

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Newberry County
Frank R. Addy Jr., Circuit Court Judge

THE STATE,

v.

CLIFTON CURTIS BOOZER,

RECEIVED
RESPONDENT.
APR 09 2020
SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2018-001542

RECORD ON APPEAL

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THE FOLLOWING EXHIBIT IS ON FILE WITH THIS COURT:

STATE'S EXHIBIT #60 (CD)

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Street toward where the intersection of Wilson Road, you
2 would take a left and go up that way?

3 A I'm not sure.

4 Q Okay. Do you know if it's on the way up 76
5 towards Clinton?

6 A Yes, sir.

7 Q It's up that way?

8 A I don't know.

9 Q Okay. After y'all leave Doctors Care, though,
10 where were y'all going?

11 A We were going home.

12 Q What happened on the ride home?

13 A The car broke down by a stoplight.

14 Q Okay. Do you remember what stoplight it was?

15 A The one by, like, it's a title loan, a car wash
16 and like a Wal-Mart and a bank.

17 Q Okay. So -- all right. I won't get into that,
18 but is it -- if you go up Main Street and you take a right
19 and it's that first stoplight right there?

20 A I don't know. I just know by Wal-Mart.

21 Q By a Wal-Mart. Okay. Then what else is near
22 Wal-Mart?

23 A Natasha's house, Cliff's sister.

24 Q Cliff's sister's house. Okay. The car, do you
25 know what went wrong with it?

EVE W [REDACTED] -CROSS BY MR. VERNER

1 A No, sir.

2 Q All right. But it broke down?

3 A Yes, sir.

4 Q Was it at a stop or were y'all able to keep kind
5 of coasting or --

6 A We was able to keep going a little bit.

7 Q Okay. Then where did y'all end up having to
8 park it?

9 A Cliff's sister's house.

10 Q Okay. Was your mom happy to park it there or
11 was it just -- were y'all excited to be at Cliff's
12 sister's house or what was --

13 A No.

14 Q Okay. Tell me why y'all went to Cliff's
15 sister's house.

16 A Because it was the closest thing to put our car.

17 Q Okay. Do you remember talking with Natasha
18 there?

19 A No, sir.

20 Q Okay. Do you remember her coming outside or
21 anything?

22 A No, sir.

23 Q Okay. Do you remember Clifton Boozer being
24 there?

25 A Yes, sir.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q Okay. Did he and your mother talk with one
2 another that you observed?

3 A Yes.

4 Q Did it appear to be a conversation or an
5 argument or a happy conversation or a bad conversation?

6 A It wasn't a good -- it wasn't good because he
7 was drunk.

8 Q Okay. Did -- okay. You left the car there.
9 How did y'all get back to Prosperity?

10 A A taxi.

11 Q Okay. All right. So, let's go to Tuesday,
12 Tuesday night. So, that was Monday, the next day is
13 Tuesday. That night, do you remember your mom having to
14 work at Sonic that night?

15 A Yes, sir.

16 Q Okay. And then who all was at the house while
17 she was at Sonic?

18 A Me and my sisters, Isis, Niyla.

19 Q Okay, both of them were with you?

20 A Uh-huh.

21 Q Where did you sleep that night?

22 A I fell asleep on the couch.

23 Q Okay. Then were, I guess, Niyla and Isis in
24 their own bedroom?

25 A Yes.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q And how did your mom get home that night? Did
2 you wake up when she got home?

3 A Brandy, I think brought her home.

4 Q Brandy?

5 A Brandy Counts.

6 Q Do you think or do you remember?

7 A I know for sure.

8 Q Okay. Did you wake up when they got home?

9 A Yes, sir.

10 Q Okay. Did you have any idea what time they got
11 home?

12 A No, sir.

13 Q Okay. What happened when you woke up?

14 A I just went and ate some food.

15 Q Did your mom bring you some Sonic back?

16 A Yes, sir.

17 Q What was that, a late night snack or something?

18 A Yes, sir.

19 Q Okay. Did you get up and talk with your mom at
20 all?

21 A Yes.

22 Q Okay. Do you remember seeing her phone that
23 night?

24 A Yes, she had it in her hand when she was walking
25 in the kitchen.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q So, it was in the house that night. And you
2 don't remember about what time that was when you saw her?

3 A No, sir.

4 Q Okay. What was the shape of the house at that
5 time? Was it messy, clean, what was it?

6 A It was spotless clean because Isis had cleaned
7 it because she was trying to get her phone back.

8 Q All right. That was kind of Isis -- that was
9 her punishment, I guess? We don't need to get into
10 whatever she did, but that was kind of -- so, she did a
11 good job, I guess? She was on her way to getting her
12 phone back?

13 A Yeah.

14 Q All right. All right. So Eve, 13, that
15 picture, what is that pink thing on the floor? Do you
16 remember seeing that that night when you went to sleep?

17 A No, sir.

18 Q I mean, the background in that picture, is that
19 the couch you were sleeping on?

20 A Yes, sir.

21 Q All right. We're looking in through the front
22 door, the only door of the house; is that right?

23 A Yes, sir.

24 Q Okay. Do you remember that shirt being there?

25 A No, sir.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q Okay. And did you go in your mom's room that
2 night?

3 A No, sir.

4 Q Did your mom sleep with sheets on her bed?

5 A Yes, sir. Isis had just made her bed.

6 Q After Isis made the bed, did you see how she
7 made it or anything like that? Did you go in the room?

8 A No.

9 Q Okay. But she typically had sheets on her bed?

10 A Yes, sir.

11 Q I guess, that black curtain thing that she had,
12 was that attached the last time you saw it to the wall?

13 A Yes, sir.

14 Q So, it wasn't hanging down like it is in this
15 picture?

16 A No, sir.

17 Q What about you, these knives in State's 38 and
18 42, had you ever seen those before?

19 A No, sir.

20 Q All right. And those -- do you know how they
21 would have gotten in your yard?

22 A No, sir.

23 Q All right. Well, what about State's 31 -- did
24 you spend a lot of time in your mom's room with her?

25 A Yes, sir.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q Did you watch TV in their sometimes?

2 A Yes, sir.

3 Q State's 31, have you ever seen that before?

4 A No, sir.

5 Q That was the TV you watched regularly?

6 A Yes, sir.

7 Q Let me ask you this, your mom had a tattoo
8 across her chest, didn't she?

9 A Yes, sir.

10 Q What did it say?

11 A True till death.

12 Q True till death?

13 A Yes.

14 Q Then she had Cliff tattooed on one of her arms?

15 A Right here.

16 Q Right there. Okay. I want to show you State's
17 No. 15. I'm sorry. When you walked out the door
18 Wednesday morning, is that how that door appeared?

19 A No, sir.

20 Q Do you mind stepping down just showing the jury
21 real quick what's different about it?

22 MR. VERNER: I would just ask that you speak up
23 loud enough where we can hear you, too.

24 THE WITNESS: Yes, sir.

25 Well, this was not like this and this was not

EVE W [REDACTED] -CROSS BY MR. VERNER

1 exposed. We couldn't really see all this.

2 BY MR. SCOTT:

3 Q So, kind of the brown part of the frame, that
4 exposed wood, that was not like that when you left?

5 A No, sir.

6 Q Then you talk about this busted out part and
7 that light switch was not like that?

8 A No, sir.

9 Q Was the plastic missing from the switch plate on
10 the light switch?

11 A No, sir.

12 Q All right. You can sit back down. Thank you.

13 A (The witness complies.)

14 Q To your knowledge, did Cliff still have a key to
15 that house?

16 A I am positive he didn't.

17 Q Okay. All right. So, you ate your meal that
18 night or your snack from Sonic, and then did you go back
19 to sleep?

20 A Yes, sir.

21 Q Do you remember the next day what time you got
22 up?

23 A It was probably 5:45 to 6 o'clock.

24 Q We're talking about Wednesday, May 3rd?

25 A Yes, sir.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q How did you wake up? Did you set an alarm?

2 A On my phone, yes, sir.

3 Q You set it for 5:45, but you're like me and you
4 hit the snooze button a couple of times?

5 A Yes, sir.

6 Q Then the bus picked up at what time?

7 A 6:45. 6:45.

8 Q Do you remember if y'all -- did y'all get on the
9 bus that day?

10 A Yes, sir.

11 Q Do you remember having to rush or do you
12 remember being on time or what do you remember about
13 getting to the bus stop?

14 A Well, we wasn't rushing like. We got there
15 right as it came.

16 Q Okay. So, if you got there right at 6:45, do
17 you remember you about how long it took you to walk to the
18 bus stop?

19 A Probably like five minutes.

20 Q So, you can say you left -- do you feel
21 comfortable saying you left the house around 6:40 a.m.
22 then?

23 A Yes, sir.

24 Q Did anything at all seem out of the ordinary
25 when you left the house?

EVE W [REDACTED] -CROSS BY MR. VERNER

1 A No.

2 Q Were you in the habit of locking the door when
3 y'all would leave the house?

4 A Yes.

5 Q Do you specifically remember locking it that day
6 or not?

7 A No, sir.

8 Q But that would have been your habit, though?

9 A Yes, sir.

10 Q Did you speak with your mom that morning?

11 A I told her that I loved her. And she said it
12 back and I walked out the door.

13 Q You don't go back to the room?

14 A No, sir.

15 Q Did you just shout to her from another room?

16 A Yes.

17 Q Was there any of Cliff's clothing at your house
18 that day?

19 A No, sir.

20 Q So, he wasn't staying there at that time?

21 A He was not.

22 Q Hold on one second, okay, Eve. So, do you
23 remember your mom starting to sleep with a knife near her
24 bed?

25 A Yes, sir.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q Do you remember about when all that happened,
2 that she started sleeping with a knife?

3 A It was around April.

4 Q So, the month before this happened, April 2017?

5 A Uh-huh, yes, sir.

6 Q Okay.

7 MR. SCOTT: Okay. Thank you, Eve. Answer any
8 questions that Mr. Verner has, okay?

9 CROSS-EXAMINATION

10 BY MR. VERNER:

11 Q Sorry to meet you like this, Eve. You've known
12 Clifton Boozer for about six years?

13 A Yes, sir.

14 Q Okay. I apologize, how old are you today?

15 A I just turned 15 last Friday.

16 Q Okay. And you're the oldest of the Williams
17 daughters?

18 A Yes.

19 Q Okay. Are you the one in charge of making the
20 kids get to the bus stop in time?

21 A Yes, sir.

22 Q Do you typically -- typically, I'm not saying
23 every day, but, typically, what time do you leave the
24 house to walk to the bus stop?

25 A Between 6:30 and 6:40.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q But just sometimes when you notice the clock
2 between 6:30 and 6:40, you say hurry up, girls, we got to
3 get walking?

4 A Yes.

5 Q And the -- you've lived with your mom and Cliff
6 on and off for about the last six years?

7 A Yes.

8 Q And your father is Scott Williams?

9 A Yes, sir.

10 Q Okay. Does he get along with Cliff or do you
11 know?

12 A I don't think they had problems.

13 Q Okay. And when Cliff wasn't staying with
14 Ms. Clatie, your mother, and you, he would typically be at
15 his sister's house?

16 A Yes.

17 Q Is that Natasha?

18 A Yes.

19 Q Okay. And do you know what street Natasha lives
20 on?

21 A I'm not sure.

22 Q But it's not far off Wilson Road?

23 A Yes.

24 Q When your car broke down after you went to
25 Doctors Care, your mother drove it to Cliff's place,

EVE W [REDACTED] -CROSS BY MR. VERNER

1 right?

2 A Cliff's sister's house.

3 Q Okay. But that's where Cliff lived, right?

4 A Yes.

5 Q Cliff was there?

6 A Yes.

7 Q And you remember your mother asking or telling
8 Cliff to see what he could do to fix the car and bring it
9 back?

10 A No.

11 Q Okay. I think you indicated that Cliff did keep
12 a bag at Conifer?

13 A Not prior to her death, but before he has.

14 Q In the past he had?

15 A Yes.

16 Q Did he keep personal effects in your mother's
17 room?

18 A Sir?

19 Q Did he keep personal effects, his personal stuff
20 in her room at times when he was there?

21 A Yes.

22 Q Okay. Do you know -- your mom had this TV set
23 in her room, right?

24 A Yes.

25 Q Was it a TV set that y'all brought over from

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Feather Run?

2 A Yes.

3 Q So, most of the furniture you had at Feather
4 Run, you brought over and just transferred over to
5 Conifer?

6 A Yes, sir.

7 Q Okay. And the TV set was just one of those
8 things that came along with it?

9 A Yes.

10 Q Okay. Now, prior to the jury coming back in,
11 you did briefly talk about a few things you just testified
12 when it was just us without the jury?

13 A Yes.

14 Q Okay. Now, I believe when you said that you saw
15 Cliff at your house when he came by on Monday morning?

16 A Uh-huh.

17 Q He thought the girls had gone to school, right?

18 A Yes.

19 Q Okay. And I thought you said when you told him
20 your mother wasn't home, he was already leaving before you
21 told him?

22 A I never told him that mother wasn't home.

23 Q Okay. But you said you got on the phone with
24 your mother and he said he had to go get his wallet?

25 A Yes.

EVE W [REDACTED] -CROSS BY MR. VERNER

1 Q Then you're saying that -- you told the Judge
2 prior to the jury coming in that he was already walking
3 out when you told him, you know --

4 A Yeah, he was already going towards the door.

5 Q Then that's when you told him that he needed to
6 leave?

7 A Yes.

8 Q Okay. Nobody seemed to ask you this question,
9 but the -- whose pink shirt was that on the kitchen floor?

10 A It looked like my mom's.

11 Q Have you seen it since then?

12 A (The witness shook her head.)

13 Q Well, could it have been one of your shirts or
14 one of the other girls' shirts?

15 A No.

16 Q It looked like your mother's shirt?

17 A Yes.

18 Q Do you remember what she was wearing on -- or
19 does she sleep with her door closed?

20 A She sleeps with her door opened.

21 Q But you kind of just yelled in, I love you, I'm
22 leaving type situation?

23 A Yes.

24 Q Do you know what she was wearing when you left
25 that morning?

EVE W [REDACTED] -CROSS BY MR. VERNER

1 A No.

2 Q Okay. Did you see the knives that your mother
3 kept in her bedroom?

4 A That morning?

5 Q No, that --

6 A Yes.

7 Q Okay. Describe what the knives looked like?

8 A The one that she kept by her nightstand was a
9 larger knife and it had a black handle.

10 Q When you say a larger knife, would it be like a
11 kitchen knife or would it be a hunting knife-type
12 situation?

13 A Hunting?

14 Q Was it a kitchen knife?

15 A Yes.

16 Q And that's the one she kept where?

17 A It was either on her nightstand, I think, or
18 under her pillow.

19 Q Okay. And then there was a second knife she
20 sometimes kept or she kept in her room, too?

21 A I'm not sure about that one.

22 Q Okay. But you know she kept the black-handled
23 kitchen knife in her bedroom?

24 A Yes.

25 Q You don't know if she kept anything else?

EVE W [REDACTED] -REDIRECT BY MR. SCOTT

1 A No.

2 Q Okay. Did y'all have anything else kind of for
3 protection in the home?

4 A No.

5 Q Okay. And you saw Cliff on Monday of that week?

6 A Yes.

7 Q Okay. How long before then had it been since
8 you had seen him last?

9 A The weekend before. It was on his birthday.

10 Q Okay.

11 A Friday.

12 Q So, that was like three day before then?

13 A Yes.

14 Q Where did y'all see him at his birthday?

15 A Mom invited him to our house.

16 Q Okay.

17 MR. VERNER: Thank you, Eve.

18 THE COURT: Any redirect?

19 MR. SCOTT: Just one.

20 REDIRECT EXAMINATION

21 BY MR. SCOTT:

22 Q I show you shirt the that Mr. Verner was asking
23 you about. State's 16, I think. All right. Do you
24 recognize this?

25 A Yes.

EVE W [REDACTED] -REDIRECT BY MR. SCOTT

1 Q Okay, whose is this?

2 A My mom's.

3 Q Did you ever see her wearing this with it being
4 torn like that?

5 A No, sir.

6 Q Did you ever see her wearing this with it ripped
7 like this?

8 A No, sir.

9 MR. SCOTT: Okay. Thanks, Eve.

10 THE COURT: All right, Eve, you can step down.

11 Solicitor, any additional witnesses for the
12 State?

13 MR. SCOTT: No, Your Honor, at this time, the
14 State rests.

15 THE COURT: Ladies and gentlemen of the jury,
16 I'm going to let y'all go ahead and run to lunch.
17 I've got a few motions that I have to address before
18 we proceed further in the case. If you would, be
19 back in the jury room, please, at 2:15. And we'll be
20 a position to resume with the trial at that
21 particular point in time. Again, don't talk about
22 the case. Thank you.

23 (WHEREUPON, the jury left open court at
24 approximately 12:45 p.m.)

25 THE COURT: Mr. Verner, at this time, I assume

1 MR. VERNER: Would you ask for Natasha Robinson
2 to come into court. She's in the back. Natasha
3 Robinson, she would be in that little room.

4 BAILIFF: Bring her in?

5 MR. VERNER: Please, sir.

6 THE CLERK: Raise your right hand, place your
7 left hand on the Bible.

8 NATASHA ROBINSON, after being duly sworn,
9 testified as follows:

10 THE CLERK: Have a seat, state your full name
11 for the record.

12 THE WITNESS: Natasha Robinson.

13 DIRECT EXAMINATION

14 BY MR. VERNER:

15 Q Natasha, if you don't mind, I'm going to ask you
16 questions from over here so we can hear you, okay?

17 A Okay.

18 Q I don't need your street address, but what
19 community do you live in, Ms. Robinson?

20 A Newberry.

21 Q Okay. How long have you lived in Newberry?

22 A The address I'm at now?

23 Q No, ma'am, just are you a lifelong Newberry
24 resident?

25 A Yes.

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Q You went to Newberry High School or MidCarolina
2 or what?

3 A Newberry High School.

4 Q Are you employed now?

5 A I am.

6 Q Where do you work?

7 A Kraft Heinz.

8 Q That's the Louis Rich plant?

9 A Yes.

10 Q How long have you been at Louis Rich?

11 A A little bit over 10 years.

12 Q Okay. Ms. Robinson, how do you know Clifton
13 Boozer?

14 A He's my brother.

15 Q The baby brother or older brother?

16 A He's older than me, but he's my baby brother.

17 Q Okay. Does that mean he's your only brother or
18 just that --

19 A I have an older brother older than him.

20 Q Okay. In a close loving relationship, family
21 relationship?

22 A Yes.

23 Q Certainly, you love Clifton?

24 A Very much.

25 Q And do you understand that he's been charged

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 with murder and what we're here for today?

2 A I do.

3 Q And I would certainly think that your biases and
4 affections are towards your brother?

5 A Yes.

6 Q But you also understand you're to tell the truth
7 to the jury?

8 A Yes.

9 Q Did you know Ms. Clatie Stribble?

10 A I did.

11 Q How did you know Ms. Clatie?

12 A Through my brother.

13 Q Okay. How many years do you think -- well, when
14 you say through my brother, what was their relationship as
15 you knew it?

16 A They were dating.

17 Q Okay. Did they live together?

18 A Yes.

19 Q How long did you know Ms. Clatie through your
20 brother?

21 A Not really sure exactly how long, but I know
22 it's been over six years.

23 Q Well, I mean, have you known them the full time
24 that they were dating?

25 A Yes.

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Q Did they ever live together?

2 A Yes.

3 Q For extensive periods of time?

4 A Yes. Of their relationship, yeah.

5 Q Did you know Ms. Stribble's daughters?

6 A I did.

7 Q Did you know that family at all other than
8 through your brother? You didn't know them independently
9 of Clifton?

10 A No, I never met them until she was with my
11 brother.

12 Q Okay. Where do you live now, Ms. Robinson?

13 A The address?

14 Q Well, what street do you live on?

15 A Collinswood Drive.

16 Q Collinswood?

17 A Yes.

18 Q What would be a local landmark or what would
19 that be near so I could -- if I wanted to go in that area?

20 A It's right of Johnstone Street, off from
21 Johnstone Street across from South State Bank.

22 Q Okay. So, that's kind of near Wilson Road and
23 Johnstone intersection?

24 A Yes.

25 Q That used to be the parts store, now South State

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Bank?

2 A Yes.

3 Q And it's kind of across the street?

4 A Uh-huh, yes.

5 Q Okay. Were you living there on May 3rd of last
6 year?

7 A Yes.

8 Q And how long have you lived on Collinswood?

9 A Almost five years.

10 Q Okay. So, for the majority of the time that
11 Cliff and Clatie were together, you had lived in
12 Collinswood?

13 A Yes.

14 Q Okay. Did Cliff ever live with you there?

15 A No.

16 Q Did he ever stay with you there?

17 A He have from time to time.

18 Q Did he while he was in the relationship with
19 Ms. Clatie Stribble?

20 A Yes.

21 Q Who has Cliff lived with predominantly while
22 you've been in Collinswood?

23 A Clatie.

24 Q Okay. Would they ever come over just socially
25 together?

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 A Yes.

2 Q To your house?

3 A Yes.

4 Q What would be the nature of them coming, for
5 like family get-togethers or just to see or what would --
6 generally, when they came to your house, what kind of
7 visit was it?

8 A Generally, it was really all holidays because
9 they was always at my house. And from time to time, just
10 to come by.

11 Q Okay. Do you remember May 3rd of last year?

12 A Yes.

13 Q Okay. How were you made aware that Cliff was
14 arrested?

15 A Someone at work told me.

16 Q Okay. So, that day is kind of -- the memory of
17 that day is pretty seared in your mind?

18 A Yes.

19 Q Okay. Prior to that date, when was the last
20 time you had seen Ms. Clatie Stribble?

21 A I'm thinking it was that Monday.

22 Q Okay. If May 3rd was Wednesday, then you're
23 talking about two days beforehand?

24 A Yes.

25 Q What happened on that Monday?

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 A She came by to pick up Clifton from my house.

2 And on that day is when her --

3 Q Well, tell me, in the morning or in the evening?

4 A It was in the afternoon. It was in the evening.

5 Q Was Cliff staying at your house or he was just
6 meeting her there?

7 A He was there. I assume he was meeting her there
8 because she got there not long after he did.

9 Q Okay.

10 A To pick him up.

11 Q Was that unusual or was that pretty common?

12 A Common, very common.

13 Q That she would come to your house and pick him
14 up?

15 A Yes.

16 Q Okay. I'm sorry, and you said what time --
17 roughly, what time of day was it?

18 A It is late in the afternoon.

19 Q Okay. Was she by herself or were her kids in
20 tow?

21 A No, she had two of her kids with her.

22 Q What do you remember about Monday?

23 A She came to pick him up. He went out and they
24 was talking outside for a few minutes. And he came back
25 in --

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Q Do you know what they were talking about? I'm
2 not asking what anything anybody said, but do you know in
3 general what they were talking about?

4 A Well, not when he first went out. I know once
5 the car wouldn't start, when they was getting ready to
6 leave, that's when I went outside to see what was going
7 on. Because she was out there longer than usual.

8 Q Okay. Well, that's my -- did you know
9 beforehand she was coming?

10 A No.

11 Q Okay. And Cliff wasn't staying at your house
12 that day, right?

13 A No.

14 Q But he had gone to your house to meet -- waiting
15 for her to come pick him up?

16 A Yes.

17 Q Were you there?

18 A Yes.

19 Q Okay. So, I don't need to repeat, but
20 Ms. Clatie and two of her daughters came?

21 A Yes.

22 Q Did you go out and speak to her?

23 A I did.

24 Q Okay. In general, how did you and Ms. Clatie
25 get along?

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 A Generally, we had an okay relationship. She
2 confided in me a lot of times and I talked to her. We
3 never had any issues other than when I had to talk to her
4 about being disrespectful at my house. Other than that,
5 we never had any issues other than the -- when she would
6 confide in me about that a lot of things.

7 MR. SCOTT: Your Honor, this is hearsay or prior
8 bad act type situation like we were talking about
9 earlier. I think I need to --

10 THE COURT: You might need to stay away from
11 hearsay.

12 MR. VERNER: I don't think just saying in
13 general she was -- I'm certainly not offering that
14 for truth of the matter, Your Honor.

15 THE COURT: Sure. She can testify about her
16 general relationship, that's certainly fine.

17 BY MR. VERNER:

18 Q Who was she disrespectful to?

19 A She was disrespectful to Clifton, but she was at
20 my household, so I felt like it was being disrespectful to
21 my family as well.

22 Q Okay. But short of that, that's the only time
23 that you recall ever really having cross words with
24 Clatie?

25 A Yes.

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Q How long before this Monday was that, that you
2 had that -- was that long in the past or was that recent
3 in the past?

4 A Well, it's been off and on during the duration,
5 but it came to the point where it was happening more than
6 often and I had to address it. I was having Clifton to
7 address it in the beginning, but it was still happening,
8 then I had to address it.

9 Q And you did directly with Ms. Clatie?

10	A	Yes.
----	---	------

11 Q But that was primarily in a relationship stuff,
12 she and Cliff?

13 | A Yes.

14 Q Okay. Off and on -- well, okay, go ahead. So,
15 Cliff knows up at your house shortly before Ms. Clatie
16 does?

17 | A Yes.

18 Q All right. What goes on?

19 A They was out there working and trying to get her
20 car started since it had -- when she got in the yard, it
21 broke down. And I guess they couldn't get it started,
22 they didn't know what was wrong with it. And I was like
23 well, okay, it needed to be moved out from in front of my
24 house.

25 She was like, Well, I have somebody come

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 pick me up and first thing in the morning, I'm going to
2 have somebody come out here and get my car and see what's
3 wrong with it to work on it.

4 Q Was Cliff working on the car?

5 A He was out there working. They had the hood up
6 trying to see what was wrong with it, yes.

7 Q Did the car appear not to be working before they
8 got there or just when she was pulling out? Or do you
9 know when the engine problems started?

10 A I guess it was off and on, but it worked to get
11 to the house. Once it got there, she sat out there with
12 the car running for a little while and it started smoking
13 again and cut off.

14 Q Is it fair to say that over the five years
15 that -- or the six years, I'm sorry, that you knew her
16 that for the substantial period of that time that she and
17 Cliff lived together?

18 A Yes.

19 Q Were there times when they would break up and he
20 would move out or she would move out?

21 A Yes, from time to time.

22 Q Okay. Do you remember any time when Cliff left
23 her and moved to you, stayed with you?

24 A Yes.

25 Q Did -- how did Ms. Clatie react in those times?

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 MR. SCOTT: What was the question?

2 BY MR. VERNER:

3 Q When Cliff -- let me make a little bit more
4 clear so the prosecutor understands. Did you have any
5 contact with Ms. Clatie after the occasions when Cliff
6 would move out?

7 A Several.

8 Q Okay. What -- this was contact that you
9 personally observed?

10 A Personally, yes.

11 Q Okay. Give me an example of what you saw.

12 A Well, once it was she came to my house, sat
13 outside my house all night long and repeatedly calling his
14 phone over and over trying to get him to come outside and
15 go with her, whatever it was. I wouldn't let him go
16 outside. So she sat out there, really, all night long
17 calling inside the house. And when she couldn't get in
18 touch with him, she started calling my phone.

19 Q Well, I mean, was she out in the yard, was she
20 in her car?

21 A She was in her car parked.

22 Q Where was the car parked?

23 A In front of my house.

24 Q All night?

25 A Yes.

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 Q Okay. And that's one of the examples?

2 A That's one of them.

3 Q Okay. Were there other occasions kind of like
4 that?

5 A Yes.

6 Q Did you think it was a good relationship, Cliff
7 and Clatie's relationship? Was it a solid relationship?

8 A No, not from the start.

9 Q I take it, you would not mind if it ended sooner
10 than it did?

11 A Yes.

12 Q From what you saw, was it all -- was there
13 mutual confrontations between them?

14 A I wasn't there most of the time with the
15 confrontations. I just usually have to go when the
16 confrontation started. And when I got there, I can only
17 observe what I used to see. It was usually him trying to
18 leave and her trying to stop him.

19 Q Do you ever remember any family get-togethers
20 that Ms. Clatie would come to?

21 A Yes.

22 Q Do you ever remember her getting jealous of --

23 A Yes.

24 Q What do you remember about that?

25 A A few times. One time, in particular, we was at

NATASHA ROBINSON-DIRECT BY MR. VERNER

1 a family party and she came in. It was a family party and
2 she came in and it was invitation only. And she came in
3 screaming because she had seen where he was through social
4 media and wanting to know why was he there and who was
5 that he was talking to. Which who she was his cousin.
6 She was trying to fight him and her at this party.

7 Q Was she directing this towards you or towards
8 him?

9 A Towards him and his cousin. I was there and I
10 had to take her out the building and talk to her and let
11 her know that was no other woman, that was his cousin.

12 Q Did she do anything when she left that you
13 remember?

14 A Other than keep calling him and calling him.
15 She sat outside the party for a while. And I tried to
16 tell her she had to go because it was right outside this
17 courtroom [verbatim] right here the other place, it was
18 the wrong place for that.

19 Q And you and I had met once or twice before
20 today?

21 A Yes.

22 Q Do you remember anything about her throwing
23 cans?

24 A That was one episode. She would ride by my
25 house and throwing stuff as we was sitting on the porch.

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 Throwing beer cans -- beer bottles out her window at my
2 house at him.

3 Q During one of their breakups?

4 A Yes.

5 Q Okay.

6 MR. VERNER: Court's indulgence just one second.

7 THE COURT: Yes, sir.

8 BY MR. VERNER:

9 Q Natasha, you do love your brother?

10 A I do.

11 Q You know he loves you?

12 A Yes.

13 MR. VERNER: Mr. Scott or one of the prosecutors
14 might have some questions for you.

15 THE WITNESS: All right.

16 CROSS-EXAMINATION

17 BY MR. SCOTT:

18 Q So, you found out about him killing Clatie from
19 somebody at work?

20 A Yes.

21 Q What time did you go into work that day?

22 A Seven.

23 Q What's your phone number?

24 A (803) 271-8155.

25 Q Tell me now, what was it that you and he talked

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 about at 8:23 a.m., May 3rd, 2017? Do you deny that he
2 called you that morning before he called 911?

3 A I don't deny that, but I deny we talked.

4 Q What?

5 A I do not deny he called me, but I deny that we
6 talked. I did not talk to him that morning.

7 Q Do you have an explanation for me why the phone
8 registers 84 seconds, being connected to yours for 84
9 seconds?

10 A I have no idea. I was at work. And at work, I
11 can't have my phone.

12 Q So, you don't deny him calling you?

13 A I do not deny it. You have the phone proving
14 that he called me, I just deny that I talked to him.

15 Q But you found the missed call later?

16 A No, I did not. I didn't even know he called me.

17 Q Well, then why wouldn't you deny it? You're
18 just taking my word for it?

19 A If you got the proof.

20 Q I got the proof?

21 A I said I didn't deny he called me. I can't say
22 he didn't because I don't know if he did.

23 Q Would it surprise you that he called you before
24 calling 911?

25 A It probably would.

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 Q Did he leave a message? Because it was 84
2 seconds, it seems to indicate that either he spoke with
3 somebody or left a message. Did he leave a message on
4 your phone?

5 A I never received a message from him.

6 Q Are you sure?

7 A I'm sure.

8 Q Okay. Had you ever been to the Conifer Drive
9 house?

10 A I have.

11 Q Had you spent a lot of time there?

12 A No.

13 Q Well, May 3rd of last year, he wasn't living
14 with you, he wasn't living with Clatie, do you know who he
15 was living with?

16 A From my understanding, he was living with her.

17 Q Who is Vonshella?

18 A That's his kid's mother.

19 Q Did you know he was living with her, too?

20 A He may go over there and spend some time with
21 his kids or her, may spend the night with her from time to
22 time when he wasn't with Clatie.

23 Q Help me understand this. Does your brother
24 have, to your knowledge, more than one pair of pants?

25 A Yes.

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 Q More than one shirt?

2 A Yes.

3 Q Does he have a toothbrush?

4 A I hope so.

5 Q What about underwear, does he wear underwear?

6 A I'm sure he does.

7 Q Does he have more than one pair of shoes?

8 A I guess.

9 Q Where did he keep those? Were they at your
10 house?

11 A They probably was at Clatie's house.

12 Q What if I told you they weren't?

13 A I would tell you you probably was wrong.

14 Q Who was wrong?

15 A You.

16 Q What if I told you I've got pictures of the
17 crime scene, officers have testified --

18 MR. VERNER: Your Honor, one, the prosecutor is
19 testifying and not asking a question. Two, he's
20 pitting witnesses once against -- one witness asking
21 about why did somebody else testify to so and so.

22 THE COURT: Sustained as to pitting witnesses.
23 If you want to show her photograph of the scene,
24 though, and ask if she can identify any items that
25 belong to her brother or any items that match

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 clothing, then you're certainly at liberty to do so.

2 BY MR. SCOTT:

3 Q Look through these, tell me what belongs to your
4 brother.

5 A These are not actual pictures of items. These
6 look like crime scene pictures. I don't see any dressers
7 or closets or anything, contents in those pictures.

8 Q Do you have any explanation as to why none of
9 his clothes were found at the house?

10 A I have no explanation.

11 MR. VERNER: Your Honor, again --

12 MR. SCOTT: If she has an explanation, I'd like
13 to hear it.

14 MR. VERNER: That's based on the evidence -- or
15 facts not in evidence. I don't think we've ever had
16 any testimony what was found in the closets or on the
17 floors. We certainly have in evidence what they saw
18 or took photographs of, but that's based on evidence
19 that we don't have before the jury.

20 THE COURT: Solicitor, in reply, if you desire
21 to recall the witnesses who searched the area and
22 found what they did find, what they didn't find, but
23 to ask her to speculate as to why items may not have
24 been found, that's calling for speculation.

25

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 BY MR. SCOTT:

2 Q All right. Do you know where your brother's
3 clothes were on May 3rd, 2017?

4 A To my knowledge, they were at his house where he
5 lived with Clatie.

6 Q How do you have that knowledge?

7 A To the best of my knowledge, that's where he be
8 at.

9 Q Where do you get that knowledge from?

10 A That's where I pick him up from sometimes,
11 that's where I drop him off at sometimes.

12 Q All right. Do you ever pick him up or drop him
13 off at Newberry Arms?

14 A I have.

15 Q Do you know for sure where he lived?

16 A For sure, to my knowledge, he lived with Clatie.

17 Q All right. Let me show you something. Would
18 you have an explanation why -- this is State's 59. Would
19 you have an explanation why in his own information, he
20 listed [REDACTED] Feather Run Road as his address?

21 A That's where him and Clatie lived before they
22 went to Conifer.

23 Q Look at the date, please.

24 A I'm not sure why he put that. Maybe that's just
25 the address that he was used to -- I'm not sure. He's

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 sitting right there.

2 MR. VERNER: I would ask that if the prosecutor
3 ask for information be published to the jury that we
4 can put it on the screen. I do have a problem with
5 kind of this investigator putting stuff up that
6 tracks the testimony without the prosecutor -- it's
7 in evidence, but just the --

8 THE COURT: That's fine. It's in evidence, so I
9 don't know that it really matters one way or the
10 other.

11 Go ahead, Solicitor.

12 MR. SCOTT: Thank you, Your Honor.

13 BY MR. SCOTT:

14 Q If you have knowledge to why he would have
15 listed that as his address, would you state why you
16 believe he -- why is he putting his address as [REDACTED] Feather
17 Run on May 3rd?

18 A I can't answer that question.

19 Q Okay.

20 A I'm telling you what I know, what I seen. I
21 wasn't there when he signed this paper.

22 Q Okay. Is it safe to say there's some things
23 about your brother you just don't know?

24 A There's a lot of things I don't know. I'm
25 telling you what I do know.

NATASHA ROBINSON-CROSS BY MR. SCOTT

1 Q Thank you. So, you don't really know where he
2 considered his home to be then, do you?

3 A I do know.

4 Q What did he consider his home to be May 4th of
5 2017?

6 A That was his previous address.

7 Q Why did he put that down as his current address?

8 A I can't answer that for you.

9 Q Okay. Thank you. You don't know a lot about
10 what your brother had going on in his life, do you?

11 A I know enough.

12 Q You do?

13 A Yes.

14 Q What did he say went down that night?

15 A I haven't asked him.

16 Q You haven't?

17 A No.

18 Q You don't think that's important to know?

19 A I haven't talked to him about it.

20 Q Well, why not?

21 A I just didn't ask him.

22 Q You don't want to know the truth?

23 A As far as I know --

24 MR. VERNER: Your Honor, that's not fact
25 related. It's a loaded question, it's not based on

SHERWIN JESSIE-DIRECT BY MR. VERNER

1 the witness' personal knowledge.

2 THE COURT: Sustained.

3 BY MR. SCOTT:

4 Q You haven't gone to talk with him?

5 A I've talked to him, but we haven't talked really
6 about what the case was about?

7 MR. SCOTT: Okay. Thank you. Nothing further.

8 THE COURT: All right, ma'am, thank you. You
9 can step down.

10 Call your next witness.

11 MR. VERNER: You can stay or go, but you're
12 no -- I assume she's no longer under sequestration?

13 THE COURT: Right.

14 MR. VERNER: Sherwin Jessie.

15 THE CLERK: Raise your right hand, place your
16 left hand on the Bible.

17 SHERWIN JESSIE, after being duly sworn,
18 testified as follows:

19 THE CLERK: Have a seat, state your name for the
20 record.

21 THE WITNESS: Sherwin Lavon Jessie.

22 DIRECT EXAMINATION

23 BY MR. VERNER:

24 Q Good afternoon, Mr. Jessie.

25 A Good afternoon.

1 this witness beyond the proffer.

2 THE COURT: Very good.

3 All right, sir, you can step down. All right.

4 Your next witness?

5 MR. VERNER: We rest at this point, Your Honor.

6 THE COURT: All right. Let's talk then jury
7 instructions in the event that the jury wants to keep
8 working tonight. You received copies of what I have
9 prepared thus far?

10 MR. DANIEL: Yes, we have.

11 THE COURT: Have you had a chance to look at
12 them?

13 MR. VERNER: I have not, Your Honor. I received
14 dozens throughout the years, so I'm fairly familiar
15 with the Court's wisdom of the charges. There was
16 testimony offered, although it's evidence of the
17 clients -- the Defendant's statement to Chief
18 Bodiford, which indicates that he intended to just
19 choke her to stop her, and that he accidentally
20 killed her. So, I understand the legal quandary
21 between self-defense and accident and this would be
22 more in the accident -- I'm sorry, more in the
23 self-defense traditional vain. But clearly, by
24 playing the Defendant's statement to law enforcement,
25 the State has introduced both evidence of

1 self-defense and voluntary manslaughter, that she
2 came in there and she attacked him. And then --

3 THE COURT: Help me with the theory of
4 involuntary manslaughter. I got so far voluntary,
5 murder and self-defense in the instructions. You
6 indicated before lunch you were seeking an
7 instruction on involuntary. Involuntary arises when
8 they're engaging in a lawful act recklessly or
9 engaging in an unlawful act, not unlawfully cause of
10 death. Help me, which of those apply?

11 MR. VERNER: Well, the -- his behavior -- if the
12 jury finds that he was defending himself, which would
13 be a lawful activity, even in an argument or
14 confrontation between girlfriend and boyfriend, if
15 the jury found that he was defending himself or that
16 he was trying to stop the fight lawfully, then he was
17 reckless to the degree of force he used to stop her
18 from getting agitated and confrontational, I think
19 the jury could very well find that if I believe that
20 somebody was just trying to subdue somebody, but they
21 used reckless force in regard -- they used force
22 indifferent towards the safety, which would be the
23 reckless, likely to cause harm-type behavior, the
24 jury could say well, we understand him trying to calm
25 her down, but we think that force was indifferent or

1 reckless to her personal safety and that led to her
2 deft, but he did not have the intent before to kill
3 her.

4 THE COURT: Solicitor, you want to speak to this
5 question?

6 MR. DANIEL: Your Honor, I would just direct the
7 Court to State v. Sams, that's 410 S.C. 303, that's a
8 2014 Supreme Court case, and the strangulation fact
9 pattern. And the Supreme Court said involuntary is
10 not proper in that factual scenario. The heart of
11 involuntary is the killing is unintentional.

12 Now, according to Mr. Boozer's statement, he
13 intended to kill her, albeit in self-defense. So,
14 defense and involuntary in this particular situation
15 is mutually exclusive. State v. Sams, that case is
16 very on point. Even there was testimony where Sams
17 said I didn't mean to kill the person when he
18 strangled him. They said, well, no, you're doing an
19 act -- you're doing an intentional act by choking and
20 that's an act likely to cause death or great bodily
21 injury.

22 THE COURT: You're saying Sams or Sims?

23 MR. DANIEL: Sams, State v. Sams. 410 S.C. 303,
24 Sams, as in Sam's Club.

25 THE COURT: Okay.

1 MR. DANIEL: Your Honor, we have West Law, it's
2 headnote 15.

3 THE COURT: We found it, thank you.

4 MR. DANIEL: In the Sams case, Your Honor,
5 the -- both of those paragraphs, the first case it
6 refers to is somebody using a knife. In the Sams
7 case, specifically, the Court said well, even if we
8 do accept that you can charge involuntary
9 manslaughter, in this particular case, Sams was
10 choking the man and had to get the law enforcement
11 officers to pull his hands off of the victim. He had
12 been choking him for more than 10 minutes. Law
13 enforcement had to physically remove his hold from
14 the victim and the victim was limp in his hands.

15 THE COURT: That's kind of a point, though, that
16 if one is entitled to self-defense, that's an
17 absolute right. If you were to defend yourself in
18 self-defense with say a firearm, you're entitled to
19 unload the weapon, fire all shots that are in the
20 firearm.

21 If your client was truly -- and this is a jury
22 issue, of course, but if he was acting in
23 self-defense, it's an absolute defense and whether he
24 engaged in self-defense in a reckless or grossly
25 negligent manner is, perhaps, irrelevant because it's

1 an absolute defense. If he truly feared for his
2 life, then he should be choked.

3 MR. VERNER: But in State vs. Pickens, the Court
4 said that you can have self-defense and involuntary
5 manslaughter.

6 THE COURT: Give me that cite.

7 MR. VERNER: It's cited in the Sams order, just
8 further down, but in State v. Pickens, the Defendant
9 was convicted of voluntary manslaughter. Well, maybe
10 it stands for the contrary as well. I'm wrong on the
11 Pickens case, Your Honor. That's the case where they
12 were.

13 THE COURT: I'm looking at State vs. Scott, it's
14 from 2014 Appellate Court of Appeals, quote, We find
15 no basis to conclude that Scott acted recklessly in
16 defending himself because the circumstances Scott
17 alleges to be reckless are the same circumstances
18 that justified his use of force.

19 MR. VERNER: Well, on the particular case I
20 cited, I'm incorrect. But on the key cite 16 quote,
21 We recognize there is authority for proposition that
22 a self-defense charge and involuntary manslaughter
23 charge are not mutually exclusive as long as there's
24 evidence to support both charges. The quintessential
25 situation where both involuntary manslaughter and

1 self-defense have been justified in all circumstances
2 where there is evidence of negligent handling of a
3 weapon, gun, or evidence that the victim and
4 defendant were engaged in a struggle over a weapon.

5 Which would be the knife in this particular
6 case. I understand the proximate cause of death
7 would be strangulation, but we also have the struggle
8 over the weapon in this case, Judge. There's no
9 bright line rule for the Court. The verbatim
10 language is that the Supreme Court says there's no
11 bright line rule saying that they're mutually
12 exclusive.

13 THE COURT: I would concur that that's the law,
14 but negligently handling a firearm is, perhaps, a
15 little different.

16 MR. VERNER: Or a mutual struggle over a weapon.
17 That's the second part of that.

18 THE COURT: Solicitor, anything else y'all want
19 to say or anything else you want to point the Court
20 to?

21 MR. SCOTT: No, I don't think so, Judge. I
22 think it's noteworthy, the sentence under Title 16 is
23 undoubtedly determining the multiple charge of
24 appropriate terms of the facts of each case. That
25 comes after the fact pattern in State v. Light that

1 they go over. That this was a very specific
2 circumstances where that would be appropriate, the
3 involuntary charge. I just don't see it. There's
4 the struggle over the knife, but, ultimately, it's
5 the strangulation was the cause of death. And that's
6 on point with Sams and involuntary would be
7 inappropriate under our specific set of facts.

8 THE COURT: All right. I'll take five minutes.
9 Let me talk to my clerk about it a little bit more.
10 My current default setting is to not charge
11 involuntary manslaughter, but I'm going to review
12 that a little bit more after she looks over the next
13 cases she's looking at. Assuming that the jury is
14 willing to continue moving forward tonight, are we
15 assuming that y'all are willing to?

16 MR. SCOTT: I've got nowhere else to be
17 necessarily.

18 MR. DANIEL: I would.

19 THE COURT: How long would you anticipate -- you
20 want to open and close, each go first and last or
21 save it all for --

22 MR. SCOTT: If I can do it all at once at the
23 end, that's what I would prefer. It's the Court's
24 discretion.

25 THE COURT: Do you have a preference,

1 have said. Obviously, if what they say about the
2 testimony differs from what your recollection of the
3 testimony is, you should go with your recollection.
4 Of course, you are the judges of the facts in this
5 case, okay. So, for example, they would just say
6 that yesterday -- yesterday morning, it was rainy and
7 wet and miserable, but you remember yesterday being
8 quite pleasant, temperate, you should go with your
9 recollection as opposed to what they say it was like.
10 All right.

11 The way that we'll proceed is that Mr. Verner
12 will go first on behalf of Mr. Boozer to be followed
13 by Mr. Scott on behalf of the State.

14 So, Mr. Verner, at your leisure, you're
15 recognized for your closing, sir.

16 CLOSING STATEMENT

17 MR. VERNER: May it please the Court, Your
18 Honor. And on behalf of Cliff Boozer, I appreciate
19 the chance.

20 I was thinking about it this morning. It was
21 probably about 20 years ago today, give or take, that
22 I first represented somebody in a criminal trial. As
23 a young public defender in some Podunk county court
24 in Abbeville County. Young girl charged with
25 slapping her boyfriend. I was pretty fresh out of

1 law school. She was probably 20. She's probably in
2 her 40's now, probably got teenage kids, probably
3 divorced. But it was a domestic-type slap in the
4 car. And I remember I made dioramas for jury. I
5 went out and found a Ford Mustang replica of the car
6 that the slap happened in and put it in the diorama.
7 And we made that case, the prosecutor and I made that
8 case take a full day in some county court in
9 Abbeville County. That's really largely before we
10 had the domestic violence laws that we have today.
11 And that's my first case and I've been doing it
12 consistently for 20 years.

13 I'm not an expert on crime scenes or
14 investigations. All I've got is my God given common
15 and the ability to listen. I've got the ability and
16 the benefit, I guess, of getting both sides of it. I
17 can get the State's evidence, then I can speak and I
18 can just listen to people. I'm not trained
19 forensically. All I've got is my ability from
20 growing up in Newberry of listening to people and
21 putting myself in their shoes as a reasonable person.
22 If I could see myself doing it -- I consider myself,
23 probably like most of us, a fairly typical reasonable
24 person. If I could see myself doing it, then I
25 assume a reasonable person would be in my same

1 situation. Because I typically -- in the typical
2 middle-age guy, I don't do crazy stuff anymore. I
3 don't do smart stuff always either, but I'm a fairly
4 typical person. If I can see myself in somebody's
5 shoes doing something similar, then I think a
6 reasonable person standard. And that's just what the
7 Judge will charge to you is what you think a
8 reasonable person under the stress of that type
9 situation would do.

10 And I would also ask you to consider the trial
11 starts at this bar this way. There's nothing that
12 you have heard or saw beyond the bar that is evidence
13 or is anything proper for you to consider. It's the
14 testimony and the exhibits. I'm from Newberry. I'm
15 not oblivious, I'm not clinical, I'm not
16 unsympathetic to the Stribble folks and to their
17 friends and family and community activist out there.
18 It's a pretty good crowd together. I assume, both
19 sides have family here. We've seen a week-long case.
20 I mean, you know whose here, but that's not the case.
21 You've taken an oath to decide this in a clinical
22 dispassionate way. You don't give justice for
23 somebody. You give justice. That is you do what you
24 think is right and the chips falls where they may.
25 And that's all we're asking you to do.

1 I grew up in Newberry. Quarterback of my
2 football team was a Stribble. I assume, must have
3 been possibly a distant cousin because Newberry is a
4 fairly small county. Just as an aside, he's the only
5 quarterback who threw me a pass in a game. I
6 remember to the day, I was in the corner of the end
7 zone. He lobbed a pass to me and a quarterback from
8 Airport High stepped between me and the ball and took
9 it 25 yards the other way. But that's the -- so I'm
10 not oblivious. I'm just like you are. I mean, I
11 understand we've got Ms. Clatie Stribble who has been
12 killed. Your oath and your common sense is to decide
13 things patiently put. I don't want -- that doesn't
14 mean that you're immune to understanding the emotions
15 of this case. Just like me. And I would just ask
16 for you to give me a chance to just suggest some
17 things for you that I think are important in this
18 case.

19 And the first thing is what if the police had
20 decided to investigate this case just a little bit
21 differently? What if instead of a Louis Rich
22 employee, Mr. Boozer had been just a banker or a
23 prominent businessman and the police had started the
24 investigation giving him the benefit of the doubt as
25 opposed to just charging him with murder and then

1 working to disprove anything that he said that
2 happened? Which is exactly what has happened in this
3 case. And I understand that. That can be sound law
4 enforcement strategy, but your duty, as the Judge is
5 going to tell you, under your oath is that you have
6 to start the case giving every benefit of the doubt
7 to Clifton Boozer.

8 And how do I know and how do you know for a fact
9 that the police went ahead and charged him with
10 murder and then made their case top down with the
11 incident to disprove any evidence or any inconsistent
12 evidence? Because we've heard Cliff's statement
13 given the day that Ms. Clatie was killed. It was a
14 55 minute tape where Officer -- Chief Bodiford is
15 interviewing Cliff in the police station just a
16 couple hours after Ms. Clatie was killed. What
17 happens at the very end of that tape? They serve him
18 with the arrest warrant. You remember where we
19 stopped it where they're serving him and reading the
20 arrest warrant?

21 So, they've gone to the crime scene and they've
22 interviewed Cliff on the same day. And they've
23 already -- at the end of the interview, they've
24 already got a typed out arrest warrant signed by a
25 judge to arrest him for murder. Either the officers

1 doing it with a judge present during the statement or
2 they've already got the murder charge made on him.
3 And at the end of it, you hear the officer say,
4 here's the arrest warrant. Instead of investigating
5 the crime scene and then giving Cliff a chance, who
6 said I'll speak to the police, they went ahead
7 charged him and then took his statement. They just
8 didn't tell him they had the murder warrant until the
9 end of the interview. And you heard it on the tape.
10 And that's building a case from the top down.

11 And since that is the course that the State has
12 chosen, instead of listening to both sides or
13 considering the evidence and hearing Cliff's side and
14 then determining is this self-defense, yes or no? If
15 not, is it a more serious crime and working up, they
16 went ahead and charged him immediately with murder
17 and then took his statement. So, that's the order
18 I'm going to address the charges in, murder.

19 We don't have in South Carolina -- well, we do,
20 but by name, we don't have degrees of murder, first
21 degree, second degree, third degree. We've just got
22 murder. We just offhand weigh the same, first degree
23 murder, which is the murder we think of every time we
24 hear it, is this cold-blooded, premeditated, that's
25 the important term, a premeditate, which means

1 somebody has the time to plan it. It doesn't mean
2 they have a lot of time to plan it, but it still
3 means they have time to think about what I'm going to
4 do, reflect on it and it's a murder charge. The best
5 way to show premeditation is planning.

6 And again, I submit to you, if you just look at
7 the scene itself, it just doesn't have the
8 premeditation. There's been a six year -- Cliff and
9 Clatie are in a six-year relationship. You heard
10 it's turbulent. We've heard -- I heard, at least,
11 four people say toxic. I will suggest to you -- I
12 don't know for a fact, but I would assume that
13 because that's a term I don't usually hear that
14 often, that probably in prepping for the case or
15 speaking to each other or hearing other people
16 testify that that's just a word that they've latched
17 on to today or during this week, or the solicitor
18 suggested. But it's just unusual that that one kind
19 of word is banded about by so many different
20 witnesses for the same side. I do suggest that
21 possibly they had been -- and I'm not suggesting
22 anything bad because there's nothing wrong with
23 recollecting your events of what happened. But I do
24 think that the evidence shows it was a hot and cold
25 up and down relationship. It's a two-sided

1 relationship. It lasted for six years.

2 All the evidence is that Cliff -- that you heard
3 from the witnesses, they lived together about six or
4 seven years. The hot and cold. Sometimes he left
5 her, sometimes she left him. The last time that
6 their witness said she went to the house on Conifer
7 that Cliff was there. So, we know Cliff was a
8 regular there. He kept effects there. The fact that
9 his cigarettes would be there, the same brand that
10 Clatie smokes. It's not really -- I don't consider
11 that strong evidence if you find some of his stuff in
12 her home.

13 The taxi driver, who was probably -- I consider
14 a very credible witness. You know, the officer
15 testified her first concern was she thought, oh, my
16 God, something happened. I'm going to get caught up
17 in it, I'm an accessory. And she looked nervous.
18 She didn't want to be here. From Clinton. But I do
19 submit to you she was credible. She said Cliff was a
20 regular customer. I regularly took him out to Ms.
21 Clatie's house. And you heard -- she -- both her and
22 then Chief Bodiford testify that the State's going to
23 suggest that somehow it's suspicious that she didn't
24 pull right in the driveway in the morning. But she's
25 testified and Chief Bodiford testified on the day

1 after Ms. Clatie was killed, she said, I never went
2 into the driveway. I always dropped him off before I
3 got to the house. It's in the transcript. Chief
4 Bodiford testified she told him that the day after
5 Ms. Clatie was killed. She testified that she said
6 that. The solicitor is going to say that's mighty
7 suspicious. But it's also mighty regular. The taxi
8 driver said I never went to that lady's driveway.
9 Part of the reason was that lady and I, Ms. Clatie
10 and I had words. Remember the argument they had that
11 I don't like you being his taxi driver.

12 The biggest evidence that I can think of that
13 it's not a murder case is Ms. Clatie was choked to
14 death. She was strangled, she was choked to death.
15 She was cut as well. But if I had the intent and a
16 knife or a weapon to harm somebody, I wouldn't end up
17 choking them to death. The coroner testified that
18 there were clearly marks on both sides of her neck
19 from being chocked with two hands. In his statement,
20 Cliff on the day of the killing said, I used both
21 hands when I choked her out.

22 And that is consistent with the autopsy and the
23 pathologist, the lady who's done 12,000 autopsies.
24 She did several autopsies before she testified before
25 you. Twenty years, 12,000 autopsies, she says there

1 are clearly marks of finger, not ligatures, which is
2 the telephone cord or anything else, hand marks. And
3 we know they're hand marks because she said they
4 start here and they go down to here on both sides of
5 Ms. Clatie's neck. And there's clearly signs of
6 struggle. It's not choking Ms. Clatie out that
7 there's blood on the floor on both sides of the bed
8 and on the wall.

9 The biggest factor -- and I don't know for a
10 fact, but I think we all know that Ms. Clatie, when
11 she was cut, the knife that was used was probably her
12 own kitchen knife. You had Ms. Brandy testify to you
13 that she knew for a fact Clatie kept two knives in
14 her bedroom. One under her pillow and one on the
15 bedside table, a black-handled knife. That's what
16 Ms. Brandy testified and Cliff on the same day. Told
17 Chief Bodiford, she had the black-handled kitchen
18 knife that she had cut me with.

19 I don't know for a fact, but I think it's pretty
20 reasonable and likely that Ms. Clatie -- the knife
21 that was cut was her own kitchen knife. And the
22 question, I guess, is who cut her with it, either
23 Cliff or she did it herself while they were fighting
24 over the knife. And I understand that's -- that's
25 going to be the tougher issue to prove.

1 The taxi driver said that she took Cliff there.
2 She didn't really remember. She thinks he -- she
3 said normally he's laughing and joking. She said, I
4 think on this day, he was quieter than normal. But I
5 do -- you remember her testimony. I do suggest that
6 the solicitor was kind of controlling that testimony
7 and giving out the answers in somewhat of a leading
8 way. If this is murder, Cliff's the one -- he didn't
9 make any effort to get away. If I'm going to kill
10 somebody, why not have a get-away car? Why not leave
11 on a bicycle? Why not steal the neighbor's car and
12 leave? Why --

13 Cliff's the one who called 911 at 8:26 in the
14 morning. You heard his voice, he sounds like he's in
15 shock to me. His voice is in disbelief. You heard
16 the 911 call. He's in shock. He's talking to the
17 911. That's just inconsistent with me to murder,
18 that I would call the police myself from the scene
19 and wait there for them to come, and then cooperate
20 completely, cooperate with SLED, get the photographs
21 taken, give a statement to the police at the first
22 opportunity. I just do suggest that in and of itself
23 is inconsistent with murder. I just don't -- it's
24 not usual for somebody to call the police and say I
25 killed my girlfriend, I'm at her house right now.

1 I'm waiting for y'all to come. That in and of itself
2 raises a reasonable doubt to me.

3 There are just so many -- just a -- and I'll get
4 to other reasons in a little bit, but there are just
5 so many reasons it is inconsistent with a first
6 degree or premeditated murder. It just starts from
7 the beginning. But you do have a lady and she has
8 been stabbed and choked and police say well, she's
9 been murdered in her home. And I understand them
10 making that charge. But they didn't start it with
11 investigating anything up until then other than that
12 she was killed. And then the investigation since
13 then has been to try to disprove that it was
14 self-defense or a lesser charge.

15 A lesser charge, for instance, would be -- in
16 South Carolina, again, we don't have first degree,
17 second degree, but we do have what's basically
18 premeditated murder or murder. And then voluntary
19 manslaughter is what most states or many states call
20 second degree murder. Voluntary manslaughter is an
21 intentional killing of someone else, but it's during
22 the heat of passion and there has to be some kind of
23 provocation.

24 I'm going to tell you some of the provocation,
25 some of the legal provocations that over the last

1 couple hundred years that the courts have recognized
2 are evidence of a heat of passion killing as opposed
3 to a full blooded premeditate killing is it happens
4 during an assault or combat, mutual combat. It's
5 proceeded by insulting words and threats. It's
6 finding your significant other or spouse in a
7 romantic relationship with somebody other than you
8 and I kill them. It is -- it's a killing following
9 humiliation, but -- for example, somebody spits on
10 you or butts you rudely, grabs you by the face or
11 makes some kind of rude touching of yourself and he
12 strikes the man or he lashes out at the woman, but
13 it's -- and the number -- the must common one is it's
14 a killing that occurs during a very emotional
15 argument.

16 And then it can be -- another example is if
17 somebody sees his pets being killed by somebody else.
18 It's not a threat to him, but he gets so angry he
19 kills the person who kills his animals or even
20 destroys his property. If I see somebody damaging my
21 car and it just makes me so angry that I immediately
22 attack the guy and kill him. That's an emotional
23 heat of passion killing. It's not a premeditated
24 killing. It may be an unlawful killing, but it's not
25 a premeditated killing. It's a killing that occurs

1 during the heat of passion. And I think you all
2 heard Cliff's statement and the initial statement to
3 the officer when Chief Bodiford got there, Things
4 just went too far. If what if he's saying is true is
5 what he's saying the first thing thus far when he
6 arrived at the scene and Cliff was waiting for him on
7 the porch.

8 I submit to you, had the State -- or had the
9 police investigated this case from the ground up, the
10 first thing they would consider would be whether or
11 not this is a self-defense? And by your oath, that
12 is the first thing that you are required to consider.
13 Giving Cliff -- because we all know this a trial for
14 murder. I mean, we understand the Supreme Court
15 doesn't send judges from Greenwood to Newberry for
16 trivial matters. I mean, we understand where we are.
17 And just had the police -- what if the police had
18 investigated this case giving Cliff the benefit of
19 the doubt? You know, we heard what you had to say
20 before we decided what to charge and we're going to
21 consider whether there's any evidence to justify your
22 side of it.

23 Well, self-defense is, basically, that somebody
24 attacks you first. I mean, we understand that. You
25 have to be without fault in bringing the fight on.

1 If it is a mutual fight, two drunks at a bar and they
2 are both throwing blows, it's not self-defense for
3 either one of them. You know, oftentimes, only one
4 of them might get charged, but self-defense is I'm
5 not the one who started the physical confrontation or
6 did something that would lead somebody to attack me.

7 And I will tell you that the State has to
8 disprove -- if you find that there's any evidence
9 that it could be self-defense, the State is required
10 to disprove self-defense. I don't have to prove I
11 acted in self-defense. If y'all look at the facts
12 and y'all determine this could have been
13 self-defense, y'all then have to look at the State
14 and say the man is saying it happened in
15 self-defense, y'all have to prove beyond a reasonable
16 doubt that's not true with all the evidence.

17 But you have to be without fault in starting the
18 physical confrontation. You have to be in a
19 reasonable belief that somebody is going to cause you
20 a serious injury or kill you. And I suggest somebody
21 holding a knife, any one of us in this courtroom
22 would believe that there is a reasonable possibility
23 or probability or likelihood I'm going to get harmed
24 with a knife. I'm justified in that fact alone that
25 that person is holding a knife, man or woman.

1 Then the third element is a jury in hindsight
2 has to determine whether that person -- this is what
3 the person said he was in fear of. You have to
4 determine whether that would be reasonable. If I
5 were in that man's shoes, would I have the same
6 apprehension of being harmed? I suggest that all cut
7 us, if somebody had a knife and they had cut us or
8 they were trying to cut us that there is not a person
9 in this room who would not think I've got to fight or
10 flee.

11 And the fourth thing is, if possible, the person
12 who is attacked, who is claiming self-defense, there
13 has to be some evidence that you find that he made or
14 she made some attempts to avoid the confrontation.
15 If there is a door -- what's the Lynyrd Skynyrd song
16 that is three steps to the door, Mister, whatever
17 that song is, well, that's the legal requirement for
18 self-defense. If you're going to pull out a weapon
19 towards me, my first legal requirement is to take
20 three steps towards the door. I've got to avoid -- I
21 can't see somebody pull a knife on me and say that's
22 cute. I'm an MMA. I'm a karate. I can't wait for
23 you to do this. That's not self-defense. Even if
24 somebody pulls a knife on me and I'm a bad ass man, I
25 can't say brother, you've made your declaration on

1 me, I'm going to prove to you while you're wrong.
2 Self-defense is brother, you know, let's not do this.

3 But we have self-defense because people can't
4 also get away. You know, these fights happen in
5 closed rooms. The Judge will tell you if you can get
6 away, you've got avoid the -- somebody can't threaten
7 you and you call his bluff, that's not self-defense.
8 But we have self-defense all the time because people
9 can't avoid fights. And you have to consider things
10 like where did the confrontation happen? Was it
11 room, the doors, the degree, you know, somebody is
12 already on you, the proximity. Obviously, the
13 further you are away from somebody, the better chance
14 you have to get away. Whether it's in contact. But
15 that's just something you have to use common sense.
16 Could a reasonable person have fled the scene or
17 avoided the physical confrontation? And if somebody
18 is already on you, then the fight is already on. But
19 the flight is to avoid it, not to end it once it's
20 happened.

21 Okay, so assuming the police said this from the
22 beginning of the case, we're going to consider for a
23 possibility -- even just for legal fiction and humor,
24 Cliff, we're going to listen to your self-defense
25 claim that you told us on the same day. And we'll

1 see if there's anything that supports your argument
2 that it's self-defense. The biggest thing right off
3 the block is we know it's her knife. We know she's
4 the one with the knife. It's in her room under her
5 bed, as her good friend, Brandy, said. Brandy said
6 she kept a black-handled knife under her bed. Cliff,
7 without coordinating, talking to Brandy at all, said
8 she attacked me with a black-handled kitchen knife.
9 They are two people who don't talk. They didn't
10 coordinate.

11 And Cliff, he didn't have time to plan out any
12 kind of alibi or story. He calls the police from the
13 scene. They come and arrest him. They take him
14 immediately to jail. He goes through the booking end
15 and the processing area and then they take him to the
16 police station to speak to the police officer, Chief
17 Bodiford. He hadn't spoken to a lawyer. He hadn't
18 spoken his sister. He hadn't spoken to other jail
19 inmates. He's going through the shock of the
20 situation. He understands something bad has
21 happened. That's dawned on him. I would from the
22 beginning, too. But he hadn't had a chance to
23 coordinate with anybody or plan up anything in depth.
24 It just all happened too fast.

25 He gave a statement to the officer the same day

1 that you heard. That is consistent in many ways with
2 what we've heard from Ms. Clatie's friends. And I do
3 believe everybody has testified truthfully before
4 you. That's just my opinion, but you're the ones who
5 makes the call. I understand some of us have biases.
6 I can give the truth and still not like somebody. I
7 will emphasize and bring up the points that I think
8 make them look good or bad, depending on where I am
9 in the situation, but I can still testify truthfully
10 and still give my spin on it.

11 We know for a fact. I mean, I wouldn't bet my
12 life on it, but we know it's much more likely than
13 not Ms. Clatie was killed -- or she was cut, but it's
14 the -- she was killed by strangulation, but she was
15 cut with her own knife. How do we know that it was
16 possibly in her hand? We know it's her knife, but
17 that doesn't necessarily prove that she's the one who
18 had it in her hand. What's some more evidence that
19 might suggest that she had it in her hand? The DNA,
20 the lady from SLED who testified about the fingernail
21 scraping under Ms. Clatie's fingernails, on the right
22 hand, nothing. No scrapings, nothing but her on DNA
23 under her right hand. Well, what might be a reason
24 for that? Because the hand might be closed in a fist
25 or it might be wrapped around something.

1 Court's indulgence one second.

2 THE COURT: Yes, sir.

3 MR. VERNER: I forgot one of my props, I'm
4 sorry. I'm going to get it in here.

5 But she does have some DNA from Cliff under her
6 left hand. But they don't see any scratching or
7 defensive wounds. If the lady -- I tell you what --
8 we all know the reason they're saying we look at
9 somebody's fingernails is they say the lady was being
10 attacked by somebody, it is possibly and even likely
11 that she would be scratching -- if she didn't have a
12 weapon in her hand, the next thing she would be doing
13 is either throwing punches or scratching. And that's
14 why they've got that standard test under people's
15 fingernails cases.

16 There's no marks on Cliff, defensive scratches,
17 other than -- which is, you know, interesting to me
18 that they take these pictures of Cliff at the scene,
19 but they don't introduce the picture that they all
20 testified about that he's got a cut on his hand.
21 He's got a -- multiple witnesses have testified that
22 he clearly had a scar or cut on his hand. And I
23 understand that when they take pictures of Cliff,
24 that the only pictures I've seen and you've seen is
25 Cliff in his big heavy sweatshirt. They don't have

1 any picture of his arms or anything to indicate they
2 examined his arms or anything else.

3 The pathologist, 12,000 autopsies looked at his
4 arm in front of you and said he's clearly got a stab
5 wound in his arm. She used the clinical definition
6 for it, but she said that's consistent with a
7 straight edge stab wound. And how it got there or
8 how long it's been there is not significant. She
9 might classify it as a nick or an incision, but she
10 said he's clearly got some kind prior -- here we are
11 a year later, she looked at his arm and I can
12 immediately tell you that's a stab cut. It's a
13 linear incision into his arm about half an inch long.

14 But we know it's her knife. We know she doesn't
15 have DNA under her right fingernails, but she does
16 under her left. We know that they're in a volatile
17 relationship. And I understand most of the evidence,
18 just given the nature of where we are, is going to be
19 directed at Cliff, he's the bad guy. But this is a
20 two-person relationship. And you heard from Natasha,
21 who testified that, at times, Ms. Clatie could be an
22 emotional person herself. She could lash out at
23 Cliff. Several times, it got to the point where I
24 told Cliff either she -- or Ms. Clatie had to stop
25 coming by the house. And then I spoke to Ms. Clatie

1 herself and said quit doing this in my home. You're
2 disrespecting -- even if you don't say anything bad
3 to me, if you're insulting or you're going after
4 somebody in my home, you're disrespecting me because
5 this is my home. Did she seem like she was lying to
6 you?

7 And then we know in 2011, Ms. Clatie had a
8 suicide attempt. Now, the solicitor brought out
9 slyly, you know, well, that's about the time she
10 started dating Cliff. But that's just -- it's a
11 punch in the stomach, but it's a sucker punch because
12 we don't know that. There's no evidence of that.
13 That would have been in the very beginning of her
14 relationship with Cliff. She's emotional to the
15 point she attempts suicide at home, possibly, because
16 of mental health issues that she's not taking
17 medication for.

18 We know just from looking at Ms. Clatie in
19 hindsight that she was a good loving mother, but we
20 also know that she wasn't an even keel all her life
21 type lady. She's had her highs and she's had her
22 lows. She's emotional as the rest of us are,
23 sometimes more. In a six-year relationship, we know
24 she's invested in Cliff because she's got his arm
25 tattooed -- his name tattooed across her arm. We

1 know there's some kind of emotional investment on her
2 part towards Cliff.

3 We know there's jealousy. You heard
4 Ms. Natasha talk about it and you heard Cliff talk
5 about it in his statement on the same day that
6 Ms. Clatie was killed. And then you heard the taxi
7 driver, who is probably the least interested in this
8 case as anybody who said that it got to the point
9 where Ms. Clatie actually confronted -- I had words
10 with her. Which to me, always means bad words, is
11 the in parentheses. And she was a pretty young lady
12 and Ms. Clatie didn't appreciate Cliff riding around
13 with her. You need to quit coming to my house. And
14 that might be part of the reason why they didn't pull
15 into the driveway, too. The taxi driver said, you
16 know, I took Cliff about half the time, but there
17 were other taxi drivers who probably took him more.
18 You know, he had a late night schedule. I usually
19 picked him up either late at night or early in the
20 morning, usually at Louis Rich, to her house. And
21 that had been going on for all of 2015, 2016 and into
22 2017 is when the taxi driver said Cliff was a regular
23 customer go to Ms. Clatie's house. Usually she kept
24 the lights on for him.

25 We know there's a struggle. It's not just

1 attacking Ms. Clatie and killing her. It's not a
2 case of voluminous blood, but there is blood in
3 several locations. There's blood on the left-hand
4 side of the bed. There's blood on the right-hand
5 side of the bed. There's blood on the wall. There's
6 blood on the bed. There was a fight. I will tell
7 you, there was a struggle and fight. There's no
8 evidence to support it, but the inference the State
9 is going to say is that he attacked her in the
10 kitchen. He must have attacked her in the kitchen
11 because there was a shirt found on the floor in the
12 kitchen. There's no blood on it and really kind of
13 inconsistent. Ms. Clatie went to bed about 3:00 the
14 morning before. She had a purple or a Sonic purple
15 knit polo shirt on, black pants. That's what we know
16 she was wearing until 3:00 the morning beforehand.

17 And the solicitor, you heard him to kind of
18 steal my thunder, said let's -- remember when the
19 solicitor when he was talking to Niyla?

20 He said, Let's just get this out there, your
21 mother usually slept naked, right?

22 Yes.

23 And she was found naked early in the morning.
24 So, the facts show -- I mean, if somebody testifies,
25 you know, she usually slept in the nude and she's

1 found early in the morning in the nude and we know
2 that she wasn't wearing a different set of clothing
3 the night beforehand, there's nothing really to
4 connect that to Ms. Clatie. Look at the pictures of
5 the house. I understand it's a tidy and it's a
6 well-kept house, from what I was looking at, there
7 are four girls, three or four girls living in that
8 house. There are women's clothes throughout the
9 house. Look in the pictures, you see the laundry
10 baskets on the wall under the windows. You can see
11 some of the pictures of Ms. Clatie's room with
12 clothes in her room.

13 Then you got Cliff's statement the same day it
14 happened saying we're trying to work things out.
15 She's seeing people, I'm seeing people. Why would he
16 show up after the kids were there? Just because if I
17 were in a sexual relationship with somebody who has
18 kids from another man, I would probably show up after
19 they're gone, too. I mean, I don't see that as an
20 unusual situation.

21 Well, we've got that Cliff was here, TV
22 scratchings on there, which is the old TV from the
23 prior house. It just makes no more sense to me that
24 he killed her immediately. And then the first thing
25 he does is write Cliff was her on her old TV set,

1 then called the police from the scene without
2 leaving. I can understand it if their theory was he
3 had broken in the house and then left and then left
4 his calling card on that TV, I understand that. He's
5 a jealous, vindictive man, that makes sense to me.
6 I see that, marking up somebody else's property.
7 They've been in a seven-year, on-again, off-again
8 relationship. There's an old TV, it does not appear
9 to be fresh scratchings on it. Look at it. I mean,
10 they're gray colored in there. It's a TV from their
11 prior home. And it makes no sense to me that
12 somebody will kill a lady, immediately write I was --
13 Kilroy was here and then call the police in a state
14 of shock and say this is what happened. We fought
15 and I killed her. I just -- I don't know who wrote
16 it. It's possible Cliff wrote it, but it is very
17 like that is an old TV and that's stuff that's been
18 there for a time. And then after the police are
19 investigating things and looking closely at
20 everything, they observe it. But there is nothing to
21 suggest that that was made on that day.

22 There is nothing to suggest that Cliff was
23 stalking her through the window. He'd stay in that
24 house. You've seen the room. It has closed blinds.
25 Every single window in that house has closed blinds.

1 And then she's got a curtain on the other side. And
2 then there are no lights on in the house, which is
3 obvious from the outside. There's just no reason --
4 I understand it's -- and then there's no evidence of
5 fingerprints or disturbed dust or anything to suggest
6 that somebody was holding themselves up looking
7 through her window. That is just pure speculation.

8 Again, we heard the coroner testify that she
9 thinks the time of death was at 7:30 in the morning
10 after she did three prior reports saying probably
11 8:30 and then she changed it to 7:30. But you also
12 heard from the coroner who's done 12,000 autopsies
13 say there is no way scientifically possible that
14 anybody, even a medical doctor could determine a time
15 of death. If somebody said a time of death, they
16 were just picking a number out of the air. The
17 autopsy -- the pathologist testified there's no way I
18 could do it and I've done 12,000 dissections. That
19 is clearly just her giving her hunch.

20 And we all know, Cliff, he calls the taxi about
21 5:00 in the morning. We know from the taxi -- I
22 don't understand why the SLED agent from Columbia
23 came down to say that the cell phone tower pinged at
24 5:45. I mean, I think that's credible, but we
25 already know the taxi driver said I picked him up at

1 5 o'clock or a little bit later and it takes about 30
2 minutes to get to Prosperity. So, we already know
3 Cliff's there about 5:45.

4 Cliff's cell phone. And part of the reason I
5 have to bring this up is I have to go first by the
6 rules and the State, who has the burden of proof,
7 gets to speak last. I don't get rebuttal. And I
8 hope you keep that in mind, that giving Cliff the
9 benefit of the doubt, if the State makes arguments to
10 you, I do ask for you to listen to it and if you've
11 heard any possible answers to it, you've got to give
12 to Cliff the benefit because there's no change for
13 anybody else -- the solicitor gets final closing.
14 There's no chance to rebut it. I would just ask that
15 you apply some clinical common sense to what he says.

16 To the extent that they say well, Cliff's cell
17 phone, why didn't he give us text messages or show?
18 I think there's a pretty easy answer for that. The
19 officers testified they gave Cliff's cell -- Cliff
20 put his cell phone on the ground for the officer to
21 approach and Cliff got down on the ground and got
22 handcuffed. The officers immediately took custody of
23 his cell phone and sent it to SLED, and it's been in
24 SLED custody until prior to this trial. Now, they
25 say -- they're going to suggest why didn't Cliff open

1 his phone up or get his pin number for you. We
2 haven't had the phone, SLED's had it in Columbia.

3 You heard the investigator from the solicitor's
4 office testify I've got an office almost next door to
5 the solicitor, or I'm across the street. And they
6 never in a year sent somebody 20 steps down the
7 hallway to say are y'all willing to give us the pin
8 number so we can examine the phone? But that's
9 something not given to us until sprung on us at
10 trial. On a phone we don't have or have access to,
11 then they're going to say well, if he's got cell
12 phone text messages that exonerate him, why didn't he
13 show them to them? When they had the phone in their
14 custody and they never bothered to ask. And it's
15 clear Cliff spoke to them from day one. So, I don't
16 think it's fair for them to put that on Cliff, when
17 they've got the phone and they don't ask to operate
18 the phone.

19 There's going to be some insinuations of other
20 uncharged crimes, such as burglary, breaking into
21 this lady's home. I would ask you to be eerie of
22 that. The solicitor might say well, maybe this is a
23 lot more complicated and this is a break-in or even a
24 sex attack. They've got an indictment for the Judge.
25 With the stroke of a pen, they can say burglary on a

1 piece of paper and we would also be defending a
2 burglary case. They haven't because I submit to you
3 that they cannot show burglary or other crimes. You
4 think they're cutting Cliff a break? You think
5 they're doing you a favor by trying to make this a
6 quick case by not including other crimes? Ladies and
7 gentlemen, this is a murder case. If they could have
8 put a burglary charge or other charges in here, too,
9 you would be dealing with those charges, too.
10 They're not doing Cliff a favor by not charging him
11 with crimes. If there was strong evidence of other
12 crimes, you would have it before you. This would be
13 a buffet of charges. Wouldn't really change the
14 length of this case. You know, this case is however
15 long it's going to be. It doesn't change the facts
16 of the case. With a stroke of a pen, if they had a
17 good case for other uncharged crimes, they would have
18 given it to you. I promise you that. So, I would
19 ask you not to speculate about other crimes. The
20 charge you have before you is murder.

21 Just more evidence of the type of relationship
22 that Clatie and Cliff had, well, you know, they
23 insinuated well, he was just texting and calling the
24 hell out of this lady. He was just harassing her.
25 Same period of time, she had 35 calls or texts to

1 him. He's got 55 -- 45 to her. And yet, he's
2 harassing her. He's stalking her because nobody
3 texts or calls somebody 45 times, even if it's the
4 lady who calls your or texts you 35 times in the same
5 period. That just doesn't move the ball to me one
6 inch either way other than to show they're in an
7 emotional relationship and they're talking to each
8 other.

9 Finally, if they weren't still seeing each
10 other, why would she go to his sister's house where
11 she knows he lives the day beforehand? Now, we
12 understand that there's been some testimony where the
13 car broke down, but we managed to coast it all the
14 way down to this sister's house. Just, as Natasha
15 said, coincidentally, is where Clatie usually picked
16 him up. When she did pick him up, they would meet at
17 her house. And she said Cliff arrived right before
18 Clatie did, so she assumed, as they always do, it was
19 a prearranged meeting. But then the car can't start
20 again, Ms. Clatie gets frustrated, leaves the car at
21 Cliff's house and says fix it and I suggest to you
22 says, bring it back. I mean, if my car breaks down
23 at my boyfriend's house, can you get it running and
24 if you can get it running, bring it back. I suggest
25 to you that she was going to his house to pick him up

1 like Natasha testified. That's the way they always
2 did it regularly. The car couldn't start again and
3 she had to get a taxi back and I understand her being
4 frustrated. I can also understand Cliff going back
5 the next day to see her. Either by prearrangement or
6 to talk about the car.

7 And likewise, the State is going to say well,
8 the daughters saw him at her house in the morning two
9 days beforehand on that Monday. And I understand
10 that, too. If I'm in an up and down relationship
11 with some other lady who's got kids by another man,
12 and then the boyfriend comes when she's not home --
13 they didn't say broke in the house, they just said he
14 walked in. Clatie had just recently gotten a job.
15 He was surprised she wasn't there. The daughter
16 testified we asked him to leave, he did. He said,
17 I'm going to get my wallet and I'm going to go. She
18 said as he was walking out, I called my mom because
19 I'm not sure -- you know, we see Cliff all the time.
20 I'm not sure whether he's supposed to be here today
21 or not either, so I'm calling mom to find out.
22 Because they saw him on a regular basis.

23 I understand in a up and down relationship, if
24 you see him and it's when mom's not there, then it
25 can be awkward. But she doesn't say he breaks in or

1 he has any weapons or that he's angry. She just says
2 he's surprised that mom's not there and they are home
3 on a school day when they missed the bus. They ask
4 him to leave, he does.

5 Okay. So, to summarize, Cliff Boozer, he's
6 being charged with cold-blooded, premeditated murder
7 and that's just almost impossible that it happened
8 that way. I'm sure some of the facts do fit in
9 nicely with that. You know, Ms. Clatie's been
10 killed. It does appear possible, if not probable
11 that she, at least, at some point had the knife in
12 her hand. It makes sense, that show the cuts he has
13 on him. That explains the lack of fingernail
14 cuttings on her. That explains that it's her knife.
15 An emotional relationship, some jealousy involved in
16 it, which leaves us just -- I mean, it's inescapable.

17
18 I think the last thing that I didn't mention is
19 that there was some testimony about SLED agents went
20 there a few days later and they found two kitchen
21 knives in the yard, which even solicitor to some
22 extent is a little bit surprising that with that many
23 officers there taping off the scene, walking the
24 perimeter, looking for these sheets, looking for
25 knives -- they started looking for knives that same

1 day. I think even in self-defense -- or I would
2 submit to you, at least, that if I got in a fight
3 with somebody even in self-defense and I killed them
4 and knew that, I would panic. I might do irrational
5 things like throw things away or -- there's a sewer
6 pipe just on the edge of the property, throw stuff in
7 there. Doesn't change how things happened. I mean,
8 it's suspicious, I recognize that, but I can't
9 account for missing items. The phone I think is
10 reasonable that she may have hid it from Cliff
11 because she didn't want him snooping on her phone.
12 But I do think it's possible for somebody to act
13 erratically after something like this happens. And
14 still that doesn't change the facts of the case
15 because they panicked. Oh, my God, something bad has
16 happened. They panic. He tries to call his sister,
17 she's at work, Louis Rich, you know they can't take
18 calls, then he calls 911. Immediately, the same
19 time, and they come within minutes. I think if Cliff
20 had panicked, that is perfectly reasonable.

21 I think it is also possible that one of those
22 knives or both of those knives were knives that
23 possibly Ms. Clatie had in her room. They're common
24 kitchen knives. It's unusual that with that many law
25 enforcement officers cordoning off the area, looking

1 for knives and they don't find two of them in the
2 yard and this happened several days after Ms. Clatie
3 is killed, is odd. But I mean, I don't know what the
4 legal significance of that is.

5 But I do think it would be perfectly reasonable
6 if something bad happened, I get in a car wreck and
7 somebody was killed and then they throw away
8 something from the car. You know, it might not have
9 contributed to it. But I mean, when bad things
10 happen, people panic and they do dumb things and they
11 do irrational thing. Then they think about it for a
12 while and they call the police and say I've had a
13 wreck. Somebody has been hurt. It can be evidence
14 of getting rid of bad evidence -- I don't know what
15 it gets rid of. I mean, we know this lady was
16 stabbed two times by a steak knife. But it was her
17 knife, I mean, we know that. And, you know, getting
18 rid of the sheets is an irrational thing to do.
19 There's already blood in the house. There's already
20 blood on the bed. If you had the sheets, that would
21 just be another item that would be in some kind of
22 sealed thing right here that nobody would be able to
23 falsify. It just -- even if you had it, I don't
24 think it would change what you think happened.

25 Now, I mean, I understand it is suspicious that

1 it was gone and that it clearly indicates somebody
2 was either concealing evidence, panicking or one of
3 the knives found at the scene was possibly the weapon
4 that she had, but I don't think it changes your
5 underlying thoughts of what happened in the case.

6 And finally, I don't want to be graphic. This
7 is just rubber spreader. We heard the coroner
8 testify about the -- not the coroner, but the medical
9 examiner testify about the kitchen knife was probably
10 a little over a half an inch thick. This is much
11 wider. It's a spreader, but it's rubber. But
12 Ms. Clatie would have been killed by a kitchen knife
13 with a black handle. I'm not a forensic scientist,
14 but can you look at things with just open eyes and
15 see things are odd? Ms. Clatie was stabbed in the
16 neck that went towards the centerline of her body.
17 This way, with the knife not being held in a up and
18 down manner. Either way like that. But the knife
19 going in at a sideways angle with the blade part of
20 knife on the outside. I don't want to be graphic,
21 but that's the angle of the knife that Ms. Clatie --
22 assuming I'm stabbing somebody with a knife, the
23 blade -- and I'm right handed, the blade angle would
24 come from here -- could come from here if it came
25 from this side of the body and I'm right-handed, it's

1 going out, but this one is coming in. We just all
2 know from any time we've ever cut anything, if
3 somebody is intentionally cutting something, you
4 always cut blade side first. I mean, I guess you
5 could -- usually, the kitchen handles -- you know,
6 knives are set, they're altered to hold the other way
7 around. But if you're going to cut somebody
8 deliberately, you're going to cut them with the blade
9 side making the entrance. This would have been the
10 other way around.

11 And I don't understand how, if she was being
12 held down on the bed and stabbed, which is also
13 inconsistent with -- that's the three-arm theory that
14 I've got a knife, but yet, the autopsy showed that he
15 choked her to the death with two hands. How is he
16 holding the knife? I would submit to you that's more
17 of a sign that he was controlling her, that he was
18 stopping the fight by choking her. How does the
19 knife make it's way in? This way. Unless you're
20 fighting for the knife and it comes back this way.
21 Not a deep wound, but it's in the body.

22 Just go back there -- I've thought about a
23 million ways to do it, I don't understand how a knife
24 goes in this way blade out, except as you're fighting
25 for the knife and you're being pushed on the bed or

1 you fall hard on the couch. I don't understand how
2 somebody intentionally cuts somebody the other way
3 and causes an odd angle injury. It's possible, but
4 it would be an odd angle injury from a typical
5 stabbing.

6 On the issue of murder, of course, I do think
7 that Cliff is entitled to a not guilty verdict. I
8 just don't think the State's evidence is strong
9 enough, compelling enough to justify a murder. I do
10 think it is a close call on the second issue of
11 whether this is a heat of passion killing or whether
12 it's self-defense. I submit to you that there's been
13 as much evidence of self-defense -- and I understand
14 it's a turbulent relationship. But there is as much
15 of evidence of self-defense as there is of anything
16 else. And there's a lot more evidence of
17 self-defense than there is of first degree murder --
18 or murder. I do think that that's where the truth of
19 the case lies, somewhere between self-defense and the
20 manslaughter. I'm putting it to you like that.
21 Thank you.

22 THE COURT: All right, ladies and gentlemen of
23 the jury, I anticipate the solicitor's argument will
24 last approximately the same amount of time as
25 Mr. Verner's did. So, we're going to take a brief

1 break so we can be sure to continue without
2 interruptions. We'll take about five, ten minutes.
3 Go to your jury room, make yourself comfortable,
4 we'll be back on the record in about 10 minutes.

5 (WHEREUPON, the jury left open court at
6 approximately 10:47 a.m.)

7 (WHEREUPON, a short break was taken.)

8 THE COURT: We'll go back on the record,
9 everyone is present.

10 Let's have the jury, please.

11 (WHEREUPON, the jury came into open court at
12 approximately 11:00 a.m.)

13 THE COURT: All right, let the record reflect
14 the jury is back and seated.

15 Mr. Scott, you're recognized for your closing,
16 sir.

17 CLOSING STATEMENT

18 MR. SCOTT: Thank you, Your Honor, may it please
19 the Court?

20 THE COURT: Yes, sir.

21 MR. SCOTT: Bitch, I will slit your throat and
22 beat the blood out of you. Those words can be
23 attributed to Mr. Clifton Boozer. Those were the
24 kind of things that Ms. Clatie Stribble had to deal
25 with and those were her realities. And that's the

1 mind of Clifton Boozer as it relates to Clatie
2 Stribble.

3 Today, the truth is going to come out. Today,
4 Ms. Clatie Stribble's truth is going to be heard.
5 Just like Bodiford said the day after that murder --
6 or day of, rather, eight hours after the murder when
7 he was talking to Mr. Boozer, he tells him says, I
8 need the truth. When it goes to court, and it will,
9 the truth is going to come out. Well, here we are
10 today. The truth is going to come out today.

11 I liked the quote Mr. Taylor Daniel used in his
12 opening. He quoted Voltaire. He wrote the Candide.
13 You remember reading that in college. He was a
14 philosopher during the enlightened period. He was
15 French, so we can only take so much of his word, but
16 he was a writer. He was a scholar.

17 The quote, to begin with, was I think, To the
18 living, we owe respect, but to the dead, we owe the
19 truth.

20 Defense counsel in his opening said it's not
21 your job to vote for the truth, that's not your job.
22 I disagree. I like a little bit of truth in my
23 courtroom. I do. I want some truth in this
24 courtroom. That's why we swear on the Bible when the
25 witness gets up to there to testify. That's why when

1 you go back there to deliberate, you're going to
2 carry back there a verdict form. You're going to be
3 asked to issue a verdict in this case, guilty or not
4 guilty. The word verdict is a -- comes from the
5 Latin word veredicto, which loosely translates into
6 to say the truth. I like a little bit of truth in my
7 courtroom. They may not think you should pay
8 attention to the truth, I say we should.

9 I wish Clatie had never met Clifton Boozer. I
10 know the whole family does as well. Her fate was
11 sealed the moment she met the guy. From the very
12 beginning, her fate was sealed. Didn't have to be
13 that way for Mr. Boozer, but I believe he's the kind
14 of guy who has a certain view of women. This would
15 be the guy who living with the mother of his
16 children, visiting all kinds of dating sites and
17 who's terrorizing and harassing Clatie Stribble in
18 the meantime. He's the kind of guy I think who
19 believes if I can't have her, nobody will. I think
20 that's just his kind of view on women.

21 This relationship should have ended with those
22 two going their separates ways, but it didn't. There
23 were breakups, reconnections. They're described as
24 hot and cold, ups and downs, toxic. Defense counsel
25 disagrees with that being a term he finds

1 appropriate. I think that's quite appropriate. This
2 relationship was toxic and it was poisonous. And I
3 can't explain why Clatie would ever take him back. I
4 mean, one time should have been enough, really. But
5 these things are hard to explain. These domestic
6 violence cases, they're difficult to explain. I
7 don't know, but we got to do something about it,
8 though. I read today we're fifth in the nation as
9 far as domestic violence homicide in South Carolina.
10 It's something that clearly we have an issue with and
11 it's clearly difficult to explain.

12 We heard about the threats that she had to deal
13 with, and other people heard. It shows his mental
14 state. Malice is going to be very important here.
15 Malice is a word I'm going to explain to you in a
16 little bit. That's the key word for murder. It's an
17 evil intent, an evil state of mind, a desire to do
18 ill will toward somebody. That's all beared out in
19 his statements to her that other people have heard.

20 We heard about her state of fear in the days
21 leading up to her death. These were things going
22 through her head. What cause a person to suddenly
23 want to sleep with a knife under their pillow? The
24 daughter said that this was something -- and her
25 friend, Brandy, said this was something that happened

1 in the weeks leading up to the death. Things had
2 gotten ramped up with Mr. Boozer. We heard he was
3 out of work. He was hanging out at his sister's
4 house. He's hanging out at his baby momma's house.
5 He's drunk during the day. Something is going on and
6 something has Clatie terrorized or in fear for her
7 life. Things were coming to a head.

8 He had been told at that point not to come back
9 to Conifer Drive. That was very crystal clear from
10 the people who knew her. Two days before he kills
11 her, he does come unannounced to Conifer. You
12 remember hearing about Eve, she was staying home that
13 day. As far as she was concerned, he was out of the
14 picture. He wasn't supposed to be over there. None
15 of his clothes were there. You heard how many people
16 talk about, you know, describe him as living there.
17 They used that term very loosely. He lived out of a
18 bag. He would stay overnight from time to time. At
19 that point, it was crystal clear he was not to be at
20 that address.

21 So, when Eve is on the couch, he comes barreling
22 through the door -- remember what she testified to.
23 That was the morning that Clatie was late to work.
24 She was rushing, trying to get out the door. They
25 had missed the bus.

1 She said, Look, I got a new job -- y'all know
2 Sonic in Chapin, May of last year the time it opened
3 up. I got a good job. I got a good. I'm the
4 assistant manager at this new restaurant in Chapin, I
5 got to go. I can't take y'all to school. Y'all
6 going to have to stay home today.

7 She's out the door. She's in a hurry to get
8 out. She's gone two, three minutes, here comes
9 Boozier walking through the door. All right. He's
10 shocked to see Eve because he knows he's not supposed
11 to be there. She knows he's not supposed to be
12 there.

13 She calls Clatie. Clatie is frantic at that
14 point. That's her testimony. He's not supposed to
15 be there. Eve, he's not supposed to be there. Eve
16 tells him, he's walking out the door yeah, yeah,
17 yeah. I'm just here to get my wallet anyway. That
18 doesn't make any sense. We know his wallet wasn't
19 there. They had broken up and he had been told not
20 to be there weeks beforehand. If, in fact, his
21 wallet was there, wouldn't -- he doesn't have a car.
22 He's got to take a cab anywhere he goes. So, why
23 would you take the cab from Newberry all the way to
24 Prosperity when you can just call somebody, I need my
25 wallet. Can you bring me my wallet? He was there

1 looking for something. I don't know if it was the
2 confrontation with Clatie. I don't know if he was
3 looking to go through her things. He was always
4 jealous of her. He always thought she was with other
5 men.

6 We don't know why he was there, but he knew he
7 wasn't supposed to be there. And it affected Clatie
8 enough that she turned around, already late for work,
9 to come back to the house, comes inside frantic. The
10 first thing the girls said she did was lock the door
11 behind her, yelled out the window, You need to leave,
12 get out of here.

13 Sadly, that's the same day, though, that her car
14 breaks down. Fate has a lot to do with this case.
15 And it's sad. I mean, this is the day she's taking
16 her daughter to Doctors Care. It's the one on Wilson
17 Road near Clinton. They get the physicals. She's
18 been having car issues, she's coming back toward
19 Prosperity, the car clunks out on her. The girls
20 said it just cuts off and they have to coast
21 basically into Natasha's driveway. Cliff's out
22 there, he's drunk. Of course, they get in an
23 argument. Because that's the relationship, it's
24 volatile, it's toxic, we know that. Was there an
25 argument about him being in the house earlier that

1 day? I don't know. But the testimony was there was
2 an argument. The girls and Clatie get a cab and go
3 back to Prosperity.

4 It's just sad looking back. I mean, nobody knew
5 it, but she had less than 48 hours to live that
6 morning. Maybe she knew it, I don't know. She
7 certainly had something on her mind. And there was
8 certainly something that she was afraid of. There
9 have been a lot to people close to her that testified
10 to that leading up to her death, there was something
11 on her mind.

12 What do we know about the next day, Tuesday, May
13 2nd, 2013? That was Clatie's last full day to be
14 alive. We know she was without a car. We know she
15 had to work at Sonic. She got a ride to Sonic to
16 work. Because even though she didn't have a car, she
17 couldn't take a day off. This was a good job. She
18 was new to the job. She worked until approximately
19 1:30, 1:45 a.m. Her good friend, Brandy Counts, gave
20 her ride to Prosperity. Stopped at a gas station.
21 By Brandy's estimation, they probably got back
22 two-ish, 2:00 a.m., something like that. Brandy went
23 inside. Eve was on the couch. This is important,
24 Brandy testified she had her phone with her, okay.
25 Brandy goes in to use the restroom. The door is

1 fully functional. The door is not torn up like it is
2 in all those pictures we got.

3 Uses the restroom, goes back to kind of say
4 good-bye to Clatie. Clatie has her phone, it's
5 charging. She's sitting Indian style on the bed,
6 she's kind of rocking. You know, Brandy had known
7 her for nine years or more, been close friends with
8 her, at least, for nine years. When you know
9 somebody that long, you know when something is kind
10 of going on in their world. Something is wrong with
11 them. They're thinking something. So, she asks, Are
12 you all right? At that point, she expresses again
13 the fear of Clifton Boozer. 2:00 a.m., she got hours
14 left to live at that point. Brandy leaves. Again,
15 the door is fine when she leaves. The pink
16 camisole's not on the ground. Wheels are in motion
17 that her fate is sealed.

18 We don't know what information is on her phone.
19 I wish we had that phone, we don't. We got the
20 records, but we don't know the content. We know he
21 had been calling her phone off the hook that day that
22 Tuesday and into the night. Let's see -- and she
23 hadn't been answering, okay. I think that's
24 noteworthy. He's calling, calling, calling. She's
25 not answering. It's a one-sided effort to

1 communicate. She has no interest in talking to this
2 man. Already told him you can't be at my house and
3 he's violated that order of hers.

4 He's calling. He's calling. He called 41 times
5 that day. The testimony was 38 times between 2:31
6 p.m. and 2:57 p.m. alone. So, less than 30 minutes,
7 he calls 38 times. You can tell they're going to
8 voice mail during those times because they're 20
9 seconds in duration, 30 seconds in duration. He sent
10 50 texts. She's trying to get some sleep after a
11 long day and getting home at 2:00 a.m. Clifton
12 Boozer is planning.

13 4:57 a.m., he calls for a cab to take him from
14 Newberry Arms in Prosperity where he lived with the
15 mother of his children to Prosperity. Vanissia
16 Wright, remember her, the cab driver. She recognized
17 him. She had given rides before. It had been some
18 time, she said, she had had to take him to that
19 Prosperity house, but she had in the past. She
20 testified normally, he'd get in the car -- that was
21 back when he was working, she'd pick him up from
22 Louis Rich, I think, and take him over there.
23 Normally, he would joke with her, they would talk and
24 chat, what a cab driver does or barber does, small
25 talk, I kind of presume, but she was familiar with

1 him. He was a regular fare.

2 But this time was different. He was --
3 something was on his mind as well. And he was not as
4 chatty as he typically was. He was dressed in all
5 black. He had a hood kind of up over the back of his
6 head. And he was thinking on something. And she
7 takes him to Conifer Drive, she knew where it was.
8 She takes him there. Asked her to stop 50-yards or
9 so from the house. If that was the normal routine,
10 why did he make the statement to her, oh, don't go
11 all the way to the house, I've got yard work going on
12 there. There's yard work. That doesn't make sense.
13 Don't take me to the house because there's yard work.
14 Well, the cab driver is not going to ask questions.
15 If you want me drop you off here, I'll drop you off
16 here. She said typically, when she would take him
17 over there, Clatie would leave -- during better
18 times, Clatie would leave the light on for him. She
19 said the house was dark, there was no porch light on
20 that night. She testified that Clifton Boozer
21 wearing those dark wash jeans, that black hoodie, she
22 didn't really have time to back up and turn around.
23 By the time she pulled the car in the driveway to
24 back out, he was gone. Dashing into the dark,
25 dashing into the night.

1 She testified that she recalls dropping him off
2 around 5:30 a.m. Again, his phone records do put him
3 there at 5:45 a.m., but that was just a missed call,
4 somebody had tried to call him. She puts him there
5 at 5:30. This is also around the time that Niyla
6 wakes up because she hears something outside. Gets
7 up, finds nothing. But she did testify she heard
8 something, got up and walked around the house to
9 check on everything, make sure everything was okay.
10 She saw everybody in their rooms. She didn't see
11 anything out of the ordinary, she went back to her
12 room. But that was around the time the kids were
13 supposed to be getting up and getting ready for
14 school. That's 5:45 a.m., she said, but the bus
15 picked them up about 6:45. So, it's time to start
16 getting ready.

17 Talked about Eve kind of being the one when mom
18 worked late and was sleeping, mom was a heavy
19 sleeper, Eve, as the older sister, was kind of in
20 charge. Niyla, Isis, you know, get ready. We got to
21 catch the bus. So, they're getting everybody
22 together, getting them ready and they're walking out
23 the door. I wonder if Clatie smiled when the girls
24 she raised hollered to her, you know, love you,
25 momma. I like to think she did. I mean, that was

1 the last communication. I love you, mom, and then
2 heard back to them, I love you, girls. That is the
3 only, I guess, if you can call it heartwarming aspect
4 of this story, that was the last communication she
5 had with anybody that loved her. That was the last
6 interaction that she had with anybody who cared for
7 her. Because what came into the house after those
8 little girls left -- and we know they left about --
9 let's say, 6:35, 6:30 to catch that 6:45 bus. Then
10 shortly after they left, it was evil in that house.
11 It was hatred. It was ill will that came in that
12 house. It wasn't love. It was the ugly kind of
13 controlling evil that all -- Clifton Boozer, that's
14 all he represents.

15 And, you know, the conclusion there, the
16 evidence is there, there's a struggle. He bust in
17 through the door. Make no mistake about that. She
18 did not let him in. The frame is split on the door.
19 There's exposed wood. There's a switch plate that's
20 been broken. Such force was used to push it open,
21 the sheetrock is broke all around the door. It
22 appears a struggle ensued. There's that ripped shirt
23 right in the kitchen that wasn't there before when
24 girls left. Brandy was there earlier that night, it
25 wasn't there. And then the signs in the bedroom.

1 Love walked out the door when those three girls left
2 for the bus and then evil came in when Clifton Boozer
3 arrived.

4 Make no mistake, this is murder. Okay. Charles
5 is one of the better lawyers I deal with, okay. He's
6 a great lawyer. But when he tells you that murder
7 requires premeditation, that is something we've seen
8 on TV because it doesn't exist in South Carolina as a
9 requirement for murder. We don't have premeditated
10 murder in South Carolina. What we are interested in
11 is a term called malice aforethought, okay. Murder
12 in South Carolina, it's not required that you sit
13 around and plan and sketch out how you're going to
14 accomplish it, print out blue prints and everything.
15 It requires evil intent, ill will towards the victim.
16 Clifton hadn't expressed that? I don't know how he
17 would be any clearer of expressing how he felt about
18 Clatie Stribble. And it's clear from anybody who was
19 around them. Bitch, I'll slit your throat, I'll beat
20 the blood out of you. I don't know -- I don't know
21 if that could ever be construed as loving words, but
22 that's how he felt about Clatie and those are some of
23 the threats he had issued towards her.

24 What we've got to prove is this, beyond a
25 reasonable doubt -- and I'm going to explain that

1 term, too. That the Defendant, that's Clifton
2 Boozer, killed another person with malice
3 aforethought. Not premeditation, malice
4 aforethought. So, what is that? Malice, okay -- and
5 listen, the Judge is going -- don't think you have to
6 memorize all this, he's going to give you a stack of
7 papers, it's going to be called the jury charges.
8 Y'all are going to go back there and y'all get to
9 read what the law is. If there's anything he sends
10 you that's different than what I'm telling you, you
11 go by what he tells you. But I suspect -- I've been
12 before this Judge a lot and this is going to be his
13 charge. Malice is hatred, ill will or hostility
14 towards another person. It is the intentional doing
15 of a wrongful act without just cause or excuse and
16 with an intent to inflict an injury or under
17 circumstances that the law will infer evil intent. I
18 will repeat that later.

19 Strangling somebody is the very definition of
20 malice. Threatening somebody that you will slit
21 their throat is what we call expressed malice.
22 Telling them that you will beat the blood out of them
23 is expressed malice. We certainly know Clatie was
24 aware what she thought Clifton Boozer would do to
25 her.

1 When does the malice need to form? Okay, that's
2 the premeditation that he's referring to. If Taylor
3 jumps up right now as he watching me and -- I'm just
4 up here and he doesn't like how I'm presenting this
5 closing argument and he decides a split second before
6 he does it to kill me, that's murder. Because here's
7 when it needs to form. Really, the law says that
8 malice exist -- does not require that malice exist
9 for any particular time before the act is committed.
10 The evil intent in your mind can form two years ago,
11 two months ago, two weeks ago, two days ago or two
12 seconds ago. As long as you have ill will and hatred
13 towards that person, evil intent towards that person,
14 the intent is bad formed two-tenth of a second before
15 you do the act. So, this premeditation idea, we
16 don't have that. We have malice. Malice must exist
17 in the mind of the Defendant just before and at the
18 time the act was committed.

19 You got your hands around this woman's throat,
20 she's already bleeding out because you stabbed her
21 twice. She's begging for you to let me live, let me
22 see those three girls again. Keep holding onto that
23 neck until that blood builds up in the brain and body
24 starts shutting down. You know she's unconscious
25 after eight seconds, that's evil. That's ill will.

1 That's hatred. That's the definition of hatred.

2 How can malice be shown? This is the law, by
3 the way, this isn't my words. I'm giving you the
4 code of law for murder in South Carolina. It can be
5 expressed or inferred. Express and inferred do not
6 mean different kinds of malice, but merely the manner
7 in which malice may be shown to exist. Either by
8 direct evidence or by inference from the facts and
9 circumstances which are proved. Expressed malice is
10 shown -- here's the -- what Mr. Daniel was talking
11 about, that quote I gave you. Those sweet words
12 Clifton Boozer said in front of others directed to
13 Clatie.

14 When a person speaks words which express hatred
15 or ill will toward another, or when the person
16 prepared beforehand to do that which was later
17 accomplished.

18 Okay. This is interesting here. This is
19 another way, words can be expressed malice, look at
20 this example, another can be lying wait for a person
21 or any other acts of preparation going to show that
22 the deed was in the defendant's mind would be
23 expressed malice. Got a lot of evidence of
24 Mr. Clifton Boozer lying in wait. I'm going to
25 explain that in minute. Malice may also be inferred

1 from a conduct showing a total disregard for human
2 life.

3 Guys, I'm sorry. I didn't mean for this trial
4 to take us into Friday. This is week two for me
5 being in trials that lasted all week. I'm tired. If
6 I could have done this thing in two days, I would
7 have. There were witnesses we had to get through. I
8 was telling the family we've got to build this thing
9 up witness by witness and piece of evidence by piece
10 of evidence. I wish it was simple as on day one, me
11 standing in front of you and saying convict this guy
12 because here's what the evidence is. We've got to
13 build the case by witnesses. And they've got to get
14 up there on the stand and they got to swear to tell
15 the truth. And they've got to tell their involvement
16 in each particular case. That's why we had the
17 tiring times, seemed redundant at times, but it's
18 just how it works.

19 You know, I was telling one of my friends --
20 I've got nine lawyer friends, thank God. That's the
21 only thing that keeps me sane dealing with people who
22 don't do what I do for a living. They say, what are
23 trying this week? I got this case where a guy, he
24 had made threats against this woman. They had a
25 tumultuous relationship. I think I used the word

1 toxic relationship with one another. He goes to her
2 house after being told not to go there and stabs her
3 twice, he strangles her. And on top of that, he
4 calls 911 and says I killed my girlfriend. They said
5 okay, why are you trying that? What is there left to
6 be done? That's how it works. You guys --

7 I know on TV, there's a lot to complain of, but
8 our judicial system, it truly is the best in the
9 world. Because having heard that, there are certain
10 countries, they just take you away for something like
11 that. Here, you have to be tried in front of a jury
12 of your peers. And the State, me, I've got to prove
13 each and every element beyond a reasonable doubt.
14 Only in America, that's what I say. I mean, Don
15 King, that's his quote, but only in America. And I
16 love it. And I appreciate that. Because that is
17 Mr. Boozer's right. And I'm fine with producing
18 witness after witness to build this case to show you
19 guys. That is the standard, beyond a reasonable
20 doubt is one that -- it's difficult, you know. There
21 are certain cases I've got to work for, but I
22 appreciate having to work for.

23 Who were the witnesses we all heard from? Terri
24 Lawson, that was 911. That's the one that got up
25 there -- I think she was the first witness, and we

1 played that clip. Killed my girlfriend. Okay.
2 We're going to play that in a minute. I want
3 y'all -- in case you didn't before, I want you to pay
4 attention to the sound of his voice. Does he sound
5 panicked? Does he sound like somebody who was just
6 viciously attacked by a naked woman yielding a knife
7 who had to fight for his life and only had to
8 strangle her to preserve his own life? No. And he
9 didn't mention any of that either. It was just
10 simply, I just killed my girlfriend. I want y'all to
11 pay attention to that.

12 Harry Bodiford, Prosperity Police, he shows up,
13 he gets there. Things went too far. It isn't hey,
14 Chief, Chief Bodiford, this woman just attacked me.
15 Go in there and make sure she's not still alive, I'm
16 scared to death. It was self-defense. No, Things
17 went too far, that's his first words.

18 James Tallon, SLED crime scene. We're going to
19 go over everything that he kind of did, but he's the
20 photographer and he's the one that helped canvas the
21 area.

22 Dr. Janice Ross. Y'all remember that? I just
23 think, you know, that testimony, though. It takes
24 eight seconds to leave somebody unconscious by
25 strangulation. The threat is gone when they're

1 unconscious. You know, you get up and leave the
2 house if it happens like he said. The threat's over
3 when she's unconscious. But you have to apply that
4 pressure on the neck. If you really want them dead,
5 you need to do it three or four minutes. You know
6 how long that is? I want y'all to go back there --
7 who's got a watch? Any of y'all got a watch? Take a
8 look at the clock on the wall if you need to. And I
9 want you to watch three minutes. Because when we're
10 doing our day-to-day activities, it seems like three
11 minutes goes by in the blink of an eye. But 90
12 seconds is a long time. And that's how long he sat
13 there looking at this mother as she died in the face.
14 He could have let go after a minute. But that evil
15 ill will, that intent, that reckless disregard for
16 human life kept him choking the life out of her.
17 Eight seconds to render somebody unconscious, three
18 to four minutes to kill them.

19 Laura Kneece, the coroner, she came in,
20 collected the body of Ms. Stribble, but she was also
21 that neighbor that testified to seeing the kids out
22 there morning catching that 6:45 bus.

23 Tim Grambow was the SLED toxicologist. He said
24 she had nothing in her system. No elicited drugs, no
25 alcohol. Verona Herrera, she was serology. She was

1 the SLED agent that said there was DNA -- putting
2 Clifton Boozer's DNA on Ms. Clatie Stribble. Maryann
3 Boehm, she, likewise, with SLED DNA, found Boozer's
4 DNA under Clatie Stribble's fingernails, found his
5 DNA inside Clatie Stribble.

6 Vanissia Wright, she was that cab driver.
7 Again, she was somebody who -- she gives us the time
8 he gets there. 5:30 a.m. Again, what occurs to me,
9 I want to know -- I was asking somebody, who thinks
10 it's a great idea to -- at 5 a.m. in the morning to
11 go confront one of ex-lovers try to make up with
12 them? You know, that makes no sense. Why is that a
13 good time, especially when she didn't get off of work
14 until 2:00 a.m. the night before? That's the
15 testimony, 5:00 a.m., he's up and he's wanting a cab
16 ride to Prosperity.

17 Chris Johnson, he was really just to confirm
18 that we got all these phone records, you know, look
19 at all the times this dude is calling her. Also, he
20 confirms that he is in that area of Prosperity where
21 he's not supposed to be. Phone activity 5:45 a.m.

22 Brandy Counts, that was the Sonic coworker. I
23 know she testified to -- we mentioned it earlier, a
24 good friend testified that that night, just hours
25 before she died, Clatie Stribble was frightened about

1 something. Jennifer Brokob, she was the former
2 roommate, friend of Clatie's. She testified two
3 weeks before she had a conversation with
4 Ms. Stribble. Ms. Stribble expressed fear regarding
5 Clifton Boozer.

6 Heather Hobby, she is the one that testified
7 about that disturbing altercation between the two. I
8 think they were at Heather's house, Hams Landing, I
9 think she said, in Prosperity. At any rate, she said
10 it was a one-sided argument. Even though the defense
11 tried to say well, Clatie was giving it back to him,
12 wasn't she? It was pretty one-sided. Clifton and
13 she were arguing, but Clifton was issuing threats.
14 Because that's how he treats Clatie in an argument.
15 How dare you argue with me, I will slit your throat
16 and I will beat the blood out of you.

17 Walter Bentley, he was our investigator that
18 talked about all those phone calls the day before, 41
19 times the day leading into the night she was killed.
20 He was able to find 38 times just in that 30-minute
21 period.

22 Niyla. Okay, y'all remember her. She talked
23 about the Monday, two days before she died, two days
24 before Clatie died about the car breaking down.
25 Because Niyla was going to get her physical. She was

1 going to be a cheerleader. She testified that we
2 didn't want to go to Natasha's house, trust me on
3 that. We never cared for Clifton Boozer. But that
4 was just the closet place we were when the car broke
5 down. And Clifton was there, he was drunk, appeared
6 to be drunk. He got into it with my mom. We took
7 the cab and we went home.

8 Niyla testified that Wednesday morning, she
9 actually, went in the room with Clatie, told her, I
10 love you, mom. Mom said, I love you, too. So, we
11 can -- she heard that sound about 5:00 a.m. as well.
12 But she testified that my mom had her phone. The
13 curtains were up on the wall. You know, at least,
14 right when I left at 6:30 a.m.

15 So, he's right, we don't know the exact time of
16 her death, but we know it was between 6:30 and 8:30
17 a.m. It was within that two-hour window because
18 approximately 8:30 is when Cliff calls 911 after he
19 calls his sister. But we know it's within those two
20 hours.

21 Evelyn was up that night when Brandy and her mom
22 came home. Evelyn, likewise, testified that mom had
23 her phone. Evelyn and Niyla for that incident
24 testified that at that period of time, Clifton Boozer
25 absolutely was not allowed in that house. He was not

1 supposed to be there. Evelyn was the one that that
2 Monday was on the couch when he came in. He stopped
3 dead in his tracks when he saw her. She had to
4 basically call her mom and tell her, Cliff's here,
5 and then tell Cliff, Get out. Mom does not want you
6 here. You're not supposed to be here.

7 Evelyn talked about that morning when they left,
8 they locked the door. They don't specifically
9 remember doing it, but they feel certain they did
10 because they always did. It was just their habit.
11 It was their custom, we lock the door when we leave
12 the house. We did that morning, we feel certain of
13 it. That pink camisole was not on the ground when we
14 left. That's was my mom's, but it was not ripped
15 last time she had it. She wouldn't wear ripped
16 clothing like that. Evelyn testified that the door,
17 likewise, was not busted open. She got up and showed
18 you guys how it was different from when she left.

19 Lying in wait. All right. Let's go over some
20 things. Y'all may be able to find more, but these
21 are evidence of Mr. Boozer lying in wait. You talk
22 about Conifer Drive here -- this is in Prosperity.
23 And there's [REDACTED] right there, Conifer Drive. That's
24 where Clatie, Isis, Niyla and Eve were living. And
25 once upon a time, there's where Clifton Boozer was

1 welcome. He never lived there. He stay there from
2 time to time. But we know May 3rd, 2017, he was not
3 supposed to be there. I think Clatie finally had
4 enough of him after years of on again, off again. I
5 think she had truly finally had enough of him.

6 But the cab driver said on this particular
7 occasion, he asked her to stop right at this
8 driveway. And he was going to walk all the way down
9 there because there was yard work. You know, in the
10 past, she had dropped him off there. She said that
11 that was the first time dropping him off right there.
12 But if the testimony y'all heard was different, yeah,
13 she always dropped off him off somewhere else, never
14 in front of the house, why would he be making the
15 excuse about yard work? These are just things to
16 think about that because these are things I thought
17 about. But she says before she could pull in here
18 and flip her car around, she turns back and he's
19 gone. He had just disappeared with that black hoodie
20 and those dark jeans into the darkness.

21 And, you know, I'm not saying -- I'm not saying
22 that it's inappropriate to wear dark jeans and a dark
23 hooded sweatshirt in May, I just think it's
24 compelling. I mean, I don't have a better outfit
25 than that if I want to go sneaking around somebody's

1 house undetected in the dark. I think it's pretty
2 effective. Those girls certainly never saw him when
3 they got out of the house to go to the bus stop.
4 Wouldn't you say that's a good article of clothing or
5 a good outfit to wear if you're going to lie in wait?

6 How else do we know he was lying in wait? This
7 was the far side of the house. We talked about house
8 only having one door. This is the opposite side of
9 the house from where the door is, the backside of the
10 house, if you will. Of course, we know that's the
11 bedroom window. You can see the broken blinds right
12 there, but that is Clatie's room. Okay. Number two,
13 right there. That's a cigarette. Why is that
14 interesting? Well, it's a fresh cigarette. This
15 isn't one that's been out there in the weather for
16 days and weeks or hours even. That's a freshly
17 smoked cigarette and it has Clifton Boozer's DNA on
18 it, okay, without a doubt. The expert said yeah,
19 that's Clifton Boozer's DNA on the cigarette. So, we
20 can talk about Pall Mall and Pall Mall Blacks and how
21 Clatie smoked this or that, that is Clifton Boozer's
22 cigarette. It's on the back of the house and it's
23 fresh. Why is he back there? I mean, who you hiding
24 from if you're supposed to be there at 5:00 a.m.?
25 Right? He's lying in wait.

1 And that's where the tire comes in, too. Can
2 you see it from there? There's a very clear mark of
3 mud on the bottom of the tire where it usually leans
4 up against that crawlspace door, I presume, to keep
5 it shut. This is how law enforcement found it,
6 though. And it's clearly been kicked over. You can
7 talk about all you want how you couldn't see in
8 through the blinds, but they're split. Even if they
9 weren't, has anybody looked through close blinds
10 before? You can see through them to some extent if
11 you're close enough. And then very clearly, you see
12 where the tire had been. It would be the State's --
13 I submit to you, that he used that to stand on to
14 look inside. Probably is she with another guy? I
15 guarantee you she's with another guy? Or is she
16 alone? But he was looking at her through the window.

17 The forceable entry. You know, the girls talked
18 about this whole defect here, the broken plaster down
19 on the switch plate and the split frame. That wasn't
20 like that. He busted in that door.

21 Again, signs of struggle in the kitchen. So,
22 early on, I think the struggle begins right here in
23 the entry way, the kitchen area and he marches her
24 back to that bedroom. And he does unspeakable things
25 to her. He stabs her. You know, after that first

1 stab wound -- even in his version of the story, if
2 this is self-defense and she falls on the knife --
3 y'all are going to hear that interview. Y'all are
4 going to have that. You can play it as much as you
5 want to. If you want to hear that garbage, if you
6 want to hear him stutter and try his damndest to
7 come up with an excuse and a reason that's even
8 halfway plausible, y'all listen to it. He talks
9 about her falling on the knife. I guess the knife
10 somehow landed on the couch like that and she fell on
11 it because that's his testimony. And he says she
12 sits on the bed while she's bleeding.

13 Okay. You do have the duty to retreat if it's
14 self-defense. You know the danger is over right
15 there. First of all, you got to believe that they
16 have this passionate sex, this makeup sex, then for
17 some unexplained reason, she flips out. And she's
18 coming at him with a knife and then they struggle and
19 she falls on it. Well, then, she sits on the bed, he
20 says. Why not leave then if you're so just terrified
21 of this woman, this threat is so real? Any prudent,
22 practical person if it appeared their life was in
23 danger, why not leave then? I don't know. That will
24 be something for y'all to explore and question each
25 other about, whether that makes any damn sense.

1 But the signs of the struggle in the bedroom,
2 this is a violent attack. Make no mistake about it.
3 I don't even like to even imagine probably the extent
4 of it, but it's clear that this was a violent
5 struggle and Clatie fought for her life. And I don't
6 mean to comment too much on her ability to fight, but
7 she really didn't get anything on him. He had a nick
8 on his finger. He beat her to a pulp, she never had
9 a chance. Maybe she was tough as a person, but he
10 was just too much for her.

11 Signs of a struggle. This on the right side of
12 bed. This is between the couch and the bed. We know
13 she was bleeding on both sides of the room as she
14 probably fought for her life. Again, there's the
15 phone cord, the charger ripped out of the wall.
16 Where's the phone? Man, where's the phone? Tell me
17 where the phone is if one quarter, one scintilla of
18 what you're telling us is true, that you were the
19 victim, man. She's attacking you. Why you getting
20 rid of her phone? We're never going to get that
21 answer. Unless some kid walking through the woods
22 some day stumbles upon it, I don't know. I don't
23 know where the phone is. But it was there, at 6:30
24 a.m., it was. Where are the sheets, man? Where are
25 they? Why did you hide the sheets?

1 MR. VERNER: Your Honor, he needs to direct
2 it --

3 MR. SCOTT: Why is he hiding the sheets? I
4 don't know. I don't know. And I don't know really
5 why he hid them. Like Mr. Verner said, I don't know
6 what it would show or not show, but the fact is he
7 thought it was important enough to get rid of them.
8 I don't know. But if it's self-defense, why would
9 that be important? And, you know, if he's thinking
10 irrationally, you know, that was eight hours later he
11 gives that interview, after he's sat in jail and kin
12 of thought about man, how do I explain this thing?

13 So, at the same time he's telling Bodiford that
14 she attacked me and I was only trying to protect
15 myself. It's the wildest thing, man. Okay, well,
16 where's the sheets? I don't want to talk about it.
17 That's his words. Listen to the audio. Why not?
18 Why not? Because if it's self-defense, you've done
19 nothing wrong, man. You understand that? If you
20 belief him, he is to be acquitted because he acted
21 legally. He was only protecting himself. Why the
22 sheets? And if that's the truth, why the phone? Why
23 the sheets? And why hide that knife, that
24 black-handle knife? Because the defense attorney
25 said, and I can't disagree with him, that it was

1 probably her knife that was used on her to inflict
2 those stab wounds, okay. In his version, she kind of
3 falls on it one time. He never accounts for this one
4 right here. He never accounts for the one that slit
5 her in the throat. But if she fell on the knife, why
6 does he hide it? They never found the black-handled
7 knife. That's the one he describes her using when
8 she's slashing at him. Why would he hide it if he
9 acted in self-defense? Well, those are questions
10 y'all going to have to decide because I don't know
11 the answer.

12 The cover up, that's what I'm talking about.
13 The sheets were on the bed. Isis made the bed, Isis
14 cleaned the whole house so she could get her cell
15 phone back. The couch was not like that. I don't
16 know the order of everything, but I know this
17 happened in a two-hour window. And he tells law
18 enforcement I got there at 8:00 and we know that's a
19 lie. We know he had a lot of time to try to clean
20 the area up. To try to make things look in some kind
21 of way that was plausible. But there's a two-hour
22 window. I don't know where the things went? Are
23 they in the woods somewhere? Are they in the bottom
24 of that sewer pond? I don't know. He didn't have a
25 car, so we feel like they were within walking

1 distance, but the officers didn't find them. They
2 coned the area. To this day, we don't know.

3 Walter, press play on that.

4 This is first recording.

5 (WHEREUPON, 911 call was published.)

6 MR. SCOTT: I just killed my girlfriend.

7 That's what I'm saying, I mean, that is a calm,
8 cool, collective voice, I just killed my girlfriend.
9 Not, my girlfriend attacked me with knives. Not, I
10 felt threatened and I, you know, acted just in the
11 heat of passion. No, this is I killed my girlfriend.
12 What do you do if you were just attacked by a woman
13 and you called 911? I tell you what you would do,
14 you'd say get out here quick. I don't know if she's
15 dead or alive. I just had to act in self-defense
16 because this woman came at me with a knife, but get
17 out here right now. It's not I just killed my
18 girlfriend. That is the most truth Boozer has spoken
19 in this case. I just killed my girlfriend. That's
20 right. This is murder.

21 Turn around.

22 This is murder. This is not voluntary
23 manslaughter. This is a woman who was beaten -- by
24 the way, he never really gave us any explanation for
25 those bruises that covered her body. This woman was

1 pummeled. Not just stabbed, not just choked, she was
2 beaten. This is murder. This is hatred, ill will.
3 This is murder. That's murder, guys. That's what
4 murder looks like. This ain't no voluntary
5 manslaughter, this ain't no self-defense, this the
6 cold-blooded. I.

7 I know y'all don't like to think there's people
8 out there like this, but I promise you there are.
9 There are people capable of doing unspeakable things.
10 Mr. Boozer is just one of them. All right. I've got
11 to deal with this crap all the time. He's a
12 cold-blooded murder. That's murder.

13 A noteworthy thing, when you strangle somebody,
14 you know, when you choke the life out of them, when
15 you want them dead, you want to kill them, they're
16 unconscious after eight seconds, but if you keep
17 holding down on the neck so you can kill them like
18 you really want to do, you don't want just want them
19 hurt, you don't just want them subdued, you want them
20 dead, right? Where there's these little splotches of
21 blood vessels bursting all up under the skin, there's
22 capillaries bursting, that's called petechiae. And
23 that's what Dr. Ross talked about. We know it wasn't
24 a knife that killed her. We know it wasn't him
25 beating the crap out of her that killed her. It was

1 that cold-blooded strangling. The definition of
2 malice.

3 Looking at somebody -- you know, a gun, a gun,
4 that's not as cold-blooded. You can be cold-blooded
5 with a gun, but when I shoot somebody from here to
6 there, I'm detached. I'm hands off. I'm 50 feet
7 away. And it can be anyone. But when I want to
8 really -- when I want to really be cold-blooded, I
9 want to be evil, I look them in the eye and I choke
10 them and I watch them gasp for breath. And I watch
11 them beg me for mercy. That's malice right there.
12 That's the definition of malice. Three to four
13 minutes, you heard Dr. Ross. And he's right, she's
14 done 12,000 autopsies. She is a doctor. She is a --
15 I don't know why you would want to get in that line
16 of work, but that is the line of work she's chosen
17 and she's good at it. Three to four minutes to kill
18 somebody strangulation. The very definition of
19 malice.

20 I've got to prove this case beyond a reasonable
21 doubt. All right. Like I said, the highest standard
22 under the law. The Judge will talk about in a civil
23 case, if it's, you know, he ran the red light and
24 wrecked into my car. Well, the jury is going to say
25 well, which side is the most right. One can be a

1 little bit more right than the other, so I'm only
2 going to award damages to the guy who's a little bit
3 more right than the other guy.

4 It's higher in criminal cases. The standard is
5 beyond a reasonable doubt. And the best way I can
6 describe that is I've got to leave you firmly
7 convinced of his guilt. The Judge is going to
8 mention that to you. His definition and his jury
9 charge of reasonable doubt is longer, granted, but
10 the best way that I can understand it is I have to
11 leave you firmly convinced of his guilt. He's going
12 to use that term twice when he described beyond a
13 reasonable doubt to you. He says firmly convinced
14 two times. Just remember that. If you're firmly
15 convinced of his guilt, you got to find him guilty,
16 okay. Do you have to be 100 percent certain? No.
17 And beyond a reasonable doubt does not require that.

18 I guess the common thing that people say are the
19 only certainties are what, death and taxes. I like
20 to be -- I feel like I'm 100 certain the sun is going
21 to come up tomorrow, but I really don't. It's come
22 up every day of my life, but do we know beyond all
23 doubt, 100 percent that it will tomorrow? No. But
24 reasonable doubt doesn't require that. You can have
25 some doubt, you know. You can have some question as

1 to what went on in there May 3rd, 2017, as long as --
2 listen to me, as long as those doubts are grounded in
3 reason, okay. If you got doubts, your doubts have to
4 be grounded in some kind of logic and some kind of
5 reason. You can have questions. I've still got
6 questions. I've been dealing with this case for over
7 a year, I still got questions.

8 I mean, as I sat there brainstorming the other
9 day, I came up with just -- not any order, but just a
10 list of questions I have. Just brainstorming things.
11 And I mentioned some of them. Who shows up at
12 5:00 a.m. in all black to make up with an ex? What
13 about this? Why would blood be on his pants and
14 boots if he just finished having sex like he said? I
15 mean, all y'all got to do is look at those pictures.
16 He's got blood on his boots, blood on his pants. His
17 version doesn't make any sense. They had consensual
18 sex and all of a sudden, she flips out and starts
19 fighting with him, why is he fully clothed? He's got
20 to be getting blood all over his pants and shoes,
21 right? Why didn't he have any injury? I mean, he
22 described just a violent reaction by Clatie Stribble
23 where he's protecting his own life supposedly. He's
24 got a nick on his hand. Probably where she scratched
25 him with her left hand trying to fight for her life.

1 That's the only blow she was able to land on him.

2 How does he explain those bruises all over her?

3 I mean, y'all got the pictures. They're not pretty.

4 But Dr. Ross explained, there were bruises up and
5 down her legs. Somebody had socked the crap out of
6 her on her right jaw. Wasn't there the night before
7 when Brandy and them were there. Her nose, the
8 bridge of her nose is split open. He never explained
9 that.

10 Again, you know, just some of these are clear,
11 why hide the phone, sheets and knife? And then how
12 come when you're asked about it, you say I don't want
13 to talk about it? Why get a cab to drop you off down
14 the road? Why even tell her there was yard work?
15 Why was his demeanor so different on that car ride
16 than the cab rides before? Why is his voice so calm
17 on 911? Why not tell the dispatcher Clatie had
18 attacked him? Why not tell the first responder
19 Clatie attacked him? Why is his skin under her
20 nails? Why hang out behind the house until the kids
21 are gone?

22 Now, the defense's explanation is well, you
23 know, if you going there to have consensual sex, you
24 know, the kids are there. Listen, the kids knew
25 Cliff. He had been in and out of their lives for six

1 years. Why would that be somebody you'd have to hide
2 from them to do? Why not just get a cab that arrived
3 after they had already gone? Why hide out behind the
4 house? Why not let go of -- you know, you're going
5 to get a charge -- just because he brings up at
6 issue, you get a charge from the judge on
7 self-defense. One of them is you can't be at fault
8 for bringing on the difficulty. Okay. I can't break
9 into your house tonight and then claim self-defense
10 when I hurt somebody in the house. I would be at
11 fault in bringing on any kind of difficulty that
12 would arise whenever I came into somebody's house
13 unwanted. Likewise, you have a duty to retreat,
14 okay. If he's choking her out, she's unconscious,
15 why do you keep choking? Why don't you get up and
16 leave the house?

17 Why did he give Bodiford the wrong phone number
18 twice when he asked him for his phone number? Why
19 tell Bodiford he got there at 8 a.m? Why did he need
20 to look in that window? Why call those 41 times?
21 Why would Clatie feel the need to sleep with a knife?
22 Why would Clatie have been the aggressor when she had
23 been expressing fear of him? Why was there no phone
24 activity between 5:45 a.m. and then calling his
25 sister just before calling 911 at 8:30 a.m.? Because

1 he's busy. He's busy beating the crap out of Clatie,
2 doing unspeakable things to her. Stabbing her,
3 strangling her, then trying to figure out how am I
4 going to explain this?

5 Was it supposed to be a murder/suicide? I don't
6 know. But he's certainly despondent enough
7 afterwards carving his name inside the TV. Those
8 girls watch that TV every night, they hadn't seen
9 that before. Then he's hiding stuff. Then he's
10 calling his sister. I don't know what that
11 conversation was. She didn't want to talk about it
12 yesterday, and that's fine. I can't make her talk
13 about it, but the records show that he called her
14 before calling 911.

15 The defense talked about what makes common
16 sense. I'm interested in that, too. Voltaire, I
17 found this the other day. That was the quote, you
18 know, To the living, we owe respect, to the dead, we
19 owe the truth. He also had a quote, Common sense is
20 not always so common. And I think -- I mean, I'm not
21 going to try to get in the mind of a French
22 philosopher who lived 200 years ago, but I think what
23 that means is my common sense may not necessarily be
24 yours. It may not. Something I may think is just
25 plain common sense, y'all may hold a different

1 opinion of. I'm just asking y'all, I don't think
2 it's so much to ask, does his version meet the
3 standard of anybody's common sense? Is his version
4 even halfway reasonable?

5 What direction does the evidence point you?
6 It's clear as day. You know, Clatie, Cliff can
7 disparage her, the defense attorney can paint a
8 negative picture of Clatie, I think she was just a
9 hardworking woman who tried to do right by her
10 children. Everything I can see, I think those
11 children meant the world to her. I mean, I never
12 knew her. I'll never get to know her. Y'all won't
13 ever get to know her. But, you know, you can look
14 back and I think make a fair opinion on Clatie
15 Stribble.

16 One of the best ways you can do that is -- or
17 any parent, I think, is to look at how their children
18 turn out. Y'all didn't really get to see Isis. And
19 she had her reason not feeling comfortable
20 testifying. But you got to meet Niyla, you got to
21 observe her up there. You got to hear her speak.
22 You got to hear Evelyn. I call her Eve, but you got
23 to see her. I think that's pretty damn good
24 reflection of what kind of person Clatie Stribble
25 was. Look at the kids she raised.

1 She didn't deserve to die, I promise you that.
2 He didn't have to do it. He didn't have to be over
3 there. He didn't have to be hiding out behind that
4 house waiting for those kids to leave. He didn't
5 have to bust open the door. He didn't have to beat
6 the crap out of her, stab her, do unspeakable things
7 to her and strangle her. He didn't have to do that.
8 He didn't have to leave those kids without a momma,
9 but he did it.

10 I think she was true till death. I think the
11 truth is important in court. And I think your
12 verdict should say the truth, it should speak the
13 truth. I think y'all know what the truth is. I
14 think the evidence only points in one direction, one
15 conclusion. And it does it beyond a reasonable
16 doubt. Okay. I ask you, based on the evidence, to
17 find him guilty of murder because that's what it is.
18 It's murder. It's full of malice and it's full of
19 evil and ill will and a reckless disregard for human
20 life. It's murder plain and simple. I ask you to go
21 back there and deliberate and find him guilty of
22 murder. Thank you.

23 JURY CHARGE

24 THE COURT: Thank you, Solicitor.

25 Now, ladies and gentlemen of the jury, it now

1 becomes my obligation to instruct you on the law that
2 applies in this particular case. I will tell you the
3 way -- when I first started practicing law 25 years
4 ago, the way this was typically done by judges and
5 the way many of them still do it today is they would
6 basically read to you from 19 pages taken from the
7 law books. And you're supposed to get this all on
8 the first hearing and walk back there and simply
9 apply in 15 minutes -- apply the law that you heard
10 for 15 minutes, same law that took me three years to
11 learn. I always found that unreasonable. So, long
12 story short, you're going to get a copy of these
13 instructions that you can refer to during the course
14 of your deliberations in the jury room. Please, of
15 course, follow the instructions as a whole and don't
16 pay attention to a portion of the instructions to the
17 detriment of the rest of them.

18 Mr. Foreman, ladies and gentlemen, if you have
19 any questions about the law that applies, I want you
20 to simply write me a note, give it to the bailiff and
21 I'll try to answer any legal question that you have.
22 Understand, though, if you have any factual
23 questions, the law doesn't permit us to reopen this
24 case or present any additional testimony or evidence.
25 So, if you send out a question about the facts, I'm

1 probably going to have to tell you, well, you're
2 going to need to rely on what your recollection of
3 the facts is, okay, or otherwise.

4 Now, ladies and gentlemen, I instruct you that
5 the indictment in this case charges the Defendant,
6 Mr. Boozer, with the offense of murder. I remind you
7 the fact that Mr. Boozer was arrested, charged and
8 indicted is not evidence, should not be considered by
9 you as evidence of guilt. Nor does the indictment
10 create any inference for presumption of guilt. This
11 is merely the formal written instrument that contains
12 the charge made against Mr. Boozer. It's the means
13 by which this case is brought into court.

14 In this case, the Defendant has pled not guilty
15 to this charge and that plea puts the burden on the
16 State to prove the Defendant's guilt. I instruct you
17 that a person charged with committing a criminal
18 offense in South Carolina is never required to prove
19 his innocence. It's an important rule of law that a
20 defendant in a criminal trial, no matter what the
21 seriousness of the charge may be, will also be
22 presumed to be innocent of the crime for which the
23 indictment was issued unless guilt has been proven by
24 evidence satisfying you of his guilt beyond a
25 reasonable doubt.

1 The presumption of innocence does not end when
2 you begin your deliberations. Rather, it accompanies
3 the Defendant throughout the trial until you reach a
4 verdict of guilt based on evidence satisfying you of
5 his guilt beyond a reasonable doubt. The presumption
6 of innocence is not mere legal theory. It's not just
7 a legal phrase. It's a substantial right to which
8 every defendant is entitled unless you, the jury, are
9 satisfied from the evidence of his guilt beyond a
10 reasonable doubt.

11 Well, what is a reasonable doubt under the law?
12 A reasonable doubt is the kind of doubt that would
13 cause a reasonable person to hesitate to act. I
14 instruct you that the State has the burden of proving
15 the Defendant guilty beyond a reasonable doubt. And
16 some of you may have served as jurors in civil cases
17 where you were told that it's only necessary to prove
18 that the fact is more likely true than not true, such
19 as by the greater weight or preponderance of the
20 evidence. In criminal cases, the State's proof must
21 be more powerful than that, it must be proof beyond a
22 reasonable doubt. Proof beyond a reasonable doubt is
23 proof that leaves you firmly convinced of the
24 Defendant's guilt.

25 There are very few things that we know in this

1 world with absolute certainty. In criminal cases,
2 the law does not require proof that overcomes every
3 possible doubt. If based on your consideration of
4 the evidence, you're firmly convinced that the
5 Defendant's guilty of the crimes charged, you should
6 find him guilty. If on the other hand, you think
7 there's a real possibility that the Defendant is not
8 guilty, you should give him the benefit of the doubt
9 and find him not guilty.

10 Ladies and gentlemen, I remind you that during
11 this trial, you and I have certain duties to perform.
12 As the trial judge, it's been my job to preside over
13 the trial of the case and rule on the admissibility
14 of evidence offered. You are to consider only the
15 competent evidence before you. So, the testimony
16 which was ordered stricken from the record, you have
17 to disregard that testimony because you consider only
18 the testimony which has been presented from the
19 witness stand as well as any exhibits which have been
20 made a part of the record.

21 I also have the obligation to charge you on the
22 law. As the presiding judge, I'm the sole judge of
23 the law. It is your duty to accept and apply the law
24 as I state it to you now. So, if you already have
25 some idea what the law is or what the law should be

1 and it doesn't agree with what I tell you the law is,
2 you have to abandon this idea because you're sworn to
3 apply and accept the law as I state it to you now.

4 Again, ladies and gentlemen, in every case tried
5 in this court before a jury, the jury becomes the
6 sole and exclusive judge of the facts in a case. A
7 trial judge cannot intimate, state, comment on or
8 make a statement to a trial jury about the facts in
9 the case. Since you, the jury, are the sole judges
10 of the facts, you're not to infer from what I've said
11 during the progress of this trial ruling upon
12 evidence or otherwise or anything that I say to you
13 now, that I have an opinion about the facts in this
14 case. Ladies and gentlemen, the law does not permit
15 me to have any opinions about the facts in this case.
16 This a matter solely for you to determine. As
17 jurors, it's your duty to determine the effect, the
18 value, the weight and the truth of the evidence
19 presented during the trial.

20 Now, ladies and gentlemen, typically, there are
21 two types of evidence presented during the trial,
22 direct evidence and circumstantial evidence. Direct
23 evidence directly proves the existence of a fact and
24 does not require deduction, such as testimony by an
25 eye witness. Circumstantial evidence is proof of a

1 chain of facts and circumstances indicating the
2 existence of a fact.

3 I instruct you that crimes may be proven by
4 circumstantial evidence, the law make no distinction
5 between the weight or value to be given to either
6 direct or circumstantial evidence. However, to the
7 extent that the State relies upon circumstantial
8 evidence, all the circumstances must be consistent
9 with each other and when taken together, point
10 exclusively to the guilt of the accused beyond a
11 reasonable doubt. If the circumstances merely
12 portray the Defendant's behavior as suspicious, the
13 proof has failed. I instruct you the State has the
14 burden of proving the Defendant guilty beyond a
15 reasonable doubt. This burden rests with the State
16 regardless of whether the State relies on direct
17 evidence, circumstantial evidence or some combination
18 of the two.

19 Now, ladies and gentlemen, in reaching your
20 verdict, necessarily, you must determine the
21 credibility of witnesses who have testified. And
22 credibility simply means believability. It becomes
23 your duty as jurors to analyze and evaluate the
24 evidence and determine which evidence convinces you
25 of its truth.

1 In determining the believability of witnesses
2 who have testified, you can believe one witness over
3 several or several witnesses over one witness. You
4 may believe a part of the testimony of a witness and
5 reject the remaining part of the testimony of that
6 same witness. You may believe the testimony of a
7 witness in its entirety or reject it in its entirety.
8 You may consider whether any witness has exhibited to
9 you any interest, bias, prejudice or other motive in
10 this case. You may also consider the appearance and
11 manner of the witness while they were on the witness
12 stand.

13 Now, ladies and gentlemen, I further instruct
14 you and emphasize that the fact that the Defendant in
15 this case did not testify is not a factor to be
16 considered by you in any way during your
17 deliberations and in your consideration on the
18 question of the guilt or innocence of the Defendant.
19 It must not be considered by you in any manner
20 whatsoever. A defendant has the constitutional right
21 to remain silent. An assertion of this right must
22 not be considered by you in your deliberations. I
23 repeat, under your oath, you are to draw no
24 conclusion whatsoever from the fact that this
25 Defendant in this case did not testify. The fact

1 that he did not testify should not even be discussed
2 in the jury room. As I said before, the burden of
3 proof is on the State. The Defendant is not required
4 to prove his innocence. The burden of proof remains
5 on the State to prove the Defendant's guilt beyond a
6 reasonable doubt.

7 Now, as I explained previously, ladies and
8 gentlemen, the rules of evidence normally do not
9 permit witnesses to testify as to opinions or
10 conclusions, but an exception to this rule exists for
11 witnesses who are known as expert witnesses. A
12 witness, who by education and experience are an
13 expert in some art, science or profession may give an
14 opinion in a subject the witness claims to be an
15 expert in. They can also give the reasons for their
16 opinion. You should consider any expert opinion
17 given by a witness and like any other evidence, give
18 it the weight you think it deserves.

19 If you decide that expert witness' opinion is
20 not based on sufficient education, experience or if
21 you decide the reasons given in support of their
22 opinion are not sound or the opinion is outweighed by
23 other evidence, you may disregard the opinion
24 entirely. An expert witness' testimony is to be
25 given no greater weight than that of any other

1 witness simply because the witness is an expert. And
2 you do not have to accept an expert's opinion even
3 though it's uncontradicted.

4 Now, ladies and gentlemen, in this case, the
5 Defendant is charged with the offense of murder.
6 Therefore, the State must prove beyond a reasonable
7 doubt that the Defendant killed another person with
8 malice aforethought. I instruct you that malice is
9 hatred, ill will or hostility towards another person.
10 It's the intentional doing of a wrongful act without
11 just cause or excuse and with an intent to inflict an
12 injury or under circumstances that the law will infer
13 evil intent.

14 Malice aforethought does not require that malice
15 exists for any particular time before the act is
16 committed, but malice must exist in the mind of the
17 defendant just before and at the time of act -- just
18 before and at the time the act is committed.
19 Therefore, there must be a combination of previous
20 evil intent and the act.

21 Malice aforethought may be expressed or
22 inferred. These terms expressed or inferred does not
23 mean different kinds of malice, but merely the manner
24 in which malice is shown to exist, that is either by
25 direct evidence or by inference from the facts and

1 circumstances which are proven. Expressed malice is
2 shown when a person speaks words which express hatred
3 or ill will for another or when the person prepared
4 beforehand to do the act which is later accomplished.
5 For example, lying in wait for a person or any other
6 acts of preparation going to show the deed was within
7 the defendants mind would be expressed malice.
8 Malice may be inferred from conduct showing a total
9 disregard for human life.

10 Now, ladies and gentlemen, should you find or
11 conclude that the State has failed to prove beyond a
12 reasonable doubt that the Defendant committed the
13 offense of murder, you may consider whether the State
14 has proven beyond a reasonable doubt the Defendant
15 committed the offense of voluntary manslaughter. To
16 prove voluntary manslaughter, the State must prove
17 beyond a reasonable doubt that the Defendant took the
18 life of another in the sudden heat of passion based
19 on sufficient legal provocation. Both heat of
20 passion and sufficient legal provocation must be
21 present at the time of the killing to constitute
22 voluntary manslaughter.

23 Sudden heat of passion may for a time effect the
24 person's self-control and temporarily disturb a
25 person's reasoning. Sudden heat of passion must be

1 the type that would make an ordinary person be able
2 to fully reflect on his actions that would produce an
3 uncontrollable impulse to do violence. Sufficient
4 legal provocation must be the type that would make a
5 person of ordinary reason and caution to become
6 enraged and lose control temporarily. The
7 provocation needed for voluntary manslaughter must
8 come from some act of or related to the victim.

9 I instruct you that words alone, however vulgar
10 or insulting are not enough to be legal provocation.
11 Where death is caused by the use of a deadly weapon,
12 words must be accompanied by some overt act, some
13 ouvert threatening act which could help produce the
14 heat of passion. Furthermore, the exercise of legal
15 right, no matter how offensive it is to another is
16 never sufficient legal provocation for voluntary
17 manslaughter. If the heat of passion had cooled or
18 if there was enough time between the provocation and
19 any killing of passion for a reasonable person to
20 cool, then the killing would not be voluntary
21 manslaughter.

22 Deciding whether a reasonable person would have
23 had enough time to cool off, you should consider all
24 the circumstances surrounding the killing. You may
25 consider the nature of the provocation, if any, the

1 defendant's mental and physical state and
2 circumstances and relationships between the parties.

3 Ladies and gentlemen, in this case, the
4 Defendant has raised the defense of self-defense. I
5 instruct you that self-defense is a complete defense
6 and if it is established, you must find the Defendant
7 not guilty. The State has the burden of proving --
8 sorry, the State has the burden of disproving
9 self-defense by proof beyond a reasonable doubt. If
10 you have a reasonable doubt of the Defendant's guilt
11 after considering all the evidence, including the
12 evidence of self-defense, then you must find the
13 Defendant not guilty. On the other hand, if you have
14 no reasonable doubt of the Defendant's guilt after
15 considering all the evidence, including any evidence
16 of self-defense, then you must find the Defendant
17 guilty.

18 The following elements are required to establish
19 self-defense. First, the Defendant must be without
20 fault in bringing on the difficulty. If the
21 Defendant's conduct was the type which was reasonably
22 calculated to and did provoke a deadly assault, then
23 the Defendant would be at fault in bringing on the
24 difficulty and would not be entitled to an acquittal
25 based on self-defense.

1 Second element of self-defense is that the
2 Defendant was actually in imminent danger of death or
3 serious bodily injury or that the Defendant actually
4 believed he was imminent danger of death or serious
5 bodily injury. If the Defendant was actually in
6 imminent danger, it must be shown that circumstances
7 would have warranted the person of ordinary firmness
8 and courage to strike the fatal blow to prevent the
9 death or serious bodily injury. If the Defendant
10 believed he was in imminent danger of death or
11 serious bodily injury, it must be shown that a
12 reasonably prudent person of ordinary firmness and
13 courage would have had the same belief. In deciding
14 whether the Defendant actually was or believed he was
15 in imminent danger of death or serious bodily injury,
16 you should consider all the facts and circumstances
17 surrounding the crime, including the physical
18 condition and characteristics of the Defendant and
19 the victim.

20 Third and finally, the final element of
21 self-defense is the Defendant had no other probable
22 way to avoid the danger of death or serious bodily
23 injury than to act as the Defendant did in this
24 particular instance. Ladies and gentlemen, I further
25 instruct you that a person cannot be required to make

1 an exact calculation as to the degree or amount of
2 force which may be needed to avoid death or serious
3 bodily harm. Therefore, in self-defense, the
4 Defendant has the right to use the force necessary to
5 avoid death or serious bodily harm. The force used
6 in self-defense does not have to be limited to the
7 degree or amount of force used by the victim. The
8 Defendant has the right to use as much force as
9 appeared to be necessary for complete self protection
10 in which a person of ordinary reason and firmness
11 would have believed needed to prevent death or
12 serious bodily harm. If the defendant is justified
13 in defending himself, then the Defendant may continue
14 to use that amount of force necessary until it's
15 apparent that the danger or threat of death or
16 serious bodily injury no longer exists.

17 Ladies and gentlemen, in this case, there are
18 two mutually exclusive verdicts which can be
19 rendered.

20 Mr. Foreman, I prepared this jury verdict form
21 for you to deliver your verdict and guide you through
22 the deliberations, okay. This is extremely simple.
23 I know you would have no difficulty following it, but
24 the law makes me explain it to you anyway, okay.

25 First statement on the verdict form says as

1 follows: We, the jury, in the above captioned case,
2 on the charge of murder, unanimously find Clifton
3 Curtis Boozer, then there are two mutually exclusive
4 options. Either guilty or not guilty. If you find
5 the State has met its burden of proving Mr. Boozer
6 guilty beyond a reasonable doubt, all 12 of you
7 agree, Mr. Foreman, you would initial next to guilty,
8 sign the verdict form, knock on the door, let the
9 bailiff know and we'll get you back in the courtroom.

10 If however, you find the State has failed to
11 meet its burden of proving the Defendant's guilt
12 beyond a reasonable doubt, all 12 of you agree, you
13 would initial next to not guilty. Then you may
14 consider the second statement involving involuntary
15 manslaughter. Okay. That statements says, we, the
16 jury, in the above captioned case on the charge of
17 voluntary manslaughter, unanimously find Clifton
18 Curtis Boozer, again, two mutually exclusive options,
19 guilty or not guilty.

20 Now, ladies and gentlemen, as I mentioned a
21 brief moment ago, all 12 of you have to agree on the
22 verdict in this case. South Carolina does not have
23 majority verdicts, other states do. Other states are
24 doing it wrong, okay. So, in South Carolina under
25 the law, all 12 of you must agree on whatever verdict

1 is ultimately reached by this jury.

2 Understand, ladies and gentlemen, that you have
3 been chosen as fair and impartial individuals, that
4 means you have no interest in the outcome of this
5 case, you have no friends to reward, you have no
6 enemies to punish is another way of putting it. If
7 at any point in time you have any questions about the
8 law, simply send me a note out.

9 I will also let you know, Mr. Foreman, though,
10 at any point in time you do need to communicate with
11 the Court or send the Court a note, please never
12 indicate to me if there is any kind of division
13 between the jury what that numerical division is.
14 Okay. So I don't want to know it's 10/2 one way,
15 6/6, 11/1, 5/7. Never give me a number, okay? Just
16 let me know what it is that you're struggling with
17 and I'll try to help you with that.

18 Ladies and gentlemen, in a moment, I'm going to
19 let you adjourn to the jury room. Just a few other
20 housekeeping matters first. Understand that
21 sometimes I get inquiries from the jury about how
22 long they have to deliberate. Understand that under
23 South Carolina law, there is no set time for
24 deliberations. Deliberate 10 minutes, 40 minutes,
25 four hours, 40 hours, four days. I don't think four

1 days, but however long you deliberate is entirely up
2 to you. The key thing is that all 12 of you have to
3 agree on whatever the ultimate verdict is.

4 Second of all, we're kind of beating up against
5 lunchtime. If you want, I'd much rather get through
6 this and let y'all begin deliberations. If you want
7 to order or request some lunch, the clerk will get
8 Little Caesars pizza. Okay, I know it's not gourmet
9 and I'm sorry for that, but that's quick and she will
10 be happy to send out and have some pizzas delivered.
11 It will take about 30 minutes to get here.

12 So, your first order of business, Mr. Foreman,
13 will be to decide if you want lunch. If you do, let
14 her know. In the meantime, don't start deliberations
15 yet. I have to give the parties the opportunity to
16 object or suggest any clarifications to any of these
17 instructions I've just given you. If there will be
18 additional instructions, I will bring you back out
19 here. However, if the Court is satisfied that I have
20 instructed you correctly, you're queue to begin your
21 deliberations will be receiving these instructions,
22 the verdict form and any other exhibits which have
23 been introduced in the record, okay? If you need to
24 rehear the 911 call or the Defendant's audio
25 interview, should you need to hear that again,

1 there's no mechanism to play it in there. Let us
2 know. We're not going to send those disks back,
3 we'll simply play them out here for you if you want
4 to hear those again. So, if you want to hear those
5 again, let me know and we'll bring you back out here
6 and play whatever portion you want to hear. Okay.

7 Again, adjourn to the back. Decide if you want
8 pizza, let her know. I'm assuming that might be a
9 yes, but let her know and we'll take care of that if
10 you want lunch.

11 Madam Alternate, you go with them one last time
12 and I'll bring you out before they begin their
13 deliberations, okay.

14 We may have the capacity to send something back
15 there if you want to hear the audio again, okay.
16 We'll figure that out. Every courtroom is different.
17 There's 46 of them, so sometimes it's hard to keep
18 track. Go back there, don't talk about the case yet.
19 Let her know if you want pizza, okay.

20 (WHEREUPON, the jury left open court at
21 approximately 12:27 p.m.)

22 THE COURT: Any exceptions or additions from The
23 State?

24 MR. SCOTT: No, Your Honor.

25 THE COURT: With the exception of the Court's

1 failure to instruct the involuntary manslaughter, any
2 additional suggestions from the Defense?

3 MR. VERNER: As well as the failure to include
4 the listed examples of voluntary manslaughter, Your
5 Honor.

6 THE COURT: With the exception of that, I think
7 it's probably Court's 1. Very good.

8 Y'all make sure that we're square as far as the
9 evidence is concerned. And we will get this case to
10 the jury, all right.

11 (WHEREUPON, deliberations began at approximately
12 12:32: p.m.)

13 (WHEREUPON, court was in recess awaiting a
14 verdict.)

15 THE COURT: All right, I've been informed the
16 jury has reached a verdict.

17 Anything further before we receive it from the
18 State?

19 MR. SCOTT: No, Your Honor.

20 THE COURT: From the defense?

21 MR. VERNER: No, Your Honor.

22 THE COURT: Let's have the jury, please. Hold
23 on one second. One second.

24 Just fair warning to everybody here, please,
25 when the verdict is read, when the verdict is

1 announced, I really do not want to have any sort of
2 outbursts, okay. So, if you find yourself unable to
3 control your emotions or contain your emotions -- I
4 understand this has been a hard fought case, there's
5 a lot on the line for everybody involved, if you
6 cannot keep your composure and show proper respect to
7 the verdict, feel free to quietly stand and walk to
8 the back of the courtroom and just leave the chamber
9 here. Okay. So please, just try to contain your
10 emotions when the verdict is read.

11 Let's have the jury.

12 (WHEREUPON, the jury came into open court at
13 approximately 1:54 p.m.)

14 THE COURT: All right, the record will reflect
15 the jury is back and seated.

16 Mr. Foreman, I'm told the jury has, in fact,
17 reached a verdict; is that correct?

18 MR. FOREMAN: Yes, sir.

19 THE COURT: All 12 of you agree on the outcome?

20 MR. FOREMAN: Yes, sir.

21 THE COURT: Hand the verdict form to the
22 bailiff, please.

23 All right, Madam Clerk, if you would publish,
24 please.

25 THE CLERK: Indictment Number 2017-GS-36-290,

1 the State of South Carolina vs. Clifton Curtis
2 Boozer, we, the jury, in the above captioned case on
3 the charge of murder unanimously find Clifton Curtis
4 Boozer guilty. Signed William C. Johnston,
5 Foreperson.

6 Ladies and gentlemen, if this is your verdict,
7 please indicate by raising your right hand.

8 THE COURT: Let the record reflect all 12
9 members of the jury raised their right hand.

10 Anything prior to discharging the jury from the
11 State?

12 MR. SCOTT: No, Your Honor.

13 THE COURT: From the defense?

14 MR. VERNER: Your Honor, because, obviously,
15 this is murder, we would ask for individual polling.

16 THE COURT: All right. Ladies and gentlemen, in
17 a moment, the clerk is going to call your names.
18 When your name is called, just raise your right hand
19 to identify yourself and she'll ask you a question.
20 The question is going to be, Is this your verdict?
21 Is it still your verdict? Simply answer
22 appropriately, okay?

23 Madam Clerk, please poll the jury.

24 THE CLERK: Tytrevaus Harmon, is this your
25 verdict, is it still your verdict?

1 I need the Foreman to stick around and sign the
2 actual indictment, okay.

3 If y'all want to meet her outside, she'll give
4 you your work excuses.

5 (WHEREUPON, the jury left open court at
6 approximately 2:00 p.m.)

7 THE COURT: We'll be ease for a few moments.

8 Solicitor, figure out who on the victim's
9 account want to speak.

10 Same for you, Mr. Verner, okay.

11 We're at ease for about five minutes. I'll need
12 a sentencing sheet at some point, too.

13 (WHEREUPON, a short break was taken.)

14 SENTENCING

15 THE COURT: Mr. Verner, you renew your prior
16 motions and objections and move for a new trial?

17 MR. VERNER: I do, Your Honor.

18 THE COURT: Same ruling as before, the motions
19 for a new trial, of course, are denied.

20 Solicitor, you informed me of Mr. Boozer's
21 yesterday, I think. It entails two prior domestic
22 violence offenses and the petit larceny. Is that the
23 extent of his prior record?

24 MR. SCOTT: Yes, sir, two CDV convictions in
25 2014, two different victims. One of them was Clatie

1 Stribble and the other one is a Jazmonique Roof. So,
2 those are two prior CDV convictions in 2014.

3 THE COURT: Solicitor, I'm certainly happy to
4 hear from you and anything that the daughters of
5 Ms. Stribble might want to tell me, I'll all ears.

6 MR. SCOTT: Yes, sir, you know just as well I do
7 and I referenced it in the closing, fifth in the
8 nation, tiny South Carolina fifth in the nation as
9 far as homicide by domestic abuse. I don't know,
10 maybe this is just a small step in the right
11 direction, convicting these people who just have no
12 respect for women and just beat them to a pulp over
13 and over and over until they finally kill them and
14 take away loved family members like these girls lost.

15 October, they do the silent witness ceremony at
16 the State House. I suspect Ms. Clatie is going to be
17 one of a few dozen wooden silhouettes that represents
18 a homicide by domestic violence that used to be a
19 mother, sister, daughter, loved one.

20 So, he fits in perfectly. He is just somebody
21 who has done this for years. Prior complaints of it.
22 We understand the difficulties of prosecuting these
23 things from time to time, but he has two prior
24 convictions. And I suspect many other times that he
25 was able to convince various women not to go forward

1 or threaten them from going forward, but it finally
2 got too far. Thank goodness, that jury got it right.

3 We're going to ask you -- I know it's 30 to
4 life. I know he's probably a little bit over 40.
5 But give us some assurance that he is never getting
6 out and these girls never have to worry about him
7 getting out of prison. We would be very happy if he
8 spent the rest of his life in prison. Of course,
9 murder carries 30 to life. These girls, I know they
10 just want some assurance they're never going to see
11 him again.

12 Eve is kind of the spokesman for the sisters, as
13 we've talked about. She has written a statement.
14 She wants to read it to Your Honor. I know she wants
15 to speak.

16 Niyla or Isis, you want to speak or you just
17 want Eve to speak for you?

18 THE COURT: That's okay. If you want to let Eve
19 speak and if there's anything they want to say, let
20 them speak at that point.

21 All right, Eve, I'm all ears, ma'am.

22 EVE W [REDACTED]: First off, I want to thank for
23 your time to hear my mother's trial. This has been
24 the hardest part of my life so far. My mom was such
25 a beautiful, caring, living and hardworking person

1 who always did for others. I will say over the past
2 year, I have learned a lot about many things, but the
3 most important of those things, I've learned about
4 God and forgiveness. Although, I will miss my mom
5 truly and I will think of her everyday and about how
6 many things in my life she will never be a part of,
7 such as watching my sisters cheer, come to chorus or
8 band concerts, congratulating us on making Honor
9 Roll, being at our high school graduations,
10 hopefully, weddings or even our children some day, I
11 made a promise to myself to fall victim to a bad
12 relationship like my mom did. I will make her proud
13 in everything I do.

14 As for Cliff, I have forgiven you this past year
15 the pain that you have caused me and my sisters. I
16 will pray that God has mercy on your soul.

17 I do ask that you please consider me and my
18 sisters' ages and put him away and make sure we never
19 have to see him again. Thank you, Evelyn Williams.

20 THE COURT: Thank you.

21 Girls, okay, anything y'all want to add?

22 MR. SCOTT: No, sir.

23 THE COURT: Anything further from the State,
24 Solicitor?

25 MR. SCOTT: No, Your Honor.

1 THE COURT: Mr. Verner, happy to hear from you,
2 Mr. Boozer and his family.

3 MR. VERNER: May it please the Court, Your
4 Honor. Cliff is 41, Your Honor. For the most part,
5 worked his whole life. No felony, other than these
6 two prior domestic violence in lower court charges.
7 He has lived a fairly law abiding life. He does have
8 five children. The youngest being 19. He's from
9 Newberry. His life is just a -- he got into a
10 turbulent relationship. I'll leave it at that. I do
11 see this as in that quasi area between a voluntary
12 manslaughter and a murder type. There's no way --
13 that heat of passion to some degree. I'm not
14 quibbling with the verdict, but I do think regardless
15 of the malice that there's obviously a turbulent
16 relationship and emotions in the relationship, a
17 breakup and that type as opposed to just killing
18 somebody for a motive, you know, the money murder,
19 that type. I do think it's a relationship murder.
20 Just no prior, other than that two prior CDVs, both
21 in '14 around the same time is the only red flag on
22 Cliff. He's always been a good guy to me, a friendly
23 guy. A man of faith.

24 He's got family support in the audience. We
25 only asked his two sisters to come up. His mother

1 wears a pacemaker and just can't take the stress.
2 His father, obviously, is the gentleman on the end.
3 One or more of them may want to speak, Your Honor,
4 and Cliff may or may not want to address the Court.
5 He's been in jail continuously since May 5th --
6 May 3rd, May 3rd of '17.

7 THE COURT: Lady, sir, anything y'all might want
8 to say?

9 MR. VERNER: Tell him your name so the lady can
10 write it down.

11 MS. SANDERS: I'm Michelle Sanders, I'm
12 Clifton's sister. First thing I would like to say to
13 the girls, I'm sorry y'all have to go through this.
14 I'm not sure why the State had y'all to testify that
15 we were bad people, but y'all know we loved y'all and
16 we welcomed y'all in our home, we still love y'all.
17 And I'm so sorry y'all had to go through this.

18 They also painted a picture that it was a
19 one-sided relationship. But me and my sister pretty
20 much was in this relationship the past five years as
21 well and we pretty much seen both sides. I just
22 can't say enough how sorry I am for the girls having
23 to without their mother, but I just pray that the
24 Court have mercy on my brother. Because he's really
25 not the monster the State painted him out to be. We

1 grew up a close family.

2 THE COURT: I understand, Ms. Sanders, thank
3 you.

4 Yes, sir.

5 WILLIE BOOZER: My name is Willie Boozer. I
6 been knowing Cliff all my life -- all his life. And
7 the reason why, that's my son. All our life, he's
8 been a good son. He's not a bad person. He have a
9 lot of good in him. I just want to ask the Court
10 whatever sentence you impose, please be as lenient as
11 possible. Thank you, Your Honor.

12 UNIDENTIFIED LADY: I would just like to say
13 that, obviously, I love my brother and he is truly
14 not the monster they painted him out to be. He love
15 people and he's a forgiving person that you could
16 ever meet. I ask, too, that you be lenient on
17 whatever you decide to do because he is a great
18 person despite of what happened on that day.

19 THE COURT: Thank you, ma'am.

20 Mr. Boozer, anything you'd like to say, sir?

21 MR. BOOZER: Yes, sir, I like to apologize first
22 to the family. To all the family, I apologize. I
23 apologize to the City of Prosperity for this action.
24 I want to, you know, apologize to the Court for y'all
25 having to go through something like this. I would

1 also like to apologize to my family for, you know,
2 putting them as well through this. But I would like
3 to ask you to give me that life sentence because it
4 was terrible. It should have never happened. And I
5 will accept it.

6 THE COURT: Thank you, Mr. Boozer.

7 Mr. Verner, anything else?

8 MR. VERNER: No, Your Honor, I don't. The Court
9 can definitely see he's being contrite but I disagree
10 with his request.

11 THE COURT: I understand.

12 First to Ms. Stribble's children, girls, at this
13 point in time, you've got a lot of support around
14 you.

15 And Eve, you mentioned how you and your sisters
16 are going to miss your mother during those milestones
17 because she's not a part of your life anymore. I
18 don't agree with that, okay, she's still a part of
19 your life, okay. Because you had years with her.
20 And going forward, I think you hit the nail on the
21 head, if you make your mother proud, that's how
22 you're going to honor her going forward, all right.

23 The three of you are going to really need to
24 rely on each other in the years ahead, probably for
25 the rest of your lives, okay. You can let something

1 like this destroy you, you can let something like
2 this ruin you, you can let something like this change
3 you for the worst or you can let it bring you closer
4 together. And I can tell it's brought y'all closer
5 together as a family. You need to keep that bond you
6 have for each other and keep each other in line. If
7 you do that, your mother is just going to smile down
8 on y'all. It's going to be all right. It's going to
9 end up being all right if you do that.

10 Mr. Boozer, I try to make it a habit in cases
11 like this to judge the crime and not necessarily
12 judge the person, sir. And I have no doubt that you
13 have been a good son to your father, a good brother
14 to your sisters and that you have many, many positive
15 qualities. And the fact that your willing to offer
16 that apology, that's not fallen on deaf ears.
17 Really, it's not. I know it's a hard thing to be
18 looking at 30 years to life and then offer that
19 apology.

20 But the Court takes a number of things into
21 consideration. Obviously, your criminal history is
22 not that bad. One of the things, though, that stuck
23 out in my mind throughout this trial, Mr. Boozer, is
24 somewhat of a difference between manners of death.
25 And I do this year in and year out and probably

1 try -- I've probably tried a dozen murder cases this
2 year. It's one thing to momentarily act on impulse
3 in a fraction of a second and pull the trigger and
4 somebody wind up dead. It's a different matter
5 entirely to basically strangle the life out of
6 someone over the course of three or four minutes.

7 And I don't have any doubt that people love you
8 and that in many respects, you've been a good person
9 a lot of times in this life. But to take
10 Ms. Stribble's life in the way that you did,
11 Mr. Boozer, is deplorable. And part of my job is to
12 send a message that this kind of action just cannot
13 be tolerated. And you set a proper sentence
14 yourself.

15 The sentence of the Court, Mr. Boozer, is that
16 you're committed to the Department of Corrections for
17 the balance of your natural life. I wish you luck,
18 sir.

19 MR. BOOZER: All right.

20 THE COURT: You have 10 days to file any notice
21 of intent to appeal and one year to file any action
22 post-conviction relief once those appeals are
23 exhausted. I wish you luck, sir.

24 MR. VERNER: Judge, do you mind if he gives his
25 sisters a hug before he leaves?

WITNESSES

David Beddingfield
Prosperity Police Department

WARRANT NUMBER

2017A3620300023

TRUE BILL

M. J. Wilson

Foreman of the Grand Jury

Date:

7/14/17

VERDICT

Guilty of Murder.

William C. Shuster

Foreman

August 10, 2018

THE STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

COURT OF GENERAL SESSIONS

July Term, 2017

Indictment # 2017-GS-36-00290

THE STATE

vs.

Clifton Curtis Boozer

INDICTMENT FOR

MURDER
§16-03-0010

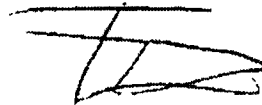
CDR: 0116

THE STATE OF SOUTH CAROLINA**COUNTY OF NEWBERRY****INDICTMENT FOR****MURDER
§16-03-0010**

At a Court of General Sessions, convened on the 14th day of July, 2017, the Grand Jurors of Newberry County present upon their oath:

That Clifton Curtis Boozer did, on or about May 3, 2017, in Newberry County, willfully, feloniously, and with malice aforethought kill one Clatie Stribble by means of strangulation and/or stabbing, that the said Clatie Stribble did die in Newberry County as a proximate result thereof on or about May 3, 2017, in violation of Section 16-3-10 of the South Carolina Code of Laws, 1976, as amended.

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



Assistant Solicitor

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF NEWBERRY

STATE VS.

CLIFTON CURTIS BOOZER

AKA:

Race: Black Sex: M Age: 41DOB: 977 SS#: 3697Address: Feather RunCity, State, Zip: Newberry, SC 29108DL#: SID#: INDICTMENT/CASE#: 2017GS36-00290A/W: 2017A3620300023Date of Offense: 05/03/2017S.C. Code #: 16-03-0010CDR Code #: 0116

SENTENCE SHEET

30 - life

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

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

☒ CONVICTED OF or☐ PLEADSTO: MurderIn violation of § 16-03-0010 of the S.C. Code of Laws, bearing CDR Code # 0116☐ NON-VIOLENT☒ VIOLENT☐ SERIOUS☒ MOST SERIOUS☐ Mandatory GPS☐ §17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☒ As indicted, ☐ Lesser Included Offense,☐ Defendant Waives Presentment to Grand Jury, (def.'s initials)The plea is: ☒ Without Negotiations or Recommendation,☐ Negotiated Sentence,☐ Recommendation by the State.

ATTEST:

Taylor W. Daniel, Assistant Solicitor SC Bar # 100588

Defendant

Attorney for Defendant SC Bar # 10033

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections ☐ County Detention Center, for a determinate term of life days/months/years or ☐ under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and or payment of \$; plus costs and assessments as applicable*; the balance is suspended with probation for months/years and subject to South Carolina Department of Probation, Parole and Pardon Service standard conditions of probation, which are incorporated by reference.

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

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

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing☐ Ordered PTUP Total: \$ plus 20% fee: \$ days/hours Public Service EmploymentPayment Terms: Obtain GED ☐☐ Set by SCDPPPS Attend Voc. Rehab. Or Job Corp. May serve W/E beginning Substance Abuse Counseling ☐Random Drug/Alcohol Testing ☐

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning \$ Paid to Public Defender FundOther: Recipient: *Fine: \$ §14-1-206 (Assessments 107.5%) \$ §14-1-211 (A)(1)(Conv. Surcharge) \$100 \$ 100.00§14-1-211 (A)(2)(DUI Surcharge) \$100 \$ §56-5-2995 (DUI Assessment) \$12 \$ §56-1-286 (DUI Breath Test) \$25 \$ Proviso (Public Def/Prob) \$500 \$ §14-1-212 (Law Enforce. Funding) \$25 \$ 25.00§14-1-213 (Drug Court Surcharge) \$150 \$ §50-21-114 (BUI Breath Test Fee) \$50 \$ §56-5-2942(J) (Vehicle Assessment) \$40/ea \$ 3% to County (if paid in installments) \$ \$ 3.25

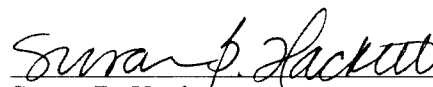
TOTAL

\$ 125.25Clerk of Court/Deputy Clerk: Betty G. BohrerCourt Reporter: April J. HendonPresiding Judge: Judge Code: 2159Sentence Date: August 10, 2018

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,



Susan B. Hackett
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 9th day of January, 2020.

RECEIVED
JAN 09 2020
SC Court of Appeals