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**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Lancaster County  
Honorable Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JOHN MARION GHENT, JR.,

APPELLANT

APPELLATE CASE NO. 2016-000643

---

RECORD ON APPEAL

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(AUDIO RECORDED VOICEMAIL MESSAGES)**

1 STATE OF SOUTH CAROLINA  
2 COURT OF GENERAL SESSIONS  
3 COUNTY OF LANCASTER  
4 2014-GS-29-47 and 48  
5 State of South Carolina  
6 vs.  
7 John Marion Ghent, Jr.  
8  
9 Lancaster, South Carolina  
10 March 14-17, 2016  
11 Before the Honorable Brian M. Gibbons  
12

13 APPEARANCES  
14 For the State: Lisa Collins, Randy Newman  
15 For the Defendant: Mike Lifsey  
16  
17 Reported by: Michael C. Watkins  
18 Official Court Reporter  
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## OPENING STATEMENTS

1 I've given you the law in this case. It is your solum  
2 responsibility to determine the guilt or innocence of the  
3 defendant and your verdict must be unanimous, that means  
4 all 12 of you must agree to it, and it must be based solely  
5 on the evidence in this courtroom received in this trial  
6 and on the law as I instruct you at the close of the case.  
7 We will now begin the trial. Thank you, again. Madam  
8 Solicitor?

9 MS. COLLINS: Thank you, Your Honor. May it please  
10 the Court? This is a case about two people in a room and  
11 one knife. A man and a woman married, they had two  
12 children together, had lived many years together as man and  
13 wife, and a weapon that should never have been in that  
14 room, a knife, a kitchen knife, a knife in the hand of John  
15 Ghent, Jr. The evidence will show that on October 28th of  
16 2013 that one person left that room alive and one person  
17 remained in that room deceased. One person went to the  
18 hospital and one person went to the morgue. One person,  
19 the defendant, John Ghent Jr., had superficial cuts to his  
20 wrists where he claimed to have threatened suicide, and one  
21 person, the victim, Elaine Ghent, had a fatal stab wound to  
22 her chest causing her to lose so much blood that she died  
23 within minutes. The defendant, John Ghent, Jr., is charged  
24 with the murder of his wife, Elaine Ghent, during the early  
25 morning hours of October 28, 2013. He's also charged with

## OPENING STATEMENTS

1 possession or display of a knife during the commission of a  
2 violent crime, that violent crime being murder. The  
3 evidence will show that John and Elaine Ghent had been  
4 having trouble in their marriage for some time, that for  
5 the prior six to eight years before the fatal night, Elaine  
6 was the sole person working and supporting the household,  
7 and even though she was working many hours they still  
8 required a lot of financial help from Elaine's father,  
9 Roddey Ghent, who often helped with paying the rent and  
10 buying groceries. And the evidence will show that through  
11 the years Elaine had left John before, that her family had  
12 helped her move out before, but that ultimately she would  
13 reconcile with John and move back in with him. The  
14 evidence in this case will show that during the final  
15 months of her life Elaine had plans to leave the defendant,  
16 that this time she was in a new relationship and that she  
17 often stayed out at night after work, and that the  
18 defendant was concerned about her leaving him. The  
19 evidence will show on the late night hours of October 27th  
20 of 2013, that Elaine Ghent left work and spent some time  
21 with Darren Mangum, a man she had been seeing for a few  
22 months. The evidence will show Elaine left Darren at  
23 approximately 2:44 a.m. the early morning of October 28th  
24 of 2013. The defendant and his wife lived in a mobile home  
25 with their son, Jonathan, Jonathan's wife Nicole, and the



## OPENING STATEMENTS

1 two children of Jonathan and Nicole, a daughter, Raylee and  
2 a young son, Trenton. Raylee usually slept in the bed with  
3 the defendant and his wife. The evidence will show that  
4 earlier in the evening the defendant told his son that  
5 Raylee could not sleep with them that night. The evidence  
6 will show that this was a change, a change in their usual  
7 routine where Raylee would sleep with the defendant and the  
8 victim, her grandparents. And around 4:00 a.m. on the  
9 morning of 10/28 of 2013 the defendant made two phone  
10 calls; one to his daughter, Tabitha, and one to his sister,  
11 Betsy. In the voice mail he left his daughter he said he  
12 was sorry, but he couldn't let her mama leave him. These  
13 voice mails were not heard by his daughter and his sister  
14 until later on October 28, 2013. And the evidence will  
15 show that the defendant, John Ghent, stabbed his wife,  
16 Elaine, and after he stabbed her he didn't try to stop the  
17 flow of blood, he didn't try to apply pressure to her  
18 wound, he didn't cry out for help from his son and his  
19 daughter-in-law who were just down the hall in this mobile  
20 home, he didn't call for 911 to get help, he didn't put his  
21 wife in the car that was there and start it with the car  
22 keys that were there and rush her to the hospital. The  
23 evidence will show that he did none of those things. It  
24 will show that he stabbed her and he let her bleed to death  
25 and he let her die. The evidence will show that at some

## OPENING STATEMENTS

1 point the defendant left a note on the bedroom door, you  
2 will have that note, you will have a pictures as it was at  
3 the scene when it was found by law enforcement, you will  
4 have the note itself and we'll present an expert from SLED  
5 to say that the handwriting on that note matches the  
6 handwriting of the defendant. And in that note taped to  
7 the bedroom door written in an all caps the defendant  
8 wrote, "Don't let Raylee," the granddaughter, "come in."  
9 And he wrote, "Sorry, hope you're happy now. And he wrote,  
10 "Sell the house and split with sister." And the evidence  
11 will show that when his son found him in the room with his  
12 dead wife, the son became so upset at seeing his mother  
13 covered in blood and deceased that his son began to beat up  
14 the defendant, and the defendant admitted to his son that  
15 he had stabbed his wife. And the evidence will show that  
16 the defendant told the EMS attendant when she asked him for  
17 medical purposes what happened to you, that his son beat  
18 him up because he had killed his wife. And the evidence  
19 will show that the defendant told Deputy Davey Hendrix, an  
20 officer at the hospital when the defendant was taken there  
21 for his superficial wounds to his wrists and his threat  
22 that he'd taken an untold amount of pills, that he killed  
23 his wife because she was going to leave him, that she loved  
24 him but was not in love with him and so he killed her, that  
25 she was staying our until three or four in the morning with

## OPENING STATEMENTS

1 girlfriends and not coming home. But he told the deputy he  
2 tried to slit his wrists but that didn't work so he took  
3 some pills and thought he would die but it didn't work, and  
4 that his son drug him out of the bed and beat him. And the  
5 son said, "Why did you do this to my mama?" And that he  
6 said, "Because she was going to leave me." The evidence  
7 will show that the defendant was alert and oriented times  
8 three, he knew his whereabouts, he was alert to person,  
9 place and time while he was in the hospital. He was  
10 conscious, he was aware and that he made those statements  
11 to Deputy Hendrix of his own free will. The evidence will  
12 show when there was a shift change with the deputy to  
13 continue to watch over the defendant, because he was in  
14 custody at that time even though he was in the hospital,  
15 that the defendant asked Deputy Richard Weiss if he could  
16 please call his sister, that he wanted to get some under  
17 garments and deodorant, and Deputy Weiss allowed him to  
18 make that phone call, and that the defendant in the  
19 presence of Deputy Weiss called his sister and made further  
20 statements to her before asking for those under garments.  
21 And that Deputy Weiss heard the defendant say to his sister  
22 that he had killed his wife, that when she got home that  
23 night a confrontation had begun and that he had begun to  
24 stab her and that she had begged him to stop and that he'd  
25 been thinking about it for three weeks. And that he then

## OPENING STATEMENTS

1 cut his own wrists, got on the bed next to his wife's body  
2 and told her he would die with her. Ladies and gentlemen,  
3 the evidence will show that the defendant killed his wife,  
4 Elaine Ghent, with malice aforethought. His Honor will  
5 instruct you as to the definition of malice at the end of  
6 this case and as to other legal definitions that you will  
7 apply in your deliberations, malice includes an evil  
8 intent, and aforethought does not have to exist for any  
9 particular period of time. It doesn't have to exist for  
10 three weeks, although the defendant said he'd been thinking  
11 about it for three weeks. It can exist the instant before  
12 the fatal act, and His Honor will instruct you to the legal  
13 definition that you will apply in your deliberations. The  
14 State submits that the evidence will show that after he  
15 stabbed his wife and allowed her to bleed to death without  
16 any effort on his part to help her, we submit that he made  
17 a half-hearted effort to kill himself and laid down beside  
18 her on the bed, but he was much more effective at killing  
19 Elaine than he was at killing himself. He lived. He lived  
20 and she did not. He lived and the statements that he made  
21 afterwards show that he killed her because he could not and  
22 would not let her leave him. Ladies and gentlemen of the  
23 jury, the evidence will show beyond any reasonable doubt  
24 that the defendant killed his wife, Elaine Ghent, with  
25 malice aforethought, that he murdered her and that he used

## OPENING STATEMENTS

1 and displayed a knife during that violent crime of murder,  
2 which is a separate charge and a separate criminal offense.  
3 Justice calls for one verdict, one verdict on both charges,  
4 and that verdict is guilty. Thank you for leaving your  
5 jobs and your homes and your families.

6 THE COURT: Thank you, Madam Solicitor. Mr. Lifsey?

7 MR. LIFSEY: Thank you, Your Honor. May it please the  
8 Court?

9 THE COURT: Yes, sir.

10 MR. LIFSEY: Being a juror is not an easy job really  
11 in any circumstances regardless of the charge, but it's  
12 particularly difficult in a murder case, because murder is  
13 different than other crimes that people get charged with.  
14 Because murder requires you to delve and think about and  
15 make judgments about not only what happened, but why they  
16 happened and how they happened. The solicitor mentioned,  
17 and the Judge will tell you at the end of this case, that  
18 one of the things in order for there to be a conviction of  
19 murder that they have to prove is malice aforethought.  
20 Malice means evilness, it means wickedness, depraved heart,  
21 he'll explain all of that to you. And before anyone can be  
22 convicted of murder you've got to be convinced beyond a  
23 reasonable doubt that that state of minds exists. So as  
24 you go through this case, as you hear the evidence that's  
25 presented, I want you to think about not only what happened

## OPENING STATEMENTS

1 but how it happened and why it happened. The reason I say  
2 that is, look, this is not a who done it. Okay. My client  
3 stabbed his wife, I mean that's not -- you're not here to  
4 figure out -- I'm not going to point to some mysterious  
5 third person. Okay. The issue is when you hear all of the  
6 evidence did my client stab her with malice aforethought or  
7 did he stab her under some other circumstances that the  
8 Judge may tell you about. Okay. That doesn't mean he's  
9 not guilty -- that doesn't mean he might not be guilty of  
10 some culpable conduct, but the question y'all have to  
11 decide for yourselves is does it amount to murder or was it  
12 something else? Was it some crime of sudden poor decision  
13 making? Is it some crime of passion without malice? Was  
14 it some type of accident? Was it some type of misguided  
15 suicide attempt that evolved into worse? I tell you all of  
16 that because I want you to pay attention because I suspect  
17 what the evidence will show is this is a one stab wound  
18 case, not to say obviously that that doesn't result in  
19 death. There's a lot of ways that one stab can happen, and  
20 I want you to listen and pay close attention to not only  
21 what happened but then the actions afterwards. And when  
22 you listen -- and the solicitor mentioned you're probably  
23 going to hear a recording of a voice mail that my client  
24 left, ask yourself, does that sound like wickedness to you  
25 or not, okay? So as I said, it's a difficult decision and

## OPENING STATEMENTS

1 it's a difficult thing we are asking you to do. Because we  
2 ask you to do that, not only do we ask you to delve into  
3 because it's a murder case why something happened and how  
4 it happened, we also ask you to keep certain assumptions in  
5 your head about this case that are really sort of not  
6 natural. The Judge touched on them a bit but I want to  
7 tell you about three things briefly that you have to keep  
8 in mind that really don't come natural to most people. The  
9 first is my client is presumed innocent. Now, on the one  
10 hand you may say I have heard that phrase a million times  
11 in my life, and of course it comes natural, but you know,  
12 when you think about it, it really doesn't. If you picked  
13 up the paper today and saw that someone is arrested or you  
14 see the TV news and you see that someone is arrested, is  
15 your reaction that person must be innocent? Because that's  
16 sort of the mind frame, the mindset that you must have  
17 right now. I know that's not easy to do but you have --  
18 the way I explain it to people is imagine if that news  
19 report was about a loved one of yours, someone you were  
20 close to, someone you know could not have committed that  
21 crime. Well, maybe in that case your mindset might be  
22 "There must have been some sort of mistake, I know him, he  
23 couldn't have done this." That's the mindset you must have  
24 about my client, and that's hard to do, and I know it's not  
25 easy but that's what you've sworn an oath to do. And if

## OPENING STATEMENTS

1 there's -- if at some point in the middle of this you think  
2 you can't do that let the Judge know. Okay. But that's  
3 what you've sworn to do. Presumed innocent is not just a  
4 phrase, it means what it says. Secondly, the State has the  
5 burden of proof. The Judge told you and will tell you  
6 again, the defendant never has to prove his own innocence,  
7 never has to prove anything happened the way he says it  
8 happened, never has to prove anything, doesn't even have to  
9 testify. The State has the burden of proof and you need to  
10 keep that in mind if at the end of this case there are  
11 questions about what happened in your mind because it's  
12 their burden of proof to meet. Thirdly, and really most  
13 importantly and our justice system is the idea that before  
14 someone can be convicted of a crime, and I mean not only  
15 murder but any other crimes that the Judge gives you to  
16 consider at the end of this case, he has to be proven  
17 guilty beyond a reasonable doubt. If there is any  
18 reasonable doubt at the end of this case, you must resolve  
19 that reasonable doubt in favor of my client. Once again,  
20 that's not an easy thing to do in any circumstances, it's  
21 particularly difficult in an emotional tragic case like a  
22 murder charge. But once again, that's the oath each of you  
23 swore and it's the job you've been tasked with. So please  
24 pay attention to the evidence as it's presented at this  
25 trial. Please listen carefully, observe carefully, and



## OPENING STATEMENTS

1 remember that my client is presumed innocent, that the  
2 State has the burden of proof and that before he can be  
3 convicted of anything at all they have to prove him guilty  
4 beyond a reasonable doubt. Pay attention to all of that  
5 evidence, try to set aside the emotions of it. And it is  
6 going to be emotional, I'm sure it will be emotional  
7 because murder cases are emotional, but your job is not to  
8 decide based on emotion, your job is to decide based on  
9 logic as instructed by the Judge. So please listen to all  
10 of that and remember that your job is not as advocates for  
11 anybody, but it's to make a determination as to what  
12 happened and how it happened and why it happened, and make  
13 that decision the only basis for your verdict in this case.  
14 Thank you.

15 THE COURT: All right. Thank you, Mr. Lifsey. Is the  
16 State ready to call its first witness?

17 MR. LIFSEY: State's first witness is Dr. Janice Pat  
18 Ross.

19 The witness, JANICE ROSS, M.D., was first duly sworn  
20 and testified as follows:

21 DIRECT EXAMINATION

22 BY MS. COLLINS:

23 Q Goods afternoon.

24 A Good afternoon.

25 Q Would you please state your name?

## JANICE ROSS - DIRECT

1 A Janice Edwards Ross.

2 Q What is your occupation?

3 A I'm a forensic pathologist in Newberry, South  
4 Carolina.

5 Q To be a forensic pathologist, do you have to be a  
6 physician?

7 A Yes.

8 Q And can you please tell the jury about your education  
9 and training to be not only a physician but also a forensic  
10 pathologist?

11 A Yes. I have a Bachelor's Degree from the University  
12 of South Carolina and a M.D. Doctorate of Medicine from  
13 Upstate Medical Center in Syracuse, New York where I did  
14 further training in pathology. The field of pathology as  
15 opposed to surgery or pediatrics has to do with training  
16 us to identify cancers and different diseases by looking  
17 at issues under the microscope and by using the laboratory  
18 in the hospital to identify diseases. A forensic  
19 pathologist -- we also learned how to do an autopsy to  
20 find the cause of death. A forensic pathologist does  
21 further training in the area of legal matters such as  
22 accidents, suicides, homicides, and even natural deaths  
23 and rapes. We learned how to identify patterns of injury,  
24 how to document such injuries for a court of law, how to  
25 draw fluids for toxicology and other purposes of finding a

## JANICE ROSS - DIRECT

1     cause of death, and then to determine a manner of death.

2     Q     Are you licensed to practice medicine in South

3     Carolina?

4     A     Yes.

5     Q     And how long have you been so licensed?

6     A     Since the fall of 1999.

7     Q     Are you certified in a specialty of medicine?

8     A     Yes. I am certified in three areas of pathology

9     including forensic pathology.

10    Q     Have you ever been qualified to testify as an expert

11    witness in a court of law?

12    A     Yes.

13    Q     In what field?

14    A     In forensic pathology.

15    Q     And how many times have you testified as an expert in

16    court in that field?

17    A     In South Carolina about 200 times.

18    Q     How many autopsies have you performed during your

19    career, Dr. Ross?

20    A     Close to 10,000.

21           MS. COLLINS: Your Honor, at this time the State would

22    offer Dr. Ross as an expert witness in the field of

23    forensic pathology?

24           THE COURT: Any further voir dire?

25           MR. LIFSEY: No, sir, Your Honor.

## JANICE ROSS - DIRECT

1 THE COURT: So qualified. Ladies and gentlemen, I  
2 have just qualified this witness as an expert in the field  
3 of forensic pathology, what this means is that she can now  
4 offer an opinion. Because normally when you testify a  
5 witness has to testify about what they saw, heard or  
6 smelled or something like that. However, when a witness by  
7 training, education or otherwise meets the qualifications  
8 to be deemed an expert, they may offer an opinion. Now,  
9 just because an expert offers an opinion doesn't mean you  
10 have to accept the opinion. You can take that opinion in  
11 consideration with all of the other evidence received  
12 during the trial and give it the weight and credibility you  
13 believe it deserves. Okay.

14 MR. LIFSEY: Thank you, Judge.

15 Q Dr. Ross, did you perform a forensic autopsy on the  
16 body of Elaine Ghent?

17 A Yes, I did.

18 Q What was the date and time of that autopsy?

19 A It was on October 29th, 2013 at 8:30 a.m.

20 Q What was Ms. Ghent's date of birth?

21 A We were given the date of birth of 1959.

22 Q And therefore by calculation her age at the time of  
23 death was 54; is that correct?

24 A Yes.

25 Q Did you have an estimate as to the date and time of

## JANICE ROSS - DIRECT

1 her death?

2 A I was given by the coroner again that she was injured  
3 on October 28th, 2013 at approximately 4:00 a.m.

4 Q What was Ms. Ghent's height and weight?

5 A We measured her at 68 inches in height, which is five  
6 feet, eight inches. We don't have a scale in the morgue,  
7 but we estimated her weight to be about 175 pounds.

8 Q So 68 inches, or 5 feet 8 inches?

9 A Correct.

10 Q And about 175 pounds?

11 A Correct.

12 Q You performed the autopsy at the request of the  
13 Lancaster County Coroner's Office, correct?

14 A Correct.

15 Q And where was the autopsy performed?

16 A At the Newberry County Memorial Hospital Morgue.

17 Q Was the body of Elaine Ghent brought to you by the  
18 staff of the Lancaster County Coroner's Office?

19 A Yes.

20 Q And did a member of law enforcement come to the  
21 autopsy?

22 A Yes, an Investigator Taylor.

23 Q Ken Taylor with the Lancaster County Sheriff's  
24 Department?

25 A Yes.

## JANICE ROSS - DIRECT

1 Q How was the body of Mrs. Ghent clothed when you  
2 received it?

3 A She had on a short sleeved white shirt that was  
4 covered with blood and a pair of pajama bottoms.

5 Q Was the victim's clothing removed and given to law  
6 enforcement as evidence?

7 A Yes.

8 Q At that time did you make observations during an  
9 external examination of Mrs. Ghent's body?

10 A Yes. In the course of an autopsy we take photographs  
11 outside and inside. But the -- externally we saw a stab  
12 wound in the chest. We also saw some injuries on -- a  
13 scratch wound on the back of her right hand and a cut on  
14 her knuckle -- one of the knuckles of her left hand.

15 Q So there was one scratch wound on the back of her  
16 right hand and one cut to the knuckle of the right hand?

17 A On the knuckle on the left hand, yes.

18 Q The cut on the knuckle of the left hand. Now, when  
19 you received Mrs. Ghent's body, she had an extensive amount  
20 of blood on her; is that correct?

21 A Yes.

22 Q When you as a doctor begin to examine her after doing  
23 your initial observation and removing the clothing, do you  
24 clean off the blood so you can observe the injuries without  
25 them covering it up?

## JANICE ROSS - DIRECT

1 A Yes.

2 Q You said that she had one stab wound?

3 A Yes.

4 Q The stab wound was located where?

5 A It was in the chest just to the left of the midline  
6 about an inch and a half to the left of midline to the  
7 middle of the body.

8 Q So the midline would be here in the middle of the  
9 body?

10 A Correct, over the sternum, yes.

11 Q And when you say it's to the left, would it be left  
12 from the victim's perspective?

13 A From the patient's left.

14 Q From the patient's perspective?

15 A Yes.

16 Q How close was that wound to the heart area?

17 A It was very close, but it went into what we call the  
18 hilar area of the lung. The hilar of the lung is kind of  
19 the central part where there's a connection of blood  
20 vessels and airways to the lung tissue itself.

21 Q Now, the two wounds to the hand, you say there was one  
22 scratch wound, I believe, to the back of the right hand and  
23 one cut to the knuckle of the left hand; is that correct?

24 A Yes.

25 Q Now, those would not have resulted in an excessive

## JANICE ROSS - DIRECT

1 amount of blood; is that true?

2 A Correct.

3 Q So the majority of the blood that you observed on the  
4 victim would have come from the wound to her chest; is that  
5 correct?

6 A Yes.

7 Q Did you measure how wide that wound was?

8 A Well, the length of the wound was .9 inches. It was  
9 it's a single edged -- it was made by a single edged  
10 knife, and it looked like it had a little bit of diversion  
11 so that the knife may have been twisted a bit.

12 Q You've already stated that you would have washed off  
13 the blood to see more clearly the condition of the body.  
14 Did you observe any bruises to the body of Mrs. Ghent?

15 A Yes. There were two bruises on her I believe it was  
16 left forearm, which were difficult to tell how old they  
17 were, but they were on the forearm.

18 Q Was there a bruise near the chest area near where the  
19 knife left its injury to the chest?

20 A Yes.

21 Q How close was that to the injury from the knife, that  
22 bruise?

23 A It was a couple of inches away, it was up towards the  
24 shoulder.

25 Q Did the victim have any other bruising on her that you



## JANICE ROSS - DIRECT

1 recall?

2 A No.

3 Q Were you shown a knife by the law enforcement officer  
4 at the autopsy?

5 A Yes.

6 Q While that box is being opened, you stated that the  
7 width of the injury from the knife to the chest of Mrs.  
8 Ghent was .9 inches; is that correct?

9 A It's the length of the wound.

10 Q The length of the wound. And you said it looked like  
11 perhaps from the way the injury looked that the knife might  
12 have been turned a little bit. Can you explain that?

13 A Yes. It's what we call a compound stab wound. The  
14 knife goes in and then as it's taken out there may be a  
15 little twist.

16 Q The knife that Detective Taylor showed you at the time  
17 of the autopsy, did you have an opinion to a reasonable  
18 degree of scientific certainty as to whether or not the  
19 wound to the chest of Elaine Ghent was consistent with the  
20 width of the blade of the knife shown to you at the  
21 autopsy?

22 A Yes.

23 Q And is it consistent with the knife being the weapon  
24 used to cause that wound to Elaine Ghent?

25 A Yes.

## JANICE ROSS - DIRECT

1 Q I would like to show you what's been marked as State's  
2 Exhibit 1 for the purposes of this proceeding, and ask you,  
3 Dr. Ross, does that appear to you to be the knife that was  
4 shown to you by Investigator Taylor at the autopsy of Mrs.  
5 Ghent?

6 A Yes.

7 Q And looking at that knife there before you, again, do  
8 you have an opinion to a reasonable degree of scientific  
9 certainty as to whether or not the wound to the chest of  
10 Elaine Ghent is consistent with the width of the blade of  
11 the knife that's before you, State's Exhibit 1?

12 A Yes.

13 Q And what is that opinion?

14 A That it could be consistent with.

15 Q Thank you. After you made an external examination of  
16 the body of Mrs. Ghent, did you then examine the wound in  
17 terms of how it impacted the internal tissues and perhaps  
18 organs of her body?

19 A Yes.

20 Q Can you tell us about that, please?

21 A It went into the upper lobe of the left lung and as I  
22 said, some of the blood vessels going to it.

23 Q Is that a blood-rich area? In other words, is it  
24 supplied -- greatly supplied with vessels, the lungs and  
25 the lobes of lungs?

## JANICE ROSS - DIRECT

1 A Yes, in that area. And when lung tissue gets cut  
2 then it doesn't stop by itself, it has to be clamped off.

3 Q Could you determine whether or not the wound or cut  
4 was straight in or at an angle?

5 A It appeared to be straight in from front to back.

6 Q In addition to cutting the upper lobe of -- was it her  
7 left lung?

8 A Correct.

9 Q Were there any other injuries to any of her organs?

10 A No.

11 Q You stated earlier it was close to the heart area but  
12 the heart itself was not cut; is that correct?

13 A That's correct.

14 Q But it did cut the lung, correct?

15 A Correct, yes.

16 Q Dr. Ross, how much blood was in the body cavity of  
17 Mrs. Ghent when you examined her internally?

18 A Free blood in the chest cavity on the left was 1,000  
19 CC's.

20 Q 1,000 CC's?

21 A Correct.

22 Q And that was within her abdominal or her body cavity?

23 A Within the left chest cavity.

24 Q How much blood normally would someone of the height  
25 and weight of Mrs. Ghent's size have?

## JANICE ROSS - DIRECT

1 A Again, it depends on the height and weight, but the  
2 blood that she lost was at least one-third of her volume.

3 Q So you estimated that she had lost one-third of her  
4 blood from this single stab wound?

5 A Yes.

6 Q And is that going by what was in her upper chest  
7 cavity or would that also entail any blood that was there  
8 at the scene on bed linens?

9 A That's included what's in the chest cavity, not  
10 what's outside the chest cavity.

11 Q So it could have been more?

12 A Yes.

13 Q So the blood that was in the chest cavity was  
14 approximately one-third of the victim's blood?

15 A Yes.

16 Q Dr. Ross, do you have an opinion to a reasonable  
17 degree of medical certainty as to the cause of death of  
18 Elaine Ghent?

19 A Yes.

20 Q What is that opinion?

21 A It was called exsanguination, which means to bleed  
22 out due to the stab wound of the lung due to the stab  
23 wound to the chest.

24 Q You prepared a report for the coroner's office  
25 regarding your findings in the autopsy; is that correct?

## JANICE ROSS - DIRECT

1 A Yes.

2 Q And in your report you noted that the victim in your  
3 opinion would have died within minutes of this stab wound;  
4 is that correct?

5 A Yes.

6 Q Would the victim have been able to move around for  
7 some period of time after she received a stab wound of this  
8 nature?

9 A Yes.

10 Q Approximately how long?

11 A Hard to say. She didn't have any bad heart disease  
12 or anything to slow her down, she could have moved around  
13 probably less than a minute.

14 Q And based upon your training and in your expert  
15 opinion, approximately how many minutes would it have taken  
16 Mrs. Ghent to die from the loss of blood from the stab  
17 wound?

18 A It's hard to say, anywhere from four to six minutes.

19 Q Would that period have been longer if any efforts had  
20 been made to stop the blood flow by compression of the  
21 chest or other means?

22 A Probably not. You can't press against the wound and  
23 the lung directly.

24 Q Are you aware if any efforts were made to stop the  
25 blood flow of Mrs. Ghent after the stab wound?

JANICE ROSS - DIRECT

1 A I don't know.

2 MS. COLLINS: I would ask that these exhibits be  
3 marked.

4 Q Dr. Ross, I would like to show you first of all what's  
5 been marked as State's Exhibit 2 and ask you, do you  
6 recognize that document?

7 A Yes, this is my autopsy report.

8 Q For the autopsy of Elaine Ghent?

9 A Correct.

10 Q It is a five page document; is that correct?

11 A Yes.

12 Q And is that a true and accurate copy of your original  
13 report you prepared in this case?

14 A Yes.

15 MS. COLLINS: At this time I would move State's  
16 Exhibit 2 into evidence.

17 MR. LIFSEY: Without objection.

18 THE COURT: Without objection introduced into  
19 evidence.

20 (The autopsy report was received as State's 2.)

21 Q You have before you also State's Exhibit 3. Are you  
22 familiar with that document?

23 A Yes, this is the toxicology report.

24 Q At the conclusion of your report you note that you  
25 drew blood or bodily fluid samples to be submitted to

## JANICE ROSS - DIRECT

1 determine through a toxicology analysis whether or not  
2 there were any substances that might have contributed to  
3 the death of Mrs. Ghent apart from the stab wound; is that  
4 correct?

5 A Yes.

6 Q And you gave law enforcement the bodily fluids and  
7 blood for that to be sent to SLED or another lab and to be  
8 tested, correct?

9 A Yes.

10 Q And then ultimately they provided you with that lab  
11 report, the toxicology report from SLED in State's Exhibit  
12 3; is that right?

13 A Yes.

14 Q And when you received that, Dr. Ross, did you review  
15 it?

16 A Yes.

17 Q The toxicology report there before you, did it affect  
18 in any way your expert opinion that Mrs. Ghent's death was  
19 caused by the loss of blood caused from the stab wound to  
20 her chest which also cut her lung?

21 A No, it did not change anything.

22 Q In fact, I believe the toxicology report reflects that  
23 she did not have any substances in her system other than  
24 perhaps caffeine; is that correct?

25 A Yes.

## JANICE ROSS - DIRECT

1 Q And did you rely upon that report in staying with your  
2 original conclusion?

3 A Yes.

4 MS. COLLINS: At this time I move State's Exhibit 3  
5 into evidence for the purposes of this trial.

6 MR. LIFSEY: No objection.

7 THE COURT: Without objection introduced.

8 (The toxicology report was received as State's 3.)

9 Q Dr. Ross, in your report, which you have a copy there  
10 in front of you as State's Exhibit 2 in evidence, the  
11 report indicates that the knife is consistent with the  
12 injury to Mrs. Ghent's chest. Do you see that in your  
13 report?

14 A Yes.

15 Q So on the bottom of page two it says, "A knife is  
16 presented to this preceptor," am I saying that correctly?

17 A Correct.

18 Q -- "in the morgue and this knife is consistent with  
19 having made this stab wound;" is that correct?

20 A Yes.

21 Q In your testimony earlier you said it could be  
22 consistent so I just wanted to be clear, is it your opinion  
23 to a reasonable degree of medical and scientific certainty  
24 that the knife in State's Exhibit 1 is consistent with the  
25 wound to the chest and lung area of the victim, Elaine



## JANICE ROSS - CROSS

1 Ghent?

2 A Yes.

3 MS. COLLINS: Thank you. Thank you, Dr. Ross, please  
4 answer any questions of the defense counsel.

5 THE COURT: Mr. Lifsey?

6 MR. LIFSEY: Thank you.

7 CROSS EXAMINATION

8 BY MR. LIFSEY:

9 Q Just briefly. May I look at the report -- your  
10 autopsy report? Dr. Ross, I want to make sure -- I've  
11 heard the term scratch wound, but the report says  
12 examination of the upper extremities show a small incised  
13 wound over the second knuckle of the left hand and a  
14 superficial incised wound over the dorsal aspect of the  
15 right hand. Could you show the jury where these would be  
16 on --

17 A Yes. Wounds like this are made by a sharp instrument  
18 as opposed to a laceration which is from being hit by a  
19 blunt object. But the one on the right hand would be on  
20 the back and the one on the -- let me make sure -- on the  
21 left hand was over the second knuckle, say first finger,  
22 second finger, it would be right here.

23 Q Are those wounds that certainly could have been caused  
24 by this knife as well?

25 A It could be.

## JANICE ROSS - CROSS

1 Q And you mentioned the secondary wound to the knife,  
2 explain that again, what you mean by that.

3 A It's called a compound wound. You don't have a  
4 straight stab wound on the sharp edge, it's a little bit  
5 almost V-shaped. That's from putting the knife in one way  
6 and then as you take it -- withdraw it, take it out you  
7 kind of move it, twist it a little bit.

8 Q Would that also be consistent with either a struggle  
9 or the body moving and shifting as the knife came out?

10 A It could, yes.

11 Q And just to clarify, there's no other wounds other  
12 than you do see a little bit of bruising, correct?

13 A Correct.

14 Q But you see no other wounds to the body at all besides  
15 what you just described.

16 A Correct.

17 Q And you say death would have occurred within minutes  
18 as a result of this one wound.

19 A Yes.

20 Q And you also told the solicitor that any efforts to  
21 try to stop the wound would probably not have worked  
22 either, correct?

23 A Correct.

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

25 THE COURT: All right. Any redirect?

## JANICE ROSS - CROSS

1 REDIRECT EXAMINATION

2 BY MS. COLLINS:

3 Q Dr. Ross, if you could, could you show us -- Mr.  
4 Lifsey asked you in terms of the wounds to the hands. Let  
5 me ask you first of all, how deep were those two cuts?

6 A Very, very superficial. Just -- on the back of the  
7 right hand it was not even through the surface of the  
8 skin, just like a scratch like you would get like running  
9 through a briar patch. On the knuckle of the other hand  
10 it was a cut through the skin so that it flapped over,  
11 it's called a skin lesion.

12 Q When you received the body of the victim, as you've  
13 stated, she had blood on her body, correct?

14 A Yes.

15 Q A large amount, correct?

16 A Yes.

17 Q Were her hands turned toward her chest, do you recall,  
18 when you received her?

19 A You know, they -- she was placed in the body bag at  
20 the scene and they could have placed her anywhere, but  
21 when I opened the body bag they were up mostly towards her  
22 shoulders.

23 Q How much blood would the superficial scratch to the  
24 back of the right hand have resulted in?

25 A Very little.

## JANICE ROSS - CROSS

1 Q And how much blood would the scratch to the knuckle of  
2 the left hand have resulted in?

3 A Probably very little.

4 Q Can you demonstrate to the jury -- and you can stand  
5 if you need to to make sure everybody can see you -- where  
6 the wound was to the chest area just by -- if you could  
7 just pointing? You've already said to the left of the  
8 midline.

9 A Yes. It's right about here, above the level of the  
10 nipple and left of the -- and close to the midline.

11 Q Now, Mr. Lifsey asked you if the turn of the knife  
12 could be consistent with a struggle and you stated it could  
13 be; is that right?

14 A Yes.

15 Q But the turning of the knife could also be consistent  
16 with a perpetrator himself turning the knife, correct?

17 A Yes.

18 Q Without any struggle on the part of the victim; is  
19 that right?

20 A Yes.

21 Q And where was the bruise in relation to what you've  
22 indicated the cut was to the left of the midline in the  
23 chest?

24 A Up towards the shoulder to the front of the shoulder.

25 Q Within a few inches of the cut?

## JANICE ROSS - CROSS

1 A Yes.

2 MS. COLLINS: Thank you, Dr. Ross.

3 MR. LIFSEY: May I briefly --

4 THE COURT: Yeah.

5 RECROSS EXAMINATION

6 BY MR. LIFSEY:

7 Q It's not unusual for people to be moving around when  
8 they're stabbed, correct?

9 A Yes.

10 MR. LIFSEY: Thank you.

11 THE COURT: All right. Thank you, Doctor, you may  
12 step down and you are also free to leave. Can I see the  
13 lawyers up here real quick?

14 (A bench conference was held.)

15 THE COURT: Ladies and gentlemen, I've been told by  
16 the lawyers we have one more fairly short witness for  
17 today, I would like to do that so we'll go a little bit  
18 past 5:00 today. We'll get you out of here quickly and  
19 then that would be less you have to do tomorrow. Okay.

20 MS. COLLINS: The next witness is, and the last  
21 witness for today, is Dr. Jad Ghandour.

22 The witness, JAD GHANDOUR, M.D., was first duly sworn  
23 and testified as follows:

24 DIRECT EXAMINATION

25 BY MS. COLLINS:

## JAD GHANDOUR - DIRECT

1 Q Please tell us your name.

2 A Jad Ghandour.

3 Q Dr. Ghandour, what is your occupation?

4 A I am a hospitalist.

5 Q And how long have you been a physician?

6 A An attending physician for two and a half years.

7 Q Could you tell the jury about your education and  
8 training to be an attending physician?

9 A I went to undergraduate at the University of Western  
10 Ontario for my Bachelor's, medical school at Ross  
11 University in Dominica. I did my internal medicine  
12 training at University of Connecticut, and that was three  
13 years. Now I'm an attending physician for the last two  
14 and a half years at Springs Memorial Hospital.

15 Q And when you say attending physician, what does that  
16 mean?

17 A That means I'm responsible for the patients care with  
18 any trainee or medical students, that it is my  
19 responsibility.

20 Q Were you working at Spring Memorial Hospital in  
21 October of 2013?

22 A Yes, I was.

23 Q In that same capacity that you've described as an  
24 attending physician?

25 A Yes.

JAD GHANDOUR - DIRECT

1 Q Were you, in fact, the treating physician for the  
2 defendant, John Marion Ghent, Jr.?

3 A I was.

4 Q You were not the ER doctor; is that correct?

5 A Correct.

6 Q But once he left the ER and was admitted to a regular  
7 room, were you his treating physician?

8 A I was.

9 Q And in being his treating physician, was one of the  
10 things that you would do would be to review his ER chart  
11 prior to you yourself performing any medical treatment or  
12 care that he needed?

13 A Correct. I would review his chart and discuss over  
14 the phone with the ER physician as well.

15 Q When Mr. Ghent was admitted to the hospital first in  
16 the ER and then to a regular room, did he require any  
17 medical treatment in regard to his wrists?

18 A He did not.

19 Q And by wrists I include the forearm area. Was any  
20 medical treatment required in regard to that?

21 A No.

22 Q No stitches were required?

23 A No.

24 Q No medical treatment of any kind; is that right?

25 A Nothing.

JAD GHANDOUR - DIRECT

1 Q How were they referred to by medical personnel in the  
2 report, do you recall?

3 A Yes. In the emergency department the nurse had  
4 called it an abrasion. Also the nurses on the medical  
5 floor, one of the nurses, had also called it an abrasion.

6 Q And what is an abrasion, Doctor?

7 A An abrasion is if you were to fall off from your  
8 bicycle and land on some gravel or concrete, that type of  
9 scuff would be like an abrasion.

10 Q So perhaps a scratch or some tear to the external skin  
11 area but not actually a cut; is that correct?

12 A Correct.

13 Q According to the review of the ER report that you  
14 received when he was seen in the ER, was he conscious and  
15 alert?

16 A Yes. They had documented oriented times three.

17 Q And oriented times three in medical verbal is oriented  
18 as to person, place and time; is that correct?

19 A You are correct.

20 Q Person that he knew who he was and that he knew y'all  
21 were medical personnel?

22 A Correct.

23 Q That he knew he was in a medical --

24 MR. LIFSEY: I object to her leading the witness.

25 MS. COLLINS: I'll rephrase.



JAD GHANDOUR - DIRECT

1 THE COURT: All right.

2 Q What does times three mean, Doctor?

3 A Times three means alert to person, place and time.

4 Q And by place and time, I think we've covered person,  
5 what does that address?

6 A Where he is and the time, not necessarily the exact  
7 time but time of day, whether it was afternoon, morning,  
8 night.

9 Q At any place within the ER notes does it indicate that  
10 the defendant was confused in any way?

11 A No.

12 Q Or disoriented?

13 A No.

14 Q What time was he first seen in the emergency room on  
15 10/28 of 2013?

16 A He presented at 8:49 a.m.

17 Q He was ultimately admitted to the hospital from the  
18 ER; is that correct?

19 A Correct.

20 Q What time was he moved to a regular room from the ER?

21 A The last ER note was at 11:46.

22 Q And is that a.m.?

23 A A.m., yes.

24 Q On 10/28 of 2013?

25 A Correct.

## JAD GHANDOUR - DIRECT

1 Q What date was the defendant discharged from the  
2 hospital?

3 A October 30, 2013.

4 Q And he was discharged into the custody of law  
5 enforcement?

6 A Correct.

7 Q When the defendant was initially seen in the ER upon  
8 your review of notes, what was the pain scale he reported?

9 A According to the ER notes -- I would actually have to  
10 check, I don't recall off the top of my head. I don't  
11 recall that.

12 Q During the time that you treated him, do you recall  
13 how he reported his pain scale at regular intervals to  
14 medical personnel?

15 A Zero out of ten.

16 Q Zero being no pain?

17 A Correct.

18 Q On the ER notes the initial assessment indicates that  
19 the patient took some pills, is that right, or some  
20 medicine; is that correct?

21 A That's correct.

22 Q An unknown amount; is that correct?

23 A Correct.

24 Q What were the types of medicine indicated that he  
25 stated he had taken some meds?

JAD GHANDOUR - DIRECT

1 A He stated to me that he had taken Lisinopril Norvasc,  
2 and Pristiq. Two of those are blood pressure medications,  
3 one is an antidepressant.

4 Q When you reviewed his ER report when you became his  
5 physician when he was put into a regular room, when he was  
6 triaged in the ER, did his vital signs reflect that he was  
7 at any risk of fatality?

8 A Yes.

9 Q What were his vital signs, do you recall?

10 A His blood pressure in the emergency department was 70  
11 over 50.

12 Q And what if any treatment did he receive at that time  
13 to address that?

14 A He received a liter of fluid to help increase his  
15 blood pressure, and also dopamine, which is a vasopressor  
16 that helps artificially elevate blood pressure.

17 Q That would have been to counteract the reduction of  
18 his blood pressure from any medicine he may have taken?

19 A Correct.

20 Q Were you aware that he normally was on high blood  
21 pressure medicine himself? Is that something he reported?

22 A Yes.

23 Q So some of that medicine would normally be taken  
24 anyway as prescribed to reduce his blood pressure, correct?

25 A That's correct.

JAD GHANDOUR - DIRECT

1 Q Was a urine drug screen analysis done?

2 A Yes, it was.

3 Q Did those results address an overdose on these three  
4 meds?

5 A It does not.

6 Q So y'all would have had to screen specifically for  
7 these three medications for that to be reflected in that  
8 analysis; is that correct?

9 A I don't even know if there are tests to pick up those  
10 medications, it would be incredibly rare to send those  
11 pills.

12 Q Referring to the medical records that you have there,  
13 during the time that you saw him, was there ever a time  
14 when the defendant appeared to be disoriented in any way or  
15 was he at each time alert and oriented times three?

16 A Each time I examined him he was awake, alert and  
17 oriented times three.

18 Q You were his physician on 10/29 of 2013?

19 A Correct.

20 Q Again on 10/30 of 2013?

21 A Correct.

22 Q You were his discharging physician?

23 A I was.

24 Q Do you work a long shift?

25 A Yes, I do.

## JAD GHANDOUR - DIRECT

1 Q What hours do you work?

2 A I work 12 hour days from 7:00 a.m. to 7:00 p.m.

3 Q So you would have seen him several times over a 12  
4 hour shift on 10/29 of 2013; is that correct?

5 A Correct.

6 Q And at anytime was he during that day disoriented in  
7 any way?

8 A He was not.

9 Q In the course of treating him, do you ask him  
10 questions?

11 A Yes.

12 Q Was he able to respond to your questions?

13 A Yes, he was.

14 Q He did not exhibit any confusion?

15 A None.

16 MS. COLLINS: Thank you, Doctor. Please answer any  
17 questions of Mr. Lifsey.

18 CROSS EXAMINATION

19 BY MR. LIFSEY:

20 Q Dr. Ghandour, just to summarize what you told the  
21 solicitor then, your records indicate that my client  
22 presented at the hospital with wounds to his wrist,  
23 correct?

24 A Correct.

25 Q With having taken some quantity greater than the

## JAD GHANDOUR - DIRECT

1 normal amount of pills, correct?

2 A Correct.

3 Q You said he was at risk of fatality.

4 A Yes.

5 MS. COLLINS: Thank you. I don't have any further  
6 questions.

7 THE COURT: All right. Thank you, sir, you can step,  
8 you are also free to leave.

9 MS. COLLINS: Thank you, Judge, thank you, Doctor.  
10 Your Honor, that would be our last witness today.

11 THE COURT: All right. Thank you. Ladies and  
12 gentlemen of the jury, we're going to go ahead and recess  
13 for the day. Let me give you a specific instruction about  
14 what you're supposed to do and your oath again when you  
15 leave this courthouse, okay? You are not to do any  
16 independent research on the case. You are not to go  
17 research names, go on Google and type in things, go on  
18 social media or Facebook or any type of Twitter, any  
19 type -- you know what I'm talking about and advertise  
20 yourselves as being a trial juror, okay? Believe me, it's  
21 happened and it ruins trials. Remember, you're sworn to  
22 judge this case as the jury on information presented in  
23 this courtroom and this courtroom alone, not what's in the  
24 media, not what may be on TV, not what may be in the  
25 newspaper, okay? You are to read no news accounts of this

## TABITHA REYNOLDS - DIRECT

1 THE COURT: All right. Everybody is understood.  
2 Anything else?

3 MS. COLLINS: No, sir.

4 (The jury returned to the courtroom.)

5 THE COURT: All right. All members of the jury are  
6 present. Good morning, ladies and gentlemen, I hope you  
7 had a nice evening last night, we will jump right into it  
8 this morning. Madam Solicitor?

9 MS. COLLINS: Thank you, Your Honor. May it please  
10 the Court? Your Honor, the next witness for the State of  
11 South Carolina is Tabitha Reynolds.

12 The witness, TABITHA REYNOLDS, was first duly sworn  
13 and testified as follows:

14 DIRECT EXAMINATION

15 BY MS. COLLINS:

16 Q Would you please state your name?

17 A Tabitha Reynolds.

18 Q What is your maiden name?

19 A Tabitha Ghent.

20 Q You are married as of this time, correct?

21 A Yes, ma'am.

22 Q And what is your husband's name?

23 A Mike.

24 Q When did y'all get married, Mrs. Reynolds?

25 A 2003.

## TABITHA REYNOLDS - DIRECT

- 1 Q Do you have children?
- 2 A Yes.
- 3 Q How many?
- 4 A Two.
- 5 Q And what are their ages?
- 6 A Sixteen and two.
- 7 Q What are their names?
- 8 A Madison and Hunter.
- 9 Q Is the two year old Hunter?
- 10 A Yes.
- 11 Q They're both little girls?
- 12 A Yes, ma'am.
- 13 Q What was your relationship to the victim, Elaine
- 14 Ghent?
- 15 A That was my mother.
- 16 Q And what is your relationship to the defendant, John
- 17 Ghent?
- 18 A My father.
- 19 Q Did he go by a nickname?
- 20 A Butch.
- 21 Q You said that Hunter is two. When was Hunter born?
- 22 A of 2013.
- 23 Q So you had just had Hunter about ten days before this
- 24 happened?
- 25 A Yes, ma'am.



## TABITHA REYNOLDS - DIRECT

1 Q Can you tell us how the relationship of your mother  
2 and father had changed in recent years before of  
3 2013?

4 A I really don't know.

5 Q How would you describe their relationship in  
6 of 2013?

7 A She was ready to leave.

8 Q Was Elaine Ghent working in of 2013?

9 A Yes, ma'am.

10 Q She worked at Lloyds Store; is that correct?

11 A Yes, ma'am.

12 Q Was the defendant working at that time?

13 A No, ma'am.

14 Q How long had it been approximately since your dad had  
15 worked?

16 A Ten years or more.

17 Q Your mother was supporting the household?

18 A Yes, ma'am.

19 Q To your knowledge, did your mom also need some  
20 financial help from her dad?

21 A Yes, ma'am.

22 Q Is your grandfather Mr. Roddey Ghent?

23 A Yes, ma'am.

24 Q You said that your mom had plans to leave the  
25 defendant?

## TABITHA REYNOLDS - DIRECT

1 A Yes, ma'am.

2 Q Had she told that to you?

3 A No, ma'am.

4 Q But you knew that to be the case?

5 A Yes, ma'am.

6 Q Do you know if your mom was looking for a place to  
7 live?

8 A No, ma'am, I don't think so.

9 Q Do you know if your mom had asked your dad to move  
10 out?

11 A Yes, ma'am.

12 Q And had your dad moved out?

13 A No.

14 Q Tabitha, when did you last see your mother alive?

15 A The Friday before.

16 Q Where was that?

17 A She come to my house.

18 Q She came to visit with you and the baby?

19 A Yes, ma'am.

20 Q When did you last speak with your mom on the phone or  
21 otherwise?

22 A Saturday.

23 Q And that was the Saturday before she died?

24 A Yes, ma'am.

25 Q Was she working at the time you talked to her at

## TABITHA REYNOLDS - DIRECT

- 1 Lloyds?
- 2 A Yes, ma'am.
- 3 Q I want to direct your attention to the evening of
- 4 . Okay. You were home at that time,
- 5 correct?
- 6 A Yes, ma'am.
- 7 Q With your baby, Hunter?
- 8 A Yes, ma'am.
- 9 Q Was your other daughter home too?
- 10 A Yes, ma'am.
- 11 Q Madison?
- 12 A Yes, ma'am.
- 13 Q Was Mike home that evening, your husband?
- 14 A Yes, ma'am.
- 15 Q Do you remember about what time you went to bed?
- 16 A Probably 9:00 or 10:00.
- 17 Q Now, is your father's birthday; is that
- 18 right?
- 19 A Yes, ma'am.
- 20 Q Had you spoken to him because of his birthday?
- 21 A No, ma'am.
- 22 Q You had not?
- 23 A No, ma'am.
- 24 Q When you went to bed about 9:00 or 10:00, when did you
- 25 wake up?

## TABITHA REYNOLDS - DIRECT

- 1 A It was about 3:30 to feed the baby.
- 2 Q About 3:30 the morning of October 28th?
- 3 A Yes, ma'am.
- 4 Q And after you fed your newborn, did you then go back
- 5 to sleep?
- 6 A Yes, ma'am.
- 7 Q And what time did you wake up after that?
- 8 A About 7:00.
- 9 Q And when you woke up at 7:00 a.m. did you notice any
- 10 messages on your phone?
- 11 A Yes, ma'am.
- 12 Q And what message did you notice?
- 13 A A message he had left me.
- 14 Q You said he had left you, who is that?
- 15 A My father.
- 16 Q Did you listen to that message?
- 17 A Yes, ma'am.
- 18 Q Was it a voice mail?
- 19 A Yes, ma'am.
- 20 Q Did you make that voice mail available to law
- 21 enforcement to make a copy of?
- 22 A Yes, ma'am.
- 23 Q Did you listen to that recording in our office again
- 24 last night and make your initials on it?
- 25 A Yes, ma'am.

## TABITHA REYNOLDS - DIRECT

1 Q I will show you, Tabitha, what's marked as State's  
2 Exhibit 4, and ask you to look at the disc contained in  
3 that envelope. There are initials on that disc; is that  
4 right?

5 A Yes, ma'am.

6 Q Is that your handwriting?

7 A Yes, ma'am.

8 Q You dated that yesterday and initialed it yesterday?

9 A Yes, ma'am.

10 Q And when you initialed it yesterday, was it to confirm  
11 that that was a full and complete unedited copy of the  
12 recording of the voice mail your father left on your phone?

13 A Yes, ma'am.

14 MS. COLLINS: Your Honor, at this time we would move  
15 that into evidence and ask to publish it to the jury.

16 MR. LIFSEY: Without objection.

17 THE COURT: Without objection introduced into  
18 evidence. Permission to publish granted.

19 (The disc was received as State's 4.)

20 Q Thank you. While the solicitor is pulling that up let  
21 me ask you, Tabitha, what type of phone do you have?

22 A A Galaxy S5.

23 Q So it's a smart phone?

24 A Yes, ma'am.

25 Q And does it reflect on the screen the date and time

## TABITHA REYNOLDS - DIRECT

1 you received that voice mail?

2 A Yes, ma'am.

3 Q You said you listened to it at 7:00 a.m. Do you  
4 recall the time that it was left on your phone?

5 A I believe it was 4:00.

6 Q In the morning?

7 A Yes, ma'am.

8 Q On 10/28 of 2013?

9 A Yes, ma'am.

10 (At this time the voice message was played.)

11 Q Tabitha, we will have our investigator go get Mr.  
12 Newman's laptop that it was played on last night so  
13 hopefully it won't skip. But while we do that let me ask  
14 you, you woke up at 7:00 a.m. and you saw you had a message  
15 on your phone, right?

16 A Yes, ma'am.

17 Q And you listened to it at that time; is that right?

18 A Yes, ma'am.

19 Q Was anybody else in the household around when you  
20 heard it for the first time?

21 A No, ma'am.

22 Q What did you do after you heard it, Tabitha?

23 A I woke my husband up.

24 Q And when you woke Mike up, what did you tell him?

25 A To listen to the message.

## TABITHA REYNOLDS - DIRECT

- 1 Q And did he listen to it?
- 2 A Yes, ma'am.
- 3 Q And as a result of listening to that message, what did
- 4 your husband do?
- 5 A He got up and said he was going over there.
- 6 Q To check on your mother?
- 7 A Yes, ma'am.
- 8 Q And your father?
- 9 A Yes, ma'am.
- 10 Q Now again, you had just had Hunter, I think, ten or 11
- 11 days before, correct?
- 12 A Yes, ma'am.
- 13 Q So you did not go over there, correct?
- 14 A No, ma'am.
- 15 Q You stayed home with your baby, right?
- 16 A Yes, ma'am.
- 17 Q And you stayed home with Madison, your daughter,
- 18 right?
- 19 A Yes, ma'am.
- 20 Q You did not go over to your parent's household at all
- 21 that day; is that correct?
- 22 A No, ma'am.
- 23 Q But you later spoke with law enforcement and made them
- 24 aware of this recording, right?
- 25 A Yes, ma'am.

## TABITHA REYNOLDS - DIRECT

1 Q And allowed them to make a copy.

2 A Yes, ma'am.

3 MS. COLLINS: Judge, I made Mr. Lifsey aware, those  
4 will be all the questions I would have of Mr. Reynolds  
5 apart from playing it, and I understand he would like to  
6 wait until it has played.

7 THE COURT: That's fine. Ladies and gentlemen of the  
8 jury, this isn't an unusual thing with the sound system and  
9 stuff, sometimes it always works. It's kind of like  
10 practicing for a play or a musical or something, everything  
11 goes fine until the audience is actually there and then  
12 something goes wrong, so it's not unusual for audio visual  
13 equipment to malfunction, I'm sure that's what it is.

14 (Break in proceedings.)

15 MS. COLLINS: Your Honor, may we ask -- can we send  
16 the jury to the jury room while we work it out?

17 THE COURT: Yeah, we'll work out to the details. Head  
18 on back to the jury room, don't talk about the case, head  
19 on back there, we'll get the bugs worked out.

20 (The jury left the courtroom and a break was taken.)

21 (The jury return to the courtroom.)

22 THE COURT: All members of the jury are present.  
23 Ladies and gentlemen, I believe they have it fixed, or they  
24 did before the break.

25 MS. COLLINS: Thank you, Your Honor.



## TABITHA REYNOLDS - DIRECT

1 THE COURT: You may publish.

2 (The recording was played.)

3 BY MS. COLLINS:

4 Q And Tabitha, the voice that we all heard just now, the  
5 recording, the voice that left the voice mail on your phone  
6 on 10/28 of 2013 at approximately 4:00 in the morning was  
7 the voice of your father, the defendant; is that right?

8 A Yes, ma'am.

9 MS. COLLINS: Thank you.

10 THE COURT: All right. Mr. Lifsey?

11 MR. LIFSEY: Just a couple of brief things.

12 CROSS EXAMINATION

13 BY MR. LIFSEY:

14 Q Had your father talked to you in the weeks leading up  
15 to this about him thinking about killing himself?

16 A Yes, sir.

17 Q And obviously the day this happened you got there well  
18 after the incident itself, correct?

19 A I didn't go.

20 Q You didn't go at all to the scene?

21 A No.

22 Q Okay.

23 MR. LIFSEY: Thank you. I don't have anything else to  
24 ask.

25 MS. COLLINS: No further questions.

## MIKE REYNOLDS - DIRECT

1 THE COURT: All right. Thank you, ma'am, you may  
2 stand down. You can call your next witness.

3 MR. NEWMAN: State calls Mike Reynolds.

4 The witness, MIKE REYNOLDS, was first duly sworn and  
5 testified as follows:

6 DIRECT EXAMINATION

7 BY MR. NEWMAN:

8 Q Please state your name for the record.

9 A Michael Reynolds.

10 Q Mr. Reynolds, what is your relationship to Elaine and  
11 Butch Ghent?

12 A That's my mother-in-law and father-in-law.

13 Q And do you know -- well, John Ghent, do you know John  
14 as Butch?

15 A Uh-huh.

16 Q So you're married to Elaine and Butch's daughter,  
17 Tabitha?

18 A Yes, sir.

19 Q How long have y'all been married?

20 A Thirteen years.

21 Q And y'all got children together?

22 A Yes, sir.

23 Q How long have you known John and Elaine?

24 A About the same amount of time.

25 Q Have you ever known John to work?

## MIKE REYNOLDS - DIRECT

- 1 A A long time ago.
- 2 Q About how long ago?
- 3 A Over ten years.
- 4 Q How often did you see your in-laws?
- 5 A I seen Elaine probably once a week, and Butch
- 6 probably once a month.
- 7 Q And y'all had a new baby at home at this time?
- 8 A Yes, sir.
- 9 Q How old was that child? On October 28th when this
- 10 occurred how old was the baby?
- 11 A Not even a month old.
- 12 Q Now, did you go over to your in-law's home on October
- 13 28th?
- 14 A That morning.
- 15 Q Okay. And was that address ?
- 16 A Yes, sir.
- 17 Q And is that in Lancaster County?
- 18 A Yes, sir.
- 19 Q Why did you go over to the home?
- 20 A Because of the voice mail I heard.
- 21 Q So y'all woke up, Tabitha hears a voice mail and she
- 22 hands it to you, is that what happened?
- 23 A Yes, sir.
- 24 Q Did Tabitha go?
- 25 A No, sir.

## MIKE REYNOLDS - DIRECT

- 1 Q She stayed with the baby?
- 2 A Yes, sir.
- 3 Q Did you take anybody with you?
- 4 A Her grandfather, Roddey.
- 5 Q Did you meet anybody there?
- 6 A Tressa.
- 7 Q What did you do when you got there?
- 8 A We tried to knock on the door to get somebody to come
- 9 to the door, finally got somebody to come to one of the
- 10 doors.
- 11 Q Who got there first, you and Roddey or Tressa?
- 12 A I think we got there about the same time.
- 13 Q You say you knocked on the door, how long did you have
- 14 to knock on the door?
- 15 A Not but a couple of minutes.
- 16 Q Who came to the door?
- 17 A Tressa got I think it was Jonathan's wife to come to
- 18 the door.
- 19 Q Jonathan is Tabitha's brother?
- 20 A Yes, sir.
- 21 Q And John's son.
- 22 A Uh-huh.
- 23 Q And Elaine's son.
- 24 A Yes, sir.
- 25 Q And Jonathan and his wife lived in the home?

## MIKE REYNOLDS - DIRECT

1 A Yes, sir.

2 Q Who else lived in the home?

3 A Just them two and Butch and Elaine.

4 Q Did Jonathan and Nicole have children?

5 A Yes, sir.

6 Q Did they live in the home too?

7 A Yes, sir.

8 Q How many children lived in the home?

9 A I think -- I'm not sure, I think it was two at the  
10 time.

11 Q Okay. Tell us what happened when Jonathan came to the  
12 door.

13 A We went to the bedroom, Jonathan had to force the  
14 door open, he went in there and Elaine was laying there  
15 and Butch was laying in front of her, Jonathan grabbed  
16 Butch. I went in there, I checked Elaine's pulse and  
17 looked to see where she was stabbed at.

18 Q Now, Jonathan forced the bedroom door open?

19 A Yes, sir.

20 Q Did he kick it open?

21 A I'm not sure if he kicked it, he just had to push it  
22 open.

23 Q He just had to push it open. Were you standing back  
24 or were you standing right with him? Could you see what  
25 was in the room?

## MIKE REYNOLDS - DIRECT

- 1 A I was right behind him running in.
- 2 Q Did you see -- before he pulls John off of Elaine, did
- 3 you see what position they were in?
- 4 A Yes, sir.
- 5 Q What position were they in?
- 6 A Like this right here, he was facing her.
- 7 Q Okay. So if I'm walking into the bedroom, is her --
- 8 is Elaine's back to me or is John's back to me?
- 9 A John's back.
- 10 Q So Elaine is facing the door, facing John.
- 11 A Yes, sir.
- 12 Q And you checked Elaine for a pulse?
- 13 A Yes, sir.
- 14 Q And what did you find?
- 15 A Nothing.
- 16 Q Was she cold to the touch?
- 17 A Yes, sir.
- 18 Q Was she -- had she already begun to get stiff?
- 19 A Yes, sir.
- 20 Q What happened with Jonathan and Butch at that time?
- 21 A Jonathan took Butch into the kitchen and I was still
- 22 in there for another minute, I finally went in there and
- 23 Butch was trying to get up and I put my foot on him and
- 24 told him, "Don't get up, you're going to rot in hell for
- 25 this." And then I looked for Rod and then I went outside

## MIKE REYNOLDS - DIRECT

1 to check on Rod and standing there the rest of the time.

2 Q Was Rod sick at the time?

3 A Yes, sir.

4 Q Did you try to stop Jonathan from fighting his dad?

5 A I told him he needed to stop, don't stoop to his  
6 level.

7 Q And during the fight before they finished -- before  
8 they finished fighting you went out to check on Roddey?

9 A Yes, sir.

10 Q And was Tressa still in the house?

11 A Yes, sir.

12 MR. NEWMAN: Beg the Court's indulgence.

13 (Break in proceedings.)

14 Q Now, when you checked Elaine for a pulse, did you move  
15 her at all?

16 A No, sir.

17 Q When Jonathan pulled Butch off of Elaine, did Elaine  
18 move -- did the body move at that time?

19 A No, sir.

20 Q Now, we talked about how they were positioned and  
21 Elaine's back was facing the wall and -- her back was to  
22 the wall and she was facing Butch, Butch's back was to the  
23 door. Were their heads at the head of the bed or the foot  
24 of the bed?

25 A Foot of the bed.

MIKE REYNOLDS - DIRECT

1 Q Okay. But they were both face to face in the bed.

2 A Uh-huh.

3 MR. NEWMAN: I've got no further questions. Please  
4 answer anything Mr. Lifsey has.

5 THE COURT: Mr. Lifsey?

6 MR. LIFSEY: I don't think I have any questions for  
7 this witness.

8 THE COURT: Thank you, sir, you can step down. You  
9 can call your next witness.

10 MR. NEWMAN: State calls Roddey Ghent.

11 The witness, RODDEY GHENT, was first duly sworn and  
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. NEWMAN:

15 Q Will you state your name for the record?

16 A My name is Roddey B. Ghent.

17 Q And Mr. Ghent, what's your relationship to Elaine and  
18 John?

19 A Elaine was my dear daughter.

20 Q Is she your youngest daughter?

21 A Oldest daughter, first born.

22 Q First born.

23 A Yes, sir.

24 Q So Mr. Ghent, just to clear up any confusion, Elaine  
25 was a Ghent when she was born but she was also a Ghent by



## RODDEY GHENT - DIRECT

1 marriage, she married Butch Ghent. Is there any  
2 relationship between Butch's Ghents and your Ghents?

3 A No, 'sir, there's no relationship. The common saying  
4 is he was born on the other side of the railroad tracks  
5 and I was on that side.

6 Q I understand. How long have you known John?

7 A I've known John for 17 or 18 years, it might be 20,  
8 I'm not really sure. I've known Butch for a long time.

9 Q In that time you have known him to work?

10 MR. LIFSEY: I object as to the relevance of this line  
11 of questioning.

12 MR. NEWMAN: I think we've covered it with other  
13 witnesses, Your Honor.

14 THE COURT: Okay.

15 Q How often did you see John and Elaine?

16 A I saw him quite frequently. Elaine was at my house  
17 just about everyday. Elaine was my right arm. Of course,  
18 my other daughter is too, but she was Johnny on the spot.  
19 If I needed Elaine she was there.

20 Q And you were there for her as well, correct?

21 A Amen, yes, sir.

22 Q Did John and Elaine own the property at  
23

24 A They had a mortgage on it which I was paying the  
25 mortgage, I paid better than \$13,000 for them in the last

RODDEY GHENT - DIRECT

1 five or ten years. I also -- the car that my daughter  
2 owned or my daughter drove was mine, and I paid the  
3 insurance, I done the maintenance on the car, everything  
4 that she needed, new tires or whatever. I was always  
5 there for Elaine because Elaine was always there for me.  
6 She was a doll baby.

7 Q Mr. Ghent, you went to your daughter's home on October  
8 28th.

9 A Yes, sir, I did.

10 Q Did you go in the home?

11 A Yes, sir, I did.

12 Q Did you go into the bedroom?

13 A Yes, sir, I did. I went in and I caught ahold of her  
14 hands, they were ice cold. I have heart trouble and I  
15 have cancer and I was almost passed out so I went back out  
16 the door and passed out in the chair outside.

17 Q So you didn't see any altercation between John and  
18 Jonathan?

19 A No.

20 Q Now, when you touched her hand, did you move the body  
21 at all?

22 A No, sir. Her arm was stiff, it was as if she was  
23 praying, her hands.

24 Q When you left that home that day did you leave on your  
25 own?

## RODDEY GHENT - DIRECT

1 A No, sir. I was transported to Springs Memorial  
2 Hospital.

3 Q How long did you stay in the hospital?

4 A I stayed approximately 15 hours.

5 MR. NEWMAN: Beg the Court's indulgence.

6 THE COURT: Yes, sir.

7 (Break in proceedings.)

8 Q Mr. Ghent, I may have misspoke on the address. The  
9 address is ?

10 A That's correct, sir.

11 Q Okay.

12 MR. NEWMAN: No further questions, please answer  
13 anything Mr. Lifsey may have.

14 MR. LIFSEY: Your Honor, I don't have any questions  
15 for Mr. Ghent.

16 THE COURT: Thank you, sir, you may step down. The  
17 State can call its next witness.

18 MR. LIFSEY: Your Honor, at this time the State calls  
19 Investigator Mike Bailey. We call him for the limited  
20 purpose of putting in the 911 call subject to recalling him  
21 in full later.

22 The witness, MICHAEL BAILEY, was first duly sworn and  
23 testified as follows:

24 DIRECT EXAMINATION

25

## RODDEY GHENT - DIRECT

1 BY MS. COLLINS:

2 Q Please state your name.

3 A Michael Bailey.

4 Q What is your occupation?

5 A Investigator with the Lancaster County Sheriff's  
6 Office.

7 Q And how long have you been with the Lancaster County  
8 Sheriff's Department?

9 A About seven years.

10 Q How long have you been an investigator?

11 A Three and a half years.

12 Q Were you assigned as an investigator to operate as the  
13 case agent in this case?

14 A I was.

15 Q And as such did you ensure that copies of relevant  
16 calls such as the 911 calls were obtained for this trial?

17 A I did.

18 Q Did you provide copies of those 911 calls to our  
19 office?

20 A Yes, ma'am.

21 Q And they are full and complete unedited copies of the  
22 two 911 calls made in this case by Tressa Howle to 911; is  
23 that correct?

24 A Yes, ma'am.

25 Q And those were secured from Chris Nunnery who is the

## MICHAEL BAILEY - DIRECT

1 911 director; is that right?

2 A Correct.

3 Q And to the best of your knowledge, is this a disc with  
4 those two 911 calls on it?

5 A Yes, ma'am.

6 MS. COLLINS: Your Honor, at this time I move State's  
7 Exhibit 5 into evidence and ask to publish that for the  
8 jury.

9 MR. LIFSEY: Without objection.

10 THE COURT: Without objection admitted into evidence  
11 and permission to publish is granted.

12 (The 911 disc was received as State's 5.)

13 (At this time the 911 call was played.)

14 THE COURT: Thank you, Mr. Bailey. Please answer any  
15 questions of Mr. Lifsey.

16 MR. LIFSEY: Your Honor, as to the 911 issue I don't  
17 have any questions for Investigator Bailey. I reserve the  
18 right to cross examine him when he's called back.

19 THE COURT: Okay. Thank you, sir, you can step down.  
20 The State can call its next went.

21 MR. NEWMAN: State calls Tressa Howle.

22 The witness, TRESSA HOWLE, was first duly sworn and  
23 testified as follows:

24 DIRECT EXAMINATION

25 BY MR. NEWMAN:

MICHAEL BAILEY - DIRECT .

1 Q Would you please state your name for the record?

2 A Tressa Howle.

3 Q You'll have to speak up a little bit because the court  
4 reporter is going to have to hear you so if you need to  
5 pull the mike to you you can.

6 A Tressa Howle.

7 Q Now Tressa, was that you on the 911 call?

8 A Yes, sir.

9 Q I know that was hard to hear. And Elaine is your  
10 sister, correct?

11 A Yes, sir.

12 Q How long have you known John?

13 A Since she was dating him back in the seventies.

14 Q How often did you see John and Elaine?

15 A I seen my sister about everyday, but -- we called him  
16 Butch, he didn't come around that often.

17 Q Now, this was in 2013 in October. Earlier that year  
18 was Elaine involved in a car accident?

19 A Yes, sir.

20 Q Do you know how long before her death that was?

21 A It was in June.

22 Q Okay. Was she injured in that car accident?

23 A Yes, sir.

24 Q What happened to her?

25 A She had some cuts and bruises on her legs and she

## TRESSA HOWLE - DIRECT

1     broke her nose.

2     Q     Did you see a change in your sister after that car  
3     wreck?

4     A     Yes, sir.

5     Q     How so?

6     A     She just started acting like she cared more about  
7     herself than she used to. She started taking care of  
8     herself, and she lost some weight and colored her hair and  
9     started acting like she was actually happy for the first  
10    time in a long time.

11    Q     Do you have knowledge of your sister's efforts to  
12    either leave John or ask him to leave home?

13    A     Yes, sir.

14    Q     Tell us about that.

15    A     She had told me she told to him to leave --

16           MR. LIFSEY: I object to that as hearsay.

17           MR. NEWMAN: Your Honor, may we side bar?

18           THE COURT: Yeah, y'all come up here.

19           (A bench conference was held.)

20           THE COURT: Objection noted, objection overruled.  
21    Repeat your question, Solicitor.

22    BY MR. NEWMAN:

23    Q     Do you have knowledge of your sister's efforts to  
24    either have John leave the home, or Butch leave the home,  
25    or for her to leave the home?

## TRESSA HOWLE - DIRECT

1 A Yes, sir. She had asked him to leave because daddy  
2 had been paying the mortgage for 12 years and so she told  
3 him she wanted him to leave and he said he wouldn't leave.

4 Q Okay. Had she ever left Butch before?

5 A Yes, sir.

6 Q How many times?

7 A I know of four.

8 Q Did you ever help her move?

9 A Yes, sir. I lived out of town and she would call me  
10 and tell me she needed to get out and I would get the  
11 money out of my account and come down and try to find her  
12 a place to stay, but he would always find out where she  
13 stayed at and come back.

14 Q So she would go back to him?

15 A Uh-huh.

16 Q Did you go to your sister's home on October 28th of  
17 2013?

18 A Yes, sir.

19 Q Did you go there by yourself?

20 A Yes, sir.

21 Q And what prompted you to go?

22 A My mama called and said that my dad and Michael was  
23 on their way over there, that Tabitha had gotten a text  
24 message during the night saying that Butch had texted and  
25 said that he had done something to my sister, and I lived



## TRESSA HOWLE - DIRECT

1 closer than they did so I jumped in the car and I got over  
2 there about the same time they did.

3 Q Okay. About how long did it take for you to get  
4 somebody to the door?

5 A A good -- I would say at least five minutes. Because  
6 we started at their end because her son and their family  
7 lived on one end and my sister and Butch lived on the  
8 other end, and when we couldn't get in on her end I went  
9 down to the other end and started beating on the window  
10 where her son lived.

11 Q And who eventually let you in the house?

12 A Nicole. She came to the door and asked what was  
13 going on and I told her about the message that he had  
14 gotten, and that's when Jonathan took off down to their  
15 end of the house.

16 Q So Nicole and Jonathan came to the door?

17 A Uh-huh.

18 Q And as you're telling it Jonathan runs to his mother's  
19 door. Did you follow?

20 A Yes, sir.

21 Q Did you see him open that door?

22 A He had to kick the door in.

23 Q What did you see when he opened the door?

24 A Elaine was laying facing the bedroom door and Butch  
25 was laying beside of her and he had his arm over her and

## TRESSA HOWLE - DIRECT

1 his leg throwed over her, and Jonathan grabbed him and  
2 took him out to the kitchen.

3 Q At what point did you call 911?

4 A As soon as I checked my sister.

5 Q You checked for a pulse?

6 A Yes, sir.

7 Q Did you find any pulse?

8 A No, sir.

9 Q When you checked her for a pulse, did you move the  
10 body?

11 A I tried to roll her over so I could resuscitate her  
12 but she had done took rigamortis, she was hard, she  
13 wouldn't move. She made one little gurgle sound and that  
14 was it and then she just rolled back over. She had her  
15 hands up like this and the one hand had flesh hanging from  
16 it.

17 Q So you attempted to move the body but when you noticed  
18 it was stiff you kind of let got and it kind of rolled  
19 back?

20 A Yes, sir.

21 Q Did you see a knife anywhere?

22 A No, sir.

23 Q Did you see Jonathan and Butch fighting?

24 A Yes, sir.

25 Q During that altercation, did Jonathan ask Butch what

## TRESSA HOWLE - DIRECT

1 he did to his mother?

2 A Uh-huh.

3 Q What was Butch's response?

4 A He said he killed her. And he said, "If you don't  
5 quit kicking me I'm going to kill you too."

6 MR. NEWMAN: Beg the Court's indulgence.

7 (Break in proceedings.)

8 Q Just to be clear, Ms. Howle, was the position of the  
9 body when law enforcement arrived and when EMS arrived the  
10 same was it was when you arrived?

11 A Yes, sir. She was like curled up in the fetal  
12 position.

13 Q Okay.

14 MR. NEWMAN: I've got no other questions. Please  
15 answer anything Mr. Lifsey has.

16 THE COURT: Mr. Lifsey?

17 MR. LIFSEY: I don't think I have any questions for  
18 this witness, Judge.

19 THE COURT: Thank you, ma'am, you may step down. All  
20 right. Call your next witness.

21 MS. COLLINS: Your Honor, the State's next witness is  
22 Jonathan Ghent.

23 The witness, JONATHAN GHENT, was first duly sworn and  
24 testified as follows:

25 DIRECT EXAMINATION

## TRESSA HOWLE - DIRECT

1 BY MS. COLLINS:

2 Q Would you please tell us your name?

3 A Jonathan Ghent.

4 Q Jonathan, you might need to point that a little bit  
5 down to speak.

6 THE COURT: Yes, sir. Make sure you get into the  
7 mike, please.

8 A Jonathan Ghent.

9 Q What is your occupation?

10 A I work at Tyson.

11 Q Are you married?

12 A Yes, ma'am.

13 Q What's the name of your wife?

14 A Brandy Nicole Ghent.

15 Q And Jonathan, does she go by Nicole.

16 A Yes, ma'am.

17 Q Do you and Nicole have children?

18 A Yes, ma'am.

19 Q What are their names and ages?

20 A Raylee, she's six, Trenton, he's four, and I've got a  
21 one year old.

22 Q And the one year old is Tristen?

23 A Tristen Elaine.

24 Q So your one year old was not born when this happened  
25 in October of 2013, correct?

## JONATHAN GHENT - DIRECT

1 A No, ma'am.

2 Q In October of 2013 then you had two children, the  
3 oldest being your daughter, Raylee; is that right?

4 A Yes, ma'am.

5 Q And she would have been about four?

6 A Uh-huh.

7 Q And your son Trenton; is that right?

8 A Uh-huh.

9 THE COURT: Sir, you've got to say yes or no.

10 A Yes.

11 THE COURT: Thank you.

12 Q Where did you live in October of 2013, Jonathan?

13 A In my mother's house.

14 Q And was that located at ?

15 A Yes, ma'am.

16 Q Lancaster, South Carolina?

17 A Yes, ma'am.

18 Q Who all lived there then?

19 A It was me, my wife and my two kids and my mother and  
20 father.

21 Q And your mother was the victim, Elaine Ghent?

22 A Yes, ma'am.

23 Q And your father was the -- is the defendant, John  
24 Marion Ghent, Jr.?

25 A Yes, ma'am.

## JONATHAN GHENT - DIRECT

- 1 Q Does he go by Butch?
- 2 A Yes, ma'am.
- 3 Q And was your mother working in October of 2013?
- 4 A Yes, ma'am.
- 5 Q She worked at Lloyds, I believe?
- 6 A Yes, ma'am.
- 7 Q Is that kind of a convenience store?
- 8 A Yes, ma'am.
- 9 Q Was your dad working in October of 2013?
- 10 A No, ma'am.
- 11 Q Do you recall when the last time was that he worked
- 12 before 2013?
- 13 A Over ten years.
- 14 Q So your mother paid the bills?
- 15 A Yes, ma'am.
- 16 Q Do you recall what kind of car your mom drove?
- 17 A A white Honda Accord.
- 18 Q And when she would be at work, would she have that car
- 19 with her?
- 20 A Yes, ma'am.
- 21 Q I want to direct your attention to October 27th of
- 22 2013. Okay?
- 23 A Yes, ma'am.
- 24 Q Do you recall being home that night?
- 25 A Yes, ma'am.

## JONATHAN GHENT - DIRECT

- 1 Q Do you recall about what time you went to bed?
- 2 A It was like 3:00.
- 3 Q Earlier in the evening on October 27, 2013, did your
- 4 daughter, Raylee, go to bed?
- 5 A Yes, ma'am.
- 6 Q About what time did she go to bed?
- 7 A It was about 9:00 or 10:00.
- 8 Q And you said she was about four years old?
- 9 A Yes, ma'am.
- 10 Q What was her routine, Raylee's routine in terms of
- 11 where she would sleep?
- 12 A She would sleep with my father and mother.
- 13 Q How many bedrooms were in that home?
- 14 A Three bedrooms.
- 15 Q And one bedroom was shared by your father and your
- 16 mother?
- 17 A Yes, ma'am.
- 18 Q And Raylee would sleep with them?
- 19 A Yes, ma'am.
- 20 Q Every night?
- 21 A Every night.
- 22 Q There was one bed in that room?
- 23 A Yes, ma'am.
- 24 Q A large bed. And one of the other bedrooms was used
- 25 for storage, I believe; is that right?

## JONATHAN GHENT - DIRECT

- 1 A Yes, ma'am.
- 2 Q And then you and your wife, Nicole, slept in the third  
3 bedroom; is that right?
- 4 A Yes, ma'am, with my son.
- 5 Q With your son, Trenton?
- 6 A Uh-huh.
- 7 Q And on October 27th of 2013 when Raylee went to bed,  
8 you said about what time was it?
- 9 A It was about 9:00 or 10:00.
- 10 Q Where did she go to bed that night?
- 11 A With us.
- 12 Q Us being you and Nicole?
- 13 A Yes, ma'am.
- 14 Q And why was it that she did not go to bed as usual in  
15 the bedroom of her grandparents being your parents?
- 16 A My father said she could not sleep with them that  
17 night.
- 18 Q Did he say that to you?
- 19 A Yes, ma'am.
- 20 Q And did he say why?
- 21 A No. He slammed the door and went in there.
- 22 Q He slammed the door to his room?
- 23 A Yes, ma'am.
- 24 Q And then did Nicole put Raylee down to bed with her?
- 25 A Yes, ma'am.



## JONATHAN GHENT - DIRECT

1 Q And her and Trenton?

2 A Yes, ma'am.

3 Q And you said you stayed up until about 3:00?

4 A Yes, ma'am.

5 Q And when you went to bed about 3:00, had your dad come  
6 out of his room?

7 A No, ma'am.

8 Q Now, was your father's birthday, correct?

9 A No, it was the .

10 Q It was the ?

11 A Yes.

12 Q Had the family done anything in that regard?

13 A No.

14 Q And when you went to bed the early morning hours about  
15 3:00 on October 28th of 2013, had your mother come home  
16 from work?

17 A No, ma'am.

18 Q And you went on to bed, correct?

19 A Yes, ma'am.

20 Q When was the last time you had seen your mom before  
21 you went to bed that morning?

22 A 7:00.

23 Q You had seen her before she left for work that day?

24 A Yes, ma'am.

25 Q Did she ask you any questions before she left for work

## JONATHAN GHENT - DIRECT

1 that day?

2 A No. She was just in a good mood and was talking, she  
3 was telling me she was going to move out.

4 Q And what did you respond to that?

5 A I was telling her as long as she's happy.

6 Q So when you went to bed about 3:00 a.m. on October  
7 28th of 2013, you went to bed with your wife and son,  
8 Trenton, and Raylee was in the bed with you also?

9 A Yes, ma'am.

10 Q Did you hear your mom's car pull up?

11 A No, ma'am.

12 Q Did you hear your mom come in the door?

13 A No, ma'am.

14 Q Did you hear any sounds coming from your parents'  
15 bedroom?

16 A Nothing.

17 Q No argument?

18 A Nothing.

19 Q No scuffle?

20 A Nothing.

21 Q Nothing woke you at all; is that right?

22 A Yes, ma'am.

23 Q Now, if you're normally awake and your parents are in  
24 their room, is the home such that you could hear them  
25 talking from time to time?

## JONATHAN GHENT - DIRECT

- 1 A Yes, ma'am, every word.
- 2 Q This was a mobile home, I believe, correct?
- 3 A Yes, ma'am.
- 4 Q And even though your bedroom was on one end and theirs  
5 was another, it's your testimony that if you were awake and  
6 they were awake and talking in their room and you were in  
7 your room, you could hear them talking; is that right?
- 8 A Yes, ma'am.
- 9 Q But that night you heard nothing.
- 10 A Nothing.
- 11 Q About what time the next morning did you wake up?
- 12 A It was about 7:00, somewhere along in there.
- 13 Q What woke you up, Jonathan?
- 14 A My brother-in-law beating on the door.
- 15 Q Mike Reynolds, your brother-in-law? And which door  
16 was he beating on?
- 17 A The front door.
- 18 Q When you heard that what did you do?
- 19 A I sent my wife to the door to see what was going on.
- 20 Q Then what happened?
- 21 A I heard him say "He hurt your mother."
- 22 Q And when you said he said, that was Mike?
- 23 A Yes, ma'am.
- 24 Q And then what did you do?
- 25 A I ran to their bedroom door and I ran through it and

## JONATHAN GHENT - DIRECT

1    seen what I seen.

2    Q     Was the bedroom door closed?

3    A     Yes, ma'am, it was locked.

4    Q     It was locked? And how did you enter the door that

5    was locked to their room?

6    A     I rammed it with my shoulder.

7    Q     And it opened at that time?

8    A     Yes, ma'am.

9    Q     Did you notice any note on the door?

10   A     No, ma'am.

11   Q     When you rammed the door with your shoulder and it

12   opened, what did you see, Jonathan?

13   A     I seen my father and mother laying face to face as if

14   they was asleep.

15   Q     And could you tell immediately that they were not

16   asleep?

17   A     Yeah.

18   Q     Were their heads up toward the headboard or in another

19   position?

20   A     Towards the foot of the bed.

21   Q     And were they facing each other?

22   A     Yes, ma'am.

23   Q     So when you come in the bedroom door, was your

24   father's back to you?

25   A     Yes, ma'am.

## JONATHAN GHENT - DIRECT

1 Q And he was facing your mother?

2 A Yes, ma'am.

3 Q And you're seeing the bed and so their heads are to  
4 your right; is that correct?

5 A Yes, ma'am.

6 Q And their feet are to your left?

7 A Yes, ma'am.

8 Q And your mother's body was facing the defendant,  
9 correct?

10 A Yes, ma'am.

11 Q Jonathan, what did you do?

12 A I grabbed my father and I throwed -- drug him to the  
13 kitchen and started punching him. As I was punching him I  
14 asked him what did he do to my mother, after about the  
15 20th punch he said, "I fucking stabbed her."

16 Q And what if anything else did he say to you?

17 A And I was like, "Why didn't you come kill me instead  
18 of my mom?" And he was like, "I will." And I laid the  
19 knife on his chest and as he was going to grab it my  
20 brother-in-law pushed it out of the way.

21 Q Now, was that a knife that was in the kitchen?

22 A Yeah, that's the one I gave him.

23 Q You never saw the knife in the bedroom floor, did you?

24 A No, ma'am.

25 Q Before you reacted as you did and started hitting on

## JONATHAN GHENT - DIRECT

1 your father when you dragged him into the kitchen, did you  
2 notice if he had any blood on him?

3 A Yeah. He had like two little slices on his wrist  
4 right here like he tried to kill himself.

5 Q Apart from that, did you see any blood on him?

6 A No, ma'am.

7 Q Did your dad say anything about having tried to kill  
8 himself?

9 A No, ma'am.

10 Q So it's your testimony that your dad said in response  
11 to your question what you did to my mother -- "What did you  
12 do to my mother," that he said, "I fucking stabbed her;" is  
13 that right?

14 A Yes, ma'am.

15 Q Jonathan, can you tell us, what side of the bed did  
16 your mother sleep on if you know?

17 A The one closest to the bathroom.

18 Q And your dad slept on the other side?

19 A Closest to the door.

20 Q And Raylee would sleep between them?

21 A Yes, ma'am.

22 Q And so on that day when you saw your mother's body,  
23 was her -- was she on the side of the bed she normally  
24 would have slept on?

25 A Yes, ma'am. She was facing the opposite way.

## JONATHAN GHENT - DIRECT

1 Q And did you notice there was a large amount of blood  
2 around her, correct?

3 A Yes, ma'am.

4 Q And did you know immediately that your mother was no  
5 longer alive?

6 A Yes, ma'am.

7 Q Jonathan, when you were growing up, did your dad ever  
8 volunteer or work as a paramedic or first responder?

9 A Yes, ma'am, he did.

10 Q That was when you were about ten or 11?

11 A Yes, ma'am.

12 Q That's for Camp Creek Fire Department?

13 A Yes, ma'am.

14 Q When law enforcement responded that day, did you tell  
15 them what you had seen?

16 A Yes, ma'am.

17 Q Did you tell them what you had done?

18 A Yes, ma'am.

19 Q And did you tell them what the defendant had said to  
20 you?

21 A Yes, ma'am.

22 Q Had you previously been present during a conversation  
23 between your mother and your father where she asked him to  
24 leave the home?

25 A I was in the kitchen --

## JONATHAN GHENT - DIRECT

1 MR. LIFSEY: I object to this on hearsay --

2 THE COURT: I'm sorry.

3 MR. LIFSEY: I object on the hearsay grounds.

4 THE COURT: Repeat the question, please.

5 Q Were you previously present during a conversation  
6 between your mother and your father where she asked him to  
7 leave the home?

8 THE COURT: Objection overruled.

9 A Yes, ma'am.

10 Q And do you recall approximately when that was?

11 A It was before I got locked up for child support,  
12 probably within a year before the death of my mother.

13 Q And what had your dad responded when she asked him to  
14 leave the home?

15 A He said one of them would die before they ever split  
16 up.

17 Q That was about a year before this incident?

18 A Yes, ma'am.

19 MS. COLLINS: I ask the Court's indulgence.

20 THE COURT: Okay.

21 (Break in proceedings.)

22 MS. COLLINS: Thank you.

23 THE COURT: Mr. Lifsey?

24 CROSS EXAMINATION

25



## JONATHAN GHENT - DIRECT

1 BY MR. LIFSEY:

2 Q Mr. Ghent, do you remember talking to the police the  
3 day all of this happened?

4 A Yes, sir.

5 Q Do you remember, in fact, speaking to Investigator  
6 Bailey and Eric Brown about this case?

7 A Yes, sir.

8 Q And you know it's important to tell the police  
9 everything, correct?

10 A Yes, sir.

11 Q Because you have been involved in the criminal justice  
12 system a good bit yourself, correct?

13 A Yes, sir.

14 Q So it's important to tell them the truth, correct?

15 A Yes, sir.

16 Q And important to tell them accurate things, correct?

17 A Yes, sir.

18 Q And, in fact, you didn't tell them when you met --  
19 isn't all you told them when you talked to them was that my  
20 client said that he had stabbed his wife -- "I stabbed  
21 her," isn't that what you told them?

22 A Yes, sir.

23 Q So when you say today he said "I fucking stabbed her,"  
24 that's something new that you're saying today.

25 A At the time I didn't even want to go to the car --

## JONATHAN GHENT - CROSS

1 you can ask all of them, I didn't want to get in the car,  
2 I didn't want to make no statement, I didn't want to go to  
3 the police station, none of that. I said something as  
4 quick as possible, got out of there and got back trying to  
5 get him.

6 Q So just to clarify then, the statement that you said  
7 here in court here today --

8 A Was true.

9 Q -- when you said he said "I will stab you too" --

10 A True.

11 Q -- is nothing you mentioned at all to the police when  
12 you were talking to them, correct?

13 A True.

14 Q Even though you know based on your prior experience in  
15 the criminal justice system that it's important that you  
16 tell the police everything.

17 A Yes, sir.

18 Q And in the statement that you said today about this  
19 conversation a year ago where my client allegedly said one  
20 of them would die, when have you told anybody with law  
21 enforcement that?

22 A When did I have to?

23 Q When did you tell anybody with law enforcement --

24 A When did I have to?

25 Q Please answer my question.

## JONATHAN GHENT - CROSS

1 THE COURT: Yes, sir. Just answer his question.

2 Q When did you tell anybody with law enforcement that?

3 A Never.

4 Q Never. When is the first time you've said a word  
5 about that? When is the first time you said a word about  
6 it? When did you talk to them and when did you say that?

7 A In their office when they called me up there.

8 Q When?

9 A When was it, last week?

10 Q So last week -- this happens three years ago, you  
11 don't say anything about that threat from the day it  
12 happened --

13 A That is the first time I talked --

14 THE COURT: Hang on, sir. Go ahead.

15 Q You didn't say anything about that alleged threat from  
16 the day that happened until your mother died, correct?

17 A Correct.

18 Q And you didn't say a thing about it from the day your  
19 mother died until a week ago, correct?

20 A Correct. That's the first time anybody ever asked me  
21 the question.

22 Q So these police officers didn't ask you about anything  
23 about what happened?

24 A That day, that's the only time.

25 Q No one --

## JONATHAN GHENT - CROSS

1 A I don't talk to my family.

2 Q No one has talked to you about this case --

3 A Nobody.

4 Q -- from the day it happen until a week ago?

5 A The day it happened only. I don't talk to my family,  
6 we don't talk so I'm like a ghost. The only time I talked  
7 with Mr. Randy is when he called me in his office.

8 Q Why don't you talk to your family?

9 A Because I don't talk to them.

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

11 THE COURT: Any redirect?

12 MS. COLLINS: Yes, Your Honor.

13 REDIRECT EXAMINATION

14 BY MS. COLLINS:

15 Q Jonathan, when Randy Newman and I met with you and  
16 your wife, Nicole, we talked about your mom and your  
17 family, didn't we?

18 A Yes, ma'am.

19 Q We talked about your life with your mother, right?

20 A Yes, ma'am.

21 Q And your life with your father.

22 A Yes, ma'am.

23 Q We spent a good bit of time with you, didn't we?

24 A Yes, ma'am.

25 Q And it was at that time that you told us about that

## JONATHAN GHENT - REDIRECT

1 prior conversation, correct?

2 A Yes, ma'am.

3 Q Because we took that time, right?

4 A Yes, ma'am, nobody else did.

5 Q We took all of the time you needed that day, didn't  
6 we?

7 A Yes, ma'am.

8 Q But on the day that you saw your mom covered in blood  
9 law enforcement did talk to you briefly in their car,  
10 correct?

11 A Yes, ma'am. They wanted me to go down to the police  
12 station, I told them I wasn't going nowhere.

13 Q But you did talk to them in their car.

14 A Yes, ma'am.

15 Q And the focus then was on what had just happened,  
16 right?

17 A Yes, ma'am.

18 Q Michael Bailey and Spencer -- I believe Jason Cato and  
19 Michael Bailey, they told you they were going to record the  
20 conversation with you, correct?

21 A Yes, ma'am.

22 Q And they did so, right?

23 A Uh-huh.

24 MS. COLLINS: I ask that this be marked as the State's  
25 next exhibit. This is State's Exhibit 6. And at this time

## JONATHAN GHENT - REDIRECT

1 I would move that into evidence and ask to publish it to  
2 the jury. It is the audio recording of the conversation  
3 that Jonathan Ghent had with law enforcement on the morning  
4 he found his mother dead in her bed.

5 MR. LIFSEY: I'm assuming the officers would  
6 themselves testify that this is that recording, so in light  
7 of that I don't have any objection to it.

8 THE COURT: Okay. Objection noted and overruled at  
9 this time provided --

10 MR. LIFSEY: And just when we take a break I want to  
11 clarify, much of this line of questioning is subject to my  
12 prior objections that you overruled about what was said at  
13 the scene, so I just wanted to --

14 THE COURT: Yes, sir. Objections are noted for the  
15 record.

16 (The audio recording was received as State's 6 and  
17 Played.)

18 MS. COLLINS: No further questions.

19 MR. LIFSEY: May I follow-up on that?

20 THE COURT: Yes, sir.

21 RE CROSS EXAMINATION

22 BY MR. LIFSEY:

23 Q So the bottom line they're questioning you and they  
24 ask you specifically had he made any prior threats, didn't  
25 you hear that?

## JONATHAN GHENT - REDIRECT

1 A What would you do if you woke up --

2 Q Answer my question.

3 THE COURT: No, just answer his question.

4 Q They asked you specifically that, correct?

5 A Yeah.

6 Q And you said no. And in fact, you talked about him  
7 threatening to kill himself, correct?

8 A Yeah.

9 Q And you did not mention at all any alleged threat to  
10 kill your mother a year before, correct?

11 A Correct.

12 MR. LIFSEY: Thank you.

13 THE COURT: Thank you, sir, you may step down.

14 MS. COLLINS: Your Honor, if I may just in response to  
15 that.

16 THE COURT: Hang on, sir.

17 MS. COLLINS: Mr. Ghent, please have a seat.

18 FURTHER DIRECT EXAMINATION

19 BY MS. COLLINS:

20 Q Was it your testimony earlier -- Mr. Lifsey asked you  
21 about a threat to kill your mother, that when she asked him  
22 to leave that he said -- and correct me if I'm wrong -- one  
23 of us will die before that happens.

24 A Yes, ma'am.

25 MS. COLLINS: Nothing further.

## JONATHAN GHENT - RE CROSS

1 THE COURT: Anything else?

2 FURTHER CROSS EXAMINATION

3 BY MR. LIFSEY:

4 Q You didn't say anything about that to them either, did  
5 you?

6 A No.

7 THE COURT: All right. Now you may step down, thank  
8 you. Now, y'all come on up here for scheduling issues.

9 (A bench conference was held.)

10 THE COURT: The lawyers tell me they have a brief  
11 witness and then we will break for lunch. Are y'all okay  
12 with that or do y'all want to break now? Okay. We'll do  
13 that. We will hear one more witness, then we will break  
14 for lunch. You may call your witness.

15 MS. COLLINS: Thank you, Judge. The next witness is  
16 Brenda Nicole Ghent.

17 The witness, BRENDA NICOLE GHENT, was first duly sworn  
18 and testified as follows:

19 DIRECT EXAMINATION

20 BY MS. COLLINS:

21 Q Would you please tell us your name?

22 A Brenda Ghent.

23 Q Do you go by Nichole?

24 A Yes, ma'am.

25 Q That's your middle name?



## JONATHAN GHENT - FURTHER RECROSS

1 A Yes, ma'am.

2 Q Let's point that microphone a little closer, you can  
3 talk right into it if you want to. And you're married to  
4 Jonathan Ghent; is that correct?

5 A Yes, ma'am.

6 Q Elaine Ghent was your mother-in-law; is that right?

7 A Yes, ma'am.

8 Q And the defendant is your father-in-law; is that  
9 correct?

10 A Yes, ma'am.

11 Q And you and Jonathan have three children now, correct?

12 A Yes, ma'am.

13 Q And those are Raylee, Trenton and Tristen, am I right?

14 A Yes, ma'am.

15 Q But Tristen was not born then, Tristen is only about  
16 one; is that right?

17 A Right, yes, ma'am.

18 Q So in October of 2013 you had two children, right?

19 A Right.

20 Q Raylee, your daughter who was about four then?

21 A Yes, ma'am.

22 Q And Trenton, your son --

23 A Yes, ma'am, he was two.

24 Q -- who was about one. He was two then? Okay. When  
25 did you marry Jonathan?

## BRENDA GHENT - DIRECT

1 A 2010.

2 Q Is that about what time you got to know the defendant  
3 and the victim, Elaine?

4 A Yes, ma'am.

5 Q And in October of 2013 you and your husband, Jonathan,  
6 were living with his parents, Elaine Ghent, and the  
7 defendant, Butch Ghent; is that right?

8 A Yes, ma'am.

9 Q And that was at ?

10 A Yes, ma'am.

11 Q Lancaster, South Carolina?

12 A Yes, ma'am.

13 Q Do you recall about how long y'all had lived there?

14 A We had lived there on and off, but then probably  
15 about a year, maybe, year and a half.

16 Q Now, as a young mother of two small children, when was  
17 it your habit -- when did you generally go to bed, Nicole?

18 A 11:00 or 12:00.

19 Q When would your children go to bed?

20 A 9:00 or 10:00, somewhere along in there.

21 Q And do you recall on 10/27 of 2013, do you recall  
22 about what time Raylee went to bed that night?

23 A It was probably about between 9:00 and 10:00. Like I  
24 said, she usually slept with them but she slept with us  
25 that night.

## BRENDA GHENT - DIRECT

1 Q By saying she usually slept with them you're referring  
2 to the defendant and Ms. Elaine Ghent, his wife, correct?

3 A Yes, ma'am.

4 Q And they shared one bedroom and you and your husband  
5 shared another bedroom, correct?

6 A Yes, ma'am.

7 Q Then there was a third bedroom for storage; is that  
8 right?

9 A Yes, ma'am.

10 Q And so normally Trenton, your two year old son, would  
11 sleep with you and your husband, correct?

12 A Yes, ma'am.

13 Q And Raylee would sleep with her grandparents, the  
14 defendant and Ms. Elaine; is that right?

15 A Yes, ma'am.

16 Q And on that night, October 27th of 2013, did Raylee  
17 sleep with the defendant and Mrs. Ghent?

18 A Not that night, she slept with us.

19 Q And did you know why at that time things had changed?

20 A I didn't.

21 Q Was that the only night to your memory that this had  
22 been different?

23 A Yes, ma'am.

24 Q So did Raylee, did you put her down for bed that  
25 night?

- BRENDA GHENT - DIRECT

1 A Yes, ma'am.

2 Q And you put her down in your room, yours and  
3 Jonathan's?

4 A Yes, ma'am.

5 Q Did Trenton go down the same time to sleep?

6 A Yes, ma'am.

7 Q Were you present when the decision was made that  
8 Raylee could not sleep with the defendant and his wife that  
9 night?

10 A I wasn't. She just said "Papa said I couldn't sleep  
11 with them."

12 Q She being Raylee?

13 A Right, yes, ma'am.

14 Q And once you got Raylee and Trenton down for bed, what  
15 time approximately did you go to bed that night?

16 A About 12:00 or 1:00. Like I said, we was up on and  
17 off all night.

18 Q You were up and down during the night?

19 A Yes, ma'am.

20 Q Didn't sleep well that night?

21 A No.

22 Q At anytime during the night did you hear anything from  
23 the bedroom of the defendant and his wife, Ms. Elaine  
24 Ghent?

25 A No, ma'am.

## BRENDA GHENT - DIRECT

1 Q Did you hear when the victim, Elaine, came home?

2 A No, ma'am.

3 Q Did you hear her car pull up?

4 A No, ma'am.

5 Q Did you hear any arguing that night between her and  
6 the defendant?

7 A No, ma'am.

8 Q Did you hear any scuffle of any kind?

9 A No, ma'am.

10 Q When did you wake up the next morning?

11 A It was probably about -- I thought it was between  
12 6:00 and 7:00. Like I said, Mike and Tressa and them was  
13 beating on the front door so I told Jonathan, he was  
14 like -- I said, "It's your brother-in-law and them," and I  
15 opened the door and they said, "Butch called and said he  
16 hurt Elaine."

17 Q At that point were Raylee and Trenton still in the  
18 bed?

19 A Yeah, still in our bed.

20 Q When you heard Mike, your brother-in-law, say that,  
21 did you call out for Jonathan, your husband?

22 A I ran into the room and told Jonathan, "They said  
23 your daddy called and said he hurt your mother," so  
24 Jonathan jumped up and they all went back there.

25 Q When they came to the door, could you see the bedroom

## BRENDA GHENT - DIRECT

1 door of the defendant and his wife from the front door  
2 where Mike and them were.

3 A Do what now? What was that?

4 Q Mike and Tressa and Mr. Roddey were bamming on the  
5 door, right?

6 A Right.

7 Q Were they bamming on the front door or the side?

8 A Yeah, the front door where we was at.

9 Q So you opened the door, they tell you that Butch had  
10 left a message saying he hurt his wife, right?

11 A Yeah.

12 Q At that point when you turn and see Jonathan and tell  
13 him, could you see their bedroom door?

14 A No. You had to walk through the den through the  
15 kitchen and around.

16 Q So you went immediately to get Jonathan, correct?

17 A Right.

18 Q When Jonathan -- what did he do?

19 A He jumped up, that's when we all went in there. You  
20 had to cut the corner to actually see the door.

21 Q You went with Jonathan?

22 A Yeah.

23 Q When y'all rounded the corner, was the door closed?

24 A Yes, ma'am, it was locked.

25 Q Was that normal?

## BRENDA GHENT - DIRECT

- 1 A Yeah, they always kept it locked.
- 2 Q They kept it closed after they went to bed?
- 3 A Yeah.
- 4 Q And Jonathan broke the door down?
- 5 A Yeah, he pushed it open.
- 6 Q All right. And what --
- 7 A I stood right there, I didn't go in.
- 8 Q Could you see the bed from where you were standing?
- 9 A Yes, ma'am.
- 10 Q Could you see the defendant?
- 11 A Yes, ma'am.
- 12 Q Do you see Ms. Elaine?
- 13 A Yes, ma'am.
- 14 Q And then what happened, Nicole?
- 15 A Well, Jonathan, his brother-in-law, sister and Papa,
- 16 they all went in there, I stood at the door. But Jonathan
- 17 just jerked Butch off of him and he was like, "What did
- 18 you do to my mother?" He wouldn't respond then at that
- 19 point.
- 20 Q Now, you said you went to bed about midnight; is that
- 21 right?
- 22 A Right, yes, ma'am.
- 23 Q Was the defendant still up when you went to bed?
- 24 A Yeah, he was, I think. I'm not too sure, I'm
- 25 thinking he was.

## BRENDA GHENT - DIRECT

1 Q Had you seen him drinking anything that night?

2 A No, ma'am.

3 Q So the last you saw the defendant he had not been  
4 drinking to your knowledge.

5 A No, ma'am.

6 Q He appeared to be sober?

7 A Yes, ma'am.

8 Q What knowledge did you have, Nicole, of Mr. Elaine's  
9 plan to leave the defendant?

10 A Repeat that again.

11 Q What knowledge did you have of your mother-in-law's  
12 plan to leave Butch?

13 A She's told me that she --

14 MR. LIFSEY: I just want to renew my objection.

15 THE COURT: Objection noted, objection overruled. Go  
16 ahead, ma'am.

17 A She told me she had asked him to leave but supposedly  
18 he didn't have nowhere to go. She said she told him to  
19 ask his sister, Betsy, that if he wasn't leaving she was.  
20 She said she was going to actually look at the house that  
21 day or the next day that was for rent, I guess. I never  
22 heard her tell him that, she told me that she told him  
23 that.

24 MS. COLLINS: Thank you. Please answer any questions  
25 that the defense may have.



## BRENDA GHENT - DIRECT

1 MR. LIFSEY: Very briefly.

2 CROSS EXAMINATION

3 BY MR. LIFSEY:

4 Q Were you aware that they had taken all of the guns out  
5 of the house because of his threats to kill himself?

6 A Yes, sir. And after -- well, a couple of months  
7 before this.

8 Q I understand.

9 MR. LIFSEY: Thank you.

10 MS. COLLINS: I don't have any further questions.

11 THE COURT: All right. Thank you, ma'am, you may step  
12 down. We're going to go ahead and take our lunch recess at  
13 this time, ladies and gentlemen. I will remind you during  
14 your lunch recess you are not to speak with anyone about  
15 this case. If anybody tries to speak with you about the  
16 case don't talk with them about it, please. Also while  
17 you're on break you may use your phone or whatever. If you  
18 have a smart phone don't google anything about this case or  
19 look up any news reports about it or try to seek any  
20 information on it. Remember, your oath as a trial jury is  
21 to go only from the evidence presented in this courtroom,  
22 okay? Let's reconvene at 1:30, that leaves you a little  
23 over an hour or hour and 15.

24 (The jury left the courtroom.)

25 THE COURT: While we're still on the record I will

1           The witness, CINDY EARL, was first duly sworn and  
2           testified as follows:

3                                 DIRECT EXAMINATION

4   BY MR. NEWMAN:

5   Q     Good afternoon. State your name for the record.

6   A     Cindy Earl.

7   Q     And Ms. Earl, where are you employed?

8   A     Lloyds.

9   Q     And what is Lloyds?

10  A     It's a convenience store.

11  Q     And how many Lloyds convenience stores are there in  
12  Lancaster?

13  A     Three.

14  Q     And you work at all three of them?

15  A     Uh-huh.

16  Q     And did you work with Elaine Ghent?

17  A     Yes, I did.

18  Q     And did you know Elaine Ghent outside of work?

19  A     Yes, I did.

20  Q     How long did you work with Elaine Ghent?

21  A     About a year, year and a half.

22  Q     How long had you been at Lloyds?

23  A     How long have I been there now?

24  Q     Yeah. When did you start at Lloyds?

25  A     2012.

CINDY EARL - DIRECT

1 Q Okay. Was it around April of 2012?

2 A Uh-huh.

3 Q And was Elaine already working there when you went?

4 A Yeah.

5 Q Would you say y'all were pretty close?

6 A Yeah, we were real close.

7 Q Did y'all ever hang out outside of work?

8 A Lots of times.

9 Q What did y'all do outside of work?

10 A Just ride around mostly. A lot of times I would get  
11 off work, I would have to go pick my grandson up in Indian  
12 Land and she would want to ride with me and we would just  
13 ride around, go up there and wait on him to get off work.  
14 He didn't get off until late at night. Where he worked at  
15 they closed at 12:00 but sometimes they had customers and  
16 they would be there until 1:00, so sometimes it would be  
17 2:00 or 3:00 before he would get out. He lived with me,  
18 so --

19 Q So she would just ride with you to go get him?

20 A Right.

21 Q What time would y'all get off work typically?

22 A Typically it was 12:00.

23 Q Y'all worked second shift?

24 A Uh-huh.

25 Q What time did y'all go in?

## CINDY EARL - DIRECT

1 A In could range anywhere from 12:00 to 3:00.

2 Q Do you know John or Butch Ghent?

3 A I do.

4 Q Are y'all allowed to have credit accounts at work?

5 A Yes.

6 Q Explain how that works.

7 A Basically or boss man allows us to have credit, you  
8 know, if we need something, gas or something like that,  
9 cigarettes or, you know, whatever, you know, we ain't got  
10 enough to make it through the week.

11 Q You can buy stuff on credit and then when you get your  
12 check --

13 A Check they take it out.

14 Q And have you seen Butch Ghent come in Lloyds stores?

15 A Lots of times.

16 Q And would he charge things to her credit account?

17 MR. LIFSEY: Judge, I object to the relevance of this  
18 line of questioning.

19 THE COURT: Overruled.

20 Q Would he charge things to her credit account?

21 A Yes.

22 Q What type items?

23 A Beer, cigarettes, gas.

24 Q Often?

25 A Every single day, sometimes two or three times a day.

CINDY EARL - DIRECT

1 Q Did you know Elaine when she was involved in a car  
2 accident?

3 A I did.

4 Q Do you recall when that was around about?

5 A About June, I think.

6 Q Was she injured in that car accident?

7 A Yes. She had some cuts and bruises and I think hurt  
8 her nose.

9 Q Do you recall a conversation between you and Elaine  
10 about her leaving Mr. Ghent?

11 A I do.

12 Q Tell us about that.

13 MR. LIFSEY: I would renew my objection I made  
14 previously to this type of questioning.

15 THE COURT: Objection noted and overruled.

16 A She had said that she had told John that she wanted  
17 him to leave or her to leave, either one, and he said that  
18 he just didn't have nowhere to go, he didn't have nobody  
19 who cared about him. She basically took care of him,  
20 and -- but she told him that she was going to be leaving.

21 Q And what was your response to her?

22 A On that response it was you've got to do what you've  
23 got to do. But now, if you're talking about the night  
24 before she --

25 Q Did you work with her --

CINDY EARL - DIRECT

1 A I worked with her the night before she passed away.

2 Q The night before she passed away.

3 A Uh-huh.

4 Q So y'all were both working in the same store at the  
5 same time.

6 A Right.

7 Q What store was that?

8 A The one on 200.

9 Q And y'all had a similar conversation then?

10 A A similar conversation.

11 Q And was that conversation about a settlement?

12 A Yeah. She was talking to someone else about --

13 Q Well, don't tell me what she said to someone else,  
14 tell me what she said to you.

15 A Well, basically we were all having the conversation,  
16 she was discussing what she could do to get him out of her  
17 house, you know, what could she do. And she made the  
18 statement that, you know, when she got her settlement, she  
19 told John that when she got her settlement she was going  
20 to leave. And I told her I said, "Elaine, you shouldn't  
21 have told him that, you don't know how he might react to  
22 that."

23 Q What was her response?

24 A She said, "I ain't worried." She said, "Jonathan is  
25 there, Jonathan won't let Butch hurt me."

## CINDY EARL - DIRECT

1 Q Do you have knowledge as far as was she seeking  
2 another place to live?

3 A Yes.

4 Q Was she looking for somewhere to stay?

5 A Yes.

6 Q Do you know when she looked for somewhere to stay?

7 A She had basically about started as soon as she found  
8 out she was going to get a settlement, she was going to  
9 try to leave.

10 MR. NEWMAN: That's all I have. Please answer  
11 anything Mr. Lifsey has.

12 THE COURT: Mr. Lifsey?

13 MR. LIFSEY: I don't have any further questions -- any  
14 questions at all for this witness, Judge.

15 THE COURT: All right. Thank you, ma'am, you can step  
16 down. Call your next witness.

17 MR. NEWMAN: State calls Janet Hannah.

18 The witness, JANET HANNA, was first duly sworn and  
19 testified as follows:

20 DIRECT EXAMINATION

21 BY MR. NEWMAN:

22 Q Please state your name for the record.

23 A Janet Hanna.

24 Q And Ms. Hanna, where are you employed?

25 A Lloyds Convenience Store.

CINDY EARL - DIRECT

1 Q Did you work with Elaine Ghent?

2 A I sure do.

3 Q When did you go to work for Lloyds Store?

4 A August 15th of 2012.

5 Q So Ms. Elaine was already working there at that time?

6 A Yeah. She had been working there a couple of months.

7 Q Did y'all become close friends?

8 A Yeah, I think the first day.

9 Q Did y'all hang out after work?

10 A Yes. I had moved out from my mom's into my own  
11 house, she hung out with me. We would go riding, go to  
12 Sonics and get a milk shake, ride to the lake, just out  
13 hanging out.

14 Q Did y'all take trips together?

15 A We went to Myrtle Beach in September, we were  
16 supposed to went in August. My brother had a massive  
17 heart attack and passed away, we had to cancel our  
18 reservations. But she was there with me during that whole  
19 time, and after that was over with she said, "Are we still  
20 going to the beach?" I said, "Yeah, honey, we are." So  
21 we went in September.

22 Q Now, did you ever see Mr. Butch Ghent come in the  
23 store?

24 A He has come in a couple of times. I didn't know who  
25 he was until the first time he walked in the door.



## JANET HANNA - DIRECT

1 Q Did you ever work with her?

2 A Yes.

3 Q Did he come in and charge things on her account?

4 A Yes.

5 MR. LIFSEY: Same objection I had earlier to that.

6 THE COURT: Objection noted and overruled.

7 Q What type items?

8 A Sometimes she would be at the other stores and she  
9 would call us and say he's coming to charge stuff and tell  
10 us he was coming to charge stuff. So it would be  
11 cigarettes, beer, stuff to roll papers with or cigarette  
12 stuff like that, and sometimes gas.

13 Q Now, did you know about Elaine's car accident?

14 A Yeah. She was on the way to my house when she was  
15 involved in an accident.

16 Q Did you go to the ER?

17 A Yes, I did.

18 Q Was she injured?

19 A Yes, she was.

20 Q Did she ever mention anything to you about a  
21 settlement?

22 A Yes. She had already got the settlement for her car  
23 so she had already got her another car when we went to the  
24 beach, so she was waiting on that settlement to come in.

25 Q So she had gotten a settlement for her car but she was

## JANET HANNA - DIRECT

1 waiting on a settlement for an injury?

2 A Medical settlement for her injuries.

3 Q Now, did y'all have a conversation about her leaving

4 Mr. Ghent?

5 A Oh yes, quite a few times.

6 Q What did she tell you?

7 MR. LIFSEY: I'm sorry, I just want to renew and make  
8 sure I'm covered on the record for those objections.

9 THE COURT: Yes, sir, you're covered.

10 A Especially after she got the settlement she knew she  
11 was going to come into some money, and she was talking --  
12 she had already knew she was through, she wanted to get  
13 out of the relationship. So she had started I think a  
14 couple of weeks before October, she had already told him  
15 she was out looking for a little house for her to move in  
16 to because she was not going to stay in the trailer  
17 because he wasn't going to leave and she wasn't going to  
18 stay there. She said she would just rather give up  
19 everything and just start over.

20 Q Okay. And did you talk to Elaine the night before she  
21 passed away?

22 A She texted me Sunday night, Saturday night I saw her.  
23 That was the last time I saw her was Saturday night.

24 Q She texted you when --

25 A She texted me Sunday night about 9:30 or 10:30,

## JANET HANNA - DIRECT

1 somewhere around there, she was fixin' to get off work,  
2 because we talked every day or we texted everyday,  
3 whatever. She texted me and said she was fixin' to get  
4 off work, going out for a little while, I'll get back in  
5 touch with you tomorrow, I'll see you tomorrow. Love you.

6 Q Was she getting off early that night?

7 A Yeah. At that time they were letting like the second  
8 person that was on the register, they was letting them  
9 leave a little early because they didn't need them to stay  
10 until 12:00 at night.

11 MR. NEWMAN: Okay. That's all of the questions I  
12 have, please answer anything Mr. Lifsey has.

13 THE COURT: Mr. Lifsey?

14 MR. LIFSEY: I don't have any questions for this  
15 witness.

16 THE COURT: Thank you, ma'am, you can step down. Call  
17 your next witness.

18 MS. COLLINS: Your Honor, the State's next witness is  
19 Darren Mangum.

20 The witness, DARREN MANGUM, was first duly sworn and  
21 testified as follows:

22 DIRECT EXAMINATION

23 BY MS. COLLINS:

24 Q Mr. Mangum, if you could try to speak into that  
25 microphone so everybody can hear you. Would you please

## JANET HANNA - DIRECT

- 1 tell us your name?
- 2 A Darren Mangum.
- 3 Q If you can talk up just a little bit more than that.
- 4 And where do you currently work?
- 5 A ABS in Monroe, insulation.
- 6 Q Insulation?
- 7 A Yes, ma'am.
- 8 Q Where were you working in October of 2013?
- 9 A KFC.
- 10 Q Are you currently married?
- 11 A No, ma'am.
- 12 Q Mr. Mangum, were you married in October of 2013?
- 13 A No, ma'am.
- 14 Q Did you know the victim in this case, Elaine Ghent?
- 15 A Yes, ma'am.
- 16 Q And what was your relationship with the victim?
- 17 A We was friends.
- 18 Q And when you say y'all were friends, did y'all have a
- 19 physical relationship?
- 20 A Yes, ma'am.
- 21 Q Were you having an affair?
- 22 A Yes, ma'am.
- 23 Q Where did you first meet Ms. Elaine?
- 24 A At Lloyds.
- 25 Q At Lloyds?

## DARREN MANGUM - DIRECT

- 1 A Yes, ma'am.
- 2 Q Where she worked?
- 3 A Yes, ma'am.
- 4 Q And do you remember about when that was that y'all
- 5 first met?
- 6 A No, ma'am, I don't.
- 7 Q About how long had y'all seen each other prior to her
- 8 passing?
- 9 A About four months.
- 10 Q How often would you see each other?
- 11 A Almost everyday.
- 12 Q After she got off work at Lloyds?
- 13 A Yes, ma'am.
- 14 Q Now, back then you said you were working at KFC,
- 15 Kentucky Fried Chicken?
- 16 A Yes, ma'am.
- 17 Q What time did you normally go into work?
- 18 A Usually about 9:00.
- 19 Q In the morning?
- 20 A Yes, ma'am.
- 21 Q What time was it?
- 22 A About 9:00.
- 23 Q And so she would get off work in the evening and y'all
- 24 would see each other?
- 25 A Yes, ma'am.

## DARREN MANGUM - DIRECT

1 Q And about how long would y'all stay together each  
2 evening before y'all would each go your separate ways?

3 A Sometimes about 2:00 or 3:00 in the morning.

4 Q Was there ever a time that y'all spent the entire  
5 night together?

6 A Yes, ma'am.

7 Q How many times was that?

8 A I think one time actually.

9 Q Was that near your birthday?

10 A Yes, ma'am.

11 Q When is your birthday?

12 A .

13 Q So around , not necessarily that day,  
14 y'all actually spent the entire evening together; is that  
15 right?

16 A Yes, ma'am.

17 Q When y'all were together, did you ever see if she was  
18 receiving phone calls from the defendant?

19 A Couple of times the phone would ring but she never  
20 answered it. She said it was him but she never answered  
21 it, though.

22 Q And prior to her death, were you aware, was she  
23 looking for another place to live?

24 A Yes, ma'am.

25 Q Do you know if she had yet found that place?

## DARREN MANGUM - DIRECT

1 A No, ma'am.

2 Q And do you know what her plans were to leave the  
3 defendant?

4 A Not really.

5 Q But you did know she was looking for another place to  
6 live?

7 A Yes, ma'am.

8 Q Was it your understanding she did not plan to live at  
9 that new place with the defendant?

10 A Yes, ma'am.

11 Q On October 27th of 2013 or into the early morning of  
12 October 28th of 2013, did you see Elaine Ghent?

13 A Yes, ma'am.

14 Q Was that the last time you saw her?

15 A Yes, ma'am.

16 Q Do you recall about what time y'all got together that  
17 night?

18 A I can't remember what time it was, I think it was  
19 when she got off work. I had got off work and she just  
20 come to my house -- I think she came to my house, I  
21 dropped the car off, we rode together.

22 Q Was she driving?

23 A Yes, ma'am.

24 Q So you got in her car with her?

25 A Yes, ma'am.

## DARREN MANGUM - DIRECT

- 1 Q It was a white Honda?
- 2 A Yes, ma'am.
- 3 Q Where did y'all go?
- 4 A To the river.
- 5 Q And about how many hours were y'all together that
- 6 night?
- 7 A Until about almost 3:00.
- 8 Q Do you know about what time she left you?
- 9 A About 2:30 or something like that.
- 10 Q And was it her habit after she left you to text you?
- 11 A Yes, ma'am.
- 12 Q And did she text you that night after she left you?
- 13 A Yes, ma'am.
- 14 Q About when did she text you?
- 15 A About 2:45 or 3:00.
- 16 Q And she would text you when, when she got home or
- 17 something else?
- 18 A Yeah. She would text me when she got home.
- 19 Q Did you know where she lived at ?
- 20 A No, ma'am.
- 21 Q After she dropped you off at your home at about 2:30
- 22 in the morning on 10/28 of 2013, you said you received that
- 23 one text from her about 15 or 20 minutes later?
- 24 A Yes, ma'am.
- 25 Q Did you hear anymore from her?



## DARREN MANGUM - DIRECT

1 A No, ma'am.

2 Q She sent you no more texts?

3 A No, ma'am.

4 Q You didn't speak with her at all on the phone?

5 A No, ma'am.

6 Q On the early morning of 10/28 of 2013, did you go into  
7 work at KFC?

8 A Yes, ma'am.

9 Q When you got to work, tell us what happened.

10 A I had got to work, like I say, about 9:00. One of  
11 her friends had came to my drive-in window, knocked on the  
12 door and stuff of the window and telling me that she was  
13 gone. I was like, "She ain't gone, she just dropped me  
14 off a few hours ago." She was like, "No, she's gone."  
15 I'm pretty sure I tried to call her cellphone and nobody  
16 answered and I just like kept calling and kept calling and  
17 nobody answered. I figured it out that she was gone.

18 Q And by gone do you mean that she was dead?

19 A Yes, ma'am.

20 Q Mr. Mangum, did you later go to law enforcement and  
21 make them aware that you had been the last one to see her  
22 before she went home that early morning?

23 A Yes, ma'am.

24 Q And you told them about the nature of your  
25 relationship with her?

## DARREN MANGUM - DIRECT

1 A Yes, ma'am.

2 Q And when you last saw her the early morning hours of  
3 10/28 of 2013, she was in fine health, correct?

4 A Fine.

5 Q She wasn't injured in any way, correct?

6 A No.

7 MS. COLLINS: Thank you, Mr. Mangum.

8 THE COURT: Mr. Lifsey?

9 CROSS EXAMINATION

10 BY MR. LIFSEY:

11 Q Just a couple of questions. So you saw Ms. Ghent you  
12 said almost every night?

13 A Yes, sir.

14 Q And you said friends of hers told you what happened  
15 the next day?

16 A Yes, sir.

17 Q So it wasn't any real big secret what y'all were doing  
18 then it doesn't seem like.

19 A Just only a few people that I knew about, so I don't  
20 know who all knew. I know her friends at work knew that  
21 we was whatever, but not too many people knew.

22 Q Who were the friends that came by the KFC and let you  
23 know?

24 A Janet and Cindy.

25 Q So friends of hers from work?

## DARREN MANGUM - CROSS

1 A Yeah.

2 Q And y'all were together every night. Where did y'all  
3 usually go?

4 A To the river.

5 Q So you see her almost every night, at least some  
6 number of friends of hers knows what's going on, correct?

7 A Yes.

8 Q At any point did my client ever threaten you or make  
9 any threats toward you at all?

10 A I never met him.

11 Q But you never got any phone calls or text messages or  
12 anything like that from him, right?

13 A No, sir.

14 THE COURT: All right. Thank you, sir, you can step  
15 down. Call your next witness.

16 MS. COLLINS: Your Honor, the State's next witness is  
17 Deputy Forrest Lawson.

18 The witness, FORREST LAWSON, was first duly sworn and  
19 testified as follows:

20 DIRECT EXAMINATION

21 BY MS. COLLINS:

22 Q Would you please tell us your name?

23 A Forrest Lawson.

24 Q What is your occupation?

25 A I am a deputy with the Lancaster County Sheriff's

## DARREN MANGUM - CROSS

1 Office.

2 Q And how long have you been a law enforcement officer?

3 A A little more than four and a half years.

4 Q All of that time with the Lancaster County Sheriff's  
5 Department?

6 A Yes, ma'am.

7 Q Did you have an occasion to respond to the scene at  
8 in Lancaster, South Carolina during  
9 the morning of 10/28 of 2013?

10 A Yes, ma'am.

11 Q Did you go out there in response to a call from  
12 dispatch?

13 A Yes, ma'am.

14 Q And about what time did you arrive?

15 A 7:53.

16 Q Were you traveling alone at that time?

17 A Yes, ma'am.

18 Q You were on duty?

19 A Yes, ma'am.

20 Q And if you could speak up. You might want to point  
21 that a little bit more towards your face. Thank you. You  
22 were dressed as you are today in uniform?

23 A Yes, ma'am.

24 Q You were driving a patrol vehicle; is that right?

25 A Yes, ma'am.

## FORREST LAWSON - DIRECT

- 1 Q When you arrived at the scene, in  
2 Lancaster, were you the first officer there?
- 3 A Yes, ma'am.
- 4 Q Now, that's in Lancaster County South Carolina,  
5 correct?
- 6 A Yes, ma'am.
- 7 Q And therefore within your jurisdiction?
- 8 A Yes, ma'am.
- 9 Q And Deputy Lawson, when you first arrived there, can  
10 you tell us what you observed on the exterior of the home?
- 11 A There were several people on the left side of the  
12 residence on a porch that were screaming and yelling.
- 13 Q And could you discern actually what they were  
14 screaming and yelling, what they were saying?
- 15 A That Ms. Ghent was inside. Jonathan was yelling,  
16 "You better get him before I get him," stuff of that  
17 nature. I was pretty focused in on the call so I didn't  
18 pick everything up that was said.
- 19 Q All right. But they were upset.
- 20 A Yes.
- 21 Q And when you were on the exterior of the residence,  
22 did you see the defendant, John Ghent, Jr.?
- 23 A When I entered the residence?
- 24 Q When you are on the exterior.
- 25 A No.

## FORREST LAWSON - DIRECT

1 Q Now, this was near the beginning of your shift,  
2 correct?

3 A Yes, ma'am.

4 Q You are pretty fresh on shift?

5 A Yes, ma'am.

6 Q Did you walk in that side door on the porch area where  
7 the individuals were standing?

8 A Yes, ma'am.

9 Q And when you entered that area, what did you first  
10 see?

11 A John was laying on the floor on his back.

12 Q By John, are you referring to the defendant, John  
13 Ghent, Jr.?

14 A Yes, ma'am.

15 Q And were his eyes open?

16 A No, ma'am.

17 Q At that point was he making any noise?

18 A No, ma'am.

19 Q What did you do next?

20 A I asked him several questions just to see if he was  
21 alive, there was no response from him, then I moved on to  
22 the bedroom.

23 Q Was he covered in some type of white powder?

24 A Yes, ma'am.

25 Q Like flour?

## FORREST LAWSON - DIRECT

1 A Yes, ma'am.

2 Q Could you see any injuries to him at that time?

3 A I believe he possibly had some injuries around his  
4 mouth area, but the only thing that really sticks out in  
5 my mind is the white flour.

6 Q Okay. You walked past him into the rest of the  
7 residence?

8 A Yes, ma'am.

9 Q Where did you go?

10 A To the bedroom.

11 Q The master bedroom?

12 A Yes, ma'am.

13 Q What did you see there?

14 A Tressa on the floor and Ms. Ghent on the bed.

15 Q Now deputy, you're referring to them by their first  
16 names. Did you know this family before this time?

17 A No, ma'am.

18 Q So Tressa Howle, the victim's sister, was on the  
19 floor?

20 A Yes, ma'am.

21 Q Was she conscious at that time?

22 A Yes, she was.

23 Q You saw the body of Ms. Ghent on the bed; is that  
24 right?

25 A Yes, ma'am.

## FORREST LAWSON - DIRECT

1 Q Do you recall, was her head pointed toward the  
2 footboard?

3 A Yes, ma'am.

4 Q Was there a large amount of blood around her body?

5 A Yes, ma'am.

6 Q Did you touch her at that time?

7 A No, ma'am.

8 Q Did you move her position at all?

9 A No.

10 Q What did you do next?

11 A I helped Ms. Howle up and walked her out, walked her  
12 out the side door.

13 Q Was it apparent to you that Mrs. Ghent was dead at the  
14 time?

15 A Yes, ma'am.

16 Q When you helped Ms. Howle up to her feet and helped  
17 her back out, did you go through the kitchen area?

18 A Yes. We had went through the kitchen area.

19 Q Was the defendant still lying on the floor?

20 A Yes, he was still on his back.

21 Q Was there an officer there guarding him at that time?

22 A There was an officer in the residence, yes.

23 Q Was the defendant moving at that time?

24 A When I walked back past him he did move.

25 Q What happened next?



## FORREST LAWSON - DIRECT

- 1 A I walked Tressa out the side door.
- 2 Q Was the family still outside?
- 3 A It was quite a few people outside.
- 4 Q Other law enforcement officers arrived by then?
- 5 A Yes.
- 6 Q Had EMS officers arrived?
- 7 A I'm not sure.
- 8 Q Did you help secure the scene at that point?
- 9 A Yes, ma'am.
- 10 Q You got out crime scene tape to form a barrier which
- 11 only authorized individuals could pass; is that correct?
- 12 A Yes, ma'am.
- 13 Q As the first officer on the scene, were you assigned
- 14 to write the incident report?
- 15 A The initial report, yes.
- 16 Q That report is often supplemented by reports filed by
- 17 officers who do work; is that correct?
- 18 A Yes, ma'am.
- 19 Q But the initial report, which you prepared -- and if
- 20 you need to refresh your memory to refer to it -- does it
- 21 note the day of the week that 10/28 of 2013 fell on?
- 22 A No.
- 23 Q If you could turn to the first page of the report and
- 24 look just above the narrative.
- 25 A Monday.

## FORREST LAWSON - DIRECT

1 Q It was on Monday?

2 A Uh-huh.

3 Q And the victim's name is listed as Elaine Ghent,  
4 correct?

5 A Yes, ma'am.

6 Q And her height and weight is listed at 5-7, 155; is  
7 that correct?

8 A Yes, ma'am.

9 Q And the defendant listed as the subject on your report  
10 is John Marion Ghent, Jr.; is that right?

11 A Yes, ma'am.

12 Q And his height and weight referenced there is 5-10,  
13 230 pounds; is that correct?

14 A Yes, ma'am.

15 Q When you first walked into the bedroom and saw Ms.  
16 Howle on the floor and the body of Mrs. Ghent on the bed,  
17 did you happen to notice a note taped to the bedroom door?

18 A I did not.

19 Q Your attention was drawn to the victim and to Mrs.  
20 Howle; is that correct?

21 A Yes, ma'am.

22 Q Before you left the scene you've already talked about  
23 circling the perimeter with the crime scene tape, did you  
24 assist in collecting some empty pill bottles and later  
25 place them into evidence?

## FORREST LAWSON - DIRECT

1 A The evidence form has my signature and number on it  
2 but I do not remember collecting it.

3 Q But you're trained to fill out a form like that when  
4 you collect and submit evidence, correct?

5 A Yes, ma'am.

6 Q And that evidence form does have this case number,  
7 correct?

8 A Yes, ma'am.

9 Q And this place as address, right?

10 A Yes.

11 Q And it reflects you turned in a bag containing three  
12 pill bottles; is that right?

13 A Yes, ma'am.

14 Q You simply don't have any independent memory of it; is  
15 that correct?

16 A Yes, ma'am.

17 MS. COLLINS: Thank you, Deputy. Please answer any  
18 questions of Mr. Lifsey.

19 CROSS EXAMINATION

20 BY MR. LIFSEY:

21 Q Deputy Lawson, it's fair to say this was a pretty  
22 chaotic scene when you arrived?

23 A Yes, sir.

24 Q Were you the first police officer on scene?

25 A Yes, sir.

## FORREST LAWSON - DIRECT

1 Q And so you arrived in this chaotic scene and it's  
2 pretty emotional, is that correct? Not from your end, I  
3 mean from the people that -- I know you were there to do  
4 your job, but the people there are pretty emotional?

5 A Yes.

6 Q And when you see my client he's bleeding from the  
7 mouth; is that correct?

8 A Yes.

9 Q And he is unresponsive to your questions.

10 A Yes.

11 Q Do you remember how long it was between when you got  
12 there -- approximately between when you got there and when  
13 my client was placed in any kind of ambulance or anything  
14 like that?

15 A I could not tell you the specific time.

16 MR. LIFSEY: Thank you, Officer.

17 MS. COLLINS: No further questions.

18 THE COURT: Thank you, sir, you can step down. Call  
19 your next witness.

20 MS. COLLINS: We ask that this went be excused.

21 THE COURT: All right, he can leave.

22 The witness, KENDRA HOWELL, was first duly sworn and  
23 testified as follows:

24 DIRECT EXAMINATION

25

## FORREST LAWSON - CROSS

1 BY MR. NEWMAN:

2 Q Will you state your name for the record?

3 A Kendra Howell.

4 Q Ms. Howell, where are you employed?

5 A Lancaster County Sheriff's Office.

6 Q What do you do at the Lancaster County Sheriff's  
7 Office?

8 A Sergeant on patrol.

9 Q How long have you worked at the Lancaster County  
10 Sheriff's Office?

11 A Approximately five years.

12 Q Did you work there in October of 2013?

13 A Yes, sir.

14 Q Did you have the same title and responsibilities?

15 A Yes, sir.

16 Q What are your responsibilities as far as sergeant over  
17 patrol?

18 A Supervising deputies on high priority calls, just  
19 make sure everything is taken care of properly. Also  
20 supervising paperwork, reports, things of that such.

21 Q So you're the sergeant over Deputy Lawson?

22 A Yes, sir.

23 Q And did you respond to on October 28,  
24 2013?

25 A Yes, sir.

## KENDRA HOWELL - DIRECT

1 Q In reference to this murder?

2 A Yes, sir.

3 Q Is that in Lancaster County?

4 A Yes, sir.

5 Q What did you observe when you arrived?

6 A When arrived I observed several people outside of the  
7 residence obviously upset, distraught.

8 Q How many officers were already on scene when you got  
9 there?

10 A There were several officers there, I couldn't tell  
11 you exactly how many.

12 Q So you didn't arrive right after Mr. Lawson, did you?

13 A Close after. A lot of us got there at the same time.

14 Q Go ahead, I'm sorry.

15 A Several people standing outside of the residence  
16 obviously upset, distraught, saying that Ms. Ghent was  
17 inside and advised me what had happened. I then proceeded  
18 inside to see if I could assist with anything to see what  
19 the nature was inside.

20 Q Did you interview any witnesses?

21 A No, sir.

22 Q Did you assist CSI?

23 A I did.

24 Q Did you, in fact, locate any evidence?

25 A I did notice a note taped to the bedroom door of the

## KENDRA HOWELL - DIRECT

1 master bedroom.

2 Q I show you what has been marked as State's 7. Do you  
3 recognize that photo?

4 A Yes, sir.

5 Q Is that a clear accurate portrayal of what you saw on  
6 the door that day?

7 A Yes, sir, it is.

8 Q Is that, in fact, a photo of the note that you found?

9 A Yes, sir.

10 MR. NEWMAN: At this time I move State's 7 into  
11 evidence.

12 MR. LIFSEY: Without objection.

13 THE COURT: Without objection introduced in evidence  
14 as State's next in order.

15 (The photo was received as State's 7.)

16 MR. NEWMAN: Your Honor, permission to publish?

17 THE COURT: All right.

18 MR. NEWMAN: I'm going to hand it down since we don't  
19 have the scanner set up.

20 THE COURT: Okay.

21 Q Now, as sergeant over patrol, did you review Deputy  
22 Lawson's original report?

23 A Yes, sir, I did.

24 Q Now, this probably goes without saying between me and  
25 you, but your last name is Howell. Are you any relation to

## KENDRA HOWELL - DIRECT

1 Tressa Howle?

2 A No, sir, not that I'm aware.

3 MR. LIFSEY: Please answer anything Mr. Lifsey has.

4 THE COURT: Mr. Lifsey?

5 CROSS EXAMINATION

6 BY MR. LIFSEY:

7 Q Pretty emotional group of folks when you got there,  
8 correct?

9 A Yes, sir.

10 Q People were upset, some of them were angry, it's a  
11 pretty chaotic scene?

12 A Yes, sir.

13 MR. LIFSEY: I don't have any further questions.

14 THE COURT: All right. Thank you, ma'am, you may  
15 stand down, you're also free to leave. And the State may  
16 call its next witness.

17 MS. COLLINS: We ask that this witness be excused?

18 THE COURT: Uh-huh.

19 MS. COLLINS: Your Honor, the next went for the State  
20 is Terri Faulkenberry.

21 The witness, TERRI FAULKENBERRY, was first duly sworn  
22 and testified as follows:

23 DIRECT EXAMINATION

24 BY MS. COLLINS:

25 Q Would you please tell us your name?



## KENDRA HOWELL - CROSS

1 A Terri Faulkenberry.

2 Q Ms. Faulkenberry, if you could speak up just a little  
3 bit. What is your occupation?

4 A I'm a paramedic for Lancaster County EMS.

5 Q I'm going to get you to talk right in that microphone,  
6 I'm sorry, I know everybody wants to hear what you have to  
7 say. You are a paramedic with Lancaster County EMS; is  
8 that correct?

9 A Yes, ma'am.

10 Q How long have you been employed with the Lancaster  
11 County EMS?

12 A Since 2007.

13 Q And were you working therefore with Lancaster County  
14 EMS in October of 2013?

15 A I was.

16 Q Were you part of the EMS team that responded to a call  
17 during the morning of October 28, 2013 at  
18 in Lancaster, South Carolina?

19 A Yes, ma'am.

20 Q Please tell us what you saw when you first arrived.

21 A Initially when I arrived I saw numerous deputies  
22 there, they had to secure the scene before we came in.

23 Q Now, tell us what that means, that they had to secure  
24 the scene before EMS entered?

25 A Anytime someone gets stabbed, shot of that nature,

## TERRI FAULKENBERRY - DIRECT

1 something really bad they have to go in and make sure that  
2 the scene is safe before EMS arrives.

3 Q So although you were there and you were at the  
4 location you had to wait for the all-clear sign from law  
5 enforcement to go inside?

6 A Yes, ma'am.

7 Q And you did so?

8 A Yes, ma'am.

9 Q And when you received that sign from law enforcement  
10 and entered the residence, what did you see?

11 A Again, I saw numerous deputies when we pulled up  
12 along with numerous family members, or a lot of people  
13 were in the yard.

14 Q And when you went inside the residence what did you  
15 see?

16 A When we walked in I went straight to the defendant,  
17 he was laying in the floor in the kitchen floor on his  
18 back handcuffed. He was covered in -- I called it dirt  
19 and had some blood on him.

20 Q Do you recall where he had the blood on him?

21 A Mostly on his head and face.

22 Q All right. Did you observe any marks on his wrists?

23 A I did. He had a laceration to his wrist, I believe  
24 it was his left one.

25 Q And was it more than one laceration?

TERRI FAULKENBERRY - DIRECT

1 A That I noted it wasn't.

2 Q Was it bleeding at that time?

3 A No, ma'am, all bleeding had stopped.

4 Q But you could see blood, it had coagulated and stopped  
5 flowing; is that correct?

6 A Yes, ma'am.

7 Q Did the defendant require any treatment medically at  
8 all in regard to his wrists?

9 A No, ma'am.

10 Q Did you perform any treatment on the defendant within  
11 the home?

12 A No, ma'am, not within the home.

13 Q Now, did you go into the bedroom at all where the body  
14 of Mrs. Ghent was lying?

15 A No, ma'am.

16 Q Another EMS technician came to the scene and went into  
17 the bedroom; is that right?

18 A Yes, ma'am.

19 Q So after your initial assessment of the defendant on  
20 the floor of the kitchen, what did you do?

21 A I did a quick assessment of him just to make sure he  
22 is breathing, a quick assessment on him, packaged him up  
23 and got him out of the residence and took him to the  
24 ambulance.

25 Q All right. Do you recall, was he cuffed you said?

## TERRI FAULKENBERRY - DIRECT

1 A Yes, he was.

2 Q And when you took him to the ambulance, was law  
3 enforcement with you?

4 A Yes, ma'am.

5 Q And do you recall the officers that were there with  
6 you?

7 A I remember a few officers being there. There's no  
8 way to remember everybody that was there because there  
9 were so many people.

10 Q Certainly.

11 A I do remember a few of them.

12 Q When the defendant got into the ambulance, was he  
13 carried out there on a stretcher, do you recall?

14 A What I recall is that we packaged him on what we call  
15 a tarp, and it is a tarp and it has handles on it, so we  
16 placed him on that and carried him out and then placed him  
17 on the stretcher. Because of the condition of the house  
18 we could not maneuver our stretcher through there.

19 Q Space was limited in the house?

20 A Space was limited.

21 Q It was cluttered?

22 A It was.

23 Q When you got the defendant to the ambulance, did y'all  
24 go ahead and place him in the back or some might say the  
25 bed of the truck or the back of the ambulance?

## TERRI FAULKENBERRY - DIRECT

1 A Yes, ma'am.

2 Q And at that time was there any treatment administered  
3 to him?

4 A I did assess his vital signs.

5 MR. LIFSEY: Your Honor, at this point I would renew  
6 my motion made in limine in regards to what I believe to be  
7 this next line of questioning.

8 THE COURT: Okay. You're protected.

9 MR. LIFSEY: Thank you.

10 Q Let's talk about his vital signs. How did you observe  
11 them to be as the medical attendant on scene?

12 A His vital signs were all stable. A perfect blood  
13 pressure is 120 over 80, and his initial blood pressure  
14 was 110 over 70.

15 Q So a perfect blood pressure is 120 over 80. What's  
16 the 120 stand for?

17 A It's the systolic blood pressure.

18 Q What does systolic mean?

19 A It will catch different parts of the heart. You have  
20 two atriums and two ventricles, the systolic is the top of  
21 the heart pumping, the bottom number is the bottom part of  
22 the heart pumping.

23 Q So 120 would be perfect and his was at 110?

24 A Yes, ma'am.

25 Q And the other portion of the blood pressure, the lower

## TERRI FAULKENBERRY - DIRECT

1 number was at 70?

2 A Yes, ma'am.

3 Q And what does that represent?

4 A Just like I said, the top number is the top part of  
5 the heart pumping, and the bottom number is the bottom  
6 part of the heart pumping.

7 Q So his bottom number was at 70 and I believe you said  
8 a perfect number was 80?

9 A 80.

10 Q What was his pulse rate?

11 A 100.

12 Q Now, this is when you first assess him at 8:00; is  
13 that correct?

14 A That is correct.

15 Q Your medical records indicate that you assessed in his  
16 vital signs something called RR, what's that?

17 A Respiratory rate.

18 Q Okay. What does his assess at.

19 A A rate of 12.

20 Q And how did that fall within normal range?

21 A It fell within normal limits. Normal respiratory  
22 rate is 12 to 20.

23 Q And what is SBO2?

24 A That would be his oxygen saturation.

25 Q And what was that at?

## TERRI FAULKENBERRY - DIRECT

1 A 99 percent.

2 Q And what is a perfect level?

3 A 100.

4 Q Were you aware he was diabetic type two?

5 A Initially I was not, but I did learn that after a  
6 more detailed assessment of him.

7 Q Is type two controlled by insulin or diet?

8 A Diet and sometimes medication pills.

9 Q You've got BG on your report, is that for blood  
10 glucose?

11 A It is.

12 Q You did a finger prick there in the ambulance?

13 A It was actually a venous, after we started the ID we  
14 got the blood from the IV.

15 Q Now that was somewhat high, correct?

16 A It was high.

17 Q What was it?

18 A 566.

19 Q All right. And then to the right in your report  
20 you've got GCS.

21 A Yes, ma'am.

22 Q And then qualifier. What's that?

23 A That is our Glasgow Coma score. That's just a way of  
24 measuring his awareness, his mental status.

25 Q And what did he rate at?

## TERRI FAULKENBERRY - DIRECT

- 1 A He rated at 15.
- 2 Q What would perfect be?
- 3 A Fifteen.
- 4 Q And what is RTS?
- 5 A A revised trauma score.
- 6 Q And what did he rate at?
- 7 A 12.
- 8 Q And with a would normal be?
- 9 A 12.
- 10 Q That was at 8:00?
- 11 A Yes, ma'am.
- 12 Q Was there much variation from that time to when you
- 13 measured it again at 8:30?
- 14 A No, ma'am, his blood pressure was 124 over 68.
- 15 Q Was the defendant conscious when you spoke to him out
- 16 at the ambulance?
- 17 A He was.
- 18 Q Did he appear oriented times three?
- 19 A He was..
- 20 Q What does that mean?
- 21 A He was alert to person, place and time.
- 22 Q What did you ask him as a medical provider at that
- 23 time?
- 24 A I had asked him what happened to him, and he told me
- 25 that his son had beat him up because he had just killed



TERRI FAULKENBERRY - DIRECT

1 his mother.

2 Q And at that time were there law enforcement officers  
3 nearby?

4 A There was.

5 Q Did they give you any direction or instruction  
6 whatsoever as to what questions you should ask him?

7 A None.

8 Q You were asking him questions as a medical provider?

9 A I did. I just needed to know to make sure, you know,  
10 making sure that he had not been struck with any blunt  
11 object or anything like that that would change my  
12 treatment for him.

13 Q Did you ask him in regard to what he had been struck  
14 with?

15 A I did.

16 Q And what did he respond?

17 A He said that he had not been struck with an object,  
18 that he was just punched and kicked.

19 Q Punched and kicked?

20 A Yes, ma'am.

21 Q Were you able to clearly discern his speech?

22 A Yes.

23 Q And at that time was he transported to the hospital?

24 A He was.

25 Q Did one of the officers accompany him in the back of

## TERRI FAULKENBERRY - DIRECT

1 the ambulance to the hospital?

2 A Yes, ma'am.

3 Q You had another EMS attendant driving the ambulance?

4 A Yes, ma'am.

5 Q Did you also ride in the back?

6 A I did.

7 Q What if any treatment was he given in route to the  
8 hospital?

9 A I just, like I said, started the IV line and I hung  
10 some fluid on him to try to lower his blood sugar. Other  
11 than that I just monitored his vital signs.

12 Q Did he indicate to you he had taken a large amount of  
13 unknown pills?

14 A He did. During my interview with him we have a  
15 series of questions to ask, and he did state to me that he  
16 had taken some medication -- I wrote copious amounts of  
17 medication, just meaning numerous, he stated numerous  
18 medications with three of them being his wife's blood  
19 pressure medicines.

20 Q But he didn't know the exact number?

21 A He did not.

22 Q And he did not know the exact name of those  
23 medications?

24 A No, ma'am.

25 Q And you note that his blood pressure was stable; is

TERRI FAULKENBERRY - DIRECT

1    that correct?

2    A     It was.

3    Q     I believe you note this is pupils are equal and  
4    reactive; is that right?

5    A     That is correct.

6    Q     What does that mean?

7    A     That just mean they're normal. Sometimes when we  
8    have -- drugs can do it, they can alter your pupil size,  
9    head injuries can alter your pupil size, numerous things  
10   can alter your pupil size. Equilibrium is a good way of  
11   saying that he didn't have a head injury or anything like  
12   that.

13   Q     And so his pupils did not reflect any excessive drug  
14   uses that you observed.

15   A     Not that I observed.

16   Q     They were equal to each other?

17   A     Yes, ma'am.

18   Q     And reactive when you shined a light on them?

19   A     They were.

20   Q     You note on your report that according to your medical  
21   assessment you saw no signs of inward trauma to the  
22   defendant, correct?

23   A     Yes, ma'am.

24   Q     And you observed what you felt to be no signs of  
25   overdose due to pills; is that right?

## TERRI FAULKENBERRY - DIRECT

1 A That is right.

2 Q When you arrived on scene that morning did the  
3 ambulance driver for your vehicle have the lights and siren  
4 engaged?

5 A Yes, ma'am.

6 Q When you left the scene that day with the defendant in  
7 the back of the ambulance, were the lights and the siren  
8 engaged?

9 A No, ma'am.

10 Q Why not?

11 A He was stable.

12 Q So when you left the scene to take the defendant to  
13 Springs Memorial Hospital he was stable?

14 A Yes, ma'am.

15 Q And therefore the lights of the ambulance were not  
16 engaged?

17 A No, ma'am.

18 Q The sirens of the ambulance were not engaged?

19 A No, ma'am.

20 Q And y'all took him to the hospital but not in an  
21 emergent situation.

22 A That is correct.

23 Q When you arrived at the hospital you turned him over  
24 to medical staff there?

25 A I did.

TERRI FAULKENBERRY - DIRECT

1 Q You gave him the report of what you observed?

2 A Yes, ma'am.

3 Q Did you have any other involvement in this case?

4 A No, ma'am.

5 Q You rode in the back with the defendant in the  
6 ambulance, right?

7 A I did.

8 Q The entire way from to Springs  
9 Memorial Hospital, did the defendant's medical status of  
10 stable change in any regard?

11 A No, ma'am.

12 MS. COLLINS: One moment.

13 (Break in proceedings.)

14 MS. COLLINS: I ask that this be marked as the next  
15 State's Exhibit, please.

16 Q Ms. Faulkenberry, I would like to show you a multiple  
17 page document that's stapled and marked as State's Exhibit  
18 8. Do you recognize that document?

19 A I do.

20 Q Look through all of the pages, please. Is that a  
21 complete and accurate copy of your report for the transport  
22 and assessment of the defendant medically at the scene and  
23 the transport of him to Springs Memorial Hospital on 10/28  
24 of 2013?

25 A It was.

## TERRI FAULKENBERRY - DIRECT

1 MS. COLLINS: Your Honor, at this time I move State's  
2 Exhibit 8 into evidence.

3 MR. LIFSEY: I don't have any objection.

4 THE COURT: Without objection introduced as State's  
5 Exhibit 8.

6 (The report was received as State's 8.)

7 MS. COLLINS: Nothing further.

8 THE COURT: Mr. Lifsey?

9 CROSS EXAMINATION

10 BY MR. LIFSEY:

11 Q Ma'am, I want to show you a couple of pictures if I  
12 could very briefly. Would you look at this picture one  
13 moment?

14 A Uh-huh.

15 Q Is that an accurate reflection of my client's  
16 appearance the day you saw him?

17 A Yes.

18 MR. LIFSEY: Your Honor, I would publish it to the  
19 jury at this time.

20 THE COURT: Is it in evidence yet?

21 MR. LIFSEY: I apologize. I would move this into  
22 evidence.

23 MS. COLLINS: Over our previous objections.

24 THE COURT: Objection noted and overruled. That is  
25 Defendant's 1.

## TERRI FAULKENBERRY - CROSS

1 (The photo was received as Defendant's 1.)

2 Q And that shows him -- the physical condition he was in  
3 when you saw him including blood about the mouth and all,  
4 correct?

5 A Right.

6 Q Do you remember the solicitor asking you about wounds  
7 to the wrist area of my client?

8 A Yes.

9 Q I'm going to show you what's been marked as  
10 Defendant's Exhibit 2 for identification purposes.

11 A Okay.

12 Q Is that an accurate reflection of the way he looked  
13 that day?

14 A I remember seeing the wound on him.

15 Q Sure. And I'm not questioning what you testified to,  
16 but this is a picture of what he was like that day,  
17 correct?

18 A Correct.

19 MR. LIFSEY: I would move this into evidence as  
20 Defendant's Exhibit 2.

21 MS. COLLINS: Over previous objection.

22 THE COURT: Previous objection noted and overruled,  
23 introduced as Defendant's 2.

24 MR. LIFSEY: Publish this to the jury.

25 THE COURT: Publish granted.

## TERRI FAULKENBERRY - CROSS

1 (The photo was received as Defendant's 2.)

2 Q You indicated my client reported to you that he had  
3 taken I think your words were copious amounts of  
4 medication, correct?

5 A Correct.

6 Q But your testimony, if I understood it correctly, was  
7 that he was basically in stable condition when you left --  
8 when you got him at the scene and when you left on the way  
9 to the hospital, correct?

10 A Correct.

11 Q And you took him directly from the scene to Springs  
12 Hospital, correct?

13 A Correct.

14 Q Have you got any idea why a doctor at Springs Hospital  
15 would have said he was a near fatality with the  
16 significantly different blood pressure than you registered?

17 MS. COLLINS: I'm going to object as to pitting.

18 THE COURT: Overruled.

19 Q Do you have any idea -- let me repeat my question. Do  
20 you have any idea why a doctor at Springs Memorial Hospital  
21 would have reported him as a near fatality with a  
22 significantly different blood pressure and much lower blood  
23 pressure than you?

24 A My vital signs are how he was when I had him, and  
25 overtime, of course, medicine will take effect. I didn't



## TERRI FAULKENBERRY - CROSS

1 have him for a very long period of time, so if his blood  
2 pressure plummeted when he got to Springs, pills will do  
3 that, especially blood pressure pills.

4 Q Especially if he would have taken a lot of them in an  
5 effort to kill himself, correct?

6 MS. COLLINS: I'm sorry, I can't hear Mr. Lifsey's  
7 question.

8 Q Especially if he would had taken a lot of them in an  
9 effort to kill himself, correct?

10 A A large amount of blood pressure pills will dump your  
11 blood pressure.

12 MR. LIFSEY: I don't think I have any further  
13 questions of this witness.

14 THE COURT: Any redirect?

15 REDIRECT EXAMINATION

16 BY MS. COLLINS:

17 Q But again that would depend on how many pills,  
18 correct?

19 A Correct.

20 Q And what type of pills, correct?

21 A Correct.

22 Q It would also depend upon the natural state of the  
23 patient's own blood pressure, correct?

24 A Correct.

25 Q Whether or not his own blood pressure normally was

## TERRI FAULKENBERRY - REDIRECT

1 fine and whether or not he himself was normally prescribed  
2 low blood pressure medicine; is that correct?

3 A That's correct.

4 Q In looking at the photograph regarding Mr. Ghent's  
5 injuries, it appears that there was more than one mark to  
6 his wrist; is that correct?

7 A It appears.

8 Q But none of those were actively bleeding at the time  
9 you saw him?

10 A No, ma'am, they all appeared to be superficial.

11 Q And no treatment was needed for his wrists, correct?

12 A No, ma'am, correct.

13 MS. COLLINS: Thank you. Nothing further.

14 MR. LIFSEY: I don't have any further questions.

15 THE COURT: Thank you, ma'am, you can step down,  
16 you're free to leave.

17 MS. COLLINS: We ask this witness be excused.

18 THE COURT: Okay.

19 MS. COLLINS: Thank you. The next witness, Your  
20 Honor, is Agent Eric Jaillette of the Lancaster County  
21 Sheriff's Department.

22 The witness, ERIC JAILLETTE, was first duly sworn and  
23 testified as follows:

24 DIRECT EXAMINATION

25

## TERRI FAULKENBERRY - REDIRECT

1 BY MS. COLLINS:

2 Q Would you please state your name?

3 A Eric Jaillette.

4 Q What is your occupation?

5 A I work for narcotics at the Lancaster County  
6 Sheriff's Office.

7 Q And how long have you been a law enforcement officer?

8 A Going on 12 years.

9 Q How long have you been in the narcotics division?

10 A Going on five years.

11 Q Were you working for the sheriff's department then in  
12 October of 2013?

13 A Yes, ma'am.

14 Q And even though you worked in the narcotics division  
15 when an incident such as murder happens in our county, do  
16 multiple officers respond?

17 A Yes, ma'am.

18 Q And did you respond to a call during the morning of  
19 October 28th of 2013 to , Lancaster,  
20 South Carolina?

21 A Yes, ma'am.

22 Q And when you arrived there on scene, were there other  
23 officers there?

24 A Deputy Lawson was there, myself and Captain Brown got  
25 there about the same time.

## ERIC JAILLETTE - DIRECT

1 Q Did you go into the home?

2 A I did.

3 Q Did you see the defendant?

4 A I did.

5 Q Where was he?

6 A He was lying on the kitchen floor on his back.

7 Q Did he appear conscious to you at that time?

8 A He was conscious at that time.

9 Q Did you observe any injuries to him at that time?

10 A I saw blood around his mouth and scratches on his  
11 arms.

12 Q Did you go into the bedroom?

13 A Yes, ma'am, I did.

14 Q Did you see the body of Mrs. Elaine Ghent in the  
15 bedroom?

16 A Yes, ma'am.

17 Q And can you describe what you saw?

18 A When I entered the room she was facing towards the  
19 entrance of the room away from the bathroom in a fetal  
20 position on the far side of the bed. There were lots of  
21 blood on her shirt and around that part of the bed, and  
22 also some kind of matter -- she had her hands up, some  
23 kind of dried matter on her hands.

24 Q She was on her left side?

25 A She was.

## ERIC JAILLETTE - DIRECT

1 Q And you have indicated for the record's purposes since  
2 we don't have a videotape for the record that her hands  
3 were cupped up close between her chest and her chin?

4 A Yes, ma'am.

5 Q Did she appear to you to be deceased at that time?

6 A She did.

7 Q You did not see her breathing?

8 A No, ma'am.

9 Q Did you check for a pulse?

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

11 Q What did you do next, Agent Jaillette?

12 A After I left the bedroom I came back towards the  
13 kitchen where Mr. Ghent was, that the -- EMS was in the  
14 residence at that time, followed them out to the truck. I  
15 guess that's when they put him on the stretcher and into  
16 the back of the truck.

17 Q The defendant was handcuffed at that time?

18 A He was.

19 Q He was in custody?

20 A Yes, ma'am.

21 Q And apart from his medical status he was not free to  
22 leave; is that correct?

23 A No, ma'am.

24 Q But to your knowledge, had he been charged with  
25 anything at that point?

## ERIC JAILLETTE - DIRECT

1 A No, ma'am.

2 Q You accompanied the defendant out to the ambulance?

3 A Yes, ma'am.

4 Q You heard Ms. Faulkenberry just testify?

5 A Yes, ma'am.

6 Q As the EMS attendant?

7 A Yes, ma'am.

8 Q And when she was speaking with the defendant about his

9 medical condition, were you present nearby at the

10 ambulance?

11 A Yes, ma'am.

12 MR. LIFSEY: Your Honor, just for the record I would

13 renew my objections made at the motion in limine.

14 THE COURT: All right, overruled.

15 Q Did you ask any questions of the defendant?

16 A No, ma'am, I did not.

17 Q Did any law enforcement officer in your presence ask

18 any questions of the defendant?

19 A No, ma'am, they did not.

20 Q But did you hear the medical question that Ms.

21 Faulkenberry, the EMS attendant, asked him?

22 A Yes, ma'am.

23 Q You heard her when she asked him, "What happened to

24 you?"

25 A Yes, ma'am.

ERIC JAILLETTE - DIRECT

1 Q And do you recall his answer?

2 A Yes, ma'am.

3 Q What was that?

4 A After Terri asked what happened to him he said, "My  
5 son hit me in the face because I killed my wife."

6 Q Did you ride along in the ambulance with the defendant  
7 and Ms. Faulkenberry, the attendant to the hospital?

8 A Yes, ma'am.

9 Q You did that because at that time you were providing  
10 security as law enforcement?

11 A Yes, ma'am.

12 Q He was in your custody at that point, correct?

13 A Yes, ma'am.

14 Q And you accompanied him to the hospital and into the  
15 ER; is that right?

16 A Yes, ma'am.

17 Q Agent, did you have any other involvement in this  
18 case?

19 A No, ma'am, I did not.

20 MS. COLLINS: One moment.

21 (Break in proceedings.)

22 MS. COLLINS: Thank you, Agent. Please answer any  
23 questions of the defense attorney.

24 THE COURT: Mr. Lifsey?

25 CROSS EXAMINATION

## ERIC JAILLETTE - DIRECT

1 BY MR. LIFSEY:

2 Q Agent Jaillette, do you have any EMS or medical  
3 training yourself?

4 A No, sir, I do not.

5 Q So you weren't in a position to be able to make any  
6 medical diagnosis of my client and what his condition was,  
7 were you?

8 A No, sir.

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

10 THE COURT: All right. Thank you, sir, you can step  
11 down. Let's take a break. We'll be down until about 3:00  
12 or so, y'all stretch your legs, relax a little bit, don't  
13 talk about the case, though. See you shortly.

14 (The jury left the courtroom.)

15 THE COURT: Are y'all ready for the jury?

16 MS. COLLINS: State is ready.

17 MR. LIFSEY: Defense is ready.

18 (The jury returned to the courtroom.)

19 THE COURT: All right. All members of the jury are  
20 present. The State can call its next witness.

21 MR. LIFSEY: State's next witness is Spencer  
22 McInvaille of the sheriff's department.

23 The witness, SPENCER MCINVALLE, was first duly sworn  
24 and testified as follows:

25 DIRECT EXAMINATION



## ERIC JAILLETTE - CROSS

1 BY MR. LIFSEY:

2 Q Please state your name.

3 A Spencer McInvaille.

4 Q What is your occupation?

5 A I'm an investigator with the sheriff's office.

6 Q And how long have you been a law enforcement officer?

7 A Going on seven years now.

8 Q Were you working with the Lancaster County Sheriff's  
9 Department in October of 2013?

10 A Yes, ma'am.

11 Q And in that capacity, did you respond to a call during  
12 the morning of October 28, 2013 to in  
13 Lancaster, South Carolina?

14 A Yes, ma'am, I did.

15 Q Within Lancaster County?

16 A Yes, ma'am.

17 Q And when you responded to that scene, did you go into  
18 the home?

19 A I did not.

20 Q You did not go into the house at all?

21 A No, ma'am.

22 Q Law enforcement, other officers were already there  
23 when you arrived; is that correct?

24 A Yes, ma'am. The crime scene was already established  
25 when I arrived.

## SPENCER MCINVAILLE - DIRECT

1 Q And by saying the crime scene was established, the  
2 crime scene tape had been placed up forming a perimeter  
3 around the home; is that right?

4 A Yes, ma'am. Typically once that's established if  
5 you're not needed inside the crime scene you stay outside.

6 Q Did you see the defendant during your time there on  
7 scene?

8 A Yes, ma'am, outside the residence.

9 Q Did he appear conscious to you at that time?

10 A Yes, ma'am, he did.

11 Q Where on the exterior of the residence did you see  
12 him?

13 A I met with Investigator Jaillette there at the  
14 ambulance with Mr. Ghent.

15 Q Agent Jaillette who just testified?

16 A Yes, ma'am.

17 Q And EMS technician, Terri Faulkenberry, was attending  
18 to the defendant?

19 A Yes, ma'am, she was also present.

20 Q So you were there at the ambulance with them?

21 A Yes, ma'am.

22 Q Did you get inside the ambulance?

23 A I believe I did.

24 Q Did you observe any injuries to the defendant?

25 A Yes, ma'am, he did have injuries to his face.

SPENCER MCINVAILLE - DIRECT

1 Q Did you hear Ms. Faulkenberry ask him any questions?

2 A Yes, ma'am.

3 Q The defendant was handcuffed at this time?

4 A Yes, ma'am, he was.

5 Q You did not question the defendant; is that correct?

6 A No, ma'am.

7 Q Agent Jaillette did not ask the defendant any  
8 questions; is that right?

9 A No, ma'am.

10 Q Did any law enforcement officers there to your  
11 knowledge ask the defendant any questions?

12 A No, ma'am.

13 Q But when Ms. Faulkenberry, the EMS technician, asked  
14 the defendant a medical question, what did she ask him, do  
15 you recall?

16 MR. LIFSEY: And I just -- subject to my prior  
17 objections.

18 THE COURT: Yep. Objection noted, you're protected.

19 A Yes, ma'am. If I can refer back to my narrative that  
20 I wrote. Terri asked Mr. Ghent what he was struck in the  
21 face with and he replied, and I quoted, "My son hit me in  
22 the face because I killed my wife."

23 Q Did you ride along in the ambulance with the  
24 defendant?

25 A I did not.

## SPENCER MCINVAILLE - DIRECT

1 Q Did you enter the residence after the defendant left  
2 in the ambulance?

3 A No, ma'am.

4 Q Investigator McInvaille, did you have any other  
5 involvement in this case other than witnessing that  
6 statement that the defendant made to the EMS technician?

7 A During that same time that we were in the ambulance  
8 another -- what I noted during that time was that Mr.  
9 Ghent began to speak freely and he stated that "I killed  
10 her" was the statement that he made. I didn't accompany  
11 any farther from there to when they were transporting to  
12 Springs.

13 Q That was in response to no questions from anyone?

14 A No, ma'am.

15 Q Not even in response to a question from the medical  
16 technician?

17 A No, ma'am.

18 Q Did you later go to the hospital and get the black  
19 shorts that the defendant had been wearing at the time?

20 A Yes, ma'am. It was that same day later on they were  
21 actually bagged up in a Springs Memorial bag by one of the  
22 nurses and was being held there with the deputies that was  
23 on scene.

24 Q And you retrieved those from the hospital and placed  
25 those in evidence at the sheriff's department?

## SPENCER MCINVAILLE - DIRECT

1 A Yes, ma'am.

2 MS. COLLINS: Thank you. No further questions.

3 THE COURT: Mr. Lifsey?

4 CROSS EXAMINATION

5 BY MR. LIFSEY:

6 Q Officer McInvaille, you don't really have any medical  
7 training yourself, do you?

8 A I have none.

9 Q So you don't know where on the scale of a perfectly  
10 stable to near fatality my client would have been from a  
11 medical assessment standpoint?

12 A No, sir. I wasn't there to assess, I was only there  
13 to standby with Jaillette just for security.

14 MR. LIFSEY: Thank you, sir. I don't have any further  
15 questions.

16 THE COURT: Thank you, sir, you may step down.

17 MR. LIFSEY: Just ask that this witness be excused.

18 THE COURT: Okay. Have a good day. You may call your  
19 next witness.

20 MR. LIFSEY: State calls Karla Deese.

21 The witness, KARLA DEESE, was first duly sworn and  
22 testified as follows:

23 DIRECT EXAMINATION

24 BY MR. NEWMAN:

25 Q Will you state your name for the record?

## SPENCER MCINVAILLE - CROSS

1 A Karla Deese.

2 Q Ad Ms. Deese, where are you employed?

3 A Lancaster County Coroner's Office.

4 Q What is your title there?

5 A Chief Deputy Coroner.

6 Q How long have you been with the coroner's office?

7 A Since April of 2005.

8 Q And when you started with the coroner's office what  
9 was your job?

10 A I was part-time deputy coroner.

11 Q Now, tell me about your training to become part-time  
12 deputy corner.

13 A Prior to becoming part-time deputy coroner my  
14 training included I studied at the University of South  
15 Carolina at Lancaster in Criminal Justice, and I also  
16 worked for Springs Memorial Hospital as a student  
17 respiratory therapist in cardiopulmonary.

18 Q And when did you become chief deputy coroner?

19 A July 1st of 2007.

20 Q Did you have to have any additional training in order  
21 to become chief deputy corner?

22 A Yes. We do numerous hours every year in training,  
23 and I also am certified as an American Legal Death  
24 Investigator by the National ABI board.

25 Q And you take continuing education classes as a part of

## KARLA DEESE - DIRECT

1 your position?

2 A Yes, every year.

3 Q So in October of 2013 were you then serving as chief  
4 deputy coroner?

5 A Yes.

6 Q Were you involved in the investigation of the death of  
7 Elaine Ghent?

8 A Yes.

9 Q Did you respond to the scene on ?

10 A Yes.

11 Q And is that scene in Lancaster County?

12 A Yes, it is.

13 Q What did you do when you arrived?

14 A We were dispatched that morning.

15 Q You say we.

16 A Myself and Deputy Scott Ramsey, I was supervising  
17 him --

18 Q Okay.

19 A -- in his capacity that morning.

20 Q And Mr. Ramsey actually wrote this report; is that  
21 correct?

22 A Correct.

23 Q And you as chief deputy coroner, do you approve his  
24 report?

25 A Yes.

## KARLA DEESE - DIRECT

1 Q Okay. Go ahead.

2 A So Mr. Ramsey and I arrived at 7:56 -- I'm sorry, we  
3 got our call at 7:56 that morning, we arrived at 8:50.

4 Mr. Ramsey and I were briefed by law enforcement on scene  
5 as to the events, you know, or how the scene appeared to  
6 them, and we were also briefed by EMS. And then we  
7 awaited direction from CSI upon entry to the home.

8 Q So once you receive direction from CSI, what do you do  
9 at that point?

10 A At that time we all do a walk-through together  
11 mostly, not all personnel but just one from each division,  
12 and we do a quick walk-through and then we back out and  
13 allow them to process up to the point of the body, then we  
14 reenter.

15 Q Did you get a chance to observe the body at that time  
16 and confirm that the victim was, in fact, dead?

17 A Yes.

18 Q Did you formally pronounce her dead?

19 A She was formally pronounced at 10:40 by Scott Ramsey.

20 Q Can you describe the victim's body as you observed it  
21 at the scene?

22 A Yes. She was on the bed with her feet toward the  
23 head of the bed and her head toward the foot of the bed,  
24 and she was lying left side recumbent, which is not on  
25 your back and not on your stomach, it's just on your left



## KARLA DEESE - DIRECT

1 side, her knees were slightly drawn and her hands were  
2 drawn in toward her chest. And she had on pajamas -- what  
3 appeared to be pajama clothing and they were saturated  
4 with blood.

5 Q When you say saturated with blood, is there a lot of  
6 blood?

7 A It's enough to saturate the clothing.

8 Q Okay. Tell the jury, what is rigor?

9 A Rigor is a chemical change that occurs in the body  
10 after death, and it's when the muscles lack oxygen and  
11 they go through a chemical change which causes the muscles  
12 to become stiff.

13 Q And did you observe rigor on this body?

14 A Yes. She had what we refer to as early rigor.

15 Q What is early rigor?

16 A Early rigor -- rigor starts in the smaller muscles,  
17 it's more prevalent in the neck and the jaw area where it  
18 begins, and that's where we observed it.

19 Q Now, based on this level of rigor, were you able to  
20 determine an estimated time of death?

21 A Yes. The original determination was around 0400  
22 hours.

23 Q And what is that in --

24 A That's 4:00 in the morning.

25 Q Now, what was the temperature of the body? Not exact,

## KARLA DEESE - DIRECT

1 but did you -- was it cool or warm?

2 A The areas exposed upward to the air were cool to the  
3 touch, the under areas where the body would hold heat  
4 against the bed were still a little warm to the touch.

5 Q Okay. Now -- and I'm just going through your report.  
6 What is livor?

7 A Livor is the discoloration of the body, it's where  
8 the blood in the smaller vessels drains out in the larger  
9 vessels and it causes a discoloration. Laymen's terms is  
10 it's blood pooling, which is however the body is  
11 positioned at the time of death it's dependent -- it goes  
12 like with gravity essentially.

13 Q Did you observe livor on the body?

14 A Yes. She had livor on her left side, which was  
15 consistent with the position she was in.

16 Q Any other examination of the body done there at the  
17 scene?

18 A Other than just an external overview. We did an  
19 external overview before we removed her.

20 Q Did you clean off any blood before you removed her?

21 A No.

22 Q Now, so nothing was cleaned off before she's  
23 transported to the coroner's office?

24 A No.

25 Q At the coroner's office, was anything cleaned off

## KARLA DEESE - DIRECT

1 before she was transported to autopsy?

2 A No.

3 Q Now, you have to take certain measurements and things  
4 and notes and photos and probably a video before you moved  
5 the body. Was that all done?

6 A That was done. I did photos, other additional photos  
7 were done by CSI and they also did a video.

8 Q Do you measure the body as to the size of the body or  
9 the location of the body or both?

10 A In reference to -- can you clarify, or are you  
11 telling -- are you asking me about at the scene or at the  
12 morgue?

13 Q At the scene.

14 A At the scene we did not take measurements.

15 Q Now, when it's time to move the body to the coroner's  
16 office, who makes that call? Is that you?

17 A That's correct.

18 Q Okay. Is the body transported by your folks?

19 A Yes.

20 Q Once the body arrives at the coroner's office, is it  
21 kept in a secure and locked area?

22 A Yes.

23 Q Who has access to that area?

24 A Only coroner's office staff and law enforcement is  
25 allowed to have access under our supervision.

## KARLA DEESE - DIRECT

1 Q So law enforcement can't even just walk up in there,  
2 they've got to have your approval.

3 A That's correct.

4 Q Now, was it you or Coroner Morris who authorized the  
5 autopsy?

6 A I authorized.

7 Q And I probably skipped this, but were you appointed by  
8 Coroner Morris?

9 A I was.

10 Q Okay. Again, the victim's body was not cleaned or  
11 altered in any way prior to going to the autopsy?

12 A No.

13 Q What day was the autopsy scheduled for?

14 A The autopsy was schedule for the 29th of October.

15 Q And where?

16 A At Newberry Pathology.

17 Q And the body was kept there secure overnight until it  
18 could be transported to the autopsy?

19 A Yes.

20 Q And who transports it to the autopsy?

21 A Coroner's office transport members.

22 Q Does law enforcement attend that autopsy?

23 A Yes.

24 Q Did you receive a written report from Dr. Ross after  
25 the autopsy?

## KARLA DEESE - DIRECT

1 A Yes.

2 Q And is that relayed in your report as to the cause of  
3 death?

4 A Yes.

5 Q Do you have to sign a death certificate?

6 A Yes. In this particular case Mr. Ramsey was a deputy  
7 coroner and he signed this death certificate.

8 Q Okay. You have a death notification for burial and  
9 transit, do you sign that as well?

10 A Yes. In this case he was also one that signed that.

11 Q Now, that body comes back to the coroner's office  
12 after autopsy?

13 A Yes.

14 Q And is it then at some point released to the funeral  
15 home?

16 A Yes.

17 Q Now, do you request a toxicology report --

18 A Yes.

19 Q -- from the victim? And did you, in fact, receive a  
20 report back from Ms. Ghent?

21 A Yes.

22 Q And is that related in your report as well?

23 A It is.

24 Q Any substances in her system?

25 A Nothing other than caffeine.

## KARLA DEESE - DIRECT

1 Q And the fact that she's got caffeine in her system,  
2 would that change your opinion as to the cause of death?

3 A No.

4 Q Ms. Deese, we were looking at some photos when you  
5 visited my office, there was a frothy type substance around  
6 the victim's mouth area. Can you explain that?

7 A Yes. What was present in her mouth, we refer to it  
8 in the coroner's world as a foam cone, it's a very frothy  
9 substance coming out. Hers was pink which indicated that  
10 there was blood mixed in, which likely was from breathing  
11 with -- the lung had been punctured and the blood gets  
12 mixed in with that air.

13 Q So that indicates she was breathing or trying to  
14 breath while she was bleeding profusely?

15 A She was breathing while there was blood mixed in and  
16 the blood came from the stab wound, so yes.

17 Q I show you what's been marked as State's 9. Can you  
18 identify that document?

19 A This is the coroner's report for Anne/Elaine Ghent.

20 Q Is that the report that you approved?

21 A Yes.

22 Q Is that a clear and accurate portrayal of the report?

23 A Yes.

24 Q Is that kept in the normal course of business?

25 A Yes.

## KARLA DEESE - DIRECT

1 MR. NEWMAN: Your Honor, at this time I would enter  
2 State's 9 into evidence.

3 MR. LIFSEY: I would object to that both as to being  
4 duplicative and I have other grounds if the Court wishes to  
5 hear them.

6 THE COURT: Y'all want to come on up here then?

7 (A bench conference was held.)

8 THE COURT: Objection overruled. The document will  
9 come into evidence as stated at the side bar.

10 (The report was received as State's 9.)

11 MR. NEWMAN: Thank you, Ms. Deese. Answer any  
12 questions that Mr. Lifsey has.

13 CROSS EXAMINATION

14 BY MR. LIFSEY:

15 Q Let me just clarify, you testified earlier that the  
16 hands and body were positioned, how did you describe them?

17 A Her body was left side recumbent, correct.

18 Q What were her hands?

19 A Her hands were drawn in toward her chest.

20 Q They were in no way above her head or anything like  
21 that.

22 A Not at that time.

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

25 MS. COLLINS: One moment please, Judge.

## KARLA DEESE - CROSS

1 REDIRECT EXAMINATION

2 BY MR. NEWMAN:

3 Q When you got back to the morgue and opened up the bag,  
4 were her hands still in that same position, do you recall?

5 A I don't recall. I'm pretty sure they were but I  
6 don't recall 100 percent.

7 MR. NEWMAN: No further questions.

8 THE COURT: Thank you, ma'am, you may stand down.

9 MS. COLLINS: We ask that this witness be excused.

10 MR. LIFSEY: That's fine.

11 MS. COLLINS: Your Honor, the State's next witness is  
12 Investigator Ken Taylor.

13 The witness, KEN TAYLOR, was first duly sworn and  
14 testified as follows:

15 DIRECT EXAMINATION

16 BY MS. COLLINS:

17 Q Would you please state your name?

18 A My name is Ken Taylor.

19 Q What is your occupation?

20 A I'm a deputy sheriff, Lancaster County Sheriff's  
21 Office, crime scene investigator.

22 Q As an investigator with the crime scene investigation  
23 unit of the sheriff's department, what are your duties?

24 A We respond to scenes, typically focus on physical  
25 evidence found at scenes. We document the condition of



## KARLA DEESE - REDIRECT

1 scenes, collect evidence, sometimes process evidence in  
2 place, sometimes get it ready to be transferred on to  
3 another agency such as SLED or some other lab for further  
4 processing.

5 Q Were these also your duties in October of 2013?

6 A Yes.

7 Q You were a member of the crime scene unit at that time  
8 as well?

9 A Yes.

10 Q How long have you been a full-time officer with law  
11 enforcement?

12 A Since December of 2005.

13 Q Have you served with CSI during all of your years with  
14 law enforcement?

15 A No, been on crime scene unit about six and a half  
16 years.

17 Q What special training do you receive in order to be an  
18 investigator with the crime scene unit?

19 A Everyone on our unit has attended the National  
20 Forensic Academy, which is an agency or a school that's  
21 maintained by the University of Tennessee out of Oakridge  
22 near Knoxville, Tennessee. It's a ten week program that  
23 we go through. It covers a lot of things, general  
24 investigation techniques, fingerprinting, shooting  
25 reconstruction, blood stain pattern analysis, photography

KEN TAYLOR - DIRECT

1 documentation, just a lot of different things involved in  
2 that ten week program.

3 Q What does the term forensics itself mean?

4 A Looking at legalities and evidence and the processing  
5 of those things and the determination of those things when  
6 dealing with legal climate I guess you would say.

7 Q You are certified nationally in the area of crime  
8 scene investigation?

9 A Yes, ma'am.

10 Q And since becoming nationally certified, do you  
11 receive continuing education in the field of crime scene  
12 investigation?

13 A Yes, we do.

14 Q That's required yearly?

15 A Yes.

16 Q You meet or exceed those yearly amounts; is that  
17 correct?

18 A Yes, ma'am.

19 Q Investigator Taylor, were you involved in the  
20 investigation of the case currently before the court which  
21 resulted in the defendant being charged with the murder of  
22 Elaine Ghent?

23 A Yes.

24 Q Can you tell us when you first arrived at the scene?

25 A I think it was about quarter until 8:00, about 7:45

KEN TAYLOR - DIRECT

1 or so that morning that I believe was October 28th.

2 Q And what did you first do when you got there?

3 A I saw several other deputies on scene. I believe EMS  
4 had just arrived or was getting there about the same time,  
5 started just talking to some of the deputies getting  
6 briefings just trying to figure out what was going on.

7 And also my lieutenant, my supervisor, Lieutenant Christy  
8 Rogers, I was on the phone with her and kind of giving her  
9 a briefing of what I was finding at the scene and what the  
10 state of things were at the time.

11 Q In that this involved a homicide, or alleged homicide,  
12 were there many officers at the scene?

13 A Yes. There were quite a few when I got there and  
14 several more arrived along with EMS and others, and the  
15 coroner's office.

16 Q Did Lieutenant Christy Rogers, your supervisor and  
17 fellow CSI unit member, also join you?

18 A Yes, she did.

19 Q Was the residence at identified  
20 as the residence of both the victim and the defendant?

21 A Yes, it was.

22 Q And, of course, that's within Lancaster County.

23 A Yes, it is.

24 Q Walk us through what you did when you first arrived.

25 Was there anything that you did as a member of CSI looking

KEN TAYLOR - DIRECT

1 at the exterior of the home or did you do an initial  
2 assessment of the exterior and interior?

3 A What I did first -- again expecting that a search  
4 warrant would probably be sought after, which is what my  
5 supervisor, Lieutenant Rogers, eventually did, when we  
6 both arrived I first took my camera out and started to  
7 take some pictures of just the outside of the house, just  
8 the scene in general showing again some of the other  
9 officers and deputies and all that had arrived. And at  
10 that point we were told that Mr. Ghent was in the EMS  
11 truck getting ready to -- or they were getting him ready  
12 to transport him to the hospital, and I believe Lieutenant  
13 Rogers took my camera stepped inside the vehicle and  
14 snapped a few pictures, I think some of the ones that have  
15 already gone around and been shown. Then the camera was  
16 given back to me and I took some of the outside of the  
17 residence waiting on completion of the search warrant  
18 affidavit.

19 Q And upon ultimately receiving a search warrant, did  
20 you process the inside of the home?

21 A Yes, ma'am, we did.

22 Q And by processing you looked for potential evidence in  
23 the case on the inside of the home?

24 A Yes, that's correct.

25 Q You took certain measurements within the home; is that

KEN TAYLOR - DIRECT

1 right?

2 A Yes, we did.

3 Q Did you prepare a diagram of the home?

4 A Yes. I did a scene drawing, correct.

5 Q In fact, in this case did you do two?

6 A Yes, I did. One was more of an overall showing some  
7 dimensions in the yard in relation to the driveway in  
8 proximity of the house, and then one just showing the  
9 overall floor plan of the house and locations of some  
10 other findings.

11 Q Investigator, let me show you what has been marked as  
12 State's Exhibit Number 10 and ask you, do you recognize  
13 that drawing?

14 A Yes, I do.

15 Q What is it?

16 A This is an overall drawing that I created showing the  
17 floor plan of the residence and the  
18 Campbell Lake Road and the gravel roadway with the vehicle  
19 sitting in the driveway just to show the proximity of the  
20 house to those items.

21 Q And you prepared that for reference in this case?

22 A Yes.

23 MS. COLLINS: At this time I move State's 10 into  
24 evidence.

25 MR. LIFSEY: I have no objection to that document.

KEN TAYLOR - DIRECT

1 THE COURT: All right.

2 MS. COLLINS: Ask that publish that to the jury.

3 THE COURT: Introduced as a State's exhibit,  
4 permission to publish granted.

5 (The drawing was received as State's 10.)

6 Q Investigator, is it showing on your screen?

7 A Yes, ma'am.

8 Q This is the overall view of , the  
9 diagram that you prepared; is that right?

10 A Yes.

11 Q The front of the home faces is that  
12 right.

13 A Correct.

14 Q The side of the home faces is that  
15 right?

16 A Yes.

17 Q I show you what has now been marked as State's Exhibit  
18 11 and ask you, is that the close-up of the interior floor  
19 plan of the home?

20 A Yes, it is.

21 MS. COLLINS: I move that into evidence at this time.

22 MR. LIFSEY: Without objection.

23 THE COURT: Without objection introduced into  
24 evidence.

25 MS. COLLINS: I move to publish that at this time.

KEN TAYLOR - DIRECT

1 THE COURT: Publication granted.

2 (The diagram was received as State's 11.)

3 Q I think that will just give us a little bit closer  
4 view. Do you see that there, Investigator?

5 A Yes, ma'am.

6 Q So you prepared this and you go into the front  
7 entryway, there's a front brick porch with rounded steps;  
8 is that right?

9 A Yes, it is.

10 Q And then the front door opens into the living room; is  
11 that right?

12 A Yes, ma'am.

13 Q To the left being the kitchen?

14 A Yes.

15 Q And to the left of that a utility room?

16 A Correct.

17 Q And there is a side entrance there to the utility  
18 room, correct?

19 A Yes, ma'am.

20 Q Now, when you entered the home, I believe you may have  
21 already testified to this, was the defendant already out of  
22 the kitchen area?

23 A Correct. The defendant was not in the house at the  
24 time that I entered.

25 Q All right. Now, this area, this first bedroom coming

## KEN TAYLOR - DIRECT

1 from the kitchen area, there's actually a door here to the  
2 master bedroom; is that right?

3 A Yes, ma'am.

4 Q And you've drawn the bed here, correct?

5 A Correct.

6 Q So coming in, is that the only door into the bedroom  
7 from the hallway?

8 A Yes, it is.

9 Q And coming into the bedroom the bed is right there in  
10 front of you; is that right?

11 A Immediately to your left when you enter that door.

12 Q So it's lined up against that left wall of the head  
13 board; is that right?

14 A Yes, ma'am.

15 Q And the foot board is there in front of you?

16 A Correct.

17 Q And if you continue straight you would go to the door  
18 of the master bathroom, correct?

19 A Yes.

20 Q Now, you've drawn a figure here on the bed; is that  
21 right?

22 A Yes.

23 Q Is that figure to depict the position of the body of  
24 Mrs. Elaine Ghent as you saw it on that date?

25 A Yes, it is.



KEN TAYLOR - DIRECT

1 Q And we can see some black, is that depicting the hip  
2 and leg area of the victim?

3 A In yours correct, that would be the lower portion of  
4 her body.

5 Q Her feet are pointed to the head board?

6 A Yes.

7 Q Up against a pillow, I believe.

8 A Yes.

9 Q And her head is toward the foot board?

10 A Correct.

11 Q Can you describe for the jury the victim's body as you  
12 observed it at that time?

13 A I entered the house, and again, once we went to that  
14 bedroom we could see the victim's body lying on the bed on  
15 her left side with her knees kind of tucked up toward her  
16 and bent, her arms were kind of pulled in, her hands up  
17 toward her chest and lower chin area. Feet were kind of  
18 positioned toward the -- what you and I would call the  
19 head of the bed and her head was down toward the foot of  
20 the bed, almost like you may have gotten in the bed in  
21 reverse manner. Much blood was visible on her clothing,  
22 on her chest area. Her hands were heavily saturated with  
23 blood. Much blood all over her face and in her hair.  
24 Lots of areas of blood on the -- a large pooling area of  
25 blood that she was lying on top of on the bed, on the

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1 sheets. Blood spatter in different places, blood drops in  
2 different places on the pillows, on the floor around the  
3 bed. On her -- close to the side of the bed that she was  
4 on there's more on that side. Stacks of clothing were  
5 between the bed and the wall that butted up to the  
6 bathroom, and lots of blood droplets -- of what appeared  
7 to be blood droplets throughout those clothes and back  
8 down toward the foot of the bed on areas of the carpet,  
9 lots of blood drops at the foot of the bed and items  
10 across from the foot of the bed. And then over on the  
11 opposite side of the bed where she was there was fewer  
12 stains over there. It was much cleaner over there even  
13 though there were visible stains than where she was lying.

14 Q She was wearing a pair of red and white striped pajama  
15 pants; is that right?

16 A Yeah. I think I probably described it as lose  
17 fitting gym or warm-up type pants but I think it's  
18 probably more like pajama bottoms, something like that.

19 Q And a T-shirt?

20 A White T-shirt and multicolored pair of socks.

21 Q The multicolored pair of socks, was there blood on the  
22 socks?

23 A Yes.

24 Q Was one notably different than the other?

25 A Yes. I believe the one on I believe it's right foot

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1   seemed to be heavily saturated in blood.

2   Q   And the left foot was not?

3   A   The left foot had visible what I would say is  
4   droplets of blood on it but it wasn't saturated like the  
5   one on the right was.

6   Q   When you first entered the bedroom, did you notice  
7   anything at that time on the door?

8   A   There was much clutter about everything in the house,  
9   sticky notes, things stuck on the refrigerator, note  
10  boards and things just everywhere. When we entered that  
11  room my attention was drawn at first immediately to the  
12  bed where the body of Ms. Ghent was found. I didn't see a  
13  note in particular on the door until we had come back out.  
14  Kendra Howell was there with us and she noticed it first  
15  and pointed up and said, "Hey, there's a note here on the  
16  door," and that's when we noticed it.

17  Q   I show you what has already been moved into evidence  
18  as State's Exhibit 7 and ask you, do you recognize that?

19  A   Yes, ma'am. That is the note that was taped to the  
20  entrance of the bedroom door.

21  Q   Is that photograph a fair and accurate depiction of  
22  the note as it was taped to the bedroom door as you  
23  observed it the early morning of 10/28 of 2013?

24  A   Yes, it is.

25       MS. COLLINS: I'm not sure if this has been published

KEN TAYLOR - DIRECT

1 but it is in evidence and I would like to publish it at  
2 this time, Judge.

3 THE COURT: Okay.

4 Q After you took the photograph of the note on the  
5 bedroom door, was the note removed and placed into  
6 evidence?

7 A Yes, it was.

8 Q Now, at the time before removing it, did you observe  
9 any blood on the note itself?

10 A No.

11 Q Was there anything on the back of the note?

12 A Nothing.

13 Q The note being on the bedroom door, when you  
14 approached the master bedroom, was the door open in, do you  
15 recall?

16 A I believe the door opens -- if you're facing that  
17 doorway going into the bedroom, the door hinged to the  
18 right and pushed open to the right while opening to the  
19 inside of that master bedroom.

20 Q So the door pushed in, correct?

21 A Yes, ma'am. It hinged to the right, correct.

22 Q And when you pushed the door in the note as you've  
23 taken the picture of it -- so the door pushed in into the  
24 master bedroom, correct?

25 A Yes, ma'am.

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1 Q And the note was there -- as you pushed in it was on  
2 the exterior of the door, correct?

3 A Correct. It would have been facing out toward the  
4 kitchen area.

5 Q So if the door to the bedroom was closed it was on the  
6 exterior of the door, correct?

7 A Yes.

8 MS. COLLINS: I ask that be marked State's Exhibit 12.

9 Q I'll show you at this time State's Exhibit 12. Do you  
10 recognize that envelope?

11 A Yes. It is the evidence envelope used to store the  
12 note that we were just speaking of.

13 Q So the note was collected and taken into evidence?

14 A Yes.

15 Q Was caution taken to make sure if there were  
16 fingerprints on it that they were not disturbed?

17 A That's correct.

18 Q Can you go ahead and open that up?

19 A Yes, ma'am.

20 Q Did you collect it yourself, Investigator? Do you  
21 recall?

22 A I can't recall without actually looking at the  
23 submission form possibly whether I actually pulled it off  
24 the door or maybe Lieutenant Rogers might have pulled it  
25 from the door. We collected a lot of the items together

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1 and I believe she transported everything from the scene, I  
2 think.

3 Q You and Lieutenant Rogers were working together as the  
4 CSI unit processing this case, correct?

5 A Yes, correct. Yes. This is the note that was on the  
6 door.

7 Q And to your knowledge has that been transferred to  
8 SLED for some analysis of it?

9 A I believe it was.

10 Q Is it in a container itself?

11 A The plastic bag that it was in was to be folded  
12 behind it and it is in a plastic folder itself. Do you  
13 want me to remove it?

14 Q Yes, please remove it. And again, does that appear to  
15 be the note as you saw it, the note that was recovered from  
16 the crime scene on 10/28 of 2013?

17 A Yes, it is.

18 Q Okay.

19 MS. COLLINS: I ask that this be marked as the next  
20 State's Exhibit, State's Exhibit 13. I would move this  
21 into evidence at this time.

22 THE COURT: Any objection?

23 MR. LIFSEY: No, sir.

24 (The note was received as State's 13.)

25 Q Now, Investigator Taylor, you testified at some length

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1 about the training you receive as a member of the crime  
2 scene investigation unit; is that correct?

3 A Yes.

4 Q At the time that the note was hanging there on the  
5 door, did you observe anything that appeared to be blood on  
6 the note?

7 A No, I did not.

8 Q Looking at the note there, State's Exhibit 13, does  
9 there appear to be anything that is blood on that note?

10 A No, there does not.

11 Q There's a pinkish tint on the bottom right corner of  
12 the note, do you see that?

13 A I did see it while we had it out, yes.

14 Q And you are aware of the analysis that had been  
15 performed at SLED?

16 A It's my understanding it was checked for the presence  
17 of fingerprints through chemical processing.

18 Q Are you familiar with the chemical process needed to  
19 check a note like that for fingerprints?

20 A Typically in our office if we are looking for  
21 fingerprints on a paper document that porous we use a  
22 chemical that's called ninhydrin.

23 Q Does that chemical leave a pinkish residue?

24 A Yes, it does. It often turns documents kind of a  
25 purplish/pinkish kind of color.

KEN TAYLOR - DIRECT

1 Q And based on your training and experience, does it  
2 appear that that is what is in the lower right corner of  
3 that note?

4 A That's what it appears to me to be.

5 Q Continuing with your investigation at the time you  
6 were present when the Deputy Coroner Karla Deese was at the  
7 scene, correct?

8 A Yes.

9 Q She along with you and Lieutenant Rogers of your  
10 division examined the scene as well as the victim's body;  
11 is that correct?

12 A Yes.

13 Q Did you see any bruises on the victim's body at the  
14 scene?

15 A I wasn't aware of any at the scene. I would say due  
16 to the presence -- much presence of much blood covering  
17 her exposed skin. Again, she was wearing the white shirt,  
18 the pajama bottoms and the multicolored socks, we did not  
19 remove those or manipulate those while we were there with  
20 her. We wanted to leave all of that for the pathologist  
21 to look at and study in relation to determining cause and  
22 manner of death.

23 Q And of course, the blood was not washed away there at  
24 the scene or at the morgue but left as is until Dr. Ross  
25 could examine it during the autopsy?



## KEN TAYLOR - DIRECT

1 A Correct.

2 Q Were you present as the law enforcement officer at the  
3 autopsy?

4 A Yes.

5 Q So you were present when the blood was removed?

6 A Yes.

7 Q And did you at that time see bruising on the body of  
8 the victim?

9 A I saw what I believed to be bruises in several  
10 places, yes.

11 Q Do you recall seeing along with Dr. Ross while she did  
12 the autopsy the stab wound to the chest of the victim?

13 A Yes.

14 Q Do you recall seeing a bruise within inches of that  
15 stab wound?

16 A Yes.

17 Q Did you find a weapon there in the bedroom?

18 A Yes, we did.

19 Q Tell us about that.

20 A I described it initially as a steak or kitchen type  
21 knife, just a narrow dark handled knife. Let's see, I  
22 believe I actually measured -- I said it had a black in  
23 colored handle measuring 11.5 centimeters in length and  
24 then exposed smoothed single edged blade measuring about  
25 14.5 centimeters in length. Width of the blade measured

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1 about 18 millimeters of the bolster where the handle ends  
2 and the blade is exposed at its widest point. And it  
3 appeared to have a red/brown substance on it that we  
4 believed to be blood.

5 Q I would like to show you what has been marked as  
6 State's Exhibit 1, marked for evidence, not in evidence at  
7 this time, and ask you, do you recognize that?

8 A Yes, ma'am. That's the knife we found and the one we  
9 collected.

10 Q And you placed that into evidence with your  
11 department?

12 A Yes.

13 Q Is that the knife that you took to the autopsy with  
14 you?

15 A Yes, it is.

16 Q Is that the knife that you showed Dr. Ross and asked  
17 her to look at that knife and see if she felt that the  
18 wound, the stab wound to the victim's chest appeared to be  
19 consistent with that knife? Do you recall that?

20 A Yes.

21 MS. COLLINS: And at this time I move State's Exhibit  
22 1 into evidence?

23 MR. LIFSEY: I don't have any objection.

24 THE COURT: All right. Entered into evidence.

25 (The knife was received as State's 1.)

KEN TAYLOR - DIRECT

1 MS. COLLINS: I would ask that these two photographs  
2 be marked as the State's next two exhibits.

3 Q Investigator, I'll show you what has been marked as  
4 State's Exhibits 14 and 15 and ask you, do you recognize  
5 those photographs?

6 A Yes, I do.

7 Q Did you take those photographs?

8 A Yes.

9 Q Are those photographs from within the crime scene at  
10 ?

11 A Yes, they are.

12 Q Within the master bedroom?

13 A Yes, ma'am.

14 Q And do those photographs fairly and accurately depict  
15 portions of the master bedroom as you observed them during  
16 your investigation on 10/28 of 2013?

17 A Yes, they do.

18 Q Specifically what area of the bedroom do those two  
19 pictures portray?

20 A This again, as you enter the bedroom through the one  
21 door, immediately to the left the head board of the bed is  
22 positioned against the wall, and there's a space between  
23 the wall immediately to your left when you come in and the  
24 side of the bed where there's a nightstand, it looks like  
25 a dresser and a lot of other items just kind of cluttered

KEN TAYLOR - DIRECT

1 around. But here is where we see it looks like a pair of  
2 bedroom slippers or sandal slippers, whatever, and the  
3 knife that we just looked at was found lying immediately  
4 in front of those slippers and next to a couple of bags  
5 that were there on the floor.

6 MS. COLLINS: At this time I move State's Exhibits 14  
7 and 15 into evidence.

8 MR. LIFSEY: I have no objection.

9 THE COURT: Without objection introduced.

10 MS. COLLINS: I would ask that they be published at  
11 this time.

12 THE COURT: Okay.

13 (The photos were received as State's 14 and 15.)

14 Q Now, this first one, State's Exhibit 14 that we're  
15 showing, do you see an area of the bed with relatively, if  
16 any blood; is that right.

17 A In comparison. There are a few blood stains on that  
18 one that may not show up well under the light of this  
19 particular projector.

20 Q This area of the bed was the area that obviously did  
21 not contain the body of the victim, correct?

22 A Correct.

23 Q The victim's body would have been further over on the  
24 other side of the bed, correct?

25 A Yes, on the opposite side and completely out of that

## KEN TAYLOR - DIRECT

1 picture.

2 Q This would be the head board up here where the pillow  
3 is?

4 A Yes.

5 Q And down here would be the foot board?

6 A Correct.

7 Q Her head would have been in this position towards the  
8 footboard?

9 A Yes.

10 Q Her feet up against the pillow on her side of the bed,  
11 correct?

12 A Again, on the opposite side of the bed out of this  
13 picture frame.

14 Q We see here are some brown slippers?

15 A Yes.

16 Q And it's hard to see in this picture, is this the  
17 location near those slippers where the knife was found?

18 A It's actually -- and it's even in that picture, it's  
19 hard, again, because of the glare, it's lying just in  
20 front of the toe of that left of what you would say is the  
21 left slipper. You can see it better in the other photo  
22 that you showed me.

23 Q I'll hand you State's Exhibit 14, and if there is no  
24 objection, ask you to mark or just circle with this red pen  
25 where you see the knife.

## KEN TAYLOR - DIRECT

1 A It's right in this area just in front of the toes.

2 Q And showing you now what's been marked as State's  
3 Exhibit 15 in evidence. This is a close-up of those brown  
4 slippers by the bed, correct?

5 A Correct.

6 Q The bed is over here to the right of the slippers?

7 A Yes.

8 Q And here is the knife as you found it at that time,  
9 correct?

10 A Yes, directly in front of that slipper and almost  
11 against the brown paper bag that's laying there also.

12 Q So at the time that you took the photo the knife had  
13 not been moved in any way; is that correct?

14 A That is correct.

15 Q And after taking these photographs it was then that  
16 you collected the knife and placed it into evidence?

17 A Yes.

18 Q And ultimately that knife was also submitted to SLED?

19 A Yes, it was.

20 Q Did you later obtain a DNA sample from the defendant  
21 to be submitted to SLED for comparison to any DNA that  
22 might have been recovered from that knife?

23 A Yes, I did.

24 Q How did you collect the DNA sample from the defendant?

25 A It's collected by what's referred to as buccal swabs,

KEN TAYLOR - DIRECT

1    which is basically just using a sterile cotton swab, just  
2    swabbing the inside of a person's cheek just to collect  
3    some skin cells so that the SLED analyst can get DNA from  
4    that to compare to any DNA found at the scene.

5    Q     And you took that sample from the defendant with his  
6    consent, correct?

7    A     Correct.

8    Q     And you submitted that into evidence at your  
9    department?

10   A     Yes, ma'am.

11   Q     For it later to be submitted to SLED?

12   A     Right.

13         MS. COLLINS: One moment, please.

14         (Break in proceedings.)

15         MS. COLLINS: Ask this be marked as the State's next  
16   exhibit, I believe we're at 16.

17   Q     I show you, Investigator, State's Exhibit 16 and ask  
18   you, do you recognize that object?

19   A     Yes.

20   Q     What is that?

21   A     This is the envelope containing the buccal swab  
22   samples that I collected from Mr. Ghent on August 6th of  
23   2015.

24         MS. COLLINS: At this time I move that exhibit into  
25   evidence.

KEN TAYLOR - DIRECT

1 MR. LIFSEY: I have no objection.

2 THE COURT: Without objection introduced.

3 (The buccal swab was received as State's 16.)

4 Q Did you later prepare an inventory at my request of  
5 the pill bottles that were retrieved from the residence of  
6 the victim and defendant on October 28th of 2013?

7 A Yes, I did.

8 Q There were several pill bottles throughout that home,  
9 or throughout the master bedroom and master bath; is that  
10 right?

11 A Yes.

12 Q And y'all collected those bottles?

13 A We collected several.

14 Q And you inventoried the contents of the pill bottles?

15 A Yes.

16 Q What type of prescription medicine was in the bottles  
17 that you observed?

18 A I don't recall the names of those. If you have a  
19 copy of that inventory, unfortunately I didn't bring my  
20 inventory sheet with me to court today.

21 Q I'll hand you a copy of your report of the inventory  
22 to refresh your memory.

23 A Thank you.

24 Q You're welcome. And after you refer to that and  
25 refresh your memory, if you will -- let me rephrase that



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1 question. I asked you what pills there were. Let me just  
2 ask you first of all, what bottles were there that  
3 reflected on their labels the contents without saying  
4 whether or not the actual contents -- you're not a  
5 pharmacist, you didn't compare the pills that were in the  
6 bottles, correct?

7 A Correct.

8 Q So let's just rephrase it that way. How many bottles  
9 do you have there that y'all collected?

10 A I believe we collected a total of 10, seven that we  
11 collected and then one bag containing three bottles that I  
12 believe was turned in by Deputy Forrest Lawson.

13 Q And what were the names of various medicines on the  
14 labels?

15 A On the labels of the one we found at the scene there  
16 was Pristiq, Desitin Oflaxin, 100 milligram. Lisinopril,  
17 20 milligrams. Meclizine, 25-milligram, another Meclizine  
18 25 milligram. A Meloxicam, 7.5. Triamterene and an  
19 Antipyrine-benzocaine solution. And then there were the  
20 three that were turned in by Deputy Forrest Lawson were  
21 labeled as Lisinopril 20 milligrams, Triamterene, and  
22 Lodipine, five milligram.

23 Q And of those bottles according to the labels, one had  
24 a label torn away, correct?

25 A Correct.

## KEN TAYLOR - DIRECT

1 Q One was labeled as prescribed to the defendant, John  
2 Ghent, correct?

3 A Yes.

4 Q And the others were labeled as prescribed to the  
5 victim, Elaine Ghent; is that correct?

6 A That is correct.

7 Q And the dates of those various prescriptions as  
8 reflected on the labels of those prescription bottles range  
9 from June 6th of 2000 -- no, let me back up -- 11/5 of 2009  
10 being the earliest, and the latest being September 25th of  
11 2013; is that right?

12 A That is correct.

13 Q And, in fact, two empty bottles had the September  
14 25th, 2013 label, correct?

15 A Correct.

16 Q The other empty bottle had a June 6th, 2012 label,  
17 correct?

18 A Correct.

19 Q Now, you also reflect quantity prescribed. Is it  
20 according to the label?

21 A Yes. That's what was printed on the label.

22 Q And according to the label, the last -- latest two  
23 prescriptions from September 25th, 2013 were prescribed 30  
24 pills each, correct?

25 A Correct.

KEN TAYLOR - DIRECT

1 Q With zero in the bottle, correct?

2 A Yes.

3 Q You've already testified that the home was very  
4 cluttered; is that right?

5 A Yes.

6 Q So y'all did not pick up all of the contents of the  
7 home and itemize those, correct?

8 A No, we did not.

9 Q So to this date you can't tell us whether or not the  
10 pills that were not in this bottle were, in fact, just lose  
11 anywhere else in the home, can you?

12 A Don't know, can't tell.

13 Q But in any event, those two bottles had the quantity  
14 prescribed as 30, correct?

15 A Yes.

16 Q And they were prescribed on September 25th, 2013,  
17 correct?

18 A Yes.

19 Q So if the prescription was for one pill a day, that  
20 would have ended and been empty if taken in accordance with  
21 prescription by October 25, 2013, correct?

22 A That would add up, yes.

23 Q The other pill bottles are for 30 pills as well but  
24 earlier dates, correct?

25 A All of them are, yes. One was for 90 but it had no

KEN TAYLOR - DIRECT

1 prescription on it, it may have been over-the-counter, I'm  
2 not sure. Again, I'm not a pharmacist but it didn't have  
3 a prescription on it.

4 Q So no prescription on it, that one had a quantity  
5 prescribed, or it had a number of it of 90 with 28 in the  
6 bottle; is that right?

7 A Yes.

8 Q For Pristiq.

9 A Pristiq, correct.

10 Q And the only other one that wasn't 30 was 10 M/L,  
11 which I assume is for milliliters?

12 A I assumed that to be as well. It appeared to be some  
13 type of drop type solution in a squeeze type bottle.

14 Q So that did not contain pills at all.

15 A Did not.

16 Q So again you don't know if the loose pills were, in  
17 fact, somewhere in the master bathroom, the master bedroom  
18 or anywhere else within that home?

19 A I do not know.

20 Q You only know that a certain amount of pills remain in  
21 the bottles, correct?

22 A Correct.

23 Q And that if the prescriptions were taken in accordance  
24 with the directions they would have been empty anyway; is  
25 that correct?

## KEN TAYLOR - DIRECT

1 A On those that we referred to there, yes.

2 MS. COLLINS: Investigator Taylor, thank you for your  
3 patience with me. Please answer any questions of Mr.  
4 Lifsey.

5 CROSS EXAMINATION

6 BY MR. LIFSEY:

7 Q Investigator Taylor, I guess -- we ended on medical  
8 stuff, you're not a medical doctor.

9 A Correct, I'm not.

10 Q You're not a pharmacist.

11 A No, sir.

12 Q Not someone familiar with the effects of medicine on  
13 someone's body, correct?

14 A Correct.

15 Q You don't have any expertise to offer opinions on  
16 whether or not taking a large amount of pills might be  
17 responsible, for example, for a precipitous drop in blood  
18 pressure and a near fatal presentation at a hospital, you  
19 don't have that basis of knowledge, do you?

20 A No, sir, I do not.

21 Q Well, let me talk about what you do know, what your  
22 expertise is. Your expertise is in crime scene  
23 investigation, correct?

24 A Yes.

25 Q Part of your job, which is an important job, is to

## KEN TAYLOR - CROSS

1 document things as they were when law enforcement arrives,  
2 correct?

3 A Yes, sir.

4 Q And to that end you take pictures, you take  
5 measurements, you produce the kind of diagrams that were  
6 produced in evidence in this case, correct?

7 A Yes.

8 Q And it's important because certainly in some cases  
9 it's very important to know where particular items were and  
10 who touched what and things like that, correct?

11 A Correct.

12 Q Because say for example in a case where there's a who  
13 done it for example, the DNA swabs might be very important  
14 because you might want to test the DNA versus blood versus  
15 things like that, correct?

16 A Correct.

17 Q And certainly that is vitally important to any crime  
18 scene investigation, correct?

19 A Yes.

20 Q But there are limitations to what you do and what we  
21 know from what you do, would you not agree?

22 A There are limitations, I'm not quite sure what you  
23 mean.

24 Q Well, let me ask you this: Certainly when you  
25 document a crime scene you are documenting items as they

## KEN TAYLOR - CROSS

1 are found when you get there, correct?

2 A Correct, yes, sir.

3 Q And you have no way -- and I know this is a stupid  
4 question but I want to just ask it anyway -- you have no  
5 way of knowing what conversations happened between two  
6 people who may have been involved in an incident, correct?

7 A Correct.

8 Q You have no way of knowing the emotions of the two  
9 people involved in the incident, do you?

10 A Correct.

11 Q You have no way of knowing the mindset of the  
12 defendant and the victim as this happened.

13 A Generally, no.

14 Q Because your job is to document the physical situation  
15 as you observe it and to preserve it for further testing as  
16 needed, correct?

17 A I would say that's a fair summation, yes, sir.

18 MR. LIFSEY: Thank you, Judge, I don't have any  
19 further questions.

20 REDIRECT EXAMINATION

21 BY MS. COLLINS:

22 Q Y'all were there for several hours I imagine  
23 documenting, taking photographs, collecting evidence,  
24 correct?

25 A Yes, ma'am.

## KEN TAYLOR - REDIRECT

1 Q At some point during that investigation as part of the  
2 team of law enforcement that had responded to this scene,  
3 were y'all made aware of the statement that the defendant  
4 had made in the ambulance?

5 A Yes.

6 MS. COLLINS: One moment, please.

7 (Break in proceedings.)

8 MS. COLLINS: Thank you.

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

10 THE COURT: Thank you, sir, you may step down. Call  
11 your next witness.

12 MR. NEWMAN: State calls Lieutenant Christy Rogers.

13 The witness, CHRISTY ROGERS, was first duly sworn and  
14 testified as follows:

15 DIRECT EXAMINATION

16 BY MR. NEWMAN:

17 Q Please state your name for the record.

18 A Christine Michelle Rogers.

19 Q And Ms. Rogers, where are you employed?

20 A Lancaster County Sheriff's Department, or office  
21 rather.

22 Q And what do you do there?

23 A I'm assigned lieutenant or supervisor over the crime  
24 scene and evidence unit.

25 Q And as the head of the crime scene investigation unit



## CHRISTY ROGERS - DIRECT

1    what are your duties?

2    A     Well, in addition to supervising both sides of our  
3    unit, the evidence and crime scene, I'm also one of our  
4    three crime scene investigators, so every third week I  
5    take call. So if there's a need for a crime scene  
6    investigator beyond business hours then I respond to the  
7    crime scene, process, document, collect evidence.

8    Q     Okay. And did you hold that same position in October  
9    of 2013?

10   A     I did.

11   Q     Those same duties?

12   A     Yes, sir.

13   Q     How long have you been a full-time officer with the  
14   Lancaster County Sheriff's Office?

15   A     Nineteen years.

16   Q     How long have you been head of the crime scene  
17   investigation unit?

18   A     Since 2011.

19   Q     So you haven't served with CSI the whole time you've  
20   been with the sheriff's office?

21   A     No, sir. When I started back in 1997 I was assigned  
22   to patrol, and in the 19 years I've held different  
23   assignments, investigations. I've been over violent  
24   crimes task force and over criminal investigations.

25   Q     Okay. What type of special training did you receive

## CHRISTY ROGERS - DIRECT

1 to be a member of this crime scene unit?

2 A Just like Investigator Taylor testified, we have all  
3 attended the National Forensic Academy, which is that ten  
4 week course that he described.

5 Q And are you nationally certified?

6 A Yes, sir, through the International Associations for  
7 Identification, they've issued us certification.

8 Q And are you nationally certified in specific areas?

9 A No, sir, just as a crime scene investigator in  
10 general.

11 Q But do you have special training in fingerprints,  
12 reconstruction, crime scene reconstruction, blood stain  
13 pattern, things like that?

14 A Yes, sir. As part of that course, that ten week  
15 course at the University of Tennessee we spend time, a lot  
16 of hands-on training, shooting reconstruction, blood stain  
17 pattern analysis, incident reconstruction, crime scene  
18 photography, latent print processing, post blast  
19 investigation, how to discover a clandestine grave and how  
20 to unearth human remains, just death investigation in  
21 general. Just a lot of different topics in that ten  
22 weeks.

23 Q And part of being nationally certified, do you receive  
24 continuing education classes?

25 A Yes, sir, absolutely. The field of forensic science

## CHRISTY ROGERS - DIRECT

1 is constantly changing and we have to change with it and  
2 we have to learn with it, the new techniques, new  
3 equipment, we do that constantly.

4 Q And were you involved in the investigation of the  
5 murder of Elaine Ghent?

6 A I was.

7 Q What did you first do as part of the investigation  
8 team?

9 A I was on my way to work that morning when I started  
10 hearing radio traffic about an assault where the victim  
11 was potentially deceased so I went ahead and responded to  
12 the scene. When I got there I met with Deputy Forrest  
13 Lawson and Investigator Phil Crawford and learned from  
14 them what they knew about the scene, just a general  
15 briefing. And I don't remember who told me, but someone  
16 said or made me aware that the defendant was still on  
17 scene, that he was in the back of the ambulance and may  
18 have some injury that should be photographed. So I used  
19 Investigator Taylor's camera, got in the ambulance and  
20 took just a few photographs to document injuries to Mr.  
21 Ghent, then after getting all of that information I went  
22 back to our office and prepared a search warrant  
23 affidavit. After I got that prepared I met with Judge  
24 Thomas who reviewed my affidavit and he confirmed there  
25 was probable cause to issue a search warrant for the

## CHRISTY ROGERS - DIRECT

1 residence. After getting that search warrant I went back  
2 to the residence on and presented that  
3 search warrant to Investigator Taylor who executed it I  
4 think at 9:07 that morning.

5 Q And was it ultimately determined that the site at  
6 was the scene where the victim died?

7 A Yes, sir.

8 Q Is that address, is it here in  
9 Lancaster County?

10 A Yes, sir. It is off in Lancaster  
11 County.

12 Q Okay. Now, once you execute this search warrant, what  
13 do you do as part of the crime scene investigation unit?

14 A One of the first things we do is do a walk-through of  
15 the house and that's just to get some general impression  
16 about what went on and what equipment we may need during  
17 our investigation. During this particular walk-through  
18 Investigator Taylor videotaped the scene while I just made  
19 an audio recording on a digital voice recorder on what we  
20 were seeing as we progressed through the house. Deputy  
21 Chief Coroner Karla Deese accompanied us, and I think  
22 Scott Ramsey also went inside with us during that  
23 walk-through. After we do that initial walk-through,  
24 Investigator Taylor then took a number of other pictures  
25 just to document every room of the house before we got to

## CHRISTY ROGERS - DIRECT

1 the master bedroom where the victim was located and spent  
2 the majority of our time there.

3 Q And after that walk-through, were you present when  
4 Deputy Coroner Karla Deese examined the body at the scene?

5 A I was.

6 Q Can you describe for the jury the victim's body as you  
7 observed it?

8 A Yes, sir. She was laying on the right side -- if  
9 you're standing at the foot of the bed and facing the bed,  
10 she was laying on the right side with her head more  
11 towards the foot of the bed and her feet towards the head  
12 of the bed. She was laying on her left side with her  
13 knees bent. I described it as almost a near fetal  
14 position with her knees bent in, her hands, arms, elbows  
15 bent and her hands up close to her face. She was -- a lot  
16 a blood on her predominantly on her chest area, on her  
17 upper torso, a lot of blood on her head, face, hair, and  
18 really all over her body, but the heaviest blood was on  
19 her chest.

20 Q Now, I know there's blood on her, but was there --  
21 you've seen a lot of crime scenes. Was there a lot of  
22 blood in general around the room or was it confined to her?

23 A There was blood around the room but it was mostly  
24 confined to on her and immediately under her on that bed  
25 in several kind of large pools of blood on that bed where

## CHRISTY ROGERS - DIRECT

1 she was lying.

2 Q Now, this blood on the victim's body, to your  
3 knowledge was it left as-is as the body was transported to  
4 the coroner's office and ultimately to the autopsy?

5 A Yes, sir. No changes were made to the blood on the  
6 body.

7 Q Did you observe any bruises on the victim's body?

8 A No, sir, I did not see any bruises at the scene.  
9 There was a lot of blood on her body, on her skin and on  
10 her clothing, I didn't see bruises.

11 Q Did you observe injuries to the victim's hands?

12 A I didn't see any injuries on her hand at the time. I  
13 have seen injuries since then after the blood was cleaned  
14 off, but at the scene there was so much blood,  
15 particularly on her hands that I didn't see any injury  
16 there.

17 Q And as crime scene unit y'all did recover what we  
18 believed to be the murder weapon.

19 A Yes, sir, absolutely.

20 Q And what was that?

21 A It was what -- I call it a kitchen knife, a thin  
22 bladed single edged knife with a black handle.

23 Q Now, after measurements were taken and documented --  
24 the body is documented, was it then taken to the coroner's  
25 office?

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1 A Yes, sir. The body was removed by the coroner's  
2 office, transported and then taken to the morgue at the  
3 coroner's office.

4 Q Who went with the body?

5 A The coroner's office transport time is who  
6 transported it from the scene, we remained on scene.

7 Q Did you and Mr. Taylor ultimately go to the coroner's  
8 office?

9 A No, sir, not in this case.

10 Q And you already said it was not cleaned before it went  
11 to autopsy. Did you assign Mr. Taylor to go to the  
12 autopsy?

13 A I did.

14 Q And upon clearing the scene, did you collect several  
15 items to be taken for evidence?

16 A Yes, sir, I collected a list of items.

17 Q Did you subject those items into evidence?

18 A I did.

19 Q Now, occasionally we send items to SLED to be  
20 analyzed. Does SLED limit the number of items you can send  
21 to SLED?

22 A Yes, sir. The only department at SLED that limits  
23 what we can send is the DNA department and that's just  
24 because of sheer backlog that their unit experiences. On  
25 a violent crime like a homicide we are limited to five

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1 items total, and that's per -- one swab would count as one  
2 item.

3 Q So you sent -- you did a swab from the defendant, Mr.  
4 Ghent; is that correct?

5 A Yes, sir.

6 Q And you had to get some sort of sample from the  
7 deceased, Ms. Ghent; is that correct?

8 A Yes, sir.

9 Q And then the knife.

10 A Yes, sir.

11 Q So that's three items. Were those three items sent to  
12 SLED for DNA analysis?

13 A Yes, sir, they were.

14 Q And was the -- to your knowledge was that note on the  
15 door, was it also sent for DNA analysis?

16 A Yes, sir, it was.

17 Q Okay. Now, are you familiar with SLED's questionable  
18 documents unit?

19 A Yes, sir.

20 Q Did you attempt to obtain handwriting samples from the  
21 deaf?

22 A Yes, sir, I contacted SLED. Lieutenant Gaile Heath  
23 is over questioned documents at SLED, and kind of told  
24 Lieutenant Heath about our case, what note we had that we  
25 needed examined and asked her how would we go about



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1 obtaining handwriting examples or exemplars from the  
2 defendant for comparison. And she spent time explaining  
3 to me exactly in detail how she would need those  
4 handwriting exemplars from the defendant to be collected,  
5 in what manner, so I got all of those things together.

6 Q And can you describe that process to the jury?

7 A Yes, sir. Lieutenant Heath asked that we use similar  
8 paper to the questioned document to whatever we were  
9 trying to compare. She asked that the defendant use a  
10 ballpoint pen, and she asked that we not allow him to look  
11 at something to write what we wanted him to write, she  
12 asked that I dictate it to him. And what she wanted is 25  
13 separate handwriting examples written exactly as what was  
14 written on the note from the door, that was the questioned  
15 document. So I had to dictate to him 25 separate times  
16 word for word what was written on the note that we wanted  
17 to compare and we did that after we obtained his consent  
18 for that examination.

19 Q So as he's writing the note I guess you're in the room  
20 with him, you're watching him, do you say the entire note  
21 or you just say one line or what?

22 A I held a copy of the note in my hand to where he  
23 couldn't see it and I read the note, and I would pause --  
24 I wouldn't read the whole thing, I would just say a few  
25 words, give him time to write that, then I would add some

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1 more words as we went.

2 Q And you did that 25 separate times?

3 A Twenty-five separate times.

4 Q And you got 25 different samples?

5 A Yes, sir.

6 Q I show you what we have marked as State's Exhibit 17.

7 Do you recognize that?

8 A Yes, sir, I do.

9 Q What is that?

10 A This is the envelope that stores the 25 exemplars or

11 handwriting examples that I collected from the defendant

12 in this case.

13 Q And is this exactly the way you sent it to SLED?

14 A That is the envelope that I prepared.

15 MR. NEWMAN: Your Honor, at this time I move State's

16 17 into evidence.

17 MR. LIFSEY: I don't have any objection to that,

18 Judge.

19 THE COURT: Without objection.

20 (The handwriting sample was received as State's 17.)

21 Q I'm going to show you -- I don't think Ms. Collins

22 showed the outside of the home. Is that a clear and

23 accurate representation of what the home looked like on

24 ?

25 A Yes, sir.

## CHRISTY ROGERS - DIRECT

1 MR. NEWMAN: Your Honor, that was State's 18, and I  
2 would move State's 18 into evidence.

3 MR. LIFSEY: I have no objection.

4 THE COURT: Without objection introduced.

5 (The photo was received as State's 18.)

6 MR. NEWMAN: All right, Ms. Rogers, I've got no  
7 further questions. Please answer anything Mr. Lifsey has.

8 THE COURT: Mr. Lifsey?

9 CROSS EXAMINATION

10 BY MR. LIFSEY:

11 Q Lieutenant Rogers, as to your duties to the crime  
12 scene they were similar to investigator -- you were in here  
13 when Investigator Taylor testified a few minutes ago?

14 A Yes, sir, I was.

15 Q And similar to what he said, y'all's duty mainly were  
16 to document what the situation was to preserve evidence and  
17 so it can be tested later; is that correct?

18 A Yes, sir.

19 Q And as to the handwriting exemplars that you talked  
20 about a few minutes ago, my client consented to that,  
21 correct?

22 A Absolutely.

23 Q In fact, I was sitting there right when he did it,  
24 correct?

25 A You sure were.

## CHRISTY ROGERS - CROSS

1 Q And just like he consented to the DNA swabs, correct?

2 A Yes, sir, to my knowledge he did.

3 MR. LIFSEY: Thank you. I don't have any further  
4 questions.

5 MR. NEWMAN: Nothing further, Your Honor.

6 THE COURT: All right. Thank you, ma'am, you may  
7 stand down, you're free to leave if you need to. Let's  
8 take a little break, about ten minutes to rejuvenate.  
9 Don't talk about the case. Thank you.

10 (The jury left the courtroom.)

11 THE COURT: All right. Anything?

12 MS. COLLINS: Can we approach for scheduling?

13 THE COURT: While y'all are fixin' to tell me  
14 something, State's Exhibit 9 which I allowed into evidence,  
15 I allowed it provided that two paragraphs were redacted,  
16 they've been redacted.

17 MR. LIFSEY: Yes, sir. And I appreciate that  
18 redaction, that took care of one of my objections, still my  
19 over my other objection as being duplicative.

20 THE COURT: That's correct, and I overruled that  
21 objection. But now as far the hearsay, that redaction  
22 takes care of the hearsay, correct?

23 MR. LIFSEY: Yes, sir.

24 THE COURT: That's Number 9, just stick it over there.

25 (A break was taken.)

1 Honor.

2 THE COURT: That's fine. And I think -- we talked  
3 yesterday about the scheduling and everything, the State  
4 indicated it was going to be able to rest late this  
5 morning, and then, you know, that will give you plenty of  
6 time today to do what you're going to do, because we were  
7 going to argue and charge tomorrow anyway and that way it  
8 will give the jury a full day to deliberate and do whatever  
9 they're going to do or if they need more time, or whatever.  
10 Okay. We'll go ahead and bring the jury in.

11 (The jury returned to the courtroom.)

12 THE COURT: All members of the jury are present. Good  
13 morning, ladies and gentlemen, I hope you had a restful  
14 evening last night. We'll jump right into it this morning.  
15 The State can call its next witness.

16 MS. COLLINS: Thank you. May it please the Court the  
17 State's next witness, Your Honor, is SLED analyst Kelly  
18 Bugden.

19 The witness, KELLY BUGDEN, was first duly sworn and  
20 testified as follows:

21 DIRECT EXAMINATION

22 BY MS. COLLINS:

23 Q Good morning. You're probably going to need to speak  
24 directly into that microphone. Would you please tell us  
25 your name?

## KELLY BUGDEN - DIRECT

1 A My name is Kelly Bugden.

2 Q And what is your occupation?

3 A I'm a forensic toxicologist for the South Carolina  
4 Law Enforcement Division, more commonly known as SLED.

5 Q And how long have you been employed with SLED?

6 A I've been with SLED since November of 2013, so about  
7 two and a half years now.

8 Q And during that time with SLED have you always been  
9 with the toxicology department?

10 A Yes, ma'am.

11 Q Tell us, what is the toxicology department at SLED?

12 A Are you asking me what we are responsible for  
13 testing?

14 Q Yeah. Just tell us first of all, what is the  
15 toxicology department at SLED?

16 A The toxicology department is responsible for testing  
17 biological samples for the analysis of drugs, alcohol and  
18 poison. So we work a lot of cases such as driving under  
19 the influence cases, death investigations, criminal sexual  
20 conduct cases for the presence or absence of drugs and/or  
21 poisons.

22 Q And by saying biological samples that might include  
23 blood; is that right?

24 A Yes, ma'am.

25 Q That might include other bodily fluids, correct?

## KELLY BUGDEN - DIRECT

1 A That's correct.

2 Q Such as fluid from the eye area. Is that vitreous  
3 fluid?

4 A Yes, ma'am.

5 Q Or urine?

6 A Yes, ma'am.

7 Q What type of training do you have to undergo in order  
8 to be a toxicologist for SLED? Also, what type of  
9 education? If you will, just tell us.

10 A I'll start with my education first. I have two  
11 Bachelor's of Science, one in Forensic Science and one in  
12 Chemistry from the University of New Haven in Connecticut.  
13 I have a Master's of Science from the University of  
14 Connecticut in Applied Genomics. I got hired onto SLED  
15 shortly after I received my Master's Degree, and at SLED  
16 we have a very intensive in-house training program. We  
17 start with our volatiles analysis training, which is  
18 composed of three lectured series where we learn about the  
19 pharmacology lecture and about the chemistry of alcohol  
20 and how it affects the human body. It also includes  
21 blindly testing 500 previously analyzed samples to ensure  
22 that we can perform the analysis properly and get accurate  
23 results that have been previously obtained from senior  
24 analysts. From there we move on to our drug training,  
25 which again we do a lecture series on drugs and we start

KELLY BUGDEN - DIRECT

1 with our drug screening process. And we do the lecture  
2 pharmacology of drugs, learning about the different  
3 classes of drugs and how they affect the human body. And  
4 we have to test 100 samples using our drug screening  
5 technique before we can actually start doing the drug  
6 screenings on our own. And from there after I was signed  
7 off to do my drug screening we start our quantitation and  
8 confirmation training, which is much more intensive.

9 There are a lot of drugs out there and they all have  
10 different kinds of effects on the body, and that takes a  
11 year to a year and a half to complete. It consists of  
12 working with a senior analyst, observing them doing the  
13 analysis and learning how to interpret our findings.

14 Q Once you go through your initial training, is there  
15 some type of yearly training that you're required to take  
16 just to keep up to date in the developing technology?

17 A Sure, at the end of each of our training. So for the  
18 volatiles and for the drug I had to do a competency test  
19 before I was able to take cases online, and then after  
20 that we do a proficiency testing every year. I believe  
21 it's every six months we get proficiency tested.

22 Q Ms. Budgen, how many toxicology analyses have you  
23 performed in the course of your career with SLED?

24 A I've done well over 2,000 volatiles analysis samples,  
25 and as far as the intensive drug testing, I've done about



## KELLY BUGDEN - DIRECT

1 150 to 200 cases.

2 Q Have you ever been qualified to testify as an expert  
3 witness in a court of law in the field of toxicology  
4 analysis?

5 A I have not.

6 Q You have not? This is your first time?

7 A This is my first time.

8 Q But you've told us about your training.

9 A Yes, ma'am.

10 Q You've told us about your education, you've told us  
11 about your continuing education, is that all correct?

12 A Yes, ma'am.

13 Q You've told you about the number of tests you have  
14 performed.

15 MS. COLLINS: Your Honor, at this time I do offer Ms.  
16 Bugden as an expert witness in the field of toxicology  
17 analysis?

18 MR. LIFSEY: I agree she's an expert witness and can  
19 offer opinions, Judge.

20 THE COURT: All right. I qualify this witness then as  
21 an expert in the field of toxicology analysis. Ladies and  
22 gentlemen of the jury, you'll recall what I told you, I  
23 think it was two days ago, about what an expert witness is.  
24 And of course, I will give you a charge at the end of the  
25 proceedings on what you can do with the expert witness'

## KELLY BUGDEN - DIRECT

1 testimony. She will be allowed to offer an opinion in her  
2 field. Okay.

3 MS. COLLINS: Thank you, Judge.

4 Q Ms. Bugden, did you perform a toxicology analysis of  
5 items submitted to SLED for testing in the case that's  
6 currently before the Court related to the death of Elaine  
7 Ghent?

8 A Yes, we did.

9 Q And if I may, I'll show you what has previously been  
10 entered into evidence as State's Exhibit 3. Do you  
11 recognize that document?

12 A This appears to be a copy of my report.

13 Q Does it appear to be a complete copy of your report?

14 A Yes, ma'am.

15 Q And if you need to refer to that to refresh your  
16 memory please do so, but what were the items that you  
17 tested in this case?

18 A We tested a sample of iliac vein blood obtained from  
19 Elaine Ghent.

20 Q And I believe her name is Ghent.

21 A Ghent, I'm sorry.

22 Q And Ms. Ghent, the blood sample obtained from her was  
23 retrieved at the autopsy, is that your understanding?

24 A Yes, ma'am.

25 Q And submitted through normal channels of delivery to

KELLY BUGDEN - DIRECT

1 your department?

2 A Yes, ma'am.

3 Q When you received that blood sample, was it what's  
4 called a wet sample or was it a dry sample, or do you  
5 recall?

6 A It was a purple top tube of blood, so it was fully  
7 liquid.

8 Q And when you complete your analysis, is all of that  
9 blood consumed during your analysis?

10 A It is not.

11 Q When you complete it, do you keep it or discard it or  
12 return it to the arresting agency?

13 A Our policy is that we keep that sample in-house for  
14 three months after completing and a report is issued,  
15 after that three month period it does get returned to the  
16 agency.

17 Q All right. One moment.

18 MS. COLLINS: I ask that this be marked as the next  
19 State's Exhibit.

20 Q At this time, Ms. Bugden, I show you what has been  
21 marked for identification as State's Exhibit 19 and ask  
22 you, do you recognize that envelope and the contents  
23 thereof?

24 A Yes.

25 Q What is that?

## KELLY BUGDEN - DIRECT

1 A This is an aliquot of the sample that we had tested.  
2 This particular tube I had aliquot out a sample for DNA  
3 testing because we only received one tube of blood for the  
4 entire lab and because it needed several analysis I had to  
5 share the sample of DNA, so this is only a portion of the  
6 sample that we received.

7 Q I'm almost 54 and I'm getting a little hard of  
8 hearing, what's the word --

9 A Aliquot.

10 Q What's an aliquot?

11 A An aliquot is just portion. So I used it to go into  
12 the container that I had and took a little bit of blood  
13 out because DNA doesn't need a whole lot and put into a  
14 separate tube to go into the DNA analysis department.

15 Q And so that envelope contains a small portion of the  
16 blood that you tested that you ultimately sealed and  
17 returned back to the agency; is that correct?

18 A Yes.

19 Q All right. That's your handwriting on the exterior?

20 A It is.

21 MS. COLLINS: Your Honor, at this time I move State's  
22 Exhibit 19 into evidence.

23 MR. LIFSEY: I have no objection.

24 THE COURT: Without objection introduced.

25 (Blood sample was received as State's 19.)

## KELLY BUGDEN - DIRECT

1 Q I notice on the outside of that envelope there's a  
2 label that says refrigeration required.

3 A Uh-huh.

4 Q How long can it be out of the cooling area before it  
5 starts to degrade?

6 A I don't know if there's an exact time for that, but  
7 there is preservatives inside the tube that prevent it  
8 from coagulating and also from any bacterial growth inside  
9 the tube, and that's -- I would say everything we prefer  
10 to be stored between two and six degrees Celsius, excuse  
11 me, before testing is done. But that -- those  
12 preservatives do assist in avoiding any degradation of the  
13 sample.

14 Q Thank you. Since I have identified it now I would ask  
15 then that you return it to the cooler. Ms. Bugden, may I  
16 ask, what were the results of the toxicology analysis test  
17 that you performed in this case on the blood sample  
18 retrieved from the body of Elaine Ghent at the autopsy?

19 A The sample that we tested, we did a volatile analysis  
20 of testing for alcohol, ethanol mainly, but also  
21 methadone, acetol and acetophenone, and then our basic  
22 drug screen. Both of the results for those tests were  
23 negative. There was no alcohol or drugs in her system.

24 Q So no alcohol whatsoever.

25 A Correct.

## KELLY BUGDEN - DIRECT

1 Q You said no drugs, does that include prescription  
2 drugs or is that only illegal drugs?

3 A It does cover prescription drugs.

4 Q So at the time of her death if she had had  
5 prescription drugs in her earlier they were not reflected  
6 in the blood sample drawn at the autopsy; is that correct?

7 A As long as they were prescription drugs that we  
8 tested for in that basic drug screen there was nothing  
9 there.

10 Q So there might be other prescription drugs that you  
11 don't test in the basic drug screen?

12 A Correct. If there's no history or no indication of  
13 another drug being present in a homicide case we do not do  
14 any further testing.

15 Q Does your test cover the testing for caffeine?

16 A It does not.

17 Q So is it your expert opinion to a reasonable degree of  
18 scientific certainty that the blood of the victim, Elaine  
19 Ghent, contained no alcohol?

20 A Correct.

21 Q And is it your expert opinion to a reasonable degree  
22 of scientific certainty that the blood of the victim,  
23 Elaine Ghent, contained no illegal substance or drugs?

24 A Yes, ma'am.

25 Q Thank you.

## KELLY BUGDEN - DIRECT

1 MS. COLLINS: One moment.

2 (Break in proceedings.)

3 Q Ms. Bugden, the screening that you do, does it check  
4 for prescription blood pressure medicine?

5 A It does not.

6 Q Thank you.

7 MS. COLLINS: Thank you, Ms. Bugden, please answer any  
8 questions of Mr. Lifsey.

9 THE COURT: All right. Mr. Lifsey?

10 MR. LIFSEY: Just briefly.

11 CROSS EXAMINATION

12 BY MR. LIFSEY:

13 Q May I see the report you're referring to? Do you  
14 still have that?

15 A Yes, sir.

16 Q Does this report -- does this report -- is this report  
17 the entirety of the testing you performed in this case?

18 A Yes, sir.

19 Q So you performed testing on a blood sample from Elaine  
20 Ghent, correct?

21 A That is correct.

22 Q Did not perform any testing on any samples that may  
23 have come from my client.

24 A No, sir. The only samples I had were from Elaine.

25 MR. LIFSEY: Thank you. I have no further questions.

## KELLY BUGDEN - CROSS

1 THE COURT: Thank you, ma'am. You may step down and  
2 you are also free to leave. State can call its next  
3 witness.

4 MS. COLLINS: State calls Gaile Heath.  
5 The witness, GAILE HEATH, was first duly sworn and  
6 testified as follows:

7 DIRECT EXAMINATION

8 Q Good morning.

9 A Good morning.

10 Q Please state your name for the record.

11 A My name is Gaile Heath, H-e-a-t-h.

12 Q Ms. Heath, where were you employed?

13 A I'm employed by the South Carolina Law Enforcement  
14 Division commonly known as SLED.

15 Q And how long have you been employed by SLED?

16 A 31 years.

17 Q And what do you do at SLED?

18 A I'm a forensic document examiner.

19 Q And in the years that you've been at SLED, have you  
20 been working in that same capacity?

21 A That is correct.

22 Q Now, tell us what is the question documents  
23 department?

24 A The question document department is the department  
25 that examines documents that their authenticity or a



GAILE HEATH - DIRECT

1 signature or some aspect of that document has been called  
2 into question, and we try to authenticate or identify  
3 writers or processes of those documents.

4 Q Can you tell us a little bit about your education and  
5 what it took to become an analyst of question documents?

6 A Well, I have two undergraduate degrees from the  
7 University of South Carolina, one in history and one in  
8 education that really didn't have anything to do with my  
9 chosen profession. I also attended the South Carolina Law  
10 Enforcement Training Center, and I also went to the South  
11 Carolina Criminal Justice Academy. My actual training in  
12 question documents began upon employment at SLED. The  
13 normal method for training for forensic documents is to do  
14 an internship with another qualified examiner in the  
15 field, so I trained under the senior analyst at SLED at  
16 the time for two years becoming -- reading textbooks,  
17 doing trial cases, becoming familiar with the  
18 instrumentation and doing all aspects of question document  
19 work during the training period. At that time during that  
20 time I also attended classes by the United States Secret  
21 Service in question documents and the Federal Bureau  
22 Investigation, FBI classes, in secret -- in questioned  
23 documents as well.

24 Q And over the course of your career, how many question  
25 documents would you say you've analyzed?

## GAILE HEATH - DIRECT

1 A Probably several thousand.

2 Q Have you ever been qualified to testify as an expert  
3 witness in a court of law?

4 A Yes, I have.

5 Q About how many times?

6 A 183.

7 Q Your Honor, at this point I would offer Ms. Heath as  
8 an expert witness in the field of question document  
9 analysis.

10 MR. LIFSEY: I have no objection or request for any  
11 voir dire.

12 THE COURT: All right. Without objection so  
13 qualified.

14 Q Ms. Heath, did you perform an analysis on a document  
15 relating to the case in the murder of Elaine Ghent?

16 A Yes, I did.

17 Q And what did you examine in this particular case?

18 A I received a hand printed note.

19 Q I want to show you what has been marked as State's 12.  
20 Is this the note that you received?

21 A Yes, sir. It contains my lab case number, my item  
22 number and my initials.

23 Q Okay. Now, explain to me, what is an exemplar.

24 A An exemplar is a standard or a sample of someone's  
25 writing. Usually we ask an individual to -- if we've got

## GAILE HEATH - DIRECT

1 something -- an item that is in question and there are  
2 words on that item, we want to try to have and duplicate  
3 those same words so we're comparing apples to apples .  
4 instead of kind of comparing apple to oranges. If you  
5 have a name Sally and you want to compare it to James then  
6 you would only have the one letter form and you wouldn't  
7 have a S but you would have a J. So an exemplar is a  
8 handwriting or a standard that is used for comparison  
9 purposes.

10 Q Did you work with Christy Rogers with the Lancaster  
11 County Sheriff's Office on this particular case?

12 A Yes, I did.

13 Q And did you give her some direction as far as what you  
14 needed?

15 A Yes, sir, I did.

16 Q And what did you tell her you needed?

17 A I asked her if she would dictate the information as  
18 it appeared on the question note to the individual  
19 approximately 25 times.

20 Q I'll show you what has been marked as State's 17. Do  
21 you recognize this package?

22 A It contains my initials and the date of October 7th  
23 of 2015.

24 Q Okay. Is that the way that you sent it back to the  
25 sheriff's office?

## GAILE HEATH - DIRECT

1 A Yes, it is.

2 Q Okay. I'm going to -- it has already been admitted  
3 into evidence, I'm going to open it up. Now, do you  
4 recognize those documents?

5 A Yes, sir. They contain my laboratory case number, my  
6 item number and my initials.

7 Q Is that the exemplars that were provided to you by the  
8 Lancaster County Sheriff's Office?

9 A That is correct.

10 Q And that's the documents that you examined along with  
11 this document to tell who wrote it?

12 A That is correct.

13 Q Now, you brought a chart with you; is that correct?

14 A That is correct.

15 Q Can you explain this chart to the jury?

16 A Yes. Would you like me to come up or just --

17 MR. NEWMAN: Your Honor, permission for the witness to  
18 step down. Your Honor, this has been marked for evidence  
19 as State's Exhibit 21.

20 A This is a photographic enlargement of the questioned  
21 note, and this is a photographic enlargement of one of the  
22 known standards of the 25 that I received. And what a  
23 document examiner does is we look at how the letters are  
24 formed but we also look at connecting strokes, we look at  
25 beginning or ending strokes, we look at how each letter is

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1 constructed on it, we look at the placement on the line.  
2 And what I noticed about this particular writer, the zeros  
3 all start in about the 11:00 to 12:00 position, come  
4 around and come back over through -- like if you're  
5 looking at the face of a clock through that 12:00  
6 position, we found that in the question zeros and don't,  
7 come, sorry, now. We also find it down here in the known  
8 writing in don't, come, sorry and now. I also looked at  
9 the N formation, there's a retrace on the end. The pen  
10 comes down, retraces back up to form the N formation. We  
11 have that in don't and in the word end and then now, we  
12 also had it in don't and end and now down here in the  
13 known writing as well. Also, this particular writer had a  
14 habit, even though this is hand-printing of connecting  
15 each of the letters. So in the word Raylee, the R runs  
16 into the A, the A came in to form the Y, and then we also  
17 have that down in the known writing where the R touches  
18 the A, then the A actually drags over to form the Y. The  
19 L formations had a rounded curve instead of coming  
20 straight down and over as most people would make an L,  
21 this particular writer makes it a curve movement on the  
22 L's, and we have that in the questioned as well as in the  
23 known. One of the things of particular interest to me was  
24 in the word y-o-u. If you see the U, the initial stroke  
25 of the U is on the left-hand side, and on the other step

## GAILE HEATH - DIRECT

1 of the U the tick mark comes off on the right-hand side.  
2 That was also found in the construction of the y-o-u down  
3 here. The initial tick mark was on the left, and then the  
4 second tick mark was on the right, which we also had up in  
5 the questioned writing. Again, in the E formation, the E  
6 formation was similar to the L. When he made the E  
7 formation, the E comes down and makes an L and then he  
8 puts a staff over the top, then a staff in the middle. A  
9 lot of times the writer connected whatever the top staff  
10 of the E was next to. So like in the word sister, the top  
11 that -- he made an L formation, a middle staff and then  
12 that top staff went into the R to form the R formation.  
13 We also have that down in the word sister in this  
14 formation. He made an L, a middle staff and the top staff  
15 connected to the R and made the R formation. One of the  
16 interesting things I thought about this particular case  
17 too was in the exclamation points here. You've got two  
18 after the word now and two after the word sorry. If  
19 you'll look at the one on now it's pretty much  
20 perpendicular straight up and down and on sorry. Same  
21 thing down here, the first one is pretty much up and down  
22 and straight. If you'll notice the second one, it's kind  
23 of at an angle, it is slanted in, and on the word sorry,  
24 the second one is slanted. If you'll see right down here  
25 on the word now it's slanted in on the second exclamation

## GAILE HEATH - DIRECT

1 point and on the word sorry, it's not straight up and  
2 down, it's also slanted in. So that was a uniqueness and  
3 all that I found to this particular writer. Everybody has  
4 uniquenesses in their handwriting and it's a combination  
5 of these uniquenesses to the handwriting and the features  
6 that they are that through a culmination of all of the  
7 features that I examined and the question note with all 25  
8 known standards and all that I was able to make a  
9 determination that these -- that the questioned item was  
10 written by the writer of the known writer's writing, which  
11 was John Ghent.

12 Q And were you able to make a determination based on all  
13 of that that it was, in fact, John Ghent who wrote the  
14 note?

15 A That is correct.

16 Q So is it your expert opinion to a reasonable degree of  
17 scientific certainty that John Ghent wrote that note?

18 A That is correct.

19 MR. NEWMAN: Your Honor, at this time I would move  
20 State's 21 into evidence.

21 MR. LIFSEY: I don't have any objection.

22 THE COURT: Without objection introduced into  
23 evidence.

24 (The note was received as State's 21.)

25 Q Ms. Heath, I'm going to show you what has been marked

## GAILE HEATH - DIRECT

1 as State's 20. Do you recognize this paper?

2 A Yes, sir. It's a copy of my laboratory report.

3 Q Is this an exact copy of what you prepared?

4 A Yes, sir, it is.

5 MR. NEWMAN: Your Honor, at this time I move State's  
6 20 into evidence.

7 MR. LIFSEY: I don't have any objection.

8 THE COURT: All right. Without objection introduced  
9 into evidence.

10 (The report was received as State's 20.)

11 Q Ms. Heath, it's my understanding before this note came  
12 to you it went to a Ms. Kimberly Meres at SLED for a  
13 fingerprint analysis. Are you aware of that?

14 A Yes, sir. I retrieved it from her prior to  
15 fingerprint analysis.

16 Q Okay. I'm going to show you this. This is State's  
17 Number 22, I'm going to show you this and see if you  
18 recognize that.

19 A I have never seen it before but it appears to be  
20 Kimberly's report.

21 Q Okay. And are you aware of any reason why Kimberly is  
22 not here today?

23 A She's like nine months pregnant and due any second.

24 MR. NEWMAN: Your Honor, at this time I move State's  
25 22 into evidence.



## GAILE HEATH - DIRECT

1 MR. LIFSEY: Yes, sir. Let me just say for the  
2 record, Judge, that I was informed of her medical condition  
3 and due to the fact that this is really not a fact in  
4 controversy I've agreed to admit that rather than requiring  
5 her to come at this stage of her pregnancy.

6 THE COURT: Thank you. Entered into evidence.

7 (The fingerprint report was received as State's 22.)

8 MR. NEWMAN: Thank you, Ms. Heath. I have no further  
9 questions, please answer anything Mr. Lifsey may have.

10 CROSS EXAMINATION

11 BY MR. LIFSEY:

12 Q Ms. Heath, let me ask you just a couple of questions.  
13 You've indicated that you in your, I guess, job description  
14 is testing documents for which the authenticity is in  
15 question; is that correct?

16 A The authenticity or authorship.

17 Q And that's sort of a general statement, but as to  
18 individual cases you don't get into the weeds of what  
19 happened in the crime itself or what led up to it, do you  
20 generally?

21 A No, sir.

22 Q And in this case -- basically what you do is you test  
23 whatever is given to you. If SLED or the solicitor's  
24 office or law enforcement sends to you a document and says  
25 "Figure out if these samples, these exemplars match up to

## GAILE HEATH - CROSS

1 this document," that's what you do, correct?

2 A That's correct.

3 Q So you would not be aware if you -- you would not be  
4 aware if, for example, my client consented to all of these  
5 samples or anything like that, would you?

6 A No, sir.

7 Q And you wouldn't be aware if, in fact, there's no real  
8 controversy here at all, you wouldn't be aware of that, you  
9 just did your examination, correct?

10 A That is correct.

11 MR. LIFSEY: Thank you. I don't have any further  
12 questions.

13 THE COURT: All right. Thank you, ma'am, you may  
14 stand down, you are free to leave.

15 MS. COLLINS: The State's next witness is Anne Horton.  
16 The witness, ANNE HORTON, was first duly sworn and  
17 testified as follows:

18 DIRECT EXAMINATION

19 BY MS. COLLINS:

20 Q Good morning.

21 A Good morning.

22 Q Would you please tell us your name?

23 A My name is Anne Horton.

24 Q Ms. Horton, if you could speak directly into that  
25 microphone that would be wonderful. What is your

## GAILE HEATH - CROSS

1 occupation?

2 A I am an evidence custodian for the Lancaster County  
3 Sheriff's Office.

4 Q And what are the duties of an evidence custodian?

5 A It's my job to accept evidence from any investigator  
6 or deputy that brings a piece of evidence on a case to the  
7 sheriff's office. We have a locker system that I retrieve  
8 that or either they hand it directly to me, and I give  
9 that each piece of evidence an individual number so that  
10 it can be tracked for chain of custody. It is either  
11 stored with us or I may send it to the crime scene  
12 investigators, which are housed in the same building that  
13 we are in for them to do analysis on that, or I may take  
14 it to SLED for analysis to be done there. I also retrieve  
15 that evidence from those places.

16 Q Have you served as an evidence technician during all  
17 of your years with law enforcement?

18 A Yes, ma'am, I have.

19 Q How long have you been with law enforcement?

20 A Six years, eight months.

21 Q Ms. Horton, did you receive various items of evidence  
22 from law enforcement in this case?

23 A Yes, ma'am.

24 Q For example, the knife that Ken Taylor showed us  
25 yesterday that he retrieved that's in evidence now as

## ANNE HORTON - DIRECT

1 State's Exhibit 1, did you receive that knife from Ken  
2 Taylor?

3 A Yes, ma'am, I did.

4 Q And you kept it in evidence there at the sheriff's  
5 department?

6 A Yes, ma'am.

7 Q And that's a secure area, no one can go in there other  
8 than an authorized evidence technician or a member of the  
9 CSI unit?

10 A Yes, ma'am.

11 Q And did you later take that knife to SLED?

12 A I did.

13 Q So that it could be swabbed for DNA?

14 A Yes, ma'am.

15 Q The bodily fluids that are there in the cooler that  
16 have already been admitted into evidence as State's Exhibit  
17 19 here this morning, were those -- was that bodily fluid  
18 in the purple capped tube, I believe, received by you from  
19 Ken Taylor after the autopsy of Elaine Ghent?

20 A Yes, it was.

21 Q When you received it from Investigator Taylor, did you  
22 put it in a refrigerated area?

23 A Yes. We have refrigeration units and a freezer at  
24 the sheriff's office, I did put that in the refrigeration  
25 unit until I transported it to SLED, and then I used the

ANNE HORTON - DIRECT

1 container, which you see now, that does have an ice pack  
2 in it.

3 Q All right. And you're trained on how that evidence  
4 needs to be stored, correct?

5 A Yes, ma'am.

6 Q So that blood samples like that do not degrade and it  
7 maintains the integrity of the sample until the forensic  
8 test can be conducted?

9 A Yes, ma'am, I am trained in that. And we also keep a  
10 lock on our refrigeration units, that they are checked  
11 daily for the temperature in that this it does not vary.

12 Q Did you receive a DNA swab that was recovered from the  
13 interior of the defendant's cheek in order to be submitted  
14 for DNA analysis and comparison to any DNA recovered from  
15 the swab?

16 A Yes.

17 Q I mean, from the knife?

18 A Yes.

19 Q And did you later transport that DNA swab to SLED to  
20 be compared to anything recovered from the knife?

21 A Yes.

22 Q Was any of the blood of the victim from the autopsy  
23 also sent to the DNA unit? It was a separate sample, was  
24 it not, or any DNA recovered from the victim's body  
25 separate from the purple capped tube; is that right?

ANNE HORTON - DIRECT

1 A Yes. What we do is send -- and I do what is called  
2 an I-lab report prior to going to SLED, and I have  
3 discussed with the investigators, or they have discussed  
4 with me and the crime scene investigators and the  
5 investigator at the case of what they are looking for. So  
6 when I take that tube of blood, I requested that it be  
7 sent to toxicology and to DNA. And as the lady from SLED  
8 explained, Mrs. Bugden explained that she separates that.  
9 I do not separate that, I just take the one tube.

10 Q All right. Ms. Horton, I would like to show you at  
11 this time what's been marked for identification purposes as  
12 State's Exhibit Number 23 and ask you, do you recognize  
13 that and the contents of that envelope?

14 A Yes, I do. This envelope contains swabs. I did not  
15 send these swabs to SLED, I sent the knife to SLED that  
16 they got the swabs from the knife and I picked these up  
17 from SLED and stored them.

18 Q So those swabs are the ones that we've heard that Ms.  
19 Kimberly Meres, who is expecting a baby and her report is  
20 in evidence, had retrieved from the knife, and then after  
21 the testing was done it's returned to you at the law  
22 enforcement agency; is that right?

23 A That is correct.

24 MS. COLLINS: At this time I move State's Exhibit 23  
25 into evidence.

ANNE HORTON - DIRECT

1 MR. LIFSEY: No objection.

2 THE COURT: Without objection they're moved into  
3 evidence. Thank you.

4 (The swabs were received as State's 23.)

5 Q Let's talk about the handwritten note. Did you  
6 receive the handwritten note, the one recovered from the  
7 bedroom door of the defendant and his wife that was  
8 recovered there at the crime scene, did you receive that to  
9 store in evidence there at the sheriff's department.

10 A Yes, I did.

11 Q And did you later take that note to SLED for  
12 comparison with handwriting exemplars that had been taken  
13 from the defendant?

14 A Yes, I did.

15 Q When the handwriting samples were taken from the  
16 defendant by Lieutenant Christy Rogers you also received  
17 those into evidence, those 25 samples; is that correct?

18 A Yes, I did.

19 Q And you transported those as well to be compared to  
20 the note's handwriting that was retrieved from the bedroom  
21 door, is that also correct?

22 A That is correct.

23 MS. COLLINS: One moment, Judge. I ask the Court's  
24 indulgence while we refer to the court reporter on the  
25 exhibits that have been submitted.

ANNE HORTON - DIRECT

1 (Break in proceedings.)

2 Q I just want State's Exhibit 16. This envelope here  
3 that I'm showing you, State's Exhibit 16, is that an  
4 envelope containing the DNA cheek swab from the interior of  
5 the defendant's cheek with his consent in order to be  
6 compared to any DNA recovered from the knife?

7 A Yes, it is.

8 Q And that's what you would have transported to SLED to  
9 be compared, correct?

10 A Yes, this envelope. And then it is enclosed in a  
11 plastic envelope once it is at SLED.

12 Q So just in summary, what you took to SLED from the  
13 sheriff's department was a DNA sample from the defendant,  
14 correct?

15 A Yes.

16 Q The blood from the victim recovered from the autopsy  
17 that was tested not only for DNA comparison to anything  
18 recovered from the knife, but also a toxicology analysis  
19 for any drugs in that, correct?

20 A That is correct.

21 Q The knife, correct?

22 A Correct.

23 Q The note from the bedroom door, correct?

24 A That's correct.

25 Q And the 25 handwritten exemplars taken from the



## ANNE HORTON - DIRECT

1 defendant to be compared to that note; is that correct?

2 A That is correct.

3 Q And is that all of the evidence in this particular  
4 case that you took to SLED for analysis?

5 A Yes, ma'am, I believe so.

6 Q I believe so, too.

7 MS. COLLINS: Thank you very much. Please answer any  
8 questions Mr. Lifsey has.

9 CROSS EXAMINATION

10 BY MR. LIFSEY:

11 Q Ms. Horton, your role in this case is limited to  
12 making sure evidence is properly stored at the sheriff's  
13 office and taken to SLED for testing, correct?

14 A That is correct.

15 Q And I don't mean to minimize that because that's very  
16 important, but you are not yourself involved in the  
17 investigation at the crime or any of what went on that --  
18 during this alleged crime, are you?

19 A No, that is not my job description.

20 Q Determining the circumstances of how someone got  
21 stabbed is not within your area of expertise, correct?

22 A No, it is not.

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

24 THE COURT: All right. Thank you, ma'am, you can step  
25 down. Call your next witness.

## ANNE HORTON - CROSS

1 MR. NEWMAN: State calls Lilly Gallman.

2 The witness, LILLY GALLMAN, was first duly sworn and  
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MR. NEWMAN:

6 Q Please state your name for the record.

7 A My name is Lilly Smalls Gallman.

8 Q Ms. Gallman, where are you employed?

9 A I'm employed with the South Carolina Law Enforcement  
10 Division better known as SLED.

11 Q And what do you do at SLED?

12 A I'm employed as a forensic DNA analyst.

13 Q And how long have you been employed by SLED?

14 A Twenty-six years.

15 Q And in those 26 years have you always dealt with DNA?

16 A Yes.

17 Q Can you tell us about your education and training to  
18 become a DNA analyst?

19 A I have a degree in Biology from the University of  
20 South Carolina. Once I received my degree I continued  
21 working in the area of molecular genetics where I did  
22 cloning and sequencing of DNA. I began working with the  
23 South Carolina Law Enforcement Division in January of  
24 1990. I was hired as a forensic DNA analyst when we first  
25 started doing DNA at SLED. During that time I attended

LILLY GALLMAN - DIRECT

1 the FBI DNA schools to be educated in the area of forensic  
2 DNA analysis. I've also attended the South Carolina  
3 Criminal Justice Academy to become a certified police  
4 officer. I've been trained in the area of serology, which  
5 serology looks at body fluids, identifying bodily fluids  
6 also while I've been at SLED. I have taken advanced  
7 courses in genetics and statistics, all to enable me to do  
8 the job that I do. And each year we are proficiency  
9 tested twice a year in the area of DNA.

10 Q And do you have continuing education as well?

11 A Yes. We are required to have continuing education at  
12 least once a year.

13 Q Now, we see a lot about DNA on television, I don't  
14 know that anybody actually knows what it is. Can you  
15 explain, what is DNA?

16 A DNA is -- we use the term DNA but it is  
17 deoxyribonucleic acid, it's easier just to say DNA. But  
18 it's considered to be the blueprint of the body. When you  
19 look at a person's DNA from off their skin or blood or any  
20 part of their body it's the same, so we're able to take  
21 DNA from different samples from different parts of the  
22 body and do a comparison. Everyone's DNA is unique except  
23 for identical twins who have the same DNA, and your DNA is  
24 unique. We are able to compare known standards from  
25 individuals to evidence that's collected from a crime

## LILLY GALLMAN - DIRECT

1 scene.

2 Q Now, when we talk about evidence at a crime scene I  
3 can't just for instance pick up this microphone and say  
4 whose DNA is on it, can I? We have to have some kind of  
5 sample from some other person; is that correct?

6 A Yes. That would be -- if you swab the microphone and  
7 we were able to develop a DNA profile, that would be the  
8 evidence and we would need a known standard from someone  
9 to compare to that evidence to see who it might be,  
10 whether it is that person or not.

11 Q Okay. Now, during the course of your career, how many  
12 DNA analyses have you performed?

13 A I've done thousands at least.

14 Q Have you ever been qualified to testify as an expert  
15 witness in the field of DNA analysis?

16 A Yes, I have.

17 Q How many times?

18 A Approximately 60.

19 MR. NEWMAN: Your Honor, at this time I offer Ms.  
20 Gallman as an expert witness in the field of DNA analysis.

21 MR. LIFSEY: I'm very familiar with Ms. Gallman, I  
22 have no objection to her being an expert witness.

23 THE COURT: Without an objection she's qualified as an  
24 expert in that field. Ladies and gentlemen, you will  
25 recall my charge to you on what an expert witness can do,

## LILLY GALLMAN - DIRECT

1     okay?

2     Q     Now, Ms. Gallman, were you involved in testing or  
3     analyzing DNA items submitted to SLED relating to the  
4     murder of Elaine Ghent?

5     A     Yes, I was.

6     Q     And what items did you receive to be tested?

7     A     I received the swab from the knife and also a blood  
8     standard from Elaine Ghent and a buccal swabs from John  
9     Ghent, Jr.

10    Q     Now, those swabs from the knife, do you know where  
11    they came from?

12    A     Based on our chain they were generated by Kimberly  
13    Meres, she swabbed the knife and then transferred the  
14    swabs to the DNA in our evidence controlled area where I  
15    retrieved them.

16    Q     And you, of course, know why Ms. Meres is not  
17    available.

18    A     Yes.

19    Q     Can you explain, what is a known sample?

20    A     A known sample is -- it can be blood or a buccal swab  
21    which is just like taking a Q-tip and swabbing on the  
22    inside of your mouth, we can either use the person's blood  
23    or a buccal swab. And when we give it the destination as  
24    a known sample, that sample was taken from that person and  
25    a chain was generated as to who was present when that

## LILLY GALLMAN - DIRECT

1 sample was taken so you know that this came from that  
2 person and it can be used as their standard.

3 Q I want to show you what's been marked as State's  
4 Exhibit 24. Do you recognize that document?

5 A Yes, it's a copy of my report.

6 Q Is it an exact copy of your report?

7 A Yes, it is.

8 MR. NEWMAN: Your Honor, at this time I move State's  
9 24 into evidence.

10 MR. LIFSEY: I don't have any objection.

11 THE COURT: All right, introduced.

12 (The DNA report was received as State's 24.)

13 Q In your report, did you make a determination or get a  
14 result on this DNA analysis?

15 A Yes, I did.

16 Q What was your result?

17 A Our item number 1.1, which was the swab from the  
18 knife, a DNA profile was developed from that and also from  
19 the standard, known standard from the victim and from the  
20 subject in this case. And in doing any comparison -- and  
21 I'm reading from my report -- that DNA obtained from item  
22 1.1 is a mixture of at least two individuals. The DNA  
23 profile of the major contributor to this mixture matched  
24 the DNA profile of Elaine Ghent. And I am required to  
25 give you a frequency or a statistical weight to that

LILLY GALLMAN - DIRECT

1 particular item, and the probability of randomly selecting  
2 and unrelated individual having a DNA profile matching  
3 this item is approximately 1 in 2.2 quintillion. Due to  
4 the limited information available developed, the partial  
5 DNA of the mixture is insufficient for interpretation. I  
6 performed one test, which is called STR DNA where I was  
7 able to obtain DNA and there was a mixture of a major and  
8 a minor contributor. The minor contributor was real low  
9 so I was not able to interpret as to who this person could  
10 be. So I went on to a next step, which is called Y STR,  
11 it only looks at the Y chromosome, the male chromosome of  
12 your DNA. When you have DNA from a major contributor and  
13 a minor contributor in the first test, the major  
14 contributor DNA can mask or you're not able to generate a  
15 real profile from the minor, so that's why I went to the  
16 next step to look and see if this person was the minor  
17 contributor was a male the first thing, and to see  
18 secondly if this minor contributor was Mr. Ghent. And it  
19 was the DNA -- the partial Y STR DNA profile developed  
20 from item 1.1 matches the Y STR DNA profile of John Ghent.  
21 So it matched the subject in this particular case, and the  
22 frequency is one in 4,500. Also I need to state that the  
23 fraternal male relatives of John Ghent may not be excluded  
24 as the contributor of this profile. And the reason for  
25 that is because all of the male relatives starting with

## LILLY GALLMAN - DIRECT

1 his father, uncle, brother, they all would have the same Y  
2 DNA profile. So his DNA profile matched the Y of the  
3 evidence, but I need to let you know that all of his  
4 relatives, his father, brother if he has one, uncles, will  
5 have the same Y because that's how it flows.

6 Q So is there a difference between it matching John  
7 Ghent and his male relatives not being excluded? Is there  
8 a difference?

9 A Not really, there's not a difference. Because I'm  
10 looking at the Y profile and they will all have the same Y  
11 profile.

12 Q Okay. Now, can you explain a little bit about, how do  
13 we get a major contributor and a minor contributor? What  
14 is a major and minor contributor?

15 A Well, when you have a mixture, and we figured that's  
16 pretty good when you can pull out a major from a minor,  
17 but when you have a mixture of a person's bodily fluid on  
18 an item, when you're doing the swabbing you can't tell  
19 whether you're picking up this person or that person until  
20 you actually generate the DNA profile and you see that you  
21 have a mixture of these two individuals together. Not --  
22 when I say you have a major, you have more of one person  
23 than you have of the other.

24 MR. NEWMAN: Beg the Court's indulgence.

25 (Break in proceedings.)



## LILLY GALLMAN - DIRECT

1 MR. NEWMAN: Ms. Gallman, I thank you, please answer  
2 anything Mr. Lifsey has.

3 CROSS EXAMINATION

4 BY MR. LIFSEY:

5 Q Ms. Gallman, so the -- if I can cut to the bottom  
6 line, I guess, the bottom line from your report is that  
7 there are bodily fluids from both the victim, Elaine Ghent,  
8 and my client, John Ghent, on this knife, correct?

9 A That's correct.

10 Q You in your role of making that determination is  
11 limited basically to making that determination, there are  
12 fluids from both on there, correct?

13 A Whatever evidence I'm given, that's what I test.

14 Q So you would have no knowledge of the circumstances  
15 that led to those bodily fluids from both of them being on  
16 that knife, correct?

17 A That's correct.

18 Q And you would have no knowledge of the events that  
19 occurred either momentarily before or momentarily after  
20 whatever led to the bodily fluids of both of them being on  
21 that knife?

22 A That's correct.

23 MR. LIFSEY: Thank you, Ms. Gallman. I don't have any  
24 further questions.

25 MR. NEWMAN: Nothing further, Your Honor.

## LILLY GALLMAN - CROSS

1 THE COURT: Thank you, ma'am, you may step down, you  
2 are free to leave. Let's take a break. Ladies and  
3 gentlemen, please don't talk about the case, we'll get you  
4 back in here shortly. Okay.

5 (The jury left the courtroom and a recess was taken.)

6 THE COURT: Anything before we bring the jury back in?

7 MR. LIFSEY: No, sir.

8 MS. COLLINS: Nothing from the State, Your Honor.

9 (The jury returned to the courtroom.)

10 THE COURT: All members of the jury are present. The  
11 State may call its next witness.

12 MS. COLLINS: State's next witness is Investigator  
13 Michael Bailey.

14 The witness, MICHAEL BAILEY, was duly sworn and  
15 testified as follows:

16 DIRECT EXAMINATION

17 BY MS. COLLINS:

18 Q Would you please state your name for the record?

19 A Michael Bailey.

20 Q What is your occupation?

21 A Investigator, Lancaster County Sheriff's Office.

22 Q And how many years have you served as a law  
23 enforcement officer?

24 A About seven years.

25 Q All of those years with the Lancaster County Sheriff's

## MICHAEL BAILEY - DIRECT

1 Department?

2 A Yes, ma'am.

3 Q And how long have you served as an investigator there?

4 A About three and a half years.

5 Q So in October of 2123 you were a law enforcement  
6 officer and, in fact, an investigator with the Lancaster  
7 County Sheriff's Department; is that right?

8 A Yes, ma'am.

9 Q Now, the title investigator, is that similar to what  
10 some agencies call detective?

11 A That's correct.

12 Q So patrol would be the ones that initially respond to,  
13 I don't know, a shoplifting charge; is that right?

14 A Yes, ma'am.

15 Q But a detective or investigator has to delve deeper  
16 into the case; is that right?

17 A Correct.

18 Q Now, on October 28, 2013, did you respond to the  
19 residence of Elaine Ghent located at  
20 in Lancaster, South Carolina?

21 A I did.

22 Q And as has already been discussed, that home is  
23 located here in Lancaster County; is that correct?

24 A Yes, ma'am.

25 Q And therefore within your jurisdiction?

## MICHAEL BAILEY - DIRECT

1 A Yes, ma'am.

2 Q Can you please tell the jury what you observed when  
3 you got there?

4 A When I arrived there was already other units on  
5 scene, EMS was there and the crime scene had been  
6 established and taped off with the yellow crime scene  
7 tape. There was several other officers there, several  
8 supervisors as well as patrol, other investigators and  
9 command staff. I stayed outside of the crime scene and  
10 was later approached by, I believe it was Lieutenant  
11 Bradley at the time with Jonathan Ghent and asked to speak  
12 with him regarding what he may have seen during the  
13 incident.

14 Q And Investigator Bailey, did you speak with Jonathan  
15 Ghent?

16 A I did.

17 Q And earlier during this trial, I believe it was  
18 yesterday, there was an audiotape interview played. Did  
19 you hear that played?

20 A I did.

21 Q You've been here with us at the table as case agent in  
22 the courtroom, correct?

23 A Yes, ma'am.

24 Q And was that the audiotape of the interview you did  
25 with Jonathan Ghent that morning?

MICHAEL BAILEY - DIRECT

1 A It was.

2 Q And do you know approximately what time that audiotape  
3 interview was done?

4 A It would be some time shortly after 8:00, I believe,  
5 that morning.

6 Q Okay. So the call, if you recall, was received by law  
7 enforcement to respond to the residence a little after 7:00  
8 a.m.; is that correct?

9 A Yes, ma'am, I believe it was. I don't have it in  
10 front of me but some time after 7:00 that morning.

11 Q And your interview of Jonathan would have been around  
12 8:00 in the morning?

13 A Correct.

14 Q So within about an hour of him finding his mother  
15 covered in blood.

16 A Yes, ma'am.

17 Q Is that a hard time to talk to him?

18 A It was.

19 Q And therefore did you keep it brief?

20 A Yes, ma'am, I did.

21 Q Were you ultimately assigned to be the lead  
22 investigator in this case?

23 A Yes, ma'am.

24 Q Is that also called case agent?

25 A Yes, ma'am.

## MICHAEL BAILEY - DIRECT

1 Q And what is the role of the case agent or lead  
2 investigator?

3 A Primarily our job is to make sure that all of the  
4 basis are touched in the investigation. We make sure that  
5 the crime scene has everything they need from us as far as  
6 any additional evidence is brought in or interviews and  
7 that sort of thing, just kind of keep tabs on everything  
8 that's involved in the whole case as it goes along.

9 Q And as case agent or lead investigator, did you then  
10 review all of the reports submitted by various officers in  
11 this case?

12 A I did.

13 Q Did you become aware of a voice mail message left by  
14 the defendant for his sister, Betsy Steen, on her phone?

15 A Yes, ma'am.

16 Q And did you make a recording, an audio recording and  
17 actually a visual recording too of the phone as it played  
18 that message?

19 A Yes, ma'am, I did.

20 Q And you've provided that to us at the solicitor's  
21 office?

22 A Yes, ma'am.

23 Q That was provided on a CD?

24 A I believe so.

25 Q The CD itself is already in the Blue Ray player ready

MICHAEL BAILEY - DIRECT

1 to be played with the consent of defense counsel, but may I  
2 ask you, is that -- that's basically the envelope that the  
3 CD would be stored in?

4 A Yes, ma'am, that's correct.

5 MS. COLLINS: Your Honor, at this time I move State's  
6 Exhibit 25 into evidence.

7 THE COURT: All right.

8 MR. LIFSEY: I don't have any objection.

9 THE COURT: All right. Introduced and permission to  
10 publish.

11 (The CD was received as State's 25.)

12 Q And of course, it has not been edited in any way,  
13 correct?

14 A No, ma'am.

15 MS. COLLINS: Ask to publish it at this time.

16 THE COURT: All right.

17 MS. COLLINS: Yes. And Mr. Newman reminded me, I  
18 should make clear we are moving in at this time the disc as  
19 well as the envelope, which is labeled.

20 THE COURT: Okay. Let the record reflect that.

21 (At this time the CD was played.)

22 Q And as it played there, were you able to see at the  
23 top of the phone at what time that was left on 10/28 of  
24 2013?

25 A Yes, ma'am.

## MICHAEL BAILEY - DIRECT

1 Q And what time was that?

2 A I believe it was at 4:12 a.m.

3 Q Now, you became aware of that call not at 7:00 a.m. or  
4 8:00 a.m. when you first responded to the residence; is  
5 that right?

6 A Yes, ma'am.

7 Q It was at a later time on 10/28 of 2013 that Ms. Steen  
8 was able to make you aware of that; is that correct?

9 A Correct.

10 Q And she advised you that she had just become aware of  
11 it herself and let you know about it?

12 A Yes, ma'am.

13 Q Thank you. Did you actually go into the interior of  
14 the residence when you were there?

15 A No, ma'am, I did not.

16 Q But as case agent you ultimately spoke with members of  
17 the CSI team who had gone into the house, correct?

18 A I did.

19 Q And those members were Lieutenant Ken Taylor and  
20 Lieutenant Christy Rogers who testified earlier; is that  
21 right?

22 A Yes, ma'am.

23 Q You became aware of the knife that was recovered from  
24 the floor of the bedroom and placed into evidence, correct?

25 A I was.



## MICHAEL BAILEY - DIRECT

1 Q And you became aware of the handwritten note that was  
2 recovered from the bedroom door and placed into evidence,  
3 correct?

4 A Yes, ma'am.

5 Q And you became aware not only that there was such a  
6 note but of the contents of that --

7 MR. LIFSEY: I object to her leading the witness.

8 MS. COLLINS: I'll rephrase it.

9 THE COURT: Okay.

10 Q Did you become aware of the contents of that note?

11 A I did.

12 Q At some time did you become aware of some statement  
13 the defendant made in the ambulance?

14 A Yes, ma'am.

15 Q And since the date of this incident itself you have  
16 continued serving as case agent in this case?

17 A Yes, ma'am.

18 Q Did you ultimately request that the magistrate issue  
19 any arrest warrants in this case?

20 A I did.

21 Q How many warrants?

22 A It was two.

23 Q And who were those warrants against?

24 A John Marion Ghent, Jr.

25 Q And what were the charges this those warrants?

## MICHAEL BAILEY - DIRECT

1 A They were for murder and possession of a weapon  
2 during a violent crime.

3 Q And the issue of warrants require a lesser standard  
4 than we require at trial, the standard of probable cause;  
5 is that correct?

6 MR. LIFSEY: I object to the relevance of this line of  
7 inquiry.

8 THE COURT: All right.

9 MS. COLLINS: Your Honor, I think it's certainly  
10 relevant in terms of just as Your Honor will instruct the  
11 jury that the indictments are simply charges just in terms  
12 of we've talked throughout the trial of the steps made by  
13 law enforcement.

14 THE COURT: All right. I will sustain that objection.

15 MS. COLLINS: Thank you, Investigator Bailey, please  
16 answer any questions of Mr. Lifsey.

17 CROSS EXAMINATION

18 BY MR. LIFSEY:

19 Q Investigator Bailey, when you spoke to Jonathan Ghent,  
20 of course, I guess we heard the interview, asked him about  
21 the case, correct?

22 A Yes, sir.

23 Q And you asked him about what happened, correct?

24 A Yes, sir.

25 Q At no point during any of your discussions your

## MICHAEL BAILEY - CROSS

1 interview, your recorded interview with Jonathan Ghent did  
2 he mention an alleged threat that one of them was going to  
3 die that was made a year earlier?

4 A No, sir, I don't believe he did.

5 Q Not at all. And your testimony to Ms. Collins was  
6 despite being the case agent, designated case agent, you  
7 never actually went in in the interior in this case?

8 A Correct.

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

10 MS. COLLINS: Nothing further.

11 THE COURT: Thank you, sir, you may step down. Call  
12 your next witness.

13 MR. NEWMAN: State calls Davey Hendrix.

14 The witness, DAVEY HENDRIX, was first duly sworn and  
15 testified as follows:

16 DIRECT EXAMINATION

17 BY MS. COLLINS:

18 Q Please state your name for the record.

19 A Davey Hendrix.

20 Q Mr. Hendrix, where are you employed?

21 A Lancaster County Sheriff's Office.

22 Q And what do you do at the sheriff's office?

23 A I work for judicial services.

24 Q What is judicial services?

25 A We run court security, we transport inmates anywhere

## DAVEY HENDRIX - DIRECT

1 they need to go, and we transport mental patients anywhere  
2 they need to go in the state, and we also serve civil  
3 papers.

4 Q What if an inmate has to go to the hospital?

5 A We go with them if we're assigned to go with them.

6 Q And if they're in custody you have to sit with them  
7 the entire time?

8 A Correct.

9 Q How long have you been with the Lancaster County  
10 Sheriff's Office?

11 A Twelve years.

12 Q How long have you been in law enforcement total?

13 A Twelve years.

14 Q Were you in law enforcement before you came to the  
15 Lancaster County Sheriff's Office?

16 A I was. I spent the first two years of my career with  
17 the sheriff's office, left and become -- went to McBee  
18 Police Department as chief of police, then left and come  
19 back six years ago to the Lancaster County Sheriff's  
20 Office.

21 Q And in the past six years have you been in judicial  
22 services?

23 A I have.

24 Q Okay. Now, were you assigned to judicial services in  
25 October of 2013?

## DAVEY HENDRIX - DIRECT

1 A I was.

2 Q Were you assigned to guard the defendant, Mr. Ghent,  
3 at Springs Memorial Hospital as he was in custody for the  
4 murder of Elaine Ghent?

5 A Yes.

6 Q Do you recall what day you were guarding Mr. Ghent?

7 A I can recall that it was the 28th, 10/28 of 2013.

8 Q Might it have been the next day possibly?

9 A Correct. I'm sorry, 10/29 of 2013.

10 Q Do you remember when you went on shift that day?

11 A I worked 8:00 to 5:00 that day, 8:00 in the morning  
12 to 5:00 p.m. that evening.

13 Q And was your entire shift spent guarding Mr. Ghent?

14 A I do not recall.

15 Q So when you were guarding Mr. Ghent, was he in ER or  
16 was he in a regular room or --

17 A He was in the critical care unit.

18 Q Okay. Is this in a room or is this just out in the  
19 open behind a curtain?

20 A He was in a stand-alone room by himself.

21 Q Okay. Do you remember how long you were there with  
22 him?

23 A No, sir, I do not.

24 Q Was is it just you and him?

25 A Correct.

## DAVEY HENDRIX - DIRECT

1 Q Was he allowed to have any visitors?

2 A No.

3 Q Was there nurses occasionally coming in?

4 A Yes.

5 Q Doctors occasionally coming in?

6 A Yes.

7 Q Did you ever leave the room at any time?

8 A No.

9 Q Did you ask Mr. Ghent any questions while you were in  
10 there guarding him?

11 A No, sir.

12 Q So there were times while you were in there alone.

13 A Correct.

14 Q Or not alone, but alone with him.

15 A Correct.

16 Q Did Mr. Ghent say anything to you that day?

17 MR. LIFSEY: Judge, I would renew the objection made  
18 at my motion in limine to this line of questioning.

19 THE COURT: Right. Objection noted and overruled.

20 A He did.

21 Q And what did he say?

22 A He started talking, he said, "I killed her because  
23 she was going to leave me. She loved me but was not in  
24 love with me. She was staying out until 3:00 or 4:00 in  
25 the morning with her girlfriends and not coming home."

## DAVEY HENDRIX - DIRECT

1 And he stated he tried to slit his wrists but it didn't  
2 work so he took pills and he thought he would die but that  
3 didn't work. So he said his son drug him out of the bed  
4 and beat him. Son asked why did he do it, to kill his  
5 mama and Ghent stated because she was going to leave him.

6 Q Now, did you say anything back to Mr. Ghent after he  
7 said this?

8 A No, sir.

9 Q What did you do when he said it?

10 A I was typing on my phone when he was talking.

11 Q You typed everything he said?

12 A Correct.

13 Q Did you later memorialize that in the supplement to be  
14 added to the report?

15 A I did.

16 Q What were y'all doing when he started talking?

17 A If I can recall we were watching some TV show on  
18 television.

19 Q And you didn't ask him any questions, he just said it.

20 A Correct.

21 Q And he said his son asked him why he did it and he  
22 said, "Because she was going to leave me."

23 A Correct.

24 MR. NEWMAN: Beg the Court's indulgence.

25 THE COURT: All right.

## DAVEY HENDRIX - DIRECT

1 (Break in proceedings.)

2 Q What was his scenario in the hospital? Did he appear  
3 alert?

4 A He did.

5 Q Did he appear aware of his surroundings?

6 A He did.

7 Q Any slurred speech?

8 A No, sir.

9 Q Did he seem confused in any way?

10 A No, sir.

11 MR. NEWMAN: I've got no further questions, please  
12 answer anything that Mr. Lifsey has.

13 THE COURT: Mr. Lifsey?

14 CROSS EXAMINATION

15 BY MR. LIFSEY:

16 Q Officer Hendrix, now you're not a doctor, correct?

17 A Correct, yes, sir.

18 Q You were not there in any capacity to monitor his  
19 physical condition, were you?

20 A No, sir.

21 Q And you were not -- it's not part of your job to know  
22 any medicines he may have taken, any condition he was in or  
23 any of that, was it?

24 A Correct.

25 Q And, in fact, he was in the critical care unit,



## DAVEY HENDRIX - CROSS

1 correct?

2 A He was.

3 Q And didn't you testify at a pretrial hearing on this  
4 matter that y'all had been engaging in small talk earlier?

5 A Yes, sir.

6 Q So it's not like he blurted this out with just being  
7 dead silent for hours before he blurts this out, y'all were  
8 talking some.

9 A Correct.

10 Q And you indicated that you had -- were typing this in  
11 some fashion?

12 A I was.

13 Q On what?

14 A On my cellphone.

15 Q What kind of phone do you have?

16 A I have an I-phone.

17 Q So you're typing it, why weren't you recording?

18 A I just didn't think about it at the time.

19 Q Because doesn't it really take about just a second or  
20 two or a click to be able to get recordings?

21 A It does.

22 Q I mean, I guess what I'm trying to figure in my mind  
23 is when it takes about three clicks or more to get a  
24 recording of what was said, why that was not done rather  
25 than typing it out by some sort of hand or something?

## DAVEY HENDRIX - CROSS

1 A I guess my brain said type not record.

2 Q I've got you. But you did have an I-phone and the  
3 ability to do that.

4 A I did.

5 MR. LIFSEY: Thank you.

6 REDIRECT EXAMINATION

7 BY MR. NEWMAN:

8 Q Mr. Hendrix, did you know that he was getting ready to  
9 start spilling his guts?

10 A I did not.

11 Q Well, if you would have pulled out to record you would  
12 have missed the first part of the statement, wouldn't you?

13 A Correct.

14 Q Let me show you what's been marked as State's 26. Do  
15 you recognize that?

16 A I do.

17 Q What is that?

18 A It's a supplementary statement.

19 Q Is that a statement that you typed?

20 A I did.

21 Q Is it an exact copy of what you sent into the report?

22 A It was.

23 MR. NEWMAN: Your Honor, at this time I move State's  
24 Exhibit 26 into evidence.

25 MR. LIFSEY: I don't have an objection to that. I

## DAVEY HENDRIX - REDIRECT

1 would like to question him a moment or two in response to  
2 that.

3 THE COURT: Okay. Admitted into evidence.

4 (The report was received as State's 26.)

5 MR. NEWMAN: Please answer anything Mr. Lifsey has.

6 RECROSS EXAMINATION

7 BY MR. LIFSEY:

8 Q The solicitor said you would have missed part of it if  
9 you would have tried to record it. You were typing, right?

10 A Correct.

11 Q How is it more distracting to push one button and then  
12 pay attention to what he said versus trying to type down  
13 what he said?

14 A Like I stated earlier, I guess my brain said type it  
15 not record it.

16 Q But you would certainly agree that that's not anymore  
17 distracting at all than the typing, is it?

18 A Correct.

19 MR. LIFSEY: Thank you, Judge.

20 MR. NEWMAN: Briefly, Your Honor.

21 THE COURT: Well, you don't get third chances at  
22 witnesses. Thank you, sir, you may step down. All right.  
23 The State can call its next witness.

24 MS. COLLINS: Your Honor, the State's next witness is  
25 Deputy Richard Weiss.

## DAVEY HENDRIX - RECROSS

1           The witness, RICHARD WEISS, was first duly sworn and  
2           testified as follows:

3                                 DIRECT EXAMINATION

4   BY MS. COLLINS:

5   Q     Would you please state your name?

6   A     Richard Weiss.

7   Q     And what is your occupation?

8   A     Deputy sheriff with the Lancaster County Sheriff's  
9   Office.

10  Q     How long have you been a law enforcement officer?

11  A     Twenty-five years.

12  Q     How long have you been with the sheriff's department  
13 here in Lancaster?

14  A     A little over four years.

15  Q     What did you do for your first 21 years in your law  
16 enforcement career?

17  A     I was a state probation and parole officer.

18  Q     In the last four years here as deputy with the  
19 Lancaster County Sheriff's Department, what have been your  
20 duties with that division?

21  A     I was hired with the judicial services division.

22  Q     What are the duties of that division?

23  A     We do courthouse security here at the courthouse, we  
24 transport prisoners back and forth to the jail, we  
25 transport mental health patients anywhere they need to go

RICHARD WEISS - DIRECT

1 in the state, and occasionally we do guard duty at the  
2 hospital when people are in the hospital.

3 Q So if someone is in custody but they need medical  
4 treatment and they have to go to the hospital, you and your  
5 division provide security services to ensure that they  
6 remain in custody although they're getting medical  
7 treatment?

8 A That's correct.

9 Q Did you have occasion in October of 2013 to come into  
10 contact with the defendant, John Marion Ghent, Jr.?

11 A I did.

12 Q On what date was that?

13 A That would be October 29th.

14 Q Of 2013?

15 A 2013, yes, ma'am.

16 Q What was the time period that you came into contact  
17 with Mr. Ghent?

18 A My shift at the hospital was 5:00 p.m. to 10:00 p.m.

19 Q And you were there assigned to guard the defendant  
20 during those five hours?

21 A Yes, ma'am.

22 Q During that time, did you stay with him that entire  
23 time?

24 A Yes, ma'am.

25 Q Was he in a regular room?

## RICHARD WEISS - DIRECT

- 1 A Yes, he was.
- 2 Q A private room?
- 3 A Yes.
- 4 Q No other patients with him?
- 5 A No.
- 6 Q Was he allowed any visitors?
- 7 A No.
- 8 Q Were there other guards there with you in the room
- 9 while you were there with him or were you alone with him?
- 10 A No. I took over for Deputy Hendrix.
- 11 Q That just testified?
- 12 A That just testified.
- 13 Q So when Deputy Hendrix left you were there to take
- 14 over?
- 15 A That's correct.
- 16 Q And you remained with him you said until 10:00 p.m.?
- 17 A Yes.
- 18 Q While you were there with him from 5:00 p.m. to 10:00
- 19 p.m., was the defendant awake?
- 20 A Yes.
- 21 Q Did he appear to be alert?
- 22 A He did.
- 23 Q Did he exhibit any signs of confusion?
- 24 A No.
- 25 Q Did you as a law enforcement officer ask him any

RICHARD WEISS - DIRECT

1 questions?

2 A No, ma'am.

3 Q Did a point come while you were there with Mr. Ghent  
4 where he made a request of you?

5 A Yes, ma'am.

6 Q And what was that request?

7 A He asked if he could call his sister, Betsy Steen,  
8 and see if she would bring him over a couple of pairs of  
9 underwear and deodorant because he knew he would be  
10 leaving the hospital and going to the jail.

11 Q And you allowed him to make this personal request to  
12 his sister?

13 A It's sort of discretionary thing, but I have known  
14 the Steens, Betsy and Howard, for years. I did not see  
15 that as a threat to security or a breach in security so I  
16 did allow him to make that call.

17 Q And that was as a courtesy to him, correct?

18 A Yes.

19 Q Now, when you were there, Deputy Weiss, had he ever  
20 met you before?

21 A Possibly so.

22 Q My question -- well, you knew Betsy from church, I  
23 believe; is that right?

24 A Yes.

25 Q My question is, but was he clear that you were a law

## RICHARD WEISS - DIRECT

1 enforcement officer?

2 A Yes, I was in uniform.

3 Q In uniform as you are today?

4 A Yes, ma'am.

5 Q And when you allowed him to make that phone call, did  
6 he do so from the hospital phone?

7 A Yes.

8 Q And while he made the phone call you were standing  
9 right there?

10 A I was in very close proximity to him, yes.

11 Q He was aware that you were there in the room.

12 A Yes.

13 Q And when the defendant made the phone call to his  
14 sister, could you hear? I guess was it like a desk line or  
15 a land line as some people call it?

16 A It was a hospital land line.

17 Q Could you hear the words from the person that he  
18 called?

19 A No.

20 Q So you couldn't hear Betsy Steen if that's who he  
21 called, right?

22 A No, I could not.

23 Q And later I believe Betsy Steen did bring some items  
24 to the hospital that he had asked for, so you were aware  
25 that she --



## RICHARD WEISS - DIRECT

1 A Yes, she did.

2 Q So you assumed that, of course, it was her, correct,  
3 on the phone.

4 A Yes.

5 Q In any event, though, you could hear the conversation  
6 and the words that the defendant said during the  
7 conversation on his side, correct?

8 A Yes, I could.

9 Q Although you couldn't hear his sister Betsy's side; is  
10 that right?

11 A That's correct.

12 Q Can you tell us, Deputy, what did you hear the  
13 defendant say while he was on the telephone to his sister?

14 A Shortly after the conversation started Mr. Ghent  
15 began to sob and stated that he had killed his wife. He  
16 said he had been drinking for the both of them and taking  
17 pills. When his wife got home they had a confrontation  
18 that began and he at that point began to stab her. His  
19 wife begged him to stop. Ghent made the statement he had  
20 been thinking about it for three weeks. Mr. Ghent then  
21 stated he cut his own wrists and got on the bed next to  
22 his wife -- next to his wife's body, told her that he  
23 would die with her. And then the next thing he realized  
24 was that his son had found them in the bed and his son  
25 began kicking him in the head and body. When he calmed

## RICHARD WEISS - DIRECT

1 down that was pretty much the extent of that conversation.  
2 When he calmed down he did ask his sister for the items  
3 that he told me he was going to ask her for, and the call  
4 ended shortly thereafter.

5 Q And did, in fact, the Steen's, Betsy, the defendant's  
6 sister and her husband, Howard, bring those requested  
7 personal items to the defendant at the hospital?

8 A They did.

9 Q And they gave them to you in the hallway; is that  
10 correct?

11 A I met them in the hallway and got the items from  
12 them, they were in like a Wal-Mart bag. I got the items  
13 from them, told them they would not be able to speak with  
14 John or visit with him at that time, and then I -- they  
15 left. I took the items back in the room and then checked  
16 the bag to make sure there was no contraband in the bag,  
17 then proceeded to give those items to John.

18 Q And, of course, there was no contraband, correct?

19 A There was none.

20 Q Just the personal items he had requested.

21 A That's correct.

22 Q And you gave them to the defendant?

23 A Yes, ma'am.

24 Q Did you later make Lieutenant Howell of the sheriff's  
25 department aware of the call while you were guarding him on

## RICHARD WEISS - DIRECT

1     October 29th of 2013?

2     A     Yes.

3     Q     Did he ask you to memorialize that in a supplemental  
4     incident report for this case?

5     A     Yes, he did.

6     Q     Did you do so?

7     A     Yes, ma'am.

8           MS. COLLINS: May we approach, Your Honor?

9           THE COURT: Yeah.

10          (A bench conference was held.)

11          MS. COLLINS: Deputy Weiss, thank you so much for  
12     being here this morning, please answer any questions of Mr.  
13     Lifsey.

14          MR. LIFSEY: Just briefly.

15                         CROSS EXAMINATION

16     BY MR. LIFSEY:

17     Q     Deputy Weiss, obviously you are not a medical doctor  
18     either.

19     A     No, sir.

20     Q     And your job was there to only provide security, not  
21     to assess his medical situation.

22     A     Correct.

23     Q     And you were not in any way intimately aware of any of  
24     the treatment he was receiving at that time, correct?

25     A     That is correct.

## RICHARD WEISS - CROSS

1 Q And in fact, the conversation you heard to Ms.

2 Steen -- and I guess that's Ms. Steen right out there,

3 correct?

4 A Yes, it is.

5 Q You only heard one side of it.

6 A That's correct.

7 Q You could not hear the questions that were asked on  
8 the other side.

9 A That is correct.

10 MR. LIFSEY: I don't have any other questions.

11 THE COURT: Thank you, sir, you may step down. The  
12 State would call its next witness.

13 MS. COLLINS: Thank you, Your Honor. At this time the  
14 State rests its case.

15 THE COURT: The State rests. All right. Ladies and  
16 gentlemen, it's almost lunchtime so why don't we go ahead  
17 and take a break. There are some matters I need to take up  
18 with the lawyers as well and I have some other matters I  
19 need to deal with so let's take a longer lunch than normal,  
20 sorry about that but I have other things I have to do, so  
21 why don't we come back at 2:15. So be back in your jury  
22 room at 2:15. Do not discuss the case, do not do any  
23 independent research, do not go out seeking information or  
24 read any news about what is going on. Okay. Thank you  
25 very much.

## RICHARD WEISS - CROSS

1 (The jury left the courtroom.)

2 THE COURT: The State has rested. Do you have any  
3 motions?

4 MR. LIFSEY: Yes, sir. For the record I would move  
5 for a directed verdict of not guilty for the reason they  
6 have not -- taken in the light most favorable to the State  
7 they have not proven malice aforethought.

8 THE COURT: That motion is denied. I think there is  
9 plenty enough evidence to submit it to a jury on that  
10 issue. All right. Let me speak to your client at this  
11 point in time. Mr. Ghent, if you would please stand for  
12 me.

13 (The defendant was sworn.)

14 THE COURT: Thank you. You can be seated, just make  
15 sure you speak loud so you won't have to come up here,  
16 okay? Can you hear my all right?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Now, Mr. Ghent, at this time I am going to  
19 explain to you certain rights that you have. If you don't  
20 understand anything I'm telling you please let me know. If  
21 you want me to explain anything in more detail please let  
22 me know. Is that okay?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Do you understand?

25 THE DEFENDANT: Yes, sir.

1           THE COURT: Now, we have now reached the stage of the  
2 trial where you may present your defense. Now, you have  
3 the right to claim the protections given to you by the 5th  
4 Amendment to the United States Constitution, which states  
5 in pertinent part that no person shall be compelled in any  
6 criminal case to be a witness against himself, and this  
7 means that you cannot be required to testify in this case.  
8 You have the right to testify on your own behalf if you  
9 want to but nobody can make you testify, do you understand  
10 that?

11           THE DEFENDANT: Yes, sir.

12           THE COURT: Your right to decide whether to testify or  
13 not is a personal right and nobody can give up that right  
14 except for you, do you understand that?

15           THE DEFENDANT: Yes, sir.

16           THE COURT: Now, if you do decide to testify you'll be  
17 subject to the same rules that have governed other  
18 witnesses in this case, and you may be examined or cross  
19 examined on any relevant issue in this case. Just like  
20 your lawyers have done when questioning witnesses that the  
21 State has put up, you know, try to make them not look  
22 believable in front of the jury or try to question their  
23 testimony or try to make them look bad in front of the  
24 jury, the State's lawyers can do the same thing to you if  
25 you get up there to testify, do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right. Also if you have any  
3 criminal -- past criminal convictions involving dishonesty  
4 or the making of a false statement or any crimes punishable  
5 by imprisonment for more than one year and this Court  
6 determines that the probative value of admitting those --  
7 the evidence of those convictions outweighs its prejudicial  
8 effect, the solicitor may be able to introduce your  
9 previous criminal record to attack your credibility in  
10 front of the jury. Do you understand that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And on that issue I previously issued a  
13 ruling that there was a couple of fraudulent checks  
14 conviction and a breach of trust conviction involving Mr.  
15 Ghent on more than ten years allowed by the rule under a  
16 simple rule 403 analysis, correct?

17 MS. COLLINS: Yes, I'm aware of the rule.

18 THE COURT: Is there anything within ten years?

19 MS. COLLINS: No. There is not as to any prior  
20 convictions, Your Honor.

21 THE COURT: Okay. So there would be no prior  
22 convictions that the State would seek to try to impair your  
23 credibility upon, do you understand that?

24 THE DEFENDANT: Yes, sir.

25 MS. COLLINS: May it please the Court?

1 THE COURT: Yes, ma'am.

2 MS. COLLINS: In case you need to inquire of the  
3 defendant regarding this, we may attempt to cross examine  
4 him regarding prior bad acts, particularly those that go to  
5 honesty or credibility.

6 THE COURT: Okay. All right. I don't know what those  
7 are but --

8 MS. COLLINS: We just have references in a notebook  
9 that the defendant kept that he lied to his wife, to his  
10 family, to dealers, drug dealers, and even to himself in  
11 regard to his usage of drugs and the need for drugs that he  
12 has noted, that he has lied not only to himself and to his  
13 wife and his children but to others in the community and I  
14 believe that those would be admissible under prior bad act  
15 rules in that it goes to honesty and credibility if the  
16 defendant chooses to testify.

17 THE COURT: All right. I'm pulling the rule up right  
18 now. Mr. Lifsey?

19 MR. LIFSEY: Well, I object to those.

20 THE COURT: So this is Lyle evidence.

21 MS. COLLINS: No. May it please the Court? I believe  
22 Lyle evidence would be under 403 and presented in the  
23 State's case in chief. I believe questioning as to  
24 specific instances of prior conduct for cross examination  
25 purposes would be under --



1 THE COURT: Under Rule 404. You're looking at 404B.

2 MS. COLLINS: Actually I'm looking at 608B. I believe  
3 404B goes toward in the presentation of evidence in the  
4 State's case in chief, which was previously for the  
5 evidentiary rules passed in 1996 and adopted that in 404B.  
6 608B would be as to cross examination. And I recognize  
7 that that lies upon the discretion of the Court, would not  
8 be able to be proven by extrinsic evidence, but in the  
9 discretion of the Court if probative of truthfulness or  
10 untruthfulness it can be inquired into on cross  
11 examination.

12 THE COURT: All right. So at this point I have to  
13 determine whether or not the Court will allow you to do  
14 that. But you're saying that if Mr. Ghent does decide to  
15 testify the State is -- depending on whether or not that's  
16 allowable the State is going to try to cross examine him on  
17 those things.

18 MS. COLLINS: Yes. I realize you haven't ruled, I  
19 thought it best to bring that up at this time.

20 THE COURT: All right. Well, that's probably the  
21 right thing to do. And Mr. Lifsey, obviously you would  
22 object at that time and then we would have an in-camera  
23 hearing outside the presence of the jury on that issue.

24 MR. LIFSEY: Correct, Your Honor.

25 THE COURT: Okay. All right. I think that's

1 something he needs to confer with you about in making his  
2 decision.

3 MR. LIFSEY: I do. I just reserve the right to make  
4 more argument on that issue at that time, not now.

5 THE COURT: Thank you. Now Mr. Ghent, did you just  
6 hear those talks I had with the lawyers about what we just  
7 talked about?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: All right. I'm not saying I am -- yeah,  
10 what else?

11 MS. COLLINS: I'm sorry to continue to interrupt you,  
12 Your Honor. But Mr. Newman asked that I also address the  
13 issue of questioning him regarding that he had cheated on  
14 his wife multiple times, which would go again toward  
15 honesty and truthfulness to the extent that he would have  
16 hidden that from her. And again, just in full disclosure  
17 to make you aware of that as you now question him, I  
18 realize you're not ruling on it -- but to make him aware of  
19 that. Thank you.

20 MR. LIFSEY: Well, I clearly feel that's inadmissible  
21 in addition to the other area of inquiry.

22 THE COURT: Well, I don't know yet, it hasn't been  
23 offered yet.

24 MR. LIFSEY: And I guess what you're saying, Your  
25 Honor, is you would rather us argue that at the appropriate

1 time?

2 THE COURT: Yeah. I don't like making preliminary  
3 rulings. I have to rule on something when it's offered,  
4 not if it may or may not be offered, because I don't know  
5 what he's going to say if he testifies.

6 MR. LIFSEY: Yes, sir.

7 THE COURT: Who knows. I don't know. Well, Mr.  
8 Ghent, did you hear everything I was just talking about  
9 both with your lawyer and the State's lawyers?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: So you understand that if you testify the  
12 State is going to try to get in to evidence certain things  
13 that you may have said or done previously, which may not  
14 make you look very good in front of the jury.

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you understand that? Okay. Now, you  
17 understand that if you don't testify none of that stuff  
18 comes in.

19 THE DEFENDANT: Yes, sir.

20 THE COURT: The jury doesn't know anything about that,  
21 do you understand?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Okay. So understanding that, if you  
24 decide to testify this decision that you make has to be  
25 made freely, voluntarily, knowingly and intelligently made

1 with your understanding of your 5th Amendments rights as  
2 well as all consequences. Okay. Now, if you decide not to  
3 testify, Mr. Ghent, I will instruct the jury that they  
4 cannot give the fact that you did not testify any  
5 consideration or weight whatsoever, and that there is  
6 absolutely no prejudice to you because you did not testify.  
7 In fact, I'll tell them they can't even bring it up in the  
8 jury room, the fact that you didn't testify because you  
9 have the absolute right to not testify. The State has to  
10 prove you guilty beyond a reasonable doubt, you don't have  
11 to prove anything. Okay. Now, it's left entirely up to  
12 you whether or not to testify. You can certainly talk with  
13 your lawyers about it but the final decision is solely up  
14 to you. Do you understand everything that we have gone  
15 over together?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Do you have any questions about what I've  
18 explained to you?

19 THE DEFENDANT: No, sir.

20 THE COURT: Have you discussed with your lawyers about  
21 whether or not you should testify?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Do you want anymore time to discuss with  
24 your lawyers about whether or not you should testify  
25 especially in light of what the State just said they're

1 going to try to get into with you?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Okay. Good. I'm going to give you some  
4 more time, Mr. Lifsey, to discuss that, we'll revisit this  
5 issue when we reconvene this afternoon.

6 MR. LIFSEY: Thank you, Your Honor.

7 THE COURT: So I want you -- do you need anymore  
8 explanation from me, sir, as to your 5th Amendment rights?

9 THE DEFENDANT: No, sir.

10 THE COURT: What's going to happen is when we  
11 reconvene at 2:15 I will then ask you whether or not you  
12 wish to testify and that's when you'll give me your answer  
13 and then we can go from there, okay?

14 THE DEFENDANT: Okay.

15 THE COURT: Thank you, sir. All right. Anything  
16 further before we break for lunch?

17 MS. COLLINS: Nothing from the State.

18 MR. LIFSEY: No, sir.

19 THE COURT: Thank you. We are down then until 2:15.

20 (A lunch break was taken.)

21 THE COURT: All right. Back and the record. All  
22 right. Mr. Ghent, did you have an adequate opportunity to  
23 discuss whether or not you were going to be testifying with  
24 your lawyer?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And are you going to be testifying?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: All right. And you understand then all of  
4 the rights I went over before with you as well as the risks  
5 of what may come out in cross examination?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And understanding all of those things you  
8 still wish to testify?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And Mr. Lifsey, did y'all have those  
11 discussions?

12 MR. LIFSEY: Yes, we did.

13 THE COURT: All right. We'll bring in the jury.

14 (The jury returned to the courtroom.)

15 THE COURT: All members of the jury are present.

16 Ladies and gentlemen, the State has rested. Mr. Lifsey?

17 MR. LIFSEY: Thank you, Your Honor. Defense would  
18 call John Ghent to the stand.

19 The witness, JOHN GHENT, JR., was first duly sworn and  
20 Testified as follows:

21 DIRECT EXAMINATION

22 BY MR. LIFSEY:

23 Q Will you state your full name, please?

24 A John Marion Ghent, Jr.

25 Q Mr. Ghent, how old are you?

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1 A Fifty-six.

2 Q Where are you from?

3 A Lancaster.

4 Q Have you lived here all of your life?

5 A Pretty much. We moved out of town and went to Kansas  
6 for a couple of years.

7 Q When was that?

8 A In '81, 79-81.

9 Q Other than that period in the late 70's or early 80's,  
10 have you lived here your whole life?

11 A Yes, sir.

12 Q When is your birthday?

13 A

14 Q Before I get to that let me ask you, you were married  
15 to Elaine Ghent, right?

16 A Yes, sir.

17 Q How long have y'all been married?

18 A Thirty-five years at the time.

19 Q I know this is difficult for you, I just want to try  
20 to make it as short as I can. As painful as it is I want  
21 to direct your attention to the day of your birthday, okay?  
22 Do you remember that day?

23 A Yes, sir.

24 Q How was the state of your marriage then?

25 A It was kind of shaky. Like I said, my wife was

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1 talking about leaving me and stuff and she wanted me to  
2 move out of the house but I wasn't working nowhere, didn't  
3 have a job, didn't have a car, I didn't have any way to go  
4 nowhere, so I told her I was going to stay there at the  
5 house and I asked her if she would stay. She was talking  
6 about leaving, we've split up before but we've always got  
7 back together.

8 Q Tell me about the day of your birthday. And, of  
9 course, it was some question about -- what day is your  
10 birthday?

11 A The .

12 Q Okay. Was your wife working that day?

13 A Yes, sir.

14 Q Tell me about that. When -- do you remember when she  
15 went to work?

16 A She usually leaves -- they left the house about 10:00  
17 in the morning and I didn't never know whether she was  
18 going to work or whether she was going somewhere else or  
19 not. She was just staying gone all the time.

20 Q What was your mindset like that day?

21 A I was kind of happy. I stayed at my neighbor's a  
22 little while talking to them. But I had already been  
23 thinking about if she was going to plan on leaving me I  
24 was going to kill myself.

25 Q How long had you been thinking about killing yourself?



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1 A About three or four weeks. But I attempted to about  
2 a couple of years before, I put a 9-millimeter to my head  
3 and pulled the trigger.

4 Q Is that what they were talking about when they said  
5 mental health made them take the guns out?

6 A They took all of the guns from me.

7 Q What contributed to you -- what was causing you to  
8 particularly think about suicide on your birthday?

9 A We was just having problems. We kind of had problems  
10 several years, I guess, and I was bad on drugs. I've got  
11 to leave the drugs alone.

12 Q Your wife went to work that morning.

13 A Yes, sir.

14 Q Did you make any decision about trying to talk to her  
15 when you got home?

16 A I usually stayed up until she got home anyway,  
17 especially since she had that car wreck I was always  
18 worried something was going to happen so I always made  
19 sure she got home. I got to where I started telling her I  
20 loved her before she would go to bed and she wouldn't ever  
21 say it back.

22 Q What were you planning or thinking about the day of  
23 your birthday for when she got home?

24 A I was laying there watching TV waiting on her to get  
25 home and she come in, she usually gets her a little bite

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1 to eat or something, she comes in there and she puts her  
2 pajamas on and sits there on the bed and eats something,  
3 so I waited until she got through doing all of that. I  
4 got up and was going around the bed and was going to talk  
5 to her and she said she wanted to leave me. I got the  
6 knife, put the knife my hands --

7 Q Let me stop you. And I want you -- I know this is not  
8 easy for you to talk about but try your best to talk slowly  
9 so everybody understands you. Did you say something about  
10 a knife?

11 A Yeah. I picked up the knife I had beside the bed  
12 because I was already planning on cutting my wrists and  
13 all and I just wanted to talk to her first before I did  
14 it. I guess -- I can't remember whether she said anything  
15 or I said, I don't remember what we said. I guess she's  
16 seen the knife in my hand beside of me.

17 Q Let me just stop you. What was the purpose of the  
18 knife and what was the purpose of talking to her?

19 A I was just wanting to ask her to make sure she was  
20 still wanting to leave me and if she was really serious  
21 about leaving I was going to kill myself.

22 Q I'm sorry, say it again.

23 A I was going to kill myself.

24 Q If she was going to leave you?

25 A Yeah. I didn't want to live without her.

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1 Q You had a conversation in the bedroom; is that right?

2 A Yes, sir.

3 Q Tell the jury about that conversation.

4 A I was just -- like I said, I was just going to ask  
5 her if she was going to still leave me and she never did  
6 say, I can't remember whether she even answered me or not.  
7 That's when she grabbed my arm and --

8 Q Where were you, where was she, where was the knife?

9 A I was standing at the foot of the bed and the knife  
10 was in my hand down beside me.

11 Q Stand up so they can see you.

12 A I had the knife in my hand sitting down beside away  
13 from her so she couldn't see it.

14 Q Go ahead.

15 A And then I guess she seen it or something because she  
16 grabbed me by the arm and when she grabbed me by the arm I  
17 pulled my arm up and then she grabbed my arm, let go and  
18 grabbed it again.

19 Q What was going on then? Were y'all --

20 A She was just trying to get me to let go of the knife.  
21 That's the type person she was, she didn't me to hurt  
22 myself, she was trying to stop me.

23 Q What happened next?

24 A She took my arm up over my head somehow, like I said,  
25 I don't remember. I think she grabbed the knife because I

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1 remember her saying something about I could cut her or  
2 something, I guess that's how she got the cut on her hand.  
3 And then she grabbed ahold of my wrist and I was trying to  
4 get my hand away from her and my hand just slipped -- arm  
5 just slipped out of her hand and went straight into her  
6 chest. There was just blood everywhere. I couldn't stop  
7 her.

8 Q What happened -- you said the knife went into her  
9 chest?

10 A Yeah. I guess I pulled it out and throwed it down or  
11 ripped it out. I don't know what I did with it. I know I  
12 didn't have it in my hand after that. I put my hand on  
13 her chest trying to stop the bleeding, it was just so much  
14 blood I couldn't stop it. I panicked. She just started  
15 gurgling, sounded like she was drowning, she slumped over  
16 and her head fell forward and she was gone. I couldn't  
17 get her to breath or anything.

18 Q What happened next?

19 A I just let her lay down and I put her to bed. I just  
20 let her lay the way she fell. I got up and went in and  
21 washed the blood off my hands and stuff and I went and sat  
22 on the bed, that's when I got the pills, I tried to cut my  
23 wrists first.

24 Q Tell the jury about that, what about your wrists.

25 A I got the knife and sat on the bed and I tried to cut

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1 my wrists. I don't know if it was God or what it was but  
2 something wouldn't let me cut my wrists, I was too rigid on  
3 both sides of my veins, it would not go through. I was  
4 bearing down as hard as I could trying to cut them, it  
5 wouldn't work on one so I tried the other side and it was  
6 the same way on it.

7 Q Then what did you do?

8 A Then I got up and went and looking around trying to  
9 see what kind of pills I could take to see what I had. I  
10 know she had blood pressure pills and stuff, she had  
11 several bottles that she had got from friends to where she  
12 couldn't get it from insurance -- we didn't either one  
13 have insurance so I just swallowed every bottled pill I  
14 could find, I don't know, four or five bottle of pills, I  
15 just swallowed all of them. And then I went back to the  
16 bed and I thought about my granddaughter, I didn't want  
17 her to come and see us so I wrote the note to not let her  
18 come in. I called my sister and my daughter, told them I  
19 was sorry, I don't know why I said what I said, I was just  
20 in the panic. I didn't know what was going on.

21 Q Why did you call them?

22 A I just wanted to call them and let them know I was  
23 sorry because I figured I was going to be dead too. I was  
24 planning on being dead when they found us and I just  
25 wanted to let them know I was sorry.

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1 Q What is the next thing you remember?

2 A Next thing I remember, like I said, after that I laid  
3 down beside of her and figured them pills would take  
4 effect and I would just end up dying beside her. The next  
5 thing I know I heard like a big bang and somebody grabbed  
6 me and drug me into the kitchen somewhere in there and all  
7 I remember is kicking and beating on me. I don't remember  
8 saying anything or nothing, I just remember getting kicked  
9 and beat and stomped and everything else.

10 Q Did you intentionally stab your wife?

11 A No, sir. I loved her.

12 Q Did you intend to kill anybody other than yourself?

13 A No, sir.

14 MR. LIFSEY: Beg the Court's indulgence just one  
15 moment.

16 (Break in proceedings.)

17 MR. LIFSEY: Mr. Ghent, thank you very much. I would  
18 ask you to please as best you can answer the questions the  
19 prosecution has.

20 THE COURT: All right. Solicitor, your witness.

21 CROSS EXAMINATION

22 BY MS. COLLINS:

23 Q Mr. Ghent, if you did not mean to kill anyone other  
24 than yourself, why didn't you do so after you closed the  
25 bedroom door after telling them Raylee couldn't sleep with

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1    you that night? Why didn't you just go ahead and do it  
2    right then before your wife came home?

3    A     I wanted to talk to her first.

4    Q     You had talked to her before, right?

5    A     Not before she went to work.

6    Q     You talked to her frequently everyday of the time  
7    y'all had been together.

8    A     She wouldn't talk to me.

9    Q     So you wanted to make her talk to you --

10        MR. LIFSEY: I object to her not allowing him to  
11    finish his answer.

12   Q     Finish your answer.

13   A     She got to where she wouldn't talk to me, she  
14   wouldn't tell me bye when she would leave. She used to  
15   always tell me bye and she loved me and she wouldn't even  
16   do that no more.

17   Q     So you wanted to make sure she talked to you.

18   A     No. I didn't want to make her talk to me.

19   Q     When did you get the knife and put it in the bedroom?

20   A     It was always in the bedroom.

21   Q     You always kept that knife in your bedroom?

22   A     It was in a kit that I had beside the door.

23   Q     It was in a kit you had beside the door?

24   A     Yes, ma'am.

25   Q     I show you State's Exhibit 1. That's a pretty long

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- 1 knife. What kind of kit do you keep that in?
- 2 A It's a filet knife.
- 3 Q You keep it inside the bedroom.
- 4 A It was in a kit with five or six other knives.
- 5 Q But when you were standing there talking to your wife
- 6 you didn't have any kit, did you?
- 7 A No.
- 8 Q You had it in your hand, right?
- 9 A Because I planned on killing myself with it.
- 10 Q And you're there in the bedroom with her, right?
- 11 A Yes, ma'am.
- 12 Q You said she came home from work, right?
- 13 A Yes.
- 14 Q Put on her pajamas, right?
- 15 A Yes.
- 16 Q Had a little bit to eat, right?
- 17 A Yes.
- 18 Q And y'all were in the bedroom, right?
- 19 A Yes.
- 20 Q Why did you have to walk over to her side of the bed
- 21 holding that knife?
- 22 A It was a king sized bed.
- 23 Q You can't talk cross a king sized bed?
- 24 A Yeah, but I wanted to go talk to her face to face.
- 25 Q Are you face to face with me right now?



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- 1 A Yes.
- 2 Q Your king sized bed wider than this?
- 3 A No, but --
- 4 Q Can you hear me?
- 5 A Yes.
- 6 Q I can hear you. Why do you need to walk over there
- 7 with a knife?
- 8 A Because I wanted to be in front of her when I talked
- 9 to her.
- 10 Q You wanted to be within reach of her, didn't you?
- 11 A No.
- 12 Q You wanted to be within arm's reach.
- 13 A No.
- 14 Q Then why walk over there? You can talk across the
- 15 bed. Because you couldn't make her talk to you across the
- 16 bed, could you? Could you?
- 17 A Yes.
- 18 Q So why walk over there with a knife?
- 19 A I just said I wanted her to see me cut my wrist
- 20 myself.
- 21 Q Okay. This is the distance of the bed, I'm about to
- 22 cut my wrists. You can see me -- look at me, Mr. Ghent.
- 23 You can see me about to cut my wrists, can't you? I don't
- 24 have to walk over on your side of the bed for you to see
- 25 me, do you?

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1 A No.

2 Q You were married to Elaine Ghent for many years,  
3 right?

4 A Yes.

5 Q You had children together, right?

6 A Yes.

7 Q You had grandchildren together, right?

8 A Yes.

9 Q Tabitha and Jonathan were your children, right?

10 A Yes.

11 Q Madison, Hunter, Raylee and at that time Trenton. Did  
12 you have other grandchildren?

13 A Yeah.

14 Q Who else?

15 A Huh?

16 Q Who else was your other grandchild?

17 A Austin.

18 Q Austin. Jonathan's oldest?

19 A Yes.

20 Q And there had been times during those years of  
21 marriage, those years that y'all shared with children and  
22 grandchildren that your wife had left you before; isn't  
23 that right?

24 A Yes.

25 Q More than one time, right?

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1 A Yes.

2 Q And she would come back.

3 A Yes.

4 Q How many times did she leave you, Mr. Ghent?

5 A I don't know, two or three.

6 Q And each time she came back, right?

7 A Yes.

8 Q So what's the way -- if you want to ensure that you  
9 have a future with this woman, she had come back once,  
10 twice, three times, why didn't you just wait and see if she  
11 would come back again?

12 A Yeah.

13 Q You could have done that, couldn't you?

14 A Yeah, I guess.

15 Q In fact, you testified that when you're asking her,  
16 "You still want to leave me," when you're holding the knife  
17 you're saying "You still want to leave me," that she  
18 wouldn't answer you.

19 A No.

20 Q She wouldn't talk to you, would she?

21 A I didn't say anything.

22 Q She didn't say, "No, I don't want to stay with you,"  
23 did she?

24 A I don't know.

25 Q She didn't answer you at all, wasn't that your

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1 testimony?

2 A I don't remember whether she did or not, I don't  
3 remember what I said.

4 Q So about 9:00 you told Jonathan, "Raylee can't sleep  
5 with me tonight."

6 A She didn't sleep with me every night.

7 Q I'm talking about this night, on October 27 --

8 A I don't know when I told him. I don't know if I told  
9 him.

10 Q Well, you told Raylee, didn't you? She went and told  
11 her mama, "Papa said I can't sleep with him tonight,"  
12 right?

13 A Yeah.

14 Q Because you didn't want Raylee in there that night,  
15 right?

16 A No, because I was wanting to kill myself.

17 Q Right, wanted to kill yourself. But you wanted to do  
18 it --

19 A They was all in the back room.

20 Q But you wanted to do it in front of your wife, right?

21 A Yes.

22 Q You wanted not to just do it in front of your wife,  
23 you wanted to do it only in front of your wife, right?

24 A Yes.

25 Q Where Jonathan couldn't intervene, right?

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- 1 A Yes.
- 2 Q And so you waited for her to come home from work.
- 3 A I waited for her every night.
- 4 Q And this night you waited for her to come home from
- 5 work.
- 6 A Yes.
- 7 Q Knowing that you had your knife in your kit in your
- 8 room, right?
- 9 A Yes.
- 10 Q You said she had asked you to leave, right?
- 11 A Yes, couple of months before.
- 12 Q Pardon me?
- 13 A A couple of months before.
- 14 Q And you said you weren't working, you had nowhere to
- 15 go, right?
- 16 A Right.
- 17 Q Have you got a sister named Betsy?
- 18 A Yeah.
- 19 Q Could have gone and stayed with Betsy for a little
- 20 while, couldn't you?
- 21 A No.
- 22 Q You couldn't?
- 23 A I didn't want to.
- 24 Q You didn't want to?
- 25 A Half of the house was mine, why would I have to leave

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1 it?

2 Q Oh, okay. So now it's not that you had nowhere to go,  
3 now it's that half of the house was mine.

4 A It should have been.

5 Q Did you pay those bills for that house?

6 A Some. I worked for Guardian 11 and a half years up  
7 to 2001.

8 Q How long did y'all live in that house?

9 A Since '94.

10 Q And so after you quit working you didn't have income  
11 coming in, am I right?

12 A I had unemployment.

13 Q And when unemployment ended you had no more income  
14 coming in, right?

15 A Not until I found another job.

16 Q Right. So at that time you weren't able to pay your  
17 bills, right?

18 A Right.

19 Q Now, you testified also on direct examination you just  
20 couldn't leave drugs alone, didn't you?

21 A No.

22 Q I'm sorry, what?

23 A No.

24 Q Drugs cost money, don't they?

25 A Yeah.

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1 Q But you weren't working, were you?

2 A No.

3 Q So you had to get money from somewhere to get the  
4 drugs that you couldn't leave alone, right?

5 A Yeah.

6 Q Now, you do admit that your wife died as a result of  
7 being stabbed by this knife, right?

8 A Yes.

9 Q And you do admit that when she was stabbed with this  
10 knife that you were holding it, right?

11 A Yeah.

12 Q You know, your wife had just come home at 3:00 a.m.  
13 about, right? Is that right?

14 A I guess, I don't remember.

15 Q Well, you knew Lloyds didn't stay open until 3:00  
16 a.m., right?

17 A Yeah.

18 Q I'm sorry, I don't understand your answer. Yes, you  
19 did, or yes, it stays open?

20 A Yeah.

21 Q Yes, you knew it did not stay open?

22 A Yes, I knowed it didn't stay open.

23 Q So you knew she was off work several hours before she  
24 walked in the door, right?

25 A Every night.

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1 Q Every night thing, right? So why this night, this  
2 night at 3:00 a.m. at the end of a long day for her you  
3 just had to have this conversation right then? Why is  
4 that?

5 A It was my birthday and I wanted it on my birthday.

6 Q How old are you?

7 A Fifty-six now.

8 Q Fifty-six now. So back then it was your birthday, you  
9 were 54?

10 A Fifty-four.

11 Q And you just wanted to die on your birthday; is that  
12 right?

13 A Right.

14 Q And again, you had all of the time in the world to  
15 take pills or cut your wrists if you wanted a dramatic  
16 moment when Elaine came in the door and saw your body you  
17 had that, but you had all of that time alone in your room  
18 on your birthday to do this act if that's truly what you  
19 intended, didn't you? Didn't you?

20 A Yeah.

21 Q But you wanted her to be there, right?

22 A Yeah.

23 Q You wanted her not just to be in the house but to be  
24 there in the room, right?

25 A Yes.



## JOHN GHENT, JR. - CROSS

1 Q You wanted her to be in the room with you and the  
2 knife, right?

3 A Yes.

4 Q Because your birthday -- if you wanted to say goodbye  
5 on your birthday and end it then, your birthday ended at  
6 midnight on , didn't it?

7 A Yeah.

8 Q And at midnight on she wasn't home,  
9 right?

10 A Right.

11 Q So when she came in around 3:00, at that point you had  
12 a choice, if you wanted to end it on your birthday the  
13 choice was wait to the next year and see if things get a  
14 little better, right?

15 A Wasn't thinking about that.

16 Q Because at that point your plan had changed, hadn't  
17 it?

18 A No.

19 Q Your birthday was over, wasn't it?

20 A Yeah.

21 Q At that point it was impossible for you to end your  
22 life on your birthday because your birthday was over,  
23 right?

24 A Right.

25 Q So your plan could not go into effect at that time,

## JOHN GHENT, JR. - CROSS

1 right?

2 A Right.

3 Q So your plan changed, didn't it?

4 A Yep.

5 Q So when she came in you were ready for a  
6 confrontation, weren't you?

7 A No.

8 Q You weren't?

9 A No.

10 Q Didn't you just testify "I wanted to ask me (sic) if  
11 she still was planning on leaving me," right?

12 A Asking that and a confrontation isn't the same thing.

13 Q Asking with a knife in your hand I would submit is a  
14 confrontation, isn't it?

15 A No.

16 Q You're a man, she was a woman, correct?

17 A Yes.

18 Q Were y'all about the same age?

19 A Yes.

20 Q How tall are you?

21 A 5-9.

22 Q How tall is she?

23 A Same height, 5-9, 5-10.

24 Q You didn't need that knife to make her talk to you,  
25 did you?

## JOHN GHENT, JR. - CROSS

1 A I wasn't trying to make her talk to me.

2 Q I thought you just testified you were trying to make  
3 her talk to you.

4 A No.

5 Q Didn't you just testify you were trying to make her  
6 tell you was she still planning on leaving you?

7 A I didn't say I was trying to make her do nothing.

8 Q You said that you put your hands above your head?

9 A I didn't, she did.

10 Q She put your hands above --

11 A She put my hand above my head that had the knife in  
12 it.

13 Q And you said because she was trying to stop you; is  
14 that right?

15 A No. She was trying to get the knife away from me.

16 Q She was trying to get the knife out of your hand,  
17 right?

18 A Yes.

19 Q So at that point if she's trying to get the knife out  
20 of your hand you've still got the knife in your hand,  
21 right?

22 A Right.

23 Q And you knew she was trying to get it out of your  
24 hand, right?

25 A Yes.

## JOHN GHENT, JR. - CROSS

1 Q So why didn't you just, "Okay baby," why didn't you  
2 just drop it?

3 A Didn't think about it.

4 Q You said there was a struggle. I just want to  
5 understand how -- because if you're holding the knife I  
6 assume you're holding the -- I guess you call it the handle  
7 of the knife; is that right?

8 A Yes.

9 Q And she's got it above your head, right?

10 A Yeah.

11 Q And so if she pulls your arm down the handle comes  
12 toward your chest unless you hold the knife like this.

13 A I wasn't holding it like that, I told you I was  
14 hiding it behind my back.

15 Q Okay. So when she lifts your arm up you're holding it  
16 like this.

17 A Yes.

18 Q Is that right? This is your knife, right?

19 A Yes.

20 Q So at that point if y'all were struggling why didn't  
21 you throw it -- you said you loved this woman, why didn't  
22 you throw it down before anybody got hurt?

23 A I don't know.

24 Q And you say you stabbed her, right? Is that right?

25 A I guess. My hand slipped and it went in her.

## JOHN GHENT, JR. - CROSS

1 Q Now, you had a cellphone in the room, right?

2 A Yes, on the side of the bed.

3 Q You used that cellphone later after she finished

4 bleeding to call Tabitha, right?

5 A Yes.

6 Q And you used that cellphone later after Elaine

7 finished bleeding to call Betsy, right?

8 A Yes.

9 Q But at the very moment when this happened you didn't  
10 grab your cellphone and call 911, did you?

11 A No. I was trying to stop her from bleeding.

12 Q And you didn't go flying out of the room and bam on  
13 Jonathan's door and say, "Oh my, God, Jonathan something  
14 horrible happened." You just let her bleed to death,  
15 right?

16 A She was gone before I could do anything.

17 Q Did you hear the testimony of the doctor that it would  
18 take her four to six minutes to bleed out?

19 MR. LIFSEY: I object to her pitting the witnesses.

20 A No.

21 MS. COLLINS: I'm not asking him his answer in  
22 response, I'm just asking him if he heard that testimony.

23 THE COURT: All right. Overruled.

24 Q Did you hear the testimony of Dr. Ross who performed  
25 the autopsy on the body of your wife that it would take her

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1 four to six minutes until she stopped bleeding and died?

2 A Yeah.

3 Q And so for four to six minutes you never made an  
4 effort to call 911.

5 A She didn't take four to six minutes. I don't know  
6 where the doctor gets his information but he wasn't there,  
7 I know what happened.

8 Q Okay. Well, let's talk about that.

9 MR. LIFSEY: I object to her not letting him finish  
10 his answer.

11 MS. COLLINS: I'm sorry. He was mumbling, I didn't  
12 hear that he was still talking.

13 Q Go ahead, Mr. Ghent.

14 A It wasn't but like a minute or two and she was gone.

15 Q Okay. A minute or two she's gone. Are you sure of  
16 that?

17 A As far as I can recollect, yes.

18 Q But you're not a doctor, right?

19 A Right.

20 Q You volunteered for awhile with the fire department at  
21 Camp Creek, right?

22 A Right.

23 Q You knew how quickly help could come if you wanted it  
24 to, right?

25 A I don't know how long it took.

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1 Q You used to be a part of the unit that would go  
2 quickly to help people in need, didn't you?

3 A Yeah.

4 Q But you didn't even try.

5 A Didn't have time.

6 Q Didn't have time to run down the hall and grab your  
7 son and daughter-in-law. Please answer the question.

8 A No.

9 Q Didn't have time to walk the length of a trailer,  
10 didn't have time for that?

11 A No.

12 Q Didn't even try, did you?

13 A She was gone.

14 Q So when she was gone you decided, "Okay. Now I'm  
15 going to kill myself as I planned to do yesterday on my  
16 birthday;" is that right?

17 A No, I planned to do it that night.

18 Q And you wrote a note.

19 A Yes.

20 Q You wrote a note and taped it on the door, right?

21 A Yes.

22 Q And to tape the note on the door you had to open the  
23 door, right?

24 A Yes.

25 Q And at the point you opened the door you didn't know

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1 if Raylee might be up in the middle of the night going to  
2 potty, did you?

3 A She wouldn't been coming down there to potty, it was  
4 down at their room.

5 Q You didn't know if maybe Jonathan might be taking  
6 Raylee into the kitchen for some reason, maybe Tylenol, or  
7 any reason at all, you didn't know that when you opened the  
8 door with your wife lying on the bed, did you? Did you?

9 A No.

10 Q Where was the paper to write the note?

11 A Bedroom.

12 Q Where was the tape?

13 A Bedroom.

14 Q Two kinds of tape, scotch tape, right?

15 A Yeah.

16 Q And some kind of electrical tape, right?

17 A Yes.

18 Q And so you not only opened the door to put the note on  
19 it, you had to stand there for a minute and tape it to the  
20 door, didn't you?

21 A It had tape on it, all I had to do is stick it to it.

22 Q Now, there's not a drop of blood on this note, right?

23 A No.

24 Q Is that right?

25 A I said no.



## JOHN GHENT, JR. - CROSS

1 Q And on this note that your children and grandchildren  
2 would find the next morning, this goodbye note, you wrote,  
3 "Don't let Raylee come in," right?

4 A Right.

5 Q Because, of course, you didn't want her to see, right?

6 A Right.

7 Q And then you wrote, "Hope you're happy now," right?

8 A Yeah. That was for my son because I knew he would be  
9 happy that I was gone.

10 Q Well, why in the world would he be happy that his  
11 mother would be there in a pool of blood?

12 A We never did get along, he never cared about anything  
13 I did.

14 Q Why in the world would Jonathan, your son, be happy  
15 that his mother was lying there in a pool of blood?

16 A I didn't do it because of his mother, I did it  
17 because of me. I figured he would be happy that I was  
18 dead, I thought I would be dead too.

19 Q And all you wrote about this tragic accident with your  
20 wife was "sorry;" isn't that's right?

21 A Yeah.

22 Q You had a whole piece of paper here to say, "I meant  
23 for it to be me," didn't you? Didn't you?

24 A I couldn't hear you.

25 Q You had a whole piece of paper here to leave a note to

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1 your children and grandchildren for the rest of their life  
2 to read to say, "I didn't mean to kill her," didn't you?

3 A I wasn't thinking about it.

4 Q What were you thinking about then when you wrote --

5 A I wanted to make sure Raylee didn't come in and I was  
6 wanting to let them know I was sorry for what I did and I  
7 figured he would be happy that I was gone, that was all.

8 Q You didn't want them to know it was an accident?

9 A I wasn't thinking about that when I wrote it, I just  
10 wrote it.

11 Q You wrote what was important; is that right?

12 A I guess.

13 Q So you wrote and ended it with "Sell house and split  
14 with sister;" is that right?

15 A Yeah.

16 Q Did you really think at that point, Mr. Ghent, that  
17 they needed your advice on what to do with the house?

18 A I don't know.

19 Q You had the whole piece of paper front and back to  
20 say, "It wasn't supposed to be this way," but you didn't  
21 write that, did you?

22 A No.

23 Q And when you called up Tabitha on the phone, a voice  
24 message that we've all heard, you didn't say to Tabitha,  
25 your goodbye message to your daughter, it was an accident,

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1 did you?

2 A I wasn't hardly really thinking, I don't remember  
3 calling. I don't remember what I said when I did call.

4 Q You heard the recording when it was played in court,  
5 correct?

6 A I heard that.

7 Q You heard your voice saying, "I'm sorry," right?

8 A Yes.

9 Q You said, "I'm sorry, I couldn't let her leave me,"  
10 right?

11 A Yeah.

12 Q Even though she had come back before, right?

13 A Right.

14 Q When you called our sister, your sister, Betsy, and  
15 left her a voice message you didn't say this was an  
16 accident, did you?

17 A No.

18 Q Did you?

19 A No.

20 Q You took this knife and you tried to cut your own  
21 wrists, right?

22 A Yes.

23 Q You cut both wrists more than one time, right?

24 A Yes.

25 Q Enough to bleed, right?

## JOHN GHENT, JR. - CROSS

1 A Yes.

2 Q But you said, I believe I heard you say God -- I  
3 believe I heard you right, correct me, please, if I'm  
4 wrong, I thought you said God or something must have  
5 stopped it because it just wouldn't cut, is that about  
6 right?

7 A Yes, it wouldn't go through.

8 Q Just wouldn't go through your skin; is that right?

9 A The outer edge, it wouldn't go through the vein.

10 Q Well, it went through something because you were  
11 bleeding some, right?

12 A Yeah.

13 Q And you saw what had cut your wife, right?

14 A Yes.

15 Q And when your wife was cut and bled so quickly it  
16 wasn't the edge, it was the tip, wasn't it?

17 A Yes.

18 Q And so when you were trying hard to cut your own  
19 wrists and the edge would not do it, you didn't take that  
20 tip that had fatally gone in the chest of your wife and use  
21 the tip to slice your wrist, did you?

22 A No, I didn't think about it.

23 Q And at some point you went in the bathroom and washed  
24 up; is that right?

25 A Yes.

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- 1 Q You went in the bathroom and washed up --
- 2 A Washed my hands up.
- 3 Q Washed your hands up. Washed the blood off?
- 4 A Yeah.
- 5 Q Before you took some pills; is that right?
- 6 A Yes.
- 7 Q You washed the blood off before you took some pills
- 8 why?
- 9 A Don't know.
- 10 Q If you're going to take pills and pass away, what
- 11 would it matter that you had blood on your hands?
- 12 A I don't know.
- 13 Q And you told the jury in your direct examination that
- 14 Elaine had to get some pills from friends because y'all
- 15 didn't have insurance, right?
- 16 A Yes.
- 17 Q So y'all didn't have a insurance to pay a doctor; is
- 18 that right?
- 19 A No.
- 20 Q So y'all didn't have insurance to get a prescription
- 21 for high blood pressure medicine, right?
- 22 A No. She would go every once in a while, she didn't
- 23 go every time.
- 24 Q Because you know those pills and those bottles in that
- 25 bedroom, they didn't have the name of a friend on there,

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1 did they?

2 A Do what?

3 Q Those pill bottles collected by law enforcement had  
4 the name of your wife on the pill bottle.

5 A That's what I said, she would go once in a while.

6 She would pay a doctor, go to CareNet and get -- we  
7 couldn't all the time because it costs too much to go and  
8 her dad and all would help her go, give her money to go to  
9 the doctor where we could go to the doctor every once in  
10 awhile.

11 Q Because her dad helped y'all, right?

12 A Yes.

13 Q And if she left you you couldn't be sure that Roddey  
14 would help you, right, financially; is that right?

15 A Yes.

16 Q So if you're telling the truth and she sometimes  
17 couldn't go to the doctor herself, she had to get pills  
18 from friends, is that what you said?

19 A Yes.

20 Q There should be at least one bottle in there that had  
21 somebody else's name on there, right?

22 A She cut the names of other people off.

23 Q Why? Why would she have to cut the names of other  
24 people off of a pill bottle --

25 A Not supposed to have other peoples medicine.

## JOHN GHENT, JR. - CROSS

1 Q In her house. Let's talk about this goodbye message  
2 to Tabitha. The last message that you as a father would  
3 leave your daughter, according to you, if the pills took  
4 effect and you died, the last -- toward the end you said  
5 was, "Sell the house," right?

6 A Yeah.

7 Q And you talked about a mundane issue like that,  
8 property division, instead of giving your children and  
9 grandchildren the all important message of it was an  
10 accident; is that right?

11 A I guess.

12 Q And that's not the only time you had a chance to make  
13 that clear. When you were at the hospital and placed in a  
14 regular room on October 29, 2013, you were sitting in the  
15 room with Deputy Davey Hendrix, right?

16 A I guess. I don't remember him being in there.

17 Q I'm sorry, what?

18 A I guess. I don't remember being there.

19 Q You know what, let me back up. Jonathan grabbed you  
20 off of the bed, drug you into the kitchen and started  
21 beating on you, right?

22 A Yes.

23 Q He started hitting you and punching you, right?

24 A Yes.

25 Q As he hit you he said, "What did you do to my mother,"

## JOHN GHENT, JR. - CROSS

1 right?

2 A I don't know.

3 Q Don't remember that?

4 A I don't remember him saying anything.

5 Q Well, at that point you knew you were breathing,  
6 right?

7 A I just knew I was getting kicked and beat and stomped  
8 and whatever.

9 Q You were getting kicked and beat and you were feeling  
10 pain, right?

11 A Yes.

12 Q And dead people don't feel pain, do they?

13 MR. LIFSEY: I'm sorry, I couldn't understand that  
14 last --

15 Q I said and dead people don't feel pain, do they?

16 A I wasn't dead.

17 Q That's right, you weren't dead. You knew you were  
18 alive and that these pills and this blade had not done its  
19 job according to you and killed you, right?

20 A Yes.

21 Q So wouldn't that have been an ideal time as you're  
22 getting beaten and hit and kicked by your son and he said  
23 "What did you do to my mother" for you to say, "It was an  
24 accident?"

25 A I don't remember him saying anything to me.



## JOHN GHENT, JR. - CROSS

1 Q Pardon me?

2 A I don't remember him even saying anything to me.

3 Q Do you deny that your response to him was, "I stabbed  
4 her?"

5 A Don't know.

6 Q Do you deny that your response to her (sic) was, and I  
7 quote, "I fucking stabbed her?"

8 A I know that ain't true.

9 Q Do you know that's not true?

10 A Because I didn't use that F'g word that much.

11 Q You didn't use it that much?

12 A That was his favorite.

13 Q You don't use that word?

14 A No, not like that.

15 Q Did you make a phone call last night to your sister?

16 A Yes.

17 Q Phone call to your sister about 6:10 in the evening?

18 A Yes, I guess.

19 Q Your sister, Betsy Steen? And do you remember saying  
20 to her about 11 minutes into that phone call, "I don't use  
21 the F'g word anymore?" Remember that?

22 A Yeah.

23 Q Do you remember earlier in that same phone call at  
24 2:58 when talking about whether or not you remembered  
25 something you said, "I can't fucking remember?"

## JOHN GHENT, JR. - CROSS

1 A No.

2 Q In that very same phone call when you said you don't  
3 use the F'g word you don't remember saying, "I can't  
4 fucking remember?"

5 A No.

6 Q Do you deny it?

7 A I don't know.

8 Q Let's talk about the conversation you had with the EMS  
9 lady. Terri Faulkenberry was talking to you to (sic) the  
10 ambulance and she was trying to help you, do you remember  
11 that?

12 A No.

13 Q You don't remember her saying, "Mr. Ghent, can you  
14 tell me what happened to you?"

15 A No. I don't remember being in an ambulance.

16 Q You don't remember saying, "My son beat me up because  
17 I killed his mother?"

18 A No.

19 Q And then when you were in the regular room at the  
20 hospital on 10/29 the next day, 2013, you were in there  
21 being guarded by Davey Hendrix, the deputy, do you remember  
22 that?

23 A Bits and pieces.

24 Q Bits and pieces of when you were alert and oriented  
25 times three?

## JOHN GHENT, JR. - CROSS

1 A I don't know how they get that because like I say, I  
2 don't remember nothing hardly.

3 Q You know if you use a cellphone you might have some  
4 list of contacts that you can just hit a button and call  
5 somebody, not have to remember their number, right?

6 A Right.

7 Q And so if you are disoriented and confused and you  
8 have to use a land line in the hospital you've got to dial  
9 the number, don't you?

10 A I didn't.

11 Q You didn't?

12 A No.

13 Q To call your sister, Betsy Steen, you had to remember  
14 her number and you had to punch it in, right?

15 A Yeah.

16 Q And that takes being aware of things, doesn't it?

17 A Yes.

18 Q And so on 10/29 of 2013, when you talked to Deputy  
19 Richard Weiss and said, "Can I call my sister, Betsy, and  
20 ask her to bring me some underwear and deodorant," do you  
21 remember asking him that?

22 A Yeah.

23 Q And he very nicely said yes, you can, do you remember  
24 that?

25 A I remember him calling her, he dialed the number.

## JOHN GHENT, JR. - CROSS

1 Q You remember calling your sister?

2 A He dialed the number, I just talked to her.

3 Q He dialed the number. How in the world did Deputy

4 Weiss know the number for Betsy?

5 A I told him.

6 Q Oh, okay. So you recalled --

7 A That's my sister, I called her everyday just about.

8 Q So you remembered the number and you told it to Deputy

9 Weiss, right?

10 A Right.

11 Q And because you successfully got to her to ask her for

12 underwear and deodorant, you remembered it correctly,

13 right?

14 A Yeah.

15 Q And you not only remembered it correctly, you related

16 it to him correctly, right?

17 A Yep.

18 Q And it's your testimony that he dialed the number; is

19 that right?

20 A Yep.

21 Q And when you spoke to Betsy Steen, your sister, she

22 said something to the effect of, "What the hell were you

23 thinking;" isn't that true?

24 A Yep.

25 Q And you responded, "I had been thinking about it for

## JOHN GHENT, JR. - CROSS

1 three weeks and I just did it," wasn't that your response?

2 A Yep.

3 Q Let's talk about what you said to Betsy in addition to  
4 that. You began to cry, to sob Deputy Weiss said, and you  
5 stated that you had killed your wife, do you remember that?

6 A Yeah.

7 Q And you said you had been drinking for the both of  
8 them and taking pills?

9 A I don't know how he got that because I hadn't been  
10 drinking nothing or taking no pills.

11 Q So you don't remember saying that?

12 A I didn't say that because I wasn't drinking.

13 Q You just told us in your direct exam that you just  
14 couldn't stay away from drugs, right?

15 A Yep.

16 Q What kind of drugs are we talking about? Are we  
17 talking about crack?

18 A Yep.

19 Q Are we talking about weed, marijuana?

20 A Yep.

21 Q Are we talking about LSD?

22 A Nope.

23 Q No, not talking about LSD?

24 A No.

25 Q How about speed?

## JOHN GHENT, JR. - CROSS

1 A Nope.

2 Q How about downers?

3 A Once in awhile, nothing I was hooked on.

4 Q How about LSD?

5 A Nope.

6 Q Never used LSD?

7 A Nope. Matter of fact, what is LSD?

8 Q Pardon me?

9 A What is LSD? What's considered LSD?

10 MS. COLLINS: Please mark that as the next State's  
11 Exhibit not to be entered into evidence, the notebook  
12 first. Please mark these two pages as the next two State's  
13 exhibits.

14 MR. LIFSEY: Judge, may I approach for just a second?

15 THE COURT: Yeah.

16 (A bench conference was held.)

17 Q Mr. Ghent, I'll show you what has been marked as  
18 State's Exhibit Number 27 -- you may hold it if you would  
19 like -- and ask you if you recognize that?

20 A I do.

21 Q And what is that?

22 A Something I done when I was in alcohol, or ADSAP.

23 Q It's a thing you had done when you had alcohol and  
24 ADSAP, is that what you said?

25 A ADSAP classes or whatever.

## JOHN GHENT, JR. - CROSS

- 1 Q What's ADSAP stand for?
- 2 A I don't know.
- 3 Q The thing you done, is that a notebook that you wrote
- 4 in?
- 5 A Yes.
- 6 Q That's your writing in that notebook?
- 7 A Yes.
- 8 Q It's a notebook you kept, right?
- 9 A Yeah.
- 10 Q It's a notebook you kept when you were taking classes
- 11 for alcohol and drug use; is that right?
- 12 A Yes.
- 13 Q And I asked you a moment ago the drugs that you said
- 14 you had problems with -- because you said, "I couldn't stay
- 15 away from the drugs," right?
- 16 A Yes.
- 17 Q And I said, "Does that include crack?" And your
- 18 answer was yes?
- 19 A Yes.
- 20 Q And I said, "Does that include downers?" And what was
- 21 your answer?
- 22 A Yeah, sometimes.
- 23 Q Sometimes. How about powdered cocaine?
- 24 A Not in awhile. I had years 25 or 30 years ago maybe.
- 25 Q Not in awhile but at times in your lifetime.

## JOHN GHENT, JR. - CROSS

- 1 A Yes.
- 2 Q How about LSD?
- 3 A What is LSD?
- 4 Q You don't use LSD?
- 5 A What is it?
- 6 THE COURT: Sir, just answer the question. He says he
- 7 doesn't know.
- 8 Q Did you write in your journal LSD as being one of the
- 9 drugs you had problems with?
- 10 A I don't know, I don't even know what LSD is.
- 11 Q Well, let me show you State's Exhibit 28.
- 12 A What is LSD?
- 13 Q Look at State's Exhibit 28. Is that your handwriting?
- 14 A Yes.
- 15 Q Do you see the list of drugs there?
- 16 A Yes.
- 17 Q Do you see where you wrote LSD?
- 18 A Yes.
- 19 Q You wrote LSD below where you wrote coke, right?
- 20 A Yes.
- 21 Q Below where you wrote downers, right?
- 22 A Yes.
- 23 Q Below where you wrote pot, right?
- 24 A Yes.
- 25 Q And so your answer today is what is LSD?



## JOHN GHENT, JR. - CROSS

1 A Only thing I can think is acid and I hadn't done it  
2 but two or three times in my life.

3 Q So when you wrote LSD on there you were referring to  
4 acid?

5 A Yes.

6 Q How about speed?

7 A Occasionally, not lately.

8 Q How about pain pills?

9 A Occasionally.

10 Q Pain pills being prescription pills?

11 A Yes.

12 Q So occasionally it's not unusual for you to use  
13 prescription pills?

14 MR. LIFSEY: I object to this questioning as  
15 irrelevant.

16 THE COURT: All right. Sustained.

17 Q You used prescription pills on 10/28 of 2013, did you  
18 not?

19 A I took my wife's prescription pills.

20 Q They weren't your pills, right?

21 A No.

22 Q And you took prescription pills belonging to someone  
23 else, right?

24 A Yes.

25 Q Let's go back to the phone call that Deputy Weiss

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1 heard you make to Betsy, your sister. You said when she  
2 got home a confrontation began and it says, he, that you  
3 began to stab her, do you remember that?

4 A No.

5 Q Don't remember saying that?

6 A That's what he said.

7 Q Okay. Well, let's talk about what you said. You said  
8 you waited up for her to come home, right?

9 A Yes.

10 Q You waited to talk to her, right?

11 A Yes.

12 Q And you waited to talk to her not about the weather or  
13 the Panthers, but to talk to her about "Are you still  
14 planning to leave me," right?

15 A Yes.

16 Q A difficult issue for a couple to talk about, wouldn't  
17 you say?

18 A Yes.

19 Q And you stated that although she pulled the knife to  
20 her that it stabbed her, right?

21 A Yes.

22 Q And Deputy Weiss says that in your next sentence to  
23 your sister, Betsy, in the phone call he heard on 10/29 of  
24 2013 that you said your wife begged you to stop.

25 A No.

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1 Q She didn't beg you to stop?

2 A No. He's saying like I stabbed her, like I stabbed  
3 her a bunch of times. Why would she ask me to stop and I  
4 had stabbed her one time?

5 Q You stabbed her one time.

6 A Yeah, it was an accident. My hand slipped out of her  
7 arm onto the other hand and stabbed her in the chest.

8 Q Mr. Ghent, when you tried to cut your wrists with the  
9 blade of this knife that you said was too dull to do so, it  
10 hurt, didn't it?

11 A Yeah.

12 Q Are you saying that when that knife went into the  
13 chest of your wife, Elaine, are you saying she didn't make  
14 a sound?

15 A No.

16 Q Are you saying she --

17 A I didn't hear her.

18 MR. LIFSEY: I would ask her to allow him to finish  
19 his answer.

20 Q Go ahead.

21 A No, I didn't hear her.

22 Q Is that your answer?

23 A Yeah.

24 Q Didn't hear her say anything?

25 A No.

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1 Q Didn't hear her cry out at all?

2 A No.

3 Q And you're saying she certainly didn't beg you to stop  
4 as you said to Betty on the phone that Deputy Weiss heard.

5 A No.

6 Q You then said to Betsy as witnessed by Deputy Weiss  
7 you had been thinking about killing for three weeks.

8 A Thinking about killing myself.

9 Q Because you were going to kill yourself on your  
10 birthday, right?

11 A Yes.

12 Q Your birthday that was over when your wife came home.

13 A It was still the night of my birthday, I wasn't  
14 thinking about it changing over to another day.

15 Q So since it was still the night of your birthday at  
16 1:00 a.m. before your wife came home you could have killed  
17 yourself then, right? Right?

18 A Right.

19 Q You had the knife, right?

20 A Yes.

21 Q Pills were in the bathroom, right?

22 A Yes.

23 Q So at 1:00 a.m. before Elaine walked in the door you  
24 could have killed yourself then but you didn't, right?

25 A Yes.

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1 Q And at 2:00 a.m. before Elaine walked in the door you  
2 had the knife, right?

3 A Yes.

4 Q You had the pills, right?

5 A Yes.

6 Q If your intent was to kill yourself you could have  
7 done it at 2:00 a.m. before she even came in the door,  
8 right?

9 A Yes.

10 Q You said that after -- you stated you cut your own  
11 wrists and "got on the bed next to his wife's body and told  
12 her he would die with her;" is that right?

13 A No.

14 Q Don't remember or is that not right?

15 A I didn't say that I don't think.

16 Q Because you sure don't mention the pills in here, do  
17 you? Did you?

18 A Huh?

19 Q You didn't mention the pills in there, did you?

20 A Didn't what?

21 Q Didn't mention taking pills to try to kill yourself at  
22 that point, did you?

23 A I don't -- everything he said I don't remember saying  
24 it.

25 Q But you do remember saying to Betsy at the beginning

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1 of the call that you had been thinking about it for three  
2 weeks and you just did it, right?

3 A Yeah.

4 Q Are you diabetic?

5 A Yeah.

6 Q Type two back then?

7 A Type two now.

8 Q Type two now; is that right?

9 A Yeah.

10 Q Supposed to be controlled with diet, right?

11 A Insulin.

12 Q What makes your sugar go up, do you know?

13 A Eating right.

14 Q Starches or whatever? Eating starches or sweets,  
15 right?

16 A Yeah.

17 Q Maybe drinking some, right?

18 A Yeah.

19 Q Maybe drinking a Coca Cola, maybe drinking a beer  
20 could make your sugar go up, right?

21 A Yeah.

22 Q So while you were sitting there with a knife and the  
23 pills in the bedroom waiting for your wife to come home,  
24 were you eating?

25 A No.

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1 Q Were you drinking?

2 A No.

3 Q And so why in the world would your blood sugar, if  
4 you're telling the truth, be up over 500?

5 A Because I hadn't took insulin in over three or four  
6 weeks.

7 Q Did you take your shirt off after you killed your  
8 wife?

9 A Huh?

10 Q Did you take your shirt off after you killed your  
11 wife?

12 A Didn't have on a shirt.

13 Q Didn't have on a shirt, just had on your black shorts?

14 A Yeah.

15 Q And when you washed off your hands, you just washed  
16 off your hands; is that right?

17 A Yeah.

18 Q Now, you talked to us about there had been a time  
19 before when you tried to shoot yourself, right?

20 A I didn't really try, I just put the gun to my head  
21 and pulled the trigger.

22 Q Didn't really try. Just like you didn't really try to  
23 kill your wife?

24 A No.

25 Q You put a gun to your head and you pulled the trigger

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1    you're saying you didn't really try to kill yourself?

2    A     I was just doing that to scare her.

3    Q     You were doing that to scare her. To scare who?

4    A     My wife.

5    Q     Your wife alone?

6    A     (Nods head yes.)

7    Q     So before you had threatened self harm that time with  
8    a gun and pulled the trigger with the gun to your head just  
9    to scare your wife?

10   A     I just wanted her to see how quick it would be. I  
11   had been telling her I was going to do it and I wanted her  
12   to see how quick it would be to do it.

13   Q     Were you just playing mind games with her?

14   A     Not really.

15   Q     So on this night, the early morning hours of 10/28 of  
16   2013 you were threatening to hurt yourself to try to make  
17   her stay with you, weren't you? Weren't you?

18   A     Yep.

19   Q     Yep. If she had told you, "Okay, Butch, you're right,  
20   let's give it another go," you would have put that knife  
21   down, wouldn't you? Wouldn't you?

22   A     Probably.

23   Q     Are you telling this jury -- you said earlier you just  
24   wanted to talk to her about is she still planning on  
25   leaving you, right?



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1 A Right.

2 Q Are you telling the jury that if she would have said,  
3 "No Butch, no Butch, I'm not planning on leaving you  
4 anymore," are you telling us that at that point you would  
5 have gone ahead and tried to cut your wrists?

6 A Maybe.

7 Q If Elaine leaves you she might have come back, right?

8 A Maybe.

9 Q Came back before, right?

10 A Yeah.

11 Q But while she's gone you don't have any money, right?  
12 Right?

13 A When are you talking about?

14 Q I mean, if she would have left you right then -- you  
15 already said you weren't working, right, on 10/27 of '13,  
16 right?

17 A Yep.

18 Q So even though Elaine might come back in the meantime  
19 you wouldn't have had any money, right?

20 A Right.

21 Q No money for drugs, right?

22 A No.

23 Q And if Elaine is gone you couldn't go down to Lloyds  
24 and ask to charge anything, could you?

25 A I couldn't go charge anything unless she okayed it

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1    anyway.

2    Q     But she did okay it sometimes, didn't she?

3    A     Once a month or two.

4    Q     In fact, you would go down sometimes and get  
5    cigarettes for a friend, not even for you, right?

6           MR. LIFSEY: I object to the relevance of this line of  
7    questioning.

8           THE COURT: Sustained.

9    Q     And if she left you didn't know if Roddey would  
10   continue to pay the rent, did you? Is that right?

11   A     No.

12   Q     So instead you made her leave, right?

13   A     No.

14   Q     You took her away from Jonathan, right?

15   A     I guess.

16   Q     You took her away from Tabitha, right?

17   A     Yeah.

18   Q     You took her away from the small ten-day old infant  
19   that Tabitha just had, right?

20   A     Yeah.

21   Q     And when you were standing there with the knife around  
22   her side of the bed you were blocking the door to the  
23   bedroom, right?

24   A     Yes.

25   Q     She couldn't get out of the door with you right there

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1 on her side of the bed, that was closer to the bathroom,  
2 wasn't it?

3 A Yeah.

4 Q And the door to the bedroom is behind you, right?

5 A Yeah.

6 Q And in between her and the door to the bedroom is you  
7 and you've got this knife, right? Is that right?

8 A Yeah.

9 Q And so you tell us today that this was just a tragic  
10 accident; is that right?

11 A Yes.

12 Q But in your last letter to your children taped to a  
13 bedroom door you didn't bother to say that, right?

14 A Right.

15 Q Is that right?

16 A Yep.

17 Q And in your last call to your daughter, Tabitha, left  
18 on her phone at 4:00 a.m. you didn't waste a single breath  
19 in your body to say it was an accident, did you? Did you?

20 A Nope.

21 Q But now today in this courtroom when it's about you  
22 now it's an accident, right?

23 A What was that again?

24 Q Today when it is about you now it is an accident; is  
25 that right?

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1 A Well, always was from the beginning.

2 Q Always was from the beginning, but you never bothered  
3 to tell your children as you wrote your good-bye note and  
4 left your message?

5 A No, I wasn't thinking about that.

6 MS. COLLINS: Nothing further.

7 THE COURT: Any redirect?

8 MR. LIFSEY: Very briefly.

9 REDIRECT EXAMINATION

10 BY MR. LIFSEY:

11 Q On redirect the solicitor asked you about -- the  
12 solicitor asked you about the statement "I've been thinking  
13 about it for three weeks." What are you talking about when  
14 you said that?

15 A I was thinking about killing myself.

16 Q The solicitor asked you questions that about how you  
17 would have no money if she left you, do you remember her  
18 asking you those questions?

19 A Yes.

20 Q You wouldn't have had any money if you would have  
21 killed her intentionally, would you?

22 A No.

23 Q Solicitor asked you some questions regarding the  
24 timing of how soon you knew she was gone. I know, it's  
25 painful but just one more time, just tell the jury what

## JOHN GHENT, JR. - REDIRECT

1    happened when you stabbed her and how you knew it was over.

2    A     I don't know --

3    Q     Move your hand from your mouth where they can hear you,  
4    okay?

5    A     I don't know, it was just when the knife went in as  
6    much blood as it was I figured it must have hit her heart  
7    or something, I didn't know. It didn't seem like it was  
8    but a minute or so by the time when I tried to stop the  
9    blood from bleeding she just started gasping for air, she  
10   fell forward and she wasn't breathing or anything, so I  
11   knew she was gone.

12       MR. LIFSEY: I don't have any further questions.

13       MS. COLLINS: Nothing further.

14       THE COURT: Thank you sir, you can step down.

15       (Break in proceedings.)

16       MS. COLLINS: Thank you for that time, Your Honor.

17       THE COURT: Mr. Lifsey?

18       MR. LIFSEY: The defendant rests.

19       THE COURT: Anything in reply?

20       MS. COLLINS: No, Your Honor, we have no reply  
21   witnesses.

22       THE COURT: No reply. Ladies and gentlemen, we have  
23   now concluded with the testimony and evidence phase of the  
24   trial. Due to the late hour and due to the fact that there  
25   are some legal issues I need to discuss with the attorneys

1 I'm going to go ahead and release you for the day, that way  
2 we can come back fresh and early in the morning to hear  
3 closing arguments from both sides as well as from me to  
4 instruct you on the law, and then you can begin  
5 deliberating tomorrow morning. Okay. Now, I remind you  
6 when you leave this courthouse you are not to discuss this  
7 case with anyone including yourselves. Okay. You can't  
8 discuss it until I've given you the law. Don't read  
9 anything on the Internet about it, don't look up anything  
10 on the Internet about it, just don't watch the news.  
11 Certainly if you're in a room and the news comes in just  
12 walk out of the room. Remember, you're under your oath to  
13 do that. We'll see you tomorrow morning at 9:30. Y'all  
14 have a good evening, y'all are released for the day.

15 (The jury left the courtroom and a break was taken.)

16 THE COURT: All right. Let's do the lawyer stuff.  
17 First on the charge conference, let's talk about the most  
18 obvious issue, crimes to charge. I intend on charging the  
19 lesser offense of voluntary, I think there's enough  
20 credible evidence in the record to support the charge of  
21 voluntary given the entire record. Involuntary I know  
22 you're going to ask me to charge, I don't know about that.  
23 And accident I know you're going to ask me to charge, I  
24 don't know about that either. But I want to hear your  
25 argument first and then we will go to the State.

1           MR. LIFSEY: Your Honor, I will hand up -- I gave the  
2           solicitor a copy earlier -- State versus Battle,  
3           B-a-t-t-l-e. This was a case -- and I direct the Court's  
4           attention to page three under involuntary manslaughter,  
5           this was a case where there was evidence of a struggle over  
6           a gun and it says this actually -- I'll switch over to page  
7           five, Your Honor.

8           THE COURT: Okay.

9           MR. LIFSEY: And I'm talking about the second  
10          paragraph on the left side, it begins, "The above case --  
11          the above cited cases establishes evidence of a struggle  
12          over the murder weapon supports the submission of  
13          involuntary manslaughter charge to the jury."

14          THE COURT: Okay.

15          MR. LIFSEY: So he clearly --

16          THE COURT: But the only evidence of that is his  
17          self-serving testimony, so talk to me about that.

18          MR. LIFSEY: Well, I mean, I think that's Battle,  
19          okay? The question of what weight to give his testimony is  
20          a fact finding question of the jury. There's evidence in  
21          the record from him that it was a struggle over the weapon  
22          so I think they get involuntary per Battle. But Ms.  
23          Collins, I'm sure, will make a quite -- or Mr. Newman,  
24          whoever does the closing, will make a quite able argument  
25          that they shouldn't believe that, but the choice of whether

1 to believe his testimony is their choice.

2 THE COURT: Okay.

3 MR. LIFSEY: I think Battle requires it.

4 THE COURT: All right. In fact, let's do one at a  
5 time. Ms. Collins, or whose going to argue? Solicitor?

6 MR. NEWMAN: I think within voluntary it says, "An  
7 unlawful activity not naturally tending to cause death or  
8 great bodily harm." I think certainly if it's suicide  
9 we're talking about it is naturally causing death.

10 THE COURT: "To prove involuntary manslaughter the  
11 State must prove beyond a reasonable doubt that the  
12 defendant unintentionally killed the victim without malice  
13 but while engaged in an unlawful activity not naturally  
14 tending to cause death or great bodily harm, or" -- here  
15 you go -- "or that the defendant unintentionally killed the  
16 victim without malice while engaged in a lawful activity."  
17 Suicide is not lawful. Attempting to hurt somebody with a  
18 knife is not lawful -- "with reckless disregard for the  
19 safety of the others. Reckless disregard is more than mere  
20 negligence or carelessness, it's a conscious failure to use  
21 ordinary care." So what is your argument?

22 MR. LIFSEY: Well, my argument is State versus Battle  
23 is a struggle over a weapon. The Court in Battle says,  
24 "Evidence of a struggle over the murder weapon supports  
25 submission of involuntary manslaughter charge to the jury."



1           THE COURT: That's a gun though.

2           MR. LIFSEY: Well, a gun is even more deadly than a  
3 knife I would think, or at least it could be. I don't see  
4 the distinction between Battle and this case, and I think  
5 Battle was basically one self-serving witness' testimony.

6           THE COURT: "However our jurisprudence makes clear  
7 that when determining whether a charge of involuntary  
8 manslaughter is proper the trial court must look to the  
9 presence of evidence, not its weight." All right. So  
10 Solicitor, coming back to you. There is evidence present  
11 whether it's believable or not, which of course, you know,  
12 I don't determine that or its credibility, but there is  
13 present evidence if the jury buys it that it was  
14 unintentional or involuntary. Any argument against that?

15          MR. NEWMAN: But it's still not engaged in a lawful  
16 act or something that's not naturally tending to cause  
17 death. And I believe in Battle --

18          THE COURT: Here is the two definitions. Involuntary,  
19 if you're engaged in an unlawful activity which would not  
20 naturally tend to cause death or great bodily harm. The  
21 unlawful activity is him committing suicide and causing  
22 death or great bodily harm to the victim of the involuntary  
23 manslaughter. Isn't that the way you see it, Mr. Lifsey?  
24 That's the way the case law describes it. Or that he  
25 unintentionally killed her without malice while engaged in

1 a lawful activity with reckless disregard. So I don't  
2 think it would actually meet the second part of it because  
3 there was nothing lawful about what he was doing with a  
4 knife. You know, his testimony was that he intended to  
5 kill himself with the knife, that he was trying to cut but  
6 I think it meets the first part. I think I'm going to  
7 charge involuntary, I think the law require me to.

8 MR. NEWMAN: Your Honor, I certainly don't want this  
9 case coming back on something like that.

10 THE COURT: Well, I agree with you. And I don't  
11 know -- no one ever knows what a jury is going to do, but I  
12 think the law as I understand it and they way y'all are  
13 thoroughly arguing and presenting it to me requires a  
14 charge on involuntary.

15 MR. LIFSEY: Your Honor, may I also put on the record  
16 that I object to the voluntary charge?

17 THE COURT: All right. Talk to me about that.

18 MR. LIFSEY: I don't think there's sufficient legal  
19 provocation to constitute voluntary.

20 THE COURT: All right.

21 MR. NEWMAN: Ms. Collins wants to argue.

22 MS. COLLINS: I want to argue that.

23 THE COURT: Talk to me about that.

24 MS. COLLINS: Judge, as to voluntary manslaughter, the  
25 testimony of Deputy Richard Weiss is that he heard him say

1 a confrontation began between them, there was an argument  
2 between them. He said a confrontation began between them  
3 and therefore there could be sudden heat of passion for a  
4 voluntary manslaughter charge to go to the jury.

5 THE COURT: And there was a history that -- okay --  
6 and his own testimony establishes that. I think there's  
7 enough evidence to go to the jury on voluntary.

8 MR. LIFSEY: Thank you. I just want to note my  
9 objection on the record. Thank you, Judge. I would also  
10 ask you to consider since you are -- I would ask you to  
11 charge the law of accident as well.

12 THE COURT: Talk to me about that. What do you want  
13 me to charge on that?

14 MR. LIFSEY: I'm sorry, I should have prepared -- I'm  
15 assuming whatever the standard --

16 MR. NEWMAN: Your Honor, the State would be opposed to  
17 an accident charge.

18 MR. LIFSEY: Well, he said it was an accident. They  
19 don't have to believe it. Like I said, I know the  
20 solicitor certainly is capable --

21 THE COURT: Certainly you can argue that all day long,  
22 whether I charge it or not is the issue.

23 MR. LIFSEY: Well, I mean --

24 MR. NEWMAN: There's case law -- for a homicide to be  
25 excusable on the ground of accident it must be shown that

1 the killing was unintentional and that the defendant was  
2 acting lawfully and that due care was exercised in the  
3 handling of a weapon. Here we have an unlawful act and  
4 there's no -- obviously no due care exercised in the  
5 handling of this knife.

6 MR. LIFSEY: Well, I think that's a question for the  
7 jury to determine. I don't think -- I think he said -- and  
8 I know his testimony varied, but once again they can choose  
9 to believe all of what a witness says or part of what a  
10 witness says. I believe at least in part of what the  
11 witness says he says he approached, he had the knife, he  
12 wanted to talk to her and she saw the knife and she grabbed  
13 his arm and that's when the struggle ensued.

14 MR. NEWMAN: Your Honor, I just don't think you can  
15 have it both ways. If you get involuntary then you don't  
16 get accident. If he wants accident I'm happy to --

17 MR. LIFSEY: I don't think there is anything in the  
18 case law that says those are contradictory defenses, in  
19 fact, I think they go hand in hand. I think the jury gets  
20 to decide is it truly an accident which would excuse his  
21 conduct, or is it in reckless disregard, which is beyond  
22 accident and would make it involuntary, I don't think those  
23 are mutually exclusive matters.

24 THE COURT: Well, y'all give me a minute and let me  
25 look at it. All right. I'm not going to charge accident,

1 I'll deny the defense's request to charge accident, you're  
2 protected in the record. All right. What else? Any other  
3 specific request to charge before I tell you what I'm going  
4 to charge?

5 MR. LIFSEY: Well, we mentioned in a prior discussion  
6 about charges the other day, your intent to charge  
7 inference of malice in regards to --

8 THE COURT: Yes.

9 MR. LIFSEY: -- I would like to argue that the Belcher  
10 case argues against that. Okay.

11 THE COURT: All right. Talk to me about that. Let  
12 the record reflect what I intend to charge, here is what I  
13 intend to charge on that, and this is straight out of the  
14 charge book. "Malice may be inferred from conduct showing  
15 a total disregard for human life. Inferred malice may also  
16 arise when the deed is done with a deadly weapon," okay?

17 MR. LIFSEY: Can I hand up a copy of Belcher for the  
18 Court, Your Honor? Belcher is in the context of  
19 self-defense --

20 THE COURT: When there's evidence of any evidence --  
21 right.

22 MR. LIFSEY: But this is what -- I turned to page  
23 eight in the very end where it says this: "Today we  
24 returned the rational (underline) Thompkins, Lavel  
25 (phonetically) and Jackson, and hold that where evidence is

1 presented that would reduce, mitigate, excuse or justify a  
2 homicide caused by the use of a deadly weapon, the jury  
3 shall not be charged malice on the use of a deadly weapon.

4 THE COURT: I understand what you're saying. Since  
5 I'm charging involuntary I therefore, regardless of whether  
6 self-defense applies, you shouldn't infer malice based upon  
7 the use of a deadly weapon.

8 MR. LIFSEY: Yes.

9 MR. NEWMAN: Your Honor, I haven't had a chance to  
10 look at Belcher but I'm getting a text from my staff that  
11 they believe Belcher is overruled, I would like a second.

12 THE COURT: Well, y'all shepardize it I'm going to  
13 have my clerk shepardize it.

14 (Break in proceedings.)

15 THE COURT: The question is do I charge that sentence  
16 or not, inferred malice may also arise when the deed is  
17 done with a deadly weapon. Is that sentence worth an  
18 appellate issue for the State?

19 MR. LIFSEY: Well, it's not but I think I am right --

20 THE COURT: As my friends from the Court of Appeals  
21 read this transcript, if they do, and they hear me ask them  
22 the question, is that sentence worth an argument?

23 MR. NEWMAN: No, sir.

24 THE COURT: That's what I thought. All right. So I  
25 will grant the defense request to not charge inferred

1 malice being the use of a deadly weapon based upon possibly  
2 the unsettled law of Belcher. Okay. So I'm going to  
3 charge that malice may be inferred from conduct showing a  
4 total disregard for human life, that is the law, but then I  
5 will stop it there. I'm not going to charge about a deadly  
6 weapon. And then if the jury infers there was a total  
7 disregard for human life, then they can use their judgment  
8 and go from there, okay? Anything else?

9 MR. NEWMAN: Suicide, Your Honor.

10 THE COURT: What's that?

11 MR. NEWMAN: Suicide.

12 THE COURT: Okay.

13 MR. LIFSEY: What about it? I'm not being a smart  
14 Alec, I just --

15 MR. NEWMAN: There's a charge, if you will give me a  
16 second I'll get it.

17 THE COURT: I've got it. The defendant raises the  
18 defense that --

19 MR. NEWMAN: It's not that. It says, "Evidence of a  
20 suicide attempt is probative of the defendant's  
21 consciousness of guilt is generally admissible --

22 THE COURT: Consciousness of guilt is what you're  
23 trying to get at. What number is it?

24 MR. NEWMAN: Number 28.

25 THE COURT: Do you have any problem with that, Mr.

1 Lifsey?

2 MR. LIFSEY: I think that's the law but I don't think  
3 you should charge that. I know it's in the -- I don't know  
4 who puts together whatever is on the court's website but I  
5 believe that's an impermissible comment on the facts. I  
6 think the solicitor can argue that, but I would ask the  
7 Court to not charge that comment on the facts to the jury.

8 THE COURT: All right, I'll look at that. Anything  
9 else before I tell you what I'll charge, before I go  
10 through my general charge? And I will come back to that.

11 MR. NEWMAN: Are we arguing on suicide right now?

12 THE COURT: I will come back to that. Anything else  
13 as far as specific requests before I go through what I'm  
14 going to charge?

15 MR. LIFSEY: Not that I can think of.

16 THE COURT: I'm going to come back to suicide, I'm  
17 just having to look it up right now.

18 MS. COLLINS: Could we approach for a moment?

19 (A bench conference was held.)

20 THE COURT: Back on the issue of accident following a  
21 bench discussion. Here is the law on accident as I  
22 understand it to be on the case law, and I'm reading  
23 verbatim right out of the charge book, the most recent  
24 charge book. "The defendant has raised the defense of  
25 accident. An act may be excused on the ground of accident



1 if it is shown that the act was unintentional, that the  
2 defendant was acting lawfully and that reasonable care was  
3 used by the defendant in the handling of the weapon." I  
4 mean, the only evidence in the record going by any evidence  
5 standard not judging on the weight of the evidence, all  
6 three of those wouldn't fit, or would they, Mr. Lifsey?

7 MR. LIFSEY: Well, my position, Judge, is that if you  
8 construe his testimony in the light most favorable to him  
9 and using the any evidence standard, I believe it would  
10 apply and I would object -- I would ask you to charge  
11 accident and preserve my objections if you chose not to.

12 THE COURT: Better safe than sorry. I'm going to  
13 charge it. I'll charge accident and then I'm also going  
14 to -- what's the thing about suicide?

15 MR. NEWMAN: Your Honor, it's "Evidence of suicide  
16 attempt is probative on the defendant's consciousness of  
17 guilt and is generally admissible for whatever value" --

18 THE COURT: And the defense objects to that. Your  
19 objection is noted on the record but I think that's a  
20 reasonable statement and that that is a statement of the  
21 law as well.

22 MR. LIFSEY: And I acknowledge it's a statement on the  
23 law, my objection is that it's a comment on the facts, but  
24 I understand the Court's ruling.

25 THE COURT: Sure. Well, so is accident, that's a

1 comment on the facts as well. But I think under the  
2 fundamental fairness standard if I'm going to charge  
3 accident I'm going to charge suicide, and that's the  
4 purpose as my friends read this why I did that.

5 MR. LIFSEY: Thank you, Judge.

6 THE COURT: Having said that let me tell you what I am  
7 going to charge. General stuff. Credibility. Direct and  
8 circumstantial, I use the long circumstantial charge.  
9 Where it says because there is direct evidence of eye  
10 witnesses but also circumstantial I talk about the -- is it  
11 the Logan thing or whatever it's called, the most recent  
12 one, if the State relies on circumstantial evidence all of  
13 the circumstances must be consistent with each other when  
14 taken together point conclusively to the guilt. Okay. I  
15 got that language in there. Charge, arrest, indictment,  
16 expert witness. Of course, presumption of insurance.  
17 Reasonable doubt. Criminal intent, the general criminal  
18 intent statute, or not statute, law. Statements of  
19 defendant. Do you want me to charge prior inconsistent  
20 statements? The only one I think that y'all argued over  
21 was the son but I don't know how much time you spent on  
22 that. I'll be glad to charge it if you want me to.

23 MR. LIFSEY: Could you tell me what the charge reads,  
24 Judge?

25 THE COURT: Yeah. It's just saying that you can

1 believe -- there's been evidence showing that, you know, a  
2 witness said something at trial differently than what he  
3 said in the statement. You can decide whether to believe  
4 everything he said at trial or whether to believe  
5 everything in the statement or a combination of the two  
6 basically.

7 MR. LIFSEY: I don't like it but -- and I would ask  
8 you not to charge it, but I understand that's the law.

9 THE COURT: See, because it goes both ways. I won't  
10 charge prior inconsistent, are y'all okay with that?

11 MR. NEWMAN: Your Honor, I think -- I like prior  
12 inconsistent.

13 THE COURT: I'll charge it then. I had it as a  
14 question mark.

15 MR. NEWMAN: The defendant also had prior inconsistent  
16 statements.

17 THE COURT: Right. That's what I said, it goes both  
18 ways. That's why we have this charge conference. Murder,  
19 y'all know the definition of murder, straight up. Do y'all  
20 want me to read how I'm going to charge it? Okay.  
21 Voluntary manslaughter is right out of the book. Okay..  
22 Involuntary, right out of the book and we'll amend the --  
23 do y'all want to come look at the verdict form?

24 (Bench conference was held.)

25 THE COURT: This is the verdict form I previously have

1 done without involuntary so just add the line on that, we  
2 can do that. I'll charge involuntary manslaughter, it's  
3 just right out of the book. The possession or display of a  
4 firearm or knife, again right out of the book. I defined  
5 murder, voluntary manslaughter as violent crimes. Then  
6 accident and suicide. Anything else?

7 MR. LIFSEY: No, sir, not right now.

8 THE COURT: Okay. Anything else from the State?

9 MR. NEWMAN: Nothing from the State, Your Honor.

10 THE COURT: All right. Here is what's going to  
11 happen. Well, first of all --

12 MR. LIFSEY: At the appropriate time I need to renew  
13 my directed verdict motion.

14 THE COURT: Now is that time.

15 MR. LIFSEY: Your Honor, I would renew my directed  
16 motion, the same grounds I stated in my prior motion.

17 THE COURT: You're protected in the record and that  
18 motion is denied.

19 MR. LIFSEY: Thank you.

20 (Court recessed for the evening and resumed at 9:30  
21 A.m. on Thursday, March 17, 2016.)

22 THE COURT: Anything from the lawyers prior to  
23 bringing the jury in?

24 MS. COLLINS: Nothing from the State.

25 MR. LIFSEY: No, sir.

1           (The jury returned to the courtroom.)

2           THE COURT: All right. Good morning, ladies and  
3 gentlemen. All members of the jury are present. As I  
4 indicated to you yesterday we have now completed the  
5 testimony and evidence stage of the trial, we will now move  
6 into what's called closing arguments. And as I instructed  
7 you at the beginning of the trial just like opening  
8 statements, closing arguments are not evidence. Okay. At  
9 the conclusion of the closing arguments given to you by  
10 both the State and the defense, that's when I will instruct  
11 you on the law of South Carolina and you will finally be  
12 able to start deliberating your verdict. Okay. Please pay  
13 close attention to the lawyers as they speak to you. Thank  
14 you very much. Mr. Lifsey?

15          MR. LIFSEY: Please the Court, Your Honor?

16          THE COURT: Yes, sir.

17          MR. LIFSEY: I want to begin by speaking to you a  
18 little bit about how you should intellectually approach the  
19 case, how you should analyze the evidence. You're going to  
20 think about what you've heard and how you should analyze  
21 that and apply it to the law that the Judge is going to  
22 give you. There are four possible verdicts in this case  
23 and the Judge will tell you you've got four choices. You  
24 can find the defendant guilty of murder, you can find him  
25 guilty of voluntary manslaughter, you can find him guilty

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1 of involuntary manslaughter, or you can find him not  
2 guilty. Okay. So you're going to have four choices to  
3 think about. The Judge will tell you all of the elements  
4 of each of the offenses, he'll tell you about the things  
5 that I spoke at the beginning about about presumption of  
6 innocence, about burden of proof and about proof beyond a  
7 reasonable doubt, but you will have those four choices.  
8 Now, you remember at the beginning of this case I told you  
9 that being on a jury is difficult because sometimes we ask  
10 you to approach things in sort of an unnatural way.  
11 Normally if you are in your everyday life and are faced  
12 with choosing between four alternatives you kind of take a  
13 neutral position, you listen to all four of the  
14 alternatives and then you make your decision. But that's  
15 not what you do when you're on a jury in a criminal case,  
16 which is what this is. You are required, because remember  
17 I told you at the beginning and the Judge will emphasize  
18 this throughout his jury charge that my client is presumed  
19 innocent, so intellectually you go into making this  
20 decision on these four prongs, you go into it the  
21 presumption is you find him not guilty. Okay. So you  
22 being intellectually by analyzing this, believing that the  
23 client is not guilty. The second thing -- which is  
24 different than what we normally make decisions in our lives  
25 everyday about things -- the second thing you do that is a

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1 little unusual is you can't even -- you know, if you might  
2 begin with that presumption you can't decide which of the  
3 four things you believe this is on some basis of this is  
4 most likely what happened, okay? That's part of what we do  
5 normally every day in our lives when we decide to take one  
6 action versus another, or we decide to choose one product  
7 versus another, we sort of -- the natural human way to  
8 approach that is which is the most likely to be a good  
9 outcome. That's really not the task we set before juries,  
10 because remember, you cannot convict my client of anything  
11 at all until you've been -- he has been proven guilty  
12 beyond any reasonable doubt. So intellectually you begin  
13 with a client who is presumed innocent, so you start this  
14 decision making process viewing him as not guilty, okay?  
15 You can't even come off of not guilty to consider any of  
16 the other alternatives until the State has proven beyond a  
17 reasonable doubt that the not guilty doesn't apply, okay?  
18 And then you can kind of work your way up the  
19 lesser-included offenses from involuntary manslaughter,  
20 voluntary manslaughter to murder, but you start at not  
21 guilty and can't even get off of not guilty if there is any  
22 reasonable doubt that that is true. I say that because  
23 looking at the facts you have heard two vastly different  
24 accounts of what happened that night in that bedroom. Now,  
25 count one version, I would call the solicitor's version of

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1 what happened, is that my client is a conniving evil man  
2 that planned this well in advance, executed this brutal  
3 murder and I guess presumably then tried to construct some  
4 sort of excuse after this, okay? That's their theory. I  
5 will talk about the issues with that theory in just a  
6 minute, but that's their theory. My client got on the  
7 stand and said it was an accident, okay? So obviously if  
8 you believe my client it was an accident, he's not guilty,  
9 okay? But it's really more than that, okay? You cannot  
10 find him guilty of anything, any of the lesser-included  
11 offenses unless you believe that he's lying and that his  
12 story, not only is may not be likely, but beyond a  
13 reasonable doubt it could not be true, okay? So  
14 intellectually you're looking at this case and you're  
15 saying the only way I can get to one of these other three  
16 verdicts besides not guilty is to determine beyond a  
17 reasonable doubt that John Ghent's account that he gave  
18 that you heard from the witness stand is a lie, okay? So I  
19 know that's unnatural and that's not the way normal human  
20 beings tend to make our reasonable decisions every day in  
21 our lives, but that is the task that Judge Gibbons is going  
22 to tell you to do because you took an oath and, of course,  
23 you are required to follow that oath. So let's look at  
24 John Ghent's story. And what I would like to do to you is  
25 point out a few reasons that John Ghent's story could be



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1 true, because remember, that's the test. If it is  
2 possible, if there is any reasonable possibility that John  
3 Ghent's story was true you must find him not guilty. So  
4 let's think about reasons it could be true. First of all,  
5 why would John Ghent have killed his wife intentionally  
6 with malice aforethought? The State put up a lot of  
7 evidence, a lot of talk about my client's money problems,  
8 about his employment issues, about his work situation, I  
9 can only think of two possible reasons why they would have  
10 elicited that testimony. One reason is to get you to  
11 dislike my client, if that's the reason that's improper,  
12 okay? Because you are not here to make a valued judgment  
13 on his life, okay? You're here to determine what happened  
14 that night in that bedroom. So that's one possible  
15 purpose, and if that's the purpose do not consider that  
16 purpose. The potentially proper purpose they could have  
17 introduced that evidence is to show that the potential of  
18 her leaving him would have detrimentally effected his  
19 ability to have money to do what he needed to do. I mean,  
20 here is the problem with that, how's he going to have the  
21 money if he kills her? You heard the testimony from  
22 several people that he left -- she had left in the past and  
23 they had reconciled in the past, left in the past,  
24 reconciled in the past. If he does what the solicitor  
25 seemed to imply he was doing, which is killing her for

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1 threatening him to leave him and did that because of his  
2 needing of money because his needing to buy drugs or  
3 whatever she wanted to say, that's permanent, like he  
4 accomplishes nothing by killing her. So why would he have  
5 killed her? Secondly, why does he only stab her one time?  
6 You know, the solicitor made a big deal -- I think their  
7 theory was that he was angry, that he was emotional. There  
8 was a lot of testimony, if you remember there was talk  
9 about distances and the prosecutor said, "You wanted her  
10 near you, you wanted to be feeling that anger," and there  
11 was a whole "she's cheating on you," all of that stuff, but  
12 he stabs her one time. Where is the passion in that?  
13 Where is the anger, anger, anger if he is angry at the  
14 woman? Why are there no significant wounds or bruises or  
15 anything else on the body? As best I recall there was one  
16 -- the only testimony of other injuries was a bruise to the  
17 upper chest in near proximity to where the knife wound is,  
18 which is entirely consistent with a hand or arm striking as  
19 the knife goes in. It's hard for me to understand if the  
20 State's theory is that this is an angered man, angry that  
21 his wife is leaving, filled with bitterness and hatred and  
22 malice, which is wickedness and the Judge will tell you  
23 that, that's one of the required elements of murder is  
24 wickedness -- filled with this wickedness, why is there  
25 only one stab wound? Is it at least possible that one

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1 wound is consistent with his account of a struggle over  
2 knife and hand slipping and knife going in? Remember, you  
3 can't convict him if it is possible that that's the way it  
4 occurred, okay? The position of her body supports his  
5 account of what happened. The State made a big deal as I  
6 remember it about him waiting on her and about noises and  
7 about the note being on the outside and when he came in,  
8 and I will get to the note in a minute, but it almost  
9 seemed to imply to me that they were arguing at some point  
10 that he may have killed her when she was sleeping. Well,  
11 that doesn't make any sense, because if you remember, the  
12 testimony undisputed is that her body was head to the foot  
13 of the bed. She was on the bed as if lying not in the way  
14 that anyone would go to sleep, but on the foot of the bed,  
15 which is consistent with his account of knife, struggle,  
16 they're on that side of the bed when the knife slips and as  
17 he says, she's falls to the bed and he continues to sort of  
18 lay her down on the bed. That is not consistent at all  
19 with any theory that she had already gone to bed when he  
20 killed her. There was a lot of testimony -- there was  
21 discussion about Jonathan -- and y'all can make assessments  
22 of how credible Jonathan is -- but there was assessments --  
23 testimony of Jonathan being up late, why didn't he hear  
24 things? Which like I say, seems to imply that he went  
25 to -- she (sic) went to bed and killed him (sic) which is

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1 not consistent at all. Once again, I would argue position  
2 of the body is consistent with his account on the witness  
3 stand, and if his account on the witness stand is possible  
4 you cannot find him guilty. I want to talk to you about  
5 the suicide. This is interesting to me. It seemed like  
6 throughout the trial the State tried to mock the notion  
7 that he's making an attempt to kill himself. They  
8 repeatedly referred to the wounds on his hands as  
9 superficial, you know, you can view the pictures yourself,  
10 okay? I would argue that these are not superficial wounds,  
11 whatever the medical definition may be. You know, it's  
12 difficult to slice a wrist, it's difficult to take your own  
13 life in a particularly painful fashion. Now, you can argue  
14 Mr. Ghent should have followed through on that, and maybe  
15 he's a coward, maybe he was afraid to do what he had  
16 planned to do, but you're not to judge him on that. You  
17 are to judge him on whether or not the State has proven  
18 beyond a reasonable doubt that he committed murder. The  
19 pills. There was a lot of testimony about the pill bottles  
20 and whether they were full or not. As best I could tell  
21 the State seemed to be implying that his account of taking  
22 pills didn't occur, but his account is the only account  
23 that jives with the medical records. If you remember  
24 you've got this dispute between the EMS person who attended  
25 him and reported a normal blood pressure and a normal

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1   stable condition, and the medical doctor from Springs  
2   Memorial who testified a significantly lower blood  
3   pressure, and as he described him, a near fatality. Now,  
4   there's two possible explanations for that, it could be  
5   that one of them is wrong, okay? I would take the medical  
6   doctor's opinion on that issue, the medical doctor who is  
7   at the hospital in a more calm setting than someone who is  
8   at a crime scene with a horrific body and people yelling and  
9   hollering. But even if they are both accurate in their  
10   accounts, why would that difference be? The difference is  
11   consistent with him taking the blood pressure medicine and  
12   it taking effect by the time he got to the hospital. So  
13   the State -- you know, part of their theory at least as I  
14   could tell it through the trial is mocking the idea that he  
15   tried to kill himself while that is consistent with the  
16   evidence in this case. Now, you know, they get to argue  
17   last so they may turn around now and say, well, yeah, he  
18   did try to kill himself and that proves he's guilty. I ask  
19   you not to let them have it both ways. They've spent the  
20   entire trial saying it didn't happen, hold them to that  
21   even though the medical evidence from the neutral witnesses  
22   supports that account. There was a lot of testimony about  
23   the note and the voice mails. I would argue that the  
24   note -- and the solicitor's made a big deal about him not  
25   saying on the note it was an accident and in the voice

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1 mails not saying that, well, I would argue that cuts both  
2 ways. He didn't say anything negative about the victim on  
3 the notes or in the voice mails. If the idea is he is this  
4 raged filled, evil, malicious person who killed his wife  
5 out of evilness and wickedness, why wouldn't he have taken  
6 the opportunity to say something negative about his wife in  
7 any of this? Now, the best evidence, you can listen and  
8 you heard in the court the voice of my client on at least  
9 two different voice mails. Malice is a term that means  
10 evilness, it's a term that means wickedness, does he sound  
11 malicious in there or does he sound extremely sorry about  
12 what happened? You cannot convict him of anything unless  
13 you believe he's lying entirely, but even if for some  
14 reason he did that, you can't get to murder unless there is  
15 malice. That's what makes murder different from the other  
16 lesser-included choices you have, okay? You've got to show  
17 maliciousness. Does he sound as he -- you know, he calls  
18 his daughter and he is sobbing and he's crying and he  
19 doesn't say, "Your mother made me do this." He doesn't  
20 say, "Your mother is evil." He calls his sister, he  
21 doesn't say that, he doesn't say anything evil or wicked.  
22 What he says is he's sorry over and over and then he talks  
23 about selling the house. The note says that as well. The  
24 note -- there is a, "I hope you're happy," of course, it  
25 doesn't make sense that that was directed toward the

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1    deceased person, it had to be directed toward somebody  
2    else. You saw his son's attitude toward him both as he  
3    stared him down as he walked up here and as he stared him  
4    down as he walked out, and you heard him say what he  
5    thought about his father, the son who has extensive  
6    experience in the criminal justice system. The rest of  
7    that note is nothing malicious at all. He asked his  
8    granddaughter not to come in the room. Where is the malice  
9    in that? What's wrong with that? Preventing a grandchild  
10   that he loved from seeing a horrific scene of his dead wife  
11   and what he believed to be his dead body. He tells them to  
12   sell the house and split with your brother. You know, the  
13   solicitor almost mocked that. What is wrong with him  
14   telling them -- looking out for them after his death?  
15   Where is the malice? See, listen carefully to what the  
16   Judge instructs you about malice, because murder only  
17   applies if there is malice, if there is evilness and  
18   wickedness. I would argue to you that if this is an evil  
19   man he would have been focused not on anyone except either  
20   himself or the deceased person he killed. He would not  
21   have shown concern for his granddaughter, he would not have  
22   shown concern for his children. Where is the malice? This  
23   is an emotional case -- and I'm going to sit down. This is  
24   an emotional case and there is emotion in this courtroom,  
25   but you are required not to give in to that. You are

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1 required to make an intellectual analysis, a logical  
2 analysis for the facts in this case. You are required to  
3 listen to all of it and consider all of it, and you are  
4 required to do all of that keeping in mind the presumption  
5 of innocence, that the starting point of your analysis is  
6 my client is innocent, and you can't even get off of that  
7 until beyond a reasonable doubt. The way the system works  
8 is the solicitor gets to go last. I have no idea what  
9 they're going to say, and that's fine, that's the way  
10 the -- somebody has to go last so that's fine. But I would  
11 ask you to listen carefully to them as I know you have  
12 listened to me, but I would ask you to decide this case not  
13 on emotion, I would ask you to think it through when you  
14 get back to the jury room. I would ask you to remember  
15 that tape, I would ask you to remember the crying and the  
16 sobbing. I would ask you to think about why there was only  
17 one stab wound if malice and evilness and wickedness and  
18 anger and betrayal and infidelity was the reason for this  
19 crime, ask yourself why there was only one stab wound. I  
20 would ask you to ask yourself why he would have killed her  
21 at all if he was motivated by needing her to continue to  
22 support him as the State clearly argued through the bulk of  
23 this trial. And I would ask yourself finally to ask this  
24 question, and this is the most important question, is it at  
25 least possible that it occurred the way John Ghent said it



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1 did? If it is at least possible you must return a verdict  
2 of not guilty. The only way you can begin to include -- to  
3 consider the lesser-included offense of involuntary  
4 manslaughter, and then voluntary manslaughter and murder is  
5 if you have concluded beyond a reasonable doubt that it is  
6 not possible that it happened the way he said it did. A  
7 lot of people in the courtroom, a lot of media attention,  
8 I'm sorry you're having to deal with that, but your job is  
9 not to consider that. Your job is not to reward anybody,  
10 your job is not to punish, your job is to make a judgment  
11 as to the facts keeping in mind the intellectual framework  
12 which the Judge will tell you. That decision is each of  
13 yours individually to make, and it is not an easy decision,  
14 and I would ask you to not be swayed by anything other than  
15 the facts that you heard on the witness stand. Thank you.

16 THE COURT: Thank you, Mr. Lifsey. Solicitor?

17 MR. NEWMAN: "Paw Paw said I can't sleep with him  
18 tonight." That's what four year old Raylee told her mama  
19 on the night of October 27th of 2013. That's the first  
20 time John Ghent ever told his granddaughter that. Raylee  
21 always slept in the bed with John and Elaine, and tonight  
22 was different. Tonight is the night. Tonight is the night  
23 he had been planning, planning to kill his wife and maybe  
24 kill himself. Ladies and gentlemen, in October of 2013,  
25 Elaine Ghent was fed up, she was fed up with John Ghent.

## JURY CHARGE

1 John wouldn't work, it had been ten years since he worked.  
2 He sits around the house using drugs, he's on a free ride.  
3 He's charging beer and cigarettes and rolling papers to her  
4 account at Lloyds, so much to the point where her father  
5 has to go pay their mortgage. Here's a man with a golden  
6 ticket, folks, he don't have to do anything, just sit  
7 around the house. Elaine took care of John and she took  
8 care of her family. Everybody has a breaking point, and  
9 for Elaine she had a car accident and she got injured, and  
10 I think at that point she decided, "I don't have to live  
11 like this anymore." She started -- she told John to leave,  
12 she started hanging out with friends, she started dressing  
13 up more, and she met a new man, a man with a job. And she  
14 finally told John, "If you don't leave I'm leaving." She  
15 believes she's about to get a settlement from this wreck  
16 she's in and she's looking for houses to rent and she is  
17 leaving, she's made up her mind she's leaving. John is  
18 about to lose that golden ticket, that free ride is coming  
19 to an end and he can't handle it. Folks, it's been a long  
20 week, you heard a lot of testimony, saw a lot of evidence,  
21 and you'll be able to take all of those photos and  
22 documents back in the back with you and you can inspect  
23 them for yourself. You heard some gruesome facts and some  
24 things that are not fun to talk about. I'm not going to  
25 stand here and tell you how to think about the case, you

## JURY CHARGE

1 can think about it however you want to. You heard at least  
2 six confessions from John Ghent that he stabbed his wife,  
3 not one time did he mention the word accident. Not one  
4 time did he say, "I didn't mean to do it." In the moments  
5 following the murder he told everybody, "I stabbed her. I  
6 killed my wife because I couldn't let her leave me." Then  
7 he gets up there on that stand and it changes, now all of  
8 the sudden he says, "I didn't mean to do it. You know  
9 what? I slipped. I slipped." He left a message for his  
10 daughter that night and I quote, "I'm sorry but I couldn't  
11 let your mama leave me." He left his sister a message,  
12 "Betsy, I did something I wish I wouldn't have done." He  
13 told Jonathan he stabbed her. He told the EMS worker, "My  
14 son beat me up because I killed his mother." He told  
15 officer Hendrix, "I killed her because she was going to  
16 leave me." He told his sister, "I have been planning it  
17 for three weeks and I just did it, I just did it." You  
18 heard from Dr. Ross on that stand, she performed the  
19 autopsy, she said it was a straight-in stab wound. That's  
20 important. No angle, straight in. She said it punctured  
21 the lung and it left a bruise. The cause of death, she  
22 said she bled out due to the stabbing and she died within  
23 four to six minutes. You heard from John's treating  
24 physician at Springs, said there were cuts on his wrists  
25 but there were only abrasions and they didn't need any

## JURY CHARGE

1 treatment. You heard from EMS, she said there were  
2 abrasions on his wrists, they were not bleeding, and she  
3 said when she checked him his blood pressure was nearly  
4 perfect. In fact, all of his vital signs were close to  
5 perfect except for his blood sugar, which was a little  
6 high. You heard from Tressa, her sister. She told you  
7 Elaine left John before but now Elaine was different.  
8 Elaine was happy for the first time in a long time. You  
9 heard from her coworkers that she was planning to leave  
10 John Ghent. You also heard from family and several law  
11 enforcement officers, so let's talk about what you know.  
12 You know Elaine was going to leave him. You know he told  
13 his granddaughter "You can't sleep in here tonight. You  
14 know he stabbed her, you know he didn't try to help her and  
15 you know he never called anybody to help her. You know he  
16 had this filet knife in his bedroom, a knife that was good  
17 enough to stab his wife but for some reason it wouldn't cut  
18 him. You know he left a note on the door and he tried to  
19 kill himself. "Don't let Raylee come in here. Hope you  
20 are happy now. Sorry. Sell house and split with sister."  
21 All caps, a lot of exclamation points. Nowhere in this  
22 letter does he say he didn't mean to do it, nowhere does he  
23 say it's an accident. You take all of the things you know  
24 and you put those things together and you know beyond a  
25 reasonable doubt that John Ghent is guilty of murder. I

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1 want to talk to you a little bit about the law, and the  
2 Judge will tell you about the law, but I will tell you  
3 about it as it applies to the case. Mr. Ghent is charged  
4 with murder, and murder is defined as the killing of any  
5 person with malice aforethought either express or implied.  
6 Now, the defense attorney says there's no malice, it was an  
7 accident. Malice is defined as hatred, ill will or  
8 hostility towards another person. I think we clearly have  
9 malice, folks. It is the intentional doing of a wrongful  
10 act without just cause or excuse and with an intent to  
11 inflict an injury or under circumstances that the law will  
12 infer an evil intent. I'm telling you, folks, he planned  
13 this for three weeks by his own admission. It's his  
14 birthday, he's been planning to do it on his birthday, and  
15 he stabbed her with enough force to cause a bruise right  
16 over that wound. When she came home that night she  
17 wouldn't talk to him, he had that malice in his heart, he  
18 had it at the moment he committed that murder and that's  
19 all that is required under the law. Malice aforethought  
20 doesn't have to exist for any amount of time except for a  
21 split second just before the murder. Folks, if you believe  
22 there was no malice, if you're not convinced it's murder,  
23 the Judge is going to tell you you can find him guilty of  
24 voluntary manslaughter. Voluntary manslaughter is defined  
25 as the unlawful killing of another without malice, express

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1 or implied. It is the killing of a person in the sudden  
2 heat of passion based on sufficient legal provocation.  
3 Sudden heat of passion must be the type that would make an  
4 ordinary person unable to coolly reflect on his actions and  
5 would produce an uncontrollable impulse to do violence.  
6 Sufficient legal provocation must be the type that would  
7 make a person of ordinary reason and caution to become  
8 enraged and lose control temporarily. The provocation  
9 needed for voluntary manslaughter must come from some act  
10 or related to the victim. Heat of passion here,  
11 provocation, she didn't even acknowledge his birthday.  
12 She's told him she's leaving, he wants to talk about it and  
13 she won't talk to him. The defense will tell you it's an  
14 accident, they'll tell you it's involuntary manslaughter.  
15 And folks, I'm asking you, don't consider involuntary  
16 manslaughter. This was not unintentional. Domestic  
17 violence does not happen by accident. He can cry all he  
18 wants to but John Ghent is a murderer. You don't stab  
19 someone with this type of force in a straight-in shot  
20 unless you mean it. Now, the State must prove the charge  
21 beyond a reasonable doubt, and a reasonable doubt is  
22 defined as, and the Judge will tell you, the kind of doubt  
23 that will cause a reasonable person to hesitate to act.  
24 Nowhere in there do you hear the word possibly as the  
25 defense says. Now, some folks make a big deal about

## JURY CHARGE

1 reasonable doubt, but let me tell you, folks, reasonable  
2 doubt is not something that you have to look for. If  
3 reasonable doubt is there it will be like a flashing sign,  
4 something that you just cannot ignore and it will say,  
5 "Hey, look at me. What about me? Look at me." And folks,  
6 I'm telling you, you don't have that here, you do not have  
7 a reasonable doubt. The defense asks you to remember the  
8 crying and the sobbing. I remember it, I remember it well.  
9 I remember when he got on that stand he was crying like a  
10 baby, he had alligator tears. I also remember when his  
11 attorney sat down and when Ms. Collins stood up, it was  
12 like flipping a light switch. The tears went away, he put  
13 on an angry face, he turned his chair to the side and  
14 conveniently he couldn't remember any of those admissions  
15 he made earlier. He tried to kill himself with blood  
16 pressure medicine, but when EMS checked his vitals his  
17 blood pressure was almost perfect, even better than mine.  
18 If he took that medicine at 4:00 a.m. then why does his  
19 blood pressure not drop until he gets to the hospital?  
20 Then he has got this knife, a filet knife that says on it  
21 "Gone Fishing Outdoor Series." Now, a filet knife is a  
22 very sharp knife used to filet fish, and for some reason  
23 this filet knife would not cut him. Didn't have a problem  
24 stabbing his wife but it won't cut John. Ladies and  
25 gentlemen, it takes more than a slip to stab your wife.

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1 For this knife to go through someone's flesh and through  
2 the chest cavity, pierce the lung and to leave a bruise  
3 over the wound it takes more than a slip. This was done  
4 with force this was done with malice. You know, he says,  
5 "I went over to her side of the bed and I wanted to show  
6 her I was going to cut my wrist." Well, if I'm going to  
7 show somebody I'm going to cut my wrist I'm going to hold  
8 the knife, first of all, like this so I can cut my wrists.  
9 Then he says, "We got in a struggle and my arms went up."  
10 If she's trying to take the knife and he's trying to keep  
11 it from her, what is he doing? He's pulling back. She's  
12 got to pull that knife down into her. And watch what my  
13 hands do when I go down, watch where the knife is. Worse  
14 thing happens she gets slapped with the blade and gets a  
15 scratch, maybe a bruise. He later admitted he was holding  
16 the knife in this threatening manner. I don't know why you  
17 would hold a knife like that to cut your wrists. Doesn't  
18 make sense, folks, his story does not make sense. Even if  
19 you're holding the knife like this, hands go up like he  
20 said, he was pulling back, she's trying to get the knife,  
21 hands come down, maybe he stabs her. But if you remember  
22 what Dr. Ross said, she said this was a straight-in wound.  
23 Now, if my hand comes down and stabs this lady in the chest  
24 that wound is at an angle. His story does not make sense.  
25 I agree with John Ghent on one thing and that is that he



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1 stabbed his wife. I think he got that knife, he waited and  
2 waited and he got angrier and angrier and he's thinking,  
3 "My golden ticket is going away, my free ride is coming to  
4 an end, she's going to leave me." What is John Ghent going  
5 to do? "What am I going to do? I can't afford this place,  
6 if I can't have her nobody is going to have her. Jonathan  
7 ain't going to have her, Tabitha ain't going to have her,  
8 Roddey ain't going to have her, grandkids, nobody. If John  
9 Ghent can't have her nobody is going to have her." She  
10 came in late and he got angry. She won't talk to him, he  
11 got angry. She ignores him and he's angry, he getting  
12 angrier and angrier. She puts on her pajamas, she's  
13 ignoring him, he's angry. She lays down in the bed and  
14 he's angry, he walks over and he stabs her and she never  
15 saw it coming, ladies and gentlemen. That, ladies and  
16 gentlemen, is how you get a straight-in stab wound with  
17 enough force to break the flesh, break the chest cavity  
18 into the lung and leave that bruise above that wound. I  
19 don't believe for one second that John Ghent is the most  
20 unlucky man on earth who is trying to kill himself and  
21 accidentally slips into his wife and kills his wife. John  
22 Ghent is a murderer, folks, he's a murderer. He's a  
23 murderer that planned this for three weeks, and like he  
24 told his sister, "I just did it. I've been thinking about  
25 it for three weeks and I just did it." You've got to ask

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1 yourselves, do you want to believe the John Ghent that gave  
2 six admissions right after the murder, or do you want to  
3 believe the John Ghent that got on that stand and  
4 conveniently couldn't remember making any of those  
5 statements and explained it with, "I slipped, I slipped?"  
6 Ladies and gentlemen, it has been a long week for all of  
7 us, I appreciate your service. I know you've been very  
8 attentive, I can tell, we've been watching. I want you to  
9 go back there and I want you to start deliberating but  
10 before you start deliberating I want you to sit down, I  
11 want you to look at the clock and don't start, look at that  
12 clock and wait four to six minutes and I want you to  
13 realize how long four to six minutes is. Four to six  
14 minutes is how long Elaine Ghent struggled to breath and  
15 she bled out while her husband, a former first responder,  
16 did absolutely nothing to help her. Ladies and gentlemen,  
17 I ask you to find him guilty of murder. Thank you.

18 THE COURT: Thank you, Solicitor. Ladies and  
19 gentlemen, stand up and let's stretch out a little bit  
20 before I -- if y'all need to stretch out. Do y'all need to  
21 stretch out do you want to break before I charge you the  
22 law? I'm going to take about 20 minutes. Okay. All  
23 right. I find that you listen better if I'm right here in  
24 front of you than sitting over there and that's why I like  
25 to do so when I have an opportunity to do so and in the

## JURY CHARGE

1 various courtrooms where I hold court. Now, ladies and  
2 gentlemen, Madam Forelady and members of the jury, you've  
3 heard the testimony and the evidence and the arguments of  
4 both the State and the defense, I'm now going to explain to  
5 you the law which applies to this case. Now, under the  
6 constitution and laws of South Carolina you are the finders  
7 of fact. I do not have the right to pass upon the facts or  
8 even express an opinion that I may have as to what I think  
9 the facts are because that's a matter solely for you, the  
10 jury, to determine. Now, as jurors then it is your duty to  
11 determine the affect, the value, the weight and the truth  
12 of the evidence presented during this trial. Now, as the  
13 trial judge it has been my responsibility to preside over  
14 the trial of this case and to rule upon the admissibility  
15 of the evidence offered during the trial. Now, you're to  
16 consider only the testimony which has been presented from  
17 that witness stand together with any exhibits which have  
18 been made part of the record. I have the additional duty  
19 to charge you the law applicable to this case as I am now  
20 doing, and as the presiding judge I am the sole judge of  
21 the law of this case. It is your duty as the jury to  
22 accept as correct and to apply the law as I now state it to  
23 you and use that to reach your verdict. I have it all  
24 typed up, written down, you'll see me frequently looking  
25 down at it. I promise you, I'll try not to just sit here

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1 and read it to you the entire time because I know that's  
2 extremely boring, it can be. I'll try to make eye contact  
3 with you, but I do that, ladies and gentlemen, because what  
4 I tell you is very important and I want to make sure I get  
5 it absolutely correct, okay? Now, the fact that I may  
6 instruct you on various subjects in this case must not be  
7 taken as indicating an opinion of this Court as to what  
8 your verdict should be or what you should find the facts to  
9 be. Finally I charge you that you should not be concerned  
10 with what you thought the law ought to be, but what I  
11 charge you the law is. Now, you are the judges, the sole  
12 judges of the credibility, that is the believability of the  
13 witnesses who have testified and of the evidence which has  
14 been presented during this trial. In passing upon  
15 credibility you can take into consideration many things  
16 such as the demeanor or the manner in which a witness  
17 testified, whether or not the witness had reason to be  
18 biased or prejudiced, whether or not a witness' testimony  
19 was contradicted on the one hand or supported and  
20 corroborated on the other hand. All of these things you  
21 will consider, bearing in mind that you should give the  
22 defendant the benefit of any reasonable doubt. It becomes  
23 your duty as jurors to analyze and to evaluate the evidence  
24 and determine that evidence which convinces you of its  
25 truth. Now, the fact that the defendant was arrested,

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1 charged and indicted is not evidence in this case and  
2 cannot be considered by you as evidence of guilt in this  
3 case, nor does it create any presumption or inference of  
4 guilt. The indictments, as I described to you at the  
5 beginning of the trial, are simply the formal written  
6 instruments by which a case comes to court. Now, there are  
7 two types of evidence which are generally presented during  
8 a trial; direct evidence and circumstantial evidence.  
9 Direct evidence -- I will give you some law school  
10 definitions and then I will explain it to you so you can  
11 understand it. Direct evidence directly proves the  
12 existence of a fact and does not require deductions, that's  
13 like eye witness testimony, okay? Circumstantial evidence  
14 is proof of a chain of facts and circumstances which  
15 indicate the existence of a fact. For example, if on a  
16 winter night -- we're hopefully out of winter and going  
17 into the spring but we still have brown lawns, you look  
18 outside and see your brown lawn before you go to bed, you  
19 go to bed and you wake up in the morning and you see snow  
20 on your front lawn and footprints in it. Well, first you  
21 can infer that it snowed. Secondly, you can infer that  
22 somebody was walking on your front lawn. And see, you can  
23 do these things even though you didn't see it snow, and  
24 even though you didn't see somebody walk on your lawn.  
25 That's kind of a basic layman description of what

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1 circumstantial evidence is. Now, crimes may be proven by  
2 circumstantial evidence, and the law makes no distinction  
3 between the weight or value to be given to either direct or  
4 circumstantial evidence. However, to the extent that the  
5 State relies on circumstantial evidence, all of the  
6 circumstances must be consistent with each other, and when  
7 taken together point conclusively to the guilt of the  
8 accused beyond a reasonable doubt. Now, if these  
9 circumstances merely portray the defendant's behavior  
10 suspicious the proof has failed. Now, the State has the  
11 burden of proving the defendant guilty beyond a reasonable  
12 doubt, and this burden rests with the State regardless of  
13 whether the State relies on direct evidence, circumstantial  
14 evidence or some combination of the two. Now, as I told  
15 you during the trial, the rules of evidence ordinarily do  
16 not permit witnesses to testify and give opinions or  
17 conclusions. This means normally when a person testifies  
18 they have to testify about what they saw, heard or sensed  
19 by smell or something like that, however, there is an  
20 exception when someone is qualified because of education or  
21 experience, those people are permitted to give their  
22 opinion in certain areas if the Court qualifies them that  
23 way, this exemption exists for witnesses that we call  
24 expert witnesses. Now, there were several expert witnesses  
25 in the trial of this case. So a witness who by education

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1 and experience has become an expert in some art, science,  
2 profession or calling may state an opinion as to relevant  
3 and material matter in which the witness claims to be an  
4 expert and may also state your reasons for that opinion.  
5 Now, to give opinion testimony in that area does not mean  
6 that you have to accept the opinion, ladies and gentlemen,  
7 but it's evidence for you to use in any way you see fit and  
8 give it the weight and credibility that you believe is  
9 appropriate. An expert witness' testimony is to be given  
10 no greater weight than that of other witnesses simply  
11 because the person is an expert. Further, you're not  
12 required to accept an expert's opinion even though it may  
13 not be contradicted, okay? Let's talk about presumption of  
14 innocence. The defendant has pled not guilty to these  
15 charges and that plea has placed the burden on the State to  
16 prove the defendant guilty. Now, a person charged with  
17 committing a criminal offense in South Carolina is never  
18 required to prove himself innocent. I charge you that it  
19 is an important rule of law that the defendant in a  
20 criminal trial no matter what the seriousness of the charge  
21 may be will always be presumed to be not guilty of the  
22 charges for which the indictments were issued unless guilt  
23 has been proven by evidence satisfying you, the jury, of  
24 that guilt beyond a reasonable doubt. Now, this  
25 presumption of innocence does not end, ladies and

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1 gentlemen, when you begin your deliberations, but it  
2 accompanies the defendant throughout the trial until you  
3 reach a verdict. Imagine similar to a robe I'm  
4 representing, imagine that the defendant is cloaked in a  
5 robe of righteousness is what we like to say, placed about  
6 the shoulders of him which remains with him until this robe  
7 has been stripped from him by evidence satisfying you of  
8 his guilt beyond a reasonable doubt. Now, this presumption  
9 of innocence is not just a mere legal theory, it's not just  
10 a legal phrase, it is a substantial right to which every  
11 defendant is entitled unless you, the jury, are satisfied  
12 from the evidence of the defendant's guilt beyond a  
13 reasonable doubt. So what is a reasonable doubt in the  
14 law? A reasonable doubt is a doubt which makes an honest,  
15 sincere, conscious juror in search of the truth to hesitate  
16 to act. Proof beyond a reasonable doubt must therefore be  
17 proof of such a convincing character that a reasonable  
18 person would not hesitate to rely and act upon it in the  
19 most important of his or her own affairs. Now, proof  
20 beyond a reasonable doubt can also be described as proof  
21 that leaves you firmly convinced of the defendant's guilt.  
22 Now, ladies and gentlemen, there's very few things that we  
23 know in this world with absolute certainty, and in criminal  
24 cases the law does not require proof that overcomes every  
25 possible doubt. If based upon your consideration of the



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1 evidence you are firmly convinced that the defendant is  
2 guilty, then you must find him guilty. If, on the other  
3 hand, you think there's a real possibility that he is not  
4 guilty, you must then give him the benefit of the doubt and  
5 find him not guilty. There has been evidence presented  
6 that witnesses have made prior statements which are not  
7 consistent with the testimony here in court. Now, you may  
8 use this evidence to decide whether to believe the witness.  
9 You may use evidence of the earlier contradictory statement  
10 to determine the truth of those statements. It's up to you  
11 to decide whether to believe the earlier statements or the  
12 trial testimony. Now, if a witness has shown to have  
13 knowingly testified untruthfully concerning any material  
14 matter you may consider this in determining whether or not  
15 to trust the witness' testimony as to any other matter.  
16 You could reject all of the testimony of that witness or  
17 give all or part of the testimony the weight that you think  
18 it deserves. Now, statements alleged to have been made by  
19 the defendant have been evidence in this case. Now, while  
20 the Court has determined that the statements are  
21 admissible, I instruct you that you ladies and gentlemen  
22 make the ultimate decision of whether or not the defendant  
23 made these statements. If you find that the defendant did  
24 make the statements you must determine whether or not the  
25 statements were made by the defendant voluntarily and of

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1 his own free will. This means that the statements were not  
2 caused by pressure, force, fear, threats, coercion or  
3 intimidation, or by hope or promise of leniency or by a  
4 reward of any kind. In determining whether the statements  
5 were voluntary you should consider both the characteristics  
6 of the defendant and the details of the questioning, if  
7 any. Some of the factors that you must consider are the  
8 age of the defendant, his education or lack thereof, his  
9 mental ability or capacity or lack thereof, his  
10 intelligence, his background and environment, the place and  
11 length of the detention in which he allegedly made  
12 statements, the nature of any questioning and the advice or  
13 lack thereof to the defendant of his constitutional rights  
14 including but not limited to the right to remain silent.  
15 That any statements made by him could be used against him  
16 in a court of law. The right to have a lawyer present,  
17 that if he could not afford a lawyer a lawyer would be  
18 appointed to represent him at no cost, and that he could  
19 stop making statements at anytime. Now, you must carefully  
20 consider all of the surrounding circumstances before you  
21 give any weight to these alleged statements. The State has  
22 the burden of proving beyond a reasonable doubt that these  
23 alleged statements were voluntary. If you determine they  
24 were you can give the statements any further consideration  
25 you deem proper. You must decide, ladies and gentlemen,

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1    what weight, if any, should be given in these alleged  
2    statements.  If you determine the alleged statements were  
3    not freely and voluntary statements of the defendant you  
4    should not consider them at all.  Let's talk about intent.  
5    In order to establish criminal liability criminal intent is  
6    required.  For example, the mental state required to be  
7    proven by the State for a particular crime might be  
8    purpose, intent, knowledge, recklessness or criminal  
9    negligence.  Now, criminal intent must be proven by the  
10   State beyond a reasonable doubt.  Criminal intent is always  
11   a matter that must be determined by the jury from the  
12   circumstances surrounding the situation.  There's no way to  
13   prove intent to a mathematical certainty.  There's no way  
14   that medical science can dissect a person's brain and  
15   determine what the person had in mind, so the law says that  
16   criminal intent can be inferred from the circumstances  
17   which have been shown to have existed.  This is how you  
18   make a determination of whether or not the element  
19   requiring intent is present.  It's not necessary to  
20   establish intent by direct and positive evidence, but  
21   intent may be established by inference in the same way as  
22   any other fact by taking into consideration the acts of the  
23   parties and all facts and circumstances in the case.  
24   Criminal intent is a mental state, a conscious wrongdoing.  
25   It's up to you to determine what the defendant intended to

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1 do based on the circumstances shown to have existed.  
2 Criminal intent can arise from actions or a failure to act.  
3 It can arise from negligence, recklessness or an  
4 indifference to duty or to consequences that is considered  
5 by the law to be the equivalent of criminal intent. Let's  
6 talk about murder, let's define that. The defendant has  
7 been charged with murder. The State must prove beyond a  
8 reasonable doubt that the defendant killed another person  
9 with malice aforethought. Malice is hatred, ill will or  
10 hostility towards another person. It is the intentional  
11 doing of a wrongful act without just cause or excuse, and  
12 with an intent to inflict an injury or under circumstances  
13 that the law will infer an evil intent. Now, malice  
14 aforethought does not require that malice exists for any  
15 particular amount of time before the act is committed, but  
16 malice must exist in the mind of the defendant just before  
17 and at the time the act is committed. Therefore there must  
18 be a combination of the previous evil intent and the act.  
19 Malice aforethought can be expressed or inferred or  
20 implied. These terms express or inferred do not mean  
21 different kinds of malice, but merely the manner in which  
22 the malice may be shown to have existed, that is either by  
23 direct evidence or by inference from the facts and  
24 circumstances which have been proved. Express malice is  
25 shown, for example, when a person speaks words which

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1 express hatred or ill will for another, or when the person  
2 prepared beforehand to do the act which was later  
3 accomplished. For example, lying in wait for a person or  
4 any other acts of preparation going to show that the deed  
5 was within the defendant's mind, that would be expressed  
6 malice. Malice can be inferred from conduct showing a  
7 total disregard for human life. Let's talk about voluntary  
8 manslaughter. If you find the State has failed to prove  
9 beyond a reasonable doubt that the defendant committed  
10 murder, you may consider whether the State has proved  
11 beyond a reasonable doubt that the defendant committed the  
12 lesser offense of voluntary manslaughter. To prove  
13 voluntary manslaughter the State must prove beyond a  
14 reasonable doubt that the defendant took the life of  
15 another in the sudden heat of passion based on sufficient  
16 legal provocation. Both heat of passion and sufficient  
17 legal provocation must be present at the time of the  
18 killing to justify -- or excuse me, to constitute voluntary  
19 manslaughter. A sudden heat of passion may for a time  
20 affect a person's self-control and temporarily disturb a  
21 person's reason. The sudden heat of passion must be the  
22 type that would make an ordinary person unable to coolly  
23 reflect on their actions and would produce an  
24 uncontrollable impulse to do violence. Sufficient legal  
25 provocation must be the type that would make a person of

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1 ordinary reason and caution to become enraged and to lose  
2 control temporarily. The provocation needed for voluntary  
3 manslaughter must come from some act of or related to the  
4 victim. Words alone, however vulgar or insulting, are not  
5 enough to be legal provocation. Now, where death is caused  
6 by the use of a deadly weapon the words must be accompanied  
7 by some overt threatening act which could have produced  
8 that heat of passion. The exercise of a legal right, no  
9 matter how offensive it is to another, is never a  
10 sufficient provocation for voluntary manslaughter. If the  
11 heat of passion had cooled or if there was enough time  
12 between the provocation, if any, and the killing for the  
13 passion of a reasonable person to cool, the killing would  
14 not be voluntary manslaughter. Now, in deciding whether a  
15 reasonable person would have had enough time to cool off  
16 you, the jury, should consider all of the circumstances  
17 surrounding the killing. You may consider the nature of  
18 the provocation if there was any, the defendant's mental  
19 and physical state, and the circumstances and relationships  
20 between the parties. Involuntary manslaughter. Now, if  
21 you find the State has failed to prove beyond a reasonable  
22 doubt that the defendant has committed voluntary  
23 manslaughter you then may consider whether the State has  
24 proven beyond a reasonable doubt the lesser offense of  
25 involuntary manslaughter. To prove involuntary

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1 manslaughter the State must prove beyond a reasonable doubt  
2 that the defendant unintentionally killed the victim  
3 without malice, but while engaged in an unlawful activity  
4 not naturally tending to cause death or great bodily harm,  
5 or that the defendant unintentionally killed the victim  
6 without malice while engaged in a lawful activity with  
7 reckless disregard for the safety of others. Unintentional  
8 means that the defendant did not intend for anyone to be  
9 killed or seriously injured. Reckless disregard for the  
10 safety of others is more than mere negligence or  
11 carelessness. Mere negligence or carelessness is the  
12 failure to use the care that a person of ordinary reason  
13 would use under the same circumstances. Recklessness is a  
14 conscious failure to use ordinary care. Reckless disregard  
15 for the safety of others means that you're not interested  
16 in the consequences of your acts or the rights and safety  
17 of others. If a person who knows or should know that  
18 ordinary care requires certain precautions be taken for the  
19 safety of others but that person fails to use those  
20 precautions without concern, the person's actions are  
21 considered reckless. The State must also prove beyond a  
22 reasonable doubt that the defendant's act was the proximate  
23 cause of the death. Proximate cause is a direct cause,  
24 it's the immediate cause, it's the official cause. It's  
25 that cause without which the death of the victim would not

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1 have resulted. There must be a chain of causation from the  
2 time of the injury afflicted by the defendant until the  
3 time of victim's death. Proximate cause does not  
4 necessarily mean that it occurred immediately prior to  
5 death. The defendant has raised the defense of accident.  
6 An act may be excused on the ground of accident if it is  
7 shown that the act was unintentional, that the defendant  
8 was acting lawfully, and that reasonable care was used by  
9 the defendant in the handling of a weapon. The burden is  
10 on the State to prove beyond a reasonable doubt that the  
11 act was not an accident but was caused by the negligence or  
12 carelessness on the part of the defendant in the handling  
13 of a weapon or by unlawful activity by the defendant.  
14 Evidence of a suicide attempt is probative of a defendant's  
15 consciousness of guilt, and you ladies and gentlemen of the  
16 jury can give this evidence of a suicide attempt whatever  
17 weight, if any, you think it deserves. Possession or  
18 display of a firearm or knife during the commission of a  
19 violent crime. The defendant has also been charged with  
20 possession of a weapon during the commission of or attempt  
21 to commit a violent crime. The State must prove beyond a  
22 reasonable doubt that the defendant visibly displayed a  
23 weapon during the commission of a violent crime. A knife  
24 is an instrument or tool with a sharp cutting blade whether  
25 or not fastened to a handle which could be used to inflict



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1 a cut, slash or wound. A knife is considered to be a  
2 weapon. In order to find the defendant guilty of  
3 possession of a weapon during the commission of a violent  
4 crime you must first find the defendant guilty of either  
5 committing a violent crime or attempting to commit a  
6 violent crime. Murder and voluntary manslaughter are both  
7 considered to be violent crimes. The State must prove  
8 beyond a reasonable doubt that the weapon further advanced  
9 or helped during the commission of the crime. Now, ladies  
10 and gentlemen, let me say something about your  
11 deliberations. The word deliberation is defined as a  
12 careful consideration weighing up with a view to a  
13 decision. The genius of our jury system is that it allows  
14 12 good people, both men and women, from differing  
15 backgrounds, life experiences and perspectives to consider  
16 the evidence and talk about it and ultimately reach a  
17 verdict. The task of a jury is called deliberations for a  
18 reason, you the jurors, are to consider the evidence in  
19 this case carefully and deliberately, discuss it in a calm,  
20 thorough and curious manner. Remember, you're not  
21 partisans or advocates for either side favoring one side or  
22 the other, you are judges of the facts. Your sole duty is  
23 to sort through this information that you received in this  
24 trial and find the truth of the evidence presented in this  
25 courtroom. Now, the supreme law of our land, the United

## JURY CHARGE

1 States Constitution, affords everyone a day in court and a  
2 fair trial, so this case is very important to both sides  
3 because it is their day in court. I charge you to listen  
4 to the view of your fellow jurors and carefully consider  
5 their viewpoints and courteously discuss the evidence.  
6 Remember, you're doing something deliberately, you're not  
7 in a big hurry and you are tasked with a duty of utmost  
8 importance. Now, in conclusion, ladies and gentlemen,  
9 you've been selected by both the State and the defense to  
10 be fair and impartial jurors. It is your duty in your  
11 deliberations to determine the truth in this case giving  
12 the defendant the benefit of every reasonable doubt on  
13 these charges, and from the facts which you determine to be  
14 true, you take and apply the law, which I have just now  
15 given to you, and thus arrive at a verdict which speaks the  
16 truth in this case. I have told you the standards that you  
17 have to apply to the charges in these indictments as well  
18 as any lesser offenses. You've heard the evidence and now  
19 you've heard the law. Whatever your verdict is as to the  
20 indictments, guilty or not guilty, Madam Forelady, you will  
21 indicate it by marking the jury's decision in whatever the  
22 blank is on the verdict form, and I will go over the  
23 verdict form really quick with you. The first charge is as  
24 to the offense of murder, we, the jury, unanimously find  
25 the defendant, and you just check one, either not guilty,

## JURY CHARGE

1 guilty of murder, or guilty of the lesser offense of  
2 voluntary manslaughter, or guilty of the lesser offense of  
3 involuntary manslaughter, okay? Then as to the possession  
4 or display of a firearm or knife during the commission of a  
5 violent crime, you check one, either not guilty or guilty,  
6 and then you sign it and you date it. Now, Madam Forelady,  
7 you cannot sign or date or mark the jury's verdict on this  
8 verdict form until the jury has reached a unanimous  
9 verdict, okay? Remember that this is not your verdict  
10 alone. Now, ladies and gentlemen, I'm going to send you  
11 back to your jury room and we're going to have lunch for  
12 you so you will be able to work through lunch, but do not  
13 begin to discuss the case until you've received all of the  
14 exhibits and the verdict form, once you get those things  
15 that will be your signal to start deliberating. And once  
16 you start your deliberations you will deliberate until  
17 you've reached a unanimous verdict, at which time you'll  
18 knock on the door and we'll bring you back out here to  
19 receive your verdict. So you may now retire to the jury  
20 room, everybody except for the alternates, okay? Thank you  
21 very much.

22 (The jury left the courtroom.)

23 THE COURT: All right. Any exceptions to the charge  
24 from the State?

25 MR. NEWMAN: None from the State, Your Honor.

## JURY CHARGE

1 MR. LIFSEY: I just renew my objections I made  
2 yesterday to you charging voluntary manslaughter and to  
3 your suicide charge.

4 THE COURT: All right, noted and overruled. All  
5 right.

6 (The alternates were dismissed and the jury began  
7 deliberations.)

8 THE COURT: I received a note from the jury that says,  
9 "Can we get the information from the judge that he read to  
10 us with the legal definitions?" I have spoken to both the  
11 State and the defense, it's my understanding that y'all do  
12 not object to me sending the entire charge that I read back  
13 to the jury rather than just bits and pieces; is that  
14 correct?

15 MS. COLLINS: Yes, sir, Your Honor.

16 MR. LIFSEY: That's correct, Your Honor.

17 THE COURT: Well, then so ordered. I will send it  
18 back to them, just mark the note as Court's Exhibit 1.

19 (The jury resumed deliberations and returned with a  
20 Verdict.)

21 THE COURT: I remind everybody in the courtroom I  
22 don't need any outbursts in here. I know this is a very  
23 emotional time, I will ask that everybody try to control  
24 your emotions. All right. It's my understanding we have a  
25 verdict, bring the jury.

1 (The jury returned to the courtroom.)

2 THE COURT: All member of the jury are present. Madam  
3 Forelady, it's my understanding that the jury has reached a  
4 verdict.

5 THE JUROR: Yes.

6 THE COURT: Is the verdict unanimous?

7 THE JUROR: Yes.

8 THE COURT: Did you mark that on the verdict form?

9 THE JUROR: I did.

10 THE COURT: If you would hand that to the clerk,  
11 please. All right. Clerk, you may publish the verdict.

12 THE CLERK: Case 2014-GS-29-47 and 48, State of South  
13 Carolina versus John Marion Ghent, Jr., defendant. As to  
14 the offense of murder we, the jury, unanimously find the  
15 defendant guilty of murder. As to the possession or  
16 display of a firearm or knife during the commission of a  
17 violent crime we, the jury, unanimously find the defendant  
18 guilty. I certify this decision was the unanimous decision  
19 of the jury, Teri B. Sherrill, forelady. Signed March 17,  
20 2016. Ladies and gentlemen of the jury, if this be your  
21 verdict so say you all by the raising of your right hands.  
22 Let the record reflect all jurors raised their right hands.  
23 We're going to do polling. Madam Forelady, is this your  
24 verdict and is this still your verdict?

25 THE JUROR: It is.

## JURY VERDICT

1 and is this still your verdict?

2 THE JUROR: Yes, sir.

3 THE CLERK: Jimmy Stacks, is this your verdict and is  
4 this still your verdict?

5 THE JUROR: Yes, sir.

6 THE CLERK: Marilyn Michau, is this your verdict and  
7 is this still your verdict?

8 THE JUROR: Yes, sir.

9 THE CLERK: Thank you.

10 (The jury was dismissed.)

11 THE COURT: Mr. Lifsey?

12 MR. LIFSEY: Your Honor, at this time I would make a  
13 motion for a new trial based on the motion I made at the --  
14 directed verdict motion I made at the end of the State's  
15 case and at the end of all of the evidence and the  
16 additional grounds to the objection to the jury charge that  
17 I made.

18 THE COURT: That motion is denied. Your client is  
19 clearly protected in the record in this case.

20 MR. LIFSEY: Thank you.

21 THE COURT: We'll stand down prior to sentencing, that  
22 will give the State time to prepare a sentencing sheet. I  
23 will be glad to hear from the victim's family, I would ask  
24 that for timing purposes that, you know, certainly I don't  
25 want to -- if anybody has anything to say I will be glad to

## SENTENCING HEARING

1           MR. LIFSEY: No, sir, they don't. I will say, I want  
2 to especially thank his sister, Betsy Steen, who has been  
3 here. This as been a horrible event for her as much as it  
4 has been for anyone else. She has voluntarily met with the  
5 prosecutors about what she knows in this case, and I think  
6 she alone with the entire family has just lived a nightmare  
7 and I just want to express my appreciation to her for her  
8 help to me throughout this process, Judge. But they  
9 don't -- it's emotional to them, they don't wish to address  
10 the Court. I told John he could say something if he wanted  
11 to but he certainly didn't have to.

12           THE COURT: Mr. Ghent, I will be glad to hear from you  
13 if you would like to tell me anything before I impose  
14 sentence.

15           THE DEFENDANT: I would just like to family that I'm  
16 sorry, I didn't really mean to kill her. I really am  
17 sorry. I just want to tell y'all -- the kids that I'm  
18 sorry that this ever happened. I wish it would have been  
19 me, if I could take her place now I would. I just want to  
20 say I hope you some day will forgive me and I'm sorry.

21           THE COURT: All right. I'm going to ask the defendant  
22 to please stand for sentence. On indictment 14-GS-29-47,  
23 having been convicted of the crime of murder, the sentence  
24 of the Court is 54 years. On indictment 14-GS-29-48,  
25 having been convicted of possession of a weapon during a

## SENTENCING HEARING

1 violent crime, the sentence of the Court is five years run  
2 consecutive. Good luck to you, sir. That concludes the  
3 trial of this case.

4 (End of the hearing.)

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**WITNESSES**

M. Bailey - LCSO #13-39944

**ARREST WARRANT NUMBER/DOA**

2013A2910101272 (DOA-10-28-13)

**ACTION OF GRAND JURY**

Foreperson of Grand Jury

Date: 2 Jan 2014

**VERDICT**

**TRUE BILL**

Foreperson of Petit Jury

Date:

408

JAN 02 2014

*List sey*  
DOCKET NO. 2014-GS-29-47

**The State of South Carolina**

**County of Lancaster**

**COURT OF GENERAL SESSIONS**

**JANUARY TERM 2013**

**THE STATE**

**vs.**

**John Marion Ghent, Jr.** 41-43

**Indictment for**

**Murder**

SC Code: §16-3-10

CDR Code: 0116

Class: Felony, EXM

OFFICE OF  
CLERK OF COURT

2014 JAN -2 PM 2:00

CLERK OF COURT  
LANCASTER, SC

CERTIFIED TO BE A TRUE COPY

*Jeff Hammond*

JEFF HAMMOND  
CLERK OF COMMON PLEAS  
AND GENERAL SESSIONS COURT  
LANCASTER COUNTY, S.C.

STATE OF SOUTH CAROLINA )

INDICTMENT

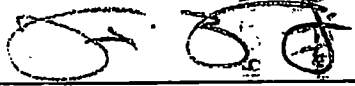
COUNTY OF LANCASTER )

At a Court of General Sessions, convened on January 2, 2014, the Grand Jurors of Lancaster County present upon their oath:

**MURDER**

That John Marion Ghent, Jr., did at \_\_\_\_\_, in Lancaster County on or about October 28, 2013, feloniously, willfully, and of his malice aforethought kill and murder Elaine Ann Ghent by stabbing her with a knife and the victim did die as the proximate cause thereof then and there, in violation of Section 16-3-10 of the *Code of Laws of South Carolina*.

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

  
 \_\_\_\_\_  
 Douglas A. Barfield, Jr., SOLICITOR

**WITNESSES**

M. Bailey - LCSO #13-39944

**ARREST WARRANT NUMBER/DOA**

2013A2910101273 (DOA-10-28-13)

**ACTION OF GRAND JURY**

*Sally Wiliz*  
Foreperson of Grand Jury

Date: *2 Jan 2014*

**VERDICT**

**TRUE BILL**

Foreperson of Petit Jury

Date:

410

JAN 11 2014

*Litany*  
DOCKET NO. 2014-GS-29-48

**The State of South Carolina**

**County of Lancaster**

**COURT OF GENERAL SESSIONS**

**JANUARY TERM 2014**

**THE STATE**

**vs.**

**John Marion Ghent, Jr. 47-113**

**Indictment for**

**Possession or Display of Firearm or  
Knife During Commission of a Violent  
Crime**

SC Code: § 16-23-490

CDR Code: 0549

Class: Felony, F

*2014*  
OFFICE OF  
CLERK OF COMMON PLEAS  
AND GENERAL SESSIONS COURT  
LANCASTER COUNTY, S.C.

2014 JAN - 2

CLERK OF COMMON PLEAS  
AND GENERAL SESSIONS COURT  
LANCASTER COUNTY, S.C.

CERTIFIED TO BE A TRUE COPY

*Jeff Hammond*

JEFF HAMMOND  
CLERK OF COMMON PLEAS  
AND GENERAL SESSIONS COURT  
LANCASTER COUNTY, S.C.

STATE OF SOUTH CAROLINA )

INDICTMENT

COUNTY OF LANCASTER )

At a Court of General Sessions, convened on January 2, 2014, the Grand Jurors of Lancaster County present upon their oath:

**POSSESSION OR DISPLAY OF FIREARM OR KNIFE DURING COMMISSION OF A  
VIOLENT CRIME**

That John Marion Ghent, Jr., did in Lancaster County on or about October 28, 2013, possess or visibly display a firearm or knife, to wit: knife during his/her commission of a violent crime, to wit: Murder of Elaine Ann Ghent, in violation of §16-23-490, *Code of Laws of South Carolina, (1976), as amended.*

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



Douglas A. Barfield, Jr., SOLICITOR

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM LANCASTER COUNTY  
Court of General Sessions

Brian M. Gibbons, Circuit Court Judge

---

Case No. 2014-GS-29-47, 2014-GS-29-48

---

The State,

Respondent,

v.

John Marion Ghent, Jr.,

Appellant.

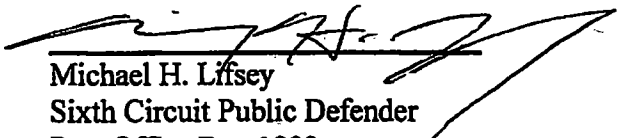
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NOTICE OF APPEAL

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John Marion Ghent, Jr. appeals his convictions and sentences in this case. The sentences were imposed by the Honorable Brian M. Gibbons on March 17, 2016.

March 23, 2016



Michael H. Lifsey  
Sixth Circuit Public Defender  
Post Office Box 1809  
Lancaster, South Carolina 29721  
(803) 285-5585  
Attorney for Appellant

Other Counsel of Record:  
Randy E. Newman, Jr.  
Solicitor  
Post Office Box 607  
Lancaster, South Carolina 29721  
(803) 416-9367  
Attorney for Respondent

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY  
Court of General Sessions

Brian M. Gibbons, Circuit Court Judge

Case No. 2014-GS-29-47, 2014-GS-29-48

The State,

Respondent,

v.

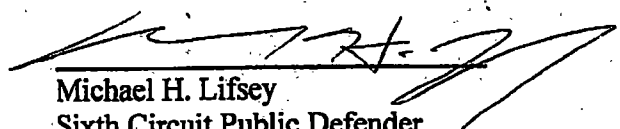
John Marion Ghent, Jr.,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The State by personally delivering a copy of it to its attorney of record, Randy E. Newman, Jr., at his office at the Lancaster County Courthouse, 104 North Main Street, Lancaster, South Carolina 29720, on March 23, 2016.

March 23, 2016



Michael H. Lifsey  
Sixth Circuit Public Defender  
Post Office Box 1809  
Lancaster, South Carolina 29721  
(803) 285-5585  
Attorney for Appellant

Other Counsel of Record:  
Randy E. Newman, Jr.  
Solicitor  
Post Office Box 607  
Lancaster, South Carolina 29721  
(803) 416-9367  
Attorney for Respondent

DONT LET RAYLE  
COME IN.  
HOPE YOU ARE ~~AWAY~~  
NOW!! SORRY!!  
SELL HOUSE AND SPOT  
WITH SISTER







## Lancaster County EMS

Patient Care Record

Name: GHENT, JOHN

Incident #: 13100956

Date: 10/28/2013

Patient 1 of 1

| Patient Information |                          |           |                        | Clinical Impression         |                                                            |       |         |
|---------------------|--------------------------|-----------|------------------------|-----------------------------|------------------------------------------------------------|-------|---------|
| Last                | GHENT                    | Address   |                        | Primary Impression          | Traumatic injury                                           |       |         |
| First               | JOHN                     | Address 2 |                        | Secondary Impression        | Diabetic Hyperglycemia                                     |       |         |
| Middle              |                          | City      | Lancaster              | Protocol Used               | Multiple Trauma                                            |       |         |
| Gender              | Male                     | State     | SC                     | Anatomic Position           | General/Global                                             |       |         |
| DOB                 |                          | Zip       | 29720                  | Chief Complaint             | ASSAULT                                                    |       |         |
| Age                 | 54 Yrs, 0 Months, 1 Days | Country   | UNITED STATES          | Duration                    | 20                                                         | Units | Minutes |
| Weight              |                          | Tel       |                        | Secondary Complaint         | HYPERGLYCEMIA                                              |       |         |
| Pedi Color          |                          | Physician |                        | Duration                    | 20                                                         | Units | Minutes |
| SSN                 |                          | Ethnicity | Not Hispanic or Latino | Patient's Level of Distress |                                                            |       |         |
| Race                | White                    |           |                        | Signs & Symptoms            | Contusion - Face<br>Laceration - Arm                       |       |         |
| Advanced Directive  |                          |           |                        | Injury                      | Domestic Violence - Physical (Assault) - Home - 10/28/2013 |       |         |
| Resident Status     |                          |           |                        | Medical/Trauma              | Trauma                                                     |       |         |
|                     |                          |           |                        | Barriers of Care            | None                                                       |       |         |
|                     |                          |           |                        | Alcohol/Drugs               | Patient Admits to Drug Use                                 |       |         |

| Medication/Allergies/History |                        |
|------------------------------|------------------------|
| Medications                  | Prescription           |
| Allergies                    | Denies                 |
| History                      | Diabetes, Hypertension |

| Vital Signs |      |      |       |          |       |    |      |       |    |     |      |      |                      |     |     |
|-------------|------|------|-------|----------|-------|----|------|-------|----|-----|------|------|----------------------|-----|-----|
| Time        | AVPU | Side | POS   | BP       | Pulse | RR | SpO2 | ETCO2 | CO | BG  | Temp | Pain | GCS(E+V+M)/Qualifier | RTS | PTS |
| 08:00       | A    |      | Stand | 110/70 A | 100   | 12 | 99   |       |    | 566 |      | 0    | 15=4+5+6             | 12  |     |
| 08:30       |      |      |       | 124/68   | 112   | 16 | 99   |       |    |     |      |      |                      |     |     |

| ECG   |              |             |
|-------|--------------|-------------|
| Time  | 3-Lead ECG   | 12-Lead ECG |
| 08:00 | Sinus Rhythm |             |

| Flow Chart |            |                                                                                                    |
|------------|------------|----------------------------------------------------------------------------------------------------|
| Time       | Treatment  | Description                                                                                        |
| 08:31      | IV Therapy | 20 ga; Antecubital-Right; Normal Saline; Total Fluid 300; Patient Response: Unchanged; Successful; |
|            |            | Provider: HAIGLER, JILL                                                                            |

| Initial Assessment |          |               |              |
|--------------------|----------|---------------|--------------|
| Category           | Comments | Abnormalities |              |
| Mental Status      |          | Mental Status | Not Assessed |
| Skin               |          | Skin          | Not Assessed |
| HEENT              |          | Head/Face     | Not Assessed |
|                    |          | Eyes          | Not Assessed |
|                    |          | Neck          | Not Assessed |
| Chest              |          | Chest         | Not Assessed |
|                    |          | Heart Sounds  | Not Assessed |
|                    |          | Lung Sounds   | Not Assessed |
| Abdomen            |          | General       | Not Assessed |
|                    |          | Left Upper    | Not Assessed |
|                    |          | Right Upper   | Not Assessed |
|                    |          | Left Lower    | Not Assessed |
|                    |          | Right Lower   | Not Assessed |
| Back               |          | Cervical      | Not Assessed |
|                    |          | Thoracic      | Not Assessed |
|                    |          | Lumbar/Sacral | Not Assessed |
| Pelvis/GU/GI       |          | Pelvis/GU/GI  | Not Assessed |





## Lancaster County EMS

Patient Care Record

Name: GHENT, JOHN

Incident #: 13100956

Date: 10/28/2013

Patient 1 of 1

|              |                  |              |
|--------------|------------------|--------------|
| Extremities  | Left Arm         | Not Assessed |
|              | Right Arm        | Not Assessed |
|              | Left Leg         | Not Assessed |
|              | Right Leg        | Not Assessed |
|              | Pulse            | Not Assessed |
|              | Capillary Refill | Not Assessed |
| Neurological | Neurological     | Not Assessed |

Assessment Time:

## Narrative

EMS CALLED FOR PT UNCONSCIOUS AND UNRESPONSIVE..

DISPATCH ADVISED EMS TO STAGE AND NOT TO ENTER THE RESIDENCE BECAUSE SCENE IS NOT SECURE. DISPATCH CAME BACK ACROSS THE RADIO AND ADVISED A SECURE SCENE. ON ARRIVAL EMS FOUND A YARD FULL OF LEO AND PEOPLE.

LCSO STATED THAT 2 PTS WERE IN THE HOUSE AND 1 WAS POSSIBLE 10-7. EMS ENTERED THE HOUSE AND FOUND THE PT IN THE KITCHEN FLOOR HANDCUFFED, BUT COX3. PT STATED THAT HIS SON BEAT HIM UP BECAUSE HE HAD JUST KILLED HIS MOTHER. THE PT IS COVERED IN BLOOD AND DIRT. A SMALL LACERATION IS NOTED TO THE LEFT WRIST BUT WAS NOT BLEEDING. THE PTS FACE HAS MULTIPLE BRUISES AND IS SWOLLEN SLIGHTLY.

THE PT ONLY COMPLAINS OF PAIN IN HIS RIBS AND HEAD. THE PT STATED THAT HE WAS NOT STRUCK WITH ANY KIND OF FOREIGN OBJECT, ONLY HANDS AND FEET.

THE PT IS REMOVED FROM THE RESIDENCE AND PLACED IN THE TRUCK WITH AN OFFICER ON BOARD. THE PT IS PLACED ON THE MONITOR. VITALS ARE OBTAINED AND ALL ARE WITHIN NORMAL LIMITS. AND IV ESTABLISHED. THE PT STATED A HX OF IDDM AND HTN. PTS BGL IS 566. A FLUID BOLUS IS GIVEN AT 300ML.

WHILE INTERVIEWING THE PT HE STATED THAT HE TOOK A COPIUS AMOUNT OF UNKNOWN PILLS THAT BELONGED TO HIS WIFE. HE STATED THAT HE COULD NOT REMEMBER ALL OF THEM BUT HE DID KNOW THAT 3 OF THEM WERE BLOOD PRESSURE MEDS. PTS BP IS STABLE. THE PTS PUPILS ARE EQUAL AND REACTIVE, THE PT SHOWED NO SIGNS OF INWARD TRAUMA OR OVERDOSE DUE TO PILLS.

THE PT IS TRANSPORTED TO SMHER HANDCUFFED TO THE STRETCHER WITHOUT EVENT OR DELAY WITH REPORT GIVEN TO THE NURSE UPON ARRIVAL AT THE ER..

| Incident Details |                          | Destination Details      |                             | Incident Times    |          |
|------------------|--------------------------|--------------------------|-----------------------------|-------------------|----------|
| Location         |                          | Disposition              | Transported No Lights/Siren | PSAP Call         | 07:44:00 |
| Address          |                          | Transport Due To         | Physician                   | Dispatch Notified | 07:44:00 |
| Address 2        |                          | Transported To           | Springs Memorial Hospital   | Call Received     | 07:44:00 |
| City             | Lancaster                | Requested By             | Law Enforcement             | Dispatched        | 07:44:00 |
| State            | SC                       | Destination              | Hospital ER                 | En Route          | 07:45:00 |
| Zip              | 29720                    | Address                  | 800 W. MEETING STREET       | Resp on Scene     |          |
| Medic Unit       | EMS1                     | Address 2                |                             | On Scene          | 07:55:00 |
| Run Type         | 911 Response (Emergency) | City                     | Lancaster                   | At Patient        | 08:00:00 |
| Priority Scene   | Lights/Sirens            | State                    | SC                          | Depart Scene      | 08:23:00 |
| Shift            | B Shift                  | Zip                      | 29720                       | At Destination    | 08:38:00 |
| Zone             | 4 - Camp Creek           | Zone                     | 22 - SMH                    | PT Transferred    |          |
| Level of Service |                          | Condition at Destination | Unchanged                   | Call Closed       | 08:38:00 |
| EMD Complaint    | Unconscious/Fainting     | Destination Record #     |                             | In District       | 08:38:00 |
| EMD Card Number  |                          | Trauma Registry ID       |                             |                   |          |

| Crew Members        |        |                            |
|---------------------|--------|----------------------------|
| Personnel           | Role   | Certification Level        |
| FAULKENBERRY, TERRI | Lead   | EMT-Paramedic-SC005311;    |
| HAIGLER, JILL       | Driver | EMT-Intermediate-SC009036; |
| MCKINNEY, ASHLEY    | 3rd    | EMT-Basic-SC025711;        |
| DAZZO, MICHAEL      | Other  | EMT-Paramedic-SC016190;    |



## Lancaster County EMS

Patient Care Record

Name: GHENT, JOHN

Incident #: 13100956

Date: 10/28/2013

Patient 1 of 1

| Insurance Details       |               |                   |                    |
|-------------------------|---------------|-------------------|--------------------|
| Insured's Name          |               | Primary Payer     | Dispatch Nature    |
| Relationship To Patient |               | Medicare          | Response Urgency   |
| Insured SSN             |               | Medicaid          | Job Related Injury |
| Insured DOB             |               | Primary Insurance | Employer           |
| Address 1               |               | Policy #          | Contact            |
| Address 2               |               | Group #           | Phone              |
| Address 3               |               | Secondary Ins     |                    |
| City                    |               | Policy #          |                    |
| State                   |               | Group #           |                    |
| Zip                     |               |                   |                    |
| Country                 | UNITED STATES |                   |                    |

| Mileage      |     | Delays          |              | Additional Agencies              |
|--------------|-----|-----------------|--------------|----------------------------------|
| Scene        | 1.0 | Category        | Delays       | Lancaster County Sheriffs Office |
| Destination  | 9.0 | Dispatch Delays | Scene Safety |                                  |
| Loaded Miles | 8.0 |                 |              |                                  |
| Start        | 1.0 |                 |              |                                  |
| End          | 9.0 |                 |              |                                  |
| Total Miles  | 8.0 |                 |              |                                  |

| Next of Kin             |  |           |               |
|-------------------------|--|-----------|---------------|
| Next of Kin Name        |  | Address 1 | City          |
| Relationship to Patient |  | Address 2 | State         |
| Phone                   |  | Address 3 | Zip           |
|                         |  |           | Country       |
|                         |  |           | UNITED STATES |

| Transfer Details  |                         |
|-------------------|-------------------------|
| PAN               | Sending Physician       |
| PCS               | Sending Record #        |
| ABN               | Receiving Physician     |
| CMS Service Level | Condition Code          |
| ICD-9 Code        | Condition Code Modifier |
| Transfer Reason   |                         |
| Other Services    |                         |
| Medical Necessity |                         |

| Billing Authorization |    |
|-----------------------|----|
| Language              | en |

## Section I - Authorization for Billing

I authorize the submission of a claim for payment to Medicare, Medicaid, or any other payor for any services provided to me by LANCASTER COUNTY EMS now, in the past, or in the future. I understand that I am financially responsible for the services and supplies provided to me by LANCASTER COUNTY EMS, regardless of my insurance coverage, and in some cases, may be responsible for an amount in addition to that which was paid by my insurance. I agree to immediately remit to LANCASTER COUNTY EMS any payments that I receive directly from insurance or any source whatsoever for the services provided to me and I assign all rights to such payments to LANCASTER COUNTY EMS. I authorize LANCASTER COUNTY EMS to appeal payment denials or other adverse decisions on my behalf without further authorization. I authorize and direct any holder of medical information or other relevant documentation about me to release such information to LANCASTER COUNTY EMS and its billing agents, the Centers for Medicare and Medicaid Services, and/or any other payers or insurers, and their respective agents or contractors, as may be necessary to determine these or other benefits payable for any services provided to me by LANCASTER COUNTY EMS, now, in the past, or in the future. Privacy Practices Acknowledgment: by signing below, I acknowledge that I can obtain a copy of the LANCASTER COUNTY EMS Notice of Privacy Practices at [www.laems.com](http://www.laems.com)

Signature

*PT called*

|                       |  |
|-----------------------|--|
| Billing Authorization |  |
| HIPAA Acknowledgement |  |

## Section II - Authorized Representative Signature

Complete this section only if the patient is physically or mentally unable to sign.  
Authorized representatives include only the following: (Check one)

☐ Patient's Legal Guardian



## Lancaster County EMS

Patient Care Record

Name: GHENT, JOHN

Incident #: 13100956

Date: 10/28/2013

Patient 1 of 1

|                          |                                                                                                  |
|--------------------------|--------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Patient's Medical Power of Attorney                                                              |
| <input type="checkbox"/> | Relative or other person who receives benefits on behalf of the patient                          |
| <input type="checkbox"/> | Relative or other person who arranges treatment or handles the patient's affairs                 |
| <input type="checkbox"/> | Representative of an agency or institution that provided care, services or assistance to patient |

I am signing on behalf of the patient. I recognize that signing on behalf of the patient is not an acceptance of financial responsibility for services rendered.

Signature

|  |
|--|
|  |
|--|

|                       |  |
|-----------------------|--|
| Printed Name          |  |
| Reason unable to sign |  |

## Section III - EMS Personnel and Facility Signatures

Complete this section if the patient was mentally or physically incapable of signing, and no Authorized Representative (section II) was available or willing to sign on behalf of the patient at the time of service.

## EMS Personnel Signature

|  |
|--|
|  |
|--|

|                       |  |
|-----------------------|--|
| Printed Name          |  |
| Reason unable to sign |  |

## Facility Representative Signature

|  |
|--|
|  |
|--|

|                         |  |
|-------------------------|--|
| Printed Name            |  |
| Title of Representative |  |



Lancaster County EMS

Patient Care Record

Name: GHENT, JOHN

Incident #: 13100956

Date: 10/28/2013

Patient 1 of 1

Facility Signatures

*[Handwritten Signature]*

Receiving Physician/Nurse: KEN

Paperwork Received:

Airway Confirmation:

Provider Signatures

Lead Provider: TERRI FAULKENBERRY Certification Level: EMT-Paramedic-SC005311

Provider: Certification Level:

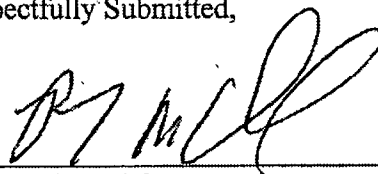
Provider: Certification Level:

Provider: Certification Level:

## CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,



Robert M. Dudek  
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 12th day of September, 2017.