TODAY, WILL START MOBIC, CONT CLOBE  
TASOL TO AA, TRIPLE ABX OINTMENT TO UMBILICAL REGION. DRAW CBC, BMP, AND L  
IPID PANEL

MELOXICAM 7.5MG TAB (MOBIC)

SIG: ONE TAB PO DAILY

SIG:

START DATE: 09/05/14 TOTAL DAYS: 30

MD: HOLBROOK, THOMAS J

TRIPLE ANTIBIOTIC OINT (30GM) (NEOSPORIN TOPICAL)

SIG: APPLY TO UMBILICAL REGION TID FOR 10 DAYS (DISP 1

SIG: TUBE)

START DATE: 09/05/14 TOTAL DAYS: 10

MD: HOLBROOK, THOMAS J

SIGNED OFF ON 09/05/14 @ 10:04 BY THOMAS J HOLBROOK, PHYSICIAN II  
MARS UPDATED.

LAB SLIP COMPLETED.

SIGNED OFF ON 09/05/14 @ 16:11 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 200 NARRATIVE 09/05/14 6:21 BROAD RIVER COMP  
I/M WAS A NO SHOW FOR ENC 199. LATE ENTRY.  
SIGNED OFF ON 09/05/14 @ 6:21 BY KERRY M CLOUD-PERRY, MEDICAL ASSISTANT TECH  
NOTED  
SIGNED OFF ON 09/05/14 @ 8:31 BY MARTI WATKINS BROWN, LICENSED PRACTICAL NUR

\*\* ENCOUNTER: 199 NARRATIVE 09/02/14 12:40 BROAD RIVER COMP  
AFTER TELEPHONE CALL FROM I/M MOTHER STATING THAT I/M NEEDS REPLACEMENT GLA  
SSES. SUPERVISOR WAS OUT OF MEDICAL AT THE TIME OF CALL. CHART PULLED AND I  
/M MOTHER IS LISTED ON RELEASE OF INFORMATION. I/M MOTHER WAS NOTIFIED THAT  
WRITER WILL SEND OTR FOR I/M TO COME TO MEDICAL TO DISCUSS PROCEDURE FOR R  
EPLACEMENT GLASSES. OTR SENT FOR SEPT 4TH AT 10 AM.  
SIGNED OFF ON 09/02/14 @ 12:48 BY KERRY M CLOUD-PERRY, MEDICAL ASSISTANT TECH  
NOTED  
SIGNED OFF ON 09/02/14 @ 15:51 BY LAUREN L NEWSOM, REGISTERED NURSE I

\*\* ENCOUNTER: 198 EMERGENCY INHOUSE 08/09/14 22:39 BROAD RIVER COMP  
I/M TO MEDICAL, STATES LEFT HAND BURNING AND PAIN. I/M STATES HX OF  
PSORIASIS, AND BURNING SENSATION AND PAIN TO LEFT HAND STARTED FRIDAY.  
I/M STATES HE USED HIS PRESCRIBED CREAMS FOR HIS SX, BUT THEY DID NOT WORK.  
I/M STATES AREA ITCHES AS WELL.

O:  
I/M IS ALERT AND ORIENTED, NAD NOTED. VS: 140/80, 97%, 20, 102, 99.1.  
I/M LEFT HAND IS DRY, EXTENSIVE PEELING NOTED, REDDENED IN APPEARANCE, NO  
DRAINAGE NOTED. RESPIRATIONS EVEN AND UNLABORED. NO EDEMA NOTED.  
A: DEFER TO MD  
P: I/M WAS GIVEN BENADRYL PO 50MG FOR ITCHING, AND HYDROCORTISONE CREAM. I/M  
WAS GIVEN OTR FOR REASSESSMENT ON MONDAY 8/11/14. I/M TOLD TO KEEP AREA  
AREA CLEAN. I/M V/U, NAD NOTED. I/M TO MLT DORM IN NAD. KRAINEY, RN  
SIGNED OFF ON 08/09/14 @ 22:54 BY KENYA N RAINEY, UNCLASSIFIED  
INMATE, TO MEDICAL FOR RECHECK OF HANDS, WAS UNDER IMPRESSION HE WOULD BE SE

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EN BY MD, INSTRUCTED I/M I WOULD FORWARD THIS TO MD FOR REVIEW. INMATE CONCERNED THAT HE MAY BE GETTING BRONCHITIS, COUGHED UP BLOOD TINGED SPUTUM THIS AM AND COUGHS UPON EXAMINATION WHEN ASKED TO TAKE DEEP BREATH. BREATH SOUNDS CLEAR POST. TEMP 99.1 THIS AM, THROAT PINK, NO EXUDATE OR REDNESS, NASAL PASSAGES CLEAR, HANDS ARE PEELING WITH NEW SKIN SEEN, INMATE STATES ITS STILL ITCHY AND SORE-CONTINUES TO USE SEVERAL CREAMS-ELOCON, CLOHETASOL AND CLOHETASOL TOPICAL. NUMEROUS PSORIATIC PATCHES ON FOREARMS, UPPER ARMS, SCALP, HANDS MOST NOTABLY AFFECTED. INFORMED INMATE TO CONTINUE USING CREAMS AS ORDERED AND RETURN TO MEDICAL IF RESP STATUS DETERIORATES-REQUESTING TO SEE PHYSICIAN, INFORMED INMATE I WOULD FORWARD THIS ENCOUNTER TO MD SIGNED OFF ON 08/11/14 @ 10:55 BY LINDA K MYERS, REGISTERED NURSE I P: 1. SCHEDULE TO SEE M.D..

SIGNED OFF ON 08/12/14 @ 17:19 BY RICHARD C BEARDEN JR, PHYSICIAN II ENC. PRINTED FOR MD CLINIC NURSE TO SCHEDULE

SIGNED OFF ON 08/13/14 @ 9:13 BY COURTNEY D OLDS, REGISTERED NURSE I

\*\* ENCOUNTER: 197 MENTAL HEALTH CLINIC 07/31/14 11:27 BROAD RIVER COMP  
TREATMENT TEAM NOTE. STAFFED I/M CASE WITH SUPERVISOR AND TREATMENT TEAM TO GIVE AN UPDATE ON I/M'S PROGRESS AND TO DISCUSS TREATMENT PLAN GOALS. I/M HAS A DX. OF PERSONALITY D/O NOS, AND PSYCHOSIS NOS. I/M REPORTED IMPROVEMENT WITH PSYCHIATRIC SYMPTOMS, HE IS MEDICATION COMPLIANT. INMATE WILL BE MONITORED BY PRIMARY COUNSELOR AND PSYCHIATRIST AS PER MENTAL HEALTH POLICY. ALL STAFF MEMBERS FROM APPROPRIATE AREAS WERE PRESENT. SUPERVISOR AND TREATMENT TEAM IS IN AGREEMENT WITH TREATMENT GOALS AND SUPERVISOR SIGNED THE TREATMENT PLAN. FOR MORE INFORMATION SEE HARD COPY IN MEDICAL RECORD. NEXT REVIEW DATE IS 01/31/15.

W GODFREY, HSCI

SIGNED OFF ON 07/31/14 @ 11:27 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 196 MENTAL HEALTH CLINIC 07/28/14 14:19 BROAD RIVER COMP  
D: MET WITH I/M FOR INDIVIDUAL SESSION TO ASSESS HIS LEVEL OF FUNCTIONING AND TO DEVELOP TREATMENT PLAN GOALS. LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATION AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M REPORTED THAT HE IS DOING WELL WITH NO PROBLEM OR INCIDENT TO REPORT. I/M SHARED CONCERNS ABOUT HIS FAMILY AFTER LEARNING HIS FATHER HAS CANCER AND GRANDMOTHER IS ILL. TODAY SESSION FOCUSED ON TREATMENT OBJECTIVE: I/M WILL INCREASE HIS UNDERSTANDING OF BELIEFS AND MESSAGES THAT PRODUCE THE WORRY AND ANXIETY. DISCUSSED WAYS TO MAINTAIN CURRENT LEVEL OF FUNCTIONING, WAYS TO DEAL WITH STRESS AND ASSISTED HIM IN DEVELOPING POSITIVE, REALISTIC, ALTERNATIVE THOUGHTS THAT COULD MEDIATE CONFIDENCE, SELF-ASSURANCE, AND RELAXATION.  
A: PSYCHOSIS NOS - IN REMISSION; PERSONALITY D/O NOS. I/M AFFECT WAS APPROPRIATE. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS WELL GROOMED AND HE MAINTAINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBITING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE AND SLEEP PATTERNS ARE WNL. GAF=80

P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PLAN GOALS AND WILL FOLLOW UP WITH SERVICES AS NEEDED AND IN ACCORDANCE TO POLICY. CCC WILL PRESENT HIS TREATMENT PLAN TO TREATMENT TEAM FOR APPROVAL.

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W GODFREY, HSCI

SIGNED OFF ON 07/30/14 @ 8:07 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

- \*\* ENCOUNTER: 195 EMERGENCY INHOUSE 07/14/14 18:51 BROAD RIVER COMP  
I/M TO MLT MEDICAL STATING, " I FELL AT THE DOOR BY THE STAIRS WHEN THE ICE  
BUCKET WAS FULL OF ICE."  
ALERT AND ORIENTED X4, VERBALIZES WANTS AND NEEDS, RESPIRATION EVEN AND UNL  
ABORED, SKIN WARM AND DRY, REDNESS NOTED TO LEFT KNEE, ACTIVE/FULL ROM, GRI  
MANCING NOTED WHEN PUTTING PRESSURE ON LEFT KNEE, OBESITY, NO OPEN AREAS, N  
O POPPING AND GRINDING NOTED. SWELLING NOTED TO LEFT KNEE, PERIPHERAL PULSE  
PRESENT, NO OBVIOUS DISPLACEMENT, LIMPING AROUND IN MEDICAL.  
VS: 98.2-20-140/86-245  
PAIN LEVEL 6/10  
I/M ISSUE S. O MOTRIN.  
I/M ISSUE MEALS TO THE DORM FOR THREE DAYS, CAFETERIA NOTIFY ABOUT MEALS TO  
THE DORM.  
ICE PACK TO SPRAIN FOR 48 HOURS.  
ACE WRAP APPLIED TO LEFT KNEE.  
NO WEARING BEARING X 48 HOURS, CRUTCHES ISSUED AT THIS TIME.  
OTR ISSUE TO REPORT TO MLT MEDICAL ON 7/15/2014 AT 9:30AM.  
PATIENT EDUCATED ON THE IMPORTANCE OF NO WEIGHT BEARING FOR 24 HOURS, USE I  
CE PACKS AND LIMB ELEVATED.  
SIGNED OFF ON 07/14/14 @ 19:06 BY JANEAN HILL, LICENSED PRACTICAL NURSE  
NOTED. FOLLOWED STANDING ORDER FOR SPRAINS.  
ROBERT KINGSBURY, RN.  
SIGNED OFF ON 07/15/14 @ 9:04 BY ROBERT N KINGSBURY JR, UNCLASSIFIED
- \*\* ENCOUNTER: 194 FOLLOW-UP DENTAL 06/30/14 12:49 BROAD RIVER COMP  
REDO. 'F' COMPOSITE FILLING ON #6  
SIGNED OFF ON 06/30/14 @ 12:50 BY DWIGHT D MCMILLAN, DENTIST
- \*\* ENCOUNTER: 193 NARRATIVE 05/19/14 13:49 BROAD RIVER COMP  
I/M M148 FORM APPROVED BY WARDEN, I/M WILL BE NOTIFIED BY OTR FOR PICK UP.  
SIGNED OFF ON 05/19/14 @ 13:50 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 192 NARRATIVE 05/14/14 8:36 BROAD RIVER COMP  
I/M M148 FORM SENT TO BRCI FOR APPROVAL.  
SIGNED OFF ON 05/14/14 @ 8:37 BY SHERRELL A ORANGE, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 191 INSIDE APPOINTMENT 05/12/14 12:34 BROAD RIVER COMP  
I/M TO MEDICAL TO FILL OUT M-148 FORM AND FOR SNELLEN TEST. M-148 FORM COMP  
LETED AND WITNESS BY THIS WRITER. SNELLEN RESULTS: WITH GLASSES OS 20/20 OD  
20/20 AND OU 20/15; WIHTOUT GLASSES OS 20/100 OD 20/200 OU 20/70. ANALYTIC  
AL EYE RECORD COMPLETED AND GIVEN TO NURSE MUNRO. M-148 FORM PLACED IN NP B  
OX FOR REVIEW.  
SIGNED OFF ON 05/12/14 @ 12:35 BY LAUREN L NEWSOM, REGISTERED NURSE I  
SIGNED OFF ON 05/13/14 @ 13:52 BY SALLY V BLAKE, NURSE PRACTITIONER III  
NOTED.  
SIGNED OFF ON 05/13/14 @ 15:03 BY JANEAN HILL, LICENSED PRACTICAL NURSE

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- \*\* ENCOUNTER: 190 DENTAL CLINIC 05/06/14 11:59 BROAD RIVER COMP  
DENTAL PROPHY AND OHI COMPLETED  
SIGNED OFF ON 05/07/14 @ 12:00 BY DWIGHT D MCMILLAN, DENTIST
- \*\* ENCOUNTER: 189 MENTAL HEALTH CLINIC 04/29/14 11:33 BROAD RIVER COMP  
S: INMATE DOING WELL. NO ACUTE PSYCHOTIC SYMPTOMS NOTED. DOES NOT APPEAR TO BE RESPONDING TO INTERNAL STIMULI. DEPRESSION AND ANXIETY WELL-CONTROLLED WITH PROZAC AND VISTARIL CURRENTLY. INMATE HAS BEEN UNDERGOING SLOW TAPER OF RISPERDAL, AND NO FRANK PSYCHOSIS NOTED AS RISPERDAL HAS BEEN DECREASED SLOWLY. THEREFORE, WILL D/C RISPERDAL TODAY AND REASSESS INMATE IN 1 MONTH TO SEE IF HE CONTINUES TO DO WELL OFF OF RISPERDAL COMPLETELY.  
O: INMATE IN NO ACUTE DISTRESS. ALERT AND ORIENTED. MOOD "ALRIGHT." AFFECT EUTHYMIC. TP - LINEAR, GOAL-DIRECTED. TC - DENIES SI/HI/AVH. NOT RESPONDING TO INTERNAL STIMULI. NO FRANK PSYCHOSIS NOTED. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED.  
A: PSYCHOSIS NOS - IN REMISSION; PERSONALITY D/O NOS  
P:  
1. WILL D/C RISPERDAL 1MG PO QPM. INMATE HAS BEEN TAPERED SLOWLY OFF OF RISPERDAL WITH NO RECURRENCE OF ACUTE PSYCHOTIC SX. THEREFORE, WILL D/C TODAY.  
2. CONTINUE PROZAC LIQUID 30MG PO QPM.  
3. CONTINUE VISTARIL LIQUID 100MG PO QAM AND 150MG PO QPM.  
4. RETURN TO PSYCH CLINIC IN 1 MONTH TO REASSESS INMATE OFF OF RISPERDAL.  
SIGNED OFF ON 04/29/14 @ 11:40 BY MOHAN SRIDARAN, PSYCHIATRIST  
NOTED, MAR WILL BE UPDATED.  
D/C MEDS WILL BE RETURNED TO PHARMACY.  
SIGNED OFF ON 04/29/14 @ 16:02 BY SERAPHINE U NIATI, REGISTERED NURSE II
- \*\* ENCOUNTER: 188 PPD 03/25/14 21:39 BROAD RIVER COMP  
TST PLACED ON 3/21/14. READ ON 3/24/14, OMM/NEGATIVE.  
SIGNED OFF ON 03/25/14 @ 21:39 BY JENNIFER B BALLESLIL, NURSE ADMINISTRATOR/MG
- \*\* ENCOUNTER: 187 MENTAL HEALTH CLINIC 03/18/14 12:22 BROAD RIVER COMP  
S: NO RECENT PSYCHOTIC SX ENDORSED PER INMATE. DENIES AH/VH RECENTLY. DENIES SI/HI CURRENTLY. ENDORSES INCREASED ANXIETY RECENTLY AND SUBOPTIMAL SLEEP AS WELL. CURRENTLY ON ALL LIQUID MEDS BECAUSE HE HAS HX IN PAST OF HAVING MEDS ON PERSON.  
O: INMATE IN NO ACUTE DISTRESS. ALERT AND ORIENTED. MOOD "NERVOUS MORE RECENTLY." AFFECT APPEARS SLIGHTLY ANXIOUS. THOUGHT PROCESS LINEAR, GOAL-DIRECTED. THOUGHT CONTENT - DENIES SI/HI/AVH. SPEECH NML RATE, RHYTHM, TONE.  
A: PSYCHOSIS NOS - IN REMISSION; PERSONALITY D/O NOS  
P:  
1. WILL TAPER RISPERDAL ORAL SOLUTION FROM 2MG PO QPM TO 1MG PO QPM SINCE INMATE CONTINUES NOT TO EXPERIENCE ANY PSYCHOTIC SX. IF INMATE'S PSYCHOTIC SX REAPPEAR, I CAN ALWAYS INCREASE RISPERDAL AGAIN IN THE FUTURE.  
2. CONTINUE PROZAC ORAL SOLUTION 30MG PO QPM.  
3. WILL INCREASE VISTARIL LIQUID FROM 100MG PO BID TO 100MG PO QAM AND 150MG PO QPM TO HELP WITH ANXIETY.  
4. RTC IN 3 MONTHS, SOONER IF NEEDED.  
FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)



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SIG: PLEASE GIVE 30MG PO QPM

SIG:

START DATE: 03/18/14 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: PLEASE GIVE 1MG PO QPM

SIG:

START DATE: 03/18/14 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

HYDROXYZINE 10MG/5ML LIQ (MENTAL HEALTH) (VISTARIL/ATARAX)

SIG: PLEASE GIVE 100MG PO QAM AND 150MG PO QPM

SIG:

START DATE: 03/18/14 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

SIGNED OFF ON 03/18/14 @ 12:27 BY MOHAN SRIDARAN, PSYCHIATRIST

MARS UPDATED.

SIGNED OFF ON 03/18/14 @ 13:31 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 186 MENTAL HEALTH CLINIC 03/13/14 14:10 BROAD RIVER COMP  
MED RENEWAL

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: TAKE TWO MG PO QPM

SIG:

START DATE: 03/13/14 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG: TAKE 30 MG PO QPM

SIG:

START DATE: 03/13/14 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG: TAKE 100 MG PO BID

SIG:

START DATE: 03/13/14 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

SIGNED OFF ON 03/13/14 @ 14:12 BY BEVERLY A WOOD, PSYCHIATRIST

FORWARDED TO LPN SCREEN FOR MAR TO BE UPDATED

SIGNED OFF ON 03/17/14 @ 14:27 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 185 MENTAL HEALTH CLINIC 02/21/14 11:12 BROAD RIVER COMP  
D: MET WITH I/M FOR INDIVIDUAL SESSION TO WORK ON TREATMENT OBJECTIVES AND  
TO ASSESS HIS LEVEL OF FUNCTIONING. LISTENED ACTIVELY WHILE HE EXPLAIN CURR  
ENT SITUATION AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M REPORTED HAVING SO  
ME DIFFICULTIES WITH SLEEP AND WOULD LIKE MEDICATION TO HELP WITH SLEEP. I/M  
SHARED BEEN EXCITED ABOUT VISITING WITH HIS FAMILY AND HAVING HIS VISITATIO  
N REINSTATED. I/M WAS INFORMED THAT HE WOULD BE REFERRED TO THE PSYCHIATRIST  
, HE WAS EDUCATED ABOUT HIS MI AND WAS ENCOURAGED TO FOLLOW RULES/EXPECTAT  
ION OF SCDC TO AVOID FUTURE DISCIPLINARY ACTIONS. HE AGREED.  
A: UNSPECIFIED PERSONALITY DISORDER, PSYCHOSIS, UNSPECIFIED WITH REMISSION OF  
SYMPTOMS. GAF=78

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I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS WELL GROOMED AND HE MAINTAINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBITING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE IS WNL; HOWEVER, SLEEP PATTERN IS POOR.

P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PLAN OBJECTIVES AND HE WILL RECEIVE SERVICES AS PER POLICY OR AS NEEDED, HE WILL BE REFERRED TO THE PSYCHIATRIST FOR FURTHER ASSESS OF MI AND MEDICATION EFFECTIVENESS.

W GODFREY, HSCI

SIGNED OFF ON 03/03/14 @ 12:46 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 184 TELEPHONE ENCOUNTER 01/31/14 14:17 BROAD RIVER COMP  
SPOKE WITH THE INMATES MOTHER ABOUT HIS CONCERNS OVER A REPORTED RASH AND HIS REFUSAL FOR TREATMENT AND CARE AFFORDED TO HIM BY NP HAMILTON. I REVIEWED THE TREATMENT AND PLAN OF CARE WITH HER AND SHE VERBALIZED UNDERSTANDING. SHE STATED THAT SHE WILL CALL ME IF SHE HAD ANY OTHER CONCERNS. SHE DENIED ANY OTHER CONCERNS AT THIS TIME.

T. SMITH, RN

SIGNED OFF ON 01/31/14 @ 14:33 BY TAKISHA A SMITH, NURSE ADMINISTRATOR/MGR II

\*\* ENCOUNTER: 183 TELEPHONE ENCOUNTER 01/30/14 16:45 BROAD RIVER COMP  
RECEIVED A CALL FROM THE INMATES MOTHER STATING THAT SHE NEEDED INFORMATION PERTAINING TO HIS CURRENT MEDICAL COMPLAINT AND ISSUES WITH THE TREATMENT THAT WE HAVE PROVIDED. I INFORMED HER THAT I NEEDED TO OBTAIN A RELEASE OF INFORMATION CONSENT FROM THE INMATE PRIOR TO ME DISCUSSING ANY ISSUES WITH HER. I OBTAINED HER CONTACT INFORMATION AND INFORMED HER THAT I WOULD RETURN HER CALL.

THE INMATE WAS BROUGHT DOWN FROM HIS DORM AND SIGNED SCDC FORM 9-11 INMATE RELEASE OF INFORMATION, AND IT WAS WITNESSED.

T. SMITH, RN

SIGNED OFF ON 01/30/14 @ 16:49 BY TAKISHA A SMITH, NURSE ADMINISTRATOR/MGR II

\*\* ENCOUNTER: 182 NON-FORMULARY RX 01/27/14 12:54 BROAD RIVER COMP  
ELOCON 0.1% CR (15GM)

SIG: APPLY TO EARS, GROIN, FACE BID FOR 3 WKS, THEN BID

SIG: ON WEEKENDS ONLY INDEFINITELY.

START DATE: 01/27/14 TOTAL DAYS: 360

MD: MITCHELL HAMILTON, CAROLYN

CLOBETASOL 0.05% CREAM (45GM) (TEMOVATE)

SIG: APPLY BID TO BODY FOR 4 WEEKS, THEN BID ON WEEKENDS

SIG: ONLY INDEFINITELY.

START DATE: 01/27/14 TOTAL DAYS: 360

MD: MITCHELL HAMILTON, CAROLYN

CLOBETASOL TOPICAL SOLN (TEMOVATE)

SIG: APPLY TO SCALP BID PRN

SIG:

START DATE: 01/27/14 TOTAL DAYS: 360

MD: MITCHELL HAMILTON, CAROLYN

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SEEN ENCOUNTER 181 AND 112.

REQUIRES NON-FORM RX APPROVAL: 01/27/14 @ 13:06 BY CAROL E MITCHELL-HAMILTON, DO NOT REFER TO ENCOUNTERS. SHOULD ONLY BE ONE MED ON A REQUEST.

RX APPROVED 01/28/14 @ 6:20 BY JOHN B MCREE, PHYSICIAN II  
MARS UPDATED.

SIGNED OFF ON 01/28/14 @ 13:40 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 181 DOCTOR'S CLINIC 01/27/14 10:04 BROAD RIVER COMP  
PT PRESENT C/O OF GENERALIZED BODY AND FACIAL RASH. PT BELIEVES IT COULD BE STD. DENIES ANY SEXUAL ENCOUNTERS BUT FEELS BEING IN PRISON HE IS EXPOSED TO CASUAL CONTACT OF STDS. PT MENTIONED GONORRHEA, HPV AND YEAST. PT REFUSED TO TAKE MEDICAL ADVISE AND TX IF TX IS NOT DIRECTED TOWARDS TREATING STDS. PT STATED THAT HE WILL GO GET OTHER PEOPLE INVOLVED INCLUDING THE WARDEN. PT LEFT OFFICE WITHOUT TREATMENT OR COMPLETION OF ENC.  
PT WITH A HX OF PSORIASIS AND WAS TX BY DERMATOLOGY AT MUSC ON 2/23/12 FOR TRUNCAL, EXTREMITIES AND FACIAL LESIONS. TODAY PT PRESENT WITH MULTIPLE PLAQUE ON FACE, CHEST/TRUNCAL AREA, AND ELBOWS. RECORD INDICATED THAT THE PATIENT HAD NOT REFILED HIS RX SINCE 2/2013 & HAS NOT BEEN IN SICK CALL FOR THIS COMPLAINT. RX WAS ORDERED TO BE USED INDEFINITELY. WILL GO AHEAD AND RENEW RX. SEND OTR FOR PT TO COLLECT RX.  
SIGNED OFF ON 01/27/14 @ 12:54 BY CAROL E MITCHELL-HAMILTON, NURSE PRACTITIONER  
SIGNED OFF ON 01/27/14 @ 13:06 BY CAROL E MITCHELL-HAMILTON, NURSE PRACTITIONER  
NOTED.  
SIGNED OFF ON 01/27/14 @ 14:58 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 180 MENTAL HEALTH CLINIC 01/09/14 8:14 BROAD RIVER COMP  
TREATMENT TEAM NOTE. STAFFED I/M CASE WITH SUPERVISOR AND TREATMENT TEAM TO GIVE AN UPDATE ON I/M'S PROGRESS AND TO DISCUSS TREATMENT PLAN GOALS. I/M HAS A DX. OF PERSONALITY D/O NOS, AND PSYCHOSIS NOS. I/M REPORTED IMPROVEMENT WITH PSYCHIATRIC SYMPTOMS, HE IS MEDICATION COMPLIANT. INMATE WILL BE MONITORED BY PRIMARY COUNSELOR AND PSYCHIATRIST AS PER MENTAL HEALTH POLICY. ALL STAFF MEMBERS FROM APPROPRIATE AREAS WERE PRESENT. SUPERVISOR AND TREATMENT TEAM IS IN AGREEMENT WITH TREATMENT GOALS AND SUPERVISOR SIGNED THE TREATMENT PLAN. FOR MORE INFORMATION SEE HARD COPY IN MEDICAL RECORD. NEXT REVIEW DATE IS 07/09/14.

W GODFREY, HSCI

SIGNED OFF ON 01/09/14 @ 15:31 BY WILLIE MAE GODFREY, HUMAN SERVICES COORDINATOR

\*\* ENCOUNTER: 179 SICK CALL 01/08/14 12:00 BROAD RIVER COMP  
S> I/M TO MLT MEDICAL I/M STATES, " I HAVE HAD THIS RASH FOR A YEAR NOW, IT KEEPS SPREADING IT STARTING ON MY ARMS NOW IT'S ALL OVER MY BODY. I HOPE IT'S NOT A HPV RASH, BECAUSE I WAS DIAGNOSED WITH IT A WHILE BACK. I KNOW IT'S NO PSORIASIS I HAVE HAD THEM FOR YEARS.  
O> TEMP=97.0 PULSE= 98 RESP=18 BP=124/ 82 WEIGHT=275 O2 SAT= 0  
ALERT AND ORIENTED X3, RESPIRATION EVEN AND LABORED, LUNG SOUNDS CLEAR, NOTED MULTIPLE DRY, FLAKY, RAISED, RED AREAS TO BILATERAL ARMS, HANDS, KNEE AND ELBOWS, THIGHS, CHIN AND FACE.  
A> SEE ABOVE.  
P> WILL FORWARD TO MD FOR REVIEW.  
SIGNED OFF ON 01/08/14 @ 12:09 BY JANEAN HILL, LICENSED PRACTICAL NURSE

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NP F/U FOR EVAL

SIGNED OFF ON 01/16/14 @ 8:34 BY CAROL E MITCHELL-HAMILTON, NURSE PRACTITION  
WILL MAKE NP CLINIC NURSE AWARE.

SIGNED OFF ON 01/16/14 @ 15:11 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 178 LAB CLINIC 11/27/13 7:08 BROAD RIVER COMP  
FASTING CHEM7, LIPID PANEL. COLLECTED SENT TO LAB PER ENC#176.  
SIGNED OFF ON 11/27/13 @ 7:08 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 177 MENTAL HEALTH CLINIC 11/23/13 10:58 BROAD RIVER COMP  
SEEN IN FOLLOW-UP. HE IS COMPLIANT WITH MEDS. HE IS ON ORAL SOLN  
MEDS POST CONCERNS OF PAST MEDS ON PERSON. EVENTUALLY NEED TO ADDRESS  
STAFF CONCERNS AND SWITCH TO PO TABS.  
AFFECT BRIGHTENS WITH CONVERSATION.  
FAMILY LOCAL AND SUPPORTIVE.  
NO SI/HI.

A:

UNSPECIFIED PERSONALITY DISORDER  
PSYCHOSIS, UNSPECIFIED WITH REMISSION OF SYMPTOMS.

P:

MEDS CONTINUED WITH MODEST TAPER OF RISPERDAL AS NO RECENT PSYCHOTIC  
SYMPTOMS OR FRANK MOOD LABILITY NOTED.

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: 2 MG PO QPM

SIG:

START DATE: 11/23/13 TOTAL DAYS: 180

MD: HEDGEPATH, ANDREW -

SIGNED OFF ON 11/23/13 @ 11:03 BY ANDREW W HEDGEPATH, UNCLASSIFIED  
MARS UPDATED.

SIGNED OFF ON 11/23/13 @ 11:55 BY JANEAN HILL, LICENSED PRACTICAL NURSE

\*\* ENCOUNTER: 176 MENTAL HEALTH CLINIC 11/21/13 8:20 BROAD RIVER COMP  
MED RENEWAL

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: TAKE 3 MG PO QPM

SIG:

START DATE: 11/21/13 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG: TAKE 30 MG PO QPM

SIG:

START DATE: 11/21/13 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG: TAKE 100 MG PO BID AT NOON AND QPM

SIG:

START DATE: 11/21/13 TOTAL DAYS: 180

MD: WOOD, BEVERLY -

LABS: FASTING BMP, LIPID PANEL

SIGNED OFF ON 11/21/13 @ 8:22 BY BEVERLY A WOOD, PSYCHIATRIST

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WILL UPDATE MARS. LAB SLIP DONE, PLACED IN LAB DOOR.

SIGNED OFF ON 11/21/13 @ 8:44 BY MARGARET E JACKSON, REGISTERED NURSE I

\*\* ENCOUNTER: 175 DENTAL CLINIC 11/15/13 11:37 BROAD RIVER COMP  
COMP FIL "O"-29. DONE BY DR. EDWARDS. SEE HARD COPY.  
SIGNED OFF ON 11/15/13 @ 11:39 BY KIM M GREGGS, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 174 MENTAL HEALTH CLINIC 10/08/13 12:13 BROAD RIVER COMP  
OPEN IN ERROR W GODFREY, HSCI  
SIGNED OFF ON 10/08/13 @ 12:13 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 173 MENTAL HEALTH CLINIC 10/08/13 11:19 BROAD RIVER COMP  
D: MET WITH I/M FOR INDIVIDUAL SESSION TO INTRODUCE MYSELF AS HIS NEW CCC A  
ND TO DISCUSS MY ROLES/RESPONSIBILITIES AND HIS ROLES/RESPONSIBILITIES AS A  
MENTAL HEALTH CONSUMER. LISTENED ACTIVELY WHILE HE EXPLAIN CURRENT SITUATIO  
N AND I ASSESS FOR PSYCHIATRIC SYMPTOMS. I/M STATED THAT HE IS DOING WELL W  
ITH NO PROBLEMS OR INCIDENT TO REPORT. HE REPORTED HAVING SOME ANXIETY SYMPT  
OMS AND USING DEEP BREATHING AS A WAY TO REDUCE SYMPTOMS. HE REPORTED MEDIC  
ATION COMPLIANCE WITH BENEFITS FROM THE MEDICATION. I/M WAS ENCOURAGED TO C  
ONTINUE USING DEEP BREATHING TECHNIQUES AND HE WAS TAUGHT THOUGHT-STOPPING  
TECHNIQUES WHICH INVOLVED THINKING OF A STOP SIGN AND REPLACING NEGATIVE TH  
OUGHTS WITH A PLEASANT SCENE.

A: DX. PERSONALITY NOS; PSYCHOSIS NOS (IN REMISSION W/TX.). I/M AFFECT WAS  
BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND  
THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS WELL GROOMED AND HE MAINT  
AINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS P  
RESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBIT  
ING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE AND SLEEP PATTERNS ARE  
WNL. GAF=80

P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PL  
AN GOALS AND WILL FOLLOW UP WITH SERVICES AS NEEDED AND IN ACCORDANCE TO  
POLICY/PROCEDURE.

W GODFREY, HSCI

SIGNED OFF ON 10/08/13 @ 12:29 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 172 FOLLOW-UP DENTAL 08/23/13 11:20 BROAD RIVER COMP  
POE. DONE BY DR. EDWARDS. SEE HARD COPY.  
SIGNED OFF ON 08/23/13 @ 11:20 BY KIM M GREGGS, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 171 MENTAL HEALTH CLINIC 07/11/13 15:16 BROAD RIVER COMP  
TREATMENT TEAM NOTE. STAFFED I/M CASE WITH SUPERVISOR AND TREATMENT TEAM TO  
GIVE AN UPDATE ON I/M'S PROGRESS AND TO DISCUSS TREATMENT PLAN GOALS. I/M H  
AS A DX. OF PERSONALITY D/O NOS, AND PSYCHOSIS NOS. I/M REPORTED IMPROVEME  
NT WITH PSYCHIATRIC SYMPTOMS, HE IS MEDICATION COMPLIANT, HOWEVER, REPORTED  
HAVING SOME DEPRESSION SYMPTOMS PRESENT AND HE IS COPING BY KEEPING BUSY. I  
/M WILL BE MONITORED BY PRIMARY COUNSELOR AND PSYCHIATRIST AS PER MENTAL HE  
ALTH POLICY. THERE IS NO CHANGES TO I/M TREATMENT PLAN AT THIS TIME. CCC WI  
LL CONTINUE WORKING WITH I/M TO MINIMAL SYMPTOMS AND TO INCREASE COPING SKI  
LLS. ALL STAFF MEMBERS FROM APPROPRIATE AREAS WERE PRESENT. SUPERVISOR AND  
TREATMENT TEAM IS IN AGREEMENT WITH TREATMENT GOALS AND SUPERVISOR SIGNED T

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HE TREATMENT PLAN. FOR MORE INFORMATION SS HARD COPY IN MEDICAL RECORDS. NEXT REVIEW DATE IS 1/11/14.

W GODFREY, HSCI

SIGNED OFF ON 07/12/13 @ 9:35 BY WILLIE MAE GODFREY, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 170 MENTAL HEALTH CLINIC 05/29/13 16:19 BROAD RIVER COMP  
D: MET WITH I/M TORRENCE FOR HIS INDIVIDUAL SESSION AND TO ADDRESS HIS PROGRESS TOWARDS HIS TREATMENT PLAN OBJECTIVES. I/M REPORTS HE'S FEELING "GOOD." I/M STATED HE'S TAKING ALL HIS MEDICATIONS AS PRESCRIBED AND IT HAS REALLY HELPED TO CALM HIM DOWN. CCC ASKED I/M WAS HE EXPERIENCING ANY DEPRESSIVE SYMPTOMS AND HE STATED "WELL YES BUT IT'S JUST A LITTLE AND IT'S ONLY BECAUSE OF BEING LOCKED UP IN PRISON AND BEING AWAY FROM MY FAMILY." I/M WENT ON TO STATE THAT HE FINDS WAYS OF STAYING BUSY SUCH AS WORKING. I/M REPORTS THIS HELPS KEEP HIS MIND OFF THINGS. I/M ALSO STATED HE'S GETTING ALONG WITH OTHERS. CCC ENCOURAGED I/M TO CONTINUE WITH HIS TREATMENT PLAN AND IF ANYTHING CHANGES FOR HIM TO CONTACT MENTAL HEALTH. I/M AGREED TO DO SO.

A: DX. PERSONALITY NOS; PSYCHOSIS NOS (IN REMISSION W/TX.). I/M AFFECT WAS BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS WELL GROOMED AND HE MAINTAINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBITING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE AND SLEEP PATTERNS ARE WNL. GAF=80

P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PLAN GOALS AND WILL FOLLOW UP WITH SERVICES AS NEEDED AND IN ACCORDANCE TO THE MENTAL HEALTH POLICY.

K. JONES, HSC II

SIGNED OFF ON 05/30/13 @ 17:28 BY KIM M JONES, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 169 MENTAL HEALTH CLINIC 05/21/13 9:46 BROAD RIVER COMP  
S: INMATE DOES NOT VOICE ANY COMPLAINTS. DENIES SIDE EFFECTS TO MEDS. DENIES SI/HI. DENIES AH/VH. SLEEP AND APPETITE ADEQUATE.

O: INMATE IN NO ACUTE DISTRESS. ALERT AND ORIENTED. MOOD "ALRIGHT." AFFECT EUTHYMIC. THOUGHT PROCESS LINEAR AND GOAL-DIRECTED. THOUGHT CONTENT - DENIES SI/HI. DENIES AH/VH. NO SIGNS OR SX OF MANIA OR PSYCHOSIS. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED.

A: PERSONALITY D/O NOS; PSYCHOSIS NOS (IN REMISSION WITH TX)

P:

1. CONTINUE PROZAC ORAL SOLUTION 30MG PO QPM.
2. CONTINUE RISPERDAL ORAL SOLUTION 3MG PO QPM.
3. CONTINUE VISTARIL LIQUID 100MG PO AT NOON AND 100MG PO QPM.
4. RTC IN 3 MONTHS.

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: TAKE 3MG PO QPM

SIG:

START DATE: 05/21/13 TOTAL DAYS: 180

MD: SRIDARAN, MOHAN -

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG: TAKE 30MG PO QPM

SIG:

MDCI880D  
OMINMDCA

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START DATE: 05/21/13 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG: TAKE 100MG PO AT NOON AND 100MG PO QPM

SIG:

START DATE: 05/21/13 TOTAL DAYS: 180

MD:SRIDARAN, MOHAN -

SIGNED OFF ON 05/21/13 @ 9:53 BY MOHAN SRIDARAN, UNCLASSIFIED  
MAR UPDATED.

ROBERT KINGSBURY, RN.

SIGNED OFF ON 05/21/13 @ 12:45 BY ROBERT N KINGSBURY JR, UNCLASSIFIED

- \*\* ENCOUNTER: 168 DENTAL CLINIC 04/08/13 12:18 BROAD RIVER COMP  
'F' COMPOSITE #27, 'B' COMPOSITE #31 AND REDO 'B' COMPOSITE #5  
SIGNED OFF ON 04/08/13 @ 12:18 BY DWIGHT D MCMILLAN, DENTIST
- \*\* ENCOUNTER: 167 PPD 04/01/13 4:57 BROAD RIVER COMP  
PPD PLACED LFA ON 3/22/13. READ 3/25/13 0 MM  
SIGNED OFF ON 04/01/13 @ 4:57 BY JENNIFER B BALLESL, NURSE ADMINISTRATOR/MG
- \*\* ENCOUNTER: 166 MENTAL HEALTH CLINIC 03/11/13 20:46 BROAD RIVER COMP  
MED RENEWAL  
FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)  
SIG: TAKE 30 MG PO QHS  
SIG:  
START DATE: 03/11/13 TOTAL DAYS: 180  
MD:WOOD, BEVERLY -  
RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)  
SIG: TAKE 3 MG PO QHS  
SIG:  
START DATE: 03/11/13 TOTAL DAYS: 180  
MD:WOOD, BEVERLY -  
HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)  
SIG: TAKE 100 MG PO BID AT NOON AND HS  
SIG:  
START DATE: 03/11/13 TOTAL DAYS: 180  
MD:WOOD, BEVERLY -  
SIGNED OFF ON 03/11/13 @ 20:47 BY BEVERLY A WOOD, PSYCHIATRIST  
WILL UPDATE MARS.  
MJACKSON, RN  
SIGNED OFF ON 03/12/13 @ 14:50 BY MARGARET E JACKSON, REGISTERED NURSE I
- \*\* ENCOUNTER: 165 MENTAL HEALTH CLINIC 02/25/13 12:46 BROAD RIVER COMP  
D: MET WITH I/M TORRENCE FOR HIS INDIVIDUAL SESSION. I/M PRESENTED HIMSELF  
IN A CALM AND CORDIAL MANNER. I/M REPORTS HE'S FEELING "ALRIGHT." I/M DENIE  
S EXPERIENCING ANY DEPRESSIVE SYMPTOMS OR PARANOIA. I/M DOES REPORT HE FEEL  
S A LITTLE DROWSY SOMETIMES FROM THE MEDICATION BUT OTHERWISE EVERYTHING IS  
GOING WELL. I/M REPORTS HE CONTINUES TO WORK ON THE BUILDING AND IS GETTING  
ALONG WELL WITH OTHERS. CCC ENCOURAGED I/M TO CONTINUE TO TAKE ALL MEDICATI  
ONS AS PRESCRIBED AND ADVISED HIM THAT IF HE BEGIN TO EXPERIENCE ANY PROBLE

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MS TO CONSULT WITH A COUNSELOR. I/M AGREED TO DO SO.

A: DX. PERSONALITY D/O NOS; PSYCHOSIS NOS (IN REMISSION WITH TREATMENT). I/M AFFECT WAS BRIGHT. I/M WAS ALERT AND ORIENTED IN ALL SPHERES. I/M SPEECH WAS CLEAR AND THOUGHT PROCESS WAS LOGICAL AND COHERENT. I/M WAS WELL GROOMED AND HE MAINTAINED APPROPRIATE EYE CONTACT. I/M REPORTS HE'S TAKING ALL MEDICATIONS AS PRESCRIBED AND DENIES EXPERIENCING A/V/H AS WELL AS S/H/I. I/M ISN'T EXHIBITING ANY SIGNS OF DEPRESSION AND REPORTS HIS APPETITE AND SLEEP PATTERNS ARE WNL. GAF=80

P: COUNSELOR WILL CONTINUE WITH INDIVIDUAL THERAPY FOCUSING ON TREATMENT PLAN GOALS AND WILL FOLLOW UP WITH SERVICES AS NEEDED AND IN ACCORDANCE TO POLICY.

K.JONE, HSC II

SIGNED OFF ON 02/25/13 @ 12:51 BY KIM M JONES, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 164 MENTAL HEALTH CLINIC 02/21/13 10:36 BROAD RIVER COMP  
S: INMATE SEEN TODAY. STATES THAT MEDS ARE WORKING FOR HIM. DENIES SIDE EFFECTS TO MEDS. SLEEP AND APPETITE ADEQUATE. DENIES SI/HI. DENIES AH/VH.  
O: INMATE IN NO ACUTE DISTRESS. ALERT AND ORIENTED. MOOD "ALRIGHT." AFFECT MOOD CONGRUENT. SPEECH NML RATE, RHYTHM, TONE. NO ABNORMAL MOVEMENTS NOTED. THOUGHT PROCESS LINEAR AND GOAL-DIRECTED. THOUGHT CONTENT - DENIES SI/HI. DENIES AH/VH. NO SIGNS OR SX OF MANIA OR PSYCHOSIS CURRENTLY.  
A: PERSONALITY D/O NOS; PSYCHOSIS NOS (IN REMISSION WITH TX)

P:

1. CONTINUE PROZAC LIQUID 30MG PO HS...WILL RENEW.

2. CONTINUE RISPERDAL LIQUID 3MG PO HS. WILL RENEW.

3. CONTINUE VISTARIL LIQUID 100MG PO AT NOON AND 100MG PO QPM. WILL RENEW.  
FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG:GIVE 30MG PO HS

SIG:

START DATE: 02/21/13 TOTAL DAYS: 180

MD:SRIDARAN,MOHAN -

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG:GIVE 3MG PO HS

SIG:

START DATE: 02/21/13 TOTAL DAYS: 180

MD:SRIDARAN,MOHAN -

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG:GIVE 100MG PO AT NOON AND 100MG PO AT HS

SIG:

START DATE: 02/21/13 TOTAL DAYS: 180

MD:SRIDARAN,MOHAN -

SIGNED OFF ON 02/21/13 @ 10:40 BY MOHAN SRIDARAN, UNCLASSIFIED

MAR UPDATED.

SIGNED OFF ON 02/23/13 @ 12:31 BY CYNTHIA CONNELL, REGISTERED NURSE I

\*\* ENCOUNTER: 163 OUTSIDE APPOINTMENT 10/26/12 11:04 BROAD RIVER COMP  
OUTSIDE/ER MEDICAL SERVICES AT PRMH ON 10/26/12.  
SIGNED OFF ON 01/18/13 @ 11:04 BY DORIS M JACQUES, NURSE ADMINISTRATOR/MGR II

\*\* ENCOUNTER: 162 DENTAL CLINIC 01/18/13 10:27 BROAD RIVER COMP



MDCI880D  
OMINMDCA

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AMALGAM FILLINGS, "O"- 12, 13. DONE BY DR. EDWARDS. SEE HARD COPY.  
SIGNED OFF ON 01/18/13 @ 10:28 BY KIM M GREGGS, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 161 MENTAL HEALTH CLINIC 01/17/13 15:07 BROAD RIVER COMP  
TREATMENT TEAM NOTE:

I/M TORRENCE CASE WAS STAFFED ON 1/17/13 FOR ACCEPTANCE OF 6 MONTHS TREATMENT PLAN UPDATE. I/M HAS A DIAGNOSIS OF PSYCHOSIS NOS AND PERSONALITY D/O NO S. I/M IS CURRENTLY STABLE. FOR MORE INFORMATION SEE MEDICAL RECORDS. STAFF PRESENT WERE P. CARTER, S. ROBERTS, D. CARTER AND C. JACOBS.

K. JONES, HSC II  
SIGNED OFF ON 01/17/13 @ 15:09 BY KIM M JONES, HUMAN SERVICES COORD II

\*\* ENCOUNTER: 160 MENTAL HEALTH CLINIC 11/21/12 13:45 BROAD RIVER COMP  
INCIDENTAL NOTE: CCC WILL NO LONGER BE ASSIGNED TO THIS I/M AS OF TODAY.  
SIGNED OFF ON 11/21/12 @ 13:45 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 159 MENTAL HEALTH CLINIC 11/16/12 10:54 BROAD RIVER COMP  
S: INMATE SEEN FOR F/U OF PERSONALITY DO NOS AND PSYCHOSIS NOS. CURRENT MEDS ARE RISPERDAL LIQUID 3 MG HS, PROZAC LIQUID 30 MG HS AND VISTARIL LIQUID 100 MG NOON AND HS. HE SAID "MY MEDICINE IS FINALLY LEVELING OUT. I FEEL A LOT BETTER." HE REPORTS GOOD SLEEP AND APPETITE. NO DEPRESSION OR PSYCHOSIS.

O: ALERT, ORIENTED, GOAL-DIRECTED, NO SI.

A: AS ABOVE.

P: CONTINUE CURRENT MEDS.

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG: 3 MG P.O. QHS

SIG:

START DATE: 11/16/12 TOTAL DAYS: 180

MD: WADMAN, PEGGY -

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG: 30 MG P.O. QHS

SIG:

START DATE: 11/16/12 TOTAL DAYS: 180

MD: WADMAN, PEGGY -

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG: 100 MG P.O. NOON AND QHS

SIG:

START DATE: 11/16/12 TOTAL DAYS: 180

MD: WADMAN, PEGGY -

SIGNED OFF ON 11/16/12 @ 10:58 BY PEGGY C WADMAN, UNCLASSIFIED

MAR UPDATED

SIGNED OFF ON 11/16/12 @ 12:49 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 158 MENTAL HEALTH CLINIC 11/13/12 14:30 BROAD RIVER COMP  
INDIVIDUAL NOTE:

D--SPOKE WITH I/M TODAY IN THE MOULTRIE DORM. I/M REPORTED THAT HE WAS DOING WELL AND HIS MEDICATIONS ARE WORKING FOR HIM. I/M DENIED ANY PROBLEMS OR CONCERNS AT THIS TIME.

A--APPEARANCE-APPROPRIATE. MOOD-PLEASANT WITH BRIGHT AFFECT. DENIED FEELING

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S OF DEPRESSION. DENIED SI/HI AND A/V HALLUCINATIONS. THOUGHT PROCESS-ORGANIZED, LOGICAL, GOAL DIRECTED. JUDGMENT/INSIGHT-INTACT. DENIED SLEEP/APPETITE ISSUES AT THIS TIME.

P--MENTAL HEALTH WILL CONTINUE TO FOLLOW PER POLICY.

SIGNED OFF ON 11/13/12 @ 14:35 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

- \*\* ENCOUNTER: 157 INSIDE APPOINTMENT 11/09/12 15:39 BROAD RIVER COMP  
I/M WAS CALLED TO MEDICAL TO REMOVE SUTURES TO RIGHT ELBOW, PER I/M, SUTURE  
S WERE REMOVED ON YESTERDAY 11/8/12 IN MAIN MEDICAL. WOUND WAS CHECKED, NO  
STICHES NOTED. WOUND CLOSED, AND PER ENC#156, STITCHES WERE REMOVED ON 11/8  
/12. I/M WAS RELEASED BACK TO THE DORM.  
SIGNED OFF ON 11/09/12 @ 15:43 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 156 INSIDE APPOINTMENT 11/08/12 6:57 BROAD RIVER COMP  
2 SUTURES REMOVED INTACT FROM RIGHT ELBOW. I/M TOLERATED WELL. LACERATION W  
ELL APPROXIMATED. NO S/S INFECTION NOTED. NO DRAINAGE.  
MJACKSON, RN  
SIGNED OFF ON 11/08/12 @ 6:59 BY MARGARET E JACKSON, UNCLASSIFIED
- \*\* ENCOUNTER: 155 INSIDE APPOINTMENT 11/02/12 13:16 BROAD RIVER COMP  
I/M RECEIVED PPD TEST TODAY, IT WAS PLACED IN THE LEFT FOREARM, WITHOUT  
DIFFICULTY, AND IT WAS WELL TOLERATED.  
SIGNED OFF ON 11/02/12 @ 13:20 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 154 INSIDE APPOINTMENT 11/01/12 13:38 BROAD RIVER COMP  
I/M IN MEDICAL FOR DRESSING CHANGE TO RIGHT ELBOW. NOTED 2 STITCHES TO AREA  
INTACT, AND INCISION WELL APPROXIMATED, NO S/SX OF INFECTION. AREA WAS CLEA  
NSED WITH DERMAL WOUND CLEANSER, DRIED WELL AND A CLEAN DRY DRESSING WAS  
APPLIED TO AREA, IT WAS COVERED WITH A FOLDED 2X2, AND IT WAS SECURED WITH  
HYPAFIX. IT WAS WELL TOLERATED.  
SIGNED OFF ON 11/01/12 @ 13:40 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 153 INSIDE APPOINTMENT 11/01/12 13:37 BROAD RIVER COMP  
LATE ENTREE FOR 10/31/12: DRESSING CHANGE TO RIGHT ELBOW. TREATMENT COMPLET  
ED AS ORDERED, AND IT WAS WELL TOLERATED.  
SIGNED OFF ON 11/01/12 @ 13:38 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 152 INSIDE APPOINTMENT 10/30/12 10:40 BROAD RIVER COMP  
INMATE TO MOULTRIE MEDICAL FOR DRESSING CHANGE TO RT ELBOW. NOTED SCANT AMO  
UNT OF SEROSANG. DRAINAGE TO OLD BANDAGE. CLEANSSED SITE WITH NS. APPLIED TA  
O. COVERED WITH LARGE BANDAGE. SECURED WITH HYPAFIX. I/M TOLERATED WELL. LE  
FT MEDICAL IN STABLE CONDITION.  
SIGNED OFF ON 10/30/12 @ 12:12 BY NIKKI GREEN, REGISTERED NURSE I
- \*\* ENCOUNTER: 151 INSIDE APPOINTMENT 10/29/12 10:30 BROAD RIVER COMP  
INMATE TO MEDICAL FOR DRESSING CHANGE. SUTURES REMAIN INTACT TO RIGHT ELBOW  
. NO NOTED DRAINAGE TO OLD DRESSING. CLEANSSED SITE WITH NS. APPLIED TAO. CO  
VERED WITH LARGE BANDAGE. INMATE TOLERATED WELL. I/M LEFT MEDICAL IN STABLE  
CONDITION.  
SIGNED OFF ON 10/29/12 @ 18:32 BY NIKKI GREEN, REGISTERED NURSE I

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\*\* ENCOUNTER: 150 INSIDE APPOINTMENT 10/28/12 9:21 BROAD RIVER COMP  
INMATE TO MOULTRIE MEDICAL FOR DRESSING CHANGE TO RIGHT ELBOW. NOTED SCANT  
AMOUNT OF OLD DRIED BLOOD TO REMOVED BANDAGE. NO FOUL ODOR. NOTED 2 SUTURES  
INTACT. CLEANSED SITE WITH NS. APPLIED TAO TO SITE. COVERED WITH 2X2 GAUZE.  
SECURED WITH LARGE BANDAGE AND HYPAFIX. INMATE TOLERATED WELL. LEFT MEDICAL  
IN STABLE CONDITION.  
SIGNED OFF ON 10/28/12 @ 9:27 BY NIKKI GREEN, REGISTERED NURSE I

\*\* ENCOUNTER: 149 OUTSIDE RECOMMENDATI 10/27/12 3:33 BROAD RIVER COMP  
I/M RETURNED FROM ER WITH DIAGNOSIS OF LACERATION TO EXTREMITY (RIGHT  
ELBOW). I/M IS ALERT AND ORIENTED X3, AND IN NO APPARENT DISTRESS. I/M HAS  
LARGE BANDAID TO RIGHT ELBOW, THAT IS DRY AND INTACT. I/M WAS GIVEN THE  
FOLLOWING INSTRUCTIONS IN DISCHARGE MANUAL: KEEP WOUND CLEAN AND DRY, LEAVE  
BANDAGE IN PLACE IN PLACE FOR 24HOURS, THEN CHANGE IT ONCE A DAY UNLESS IT  
BECOMES WET OR DIRTY. IF STITCHES OR STAPLES ARE USED, CLEAN THE WOUND DAIL  
Y. AFTER REMOVING BANDANGE, WASH AREA WITH SOAP AND WATER. USE WET COTTONG  
SWAB TO LOOSEN AND REMOVE ANY BLOOD OR CRUST THAT FORMS. AFTER CLEANING,  
APPLY POLYSPORIN OR BACITRACIN OINTMENT, REAPPLY THE BANDAGE. BANDAGE MAY  
BE REMOVED TO SHOWER AFTER 24HOURS, BUT DO NOT SOAK AREA IN WATER UNTIL  
STITCHES OR STAPLES ARE REMOVED. IF STERI-STRIPS ARE USED, KEEP THE AREA  
CLEAN AND DRY. IF IT BECOMES WET, BLOT IT DRY WITH A TOWEL. MAY TAKE  
TYLENOL OR IBUPROFEN TO CONTROL PAIN, UNLESS ANOTHER PAIN MEDICATION WAS  
PRESCRIBED. I/M WAS GIVEN INSTRUCTIONS ON HOW TO MONITOR FOR INFECTIONS,  
AND TO SEEK MEDICAL IF PAIN, SWELLING, PUS, FEVER, SUTURE ACCIDENTLY FALL  
OUT OR UNCONTROLLABLE BLEEDING OCCURS. I/M WAS GIVEN OTR TO RETURN TO  
MEDICAL FOR 24HOUR DRESSING CHANGE, AND TO RETURN IN 14DAYS FOR SUTURE  
REMOVAL AND FOLLOW UP WITH PRIMARY CARE PROVIDER. I/M WAS GIVEN 1 TYLENOL  
FOR PAIN, AND A PACK FROM STANDING ORDERS WITH INSTRUCTIONS ON USAGE.  
I/M VEBERLIZED UNDERSTANDING OF TEACHING AND AMBULATED FROM MEDICAL IN NO  
APPARENT DISTRESS.

KR, KRAINEY, RN

SIGNED OFF ON 10/27/12 @ 4:11 BY KENYA N RAINEY, UNCLASSIFIED

SIGNED OFF ON 10/29/12 @ 7:28 BY JOHN B TOMARCHIO, PHYSICIAN II

SCHEDULED FOR F/U WITH DR TOMARCHIO AS ABOVE ON 11/8/12. HE WILL BE EVALUAT  
ED FOR SUTURE REMOVAL THEN.

MJACKSON, RN

SIGNED OFF ON 10/29/12 @ 7:57 BY MARGARET E JACKSON, UNCLASSIFIED

\*\* ENCOUNTER: 148 SECURITY INIT 10/26/12 18:49 BROAD RIVER COMP  
S> I/M TORRENCE ANDREW # 346350.  
I/M WAS BROUGHT TO MEDICAL BY OFFICERS, AFTER A PHYSICAL ALTERCATION IN THE  
DORM WITH HIS ROOM, AND ALSO FOR ASSESSMENT AFTER USE OF FORCE.  
I/M STATED THAT HE WAS IN ARGUMENT WITH HIS ROOMMATE, SIMPLY B/C, HE DID  
NOT LOCK HIS ROOMMATE TV.  
O> TEMP=098.4 PULSE=100 RESP=20 BP=139/100 WEIGHT= 0 O2 SAT= 0  
I/M A&OX3, AMBULATORY WITH STEADY GAIT. NOTED TO BE VERY UPSET.  
NOTED DEEP SKIN LACERATION TO RIGHT ELBOW, AT THE POINTY AREA, WHEN ELBOW  
IN MOTION, NOTED A POPPING SOUND. RADIAL AND BRACHIAL PULSES GOOD AND STRON  
G, SKIN W/D TO TOUCH, WITH NORMAL COLOR, I/M C/O NUMBNESS SENSATION TO FING

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ERS OF RIGHT HAND. CAP. REFILL LESS THAN 3 SEC. SKIN LACERATION APPROX. 2.0 CM  
TETANUS SHOT NOT SURE.

RESP. EVEN AND UNLABORED. CTAB. SATS. 97% ON RA. NO COUGHING, NO RHINORRHEA,  
NO HIVES AND NO SWELLING NOTED TO FACE OR MOUTH. I/M WAS C/O BURNING SENSATION  
TO FACE.

A> ABRASIONS/LACERATION

P> 1. SEE S.O. #24.

2. CLEAN WOUND WITH SOAP AND WATER, MAKING SURE THAT DIRT AND FOREIGN  
BODIES HAVE BEEN REMOVED.

3. FOR ABRASIONS:

APPLY A THIN LAYER OF NEOSPORIN OINTMENT WITH A LOOSE STERILE  
BANDAGE AS NEEDED.

4. FOR LACERATIONS:

(A) IF EDGES ARE EASILY APPROXIMATED,

(B) APPLY BENZOIN ON EITHER SIDE OF WOUND.

(C) APPLY STERI-STRIPS TO COMPLETELY CLOSE THE LACERATION.

(D) APPLY A STERILE DRESSING.

(E) CHANGE THE DRESSING IN 24 HOURS AND PRN

5. CHECK ON TETANUS IMMUNIZATION STATUS. IF WOUND IS DIRTY (FOREIGN  
BODY, RUST, GRAVEL, ETC.) AND NO TETANUS IMMUNIZATION HAS BEEN GIVEN  
IN THE LAST FIVE (5) YEARS, ADMINISTER TETANUS AND DIPHTHERIA TOXIODS  
0.5 CC IM AND DOCUMENT IN AMR.

I/M FACE RINSED W/ WATER, AND I/M WAS TOLD THAT PAIN AND HURT TO HIS FACE  
WILL END SOON, HE WAS ALSO TOLD TO WASH HIS HANDS, AND THAT HE SHOULD  
AVOID TOUCHING HIS EYES, NOSE, MOUTH AND OTHER SENSITIVE AREAS. V/U.  
LACERATION CLEANSED WITH SOAP AND WATER, AND PRESSURE DRESSING WAS APPLIED  
DR BEARDEN ( ON CALL DR ) WAS NOTIFIED, AND RECEIVED A VERBAL ORDER TO SEND  
I/M TO PRMH ED FOR EVALUATION VIA VAN. SECURITY WAS NOTIFIED, COPIES MADE,  
AND I/M WAS TRANSPORTED TO PRMH ED. REPORT WAS GIVEN TO ED CHARGE NURSE.  
NOTIFIED ED CHARGE NURSE THAT I/M NOT SURE ABOUT TETANUS SHOT.  
WILL FORWARD ENC. TO MD FOR REVIEW AND APPROVAL.

SIGNED OFF ON 10/26/12 @ 20:37 BY SERAPHINE U NIATI, REGISTERED NURSE I  
NURSE NIATI TO SEE DR TOMARCHIO REGARDING INCIDENT AND SUBSEQUENT TRANSPORT  
SIGNED OFF ON 10/29/12 @ 7:29 BY JOHN B TOMARCHIO, PHYSICIAN II  
NOTED. INFORMED NURSE OF THE ABOVE.

MJACKSON, RN

SIGNED OFF ON 10/29/12 @ 15:33 BY MARGARET E JACKSON, UNCLASSIFIED

\*\* ENCOUNTER: 147 DENTAL CLINIC 10/04/12 13:55 BROAD RIVER COMP  
'L' COMPOSITE COMPLETED ON #14 AND #15  
SIGNED OFF ON 10/04/12 @ 13:56 BY DWIGHT D MCMILLAN, DENTIST

\*\* ENCOUNTER: 146 INSIDE APPOINTMENT 10/03/12 11:45 BROAD RIVER COMP  
I/M CAME TO MEDICAL AND RECEIVED LOTROMIN CREAM.  
SIGNED OFF ON 10/03/12 @ 11:46 BY TIANNA R RANDOLPH, REGISTERED NURSE I

\*\* ENCOUNTER: 145 SICK CALL 10/02/12 7:26 BROAD RIVER COMP  
S> I/M CAME TO MEDICAL COMPLAINING OF RIGHT SWOLLEN FOOT. I/M STATES HIS SECOND  
TOE IS SWOLLEN AND NOTICED IT TWO DAYS AGO. I/M STATES IT HAD FEVER IN IT  
STATING IT WAS HOT. I/M DENIES INJURY TO FOOT. STATES IT HURTS TO WALK ON.

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STATES IT ITCHES AND BURNS LIKE ATHELETES FOOT BUT WORSE.  
O> TEMP=097.7 PULSE= 93 RESP=16 BP=110/ 70 WEIGHT=260 O2 SAT= 0  
ALERT AND ORIENTED TIMES THREE, AMBULATORY WITH STEADY GAIT, RESPIRATIONS E  
VEN AND UNLABORED, BILATERAL LUNG SOUNDS CLEAR, + PULSES, FULL RANGE OF MOT  
ION IN ALL EXTREMITIES, RIGHT FOOT SWELLING NOTED, DEPENDENT, SECOND TOE SW  
OLLEN, SKIN INTACT, NO INJURY NOTED AT THIS TIME, NO BRUISING, ACTIVE BLEED  
ING OR DRAINAGE, NO PROTRUDING OF SKIN/OBJECTS SEEN.  
BETWEEN TOES NOTICED VERY DRY SKIN, WHITE IN COLOR, REDNESS ON BALL OF FOOT  
A> MUSCULOSKELETAL DISCOMFORT  
P> 1. SEE S.O. #27.  
2. ACETAMINOPHEN 325MG 1 TABLET PO Q8H X 3 DAYS AND IBUPROFEN 400 MG 1 TABL  
ET P.O. Q6H X 3 DAYS. GIVE FROM STANDING ORDER PACKS. DO NOT GIVE TYLEN  
OL TO INMATES WITH HISTORY OF HEPATITIS C. DO NOT GIVE IBUPROFEN TO INMA  
TES WITH HISTORY OF RENAL DISEASE. DOCUMENT MEDICATIONS GIVEN IN AMR.  
3. FOR LOWER BACK DISCOMFORT, USE A ROLLED TOWEL UNDER LOW BACK X 5 DAYS.  
4. WILLIAM FLEXION EXERCISE (SCDC FORM 24-146) FOR CHRONIC LOW BACK PAIN.  
5. RESTRICT STRENUOUS ACTIVITIES OR REST THE INVOLVED AREA.  
6. INSTRUCT INMATE TO APPLY HEAT (BY SHOWER, MOIST COMPRESSES OR HOT WATER  
SOAKS) TO THE INVOLVED AREA QID X 3 DAYS  
7. MAY ISSUE 48-72 HOUR NO WORK PASS AS NEEDED. IF AFTER 72 HOURS AND FURTH  
ER EXCUSE IS REQUIRED, NOTIFY MD FOR ORDERS.  
NO TYLENOL/LOTROMIN CREAM AVAILABLE AT THIS TIME. I/M WAS INFORMED TO TAKE  
TYLENOL FROM DORM, I/M WAS GIVEN OTR FOR PICK UP OF LOTROMIN CREAM ON 10/3..  
I/M TO ELEVATE RIGHT FOOT, APPLY ICE/WARM COMPRESSES. I/M VOICED UNDERSTAND  
ING. I/M TO FOLLOW UP IF SYMPTOMS PERSIST OR WORSEN.  
SIGNED OFF ON 10/02/12 @ 7:39 BY TIANNA R RANDOLPH, REGISTERED NURSE I

\*\* ENCOUNTER: 144 MENTAL HEALTH CLINIC 08/30/12 11:34 BROAD RIVER COMP  
S: SAYS HE IS BETTER THAN WHEN I SAW HIM IN THE INFIRMARY.  
O: SLEEP IS ABOUT 6 HOURS. HAS SOME TROUBLE DUE TO THIN MATTRESS, ETC. C  
OUNT INTERFERES ALSO. APPETITE IS OK. DENIES HALLUCINATIONS. DENIES PARAN  
OIA. FEELS TIRED, STRESSED OUT. SAYS HE PASSED OUT IN SHOWER IN L/U FEW M  
ONTHS AGO. DENIES SI/HI. FEELS TIRED. HAS NOT BEEN TAKING AM MEDS BUT IS  
DOING OK. DOESN'T WANT TO CONSIDER DECREASE IN VISTARIL.  
A:; PERSONALITY D/O NOS, PSYCHOSIS NOS IN REMISSION WITH TX  
P: STOP AM DOSES OF MEDS. INCREASE PM PROZAC  
RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)  
SIG: DECREASE TO 3 MG PO QPM  
SIG:  
START DATE: 08/30/12 TOTAL DAYS: 180  
MD: WOOD, BEVERLY -  
HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)  
SIG: DECREASE TO 100 MG PO BID (NOON AND PM)  
SIG:  
START DATE: 08/30/12 TOTAL DAYS: 180  
MD: WOOD, BEVERLY -  
FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)  
SIG: CHANGE TO 30 MG PO QPM  
SIG:  
START DATE: 08/30/12 TOTAL DAYS: 180

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MD:WOOD, BEVERLY -

SIGNED OFF ON 08/30/12 @ 11:45 BY BEVERLY A WOOD, PSYCHIATRIST  
MAR UPDATED

SIGNED OFF ON 09/04/12 @ 16:50 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 143 LAB CLINIC 08/28/12 6:31 BROAD RIVER COMP  
HGBA1C. COLLECTED SENT TO LAB PER ENC#142.  
SIGNED OFF ON 08/28/12 @ 6:32 BY ZOILA THORNTON, MEDICAL ASSISTANT TECH I

\*\* ENCOUNTER: 142 SICK CALL 08/21/12 8:29 BROAD RIVER COMP  
S> I/M TO MEDICAL STATING THAT HE FAINTED IN THE SHOWER ABOUT A MONTH AGO. STATES HE OFTEN FEELS LIKE HIS SUGAR IS DROPPING. STATES HE FEELS FUNNY AND WHEN HE EATS SUGAR OR CARBS HE FEELS BETTER. STATES HIS SYMPTOMS ARE IRRITABILITY, NAUSEA. HE IS REQUESTING TO HAVE LABS DONE FOR DIABETES, CHOLESTEROL AND TRIGLYCERIDES. HE IS ALSO REQUESTING A REFILL ON HIS TRIAMCINOLONE CREAM THAT HE USES FOR THE PSORIASIS.

O> TEMP=098.5 PULSE= 79 RESP=16 BP=120/ 84 WEIGHT=264 PPD= 0  
NOTED MULTIPLE DRY, FLAKY, RAISED, RED AREAS TO BILATERAL ARMS, HANDS, KNEE AND ELBOWS. ALSO NOTED RED, DRY AREAS TO FACE.  
I/M STATES HE IS NOT SURE IF DM IS HEREDITARY. I/M ATE BREAKFAST AT 630 THIS AM. FSBS=94. STATES HE ATE 2 BOILED EGGS AND AN ENGLISH MUFFIN.

A> AS ABOVE

P> TO MD FOR REVIEW OF ABOVE AND MED RENEWAL (SEE PF 5).

MJACKSON, RN

SIGNED OFF ON 08/21/12 @ 8:38 BY MARGARET E JACKSON, UNCLASSIFIED  
MAY ORDER HBA1C IF NOT PREV DONE. FU SICK CALL SX PERSIST OR WORSEN.

SIGNED OFF ON 08/21/12 @ 9:44 BY JOHN B TOMARCHIO, PHYSICIAN II  
LAB SLIP COMPLETED AND PLACED IN LAB DOOR.

MJACKSON, RN

SIGNED OFF ON 08/21/12 @ 14:08 BY MARGARET E JACKSON, UNCLASSIFIED

\*\* ENCOUNTER: 141 MENTAL HEALTH CLINIC 08/14/12 15:08 BROAD RIVER COMP  
INDIVIDUAL NOTE:

D--SPOKE WITH I/M AFTER GROUP TODAY. I/M REPORTED THAT HIS GRANDMOTHER WAS ILL AND HIS MOTHER HAD INFORMED HIM THAT SHE WAS NOT DOING WELL. I/M REPORTED THAT HIS VISITATION AND PHONE PRIVILEGES HAS BEEN REVOKED AT THIS TIME, BUT HE WOULD LIKE TO BE ABLE TO HAVE A VISIT WITH HIS GRANDMOTHER. I/M WANTED TO KNOW HOW HE SHOULD GO ABOUT HANDLING THE SITUATION. WRITER ADVISED I/M TO SPEAK WITH HIS MOTHER AND SEE IF THE DOCTOR COULD GIVE SOMETHING IN WRITING STATING HER CONDITION AND TIME FRAME (IF THE MEDICAL ISSUE IS THAT SERIOUS TO THE POINT OF DEATH) AND SUBMIT IT TO THE WARDEN FOR APPROVAL OF A SPECIAL VISIT DEPENDING ON THE THE DOCTOR'S REPORT. I/M REPORTED THAT HE WILL DO IT THAT WAY. I/M HAS COMPLETED ANGER MANAGEMENT WITH GREAT PARTICIPATION. I/M HAS BEEN UPBEAT WITH BRIGHT AFFECT. I/M ATTENDED ALL SESSIONS. I/M DID NOT REPORT ANY FURTHER ISSUES. I/M'S MED COMPLIANCE HAS IMPROVED GREATLY. I/M IS COMPLIANT WITH NOON AND EVENING PILL LINE. I/M DOES NOT COMPLY WITH THE 5 AM MEDS, BUT APPEARS TO BE DOING WELL DESPITE THE FACT. MESSAGES HAVE BEEN SENT TO PSYCHIATRIST REGARDING I/M NOT TAKING THE MORNING MEDS AND HE HAS ALSO DISCUSSED IT WITH THE PSYCHIATRIST. I/M REPORTED THAT HE SPENDS MOST OF HIS TIME IN THE DORM BECAUSE HE DOES NOT WANT TO GO THROUGH THE PRO

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BLEMS ON THE YARD THAT WILL "TRIGGER" HIM.

A--ALERT AND ORIENTED IN ALL SPHERES. MOOD-PLEASANT AND COOPERATIVE WITH BRIGHT AFFECT. THOUGHT PROCESS-LOGICAL/GOAL DIRECTED. THOUGHT CONTENT-APPROPRIATE. DENIED SI/HI. NO REPORTED ISSUES WITH A/V HALLUCINATIONS AS IN THE PAST. NO REPORTED ISSUES WITH SLEEP/APPETITE AT THIS TIME. JUDGMENT/INSIGHT-INTACT. I/M APPEARS TO BE DOING WELL AT THIS TIME.

DX: PSYCHOSIS NOS; PERSONALITY NOS. GAF:80.

P--WRITER WILL CONTINUE TO FOLLOW PER POLICY AND MAINTAIN OPEN COMMUNICATION WITH I/M, MEDICAL, AND SECURITY.

SIGNED OFF ON 08/14/12 @ 15:19 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 140 MENTAL HEALTH CLINIC 08/14/12 13:42 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION VIII-WRAP UP. I/M RECEIVED HIS CERTIFICATE.

SIGNED OFF ON 08/14/12 @ 13:42 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 139 MENTAL HEALTH CLINIC 08/07/12 14:06 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION VII-SKILLS TO COPE.

SIGNED OFF ON 08/07/12 @ 14:06 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 138 MENTAL HEALTH CLINIC 07/31/12 12:17 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION VI-NEGATIVE/POSITIVE CONSEQUENCES OF ANGER.

SIGNED OFF ON 07/31/12 @ 12:18 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 137 MENTAL HEALTH CLINIC 07/26/12 15:32 BROAD RIVER COMP  
TX TEAM NOTE: STAFF PRESENT: CCC TRIPLIN, CARTER, BROWN, ROBERTS. GRIEVANCE: MONTGOMERY, SMITH. MH SUPERVISOR: KING. SIX MONTH REVIEW. RECOMMEND CONTINUATION OF MENTAL HEALTH SERVICES-TX AGREED. DX:PSYCHOSIS NOS; PERSONALITY D/O. MEDS:VISTARIL, RISPERDAL, PROZAC. MED COMPLIANT WITH NOON AND EVENING MEDS. PSYCHIATRIST AWARE OF NONCOMPLIANCE WITH AM MEDS.

SIGNED OFF ON 07/26/12 @ 15:34 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 136 MENTAL HEALTH CLINIC 07/26/12 15:21 BROAD RIVER COMP  
TX TEAM NOTE: STAFF PRESENT: CCC TRIPLIN, CARTER, ROBERTS. GRIEVANCE: MONTGOMERY, SMITH. MH SUPERVISOR: KING. CCC BROWN PRESENT ALSO. SIX MONTH REVIEW . RECOMMENDED CONTINUATION OF MH-TX AGREED.

SIGNED OFF ON 07/26/12 @ 15:25 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 135 MENTAL HEALTH CLINIC 07/24/12 13:48 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION V-OUTSIDE/INSIDE INFLUENCES OF ANGER.

SIGNED OFF ON 07/24/12 @ 13:50 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 134 MENTAL HEALTH CLINIC 07/24/12 13:47 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION V-OUTSIDE/INSIDE INFLUENCES OF ANGER.

SIGNED OFF ON 07/24/12 @ 13:47 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

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- \*\* ENCOUNTER: 133 DENTAL CLINIC 07/17/12 14:11 BROAD RIVER COMP  
'DO' AMALGAM #5, 'O' COMPOSITE #4 AND 'B' COMP. #4, #6 COMPLETED  
SIGNED OFF ON 07/17/12 @ 14:13 BY DWIGHT D MCMILLAN, DENTIST
- \*\* ENCOUNTER: 132 MENTAL HEALTH CLINIC 07/17/12 14:05 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED SESSION IV-POSITIVE/NEGATIVE AFFECTS OF ANGE  
R. I/M ACTIVELY PARTICIPATED IN SESSION.  
SIGNED OFF ON 07/17/12 @ 14:06 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 131 MENTAL HEALTH CLINIC 07/10/12 14:40 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED SESSION III-ANGER STYLES. I/M ACTIVELY PARTI  
CIPATED.  
SIGNED OFF ON 07/10/12 @ 14:40 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 130 INSIDE APPOINTMENT 07/06/12 11:13 BROAD RIVER COMP  
INMATE REPORTS TO MEDICAL FOR MEDICATION COUNSELING. I/M HAS MISSED 3 OR MO  
RE DOSES OF MEDICATION. I/M STATES HE IS UNABLE TO WAKE UP TO MAKE IT TO AM  
PILL LINE. STATES HE EXPLAINED THIS TO PSYCHIATRIST ON HIS LAST MD VISIT ON  
6/26/12. I/M HAS ASSUMPTION THAT MEDS WERE IN THE PROCESS OF TIMES BEING CH  
ANGED TO NOON AND PM. ENCOURAGED I/M TO MAKE IT TO AM PILL LINE UNTIL FURTH  
ER NOTICE OF ANY CHANGES ARE MADE TO MEDICATIONS. I/M VOICED UNDERSTANDING  
. LEFT MEDICAL IN STABLE CONDITION.  
SIGNED OFF ON 07/06/12 @ 11:25 BY NIKKI GREEN, REGISTERED NURSE I  
NOTED. I/M HAS BEEN COUNSELLED BY CCC AND NOTE HAS BEEN SENT TO PSYCHIATRIS  
T REGARDING I/M MISSING MORNING DOSAGES.  
SIGNED OFF ON 07/09/12 @ 8:20 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I  
NO FURTHER NURSING INTERVENTIONS REQUIRED.  
MJACKSON, RN  
SIGNED OFF ON 07/10/12 @ 7:39 BY MARGARET E JACKSON, UNCLASSIFIED
- \*\* ENCOUNTER: 129 NARRATIVE 07/04/12 21:48 BROAD RIVER COMP  
I/M HAS MISSED 3 DAYS OR MORE OF HIS MORNING MEDS, OTR SENT TO DORM FOR I/M  
MEDS COMPLIANCE COUNSELING ON 7/6/12 AT 1000.  
SIGNED OFF ON 07/04/12 @ 21:49 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 128 MENTAL HEALTH CLINIC 07/03/12 14:41 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION II-WHAT  
IS ANGER AND WAYS OF COPING.  
SIGNED OFF ON 07/03/12 @ 14:42 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 127 INSIDE APPOINTMENT 06/26/12 14:14 BROAD RIVER COMP  
I/M CAME TO MEDICAL AS PER ENC#123, I/M HAD MISSED 3 OR MORE DAYS OF HIS ME  
DS, I/M STATED THAT IT IS VERY HARD FOR HIM, TO GET UP IN EARLY AM, TO COME  
TO PILL LINES FOR HIS AM MEDS.  
I/M HAD A PSYCH. APPT BEFORE HE WAS CALLED, AND STATED THAT PSYCH DR WAS GO  
ING TO SWITCH HIS AM MEDS TO NOON AND PM. I/M STATED THAT HE IS ALWAYS COMP  
LIANT WITH HIS MEDS, EXCEPT FOR AM MEDS, AND STATED THAT HE WILL REMAIN  
COMPLIANT. V/U.  
SIGNED OFF ON 06/26/12 @ 14:18 BY SERAPHINE U NIATI, REGISTERED NURSE I



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- \*\* ENCOUNTER: 126 MENTAL HEALTH CLINIC 06/26/12 14:08 BROAD RIVER COMP  
S: INMATE SEEN FOR F/U OF PSYCHOSIS NOS AND PERSONALITY DISORDER NOS. HE  
HAS BEEN IN LOCK UP FOR THE PAST SIX MONTHS AND WAS BEING FOLLOWED BY DR.  
POILETMAN WHO CHANGED HIS MEDS TO ALL LIQUID -- VISTARIL 100 MG TID, PROZAC  
20 MG BID AND RISPERDAL 3 MG BID. HE DENIES VOICES OR OTHER PSYCHOTIC  
SYMPTOMS. HE SAID HE MISSES MANY A.M. DOSES BECAUSE HE DOESN'T WANT TO  
GET UP. HE SEEMS TO BE DOING WELL NEVERTHELESS. HE HAS A HISTORY OF HOARD  
ING MEDS WHICH IS THE REASON FOR THE LIQUID MEDS. HE REPORTS ADEQUATE SLEE  
P AND APPETITE. HE SAID HIS MOOD IS "GOOD, BETTER."  
O: ALERT, ORIENTED, GOAL-DIRECTED, DENIES SI/HI. NOT PSYCHOTIC.  
A AS ABOVE.  
P: CONTINUE CURRENT MEDS.  
SIGNED OFF ON 06/26/12 @ 14:12 BY PEGGY C WADMAN, UNCLASSIFIED
- \*\* ENCOUNTER: 125 MENTAL HEALTH CLINIC 06/26/12 12:43 BROAD RIVER COMP  
ANGER MGMT GROUP: I/M ATTENDED AND ACTIVELY PARTICIPATED IN SESSION I-OVERV  
IEW/EXPECTATIONS.  
SIGNED OFF ON 06/26/12 @ 12:43 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 124 MENTAL HEALTH CLINIC 06/26/12 12:37 BROAD RIVER COMP  
MED COUNSEL NOTE:  
SPOKE WITH I/M TODAY IN EDUCATION REGARDING HIS NON COMPLIANCE WITH THE MOR  
NING DOSAGE OF HIS MEDICATION. I/M REPORTED THAT HE CAN NOT GET UP IN TIME  
TO GET HIS MORNING MEDS. I/M IS COMPLIANT WITH THE OTHER TIMES CONSISTENTLY  
. WRITER WILL SEND MESSAGE TO PSYCHIATRIST REGARDING HIS MORNING MEDS TO S  
EE WHAT IS DECIDED.  
SIGNED OFF ON 06/26/12 @ 12:39 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 123 INSIDE APPOINTMENT 06/21/12 8:39 BROAD RIVER COMP  
INMATE NOTED TO HAVE MISSED 3 OR MORE DOSES OF AM MEDS; PLEASE COUNSEL ON  
MEDICATION COMPLIANCE.  
SIGNED OFF ON 06/21/12 @ 8:39 BY GENEVA E WALTERS, LICENSED PRACTICAL NURSE  
OTR SENT TO I/M TO COME TO MEDICAL TO BE COUNSELED ON 6/26/12 AT 2PM.  
SIGNED OFF ON 06/24/12 @ 4:43 BY KENYA N RAINEY, UNCLASSIFIED
- \*\* ENCOUNTER: 122 MENTAL HEALTH CLINIC 05/31/12 11:24 BROAD RIVER COMP  
INDIVIDUAL SESSION:  
D--SPOKE WITH I/M SMU CELL 116. I/M REPORTED THAT HE WAS DOING "ALRIGHT". I  
/M AGREED THAT HE WAS TAKING IT "ONE DAY AT A TIME". I/M DENIED ANY PROBLEM  
S/CONCERNS AT THIS TIME. I/M IS ALWAYS IN THE BED WHEN WRITER GOES TO DOOR.  
I/M HAS ACCEPTED THAT HE WILL HAVE TO DO HIS LOCK UP TIME. IT IS EVIDENT DU  
E TO HE DOES NOT INQUIRE ABOUT IT ANYMORE. I/M DID GET UP AND COME TO THE D  
OOR TO SPEAK TO WRITER. I/M DENIED ANY WORST FEELING SINCE LAST SESSION. HE  
CONTINUES TO BE READY TO GET OUT OF LOCK UP.  
A--ALERT AND ORIENTED. MED COMPLIANT. APPEARANCE-APPROPRIATE FOR SITUATION.  
DENIED SI/HI AND A/V HALLUCINATIONS. JUDGMENT/INSIGHT-INTACT. SEEMS TO SLEE  
P A LOT OF THE TIME. THOUGHT PROCESS-LOGICAL/GOAL ORIENTED. THOUGHT CONTENT  
-APPROPRIATE. NO DELUSIONS, BIZARRE BEHAVIORS, OR PSYCHOSIS NOTED. NO REPOR  
TED ISSUES WITH APPETITE. SLEEP-GOOD.  
P--WRITER WILL CONTINUE TO FOLLOW PER POLICY.

MDCI880D  
OMINMDCA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
SCDC HEALTH SERVICES: MEDICAL SUMMARY

09/13/17  
C057031

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SIGNED OFF ON 05/31/12 @ 11:35 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 121 OUTSIDE RECOMMENDATI 05/22/12 9:53 BROAD RIVER COMP  
INMATE RETURNED FROM ORTHO CLINIC WITH THE FOLLOWING RECOMMENDATION:  
CONT STRENGTHING AND ROM PER SELF (EXERCISES DEMONSTRATED TO PT)  
FOLLOW UP PRN

WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION Y.MUNRO LPN

SIGNED OFF ON 05/22/12 @ 9:58 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

SIGNED OFF ON 05/23/12 @ 7:53 BY JOHN B TOMARCHIO, PHYSICIAN II  
NOTED.

MJACKSON, RN

SIGNED OFF ON 05/23/12 @ 10:06 BY MARGARET E JACKSON, UNCLASSIFIED

\*\* ENCOUNTER: 120 MENTAL HEALTH CLINIC 05/02/12 15:25 BROAD RIVER COMP  
INDIVIDUAL NOTE:

D--SPOKE WITH I/M AT SMU CELL. I/M REPORTED THAT HE WAS DOING THE SAME-READ  
Y TO GET OFF LOCK UP STATUS. I/M WAS IN THE BED, BUT DID GET UP AND COME TO  
CELL DOOR TO SPEAK WITH WRITER. I/M DENIED FEELINGS OF DEPRESSION GETTING W  
ORST. I/M DENIED ANY PROBLEMS/CONCERNS. I/M IS MED COMPLIANT PER MARS.

A--ALERT AND ORIENTED IN ALL SPHERES. MOOD-PLEASANT WITH BRIGHT AFFECT. THO  
UGHT PROCESS-LOGICAL/GOAL ORIENTED. THOUGHT CONTENT-APPROPRIATE. NO DELUSIO  
NS, BIZARRE BEHAVIORS OR PSYCHOSIS PRESENT. I/M WAS SEEN IN PSYCH CLINIC RE  
CENTLY. SEEMS TO BE COPING FOR THE MOST PART. JUDGMENT/INSIGHT-INTACT. NO  
REPORTED ISSUES WITH SLEEP OR APPETITE. NO REPORTED PROBLEMS WITH MEDICATIO  
N.

DX:PSYCHOSIS NOS, PERSONALITY NOS, H/O PANIC ATTACKS. GAF:70.

P--WRITER WILL CONTINUE TO FOLLOW PER POLICY.

SIGNED OFF ON 05/02/12 @ 15:32 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 119 MENTAL HEALTH CLINIC 04/23/12 13:07 BROAD RIVER COMP  
S: REPORTED THAT HE WAS DOING OK, PSYCHIATRICALY, AT THIS TIME. DENIED ACT  
IVE PSYCH SX OR MED SIDE EFFECTS.

O: GOOD SPEECH, AFFECT AND ACTIVITY LEVEL.

A: PSYCHOSIS NOS, PERSONALITY DO NOS, H/O PANIC ATTACKS, H/O NONCOMPLIANCE,  
H/O HOARDING MEDS.

P: SAME RXS.

LABS: FBS AND LIPID PROFILE.

HYDROXYZINE HCL LIQ 10MG/5ML (USE FOR VISTARIL/ATARAX)

SIG:100 MG PO TID

SIG:

START DATE: 04/23/12 TOTAL DAYS: 180

MD:POILETMAN,ROBERT M

RISPERDAL ORAL SOLN. 1MG/ML (RISPERIDONE)

SIG:3 MG PO BID

SIG:

START DATE: 04/23/12 TOTAL DAYS: 180

MD:POILETMAN,ROBERT M

FLUOXETINE ORAL SOLUTION 20MG/5ML (PROZAC)

SIG:20 MG PO BID

SIG:

MDCI880D  
OMINMDCA

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
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START DATE: 04/23/12 TOTAL DAYS: 180

MD: POILETMAN, ROBERT M

SIGNED OFF ON 04/23/12 @ 13:12 BY ROBERT M POILETMAN, PSYCHIATRIST  
MAR UPDATED

SIGNED OFF ON 04/23/12 @ 15:09 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 118 NARRATIVE 04/12/12 10:06 BROAD RIVER COMP  
I/M HAS AN APPT WITH THE ORTHO CLINIC ON 05/16/12 FOR A F/U- 6 MONTH RECHEC  
K

SIGNED OFF ON 04/12/12 @ 10:06 BY GINA M CRAIG, ADMINISTRATIVE ASSISTANT  
NOTED.

MJACKSON, RN

SIGNED OFF ON 04/12/12 @ 14:04 BY MARGARET E JACKSON, UNCLASSIFIED

\*\* ENCOUNTER: 117 PPD 04/11/12 23:39 BROAD RIVER COMP  
PPD GIVEN LT ANT F/A ON 3/23/12.

READ ON 3/26/12. NEG. OMM

SIGNED OFF ON 04/11/12 @ 23:40 BY AMY M OWENS, REGISTERED NURSE I

\*\* ENCOUNTER: 116 MENTAL HEALTH CLINIC 04/05/12 10:15 BROAD RIVER COMP  
INDIVIDUAL NOTE:

D--SPOKE WITH I/M AT SMU CELL 116. I/M REPORTED THAT HE WAS MAINTAINING DAILY. I/M REPORTED THAT HE SPENDS MUCH OF HIS TIME "SLEEPING". I/M REPORTED THAT HE DOES NOT GO OUT FOR REC BECAUSE HE HAS TO COME BACK TO THAT CELL WHEN HE STATED, "FREAKS ME OUT". I/M STATED THAT HE DOES GET UP AND WALK AROUND THE ROOM AT TIMES. I/M WAS LYING DOWN WHEN WRITER CAME TO CELL, BUT DID GET UP TO COME TO THE DOOR. I/M REPORTED THAT BEING IN THE CELL DOES DEPRESS HIM.

A--ALERT AND ORIENTED. THOUGHT PROCESS-LOGICAL/GOAL ORIENTED. THOUGHT CONTENT-APPROPRIATE. NO DELUSIONS, BIZARRE BEHAVIORS, OR PSYCHOSIS NOTED. JUDGMENT/INSIGHT-INTACT. DENIED SI/HI AND A/V HALLUCINATIONS. MED COMPLIANT PER MARS. MOOD-DEPRESSED DUE TO BEING IN LOCK UP. AFFECT-CONGRUENT. SLEEP-GOOD. NO REPORTED ISSUES WITH APPETITE. NO REPORTED CONCERNS FROM UNIT SECURITY OR MEDICAL AT THIS TIME.

P--WRITER WILL CONTINUE TO FOLLOW PER POLICY.

SIGNED OFF ON 04/05/12 @ 10:23 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 115 EMERGENCY INHOUSE 03/09/12 9:06 BROAD RIVER COMP  
S> SAYS WHILE HE WAS IN SHOWER HE FELT LIGHT HEADED AND FELT LIKE HE WAS GOING TO PASS OUT. SAYS HE BEGAN TO FEEL BETTER WHEN HE CAME OUT OF SHOWER AND COOLED OFF

O> TEMP=99.5 PULSE= 99 RESP=18 BP=112/ 80 WEIGHT=265 PPD= 0  
TO CLINIC AMBULATORY; A&O X3, RESP EVEN & UNLABORED, LUNG SOUNDS CLEAR BI-LAT PEARL, S1S2 ASCULATED, PULSES EQUAL BILAT, SKIN WARM, DRY, MUCOS MEMBRANES MOIST & PINK. FULL ROM ALL EXTREMITIES. NO EDEMA TO LOWER EXTREMITIES. NAD. NO NURSING INTERVENTIONS NEEDED. INSTRUCTED TO INCREASE FLUID INTAKE AND REST IN BED. INFORMED TO RTC PRN.

SIGNED OFF ON 03/09/12 @ 9:18 BY FREDDIE L BROOKS, REGISTERED NURSE I

\*\* ENCOUNTER: 114 MENTAL HEALTH CLINIC 03/08/12 11:08 BROAD RIVER COMP

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INDIVIDUAL SESSION:

D--SPOKE WITH I/M AT SMU CELL 116. I/M STATED, "I FEEL LIKE CRAP". I/M STATED THAT HE WOULD LIKE TO GET OFF LOCK UP EARLY. I/M STATED THAT HE HAS UNTIL "DECEMBER OF THIS YEAR-2012" BEFORE HE GET OFF LOCK UP UNLESS THE WARDEN LET HIM DOWN. I/M STATED THAT THE MAJOR INFORMED HIM THAT THE WARDEN IS THE ONE THAT CAN MAKE THE DECISION TO LET HIM DOWN. I/M INQUIRED ABOUT HIS VISITATION AND WRITER INFORMED HIM THAT THE WARDEN HAS TO MAKE THAT CALL ALSO. I/M STATED THAT HE IS MED COMPLIANT. WRITER ADVISED I/M THAT HE MUST NOT DO THINGS TO GO TO LOCK UP AND HE SHOULD NOT WANT TO BE IN LOCK UP. I/M WAS RECEPTIVE OF INFORMATION. I/M SIGNED CONSENT FORM FOR WRITER TO SPEAK WITH HIS MOTHER WHEN AND IF SHE CALLED WRITER.

A--APPEARANCE-APPROPRIATE FOR SITUATION. DENIED SI/HI. DENIED A/V HALLUCINATIONS, BUT STATED THAT HIS THOUGHTS WERE "RACING". I/M REPORTED THAT HE IS MED COMPLIANT. THOUGHT PROCESS-ILLOGICAL-I/M FEELS THAT HE SHOULD BE LET OFF LOCK UP EARLY DESPITE HE HAD AN INFRACTION. THOUGHT CONTENT-APPROPRIATE. NO DELUSIONS, BIZARRE BEHAVIORS, OR PSYCHOSIS NOTED. SLEEP/APPETITE-WNL. JUDGMENT/INSIGHT-LIMITED EVIDENT BY HIS FEELINGS THAT HE SHOULD COME OFF LOCK UP STATUS EARLY DESPITE HIS POOR DECISION MAKING.

DX: PSYCHOSIS NOS, PERSONALITY D/O NOS, PANICK ATTACKS. GAF:75.

P--WRITER WILL CONTINUE TO FOLLOW PER POLICY.

SIGNED OFF ON 03/08/12 @ 11:37 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 113 NON-FORMULARY RX 03/02/12 11:33 BROAD RIVER COMP  
INMATE RETURNED FROM MUSC DERMATOLOGY WITH THE FOLLOWING RECOMMENDATION:  
EARS, FACE GROIN = ELOCON CREAM BID FOR 3 WEEKS THEN BID ON WEEKENDS INDEFINITELY FOR PSORIASIS

P> ELOCON 0.1% CR (15GM)

SIG:APPLY CREAM TO EARS, FACE GROIN BID X 3 WEEKS THEN

SIG:BID ON WEEKENDS ONLY INDEFINITELY

START DATE: 03/02/12 TOTAL DAYS: 360

MD:TOMARCHIO, JOHN B.

WILL FORWARD TO MD FOR REVIEW AND DISPOSITION

Y.MUNRO LPN

REQUIRES NON-FORM RX APPROVAL:03/02/12 @ 11:41 BY YVONNE S MUNRO, LICENSED PR

RX APPROVED 03/05/12 @ 12:06 BY THOMAS A MOORE JR, PHYSICIAN II

ABOVE WAS NOTED, RX SCREEN WAS REVIEWED AND MAR WILL BE UPDATED.

SIGNED OFF ON 03/05/12 @ 14:10 BY SERAPHINE U NIATTI, REGISTERED NURSE I

\*\* ENCOUNTER: 112 OUTSIDE RECOMMENDATI 02/24/12 7:49 BROAD RIVER COMP  
INMATE RETURNED FROM MUSC DERMATOLOGY WITH THE FOLLOWING RECOMMENDATION:

PSORIASIS - SCALP, FACE, UNDER ARMS, CHEST, LEGS, EARS

BODY = TEMOVATE OINTMENT BID FOR 4 WEEKS

THEN BID ON WEEKENDS INDEFINITELY

EARS +GROIN + FACE = ELOCON CREAM BID FOR 3 WEEKS

THEN BID ON WEEKENDS ONLY INDEFINITELY

EAR CANAL = CORTICOSPORIN EAR DROPS BID FOR 2 WEEKS

THEN BID ON WEEKENDS INDEFINITELY

SCALP = TEMOVATE SCALP SOLUTION BID PRN

WILL FORWARD TO MD FOR FURTHER REVIEW AND DISPOSITION

Y.MUNRO LPN

SIGNED OFF ON 02/29/12 @ 11:58 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE

AS PER ABOVE RECOMMENDATIONS

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SIGNED OFF ON 03/01/12 @ 7:32 BY JOHN B TOMARCHIO, PHYSICIAN II  
RECOMMENDATIONS NOTED Y. MUNRO LPN  
SIGNED OFF ON 03/02/12 @ 11:33 BY YVONNE S MUNRO, LICENSED PRACTICAL NURSE  
SIGNED OFF ON 03/07/12 @ 8:18 BY JOHN B TOMARCHIO, PHYSICIAN II

\*\* ENCOUNTER: 111 DENTAL CLINIC 02/14/12 12:36 BROAD RIVER COMP  
'MDL' COMPOSITE #7 AND 'DL' COMPOSITE #10 COMPLETED  
SIGNED OFF ON 02/14/12 @ 12:37 BY DWIGHT D MCMILLAN, DENTIST

\*\* ENCOUNTER: 110 FOLLOW-UP DENTAL 02/09/12 14:32 BROAD RIVER COMP  
I/M VISITED BY DENTAL AT SMU TO ACCESS DENTAL NEEDS. ALL WNL REQUIRING  
SEVERAL SIMPLE FILLINGS. I/M INFORMED THAT HE WOULD BE SEEN ON TUESDAY OF  
THE UPCOMING WEEK.  
SIGNED OFF ON 02/09/12 @ 14:34 BY DWIGHT D MCMILLAN, DENTIST

\*\* ENCOUNTER: 109 MENTAL HEALTH CLINIC 02/09/12 13:36 BROAD RIVER COMP  
INDIVIDUAL SESSION:  
D--SPOKE WITH I/M AT CELL 116 DUE TO RECEIVING INFORMATION FROM OTHER COUNS  
ELOR REGARDING I/M'S MOTHER CALLING ABOUT NOT RECEIVING CARE. I/M REPORTED  
THAT HE HIS ONLY CONCERN IS ABOUT HIS DENTAL CARE. WRITER INFORMED I/M THAT  
CCC CARTER HAD SPOKEN WITH THE DENTAL AND HE WILL BE SEEN. WRITER ENCOURAGE  
D I/M TO START WITH THE NECESSARY PROCESS OF GETTING NEEDS MET SUCH AS STAF  
F REQUEST BEFORE GOING TO OUTSIDE RESOURCES. WRITER INQUIRED IF HE HAD WRIT  
TEN HIS MOTHER TO INFORM HER THAT HIS ISSUES WERE BEING ADDRESSED. I/M REPO  
RTED THAT HE HAD WRITTEN HER. I/M STATED THAT HE WAS STILL FEELING "SHAKY A  
ND RESTLESS".  
A--ALERT AND ORIENTED IN ALL SPHERES. MOOD-PLEASANT AND CALM WITH SLEEPY/TI  
RED AFFECT. THOUGHT PROCESS-LOGICAL/GOAL ORIENTED. THOUGHT CONTENT-APPROPRI  
ATE. NO DELUSIONS, BIZARRE BEHAVIORS, OR PSYCHOSIS NOTE. DENIED SI/HI AND S  
ELF HARM. NO REPORT OF A/V HALLUCINATIONS. SLEEP-DOES NOT SLEEP WELL, BUT H  
E DOES REST PER I/M. DENIED APPETITE PROBLEMS. SEEMS TO BE DOING WELL IN HI  
S ENVIRONMENT.  
DX: PSYCHOSIS NOS, PERSONALITY D/O NOS (NARCISSITIC). GAF:80.  
P--MENTAL HEALTH WILL CONTINUE TO FOLLOW PER POLICY. DENTAL HAS ALREADY BEE  
N NOTIFIED OF I/M NEEDING TO BE SEEN.  
SIGNED OFF ON 02/09/12 @ 13:46 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I

\*\* ENCOUNTER: 108 MENTAL HEALTH CLINIC 02/08/12 14:38 BROAD RIVER COMP  
INDIVIDUAL NOTE-  
D- SPOKE WITH INMATE AFTER RECEIVING A CALL SEE ENCOUNTER 107. DISCUSSED TH  
E CONCERNS HIS MOTHER REPORTED PER HIS LETTERS TO HER. ACCORDING TO INMATE,  
AT THE TIME HE WROTE HIS MOTHER, HE DID NOT KNOW WHAT HE COULD HAVE OR WHAT  
HE COULD ORDER AS NO ONE SHARED WITH HIM THIS INFORMATION. TO HIS ACCOUNT,  
HE HAS SINCE ORDERED MORE ENVELOPES AND WOULD BE WRITING HIS MOTHER TO INFO  
RM HER OF THE CORRECTIONS. HOWEVER, HE REPORTED THAT HE HAS NOT BEEN SEEN I  
IN DENTAL. HE REPORTED THAT HE SIGNED UP BY THEN CAME TO LOCK UP. IT WAS EX  
PLAINED TO THIS INMATE THAT IT WAS PLAUSIBLE THAT WHILE ON THE YARD DENTAL  
WAS IN THE PROCESS OF SENDING HIM AN ORDER TO REPORT TO COME TO DENTAL; HOW  
EVER, HE WAS SEND TO LOCK UP AND HE DID NOT MAKE HIS APPOINTMENT. ANYHOW,  
INMATE WAS INFORMED ON TODAY; THAT, THIS WRITER SPOKE WITH DR. MCMILLAN.

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DR. MCMILLAN WILL CONFER WITH MISS GREGGS ON TOMORROW ABOUT SCHEDULING A DENTAL APPOINTMENT. INMATE REPLIED, "THAT'S ALL I WANT AND I'LL BE HAPPY. I HAVE SIX (6) CAVITIES AND I DON'T WANT TO GET SICK FROM THEM." WHEN ASK HOW HE WAS FEELING MENTAL HEALTH WISE, HE REPORTED THAT HE WAS DOING FINE AND NOT HAVING ANY PROBLEMS. REPORTED TAKING HIS MEDICATIONS AS PRESCRIBED DAILY. INMATE REPORTED THAT HE WOULD BE WRITING HIS MOTHER TO LET HER KNOW THAT HE WAS DOING FINE AND BECAUSE HE DID NOT KNOW THE RULES ON LOCK UP STATUS. ALSO, WRITER SAW THIS INMATE PRIOR TO HIM HAVING A VISIT WITH HIS ATTORNEY. A- INMATE SEEMED TO BE ALERT, ORIENTED IN ALL SPHERES, CALM AND COOPERATIVE. HE DOES NOT LIKE BEING HOUSED ON LOCK UP STATUS. REPORTED BEING ON LOCK UP FOR HAVING VITAMINS AND FOLIC ACID IN HIS POSSESSION. HE ADMITTED THAT THE FOLIC ACID WAS NOT PRESCRIBED TO HIM. SECONDLY, HAVING POSSESSION OF GREEN DOT CARDS AND MAKING THREATENING REMARKS TO SGT BELUE. TO HIS ACCOUNT, HE WAS PROVOKED BY SGT BELUE. HE REPORTED THAT SGT BELUE WAS SAYING YOU'RE GOING BACK TO LEE, BECAUSE YOUR HARDSHIP WILL BE REVOKED. INMATE DENIED THOUGHTS OF WANTING TO HURT HIMSELF OR OTHERS, DENIED A/V HALLUCINATIONS AS WELL AS DENIED ANY SYMPTOMS OF DEPRESSION. PRESENTLY HIS MAIN CONCERN WAS GOING TO THE DENTAL CLINIC. HIS THOUGHT PROCESS AND CONTENT WERE LOGICAL, CLEAR AND COHERENT. HIS HYGIENE AND GROOMING APPEARED TO BE WITHIN SCDC STANDARDS. DURING THIS INTERVIEW, INMATE WAS COOPERATIVE AND PROVIDED INFORMATION FREELY.

P- MH STAFF WILL CONTINUE TO PROVIDE THERAPEUTIC SERVICES TO THIS INMATE. DENTAL CLINIC HAS BEEN CONTACTED AND A DENTAL APPOINTMENT WILL BE FORTHCOMING. REVIEW EVERY 30 DAYS WHILE THIS INMATE REMAINS ON LOCK UP STATUS. SIGNED OFF ON 02/08/12 @ 15:14 BY PATRICK F CARTER, HUMAN SERVICES COORD I SIGNED OFF ON 02/08/12 @ 15:58 BY AMY M OWENS, REGISTERED NURSE I SIGNED OFF ON 02/09/12 @ 7:32 BY JOHN B TOMARCHIO, PHYSICIAN II

\*\* ENCOUNTER: 107 MENTAL HEALTH CLINIC 02/08/12 14:22 BROAD RIVER COMP  
INCIDENTAL NOTE-

RECEIVED A CALL FROM ANASTASIA EUBANKS WHO REPORTED THAT SHE HAD SPOKEN WITH THE ABOVE NAME INMATE'S MOTHER. PER MISS EUBANKS, THE MOTHER WAS CONCERNED ABOUT INMATE ONLY BEING ALLOWED TO HAVE 2 ENVELOPS WHILE ON LOCK UP STATUS AND THAT THE INMATE HAD REPORTED TO HER THAT HE HAS NOT BEEN SEEN IN DENTAL. HENCE, MISS EUBANKS WAS INFORMED THAT THIS CCC WOULD FIND OUT FROM SECURITY STAFF HOW MANY ENVELOPS WAS ALLOWED TO HAVE MONTHLY WHILE ON LOCK UP STATUS AS WELL AS TO CONTACT THE DENTAL CLINIC ABOUT THIS INMATE GETTING AN APPOINTMENT FOR DENTAL. SIMULTANEOUSLY, MISS EUBANKS REPORTED THAT SHE WOULD CONTACT DR. ACKERMAN, THE HEAD OF SCDC DENTISTRY DIVISION. MORESO, THIS CCC CONTACTED THE DENTAL CLINIC AT BRCI AND SPOKE WITH DR. MCMILLAN WHO REPORTED THAT HE WOULD SPEAK WITH MISS GREGGS FIRST THING ON TOMORROW ABOUT SCHEDULING THIS INMATE A DENTAL APPOINTMENT. AFTERWARDS, WRITER CALLED MISS EUBANKS TO INFORM HER THAT WRITER HAD SPOKE WITH SECURITY STAFF ABOUT ENVELOPS I.E., INMATE WAS ALLOWED 2 INDIGENT ENVELOPS WHILE ON LOCK UP STATUS AND IF INMATE GOT MONEY IN HIS COOPER ACCOUNT, HE COULD ORDER MORE. SECONDLY, CCC INFORMED HER THAT DR. MCMILLAN WOULD BE GETTING WITH MISS GREGGS TO SCHEDULE A DENTAL APPOINTMENT FOR THIS INMATE SINCE HE WAS ON LOCK UP STATUS. MISS EUBANKS INFORMED THIS WRITER THAT SHE HAD CONTACTED DR. ACKERMAN AND RETURNED THE CALL TO THIS INMATE'S MOTHER INFORMING HER THAT SOMEONE WOULD CALL HER ON TOMORROW ABOUT HER SON. AKSO, MISS EUBANKS REPORTED THAT SHE SENT A

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MESSAGE TO DR. SOLOMON AND MISS WHITLEY ABOUT THE CALL FROM INMATE'S MOTHER  
SIGNED OFF ON 02/08/12 @ 14:38 BY PATRICK F CARTER, HUMAN SERVICES COORD I  
SIGNED OFF ON 02/10/12 @ 15:49 BY WILLIAM Y AKERMAN JR, DENTIST

- \*\* ENCOUNTER: 106 MENTAL HEALTH CLINIC 01/27/12 14:37 BROAD RIVER COMP  
TX TEAM NOTE: CCC TRIPLIN AND CCC CARTER STAFFED I/M TODAY. DX: PSYCHOSIS N  
OS, PERSONALITY D/O. MEDS: RISPERDAL, PROZAC, VISTARIL (LIQUIDS DUE TO HOAR  
DING). RECENTLY SEEN IN PSYCH CLINIC (01/23/12). SIX MONTH REVIEW. HX OF NO  
N COMPLIANCE. CONTINUE MH-4.  
SIGNED OFF ON 01/27/12 @ 14:39 BY MELODY A TRIPLIN, HUMAN SERVICES COORD I
- \*\* ENCOUNTER: 105 NARRATIVE 01/26/12 21:11 BROAD RIVER COMP  
I/M WAS SCHEDULED FOR SICK CALL THIS EVENING, BUT REFUSED TO BE ASSESSED.  
SIGNED OFF ON 01/26/12 @ 21:12 BY SERAPHINE U NIATI, REGISTERED NURSE I
- \*\* ENCOUNTER: 104 FOLLOW-UP DENTAL 01/25/12 9:56 BROAD RIVER COMP  
I/M'S MOVED TO LOCK-UP. NO SHOW.SEE HARD COPY.  
SIGNED OFF ON 01/25/12 @ 9:58 BY KIM M GREGGS, MEDICAL ASSISTANT TECH I
- \*\* ENCOUNTER: 103 EMERGENCY INHOUSE 01/23/12 11:00 BROAD RIVER COMP  
S> I/M WAS BROUGHT TO MEDICAL FOR C/O "CHEST PAIN, COULD BE DUE TO SOME ANXIET  
Y I'VE BEEN FEELING." I/M ALSO SAID THAT HE HAD A HEART PALPATION WHEN HE G  
OT IN THE SHOWER THIS MORNING.  
O> TEMP=098.7 PULSE= 97 RESP=18 BP=120/ 82 WEIGHT=281 PPD= 0  
ALERT AND ORIENTED X3. STEADY GAIT. O2 SATS 97%, UNLABORED EVEN BREATHING,  
CLEAR BREATH SOUNDS. CHEST PAIN LOCATION CENTRAL LOCATION ON 8/10. NO DIZZI  
NESS, HA, BLURRED VISION, OR NOSE BLEEDS NOTED. SOB REPORTED BUT NOT OBSERV  
ED AT THIS TIME.FSBS: 98.  
A> PER ABOVE  
P> MENTAL HEALTH WORKER ATTENDED ASSESSMENT/EMERGENCY CALLED AND IS REFERRING  
I/M TO MD FOR ASSESSMENT OF ANXIETY. I/M VOICED AGREEEMNT WITH ANXIETY BEIN  
G THE PRIMARY ISSUE.EDUCATED I/M ON F/U IN MEDICAL IF HA, DIZZINESS, SOB, P  
ALPATIONS(CHEST), BLURRED VISION, OCCURS IN THE FUTURE.  
CCC REQUESTED THAT ENC NOT BE FORWARDED TO THEM SINCE THEY WILL BE OPENING  
THEIR OWN ENCOUNTER AT THIS TIME.  
SIGNED OFF ON 01/23/12 @ 14:49 BY REBECCA L DURAN, UNCLASSIFIED
- \*\* ENCOUNTER: 102 MENTAL HEALTH CLINIC 01/23/12 14:27 BROAD RIVER COMP  
TX TEAM SESSION: STAFF PRESENT: DR. RANSOM, SUPERVISOR, DR. POILETMAN, PSYC  
HIATRIST, CCC TRIPLIN. I/M DISCUSSED CURRENT SYMPTOMS OF PANIC AND ANXIETY.  
PSYCHIATRIST DISCUSSED MEDICATIONS, SIDE EFFECTS, AND POSSIBLE DISCOMFORTS  
THAT COULD COME UP WHEN INITIALLY STARTING MEDS. COMPLIANCE WAS ALSO DISCUS  
SED. I/M STATED THAT HE WOULD TAKE THE MEDICATION AS PRESCRIBED. I/M DISCUS  
SED SOME ANXIETIES SUCH AS FEAR THAT HE WILL BE IN PRISON WHEN HIS PARENTS  
DIE, RESTRICTIONS DUE TO HIS LOCK UP CHARGES, AND HE THE FACT THAT HE MISSE  
S HIS FAMILY. I/M REPORTED THAT HE HAS A YEAR ON LOCK UP FOR "GREEN DOT CAR  
DS AND HOARDING RILLS" IN WHICH HE STATED THE PILLS WERE "FOLIC ACID AND VI  
ATAMINS". I/M DENIED SI/HI. APPETITE/SLEEP-WNL. MENTAL HEALTH WILL CONTINUE  
TO FOLLOW PER POLICY.