

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Laurens County

Honorable Alison Renee Lee, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONALD JEFFREY EATON,

APPELLANT

APPELLATE CASE NO 2019-000911

RECORD ON APPEAL

WANDA H. CARTER
Deputy Chief Appellate Defender

ALAN WILSON
Attorney General

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

WILLIAM M. BLITCH
Senior Assistant Deputy Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

INDEX

INDEX	i
TRIAL TRANSCRIPT DATED MAY 20-21 2019	1
JURY QUALIFICATIONS.....	8
PRE-TRIAL MOTION TO SUPPRESS (SEARCH & SEIZURE).....	25
TESTIMONY (IN CAMERA)	
CHARLES NATIONS.....	26
STEVEN WASHBURN	41
MATTHEW VEAL	51
COURT'S RULING.....	55
MOTION TO AMEND INDICTMENT.....	56
COURT'S RULING.....	57
JURY VOIR DIRE	63
JURY SELECTION.....	68
OPENING REMARKS BY THE COURT.....	74
OPENING STATEMENT BY SOLICITOR.....	81
OPENING STATEMENT BY DEFENSE COUNSEL.....	85
TRIAL TESTIMONY	
CHARLES NATIONS.....	88
CLARIFICATION ON MOTION TO AMEND INDICTMENT	148
OBJECTION TO PRIOR BAD ACT TESTIMONY	149
COURT'S RULING.....	151

TRIAL TESTIMONY

STEVEN WASHBURN	153
MATTHEW VEAL	165
OBJECTION TO BUSINESS RECORDS	180
TRIAL TESTIMONY	
MATTHEW VEAL (CONT'D)	188
JOSE DIAZ	200
BUTCH KIMBRELL	205
ANGIL LANDRUM	210
AMANDA MARLER	220
STATE RESTS	247
MOTIONS FOR DIRECTED VERDICTS	248
RULING BY THE COURT	250
DEFENSE RESTS	261
CLOSING ARGUMENT BY SOLICITOR	263
CLOSING ARGUMENT BY DEFENSE COUNSEL	276
JURY CHARGE ON THE LAW	282
JURY NOTE (TWO QUESTIONS) AND COURT'S RESPONSE	297
VERDICT	299
POST-TRIAL MOTIONS	301
SENTENCING	305
INDICTMENTS	309
CERTIFICATE OF COUNSEL	313

State of South Carolina.,)
)
)
 County of Laurens.)

In the General Sessions
 Court for Laurens

Case No.: 2018-GS-30-01202
 2018-GS-30-01203

State of South Carolina.,)
)
 Plaintiff.,)
)
 -vs-)
)
 Ronald Jeffrey Eaton.,)
)
 Defendant.)
)

Transcript of Record
 Two Day Trial

May 20, 21, 2019
 Laurens, South Carolina

B-E-F-O-R-E:

The Honorable Alison Renee Lee, Judge, and a jury.

B-E-F-O-R-E:

Mr. Christopher Dale Scott
 Eighth Circuit Solicitor's Office
 Newberry County Judicial Center
 Post Office Drawer 10
 Newberry, South Carolina 29108
 dscott@greenwoodsc.gov
 (803) 321-2123
 Ms. Margaret Graham Boykin
 PO Box 516
 Greenwood, SC 29648
 mgboykin1@gmail.com
 Attorneys for the Plaintiff

Ms. Dorothy A. Manigault
 Manigault Law Firm
 PO Box 392
 Greenville, SC 29602
 manigaultdam@aol.com
 (864) 235-7073
 Attorney for the Defendant

Wanda S. Nelson, CVR-M
 Official Court Reporter
 Sixteenth Judicial Circuit
 Union and York Counties
 To The Honorable Daniel D. Hall

ORIGINAL

I-N-D-E-XE-X-A-M-I-N-A-T-I-O-NWITNESSBY:PAGE NO.

Investigator Charles Nations

Solicitor Scott P.26-39

. P.88-130

. P.143-144

Ms. Manigault P.340-41

Ms. Manigault P.131-142

Agent Steven Washburn

Solicitor Scott P.41-48

. P.50-51

. P.153-162

P.164

Ms. Manigault P.49-50

. P.162-163

Sergeant Matthew Veal

Solicitor Scott P.51-53

. P.165-166

. P.168-192

. P.199

Ms. Manigault P.166-168

. P.193-198

Jose Diaz

Solicitor Boykin. P.200-204

Ms. Manigault P.204

ORIGINAL

I-N-D-E-XE-X-A-M-I-N-A-T-I-O-N

<u>WITNESS</u>	<u>BY:</u>	<u>PAGE NO.</u>
James Kimbrell	Solicitor Boykin. . . .	P.205-208
	Ms. Manigault	P.208-209
Angil Landrum	Solicitor Boykin. . . .	P.210-216
		P.218
	Ms. Manigault	P.217
Amanda Marler	Solicitor Scott	P.220-239
		P.245-247
	Ms. Manigault	P.239-244
Closing Statements		
	Solicitor Scott	P.263-276
	Ms. Manigault	P.276-282
Charge to the Jury		P.282-296
Verdict		P.299-300
Sentencing.		P.301-306
Court Reporter's Certificate Page		P.308
Clerk of Court's Random Strike Sheet. . . .		P.309-310

ORIGINAL

I-N-D-E-XE-X-H-I-B-I-T-S

NO.	DESCRIPTION	ID.	EVD.
Ct.1	Search Warrant		P.35
Ct.2	Consent to Search Form		P.35
Ct.3	Jury Note @ 04:15 p.m.		P.298
St.1	Photos	P.60.	P.108
St.2	Photo.	P.60.	P.111
St.3	Photos	P.60.	P.108
St.4	Photo.	P.60.	P.101
St.5	Photo.	P.60.	P.110
St.6	Photo.	P.60.	P.111
St.7-8	Photos	P.60.	P.101
St.9	Photo.	P.60	
St.10-11	Photos	P.60.	P.117
St.12	Photo.	P.60.	P.119
St.13-15	Photos	P.60.	P.122
St.16	Photo.	p.60.	P.106
St.17	Photo.	P.60	
St.18-19	Photos	P.60.	P.124
St.20	Photo.	P.60.	P.101
St.21-22	Photos	P.60.	P.104
St.23	Photo.	P.60.	P.95
St.24	Photo.	P.60	
St.25	Photo.	P.60.	P.95

ORIGINAL

I-N-D-E-XE-X-H-I-B-I-T-S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
St.26	Photo.	P.60	
St.27	SLED BEST Pak.		P.216
St.28	Grinder.		P.126
St.29	Hydrogen Perozide.		P.126
St.30	Salt		P.125

Court Reporter's Note: All Exhibits were filed with the
Laurens County Clerk of Court's Office

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1 (COURT IN SESSION IN THE MATTER OF *THE STATE VERSUS*
2 *RONALD JEFFREY EATON*, MONDAY, MAY 20, 2019 AT 10:01 A.M.)

3 THE COURT: Good morning, ladies and gentlemen.

4 Let me welcome you to a term of General Sessions Court
5 for the County of Laurens. My name is Don Hocker, I am a
6 Circuit Court Judge and I have been assigned to preside
7 over this term of court this week along with Judge Allison
8 Lee who is from Columbia.

9 She will actually be the trial judge, at least the
10 first start of the week if not the entire week but she's
11 ask me to what we call qualify the jury. There's a
12 process that we have to go through to determine your
13 qualifications and eligibility to sit on any jury in this
14 state and then your qualifications and eligibility to sit
15 on the trials that will be called for this week.

16 The first part of this process is roll call. When
17 your name is called out by the Clerk you will stand and you
18 will give us your name and the information that appears on
19 the little card that you have been provided.

20 Make sure when you do stand and respond that you speak
21 up loudly and clearly so we can hear you and understand
22 you. And it's in alphabetical order so you'll kind of
23 anticipate when your name is being called. And I'll have
24 some other remarks and comments to make as we go through
25 this process.

ORIGINAL

1 So, Madam Clerk, if you will do roll call please.

2 MADAM CLERK: First we need to do an oath. If you'll
3 please stand and raise your right hands.

4 (JURY BEING FIRST CALLED AND
5 DULY SWORN FOR JURY SERVICE AT 10:03 A.M.)

6 MADAM CLERK: Thank you. You may be seated.

7 (JURY ROLL CALL AT 10:04 A.M.)

8 THE COURT: Thank you, Madam Clerk.

9 ladies and gentlemen, I understand and appreciate that
10 you being here today and potentially this week is an
11 inconvenience for some of you. We understand that but I
12 want to impress on you the fact that your presence here is
13 very very important. We in this country have the greatest
14 justice system that has ever been created and jury's play a
15 very important in our judicial system. So while it may be
16 an inconvenience for some of you understand that your
17 presence is necessary and very important.

18 I'm gonna ask you a series of questions and you may
19 find some of the questions to be a little personal and if
20 you are reluctant to respond to the question in front of
21 everybody then when I say please stand don't stand. Keep a
22 good mental note of the question that you need to respond
23 to and your response and at the end of the question and
24 answer period I'll give you an opportunity to speak with me
25 privately. We don't want to embarrass anybody; we don't

ORIGINAL

1 want to offend anybody so if you don't want to respond in
2 front of everybody that's fine we can certainly take care
3 of that.

4 If you do respond give me your name and your juror
5 number if you know it when you do stand. And again please
6 speak loud and clear so we can hear you and we can
7 understand you.

8 Any member of the jury panel not a citizen of the
9 United State's; if so, please stand?

10 (NO RESPONSE.)

11 THE COURT: Any member of the jury panel not a citizen
12 and residence of Laurens County, South Carolina; if so,
13 please stand?

14 (NO RESPONSE.)

15 THE COURT: Any member of the jury panel unable to
16 read, write, speak of understand the English language; if
17 so, please stand?

18 (NO RESPONSE.)

19 THE COURT: Any member of the jury panel have less
20 than a sixth grade education or its equivalent; if so,
21 please stand?

22 (NO RESPONSE.)

23 THE COURT: Any member of the jury panel unable
24 because of mental or physical infirmities unable to render
25 efficient jury service this week? For example, does any

ORIGINAL

1 member of the jury panel have a medical condition that
2 would prevent you from serving on a jury this week,
3 otherwise, you please stand?

4 (NO RESPONSE.)

5 THE COURT: Any member of the jury panel been
6 convicted by guilty plea or trial in a state of federal
7 court of record of a crime punishable by imprisonment for
8 more than one year and your civil rights have not been
9 restored by pardon or by amnesty? When I say punishable by
10 more than one year it means that you could have received a
11 sentence of more than one year regardless of what sentence
12 that you actually may have received. If that applies to
13 you please stand?

14 (NO RESPONSE.)

15 THE COURT: Any member of the jury panel a clerk, a
16 deputy clerk of court, constable, sheriff or other
17 commissioned law enforcement officer; probate judge, county
18 commissioner, magistrate or other county officer or anyone
19 employed within the walls of any courthouse; if so, please
20 stand?

21 (NO RESPONSE.)

22 THE COURT: Any member of the jury panel who has
23 previously served on jury duty in circuit court, not city
24 court, not magistrate court, not federal court, circuit
25 court, during this calendar year 2019; if so, please stand?

ORIGINAL

1 (NO RESPONSE.)

2 THE COURT: Any member of the jury panel who has
3 served as a member of the Laurens County Grand Jury during
4 the last five years; if so, please stand?

5 (NO RESPONSE.)

6 THE COURT: All right, now that concludes all of the
7 general qualification questions. We now move into what we
8 call jury exemptions. State law provides for several
9 exemptions to jury service. An exemption does not mean
10 you're not qualified to serve, it simply means that you
11 have the right to say I chose not to service so long as the
12 exemption applies to you and you want to claim the
13 exemption.

14 First, those of you who are sixty-five years of age or
15 older may be exempted from jury service. And I'll tell you
16 its been my experience those who fall within that age range
17 typically make excellent jurors. There's a lot of life
18 experience and tremendous talent for those in that age
19 range and I would encourage you to stay with us. However
20 if you are sixty-five or older and do not want to serve
21 please stand at this time.

22 (NO RESPONSE.)

23 THE COURT: Next exemption concerns prior jury
24 service. No person is required to serve as a juror more
25 often than once every three calendar years. Any member of

ORIGINAL

-11-

1 the jury panel who has served on jury duty during the last
2 two calendar years, 2017, 2018, you may be exempt if you
3 want to claim this exemption. Again, it doesn't apply to
4 serving on a jury in city court, magistrate court, or
5 federal court. If you want to claim this exemption please
6 stand.

7 (NO RESPONSE.)

8 THE COURT: The next exemption deals with those of you
9 who have legal custody of young children. Please listen
10 very carefully to this exemption. It has several parts and
11 all the parts must apply for you to be able to claim this
12 exemption. You may be exempt from jury service if you have
13 a child or children under the age of seven years; you have
14 legal custody of this child or children; you have the
15 principal care and custody and control of this child or
16 children; and you are unable to make arrangements for the
17 adequate care of this child or children while performing
18 jury duty. If all those parts apply and you want to claim
19 this exemption please stand.

20 THE COURT: Yes, ma'am, your name and juror number if
21 you know it.

22 (BLACK FEMALE STANDING.)

23 A. Yolanda Luster. I'm not sure of my juror number.

24 THE COURT: Okay.

25 A. 114.

ORIGINAL

1 THE COURT: 114. Yes, ma'am.

2 JUROR 114: Yes, I wanted to claim the exemption.

3 THE COURT: Okay. Do you have legal custody of a
4 child or children under the age of seven?

5 JUROR 114: Yes.

6 THE COURT: Okay. And you have custody of these
7 children?

8 JUROR 114: Yes.

9 THE COURT: And you are the primary caretaker of these
10 children?

11 JUROR 114: I am.

12 THE COURT: And you're unable to make other
13 arrangements for their care while you're up here?

14 JUROR 114: This is only be like 8:00 to 5:00 Monday
15 through Friday, right?

16 THE COURT: Well 8:00 to 5:00. Typically you

17 JUROR 114: I wouldn't a said anything my child care
18 situation is for second shift so I don't have anyone to
19 watch them specifically in the morning.

20 THE COURT: Okay. You make arrangements for today but
21 you don't have arrangements for the rest of the week?

22 JUROR 114: Right.

23 THE COURT: You know, and of course Judge Lee will be
24 handling at least the first case for trial. I'm not sure
25 when she first gets started, I would say around 9:30 and

ORIGINAL

-13-

1 she probably breaks maybe around 5:00. Of course now if
2 the jury has been given the case to reach a verdict of
3 course juries sometimes stay out real late so we never
4 know. So again, you got someone helping you today but you
5 don't have anybody, family, neighbors, friends to help you
6 for the rest of the week?

7 JUROR 114: No.

8 THE COURT: Okay. All right, you're excused. You're
9 free to go.

10 Next, if you are the primary caretaker of a person
11 sixty-five years old or older and you're unable to provide
12 adequate care for this person while performing jury service
13 you may be exempt. If this applies to you and you want to
14 claim this exemption please stand at this time.

15 (NO RESPONSE.)

16 THE COURT: Next if you are the primary care taker of
17 a severely disabled person who is unable to care for
18 himself or herself and cannot be left unattended and you're
19 unable to provide adequate care for the person while
20 performing jury service you may be exempt. If this applies
21 to you, please stand.

22 (NO RESPONSE.)

23 THE COURT: The next exemption involves those of you
24 who may be attending school at this time or working in some
25 capacity with a school. If this exemption applies to you

ORIGINAL .

1 and you wish to be exempted what we will do is transfer you
2 to a term of court which would not conflict with your
3 school responsibilities. Any member of the jury panel who
4 is a full time student, school teacher, school crossing
5 guard, school bus driver, or who serves in any other school
6 related function who is unable to serve on jury duty this
7 week as a result of your school involvement. If this
8 applies to you please stand?

9 (NO RESPONSE.)

10 THE COURT: Next is any member of the jury panel who
11 is employed with the Department of Corrections at a
12 penitentiary; if that applies to you, please stand?

13 (NO RESPONSE.)

14 THE COURT: Next is there any member of the jury panel
15 who performs services for a business, commercial or
16 agricultural enterprise which are so essential to the
17 operation of the enterprise that if you were required to
18 perform jury duty the enterprise would have to close or
19 stop functioning? I routinely tell jury panels that we all
20 like to that we're so valuable to our respective places of
21 employment that if we're not there things just won't
22 happen. But it would actually have to be a situation where
23 if you're here on a jury and the business cannot function;
24 if that applies to you, please stand?

25 (NO RESPONSE.)

ORIGINAL

1 THE COURT: All right. ladies and gentlemen, that
2 concludes all of the exemption questions and as I told you
3 earlier that if you needed to respond to a question and did
4 not want to do so in front of everybody then I would speak
5 with you privately in the presence of the court reporter
6 and the lawyers involved in the first case.

7 Is anyone or if this week is just a bad week for you
8 for personal reasons and I'll be glad to talk with you
9 about that as well. Does anybody need to speak with me
10 privately please stand?

11 All right. Let me just - remain standing and we'll
12 form a line in the aisle. Understand this, we have twelve
13 person juries usually and this certainly will up to Judge
14 Lee but she'll probably have one or two alternates. Just
15 because of the number of people that we have in this jury
16 panel the odds are in your favor that you will not get
17 selected simply because of the numbers.

18 Now I'm not telling you you won't get selected but the
19 numbers are in your favor that you won't get picked. So
20 just keep that in mind as you try to get out of serving on
21 a jury. This is a week of General Sessions Court.
22 Circuit courts are divided up into two sections which all
23 circuit court judges preside over, the Court of Common
24 Pleas which is civil court and the Court of General
25 Sessions which is criminal court and you are here for a

1 term of criminal court.

2 All right, so if you'll just form a line in the aisle
3 I will come down and speak with you individually.

4 (COURT LEFT THE BENCH.)

5 THE BAILIFF: Jennifer Lyda.

6 THE COURT: Okay. 115.

7 (WHITE FEMALE COMES FORWARD.)

8 THE COURT: Yes, ma'am.

9 JUROR 115: Hey.

10 THE COURT: Hey.

11 JUROR 115: I have a daughter, she's ten.

12 THE COURT: Okay.

13 JUROR 115: And my husband he works for Snyder Fleet
14 Tires and he's a truck driver.

15 THE COURT: Okay.

16 JUROR 115: So I'm the only care giver during the week
17 that she gets out of school every day at ----- Elementary
18 at 2:45.

19 THE COURT: Okay. All right, if we transfer you to a
20 term in the summer could you make arrangements for her
21 care? You technically don't fall within because it has to
22 be under seven.

23 JUROR 115: I understand. She's got learning
24 disorders, developmental disorders. She was a IEP and all
25 these other things where she's a very immature ten year old

ORIGINAL

1 to where I can leave her alone.

2 THE COURT: Are you a stay at home mom?

3 JUROR 115: I'm not. I work for the state and my job
4 at the Whitten Center I get off Friday at Three o'clock so
5 I'm real late picking her up but it works out. Like I said
6 my husband's home on weekends.

7 THE COURT: Okay. So who does she stay with in the
8 summertime?

9 JUROR 115: Grandma. Grandma is able to watch her for
10 a few hours but Grandma is sick.

11 THE COURT: Okay. Well this goes back to my question.
12 If I transfer you to a week in the summer do you think you
13 can make things work then?

14 JUROR 115: Much more than we could now. There is - -

15 THE COURT: All right. We'll transfer you to a term
16 in the summer.

17 JUROR 115: Okay.

18 THE COURT: You will be notified just like you were
19 notified to be here today, okay.

20 JUROR 115: Okay. Yes, sir, thank you.

21 THE COURT: Thank you. You're welcome.

22 This juror is transferred.

23 THE BAILIFF: Juror No. 38, your Honor.

24 (WHITE FEMALE COMES FORWARD.)

25 JUROR 38: Hi.

1 THE COURT: Hi.

2 JUROR 38: My name is Pamela Byers. My father was
3 taken to the hospital ---

4 THE COURT: I'm sorry.

5 JUROR 38: --- Saturday and admitted and this morning
6 I got a call before I came in and they're taking my mother
7 by ambulance to the emergency room.

8 THE COURT: We'll transfer you to another week.

9 JUROR 38: That'll be good.

10 THE COURT: Okay. Good luck to you. I hope things
11 work out with your parents.

12 JUROR 38: Thank you. Do y'all need my paper?

13 THE COURT: No.

14 JUROR 38: Okay. Thank you.

15 THE COURT: You're fine. This juror is transferred.

16 THE BAILIFF: Dawn Boozer. She thinks she's 27.

17 Juror No. 27.

18 (BLACK FEMALE COMES FORWARD.)

19 THE COURT: Yes, ma'am, Ms. Boozer.

20 JUROR 27: Hi.

21 THE COURT: Hi.

22 JUROR 27: I got a few things that's going on, one is
23 that my daughter was released from the psych ward from
24 Baptist Hospital for depression and attempted suicide.

25 THE COURT: Okay. I'm sorry. Just stop right there.

ORIGINAL

-19-

1 I will transfer you to another term sometime in the
2 summer. Hopefully your family issues will be resolved.
3 Okay.

4 JUROR 27: Thank you.

5 THE COURT: Okay. You're welcome. You're free to go.
6 This juror is transferred.

7 THE BAILIFF: Juror No. 135.

8 (ASIAN FEMALE COMES FORWARD.)

9 THE COURT: Yes, ma'am.

10 JUROR 135: I have to ask a question. I have an
11 appointment and a blood thinner and also I'm a registered
12 nurse and I work night shift.

13 THE COURT: Okay. Well I can't excuse you because of
14 your employment and your work hours, okay. Now I can
15 transfer you to another week since you have some doctor's
16 appointments but I can transfer you to another week.

17 JUROR 135: Okay.

18 THE COURT: And you'll be notified to be here just
19 like you were notified to be here today, okay. It will be
20 sometime in the summer. Okay.

21 JUROR 135: Okay.

22 THE COURT: Okay. You can make that work? Okay.

23 JUROR 135: Thank you.

24 THE COURT: All right, this juror's transferred.

25 THE BAILIFF: Demarcus Dendy.

ORIGINAL

1 (BLACK MALE COMES FORWARD.)

2 THE COURT: Yes, sir, Mr. Denby.

3 JUROR 66: How you doing, sir?

4 THE COURT: Good. You? You need to speak up a little
5 bit. This court reporter has to -

6 JUROR 66: Is it gonna be any documents to read?

7 SOLICITOR: There may be photographs.

8 THE COURT: You won't have to read anything.

9 Okay. So you're good. Stay with us, okay.

10 This juror remains.

11 THE BAILIFF: Juror No. 169.

12 (BLACK FEMALE COMES FORWARD.)

13 THE COURT: Yes, ma'am.

14 JUROR 169: My mom is in a nursing home. She's in a
15 nursing home.

16 THE COURT: You need to speak up.

17 Your mom's in a nursing home.

18 JUROR 169: She's terminally ill.

19 THE COURT: Okay.

20 JUROR 169: She was just signed up by Hospice on
21 Friday and I don't - but me and her.

22 THE COURT: Sure. We'll transfer you to a term later
23 on in the summer time, okay.

24 JUROR 169: Okay.

25 THE COURT: Good luck to you, ma'am.

ORIGINAL

-21-

1 JUROR 169: I'm not sure Pat's gonna go. She's on the
2 hospice service.

3 THE COURT: We'll just have to deal with the situation
4 as it presents itself, okay. All right, you're free to go.
5 This juror is transferred.

6 THE BAILIFF: Janice Arnold.

7 (WHITE FEMALE COMES FORWARD.)

8 THE COURT: Yes, ma'am, Ms. Arnold.

9 JUROR 12: My husband has an eye appointment in the
10 morning for cataracts. And if he was sent back there he
11 could a said you had dark on that that - he can't drive.

12 THE COURT: Okay. What I'll do is transfer you to
13 another term so when you're notified to be here make sure
14 you got your whole calendar clear.

15 JUROR 12: I will.

16 THE COURT: Okay.

17 JUROR 12: Okay. So I don't have to worry about this
18 week then?

19 THE COURT: You don't have to worry about this week.
20 You will be notified when you come back. Okay.

21 JUROR 12: All right. Thank you very much.

22 THE COURT: Good luck to you. This juror is
23 transferred.

24 THE BAILIFF: Juror No. 26.

25 (WHITE MALE COMES FORWARD.)

ORIGINAL

1 JUROR 26: I'm not -- completely but my work only pays
2 for three days of PTL so I can do a couple of days but I
3 can't - -

4 THE COURT: I can't - I'm sorry, I can't let you out
5 for work releases so you've got to stay with us.

6 JUROR 26: Okay.

7 THE COURT: Sorry. This juror remains with us.

8 THE BAILIFF: Jeffrey Smart.

9 (WHITE MALE COMES FORWARD.)

10 JUROR 158: Yes, sir, the reason I was here coming
11 forward I do have a license but I don't have no vehicle at
12 my house.

13 THE COURT: If you're selected on the jury we'll make
14 sure you get here. Okay. All right.

15 This juror remains with us.

16 THE BAILIFF: Alexa Melton.

17 (WHITE FEMALE COMES FORWARD.)

18 THE COURT: Yes, ma'am, Ms. Melton. Is it Melson?

19 JUROR 124: Yes.

20 THE COURT: Melton. Okay.

21 JUROR 124: I just have a concern with the last year I
22 got a ride for today but I'm not sure I'll will be able to
23 for the rest of the week.

24 THE COURT: If you're selected on the jury we'll make
25 sure that we can provide assistance to you.

ORIGINAL

1 JUROR 124: Okay.

2 THE COURT: Stay with us.

3 JUROR 124: Thank you.

4 THE COURT: Okay. This juror remains with us.

5 Anybody else?

6 (NO RESPONSE.)

7 (COURT RETURNS TO THE BENCH.)

8 THE COURT: All right, ladies and gentlemen, what
9 we're gonna do, we're gonna take a very short break. If
10 you don't need a break stay in the courtroom. If you need
11 a restroom break for those of you are smokers need to a
12 smoke break and I'm not pushing smoking, okay, if you need
13 a smoke break go take your break just a few minutes and
14 then get back in the courtroom.

15 As I told you Judge Allison Lee who is a very
16 experienced judge from Richland County will be the trial
17 judge and she will go through a series of questions that
18 are specifically related to the first case that will be
19 called for trial. So again, if you don't need a break stay
20 in the courtroom,, if you do, take one very shortly and
21 then be back in the courtroom. Hopefully I'll get to see
22 you all sometime later on in the week. Okay.

23 (COURT IN RECESS AT 10:35 A.M.)

24 (COURT BACK IN SESSION AT 11:07 A.M.)

25 THE COURT: Good morning, ladies and gentlemen. Be

1 seated.

2 My name is Allison Lee and I'm your judge here this
3 week for General Sessions of criminal court. We have a
4 trial that we will beginning this afternoon and we have
5 some matters that we need to take up before we get to the
6 part where we would make the selection of the jury. So
7 what I'm gonna do is I'm gonna ask you all to go to lunch
8 or to come back this afternoon and we'll proceed with
9 selecting the jury at that particular time.

10 And so I'm gonna ask if you all will report back here
11 to the courthouse at two o'clock and that if you report
12 back at Two by that time we should be very ready to be able
13 to go forward with any matters that we have as it relates
14 to the trial. We just have some preliminary matters which
15 we need to take up and there are some conversations going
16 on because there's some additional information was was
17 provided this morning that the parties need to talk about,
18 the attorneys need to talk about.

19 And so, I'll ask that you report back to this room at
20 two o'clock this afternoon and at that time we should be
21 ready to go forward. I apologize for any inconvenience to
22 you. I will tell you I'm from Richland County, I have been
23 to Laurens several times, it's been a number of years since
24 I've been here and held court but I am happy to be here
25 this week and to do the business of the state. And I wish

ORIGINAL

1 to thank you all for your willingness to serve as jurors
2 this week. And for your willingness to serve the state in
3 that manner. So I'll ask that you report back at 2:00 p.m.

4 Thank you.

5 (JURY EXITS COURTROOM ON LUNCH RECESS AT 11:09 A.M.)

6 (PAUSE.)

7 (THE COURT HEARS THE MATTER OF THE STATE V. ANGELA
8 MARIE HAYNES, STATE'S MOTION TO ISSUE BENCH WARRANT FOR
9 FAILURE TO APPEAR WITH SOLICITOR WARREN MOWRY.)

10 THE COURT: Do we have other business with the State
11 this morning?

12 SOLICITOR MORROW: Yes, your Honor.

13 (WHEREUPON, STATE V. CHASITY SHERFIELD PLEA W.
14 SOLICITOR CAM MORROW AND DEFENSE ATTORNEY MIKE BARCROFT.)

15 (COURT AT EASE AT 11:50 A.M.)

16 (BACK ON THE RECORD AT 12:32 P.M.)

17 THE COURT: We're here on *State versus Ronald Eaton*.

18 I just really wanted to find out if we have any
19 pretrial we need to take up if we can take it up so when we
20 came back at 2:00 we will pick the jury and go forward and
21 in that way we wouldn't have to then take another break in
22 order to do pretrial.

23 SOLICITOR SCOTT: Your Honor, just a minute ago I
24 indicated that a suppression hearing would be requested. I
25 would proffer I think two witnesses probably in my

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL -26-

1 presentation, the search warrant. Probably wouldn't be
2 about thirty minute kind of an ordeal.

3 THE COURT: Are you prepared to do it at this time or
4 do we need to --

5 SOLICITOR SCOTT: I've got my witnesses here if we
6 need to go.

7 THE COURT: You're prepared to go forward?

8 SOLICITOR SCOTT: Yes, ma'am.

9 THE COURT: Do you need your client with you?

10 MS. MANIGAULT: Yes.

11 (DEFENDANT RONALD EATON, WHITE MALE, REENTERS
12 COURTROOM AT 12:41 P.M.)

13 THE COURT: Yes, sir, Mr. Scott.

14 SOLICITOR HAMILTON: Thank you, your Honor.

15 The State's gonna call Charles Nations first.

16 (WHEREUPON, CHARLES NATIONS,
17 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

18 THE COURT: State your full name please.

19 A. Investigator Charles Nations from the Laurens County
20 Sheriff's Office.

21 DIRECT EXAMINATION

22 INVESTIGATOR CHARLES NATIONS BY SOLICITOR SCOTT:

23 Q. And Investigator Nations, you were working primarily
24 with the Narcotics Unit March 26th of last year?

25 A. Yes, sir.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL

-27-

1 Q. And at that time was Ronald Eaton somebody you were
2 familiar with?

3 A. Yes, sir.

4 Q. And where primarily to your knowledge was his
5 residence? Where did you know him to live?

6 A. At this point in time we was being notified that it
7 was on Bob Cat Drive in the County of Laurens.

8 Q. And had you I guess been involved with the
9 surveillance of that Bob Cat property?

10 A. We initially started to begin a surveillance when we
11 found out that another individual on the other side was also
12 involved and the surveillance just was not gonna work at
13 that point in time so we backed away and started moving in
14 place as well as using another informant or a confidential
15 source.

16 Q. So last year at some point 2018, early part of 2018,
17 you were aware that Mr. Eaton living at an address on Bob
18 Cat Road?

19 A. Yes, sir.

20 Q. And the nature of your investigation was into what?

21 A. The manufacture of methamphetamine.

22 Q. Now had you gotten several tips throughout the
23 community that that may be going on at that address?

24 A. From a couple of different individuals, yes, sir.

25 Q. To your knowledge what kind of residence was Mr. Eaton

ORIGINAL

1 living in? Are we talking like a brick house, a
2 trailer?

3 A. No, sir. It was a camper, sir.

4 Q. A camper?

5 A. Yes, sir.

6 Q. And did you observe it at the Bob Cat Road location?

7 A. I did, sir.

8 Q. Now tell us, at what point did you become aware that
9 that camper was no longer there?

10 A. Well, your Honor, sir, a previous date another deputy
11 working with our Laurens County Sheriff's Office received a
12 complaint in regards to a single wide trailer that sat
13 directly across from the location of Mr. Eaton's camper.
14 That deputy -

15 MS. MANIGAULT: Your Honor, I'm objecting to a lot of
16 the testimony; however I understand this is a suppression
17 hearing but as far as an investigation on other people, or
18 his receiving tips or confidential information, this is
19 only for a suppression hearing on the drugs that was
20 confiscated from a particular address and so all this
21 extrinsic testimony I don't believe is necessary and I'm
22 objecting to it at this point. I do understand this is a
23 suppression hearing and I just wanted to get on the record
24 so we can get to the main trial on the record also.

25 THE COURT: Do you have a response?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL

-29-

1 SOLICITOR SCOTT: Yes, your Honor. What Ms.
2 Mantigault said is correct. Hearsay would be admissible in
3 a pretrial motion such as this; however, just to go ahead
4 and address it in my case in chief some of this information
5 would be testified to. There is a case -- I don't have the
6 cite right off the top of my head -- but it's State v.
7 Thompson and that would stand for the proposition that law
8 enforcement can testify to some of these otherwise
9 inadmissible hearsay. It's not offered for the truth of
10 the matter asserted; however, it would explain why law
11 enforcement took certain steps that they did that
12 ultimately leads to an arrest. But I'll have that cite for
13 your Honor at a later time.

14 However it would be admissible at this pretrial
15 motion.

16 THE COURT: I'll allow it for purposes of pretrial but
17 there are ways in which to convey the information without
18 going through as much detail on the hearsay.

19 SOLICITOR SCOTT: Thank you, your Honor.

20 Q. All right. So you set up surveillance at Bob Cat.

21 You testified that you had information you actually
22 observed a camper there that you understood Mr. Eaton to be
23 living in?

24 A. Yes, sir.

25 Q. Okay. And you talked about some NPLeX records. At

ORIGINAL

1 this time did you run NPLeX records on Mr. Eaton?

2 A.. Of course, yes, sir.

3 Q. All right. And just for the Court's information what
4 are NPLeX records?

5 A.. NPLeX records is documentation provided by the
6 pharmaceutical company or retailer or pharmaceutical that
7 just depict just the sale of pseudoephedrine. Anytime
8 somebody purchases a box of pseudo on occasion no matter
9 what the amount the pharmaceutical company has to submit
10 this information to the justice exchange program which is
11 i.e, NPLeX. This is documented in their system that way.

12 Q. Okay. And did you observe consistent purchasing on
13 behalf of Mr. Eaton with pseudoephedrine?

14 A. I couldn't observed not to exceed the state law
15 requirement but what I did observe is an excessive amount
16 in my opinion. He was purchased approximately two to three
17 times per month.

18 Q. Okay. So you got him living at the Bob Cat Road
19 address. You're seeing pseudoephedrine purchases and you
20 have these tips in the community that manufacturing may be
21 going on in that vicinity?

22 A.. Correct.

23 Q. All right.

24 THE COURT: Let me stop you all. We're in a large
25 room, and the air is on, and you both drop your words.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL -31-

1 INVESTIGATOR NATIONS: Oh, I'm sorry.

2 THE COURT: So that may be a Laurens thing.

3 You do it too, Mr. Scott. It may be a Laurens thing
4 but it drops and I don't hear what it is so I just ask you
5 to be mindful to speak a little more clearly.

6 INVESTIGATOR NATIONS: Yes, ma'am.

7 BY SOLICITOR SCOTT:

8 Q. All right. So we talked about pseudoephedrine
9 purchases. We talked about complaints in the community.
10 And you had knowledge of him living in this camper at Bob
11 Cat. Tell us, at what point did you become aware that his
12 camper was no longer at Bob Cat Road.

13 A. Yes, sir. It was the day after another investigation
14 was completed inside of the trailer park. I was advised
15 the following day by a source of information that the
16 camper had been moved. I went to Bob Cat on this day and
17 could view the fact that the camper was now gone and
18 another camper was put in it's place.

19 Q. Okay. And do you know generally when that was?

20 A. I don't have it in front of me. I can't.

21 Q. If our incident date is March 26th, 2018 approximately
22 how much in the past was it from that date?

23 A. I would say two to three weeks.

24 Q. So we're still talking about March 2018 is when you
25 became aware the trailer had moved?

ORIGINAL .

1 A. February, March, right there in that area, yes, sir.

2 Q. Did you personally verify that the trailer -- the
3 camper was missing?

4 A. Yes, sir. I went to Bob Cat and it was no longer
5 there.

6 Q. All right. At some point did you become aware or did
7 you confirm that Mr. Eaton was on probation at the time?

8 A. Yes, sir, I did.

9 Q. And did you check with his agent as far as updating
10 his residency?

11 A. I did yes, sir.

12 Q. And who was his agent, probation agent?

13 A. Agent Washburn.

14 Q. Okay. Did you learn that he had updated his
15 residency, that he had moved from Bob Cat Road?

16 A. No, sir, I did not. He had not updated his residency
17 per Agent Washburn.

18 Q. Okay. At some point did you become aware of a
19 location that his camper had been moved to?

20 A. Yes, sir.

21 Q. And what was that address?

22 A. That address was [REDACTED] Boyd Road in Laurens.

23 Q. And both of these addresses are in Laurens County but
24 he had moved from Bob Cat Road over to Boyd Road. Is that
25 what you're telling us?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL

-33-

1 A. Correct.

2 Q. And so what did you do with all this information?

3 A. I contacted - once we was given information that at
4 [REDACTED] Boyd Road was the location where the camper may
5 possibly be, I contacted Agent Washburn at that point in
6 time.

7 Q. And what did you guys do? Did Washburn go to Boyd
8 Road location?

9 A. Agent Washburn explained to me that he did need to
10 go to the address to validate the residency of the address.
11 Agent Washburn requested that law enforcement from Laurens
12 County also go with him based upon the complaints that we
13 had received and had expressed our concern to Agent
14 Washburn.

15 Q. So you accompanied Agent Washburn, the probation
16 agent, to the Boyd Road address.

17 A. Yes, sir.

18 Q. And then there's Mat Veal on the front row, he's
19 another narcotic's agent, did he go with you?

20 A. Yes, sir, he did.

21 Q. And this is Washburn right here with the dark suit on
22 the front row?

23 A. Yes, sir.

24 Q. Okay. So the three of you and maybe some other
25 officers went to the Boyd Road location.

ORIGINAL

1 A. Initially it was just us three.

2 Q. Okay. Tell us who if anyone knocked on the camper.

3 A. Agent Washburn was the only one who knocked on the
4 camper.

5 Q. All right. And who came to the door?

6 A. I believe the first person who came to the door was
7 Mr. Ronald, Jeffrey Ronald Eaton.

8 Q. Okay. To your knowledge was he given an explanation
9 of why you guys were there?

10 A. To my knowledge I believe he was yes, sir.

11 Q. Okay. So how do you go from standing on his door
12 step to inside of his camper?

13 A. Agent Washburn advised Mr. Eaton at that point in time
14 that he would need to conduct a search of his residency per
15 the policy of probation, the terms agreement I believe,
16 sir. Mr. Washburn entered the residence and that's
17 whenever he found A. Substance that he believed was going
18 to be a Controlled substance. I was standing outside the
19 camper at this time; he ask me to step in, showed me the
20 substance and it was at that point Laurens County got
21 involved.

22 Q. Okay. And as far as Laurens County's involvement, did
23 you ask him to sign a consent to search form?

24 A. I did not. Sergeant Veal did.

25 Q. And did he give consent for you guys to come in and

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL

-35-

1 search?

2 A. Yes, sir, he gave consent for the common area, yes,
3 sir.

4 Q. And then at some point you guys actually went and
5 got a search warrant; is that correct?

6 A. That is correct, sir.

7 Q. After he - probation had already gone in there due to
8 his contract with probation. You had accompanied
9 probation?

10 A. Yes, sir.

11 Q. He had given a consent to search form?

12 A. Yes, sir.

13 Q. All right. What's the reason for the search warrant?

14 A. We found out through Mr. Eaton and Ms. Marler who was
15 also on scene as being in the residence with Mr. Eaton that
16 there was two other occupants that were not there and they
17 actually had rights to the back bedroom located to the left
18 of the front door all the way to the back. With them not
19 being there they had the rights to that bedroom we felt
20 more confident in the fact obtaining a search warrant to do
21 a thorough search of the entire camper.

22 SOLICITOR SCOTT: I'm gonna have the court reporter
23 mark this as a pretrial exhibit.

24 (WHEREUPON, COURT'S EXHIBIT 1 AND 2, PREMARKED FOR
25 PRETRIAL, OFFERED INTO EVIDENCE.)

ORIGINAL

1 Q. Will you find that consent form that you have there?

2 A. I have it, sir. This is not an original. That is
3 the copy.

4 Q. So after you go inside, you and the probation agency,
5 what all did you guys find?

6 A. Yes, sir. We located starting off with Agent Washburn
7 located was a glass container with a white lid that
8 contained an amount of a white crystal slash power like
9 substance believed to be methamphetamine. We also located
10 in the same location is a metal koozie, a hideaway battery
11 commonly used for hiding narcotics.

12 We also located a piece of tin foil and the tin foil
13 did have a residue substance on it that is commonly used
14 for the injection of methamphetamine. In the bedroom
15 located to the right of the front door there was a bed and
16 there was two pillows; located under the pillows right in
17 the middle of the bed was a glass jar that contained a
18 coffee filter. The coffee filter was open and the same
19 white power like residue could be seen inside the coffee
20 filter leaving us to believe that it was in fact
21 methamphetamine.

22 We moved back into the living room area, in the
23 kitchen area cause it was all connected, in the right side
24 coming out of the bedroom there was a cabinetry above.
25 This location would contained a substance known as hydrogen

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL

-37-

1 peroxide commonly used in the manufacturing of
2 methamphetamine. We moved into the kitchen; beside the
3 stove to the left there is a set of cabinets that go up and
4 down. I believe it was the middle cabinet - it may have
5 been the top cabinet - but we opened this up and we found
6 inside a portion of what we considered a coffee bean
7 grinder. The coffee bean grinder itself had a white and
8 pink powder like substance inside which is very common when
9 they use a powder like drug the coffee grinder to grind up
10 pseudoephedrine pills.

11 The pink is gonna be the binder, the powder is
12 actually gonna be the pseudoephedrine. We also located a
13 Ruff's cup, a plastic clear cup, that contained a substance
14 inside but I wasn't a hundred percent sure on it first. We
15 thought the substance might a been a lye or maybe even some
16 type of salts involved. We did detect an odor from it.
17 The odor was in fact Coleman fuel but we could not say for
18 sure whether that was lye or salt.

19 Underneath the sink area of the cabinet we located
20 numerous plastic bottles to be anywhere from 2 liter
21 bottles to the 32 ounce Gator Aid bottles located just
22 behind these bottles in the same area we located a plastic
23 tube that had a flow valve on it, if you will, that can cut
24 off and let it through anything else that might be
25 contained from the other side. Also on one side of it was

ORIGINAL

1 tied into a knot. These are commonly used with a LCL
2 generator. This substance is to keep the fumes from the
3 ACL generator escaping which can cause damage, almost
4 death, if you inhale too much.

5 So these are the items that were found inside of the
6 camper itself.

7 Q. Okay.

8 A. We went to - also in the bedroom we located a purse.
9 I believe it was either brown or burgundy in color purse.
10 Inside of the purse we did find a marijuana smoking pipe
11 that still had the burn residue of marijuana inside as well
12 as a blue container that contained the same white powder
13 like substance that was found in a glass jar as well as the
14 clear container with a white lid that we believed to be
15 methamphetamine.

16 Q. It wasn't like a camper but like -- wasn't there
17 something in the yard that goes on top of a pickup truck?

18 A. Yes, sir, there was. Moving into the yard of the
19 residence there was a old truck. I'm not even exactly a
20 hundred percent sure what you would call but it is like a
21 living quarters that you would put into the back bed of a
22 truck. It has a ugly door on it just like a normal camper
23 would. When we went into this area we located just inside
24 the door there was numerous metal cans of Coleman fuel.
25 What you purchase them from in when you buy 'em from the

ORIGINAL

INVESTIGATOR CHARLES NATIONS: BY SOLICITOR SCOTT - PRETRIAL -39-

1 store they were not empty as well as an amount of clear
2 tubing laid to the right hand side of the Coleman cans. We
3 stepped into the camper box. We stepped inside of there
4 and there was a wooden area I would call it a shelf but it
5 was open on top and laying just inside of there was another
6 glass jar that contained a clear liquid substance. Upon
7 further investigation, the odor of it, determined that it
8 was in fact Coleman fuel based on the odor and our
9 experience.

10 Q. So all of those items about how far away from the
11 camper were those?

12 A. Those were in the camper.

13 Q. Okay. The pickup --

14 A. The truck camper. I'm sorry. I'd probably say 25
15 yards.

16 Q. I think that's all. Did Mr. Eaton, did you talk with
17 him or was that primary Mr. Washburn speaking with Mr.
18 Eaton?

19 A. I believe Mr. Washburn primarily spoke with Mr.
20 Eaton.

21 Q. Okay.

22 SOLICITOR SCOTT: Answer any questions Ms. Manigault
23 has for you, please.

24 A. Yes, ma'am.

25 CROSS-EXAMINATION

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT - PRETRIAL -40-

1 INVESTIGATOR CHARLES NATIONS BY MS. MANIGAULT:

2 Q. Investigator, you said that you were requested to
3 go with Agent Washburn?

4 A. Correct. We was ask to go.

5 Q. And I believe you said that you did not yourself get
6 the consent to search from Ronald Eaton, somebody else that
7 did that?

8 A. I did not. I did not get it.

9 Q. And the address where you went was [REDACTED] Boyd Road?

10 A. I believe so. I believe that's correct based upon GIS.

11 Q. Okay. And did your purpose for accompanying Washburn
12 according to you was to?

13 A. Assist the agent in any way possible.

14 Q. Okay. You testified about items found in a - inside
15 a truck camper.

16 A. Yes, ma'am. I'm not exactly sure what that actual
17 camper is called but yes, ma'am.

18 Q. Okay. When you made initial contact with the
19 defendant Ronald Eaton was it at that truck camper or at
20 another - -

21 A. No, ma'am. No, ma'am. It was actually in the
22 residential body of the camper.

23 Q. And that's also where you made initial contact with
24 Amanda Marlow?

25 A. That's where they were. I did not make initial

ORIGINAL

INVESTIGATOR NATIONS: CROSS BY MS. MANIGAULT - PRETRIAL
AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-41-

1 contact. Agent Washburn made initial contact with both
2 individuals in the residence. I could just view them from
3 where I -- where I was standing.

4 Q. And did you ascertain at any time that the places
5 that you were searching, the truck camper, and the
6 residential camper, who was the owner of those campers?

7 A. I believe Sergeant Veal would actually testify who it
8 is.

9 Q. All right. Thank you.

10 SOLICITOR SCOTT: Nothing further for this witness,
11 your Honor.

12 THE COURT: You may step down.

13 (WITNESS LEAVES WITNESS STAND.)

14 SOLICITOR SCOTT: The State calls Steven Washburn.

15 (WHEREUPON, STEVEN WASHBURN,
16 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

17 THE COURT: State your full name please.

18 SOLICITOR SCOTT: Full name. State your full name.

19 THE COURT: State your full name please.

20 A. Steven Lee Washburn.

21 DIRECT EXAMINATION

22 AGENT STEVEN WASHBURN BY SOLICITOR SCOTT:

23 Q. Agent Washburn, you are a probation agent; is that
24 right?

25 A. That is correct.

ORIGINAL

1 Q. And March of last year you were full time Laurens
2 County Probation?

3 A. Yes, sir.

4 Q. I understand recently you've moved to Greenville
5 County but you still work in Laurens on a part-time basis;
6 is that right?

7 A. Yes, sir. I'm a Greenville agent but helping Laurens
8 County temporarily until they are fully staffed.

9 Q. March 2th last year the incident, you remember this
10 incident at Boyd Road in Laurens?

11 A. I do.

12 Q. And tell us your recollection of how you became
13 involved with this particular search.

14 A. During that day actually leading up to it Investigator
15 Nations from the sheriff's had mentioned to us that there
16 was some investigations going on with Mr. Ronald Jeffrey
17 Eaton involving the possible manufacture of
18 methamphetamine.

19 Q. Now was Eaton somebody you were familiar with at that
20 point?

21 A. Yes, sir. I had been his supervising agent for I
22 believe a little under two years at that point.

23 Q. Okay. All right, go on then. They were
24 investigating, they had some investigation going on with
25 Mr. Eaton. Continue.

ORIGINAL

AGENT WASHBURG: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-43-

1 A. There was some reports that he had changed his address
2 without notifying me. I made attempts in the field to
3 document that he had indeed moved from Bob Cat Drive but up
4 to that point was unable to ascertain either from a
5 neighbor or at where I believe the residence to be because
6 I had not seen the camper myself so I was unaware I was
7 going to the wrong camper.

8 Q. All right. So when a probationer like Mr. Eaton comes
9 to you are they required to notify you of their residence,
10 their address?

11 A. Yes, sir, per their conditions they are to immediately
12 notify us if they ever change their address.

13 Q. And what address did Mr. Eaton tell you he was living
14 at? What did he register as his residence?

15 A. The final address we had, sir, and through the notes
16 here to get that down, was on Bob Cat Drive.

17 Q. And that was - on March 26th that was the only
18 information he had provided you as far as the address he
19 was living at?

20 A. Yes, sir. The only thing he had discussed with me
21 prior to that was possibly moving to Bamberg County but
22 nothing had been set in stone with that.

23 Q. Okay. And so you heard Nations testify too but at
24 some point did you become aware that his camper was no
25 longer located at the Bob Cat address?

ORIGINAL

1 A. I had been informed that he was no longer at Bob Cat
2 but as I had been unable to confirm that personally either
3 with someone at where I thought the camper was or if a
4 neighbor in the Bob Cat vicinity I was unable to confirm
5 this myself.

6 Q. What, did you go out there and look?

7 A. Yes, sir. I went out there and made some attempts
8 to make contact at that residence.

9 Q. And the camper was gone?

10 A. I cannot testify that the camper was gone as I had
11 not seen that particular camper. I found out only later
12 on that I had been going to the wrong one. Given the
13 numbering system out Bob Cat its sometimes hard to keep
14 track of the exact numbers.

15 Q. Did you attempt to make contact with Mr. Eaton?

16 A. During that time while doing the home visits I did not
17 make any phone calls. I typically was trying to get field
18 work out to verify this address.

19 Q. I don't know what your reason for that is but
20 wouldn't it a been easy just to call him and say hey, where
21 are you?

22 You're not in trouble, just answer me. Why didn't
23 you call him?

24 A. Kind of just something I like to do was just kind of
25 an unannounced home visit especially given the

ORIGINAL

AGENT WASHBURG: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-45-

1 manufacturing of methamphetamine accusations.

2 Q. Okay. So you couldn't find him on the Bob Cat Road
3 address, did he report during that time? Was he required
4 to report?

5 A. Yes, he did report during that time, if I had that
6 notation with me, but apparently it did not get printed
7 out.

8 Q. Did he indicate during his reporting that he had
9 changed addresses?

10 A. No, sir. I do recall that he had not indicated any
11 change of address to Boyd.

12 Q. On March 26th whose idea was it to go check on Boyd
13 Road for Mr. Eaton?

14 A. On March 26th Deputy Nations had come to me after
15 court after I was finished with violation's hearings. He
16 had brought forth a criminal complaint that they had
17 received and that they had a definite address where Mr.
18 Eaton would possibly be located on Body Road. So it was
19 formulated that I would get their assistance to go out to
20 that residence. I ask for it given our short staffing in
21 the office and the nature of the complaint that we would go
22 out and investigate the claim of manufacturing in
23 methamphetamine.

24 Q. Okay.

25 A. It was during that time as we were short staffed

ORIGINAL

1 Nations would go back to the sheriff's office to gather a
2 couple of deputies to assist and I would meet him over
3 there. So after changing out of court attire and into
4 field equipment I met Deputy or Investigator Nations over
5 at the Laurens County Sheriff's office where Investigator
6 Matt Veal was waiting with him as well. We then formulated
7 a plan and then proceeded to go to the Body Road address
8 where Mr. Eaton was located.

9 Q. What happens when you get there? Do you see a camper?

10 A. There was initially a broken down trailer but as we
11 rounded around the broken down trailer there was a camper
12 behind it.

13 Q. Did you knock on the door?

14 A. Yes. Well we didn't knock on the door. We knocked
15 on the window.

16 Q. Okay.

17 A. Of the camper. Mr. Eaton - sorry, a female peered out
18 and we called for her to come to the door. After a couple
19 of minutes of calling eventually the door was opened by Mr.
20 Eaton. I then approached Mr. Eaton and ask him why he had
21 not informed me of his address change to which he indicated
22 it was something he was talking about doing but I informed
23 him he is to immediately do so and not wait until his
24 report.

25 Q. Now as far as a probationer's contract with your

ORIGINAL

AGENT WASHBURG: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-47-

1 agency do they pretty much sign off that they will give
2 consent if an agent comes to their house and wants to do a
3 check on the house?

4 A. Yes, sir. They do have a standard conditions of
5 probation that they all sign to which Mr. Eaton signed
6 February 27th of 2012.

7 Q. Was that when he was sentenced?

8 A. Yes, sir, that was when he was sentenced.

9 Q. And tell us the applicable line where he gives you
10 permission to come in as part of his probation.

11 A. That would be Condition 2, I shall not change my
12 residence or employment without the consent of my agent.
13 Further I shall allow my agent to visit me in my home at
14 any -- or my place or employment or elsewhere anytime.

15 Q. Okay. And when you came to the door and told him, you
16 know, he hadn't updated his residency and you were gonna
17 come in and take a look, what did he say?

18 A. Well we talked, I told him that there was some nature
19 of complaints against him about drug manufacturing and ask
20 if I had his permission to come in and perform a search to
21 which he granted. And after that was granted I came inside
22 to search the common area where I first went over by the TV
23 and while searching in there around that area I found a
24 glass jar that contained a white powder substance that I
25 believed to contain a quantity of methamphetamine to which

ORIGINAL

1 I showed to Investigator Nations.

2 Q. What else did you locate in the camper?

3 A. After showing that to Nations he placed Mr. Eaton
4 and Ms. Marler under arrest and was asserting a search
5 warrant. Upon further searching around the TV I located a
6 coffee filter that had a white powdery substance on it as
7 well as a battery that you could pull apart that was used
8 for hidden storage.

9 Q. Okay. It was a fake battery?

10 A. Yes, sir.

11 Q. Did you find anything inside of it?

12 A. No, sir, I did not notice anything inside of the
13 battery.

14 Q. Now he verbally gave you consent ---

15 A. Yes, sir.

16 Q. --- as part of his probation requirements. I've got a
17 State's Exhibit No. 2, it's a Consent to Search, were you
18 present when he gave this consent?

19 A. No, sir, I was not present when he gave that consent
20 to Investigator Veal.

21 Q. Okay.

22 A. That was made outside while I was inside of the
23 trailer.

24 Q. But he verbally gave you consent?

25 A. Yes, sir, he verbally gave me consent.

ORIGINAL

AGENT WASHBURN: CROSS BY MS. MANIGAULT - PRETRIAL

-49-

1 Q. All right.

2 SOLICITOR SCOTT: Answer any questions Ms. Manigault
3 has.

4 CROSS-EXAMINATION

5 AGENT STEVEN WASHBURN BY MS. MANIGAULT:

6 Q. So, Agent Washburn, you were essentially acting as an
7 agent of the Laurens' County Sheriff's office when you went
8 over there that day?

9 A. No, ma'am.

10 Q. You said the plan was, your words were plans were
11 formulated. You were approached by Nations and plans were
12 formulated that you would give assistance to go to Eaton's
13 house.

14 A. Sorry, I'll clarify that. We were short staffed in
15 the office during that time. I was the only agent who was
16 available to get into the field so I requested their
17 assistance in this matter given the nature of the
18 accusations of manufacturing meth because if anything was
19 found on there I would need their assistance.

20 Q. Okay. The accusations came from Investigator Nations.

21 A. Yes, ma'am. They had received a complaint on their
22 sheriff's tip line and he showed me ---

23 Q. Okay.

24 A. --- where that came from.

25 Q. Thank you. You said that you were in court.

ORIGINAL

AGENT WASHBURN: CROSS BY MS. MANIGAULT - PRETRIAL
REDIRECT BY SOLICITOR SCOTT - PRETRIAL

-50-

1 Probation violation hearings? .

2 A. Yes, ma'am.

3 Q. And Investigator Nations approached you after court
4 was over?

5 A. Yes, 'ma'am. I had had some hearings that morning
6 I had to take care of.

7 Q. Okay. And y'all formulated a plan to go to Defendant
8 Eaton's home?

9 A. Yes, ma'am.

10 Q. And you told Mr. Eaton that there were complaints of
11 drug activity at his residence when you encountered him at
12 the door?

13 A. Yes, ma'am. I told him that there had been
14 complaints made against him and that we were looking to
15 investigate. That is when I sought his permission to come
16 in and look around.

17 Q. Thank you.

18 REDIRECT EXAMINATION

19 AGENT STEVEN WASHBURN BY SOLICITOR SCOTT:

20 Q. Is that uncommon for you to ask for sheriff's deputies
21 assistance when ever you do one of these kind of checks
22 like this?

23 A. Not necessarily. It just kind of depends on the
24 situation. For example that day there was very few
25 individuals in the office. It was just myself and one

ORIGINAL

AGENT WASHBURN: REDIRECT BY SOLICITOR SCOTT - PRETRIAL
SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-51-

1 other agent. We were in transition and had just gotten a
2 new agent in charge so I was the only one able to get out
3 into the field that day. And given the nature of it being
4 drugs rather than necessarily say firearms I felt having
5 more seasoned narcotics investigators on hand would help.

6 SOLICITOR SCOTT: Thank you.

7 Nothing further, your Honor.

8 THE COURT: Anything further, Ms. Manigault?

9 MS. MANIGAULT: Nothing, your Honor.

10 THE COURT: You may step down.

11 (WITNESS LEAVES WITNESS STAND.)

12 SOLICITOR SCOTT: Judge, just briefly, I'm gonna call
13 Agent Veal. It looks like his name is on that consent to
14 search form so I'm just calling him for that limited
15 purpose.

16 (WHEREUPON, MATTHEW VEAL,
17 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

18 THE COURT: State your full name please.

19 A. Matt Veal, V-e-a-l.

20 THE COURT: Thank you.

21 DIRECT EXAMINATION

22 SERGEANT MATTHEW VEAL BY SOLICITOR SCOTT:

23 Q. Sergeant Veal, back March 26, 2018 you were at the
24 [REDACTED] Boyd Road address?

25 A. Yes, sir, I did along with Investigator Nations and

ORIGINAL

1 Agent Washburn.

2 Q. Okay. And did you go inside the camper?

3 A. Initially I did not. I stood outside with Mr. Eaton
4 after they had already pulled him out and I stood with them
5 while they were conducting the search.

6 Q. I've got State's Exhibit No. 2. Do you recognize
7 that?

8 A. Yes, sir, I do. While I was talking to Mr. Eaton he
9 was advised of his Miranda Warnings and also I ask for
10 written consent for him to search - for us to search the
11 residence which he did sign.

12 Q. Okay. And then at some point you found out there may
13 be other occupants of the camper, so were you involved with
14 obtaining the search warrant, State's Exhibit 1?

15 A. I believe that Investigator Nations contacted Captain
16 Wilkie at the time when we was talking to him about the
17 exact particulars of the search warrant but he was advised
18 that we had gained consent but due to other occupants being
19 there we were on the side of caution that we would obtain a
20 search warrant so we could search the entire residence.

21 Q. Okay. And did you go inside the residence after Agent
22 Washburn went in?

23 A. I may have stuck my head inside but most of the things
24 that Investigator Nations and Washburn had found due - it
25 was a small camper so I mean it - well we couldn't get in

ORIGINAL .

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT - PRETRIAL

-53-

1 there but I kind of stood outside with Mr. Eaton most of
2 the time and they just kind of showed me a few things that
3 they had found. I may have stuck my head inside but I
4 wasn't in part of any of the search.

5 Q. Okay. Answer any questions Ms. Manigault has.

6 MS. MANIGAULT: No questions, your Honor.

7 THE COURT: You may step down.

8 Sergeant VEAL: Thank you, ma'am.

9 THE COURT: Anything further from the State?

10 SOLICITOR SCOTT: No, your Honor.

11 THE COURT: Anything from the Defense?

12 MS. MANIGAULT: Nothing, your Honor.

13 THE COURT: Any arguments at this time?

14 MS. MANIGAULT: Your Honor, the testimony of
15 Investigator Nations say she found some white powdery
16 substance. There was nothing introduced to say that the
17 substance had been tested. He was going on his belief;
18 he's not a chemist, so we would ask that the drugs be
19 suppressed or whatever he testified to be suppressed
20 because they did not offer that it was ever tested by the
21 lab during this testimony.

22 THE COURT: You mean for purposes of getting the
23 search warrant?

24 MS. MANIGAULT: For purposes -- your Honor, what they
25 testified to as the purpose of getting the search warrant

ORIGINAL

1 was to protect the occupants of the back bedroom and to
2 search the entire trailer. My argument is going to the
3 white powdery substance that they say they found or a white
4 and pink substance that was found in some portion of the
5 trailer.

6 There is testimony to the Court during this
7 suppression hearing that it is believed to be
8 methamphetamine and or a binder. There is nothing
9 presented to the Court to say that it was actually drugs so
10 we'd ask that the drugs, that the white powdery substance
11 and the pink powdery substance be suppressed and not
12 allowed into the trial.

13 THE COURT: Okay. Then I misunderstood. I thought
14 you were only objecting to the fact that it was searched.

15 MS. MANIGAULT: I'm objecting to entirely, your Honor,
16 -- I am not objecting to the search.

17 THE COURT: And so you are objecting to?

18 MS. MANIGAULT: What was found during the search as
19 far as the claim of any drugs are concerned. The only
20 testimony that the Court has heard is they found some small
21 white powdery substance and a pink substance that could
22 have been a binder.

23 THE COURT: Any response?

24 SOLICITOR SCOTT: Your Honor, I think I may have
25 misunderstood the purpose of that pretrial. I conducted my

ORIGINAL

1 proffer thinking it was a suppression of the evidence based
2 on a search warrant, effective search warrant. And as to
3 the drugs that would be part of my case in chief. Of
4 course we are prepared to lay the necessary ground work:
5 Chain of custody and everything, ultimately leading to a
6 SLED analyst who would testify that the contraband found
7 was narcotics. So that to me will be part of my case in
8 chief and any deficiencies I assume an objection will be
9 raised at that time. But for pretrial purposes of a
10 suppression hearing would be whether the search that leads
11 to the confiscation of the drugs was legal.

12 And hearing that there is no objection to the search
13 warrant we're ready to proceed with the case in chief.

14 THE COURT: Anything further, Ms. Manigault?

15 MS. MANIGAULT: Nothing, your Honor. Thank you.

16 THE COURT: I was under the impression that it was --
17 the pretrial was to address whether it was an appropriate
18 search and not as it relates to specifically to the seizure
19 of drugs or the subsequent arrest.

20 I understand that there is a potential witness who
21 being the person who analyzed the material that was
22 recovered as a result of the search and so I think there is
23 sufficient grounds for the search to have occurred and for
24 them to seize whatever materials were there.

25 I'm sure and I won't make any assumptions as to the

1 qualifications as to the officers however I would note that
2 they testified, at least one testified that it was a
3 narcotics officer so based upon that I would think that
4 there is some familiarity with the manner in which - and he
5 testified that it was consistent with the manufacturing of
6 methamphetamine even though it was not tested specifically
7 at the site. There was no field testing so I'm gonna
8 sustain the search and seizure of the material that was
9 within the home, the camper, at that particular time.

10 And certainly I'll be listening now to whether or not
11 there's sufficient evidence of -- at the time of the trial.
12 Is there anything else we can take up?

13 SOLICITOR SCOTT: Judge, just I think we've - some of
14 the concern was mentioned in chambers as regarding to time,
15 timing, listed on the indictment. Certainly the State
16 typically we rely on the on or about language and I think
17 the case law is clear on that that that is sufficient to
18 put the defendant on notice to the charge and the timing of
19 it. However at this point and out of the abundance of
20 caution we would move to amend it to read on or about March
21 19th, 2018 to on or about March 26, 2018. And we would
22 just make that request.

23 THE COURT: 2018?

24 SOLICITOR SCOTT: Yes, ma'am. So that would be March
25 19, 2018 and March 22 -- 26, 2018, so that would just be

ORIGINAL

1 one calendar week, your Honor.

2 THE COURT: Anything with respect to that, Ms.
3 Manigault?

4 MS. MANIGAULT: Your Honor, I would object to the
5 amendment. The indictment that is -- according to law and
6 -- law is formed to -- provided to inform the defendant of
7 the specific times that or incidents that would be brought
8 forth at trial. The indictment as presently True Billed is
9 the State's March 26, 2018 on or about. I do not believe
10 and I offer to the court that on or about would not be one
11 weeks worth of time. The defendant is entitled to present
12 a defense. He may have had alibis for the times that they
13 are now alleging. He does not have the opportunity at this
14 point to provide me with that information.

15 If there were alibi witnesses for the 19th through any
16 other time then I would have an opportunity to try to
17 locate those witnesses. To inform my client of what he is
18 facing. The on or about March 26 date, your Honor, I do
19 not believe that it is sufficient to cover March 19th
20 through the 26th. That does not provide the defendant a
21 fair opportunity for a defense.

22 THE COURT: The case law that I'm familiar with
23 basically recently is State versus Pierce 263 S.C. 23, 1974
24 a case from the Supreme Court and seems to adopt previous
25 interpretations of various opinions indicating that the

1 State doesn't have to prove the exact date set forth in the
2 indictment unless time is an essential element of the
3 offense.

4 It does state however that if the alibi, if alibi is a
5 defense and if the defense intends to rely upon an alibi
6 then that may be something different. So, I can't say that
7 what you've told me at this particular point would cause me
8 to believe that there would be an intent to raise alibi as
9 a defense. I understand that the charge is a charge of
10 possession of methamphetamine as well as a charge of
11 manufacturing methamphetamine and so the State has that
12 burden to prove the elements of that offense.

13 I will ask you to inquire of your client whether and
14 from what you know about your discussions with him whether
15 in fact alibi is in fact a defense because if you intend to
16 assert alibi as a defense the only thing that I can do is
17 to give you the opportunity to be able to continue the case
18 so that you can recover any witnesses who may be able to
19 testify as it relates to alibi and be able to present
20 evidence related to an alibi defense.

21 If alibi is not a serious defense and one that you can
22 as an officer of the court indicate would be a defense in
23 this particular case, then I think they have the right then
24 an amendment should be freely given and I would allow such
25 an amendment to the parties. But I'd give you the

ORIGINAL

1 opportunity to discuss that with him before we come back at
2 two o'clock.

3 SOLICITOR SCOTT: Yes, your Honor. Just briefly just
4 one last thing for the record. We have filed a reciprocal
5 discovery request asking specifically if alibi would be a
6 defense and we have not gotten any response as far as alibi
7 being a potential --

8 MS. MANIGAULT: Your Honor, let me respond to that.

9 If we have the dates that he's now trying to amend the
10 indictments for, then we would have an opportunity to have
11 discussed that with my client. These dates are popping up
12 when I mentioned my concerns this morning in chambers. And
13 so he has a perfect right for an alibi defense with these
14 new dates being given and so what the Court has instructed
15 me to do I will do that and talk with him until we get
16 back.

17 THE COURT: Thank you. And we'll take a break until
18 2:00.

19 MS. MANIGAULT: Your Honor, give that cite one more
20 time on Pierce.

21 THE COURT: I'm sorry. It is 263 S.C. 23, 207 S.E. 2d
22 414 and it is several cases I think that establishes the
23 same thing that if -- I'll read the entire paragraph.

24 "While it is true that the State need not
25 prove the exact date set forth in the indictment

1 unless time is an essential element of the offense
2 or is made a party of the description of it the State
3 should not be allowed to prove a different date than
4 that set forth in the indictment where the defendant
5 relies upon the defense of alibi. Unless the
6 defendant is held to have had knowledge that the
7 state would attempt to prove a different date upon
8 trial. In such case it is proper for the trial judge
9 after allowing an amendment of the indictment to
10 declare a mistrial if appropriate and allow defendant
11 time to attempt to establish an alibi defense for
12 the different date."

13 And it also says see *State versus Evans* 216 S.C. 328,
14 57 S.E. 2d 756, 1958. And I think the case law is clear
15 that as it relates to an alibi it should be the opportunity
16 to be able to allow the amendment and give the defendant
17 the opportunity to establish the alibi if the date is in
18 fact different. I'm not so sure I've heard sufficient
19 information at this particular point to say a different
20 date would make a difference. We don't know that and so
21 I'm giving Ms. Manigault the opportunity to talk to her
22 client about that.

23 SOLICITOR SCOTT: Thank you, your Honor.

24 THE COURT: But I also indicate that under the case
25 law the amendment still would be allowed and the matter

1 will be continued to allow the defense to be explored.

2 All right, we'll see you back at 2:00.

3 (COURT IN LUNCH RECESS AT 01:31 P.M.)

4 (COURT BACK IN SESSION AT 02:25 P.M.)

5 (WHEREUPON, STATE'S EXHIBITS 1 THROUGH 26, PREMARKED
6 FOR IDENTIFICATION.)

7 THE COURT: Good afternoon. Thank you, be seated.

8 Good afternoon, ladies and gentlemen. Thank you for
9 your patience; I appreciate your patience today. We are
10 about to begin the trial of the case of The State versus
11 Ronald Jeffrey Eaton who is on his way.

12 (DEFENDANT RONALD EATON, WHITE MALE, ENTERS COURTROOM
13 AT 02:30 P.M.)

14 THE COURT: Ladies and gentlemen, we are about to
15 begin the trial in the case of The State of South Carolina
16 versus Ronald Jeffrey Eaton.

17 Ladies and gentlemen, this case comes to us by way of
18 Indictment from the Grand Jury of Laurens County. I will
19 read that to you. It says that a court of general sessions
20 convened on the 27th day of July 2018, the Grand Juror's of
21 Laurens County present upon their oath that Defendant
22 Ronald Jeffrey Eaton did on or about March 26, 29018 in
23 Laurens County, South Carolina manufacture or otherwise aid
24 abet, attempt, or conspire to manufacture methamphetamine
25 in violation of provisions of Section 44-53-370 all in

ORIGINAL

1 violation of Section 44-53-375(b) code of laws in South
2 Carolina 1976 as amended against the peace and dignity of
3 the State and contrary to the statute such case is made and
4 provided. Signed by the Assistant Solicitor.

5 Ladies and gentlemen, this is an indictment for
6 manufacturing methamphetamine. Additionally the Court of
7 General Sessions convened on the 27th day of July 2018 the
8 Grand Jurors of Laurens County present upon their oath that
9 Defendant Ronald Jeffrey Eaton did on or about March 26th,
10 2018 in Laurens County, South Carolina knowingly or
11 intentionally possessed methamphetamine as defined in
12 Section 44-53-10 all in violation of Section 44-53-375(a)
13 Code of Laws of South Carolina 1976 as amended against the
14 peace and dignity of the state and contrary to the statute
15 such case is made and provided, signed by the Assistant
16 Solicitor.

17 Ladies and gentlemen, this indictment is for the
18 possession of methamphetamine. Now ladies and gentlemen,
19 to both of these indictments Ronald Jeffrey Eaton the
20 defendant has pleaded not guilty and that plea cast the
21 burden upon the State to prove that Ronald Jeffrey Eaton is
22 guilty of possession of methamphetamine and possession of
23 manufacturing methamphetamine by evidence that convinces a
24 jury of that guilt beyond a reasonable doubt.

25 Out purpose today is to have a trial in order to

ORIGINAL

1 determine whether or not the State would be able to meet
2 that burden. Ladies and gentlemen, in order to determine
3 your qualifications to serve as jurors in this particular
4 matter I need to ask you a series of questions to determine
5 your eligibility to serve as jurors.

6 Is there any member of the jury panel who is a member
7 of the Grand Jury that brought the indictments in this
8 particular case; if so, please stand?

9 (NO RESPONSE.)

10 THE COURT: Ladies and gentlemen, the State is
11 represented by Dale Scott. If you will stand please and
12 face the jury panel. And Margaret Boykin with the Eighth
13 Circuit Solicitor's Office.

14 (EIGHTH CIRCUIT SOLICITORS STOOD.)

15 THE COURT: Is there any member of the jury panel who
16 is related by blood or marriage or close personal friend of
17 either of these two attorneys, or have you ever been
18 represented by them or been employed with the Eighth
19 Circuit Solicitor's Office; if so, please stand?

20 (NO RESPONSE.)

21 THE COURT: The Defendant in this case is Ronald
22 Jeffrey Eaton. If you would stand and face the jury panel
23 please, Mr. Eaton.

24 (DEFENDANT STOOD.)

25 THE COURT: Is there any member of the jury panel

1 related by blood or marriage, or a close personal friend
2 with Ronald Jeffrey Eaton; if so, please stand?

3 (NO RESPONSE.)

4 THE COURT: Mr. Eaton is represented by Dorothy
5 Manigault of the Manigault Law Firm out of Greenville South
6 Carolina. Is there any member of the jury panel who is
7 related by blood or marriage or a close personal friend of
8 Ms. Manigault, or have you ever been represented by her or
9 by members of her firm; if so, please stand?

10 (NO RESPONSE.)

11 THE COURT: Thank you. Is there any member of the
12 jury panel or a member of your immediate family who has
13 ever been prosecuted by the Eighth Circuit Solicitor's
14 Office; if so, please stand?

15 (NO RESPONSE.)

16 THE COURT: Again, Is there any member of the jury
17 panel who has ever been employed or a former employee of
18 the Eighth Circuit Solicitor's Office; if so, please stand?

19 (NO RESPONSE.)

20 THE COURT: Ladies and gentlemen, there may be a
21 number of witnesses who may be called to testify in this
22 particular matter. If any of those witnesses are present
23 when I call your name so if you would please stand.

24 Ladies and gentlemen, the question to you is, is
25 there any member of the jury panel who is related by blood

ORIGINAL

1 or marriage or a close personal friend of any of the
2 following individuals? If you hear a name that applies to
3 you if you would stand when you hear that name.

4 Lieutenant Angil Landrum with South Carolina Law
5 Enforcement Division known as SLED. Butch Kimbrell with
6 the Laurens County Sheriff's Office. Charles Nations with
7 the Laurens County Sheriff's Office, and he's standing here
8 in front of you. Thank you.

9 Sergeant Matthew Veal with the Laurens' County
10 Sheriff's Office. He's also standing here in front.

11 Thank you. Steven Washburn with the Department of
12 Probation Pardon and Parole Services. Amanda Marler;
13 Walter Bentley; Jose Diaz with the Laurens' County
14 Sheriff's Office; Charlotte Pitts with the South Carolina
15 Law Enforcement Division.

16 (NO RESPONSE.)

17 THE COURT: Is there any member of the jury panel who
18 has formed or expressed an opinion about any of the issues
19 that are to be tried in this particular case; if so, please
20 stand?

21 (NO RESPONSE.)

22 THE COURT: Is there any member of the jury panel who
23 has formed or expressed an opinion as to the guilt or the
24 innocence of the Defendant in this case Ronald Jeffrey
25 Eaton; if so, please stand?

ORIGINAL

1 (NO RESPONSE.)

2 THE COURT: Is there any member of the jury panel
3 that's aware of any bias or prejudice towards either the
4 state in this case or the defendant in this case; if so,
5 please stand?

6 (NO RESPONSE.)

7 THE COURT: Is there any member of the jury panel who
8 is a member of or a contributor to an organization that has
9 it's primary focus of that of law enforcement rights? Such
10 organizations would include but are not limited to the law
11 enforcement officers association, the sheriff's
12 association, and other such organizations; if so, please
13 stand?

14 (NO RESPONSE.)

15 THE COURT: Is there any member of the jury panel who
16 is a member of or a contributor to any organization that
17 has it's primary concern that related to prisoner's rights
18 that would include any prison ministries associated with
19 any churches or the innocence project or any such similar
20 organization; if so, please stand?

21 (WHITE MALE STANDS.)

22 THE COURT: Yes, sir, tell me your name please.

23 A. My name is Bruce Drebenstedt.

24 THE COURT: And, sir, are you a member or a
25 contributor to one of those organizations?

ORIGINAL

1 MR. DREBENSTEDT: I contribute to Men - Ministries.

2 THE COURT: And the fact that you contribute to that
3 particular organization would that prevent you in this case
4 from being able to listen to the evidence?

5 MR. DREBENSTEDT: No, ma'am.

6 THE COURT: Would you be able to make s decision that
7 would be based strictly on the evidence to be presented
8 here?

9 MR. DREBENSTEDT: Yes, ma'am.

10 THE COURT: And would you be able to give both the
11 State as well as the Defendant a fair and impartial trial?

12 MR. DREBENSTEDT: Yes, ma'am.

13 THE COURT: Thank you. You may have a seat.

14 Is there any member of the jury panel that knows of
15 any reason why you would not be able to serve as a fair and
16 impartial juror in the trial of this particular matter; if
17 so, please stand?

18 (NO RESPONSE.)

19 THE COURT: Is there anything further from the State?

20 SOLICITOR SCOTT: No, your Honor.

21 THE COURT: Anything further from the Defense?

22 MS. MANIGAULT: Nothing, your Honor.

23 THE COURT: There are five strikes for the State; five
24 strikes for the Defense; is that correct?

25 SOLICITOR SCOTT: Yes, your Honor.

1 MS. MANIGAULT: Yes, your Honor.

2 THE COURT: Ladies and gentlemen, as your names are
3 called if you would please come to the front of the
4 courtroom, turn and face the attorneys and state your name
5 again please.

6 (PETIT JURY STRUCK AT 02:43 P.M.)

7 MADAM CLERK: Juror No. 143, Yvonne L. Reed.

8 (WHITE FEMALE COMES FORWARD.)

9 MADAM CLERK: What says the State?

10 SOLICITOR SCOTT: Please present the juror.

11 MADAM CLERK: What says the Defense?

12 MS. MANIGAULT: Please swear the juror.

13 THE COURT: When you come down if you would please
14 bring all of your belongings with you when you come.

15 MADAM CLERK: Juror No. 186, Celesa C. Williams.

16 (BLACK FEMALE COMES FORWARD.)

17 MADAM CLERK: What says the State?

18 SOLICITOR SCOTT: Please present the juror.

19 MADAM CLERK: What says the Defense?

20 MS. MANIGAULT: Please excuse Ms. Williams.

21 MADAM CLERK: Juror No. 125, Darleen L. Melton.

22 (WHITE FEMALE COMES FORWARD.)

23 MADAM CLERK: What says the State?

24 SOLICITOR SCOTT: Please present the juror.

25 MADAM CLERK: What says the Defense?

ORIGINAL

1 MS. MANIGAULT: Please swear Ms. Melton.
2 MADAM CLERK: Juror 135, Jeri P. Perkins.
3 (WHITE FEMALE COMES FORWARD.)
4 MADAM CLERK: What says the State?
5 SOLICITOR SCOTT: Please present the juror.
6 MADAM CLERK: What says the Defense?
7 MS. MANIGAULT: Please excuse Pastor Perkins.
8 MADAM CLERK: Juror 44, Tommy D. Chandler, Junior.
9 (WHITE MALE COMES FORWARD.)
10 MADAM CLERK: What says the State?
11 SOLICITOR SCOTT: Please present the juror.
12 MADAM CLERK: What says the Defense?
13 MS. MANIGAULT: Did you say 44?
14 MADAM CLERK: Yes, ma'am.
15 MS. MANIGAULT: Please excuse the juror from this
16 case.
17 MADAM CLERK: Juror 180, Dayanara Sewell.
18 (HISPANIC FEMALE COMES FORWARD.)
19 MADAM CLERK: What says the State?
20 SOLICITOR SCOTT: Please present the juror.
21 MADAM CLERK: What says the Defense?
22 MS. MANIGAULT: Please swear the juror.
23 MADAM CLERK: Juror No. 34, David N. Brown.
24 (WHITE MALE COMES FORWARD.)
25 MADAM CLERK: What says the State?

1 SOLICITOR SCOTT: Please present the juror.

2 MADAM CLERK: What says the Defense?

3 MS. MANIGAULT: Please swear Mr. Brown.

4 MADAM CLERK: Juror No. 5, Jeffrey R. Allen.

5 (WHITE MALE COMES FORWARD.)

6 THE COURT: The State has five strikes and the defense
7 has two strikes remaining.

8 MADAM CLERK: What says the State?

9 SOLICITOR SCOTT: Please present the juror.

10 MADAM CLERK: What says the Defense?

11 MS. MANIGAULT: Please swear Mr. Allen.

12 MADAM CLERK: Juror No. 9, Gaspar M. Andres.

13 (HISPANIC MALE COMES FORWARD.)

14 MADAM CLERK: What says the State?

15 SOLICITOR SCOTT: Please present the juror.

16 MADAM CLERK: What says the Defense?

17 MS. MANIGAULT: Please swear the juror.

18 MADAM CLERK: Juror No. 192, Quatina W. Wilson.

19 THE BAILIFF: I think that was a juror that went out
20 the door.

21 (BLACK FEMALE COMES FORWARD.)

22 MADAM CLERK: What says the State?

23 SOLICITOR SCOTT: Please present the juror.

24 MADAM CLERK: What says the Defense?

25 MS. MANIGAULT: Please swear Ms. Wilson.

ORIGINAL

1 MADAM CLERK: Juror No. 124, Alexa R. Melton.

2 (WHITE FEMALE COMES FORWARD.)

3 SOLICITOR SCOTT: Madam Clerk, that was 124?

4 MADAM CLERK: Uh-huh. What says the State?

5 SOLICITOR SCOTT: Please excuse the juror from this
6 trial.

7 MADAM CLERK: Juror No. 183, Malisa S. Watson.

8 (BLACK FEMALE COMES FORWARD.)

9 MADAM CLERK: What says the State?

10 SOLICITOR SCOTT: Please present the juror.

11 MADAM CLERK: What says the Defense?

12 MS. MANIGAULT: Please excuse the juror from this
13 case.

14 MADAM CLERK: Juror No. 126, David A. Mercer.

15 (WHITE MALE COMES FORWARD.)

16 MADAM CLERK: What says the State?

17 SOLICITOR SCOTT: Please present the juror.

18 MADAM CLERK: What says the Defense?

19 MS. MANIGAULT: Please swear Mr. Mercer.

20 MADAM CLERK: Juror No. 140, Reza V. Pulley.

21 (BLACK FEMALE COMES FORWARD.)

22 MADAM CLERK: What says the State?

23 SOLICITOR SCOTT: Please excuse the juror from this
24 trial.

25 MADAM CLERK: Juror No. 69, Rita W. Dukes.

ORIGINAL

1 (WHITE FEMALE COMES FORWARD.)

2 THE COURT: The State has three strikes remaining and
3 the Defense has one strike remaining.

4 MADAM CLERK: What says the State?

5 SOLICITOR SCOTT: Please present the juror.

6 MADAM CLERK: What says the Defense?

7 MS. MANIGAULT: Please swear Ms. Dukes.

8 MADAM CLERK: Juror No. 66, Demarcus Dendy.

9 (BLACK MALE COMES FORWARD.)

10 MADAM CLERK: What says the State?

11 SOLICITOR SCOTT: Please excuse the juror from this
12 trial.

13 MADAM CLERK: Juror No. 163, Tamira A. Mosely.

14 (BLACK FEMALE COMES FORWARD.)

15 SOLICITOR SCOTT: What says the State?

16 SOLICITOR SCOTT: Please present the juror.

17 MADAM CLERK: What says the Defense?

18 MS. MANIGAULT: Please swear Ms. Mosely.

19 MADAM CLERK: Juror No. 74, Marshall D. Fulmer.

20 (WHITE MALE COMES FORWARD.)

21 MADAM CLERK: What says the State?

22 SOLICITOR SCOTT: Please present the juror.

23 MADAM CLERK: What says the Defense?

24 MS. MANIGAULT: Please swear Mr. Fulmer.

25 MADAM CLERK: Juror No. 157, Dakota J. Smart.

ORIGINAL

1 (WHITE MALE COMES FORWARD.)

2 MADAM CLERK: What says the State?

3 SOLICITOR SCOTT: Please excuse the juror from this
4 trial.

5 MADAM CLERK: Juror No. 164, Wheeler H. Smith.

6 (WHITE MALE COMES FORWARD.)

7 MADAM CLERK: What says the State?

8 SOLICITOR SCOTT: Please present the juror.

9 MADAM CLERK: What says the Defense?

10 MS. MANIGAULT: Please swear Mr. Smith.

11 THE COURT: One alternate.

12 MADAM CLERK: Juror No. 54, Valorie C. Colvert.

13 (WHITE FEMALE COMES FORWARD.)

14 MADAM CLERK: What says the State?

15 SOLICITOR SCOTT: Please present the juror.

16 MADAM CLERK: What says the Defense?

17 MS. MANIGAULT: Please swear the juror.

18 THE COURT: Are there any motions with respect to
19 the selection of the jury?

20 SOLICITOR SCOTT: None from the State, your Honor.

21 MS. MANIGAULT: None from the Defense, your Honor.

22 THE COURT: Ladies and gentlemen, if you would please
23 stand and raise your right hand for the administration of
24 the oath.

25 (WHEREUPON, THE PETIT JURY,

ORIGINAL

1 BEING FIRST CALLED, ARE DULY SWORN:)

2 THE COURT: To the remaining members of the panel I'd
3 like to thank you very much for your willingness to serve
4 as jurors in this particular matter. I also thank you for
5 your patience throughout the course of the day. You are
6 excused for the afternoon. I ask that you call the number
7 that you've been given after 6:00 p.m. this evening for
8 further instructions. Thank you. Have a good evening.

9 (JURY DISMISSED AT 02:55 P.M.)

10 THE COURT: One of our jurors has the cell phone
11 belonging to someone else who is on the general panel, so
12 that if that person comes back wanting to know what's going
13 to happen with his cell phone and needs it, then please let
14 us know so that we can make arrangements for him to get it.

15 Thank you.

16 Good afternoon again, ladies and gentlemen. You have
17 now been sworn as jurors in this particular matter and as
18 jurors you will be sworn to determine the facts of this
19 case based upon the evidence that will be presented
20 throughout the course of this trial.

21 As I indicated to you earlier this trial comes to us
22 by way of an indictment, two indictments, against the
23 defendant in this case. And again as I stated earlier to
24 each of these indictments the defendant has pleaded not
25 guilty. And again that plea cast the burden upon the State

ORIGINAL

1 to prove to you the jurors that Mr. Eaton is guilty of each
2 of the charges that are pending against him by evidence
3 that satisfies each and everyone of you of guilt beyond a
4 reasonable doubt.

5 And so again, the purpose of this trial will be to
6 determine whether the State would be able to meet that
7 burden.

8 Again, ladies and gentlemen, Mr. Eaton has been
9 charged with possession of methamphetamine and the
10 manufacturing of methamphetamine. Your duty, ladies and
11 gentlemen, is to listen to the evidence that will be
12 presented throughout the course of this trial. And as I've
13 indicated to you it is the State's burden in this
14 particular case.

15 Mr. Eaton is innocent and he remains innocent unless
16 and until you the jury determine that he is guilty based
17 upon evidence that convinces you of that guilt beyond a
18 reasonable doubt. And so for the purposes of this
19 particular trial, ladies and gentlemen, you will hear
20 evidence that will be presented throughout the course of
21 this trial by the State. And again the State has the
22 burden of proof in this particular matter.

23 With respect to that let me tell you a little bit
24 about how the case will proceed. The first thing that you
25 will hear will be the opening statements of the attorneys.

1 Their opening statements are not evidence. They are not
2 required to give an opening statement; its purely optional.
3 But I ask that you listen very carefully to what they have
4 to say. They will kind of give you a little bit more
5 information about what they think will occur and what
6 evidence may be presented during the course of this trial
7 so I ask that you listen very carefully to those opening
8 statements.

9 Once they've made those opening statements then you
10 will in fact hear the evidence in this case. The evidence
11 may take many forms. It may be in the form of a witness's
12 testimony from the witness stand or it may be in the form
13 of documents or other physical pieces of evidence that you
14 will be able to take with you into the jury room when it's
15 time for you all to begin your deliberations.

16 Just as at any trial there are certain rules that
17 govern for trials. There will be what we call rules of
18 evidence; those rules of evidence are designed to make sure
19 that what you hear and what you can hear will assist you in
20 being able to determine the facts of this case where in
21 that's a part of your job; you are to determine whether or
22 not the State will be able to meet it's burden by providing
23 information to you in determining the facts of what
24 occurred in this particular matter.

25 Whether that evidence is admissible is a legal

1 question so from time you time you may hear the attorneys
2 objecting about certain evidence that's being presented.
3 They are simply doing their job, they are bringing to my
4 attention issues that I may need to consider. Those are
5 legal questions so if I sustain an objection and that means
6 that the evidence will not be allowed in. I ask that you
7 do not speculate as to what the evidence might have been or
8 the reasons for the objection. I assure you that we are
9 not trying to hide or keep anything from you. Again we're
10 just trying to make sure that you have sufficient
11 information that will be able to help you determine the
12 facts in this particular matter.

13 On the other hand if I over rule the objection then
14 that means the evidence will be allowed in and you will be
15 able to hear it.

16 Now from time to time we may need to take up certain
17 legal matters outside of your presence. To the extent
18 that we can do that quickly here in court the attorneys may
19 approach the bench so that we can discuss it. On other
20 occasions however we may need to take a little more time in
21 order to discuss these legal issues. I ask that you not
22 speculate as to what we're discussing or the reasons for
23 our conversation. Again we're not trying to keep anything
24 from you; we're just trying to make sure that everyone's
25 legal rights are protected and we have to do that outside

ORIGINAL

1 of your presence.

2 When once you've heard all of the evidence in this
3 case then you will hear again from the attorneys in the
4 form of a closing argument. The closing arguments again
5 are not evidence. What they will talk to you about is some
6 of the testimony or evidence that you've heard or seen and
7 they'll pick out portions of that in order to make
8 arguments which is to try to sway you to find facts in
9 accordance with their view of what occurred. Again in so
10 far as the evidence that's being presented and you have to
11 make factual determinations.

12 Once you've heard those closing arguments then I will
13 instruct you on the law that applies and then you may begin
14 your deliberations at that particular point.

15 Now, ladies and gentlemen, I'm sure that we will not
16 finish this trial today so we will go into tomorrow. I ask
17 that as you come and go from the courthouse that you not
18 listen to conversations that you may hear in the hallways.
19 Often times people may be discussing things with their
20 witnesses or the attorneys may be having conversations.
21 The decisions that you have to make must be based upon the
22 evidence that will be presented throughout the course of
23 this trial. It should not be based upon conversations that
24 you over hear.

25 Additionally, ladies and gentlemen, I ask that you not

ORIGINAL

1 begin to discuss this matter among yourselves until it's
2 time for you to begin your deliberations. The evidence
3 does not always come in in a chronological order and until
4 you've heard all of the evidence you are not in a position
5 to be able to determine and make any decisions in this
6 particular matter so I ask that you not discuss it until
7 it's time for your deliberations.

8 Also, ladies and gentlemen, I ask that you not allow
9 anyone to approach you to discuss this case with you as you
10 come and go. Its inappropriate for anyone to come up to a
11 juror and talk to the juror about the case while you are
12 seated as a juror so if someone approaches you and wants to
13 talk to you about this case please tell them that you are a
14 juror and you cannot discuss it and we ask that you report
15 it to us as soon as possible. We'd like to have the
16 opportunity to investigate to make sure that no one's
17 attempting to influence you and the only way we can do that
18 is if you report it to us.

19 Now you can report it to the bailiff's or to the
20 clerk's office or to me but certainly we do ask that you in
21 fact report any contact along those lines.

22 To Ms. Colvert, you are the alternate in this
23 particular case and you're role is extremely important. If
24 one of your fellow jurors is unable to complete service
25 then you would step into that person's shoes and fulfill

1 their service. We ask that when you come into the
2 courtroom that you always take that particular seat so that
3 we can keep up with you throughout the course of the trial.

4 Ladies and gentlemen, the rest of you are free to sit
5 wherever you'd like to sit in the jury box.

6 Mr. Brown, I would like to make you the foreperson in
7 this particular case. If you will change seats with the
8 gentleman in the first row on the very end.

9 (JURORS SWITCHED SEATS.)

10 THE COURT: As the alternate your role is to
11 communicate with me in the event that there is anything
12 that you all need during the course of this trial. For
13 example if there is anyone that has any conflicts in the
14 event that we have to go past 5:00 p.m., day care, child
15 care issues, or if there is anyone that has any particular
16 health concerns in terms of taking breaks during the day or
17 a lunch break, those persons who may have some health
18 issues that you should write me a note about that.

19 More importantly when this case is submitted to you,
20 to you the jury to begin your deliberations it will be your
21 responsibility to make sure that everyone has the chance to
22 express his or her views about what the evidence shows and
23 then to coordinate those discussions. And then ultimately
24 when you all have reached a verdict it will be your
25 function to write the verdict on the appropriate form.

ORIGINAL

1 I appreciate you serving in that capacity in this
2 particular matter. Thank you.

3 I believe at this time, ladies and gentlemen, we are
4 ready to hear the opening statements of the attorneys. I
5 do ask that you not take notes. I find that often times
6 when people take notes they are busy writing information
7 and they are missing something that is being presented.
8 With having said that I also understand that sometimes
9 people need to take notes to remember information. If you
10 need to take notes to help you refresh your recollection
11 and help you remember please let me know so that I can
12 accommodate you. I'm hoping that this will be fairly
13 straightforward however and you should be able to follow
14 along with everything as it's being presented throughout
15 the course of the trial. But if you find that you need to
16 take notes please notify me as well.

17 Yes, ma'am.

18 SOLICITOR BOYKIN: Thank you, your Honor, may it
19 please the Court.

20 THE COURT: Yes, ma'am.

21 OPENING STATEMENTS BY SOLICITOR BOYKIN:

22 SOLICITOR BOYKIN: Ladies and gentlemen, we are here
23 today because as you heard from the indictments that were
24 read Ronald Jeffrey Eaton is charged with possession of
25 methamphetamine and manufacturing methamphetamine.

ORIGINAL

1 Now I'm sure most of y'all have heard the drug
2 methamphetamine. Its an illegal addictive substance. Now
3 during this trial I expect that you will hear a lot more ab
4 out meth than what you actually know. The fact that
5 methamphetamine can be made within your own home with very
6 common household items such as salt, tin foil, coffee
7 filters, Coleman fuel; items of that nature. And one of
8 the main ingredients for it is Sudafed which you can
9 purchase CVS, Walgreens, Walmart, any pharmacy.

10 And you will hear that once you combine all these
11 ingredients a very toxic substance is formed and that's
12 methamphetamine. It's a very dangerous process and that's
13 why we're here today because Ronald Eaton was manufacturing
14 methamphetamine and possessing methamphetamine on or about
15 March 26 of 2018. Okay.

16 So, throughout the trial you will have numerous people
17 testify right here ---

18 (INDICATING TO WITNESS STAND.)

19 SOLICITOR BOYKIN: --- telling you what happened in
20 this case. But I want to quickly go over a little bit of
21 the facts just so you know what to expect.

22 In March of 2018 Investigator Nations of the Laurens
23 County Sheriff's Office received some complaints that the
24 defendant had been engaging in some narcotics activity.

25 Now, at the time he was supposed to have been living

ORIGINAL

-83-

1 on Bob Cat Road. Investigator Nations went out there and
2 at that time Mr. Eaton was living in a camper so by the
3 time Nations went to Bob Cat Road that camper was gone.

4 He didn't know where he was. A couple of weeks later
5 he was able to find out that Mr. Eaton had moved his camper
6 to [REDACTED] Boyd Road in Laurens County. Now at the time in
7 March of 2018 Mr. Eaton was on probation. Now as part of
8 probation you are required to tell your probation agent
9 where you're residing. So Investigator Nations calls a
10 probation agent, Agent Washburn, and he says hey, I just
11 found out that Eaton is living on Boyd Road as opposed to
12 Bob Cat Road. The agent says well, or I expect he will
13 testify that he had not been notified of an address change.
14 So based on that Agent Washburn decides it's time for a
15 home visit to the Boyd Road residence where the defendant
16 was supposedly at at this point.

17 So March 26th of 2018 Agent Washburn along with
18 Investigator Nations and Sergeant Veal of the Laurens
19 County Sheriff's Office decide to go out to [REDACTED] Boyd Road
20 to check to see if he was actually there.

21 They pull up and they do see a camper and it is
22 Eaton's camper. They knock on the window. At that point
23 the defendant and a co-defendant Amanda Marler comes to the
24 door. Washburn explains you know at this point you didn't
25 tell us where your address was so we're gonna search your

ORIGINAL

1 residence and he consents. Inside the home he finds
2 numerous items. Investigator Nations and Agent Washburn
3 find numerous items used to manufacture methamphetamine.

4 Now this is not an exhaustive list but examples were
5 coffee filters, tubing, jars. They found some Coleman fuel
6 outside; they found coffee grinders that appear to be
7 Sudafed residue on them. All the things used for
8 manufacturing methamphetamine.

9 Now, in the coffee filters that are later sent off to
10 SLED you will hear testimony from a SLED analyst that there
11 was in fact a finished product meaning that methamphetamine
12 was actually produced. From all these items there was
13 methamphetamine that was manufactured at this residence.

14 Now, you will also hear, I expect you will hear
15 testimony from here from Amanda Marler the co-defendant who
16 will say that maybe not March 26th but on or about within a
17 few days before meth was being manufactured at that camper
18 by her and the defendant.

19 Inside the home like I said they found a finished
20 product and that's what possession methamphetamine comes
21 from. And manufacturing methamphetamine is just what it
22 sounds like. Producing methamphetamine. So if you have
23 the ingredients to make it and it makes the finished
24 product then you're manufacturing methamphetamine. If
25 you're possessing methamphetamine whether its on your

ORIGINAL

1 actual person or its something you have dominion and
2 control over you are in possession. Say a camper, if you
3 are living in it that you own, you are in constructive
4 possession of it whether it's on your person or not.

5 Now, as you heard the judge say we have the burden of
6 proof and we gladly accept that burden because at the end
7 of this trial I submit to you that we will have presented
8 all the evidence that will prove that the defendant is
9 guilty of the crimes that he is charged with. So I ask
10 that you listen carefully, pay attention, listen to all the
11 testimony you will hear from the witness stand. You will
12 get to see numerous pictures, you will have very very
13 intelligent narcotic's officers explain way better than I
14 could how to make meth because it's a very involved process
15 that I don't quite understand but they will be up here to
16 explain it to you further.

17 And we just ask that you pay attention and use common
18 sense and at the end of this we will ask you to find Mr.
19 Eaton guilty of manufacturing methamphetamine and
20 possession of methamphetamine.

21 THE COURT: Ms. Manigault.

22 MS. MANIGAULT: Thank you, your Honor.

23 OPENING STATEMENTS BY MS. MANIGAULT:

24 MS. MANIGAULT: Ladies and gentlemen, again my name is
25 Dorothy Manigault, I represent Ronald Eaton. The judge has

ORIGINAL

1 read to you the indictments in this case and as the judge
2 has informed you these indictments are charging
3 instruments. They do not prove guilt. This is only a
4 means by which a person is brought to court so that they
5 can have a trial so that the jury can hear and decide upon
6 the evidence that is presented by the State.

7 Your Honor has told you my client is charged with
8 manufacturing meth and possession of meth. Your Honor has
9 also told you that there is a presumption of innocence with
10 every defendant and any person. Our system of justice is
11 one very unique that a person has a chance to answer the
12 charges that have been brought against them. So just
13 because you hear one side of the story may not mean that
14 that's the full story.

15 What the solicitor just told you about items found at
16 the residence, you come to my house, you will find some of
17 the same items. Peroxide, table salt, coffee filters,
18 coffee grinder. So these items of itself are not illegal.
19 The state has the burden of proof to show you that what
20 they have charged my client with actually did happen.
21 Because a person is present in an environment does not
22 necessarily mean that they were doing what they were
23 charged with. So the presumption of innocence stays with
24 my client until the jury, you the jurors, decide guilt or
25 innocent.

ORIGINAL

-87-

1 The presumption of innocence is like a -- I call it a
2 trench coat -- a cloak of righteousness. I put the coat on
3 button it all the way up, I'm innocent. Just because the
4 State unbuttons one or two of the buttons -- if it's a six
5 or seven button coat - does not meet the burden of proof.
6 It cannot be a probability, it cannot be highly likely, but
7 your Honor will explain all of that at the end of the case
8 when she gives the charge. So the presumption of innocence
9 remains.

10 The state has to prove beyond a reasonable doubt that
11 my client is guilty of what he's charged with. So, like
12 the solicitor I am asking that you pay close attention to
13 what evidence is presented. My client does not have to
14 prove his innocence. The law already gives him that right,
15 the presumption of innocence, so the state has to prove him
16 guilty.

17 Please listen very carefully and we believe that at
18 the end of the case you will present a verdict of not
19 guilty. Thank you.

20 SOLICITOR SCOTT: Your Honor, just briefly,
21 Investigator -- is gonna get the smart board out so we can
22 publish.

23 THE COURT: You may call your first witness.

24 SOLICITOR SCOTT: The State calls Investigator Charles
25 Nations.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-88-

1 (WHEREUPON, CHARLES NATIONS,
2 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

3 THE COURT: State your full name please.

4 A. Investigator Charles Nations, Laurens County
5 Sheriff's Office, Narcotics Unit.

6 DIRECT EXAMINATION

7 INVESTIGATOR CHARLES NATIONS BY SOLICITOR SCOTT:

8 Q. Investigator Nations, how long have you been with the
9 Sheriff's Department?

10 A. Since 2011.

11 Q. And primarily what are your duties? What Unit are you
12 in?

13 A. At this point in time I'm assigned to the Narcotics
14 Unit.

15 Q. Okay. What is the day to day life of a narcotics
16 agent in Laurens County look like?

17 A. It is extremely busy. Basically what we do is we
18 deal with complaints coming from civilians in regards to
19 anywhere from narcotic distribution to high traffic areas,
20 things of that nature.

21 Q. And so typically you might get a complaint or a tip
22 and it's your job to followup on it and investigate it. Is
23 that fair to say?

24 A. Yes, sir.

25 Q. And primarily though you're dealing with narcotics.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-89-

1 A.. Yes, sir.

2 Q. And as opposed is there a different unit that does
3 property crimes?

4 A. Yes, sir.

5 Q. And you might handle homicides and what not?

6 A. Yes, sir.

7 Q. Okay. But your expertise is in the narcotics
8 department?

9 A. Yes, sir.

10 Q. And are there times that you're proactive? Explain
11 to the jury what a proactive narcotics approach would be?
12 Would that be maybe sending an undercover agent out there
13 to buy some drugs from somebody?

14 A. It very well could be. Sometimes what he's referring
15 to as far as being proactive is coming up with cases on
16 your own or progressively using techniques to accurate
17 complaints that are coming in from the community.
18 Sometimes we might develop surveillance and push in to
19 traffic stops or send a confidential informant in to
20 develop probable cause.

21 Q. But then other times you're reactive. In other words
22 like I could call you and say Nations, I need you to come
23 out, my neighbor I think is up to something involving drugs
24 and then that would be something you would react to and
25 investigate. Is that safe to say?

ORIGINAL

1 A. That is correct, yes, sir.

2 Q. Tell me, how long have you been in the Narcotics
3 Unit? Have I ask you that yet?

4 A. If I'm not mistaken I'm pretty sure I've been there
5 since the very - May of 2016 I believe.

6 Q. So three years now you've been ---

7 A. Approximately.

8 Q. --- just primarily dealing with narcotics?

9 A. Yes, sir.

10 Q. Going back last year, last March, early part of March,
11 did you have occasion to conduct some surveillance on a
12 trailer park off Bob Cat Road in Laurens County?

13 A. I did, yes, sir. Really I attempted to based on the
14 law out of it and some other known people in the trailer
15 park. Surveillance was conducted but it was really hard to
16 do so we didn't stay into that too awful long.

17 Q. Okay. As far as Ronald Eaton who is here today, did
18 -- at that time do you have any knowledge as to whether or
19 not he was living at an address off Bob Cat Road?

20 A. Yes, sir. At that point in time we did have an
21 address where the camper that Mr. Eaton was supposedly
22 staying at.

23 Q. Okay. Where was it?

24 A. It's on Bob Cat Road but I don't remember the exact
25 numeric.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-91-

1 Q. And did you lay eyes on it while it was at Bob Cat
2 Road?

3 A. I did, yes, sir.

4 Q. And you said you attempted to conduct some
5 surveillance but the layout ---

6 A.. The -- Yes, sir.

7 Q. --- prevented you?

8 A. The layout and some other parties there kind of made
9 that very hard for law enforcement to be there without
10 being noticed.

11 Q. At some point did you become aware that his camper
12 or the camper you knew him to be living on off Bob Cat
13 Road, was not there anymore?

14 A. Yes, sir.

15 Q. And approximately when was that?

16 A. It was approximately two to three weeks prior to the
17 incident date of this case.

18 Q. So you'd say early March?

19 A. Early March or late February. Somewhere around in
20 that ball park.

21 Q. So how did that happen? Did you go out there one
22 day and the camper just gone all of a sudden?

23 A. I did go out there but I was informed by another
24 source, somebody that we was using, to obtain information

25 --

ORIGINAL

1 MS. MANIGAULT: Your Honor, I object to this
2 testimony.

3 THE COURT: Rephrase the question.

4 BY SOLICITOR SCOTT:

5 Q. Did you personally observe the trailer be missing?

6 A. I did, yes, sir.

7 Q. And at the time did you have any knowledge as to where
8 he had taken the trailer?

9 A. No, sir.

10 Q. Did you speak with Agent Washburn over here with
11 Probation Pardon and Parole?

12 A. I did, sir.

13 Q. Okay. Did you have any knowledge as to whether or
14 not he was required to provide any change of address to
15 Agent Washburn?

16 A. Once I spoke to Agent Washburn and found out that the
17 defendant was on probation I did learn the fact that he was
18 supposed to advise Agent Washburn any time he moved.

19 Q. Now at some point in March did you learn of a
20 potential address that he had moved to, Mr. Eaton?

21 A. Yes, sir. Yes, sir, we did.

22 Q. Okay. And where was that address that you received
23 information that he may have moved to?

24 A. The address that was advised was [REDACTED] Boyd Road in
25 Laurens.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-93-

1 Q. Did you make plans to visit that Boyd Road address to
2 determine whether or not he had moved there?

3 A. We did. We spoke with Agent Washburn and advised him
4 that we had received information that this is a possible
5 address where Mr. Eaton would be at based upon some
6 information gained. Mr. Washburn stated that he needed to
7 speak with him due to the fact that he moved and he ask for
8 the assistance of Laurens County based upon some
9 information that we had received.

10 Q. All right. So as a sheriff's deputy did you agree to
11 go along with probation Agent Mr. Washburn - did you agree
12 to go with probation agent to Boyd Road to determine
13 whether or not Mr. Eaton had moved to that location?

14 A. I did, sir.

15 Q. And then Mat Veal over here he's a sergeant with
16 the narcotics unit; ---

17 A. That is correct.

18 Q. --- is that correct? And did he go as well?

19 A. He did, sir.

20 Q. Okay. And as you approached the camper - describe
21 the camper for us real quick.

22 A. It is a small camper. It's kind of like a tan white
23 kind of looking. It's hard to justify one way or the
24 other. But it had like these little strips that went
25 around the middle of the camper. There was a small wooden

ORIGINAL

1 porch on the front door of it. The camper was actually
2 resting beside an older abandoned not very well structure,
3 single wide in front of it and there was another residence
4 kind of behind it that appeared to have been burned at some
5 point.

6 Q. Let me show you State's 23 and 25 and ask you if you
7 recognize those?

8 A. Yes, sir, this is --

9 Q. What are those?

10 A. This is pictures of the camper.

11 Q. Don't publish just yet.

12 A. That Mr. Eaton was staying in.

13 Q.. Okay. And is that substantially how they looked
14 March of last year?

15 A. Pretty close. There's some trailers, I mean,
16 correction, there's vehicles that's not in these pictures
17 but that is how it looked.

18 Q. Okay. At the time there was some vehicles in front
19 of the camper?

20 A. Yes, sir.

21 Q. Okay.

22 SOLICITOR SCOTT: Your Honor, the State does offer
23 State's 23 and 25 for admission into evidence.

24 (PAUSE.)

25 THE COURT: Any objection?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-95-

1 MS. MANIGAULT: Your Honor, may we approach?

2 THE COURT: Yes, ma'am.

3 (BENCH CONFERENCE OFF THE RECORD OUT OF THE HEARING OF
4 THE JURY AT 03:26 P.M.)

5 THE COURT: It's admitted.

6 (WHEREUPON, STATE'S EXHIBIT NO. 23 AND 25 IDENTIFIED
7 AND MARKED, RECEIVED INTO EVIDENCE.)

8 BY SOLICITOR SCOTT:

9 Q. And those were taken last week but substantially
10 is that how the camper appeared when you were in looking
11 at it?

12 A. Yes, sir. I believe it is, yes, sir.

13 Q. Any reason you didn't take any pictures outside the
14 trailer at the time?

15 A. To be honest with you, sir, we kind of - this happened
16 kind of unexpectedly and I was actually inside of the
17 camper trying to take pictures of the evidence inside the
18 camper.

19 Q. Okay:

20 A. We must have just missed the external perimeter.

21 Q. Okay. This is -- I mean how many - do you have any
22 idea what the square foot of that thing, the interior is?

23 A. I would have no idea, sir.

24 Q. But I don't know, probably about the size of this
25 jury box; is that about the size of the trailer?

ORIGINAL

1 A. I believe so. Pretty close to it.

2 Q. And what is this back here? You described it but
3 what is this construction on the back?

4 A. Yes, sir. It's a single wide structure pushed up
5 behind the camper that is no longer structurally livable.
6 It's deemed condemned.

7 Q. And that was burned up at the time too?

8 A.. I believe that one was as well as the one in the back.

9 Q. State's 25, I guess, okay. When you approached it
10 describe the area around it? Is that a -- it appears to be
11 wooded. Was it wooded at the time?

12 A. Correct. Yes, sir. This actual piece of property
13 on Boyd Road kind of sits up by itself. You had to go
14 around like a small patch of brush and some smaller trees
15 to actually get up to where the first residence is which is
16 actually in front of the camper and we're behind it in this
17 picture. And then the camper was posted behind it and then
18 there was also another residence behind it none of which
19 could be seen from the actual roadway if you weren't
20 looking for it.

21 Q. So you, Agent Washburn, and Sergeant Veal approach
22 this camper and who approaches it first?

23 A.. Agent Washburn.

24 Q. What did you observe him to do?

25 A.. There was actually a Pit Bull kind of attached to the

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-97-

1 front porch and the dog, the dog just didn't seem like he
2 liked us very much, so Agent Washburn knocked on the side
3 of the camper I believe at that first window.

4 Q. Here?

5 A. I believe so, yes, sir.

6 Q. Okay.

7 A. It was either that one or the one right there by that
8 tree like.

9 Q. So what did you observe when you knocked on the
10 window?

11 A. Agent Washburn knocked on the window and he said that
12 he saw somebody inside of the camper. He knocked on the
13 window announcing his presence and --

14 MS. MANIGAULT: Your Honor, I am objecting to his
15 testimony of what Agent Washburn would testify to. The
16 evidence is Agent Washburn he can testify to what he
17 observed but I am objecting to him repeating Agent
18 Washburn's testimony.

19 THE COURT: You can testify as to what you saw, what
20 you observed, and as it warrants to any hearsay the witness
21 can testify to.

22 INVESTIGATOR NATIONS: Yes, ma'am.

23 BY SOLICITOR SCOTT:

24 Q. So you were saying you observed him knocking on the
25 window.

ORIGINAL

1 A. Correct. And a short time later the front door of
2 the camper was opened by the defendant Ronald Eaton. And a
3 Ms. Amanda Marler stepped out into the doorway. Mr. Eaton
4 secured the dog at that time.

5 Q. Okay. And did -- without saying what they said did
6 Agent Washburn speak with Mr. Eaton?

7 A. He did. I could see him speaking with him, yes, sir.

8 Q. As a result of that did Mr. Eaton say anything?

9 A. From where I was standing at I could see that Agent
10 Washburn was speaking with him. I couldn't tell exactly
11 the full conversation but I later determined that Agent
12 Washburn went into the residence and I stood there with Mr.
13 Eaton at the doorway.

14 Q. So Mr. Eaton stayed at the doorway and then you
15 observed Mr. Washburn go inside the camper?

16 A. Correct.

17 Q. At some point did you go inside as well?

18 A. I did, yes, sir.

19 Q. Okay. Did Mr. Washburn show you anything he had
20 found inside the trailer?

21 A. Once Mr. Washburn had gone inside the residence I
22 was standing at the doorway; the doorway was open and I was
23 on the front porch, Mr. Washburn pulled out a clear plastic
24 container, it had a white lid on it, and kind of showed it
25 to me from standing just inside the front door. We're

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-99-

1 talking a matter of two maybe three feet. And from where I
2 was standing I could tell it was an item of interest. Mr.
3 Washburn stated that he believed that he had found some
4 narcotics.

5 MS. MANIGAULT: Your Honor, I object to what Mr.
6 Washburn said.

7 THE COURT: Sustain.

8 BY SOLICITOR SCOTT:

9 Q. Again, don't say -- Mr. Washburn's gonna have his
10 chance ---

11 A. Okay.

12 Q. --- to testify.

13 A. Yes, sir.

14 Q. Just what did you observe? You said he showed you a
15 clear --

16 A. Yes, sir. He showed me a clear container with a
17 white lid on it that contained a white powder like
18 substance inside of it. Based on my training and
19 experience I believe this item to have been actual
20 methamphetamine.

21 Q. At that point after he showed it to you what did you
22 do?

23 A. I actually stepped into the residence to take a
24 better look at the item. Once we observed what it was
25 Agent Washburn continued to search the area that he was in.

ORIGINAL

1 I stopped at that point in time and both parties were
2 actually detained for speculation of being in possession of
3 methamphetamine.

4 Q. So at that point after you see this and you look at
5 this jar Washburn shows you, you said Ronald Eaton, you're
6 under arrest, Amanda Marler, you're under arrest; is that
7 right?

8 A. Well, I told them that they were detained. I didn't
9 advise them they were under arrest at that time.

10 Q. Did you cuff 'em?

11 A. Yes, sir. Yes, sir, we did detain them.

12 Q. At that point you detained them. Not quite to the
13 point of arrest yet, you detain 'em?

14 A. Correct.

15 Q. Let me show you State's 3, 4, 7, 8 and 20.

16 All right, 4, 7, 8 and 20. Do you recognize these?

17 A. Yes, sir.

18 Q. And what are those pictures of?

19 A.. This 55092 is actually a picture of the clear
20 container with white lid that contained the white
21 powder like substance.

22 Q. And just, do you recognize what they are? You don't
23 have to show 'em.

24 A. Yes, sir.

25 Q. And what are they?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-101-

1 A. These are items found by Agent Washburn.

2 Q. What you just previously described?

3 A. Yes, sir.

4 Q. All right.

5 SOLICITOR SCOTT: Your Honor, the State does offer 4,
6 7, 8 and 20 for admission into evidence.

7 THE COURT: Any objection?

8 MS. MANIGAULT: None, your Honor.

9 THE COURT: They're admitted.

10 (WHEREUPON, STATE'S EXHIBIT NO. 4, 7, 8, AND 20,
11 IDENTIFIED AND MARKED, RECEIVED INTO EVIDENCE.)

12 BY SOLICITOR SCOTT:

13 Q. All right, this is 4. What is this?

14 A.. That is the clear container with a white lid that
15 contains the white powder like substance.

16 That is the actual kuzy where the items were found
17 inside that was sitting on the -- I guess the stand beside
18 the TV.

19 Q. What's this?

20 A. That is tin foil. We pulled that tin foil out opened
21 it up and it did have methamphetamine residue inside of it
22 as well. Tin foil is actually used for ingestion purposes.
23 They will put it on the tin foil heat the bottom of it, it
24 makes it into a liquid, and then turn into a vapor at which
25 point they'll smoke.

ORIGINAL

1 Q. Okay. So you're testifying there was some residue in
2 this tin foil and also some residue in this white top jar?

3 A. Correct.

4 THE COURT: Please identify them as you - -

5 SOLICITOR SCOTT: Yes, your Honor.

6 Q. All right, so 4 and 7 have been identified.

7 This would be State's No. 8. What are we looking at
8 here?

9 A. Okay. This is actually a hide away. When we first
10 looked at it, we thought it was a car battery but upon
11 further examination this battery, the tube of it it
12 actually opened up and there is a piece that screws into
13 it. It's very common for people to hide narcotics inside
14 of it.

15 Q. Okay. You didn't find any in this one though. Right?

16 A. No, sir. No, sir.

17 Q. But it appeared to be kind of a --

18 A. Yes, sir.

19 Q. I don't know. A false -- it's a fake battery.

20 A. Correct.

21 Q. And a compartment in it?

22 A. Correct. Yes, sir.

23 Q. All right. And this is State's No. 20. Again, is
24 that just kind of a duplicate picture of a koozie with the
25 stuff inside?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-103-

1 A. Yes, sir, it is.

2 Q. All right. So, after Washburn shows you that stuff
3 you said you detained them. On what point do you go in and
4 conduct a search?

5 A. Well when he advised me that he had located these
6 items I advised Agent Washburn just to hang on and we were
7 going to attempt to obtain a search warrant. I was advised
8 Sergeant Veal actually obtained a written consent from Mr.
9 Eaton to give us permission to search the camper and the
10 property around it.

11 Q. And so at that point do you go in and start looking
12 around?

13 A. I do, yes, sir.

14 Q. All right. Walk us through what you observed inside
15 of the camper.

16 A. Yes, sir. When we went in the first place that I went
17 to was going to be the bedroom which is located just to the
18 right of the front door. When you walk in there is an
19 immediate turn, the bedroom is right upon you, I could see
20 from standing in the doorway there was a bed and two
21 pillows on top, but I saw something on one of the pillows
22 right in the middle. I went to the pillow and pulled the
23 pillow back and I found a glass jar that contained a white
24 residue inside of the jar as well as a coffee filter that
25 was inside of the jar.

ORIGINAL

1 I also searched in the bedroom and located --

2 Q. Hold on one second.

3 A. I'm sorry.

4 Q. I'm want to show you State's 21 and 22.

5 A. Yes, sir.

6 Q. All right. What do those depict?

7 A. Yes, sir. This is actually a picture of the glass
8 jar located just underneath the pillow. And this is a
9 picture of the inside the glass jar showing the coffee
10 filter being contained inside.

11 Q. Did you see any other glass jar that contained coffee
12 filter?

13 A. We did, sir, yes, sir.

14 Q. Okay.

15 SOLICITOR SCOTT: Your Honor, the State offers State's
16 21 and 22 for admission into evidence.

17 THE COURT: Any objection?

18 MS. MANIGAULT: None, your Honor.

19 THE COURT: Be admitted.

20 (WHEREUPON, STATE'S EXHIBIT NO. 21 AND 22, IDENTIFIED
21 AND MARKED, RECEIVED INTO EVIDENCE.)

22 BY SOLICITOR SCOTT:

23 Q. So is this jar you're talking about in State's 21
24 here?

25 A. Yes, sir, it is.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-105-

1 Q. What -- did you take the coffee filter out of the jar?

2 A. Yes, sir. Once we photographed and obtained it we did
3 remove the coffee filter from the jar.

4 Q. State's 22 here, does this depict I guess the coffee
5 filter inside of the jar?

6 A. It shows it inside the jar, yes, sir.

7 Q. All right. Why is a coffee filter inside of a Mason
8 jar relevant?

9 A. Well based upon some of the residue that we could see
10 inside of the jar itself and a coffee filter being tucked
11 down inside its not a common practice. Coffee filters are
12 used to basically separate the methamphetamine from the
13 salt and whatever the salt is that they're using. In this
14 case it would a been camp fuel. So they use coffee filters
15 to separate it once it's been smoked off. And a lot of
16 times you'll end up with a jar that they use to do the
17 smoke off and the coffee filter itself that they use to
18 collect it they keep it together because the jar they use
19 to smoke off from still contains that residue so they can
20 still use the residue off the side of the jar.

21 Q. So did you -- you collected the filter and you
22 collected the jar and you collected this residue?

23 A. Yes, sir. All of that was taken into account.

24 Q. And then was this taken off to be tested by SLED?

25 A. Everything was sent to SLED as far as containing what

ORIGINAL

1 we believed to be methamphetamine.

2 Q. And you're trained and experienced and you're dealing
3 with these methamphetamine labs?

4 A. Yes, sir.

5 Q. Are coffee filters something you've seen before in
6 the processing, manufacturing of methamphetamine?

7 A. Every single time with the one pot method, yes, sir.

8 Q. All right, so State's 21 and 22. You found that in
9 a bedroom under a pillow. What else did you find in that
10 bedroom?

11 A. Also in the bedroom we located a purse and inside the
12 purse we found a blue container that also contained an
13 amount of residue. It was a white powder substance that
14 was very consistent to what was located in that coffee
15 filter and in the jar. Also a smoking pipe that contained
16 based upon it's odor and what it was we stated that it was
17 marijuana that was inside the smoking pipe.

18 Q. So in the bedroom you find a purse that's got a
19 marijuana pipe and a blue jar with some residue. That's
20 State's No. 16. Do you recognize that?

21 A. Yes, sir, I do.

22 Q. What's that?

23 A. That is the blue container that contained the residue
24 found inside the purse.

25 Q. Okay.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-107-

1 SOLICITOR SCOTT: State offers 16 for admission into
2 evidence.

3 THE COURT: Any objection?

4 MS. MANIGAULT: No, your Honor.

5 THE COURT: It's admitted.

6 (WHEREUPON, STATE'S EXHIBIT NO. 16, IDENTIFIED AND
7 MARKED, RECEIVED INTO EVIDENCE.)

8 BY SOLICITOR SCOTT:

9 Q. All right. So now we got a jar with the coffee
10 filter under the pillow. Now you found a blue jar inside of
11 a purse in that bedroom with residue. What else did you
12 find?

13 A. Yes, sir. Up underneath the bed of this bedroom I
14 did locate an amount of I guess they call it fake urine
15 that was found underneath. Now we photographed that and we
16 didn't take it but that was more or less for Agent
17 Washburn's concern.

18 Q. All right. As you moved through the house what else
19 are you finding?

20 A. Yes, sir. As we moved in through the house went
21 back into the living room there is actually -- when you
22 look through the front door straight ahead there is a row
23 of cabinets that's attached to the top side of the camper.
24 We opened up the camper doors there and we found what is
25 considered hydrogen Peroxide in a bottle.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-108-

1 Q. Okay. This is State's No. 1. What's that?

2 A. That is the bottle of hydrogen peroxide.

3 Q. And why is hydrogen Peroxide relevant to a
4 manufacturing of methamphetamine investigation?

5 A. This is sometimes depending on the cook they can use
6 one or two things. They can either use (A) water, or (B)
7 hydrogen peroxide and it's the last thing that you add into
8 what they call the one pot. By adding this into the one
9 pot it initiates the violent reaction between the lithium
10 and the Coleman fuel and the ammonium nitrate and the other
11 ingredients inside to spark a chemical reaction to separate
12 that ephedrine from that Coleman fuel.

13 SOLICITOR SCOTT: Your Honor, the State offers State's
14 No. 1 for admission into evidence.

15 THE COURT: Any objection?

16 MS. MANIGAULT: No objection, your Honor.

17 THE COURT: It's admitted.

18 (WHEREUPON, STATE'S EXHIBIT NO. 1, IDENTIFIED AND
19 MARKED, AND STATE'S EXHIBIT NO. 3, RECEIVED INTO EVIDENCE.)
20 BY SOLICITOR SCOTT:

21 Q. All right. What else did you find as you moved
22 through the house?

23 A. As we continued on down the wall there is a -- back
24 wall there was another set of cabinets located next to the
25 stove. It's a three tier cabinet set and I can't remember

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-109-

1 if it was in the middle or if it was in the top but I
2 opened up one of the cabinets and I located what we call a
3 coffee grinder used to grind up coffee beans and this was
4 not normal. The coffee grinder that we located contained a
5 white powdered substance that also had a pink or red tint
6 to it. This is significant to us because people that
7 manufacture using the one pot system they crush the Sudafed
8 up and it's a lot easier to do if you just use a coffee
9 grinder and grind it all up onto a very fine powder that we
10 put into the solvent. It makes the reaction time and the
11 time to wait before you get methamphetamine a lot faster.

12 Q. Okay. So its not typical whether you're throwing
13 whole Sudafed tables into the mix is they grind them up or
14 crush them up first?

15 A. That is correct.

16 Q. State's No. 5, do you recognize this?

17 A. I do, sir.

18 Q. What is it?

19 A. That is the coffee grinder itself that contains the
20 white powder as well as the pink in the edge of the coffee
21 grinder.

22 Q. Okay.

23 SOLICITOR SCOTT: Your Honor, the State offers State's
24 No. 5 for admission into evidence.

25 THE COURT: Any objection?

ORIGINAL

1 MS. MANIGAULT: None, your Honor.

2 THE COURT: It's admitted.

3 (WHEREUPON, STATE'S EXHIBIT NO. 5, IDENTIFIED AND
4 MARKED, RECEIVED INTO EVIDENCE.)

5 BY SOLICITOR SCOTT:

6 Q. And you cannot say it but you're saying that inside of
7 that grinder - did you seize the grinder with the ---

8 A. Yes, sir.

9 Q. --- with the substance in it?

10 A. Yes, sir.

11 Q. Did it appear to smell like coffee in that coffee
12 grinder?

13 A. No, sir.

14 Q. You're saying it's white powder with some pink
15 tinges to it?

16 A. Yes, sir.

17 Q.. What else? Keep going through the house. What else
18 did you find?

19 A. Okay. The next thing that we located which was kind
20 of right above it we located two pounds of iodized salts.

21 And located next to it was a cup. It was a cup, it was
22 clear, and there was a white substance inside of it but we
23 wasn't real sure what that substance was when we found it.

24 We did use our senses and the odor of it smelled like

25 Coleman fuel so we really thought that it was gonna be like

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-111-

1 a pill wash or a salt or even may be a lye. We were not
2 able to test that.

3 Q. I show you State's 2, State's 6. What are these
4 pictures of?

5 A. It's a picture of the salts and that's the picture of
6 the cup containing the white powdered substance.

7 Q. Okay.

8 SOLICITOR SCOTT: Your Honor, the State offers 2 and
9 6 for admission into evidence.

10 THE COURT: Any objection?

11 MS. MANIGAULT: Can you provide them by number?

12 SOLICITOR SCOTT: Which one?

13 MS. MANIGAULT: None, your Honor.

14 THE COURT: Admissible.

15 (WHEREUPON, STATE'S NO. 2 AND 6, IDENTIFIED AND
16 MARKED, RECEIVED INTO EVIDENCE.)

17 BY SOLICITOR SCOTT:

18 Q. All right, here's 2. So what, he's got salt in his
19 cabinet and I got salt in my cabinet. What's wrong with
20 that?

21 A. Yes, sir. The iodized salt is used for the ACL
22 generator: The ACL generator is what -- once you go
23 through the process of manufacturing the one pot method
24 it's before it's all separated. Well now you got to
25 separate the ephedrine from the Coleman fuel or whatever

ORIGINAL

1 salt that you've used and you accomplish this by
2 establishing an ACL generator. To establish that you have
3 iodized salt, and you have ammonium. Not ammonium, I'm
4 sorry. Sulphuric acid to it which generates a very toxic
5 gas. This gas is used to separate the -- actually
6 ephedrine -- methamphetamine from the salt that it's
7 collected in.

8 Q. This No. 6, this is State's No. 6 you talked about.

9 What is this again?

10 A. Yes, sir. That's a solution or a substance that we
11 found that was also inside of that cabinet. If you look in
12 the top when we located it that's the actual top to the
13 coffee grinder. Now it was found inside of that cup and it
14 was resting on top of a -- like I said, I wasn't able to a
15 hundred percent identify it but it's a white substance that
16 we believe was either (A) gonna be -- used salts, or
17 something of that nature maybe even possibly lye.

18 Q. And tell me using your sense of smell and your
19 experience what was the -- what did it smell like?

20 A. It smelled like Coleman fuel.

21 Q. And why is Coleman fuel relevant when you're looking
22 at one of these meth labs?

23 A. Well Coleman is used as a wash. Basically once they
24 get to a certain point like I said the Coleman fuel can be
25 used as a solvent which is going to extract the ephedrine

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-113-

1 from the pseudoephedrine pills through the chemical
2 reaction. Once it gets done they put all this in, they
3 smoke it off using the ACL generator and then they'll use
4 additional Coleman fuel to do what they call a wash. So
5 they'll take that substance and a coffee filter and put it
6 in a jar and they'll stick -- they'll run that Coleman fuel
7 through it and that's just to clean it. That's the terms
8 of the best I can describe it.

9 Q. How many meth labs have you investigated in your three
10 years at narcotics?

11 A. If -- Quite a few.

12 Q. Okay.

13 A. The exact number of it I'm not sure. Would I say
14 since just being in narcotics more than -- more than ten.

15 Q. Okay.

16 A. But less than fifty.

17 Q. Your whole career how many meth labs investigations
18 you been involved with?

19 A. That's getting in a larger number. I'd say more than
20 fifty less than a hundred.

21 Q. And there are certain things you see fairly
22 consistently when you're investigating these meth labs?

23 A. Yes, sir.

24 Q. And do you undergo training as far as law enforcement
25 training on the steps necessary in the processes involved

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT -114-

1 with manufacturing meth? I mean have you gone to training
2 where they actually conduct the --

3 A. Yes, sir. I am clandestine lab certified.

4 Q. I mean describe it. Did somebody show you how to go
5 from all these ingredients to the finish product of meth?

6 A. Yes, sir. Basically I went to a forty hour class a
7 week long that was put on by another individual from
8 Greenville. And basically they showed us from start to
9 finish how you manufacture methamphetamine and then they
10 showed us how you take it down once it's to a certain
11 point. A lot of times you'll collect it and it'll be in an
12 active state and you got to know how to take it apart
13 otherwise it could blow up and become hazardous to the
14 community.

15 Q. Have you ever been involved with a case where one of
16 these things caught on fire or blew up?

17 A. I have not been involved with the actual case. I
18 have seen the aftermath.

19 Q. I want to ask you this. Is there anyone ingredient
20 when you're manufacturing meth that's illegal?

21 A. No.

22 Q. Everything as far as before -- before it goes through
23 the process of manufacture is all legal stuff, right?

24 A. Correct.

25 Q. And you may very well have almost everything up under

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-115-

1 your kitchen sink or in your shed out behind the house?

2 A. Yes, sir.

3 Q. Except for maybe the Sudafed but everything else?

4 A. Yes, sir.

5 Q. Salt, Coleman fuel, peroxide.

6 A. Lithium batteries.

7 Q. Lithium batter strips?

8 A. Yes.

9 Q. Sulphuric acid did you say?

10 A. Yes, sir.

11 Q. Coffee filters?

12 A. Yes, sir.

13 Q. And the pseudoephedrine you get but you got to get it
14 from the pharmacist. What do you have to do before you
15 get the pseudoephedrine from the pharmacist?

16 A. You have to present an ID.

17 Q. It used to be you just went up and picked it off the
18 shelf but then at some point its become where you have to
19 get it from the pharmacist?

20 A. Correct. There was a large, large, large amount of
21 a one pot meth lab, not significant meth labs being made
22 and the government decided to put a stop to it and try to
23 assist law enforcement in determining who was buying and
24 when and how much could be purchased by one person.

25 Q. Okay. As part of your investigations do you

ORIGINAL

1 sometimes review those records of who's purchasing
2 pseudoephedrine and how much and when they're purchasing
3 it?

4 A. Yes, sir.

5 Q. What else did you find? Okay, we've just gotten to
6 where we found the salt and we found the Ruth's cup with
7 the top of the grinder and then Coleman fuel in it. What
8 else did you find?

9 A. All right. Moving to the sink area up underneath the
10 sink there's like a -- there's a compartment there that
11 went down into the floor. You could tell that it used to
12 be a cabinet area but it looked like it was floor over it
13 had been taken out. There were numerous bottles, plastic
14 bottles anywhere from between 2 liter bottles to Power Aid
15 32 ounce bottles located in this cabinet. Located just
16 behind it was a clear plastic tube. The clear plastic tube
17 had a flow valve on it that could shut off or open up the
18 actual flow of whatever was going through the tube. Well I
19 also located on the other side of that was a knot tied into
20 the plastic tube to further more prevent anything from
21 coming through the tube.

22 Q. I show you State's 10 and 11. What are those pictures
23 of?

24 A. One of 'em alleges the picture of the cabinet itself
25 where you can see the bottom removed and the bottles. And

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-117-

1 that's a better picture up close of the bottles we
2 recovered.

3 Q. 10 and 11 both demonstrate the bottles you just
4 described?

5 A. Yes, sir.

6 SOLICITOR SCOTT: The State offers 10 and 11 for
7 admission into evidence, your Honor.

8 THE COURT: Any objection?

9 MS. MANIGAULT: None, your Honor.

10 THE COURT: Their admitted.

11 (WHEREUPON, STATE'S EXHIBIT NO. 10 AND 11, IDENTIFIED
12 AND MARKED, RECEIVED INTO EVIDENCE.)

13 SOLICITOR SCOTT: State's No. 10 I'm publishing.

14 Q. And this is kind of a cabinet and you say what you
15 were talking about the bottles are on this lower portion?

16 A. Yes, sir.

17 Q. And that's 10. And then State's 11. Just a close up.
18 How many bottles did you say were in there?

19 A. I'm not -- I don't think I counted 'em, so, more than
20 ten.

21 Q. All empty?

22 A. Yes, sir.

23 Q. Now again, you may find a half empty bottle in my
24 car. You may find an empty one in the bed of my truck.

25 That's legal?

ORIGINAL

1 A. Correct.

2 Q. Okay. Why is that relevant when you're investigating
3 a methamphetamine manufacturing case?

4 A. Okay. Based upon the items that we were finding at
5 this point in time we had a pretty good understanding that
6 this was not a Nazi method or another method. This was
7 essentially gonna be a one pot meth lab just the way it was
8 being manufactured. These bottles are actually used as -
9 they will be used as a generator or they'll be used as a
10 one bottle by themselves. That's why they keep the
11 bottles.

12 Q. Do they put something in there and shake it up?

13 A. Correct. Correct. The one pot meth lab that's what
14 contains the ammonium nitrate. It contains the crushed
15 pills that the salt goes into, the lithium goes into; the
16 hydrogen peroxide or water goes into. That's when you
17 screw the top on and you would have to make this start to
18 react by shaking it. And you actually see the lithium has
19 fell bouncing around inside of the bottle. Now the reason
20 why the 32 ounce bottles of Gator Aid are in there is
21 because that Gator Aid bottle is actually thicker so it is
22 less apt to expand and it will sustain that pressure better
23 so the less chance of explosion.

24 Q. Tubing: How does that come into play? This is
25 State's No. 12. What's that?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-119-

1 A. Yes, sir, it is. That's the tubing when the flow
2 valve and the knot turned in on the other side. Tubing is
3 essentially used for an ACL generator which is where your 2
4 liter bottles, your other regular plastic bottles, that's
5 where they come into effect. When you mix sulphuric acid
6 and salts together you get a very dangerous gas that comes
7 out of it. So what they'll do is they'll screw the top on
8 tight and they'll drill a hole into the top. But then
9 they'll take a tube and glue it to the inside of that cap
10 that will not lead so therefore the gases that are produced
11 comes straight through that tube and then they'll turn that
12 tube over and put it back in so that salt that they use to
13 obtain the ephedrine out of on the one pot and that's what
14 they call - they call making it snow where a case may be
15 it's the separate of the ephedrine from the salt.

16 SOLICITOR SCOTT: Your Honor, the State offers State's
17 No. 12 for admission into evidence.

18 THE COURT: Any objection?

19 MS. MANIGAULT: None, your Honor.

20 THE COURT: It's admitted.

21 (WHEREUPON, STATE'S EXHIBIT NO. 12, IDENTIFIED AND
22 MARKED, RECEIVED INTO EVIDENCE.)

23 BY SOLICITOR SCOTT:

24 Q. All right. I show you State's No. 15.

25 What does that show?

ORIGINAL

1 A. Okay. This is what's been when outside of the camper.
2 There was another -- I'm gonna call it a truck bed camper -
3 it just sits into the bed of a truck. This one wasn't and
4 it was just sitting on the ground. But we went there and
5 this is actually a picture taken of the inside of the
6 camper. As soon as you stepped up and it looked like it to
7 be like a shelf or a work bench or something of that nature
8 that was not torn apart and you can see a glass jar
9 containing clear liquid substance inside.

10 Q. Did you observe - was anything familiar to you what
11 the liquid was?

12 A. Yes, sir. When I looked at it I had an idea. When
13 I smelled it I knew it was Coleman fuel.

14 Q. Okay. So this was not in the camper that Mr. Eaton
15 was in but it was in like a --

16 A. It was. It was like a truck bed camper. I'm not
17 sure what they call 'em.

18 Q. Okay. And how far was this truck bed camper from the
19 camper he was living in?

20 A. 25 yards maybe.

21 Q. So close by?

22 A. Yes, sir.

23 Q. Is this it, State's No. 13?

24 A. That is, yes, sir.

25 Q. Okay. What else did you find in that truck bed

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-121-

1 camper?

2 A. We also found another set of -- it's essentially
3 clear plastic tubing but it was attached to something
4 which you can see that the portions of it had already been
5 cut off and the other portions were still attached giving
6 the idea that this was where the tube was coming from for a
7 lot of these one pots and ACL generators.

8 Q. Did you find any more Coleman fuel or anything in
9 that --

10 A. We had a bunch of containers that you would purchase
11 it when you bought it from Walmart or ACE Hardware,
12 wherever you buy it from you buy it and it comes in that
13 green canister that you can screw in and use it as a camper
14 stove or whatever the case may be. That's what they come
15 in. But these were a ton of them where the top had been
16 altered so that they could pour it out so it's not used for
17 camping reasons. It was actually used to obtain the camp
18 fuel out of it.

19 Q. All right.

20 SOLICITOR SCOTT: Your Honor, the State offers 13,
21 14 and 15 for admission into evidence.

22 THE COURT: Any objection?

23 MS. MANIGAULT: None, your Honor.

24 SOLICITOR SCOTT: This is State's 13 I'm gonna publish,
25 your Honor.

ORIGINAL .

1 THE COURT: They're admitted.

2 (WHEREUPON, STATE'S EXHIBIT NO. 13, 14, AND 15
3 IDENTIFIED AND MARKED, RECEIVED INTO EVIDENCE.)

4 BY SOLICITOR SCOTT:

5 Q. 13. Okay, is this the truck bed camper?

6 A. Yes, sir.

7 Q. And it's got a door that actually opens and you can
8 go inside of it?

9 A. Yes, sir.

10 Q. If you have a pickup truck is this kind of one of
11 those campers you can put over your bed?

12 A. You just stick it in the bed and it sits on top of
13 the rails.

14 Q. And you said this was 25 yards give or take from the
15 camper ---

16 A. Give or take.

17 Q. --- he was in?

18 A.. Yes, sir.

19 Q. What is this down here?

20 A. That is actually the Coleman fuel, one of the Coleman
21 fuel containers that were numerous we found on the property
22 but that's laying there in plain view.

23 Q. All right, that was State's 13. Let me show you
24 State's 14. What is this, just kind of a --

25 A. Correct.. That's just another picture depicting it.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-123-

1 Q. Now what are you talking about? Now these things you
2 kind of screw 'em up into like a grill or a lantern or
3 something and it punctures the thing?

4 A. Correct.

5 Q. But you're saying they had the nozzle cut off it
6 looked like to you?

7 A. It was a nozzle they had cut off but you can tell
8 that it had been affected meaning that it wasn't used
9 screwed in. It looked like it had been like I guess I
10 would call punctured more or less so that the Coleman fuel
11 would pour out of it.

12 Q. State's No. 15. What is this?

13 A. That is the glass jar that is found just inside that
14 contains the salt in the camper.

15 Q. All right, the last two pictures. This is State's
16 18 and 19. What are these?

17 A. Both of them are -- both of these are coffee filters
18 located inside the actual camper.

19 Q. These were back in the camper that Eaton was in?

20 A. Correct.

21 Q. Where were those located?

22 A. This one was located in the far back bedroom to the
23 left that was supposedly belonging to Travis Jarnagin and
24 Ashley Brewington. This one I believe that's the one that
25 was removed from the first jar I think.

ORIGINAL

1 Q. The one we showed earlier?

2 A. Correct.

3 Q. That's just the --

4 A. That's just ---

5 Q. You took it out of the jar?

6 A. --- pouring it out. Yes, sir.

7 SOLICITOR SCOTT: Your Honor, the State offers 18 and
8 19 for admission into evidence.

9 THE COURT: Any objection?

10 MS. MANIGAULT: None, your Honor.

11 THE COURT: Their admitted.

12 (WHEREUPON, STATE'S EXHIBIT NO. 18 AND 19, IDENTIFIED
13 AND MARKED, RECEIVED INTO EVIDENCE.)

14 BY SOLICITOR SCOTT:

15 Q. All right. So 18, that was in a back bedroom. What
16 if anything did you observe on that coffee filter?

17 A. There was a white powder like substance consistent
18 with that that was found in the containers and the other
19 coffee filter.

20 Q. Then 19 you were just testifying that was the coffee
21 filter that came out of that jar.

22 A. Yes, sir.

23 Q. You talked about finding under the pillow in that
24 first bedroom?

25 A. Yes, sir.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-125-

1 Q. Okay. Did you collect all this stuff?

2 A. I did, yes, sir.

3 Q. You did?

4 A. I did, yes, sir.

5 Q. All right, this is State's No. 30. What is this?

6 A. That is the containers of iodized salt.

7 SOLICITOR SCOTT: Your Honor, the State offers 30 for
8 admission into evidence.)

9 THE COURT: Any objection?

10 MS. MANIGAULT: No objections, your Honor.

11 THE COURT: Its admitted.

12 (WHEREUPON, STATE'S EXHIBIT NO. 30, IDENTIFIED AND
13 MARKED, RECEIVED INTO EVIDENCE.)

14 BY SOLICITOR SCOTT:

15 Q. All right, and then you seized the peroxide you
16 testified to earlier?

17 A. I did, yes, sir.

18 Q. Not Veal or Washburn, you seized all this stuff
19 yourself?

20 A. Yes, sir, I collected all the evidence.

21 Q. And what is this, State's No. 29?

22 A. That is the bottle of hydrogen peroxide.

23 SOLICITOR SCOTT: The State offers 29 for admission,
24 your Honor.

25 MS. MANIGAULT: No objection.

ORIGINAL

1 THE COURT: Its admitted.

2 (WHEREUPON, STATE'S EXHIBIT NO. 29, IDENTIFIED AND
3 MARKED, RECEIVED INTO EVIDENCE.)

4 BY SOLICITOR SCOTT:

5 Q. And what about that jar that was under the pillow that
6 had the coffee filter, did you take that?

7 A. Yes, sir.

8 Q. What about the grinder that had the light kind of
9 powder with the reddish tint to it?

10 A. Yes, sir.

11 Q. Did you collect that?

12 A. Yes, sir.

13 Q. All right. What's this? This is State's No. 28.
14 What all's in here?

15 A. Okay. That is the coffee grinder. This is the cap
16 removed from the Ruth's cup and that's the jar that
17 contained the coffee filter that was found underneath the
18 pillow.

19 Q. That is State's No. 28.

20 SOLICITOR SCOTT: The State offers 28 for admission
21 into evidence, your Honor.

22 MS. MANIGAULT: No objections.

23 THE COURT: It's admitted.

24 (WHEREUPON, STATE'S EXHIBIT NO. 28, IDENTIFIED AND
25 MARKED, RECEIVED INTO EVIDENCE.)

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-127-

1 BY SOLICITOR SCOTT:

2 Q. All right, and those are some of the apparatus.

3 What about the tubing? Did you take that?

4 A. The tubing is actually considered trash. Nothing had
5 run through it at that point in time that we could tell so
6 we collected it and then disposed of it and photographed it
7 prior to.

8 Q. What about the Coleman fuel? Did you keep stuff like
9 that?

10 A. No, sir. We don't keep Coleman fuel when it's open
11 and it's not in a sealed container.

12 Q. All right. What about those empty bottles? Do you
13 keep those or just take pictures?

14 A. No, sir. We take pictures of that kind of evidence
15 and we dispose of it. We disposed of it such as trash.

16 Q. Okay. But you document it through pictures?

17 A. Absolutely, yes, sir.

18 Q. Let me show you State's No. 27. What is this?

19 A. This is a package of my Best kit that I sent to SLED.

20 Q. Okay. Go ahead while you're at it and tell the jury
21 what a Best kit is, why do we need 'em.

22 A. Okay. A Best kit that is a - when we collect
23 narcotics we put it in our own evidence pouch which are
24 these separate baggies such as the ones that are here on
25 the table. We'll place our evidence in those bags then we

ORIGINAL

1 have to fill out a form in order to send it to SLED for
2 analysis. SLED does all narcotics analysis and, you know,
3 determines whether it's an actual narcotic or if it was
4 just being presented as one. So we fill out the SLED Best
5 kit and we have another packing here that has a control
6 number which we use as a tracking number. All items go
7 inside of this where it is sealed and it is not opened
8 until it gets to SLED.

9 Q. Do you seal it?

10 A. I do, yes, sir.

11 Q. And do you put your mark on the outside of the bag?

12 A. Yes, sir. I have to sign it, date it the date that
13 I sealed it and that's the same date that we place it into
14 evidence.

15 Q. So you seized it on March 26 during this incident?

16 A. Yes, sir.

17 Q. And when you seal all this stuff, tell me where you
18 took it that day?

19 A. It goes into a evidence submission locker.

20 Q.. All right, tell 'em what a evidence locker is.

21 A.. Okay. Evidence admission locker is where we take
22 any evidence whether it's drugs or whether a gun, whatever
23 the evidence may be, we take it into a locked room that is
24 inside of our law enforcement agency where we have another
25 set of -- it's actual lockers and it is locked behind a

ORIGINAL

INVESTIGATOR CHARLES NATIONS: DIRECT BY SOLICITOR SCOTT

-129-

1 master lock key lock that only the evidence custodian has
2 access to.

3 Q. So once you put it into the evidence locker can you
4 say, hi, I want to get that back out, you can --

5 A. Not without getting with the evidence custodian.

6 Q. And so who were your evidence custodians at the time?

7 A. I believe at this time it was Butch and Jose Diaz,
8 Butch Kimbrell and Jose Diaz.

9 Q. Okay. So they would have been the two evidence
10 custodian's that would have been able to get to ---

11 A. Correct.

12 Q. --- that stuff you submitted?

13 SOLICITOR SCOTT: Beg the Court's indulgence.

14 (PAUSE.)

15 Q. Do you see Ronald Eaton? Is he here today?

16 A. I do, yes, sir.

17 Q. All right. Where is he?

18 A. He's sitting right over here in the purple pull over.

19 Q. He's the guy who was at the camper?

20 A. Yes, sir.

21 Q. You said its Laurens County?

22 A. Yes, sir.

23 SOLICITOR SCOTT: Answer any questions Ms. Manigault
24 has, please.

25 INVESTIGATOR NATIONS: Yes, sir.

ORIGINAL

1 THE COURT: Before you do that let's take an afternoon
2 break.

3 Ladies and gentlemen, we're gonna take a brief
4 afternoon break. I'm gonna remind you not to discuss this
5 matter among yourselves as you've certainly not heard all
6 the evidence that has to be presented in this matter.

7 Let's take a break and then we'll come back and
8 continue on in the trial of this matter.

9 (JURY EXITS COURTROOM ON RECESS AT 04:08 P.M.)

10 THE COURT: You may step down and I remind you that
11 you may not discuss your testimony with anyone. You've not
12 concluded your testimony so it would be inappropriate to
13 discuss it with anyone.

14 INVESTIGATOR NATIONS: Yes, your Honor.

15 THE COURT: Thank you. Do we have anything to take
16 up before we take a break?

17 SOLICITOR SCOTT: I'm sorry, your Honor, what did you
18 say?

19 THE COURT: Anything we need to take up before we
20 take a break?

21 SOLICITOR SCOTT: Nothing from the State.

22 MS. MANIGAULT: Nothing.

23 THE COURT: When Mr. Eaton returns he should have on
24 the leg irons. I just did that while the jury was in.

25 SOLICITOR SCOTT: Yes, your Honor. Thank you.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-131-

1 THE COURT: Let's take a break and we'll come back.

2 (COURT IN RECESS AT 04:09 P.M.)

3 (COURT BACK IN SESSION AT 04:23 P.M.)

4 THE COURT: Be seated and thank you.

5 (DEFENDANT JEFFREY EATON, WHITE MALE, REENTERS

6 COURTROOM.)

7 THE COURT: Is there anything we need to take up
8 before we bring the jury in?

9 SOLICITOR SCOTT: Nothing from the State, your Honor.

10 MS. MANIGAULT: Nothing, your Honor.

11 THE COURT: You may ask the jury to come in please.

12 (JURY REENTERS COURTROOM AT 04:26 P.M.)

13 THE COURT: Ms. Manigault, you may proceed.

14 MS. MANIGAULT: Thank you, your Honor.

15 CROSS-EXAMINATION

16 INVESTIGATOR CHARLES NATIONS BY MS. MANIGAULT:

17 Q. Investigator Nations, could you tell me what was found
18 in the bedroom where you said two other occupants were in
19 that house?

20 A. Yes, ma'am. It was two coffee filters located in a
21 drawer and a marijuana grinder that contained a small
22 amount of marijuana.

23 Q. And that's it?

24 A. To best of my recollection.

25 Q. And on State's Exhibit No. 18 it shows that it looks

ORIGINAL

1 like a trash can with coffee filters in it. Where was that
2 found?

3 A. No, ma'am. That's not a trash can. That is the
4 actual drawer itself ---

5 Q. Okay.

6 A. --- that was found in the left side bedroom.

7 Q. And that's the bedroom of --

8 A. The bedroom of what we were told is Travis Jarnagin
9 and Ashley Brewington.

10 Q. Okay. And State's Exhibit No. 16 has a blue looking
11 item. What is that?

12 A. Correct. That is the blue container with a white
13 powder like substance that was removed from Mr. Eaton and
14 Ms. Marler's bedroom out of a pocket book.

15 Q. Okay. This was found in a purse?

16 A. Correct. In the right side bedroom, correct.

17 Q. Okay. And did you ascertain who's purse this was?

18 A. I don't think I ask anybody. I think we kind of took
19 it as a full-blown conclusion that it would be Ms.
20 Marler's..

21 Q. You assumed that it was Amanda Marler's?

22 A. Correct.

23 Q. On State's Exhibit No. 12 that shows some tubing;
24 is that correct?

25 A. That is correct.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-133-

1 Q. And did you testify that that tubing was thrown out
2 as trash because you could not detect using it?

3 A. We threw it away as trash because we couldn't see
4 anything. Inside the tubing was still there that would be
5 tested so therefore we collected it and threw it away as
6 trash.

7 Q. So the tubing is thrown away as trash in State's
8 Exhibit No. 12?

9 A. Correct.

10 Q. And in State's Exhibit No. 5 this is a white container
11 with a bag near it; is that correct?

12 A. That is the coffee grinder.

13 Q. It's a coffee grinder?

14 A.. Yes, ma'am.

15 Q. And what does this bag that says great value pure
16 next to it?

17 A. It's a -- I'm assuming there's sugar in it.

18 Q. Sugar?

19 A. I assume. I'm assuming.

20 Q. Okay. So you don't recall if it was a sugar bag or
21 not?

22 A. It states pure and I think under that I can assume
23 that it would say sugar because that's what they look like.

24 Q. It looks like an S down there?

25 A. Yeah, correct.

ORIGINAL

1 Q. On State's Exhibit No. 14 this shows a canister with
2 what looks like a black box. I don't know what that is.

3 A. It's actually a canister and there is a battery right
4 there beside it.

5 Q. It's a battery in it?

6 A. Well beside it. That's a car battery, an automotive
7 battery.

8 Q. Automotive? Okay. And this can with the green label
9 on it, what is that?

10 A. That is a cannister of Coleman fuel, an empty
11 cannister.

12 Q. Okay. And does that cannister show whether it was
13 liquid fuel or gas or what?

14 A. That is a liquid fuel.

15 Q. And where would you purchase type of container?

16 A. From any hardware store to include Walmart, ACE
17 Hardware, et cetera.

18 Q. Does Walmart sell a cannister that looks like this
19 that is gas?

20 A. Now that much I can't tell you. I know it's propane
21 Coleman's fuel that upon pressure it does turn into a gas
22 mist. That's how you get it and you screw it onto the
23 stove for it to emit.

24 Q. So what's the pressure that you have to get it to
25 emit?

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-135-

1 A. That I can't tell you. I don't know.

2 Q. Okay. So Coleman propane can be turned into a mist
3 or a liquid is what you're testifying to?

4 A. I would assume that it can be turned into a gas.

5 Q. A gas?

6 A. But it contains liquid.

7 Q. Okay. You just lost me but I'll leave that.

8 A. If you don't mind me expanding.

9 Q. Go ahead.

10 A. Those containers are just like the containers that
11 you buy to put onto your grill. When you go to the L&L
12 Office supply or whomever whether you swap it out or
13 whether you have it refilled they have a large propane tank
14 there. Inside of that tank it is not a gas, it is not a
15 gas inside that tank. It is still a liquid. That's why
16 when you slosh it around you can hear something moving
17 around inside of it. It's still a liquid.

18 Q. Okay. So there was no way of you testing this can
19 that was in State's Exhibit No. 14 to see whether there
20 was a liquid ever inside of it?

21 A. No because I can't force it open.

22 Q. Okay. Gotcha. All right, in State's Exhibit No. 11,
23 I think this is -- tell me what that is.

24 A. That is plastic bottles.

25 Q. And did you have these plastic bottles tested for any

ORIGINAL

1 reason for any substance or anything like that?

2 A. No, they were all cleaned out.

3 Q. They were? So you didn't have --

4 A. They appeared not to have been used in this part.

5 Q. Okay. So you did not have them tested because they
6 appeared not to have been used, correct?

7 A. Correct.

8 Q. And State's Exhibit No. 10, at the bottom those are
9 the same ---

10 A. Same bottles.

11 Q. --- same bottles? All right, State's Exhibit No. 8.
12 That shows a battery?

13 A. Not a battery.

14 Q. Okay.

15 A. That is a hideaway.

16 Q. Okay. It cannot be used for any purposes that ---

17 A. It is not -

18 Q. --- an ordinary battery could be used for?

19 A. It is not a battery.

20 Q. Now State's Exhibit No. 21. I believe this is the one
21 you testified was a bed and a pillow and a jar.

22 A. Yes, ma'am.

23 Q. Okay. And what did you testify that you believed
24 was found in that jar?

25 A. There is a coffee filter in that jar that contained

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-137-

1 a powder like substance, white, all white powder like
2 substance inside of the coffee filter.

3 Q. Okay. In State's Exhibit No. 7 I believe you referred
4 to this as a koozie?

5 A. It is. The metal koozie's like the Yeti koozie's
6 you're probably familiar with, put a 12 ounce drink in.

7 Q. Oh, okay.

8 A. Drink can in, yes, ma'am.

9 Q. And inside this you said this is aluminum foil in a
10 jar or whatever?

11 A. Correct. That is the clear container with a white
12 lid and the portion of aluminum foil.

13 Q. Okay. Are you a chemist?

14 A.. I am not.

15 Q. You ever had any kind of lab training or anything
16 like that with chemicals or anything?

17 A. Well I did go through a Clandestine lab training which
18 basically it picks how to -- it shows us how to manufacture
19 methamphetamine. We've learned how to do it a couple of
20 different ways.

21 Q. Okay.

22 A. And then also it shows you how to neutralize the
23 one-pot meth lab and break down the different types of labs
24 to make 'em safe before anybody else gets hurt.

25 Q. All right. And State's Exhibit No. 6. You said this

ORIGINAL

1 is a Ruth's plastic container.

2 A. That's what written on the side of it Ruth's.

3 Q. Right. And what did you testify that this substance
4 inside the container is?

5 A. Once again, I'm not a hundred percent sure what that
6 substance is.

7 Q. All right. Thank you.

8 A. We based it off the totality of the circum - -

9 Q. I don't - you answered the question.

10 SOLICITOR SCOTT: Your Honor, I think he's entitled to
11 explain his answer. He's being cut off from explaining an
12 answer to a question.

13 MS. MANIGAULT: Your Honor, he's - -

14 THE COURT: He can explain it but it needs to be
15 responsive to a question.

16 BY MS. MANIGAULT:

17 Q. And these items that are State's Exhibit No. 30 and
18 28 and 29 that have been entered, you took custody of
19 them on March 26?

20 A. Correct, from the camper. I believe that's correct.

21 Q.. And you maintained the custody within your P and E.
22 Room, Property and Evidence Room?

23 A. Once it goes into the secured property room I do not
24 maintain custody of it. That is what Deputy Kimbrell and
25 Deputy Diaz - that's what they do.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-139-

1 Q. Who checked them out before today?

2 A. I'm assuming Deputy Diaz or Deputy Kimbrell.

3 Q. Okay. Now, you gave some testimony about what is
4 needed or what is used according to your training to
5 manufacture meth.

6 A. Correct.

7 Q. Okay. Could you give me the substances that's used
8 to manufacture meth?

9 A. To the best of my knowledge your pseudoephedrine,
10 ammonium nitrate, a type of solvent depending on whether
11 you want it to be Coleman fuel, lighter fluid. There's
12 numerous types of solvents. Lithium strips. And then they
13 can use water, hydrogen peroxide to initiate the violent
14 reaction. Then a type of sulphuric acid and you can also
15 use muriatic acid as well as salts, sodium hydroxide.

16 You were asking me for the chemicals used, correct?

17 Q. Yes.

18 A. Okay:

19 Q. Yes, what is needed to make meth. All right. When
20 you searched this residence did you find ammonium nitrate?

21 A. No ammonium nitrate was located.

22 Q. And did you find any Pseudoephedrine?

23 A. No pseudoephedrine was actually located inside the
24 residence that we can attest to. We believe that inside
25 the coffee grinder there that is going to be

ORIGINAL

1 pseudoephedrine as well as a pill binder. That's why it's
2 a white powder with a pink like residue to it, red colored.

3 Q. Okay. And did you find any lithium strips?

4 A. No lithium strips whatever would be obtained on this
5 date. We later found out why.

6 Q. Did you find any sulphuric acid or whatever the other
7 acid you described?

8 A. We did not find sulphuric acid. It was muriatic acid
9 based on the investigation as it continued forward we later
10 determined that the sulphuric and the muriatic acid all
11 they was using was drain cleaner so it's the sulphuric
12 side. He was using that and throwing the canisters into
13 the buildings. The dilapidated buildings that is not safe
14 for anybody to go inside of it. He was actually throwing
15 them into there. And that's why they were not located at
16 the time of the search. We could not access the buildings
17 in a safe manner.

18 Q. All right. So you found sulphuric acid or the other
19 type of acid you described where you ---

20 A. Correct.

21 Q. --- make the arrest or the building that you said
22 the stuff was thrown into?

23 A. The one we could not enter we could not search.

24 Q. All right. And you said something about sodium
25 hydroxide. Is that a separate --

ORIGINAL

INVESTIGATOR CHARLES NATIONS: CROSS BY MS. MANIGAULT

-141-

1 A. I may have mis-spoke. Essentially it's salt.

2 Q. Okay.

3 A. That's what it is.

4 Q. Okay. And when you were there was that trailer
5 equipped with running water?

6 A. It had a hose pipe coming up from -- I think it was
7 a road area but I didn't follow it through. One of the
8 other deputies that arrived on scene later did but I'm not
9 sure where it went.

10 Q. And did Amanda Marler tell you those bottles were
11 used to catch water so they could drink and wash dishes?

12 A. In her initial statement that is correct.

13 Q. All right. In the State's Exhibit where the pillow
14 and bed is, here it is. State's Exhibit No. 21, did you
15 determine that that was the area that Ronald Eaton and
16 Amanda Marler slept in?

17 A. As advised by the two suspects yes.

18 Q. And that's where you found the bottle under the -

19 A. It was right there underneath the pillow.

20 Q. And who according -- excuse me - according to the
21 information that you were given on March 26, who else
22 resided in that camper besides Ronald Eaton and Amanda
23 Marler?

24 A. I got you. Once we got there that's when we was
25 advised by Mr. Eaton that Travis Jarnagin and a I believe

ORIGINAL

1 it's Ashley Brewington were also staying in the residence
2 to the left hand side of the far left bedroom.

3 Q. Okay.

4 A. It was Ashley Brewington.

5 Q. All right. Did not Amanda Marler tell you the same
6 thing that those --

7 SOLICITOR SCOTT: Objection to hearsay. She ask what
8 Amanda Marler said.

9 THE COURT: Rephrase the question.

10 By MS. MANIGAULT:

11 Q. Were you advised by Amanda Marler of who else lived
12 there?

13 SOLICITOR SCOTT: Objection to hearsay, your Honor.

14 BY MS. MANIGAULT:

15 Q. Did you ever talk to Ashley Brewington?

16 A. I did. They arrived on scene later.

17 Q. Did you ascertain that Ashley Brewington lived there?

18 A. I ask her if she did live in the residence. She
19 advised that they had only been staying there a couple of
20 days.

21 Q. So the answer was yes they advised you that they were
22 living there?

23 A. That they had been staying there.

24 Q. Thank you.

25 MS. MANIGAULT: No further questions, your Honor.

ORIGINAL

INVESTIGATOR CHARLES NATIONS: REDIRECT BY SOLICITOR SCOTT

-143-

1 THE COURT: Any redirect?

2 REDIRECT EXAMINATION

3 INVESTIGATOR CHARLES NATIONS BY SOLICITOR SCOTT:

4 Q. What happens to lithium battery stripes when they
5 react with water in the process of manufacturing meth?6 A. So lithium battery strips when they're actually going
7 through the chemical process the acid actually burns up all
8 the actual lithium inside of it. You wind up with these
9 very small white pieces that can very easily be disposed of
10 whether it be through a burn pile; you can bury them,
11 numerous different ways, but the lithium itself once it's
12 tore apart and put in there it becomes no good. The
13 chemical reaction stripes it's of it's chemical abilities
14 more or less.15 Q. And what happens to the ammonium nitrate during the
16 production of methamphetamine?17 A. The ammonium nitrate is actually used to break down.
18 It involves one large chemical reaction. Ammonium nitrate
19 is one of the four used to separate the chemicals that
20 causes a reaction to produce oxygen from the water or
21 hydrogen peroxide. And that in and of itself is what
22 causes the lithium to get extremely hot and do what they
23 call a roll. Basically it explodes. And by the exploding
24 of it it separates the actual crushed pills that they put
25 into it. It separates the pseudo portion from the

ORIGINAL

1 ephedrine portion and the ephedrine portion is what you
2 need to manufacture methamphetamine that which will cook
3 off later on in the ACL generator.

4 Q. Is the ammonium nitrate left behind after the
5 production of meth?

6 A. No. It is poured over as being a waste. They
7 separate it and they'll dispose of that on their own.

8 Q. That's all. Answer any recross that Ms. Manigault
9 has.

10 THE COURT: Anything further?

11 MS. MANIGAULT: Nothing, your Honor.

12 THE COURT: You may step down.

13 (WITNESS LEAVES WITNESS STAND.)

14 THE COURT: Ladies and gentlemen, this is a good time
15 to break for the day. I'm going to remind you the
16 instructions I've given to you, that is not to begin to
17 discuss this matter among yourselves since you've still not
18 heard all the evidence that has to be presented.

19 Please remember as you come and go from the courthouse
20 not to listen to the conversations that you may over hear,
21 given the reasons that you have to make the decisions based
22 upon the evidence that's presented here in this courtroom
23 and not based upon conversations that you may over hear as
24 you come and go.

25 Also, ladies and gentlemen, I remind you again not to

ORIGINAL

1 discuss it among yourselves, not to allow anyone to
2 approach you to discuss this matter with you. If someone
3 attempts to talk to you about this matter, please tell them
4 that you are a juror and you cannot discuss it and I ask
5 that you report this as soon as possible.

6 Additionally, ladies and gentlemen, over night I know
7 that your family and friends will want to know what you're
8 doing on jury duty this week. Please tell them -- you can
9 tell them that certainly you are involved in a trial and
10 you can tell them what the charges are if you like but I
11 ask that you not discuss what you've heard, seen, so far in
12 this particular matter.

13 Even though they are not complete strangers as you
14 have conversations with them they may make comments to you;
15 they may ask you questions, all of that has the ability to
16 influence how you think about the evidence that you've
17 heard thus far. So while they're not complete strangers
18 please tell them that I've ask you not to discuss it with
19 them. When this trial is concluded you will be free at
20 that time to discuss it as you see fit. But please tell
21 them that I've ask you not to discuss it until this trial
22 is over and you have rendered your verdict in this matter.

23 Additionally, ladies and gentlemen, to the extent that
24 you may have access to any information or you've heard
25 things that have peaked your ears or curiosity, I ask that

ORIGINAL

1 you not engage in any independent research or
2 investigation. That's not evidence that you can consider
3 in this case and you should not engage in any of that
4 conduct. That is do not go and do research on the
5 internet. Please don't call family, friends, or other
6 individuals who may have information. Don't do any
7 research in books or other sources that you may have access
8 to.

9 Again, that's not evidence in this case and it cannot
10 be considered by you in rendering your verdict in this
11 matter so I ask that you not engage in that conduct.

12 Ladies and gentlemen, I'm going to ask that you report
13 back tomorrow morning at 9:30 to the same jury room where
14 you reported today after we began this trial. When you
15 have all of you here at that particular time we will be
16 ready to continue on with the trial in this case. I hope
17 you have a very pleasant evening and I'll see you tomorrow
18 morning at 9:30. Thank you.

19 (JURY EXITS COURTROOM ON EVENING RECESS AT 04:47 P.M.)

20 THE COURT: Is there anything we need to take up this
21 evening before we depart?

22 SOLICITOR SCOTT: Nothing from the State, your Honor.

23 MS. MANIGAULT: Nothing, your Honor.

24 THE COURT: Your witnesses tomorrow morning, your
25 first witness will be?

ORIGINAL

1 SOLICITOR SCOTT: Washburn and Veal the first two and
2 then evidence custodians. Marler will be in there at some
3 point.

4 THE COURT: All right.

5 SOLICITOR SCOTT: Chemist essentially. Mat will take
6 a little bit of time, Veal, and then obviously Marler aside
7 from those two there are two chain witnesses, evidence
8 custodians, the chemist, so I look to finish probably early
9 afternoon.

10 THE COURT: Please make sure that all of the exhibits
11 are here, picked up any, make sure that they are in the
12 appropriately on the table and I'm sure the court reporter
13 will go over those and make sure that they're all here.

14 Is there anything else we need to take up before we
15 break for the evening?

16 SOLICITOR SCOTT: No, your Honor.

17 THE COURT: To the extent that you may have any
18 request to charge I ask if you will provide me with copies
19 tomorrow morning when you come and then so I'll be able to
20 have a chance to be able to review some of those.

21 And I can't think of anything else at this particular
22 point. We'll see you all tomorrow morning. Let's start
23 about 9:15 just to see if there are any preliminary matters
24 we need to take up and hopefully the jury will be here and
25 we can get promptly started. Have a good evening and we'll

1 see you tomorrow morning.

2 MS. MANIGAULT: Thank you.

3 (COURT IN EVENING RECESS AT 04:50 P.M.)

4 (LAURENS GENERAL SESSIONS COURT BACK IN SESSION

5 TUESDAY, MAY 21, 2019 AT 09:26 A.M.)

6 THE COURT: Good morning everyone. Thank you.

7 Be seated. Is there anything we need to take up
8 before we get started this morning?

9 SOLICITOR SCOTT: Not from the State, your Honor.

10 MS. MANIGAULT: For the Defense, your Honor, I'm
11 asking the Court to make a clarification or state on the
12 record that the State withdrew their motion to amend the
13 indictment. We discussed it back in chambers but we never
14 put it on the record.

15 THE COURT: Yes, ma'am. And I'll let Mr. Scott
16 specifically clarify. That was discussed in chambers and
17 Mr. Scott had indicated that he would withdraw the
18 amendment to the indictment. So anything else?

19 SOLICITOR SCOTT: Yes, your Honor, the indictment does
20 allege to be specifically the crime of manufacture but also
21 the crime of possession took place on or about the date of
22 March 26, 2018. After some discussion in chambers the
23 State considered amending the indictment to include a
24 broader of range; however, studying the case law we have -
25 we are comfortable with the way the indictment reads on or

ORIGINAL

1 about March 26, 2018, and have withdraw the consideration
2 to amend the indictment.

3 THE COURT: Anything further, Ms. Manigault?

4 MS. MANIGAULT: The second point with that, your
5 Honor, the Defense is asking the Court to make a ruling on
6 what the wording on or about March 26 means; what time
7 period will the court allow testimony whether it be days or
8 hours. If the court would make a ruling on the term on or
9 about.

10 THE COURT: I don't think that's ever been defined by
11 case law, so its common sense, on or about.

12 MS. MANIGAULT: And I believe the Court may have
13 indicated in chambers that a seven day time period may not
14 be appropriate for an on or about statement in the
15 indictment.

16 THE COURT: I don't recall specifically saying that
17 but certainly I think probably not. But again, the
18 question is whether or not the date is really pursuant to
19 the case law that we discussed yesterday whether the
20 indictment really is a date specific type of indictment.

21 MS. MANIGAULT: All right. And the next thing, your
22 Honor, is during the suppression hearing I made objections
23 to a hearsay testimony and I failed to renew that objection
24 before the jury. And so I am making - putting that
25 objection on the record and particularly to the testimony

1 that the defendant is on probation. That indicates or
2 infers that there is a conviction of a crime. That should
3 not be permitted unless the Defendant decides to testify
4 during the trial so it brings up a conviction on record and
5 the Defense is saying that it shifts the burden for the
6 Defendant having to prove himself innocent regarding this
7 charge. So we do not believe that any mention of the
8 defendant's on probation should be allowed further in
9 testimony.

10 THE COURT: Any response by the State?

11 SOLICITOR SCOTT: Yes, your Honor. It's not being
12 used to prove any kind of guilt on his behalf as far as the
13 incident on March 26. It has already been testified to by
14 Officer Nations without objection. It would be used as a
15 res gestae type piece of evidence. In other words Agent
16 Washburn's testimony makes absolutely no sense without the
17 jury knowing what his involvement is.

18 In other words without the explanation that he's on
19 probation and he has agreed to have home check in's through
20 probation as a contract without that information they're
21 gonna ask themselves well why in the world is this officer
22 going to his house to check his residency and whether or
23 not he moved residences. It makes no sense.

24 But it does make sense if they - I'm just saying that
25 he has signed a contract with his agent to provide updated

ORIGINAL

-151-

1 residency. We have already got the suppression hearing
2 however I do have to prove a legal search before the jury
3 as well, so that is part and parcel with explaining why
4 Agent Washburn decides to go to the home along with two
5 deputies.

6 THE COURT: Any response?

7 MS. MANIGAULT: Your Honor, he is correct, I did not
8 object to the testimony of Investigator Nations which I
9 should have at the point and that's when I should have
10 renewed my motion at that point so that was a failure on my
11 part. But I am making that motion now.

12 THE COURT: I think it was mentioned I believe also in
13 opening statements. It was mentioned yesterday ---

14 MS. MANIGAULT: Yes.

15 THE COURT: --- throughout the course of some of the
16 testimony. I have no problem including it in my
17 instructions to the jury that the fact that he may be on
18 probation is not to be considered as to his guilt or
19 innocence on this particular charge.

20 I would agree that I don't think it should be
21 emphasized any further but I think it does explain to the
22 jury exactly how a probation officer comes to be in contact
23 and have the ability to be able to come to the house and
24 ask for a search. So I think it should be limited in
25 nature, it should not be emphasized. But I don't have any

ORIGINAL

1 problems including that in part of the charge and explain
2 to them and the fact that he is on probation has no
3 relevance as it relates to his guilt or innocence as to the
4 charges he's facing at this particular time.

5 MS. MANIGAULT: Thank you, your Honor.

6 SOLICITOR SCOTT: Just on that note, your Honor, we
7 have instructed Agent Washburn not to refer to what he's on
8 probation for, so we're not gonna - again, its just to
9 clarify why a agent showed up to his home.

10 THE COURT: Is there anything else we need to take up?

11 MS. MANIGAULT: Nothing.

12 THE COURT: I think we're waiting on a couple of
13 jurors.

14 THE BAILIFF: They're all here, your Honor.

15 THE COURT: Are they here? Is everyone ready to
16 proceed?

17 SOLICITOR SCOTT: Yes, your Honor.

18 THE COURT: You ready to proceed, Ms. Manigault?

19 MS. MANIGAULT: Yes, ma'am.

20 THE COURT: Please ask the jury to come in.

21 (JURY REENTERS COURTROOM AT 09:38 A.M.)

22 THE COURT: Good morning, ladies and gentlemen.

23 At this time we're ready to continue on with the
24 trial in this matter.

25 You may call your first witness.

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-153-

1 SOLICITOR SCOTT: Your Honor, the State calls Agent
2 Steven Washburn.

3 (WHEREUPON, STEVEN WASHBURN,
4 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

5 THE COURT: State your full name please.

6 AGENT WASHBURN: Agent Steven Washburn.

7 DIRECT EXAMINATION

8 AGENT STEVEN WASHBURN BY SOLICITOR SCOTT:

9 Q. Agent Washburn, you are a probation agent; is tha
10 correct?

11 A. Yes, sir.

12 Q. And March of last year you were a full time employee
13 in Laurens County; is that right?

14 A. That is correct.

15 Q. Recently you have moved up to Greenville Probation
16 Office?

17 A. Yes, sir. I am currently a Greenville County
18 Probation officer.

19 Q. But you still handle a few cases here in Laurens?

20 A. Yes, sir. I am still assisting in Laurens until they
21 are fully staffed.

22 Q. March 26 or early March of 2018, last year, did you
23 have somebody by the name of Ronald Eaton that you were
24 supervising?

25 A. Yes, sir. I had been supervising Mr. Eaton for about

ORIGINAL

1 two years at that point.

2 Q. Okay. Anytime you have a client, who's on probation
3 you are supervising, let's say I'm on probation, and I live
4 at a certain address, am I required to give you the address
5 where I'm living?

6 A. Yes, sir. I can go ahead and read that condition
7 if you would like. They are required to notify us of their
8 address as well as immediately any residential change.

9 Q. You talking about a conditions form. Is that
10 something that you give somebody when they sign up for
11 probation?

12 A. Yes, sir. There is a state standard condition form
13 that everybody who is placed under probation signs when
14 they go through court.

15 Q. Well go ahead and read that particular provision you
16 were just discussing.

17 A. The condition for that will be Condition 2 of the
18 Standard Conditions of Probation and it reads, "I shall
19 not change my residence or employment without the consent
20 of my agent. Further I shall allow my agent to visit me in
21 my home and my place of employment or elsewhere at any
22 time."

23 Q. Okay. So it's a contract not signed with you when
24 I get put on probation that I'm gonna let you know where
25 I'm living at all times and I'm gonna let you know if I

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-155-

1 move. Furthermore if you have reason to come over I'm
2 gonna let you come in my house and look around.

3 A. Yes, sir.

4 Q. And what -- early March 2018 to your knowledge where
5 was Ronald Eaton living? Where did he tell you he was
6 gonna be residing?

7 A. He had reported to us that he was residing at Bob Cat
8 Drive here in Laurens.

9 Q. And at some point did you become aware that he was
10 maybe not there at Bob Cat Road?

11 A. Yes. Investigator Nations had come to me and reported
12 that he might of intentionally have moved ---

13 Q. Okay.

14 A. --- to a unknown location on Boyd Road.

15 Q. And then March 26 was that the date you decided to
16 confirm whether or not he was living at the Boyd Road
17 address?

18 A. I had tried it before actually that date to try and
19 confirm he had moved but I had been unable to get in touch
20 with what I thought was the camper he was residing at at
21 Bob Cat.

22 Q. So let me repeat my question. March 26, was that the
23 date you decided to confirm whether or not he was on Boyd
24 Road?

25 A. Yes, sir. Investigator Nations had come to me with

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-156-

1 a tip they had received that had detailed --

2 MS. MANIGAULT: Your Honor, I'm gonna object to
3 anything Investigator Nations told him.

4 THE COURT: I sustain the objection.

5 BY SOLICITOR SCOTT:

6 Q. All right. So, you spoke with Investigator Nations?

7 A. Yes, sir.

8 Q. Did you speak with Mat Veal, Sergeant over there?

9 A. Not at that first point in time no.

10 Q. After speaking with Investigator Nations, did you
11 formulate a plan to visit an address on Boyd Road?

12 A. Yes, sir.

13 Q. And did you go by yourself?

14 A. No, sir. It was decided Investigator Nations due
15 to we were very short staffed in the office that day he
16 would go back to the sheriff's office and grab a couple of
17 deputies to assist us and I would meet him over there. I
18 needed to change into field gear first.

19 Q. Is it uncommon for a probation agent to ask for
20 deputies to assist him with a home search?

21 A. Not at all especially if you get into a smaller
22 county like ours or McCormick's it's very and in certain
23 cases necessary ---

24 Q. Okay.

25 A. --- to have a good working relationship.

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-157-

1 Q. You ask the deputies to assist you with this home
2 visit?

3 A. Yes, sir.

4 Q. Walk the jury through when you show up to Eaton's
5 camper.

6 A.. When we first approached you had to go up kind of a
7 long kind of dirt drive that kind of snaked up into the
8 woods. As we approached it there was a broken down trailer
9 that we noticed. As we rounded around the trailer behind
10 it was a tan whitish camper.

11 Q. This is State's No. 25. Do you recognize that?

12 A. I do.

13 Q. Is that the camper?

14 A. Yes, sir.

15 Q. And could you see that camper from Boyd Road? I mean
16 you describe a dirt road that you got to wind around a
17 broken down trailer to get to but could you actually see
18 that from the road?

19 A. No, sir, it could not be seen from the road.

20 Q. It's kind of tucked in behind the burned out trailer
21 is it not?

22 A. Yes, sir. It was tucked behind the trailer.

23 Q. And this picture was taken last week but substantially
24 is that how it appeared last year when you went there?

25 A. Yes, sir, that is substantially more or less how it

ORIGINAL

1 appeared.

2 Q. And then this trailer here, the camper's tucked in
3 behind the trailer. This trailer appears to been burned
4 or something. Was it burned out?

5 A. It was non-residable. I don't remember if it was
6 burned out but I do remember it was dilapidated. No one
7 could have been residing in that trailer.

8 Q. And is Boyd Road on the other side of that trailer
9 down fifty yards or so ---

10 A. Yes, sir.

11 Q. --- down hill? And so the camper is kind of tucked
12 in behind that burned out trailer?

13 A. Yes, sir.

14 Q. All right. So as you approach tell us what you
15 observed.

16 A. There was a dog that appeared to be un-friendly that
17 was near the front door so I approached a window that was
18 there on the front of the camper and knocked on it.

19 Q. Are you talking about that window on the far right
20 of the camper?

21 A. Yes, sir.

22 Q. What happened when you knocked on that window?

23 A. A female later identified as Amanda Marler peered
24 out. We announced our presence. When she did not
25 initially come to the door she was instructed by Mat Veal,

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-159-

1 Investigator Veal to come to the door and open up we knew
2 they were in there. After a couple of minutes the door was
3 opened by Mr. Eaton.

4 Q. Then what happened?

5 A. I approached Mr. Eaton ask him why he had not informed
6 me of his change in address. He informed me that he had
7 planned on discussing it with me on his next report. I
8 told him that he has to inform me of this immediately, he
9 could not wait until his next report. I then further
10 informed him that I had been getting some complaints - -

11 MS. MANIGAULT: Your Honor, I'm gonna object to
12 anything, any complaints he's gotten.

13 THE COURT: Sustained.

14 BY SOLICITOR SCOTT:

15 Q. Did you search the house at some point?

16 A. Yes, sir. I did ascertain permission from him to
17 enter into the residence to perform a search of his room
18 and a common area.

19 Q. And did he agree to let you in?

20 A. Yes, sir.

21 Q. Tell us what happened once you entered the camper.

22 A. I went to the -- as you entered in to the immediate
23 right was a door to his bedroom and right next to that was
24 a TV stand with a TV on it. I went to where the TV stand
25 was and began searching in that area where inside of a

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-160-

1 metal Koozie I found a small container with a white top
2 that contained a white powdery substance in it. I
3 immediately notified Investigator Nations and showed him
4 the article. At that time he detained Amanda Marler and
5 Ronald Eaton.

6 Q. Look here Washburn. Is that what you're talking
7 about? That's State's No. 20.

8 A. Yes, sir.

9 Q. And you say that was in a metal Koozie?

10 A. Yes, sir.

11 Q. Was -- any reason that just kind of stuck out
12 to you? Did it appear to be - did you have any reason to
13 show that to Investigator Veal, Sergeant Veal?

14 A. It stuck out to me as all given that we were there in
15 reference to drugs.

16 Q. So what did -- I mean it was a white powdery substance
17 in there?

18 MS. MANIGAULT: Your Honor, I'm objecting to that
19 statement that he just made, why they were there in
20 reference to whatever.

21 SOLICITOR SCOTT: I think he can explain, your Honor,
22 why this thing was relevant to him. It's a jar - -

23 THE COURT: I understand the objection. I think it
24 needs to be rephrased. But the statement that was made was
25 inappropriate and I sustain that objection.

ORIGINAL

AGENT WASHBURN: DIRECT BY SOLICITOR SCOTT

-161-

1 BY SOLICITOR SCOTT:

2 Q. This is State's No. 4. Is this the jar that you
3 obtained from the Koozie?

4 A. Yes, sir.

5 Q. Why was that particularly relevant when you pick it
6 up and look at it?

7 A. When I looked at it just - it appeared unnatural
8 to me and I was looking for Investigator Nations to get the
9 second opinion on if what my hunch was true.

10 Q. Okay. And so that's what you seized and you gave it
11 to Sergeant Veal and thereafter he detained both Marler
12 and Eaton?

13 A. That is correct.

14 Q. Okay. Is that the extent of your search or did you
15 continue searching the home?

16 A. I continued searching. One of the things I found in
17 there also in that Koozie as pictured was a piece of tin
18 foil that had been scrunched up that when you unfolded it
19 appeared to have what appeared to be a quantity of residue
20 on it.

21 Q. This is the tin foil in the Koozie beside the white
22 Jar?

23 A. Yes, sir.

24 Q. What else if anything did you find?

25 A. While continuing the search a bottle that contained

ORIGINAL

INVESTIGATOR WASHBURN: DIRECT BY SOLICITOR SCOTT
CROSS BY MS. MANIGAULT

-162-

1 what someone would be using to falsify a drug screen
2 containing fake urine was found in the residence. It was
3 after that moment that I went outside to discuss this with
4 Mr. Eaton.

5 Q. Fake urine? Okay. So as part of probation is it
6 sometimes common to require drug testing?

7 A. Yes, sir, that is one of their conditions that if we
8 ask them to submit a urine analyses they will submit to it.

9 Q. So you found some fake urine?

10 A. Yes, sir.

11 Q. All right. Anything else? Did you continue searching
12 at this point?

13 A. Well I continued to assist in the search. I do not
14 recall finding anything else of value inside of the
15 residence myself. I know other deputies like Mr. Nations
16 found other articles.

17 Q.. All right.

18 SOLICITOR SCOTT: Answer any questions Ms. Manigault
19 has Agent Washburn, please.

20 THE COURT: Cross?

21 MS. MANIGAULT: Thank you, your Honor.

22 CROSS-EXAMINATION

23 AGENT STEVEN WASHBURN BY MS. MANIGAULT:

24 Q. Agent Washburn, did you ascertain from Mr. Eaton
25 that the property he was living on was his sister's

ORIGINAL

AGENT WASHBURN: CROSS BY MS. MANIGAULT

-163-

1 property? Where the camper was when you went there on
2 March 26.

3 Q. I do not recall asking who's property it was, no.

4 Q. You did not -- you don't remember him informing you of
5 that?

6 A. No, ma'am, I do not.

7 Q. But he did inform you that he had planned to report
8 his change of address at his next report date?

9 A. Yes, ma'am.

10 Q. All right, you said with that - that when the door
11 open that Ronald Eaton opened the door; is that correct?

12 A. Yes, ma'am.

13 Q. And you spoke with him briefly and you got permission
14 from him to come into the camper and search the camper; is
15 that correct?

16 A. That is.

17 Q. All right, so Mr. Eaton gave you permission to come
18 in?

19 A. Yes, ma'am.

20 Q. No problem with that; is that correct?

21 A. Yes, ma'am.

22 MS. MANIGAULT: Thank you.

23 THE COURT: Any redirect?

24 SOLICITOR SCOTT: Yes, your Honor.

25 REDIRECT EXAMINATION

ORIGINAL

1 AGENT STEVEN WASHBURN BY SOLICITOR SCOTT:

2 Q. Did Mr. Eaton indicate that he was living in that
3 camper?

4 A. No, sir.

5 Q. He didn't indicate that he was living in the camper?

6 A. Oh, you mean before that or during that day?

7 A. All right. So residency. We talked about that,
8 right?

9 A. No. He was indicating that he did reside in that
10 camper.

11 Q. Okay. So he wasn't just visiting the camper, he
12 actually lived in the camper?

13 A. Yes, sir, he did reside in the camper.

14 Q. Do you know about how long it took from the time you
15 knocked on the window of the camper until Mr. Eaton opened
16 the door?

17 A. Maybe a minute or two. It wasn't very long.

18 Q. So between knocking on the door a minute or two before
19 he opens the door? Knocked on the window ---

20 A. Yes, sir.

21 Q. --- to open the door? Okay.

22 SOLICITOR SCOTT: Thank you.

23 THE COURT: You may step down. Thank you.

24 (WITNESS LEAVES WITNESS STAND.)

25 THE COURT: You may call your next witness.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-165-

1 SOLICITOR SCOTT: Your Honor, the State calls
2 Sergeant Matt Veal.

3 (WHEREUPON, MATTHEW VEAL, BEING
4 FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

5 THE COURT: State your full name for the record.

6 A. Sergeant Mat Veal, Laurens County Sheriff's Office.

7 DIRECT EXAMINATION

8 SERGEANT MATTHEW VEAL BY SOLICITOR SCOTT:

9 Q. Sergeant Veal, how long have you been with the
10 sheriff's department?

11 A. I been with the sheriff's office twelve years.

12 Q. And how long have you been with the narcotics unit?

13 A. Eleven years.

14 Q. Have you had occasion to investigate meth labs?

15 A. Yes, sir, on a regular basis.

16 Q. Approximately how many have you gone and viewed
17 personally?

18 A. I don't have an exact number but roughly two hundred.

19 Q. Have you undergone any specialized training and
20 investigating in dealing with methamphetamine labs?

21 A. Yes, sir. I've been to Meridian, Mississippi four
22 times to conduct basic clandestine lab investigations.

23 I've also taken a class on dismantling the meth labs. A
24 forty hours class of weapons of mass destruction, one pots,
25 Nazi labs. I've also been to the state Attorney General's

ORIGINAL

INVESTIGATOR VEAL: DIRECT BY SOLICITOR SCOTT
CROSS BY MS. MANIGAULT

-166-

1 Office narcotic commander school. I've also attended basic
2 narcotics investigations which does specifically target
3 meth labs but it includes in it along with other drug
4 investigations.

5 Q. Okay. You talked about you had to have a specific
6 course in dismantling meth labs. Why is that important?

7 A. Because they're so volatile and they'll explode and
8 they can cause injury to officers and other persons that
9 are dealing with them.

10 Q. Have you ever been qualified as an expert in
11 methamphetamine lab investigations?

12 A. Yes, sir, seven times.

13 Q. Okay.

14 A. Approximately seven times.

15 Q. In General Sessions Court that many times ---

16 A. Yes, yes, sir.

17 Q. --- seven times?

18 SOLICITOR SCOTT: Your Honor, the State does offer
19 Sergeant Veal as an expert in the investigations of
20 clandestine meth labs.

21 THE COURT: Any voir dire?

22 MS. MANIGAULT: Yes, your Honor, I missed the first
23 part of his testimony.

24 CROSS-EXAMINATION

25 SERGEANT MATTHEW VEAL BY MS. MANIGAULT:

ORIGINAL

INVESTIGATOR VEAL: CROSS BY MS. MANIGAULT

-167-

1 Q. Sergeant Veal, what was your answer when he ask
2 about a meth lab investigation, how many?

3 A. Approximately two hundred. I don't have an exact
4 number but I been doing it for eleven years.

5 Q. So you've been doing meth lab investigations for
6 eleven years?

7 A. Yes, ma'am, along with narcotic investigations. I
8 started out as an investigator and recently within the
9 last two years been promoted as sergeant over the narcotics
10 unit..

11 Q. And how many hours of training did you say that you
12 had?

13 A. Total hours I would say over two hundred hours of
14 training. One class was sixty hours, several classes were
15 forty hours of the basic narcotics I believe was thirty-six
16 hours and numerous other classes that I've taken on line
17 that the sheriff's office provides us.

18 Q. And have you had any other training in law enforcement

19 a. Yes, ma'am. I'm a certified firearms instructor.

20 I'm a certified driving instructor. I'm an active school
21 shooter instructor. I'm also our OC instructor. I was the
22 commander of the SWAT Team for approximately seven years.

23 Q. And those seven times you believed that you were
24 qualified in General Sessions Court?

25 A. Yes, ma'am.

ORIGINAL

SERGEANT VEAL: CROSS BY MS. MANIGAULT
DIRECT BY SOLICITOR SCOTT

-168-

1 Q. And that was in Laurens County or the State of
2 South Carolina?

3 A. Yes, ma'am, in this courtroom.

4 Q. All in Laurens County?

5 A. Yes, ma'am.

6 Q. And have you ever been called on to testify in
7 any other county or state?

8 A. I've testified in other counties but not as an
9 expert. I've testified in other jurisdictions.

10 MS. MANIGAULT: Thank you, your Honor.

11 THE COURT: Any objection?

12 MS. MANIGAULT: None.

13 THE COURT: Then I find he is qualified.

14 SOLICITOR SCOTT: Thank you, your Honor.

15 BY SOLICITOR SCOTT:

16 Q. Tell us about, now you mentioned a number of different
17 kind of methamphetamine production techniques. Tell us
18 about a one pot method or is that sometimes called a shake
19 and bake method?

20 A. Yes, sir. That's the street name for the one pot
21 method is shake and bake.

22 Q. I think for demonstrative purposes I have a number
23 of ingredients. If I showed you a box of ingredients would
24 you kind of walk a jury through how you would go from
25 unfinished products and then cook it and then end up with a

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-169-

1 finished product of methamphetamine?

2 A. Yes, sir, I'll show you. As a disclaimer I'm not
3 teaching you how to manufacture meth. I'm just merely
4 showing you the ingredients that are going into the
5 process.

6 Q. On those lines though is there any one ingredient
7 that's illegal to possess that goes into the manufacturing
8 of methamphetamine?

9 A. All these ingredients are street legal. The only
10 thing is is the pseudoephedrine. You have to show your ID
11 to purchase it. It doesn't mean it's illegal its just the
12 way they're controlling them.

13 Q. And along those lines if I wanted to go buy some --

14 Can you make meth without pseudoephedrine?

15 A. No, sir, you cannot. It is a precursor. You have to
16 have pseudoephedrine. Basically what that is is the
17 pseudoephedrine is - you're conducting a chemical reaction
18 in the bottle. It is changing the ephedrine to
19 methamphetamine.

20 Q. And if I wanted to get some pseudoephedrine right now
21 what do I have to do?

22 A. You can go to your local Walgreens, Walmart, Ingles,
23 BILOs and you walk in and ask for WalFed; Sudafed brand.
24 Their gonna ask you for your state identification. You
25 have to show your ID and basically what they'll do is

ORIGINAL

1 they'll run you through the IMPLx system. I think
2 Investigator Nations mentioned something about that but
3 what it is is its an internet access that we have to - that
4 we can control along with the retailers. What the
5 retailers do is they enter your information into the system
6 and basically the state law requires you or only allows you
7 to purchase 9 grams in a thirty day cycle or 3.6 grams in a
8 twenty-four hour period. So basically you can't buy more
9 than 3.6 grams in one day but not more than 9 grams in
10 thirty days. You can't buy all 9 grams at one time, if
11 that makes any sense.

12 Q. What's the maximum you can get in one day?

13 A. 3.6 grams in a twenty-four hour period.

14 Q. Okay. You talk about IMPLx. Who maintains those
15 records for IMPLx?

16 A. The company's name is Asperus I believe they pronounce
17 it or APHIS. They maintain it out of Louisville, Kentucky,
18 I believe 36 states in the United States. It has an
19 agreement with them where they maintain the information.
20 Myself and you guys, you know, if you was to buy it we
21 could look you up and tell you how much it would or how
22 much you had purchased ever since the site was developed.

23 Q. And are you granted access to that data base?

24 A. Yes, sir, I'm the site administrator for Laurens
25 County. I can actually -- I went through the training for

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-171-

1 and I grant other agents with the sheriff's office access
2 to it.

3 Q. Okay. Have you instructed other agents in your office
4 on how to access the data base?

5 A. Investigator Nations and other narcotic's
6 investigators that have come through the sheriff's office
7 along with other deputies.

8 Q.. And what do you --

9 A. Lieutenant -- sitting in the courtroom as well,
10 he's also able to look at it.

11 Q. Okay. And what you have you had to do to gain
12 access to the data base?

13 A. Basically we had to contact IMPLx and we requested
14 they verify that you're a law enforcement agency because
15 only law enforcement and retailers have access to it. They
16 call and verify through your agency and once approved they
17 have a site administrator which is myself and basically you
18 can grant access to anybody's information that has
19 purchased pseudoephedrine simply since 2011.

20 Q. Okay. Is the IMPLx data base is that a tool that you
21 regularly use in investigating methamphetamine cases?

22 A. Yes, sir. It's probably one of the main tools that
23 we use.

24 Q. So if you're looking at Dale Scott as somebody
25 you're interested in investigating, and you look on my

ORIGINAL

1 IMPLx records and you see where I'm consistently buying
2 pseudoephedrine throughout the year on a monthly basis,
3 multiple times a month, is that something you take in
4 conjunction with other evidence to aid your investigation?

5 A. That's gonna be one of the informations if we're
6 looking. We're allowed to look at say Walmart for example.
7 We're able to look at Walmart for -- we have
8 a live feed. Say Dale Scott buys pseudoephedrine right now
9 we're able to look at it and tell that he just bought. Are
10 we able to go back thirty days we're -- basically what you
11 can do there's tools inside the web site that can tell Dale
12 Scott for example has bought eleven boxes in twelve months.
13 Of course that would draw to our attention because normally
14 one box would last you if you're taking them like it says
15 on the box it would last you a week or so, maybe just
16 depending on what type of box you get and which one, which
17 brand you use. So it would be odd for you go every single
18 day toward at least 10 you would buy the pseudoephedrine so
19 that would strike myself and Investigator Nations at our
20 attention that maybe they're using this ephedrine for
21 purposes not recommended on the label.

22 Q. Let me ask you this. If I'm gonna regularly produce
23 some methamphetamine is it gonna be likely I'll be able to
24 purchase the amounts of pseudoephedrine necessary or am I
25 gonna have to get some other people to use their

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-173-

1 pseudoephedrine credits to help me out with my supply - -

2 A. Most usually what happens you usually see a pattern

3 when you have in the past when we've arrested meth cooks

4 you can go back and look at their associates. Say me and

5 Dale Scott hang out he would probably ask me if I'd go buy

6 a box of pseudophed for exchange for money or actual drugs

7 so you would see a pattern of different ones buying with

8 the same exact people and that's kind of the way you get to

9 -- because I'm allowed to buy 9 grams, your allowed to buy

10 9 grams, just like everyone in the jury box y'all are

11 allowed 9 grams, you know, I in a 30 day cycle.

12 Q. Is there a term that you've learned about where I

13 say hey, man, I'm cooking some meth, I'm about maxed out of

14 my pseudoephedrine purchases, will you buy some for me.

15 A. Yes, sir.

16 Q. I'll throw it in there and cook it and I'll give you

17 some dope -

18 MS. MANIGAULT: Your Honor, I object to the Solicitor

19 testifying. He's been testifying for a while or leading

20 the witness.

21 SOLICITOR SCOTT: Or explaining.

22 THE COURT: Rephrase your --

23 BY SOLICITOR SCOTT:

24 Q. What is that term called where --

25 A. We call it smurfing.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-174-

1 Q. Okay. Is that a common thing you see in these
2 meth cooks?

3 A. It is real common.

4 Q. And the arrangement you see is - what's in it for
5 you, you buying the pseudoephedrine for me to make the
6 meth, what's in it for you?

7 A. Either drugs or money. We've seen it as much as
8 fifty dollars a box that the meth cooks are purchasing from
9 - myself, say if I don't cook meth, I was just ask to buy a
10 box, we've seen it up to around fifty dollars a box and low
11 as hey, I'm just giving you the money cause I owed you a
12 favor.

13 Q. All right. With the Court's permission, Officer,
14 don't mix any of this up, but with the Court's permission
15 for demonstrative purposes I'd ask permission for Sergeant
16 Veal to step down and just demonstrate some of what he's
17 already kind of explained through testimony.

18 Your Honor.

19 THE COURT: Yes.

20 (WITNESS LEAVES WITNESS STAND.)

21 THE COURT: Please keep your voice up if you're
22 gonna talk.

23 SERGEANT VEAL: Yes, ma'am.

24 A. I think you've seen in one of the pictures you use
25 standard 20 ounce bottle. And basically what they're doing

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-175-

1 is they're putting everything inside these bottles and
2 these bottles give a little bit. Once you make this
3 chemical reaction it's gonna swell. They have to open it
4 and burp it, what they call burping it, letting the
5 pressure off the bottle.

6 But basically what they're doing is they'll take
7 Coleman camp fuel or any type other solvents; they'll fill
8 it up. Like I said, I'm not teaching you how to make meth
9 so I'm not gonna give an exact amount of how much to put
10 in. But what they're doing, putting solvent, they'll take
11 some --

12 Q. Actually do you take an empty bottle like a - what is
13 that, a 20 ounce?

14 A. 20 ounce.

15 Q. 20 ounce bottle, any kind of plastic bottle, 20 ounces
16 or so, and they're putting Coleman fuel in it?

17 A. Yes, sir.

18 Q. Okay. Continue.

19 A. Taking the Coleman fuel, they'll take ammonium nitrate
20 and basically what you can get in a cold pack basically you
21 take the cold pack, you know, there's usually a water
22 blister in here and you'll pop it and basically it'll turn
23 cold if you have sore ankle or anything like that. There's
24 ammonium nitrate in here, its little pellets, they'll take
25 this out of here, they also add it into the bottle.

ORIGINAL

1 They'll take lithium batters and basically what it is is
2 they'll cut open the bottom of one of these and there's
3 lithium strips in here and what they'll do is they'll take
4 that lithium strip out and they'll also break it down.

5 Depending on the size of the bottle they can take as
6 many as one, two, three, of the lithium strips out; they'll
7 put all this stuff in together along with the
8 pseudoephedrine. What they'll do is they'll take this
9 pseudoephedrine and for a quicker reaction time they'll
10 take the ephedrine and put it in the coffee grinders.
11 They'll go ahead and break it down because if not you'll
12 put it in there and it just takes longer for the solvent to
13 go through the binder and everything from the pills. So
14 they'll take it and grind up, pour everything into there
15 together and basically what they'll do is they'll sit here
16 - and why they call it Shake and bake is they're actually
17 shanking the bottle. All right.

18 Once you shake the bottle the chemical reaction
19 causes it to swell so they'll burp it. And roughly an hour
20 to two hours, you know, just given on the time, you know,
21 if how the chemical reaction takes what they'll do is
22 they'll let it rest -- and I apologize, I forgot one
23 ingredient -- they'll take the hydrogen peroxide or water
24 and what that does the water - the hydrogen peroxide
25 actually starts the chemical reacting with the lithium

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-177-

1 strips and basically you'll see it like it's boiling inside
2 of here. You'll see it rumbling.

3 And basically like I said it will cause pressure
4 and they have to burp it and take it off. And once the
5 chemical reaction --

6 Q. The burping -- wait a minute. They're not familiar
7 with that. Burping? What are you talking about? You just
8 kind of crack --

9 A. Basically what you're doing is just taking the top
10 off and just letting the air -- the pressure come off of it
11 so it goes back and they'll close it back.

12 Q. Just so the bottle doesn't explode?

13 A. Yeah. Yes, sir, because I have seen on numerous
14 basis of these actually exploding because the vessel here
15 may be weak in one spot and what they'll do is it will
16 rupture. And lithium is highly flammable. It comes in
17 contact with any type of liquid it catches on fire. Well
18 your Coleman camp fuel is inside of here is flammable,
19 okay, extremely flammable. And when it contacts fire it
20 explodes and it will cause a big ball of fire and it will
21 actually cause burns to whoever's holding it or near it.

22 Q. So then just when they're burping it they're letting
23 gas off to relieve some of the pressure that's building up
24 in there?

25 A. Yes, sir.

ORIGINAL

1 Q. All right. Continue.

2 A. All right, once the chemical reaction is done what
3 they'll do is they'll take some coffee filters - by the
4 way that's what the Sudafed looks like, just standard type
5 of Sudafed. They'll take the coffee filters and what
6 they're doing is they're just basically pouring it off into
7 another container.

8 Q. Wait. So they take the contents of this and they
9 filter it through the coffee filters?

10 A. Correct.

11 Q. Okay.

12 A. What they do is once you're done you want the liquid
13 off of it. You don't need any of the binders or the
14 ammonium nitrate or any of the household lye that you would
15 put in it. What you would do is all you want the liquid
16 because the liquid is the meth, the meth state. It's back
17 into a liquid state so you want that. And what you need to
18 do is you need to gas it off and you need to take another
19 bottle -- what they'll do is they'll get another bottle and
20 drill a hole in it. Get some air line from a fish tank
21 basically is what they'll do is they'll put salt just table
22 salt and sulphuric acid just regular drain cleaner and
23 basically sulphuric acid. And what you'll do is you'll
24 pour this in there together and the hydrochloric gas the
25 ACL generator I think Investigator Nations referenced to.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-179-

1 What you'll do is all you need is the gas so if they take
2 another container just like the glass jar there you would
3 stick this down in -- they would pour that -- the liquid
4 state is already in that glass jar. They would take this
5 gas and put it down in there and basically what it's doing
6 is another chemical reaction to convert it back into a
7 powdered state. That's where the residue comes around from
8 the edges of it. All that is is meth. They don't want the
9 liquid any more. They want it back into a powder state.
10 Basically it's pure -- it's meth. So once you get done
11 with that it's still kind of wet. They'll usually dry it
12 out; they'll use more coffee filters to try to dry it out
13 because they want it back into a powder stage.

14 Q. Okay. And that's substantially - I know you didn't
15 give us exact amounts but that's substantially how you make
16 methamphetamine from just household

17 A. Yes, sir. And like I said, everything in this bottle
18 -- in the container is legal to purchase.

19 Q. Okay.

20 A. Probably most of us have it at home.

21 Q. Thank you.

22 (WITNESS RETURNS TO WITNESS STAND.)

23 Q. This specific case did you review IMPLx records in
24 regards to Ronald Eaton's pseudoephedrine purchases?

25 A. I did. I have along with Investigator Nations.

ORIGINAL

1 Q. And going back let's say the last four months or so.

2 So this is March, go back to November, 2017.

3 MS. MANIGAULT: Your Honor, I have an objection
4 regarding the information report.

5 THE COURT: Do you all need to take it up here or
6 do it there?

7 MS. MANIGAULT: I can come there.

8 (BENCH CONFERENCE OFF THE RECORD OUT OF THE HEARING
9 OF THE JURY AT 10:11 A.M.)

10 THE COURT: Ladies and gentlemen, we have a matter
11 which we need to take up outside of your presence and I'm
12 gonna ask that you retire to the jury room but not to begin
13 to discuss this matter because you have not heard all the
14 evidence in this matter. We'll bring you back as soon as
15 we take up this legal issue.

16 (JURY EXITS COURTROOM AT 10:12 A.M.)

17 THE COURT: Yes, ma'am, Ms. Manigault.

18 MS. MANIGAULT: Your Honor, I have an objection to
19 the IMPLx record that he is trying - that the officer
20 testified to. My objection is that the officer did not -
21 Sergeant Veal did not make any input regarding the
22 information that is on the site that he's trying to testify
23 from. Generally the State has the IMPLx administrator come
24 to court to testify about the record being created. And
25 generally the officer then testifies after that what he did

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-181-

1 in his investigation.

2 So he did not put the information on the site. I
3 think he testified that he's a site operator --

4 SERGEANT VEAL: Administrator.

5 MS. MANIGAULT: Thank you. Administrator for his
6 -- for the sheriff's department not necessarily for the
7 system that he testified is 36 state wide. So if there is
8 a better - as the best evidence testimony that is not him
9 would be the administrator of the IMPLx site. And my
10 objection if the court allowed gonna deal with it one at a
11 time. That's my objection for him testifying on IMPLx that
12 he is not the administrator for that system and he made an
13 input into the system.

14 THE COURT: You want to go ahead and state the other
15 one as well? I suspect they're -- you want to state the
16 second part?

17 MS. MANIGAULT: Oh, I'm sorry. The second part is if
18 the court allows him to testify my objection continues on
19 the basis of limiting what his testimony is regarding the
20 time frame around my client's arrest. The indictment
21 states the arrest was on or about March the 26th, 2018.
22 And so I am asking the court to limit any testimony if the
23 court allows him to testify about IMPLx I believe the State
24 said they're not putting the record in but it's the same
25 thing. They're using that record for the testimony.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-182-

1 So if the court allows that I'm asking the court to
2 limit his testimony to the purchase made in March of 2018.

3 THE COURT: Any response?

4 SOLICITOR SCOTT: Yes, your Honor. The argument is a
5 business record; these are kept in the ordinary course of
6 business. Agent Veal, Sergeant Veal testified that he
7 regularly consults the IMPLX data base for pseudoephedrine
8 purchases. He stated a great familiarity with the system.
9 He demonstrated an understanding of the IMPLx data base,
10 the method by which the data was gathered, transmitted, and
11 stored and the basis of the reports..

12 Your Honor, he would based on his knowledge and
13 familiarity with the data base qualify as another qualified
14 witness under Rule 803(6). I have a case that came out
15 just last week from the Court of Appeals that deals with
16 this same matter. And it would be it would fall under a
17 business records exception, your Honor.

18 THE COURT: And what's the case?

19 SOLICITOR SCOTT: The case is a *State v. Felix*
20 *Kotowski, K-o-t-o-w-s-k-I*. And I've got an appellate case
21 number 2016-000842.

22 THE COURT: And what was the date of the opinion?

23 SOLICITOR SCOTT: May -- it was filed May 15th.

24 THE COURT: And what's the opinion of the case number?

25 SOLICITOR SCOTT: Oh, opinion number, your Honor, is

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-183-

1 5650.

2 THE COURT: Published?

3 SOLICITOR SCOTT: It is a published opinion, your
4 Honor.

5 MS. MANIGAULT: Excuse me, your Honor.

6 THE COURT: Yes, ma'am.

7 MS. MANIGAULT: May I be excused to get a copy of the
8 opinion?

9 THE COURT: Yes, ma'am.

10 (PAUSE AT 10:17 A.M.)

11 THE COURT: Have you had enough time to review this,
12 Ms. Manigault? Have you had enough time to review the
13 opinion?

14 MS. MANIGAULT: Yes. Yes, your Honor.

15 THE COURT: Any additional argument you would like
16 to make at this particular point?

17 MS. MANIGAULT: Well I would just like to clarify what
18 I argued previously. I do not believe that this testimony
19 comes within the business records exception because these
20 are records not kept by -- kept locally and a person as I
21 stated earlier inputting the information is not available
22 for examination or cross-examination which denies the
23 Defendant his Sixth Amendment right. And I believe that
24 under Rule 403 it's highly prejudicial to my client to have
25 this testimony come in at this time, come in ever. And the

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-184-

1 prejudicial value outweighs the approbative value. That is
2 my summary of my argument motion.

3 THE COURT: And *Kotowski, State versus Kotowski*
4 appears to be almost exactly on point. It raises some of
5 the issues that you've raised as well. And before I had
6 the opinion in my hand I did look at the rules of evidence
7 specifically Rule 803(6) which covers records of regular
8 conducted activity. I did notice as I read that particular
9 statute or that particular rule of evidence that it
10 contemplates that not only that a person who is a records
11 custodian may testify but another qualified witness.

12 And given the information, the background that's been
13 testified to by this particular witness is experienced in
14 not only the training that he received with respect to the
15 manufacturing of methamphetamine one pot labs and as well
16 as having intimate knowledge with the manner in which the
17 IMPLx records are maintained and kept and reasons why
18 they're kept I find that he would be qualified to at least
19 be able to discuss what information is contained in that
20 particular report.

21 I don't know whether the State is going to attempt to
22 try to introduce the document. I think you said not, but
23 certainly it's information that's also relied upon by the
24 law enforcement agency in order to conduct it's regular
25 business and I think he can testify as to what he learned

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-185-

1 from that report and that data base and how it factored
2 into the information that he utilized in determining that
3 there was a reason to inquire further into to look more
4 closely at the defendant in this particular case.

5 The Kotowski opinion also talked about the
6 confrontation clause and also addressed the unfair
7 prejudice. Basically as to the confrontation clause what I
8 get out of the opinion is that those records are not kept
9 for the purposes of investigating a specific case or a
10 specific individual but the records are maintained by state
11 requirements and there's some indicia of reliability by
12 having to provide driver's license information to verify
13 the person named or the person who is purchasing and it's
14 done to comply with state regulatory measures and therefore
15 is not testimonial and so therefore what's contained in the
16 records is not testimony that the -- confrontation clause.

17 As it relates to the unfair prejudice, the court
18 indicated that unfair prejudice, undue tendency to suggest
19 decision on an improper basis and that evidence unfairly
20 unprejudicially has an undue tendency to suggest a decision
21 on an improper basis such as emotional. In this particular
22 matter I think that the records are relevant at least to
23 indicate why there was a reason to be able to look at the
24 defendant in this particular case and the activity into
25 support the over all conclusion something law enforcement

ORIGINAL

1 reached and so the jury will ultimately have to determine
2 whether the state has met the burden and whether there is
3 sufficient evidence to indicate that Mr. Eaton in fact
4 committed the offense to the manufacturing methamphetamine
5 beyond a reasonable doubt. So it's just one additional
6 piece of information for them to consider. I don't think
7 it gives them undue prejudice because it's information
8 that's reported to all individuals and it did not
9 specifically single him out as to his activities but it's
10 just an additional piece of information to be considered by
11 them so on that basis I'll allow the witness to testify as
12 to the information contained in the IMPLx report.

13 Anything further?

14 MS. MANIGAULT: Your Honor, the copy of the IMPLx
15 report that I received goes back to 2011 so I'm asking the
16 court to limit this officer's testimony.

17 THE COURT: Oh, certainly I think I wouldn't allow it
18 to go back to 2011 but I think -- I understand that you've
19 ask for it to be limited to that particular date. I don't
20 think -- the fact that the pseudoephedrine can be purchased
21 at any time, and whether it's used or for the purpose of
22 making methamphetamine on a particular date I think to
23 limit it to the purchase on a particular day is too narrow
24 and it disregards the opportunity that people may purchase
25 - it could be purchased in advance and held onto until it's

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-187-

1 used in some other way at a later time. It could be
2 purchased in a manner to get around the 30 day
3 requirements. I think all of that's relevant and so I
4 would not limit it to March 26 of 2018. I will limit it to
5 a time period say within 30 days or 60 days prior to the
6 event because I think that's relevant. And also it may be
7 relevant as it relates to determining whether there was a
8 pattern of activity that gave reasonable suspicion to law
9 enforcement in support of their probable cause.

10 MS. MANIGAULT: Thank you, your Honor.

11 THE COURT: Anything else we need to take up?

12 MS. MANIGAULT: That's it, your Honor.

13 THE COURT: All right. We'll take a break before we
14 bring the jury back in. We'll come back in a few minutes.

15 You may step down. You may not discuss your testimony
16 with anyone during this particular time.

17 (COURT AT EASE AT 10:38 A.M.)

18 (COURT BACK IN SESSION AT 11:00 A.M.)

19 THE COURT: Is there anything further we need to
20 take up at this time?

21 SOLICITOR SCOTT: No, your Honor, ---

22 MS. MANIGAULT: No, your Honor.

23 SOLICITOR SCOTT: --- nothing from the State.

24 THE COURT: You may ask the jury to come in please.

25 (JURY REENTERS COURTROOM AT 11:02 A.M.)

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-188-

1 THE COURT: You may continue.

2 SOLICITOR SCOTT: Thank you, your Honor.

3 DIRECT EXAMINATION

4 SERGEANT MATTHEW VEAL BY SOLICITOR SCOTT:

5 Q. Sergeant Veal, we were talking about the IMPLx data
6 base and you described it earlier about pseudoephedrine
7 purpose or purchases and how their recorded and the data
8 base maintained by IMPLx. I think you testified that you
9 rely on those records when you're investigating
10 methamphetamine labs?

11 A. Yes, sir.

12 Q. One of the last questions I ask you was had you had
13 occasion to review Mr. Eaton's pseudoephedrine purchases
14 leading up to this incident date.

15 A. I have.

16 Q. What I want you to do is if you could just - that
17 year, 2018 beginning in January what did you observe as far
18 as what he was purchasing in January?

19 A. In January he purchased 2.4 grams from Walmart in
20 Laurens. On the 9th of January 2.4 grams; on the 12th of
21 January from Walmart in Laurens. He purchased 2.4 grams on
22 the 30th of January.

23 Q. Okay. So three times in January?

24 A. Yes.

25 Q. Okay.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-189-

1 A. Then one time in February on the 17th he purchased
2 2.4 grams from Walmart. And then in March it was two
3 more, one on March 11th for 2.88 grams. And then another
4 on the 22nd of March for 1.44 grams and all were at Walmart
5 in Laurens.

6 Q. Okay. So just that year leading up to our incident
7 date of March 26 we have six different occasions where he
8 went and purchased pseudophed?

9 A. Yes, sir.

10 Q. And then the last one was the 22nd and the date you
11 visited the camper was the 26th, so just four days before
12 you went to the camper?

13 A. Yes, sir.

14 Q. What about Amanda Marler, did you review hers?

15 A. I have.

16 Q. Just in January and just in the year 2108 what did
17 you review for Amanda Marler?

18 A. Amanda Marler had only 3 purchases in January on the
19 4th of January, the 11th of January, and the 29th of
20 January for all 2.4 grams.

21 SOLICITOR SCOTT: I beg the Court's indulgence.

22 Q. There was discussion of a Brandon Jarnagin and a
23 Ashley Brewington. Did you review theirs?

24 A. Travis Jarnagin?

25 Q. Oh, Travis Jarnagin?

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-190-

1 A. Yes, sir.

2 MS. MANIGAULT: Your Honor, I am going to object to
3 the record that he's reading from. Travis Jarnagin and
4 who else

5 SOLICITOR SCOTT: Ashley Brewington.

6 MS. MANIGAULT: And Ashley Brewington.

7 THE COURT: I would sustain it at this particular
8 time.

9 SOLICITOR SCOTT: Okay.

10 THE COURT: Unless you can lay an appropriate
11 foundation.

12 BY SOLICITOR SCOTT:

13 Q. Were they there at -- did Mr. Eaton mention the two
14 names of Jarnagin and Brewington?

15 A. He did. He mentioned that they were staying in a
16 camper with him. They were not there at the time we
17 initially got there but arrived - I don't know how a short
18 time after we'd gotten there. Travis and Ashley both
19 showed up on scene.

20 Q. But did you review their pseudoephedrine list?

21 A. I have reviewed theirs.

22 Q. Okay. So did you look at all the people who were in
23 that camper or associated with the camper? You checked
24 their Sudafed purchases?

25 A. Yes, sir.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-191-

1 Q. Were you involved in the collection of any evidence?

2 A. No I was not.

3 Q. In your expert opinion in investigating clandestine
4 methamphetamine labs, was it your opinion that there was a
5 methamphetamine lab or the remnants of a recently used
6 methamphetamine lab present at the camper on Boyd Road on
7 March 26th, 2018?

8 A. Yes and I'll explain. The reason why the coffee
9 filters there's no other reason why coffee filters would
10 have the binder in it and residue and the chemicals. It
11 doesn't necessarily have to have everything there because
12 at one point everything was there. You have the coffee
13 bean grinder, you have several different aspects of it and
14 what we believed that was ephedrine was in the coffee bean
15 grinder so you had the precursor there. You had the
16 finished product. You had the glassware that had the
17 residue in it. You had the hydrogen peroxide. We had some
18 -- the Coleman camping fuel containers.

19 Just because we didn't find it right then on scene
20 there doesn't mean that he wasn't manufacturing meth but in
21 my expert opinion I believe that he was manufacturing meth
22 due to the fact that he had the finished product there. He
23 had the Sudafed showing that he had purchased Sudafed;
24 showing that he had the salt, the hydrogen peroxide and
25 altogether so yes I'd say he was manufacturing meth.

ORIGINAL

SERGEANT VEAL: DIRECT BY SOLICITOR SCOTT

-192-

1 Q. When you come up on one of these meth labs do you
2 always find every single ingredient used in the production
3 of meth?

4 A. No, sir. Typically they burn their trash. Once
5 they're done with it and want to get rid of it they dispose
6 of it. We found numerous waste on the side of the road
7 along highways. I mean it doesn't necessarily have to have
8 it right there on them. They can be going down the road
9 and just chunk it out the window. Like I said we've had
10 numerous dump sites what we call dump sites because there's
11 no one there and we have to clean these labs up. You don't
12 necessarily need every particular item there at the time.

13 Q. Are some of the ingredients used up during the
14 production of the meth?

15 A. Yes. Most of the -- usually what we find is the
16 bottle there between the bottles and you usually have the
17 binders and the ammonium nitrate and everything in the
18 bottle and the liquid is already gone and maybe a few black
19 specks of the lithium. Usually that's what we find in the
20 bottles all crushed up and usually an ACL generator the one
21 with the tube coming out we usually find those on the side
22 of the road and they're usually dry.

23 SOLICITOR SCOTT: Thank you, Sergeant. Answer any
24 questions Ms. Manigault has for you.

25 SERGEANT VEAL: Yes, sir.

ORIGINAL

INVESTIGATOR VEAL: CROSS BY MS. MANIGAULT

-193-

1 THE COURT: Any cross?

2 CROSS-EXAMINATION

3 SERGEANT VEAL BY MS. MANIGAULT:

4 Q. Sergeant Veal.

5 A. Yes, ma'am.

6 Q. You testified that you found what you -- some white
7 powdery substance, what you believed to be methamphetamine,
8 is that what you testified?

9 A. I believe that Investigator Nations testified that
10 they had found -- I had seen the container that they were
11 talking about, the little white container, but I didn't
12 actually -- I believed it to be meth, yes.

13 Q. You just testified about what your experience is
14 with meth labs.

15 A.. Yes, ma'am.

16 Q. Okay. And you said that because there is a residue
17 or a powdery substance present that you believed with other
18 things you believed it was a meth lab.

19 A. I do believe that there was a meth lab present at
20 [REDACTED] Boyd Road in Laurens.

21 Q. Now, would that preclude if you found white powder
22 that tested for meth, would that preclude it being
23 purchased somewhere else by somebody?

24 A. Normally when we would find baggies, usually if in
25 the process of meth we would find some type of -- if you

ORIGINAL

1 were purchasing it from I'm gonna say Dale Scott, you would
2 find a baggie of meth or the residue in a baggie, not in a
3 container of some sort, you know, not every situation is
4 the same.

5 Q. Thank you.

6 A. I mean -- all right.

7 Q. Go ahead.

8 A. Oh. I thought you -- we would - we normally would
9 see different types of -- I guess what I'm trying to say is
10 if they were being purchased a lot and not manufacturing
11 you would find numerous baggies because that's just the way
12 we find it is several baggies just laying around.

13 Q. Okay. I think you testified that some of the meth
14 lab areas that you have been involved in in cleaning up is
15 that you find different things or sometimes you find
16 nothing.

17 A. Like I said we don't find nothing.

18 Q. Okay.

19 A. But we do -- no two meth labs are alike.

20 Q. Okay.

21 A. All right. It's just kind of like mine and your
22 DNA. They're different. I mean you're gonna find
23 different things that's has gotten rid of but in the end
24 result you still have methamphetamine being found.

25 Q. Okay. Sorry. Go ahead.

ORIGINAL

INVESTIGATOR VEAL: CROSS BY MS. MANIGAULT

-195-

1 A. You just have methamphetamine being found along with
2 the items that we found on Boyd Road led me to believe that
3 there was -- they were manufacturing meth.

4 Q. Okay. And how big are the baggies that you just
5 described?

6 A. It depends on how much meth they're buying.

7 Q. Okay. What is your general observation?

8 A. I mean you can buy meth in quarter gram, half gram.
9 I've seen kilos of meth which is ---

10 Q. Okay.

11 A. --- 2.2 pounds of meth.

12 Q. I don't mean to interrupt you but that doesn't help
13 me as far as the baggie size. I mean is it

14 A. This is a zip lock bag they tear the corners out - -

15 Q. Is it this big?

16 A. You could use that one. You could use the corner.

17 Q. But what do you generally find is what I'm trying to
18 get to. Are they small baggies?

19 A. That's what I'm saying. The corners of baggies it
20 doesn't matter what the size of the bag but usually what
21 they'll do is they'll take the corners of like sandwich
22 bags or zip lock bags or any type of bags. Grocery bags.
23 We've seen all of it. Any type of plastic that they can
24 tie a knot that would hold the methamphetamine.

25 Q. So you didn't find any plastic bags --

ORIGINAL

1 A. I wasn't the one searching so I haven't seen -- I
2 didn't see anything that day. Like I said in previous
3 testimony that I was standing there with Mr. Eaton while
4 the other officers were searching.

5 Q. Okay. That's fine. All right, you testified that
6 sometimes you find bottles on the side of the road. Are
7 you referring to this case?

8 A. No.

9 Q. That's just --

10 A. Just saying that's how they dispose of their meth
11 waste and the reason -- possibly one reason why we didn't
12 find everything here. I'm just saying in general that we
13 have found meth labs on the side of the road. We've seen
14 burn piles, we've seen numerous ways of disposing the meth
15 waste.

16 Q. Okay: But that's not in this case?

17 A. No, ma'am.

18 Q. All right.

19 A. None that we've established. We didn't find any
20 that day.

21 Q. Thank you. All right, when you testified -- you were
22 the person -- did you receive a consent, written consent,
23 from Mr. Eaton to search?

24 A. I did. Would you like me to explain?

25 Q. Yes.

ORIGINAL

INVESTIGATOR VEAL: CROSS BY MS. MANIGAULT

-197-

1 A. Okay. Agent Washburn and Investigator Nations were
2 inside and due to the fact that Investigator Nation
3 detained Ms. Marler and Mr. Eaton I stood outside with them
4 because of officer safety. And as I was talking to Mr.
5 Eaton I been familiar with Mr. Eaton -

6 Q. Would you please answer my question? You'll have an
7 opportunity for explanation.

8 A. Yes, ma'am. So me and him were having a general
9 conversation and when the items were found I ask for
10 consent. I ask for him to sign a consent form and he did.

11 Q. And he did sign the consent form?

12 A. Yes, ma'am, he did.

13 Q. And who witnessed that?

14 A. I don't have it in front of me so I don't -- there
15 was other officers there. I don't know who exactly signed
16 them. There's a witness portion on the consent form.

17 I believe it was entered into evidence. I don't have
18 it in front of me.

19 Q. Okay. And all of these items that you described
20 before to the court that's in this plastic container can
21 be used to make meth?

22 A. Yes.

23 Q. And is every item in here that is required except
24 the Coleman fuel?

25 A. There's several items missing out of that container

ORIGINAL

1 there.

2 Q. Yeah.

3 A. As well or in that tub but that's a good portion of
4 what you need to manufacture meth.

5 Q. Okay. So would you once again tell me what is used
6 to manufacture meth. You don't have to demonstrate it,
7 just tell me again, the ingredients.

8 A. You need the precursor which is the pseudoephedrine.
9 You need some type of solvent. You need a lye which is
10 basically a base for your acid. You need ammonium nitrate
11 which is in the cold packs. You need lithium strips,
12 water, or hydrogen peroxide basically either or and that's
13 for your one pot. And then your ACL generators is salt and
14 some type of acid, muriatic or the other basically that --
15 your gas that you need to gas it off with.

16 MS. MANIGAULT: Beg the Court's indulgence.

17 Q. And I believe you testified that you had no part of
18 searching the inside of the camper.

19 A. I may have stuck my head inside but I did not search.

20 Q. Okay.

21 A. I mean did not recover any of the evidence.

22 Q. Thank you.

23 MS. MANIGAULT: Thank you, your Honor.

24 THE COURT: Any redirect?

25 REDIRECT EXAMINATION

ORIGINAL .

INVESTIGATOR VEAL: REDIRECT BY SOLICITOR SCOTT

-199-

1 SERGEANT MATTHEW VEAL BY SOLICITOR SCOTT:

2 Q. In your experience as a narcotics agent have you
3 engaged confidential informants in the purchasing of
4 methamphetamine?

5 A. Yes, sir, numerous.

6 Q. Is it common during the purchase of methamphetamine
7 for it to be delivered in a coffee filter?

8 A. No, sir, I've never - when we purchased
9 methamphetamine I never purchased it coming in a coffee
10 filter.

11 Q. Okay. So in your experience that is not in a
12 purchasing situation a package for methamphetamine that
13 you've seen in all of your experience?

14 A. In all my experience yes, sir. I've only associated
15 coffee filters with the manufacturing of meth not the sell
16 or delivery of the meth.

17 Q. Okay.

18 SOLICITOR SCOTT: Thank you.

19 THE COURT: Anything further, Ms. Manigault?

20 MS. MANIGAULT: Nothing, your Honor.

21 THE COURT: You may step down, sir.

22 SERGEANT VEAL: Thank you, your Honor.

23 (WITNESS LEAVES WITNESS STAND.)

24 THE COURT: You may call your next witness.

25 SOLICITOR BOYKIN: Your Honor, the State would call

ORIGINAL

DEPUTY DIAZ: DIRECT BY SOLICITOR BOYKIN

-200-

1 Jose Diaz.

2 (WHEREUPON, JOSE DIAZ, BEING
3 FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

4 THE COURT: State your full name please.

5 A. Jose Diaz.

6 THE COURT: Thank you.

7 DIRECT EXAMINATION

8 DEPUTY JOSE DIAZ BY SOLICITOR BOYKIN:

9 Q. Mr. Diaz, where do you work?

10 A. Laurens County Sheriff's Office.

11 Q. And how long have you worked there?

12 A. I been there probably about two years now.

13 Q. Two years? Okay. What are your duties there?

14 A. Evidence Division.

15 Q. And have you been in evidence for the two years that
16 you've been there?

17 A. Yes.

18 Q. And would you be considered the evidence custodian?

19 A. Yes.

20 Q. What does that entail?

21 A. Taking in evidence that officers bring in after an
22 arrest on the road, logging it in and placing it in a
23 secure facility.

24 Q. Who else is in evidence with you?

25 A. Sergeant Butch Kimbrell.

ORIGINAL

DEPUTY DIAZ: DIRECT BY SOLICITOR BOYKIN

-201-

1 Q. I want to show you what's been marked as State's
2 Exhibit 27 for identification. Do you recognize this?

3 A. Yes, that's the evidence that I checked out yesterday
4 for the solicitor's office.

5 Q. Now how do you know that?

6 A. Because once we log it in we log it in by case
7 number and this is the bar code on top which is gonna be
8 these numbers, usually five numbers, and each bar code
9 consist of one article of evidence.

10 Q. And were you involved in checking in the evidence
11 originally for this case?

12 A. Yes, ma'am.

13 Q. Are your initials on the bag at all?

14 A. No they wouldn't be on the bag. Everything goes in
15 the computer. The only thing that's on the bag on the
16 evidence is officer's actually obtain the evidence at the
17 time of arrest.

18 Q. Can you read off the bag who obtained the items?

19 A. Charles Nations.

20 Q. On what date did you receive State's Exhibit No. 27?

21 A. I'd have to look at the paperwork. It was taken in
22 the 26th is when it was taken in and I received it the
23 following day which would be the 27th.

24 Q. Of March 2017?

25 A. Yes, ma'am.

ORIGINAL

1 Q. Or 2018, I'm sorry.

2 A. Of 2018.

3 Q. Okay. So it was received March 26th of 2018?

4 A. That's when it was placed into evidence by the
5 officers.

6 Q. Explain that.

7 A. They obtained the evidence, they secured it in a bag
8 which is the evidence bag. They put a case number on
9 there, the bar code which is the identification number to
10 the evidence itself. And then they put it in a secure
11 locker in the evidence building. Then the following day
12 when I show up to work I obtain that evidence and the only
13 one's that have keys to them lockers was myself and
14 Sergeant Kimbrell. Obtain the evidence log it into the
15 computer system as far as where it's gonna be located at
16 and placed at and then I take it from there and place it
17 where it goes.

18 Q. Now you say they put it in a bag. Is that called a
19 Best Kit?

20 A. Well it's for narcotics. It would be a Best Kit.
21 But it's still within the Best Kit and it's sealed in an
22 evidence bag and then that is taken to SLED.

23 Q. And would you have put it into evidence if it wasn't
24 properly sealed?

25 A. I would not have, no.

ORIGINAL

DEPUTY DIAZ: DIRECT BY SOLICITOR BOYKIN

-203-

1 Q. And in this case was it properly sealed?

2 A. Yes, ma'am.

3 Q. And you entered it on March 27th?

4 A. Correct.

5 Q. From the temporary storage locker?

6 A. Correct. Temporary evidence locker.

7 Q. Okay. And who has keys to that one more time?

8 A. Just myself and Sergeant Kimbrell.

9 Q. So only two people?

10 A. The only two people. Nobody else has got keys to
11 those lockers.

12 Q. From there once you logged it in then what happens?

13 A. Once I log it in it goes into -- well in the Best Kit.

14 Being that this was narcotics I turn it over to
15 Sergeant Kimbrell and he then enters it into the SLED
16 computer as far as for narcotics and then he takes it to
17 SLED after that to get it analyzed.

18 Q. Okay. Reviewing your report what is -- what are the
19 contents of State's Exhibit 27 that you entered into your
20 system?

21 A. You've got five different things on here, one of
22 'Em which would be Bar Code 13581 consist of white powder
23 substance. Bar Code 13582 is a coffee filter containing
24 white powder substance. And you got Bar Code 13583 which
25 is a blue colored container containing white powder like

ORIGINAL

DEPUTY DIAZ: DIRECT BY SOLICITOR BOYKIN
CROSS BY MS. MANIGAULT

-204-

1 substance. Bar Code 13584 which is two coffee filters
2
3 containing white powder like substance. And you got Bar
4 Code 13585 which is a portion of a tin foil containing
5 white color powdered substance.

6 Q. And again, these are all the items taken from the
7 defendant Mr. Eaton?

8 A. Those -- these were the items that were turned into
9 evidence that supposedly came from Mr. Eaton, yes, ma'am.

10 SOLICITOR BOYKIN: Thank you. Please answer any
11 questions the defense has.

12 THE COURT: Any cross?

13 CROSS-EXAMINATION

14 DEPUTY JOSE DIAZ BY MS. MANIGAULT:

15 Q. Just one question. The No. 5 that you just
16 mentioned that's included in State's Exhibit No. 27,
17 what was that?

18 A. The 13585 Bar Code?

19 Q. The last one you mentioned.

20 A. The last one that was 135 Bar Code. It says portion
21 of tin foil containing a white powder residue.

22 Q. Okay.

23 MS. MANIGAULT: Thank you.

24 SOLICITOR BOYKIN: No further questions.

25 THE COURT: You may step down. Thank you.

ORIGINAL

DEPUTY KIMBRELL: DIRECT BY SOLICITOR BOYKIN

-205-

1 (WITNESS LEAVES WITNESS STAND.)

2 THE COURT: You may call your next witness.

3 SOLICITOR BOYKIN: Thank you, your Honor. The State
4 calls Butch Kimbrell.

5 (WHEREUPON, JAMES KIMBRELL,
6 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

7 THE COURT: State your full name please.

8 A. James Kimbrell.

9 THE COURT: Yes, ma'am.

10 DIRECT EXAMINATION

11 DEPUTY JAMES KIMBRELL BY SOLICITOR BOYKIN:

12 Q. Butch, where do you work?

13 A. Laurens County Sheriff's Office.

14 Q. How long have you worked there?

15 A. Since Sheriff Reynolds took office which would January
16 the 3rd, 2017.

17 Q. Have you been in the evidence portion of the
18 sheriff's office the whole time?

19 A. Yes, I have.

20 Q. What are your duties there?

21 A. I am Sergeant of Criminal Investigations in charge
22 of the Evidence Division.

23 Q. Who else do you work with there?

24 A. Deputy Diaz.

25 Q. And as he testified before you and him are the only

ORIGINAL

1 ones with keys to the evidence locker?

2 A. That's correct.

3 Q. Going to the case against Mr. Eaton -- let me hand
4 this back to you -- do you recognize State's Exhibit 27?

5 A. Yes, ma'am.

6 Q. How do you recognize that?

7 A. This is a sealed envelop container that I picked up
8 from SLED that was returned back to us. And it was entered
9 back into the system and assigned a location by bar code
10 number.

11 Q. Now, would your initials be on that bag?

12 A. No, ma'am. My initials would not be on the bag. On
13 the paperwork, I signed certain paperwork.

14 Q. Did you take it to SLED as well?

15 A. Yes I did.

16 Q. Okay. Can you tell us what day you took the State's
17 Exhibit 27 to SLED?

18 A. This evidence was checked out, these five items in the
19 bag were checked out on May 29th, '18 at approximately a
20 couple of minutes before 10:00 a.m. And I arrived at SLED
21 and time stamped the paperwork in their secure evidence
22 facility there at SLED evidence at April 18th, 2018 at
23 11:17 a.m.

24 Q. So drugs were logged in on March 26th; is that
25 correct?

ORIGINAL

DEPUTY KIMBRELL: DIRECT BY SOLICITOR BOYKIN

-207-

1 A. That's correct.

2 Q. By -- or March 27th, I'm sorry. They were turned
3 into the temporary logger; is that correct?

4 A. They were turned in on - the date into our system
5 was March 26th at 22:19 was the date in.

6 Q. So the days leading up to you transporting them to
7 SLED where were the drugs?

8 A. Once they come into the evidence department and
9 they're in a secure collection container provided by SLED
10 and bagged and all five items were inside there labeled by
11 the arresting officer. And they're logged in and then once
12 we do that process they are put in a secure closet area
13 behind a locked door and then which is inside my office and
14 my office door is also locked when we're not there so it's
15 behind two secure locked areas.

16 Q. So when you transported the drugs to SLED days after
17 they were logged in were they in the same condition as they
18 were when you checked them out ---

19 A. Yes.

20 Q. --- per when you checked them in?

21 A. Yes.

22 Q. And you mentioned that you brought - you checked
23 them out or picked them up from SLED: is that correct?

24 A. Yes. When the next time I go to SLED anything that
25 they have finalized their analyzation of is there for me to

ORIGINAL

DEPUTY KIMBRELL: DIRECT BY SOLICITOR BOYKIN
CROSS BY MS. MANIGAULT

-208-

1 pick up and I sign for that and bring it back and then it's
2 actually logged back into our system and issued a different
3 location and it's all -- that's the kit that was sent down,
4 the evidence that was sent down, and they have it in a
5 sealed container issued a SLED lab number which is here and
6 I sign for it and in this case it was put into location
7 Room No. 5 in Box No. 186.

8 Q. So again, what was tested would have remained within
9 evidence under your control from then until the time we are
10 here at trial?

11 A. That's correct.

12 Q. Can you read the lab number for us that's associated
13 with this case?

14 A. The lab number from SLED is L18-05739.

15 Q. And then again, State's Exhibit 27, how many items
16 were in there?

17 A. It shows five items. I took five down and there's
18 five items returned.

19 Q. All right.

20 SOLICITOR BOYKIN: Thank you.

21 THE COURT: Any cross?

22 MS. MANIGAULT: Just a question, your Honor.

23 CROSS-EXAMINATION

24 DEPUTY JAMES KIMBRELL BY MS. MANIGAULT:

25 Q. Sergeant Kimbrell, you are in charge of the P and E,

ORIGINAL

DEPUTY KIMBRELL: CROSS BY MS. MANIGAULT

-209-

1 Property and Evidence Division, a room?

2 A. Yes, ma'am.

3 Q. And when the items was turned in or received by your
4 staff on 3/27/18 that item remained in your custody or in P
5 and E until you took it to SLED?

6 A. That's correct.

7 Q. And you were the person that picked it back up from
8 SLED?

9 A. I take it -- take it down there and picked it back
10 up, yes, ma'am.

11 Q. And you were the person that placed it back in
12 Property and Evidence?

13 A. Yes, ma'am.

14 Q. And you were the person that brought it to court
15 today?

16 A. Yes. No, ma'am. It brought over to the Solicitor's
17 office yesterday and they signed for it.

18 Q. Or you brought it to the Solicitor's office yesterday?

19 A. Yes, ma'am, and Deputy Diaz brought it over for me.

20 It was checked out, the Solicitor's office signed for
21 each individual item in the bag yesterday.

22 Q. All right.

23 MS. MANIGAULT: Thank you.

24 THE COURT: Anything further?

25 SOLICITOR BOYKIN: No, your Honor.

ORIGINAL

ANGIL LANDRUM: DIRECT BY SOLICITOR BOYKIN

-210-

1 THE COURT: You may step down. Thank you.

2 (WITNESS LEAVES WITNESS STAND.)

3 THE COURT: You may call your next witness.

4 SOLICITOR BOYKIN: Your Honor, the State would call
5 Angil Landrum.

6 (WHEREUPON, ANGIL LANDRUM,
7 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

8 THE COURT: State your full name please.

9 A. Angil Landrum.

10 THE COURT: Would you spell your first name?

11 MS. LANDRUM: A-n-g-I-l.

12 THE COURT: Thank you.

13 DIRECT EXAMINATION

14 ANGIL LANDRUM BY SOLICITOR BOYKIN:

15 Q. Ms. Landrum, where do you work?

16 A. South Carolina Law Enforcement Division also known
17 as SLED.

18 Q. And how long have you worked there?

19 A. A little over sixteen years.

20 Q. And what's your title?

21 A. I'm a supervisor of the Drug Analysis Department.

22 Q. That where you've been the whole sixteen years at
23 SLED?

24 A. No, ma'am, I was not.

25 Q. When did you become part of that unit or the Drug

ORIGINAL

ANGIL LANDRUM: DIRECT BY SOLICITOR BOYKIN

-211-

1 Analysis?

2 A. When I started?

3 Q. When you stated sixteen years ago, is that correct?

4 A. Yes.

5 Q. Where did you go to college?

6 A. I have my bachelor's degree from Talladega College
7 and my masters degree from the University of Georgia.

8 Q. What other training have you gone through for your
9 career?

10 A. I have -- I am a graduate of the Drug Chemistry
11 Academy at the National Forensic Science Technology Center.
12 I'm also a graduate of South Carolina Criminal Justice
13 Academy and I've also received forensic drug analysis
14 training from South Carolina Law Enforcement Division.

15 Q. About how many hours of classes have you taken for
16 your training?

17 A. Maybe hundreds. I'm not sure.

18 Q. And so what do you do on a day to day basis? What's
19 your job there at SLED?

20 A. My job is to supervise employees, manage resources
21 for the Drug Analysis Department as well as conduct
22 scientific analysis of drug related evidence; maintain a
23 chain of custody and to provide courtroom testimony.

24 Q. So you do analyze substances that are brought there
25 from different agencies?

ORIGINAL

1 A. Yes.

2 Q. If you had to guess about how many samples do you
3 think you've tested in your sixteen years?

4 A.. Thousands.

5 Q. And have you ever been qualified as an expert before?

6 A. Yes, ma'am, I have.

7 Q. Okay. What were you qualified as an expert in?

8 A. Forensic drug analysis. Drug analyst.

9 Q. How many times do you think you've been qualified?

10 A. Approximately eighty-three times.

11 Q. Eighty-three? And did you testify in General
12 Sessions those eighty-three times?

13 A. Yes, ma'am, as well as federal court.

14 Q. Federal court.

15 SOLICITOR BOYKIN: Your Honor, at this time we would
16 offer Ms. Landrum as an expert in drug analysis
17 identification.

18 THE COURT: Drug analysis identification?

19 SOLICITOR BOYKIN: Yes, your Honor.

20 THE COURT: Any voir dire?

21 MS. MANIGAULT: None, your Honor.

22 THE COURT: Any objection?

23 MS. MANIGAULT: None.

24 THE COURT: Then I'll find her qualified as an
25 expert in drug analysis identification.

ORIGINAL

ANGIL LANDRUM: DIRECT BY SOLICITOR BOYKIN

-213-

1 BY SOLICITOR BOYKIN:

2 Q. Ms. Landrum, did you have an occasion to analyze
3 State's Exhibit 27, it's Lab No. 18-05739?

4 A. Yes, ma'am, I did.

5 Q. And how do you know that?

6 A. Because it has my initials on the evidence.

7 Q. First of all if you could read to us, what is the
8 incident date would it say on the bag, the incident date?

9 A. It has the date that it was sealed.

10 Q. The date? Okay, and what date was that?

11 A. March 26, 2018.

12 Q. And who sealed the bag?

13 A. It has Charles Nations.

14 Q. And you said your initials were on there. Can you
15 tell us the significance of your initials being on that
16 bag?

17 A. Yes, ma'am. The inner packaging within this heat
18 sealed envelop is what we called a Best Kit and that
19 basically stands for Best Evidence Sample Testing Kit. It
20 is distributed to law enforcement agencies throughout the
21 state of South Carolina so that they would have a uniform
22 way of submitting evidence for analysis to SLED. And when
23 we receive the evidence we would notate on the actual
24 packaging in the inside on the BEST Kit whether or not the
25 evidence was sealed. And on this bag it also has the

ORIGINAL

1 associated laboratory case number as well as sealed and
2 tagged the date and my initials.

3 Q. What if you receive a package that was not sealed
4 properly what would you do?

5 A. If it was not properly sealed it would mention on
6 the inner packaging that the seal was not intact.

7 Q. Would you then test the substance?

8 A. Yes, ma'am, we normally do and the report will state
9 that it was not sealed.

10 Q. In this case do you have any indication that it was
11 not sealed?

12 A. No, ma'am, I do not.

13 Q. Okay. And so you have your initials on there showing
14 that it was sealed when you opened the bag?

15 A. Yes, ma'am, that's correct.

16 Q. On there does it say who delivered the package to
17 SLED?

18 A. I'm not sure. All I can see is the name of the person
19 sealing the envelop.

20 Q. Okay. And what date did you begin your analysis?

21 A. The date that I began my analysis was on May 3rd,
22 2018.

23 Q. May 3rd, 2018? Okay.

24 A. Yes, ma'am.

25 Q. Do you know what date you received the items?

ORIGINAL

ANGIL LANDRUM: DIRECT BY SOLICITOR BOYKIN

-215-

1 A. I would have to refer to the report.

2 Q. Okay.

3 A. On April 23rd, 2018 items were received in B267381
4 from J. E. Kimbrell of the Laurens County Sheriff's Office.

5 Q. If you could, tell us what you received on that date.

6 A. Item 1.1 was a evidence bag labeled Item No. 13581
7 containing plastic jar containing powdered substance.

8 Item 1.2 was a evidence bag labeled 13582 containing
9 filter paper containing residue.

10 Item 1.3 was evidence bag labeled 13583 containing
11 blue plastic jar containing residue.

12 Item 1.4 evidence bag labeled 13584 containing two
13 filter papers containing residue.

14 Item 1.5 evidence bag labeled 13585 containing a piece
15 of foil containing powder substance.

16 Q. And did you test all five items that you received?

17 A. Yes, ma'am, I did.

18 Q. And did you form an opinion as to the items that you
19 tested for all five?

20 A. Yes, ma'am, I did.

21 Q. Okay. And in your expert opinion Item 1.1 the plastic
22 jar, what did that contain?

23 A. Methamphetamine.

24 Q. Item 1.2, filter paper containing residue, what did
25 that contain?

ORIGINAL

1 A. Methamphetamine.

2 Q. Item 1.3 another blue plastic jar containing residue,
3 what did that contain?

4 A. Methamphetamine.

5 Q. Item 1.4 two more filters containing residue, what
6 did that contain?

7 A. Methamphetamine.

8 Q. And Item 1.5 piece of foil containing powder
9 substance, what did that contain?

10 A. Methamphetamine.

11 Q. And again, I know we've gone over this, when you
12 receive the package had it been tampered with?

13 A. No, ma'am, it was not.

14 SOLICITOR BOYKIN: Your Honor, at this time the State
15 would enter into evidence State's Exhibit 27.

16 THE COURT: Any objection?

17 MS. MANIGAULT: None, your Honor.

18 THE COURT: The evidence is admitted.

19 (WHEREUPON, STATE'S EXHIBIT NO. 27, IDENTIFIED AND
20 MARKED, RECEIVED INTO EVIDENCE.)

21 SOLICITOR BOYKIN: Thank you, Ms. Landrum. Please
22 answer any questions the defense has.

23 THE COURT: Any cross?

24 MS. MANIGAULT: Thank you, your Honor.

25 THE COURT: There's no objection to opening the bag?

ORIGINAL

ANGIL LANDRUM: CROSS BY MS. MANIGAULT

-217-

1 SOLICITOR SCOTT: No, your Honor.

2 SOLICITOR BOYKIN: No, your Honor.

3 CROSS-EXAMINATION

4 ANGIL LANDRUM BY MS. MANIGAULT:

5 Q. I'm gonna give you back State's Exhibit No. 27.

6 I have opened the bag, and we're gonna start from
7 Item 1.1 that was the Item No. was 13581.

8 A. Yes, ma'am.

9 Q. What -- was there a weight found?

10 A. For Item 1.1 the weight was less than 0.10 grams.

11 Q. And can't you give some description of what that
12 weight would look like using salt or sand or?

13 A. Maybe a couple of grams of salt.

14 Q. Okay. And State's Exhibit No. 27, Item 1.2 and the
15 Item labeled 13582 was there a weight found?

16 A. No, ma'am, no weight obtained.

17 Q. Item 1.3 is labeled 1 - Item 13583, a blue plastic
18 jar. Was there a weight found?

19 A. No, ma'am, no weight obtained.

20 Q. Item 1.4 in your report, bag labeled 13584, was there
21 a weight found?

22 A. No, ma'am, no weight obtained.

23 Q. And Item 1.5 the evidence bag labeled 13585, it says a
24 piece of foil. Was there a weight found?

25 A. The weight was less than 0.10 grams.

ORIGINAL

1 Q. So again it's like a couple of grains ---

2 A. Correct.

3 Q. --- of sand? All right.

4 MS. MANIGAULT: Thank you.

5 THE COURT: Any redirect?

6 SOLICITOR BOYKIN: Just briefly, your Honor.

7 REDIRECT EXAMINATION

8 ANGIL LANDRUM BY SOLICITOR BOYKIN:

9 Q. Ms. Landrum, all five items though in your expert
10 opinion contained what?

11 A. Methamphetamine.

12 SOLICITOR BOYKIN: No further questions, your Honor.

13 THE COURT: You may step down.. Thank you.

14 (WITNESS LEAVES WITNESS STAND.)

15 THE COURT: You may call your next witness.

16 SOLICITOR SCOTT: May we just approach just for
17 scheduling purposes?

18 THE COURT: Yes, sir.

19 (BENCH CONFERENCE OFF THE RECORD OUT OF THE HEARING
20 OF THE JURY AT 11:45 A.M.)

21 THE COURT: Ladies and gentlemen for scheduling this
22 would be a good time to take a break for lunch. I want to
23 remind you the instructions that I've given to you that is
24 not to begin to discuss this matter among yourselves as
25 you've still not heard all the evidence in this matter.

ORIGINAL

-219-

1 Please also remember as you come and go from the
2 courthouse not to allow anyone to approach you to discuss
3 this matter with you. Again, if someone attempts to do
4 that please tell them that you are a juror and cannot
5 discuss it. I only ask that you report as soon as
6 possible.

7 Ladies and gentlemen, I'm going to ask that you report
8 back to the jury room at 1:00 o'clock and when you report
9 at 1:00 then we will be ready to continue on with the trial
10 in this matter. I hope you have a very pleasant lunch.

11 Thank you.

12 (JURY EXITS COURTROOM ON LUNCH RECESS AT 11:48 A.M.)

13 THE COURT: And just to be clear, Ms. Scott, you don't
14 intend to call Walter Bentley, is that correct?

15 SOLICITOR SCOTT: No, your Honor, I don't see any
16 need to at this point. The only way he can come up is if a
17 possible rebuttal witness but I don't foresee calling him.

18 THE COURT: Is there anything else we need to take up
19 at this time before we break?

20 SOLICITOR SCOTT: Nothing from the State.

21 MS. MANIGAULT: Nothing from the Defense, your Honor.

22 THE COURT: Then we'll see you back at 1:00 o'clock
23 then.

24 (COURT IN LUNCH RECESS AT 11:50 A.M.)

25 (COURT BACK IN SESSION AT 01:11 P.M.)

ORIGINAL

1 THE COURT: Is there anything we need to take up
2 before we bring the jury in?

3 SOLICITOR SCOTT: Nothing from the State, your Honor.

4 MS. MANIGAULT: Nothing from the Defense, your Honor.

5 THE COURT: You may ask the jury to come in please.

6 (JURY REENTERS COURTROOM AT 01:13 P.M.)

7 THE COURT: Good afternoon, ladies and gentlemen.

8 We are ready to continue on with the trial in this
9 matter.

10 You may call your next witness.

11 SOLICITOR SCOTT: The State calls Amanda Marler.

12 THE COURT: Step forward please, ma'am, and be sworn.

13 (WHEREUPON, AMANDA MARLER,
14 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

15 THE COURT: State your name, please.

16 A. Amanda Marler.

17 THE COURT: Spell your last name.

18 MS. MARLER: M-a-r-l-e-r.

19 THE COURT: Thank you.

20 DIRECT EXAMINATION

21 AMANDA MARLER BY SOLICITOR SCOTT:

22 Q. Ms. Marler, how old are you today?

23 A. Twenty-six.

24 Q. Where are you from?

25 A. Laurens.

ORIGINAL .

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-221-

1 Q. Did you grow up here?

2 A. Yep.

3 THE COURT: I'm sorry, I can barely hear you. If I
4 can barely hear you the jury probably can't hear you
5 either. Can you speak up a little bit louder please?

6 A. Yes, ma'am.

7 THE COURT: Thank you.

8 BY SOLICITOR SCOTT:

9 Q. And the air conditioner is going too so that adds to
10 it. Speak up so we can hear you. I ask you did you grow
11 up in Laurens and you said yes.

12 A. Yes.

13 Q. Okay. At some point do you recall meeting a man
14 named Ronald Eaton?

15 A. Yes.

16 Q. Tell me how you came to know Ronald Eaton.

17 A. Through a friend of mine like on Facebook.

18 Q. Do you remember when you first met him?

19 A. Yeah, about a year, about almost two years ago.

20 Q. So you would have been twenty-four?

21 A. Yeah, about twenty-four, twenty-five, something like
22 that.

23 Q. Do you know how old he was?

24 A. Fifty.

25 Q. Okay. What was the nature of your relationship with

ORIGINAL

1 Mr. Eaton?

2 A. Well I had a really abusive ex and I would hang out
3 with him just I was trying to get away from my ex and all
4 that and just looking for somebody to hang out with. I
5 didn't have a lot of friends; I didn't have a lot of people
6 that cared about me. I had lost a lot of people in my
7 family and stuff like that and I just clung to anybody I
8 could.

9 Q. I think you say you had a number of family who had
10 passed on recently. Your mother had died; is that right?

11 A. Yes.

12 Q. You say your grandmother had overdosed?

13 A. Yeah.

14 Q. Your grandfather, is that somebody you were close
15 with?

16 A. Yes.

17 Q. Had he recently died?

18 A. Yeah.

19 Q. As far as family who do you have in Laurens County
20 to go to?

21 A. My cousin and uncle but they -- I don't have anything
22 to do with them any more.

23 Q. When you met Mr. Eaton you had already gotten into
24 methamphetamine; is that right?

25 A. Yes.

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-223-

1 Q.. Do you know how old you were when you first started
2 using methamphetamine?

3 A. Its been a few years back.

4 Q. Where was Mr. Eaton living when you first met him?

5 A. Above Brown's Trailer Park.

6 Q. Brown's Trailer Park?

7 A. Yeah.

8 Q. Was he living in a trailer or that camper?

9 A. He was living in a house above Brown's Trailer Park
10 when I first met him.

11 Q. Okay. At some point did you know him to move into
12 a camper?

13 A. Yeah, we lived in a camper.

14 Q. I show you State's 25. Is that the camper?

15 A. Yeah.

16 Q. At what point - when did you begin living with him?

17 A. Not too long after I met him.

18 Q. Okay. And did you move into the house or the
19 camper?

20 A. The house and then into the camper.

21 Q. And this is late 2017, is that what we're talking
22 about?

23 A. Yeah.

24 Q. Okay. Where did you live - when you lived in the
25 camper where did you live with him?

ORIGINAL

1 A. In Brown's Trailer Park and then on Boyd Road.

2 Q. What about Bob Cat Road?

3 A. That's where Brown's Trailer Park is.

4 Q. Oh, okay. Brown's Trailer Park is the trailer park
5 on Bob Cat Road?

6 A. Yeah. Bob Cat Drive.

7 Q. Okay, I gotcha. Bob Cat Drive. And at some point
8 do you remember when you guys moved the camper from Bob
9 Cat to Boyd Road? You have to say yes or no.

10 A. Yeah.

11 Q. Do you remember why you guys decided - was it kind of
12 an abrupt move? I mean was it sort of a sudden unplanned
13 move?

14 A. Yeah.

15 Q. And do you remember why you guys decided to suddenly
16 move the camper?

17 A. Well somebody had told us that the police had came
18 and they --

19 MS. MANIGAULT: Your Honor, I object to anything
20 she's testifying anybody told her.

21 SOLICITOR SCOTT: And may I be heard, your Honor?

22 THE COURT: Yes, sir.

23 SOLICITOR SCOTT: She's explaining why -- we're not
24 offering it to the truth of the matter asserted -- she's
25 explaining why the move was necessary for them. Just what

ORIGINAL .

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-225-

1 that information had on her mental state and why they made
2 this decision, not whether or not they were doing anything.

3 MS. MANIGAULT: Your Honor, I would report that that
4 information is coming from somebody outside this courtroom
5 that we don't have a chance to question so I am objecting
6 to that hearsay information.

7 THE COURT: At this particular point it's not being
8 offered for the truth of the matter, it's being offered for
9 to explain why they moved so I'll allow it.

10 But not a whole lot of detail on it.

11 SOLICITOR SCOTT: Yes, your Honor.

12 BY SOLICITOR SCOTT:

13 Q. Was there a reason why you guys decided this move
14 was suddenly necessary?

15 A. Yeah. It was because the police had just came and
16 busted the people right next door and someone had told us
17 that we needed to go ahead and move out because or else we
18 were gonna get busted too.

19 Q. Okay. In your mind what did you think you would get
20 busted for?

21 A. For meth.

22 Q. Okay. Was meth something that was in that camper
23 regularly?

24 A. Yeah.

25 Q. Do you remember - let me cut to the chase. Do you

ORIGINAL

1 remember when officers came on March 26 inside your camper?

2 A. Yeah.

3 Q. About how much - how much before that date did
4 y'all move from Bob Cat to Boyd Road?

5 A. It had been a couple of months.

6 Q. So a couple of months. Okay. Who hooked the
7 trailer up to move it from Bob Cat to Boyd?

8 A. Just a friend.

9 Q. Was that Contessa Norwood?

10 A. It wasn't her. It was a friend of hers, her friend
11 of the family or something that moved it. I can't remember
12 exactly who it was.

13 Q. Okay. And Contessa is Mr. Eaton's sister?

14 A. Yeah.

15 Q. And the land you moved from on Boyd who owns that
16 land?

17 A. I thought it was her husband's mom but from what I
18 been told it's -- it's like her father's land or something
19 like that. I don't know.

20 Q. Did she ever meet with you guys out there on Boyd
21 Road?

22 A. Yeah. She's came and took me to DSS when I was out
23 there and everything. She knew that we were out there.

24 Q. And was that location chosen for any specific reason?

25 Is that kind of a hidden location wouldn't you say?

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-227-

1 A. Yes.

2 Q. Is it a rural sort of location?

3 A. I mean you can't see it from the road.

4 Q. Why was that important for you guys?

5 A. I mean the probation thing and friends had just got
6 busted. I had the Sudafed warrant that I ---

7 MS. MANIGAULT: Your Honor.

8 A. --- had --

9 THE COURT: One moment, please.

10 MS. MANIGAULT: Objecting to her testimony about any
11 other illegal activities or arrest of anybody. Again, my
12 motion too goes to this information being stated for the
13 truth asserted. It's not being stated to filter or foster
14 their reasons for moving. It's being stated and being
15 asserted for the truth of the matter stated so, I'm again
16 objecting to her testifying to anything anybody says or
17 anything that she has not observed directly or anything
18 that she does not know of her own knowledge.

19 THE COURT: What was the question again?

20 SOLICITOR SCOTT: The question was, why was this
21 location important to you. I was alluding to the hidden
22 area. You can't see it from the road. She said -

23 THE COURT: I understand what she said.

24 SOLICITOR SCOTT: Okay. And, your Honor, there wasn't
25 hearsay, she said several of her friends had been -

ORIGINAL

1 THE COURT: Counsel, approach for a moment.

2 (BENCH CONFERENCE OFF THE RECORD OUT OF THE HEARING OF
3 THE JURY AT 01:23 P.M.)

4 BY SOLICITOR SCOTT:

5 Q. Mainly though the reason you guys moved there was it
6 was kind of somewhere you wouldn't be seen; is that right?

7 You have to say yes or no.

8 A. Pretty much.

9 Q. Okay. And who lived there besides you and Ronald
10 Eaton?

11 A. Travis Jarnagin and Ashley Brewington were staying
12 with us too.

13 Q. But whose camper did - who did the camper belong to?

14 A. Well it was mine and his. It was given to us by a
15 friend of mine.

16 Q. By a friend of yours?

17 A. Yeah.

18 Q. So would the primary residents been you and Ronald
19 Eaton?

20 A. Right.

21 Q. And so Jarnagin, Brewington, were guest of yours.

22 Okay. March 26, 2018 do you remember Agent Washburn's
23 knocking on a window of the camper?

24 A. Yeah.

25 Q. Was the window he knocked on was that to the bedroom

ORIGINAL .

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-229-

1 or was it a different window?

2 A. I can't remember.

3 Q. Okay. What do you remember happening - did you look
4 out the window to see who it was?

5 A. I probably did, yeah.

6 Q. What happened after you guys realized it was law
7 enforcement?

8 A. Just tried to hide stuff and whatever we had and just
9 get ready pretty much get arrested probably.

10 Q. Okay. Did you have it in your mind you would be
11 arrested at that point?

12 A. Oh, yeah.

13 Q. Did the two of you talk about hiding the items in
14 the house?

15 A. I mean it was just so rushed that I can't really
16 remember exactly everything but.

17 Q. Well I'm asking you did you see Mr. Eaton hide items?
18 I show you State's No. 21. Do you recognize that?

19 A. Yeah. We hide the jar and stuff like that and then
20 this stuff was that in my purse I tried to shove it down.

21 Q. Who hid the jar under the pillow in the bedroom?

22 A. He did that because I didn't have the jar. I didn't
23 remember nothing about the jar being there so it had to be.

24 Q. Do you remember Mr. Eaton opening the door?

25 A. Yeah. And I wondered why he opened the door. But

ORIGINAL

1 yeah he's the one that opened the door to begin with.

2 Q. And you remember law enforcement coming inside?

3 A. They -- I believe they put -- they detained us first.

4 They put handcuffs on us first and then they ask him
5 if they could search and he told them yes.

6 Q. And do you remember them going inside and searching
7 the house?

8 A. Yes.

9 Q. And do you remember pulling stuff out?

10 A. Yes.

11 Q. Do you remember days leading up to March 26, 2018?

12 Do you remember whether or not you witnessed Mr.

13 Eaton cooking methamphetamine, manufacturing

14 methamphetamine in the Boyd Road address?

15 A. Yeah. Nothing happened that day. That night when
16 we -- when the police came we was asleep.

17 Q. About how long before that did you remember
18 manufacturing the meth?

19 A. It had been like a few days.

20 Q. A few days before? What is your involvement whenever
21 Mr. Eaton would manufacture the meth -- let's get it out of
22 the way -- last year, June of last year pled guilty to your
23 part of this; is that right?

24 A. Yeah.

25 Q. You pled to conspiracy to manufacture methamphetamine;

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-231-

1 is that right?

2 A. Yes.

3 Q. Did you have a criminal record before that?

4 A. No.

5 Q. And the judge after you pled sentenced you because
6 of your age to something called a youthful --

7 MS. MANIGAULT: Your Honor, I'm objecting. He's
8 been leading this witness for a while so I'm objecting to
9 the leading. And he needs to quit testifying.

10 SOLICITOR SCOTT: I'll rephrase, your Honor.

11 Q. What did the judge sentence you to?

12 A. A YOA.

13 Q. Okay. Explain to the jury what a YOA is.

14 A. A Youthful Offender's Act.

15 Q. And old were you when you pled guilty?

16 A. Twenty-five.

17 Q. Okay. And you pled to conspiracy to manufacture
18 meth?

19 A. Yes.

20 Q. And did you admit that you helped Mr. Eaton in
21 producing the methamphetamine?

22 A. Yes.

23 Q. Okay. Tell us now what you did to help him to
24 manufacture meth.

25 A. I mean I bought boxes. I would help any kind of

ORIGINAL

1 work I needed anywhere that -- if he needed help I would
2 help.

3 Q. All right.

4 A. Put stuff together or whatever I needed to do.

5 Q. Explain to the jury what buying boxes means.)

6 A. Buying Sudafed. The Sudafed is what you used
7 to make the meth with.

8 Q. Tell it, do you help set stuff up? What does that
9 mean?

10 A. Just help clean out bottles to anything that needed
11 to be done.

12 Q. What is --

13 A. But I'm not saying that I didn't take part in it
14 because I did. I did my part and I admitted to that. I'm
15 not saying I didn't do anything wrong because I did.

16 Q. Well that's what - you already pled guilty to it.

17 A. Right.

18 Q. Well what I'm asking you is what did you do to help
19 him specifically? You said cleaning out bottles. What
20 does that mean? We're just trying to figure out what is
21 involved with manufacturing meth or how you help somebody
22 manufacture meth. So what does cleaning out a bottle have
23 to do with manufacturing meth?

24 A. Just drying out bottles to put the Sudafed and
25 everything in it so the water wouldn't like react with the

ORIGINAL .

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-233-

1 other stuff to mess it up.

2 Q. So you needed the inside of the bottle to be dry
3 before you would do it?

4 A. Yeah.

5 Q. Do you understand the chemical reactions? What would
6 water do to the reaction that makes drying it out
7 important?

8 A. I mean I guess you could catch it on fire like the
9 lithium and the water like mixing together would cause a
10 fire.

11 Q. Okay. Did you ever engage in shaking the bottles?

12 A. I've shook it. I've shook, yeah, but I didn't - I
13 mean I probably couldn't put all the things together and do
14 it the right way and not to completely mess it up.

15 Q. Okay. But you helped manufacture?

16 A. Yeah.

17 Q. I was just asking, did you help shake it, the bottles
18 or anything like that?

19 A. Yeah, I have.

20 Q. Okay. So you helped purchase Sudafed, clean out
21 the equipment, shake the bottles. What about drying out
22 the meth? Anything like that? Because it comes out wet,
23 right?

24 A. Yeah.

25 Q. And did you ever do anything as far as helping drying

ORIGINAL

1 it our or anything like that?

2 A. All you got to do is just let it dry. Like there's
3 no process to that. You just let it dry.

4 Q. Okay. In the camper that you shared with Mr. Eaton,
5 I'm referring to State's No. 1, Amanda. Did you use
6 hydrogen peroxide to manufacture meth?

7 A. If the bottle won't start, like if it won't start you
8 put the peroxide in it to make it react.

9 Q. Okay. But did you and Mr. Eaton use hydrogen peroxide
10 -- You got to say yes or no ---

11 A. Yes.

12 Q. --- in the manufacture of meth? State's No. 2,
13 what is this?

14 A. Salt.

15 Q. Okay. Was this used by you and Mr. Eaton in the
16 manufacture of meth?

17 A. Yes.

18 Q. State's No. 12, this plastic tubing, tell the jury --
19 what do you call that, hose or tubing?

20 A. It's a hose. We used the hose to smoke the dope off
21 with.

22 Q. Okay. And is that hose something that you and Mr.
23 Eaton would use in manufacturing methamphetamine?

24 A. Maybe not that particular one but that kind, yeah.

25 Q. The State's No. 14, do you recognize -- do you

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-235-

1 recognize anything in that picture?

2 A. Yes. Those were just used for like put a tip on it
3 and like it's a big flame and you use it for like cleaning
4 bottles and stuff like that.

5 Q. But was Coleman fuel ever used in the production of
6 the methamphetamine?

7 A. Yes, but just not that kind.

8 Q. What kind did you use?

9 A. Just the kind in the tins.

10 Q. State's No. 20, Amanda, do you remember the Koozie
11 that's depicted in this picture and do you recognize
12 the contents?

13 A. Yeah. That was just -- it was just dope.

14 Q. Okay. Was the dope found there the remnants of that
15 last batch you guys manufactured?

16 A. Yeah it had to be.

17 Q. And then several coffee filters were found in the
18 camper. Amanda, this is State's 19, with residue in it.

19 Would that have been from the manufacture of
20 methamphetamine?

21 A. Yeah.

22 Q. After officers found this stuff, brought you outside,
23 did you and Mr. Eaton have any conversation with one
24 another?

25 A. Yeah.

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-236-

1 Q. And what was the gist of the conversation?

2 A. That pretty much I was scared because I didn't -- I
3 was gonna take it all but I was scared because I had just
4 gotten out on bond for a lesser charge and it just - when
5 I acted like I didn't want to take it he acted like he was
6 like really, why? You know, like I figured you'd be like
7 that because he was gonna violate probation and he got more
8 time -

9 SOLICITOR SCOTT: All right. Let me stop you.

10 MS. MANIGAULT: Your Honor, I object to this
11 testimony.

12 THE COURT: I sustain. You need to rephrase the
13 question.

14 BY SOLICITOR SCOTT:

15 Q. Did he ask you to take the charge?

16 A. I wouldn't say he ask me directly to take it but --

17 Q. I don't want you to allow too much in what was said,
18 but did he -- did he -- did you take it as him
19 communicating that he wished for you to take the charge
20 solely?

21 A. Yeah.

22 Q. And at that point you had no criminal history; is
23 that correct?

24 A. Right.

25 Q. And at some point did you tell Investigator Nations

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT

-237-

1 that okay, everything in here is mine, did you tell him
2 something of that effect?

3 A. Yeah.

4 Q. That you testified here today under oath and your
5 testimony is that Ronald Eaton cooked meth, manufactured
6 meth, and you aided him; is that what you're testifying to?

7 A. Yes.

8 Q. Okay. One second. All right. And I do want to
9 clarify. You're in jail now for another methamphetamine
10 related offense?

11 A. Yes.

12 Q. Are you addicted to this stuff?

13 A. Yeah.

14 Q. What does it do to you?

15 A. Apparently it makes me do a lot of stupid things.

16 Q. Can you say anything good about it? Has it helped in
17 anyway throughout life?

18 A. It definitely hasn't.

19 Q. In your experience have you ever seen anything good
20 come out of meth and being addicted to meth?

21 A. It's the worst thing that's ever happened to me.

22 Q. There is a coffee grinder, that a picture that's
23 State's No. 5. I got it right here in State's No. 28.

24 It appears to have white powder in it. What is that
25 white powder?

ORIGINAL

1 A. Either Sudafed or lye or cold pack, one of the
2 three.

3 Q. Why would you grind up pseudoephedrine in a coffee
4 grinder?

5 A. To put into the bottle to make the meth.

6 Q. Why not just drop the whole tablets in there?

7 A. I guess it doesn't work as well when you do it like
8 that.

9 Q. Okay. Who ground up the Sudafed in that coffee
10 grinder?

11 A. I can't remember if he did it or if I helped him do
12 it that time. I can't remember.

13 Q. Have both of you ground up Sudafed in that coffee
14 grinder before?

15 A. Yes..

16 Q. Let me ask you this. You testified the meth in these
17 coffee filters are the pictures were manufactured at the
18 Boyd Road address in the camper, have you in your past ever
19 purchased methamphetamine from somebody else, from somebody
20 off the street?

21 A. Yes.

22 Q. And how was it delivered to you?

23 A. From the bag.

24 Q. Okay.. Is it ever delivered to you, have you ever
25 bought it out of a coffee filter?

ORIGINAL

AMANDA MARLER: DIRECT BY SOLICITOR SCOTT
CROSS BY MS. MANIGAULT

-239-

1 A. No.

2 Q. Okay. Has anything been promised to you for
3 testifying today?

4 A. No.

5 Q. All right.

6 SOLICITOR SCOTT: Amanda, answer any questions Ms.
7 Manigault has, okay.

8 THE COURT: Any cross?

9 CROSS-EXAMINATION

10 AMANDA MARLER BY MS. MANIGAULT:

11 Q. Amanda, weren't you promised probation and that's
12 what you got last year when you pled guilty to the charge?

13 A. No. I was told I would get the YOA sentence and all
14 that but that wasn't because of that. That was . . .

15 Q. So Investigator Nations or the Solicitor's office
16 didn't promise you probation if you said what they
17 wanted you to say? So nobody promised you probation. Is
18 that what you're telling me?

19 A. No.

20 Q. How long had you been using methamphetamine before
21 you met Ronald Eaton?

22 A. It might be --

23 Q. How many years?

24 A. A year or so. I mean a couple of years.

25 Q. A couple of years or so? Is that what you said?

ORIGINAL

1 A. Yeah.

2 Q. Okay. Were you ever around when Ronald Eaton was
3 refurbishing furniture, table, a stand in the living room?

4 A. Yeah.

5 Q. You were around?

6 A. Yeah.

7 Q. I'm gonna show you State's Exhibit No. 4. I'm
8 particularly referring to the wood right there. Were you
9 around when he refurbished that piece?

10 A. Yeah.

11 Q. And I'm referring to State's Exhibit No. 10. Here is
12 a cabinet that appears to be refurbished. Were you around
13 when he refurbished that?

14 A. Yeah.

15 Q. And tell me what kind of work he did to it when he
16 refurbished the furniture how did he do it?

17 A. With one of the Coleman tanks.

18 Q. With one of the Coleman tanks?

19 A. Uh-huh.

20 Q. Describe how he used the Colman take to refurbish
21 the furniture.

22 A. He would get it really like - he would use the flame
23 on it to like go and design in the wood and then after he
24 did that he would sand it down and put polyurethane on it.

25 Q. So I'm gonna show you State's Exhibit No. 1. There is

ORIGINAL

AMANDA MARLER: CROSS BY MS. MANIGAULT

-241-

1 a picture of a mini wax can. Was that used to refurbish
2 the furniture and polish it?

3 A. Yeah.

4 Q. So do you have any idea how many the Coleman - was
5 it propane cans ---

6 A. Uh-huh.

7 Q. --- he used to refurbish this furniture?

8 A. A lot of 'em.

9 Q. A lot of them?

10 A. Yeah, he ran out of a bunch of 'em using them before
11 that.

12 Q. Okay. All right. Now you did tell Investigator
13 Nations on March 26 that all of the drugs found in the
14 camper were yours; is that correct?

15 A. Yes.

16 Q. And then on April 11th Investigator Nations came to
17 the detention center to see you and you gave him a
18 different statement; is that right?

19 A. Yes.

20 Q. And you told him at that time that you were scared
21 and the stuff wasn't yours.

22 A. Yeah.

23 Q. Did he tell you that he was not going to allow you
24 to take credit for the drugs on April 11th?

25 A. No. That was the day that we got arrested and he

ORIGINAL

1 said that --

2 Q. No, but he said that the day which is March 26 when
3 he --

4 A. The day that we got arrested is when he was saying
5 that he didn't believe that I all that was mine because ---

6 Q. Okay.

7 A. --- it wasn't.

8 Q. All right. And he was not going to allow you take it;
9 is that correct?

10 And how long did you live in the camper you said?

11 A. It was like a year and something.

12 Q. Did you all have running water?

13 A. No.

14 Q. How did you get water?

15 A. When we'd go down the road and fill up bottles of
16 water.

17 Q. What kind of bottles?

18 A. 2 liter bottles.

19 Q. Okay. Did you have any electricity?

20 A. Yeah.

21 Q. How did you have that? Was that through Duke Energy
22 or some other local utility company?

23 A. No.

24 Q. It wasn't?

25 A. No, it was from like next door.

ORIGINAL

AMANDA MARLER: CROSS BY MS. MANIGAULT

-243-

1 Q Next door. Did you have a generator?

2 A. Yeah.

3 Q. So how did you all do your laundry, wash your clothes?

4 A. We had to go to his sister's house to wash 'em.

5 Q. And how did you all take baths?

6 A. We would go to his sister's house.

7 Q. And how far was his sister's house from the location
8 shown on State's Exhibit No. 23? How far was his sister's
9 house from this location?

10 A.. Like across town.

11 Q.. Across town? Okay. And do you have any idea when
12 Mr. Eaton stated refurbishing the furniture after you all
13 moved the camper or was it before you moved the camper?

14 A. It was after.

15 Q. After you moved the camper.

16 MS. MANIGAULT: I beg the Court's indulgence.

17 Q. All right, is it your testimony that the camper
18 belonged to both you and Mr. Eaton; is that correct?

19 A. Yes.

20 Q. It was given to you by a friend, to y'all by a friend?

21 A. Yeah.

22 Q. All right. And you also testified that Mr. Eaton
23 gave permission to the officer to search the camper; is
24 that correct?

25 A. Yes.

ORIGINAL

1 Q. Haven't you been convicted of false information to
2 police previously?

3 A. I have never been convicted of that, no.

4 Q. You have not been convicted of that?

5 A. No.

6 Q. The State ask you a question have you ever bought
7 methamphetamine prior to meeting Mr. Eaton.

8 A. Yes.

9 Q. And how frequently were you buying it?

10 A. I wasn't buying it frequently. Like I'd usually just
11 go somewhere and smoke or whatever. Or wherever it was at
12 I'd just go.

13 Q. Or you would just go to somebody that had some?

14 A. Yeah, and just I never really ---

15 Q. They would just give you some?

16 A. --- had to buy it.

17 Q. I'm sorry.

18 A. I never really had to buy it but when I did it
19 came in a bag.

20 Q. Okay. Did you ever buy any meth during the year
21 previous of the year that you lived with Mr. Eaton?

22 A. Yes.

23 Q. All right.

24 MS. MANIGAULT: Thank you.

25 THE COURT: Anything further?

ORIGINAL

AMANDA MARLER: REDIRECT BY SOLICITOR SCOTT

-245-

1 MS. MANIGAULT: Nothing, your Honor.

2 THE COURT: Any redirect?

3 REDIRECT EXAMINATION

4 AMANDA MARLER BY SOLICITOR SCOTT:

5 Q. You never really had to buy it. Why didn't you really
6 never have to buy it?

7 A. Because I mean I just smoked with whoever had it.

8 Q.. Okay. Well then you made some too; is that right?

9 A. I mean usually people would have it or would have
10 made it or some.

11 Q. Okay. You and Ronald Eaton would make it; is that
12 right?

13 A. Right.

14 Q. And what would you - you talked about cleaning out the
15 bottles and you talked about some of the bottles there were
16 for water storage.

17 MS. MANIGAULT: Your Honor, I'm objecting to this
18 testimony because I didn't bring anything up about cleaning
19 out bottles. That is not in response to my cross
20 examination.

21 SOLICITOR SCOTT: It is actually, your Honor, because
22 she was elicited the testimony that they had water bottles
23 brought from other locations and that was their water
24 supply apparently. That was what was elicited through
25 cross examination, your Honor.

ORIGINAL

1 THE COURT: In reference to how they had running
2 water?

3 SOLICITOR SCOTT: Yes, your Honor, that was the
4 question regarding the water bottles. I think it was how
5 did you have water brought to the house and it was through
6 bottles I think was the testimony.

7 May I continue, your Honor?

8 THE COURT: And what's the question?

9 SOLICITOR SCOTT: Oh, the question would be the
10 bottles that were used not for water but for manufacturing
11 meth, what happened with those, how were they disposed of?

12 THE COURT: I don't think that's necessarily
13 responsive to what was elicited on cross-examination.

14 SOLICITOR SCOTT: Okay.

15 THE COURT: So I sustain the objection.

16 BY SOLICITOR SCOTT:

17 Q. The Coleman fuel bottles you testified that some were
18 used for refurbishing furniture, okay. Earlier you
19 testified that Coleman fuel bottles were used for the
20 manufacture of meth as well. Coleman fuel was, right?

21 A. The green ones were used for the refurbishing of the
22 furniture and stuff like that. The regular like gallons of
23 Coleman fuel is for meth.

24 Q. Okay. What would you do with those bottles once they
25 were used in the meth manufacturing?

ORIGINAL

AMANDA MARLER: REDIRECT BY SOLICITOR SCOTT

-247-

1 A. Burn 'em.

2 Q. Okay. Is that how a lot of the stuff was gotten rid
3 of, you burned it?

4 A. Yeah.

5 Q. Okay. Thank you.

6 SOLICITOR SCOTT: Nothing further.

7 THE COURT: Anything further?

8 MS. MANIGAULT: Nothing, your Honor.

9 THE COURT: You may step down. Thank you.

10 (WITNESS LEAVES WITNESS STAND.)

11 THE COURT: You may call your next witness.

12 SOLICITOR SCOTT: Your Honor, at this time the State
13 rest.

14 THE COURT: Ladies and gentlemen, we have some legal
15 issues which we need to take up outside of your presence.
16 I'm going to ask that you return to the jury room and ask
17 that you not begin any discussions among yourselves as you
18 still have not heard all the evidence that has to be
19 presented. And even if you had heard all the evidence you
20 are still not in a position to be able to determine the
21 issues in this particular matter until you've heard my
22 instructions to you as to the law, so I ask that you not
23 engage in any conversations or deliberations about the
24 evidence that you've heard thus far.

25 We'll bring you back as soon as we take up these legal

ORIGINAL

1 issues. Thank you.

2 (JURY EXITS COURTROOM AT 01:58 P.M.)

3 THE COURT: Are there any motions at this time?

4 MS. MANIGAULT: Thank you, your Honor.

5 Your Honor, the Defense would move for a motion of
6 directed verdict of not guilty. The State has not proved
7 all the elements in the two crimes that have been charged.

8 THE COURT: Do you wish to elaborate?

9 MS. MANIGAULT: Your Honor, the State has not shown
10 where my client even prepared, confounded, averted,
11 processed, or controlled directly or indirectly the
12 substance that has tested positive here by the lab for
13 meth. We believe that's an important element of the
14 charge. I believe that in the best light for the State
15 that they have not even proved that he aided, abetted, or
16 attempt -- or attempted or conspired to manufacture so they
17 have not proved the elements of the case for the charge.

18 THE COURT: Any response?

19 SOLICITOR SCOTT: Your Honor, circumstantial evidence
20 that was elicited would be the purchase, the consistent
21 purchase of Sudafed in the months leading up to the
22 incident date. We had expert testimony from Sergeant Veal
23 that he testified to the relevance of various items taken,
24 that being coffee filters with residue, salt, Coleman fuel,
25 plastic tubing, various containers, jars. He testified to

ORIGINAL

1 processes involving manufacturing meth and how the items
2 found in the camper on Boyd Road were consistent in his
3 expert opinion with the manufacture of methamphetamine.

4 Furthermore, your Honor, we did have a SLED chemist
5 testify that various items that Veal testified were
6 involved with the lab did contain the finished product it
7 did test positive for methamphetamine, at least five
8 objects that were involved with the lab the methamphetamine
9 lab.

10 Furthermore, you just now heard direct testimony,
11 direct evidence from Amanda Marler that she testified to
12 having seen Mr. Eaton take these legal items and convert
13 them illegally, i. e., manufacture methamphetamine from
14 these items. She testified to her involvement; she
15 testified to disposal of certain objects involved with the
16 manufacturing.

17 Your Honor, as you know is not concerned with the
18 weight of evidence. The mere existence of some confident
19 evidence is what we're dealing with in a directed verdict
20 motion. Your Honor, I think the evidence that just was
21 cited would rise to the level of binding it over to the
22 jury, your Honor.

23 MS. MANIGAULT: Your Honor, may I just add one thing?

24 THE COURT: Yes, ma'am.

25 MS. MANIGAULT: The testimony from the State's witness

1 Amanda Marler she testified that there was no manufacturing
2 on the 26th. Her testimony also says that's like if - if
3 it did happen it was a few days before the 26th. Again,
4 your Honor, that goes to my previous argument about
5 limiting the time regarding the indictment, the on or about
6 time. I believe the on or about does not cover that three
7 days prior or several days prior that she testified to.

8 THE COURT: Again the directed verdict motion is
9 concerned with the existence of evidence and not the weight
10 to give to that evidence. I believe based upon the facts
11 that have been presented in this case that there is
12 evidence from which the jury will have to make a decision
13 as to whether or not all of the facts and circumstances
14 point to guilt beyond a reasonable doubt. There is the
15 existence of evidence that suggest manufacturing as that
16 term is defined under the statute and I'm looking at 44-53-
17 110. It means the production, preparation, propagation,
18 compounding, conversion, processing of a controlled
19 substance.

20 And as to the language relating to the indictment, as
21 I've indicated there is no direct case law that indicates
22 what on or about means. I think it's a common sense
23 determination. While certainly I'll tell the jury that
24 there is no definitive method by which to -- in which the
25 law provides for what is on or about they'll have to use

ORIGINAL

1 their own common sense. And they'll have to make the
2 decision as to whether or not two or three days is
3 sufficient or whether its not, and so I'm gonna deny your
4 motion on that basis.

5 Any other motions at this time?

6 MS. MANIGAULT: No, your Honor.

7 THE COURT: And to the extent that your motion also
8 addressed possession, I find that the evidence, that there
9 is evidence based upon the chemist that there was
10 methamphetamine in the items that were tested which were in
11 his presence and under his control, so there is evidence
12 from which a jury could find that that was possession of
13 methamphetamine.

14 Ronald Jeffrey Eaton, would you please stand please
15 for a moment please.

16 (DEFENDANT AND HIS ATTORNEY STAND.)

17 THE COURT: Would you raise your right hand I will
18 place you under oath.

19 (WHEREUPON, RONALD JEFFREY
20 EATON, BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS
21 FOLLOWS:)

22 THE COURT: I'm going to explain to you - put your
23 hand down. I'm going to explain to you your right as it
24 relates to this particular trial. At this particular point
25 we've reached that stage in the trial where you may present

ORIGINAL

1 a defense. As part of that defense you may chose to
2 testify and take the witness stand and testify in your own
3 behalf. That is entirely a matter that is up to you as to
4 whether or not you wish to take the witness stand and
5 testify.

6 Your constitution in our states say that no person
7 shall be compelled in any criminal case to be a witness
8 against themself. That means you cannot be required to
9 testify in this matter. You have a right to testify but
10 you also have the right to remain silent. It's entirely up
11 to you whether or not you wish to exercise that right at
12 this particular time.

13 If you decide that you do not wish to testify then the
14 jury will be instructed that the fact that you did not
15 testify in this matter could not be considered by them in
16 any manner whatsoever in determining your guilt or
17 innocence on these charges; that you have an absolute right
18 to remain silent. The fact that you exercise that right
19 should in no way even would be discussed by them during the
20 course of their deliberations. But the burden always
21 remains with the State to prove each and every element of
22 the crime of which you are charged and they must do so and
23 convince a jury beyond a reasonable doubt of your guilt
24 before a jury can return a verdict of guilty on either one
25 of these charges.

ORIGINAL

-253-

1 Certainly you can seek the advice of your attorney and
2 I encourage you to do so. You may also seek the advice of
3 other family or friends. Ultimately the decision as to
4 whether or not you wish to testify is your decision. And I
5 will give you the opportunity to talk with your attorney a
6 few moments more and when we come back from break I will
7 ask you whether or not you wish to testify in this matter
8 and would like your answer at that particular point.

9 Do you understand what I've explained to you at this
10 time?

11 MR. EATON: Yes, ma'am.

12 THE COURT: Do you have any questions at this time?

13 MR. EATON: No, ma'am.

14 THE COURT: Then let's take a break and I'll give you
15 an opportunity to talk further with your attorney and if
16 family are present you may speak with them as well.

17 Let's take a break and then we'll come back.

18 (COURT IN RECESS AT 02:04 P.M.)

19 (COURT BACK IN SESSION AT 02:28 P.M.)

20 THE COURT: Mr. Eaton, I recently advised you that
21 you have the right to decide whether or not you wish to
22 testify in this particular matter. Have you had the
23 opportunity to discuss this matter with your attorney and
24 your family? You need to speak up a little bit louder so
25 the court reporter can --

ORIGINAL

1 MR. EATON: Yes.

2 THE COURT: Have you made a decision as to whether or
3 not you wish to testify?

4 MR. EATON: Yes, ma'am.

5 THE COURT: And what is that decision?

6 MR. EATON: No.

7 THE COURT: And I will instruct the jury the fact
8 that you are not testifying in this matter cannot be
9 considered by them in any manner whatsoever in determining
10 your guilt or your innocence; that you have the right to
11 remain silent, the fact that you are exercising that right
12 does not give any indication as to guilt or innocence and
13 that they may not discuss it among themselves that the fact
14 that you exercised that right during their deliberations.

15 That the burden remains with the State, always with
16 the State to prove that you are guilty of each and every
17 element of the charges that have been charged against you.

18 Do you have any questions?

19 MR. EATON: No, ma'am.

20 THE COURT: Is there anything further in terms of
21 any motions?

22 SOLICITOR SCOTT: Nothing from the State, your Honor.

23 THE COURT: At this time we can talk about the charge.

24 I received only one request to charge from the State
25 and I will go over with you those things that I would

ORIGINAL

1 intend to instruct the jury at this time.

2 I will tell them that they have to determine the facts
3 of this case based upon the evidence that's been presented
4 throughout the course of the trial; that in order to
5 determine those facts they have to judge the credibility of
6 the witnesses. I will talk to them about the factors that
7 they may consider including whether a witness has been
8 impeached. That would include the prior -- including the
9 testimony of a witness who has a past criminal record. The
10 person who has a past criminal record is competent to
11 testify during a trial. The past record does not affect
12 the ability of that witness to testify. The past record
13 may only be considered by you at all in determining the
14 witness's believability or credibility.

15 I will also charge them as to expert witnesses. I
16 will charge them on circumstantial evidence. That there
17 are two types of evidence which are generally presented
18 during a trial: Direct evidence and Circumstantial
19 evidence. Direct evidence directly proves the existence of
20 a fact and does not require deduction. Circumstantial
21 evidence is proof of a chain of facts and circumstances
22 indicating the existence of a fact.

23 Crimes may be proven by circumstantial evidence. The
24 law makes no distinction between the weight and value to be
25 given to either direct or circumstantial evidence to the

ORIGINAL

1 extent that the state relies on circumstantial evidence all
2 the circumstances must be consistent with each other and
3 when taken together point conclusively to the guilt of the
4 accused beyond a reasonable doubt. If the circumstances
5 merely portray the Defendant's behavior as suspicious the
6 proof has failed.

7 The State has the burden of proving the Defendant
8 beyond a reasonable doubt, that burden rest with the state
9 regardless of whether the state relies on direct evidence,
10 circumstantial evidence or a combination of the two.

11 I will instruct them on the fact that the Defendant
12 did not take the witness stand to testify may not be
13 considered in any way during your deliberations when
14 considering the question of guilt or innocence of the
15 defendant. It must not be considered by you in any manner
16 whatsoever. The Defendant has the constitutional right to
17 remain silent. The assertion of this right must not be
18 considered by you in your deliberations. Under your oath
19 you are draw no conclusions whatsoever from the fact the
20 defendant in this case did not testify.

21 The fact that the defendant did not testify should not
22 even be discussed in the jury room. The burden of proof as
23 I've indicated is on the State. The Defendant is not
24 required to prove his innocence, the burden of proof
25 remains on the State to prove guilt beyond a reasonable

ORIGINAL

1 doubt. The fact that the defendant was arrested, charged,
2 and indicted in this case is not evidence and cannot be
3 considered by you as evidence of guilt nor does it create
4 any presumption of inference of guilt.

5 The indictment is simply the formal written instrument
6 which contains the charge or charges made against the
7 Defendant. It serves as the formal document by which
8 we're able to process this case and come into court for
9 trial. To the indictment the Defendant has pleaded not
10 guilty, that plea casts the burden on the State to prove the
11 defendant is guilty as the person charged with committing a
12 criminal offense, he's never required to prove that he's
13 innocent.

14 I will talk to them about -- I'll go through a little
15 bit more of that as well as the Supreme Court has said that
16 the presumption of innocence is like a robe of
17 righteousness placed about the shoulders of the Defendant
18 and it remains with him when he declares he's innocent and
19 until that robe is stripped from him by evidence that
20 satisfies you of that guilt beyond a reasonable doubt.

21 I use *Victor versus Nebraska* reasonable doubt charge;
22 that is, that the government has the burden of proving each
23 and every element of the offense charged beyond a
24 reasonable doubt. Some of you may have served as jurors in
25 civil cases in which you were told that it was only

ORIGINAL

1 necessary to prove the fact was more likely true than not
2 true. In criminal cases the government's proof must be
3 more powerful than that; it must be beyond a reasonable
4 doubt. Proof beyond a reasonable doubt is proof that
5 leaves you firmly convinced of the Defendant's guilt;
6 there are very few things that we know in this world with
7 absolute certainty and in criminal cases the law does not
8 require proof that over comes every possible doubt but if
9 based upon your consideration of the evidence you are
10 firmly convinced that the Defendant is guilty of the crime
11 charged then you must find him guilty. However on the
12 other hand if you think that there is a real possibility
13 that he is not guilty you must give him the benefit of the
14 doubt and find him not guilty.

15 There are two indictments in this case, one is for
16 manufacturing methamphetamine. The State must be --
17 Section 44-55-375 of the codes states that it is unlawful
18 for a person who manufactures or otherwise aides, abets,
19 attempts, or conspires to manufacture methamphetamine and
20 that it is unlawful for the person to manufacture, to
21 manufacture or otherwise aid, abet, attempt or conspires to
22 manufacture methamphetamine. Manufacture means the
23 production, preparation, propagation, compounding,
24 conversion, or processing of a controlled substance either
25 directly or indirectly like extraction from substances of

ORIGINAL

1 natural origin or independently by means of chemical
2 synthesis or by a combination of extractions chemical
3 synthesis.

4 And the State must -- methamphetamine includes any
5 mixture or compound containing amphetamine or
6 methamphetamine. If you find that the State has proven
7 beyond a reasonable doubt that the Defendant manufactured
8 or aided, abetted, attempted or conspired to manufacture
9 methamphetamine then you must find him guilty. If on the
10 other hand you find that the State has failed to meet that
11 burden then you must find him not guilty.

12 The second indictment is for possession of
13 methamphetamine. To prove possession the State must prove
14 beyond a reasonable doubt that the Defendant had both the
15 power and the intent to control the disposition and use of
16 methamphetamine. Possession may be either actual or
17 constructive. Actual possession means that the
18 methamphetamine is in the actual physical custody of the
19 Defendant. Constructive possession means that the
20 Defendant had dominion and control or the right to exercise
21 dominion and control over either the methamphetamine itself
22 or the property on which the methamphetamine was found.

23 Mere presence at the scene where drugs are found is
24 not enough to prove possession. The Defendant's knowledge
25 and possession may be inferred when a substance is found on

ORIGINAL

1 the property under the Defendant's control. Simply an
2 inference -- that inference is simply a evidentiary factor
3 to which you may take into consideration along with other
4 evidence in this case and to be given the weight that you
5 think that it deserves.

6 To or more persons may have joint possession of a
7 drug. And if you find that the State has proven beyond a
8 reasonable doubt that the Defendant was in possession of
9 methamphetamine then you must find him guilty. If on the
10 other hand you find that the State has failed to prove
11 beyond a reasonable doubt that the Defendant possessed
12 methamphetamine then you must find him not guilty.

13 I will also tell them the fact or that they've heard
14 some testimony that the Defendant was on probation.
15 Whether or not the Defendant was on probation -- You've
16 heard that the Defendant was -- you have heard testimony
17 the Defendant was on probation. If in fact the Defendant's
18 on probation that the fact that he may have been on
19 probation may not be considered by you in any manner
20 whatsoever in determining his guilt or his innocence as it
21 relates to the charges of manufacturing methamphetamine or
22 possession of methamphetamine. It is not evidence of any
23 guilt or innocence as to the charge in this particular
24 matter may not be considered by you for that purpose.

25 I'll also tell them that their verdict has to

ORIGINAL

1 unanimous; it must be the verdict of all twelve of them.

2 Is there anything further in terms of a request at
3 this particular point?

4 SOLICITOR SCOTT: No, your Honor, I don't have any,
5 the State doesn't.

6 THE COURT: Yes, ma'am.

7 MS. MANIGAULT: You may have stated it about the
8 expert witness.

9 THE COURT: Yes.

10 MS. MANIGAULT: Okay.

11 THE COURT: Is there anything else we need to take
12 up at this time?

13 SOLICITOR SCOTT: No, your Honor.

14 THE COURT: And just so that we are all on the same
15 page and we understand, it's my understanding that the
16 Defense is not putting up any evidence, it's called no
17 witnesses, and it's not introducing any exhibits and
18 therefore would be entitled to close last.

19 SOLICITOR SCOTT: Agreed.

20 THE COURT: So the State will open in full on the
21 law and the facts and then the Defense will go on the close
22 and charge?

23 SOLICITOR SCOTT: Yes, your Honor.

24 THE COURT: Anything else we need to take up before
25 we bring the jury in?

ORIGINAL

1 SOLICITOR SCOTT: No. If I could just a brief trip
2 out of the courtroom?

3 THE COURT: Yes.

4 (PAUSE.)

5 THE COURT: Are we ready?

6 SOLICITOR SCOTT: Yes, your Honor.

7 THE COURT: Ask the jury to come in please.

8 (JURY REENTERS COURTROOM AT 02:50 P.M.)

9 THE COURT: Good afternoon again, ladies and
10 gentlemen. At this time, ladies and gentlemen, you have
11 heard all of the evidence that's been presented in this
12 case and we have now reached the part of the trial where
13 you will hear the closing arguments of the attorneys.

14 Their closing arguments are not evidence but what they
15 will do is they will argue to you portions of the evidence
16 that you've heard and to make arguments to you in an effort
17 to try to sway you to find facts in accordance to their
18 view what occurred, so I ask that you listen very carefully
19 to those closing arguments. Once you've heard those
20 closing arguments then I will instruct you on the law that
21 is to be applied at that particular time. And then after
22 you've heard my instructions to you as to the law then you
23 may begin your deliberations in that particular part.

24 I ask that you listen carefully to the attorneys.
25 Sometimes they may raise questions that you will want to

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-263-

1 discuss among yourselves when it's time for you all to
2 begin your deliberations. And so it is important to listen
3 carefully to all the arguments that they make to you.

4 At this time we'll hear from the State.

5 SOLICITOR SCOTT: Thank you, your Honor, may it please
6 it Court.

7 THE COURT: Yes, sir.

8 CLOSING ARGUMENTS BY SOLICITOR SCOTT:

9 SOLICITOR SCOTT: All right. That's what the case is
10 about. The whole case is about meth, right; manufacturing
11 meth, possession of meth; it's illegal, its dangerous, it's
12 highly addictive. And the scary thing is as we talked
13 about the ingredients are all the things you find up under
14 your kitchen sink, all the stuff you find in your lawn
15 mower shed. And so in the right hands and the know how you
16 can take all this stuff and make a highly addictive drug.

17 You take salt, you take hydrogen peroxide, Coleman
18 fuel, pseudophed, ammonium nitrate, and if you do it wrong
19 you can have an explosion and burn your house down. You do
20 it right you end up with some methamphetamine.

21 You make that methamphetamine you can sell it, you can
22 trade it, or you can use it on yourself and watch your
23 whole life crumble all around you. And that's what this
24 case is about.

25 Maybe you guys have heard about meth and some of the

ORIGINAL

1 effects of it. And maybe you've heard about manufacturing.
2 Maybe today and yesterday was something of a learning
3 lesson in just how easy this stuff is to make.

4 And what we used to see is these big labs that would
5 take up a whole room. And chemist, people with Ph.Ds and
6 what not, that would have to operate these labs to produce
7 the great quantities of methamphetamine, but what we've
8 seen within the last decade or so is this evolution.
9 Instead of these big rooms and instead of multiple people
10 working in these labs, you got one dude sitting in a
11 trailer shaking up a Mountain Dew bottle and just using all
12 this stuff that you can find at a grocery store. You can
13 get the Sudafed over the counter at the pharmacist as long
14 as you can keep it under their gun, keep it under those
15 limits you can buy it consistently and do it all yourself.

16 You get a couple of friends like Amanda Marler, you
17 get all the Sudafed you need to keep yourself high, you
18 keep your friends high, and that's what this case is about.

19 Law enforcement March of last year were looking for
20 Mr. Eaton. Probation is because he's not where he's
21 supposed to be. He's supposed to be on Bob Cat, okay. All
22 of a sudden he's not there any more and Probation wants to
23 know why. Where are you? Why did you change your
24 residency if you're required to be here under the terms of
25 the policy and contract you have with us?

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-265-

1 And so when they get word that he may be out on Boyd
2 Road they're interested and they go speak with him, ask
3 him, you know, why didn't you update your residency? What
4 are you doing out here? Who's your residency, who is this,
5 who's property is this, what's going on? That's why
6 they're out there that day.

7 And Boyd Road if you look at those pictures, State's
8 No. 25, you know it was testified to, this is a very
9 secluded area. You want to get away and not be found I
10 think Boyd Road is a good place to go, especially if you go
11 to [REDACTED] Boyd Road, and especially if you hide out behind
12 this burned out trailer. And if you live in a camper you
13 can't see it from the road. I submit to you you can do
14 whatever you want without eyes knowing, without people
15 knowing what you're up to.

16 That's where he went. Went to a property that his
17 sister owned with her husband. Went out there with Amanda
18 Marler, a girl who until she met Mr. Eaton had a clean
19 record, a twenty-five year old from Laurens. She found
20 herself living in a camper with a fifty year old Ronald
21 Eaton twice as old as she was, twenty-five years older than
22 she was. And they find themselves suddenly on Boyd Road,
23 okay, without notifying the people who needed to be
24 notified.

25 You heard the testimony. Washburn goes out there with

ORIGINAL

1 the deputies which is not uncommon. Short staffed that
2 day, took two deputies with him because he understood this
3 was a rural area. He understood some of the allegations
4 and he was short staffed he testified too. And Marler was
5 the first person he saw at the window and it took a little
6 bit of time, one to two minutes, for them to open the door.
7 You heard from Marler. That's because they were trying to
8 hide stuff as quick as possible because they just looked
9 out the window and saw law enforcement was there. And they
10 knew what they had been doing and they knew what could be
11 found in that trailer.

12 Shortly thereafter Mr. Eaton answers the door;
13 Washburn confronts him, why hadn't you okayed the
14 residency. Well I was getting around to it. I ain't good
15 enough. The contract says immediately you plan to move and
16 change residency you notify us.

17 MADAM REPORTER: Judge, I'm sorry, I cannot hear the
18 Solicitor.

19 Sir, I'm sorry to interrupt.

20 THE COURT: You need to speak a little bit louder.

21 MADAM REPORTER: Thank you.

22 SOLICITOR SCOTT: Its not when you feel like changing
23 your residency, it's before you do it that you're required
24 to notify us, right. He comes up with the excuse that I'm
25 getting around to it.

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-267-

1 Well another part of your contract is you allow us to
2 come in at will and search your property. He had no real
3 choice had to let 'em in. Immediately they find that
4 Koozie that had the tin foil that ultimately test positive
5 for methamphetamine. They find the jar that has residue
6 that ultimately test positive for methamphetamine. They're
7 detained. Immediately he's working on Amanda Marler. You
8 need to take these charges. She didn't have any record,
9 she's twenty-five years old, they'll go easy on you, take
10 it.

11 Law enforcement continues searching, okay. You know,
12 again, a methamphetamine manufacture case is different,
13 right. Because again all this stuff is legal and it's up
14 to us to show you guys why taken in conjunction, all
15 together with the finished product methamphetamine, it's a
16 meth lab. Because they can get up there and say there's
17 nothing wrong with having salt in your cabinet; there's
18 nothing wrong with having Coleman fuel in a jar; nothing
19 wrong with coffee filters, but in law school, well before
20 you get to law school, you have to take something called an
21 logical test and they had these things that I hated that
22 were called logic games. But it was a way to test
23 somebody's logistical thinking, their logical thinking,
24 they're reasoning skill. And there was a lot of questions
25 like if A is true and B is true then C must be true.

ORIGINAL

1 : Now I'm kind of asking you guys to work this case
2 through me just using logic, just using reasoning. If
3 somebody has Coleman fuel sitting in a cup, if somebody has
4 rubber tubes laying around on the floor, if somebody has
5 jars full of empty 2 liter bottles, right, if somebody has
6 coffee filters, a meth lab, okay. None of us were there
7 to see the manufacture, right. But we all have God given
8 reasoning, we all have logical thinking where you can say
9 you know I heard that expert up there testify how meth is
10 made and that is kind of weird just like a jar of Coleman
11 fuel sitting on a counter. That is kind of weird that they
12 had a coffee grinder and pseudophed in it because shoot
13 I've never heard of anybody grinding up Sudafed or any
14 reason that I know of.

15 : So you take all that stuff together and you say well
16 there's nothing illegal about that. And then you follow
17 logic and you apply your God given reasoning skills. And
18 then you listen to what the expert talked about as far as
19 manufacturing meth and you put all that together and then
20 you come up with a conclusion. A is true, B is true, C is
21 true, D is true, then E must be true as well. B is the
22 ultimate answer we're trying to get to. What I would like
23 to do is E, E is Ronald Eaton was manufacturing meth, okay.

24 : To me the biggest clue's are this. You got the coffee
25 filters with meth in 'em. Nobody buys meth wrapped in a

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-269-

1 coffee filter. That is the in step in manufacturing meth.
2 When that leaks through and you're left with that solid on
3 it, okay. You go to Joe Blow on the street and you want to
4 buy some meth they don't give it to you in a coffee filter.
5 What he admits there is we manufacture, right? The way
6 Coleman fuel gets in a clear plastic jar on the counter,
7 there's no real reason to have it, that's just a part of
8 the manufacturing of meth. That's the only logical
9 explanation, right? Again, crushed up pseudoephedrine,
10 ground up pseudoephedrine, in a coffee grinder? So we have
11 all this and he will tell you all that's legal.

12 But then you take Amanda Marler, just a pitiful
13 person, kind of what we see here all too often the face of
14 methamphetamine addiction; somebody who is now in the
15 cycle. Before this arrest from this incident she had no
16 record. I submit to you unless she gets some kind of help
17 she's in this cycle now because she is in the grips of
18 methamphetamine addiction. And that's how it goes. But
19 she testified too. She talked about what it's done to her
20 life. She's testified what led up to that day on March 26,
21 2018, how all that paraphernalia got to be there.

22 She talked about what that tube was for. She talked
23 about what that salt was for. She talked about what that
24 peroxide was for; what that Coleman fuel that was sitting
25 out was for. She explained why you have pseudoephedrine in

ORIGINAL

1 a coffee grinder. She explained what those coffee filters
2 were.

3 And you heard from the SLED analyst. All five of
4 those items had methamphetamine. So now you got to do the
5 logic thing. You got to do what I was explaining and you
6 say using my God given reasoning, using the testimony that
7 was given under oath from this stand on how to make meth,
8 it all makes sense to me now. All of that evidence there
9 that was found, that finished product that was meth that
10 was found, Amanda Marler's testimony that was given under
11 oath, if you deem her to be credible, it all leads to one
12 conclusion.

13 And she's talked about her part in it. She didn't
14 stand back and say I'm innocent. She admitted to her part,
15 she's been punished. She pled guilty to conspiracy to
16 manufacture methamphetamine. She talked about her role.
17 She helped clean up the equipment, clean out the bottles,
18 get rid of stuff. She talked about how she helped smurf.
19 She helped buy the pseudoephedrine that they needed to make
20 the methamphetamine, okay.

21 So take that, but I submit to you that due to her
22 credibility that she's not just sitting there saying I'm
23 innocent. She is admitting to you her role within the
24 whole process of manufacturing meth.

25 She talked about we didn't do it that day but the last

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-271-

1 couple of days before that that's when we made the meth, me
2 and Ronald Eaton, all right. That was the case, right.

3 To manufacture meth, you're probably looking over
4 my shoulder, its just what it sounds like. You take a
5 bunch of items, again, that you find under the kitchen sink
6 and with the know how because it is a kind of a complex
7 chemical reaction. If you do it a couple of times it
8 probably becomes fairly routine where you can do it.
9 Manufacturing involves taking unfinished items and putting
10 them together and then a chemical reaction, a chemical
11 process occurs. If you do it right you end up with
12 methamphetamine which clearly they did right because there
13 was methamphetamine found on five different items in the
14 house that were seized. They were identified as part of a
15 methamphetamine lab.

16 Here's what the judge is gonna instruct you the law
17 is. When we're saying Mr. Eaton manufactured meth here's
18 what we're saying, here's what we have to prove. The State
19 has to prove beyond a reasonable doubt that Mr. Eaton
20 manufactured or otherwise aided, abetted, or conspired to
21 manufacture meth. So again, we're not saying he and he
22 alone manufactured meth. Just like Amanda Marler said, you
23 know, it takes typically more than one person because he
24 can only buy so much pseudoephedrine.

25 We saw those months leading up to this that he was

ORIGINAL

1 buying it consistently two to three times a month leading
2 right up to the date of the incident. I think four days
3 prior was the last purchase he made but he can buy all he
4 wants but still the more he gets the more he can make. And
5 that's where Amanda Marler comes in. She is his
6 conspirator. They are conspiring together, they are aiding
7 and abetting one another in the manufacture of
8 methamphetamine. Manufacture is again what is sounds; a
9 legal definition is the production, preparation,
10 propagation, compounding, conversion or processing of a
11 controlled substance either directly or indirectly by
12 extraction from substances of natural origin or
13 independently by means of chemical synthesis or by a
14 combination of extraction and chemical synthesis. That's
15 the legal definition.

16 But what that means again is what I said, you've taken
17 all these things, you've puttin it together, your spurring
18 on this catalyst, this chemical reaction ultimately
19 produces manufactured the finished product methamphetamine.

20 That's what he's charged with, right, manufacturing.
21 The other charge is possession so he's being charged with
22 actually making the stuff, and a separate charge is
23 possessing. Again, five different items throughout the
24 house, none of it was in his pockets, none of it was in his
25 hands; that would be actual possession. Something the

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-273-

1 judge is gonna explain to you shortly, called constructive
2 possession. Again, you watched me walk around with this
3 pen. Just because I set it right there doesn't mean I
4 ceased to possess it. It doesn't cease to be mine just
5 because I set it down. I am now in constructive possession
6 over it. But I still have control and dominion over it
7 even though it wasn't in my hand. So he is constructively
8 in possession of methamphetamine that he has made.

9 Now, it was a short trial. I don't know if y'all know
10 that but sometimes we're in here for a week at a time,
11 eight hour days. I know that was probably not the most
12 riveting day and a half y'all've had but it was only a day
13 and a half so we got that going for us. Not a lot of
14 witnesses, not a ton of evidence introduced but all of it
15 does - all of it goes together and leads you in one
16 direction, one out come, okay, and that's what we're
17 getting at.

18 And I've got to prove that outcome; that manufactured,
19 that possession, beyond a reasonable doubt. That's the
20 standard. Anybody that's ever been convicted of a crime in
21 South Carolina, California, has been convicted beyond a
22 reasonable doubt. And what does that mean?

23 Does it mean beyond every doubt you could have? Now
24 it doesn't mean beyond a reasonable doubt. If you have a
25 doubt that is reasonable and based on logic - there's that

ORIGINAL

1 word again, logic -- you should find the defendant not
2 guilty. Now if you have a doubt right now that you say, I
3 don't know. I don't think he really was involved with it.
4 I think Amanda Marler was doing all that herself. Twenty-
5 five-year old Amanda Marler had to know how to do that all
6 herself, he didn't know about it. I submit to you that's
7 not reasonable but if you hold that to be reasonable find
8 him not guilty. That's what the law tells you.

9 But our standard is beyond a reasonable doubt and I
10 want some reasonable thinking when I want you all to look
11 at all the evidence and listen to the testimony. Because
12 if your doubt is not reasonable or your doubt is not really
13 logical, you should find him guilty. Okay. And so, the
14 idea that Amanda Marler was some how involved in this on
15 her own without his help despite him living in the camper,
16 despite that there's pseudoephedrine purchases, that is
17 unreasonable.

18 Do you have to be one hundred percent certain? The
19 judge is gonna tell you no. The judge is gonna tell you
20 there are very few things in this world we know with
21 absolute certainty. I think about the only one I can think
22 of I guess the sun's gonna come up every day. I mean it
23 has my whole life. I'm as close to certain about that as
24 anything but there are very few things we know with one
25 hundred percent certainty, right?

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT

-275-

1 In criminal cases the law does not require proof that
2 over comes every possible doubt you may have. Based on
3 your consideration of the evidence you are firmly convinced
4 and I put that in bold script there - if you are firmly
5 convinced the Defendant is guilty of the crime you must
6 find him guilty. And that's kind what of reasonable doubt
7 or beyond a reasonable doubt boils down to. My job is to
8 leave you firmly convinced that he had a part in
9 manufacturing meth. And he conspired and he aided and
10 abetted in the manufacture of meth. If you are firmly
11 convinced of that, that is the only question you have to
12 answer amongst yourself, you are firmly convinced of his
13 guilt that means you have found him guilty beyond a
14 reasonable doubt.

15 Listen to your Honor's instructions. When she reads
16 them to you, when she talks about what beyond a reasonable
17 doubt means she'll use that term twice. Firmly convinced.
18 And that's the best way I know to explain beyond a
19 reasonable doubt. That's my job to show that he is guilty
20 beyond a reasonable doubt. A day and a half of testimony
21 and really all of this comes down to one thing. All that
22 evidence does coupled with the testimony just kind of leads
23 you in one direction. It leads you to one logical
24 conclusion. And you can play those logic games, you can
25 use your God given reasoning, the only verdict that makes

ORIGINAL

CLOSING ARGUMENTS: BY SOLICITOR SCOTT
BY MS. MANIGAULT

-276-

1 sense is guilty to both of those charges if he was involved
2 in the manufacture of meth and that he did constructively
3 possess that finished product meth, okay.

4 There may one thing, let me tell you this unless you
5 are confused, you have no enemies here to punish. I'm not
6 asking for any punishment. You have no friends to reward,
7 okay. You are to look at this as a logic game and a
8 reasoning, exercise in reasoning, okay. So, after you do
9 this, after you look at the evidence and you use that
10 reasoning skill I submit to you the only verdict that will
11 make sense, the only just verdict, is guilty and that's
12 what I'm gonna ask you to do. Thank you.

13 THE COURT: Ms. Manigault.

14 MS. MANIGAULT: Thank you, your Honor.

15 CLOSING ARGUMENT BY MS. MANIGAULT:

16 MS. MANIGAULT: Poor Amanda. I don't want to offend
17 anybody. Twenty-five living with a fifty-year old man. In
18 life experiences that happens all the time. Sometimes
19 teenagers living with older men, or older women living with
20 younger men. So trying to align sympathy for poor Amanda.
21 Poor Amanda got caught up in this and she's addicted to
22 meth.

23 Well, please remember the testimony from each witness
24 as you recall it. Neither -- I would not try to misstate
25 her testimony, and I don't believe that the solicitor would

ORIGINAL

CLOSING ARGUMENTS: BY MS. MANIGAULT

-277-

1 misstate testimony, but you heard Amanda herself testify
2 that she was on meth long before she met my client Ronald
3 Eaton. She was using meth, she was buying meth, so, she
4 got into a cycle on her own. Her testimony is that she
5 went where she could get some free meth. Didn't care how
6 she got it but she went where she could get some free meth
7 for her habit.

8 The judge will charge you and please take the charge
9 as she gives it to you because our summary of the charge is
10 not necessarily what she is going to say. But the
11 presumption of innocence is what my client came in with and
12 it still remains on him to this point. I talked to you
13 earlier this morning about the robe of righteousness or
14 sometimes I refer to it as a trench coat that is buttoned
15 up top to bottom. And that robe of righteousness on that
16 trench coat has to be completely unbuttoned and completely
17 removed from a person with evidence beyond a reasonable
18 doubt.

19 It cannot be evidence that's given to you that says or
20 this could have happened, or this might have happened, or
21 the probability of this happening is pretty good. That's
22 not in a criminal case. Criminal case, the State has the
23 burden of proof to prove to you beyond a reasonable doubt
24 that what my client is charged with actually is what they
25 have presented to you and convinced you. The judge will

ORIGINAL

1 tell you that when you go back to the jury room to
2 deliberate after she gives you the charge of law that your
3 decision has to be unanimous. There are twelve of you,
4 there is an alternate, but the alternate does not
5 participate. So twelve of you have to decide whether the
6 State has proved beyond a reasonable doubt that my client
7 is guilty as charged.

8 Now, the evidence all has come in that the State's
9 going to bring in. The presumption of innocence means that
10 my client has disputed, denied, the charge that the State
11 has presented. He does not agree with the evidence. The
12 State mentioned Amanda Marler, she stood up and she pled
13 guilty. Yes, of course she said she didn't remember she
14 had to promise but she plead guilty. Each person is
15 entitled to enter through the justice system as they decide
16 for themselves. So the fact that Amanda Marler pled guilty
17 has nothing to do with Ronald Eaton. She took
18 responsibility for what she says she did.

19 There is some State pictures, Amanda Marler testified
20 -- that's State's Exhibit 14, it shows I believe the
21 officer -- I believe Investigator Nation has testified, or
22 somebody did, that it shows a battery, it looks like an
23 auto battery, and it shows a can with a green label on the
24 can. And Amanda testified that that can and several others
25 were used to strip furniture. And she saw herself that the

ORIGINAL

CLOSING ARGUMENTS: BY MS. MANIGAULT

-279-

1 Defendant used those cans, described as Coleman, to strip
2 furniture.

3 State's Exhibit No. 10 shows a cabinet that has been
4 stripped or burned glass it would have been called.

5 State's Exhibit No. 3 shows a side of a piece of furniture
6 that was burn glass with that Coleman can. She did not
7 describe how it was done but she said she saw how it was
8 done and we did do that.

9 She described in State's Exhibit No. 1, I guess
10 there's a bottle of peroxide but there's also a can of Mini
11 wax that was used in polishing this furniture.

12 The defendant is not required to prove himself
13 innocent. The State is commanded to prove defendant's
14 guilty beyond a reasonable doubt. Amanda testified that
15 they were arrested and the officer's testified also that
16 the arrest was made on March 26th, 2018. You will have -

17 Your Honor may give you a copy of the indictment to
18 take back to the room with you - but the two indictments
19 one is manufacturing meth and it states specifically that
20 the Defendant Ronald Jeffrey Eaton did on or about March
21 26, 2018 in Laurens County, South Carolina manufacture and
22 it goes on or otherwise aid, abet, attempt or conspire to
23 manufacture in violation of the code section.

24 On or about March 26, 2018. Now the State has ask you
25 to use your common sense or he may have used the word

ORIGINAL

1 logic, I'm not sure. They were arrested on March 26.
2 Amanda testified herself that nothing was manufactured on
3 March 26. Amanda testified, if you want to believe her,
4 that something may have been manufactured three days prior.
5 But recall the testimony as you heard it. I recall her
6 saying maybe, maybe, three days prior. A person is
7 entitled to know the specific charge, the date or time
8 frame, that they're alleging the incident may have
9 occurred. On or about March 26. What does that mean? It
10 happened March 26 or did it happen an hour on March 25th?

11 You are going to have to decide from the evidence that
12 you've heard in this case whether on or about March 26 has
13 been presented to you with sufficiency.

14 The chemist from the lab, SLED lab, testified that she
15 was the analyst that tested the kit, BEST Kit that was sent
16 to her. And you have that back in the room.

17 The chemist could not and did not testify that the
18 drugs were manufactured. The chemist could only testify to
19 the fact that she was submitted a packet and she tested it
20 and there were traces of meth, all right, so that's her
21 testimony. There were traces of meth in five pieces of
22 items that was submitted to the lab. And she testified to
23 you that that might have been two or three - equivalent to
24 two or three pieces of sand or -- I don't know if she said
25 sand or salt. So, what I'm telling you is she could not

ORIGINAL

CLOSING ARGUMENTS: BY MS. MANIGAULT

-281-

1 testify that that was manufactured. She could only testify
2 that I tested this and it tested for meth. That's all.

3 So, from the evidence and the testimony of the chemist
4 there is evidence that there was meth in the camper. It
5 was evident there was meth because the chemist wouldn't get
6 up here and tell the untruth. But, is the evidence proving
7 possession or is the evidence proving manufacturing?

8 We would submit to you that it does not prove
9 manufacturing. Everybody that testifies agrees that these
10 items can be found under most people's cabinet; bathroom,
11 kitchen, or wherever they keep it in the house.

12 This is my shopping bag in my car. All of these items
13 are legal. I have them in my house. I told you that in my
14 opening testimony.

15 There's nothing flammable in here, your Honor.

16 Peroxide for injuries. Aluminum foil. You know if
17 people are like me I don't throw everything in the trash
18 right away. I may leave it where it's found. Empty water
19 bottles. People buy water bottles, water cases, at a time.
20 Although they have running water they still buy bottled
21 water, so empty bottles. Batteries. I have a draw full of
22 batteries at my house. Salt. Some people buy it from the
23 big box stores and they like to buy it in quantities. So,
24 some people if they see a sale they cannot resist a sale,
25 you know. And so three boxes of salt and probably more in

ORIGINAL

CLOSING ARGUMENTS: BY MS. MANIGAULT
CHARGE TO THE JURY:

-282-

1 my garage. My coffee filters in my house. A containing
2 little white crystal like substance. Is it lye? Is it
3 Epsom salt? Is it sugar? A container with white
4 substance.

5 Now you recall that Investigator Nations said he was
6 not a chemist. A bottle found on my kitchen cabinet with a
7 residue of something in it. Another glass container found
8 on my kitchen cabinet with a residue of something in it.
9 All of these items are legal and merely because they are in
10 my house, or in any person's house, does not mean that I'm
11 manufacturing or a person is manufacturing. The
12 circumstances has to be connected up sufficiently for you
13 to be convinced beyond a reasonable doubt.

14 You have to be convinced that the State has met their
15 burden of proof. Now, I'm going to tell you that because
16 my client didn't testify you cannot even consider that.
17 Again, he does not have to prove his innocence. So we will
18 ask you to please remember the testimony as you've heard it
19 and come back with a decision that speaks the truth in this
20 case. And a decision that speaks the truth in this case is
21 a decision of not guilty for Ronald Eaton. Thank you.

22 CHARGE TO THE JURY:

23 THE COURT: During this trial, ladies and gentlemen,
24 you and I have certain duties to perform. As the trial
25 judge it's my responsibility to preside over the trial of

ORIGINAL

CHARGE TO THE JURY:

-283-

1 this case and to rule upon and pass upon the admissibility
2 of evidence that's been presented throughout the course of
3 this trial. You are to consider only the competent
4 evidence which is before you. To any evidence to which
5 there was an objection sustained you must not speculate as
6 to what that evidence might have been, or the reasons for
7 the objection. Again, you may consider all of the
8 testimony that's been offered in this case as well as the
9 evidence that has been made a part of the record in order
10 to determine your verdict in this particular matter.

11 Now I have the additional duty and responsibility to
12 instruct you on the law that applies and as the trial judge
13 I am the sole judge of the law that applies. If you have
14 any preconceived ideas as to what the law is or your
15 interpretation of the law and what you want the law to be,
16 or how you write the law, you should set all of that aside
17 for under your oath as jurors you are sworn to accept the
18 law as I instruct you today.

19 If by chance I make some error in my instructions
20 there is another court at another time that can correct
21 those errors if law. but for purposes of this trial you
22 must accept the law as I instruct you as being the correct
23 interpretation of the law.

24 Now in every trial before a jury you the jurors become
25 the sole and exclusive judges of the facts in this case.

ORIGINAL

CHARGE TO THE JURY:

-284-

1 No one can tell you what the facts of this case are. And
2 if I have done anything throughout the course of this trial
3 that has given you any impression that I am commenting on
4 the facts, that I'm telling you what facts to find, I ask
5 that you set that aside as well. I assure you I don't have
6 any opinion about the facts of this case. Its not my job
7 here today. That's not my duty or my responsibility. It's
8 your responsibility, your duty as jurors to determine the
9 facts of this case.

10 Now in order to do that you have to analyze and
11 evaluate the evidence and determine what facts present the
12 truth, a picture of the circumstances. In order to do that
13 you have to judge the credibility of the witnesses who
14 testified before you today and over the course of this
15 trial.

16 Now in order to determine the credibility or
17 believability of the witnesses, you may consider the
18 following factors. What was the manner and appearance of
19 the witness who testified? Was he or she hesitant or
20 straightforward in answer the questions? Was the testimony
21 of the witness consistent or inconsistent? What was the
22 ability of the witness to know the facts that he or she
23 testified to? What was his or her ability to know these
24 things? Did the witness give testimony that would be
25 biased or prejudiced in somehow? That is, was their

ORIGINAL

CHARGE TO THE JURY:

-285-

1 testimony designed to be in favor of one person or another
2 person? Then was the testimony of the witness strengthened
3 or weakened by other testimony or other evidence?

4 Now in determining the credibility or believability of
5 the witnesses you may believe one witness against several
6 witnesses. You may believe several witnesses against one
7 witness. You may believe a portion of a witness's
8 testimony and disregard other portions of that same
9 witness's testimony. And if you have a good and sufficient
10 reason for doing so, you may accept the witness's testimony
11 in it's entirety, or you may reject it in it's entirety.

12 These factors you should not exercise arbitrarily but
13 if in your good judgment there's reasons for you to do so
14 then you should follow instead of those factors.

15 A person who has a past criminal record is competent
16 to be a witness and may testify during the trial. The fact
17 that the witness has a past record does not affect the
18 ability of that person to testify and that past record of
19 that witness may only be considered by you in determining
20 the believability or credibility of that particular
21 witness. Remember, ladies and gentlemen, you are the sole
22 judges of the witnesses' credibility in this particular
23 matter.

24 You've also heard testimony from individuals who
25 profess to be expert witnesses. Those are witnesses who

ORIGINAL

CHARGE TO THE JURY:

-286-

1 because of their education and training they profess to be
2 an expert in some art or science and you may give that
3 witness their testimony the weight that you think that it
4 deserves. You should consider any expert opinion that's
5 been offered in this case and give it the weight that you
6 believe it deserves. If you should decide that the opinion
7 of the expert is not based upon sufficient education or
8 training, or perhaps the expert's opinion is outweighed by
9 other evidence, then you are not required to accept the
10 witness's testimony as an expert witness on that opinion
11 even though it may be uncontradicted.

12 An expert witness is to be given no greater weight
13 than that of any other witness who testifies. And you are
14 not required to accept an expert's opinion even though it
15 may be uncontradicted.

16 Now, ladies and gentlemen, these factors you should
17 consider but you should not consider them arbitrarily. If
18 in your good judgment there's reason for you to consider
19 all these things then you should do so. Your objective,
20 ladies and gentlemen, is to determine the facts based upon
21 the evidence that has been presented to you in this case
22 and in exercising your mental processes in determining what
23 you consider to be truthful evidence the law simply
24 requires is that you exercise your good judgment, your
25 sense of logic and reasoning; use your experiences in life

ORIGINAL

CHARGE TO THE JURY:

-287-

1 and then you apply these attributes to the evidence and
2 determine what you the jury consider to be the truthful
3 evidence and then to those true statements of fact is
4 determined by you, you apply the law as I will instruct
5 you, and once you have done that then you will be able to
6 arrive at your verdict in this case.

7 Ladies and gentlemen, your verdict should not be based
8 upon sympathy, passion, or prejudice. Your verdict should
9 just speak the truth.

10 Now, ordinarily in a trial there are two types of
11 evidence that can be presented. One is direct evidence;
12 the other is circumstantial evidence. Direct evidence
13 directly proves the existence of a fact and does not
14 require that you use any deduction. Circumstantial
15 evidence is proof of a chain of facts indicating the
16 existence of a fact. Crimes may be proven by
17 circumstantial evidence. The law makes no distinction
18 between the weight or value that's to be given to either
19 direct evidence or circumstantial evidence. And to the
20 extent that the State relies on circumstantial evidence all
21 the circumstances must be consistent with each other and
22 when taken together they must point conclusively to the
23 guilt of the accused beyond a reasonable doubt.

24 If these circumstances merely portray the defendant's
25 behavior as suspicions then the proof has failed. The

ORIGINAL

CHARGE TO THE JURY:

-288-

1 State has the burden of proving that the defendant is
2 guilty beyond a reasonable doubt and the burden rest with
3 the State regardless of whether the State relies upon
4 direct evidence, circumstantial evidence, or a combination
5 of the two. Conjecture, speculation, suspicion, or
6 probabilities do not constitute circumstantial evidence.

7 Now, ladies and gentlemen, I instruct you and
8 emphasize to you the fact that the defendant did not
9 testify in this matter is not a factor to be considered by
10 you in any way during your deliberations, and in
11 considering the question of the guilt or the innocence of
12 the defendant. It must not be considered by you, again, in
13 any manner whatsoever.

14 The defendant has a Constitutional right to remain
15 silent and the assertion of that right must not be
16 considered by you during your deliberations. So I repeat,
17 under your oath as jurors you are to draw no conclusion
18 whatsoever from the fact that the defendant did not take
19 the witness stand and testify in this matter. In fact it
20 should not even be discussed among you during the course of
21 your deliberations that the defendant did not testify.

22 The burden of proof as I've stated is on the State to
23 prove that the Defendant is guilty beyond a reasonable
24 doubt. The Defendant is never required to prove his
25 innocence. The burden of proof remains upon the State

ORIGINAL

CHARGE TO THE JURY:

-289-

1 throughout the entire trial until you return a verdict that
2 indicates that guilt based upon evidence that convinces you
3 of that guilt beyond a reasonable doubt.

4 Now you may have heard testify throughout the course
5 of this trial that the Defendant was on probation. And the
6 fact that the Defendant may or may not have been on
7 probation at the time of this incident may not be
8 considered by you in any manner whatsoever. It has no
9 bearing upon the Defendant's guilt or innocence as it
10 relates to the current charges that are pending against
11 him, and so you should not consider whether or not he was
12 on probation and it should have no effect upon your
13 deliberations in this matter.

14 Now, ladies and gentlemen, I instruct you once again
15 that the fact that the Defendant was arrested and charged
16 in this matter and indicted is not evidence in this case.
17 What these two indictments which will be given to you
18 during your deliberations are simply the documents by which
19 the charges are presented and by which we are able to come
20 into court and to have a trial. These written instruments
21 simply contain the allegations and they are not in any way
22 proof of any guilt in this particular matter.

23 As I've indicated to these two indictments the
24 Defendant has pleaded not guilty and that plea cast the
25 burden upon the State to prove that the Defendant is

ORIGINAL

CHARGE TO THE JURY:

-290-

1 guilty. A person who's charged with a crime in this
2 country and this state is never required to prove that they
3 are innocent. And I charge you, ladies and gentlemen, that
4 it is a cardinal and important rule of law that a defendant
5 in a criminal trial no matter how serious the charge
6 against him may be is always and will always be presumed
7 innocent of that charge for which he is indicted until such
8 time as the State is able to convince you, the jury, with
9 evidence that satisfies you of that guilt beyond a
10 reasonable doubt.

11 Now the presumption of innocence does not cease when
12 you all go into the jury room. It remains with him from
13 the time that he first appears in court until you the jury
14 return a verdict of guilt based upon evidence that
15 satisfies you of that guilt beyond a reasonable doubt.

16 Now our Supreme Court has said that the presumption of
17 innocence is like a robe of righteousness that's placed
18 about the Defendant's shoulders, and it remains with him
19 and assigns him to that class and that class is the
20 innocent class until that presumptive robe of righteousness
21 is stripped from him with evidence that convinces you of
22 his guilt beyond a reasonable doubt.

23 Now, again, ladies and gentlemen, I've said it
24 repeatedly, and I cannot emphasize enough this is not
25 somebody's legal theory; it's not just some words that we

ORIGINAL

CHARGE TO THE JURY:

-291-

1 throw out. It is an extremely important cardinal rule of
2 law that we follow and to which every person in this
3 country is entitled and it's a substantial right that
4 remains with the Defendant, and that is, he is innocent
5 until the State is able to prove that he is guilty with
6 evidence that satisfies you the jury of that guilt beyond a
7 reasonable doubt.

8 So, you've heard about reasonable doubt. What is
9 reasonable doubt? The government has the burden of proving
10 each and every element of the crime charged beyond a
11 reasonable doubt. Now some of you may have been seated as
12 jurors in civil cases in which you were told that a fact
13 only had to be proven more likely true than not true.
14 While in the criminal case the government's role and the
15 responsibility is more powerful than that. It must be
16 beyond a reasonable doubt.

17 Proof beyond a reasonable doubt is proof that leaves
18 you firmly convinced of the Defendant's guilt. Now there
19 are very few things that we know in this world with
20 absolute certainty and in criminal cases the law does not
21 require proof that over comes every possible doubt. When
22 if based upon your consideration of all of the evidence
23 that has been presented you are firmly convinced that the
24 Defendant is guilty of the crime with which he is charged
25 then you must find him guilty.

ORIGINAL

CHARGE TO THE JURY:

-292-

1 If on the other hand you find that there is a real
2 possibility that is not guilty, then you must give him the
3 benefit of that doubt and find him not guilty.

4 The Defendant has been charged with two separate
5 charges. One is manufacturing methamphetamine. Under
6 Section 44-53-375 states that it is unlawful for a person
7 to manufacture or otherwise aid, abet, attempt, or conspire
8 to manufacture methamphetamine. The State must prove
9 beyond a reasonable doubt that the Defendant in this case
10 Ronald Eaton manufactured or otherwise aided, abetted,
11 attempted, or conspired to manufacture methamphetamine.

12 Manufacture means the production, preparation,
13 propagation, compounding, conversion, or processing of a
14 controlled substance either directly or indirectly by
15 extraction from substances of natural origin, or
16 independently by means of chemical synthesis or by a
17 combination of extraction and chemical synthesis.

18 Methamphetamine includes any mixture or compound that
19 contains amphetamine or methamphetamine. If you find that
20 the State has proven that the Defendant manufactured
21 methamphetamine beyond a reasonable doubt then you must
22 find him guilty. However on the other hand if you find
23 that the State failed to prove beyond a reasonable doubt
24 that the Defendant manufactured methamphetamine then you
25 must find him not guilty.

ORIGINAL

CHARGE TO THE JURY:

-293-

1 The Defendant Mr. Eaton is also charged with
2 possession of methamphetamine. To prove possession the
3 State must prove beyond a reasonable doubt that the
4 Defendant had both the power and the intent to control the
5 disposition or use of methamphetamine. Possession may be
6 either actual or constructive. Actual possession means
7 that the methamphetamine was in the actual physical custody
8 of the defendant. Constructive possession means that the
9 Defendant had dominion and control or the right to exercise
10 dominion and control over either the methamphetamine
11 itself, or the property on which the methamphetamine was
12 found.

13 Now mere presence at the scene where the drugs were
14 found is not enough to prove possession. The Defendant's
15 knowledge and possession may be inferred when a substance
16 is found on the property under the Defendant's control.
17 However this is an inference that is simply a evidentiary
18 fact to be taken into consideration by you along with all
19 of the evidence that's considered in this case to determine
20 whether he had possession and based upon the way that you
21 chose to give that evidence.

22 Now two or more persons may have joint possession of a
23 drug. It is again methamphetamine is as I've described to
24 you earlier and again if the State has proven to you beyond
25 a reasonable doubt that the Defendant Mr. Eaton possessed

ORIGINAL

CHARGE TO THE JURY:

-294-

1 methamphetamine, then you must find him guilty. But if on
2 the other hand you find that the State has failed to prove
3 that the Defendant Mr. Eaton is guilty beyond a reasonable
4 doubt then you must find him not guilty.

5 Now in determining your verdict, Mr. Foreman, this is
6 your responsibility here. Again, as I've indicated two
7 separate indictments, one for manufacturing, one for
8 possession. On the front of each one of these indictments
9 there's a place that says verdict and when you have reached
10 your verdict in this case you will write your verdict, what
11 that is, and then sign your name and underneath place
12 today's date. And of course as to methamphetamine the two
13 possible verdicts are guilty or not guilty.

14 There is no significance of the order in which I say
15 them. I have to one first and I have to say one second.
16 Once you've determined - you choose which order you'd like
17 to take them in - well once you finish with this indictment
18 then - and the other indictment is possession of
19 methamphetamine, under the place where it says verdict,
20 again there are two possible verdicts, not guilty or
21 guilty. Again, there is no significance of the order in
22 which I say them. I have to put one first; I have to put
23 one second. Again, whatever you write, Mr. Foreman, then
24 you would place your name and then today's date.

25 Now, ladies and gentlemen, your verdict must be

ORIGINAL

CHARGE TO THE JURY:

-295-

1 unanimous: It must be the verdict of all twelve of you.
2 You have been sworn as fair and impartial jurors to
3 determine the facts of this case based upon the evidence
4 that's been presented and based upon my instructions to you
5 as to the law. And when you have done that you will be
6 able to arrive at your verdict and no one will be able to
7 complain about the verdict that you have reached and you
8 would have fully discharged your duty and your
9 responsibility as jurors in this matter.

10 And so, again, ladies and gentlemen, your verdict must
11 not be based on sympathy, passion, or prejudice. Your
12 verdict should simply speak the truth in this matter based
13 upon the evidence.

14 Now, in just a moment I'm gonna ask that you retire to
15 the jury room, before you begin your deliberations the law
16 requires that I consult with the attorneys to see if I have
17 omitted anything from my instructions. If I have not
18 omitted anything from the instructions, then the two
19 indictments along with all of the exhibits will be sent to
20 you. And there are some exhibits that are sealed and we
21 just ask that you leave, if they're sealed, leave them
22 sealed. There also is Exhibit No. 27 I think that has been
23 opened but in there are the five bags that were tested by
24 SLED. I believe that those are sealed. Please so not open
25 those or tamper with those in any manner.

ORIGINAL

CHARGE TO THE JURY:

-296-

1 And once you receive all of the exhibits and the
2 indictments then you may begin your deliberations at that
3 particular time.

4 Now, Valorie Colvert, Colvert, as the alternate your
5 role has also been extremely important. If one of your
6 fellow jurors was unable to finish service and complete
7 service then you were to step into that person's shoes.
8 When they go back into the jury room, I ask that you wait
9 outside and do not go into the jury room with them.

10 Mr. Foreman, if during the course of your
11 deliberations you have any questions that you would like
12 for us to try to answer, if you will write that question
13 on a sheet of paper, sign your name, knock on the door and
14 give it to the bailiff and we'll try to answer the
15 question. You may or may not be able to do so. But if
16 you have no questions then once you have written the
17 verdict on the indictment then if you will knock at the
18 door at that time and tell us that you have verdicts and
19 then we will receive the indictment into the courtroom to
20 receive your verdicts.

21 So at this time I ask that you retire to the jury
22 room and await further instructions before beginning your
23 deliberations.

24 (JURY EXITS COURTROOM FOR DELIBERATIONS AT 03:50 P.M.)

25 THE COURT: All right, are there any exceptions to the

ORIGINAL

1 charge by the State?

2 SOLICITOR SCOTT: No, your Honor.

3 THE COURT: By the Defense?

4 MS. MANIGAULT: None, your Honor.

5 THE COURT: If you will please come and take a look
6 at the indictments, make sure they are in proper form, and
7 also make sure that we have all of the evidence that needs
8 to be returned -- go back with the jury.

9 (COURT AT EASE AT 03:52 P.M.)

10 (COURT BACK IN SESSION AT 04:22 P.M.)

11 THE COURT: I received a note from the jury. The note
12 says, what is the definition of on or about the date? And
13 the second question is, what is the weight to be considered
14 possession?

15 And as to the date the only thing I will tell them
16 that there is no definition, there is no guidance as to on
17 or about. They have to use their judgment and make that
18 decision. And as it relates to the weight it's any amount
19 as far as I understand with possession.

20 SOLICITOR SCOTT: That's my understanding as well,
21 your Honor.

22 THE COURT: Any specific language you would like for
23 me to use before I write on the note?

24 SOLICITOR SCOTT: I have none, your Honor. The only
25 suggestion I have is the only thing you really could do,

ORIGINAL

1 other than explain that no exact weight is required, it's
2 not a threshold type crime, is just reread the definition
3 of possession of methamphetamine. Other than that I have
4 no suggestion.

5 MS. MANIGAULT: And, your Honor, I agree with your
6 statement that no specific weight is required for
7 possession. And your statement regarding the on or about
8 date.

9 THE COURT: Okay. I wrote as to question one, there
10 is no legal definition of on or about. It is a factual
11 question to be determined by you the jury.

12 As to question two: Any quantity of methamphetamine
13 is sufficient to constitute possession.

14 Is there anything further from the State?

15 SOLICITOR SCOTT: Nothing from the State.

16 MS. MANIGAULT: Nothing from the Defense, your Honor.

17 (WHEREUPON, COURT'S EXHIBIT NO. 3, IDENTIFIED AND
18 MARKED, RECEIVED INTO EVIDENCE.)

19 THE COURT: Its marked as Court's Exhibit 3, so if you
20 will give it to the Foreman, and ask him to read it and do
21 not destroy it. This piece of paper is to come back to us
22 with the rest of the evidence. Thank you.

23 And we'll stand in recess until we hear from them any
24 further.

25 (COURT AT EASE AT 04:27 P.M.)

ORIGINAL

VERDICT:

-299-

1 (COURT BACK IN SESSION AT 04:37 P.M.)

2 THE COURT: I understand that the . . .

3 (PAUSE.)

4 THE COURT: I understand that the jury has reached a
5 verdict. Is there anything that we need to take up at this
6 particular time before we bring the jury in?

7 SOLICITOR SCOTT: No, your Honor.

8 MS. MANIGAULT: No, your Honor.

9 THE COURT: Thank you. You may ask the jury to come
10 in please.

11 (JURY REENTERS COURTROOM AT 04:40 P.M.)

12 THE COURT: Mr. Foreman, I understand that you all
13 have reached a verdict. Is that correct?

14 MR. FOREMAN: Yes, ma'am.

15 THE COURT: If you will please pass the indictment to
16 the bailiff.

17 (VERDICT RECEIVED UP BY THE COURT.)

18 THE COURT: Madam Clerk, if you would please publish
19 the verdict please.

20 MADAM CLERK: Your Honor, in the case of the State of
21 South Carolina versus Ronald Jeffrey Eaton Case No. 2018-
22 Gs-30-1202 the charge for manufacturing methamphetamine the
23 jury finds the defendant guilty. Signed by David Brown
24 dated May 21st of 2019.

25 As to the charge of possession of methamphetamine, the

ORIGINAL

VERDICT:

-300-

1 jury finds the defendant guilty. Signed by the Foreman
2 David Brown May 21st, 2019.

3 Ladies and gentlemen, if that be your verdict please
4 indicate by raising your right hands.

5 (ALL JURORS AFFIRMED THE VERDICT.)

6 MADAM CLERK: Thank you.

7 THE COURT: Do the parties wish to poll the jurors
8 further?

9 SOLICITOR SCOTT: No, your Honor, not from the State.

10 MS. MANIGAULT: And not from the Defense, your Honor.

11 THE COURT: Ladies and gentlemen, the Court's not
12 concerned with your verdict that you reached so much as I
13 am concerned with the process of which you reach your
14 verdict. You listened to the evidence as was presented
15 throughout the course of this trial and you listened to my
16 instructions as to the law. You then determined the facts
17 in accordance of your view of what the evidence showed and
18 you applied the law as I charged you and you arrived at
19 your verdict.

20 And having done so no one can complain about the
21 verdict that you've reached. And you have fully discharged
22 your duty and your responsibility as jurors in this matter.

23 On behalf of the State and the County of Laurens I
24 would like to thank you very much for your service. I'm
25 pleased to report to you that your service has concluded

ORIGINAL

SENTENCING:

-301-

1 for the week so you do not have to call back after 6:00
2 p.m. You are free to return to your employment or whatever
3 else you do during the course of the week. And I would
4 like to thank you all individually for your service. And
5 if you need to go back to the jury room I think they will
6 take your badges and pick up any personal items that you
7 may have. Thank you so much. Thank you for your service.

8 (JURY DISMISSED/EXITS COURTROOM AT 04:43 P.M.)

9 THE COURT: Are there any matters that we need to take
10 up at this time post trial?

11 MS. MANIGAULT: Your Honor, I have post-trial motions.
12 I would renew all of my motions made during the trial. And
13 I would make a motion for a new trial based on the
14 arguments that I said especially regarding the
15 manufacturing meth charge because of the language in the
16 indictment that states the incident occurred on or about
17 March 26, and there was no clear definition for what on or
18 about meant or what should be considered in a time frame,
19 so I make a motion for a new trial specifically on the
20 manufacturing meth.

21 THE COURT: I understand the motion that you've made
22 and certainly would be helpful to have some clarity. As I
23 have read the case law that I cited yesterday that talked
24 about whether time was of the -- an essential element of
25 the offense. I don't believe that that is the case in --

ORIGINAL

SENTENCING:

-302-

1 this particular matter. There is no specific legal
2 definition to determine what's on or about references in
3 the indictment in charging the jury and so for that reason
4 I don't believe that there is -- that it is within the
5 jury's purview to determine that and they did so based upon
6 their view of what the evidence showed and so I'll deny
7 your motion on that basis.

8 Anything else we need to take up post trial?

9 MS. MANIGAULT: That's it for the defense, your Honor.

10 THE COURT: Are we ready for sentencing?

11 SOLICITOR SCOTT: We are, your Honor.

12 THE COURT: Yes, sir, Mr. Scott.

13 SOLICITOR SCOTT: Thank you. Your Honor, I see the
14 jurors have come back in, I want to thank them for their
15 service. Mr. Eaton as far as criminal history goes going
16 back to '89 public disorderly conduct, simple possession
17 of marijuana. '97 failure to stop for a blue light,
18 driving under suspension. '98 another failure to stop for
19 blue light, driving under suspension. 2002 public drunk,
20 open container. 2003 public drunk, possession of
21 marijuana. 2006 another driving under suspension.

22 2008 when we start seeing these drug related offenses.
23 In 2008 I've got a possession of controlled substance and
24 petty larceny and another possession charge. 2009
25 shoplifting. 2010 we see the first manufacture of meth

ORIGINAL

SENTENCING:

-303-

1 conviction he's got on his record. 2012 he had a
2 manufacture of meth 2nd offense conviction and disposal of
3 methamphetamine waste. 2013 he had a possession of meth
4 3rd; possession of meth 2nd. He was recently sentenced to
5 7 years in SCDC and just looking at the Sudafed purchase
6 records he didn't slow down a whole lot. He gets right
7 back out of SCDC and kind of picks back up where he left
8 off.

9 This case I want you to know, your Honor,
10 methamphetamine in this particular county has just really
11 been a huge burden. That's why you see all these law
12 enforcement officers here. We recently joined with a
13 captain of the sheriff's department, the sheriff was here
14 earlier. Ronald Eaton is a known entity to them and just
15 the production of this methamphetamine by people like he
16 can just kind of really rip the community apart.

17 You heard what the offer was before trial. I told you
18 that was largely driven by his criminal history, and then
19 that was law enforcement's feed back to me and kind of what
20 they recommended. We would recommend that he get at least
21 that. That would have been -- and if he had accepted guilt
22 and taken his responsibility -- that would have been the
23 offer so at least that would be what we'd be asking for.
24 Clearly the perimeters the statute carries as far as the
25 penalty would cover that. But again, law enforcement's

ORIGINAL

SENTENCING:

-304-

1 here, you heard the facts of the case, and so that's the
2 State's input on that, your Honor.

3 THE COURT: Before I hear from you, Ms. Manigault,
4 Mr. Eaton, you were found guilty by the jury of
5 possession of methamphetamine which carries, and I
6 understand this is a 3rd offense, it was charged as a 3rd
7 offense, 3rd or subsequent offense, and it carries from
8 zero to 10 years for a 3rd offense. Do you understand
9 that?

10 MR. EATON: Yes, ma'am.

11 THE COURT: And you were also found guilty by the jury
12 for manufacturing methamphetamine. I also understand that
13 that was a 3rd of subsequent offense. That carries a
14 mandatory minimum of 10 years in jail up to 30 years in
15 jail. And it does not appear that it may be suspended nor
16 may probation be granted for the 3rd offense.

17 Do you understand that?

18 MR. EATON: Yes, ma'am.

19 THE COURT: Ms. Manigault.

20 MS. MANIGAULT: Thank you, your Honor.

21 Your Honor, we've heard the decision by the jury and
22 will not argue with the jury's decision. Our argument
23 still remains about that date on or about March 26.

24 But with that being said my client is 53 years old.
25 He was married twice, once at the age of 15 and then later

ORIGINAL

SENTENCING:

-305-

1 on. He is divorced twice. His sister Contessa Norwood has
2 been with him in court and his nephew Darien Norwood has
3 been here also. He has five children, all of them are
4 adults.

5 Your Honor, his employment has been as a mechanic and
6 sheet rock hanger. He is a life long resident of Laurens
7 County. He attended the public schools in Laurens County
8 and the last grade he completed in Laurens District 55 was
9 the 9th grade.

10 Your Honor, we'd ask the Court to consider the minimum
11 sentence on the manufacturing conviction and to be run
12 concurrent with whatever sentence the Court gives him on
13 the possession.

14 THE COURT: Mr. Eaton, based upon your criminal
15 history that has been cited to me it appears that prior to
16 these two charges there were a total of four
17 methamphetamine convictions plus the two today. It is a
18 mandatory ten years on the manufacturing of methamphetamine
19 and this is a methamphetamine 3rd and so I will sentence
20 you on that particular charge to the Department of
21 Corrections for a period of 17 years.

22 And with respect to the possession of methamphetamine,
23 this is also a 3rd of subsequent offense, I will sentence
24 you to the maximum which is 10 years and then to run
25 concurrent. Good luck to you, sir.

ORIGINAL

SENTENCING:

-306-

1 SOLICITOR SCOTT: Your Honor, the only other thing,
2 that he be advised that this is now his 2nd serious
3 offense, another one in the future would trigger an LWOP
4 eligibility.

5 THE COURT: Mr. Eaton, the Solicitor is telling you
6 that under our statutory scheme that there are certain
7 charges that are considered to be serious or most serious
8 charges. If you have more than three or you have more than
9 two most serious charges on your third opportunity or a
10 third charge the State has the opportunity to provide you
11 with notice that on conviction of that third charge is that
12 you could be sentenced to life without the possibility of
13 parole and they would seek that pursuant to the statute.

14 And so he's asking that I put you on notice that upon
15 your release if you were subsequently convicted of other
16 drug offenses, or other charges that carry a serious or
17 most serious designation particularly a drug offense, that
18 you could be looking at that life without the possibility
19 of parole sentence. Do you understand that?

20 And I'm sure if you have any questions Ms. Manigault
21 can explain to you in more detail those consequences.

22 Thank you.

23 Anything further at this particular time?

24 SOLICITOR SCOTT: No, your Honor.

25 MS. MANIGAULT: Nothing, your Honor.

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(END OF TRANSCRIPT OF RECORD)

(COURT IN RECESS AT 05:10 P.M.)

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CERTIFICATE OF REPORTER

State of South Carolina)
)
County of York)

I, Wanda S. Nelson, Certified Court Reporter for the Sixteenth Judicial Circuit for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the General Sessions Court for Laurens County, South Carolina on the 20th and 21st days of May, 2019.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

Wanda S. Nelson

Wanda S. Nelson, CVR-M
Certified Verbatim Reporter,
Official Court Reporter,
Notary Public, in and for the
State of South Carolina.

My Commission Expires: 1/21/2021

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WITNESSES

Charles Nations
Laurens County Sheriff's Department

WARRANT NUMBER

2018A3010100340

True BillCynthia E. Swanson

Foreman of the Grand Jury

Date: 7-27-18**VERDICT**GuiltyDavid B. Brown

Foreman

5-21-19**THE STATE OF SOUTH CAROLINA**

COUNTY OF LAURENS

COURT OF GENERAL SESSIONS

July Term, 2018

Indictment # 18GS30- 1202

I hereby waive p.
Jury.

Defendant

Witness:

THE STATE

vs.

RONALD JEFFREY EATON

INDICTMENT FOR

Manufacturing Methamphetamine

SC Code: § 44-53-375(B)

CDR: 3778

RECEIVED
MAY 30 2019
SC Court of Appeals

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Lynn W. Lancaster
Lynn W. Lancaster
Laurens County CCCP & GS

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

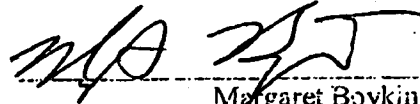
INDICTMENT FOR

Manufacturing Methamphetamine
§44-53-375(B)

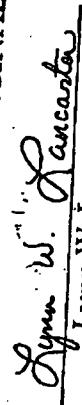
At a Court of General Sessions, convened on the 27th day of July, 2018, the Grand Jurors of Laurens County present upon their oath:

The defendant, Ronald Jeffrey Eaton, did on or about March 26, 2018, in Laurens County, South Carolina, manufacture or otherwise aid, abet, attempt, or conspire to manufacture methamphetamine in violation of the provisions of Section 44-53-370, all in violation of 44-53-375(B), Code of Laws of South Carolina (1976, as amended)

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


Margaret Boykin
Assistant Solicitor

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Lynn W. Lancaster
Laurens County CCCP & GS

WITNESSES

Charles Nations
Laurens County Sheriff's Department

WARRANT NUMBER

2018A3010100341

True Bill
Gyethia Edwards
Foreman of the Grand Jury
Date: 7-27-18

VERDICT

Guilty
David Brown
Foreman

5-21-19

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS

COURT OF GENERAL SESSIONS

July Term, 2018
Indictment # 18GS30-1203

THE STATE

vs.
RONALD JEFFREY EATON

INDICTMENT FOR

Possession of Methamphetamine
SC Code: § 44-53-375(A)

CDR- 3016

I hereby waive presentment to the Grand Jury.

Defendant

Witness:

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MAY 30 2019

SC Court of Appeals

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Lynn W. Lancaster
Laurens County CCCP & GS

THE STATE OF SOUTH CAROLINA

COUNTY OF LAURENS.

INDICTMENT FOR

Possession of Methamphetamine
§44-53-375(A)

At a Court of General Sessions, convened on the 27th day of July, 2018, the Grand Jurors of Laurens County present upon their oath:

The defendant, Ronald Jeffrey Eaton, did on or about March 26, 2018, in Laurens County, South Carolina, knowingly or intentionally possess methamphetamine as defined in Section 44-53-110, all in violation of Section 44-53-375(A), Code of Laws of South Carolina (1976, as amended).

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


Margaret Boykin
Assistant Solicitor

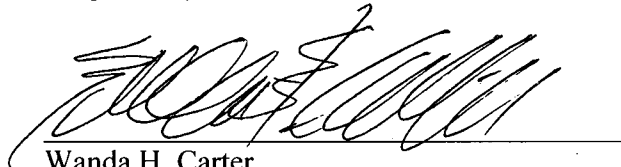
A TRUE COPY OF ORIGINAL


Lynn W. Lancaster
Laurens County CCCP & GS

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,

A handwritten signature in black ink, appearing to read 'Wanda H. Carter', is written over a horizontal line.

Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

This 17th day of January, 2020.