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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

Appeal from Beaufort County
Court of General Sessions
Thomas W. Cooper, Jr., Circuit Court Judge

Appellate Case No. 2015-000508
Case Nos. 2012-GS-07-1932 & 2014-GS-07-1940

The State,

Respondent,

v.

Aaron Scott Young, Jr.,

Petitioner.

APPENDIX

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

SC Court of Appeals

Thomas W. Cooper, Jr., Circuit Court Judge

Appellate Case No. 2015-000508
Case Nos. 2012-GS-07-1932 & 2014-GS-07-1940

The State,

Respondent,

v.

Aaron Scott Young, Jr.,

Appellant.

RECORD ON APPEAL - VOLUME I

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SC Court of Appeals

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WITNESSES

Inv. L. Albertin-BCSO

ARREST WARRANT NUMBER

2012A0720300113

ACTION OF GRAND JURY

True Bill

Quinn Swain
Foreperson of Grand Jury

Date: OCT 30 2014

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2012GS0701932

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

October Term 2014

THE STATE

vs.

Aaron Scott Young Jr

Amended Indictment for

Murder / Murder

SC Code: 16-03-0010; 16-03-0020
CDR Code:0116

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

INDICTMENT
2012GS0701932

At a Court of General Sessions, convened on October 30, 2014, the Grand Jurors of Beaufort County present upon their oath:

Murder / Murder

That in Beaufort County on or about September 1, 2012, Aaron Scott Young Jr. did willfully, unlawfully and with malice aforethought, engage in mutual combat with Tyrone Robinson and thereby cause the victim Khalil Singleton to be shot and killed in the area of Marshland Drive and Allen Road, Hilton Head Island, SC, and that Khalil Singleton did die in Beaufort County as a proximate result thereof on September 1, 2012; in violation of Section 16-3-10 of the South Carolina Code of Laws (1976), as amended.

"Murder" is the killing of any person with malice aforethought, either express or implied.

HISTORY: 1962 Code Section 16-51; 1952 Code Section 1

SC Code 16-3-10 "Murder" defined (South Carolina Code of Laws (2015 Edition))

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

George M. Stovett

Solicitor

CLERK OF COURT

CLERK OF COURT

WITNESSES

B Bromage and L Albertin- BCSO

ARREST WARRANT-NUMBER

Direct Indictment

ACTION OF GRAND JURY

True Bill

Annifer Snider
Foreperson of Grand Jury
Date: OCT 30 2014

VERDICT

Foreperson of Petit Jury
Date:
INDICT

DOCKET NO. 2014GS0701940

The State of South Carolina

County of Beaufort

COURT OF GENERAL SESSIONS

October Term 2014

THE STATE

vs.

Aaron Young, Jr

Indictment for
Attempted Murder

SC Code: 16-03-0029
CDR Code: 3410

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After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

Hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

INDICTMENT
2014GS0701940

At a Court of General Sessions, convened on October 30, 2014 the Grand Jurors of Beaufort County present upon their oath:

Attempted Murder

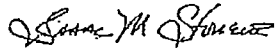
That in Beaufort County, South Carolina, on or about September 1, 2012 the Defendant, Aaron Young, Jr with intent to kill and malice aforethought, either express or implied, attempted to murder the victim, Tyrone Robinson; in violation of Section 16-03-29 of the Code of Laws of South Carolina (2010, as amended).

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



Solicitor

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF GENERAL SESSIONS
THOMAS W. COOPER, JR., CIRCUIT COURT JUDGE
INDICTMENT NO: 2012-GS-07-1932

STATE OF SOUTH CAROLINA

RESPONDENT,

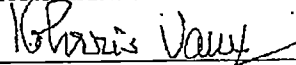
v.

AARON YOUNG, JR.

APPELLANT.

Aaron Young, Jr., appeals from his trial, conviction and sentence on the charge of Murder on February 25, 2015 before the Honorable Thomas W. Cooper, Jr., Presiding Judge, Fourteenth Judicial Circuit; and Aaron Young, Jr. appeals the Denial of his Motions on February 23, 24, and 25th, 2015 before the Honorable Thomas W. Cooper, Jr., Presiding Judge, Fourteenth Judicial Circuit.

VAUX MARSCHER BERGLIND, P.A.



BY: Roberts Vaux, SC Bar No. 5702 – Fed. No. 4459
James P. Scheider, Jr., SC Bar No. 4968 – Fed. No. 11003
Mark S. Berglind, SC Bar No. 74839 – Fed. No. 9859
Roberts Vaux, Jr. SC Bar No. 77421 – Fed. No.
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Telephone 843-757-2888
Facsimile 843-757-2889

March, 2015
Other counsel of record:
Solicitor, 14th Judicial Circuit
PO Box 1880
Bluffton, SC 29910

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

STATE OF SOUTH CAROLINA

RESPONDENT,

v.

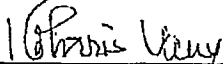
AARON YOUNG, JR.

APPELLANT.

AFFIDAVIT OF SERVICE BY MAIL

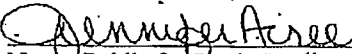
PERSONALLY appeared before me, Roberts Vaux, who being duly sworn, states:

1. That regular communication exists throughout the State of South Carolina, and this is the proper circumstances for first class mail.
2. That on March 6, 2015 an Original Notice of Intent to Appeal in the above captioned case was filed with the Beaufort County Clerk of Court, Post Office Drawer 1128, Beaufort, South Carolina 29901-1128 by depositing same in the United States Post Office at Bluffton, South Carolina with the proper postage prepaid thereon.
3. That an original Notice of Intent to Appeal in the above captioned case was served on the Clerk of Court, SC Court of Appeals, PO Box 11629, Columbia, SC by depositing same in the United States Post Office at Bluffton, South Carolina on March 6, 2015 with the proper postage prepaid thereon.
4. That a true copy of the Notice of Intent to Appeal in the above captioned case was served on the Solicitor, Fourteenth Judicial Circuit, Post Office Box 1880, Bluffton, South Carolina by depositing same in the United States Post Office at Bluffton, South Carolina on March 6, 2015 with proper postage paid thereon.



 Roberts Vaux, Esq.
 Attorney for Appellant

SWORN TO BEFORE ME
This 6th day of March, 2015



 Notary Public for South Carolina
 My Commission Expires: 02-01-2020

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THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM BEAUFORT COUNTY
COURT OF GENERAL SESSIONS.

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SC Court of Appeals

THOMAS W. COOPER, JR., CIRCUIT COURT JUDGE

INDICTMENT NO: 2014-GS-07-1940

STATE OF SOUTH CAROLINA

RESPONDENT,

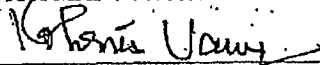
v.

AARON YOUNG, JR.

APPELLANT.

Aaron Young, Jr., appeals from his trial, conviction and sentence on the charge of Attempted Murder on February 25, 2015 before the Honorable Thomas W. Cooper, Jr., Presiding Judge, Fourteenth Judicial Circuit; and Aaron Young, Jr. appeals the Denial of his Motions on February 23, 24, and 25th, 2015 before the Honorable Thomas W. Cooper, Jr., Presiding Judge, Fourteenth Judicial Circuit.

VAUX MARSCHER BERGLIND, P.A.



BY: Roberts Vaux, SC Bar No. 5702 – Fed. No. 4459
James P. Scheider, Jr., SC Bar No. 4968 – Fed. No. 11003
Mark S. Berglind, SC Bar No. 74839 – Fed. No. 9859
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5

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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STATE OF SOUTH CAROLINA

RESPONDENT,

v.

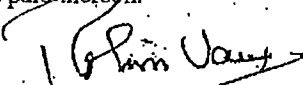
AARON YOUNG, JR.

APPELLANT.

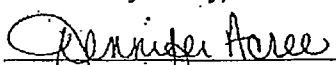
AFFIDAVIT OF SERVICE BY MAIL

PERSONALLY appeared before me, Roberts Vaux, who being duly sworn, states:

1. That regular communication exists throughout the State of South Carolina, and this is the proper circumstances for first class mail.
2. That on May 28, 2015 an Original Notice of Intent to Appeal in the above captioned case was filed with the Beaufort County Clerk of Court, Post Office Drawer 1128, Beaufort, South Carolina 29901-1128 by depositing same in the United States Post Office at Bluffton, South Carolina with the proper postage prepaid thereon.
3. That an original Notice of Intent to Appeal in the above captioned case was served on the Clerk of Court, SC Court of Appeals, PO Box 11629, Columbia, SC by depositing same in the United States Post Office at Bluffton, South Carolina on May 28, 2015 with the proper postage prepaid thereon.
4. That a true copy of the Notice of Intent to Appeal in the above captioned case was served on the Solicitor, Fourteenth Judicial Circuit, Post Office Box 1880, Bluffton, South Carolina by depositing same in the United States Post Office at Bluffton, South Carolina on May 28, 2015 with proper postage paid thereon.


 Roberts Vaux, Esq.
 Attorney for Appellant

SWORN TO BEFORE ME
This 28th day of May, 2015


 Notary Public for South Carolina
 My Commission Expires: 02-01-2020

STATE OF SOUTH CAROLINA
14TH JUDICIAL CIRCUIT
COUNTY OF BEAUFORT
COURT OF GENERAL SESSIONS
CASE NUMBERS 2012-GS-07-01932 & 2014-GS-07-01940

STATE OF SOUTH CAROLINA

PLAINTIFF

VERSUS

DAY ONE, MONDAY, FEBRUARY 23, 2015

TRANSCRIPT OF TRIAL

QUALIFICATION, VOIR DIRE, JUROR SELECTION

BEAUFORT, SOUTH CAROLINA

AARON SCOTT YOUNG, JR.

DEFENDANT

B E F O R E:

DOYET A. EARLY, JUDGE

AND THOMAS W. COOPER, JUDGE

AND A JURY

WANDA H. ROWE, CVR-M
OFFICIAL COURT REPORTER

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FEBRUARY 23, 2015

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EXHIBITS

No exhibits were entered.

1 DAY ONE, FEBRUARY 23, 2015,

2 BEGINNING 11:20 A.M.

3 JUROR QUALIFICATION, BY JUDGE EARLY:

4 THE COURT: Thank you. Good morning. Please be
5 seated. All right. Ladies and gentlemen, welcome to
6 this week's term of court here in Beaufort. We actually
7 have two courts going on today. We have general
8 sessions, which is criminal court. We have two trials,
9 I know, to try in criminal court, at least two trials.
10 One is a murder case. One is a possession with intent
11 to distribute some type of drug.

12 On the other side of the coin, we have our civil
13 trials going on. We have one case there that we will be
14 picking a jury for. But what we'll probably do is, once
15 I get you qualified, Judge Cooper from Manning, South
16 Carolina, will draw the jury in the first case, which
17 would be the murder trial. Then, we'll draw the civil
18 jury. And then, we will draw the jury in the second
19 criminal trial. Trying to get as many juries drawn this
20 morning so you won't have to keep coming back and forth.
21 We'll try to make it efficient and easy on your
22 schedule.

23 My name is Jack Early. I've been assigned here by
24 the Chief Justice to hold civil court this week. Judge
25 Cooper's holding criminal court, so we will get you

1 started here in just a few minutes. And you've already
2 had the roll call. Is that correct, Madam Clerk?

3 MADAM CLERK: Yes, sir.

4 THE COURT: Okay. Now, we have to go through the
5 qualifying process for the general jury pool. And your
6 legislature and your House members and your senators,
7 over the years, have had certain requirements to make
8 you qualified. We will go through those. If any of
9 these questions apply to you, if you would please stand.
10 Once again, identify yourself by name and number, and
11 then answer the question.

12 Once we answer the qualifying questions, then we go
13 into a group of what we call exemptions; means that,
14 notwithstanding the fact that you are qualified, you can
15 say, Judge, I choose not to serve. So, if any of those
16 apply to you, then, also, please stand, identify
17 yourself by name and number, and respond to the
18 question.

19 They've already been sworn in?

20 MADAM CLERK: Yes, your Honor.

21 THE COURT: Thank you.

22 JUROR QUALIFICATION:

23 THE COURT: All right. First question. Do I have
24 any member of the jury panel who is not a citizen of the
25 United States? If so, please stand.

1 Do I have any member of the jury panel who is not a
2 citizen and resident of Beaufort County, South Carolina?
3 If so, please stand.

4 Do I have any member of the jury panel who is
5 unable to read, write, speak, or understand the English
6 language? If so, please stand.

7 Do I have any member of the jury panel who has less
8 than a sixth grade education or its equivalent? If so,
9 please stand.

10 Do I have any member of the jury panel who is
11 unable to render efficient jury service this week
12 because of some mental or physical infirmity that
13 normally requires some type of excuse from your doctor?
14 If so, please stand.

15 Yes, sir, your name and number.

16 JUROR NUMBER 117: Number 117, Larry Faulkner. I
17 have a nuclear stress tests scheduled for this Friday.

18 THE COURT: All right, sir. That will not
19 disqualify you. However, I will protect you on Friday
20 to make sure you're not drawn for Friday. And your name
21 and number again, please?

22 JUROR NUMBER 117: 117, Larry Faulkner.

23 THE COURT: Thank you. Madam Clerk.

24 MADAM CLERK: Yes, sir.

25 THE COURT: Do I have anybody -- yes, ma'am, your

1 name and number.
2 JUROR NUMBER 325: Kris Robertson.
3 THE COURT: I can't hear you.
4 JUROR NUMBER 325: Kris Robertson. Counseling
5 Thursday, at 2:00 p.m.
6 THE COURT: Thank you. We'll take care of you.
7 MADAM CLERK: Number?
8 THE COURT: What number are you, Ms. Robertson?
9 JUROR NUMBER 325: 325.
10 THE COURT: I can't hear her. Can you?
11 BAILIFF: 325.
12 MADAM CLERK: 325?
13 JUROR NUMBER 325: Yes.
14 MADAM CLERK: Yes, thank you.
15 THE COURT: Yes, ma'am.
16 JUROR NUMBER 36: Valerie Borders, Badge Number 36.
17 I have a medical appointment scheduled for Wednesday, at
18 8:15 in the morning.
19 THE COURT: Okay.
20 COURT REPORTER: Number? I didn't get the number.
21 THE COURT: What number are you, ma'am?
22 JUROR NUMBER 36: 36.
23 THE COURT: 36.
24 THE COURT: Yes, ma'am.
25 JUROR NUMBER 149: I'm sorry, but I have a severe

1 hearing problem, and I can hear very little of what is
2 going on.

3 THE COURT: Okay. Why don't you come sit right
4 here on the front row? Come sit on the front row.
5 Thank you, ma'am.

6 Hold on. What number are you, ma'am?

7 JUROR NUMBER 149: I'm sorry.

8 THE COURT: What number are you?

9 JUROR NUMBER 149: I'm sorry, I can't hear you.

10 THE COURT: What --

11 MADAM CLERK: What number are you?

12 JUROR NUMBER 149: What number? 149. I'm sorry.

13 THE COURT: All right.

14 MADAM CLERK: Yes, sir. Yes, sir.

15 THE COURT: I'll deal with her in just a second.

16 MADAM CLERK: Yes, sir.

17 JUROR NUMBER 368: Louis Smith, Number 368. I'm
18 diabetic and require injections periodically throughout
19 the day, and I'm also hard of hearing.

20 THE COURT: If you need an injection, raise your
21 hand. We will allow you to be excused.

22 JUROR NUMBER 368: I'm sorry?

23 THE COURT: We will allow you to be excused if you
24 need a insulin injection. In other words, you can step
25 out.

1 JUROR NUMBER 368: Thank you.

2 THE COURT: Thank you. Do I have any member of the
3 jury panel who has been convicted by way of guilty plea
4 or trial in a state or federal court of record of a
5 crime punishable by imprisonment for more than one year,
6 and your civil rights have not been restored by pardon
7 or amnesty? Punishable by more than one year means that
8 you could have received a sentence of more than one
9 year, regardless of what sentence you actually received.
10 If that applies to anyone, please stand.

11 Mr. Solicitor, do you have anybody?

12 OFF-THE-RECORD BENCH CONFERENCE, OUT OF
13 HEARING OF JURORS. PRESENT: THE COURT
14 AND MR. THORNTON.
15 END BENCH CONFERENCE.

16 BY THE COURT:

17 THE COURT: Do I have any member of the jury panel
18 who is a clerk or deputy clerk of court, a constable,
19 sheriff, or other commissioned law enforcement officer,
20 a probate judge, a county commissioner, a magistrate or
21 other county officer, or employed within the walls of
22 any courthouse? If so, please stand.

23 Yes, sir, your name and number.

24 JUROR NUMBER 295: Name is Thomas Paige. Number is
25 295. I work for the town of Hilton Head, and I control

1 all of the software in the courthouse.
2 THE COURT: Control what?
3 JUROR NUMBER 295: The software in the courthouse.
4 THE COURT: Thank you. That does not disqualify
5 you.
6 MADAM CLERK: Not this one.
7 THE COURT: Hmm?
8 MADAM CLERK: Not this courthouse.
9 THE COURT: Any member of the jury panel who has
10 served on jury duty during this calendar year, year
11 2015. I doubt it. Any member of the jury panel who has
12 served on jury duty for the Grand Jury for Beaufort
13 County during the past several years. If so, please
14 stand.
15 May I see up here, please, Juror Number 323?. 323.
16 Do I need to tell you your name?
17 OFF-THE-RECORD BENCH CONFERENCE, OUT OF
18 HEARING OF JURORS..
19 END BENCH CONFERENCE.
20 THE COURT: All right... 205 is excused. Go right
21 over here.
22 BAILIFF: You're free to go, ma'am. You're free to
23 go.
24 JUROR NUMBER 205: Thank you.
25 THE COURT: Ms. Gradman? Are you Ms. Gradman? I'm

1 going to excuse you.

2 JUROR NUMBER 149: Thank you.

3 THE COURT: You're welcome.

4 COURT REPORTER: What was her number?

5 MADAM CLERK: 149.

6 BAILIFF: You're free to go, ma'am.

7 THE COURT: Let me have order.

8 MADAM CLERK: Hang on.

9 COURT REPORTER: Was it --

10 MADAM CLERK: 149.

11 BY THE COURT:

12 THE COURT: 149. Have a seat, sir, please. Ma'am,
13 please hold those doors back there. Thank you.

14 All right. Ladies and gentlemen, that concludes
15 the statutory qualifying questions. State law also
16 provides for what we call exemptions, which means,
17 Judge, notwithstanding the fact that I'm qualified, I
18 choose not to serve. The first one deals with those of
19 you who may be 65 years or older. Do I have anyone 65
20 or older who does not wish to serve? You obviously are
21 welcome to stay with us, but you can say, I don't want
22 to stay. Anybody in that category?

23 JUROR NUMBER 62: I'm 66, and I'm the legal
24 guardian of a twelve-year-old. So, I would like to be
25 excused.

1 THE COURT: Well, ma'am, you've earned it by being
2 66. Your name and number?

3 JUROR NUMBER 62: Colleen Callahan, 62.

4 THE COURT: Thank you, ma'am. You're free to go.
5 Anybody else over 65? I'm over 65, but I can't choose
6 not to serve. And it's not so bad being over 65; it's
7 just terrible being so close to 70.

8 You're not required to serve more often than once
9 every three calendar years. Do I have anyone who has
10 served in this courtroom, in this Common Pleas or
11 General Sessions during the last three calendar years,
12 '15, '14, or '13? Likewise, you may be exempt if you've
13 served on the --

14 Do you have a question, back there in the back?

15 UNIDENTIFIED JUROR: No, sir.

16 THE COURT: Likewise, you may be exempted if you
17 have served on the Beaufort County Grand Jury during the
18 last five calendar years, '15, '14, '13, '12, or '11.

19 The next exemption deals with those of you who may
20 have a small child or children. You may be exempt if
21 you are the primary and principal custodial parent of a
22 child or children under the age of seven, and you have
23 no means of providing care for that child while serving.
24 Does that apply to anyone?

25 Likewise, you may be exempt if you are the primary

1 and custodial care giver of a person who is severely
2 disabled, and you are unable to make arrangements for
3 the care of that person, whether it be a mental or
4 physical disability, we can exempt you. Yes, ma'am,
5 your name and number?

6 JUROR NUMBER 396: Heidi Tessmer, and my number is
7 396. And I have a ten-year-old, severe special needs
8 child who can go to school, but if, for any reason, I'm
9 here, they can't contact me for anything.

10 THE COURT: Well, ma'am, state law provides for you
11 to take care of that child, as opposed to having to
12 serve jury duty. So, you're welcome to stay, or you may
13 exercise your exemption.

14 JUROR NUMBER 396: I would like to.

15 THE COURT: If you would hand the bailiff, on your
16 way out, your number, please. Your card.

17 The next exemption deals with those of you who may
18 be attending school at this time, or working in some
19 capacity with the school. If this exemption applies to
20 you, I cannot excuse you, but I can transfer you to
21 another term of court, which would not interfere with
22 your school activities.

23 Do I have anyone who is a full-time student, school
24 teacher, school crossing guard, school bus driver, or
25 work in any other capacity with the school, and serving

1 on jury duty this week would interfere with your school
2 activities? I can't excuse you, but I can transfer you.
3 Does that apply to anyone?

4 Yes, sir, your name and number.

5 JUROR NUMBER 203: LaSalle Jenkins, 203, and I'm in
6 maintenance with Beaufort County School district, and we
7 have an HVAC test starting tomorrow.

8 THE COURT: Heating and air conditioning?

9 JUROR NUMBER 203: Yes, sir.

10 THE COURT: All right. I'll give you a choice.
11 You might want to stay here, so you don't have to go out
12 there and work in that cold weather. But I can't excuse
13 you; I can transfer you. It's your choice.

14 JUROR NUMBER 203: I would like to transfer to a
15 later date, sir.

16 THE COURT: All right.. Does he come right up here,
17 Ms. Jerri?

18 MADAM CLERK: Yes, yes.

19 THE COURT: Right here. Come around here, sir.
20 Anyone else in school?

21 Do I have any member of the jury panel who is
22 employed at a prison with the South Carolina Department
23 of Corrections?

24 Do I have any member of the jury panel who is
25 employed with a business, whether it be commercial or

1 agricultural, and your services are so essential to the
2 operation of the business that, if you were required to
3 serve, the business would stop functioning? If so,
4 please stand.

5 All right. Ladies and gentlemen, that concludes
6 the statutory list of qualifications and exemptions. It
7 may very well be that you are qualified and no exemption
8 applies to you, but this week creates a severe personal
9 hardship.

10 You've got something that's been long-planned, or
11 if you have some personal need to attend to, I cannot
12 excuse you. However, I may transfer you to another term
13 of court, bearing in mind, this might not be a bad week
14 to serve. We don't have a lot of trials, but --
15 anybody?

16 MADAM CLERK: One standing.

17 THE COURT: And I'll be glad to -- personal or
18 whatever. Ma'am, in the back row, with the scarf on?
19 Your name and number?

20 JUROR NUMBER 307: 307.

21 THE COURT: I can't hear you.

22 JUROR NUMBER 307: 307.

23 THE COURT: 307?

24 JUROR NUMBER 307: Um-hmm.

25 THE COURT: And your situation?

1 JUROR NUMBER 307: Can I come up?

2 OFF-THE-RECORD BENCH CONFERENCE, OUT OF
3 HEARING OF JURORS. PRESENT: THE COURT,
4 JUROR NUMBER 307, MR. THORNTON, AND MR.
5 STONE.

6 END BENCH CONFERENCE.

7 THE COURT: All right. That means you are
8 qualified, so sit tight. Judge Cooper is coming in, and
9 he will go through the qualifications on the first
10 criminal case. Following that, we'll come back and do
11 the civil case. Following that, we'll do the second
12 criminal case. Everybody sit tight. I'll get Judge
13 Cooper out, and we'll move along with the selection of
14 the first case. Thank you.

15 OFF THE RECORD 11:39 A.M.

16 BACK ON THE RECORD 12:05 P.M.

17 VOIR DIRE, BY JUDGE COOPER:

18 THE COURT: Thank you, ladies and gentlemen.
19 Please be seated.

20 MADAM CLERK: Juror Number 235? Sir, you're
21 excused. If you would just give your badge to the
22 bailiff on your way out.

23 Juror Number 430? Juror Number 430. Can you come
24 up and transfer, please.

25 Number 113. If you would just hand your badge to

1 the bailiff, please, sir, you're excused.

2 That's it, Judge. Thank you.

3 THE COURT: Ladies and gentlemen, I have been
4 introduced. My name is Tommy Cooper. I'm a retired
5 active circuit judge from up in Clarendon County, and
6 I've been assigned here to conduct trials in the court
7 of general sessions.

8 I guess you think it's unfair we've got two judges.
9 Judge Early comes over from Bamberg and wears you all
10 out, and he goes back there and takes a rest, and sends
11 me out here fresh, and you're still -- and you've been
12 here all day. And it's probably not completely fair,
13 but it's the only way we can do the selection process
14 that we're working under.

15 Ladies and gentlemen, as you all know, you all have
16 been summoned here to serve, potentially, as jurors in
17 the Court of General Sessions. You have been qualified
18 to serve as jurors generally, and now, we're going to
19 qualify you to serve as jurors in a particular case.
20 And so, the oath that you took earlier this morning to
21 answer the questions truthfully, of course, still
22 applies to the questions that we will put to you in this
23 process, as well.

24 I tell you again, as Judge Early, no doubt, told
25 you, if you don't understand some of the questions that

1 I might put to you, please stand. Get my attention in
2 some way. I'll be glad to put that question in another
3 way that might make it easier for you to understand.

4 And if it would cause you some measure of
5 embarrassment to have to answer one of these questions
6 in front of a roomful of strangers, get my attention in
7 the same way, and I'll be glad to bring you up here, and
8 in the relative privacy of the court reporter and the
9 lawyers, inquire further about your situation. Mr.
10 Solicitor, is the State ready to proceed?

11 MR. STONE: The State's ready, your Honor.

12 THE COURT: Mr. Vaux, is the Defense ready?

13 MR. ROBERTS VAUX: Yes, your Honor.

14 THE COURT: Thank you. Mr. Solicitor, you can call
15 your case.

16 CASE CALLED BY MR. STONE:

17 MR. STONE: Your Honor, the State calls Indictment
18 2012-GS-07-01932, charging Aaron Scott Young, Jr., (B
19 Jr. with the offense of murder; Indictment Number 2014-
20 GS-07-01940, charging Aaron Young, Jr., with the offense
21 of attempted murder. I'll hand your Honor the two
22 indictments and the -- as well as the potential
23 witnesses.

24 THE COURT: Thank you. Ladies and gentlemen, as
25 you have heard Mr. Stone tell me, the State has called

1 the case of the State against Aaron Scott Young, Jr.,
2 charged in these two indictments with murder in one of
3 the indictments, and attempted murder in the other
4 indictment.

5 Indictment Number 1932 accuses Mr. Aaron Scott
6 Young, Jr., with the crime of murder. And the
7 indictment alleges that, here in Beaufort County, on or
8 about September the 1st of 2012, Aaron Scott Young, Jr.,
9 did willfully, unlawfully, and with malice aforethought
10 engage in mutual combat with Tyrone Robinson, and
11 thereby caused the victim, Khalil Singleton to be shot
12 and killed in the area of Marshland Drive and Allen Road
13 in Hilton Head Island, and that Khalil Singleton did die
14 here in Beaufort County as a result thereof, in
15 violation of the law.

16 Indictment Number 1940 accuses Mr. Aaron Young,
17 Jr., with the crime of attempted murder. And that
18 indictment says that, here in Beaufort County, on or
19 about September the 1st, 2012, the same day as the
20 earlier indictment, the defendant, Aaron Young, Jr.,
21 with the intent to kill and malice aforethought, either
22 express or implied, attempted to murder the victim,
23 Tyrone Robinson, in violation of the law.

24 Now, ladies and gentlemen, I tell you that the
25 indictments which I have just read to you are not

1 evidence, nor are they proof of the charges that they
2 contain. They're simply charging documents, legal
3 documents that tell you or me or anybody who reads them
4 what this case is all about.

5 To the charges contained in these two indictments,
6 Mr. Young has entered pleas of not guilty, and has asked
7 for a jury trial at your hand.

8 Mr. Young, will you please stand and face the jury
9 behind you.

10 DEFENDANT COMPLIES.

11 THE COURT: Thank you. You can be seated.

12 Ladies and gentlemen, I need to know if any of you
13 all are related by blood or marriage, that is, or kin to
14 Mr. Aaron Young, Jr. Or are you a friend of his, or a
15 business associate, a casual acquaintance, a personal
16 acquaintance, or any person who has any direct or
17 indirect contact with Mr. Aaron Young, Jr. If so, will
18 you please stand?

19 Yes, ma'am, your name and number, please?

20 JUROR NUMBER 151: Victoria Granucci, Juror Number
21 151.

22 THE COURT: Number 151.

23 JUROR NUMBER 151: I know both of -- both of them
24 from work. They used to work at the restaurant where I
25 work at now.

1 THE COURT: All right. Is it Ms. Granucci Is that
2 right?

3 JUROR NUMBER 151: Um-hmm.

4 THE COURT: Did I say that right?

5 JUROR NUMBER 151: Yes.

6 THE COURT: And you know -- when you say both of
7 them, is that Mr. Young, Jr.?

8 JUROR NUMBER 151: Aaron, Sr., and Aaron, Jr., yes.

9 THE COURT: And who else?

10 JUROR NUMBER 151: Junior.

11 THE COURT: Junior?

12 JUROR NUMBER 151: Senior and Junior.

13 THE COURT: All right. You know both of them. All
14 right.

15 JUROR NUMBER 151: They both worked at the
16 restaurant I work at.

17 THE COURT: Okay. And which restaurant is that,
18 Ms. Granucci?

19 JUROR NUMBER 151: Kingfisher.

20 THE COURT: Were they working at the restaurant in
21 September of 2012?

22 JUROR NUMBER 151: I'm not certain. I know Aaron,
23 Sr., had worked there before alleged incidents, but they
24 both worked there after.

25 THE COURT: After that?

1 JUROR NUMBER 151: Yeah.

2 THE COURT: And --

3 JUROR NUMBER 151: That's when I became acquainted
4 with them.

5 THE COURT: I understand.. Was your association
6 with them limited to that working relationship?

7 JUROR NUMBER 151: Pretty much, yes. I mean, we
8 were, you know, cordial and friendly at work, you know.

9 THE COURT: I understand.

10 JUROR NUMBER 151: Yes. They --

11 THE COURT: Well, let me ask you another question.

12 JUROR NUMBER 151: They were -- they were -- yeah,
13 they were good co-workers.

14 THE COURT: I understand.

15 JUROR NUMBER 151: Okay:

16 THE COURT: Would the association as you have just
17 described it to me --

18 JUROR NUMBER 151: Um-hmm.

19 THE COURT: -- make it difficult for you to serve
20 fairly and impartial as a juror in the case in which Mr.
21 Young is on trial?

22 JUROR NUMBER 151: I think it would, because I
23 heard --

24 THE COURT: All right. You don't have to go any
25 further.

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JUROR NUMBER 151: Okay.

THE COURT: You've answered my question sufficiently, and we understand that. We appreciate that. We will stand you aside as a juror in this particular case.

JUROR NUMBER 151: Okay.

THE COURT: Juror Number 151 will be excused from this particular trial. But don't leave us just yet, Ms. Granucci. Okay?

Yes, ma'am. Your name and number, please.

JUROR NUMBER 184: Deanna Holmes, 8 -- 184.

THE COURT: Ms. Holmes, tell me the nature of the association, please, ma'am.

JUROR NUMBER 184: We're cousins.

THE COURT: You're cousins.

JUROR NUMBER 184: We're cousins.

THE COURT: All right. First cousin? Second cousin?

JUROR NUMBER 184: No, not close cousins, but definitely related.

THE COURT: You're definitely related.

JUROR NUMBER 184: Yes.

THE COURT: All right. I may ask you some other questions later in the day, Ms. Holmes, that you might have to answer, concerning knowledge about this case and

1 things of that nature. And if those questions apply to
2 you, I want you to respond to them, of course,
3 truthfully, as you will in this case, as well.

4 JUROR NUMBER 184: Okay.

5 THE COURT: What I need to know now is whether or
6 not the relationship that you have just described to me
7 would make it difficult for you to serve fairly and
8 impartially as a juror on which Mr. Young is on trial?

9 JUROR NUMBER 184: I don't think so.

10 THE COURT: Could you set aside that relationship
11 and decide this case on the basis of the evidence that
12 you would hear in court?

13 JUROR NUMBER 184: Yes.

14 THE COURT: Will you do that, please?

15 JUROR NUMBER 184: Yes.

16 THE COURT: Thank you, ma'am. Anybody else?

17 Ladies and gentlemen, the indictment charging Mr.
18 Young with murder alleges that the victim in that
19 particular case is Khalil Singleton. I need to know if
20 any of you all are related by blood or connected by
21 marriage to Khalil Singleton. Khalil Singleton was
22 eight years old at the time of his death. Are you
23 related to him by blood or by marriage, or friends of
24 him or his family, or business associates of him or his
25 family, or people who have any direct or indirect

1 contact with Mr. Singleton? If so, please stand.

2 BAILIFF: We have one still standing from before,
3 Judge.

4 THE COURT: Oh, I'm sorry. I'm sorry, did I miss
5 her?

6 BAILIFF: I'm not sure if she stood up at the very
7 last second.

8 UNIDENTIFIED JUROR: She's ill, your Honor. She's
9 ill.

10 THE COURT: Oh, she's ill?

11 UNIDENTIFIED JUROR: Yes, sir.

12 THE COURT: All right. Well, why don't we -- if
13 you all can help her outside, and see if you can't deal
14 with that. And if she's too ill to stay here today,
15 give her instructions to come back tomorrow.

16 I'll get back to my question. Are any of you
17 connected with Khalil Singleton by blood or marriage,
18 friendship, kinship, in any way whatsoever? If so,
19 please stand.

20 JUROR NUMBER 219: Oh, God.

21 THE COURT: All right. Yes, ma'am.

22 JUROR NUMBER 219: I'm employed by -- his aunt is
23 an employee of mine.

24 THE COURT: I'm sorry, your name and number,
25 please?

1 JUROR NUMBER 219: 219.

2 THE COURT: All right.

3 JUROR NUMBER 219: And the aunt of the deceased is
4 an employee of mine, so.

5 THE COURT: I'm going to ask you to wait just one
6 second, and let me get you located on my list. And
7 then, I'll get back to you. Ms. Kemp, is it?

8 JUROR NUMBER 219: Yes..

9 THE COURT: All right. Tell me about the
10 association, Ms. Kemp..

11 JUROR NUMBER 219: His aunt is an employee of mine
12 at Kemp International.

13 COURT REPORTER: At where?

14 JUROR NUMBER 219: Kemp International.

15 THE COURT: His aunt is an employee of yours?

16 JUROR NUMBER 219: Yes.

17 THE COURT: Is that relationship related to -- just
18 a business association, as you've described, working?

19 JUROR NUMBER 219: Yes.

20 THE COURT: Would the association, then, make it
21 difficult for you to be fair and impartial as a juror in
22 the trial of this case if you were asked to serve?

23 JUROR NUMBER 219: Yes.

24 THE COURT: It would?

25 JUROR NUMBER 219: Yes, it would.

1 THE COURT: All right. Ms. Kemp, we will stand you
2 aside as a juror in the trial of this case. Your Juror
3 Number is 219. You'll be stood aside as a juror in this
4 case.

5 Ms. Holmes, Juror Number 184, you also have a
6 connection with Mr. Robinson. Is that right?

7 JUROR NUMBER 184: Yes. I'm related to everyone,
8 yes. He's my cousin down the line somewhere, as well.

9 THE COURT: All right. Ms. Holmes, I'm going to --
10 recognizing the fact that you would do your best, I
11 know, to be fair and impartial in a case like this,
12 putting you in the middle of a family dispute of this
13 nature would be unfair to you, and it would be unfair to
14 the process, as well.

15 And so, rather than subject you or the process to
16 the chance of that undue pressure or unfairness, I'm
17 going to stand you aside as a juror in this trial.
18 Okay? Number 184 will be stood aside as a juror in the
19 trial. Thank you, Ms. Singleton.

20 BAILIFF: May I approach, your Honor?

21 OFF-THE-RECORD DISCUSSION, OUT OF
22 HEARING OF JURORS. PRESENT: THE COURT,
23 BAILIFF NORMAN JONES.
24 END BENCH CONFERENCE.

25 BY THE COURT:

1 THE COURT: Ladies and gentlemen, there are a list
2 of potential witnesses who may testify in the trial of
3 this case. It is quite a lengthy list. I don't want
4 you to be concerned or intimidated by it. These are all
5 potential witnesses. They will all not testify, but
6 they may testify, if the need should arise.

7 Because the list is lengthy, I'm going to break it
8 down into parts and read half of it, and then read the
9 other half. As I go through this list, I want you to
10 make a mental note as to whether or not you are kin to
11 these folks, or whether you know them, or have any
12 connection with them in any respect whatsoever. Because
13 then, I'm going to be asking you the same questions
14 about these potential witnesses that I've asked you
15 about the defendant; and about the potential alleged
16 victims in this case.

17 All right. Potential witnesses who may testify in
18 the trial of this case are: John Adams and Laurel
19 Albertin from the Sheriff's Office. Brittany Brinson
20 from Hilton Head. Bob Bromage from the Sheriff's
21 Office. Joseph Bryan from Hilton Head. John Burnett
22 from Atlanta. Andrew Calore from the Sheriff's Office.
23 Ebony Campbell from Hilton Head. Brian Chapman from the
24 Sheriff's Office. Brandon Cooler from the Sheriff's
25 Office. Wendy Conant from the Sheriff's Office.

1 Dan DeFreese from SLED. Tyrone Delaney from
2 Seabrook. Curtis Evans from the Sheriff's Office.
3 Andres Florencio from the Sheriff's Office. Larry
4 Forest from Hilton Head. Tim French from the Sheriff's
5 Office. Lawrence Glass from the Sheriff's Office.

6 Dominique Griffin from Beaufort. Benny Lee
7 Hamilton from Ridgeland. Tyreek Harrington from Hilton
8 Head. Roger Heaton. Charlese Jackson from Seabrook.
9 Michael Kaup, from Hilton Head Emergency -- Hilton Head
10 Hospital Emergency Room. Excuse me.

11 Are any of you related by blood or connected by
12 marriage to any of those potential witnesses, or friends
13 of theirs, business associates of theirs, casual
14 acquaintances of theirs, or people who have any direct
15 or indirect contact with any of those potential
16 witnesses? If so, please stand.

17 We'll start here and work our way across. Yes,
18 sir. Your name and number, please, sir.

19 JUROR NUMBER 8: Victor Alvarez, Juror Number 8.
20 I'm a volunteer with the Beaufort County Sheriff's
21 Office.

22 THE COURT: I'm sorry, I didn't get your number. I
23 apologize.

24 JUROR NUMBER 8: Number 8.

25 THE COURT: Number 8? Thank you, Mr. Alvarez. And

1 you were about to tell me that you were a volunteer, and
2 I cut you off.

3 JUROR NUMBER 8: Yes. I know Adams, Bromage,
4 Lauren, Florencio.

5 THE COURT: All right, sir. And are you -- in what
6 capacity do you volunteer?

7 JUROR NUMBER 8: Well, I was an interpreter, and I
8 would be on the desk in the southern office one
9 afternoon or two afternoons a week.

10 THE COURT: All right. Do you still act in that
11 capacity?

12 JUROR NUMBER 8: No. I'm still a member, but they
13 don't have need for as much interpreting.

14 THE COURT: All right, sir. Mr. Alvarez, would the
15 association that you've just described to me make it
16 difficult for you to serve fairly and impartially as a
17 juror in the case in which those gentleman -- or some of
18 them might testify?

19 JUROR NUMBER 8: No, it wouldn't.

20 THE COURT: Could you set aside that relationship
21 and decide this case on the basis of the evidence you
22 would hear in court, without regard to that association?

23 JUROR NUMBER 8: Yes, I could.

24 THE COURT: And will you do that, please, sir?

25 JUROR NUMBER 8: Pardon?

1 THE COURT: Will you do that?

2 JUROR NUMBER 8: Yes, sir.

3 THE COURT: Thank you, sir. You can be seated.

4 Yes, ma'am, in the back. Your name and number, please.

5 JUROR NUMBER 63: Marilyn Calore, Number 63.

6 THE COURT: Ms. Calore, tell me about the
7 association, please, ma'am.

8 JUROR NUMBER 63: My son, Andrew Calore, is one of
9 the witnesses. He's a sheriff's deputy.

10 THE COURT: All right. That would be the Andrew
11 Calore that I -- whose name I mentioned?

12 JUROR NUMBER 63: Yes.

13 THE COURT: Ms. Calore, we'll stand you aside as a
14 juror in this particular case.

15 JUROR NUMBER 63: Thank you.

16 THE COURT: Thank you, ma'am. Number 63 is
17 excused.

18 THE COURT: Yes, sir, in the front. Your name,
19 please?

20 JUROR NUMBER 399: Everett Thompson, 399. I'm
21 just --

22 THE COURT: All right. Mr. Thompson, tell me about
23 the association, please.

24 JUROR NUMBER 399: I'm retired from Hilton Head
25 Fire and Rescue as a fire captain. I did -- Bob Bromage

1 and Calore, Dan DeFreese with SLED, I just had
2 interaction with them over my career.

3 THE COURT: Okay. In your capacity as a
4 firefighter? Is that right?

5 JUROR NUMBER 399: Yes, sir. And also, as an
6 intern with SLED narcotics when I was in college, but
7 that was many years ago.

8 THE COURT: Okay. Would either of those
9 associations, Mr. Thompson, or all of them together,
10 make it difficult for you to be fair and impartial as a
11 juror in the trial of this case in which some of those
12 gentlemen might testify?

13 JUROR NUMBER 399: No, it would not.

14 THE COURT: Could you set aside those associations
15 and decide this case, then, on the evidence that you
16 would hear in court?

17 JUROR NUMBER 399: Yes, I could.

18 THE COURT: Will you do that, please, sir?

19 JUROR NUMBER 399: Yes, sir.

20 THE COURT: Thank you, Mr. Thompson. Yes, ma'am.
21 What's your name, please, ma'am?

22 JUROR NUMBER 255: Lindsey Marion, Juror Number
23 255.

24 THE COURT: Tell me about the association, Ms.
25 Marion.

1 JUROR NUMBER 255: Yes, sir. I used to work as a
2 police officer for the town of Bluffton, and in my
3 career, had several interactions with numerous deputies
4 that were listed at the Sheriff's Office in this case.

5 THE COURT: All right. And you were a police
6 officer?

7 JUROR NUMBER 255: Correct, sir.

8 THE COURT: But you're no longer a police officer?

9 JUROR NUMBER 255: Not at the moment. No, sir.

10 THE COURT: All right. Would the association that
11 you've just described to me make it difficult for you to
12 serve fairly and impartially as a juror in this case?

13 JUROR NUMBER 255: I think it would be in the best
14 interests if I --

15 THE COURT: Ma'am?

16 JUROR NUMBER 255: I said, I think it would be in
17 the best interests if I just was excused from this
18 trial.

19 THE COURT: We'll take your word for that, and I
20 can understand why it would put you in a difficult
21 situation.

22 JUROR NUMBER 255: Thank you.

23 THE COURT: Thank you, Ms. Marion. We'll stand you
24 aside as a juror in this trial. Yes, ma'am. In the
25 back. Your name and number, please. Yes, right here in

1 the --

2 JUROR NUMBER 56: I'm Juror 56. My name is Geri
3 Burr. I'm a registered nurse at a physician's practice
4 in Hilton Head, and I know Dr. Kaup, as well as Brandon
5 Cooler. He's my third cousin.

6 COURT REPORTER: Brandon who?

7 JUROR NUMBER 56: Brandon Cooler. Is my third
8 cousin. I think he was listed as one of the witnesses.

9 THE COURT: All right. Thank you for directing my
10 pronunciation of Dr. Kaup. I'm surprised you even
11 recognized it from the way I pronounced his name.

12 Ms. Burr, would any of those associations that you
13 just described to me make it difficult to serve fairly
14 and impartially as a juror in the trial of the case in
15 which they might testify?

16 JUROR NUMBER 56: No, sir.

17 THE COURT: Can you set aside those associations
18 and decide this case based on the evidence that you
19 would hear?

20 JUROR NUMBER 56: Yes.

21 THE COURT: And you'll do that, please, ma'am?

22 JUROR NUMBER 56: Yes, sir.

23 THE COURT: Thank you, Ms. Burr. Let's see. I
24 think you're furthest. Yes, sir, your name and number.

25 JUROR NUMBER 101: Number 101, Michael Dion.

1 THE COURT: Yes, sir, Mr. Dion. Tell me about the
2 association, please, sir.

3 JUROR NUMBER 101: I know Bob Bromage and Lauren
4 Albertin. I was in the food and beverage business for
5 over twenty years, and became friends with Bob, and
6 Laurie was a -- the detective on a burglary case against
7 my company -- or not my company; the company I work for.

8 THE COURT: I understand. Would those associations
9 make it difficult for you to be fair and impartial as a
10 juror in this case?

11 JUROR NUMBER 101: I believe so.

12 THE COURT: It would? Mr. Dion, we'll stand you
13 aside as a juror in this case. Juror Number 101 will be
14 excused. Thank you.

15 Yes, ma'am. Your name and number, please.

16 JUROR NUMBER 130: Lisa Fudjack, Number 130, and I
17 know Bob Bromage.

18 THE COURT: Ms. Fudjack, did I say that right?

19 JUROR NUMBER 130: Fudjack.

20 THE COURT: Fudjack. And tell me about the
21 association again. I'm sorry, who is it with?

22 JUROR NUMBER 130: Bob.

23 THE COURT: Mr. Bromage. How would describe the
24 association, Ms. Fudjack? Personal, business relation,
25 close, remote, casual? You describe it.

1 JUROR NUMBER 130: Just casual contact.

2 THE COURT: Just casual. Would that association
3 make it difficult for you to be fair and impartial as a
4 juror in the trial of this case?

5 JUROR NUMBER 130: No.

6 THE COURT: Can you set aside that association and
7 decide this case based on the evidence that you will
8 hear?

9 JUROR NUMBER 130: Yes.

10 THE COURT: Would you do that, please, ma'am?

11 JUROR NUMBER 130: Yes.

12 THE COURT: Thank you, ma'am. Yes, sir. Your name
13 and number, please, sir.

14 JUROR NUMBER 295: My name is Tom Paige, Number
15 295. I work for the town of Hilton Head for security
16 systems throughout the town. And I worked with Mr.
17 Adams and most of the deputies that you named on a daily
18 or weekly basis to compile films and help them try their
19 cases. So, it's most of the deputies and most of the
20 investigators.

21 THE COURT: I understand. Would that association,
22 Mr. Paige, make it difficult for you to be fair and
23 impartial as a juror in the trial of this case?

24 JUROR NUMBER 295: Possibly.

25 THE COURT: Possibly?

1 JUROR NUMBER 295: Yeah.

2 THE COURT: All right. We can't take a chance on
3 the possibly, Mr. Paige. We'll stand you aside as a
4 juror in the trial of this case. Thank you.

5 Additional witness who may testify in the trial of
6 this case are: Joseph Lear, L/e/a/r, from the Sheriff's
7 Office. Jeff Moran from the Sheriff's Office. Robert
8 Murray from Hilton Head. Derrick Nelson from the
9 Sheriff's Office. James Padgett from the Sheriff's
10 Office. Michael Perkins from the Sheriff's Office.
11 David Ott, a deputy coroner. Andrew Rice from the
12 Sheriff's Office.

13 Eileen Rios from the Sheriff's Office. Tyrone
14 Robinson. Doug Seifert, S/e/i/f/e/r/t, from the
15 Sheriff's Office. Ila Simmons, who is formerly with
16 SLED. Savoria Simmons from Hilton Head. Jontu
17 Singleton, Sr., from Hilton Head. Jontu Singleton, Jr.,
18 from Hilton Head. Melanie Smith from 911
19 communications. Jennifer Snyder from the Sheriff's
20 Office. Zachary Taylor from Hilton Head Fire and
21 Rescue. Martin Thomas from the Sheriff's Office.

22 Kenneth Thompson from BCDC, Detention Center. From
23 the Beaufort County Detention Center. Dr. Lee Marie
24 Tormos, T/o/r/m/o/s, from MUSC. Angela Viens,
25 V/i/e/n/s, from the Sheriff's Office. Marguerite

1 Washington from Hilton Head.

2 Are any of you related by blood or connected by
3 marriage to any of those potential witnesses, or
4 friends, casual acquaintances, business associates, or
5 other people who have any direct or indirect contact
6 with any of those particular witnesses? If so, please
7 stand.

8 Mr. Alvarez, I take it that the same connection you
9 told me earlier --

10 JUROR NUMBER 8: Yes.

11 THE COURT: -- applies in this case, as well?

12 JUROR NUMBER 8: And on your second list --

13 THE COURT: Sir?

14 JUROR NUMBER 8: Viens, I believe it is.

15 THE COURT: That's right.

16 JUROR NUMBER 8: Yes. She was there -- or I was
17 there during --

18 THE COURT: Would that association make it
19 difficult for you to serve fairly and impartially?

20 JUROR NUMBER 8: No.

21 THE COURT: You can set those things aside and
22 decide this case based upon what you would hear?

23 JUROR NUMBER 8: Yes.

24 THE COURT: Thank you, Mr. Alvarez. Mr. Thompson?

25 JUROR NUMBER 399: Yes, sir. Zachary Taylor, EMS.

1 I didn't understand the pronunciation earlier.
2 THE COURT: All right.
3 JUROR NUMBER 399: When I was in the business, I
4 worked with the majority of that crowd.
5 THE COURT: Would any of these associations with
6 these additional witnesses make it difficult for you to
7 be fair and impartial?
8 JUROR NUMBER 399: No.
9 THE COURT: Thank you, sir. You may be seated.
10 Yes, ma'am, on the aisle. Your name, please, ma'am.
11 JUROR NUMBER 45: Number 45, Samantha Britt.
12 THE COURT: Ms. Britt?
13 JUROR NUMBER 45: I work for Sauls Funeral Home in
14 Bluffton, and we know the coroner, David Ott.
15 THE COURT: Tell me who you work for again.
16 JUROR NUMBER 45: Sauls Funeral Home.
17 THE COURT: Okay. All right. That'll do it. Ms.
18 Britt, would that association with the deputy coroner
19 that you've described make it difficult for you to be
20 fair and impartial as a juror in this case?
21 JUROR NUMBER 45: No.
22 THE COURT: Can you set that aside and decide this
23 case based on the evidence you hear in court?
24 JUROR NUMBER 45: Yes.
25 THE COURT: You will do that, please, ma'am? Thank

1 you, Ms. Britt.

2 Yes, ma'am. Your name and number, please?

3 JUROR NUMBER 59: Patricia Cahill, Number 59. I've
4 known Angela Viens since she was a little girl, but I
5 don't think that would affect.

6 THE COURT: All right. I think you've anticipated
7 my question, Ms. Cahill. You can set that association
8 aside, and decide this case based on the evidence you
9 hear?

10 JUROR NUMBER 59: Yes.

11 THE COURT: And you will do that, please, ma'am?

12 JUROR NUMBER 59: Yes.

13 THE COURT: Yes, ma'am, in the back. Your name and
14 number?

15 JUROR NUMBER 126: Juror 126, Charlene Foss. I was
16 Tyrone Robinsons's physical education teacher for grades
17 one through four, approximately 1984 through 1988.

18 COURT REPORTER: You were whose teacher?

19 THE COURT: Tyrone Robinson.

20 JUROR NUMBER 126: Tyrone Robinson.

21 THE COURT: And you said -- what were the dates
22 again, please, ma'am?

23 JUROR NUMBER 126: Approximately 1984 to 1988.

24 THE COURT: Since that time, Ms. Foss, did you have
25 any additional contact with Mr. Robinson?

1 JUROR NUMBER 126: No, sir.

2 THE COURT: All right. Would that association that
3 you've just described make it difficult for you to serve
4 fairly and impartially as a juror in this case?

5 JUROR NUMBER 126: No, sir.

6 THE COURT: Could you set aside that association
7 and decide this case based on the evidence that you
8 would hear in court?

9 JUROR NUMBER 126: Yes, sir.

10 THE COURT: And will you do that, please?

11 JUROR NUMBER 126: Yes, sir.

12 THE COURT: Thank you. Yes, sir. Your name and
13 number again, please, sir?

14 JUROR NUMBER 295: Thomas Paige, 295. There are
15 some names on there, Deputy Moran, Deputy Seifert, that
16 I recognize.

17 THE COURT: I'm sorry, Mr. Paige, I think I've
18 already excused you.

19 JUROR NUMBER 295: Yes, sir. I just wanted --

20 THE COURT: I appreciate that. You're fine.

21 BAILIFF NORMAN JONES: May I approach, your Honor?

22 THE COURT: Yes, sir.

23 OFF-THE RECORD DISCUSSION, OUT OF
24 HEARING OF JURORS. PRESENT: THE COURT,

25 BAILIFF NORMAN JONES.

1 END BENCH CONFERENCE.

2 THE COURT: Ladies and gentlemen, the lawyers who
3 will be involved in the trial of this case, on behalf of
4 the State, the case will be presented by Solicitor
5 Duffie Stone, the Solicitor of the Fourteenth Judicial
6 Circuit. Mr. Stone?

7 And he will be assisted by one of his deputy
8 assistants, Mr. Sean Thornton, both of the Fourteenth
9 Judicial Circuit Solicitor's Office. Thank you,
10 gentlemen.

11 MR. STONE: Thank you.

12 THE COURT: On behalf of the defendant, Mr. Young
13 is represented by Mr. Roberts Vaux of the Beaufort
14 County Bar. And your son -- is Tabor involved in this?

15 MR. ROBERTS VAUX: Yes, sir.

16 THE COURT: Tabor Vaux, his son, will also be
17 assisting them. Thank you.

18 Now, ladies and gentlemen, I need to know about
19 your connection with the lawyers. I need to know if you
20 are kin to them by blood or by marriage, if you are
21 friends with theirs, casual acquaintance of theirs,
22 business associates of theirs, if you have ever been
23 represented by any of them in the past, or if you've
24 ever been sued by any of them in the past. If so, will
25 you please stand?

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Okay. Mr. Thompson, Number 399, tell me about the association, please, sir.

JUROR NUMBER 399: My father was a business partner with Mr. Vaux in a small venture on Hilton Head back in the seventies.

THE COURT: In the seventies? Since that time, have you had any business or personal relationships with him?

JUROR NUMBER 399: Just a -- just an occasion at -- at his house.

THE COURT: Would either of those associations make it difficult for you to be fair and impartial as a juror in the trial of the case in which he's representing one of the parties?

JUROR NUMBER 399: No problem.

THE COURT: Could you set that aside, and decide this case based on the evidence that you hear in the court?

JUROR NUMBER 399: Yes, sir.

THE COURT: And you will do that, sir?

JUROR NODDED HEAD.

THE COURT: Thank you, Mr. Thompson. Yes, sir. Your name and number, please.

JUROR NUMBER 298: I'm Chris Paulus, 298.

THE COURT: Mr. Paulus, tell me about the

1 association, please.

2 JUROR NUMBER 298: It was my wife. She used to be
3 a paralegal for Mr. Vaux. She used to work for him.

4 THE COURT: Used to be a paralegal?

5 JUROR NUMBER 298: Yes.

6 THE COURT: How long ago was that, Mr. Paulus?

7 JUROR NUMBER 298: Probably about fifteen years
8 ago, I would think.

9 THE COURT: All right. Would that prior
10 association with your wife that you've just described
11 make it difficult for you to be fair and impartial as a
12 juror in this trial?

13 JUROR NUMBER 298: No, sir.

14 THE COURT: You can set that matter aside, and
15 decide this case, based on the evidence?

16 JUROR NUMBER 298: Yes.

17 THE COURT: You will do that, please, sir?

18 JUROR NUMBER 298: Yes, sir.

19 THE COURT: Thank you, Mr. Paulus.

20 Yes, sir. Your name and number, please.

21 JUROR NUMBER 278: Earl Monday, Number 278. Mr.
22 Vaux is a businessman in Bluffton. We casually know
23 each other from that.

24 THE COURT: Are you all in business together, or
25 are you just both in business in Bluffton?

1 JUROR NUMBER 278: No, I -- he owns a restaurant
2 there that I patronize.

3 THE COURT: Okay. Good. All right. Thank you.
4 Would that association make it difficult for you to be a
5 fair and impartial as a juror in this trial?

6 JUROR NUMBER 278: No, sir.

7 THE COURT: All right. Thank you. That means the
8 food must be pretty good.

9 Yes, ma'am, in the back. Your name, please.

10 JUROR NUMBER 11: Laurie Andrews, Number 11.

11 THE COURT: Ms. Andrews, tell me about the
12 association, please.

13 JUROR NUMBER 11: I used to teach Tabor in school,
14 and I have known them for quite a while.

15 THE COURT: All right.

16 JUROR NUMBER 11: And I used to work for Mr. Vaux's
17 wife.

18 THE COURT: All right. Would any of those
19 associations or all of them together make it difficult
20 for you to be fair and impartial as a juror in this
21 trial?

22 JUROR NUMBER 11: I could be fair.

23 THE COURT: It wouldn't?

24 JUROR NUMBER 11: No, it wouldn't.

25 THE COURT: It would not. I'm sorry. I

1 misunderstood. Would you be able to set aside that
2 association, then, and decide this case based on the
3 evidence that you will hear in court?

4 JUROR NUMBER 11: Yes.

5 THE COURT: And will you do that, please, Ms.
6 Andrews?

7 JUROR NUMBER 11: Yes.

8 THE COURT: Thank you, ma'am.

9 Yes, ma'am, your name and number again? I'm sorry.

10 JUROR NUMBER 56: 56, Geri Burr.

11 THE COURT: Ms. Burr, tell me about the
12 association, please.

13 JUROR NUMBER 56: Mr. Stone is married to someone
14 who has been a friend of mine for many years that I have
15 a lot of love for. Mr. Vaux has been a long-time
16 friend, and has assisted us and our family with some
17 dealings. And his son, Tabor, grew up with our
18 daughter.

19 THE COURT: All right. Would either of those
20 associations make it difficult for you to serve fairly
21 and impartially as a juror in this trial?

22 JUROR NUMBER 56: No, sir.

23 THE COURT: You don't mind getting caught in the
24 middle of this?

25 JUROR NUMBER 56: No.

1 THE COURT: Would you be able to set those
2 associations aside and decide this case based on the
3 evidence that you would hear in court?

4 JUROR NUMBER 56: Yes, sir.

5 THE COURT: And you will do that, please, ma'am?

6 JUROR NUMBER 56: Yes.

7 THE COURT: Thank you, Ms. Burr. Yes, ma'am, the
8 back. Oh, I'm sorry. I'm about to get the bailiff
9 involved. Your name?

10 JUROR NUMBER 70: Brenda Carn, Juror 70.

11 THE COURT: All right.. Ms. Carn, tell me who the
12 association is with, please.

13 JUROR NUMBER 70: Roberts Vaux and Tabor. My son
14 is real good friends with Tabor. They grew up together.

15 THE COURT: All right. Thank you. Ms. Carn, would
16 that association of your son's and Tabor Vaux make it
17 difficult for you to be a fair and impartial as a juror
18 in this trial?

19 JUROR NUMBER 70: No.

20 THE COURT: You can set that matter aside and
21 decide this case based on the evidence?

22 JUROR NUMBER 70: Yes.

23 THE COURT: You'll do that, please, ma'am?

24 JUROR NUMBER 70 NODDED HEAD.

25 THE COURT: Thank you, Ms. Carn. Yes, ma'am. Your

1 name and number again, please.

2 JUROR NUMBER 360: 360, Jessica Shrieve.

3 THE COURT: Ms. Shrieve, tell me about the
4 association, please.

5 JUROR NUMBER 360: I also know Mr. Stone and Mr.
6 Vaux. Mr. Stone and I's children went to grade school
7 together. Mr. Vaux represented us on some paperwork
8 that we hired him for my company. And we also work out
9 at the same gym now together.

10 THE COURT: All right. Okay. Would any of those
11 associations make it difficult, Ms. Shrieve, for you to
12 be a fair and impartial as a juror in this trial?

13 JUROR NUMBER 360: No, sir.

14 THE COURT: You can set those matters aside and
15 decide this case based on the evidence?

16 JUROR NUMBER 360: Yes, sir.

17 THE COURT: You will do that, please, ma'am?

18 JUROR NUMBER 360: Yes, sir.

19 THE COURT: Thank you, Ms. Shrieve. Yes, ma'am.
20 Your name and number again, I'm sorry.

21 JUROR NUMBER 59: Patricia Cahill, Number 59. I
22 know both Roberts Vaux and Duffie Stone. I've taught
23 both of their children, children of both families, and
24 have been a good friend with Mary and with Holly,
25 Duffie's wife.

1 THE COURT: All right. Ms. Cahill, would any of
2 those associations make it difficult for you to serve
3 fairly and impartially as a juror in this trial?

4 JUROR NUMBER 59: No.

5 THE COURT: All right. You'll set those matters
6 aside, and decide this case based on the evidence that
7 you'll hear in court?

8 JUROR NUMBER 59: Yes.

9 THE COURT: And you will do that, please, ma'am?

10 JUROR NUMBER 59: Yes.

11 THE COURT: Okay. We'll let Mr. Stone and Mr. Vaux
12 decide whether or not they're going to pick you on this
13 particular case. You obviously have connections with
14 both of them. Thank you so much, Ms. Cahill.

15 Now, ladies and gentlemen, I have read to you the
16 indictments in this particular case. I remind you again
17 that the indictments are not evidence or proof of the
18 charges that are contained in the indictments. But they
19 are simply charging papers or documents that tell us
20 what the case is all about.

21 I tell you that, because I need to know now if you
22 know anything about this case. If you have seen or
23 heard or read anything about this case, or if you have
24 any knowledge about this case from any source at all, I
25 want you to stand, and I'll inquire of you further and

1 . later about what knowledge you have. But for our
2 . purposes right now, all I need to know from you is your
3 name and your number.

4 . And to better acquaintance you with this case, if
5 some of you are not already familiar with it from the
6 indictments that I've read to you and the names of the
7 people, as the indictments indicate, this case arose out
8 of an event that happened on Hilton Head Island on
9 September the 1st of 2012. Mr. Young, Jr., is accused,
10 at that particular time, of the attempted murder of
11 Tyrone Robinson.

12 . I tell you now that Tyrone Robinson has been
13 convicted in this courtroom at an earlier date of the
14 murder of the victim, Khalil Singleton. The theory that
15 brings us into court on this particular case will be
16 explained to you later, if you need to know it. I
17 simply indicate that information to you now, so that
18 you'll be able to put those things together, and
19 acknowledge whether you know anything about this case or
20 not.

21 . Mr. Young, of course, is accused, also, with the
22 attempted murder of Tyrone Robinson. This case was
23 heavily covered in the *Island Packet* and the *Beaufort*
24 *Gazette* and other newspapers at the time it occurred two
25 years ago.

1 I need to know if you all know anything about this
2 case, if you have seen or heard or read anything about
3 the case, or if you have any knowledge about the case
4 from any source at all, would you please stand and let
5 me record your name and your number; and then I will
6 inquire of you further, at a different time, about what
7 you know about the case.

8 Let me start over here on this outside row, to
9 begin with, on the outside section. If any of you all
10 know anything about the case, have seen or heard or read
11 anything about it, would you please stand? All right.
12 I simply need to know your name and your number, and
13 give me a moment to mark that on my list. Mr. Thompson,
14 I believe?

15 JUROR NUMBER 399: Yes, sir. 399.

16 THE COURT: All right. You can be seated. Yes,
17 your name, please, ma'am.

18 JUROR NUMBER 124: Penny Fobes, 124. I just read
19 about it in the paper.

20 THE COURT: I'm sorry. Your number again?

21 JUROR NUMBER 124: 124.

22 THE COURT: 124? Thank you, Ms. Fobes. Okay. On
23 the row back there, on the wall. We'll come across.

24 JUROR NUMBER 395: Todd Taylor, 395.

25 THE COURT: 390?

1 JUROR NUMBER 395: Five. Yes, sir.

2 THE COURT: Thank you, sir. You may be seated.

3 JUROR NUMBER 151: Juror Number 151, but I've
4 already been set aside, I believe, right?

5 THE COURT: Have you already been excused?

6 JUROR NUMBER 151: Yes.

7 THE COURT: If any of you have already been
8 excused, you don't have to stand. Thank you, though,
9 ma'am. Yes, ma'am. Your name and number, please.

10 JUROR NUMBER 357: Susan Shinton, Number 357.

11 THE COURT: All right. Ms. Shinton. You can be
12 seated.

13 JUROR NUMBER 206: 206, Shannon Jilly.

14 THE COURT: Thank you, Ms. Jilly. Yes, Mr.
15 Alvarez, you --

16 JUROR NUMBER 8: Mr. Alvarez.

17 THE COURT: Are you still in, Mr. Alvarez? I
18 haven't excused you, have I? You're still with us.

19 JUROR NUMBER 8: I'm still with you, yes.

20 THE COURT: All right. I got you. Thank you, Mr.
21 Alvarez. You may be seated. Yes, ma'am.

22 JUROR NUMBER 145: 145, Cynthia Gluszik.

23 THE COURT: Thank you, Ms. Gluszik.

24 JUROR NUMBER 11: Laurie Andrews, Number 11.

25 THE COURT: Thank you, Ms. Andrews.

1 JUROR NUMBER 41: Kevin Breedlove, 41.
2 THE COURT: Thank you. All right. Let's move to
3 this section right here. Let's start on the front row,
4 ladies on the front. Yes, ma'am.
5 JUROR NUMBER 133: Mary Gaddo, 133.
6 THE COURT: One which?
7 JUROR NUMBER 133: Huh?
8 THE COURT: Your number again?
9 JUROR NUMBER 133: 133.
10 THE COURT: 133, I'm sorry. Thank you, Ms. Gaddo.
11 JUROR NUMBER 133: Um-hmm.
12 JUROR NUMBER 415: Rebecca Voss, 415.
13 THE COURT: Thank you, ma'am.
14 JUROR NUMBER 225: Marianne Kinsey, 225.
15 THE COURT: Thank you, Ms. Kinsey.
16 JUROR NUMBER 400: Linda Tybee, 400.
17 THE COURT: Thank you, Ms. Tybee. Yes, sir. On
18 the end.
19 JUROR NUMBER 170: Robert Smith, 170 -- 370.
20 Robert Smith, 370.
21 THE COURT: Thank you, Mr. Smith.
22 JUROR NUMBER 260: David Masteller, 260.
23 COURT REPORTER: 260?
24 JUROR NUMBER 260 NODDED HEAD.
25 THE COURT: 260. Um-hmm. Thank you. Yes, sir,

1 I'm sorry. I had to make an additional note.
2 JUROR NUMBER 30: Alison Berlin, 30.
3 THE COURT: Thank you, Ms. Berlin. Yes, sir.
4 JUROR NUMBER 274: Jeffrey Miller, 274.
5 THE COURT: Thank you.
6 JUROR NUMBER 140: Tom Gerber, 140.
7 THE COURT: Thank you, Mr. Gerber.
8 JUROR NUMBER 70: Linda Carn, 70.
9 THE COURT: Thank you.
10 JUROR NUMBER 408: Brian Turrisi, 408.
11 THE COURT: Thank you, sir.
12 JUROR NUMBER 56: Geri Burr, 56.
13 THE COURT: Yes, ma'am.
14 JUROR NUMBER 200: Nancy Jauss, 200.
15 THE COURT: 200? Thank you, Ms. Jauss. Okay.
16 Everybody there. Let's move to this section now.
17 Everybody in this section who knows anything about the
18 case. And we'll start with the front row.
19 JUROR NUMBER 117: 117, Larry Faulkner.
20 THE COURT: Thank you, Mr. Faulkner. Yes, sir.
21 JUROR NUMBER 248: 248, Michael Loconte.
22 THE COURT: Thank you, Mr. Loconte. Yes, ma'am.
23 JUROR NUMBER 180: 180, Tara Hodges.
24 THE COURT: Thank you, Ms. Hodges. Who's next? On
25 the end.

1 JUROR NUMBER 352: 352, Anthony Sferlazzo.
2 THE COURT: Thank you, Mr. Sferlazzo. Who's next?
3 JUROR NUMBER 391: 391, Louanne Takach. 391,
4 Louanne Takach.
5 THE COURT: Thank you, Ms. Takach.
6 JUROR NUMBER 90: 90, Allen Crowther.
7 THE COURT: Thank you, Mr. Crowther. Yes, ma'am.
8 JUROR NUMBER 152: 152, Susan Green.
9 THE COURT: Thank you. Yes, ma'am.
10 JUROR NUMBER 59: Patricia Cahill, 59.
11 THE COURT: All right. Thank you, Ms. Cahill.
12 JUROR NUMBER 126: 126, Charlene Foss.
13 THE COURT: Thank you, Ms. Foss.
14 JUROR NUMBER 55: 55, James Burns.
15 THE COURT: Thank you, Mr. Burns. Okay.
16 Now, ladies and gentlemen, I've inquired of all of
17 you, and I will ask you momentarily some more
18 information about what you know about this case. Some
19 of you may not have heard about the case itself, but you
20 understand what the charges are all about. You
21 understand that the charges are crimes of personal
22 violence. Murder and attempted murder are crimes of
23 personal violence. So, I now need to inquire about you,
24 whether you all have had any connections with crimes of
25 personal violence.

1 Crimes of personal violence are, certainly, murder,
2 attempted murder, manslaughter, assault and battery of
3 any degree, criminal domestic violence, criminal sexual
4 conduct. Armed robbery is a crime of personal violence.
5 Those are the sorts of things that we talk about when we
6 talk about crimes of personal violence. I need to know
7 -- I've been off the air. Nobody's heard a thing I've
8 said for the last thirty minutes.

9 I need to know if any of you all have ever been
10 involved in a crime of personal violence, as I've just
11 described.

12 Now, involvement would apply not only to you, but
13 any members of your immediate family. And the
14 involvement could be a wide range of possible
15 involvement. You or your family member could have been
16 a victim of a crime. That is a person against whom the
17 crime is committed. You or your family member could
18 have been the defendant. That is, the person who has
19 been charged with committing the crime. Or, you or your
20 family member could have been a witness to the crime.

21 So, the question applies not only to you, but to
22 members of your immediate family. That's basically
23 members of your household. And it involves a wide
24 range, either as a victim or a defendant, or a witness
25 to the crime.

1 So, now, I need to inquire about that particular
2 connection, if any of you have it. And this time, we're
3 going to start over here on this side, out of fairness,
4 and work my way back across. So, if anybody in this
5 section right here, or any member of your immediate
6 family has ever been involved in a crime of personal
7 violence as I have described that to you, either as a
8 victim or a defendant or a witness, please stand.

9 Okay. Yes, sir. Your name again, sir.

10 JUROR NUMBER 352: Anthony Sferlazzo, 352. Judge,
11 this is in relation to --

12 THE COURT: I'll inquire of you at the side bar.

13 JUROR NUMBER 352: That's good.

14 THE COURT: Okay. All I need to know is what
15 you've given me, Mr. Sferlazzo, and that is your name
16 and your number, and I appreciate that. Okay. Thank
17 you, sir. Yes, sir. Your name and number, please.

18 JUROR NUMBER 368: 368, Louis Smith.

19 THE COURT: Thank you, Mr. Smith.

20 JUROR NUMBER 368: I have two very close family
21 members.

22 THE COURT: All I need to now is your name and
23 number.

24 JUROR NUMBER 368: I'm sorry, sir. I'm having a
25 little difficulty hearing.

1 THE COURT: Okay. All right. All I need right now
2 is your name and juror number, and you've given that to
3 me. Okay?

4 JUROR NUMBER 368: Oh. Okay. Thank you.

5 THE COURT: Thank you. Just like we did before
6 with the others. Yes, ma'am.

7 JUROR NUMBER 81: 81, Malia Cooler.

8 THE COURT: Thank you, Ms. Cooler. Yes, ma'am.

9 JUROR NUMBER 152: 152, Susan Green.

10 THE COURT: Thank you, Ms. Green. Yes, sir.

11 JUROR NUMBER 32: 32, Richard Blasey.

12 THE COURT: Thank you, Mr. Blasey. Yes, ma'am.

13 JUROR NUMBER 437: 437, Rosa Williams.

14 THE COURT: 437, is that it?

15 JUROR NUMBER 437: Yes, your Honor.

16 THE COURT: Thank you, Ms. Williams. All right.

17 Now, this section right here. Anybody have a family
18 member or friend involved in a crime of personal
19 violence? Yes, sir. Your name and number again?

20 JUROR NUMBER 370: Robert Smith, 370.

21 THE COURT: Thank you, Mr. Smith. Yes, ma'am.

22 JUROR NUMBER 133: Mary Gaddo, 133.

23 THE COURT: Thank you, Ms. Gaddo.

24 JUROR NUMBER 140: Tom Gerber, 140.

25 THE COURT: Thank you, Mr. Gerber. Yes, ma'am.

1 JUROR NUMBER 214: Mavis Jones, 214.
2 THE COURT: Thank you, Ms. Jones.
3 JUROR NUMBER 408: Brian Turrisi, 408.
4 THE COURT: Thank you, Mr. Turrisi.
5 JUROR NUMBER 119: Amy Fee, 119.
6 THE COURT: Thank you, Ms. Fee.
7 JUROR NUMBER 56: Geri Burr, 56.
8 THE COURT: Thank you, Ms. Burr.
9 JUROR NUMBER 200: Nancy Jauss, 200.
10 THE COURT: Thank you, Ms. Jauss. All right. Now,
11 on the outside over here. Okay. Mr. Thompson, I've got
12 you.
13 JUROR NUMBER 399: Yes.
14 THE COURT: All right. Yes, sir. Against the
15 wall.
16 JUROR NUMBER 40: Number 40, Andrew Branning.
17 THE COURT: Thank you, Mr. Branning.
18 JUROR NUMBER 49: 49, Pamela Brown.
19 THE COURT: Thank you, Ms. Brown.
20 JUROR NUMBER 103: 103, Danielle Doiron.
21 THE COURT: Thank you, Ms. Doiron.
22 JUROR NUMBER 357: 357, Susan Shinton.
23 THE COURT: Thank you, Ms. Shinton.
24 JUROR NUMBER 395: 395, Tom Taylor.
25 THE COURT: Mr. Taylor, thank you. Mr. Alvarez.

1 JUROR NUMBER 8: 8, Alvarez.

2 THE COURT: Yes, sir.

3 JUROR NUMBER 278: 278, Earl Monday.

4 THE COURT: 278. Thank you, Mr. Monday.

5 Now, ladies and gentlemen, I'm going to step down a
6 minute, side Bar, and I'm going to ask you all to come
7 forward individually, by sections, once again. When
8 your section is called, if you'll come and form a line
9 in this aisle right over here, and you'll be called
10 forward individually. And right here at side Bar, and
11 in the presence of the court reporter and the lawyers
12 and myself, I'm going to inquire further about the
13 answers that you've given me to the questions that I
14 just asked you a moment ago. All right?

15 All right. We'll start with this outside section
16 right here. Any of you and all of you who stood in
17 response to either of those questions, please form a
18 line in the aisle right here.

19 BAILIFF: Juror Number 40, your Honor.

20 THE COURT: All right. Thank you.

21 ON-THE-RECORD BENCH CONFERENCE, OUT OF
22 HEARING OF JURORS. PRESENT: THE COURT,
23 JUROR NUMBER 40, MR. STONE, MR. THORNTON,
24 MR. ROBERTS, MR. TABOR VAUX.

25 THE COURT: Mr. Branning, if you'll come and stand.

1 right here.

2 JUROR NUMBER 40: Sure.

3 THE COURT: And speak so that she can hear you.

4 Mr. Branning, you indicated that you or a family member

5 or had some involvement with a crime. Was it your

6 family member?

7 JUROR NUMBER 40: My older sister.

8 THE COURT: Your older sister. And what was the

9 involvement?

10 JUROR NUMBER 40: She was involved in a drug-

11 related shooting. She was actually shot.

12 THE COURT: Was she an innocent victim, or was she

13 a --

14 JUROR NUMBER 40: She was innocent, caught in the

15 cross-fire.

16 THE COURT: I see. How badly was she injured?

17 JUROR NUMBER 40: She was shot in the head, but she

18 was fine. It was a glancing shot, thankfully.

19 THE COURT: How long ago did that happen?

20 JUROR NUMBER 40: Oh, about two years ago.

21 THE COURT: And where did it happen?

22 JUROR NUMBER 40: Hickory, North Carolina.

23 THE COURT: Was anybody ever caught or convicted as

24 a result of that?

25 JUROR NUMBER 40: No. They mishandled the.

1 evidence, and nobody was charged.

2 THE COURT: The evidence in this particular case
3 will indicate that, as I've told you, that the victim,
4 Khalil Singleton, was shot by Mr. Robinson, who has been
5 tried and convicted of that particular crime.

6 JUROR NUMBER 40: Um-hmm.

7 THE COURT: That Mr. Singleton was not the intended
8 victim of that particular case.

9 JUROR NUMBER 40: Um-hmm.

10 THE COURT: I need to know if your situation and
11 that of your sister's somewhat, perhaps, similar would
12 that make it difficult for you to serve fairly and
13 impartially as a juror in the trial of this case?

14 JUROR NUMBER 40: It's possible. I mean, if I
15 heard the evidence that was presented to me.

16 THE COURT: Right. And, of course, I can't -- I
17 don't know what the evidence is going to be just yet --

18 JUROR NUMBER 40: Of course.

19 THE COURT: -- so I can't tell you, so. But it's
20 possible there might be something that might trigger
21 some concern of yours.

22 JUROR NUMBER 40: Sure, yeah.

23 THE COURT: I can appreciate that, and I'll
24 understand that.

25 JUROR NUMBER 40: We're not going to put you in

1 that unfortunate and uncomfortable position, Mr.
2 Branning. I'm going to stand you aside.

3 JUROR NUMBER 40: Thank you.

4 THE COURT: Okay? You can go back and have a seat.

5 END BENCH CONFERENCE.

6 THE COURT: Juror Number 40 will be stood aside as
7 a juror in this case.

8 BAILIFF: Juror 124, your Honor.

9 THE COURT: Thank you.

10 ON-THE-RECORD BENCH CONFERENCE, OUT OF
11 HEARING OF JURORS. PRESENT: THE COURT,
12 JUROR NUMBER 124, MR. STONE, MR. THORNTON,
13 MR. ROBERTS VAUX, MR. TABOR VAUX.

14 THE COURT: Ms. Forbes, is it?

15 JUROR NUMBER 124: Yes. Yes, it is.

16 THE COURT: Could you stand right here and speak so
17 that she can hear? You indicated that you had seen or
18 heard or read something about this case. Would you tell
19 me the source of your knowledge about the case?

20 JUROR NUMBER 124: Just the *Island Packet*.

21 THE COURT: Okay.

22 JUROR NUMBER 124: I didn't know if I was just
23 supposed to mention it; but I thought, you know, I
24 could.

25 THE COURT: Oh, yeah, you're supposed to.

1 JUROR NUMBER 124: But I didn't think it really --

2 THE COURT: Matter of fact, I required you to ask
3 it.

4 JUROR NUMBER 124: Oh, yeah.

5 THE COURT: So you did the right thing.

6 JUROR NUMBER 124: But I don't think it would
7 impair me at all from making a judgment.

8 THE COURT: Okay. Okay. Let me inquire further.
9 Was what you read at the time it happened, or was it
10 after that, or --

11 JUROR NUMBER 124: At the time, when it happened.

12 THE COURT: In 2012?

13 JUROR NUMBER 124: Yeah.

14 THE COURT: Based on what you heard or read at that
15 time, or what you may have seen or heard or read since
16 that time, did you, in your own mind, form any opinion
17 about the guilt or the innocence of Mr. Young in this
18 case?

19 JUROR NUMBER 124: No, absolutely not.

20 THE COURT: Would you be able to set aside what you
21 have seen or heard about this case, and decide the case
22 based on the evidence that you'd hear in this courtroom?

23 JUROR NUMBER 124: Yes.

24 THE COURT: And would you do that, please, ma'am?

25 JUROR NUMBER 124: Yes, I would.

1 THE COURT: Thank you, Ms. Fobes. You can go back
2 and have a seat.

3 JUROR NUMBER 124: Okay. Thank you.

4 END BENCH CONFERENCE:

5 BAILIFF: Juror Number --

6 THE COURT: Yes, sir. Mr. Thompson.. Yes, ma'am.

7 BAILIFF: Juror Number 399, your Honor.

8 THE COURT: Thank you.

9 ON-THE-RECORD BENCH CONFERENCE, OUT OF
10 HEARING OF JURORS. PRESENT: THE COURT,
11 JUROR NUMBER 399, MR. STONE, MR. THORNTON,
12 MR. ROBERTS VAUX, MR. TABOR VAUX.

13 THE COURT: Mr. Thompson, let's take your two
14 responses in turn.

15 JUROR NUMBER 399: Okay.

16 THE COURT: First of all, you said that you had
17 seen or heard or read something about the case. Would
18 you tell us your source of knowledge about it?

19 JUROR NUMBER 399: When I retired, my crew was
20 first in responding to the incident, and my crew was the
21 one who worked with the victim.

22 THE COURT: Right. Were you a part of that crew at
23 that time?

24 JUROR NUMBER 399: I was not. No, sir.

25 THE COURT: Okay.

1 JUROR NUMBER 399: I was retired. I retired
2 November of 2011.

3 THE COURT: Okay. You still maintain contact with
4 those folks and with your crew.

5 JUROR NUMBER 399: Yes, sir. Um-hmm. Yes. With
6 the -- the ambulance crew, the medic crew.

7 THE COURT: All right.

8 JUROR NUMBER 399: First on scene.

9 THE COURT: And would it be fair to say that you've
10 discussed this at some time after that?

11 JUROR NUMBER 399: Yes, sir.

12 THE COURT: Okay.

13 JUROR NUMBER 399: I did.

14 THE COURT: Based on those discussions, or whatever
15 you might have from any other knowledge, did you form,
16 in your own mind, or did you express to anybody else,
17 any opinions you might have as to the guilt or the
18 innocence of Mr. Young, who is on trial in this case?

19 JUROR NUMBER 399: I unfortunately did from an EMS.

20 THE COURT: All right.

21 JUROR NUMBER 399: It's kind of a graphic thing.

22 THE COURT: Right. And what was that opinion?

23 COURT REPORTER: It's kind of a what? Kind of a
24 what?

25 THE COURT: Graphic.

1 JUROR NUMBER 399: Graphic.
2 THE COURT: And what was that opinion that you did
3 form, Mr. Thompson?
4 JUROR NUMBER 399: Just the way the scene played
5 out and what the guys experienced.
6 THE COURT: All right.
7 JUROR NUMBER 399: With everything.
8 THE COURT: If you were asked to serve as a juror
9 in the trial of this case, would you be able to set
10 aside those opinions and try this case, and decide this
11 case based on the evidence that would hear?
12 JUROR NUMBER 399: I think that was -- I don't
13 feel, with every -- my intimate knowledge of this, I
14 think this is going to be a little bit tougher.
15 THE COURT: And I can understand, and we appreciate
16 that. And that's the reason we ask you these questions.
17 JUROR NUMBER 399: I know.
18 THE COURT: Thank you, Mr. Thompson.
19 JUROR NUMBER 399: Sorry about that.
20 THE COURT: We'll stand you aside as a juror in
21 this trial..
22 JUROR NUMBER 399: All right.
23 THE COURT: Go back and have a seat. Thank you.
24 Appreciate it.
25 END BENCH CONFERENCE.

1 THE COURT: Number 399 will be stood aside as a
2 juror in this trial:

3 BAILIFF: Juror Number 49, your Honor.

4 ON-THE-RECORD BENCH CONFERENCE, OUT OF
5 HEARING OF JURORS. PRESENT: THE COURT,
6 JUROR NUMBER 49, MR. STONE, MR. THORNTON,
7 MR. ROBERTS VAUX, MR. TABOR VAUX.

8 THE COURT: Ms. Brown, if you would stand right
9 here and speak so she can hear you. You had indicated
10 that you or a family member was involved in a crime of
11 violence. Was it your or a family member who was
12 involved?

13 JUROR NUMBER 49: Myself.

14 THE COURT: Yourself? And will you tell me what
15 the involvement was, please, ma'am.

16 JUROR NUMBER 49: Domestic abuse.

17 THE COURT: All right. How long ago did that
18 occur?

19 JUROR NUMBER 49: Five -- five years.

20 THE COURT: Five years? Was that here in Beaufort
21 County?

22 JUROR NUMBER 49: No.

23 THE COURT: Okay. Was anybody prosecuted as a
24 result of that?

25 JUROR NUMBER 49: No.

1 THE COURT: Okay. Would your experience, your
2 unfortunate experience as a victim in that regard, Ms.
3 Brown, make it difficult for you to be fair and
4 impartial as a juror in this particular trial?

5 JUROR NUMBER 49: Yes.

6 THE COURT: It would? All right. Ms. Brown, we'll
7 stand you aside as a juror in this trial. You may go
8 back and have a seat.

9 JUROR NUMBER 49: Thank you.

10 END BENCH CONFERENCE.

11 THE COURT: Number 49 will be stood aside as a
12 juror in this trial.

13 BAILIFF: Juror 103, your Honor.

14 ON-THE-RECORD BENCH CONFERENCE, OUT OF
15 HEARING OF JURORS. PRESENT: THE COURT,
16 JUROR NUMBER 103, MR. STONE, MR. THORNTON,
17 MR. ROBERTS VAUX, MR. TABOR VAUX.

18 THE COURT: Ms. Doiron, is it?

19 JUROR NUMBER 103: Hi, everyone. Yes, sir.

20 THE COURT: If you'll stand right here and speak so
21 that she can hear you. Ms. Doiron, you've indicated
22 that you or a family member had been involved in a crime
23 of personal violence. Was it you or a family member?

24 JUROR NUMBER 103: Myself and my husband.

25 THE COURT: You and your husband. Was this a

1 single incident or two separate things?

2 JUROR NUMBER 103: Together, one single.

3 THE COURT: And tell me what the incident was.

4 JUROR NUMBER 103: We were at home, and our --- both
5 our cars in our garage were vandalized. There were a
6 string of burglaries going on in our neighborhood.

7 THE COURT: Okay.

8 JUROR NUMBER 103: And they didn't attempt the
9 house, thanks to our security system, but they got our
10 cars.

11 THE COURT: I see. All right. How long ago was
12 that?

13 JUROR NUMBER 103: A few years.

14 THE COURT: Was it here in Beaufort County?

15 JUROR NUMBER 103: Yes, sir.

16 THE COURT: Excuse me. Was anybody ever caught and
17 convicted for those things?

18 JUROR NUMBER 103: Yes, sir.

19 THE COURT: Okay. Would your experience and your
20 husband's experience in that regard make it difficult
21 for you to serve fairly and impartially as a juror in
22 this case?

23 JUROR NUMBER 103: No, sir.

24 THE COURT: You can set aside your experience, and
25 decide this case based on the evidence that you would

1 hear in court?
2 JUROR NUMBER 103: Yes, sir.
3 THE COURT: And you will do that, please, ma'am?
4 JUROR NUMBER 103: Yes, sir.
5 THE COURT: Thank you, Ms. Doiron.
6 JUROR NUMBER 103: Yes, sir. Thank you.
7 THE COURT: You can go back and have a seat.
8 MR. ROBERTS VAUX: I think I represented that
9 defendant.
10 THE COURT: The defendant in that case?
11 MR. ROBERTS VAUX: Yes, sir.
12 MR. ROBERTS VAUX: Do you remember Edith's son?
13 MR. TABOR VAUX: Yeah.
14 MR. ROBERTS VAUX: I think that's Santiago was the
15
16 THE COURT: Ms. Doiron, will you step back up here
17 for a minute? I've got one more follow-up question I
18 need to ask you. I'm sorry.
19 MR. ROBERTS VAUX: I think so.
20 THE COURT: Ms. Doiron, I'm sorry, can I get you
21 back? Yeah, whichever way is quickest.
22 ON-THE-RECORD BENCH CONFERENCE, OUT OF
23 HEARING OF JURORS. PRESENT: THE COURT,
24 JUROR NUMBER 103, MR. STONE, MR. THORNTON,
25 MR. ROBERTS VAUX, MR. TABOR VAUX.

1 THE COURT: Was that a plea or a trial?

2 THE COURT: I'm sorry.

3 JUROR NUMBER 103: That's okay.

4 THE COURT: Ms. Doiron, would it make any
5 difference if you knew that the person who represented
6 the men charged with breaking into your vehicle was also
7 involved in the trial of this case?

8 JUROR NUMBER 103: Yes.

9 THE COURT: It would?

10 JUROR NUMBER 103: Yes.

11 THE COURT: Okay. Well, that's the case, as a
12 matter of fact, and.

13 JUROR NUMBER 103: Huh.

14 THE COURT: Mr. Vaux did represent the defendant in
15 that particular case.

16 JUROR NUMBER 103: Well.

17 THE COURT: Okay?

18 JUROR NUMBER 103: Okay.

19 THE COURT: Coincidence. Isn't that something?

20 JUROR NUMBER 103: Crazy.

21 THE COURT: But we'll stand you aside, based on
22 that, and you can go back and have a seat.

23 JUROR NUMBER 103: Okay. Thank you.

24 THE COURT: All right. Thank you.

25 END BENCH CONFERENCE.

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BAILIFF: Juror Number 206, your Honor.

THE COURT: Thank you.

ON-THE-RECORD BENCH CONFERENCE, OUT OF
HEARING OF JURORS. PRESENT: THE COURT,
JUROR NUMBER 206, MR. STONE, MR. THORNTON,
MR. ROBERTS VAUX, MR. TABOR VAUX.

THE COURT: Ms. Jilly?

JUROR NUMBER 206: Yes.

THE COURT: You indicated that you've seen or heard
or read something about this case.

JUROR NUMBER 206: Yeah, I read about it in the
Island Packet and online.

THE COURT: Okay. At the time that it happened, or
since that time?

JUROR NUMBER 206: Both.

THE COURT: Both?

JUROR NUMBER 206: Yeah.

THE COURT: So, you followed it as it's cropped up
in the papers?

JUROR NUMBER 206: Yeah.

THE COURT: Based on what you've heard or read at
any time during the course of time since this occurred
in 2012, have you formed, in your own mind, or have you
expressed to anybody else any opinion as to the guilt or
the innocence of Mr. Young, who is on trial in this

1 case?

2 JUROR NUMBER 206: Yes.

3 THE COURT: And what was that opinion?

4 JUROR NUMBER 206: That he's guilty.

5 THE COURT: If you were asked to serve a juror in
6 this trial, could you set aside that opinion and decide
7 this case based on the evidence, or would that opinion,
8 you feel, so color your decision that you couldn't set
9 it aside?

10 JUROR NUMBER 206: I don't think I can set it
11 aside.

12 THE COURT: You don't think what?

13 JUROR NUMBER 206: I don't think I can set it
14 aside.

15 THE COURT: You don't think you can set it aside.

16 JUROR NUMBER 206: Huh-uh.

17 THE COURT: All right. We can understand that.
18 Your name and -- your number again.

19 JUROR NUMBER 206: 206.

20 THE COURT: Thank you, Ms. Jilly. We'll stand you
21 aside as a juror in this case.

22 END BENCH CONFERENCE.

23 THE COURT: Number 206 will be stood aside as a
24 juror in this case.

25 BAILIFF: Juror Number 357, your Honor.

1 THE COURT: Thank you.
2 ON-THE-RECORD BENCH CONFERENCE, OUT OF
3 HEARING OF JURORS. PRESENT: THE COURT,
4 JUROR NUMBER 357, MR. STONE, MR. THORNTON,
5 MR. ROBERTS VAUX, MR. TABOR VAUX.
6 THE COURT: Ms. Shinton, is it?
7 JUROR NUMBER 357: Yes, it is.
8 THE COURT: Ms. Shinton, you have two responses.
9 JUROR NUMBER 357: Yes.
10 THE COURT: Let me inquire, first of all, about
11 your knowledge about the case. Where does that
12 knowledge come from?
13 JUROR NUMBER 357: The *Island Packet*, at the time
14 of the incident. And also, a few days ago online, they
15 were talking about the upcoming --
16 THE COURT: So, you followed it over time.
17 JUROR NUMBER 357: Yes.
18 THE COURT: Based on what you read at any time
19 during the history of this case, have you formed in your
20 own mind or expressed to anybody else any opinion about
21 the guilt or the innocence of --
22 JUROR NUMBER 357: No.
23 THE COURT: If you are asked to serve as a juror in
24 this case, could you set aside what you've heard and
25 read in deciding this case, based on the evidence?

1 JUROR NUMBER 357: On that particular question,
2 yes.

3 THE COURT: All right.

4 JUROR NUMBER 357: But maybe not on the next one.

5 THE COURT: Well, let's move on to the next one.

6 JUROR NUMBER 357: Okay.

7 THE COURT: You indicated that you had been
8 involved in a crime of personal violence, or some family
9 member had been.

10 JUROR NUMBER 357: Um-hmm.

11 THE COURT: Tell me about that, will you? Was it
12 you or a family member?

13 JUROR NUMBER 357: It was myself.

14 THE COURT: You.

15 JUROR NUMBER 357: I was a bank manager, and we had
16 a serious armed robbery and attempted murder, and I had
17 several guns to my head, as did my staff and customers.

18 THE COURT: Right.

19 JUROR NUMBER 357: And I was the primary witness at
20 the trial, because I was the only person that saw the
21 robbers before they put their ski masks down, so.

22 THE COURT: I see. How long ago did that happen?

23 JUROR NUMBER 357: 1979. A long time ago. I was
24 28 years old. That was --

25 THE COURT: I bet if I asked you the date, you

1 could tell me that, too.

2 JUROR NUMBER 357: Yeah, yeah, I could.

3 THE COURT: And where did it happen?

4 JUROR NUMBER 357: In Lancaster, Pennsylvania, at
5 National Central Bank.

6 THE COURT: So, somebody was caught and convicted.

7 JUROR NUMBER 357: Yes.

8 THE COURT: Or caught and tried and convicted?

9 JUROR NUMBER 357: Yes.

10 THE COURT: Okay.

11 JUROR NUMBER 357: I believe so.

12 THE COURT: Would that experience those years ago
13 make it difficult for you to serve fairly and
14 impartially as a juror in this particular case?

15 JUROR NUMBER 357: I think it would.

16 THE COURT: It would?

17 JUROR NUMBER 357: Um-hmm.

18 THE COURT: We can appreciate that, Ms. Shinton.
19 That's the reason we ask these questions.

20 JUROR NUMBER 357: Okay.

21 THE COURT: You can go back and have a seat.

22 JUROR NUMBER 357: All right. Thank you.

23 THE COURT: Thank you, ma'am.

24 END BENCH CONFERENCE.

25 THE COURT: Juror Number 357 is excused as a juror

1 in this trial.

2 BAILIFF: Juror Number 395, your Honor.

3 THE COURT: Okay.

4 ON-THE-RECORD BENCH CONFERENCE, OUT OF
5 HEARING OF JURORS. PRESENT: THE COURT,
6 JUROR NUMBER 395, MR. STONE; MR. THORTNON,
7 MR. ROBERTS VAUX, MR. TABOR VAUX.

8 THE COURT: Okay. Mr. Taylor.

9 JUROR NUMBER 395: Yes, sir.

10 THE COURT: If you'll stand here and speak so that
11 she can hear you. Mr. Taylor, you indicated that you
12 had seen and heard or read about this case. Let's deal
13 with the question, first of all. Tell me about the
14 source of your knowledge about the case.

15 JUROR NUMBER 395: Just the newspapers and hearing
16 people talking about it, when it happened and all that.

17 THE COURT: All right. Have you followed the case
18 since that time, since it initially happened?

19 JUROR NUMBER 395: No.

20 THE COURT: Okay. Based on what you've seen or
21 heard or read about the case at any time, did you form
22 in your own mind, or did you express to anybody else any
23 opinion that you might have as to the guilt or the
24 innocence of Mr. Young in this case?

25 JUROR NUMBER 395: No, sir.

1 THE COURT: Would you be able to set aside what you
2 have seen or heard or read, and decide this case based
3 on the evidence that you would hear?
4 JUROR NUMBER 395: Yes, sir.
5 THE COURT: And would you do that, please, sir?
6 JUROR NUMBER 395: Yes, sir.
7 THE COURT: Thank you, sir. Now, let's go to the
8 second response, that either you or a family member has
9 been involved in a crime of personal violence? Was it
10 you or a family member?
11 JUROR NUMBER 395: It was me. I was the victim.
12 THE COURT: Okay. And what was the crime?
13 JUROR NUMBER 395: I was attacked by eight people
14 and left on the side of the road for dead.
15 THE COURT: Attacked by whom?
16 JUROR NUMBER 395: Eight people, and left on the
17 side of the road for dead.
18 THE COURT: Goodness gracious. Where did that
19 happen?
20 JUROR NUMBER 395: In Bluffton.
21 THE COURT: Bluffton? How long ago?
22 JUROR NUMBER 395: It was in 2007.
23 THE COURT: Okay. Was anybody ever caught as a
24 result of that?
25 JUROR NUMBER 395: They didn't do anything to them.

1 THE COURT: I see. So, they were identified but
2 never brought to trial.

3 JUROR NUMBER 395: Huh-uh.

4 THE COURT: Would your experience, Mr. Taylor, in
5 regard, as a victim of a crime make it difficult for you
6 to be fair and impartial as a juror in this particular
7 case?

8 JUROR NUMBER 395: I honestly think it would.

9 THE COURT: All right, sir. Well, sir, that's the
10 kind of -- the honest answer is the answer that we want.
11 Whatever it happens to be, we can deal with it.

12 JUROR NUMBER 395: Yes, sir.

13 THE COURT: Mr. Taylor, we can appreciate that.
14 We'll stand you aside as a juror in this case. Okay?

15 JUROR NUMBER 395: Okay.

16 THE COURT: Thank you.

17 END BENCH CONFERENCE.

18 THE COURT: Number 395 will be stood aside as a
19 juror in this trial.

20 BAILIFF: Juror Number 8, your Honor.

21 ON-THE-RECORD BENCH CONFERENCE, OUT OF
22 HEARING OF JURORS. PRESENT: THE COURT,
23 JUROR NUMBER 8, MR. STONE, MR. THORNTON,
24 MR. ROBERTS VAUX, MR. TABOR VAUX.

25 THE COURT: Mr. Alvarez, let's start, first of all,

1 about your knowledge of the case. Where did your
2 knowledge of the case come from?

3 JUROR NUMBER 8: I don't know anything specific
4 about this case, but since I read all the articles --

5 THE COURT: That's right.

6 JUROR NUMBER 8: -- involved, I read about it.

7 THE COURT: Sure.

8 JUROR NUMBER 8: I don't know anything specific
9 about this one.

10 THE COURT: And that's what we're talking about.
11 We're talking about what you may have read in the paper.

12 JUROR NUMBER 8: No.

13 THE COURT: Now let me ask you, on the basis of
14 what you read, did you form in your own mind, or did you
15 express to anybody else any opinion that you might have
16 as to whether Mr. Young is guilty or not?

17 JUROR NUMBER 8: No.

18 THE COURT: Could you set aside what you've read
19 and decide this case on the evidence, if you're asked to
20 serve as a juror?

21 JUROR NUMBER 8: Yes, I could.

22 THE COURT: And you'll do that?

23 JUROR NUMBER 8: Yes, I can.

24 THE COURT: Thank you, sir. Now, secondly, you
25 said that or a family member had been involved in a

1 crime of personal' --

2 JUROR NUMBER 8: My younger brother had a service
3 station years ago, and he was the victim of an armed
4 robbery.

5 THE COURT: All right. Where did that occur, Mr.
6 Alvarez?

7 JUROR NUMBER 8: When?

8 THE COURT: Where?

9 JUROR NUMBER 8: In Newark, New Jersey.

10 THE COURT: Okay. And that was some time ago?

11 JUROR NUMBER 8: About 55 years ago.

12 THE COURT: All right. Mr. Alvarez, would your
13 brother's involvement as a victim in that regard make it
14 difficult for you to be fair and impartial as a juror in
15 this trial?

16 JUROR NUMBER 8: No.

17 THE COURT: You can set that aside and try this
18 case?

19 JUROR NUMBER 8: Definitely.

20 THE COURT: And you can do that?

21 JUROR NUMBER 8: Yes, I can.

22 THE COURT: Mr. Alvarez, I note you don't have to
23 be here today, and I appreciate the fact that you're
24 willing to serve, in spite of the exemption.

25 JUROR NUMBER 8: Yes.

1 THE COURT: You can go back and have a seat.

2 JUROR NUMBER 8: Thank you.

3 THE COURT: Thank you, sir.

4 MR. ROBERTS VAUX: Can you ask whether he was
5 working at the Sheriff's Station at the time of this
6 incident. He said he was a volunteer in the Sheriff's
7 Department. I don't know whether he was -- he says he
8 wasn't now. He's sort of -- not working now. Nobody
9 asked him whether he was working at the time of the
10 incident.

11 THE COURT: Okay. Of course, now, he said that the
12 only knowledge he had was what he had gotten from the
13 newspaper.

14 MR. ROBERTS VAUX: Yes, sir.

15 THE COURT: And I also asked him about his
16 association with the folks. But I appreciate it. I'll
17 note that, but I think --

18 MR. ROBERTS VAUX: Okay.

19 THE COURT: -- I think we've covered that. Thank
20 you. Yes, sir.

21 END BENCH CONFERENCE.

22 THE COURT: Yes, ma'am.

23 BAILIFF: Juror Number 278, your Honor.

24 THE COURT: 278? No, yeah, Mr. Monday.

25 BAILIFF: Yes.

1 ON-THE-RECORD BENCH CONFERENCE, OUT OF
2 HEARING OF JURORS. PRESENT: THE COURT,
3 JUROR NUMBER 278, MR. STONE, MR. THORNTON,
4 MR. ROBERTS VAUX, MR. TABOR VAUX.

5 THE COURT: Mr. Monday, if you'll speak so that she
6 can hear you. You indicated that you heard or read --
7 no, excuse me -- you indicated that you or a family
8 member had been involved in a crime of personal
9 violence. Was it you or a family member?

10 JUROR NUMBER 278: It was me.

11 THE COURT: You? And what the crime of your
12 involvement?

13 JUROR NUMBER 278: Well, I taught in Jasper County
14 schools for five years, where they maintained an
15 atmosphere of violence. I was assaulted a number of
16 times.

17 THE COURT: While you were a teacher there?

18 JUROR NUMBER 278: Yes. And I witnessed assaults
19 inside and outside my classroom.

20 THE COURT: Right. Would that involvement make it
21 difficult for you to be fair and impartial as a juror in
22 this case?

23 JUROR NUMBER 278: No. What happened had nothing
24 to do with him what was done to me.

25 THE COURT: I understand. And your victimization

1 in that regard would not have any impact on your ability
2 to be fair and impartial in this case?

3 JUROR NUMBER 278: Oh, no.

4 THE COURT: All right, sir. Thank you, sir, Mr.
5 Monday.. You can go back and have a seat.

6 END BENCH CONFERENCE.

7 BAILIFF: Juror Number 145, your Honor.

8 ON-THE-RECORD BENCH CONFERENCE, OUT OF

9 HEARING OF JURORS. PRESENT: THE COURT,

10 JUROR NUMBER 145, MR. STONE, MR. THORNTON,

11 MR. ROBERTS VAUX, MR. TABOR VAUX.

12 THE COURT: Ms. Gluszik, is it?

13 JUROR NUMBER 145: Yes.

14 THE COURT: Ms. Gluszik, you indicated that -- if
15 you speak so she can hear. I'm sure you will. You
16 indicated that you had some knowledge about the case.
17 Would you tell us what the source of that knowledge is?

18 JUROR NUMBER 145: The *Island Packet*.

19 THE COURT: Okay. All right. Have you followed it
20 since it occurred in 2012, or just here recently.

21 JUROR NUMBER 145: I moved here in 2013, June 2013.
22 So, what has been in the papers since then is what I've
23 read about.

24 THE COURT: I understand. Based on what you read
25 or heard at any time, did you form, in your own mind, or

1 did you express to anybody else any opinion that you
2 might have as to whether Mr. Young in this case is
3 guilty or not guilty of the charges?

4 JUROR NUMBER 145: No, I haven't.

5 THE COURT: Would you be able to set aside what
6 you've read, and decide this case based on the evidence
7 that you would hear, without regard to what you heard
8 already?

9 JUROR NUMBER 145: Yes.

10 THE COURT: And will you do that, please, ma'am?

11 JUROR NUMBER 145: Yes.

12 THE COURT: Thank you, Ms. Gluszik. You can go
13 back and have a seat.

14 END BENCH CONFERENCE.

15 BAILIFF: Juror Number 11, your Honor.

16 ON-THE-RECORD BENCH CONFERENCE, OUT OF
17 HEARING OF JURORS. PRESENT: THE COURT,
18 JUROR NUMBER 11, MR. STONE, MR. THORNTON,
19 MR. ROBERTS VAUX, MR. TABOR VAUX.

20 THE COURT: Ms. Andrews?

21 JUROR NUMBER 11: Yes.

22 THE COURT: You indicated that you had some
23 knowledge about the case. Let me ask you, first of all,
24 where did that knowledge come from?

25 JUROR NUMBER 11: The *Island Packet*.

1 THE COURT: Okay. And have you followed it since
2 the time that it occurred?

3 JUROR NUMBER 11: No.

4 THE COURT: Okay. Just at the time it happened.

5 JUROR NUMBER 11: Um-hmm.

6 THE COURT: Based on what you heard or read at any
7 time, did you form in your own mind, or did you express
8 to anybody else any opinion that you might have as to
9 the guilt or the innocence of Mr. Young?

10 JUROR NUMBER 11: No.

11 THE COURT: Could you set aside what you've heard
12 and read, and decide this case based on the evidence you
13 will hear?

14 JUROR NUMBER 11: I already forgot it.

15 THE COURT: You already forgot it? Okay. Good.
16 And you'll do that?

17 JUROR NUMBER 11: Yes.

18 THE COURT: Thank you so much, Ms. Andrews. You
19 can go back and have a seat.

20 END BENCH CONFERENCE.

21 BAILLIFF: Juror Number 41, your Honor.

22 ON-THE-RECORD BENCH CONFERENCE, OUT OF
23 HEARING OF JURORS. PRESENT: THE COURT,
24 JUROR NUMBER 41, MR. STONE, MR. THORNTON,
25 MR. ROBERTS VAUX, MR. TABOR VAUX.

1 THE COURT: Mr. Breedlove?

2 JUROR NUMBER 41: Yes, sir.

3 THE COURT: If you would speak so she can hear you,
4 please. You told me that you have some knowledge about
5 this case... Would you tell me the source of that
6 knowledge?

7 JUROR NUMBER 41: I just remember reading about it
8 in the *Island Packet*, as well as we seen it on WHHI.

9 THE COURT: Okay. Based upon what you saw or heard
10 or read, did you form in your own mind, or did you
11 express to anybody else, any opinion that you might have
12 as to the guilt or the innocence of Mr. Young?

13 JUROR NUMBER 41: No, sir.

14 THE COURT: If you were asked to serve as a juror
15 in this trial, could you set aside what you saw and
16 heard, and decide this case based on the evidence that
17 you hear in court?

18 JUROR NUMBER 41: Yes, sir.

19 THE COURT: Would you do that, please, sir?

20 JUROR NUMBER 41: Yes, sir.

21 THE COURT: Thank you, Mr. Breedlove. You can go
22 back and have a seat.

23 JUROR NUMBER 41: Thank you.

24 END BENCH CONFERENCE.

25 BAILIFF: Juror Number 160, your Honor.

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ON-THE-RECORD BENCH CONFERENCE, OUT OF
HEARING OF JURORS. PRESENT: THE COURT,
JUROR NUMBER 160, MR. STONE, MR. THORNTON,
MR. VAUX, AND MR. VAUX.

THE COURT: Number 160?

COURT REPORTER: Yes.

JUROR NUMBER 160: I didn't raise my hand. I
didn't understand the questions, sir.

THE COURT: All right. Mr. Hardeman. Which
question?

JUROR NUMBER 160: The one with the -- with the
violent crime.

THE COURT: All right.

JUROR NUMBER 160: I have a brother that's in the
state penitentiary doing -- for killing two people, and
I witnessed him do it. So, I figured I'd be --

THE COURT: Was that here in South Carolina?

JUROR NUMBER 160: No, it was in the State of
California.

THE COURT: Okay. How long ago did that happen,
Mr. Hardeman?

JUROR NUMBER 160: Almost twenty years ago.

THE COURT: Twenty years. Okay. Were you living
in California at the time it happened?

JUROR NUMBER 160: Yeah.

1 THE COURT: Were you living -- was your brother
2 living with you at the time?

3 JUROR NUMBER 160: Yeah, we were in California. We
4 were kids together, yeah.

5 THE COURT: Okay. So, you were -- that's when you
6 were obviously much younger.

7 JUROR NUMBER 160: Yeah.

8 THE COURT: How old was he at the time it happened?

9 JUROR NUMBER 160: Oh, my God, twenty years ago. I
10 was 30, 29.

11 THE COURT: Okay. And how old was -- that's how
12 old he was?

13 JUROR NUMBER 160: He's one year younger than I am.

14 THE COURT: Okay. Would the fact that your brother
15 was involved as he was in that regard, and you witnessed
16 it yourself -- who were the victims?

17 JUROR NUMBER 160: Just two random -- two random
18 people.

19 THE COURT: Yes, sir.

20 JUROR NUMBER 160: I mean, I can't even remember
21 that far as -- it's been so long.

22 THE COURT: Okay. But they were not relatives or
23 anything?

24 JUROR NUMBER 160: No. No, sir.

25 THE COURT: Okay. All right. Would your

1 experience in that regard as a witness and as the
2 brother of the defendant, make it difficult for you to be
3 fair and impartial as a juror in the trial of this case?

4 JUROR NUMBER 160: Yeah. I mean, I've thought
5 about it. This is the only reason why, is because I
6 didn't feel that he got the fair end of the shake.

7 THE COURT: I see.

8 COURT REPORTER: Didn't feel he what?

9 JUROR NUMBER 160: He got the fair end of the
10 shake.

11 THE COURT: All right. Mr. Hardeman, we can
12 understand it. We appreciate that, and we'll stand you
13 aside as a juror in this trial.

14 JUROR NUMBER 160: All right. Thank you.

15 THE COURT: You may go back and have a seat.

16 END BENCH CONFERENCE.

17 THE COURT: Juror Number 160 will be stood aside as
18 a juror in this trial.

19 BAILIFF: Juror Number 368, your Honor.

20 ON-THE-RECORD BENCH CONFERENCE, OUT OF

21 HEARING OF JURORS. PRESENT: THE COURT,

22 JUROR NUMBER 368, MR. STONE, MR. THORNTON,

23 MR. ROBERTS VAUX, MR. TABOR VAUX. 1905

24 THE COURT: Mr. Smith, you indicated that you or a
25 family member had been involved in a crime of personal

1 violence. Was it you or a family member?

2 JUROR NUMBER 368: A family member.

3 THE COURT: And what was the relationship to you,
4 please, sir?

5 JUROR NUMBER 368: A son and a daughter.

6 THE COURT: And what was the crime?

7 JUROR NUMBER 368: The son was convicted of
8 counterfeiting.

9 THE COURT: All right. And the daughter?

10 JUROR NUMBER 368: And the daughter was arson.

11 THE COURT: Both of them were convicted?

12 JUROR NUMBER 368: Yes.

13 THE COURT: All right. Where did those convictions
14 occur? What state?

15 JUROR NUMBER 368: New York.

16 THE COURT: Okay. How long ago did those things
17 occur?

18 JUROR NUMBER 368: This was about five years ago.

19 THE COURT: Were you living there at the time with
20 them? Were you --

21 JUROR NUMBER 368: Oh, yeah.

22 THE COURT: You were all together?

23 JUROR NUMBER 368: Yeah.

24 THE COURT: How old were your son and your
25 daughter?

1 JUROR NUMBER 368: At the time that this happened,
2 they were about 19 or 20.

3 THE COURT: Okay. And what was the outcome, as far
4 as they're concerned?

5 JUROR NUMBER 368: Well, the counterfeiting was a
6 matter of making driver's licenses.

7 THE COURT: All right.

8 JUROR NUMBER 368: And somehow or another, they got
9 ahold of these that were very well done, and the SWAT
10 Team came to our house and broke in the door and
11 everything, so it was pretty severe. The girl, on the
12 other hand, needed some help, which I got for her, and
13 she's doing fine now.

14 THE COURT: All right. Good, good. Would your
15 experience through that of your children make it
16 difficult for you to be fair and impartial as a juror in
17 this trial?

18 JUROR NUMBER 368: I think, in some respects.

19 THE COURT: All right. I can appreciate that. Mr.
20 Smith, we're going to stand you aside as a juror. We
21 don't want to put you in an uncomfortable position in
22 that regard. We'll stand you aside, and you can go back
23 and have a seat.

24 JUROR NUMBER 368: Okay. Thank you.

25 END BENCH CONFERENCE...

1 THE COURT: Number 368 will be stood aside as a
2 juror in this trial. Okay. All right. What's the next
3 section?

4 BAILIFF: Juror Number 370, your Honor.

5 ON-THE-RECORD BENCH CONFERENCE, OUT OF
6 HEARING OF JURORS. PRESENT: THE COURT,
7 JUROR NUMBER 370, MR. STONE, MR. THORNTON,
8 MR. ROBERTS VAUX, MR. TABOR VAUX.

9 THE COURT: Robert Smith. Mr. Smith.

10 COURT REPORTER: Just hold one second, please. We
11 need some quiet.

12 JUROR NUMBER 370: Obviously, read all the papers
13 and seen it all on television.

14 THE COURT: Based on that information, Mr. Smith,
15 did you form in your own mind, or did you express to
16 anybody else any opinion that you might have as to the
17 guilt or innocence of Mr. Young, on trial in this case?

18 JUROR NUMBER 370: I have a definite opinion, yes.
19 I believe that this is a waste of time.

20 THE COURT: Well, well, I can --

21 JUROR NUMBER 370: I believe he should go right
22 where he belongs.

23 THE COURT: I see. So, you feel like that we
24 really shouldn't be going through this process. All
25 right. Mr. Smith, we understand that. We'll stand you

1 aside as a juror in this trial. You can go back and
2 have a seat.

3 END BENCH CONFERENCE.

4 THE COURT: Number 370 will be stood aside as a
5 juror in this trial.

6 BAILIFF: Juror Number 133, your Honor.

7 ON-THE-RECORD BENCH CONFERENCE, OUT OF
8 HEARING OF JURORS. PRESENT: THE COURT,
9 JUROR NUMBER 133, MR. STONE, MR. THORNTON,
10 MR. ROBERTS VAUX, MR. TABOR VAUX.

11 THE COURT: Your name, please.

12 JUROR NUMBER 133: 133.

13 THE COURT: Thank you, ma'am. Let me get you
14 located on the list. Thank you. Ms. Gaddo?

15 JUROR NUMBER 133: Yes.

16 THE COURT: Ms. Gaddo, first of all, you said you
17 had some knowledge about this case. And would you tell
18 us where did it come from?

19 JUROR NUMBER 133: Well, this wasn't this -- didn't
20 this go to trial one time, with the defendants together?
21 And then, a jury was picked, and then they decided they
22 wanted to be tried independently? My son was chosen for
23 that first jury. That's the only thing I -- so, he was
24 actually chosen for that jury.

25 THE COURT: Okay. The jury that the trial didn't

1 occur.

2 JUROR NUMBER 133: Right.

3 THE COURT: That's right. Okay.

4 JUROR NUMBER 133: Right. Then, they picked him,
5 and then, they -- the second day, they said they wanted
6 to separate them.

7 THE COURT: And then, the trials were separated.
8 that's exactly right.

9 JUROR NUMBER 133: Right. So, that's all I know.
10 We didn't even live here at the time, so.

11 THE COURT: Okay. It's ironic, the coincidences
12 that occur in these cases.

13 JUROR NUMBER 133: Can you believe that?

14 THE COURT: Ms. Gaddo, would that involvement that
15 you had --

16 JUROR NUMBER 133: Um-hmm.

17 THE COURT: -- as a result of that, did you, in
18 your own mind, form any opinion, or did you express to
19 anybody else an opinions to the guilt or innocence --

20 JUROR NUMBER 133: No. And my son would not
21 discuss it, because he is, you know, he's always -- so,
22 if he learned anything, he didn't say anything about it.

23 THE COURT: Well, most of the time, jurors don't
24 pay that close attention to what I tell them. I'm
25 delighted that your son did, because those were the

1 instructions that he got.

2 JUROR NUMBER 133: Yes.

3 THE COURT: So, you could set aside that
4 involvement and decide this case?

5 JUROR NUMBER 133: Oh, yeah. I just wanted you to
6 know that -- that I did know that.

7 THE COURT: Well, I'm glad.

8 JUROR NUMBER 133: My son getting on it again.

9 THE COURT: We did want to know that. Thank you,
10 ma'am.

11 Now, next, you indicated that you or a family
12 member had had some involvement with a crime of
13 violence. Was it you or a family member?

14 JUROR NUMBER 133: Well, it didn't go to court. I
15 was -- my first husband; in the late 1980's, I was
16 beaten.

17 THE COURT: I see.

18 JUROR NUMBER 133: He never -- but --

19 THE COURT: I understand.

20 JUROR NUMBER 133: It didn't go to court, because I
21 had to press charges, and.

22 THE COURT: I see. Okay. I can appreciate that,
23 and I'm sorry we had to recall you.

24 JUROR NUMBER 133: That's okay.

25 THE COURT: Based on that experience, would that

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make it difficult for you to be fair and impartial as a juror in this case?

JUROR NUMBER 133: No.

THE COURT: You can set aside that --

JUROR NUMBER 133: Yeah.

THE COURT: -- and decide this case based on the evidence you hear?

JUROR NUMBER 133: Sure.

THE COURT: And you will do that, please, ma'am?

JUROR NUMBER 133: Um-hmm.

THE COURT: Thank you, Ms. Gaddo. You can go back and have a seat.

END BENCH CONFERENCE.

BAILIFF: Juror Number 225, your Honor.

THE COURT: What's that number again?

MADAM CLERK: 225, Marianne Kinsey.

THE COURT: Thank you.

ON-THE-RECORD BENCH CONFERENCE, OUT OF

HEARING OR JURORS. PRESENT: THE COURT,

JUROR NUMBER , MR. STONE, MR. THORNTON, MR.

VAUX, AND MR. VAUX.

THE COURT: Ms. Kinsey.

JUROR NUMBER 225: Yes.

THE COURT: Ms. Kinsey, you said you had some knowledge of the case. Where did that come from?

1 JUROR NUMBER 225: Yes. The newspapers and the
2 news.

3 THE COURT: Okay.

4 JUROR NUMBER 225: I live in a gated community
5 right next to Marshland Road for the past sixteen years.

6 THE COURT: I got you.

7 JUROR NUMBER 225: So, I follow everything that
8 happens.

9 THE COURT: I can imagine.

10 JUROR NUMBER 225: In that area.

11 THE COURT: Based on your information about the
12 case, did you form in your own mind, or did you express
13 to anybody else, any opinion about the guilt or the
14 innocence of Mr. Young in this case?

15 JUROR NUMBER 225: I may have. I -- I don't
16 recall.

17 THE COURT: Well, let me ask you, if you don't
18 recall the opinion, let me ask you the next question.

19 JUROR NUMBER 225: I mean, I know the opinion, but
20 I know if I've shared it.

21 THE COURT: Okay.

22 JUROR NUMBER 225: I guess it could put it that
23 way.

24 THE COURT: All right. Would you tell me, do you
25 remember what the opinion was?

1 JUROR NUMBER 225: Yes. I thought they were
2 guilty.

3 THE COURT: Okay. If you're asked to serve as a
4 juror in this trial, could you set aside that opinion
5 and decide this case based on the evidence that you
6 would hear in court?

7 JUROR NUMBER 225: I would hope so, yeah.

8 THE COURT: And of course, we all would, certainly.
9 But --

10 JUROR NUMBER 225: Yeah, I think I could.

11 THE COURT: You --

12 JUROR NUMBER 225: But I do want you to know, I do
13 have preconceived --

14 THE COURT: All right. If you were asked to serve
15 as a juror in this particular trial, Ms. Kinsey, would
16 you require that Mr. Young give you some reason to find
17 that he is not guilty of these charges?

18 JUROR NUMBER 225: Yes.

19 THE COURT: You would? All right. Ms. Kinsey, I
20 appreciate your candor in that regard, and I appreciate
21 your close connection to the place where this occurred,
22 but we have to have jurors who can come with an open
23 mind who don't have the connection you have with it.
24 So, I'm going to stand you aside as a juror in this
25 case.

1 JUROR NUMBER 225: Thank you.

2 THE COURT: Thank you.

3 JUROR NUMBER 225: Thank you.

4 THE COURT: All right.

5 END BENCH CONFERENCE.

6 THE COURT: Number 225 will be stood aside as a
7 juror in this case.

8 BAILIFF: Juror Number 400, your Honor.

9 ON-THE-RECORD BENCH CONFERENCE, OUT OF

10 HEARING OF JURORS. PRESENT: THE COURT,

11 JUROR NUMBER 400, MR. STONE, MR. THORNTON,

12 MR. ROBERTS VAUX, MR. TABOR VAUX.

13 THE COURT: Is it Tybee?

14 JUROR NUMBER 400: Tybee. Um-hmm.

15 THE COURT: Like -- like the --

16 JUROR NUMBER 400: Like the island.

17 THE COURT: Okay. Oh, that's right. That's right.

18 Ms. Tybee, you indicated that you had some knowledge
19 about this case. Would you tell us what the source of
20 that knowledge?

21 JUROR NUMBER 400: Well, I read extensively about
22 it in the paper.

23 THE COURT: Okay.

24 JUROR NUMBER 400: Online.

25 THE COURT: Okay.

1 JUROR NUMBER 400: Out of concern. I live very
2 close to where it all happened.
3 THE COURT: You live close to where it happened?
4 JUROR NUMBER 400: Um-hmm. Kind of made me want to
5 read a great deal about it.
6 THE COURT: That'll make you -- when it happens in
7 your neighborhood, you pay close attention.
8 JUROR NUMBER 400: Yeah. Um-hmm.
9 THE COURT: Based on what you read or heard or got
10 from any source at all, Mr. Tybee, did you form, in your
11 own mind, or did you express to anybody else any opinion
12 that you might have as to whether Mr. Young is guilty or
13 not guilty of these charges?
14 JUROR NUMBER 400: I probably have.
15 THE COURT: Okay.
16 JUROR NUMBER 400: On both counts.
17 THE COURT: Okay. And what would that opinion be?
18 JUROR NUMBER 400: Well, I have an eight-year-old
19 grandson myself.
20 THE COURT: Right.
21 JUROR NUMBER 400: And so, it makes me, probably, a
22 little harder in judgment since it was a child.
23 THE COURT: All right.
24 JUROR NUMBER 400: And it would probably be not
25 preferential, to be honest with you.

1 THE COURT: Well, that's -- and, of course, we want
2 you to be honest, because you're under oath.

3 JUROR NUMBER 400: I know. Yeah.

4 THE COURT: And this whole system depends on
5 honesty.

6 JUROR NUMBER 400: I know.

7 THE COURT: So, then, let me ask you the real
8 question.

9 JUROR NUMBER 400: Um-hmm.

10 THE COURT: If you were asked to serve as a juror
11 in this trial, could you set aside those opinions, and
12 decide the case, based on the evidence; or do you find
13 that those opinions would still follow you into the
14 Court?

15 JUROR NUMBER 400: I would try. I would put it
16 that way.

17 THE COURT: All right. And that's -- of course,
18 that's the best, I'm sure, that you know right now.

19 JUROR NUMBER 400: It is.

20 THE COURT: Would you require, Ms. Tybee, that Mr.
21 Young present to you some reason to find him not guilty
22 of these charges?

23 JUROR NUMBER 400: Probably.

24 THE COURT: Thank you. Ms. Tybee, we'll stand
25 you aside as a juror. We have to. I can appreciate

1 your involvement. I've got an eight-year-old grandson
2 myself, and we have to have folks who don't have
3 those --

4 JUROR NUMBER 400: Um-hmm.

5 THE COURT: -- issues in our own lives, as you do,
6 and we can appreciate that. And I appreciate your
7 candor. I'm going to stand you aside as a juror in this
8 trial. Okay?

9 JUROR NUMBER 400: Thank you.

10 THE COURT: Thank you.

11 END BENCH CONFERENCE.

12 THE COURT: Juror Number 400 will be stood aside as
13 a juror in this trial.

14 BAILIFF: Juror Number 56, your Honor.

15 ON-THE-RECORD BENCH CONFERENCE, OUT OF
16 HEARING OF JURORS. PRESENT: THE COURT,
17 JUROR NUMBER 56, MR. STONE, MR. THORNTON, MR.
18 VAUX, AND MR. VAUX.

19 THE COURT: Ms. Burr.

20 JUROR NUMBER 56: Yes, sir.

21 THE COURT: Let's, first of all, deal with the
22 knowledge that you have about the case. Tell me the
23 source of the knowledge, please.

24 JUROR NUMBER 56: Newspaper, primarily.

25 THE COURT: The Packet or the Gazette?

1 JUROR NUMBER 56: Yes.

2 THE COURT: All right.

3 JUROR NUMBER 56: But I work on Hilton Head, so
4 that's always --

5 THE COURT: So, there's been a swirl about it, at
6 least at the time, I'm sure.

7 JUROR NUMBER 56: Yes, there was.

8 THE COURT: Have you followed it since that time?

9 JUROR NUMBER 56: Just from what's been in the
10 newspaper.

11 THE COURT: Okay. Based on what you know about the
12 case from any source at all, have you formed in your own
13 mind, or have you expressed to anybody else, any
14 opinions you might have as to the guilt or the innocence
15 of Mr. Young?

16 JUROR NUMBER 56: Not particularly him, but I'm a
17 grandmother, so.

18 THE COURT: Right.

19 JUROR NUMBER 56: My sympathies have honestly
20 been --

21 THE COURT: And we can appreciate that, and I think
22 everybody feels sympathy for the victim, Khalil
23 Singleton. What I need to know is whether or not your
24 sympathy, the fact you are a grandmother -- and I'm a
25 grandfather --

1 JUROR NUMBER 56: Um-hmm.

2 THE COURT: -- or what you've heard about the case,
3 would any of those things, separately or all of them
4 taken together, make it difficult for you to be fair and
5 impartial as a juror in this trial?

6 JUROR NUMBER 56: I would not think so.

7 THE COURT: Would you be able to set aside those
8 matters, and decide this case --

9 COURT REPORTER: I'm so sorry. Did you say, I
10 would not think so, or I would think so?

11 JUROR NUMBER 56: Yes. I said, I would not think
12 that it would.

13 THE COURT: All right. Would you be able to set
14 aside those matters, and decide this case, based on the
15 evidence that you would hear in court?

16 JUROR NUMBER 56: Yes.

17 THE COURT: Will you do that, please?

18 JUROR NUMBER 56: Yes, sir.

19 THE COURT: Thank you, Ms. Burr. You may have a
20 seat.

21 JUROR NUMBER 56: Okay.

22 THE COURT: Thank you.

23 END BENCH CONFERENCE.

24 ON-THE-RECORD BENCH CONFERENCE, OUT OF

25 HEARING OF JURORS. PRESENT: THE COURT, MR.

1 STONE, MR. THORNTON, MR. ROBERTS VAUX, MR.
2 TABOR VAUX.

3 THE COURT: What was her number again?

4 THE COURT: 56.

5 MR. ROBERTS VAUX: She said she was a victim of
6 violence.

7 THE COURT: Oh, I'm sorry, you're right.

8 Ms. Burr, I forgot to ask you another question.
9 Sorry. It's like taking the MMPI.

10 THE COURT: I'm sorry. You had also told me that
11 you or a family member was the victim of violence or a
12 crime of violence, or had some connection. Was it you
13 or a family member?

14 JUROR NUMBER 56: It's our youngest son. It was
15 his senior year at the Citadel. He was -- he and his
16 fiancee were victims of a terrible assault.

17 THE COURT: All right.

18 JUROR NUMBER 56: And as a matter of fact, that's
19 when Mr. Vaux prosecuted the offenders.

20 THE COURT: I see. And that happened in Charleston
21 or here?

22 JUROR NUMBER 56: In Charleston.

23 THE COURT: I see.

24 JUROR NUMBER 56: While he was at the Citadel.

25 THE COURT: Gosh. How did your son, -- how did your

1 son get. Is he okay?..

2 JUROR NUMBER 56: Yeah, he had some residual
3 issues, but he's --

4 THE COURT: Okay. How long ago was that?

5 JUROR NUMBER 56: It was his senior year, so that's
6 -- October 2002.

7 THE COURT: Okay. Would you be able to set aside
8 that fact and decide this case based on the evidence
9 that you hear, without regard to the fact that your son
10 was victimized in that way? In other words, would the
11 fact that your son was the victim of a crime of
12 violence, would that have any impact or bearing on your
13 decision in this case?

14 JUROR NUMBER 56: No, sir.

15 THE COURT: So, you could set that matter aside,
16 and decide this case based on the evidence that you'd
17 hear in court?

18 JUROR NUMBER 56: Yes, sir.

19 THE COURT: And you will do that, ma'am?

20 JUROR NUMBER 56: Yes, sir.

21 THE COURT: Thank you, Ms. Burr. I'm sorry I
22 forgot to ask you those questions earlier.

23 JUROR NUMBER 56: That's okay. All right. Thanks.

24 END BENCH CONFERENCE.

25 BAILIFF: Juror Number 415, your Honor.

1 ON-THE-RECORD BENCH CONFERENCE, OUT OF
2 HEARING OF JURORS. PRESENT: THE COURT,
3 JUROR NUMBER 415, MR. STONE, MR. THORNTON,
4 MR. ROBERTS VAUX, MR. TABOR VAUX.

5 THE COURT: Ms. Voss?

6 JUROR NUMBER 415: Yes.

7 THE COURT: Yes, ma'am. Ms. Voss, you indicated
8 that you had some knowledge about this case. Would you
9 tell me where that came from?

10 JUROR NUMBER 415: Basically, because I live on
11 Hilton Head. I read the Packet. I'm well-aware that,
12 also, following the trial and the mistrial. It's only
13 through the paper.

14 THE COURT: Okay. So, you followed it pretty
15 closely since it happened?

16 JUROR NUMBER 415: Yes.

17 THE COURT: Based on what you've read, have you
18 formed in your own mind, or have you expressed to
19 anybody else, any opinion as to the guilt or the
20 innocence of Mr. Young in this case?

21 JUROR NUMBER 415: I believe I have.

22 THE COURT: And what would that opinion be?

23 JUROR NUMBER 415: I find him guilty.

24 THE COURT: Guilty or not guilty?

25 JUROR NUMBER 415: I would think he would be

1 guilty.

2 THE COURT: All right. If you were asked to serve
3 as a juror in this trial, would you be able to set aside
4 that opinion, and decide this case based on the evidence
5 that you hear in court; or do you feel that that opinion
6 might carry over into the trial of this case, as a
7 juror?

8 JUROR NUMBER 415: I think I would listen to the
9 evidence.

10 THE COURT: Would you be able to set aside what
11 you've seen or heard, and be controlled by the evidence,
12 and not by what you've seen or heard outside of this
13 courtroom?

14 JUROR NUMBER 415: Yes, I -- yes, I could.

15 THE COURT: Would you do that?

16 JUROR NUMBER 415: Yes.

17 THE COURT: Thank you so much, Ms. Voss. You can
18 go back and have a seat.

19 JUROR NUMBER 415: Thank you.

20 MR. ROBERTS VAUX: You didn't ask her about whether
21 or not she would require the defendant to --

22 THE COURT: Well, had she been more equivocal on
23 that -- on that last issue, I would have done that.

24 MR. ROBERTS VAUX: Thank you.

25 END BENCH CONFERENCE.

1 BAILIFF: Juror 140, your Honor.

2 THE COURT: Thank you.

3 ON-THE-RECORD BENCH CONFERENCE, OUT OF
4 HEARING OF JURORS. PRESENT: THE COURT,
5 JUROR NUMBER 140, MR. STONE, MR. THORNTON,
6 MR. ROBERTS VAUX, MR. TABOR VAUX.

7 THE COURT: Mr. Gerber?

8 JUROR NUMBER 140: Yes.

9 THE COURT: Mr. Gerber, you indicated that you had
10 some knowledge about this case. Would you tell us the
11 source of that knowledge?

12 JUROR NUMBER 140: Newspaper.

13 THE COURT: The *Packet*?

14 JUROR NUMBER 140: Yes, sir.

15 THE COURT: And -- or the *Gazette*? Was this at the
16 time that it happened?

17 JUROR NUMBER 140: Yes.

18 THE COURT: Have you followed it --

19 JUROR NUMBER 140: And following.

20 THE COURT: You have followed it since that time.
21 Based on what you heard or read since that time, have
22 you formed in your own mind, or have you expressed to
23 anybody else, any opinion that you might have as to the
24 guilt or the innocence of Mr. Young in this case?

25 JUROR NUMBER 140: Yes.

1 THE COURT: And what was that opinion, that he's
2 guilty or not guilty?

3 JUROR NUMBER 140: I couldn't be unbiased in the
4 case. I think he's guilty.

5 THE COURT: You could not. You skipped across and
6 answered -- avoided two questions, so I'll -- I won't
7 belabor the point anymore, Mr. Gerber. We appreciate
8 that, and we'll send you back.

9 JUROR NUMBER 140: I've got a couple questions.
10 I've got a couple titanium rods in my back. Can I stand
11 in the back?

12 THE COURT: Sure, well, sure, you can.

13 JUROR NUMBER 140: Thanks.

14 THE COURT: Yes, sir. Yes, sir.

15 END BENCH CONFERENCE.

16 THE COURT: Number 140 will be excused.

17 BAILIFF: Juror Number 260, your Honor.

18 ON-THE-RECORD BENCH CONFERENCE, OUT OF
19 HEARING OF JURORS. PRESENT: THE COURT,
20 JUROR NUMBER 260, MR. STONE, MR. THORNTON,
21 MR. ROBERTS VAUX, MR. TABOR VAUX.

22 THE COURT: Mr. Masteller?

23 JUROR NUMBER 260: Yes, sir.

24 THE COURT: Mr. Masteller, am I saying your name
25 right?

1 JUROR NUMBER 260: Yes, sir.

2 THE COURT: Okay. You indicated you had some
3 knowledge about this case from some source. Would you
4 tell us what that source is?

5 JUROR NUMBER 260: The *Island Packet* and online.

6 THE COURT: Okay.

7 JUROR NUMBER 260: I read about it when it was
8 first coming out.

9 THE COURT: Based on those things, did you form in
10 your own mind, or express to anybody else any opinion
11 that you might have as to the guilt or the innocence of
12 Mr. Young? Do you understand my question?

13 JUROR NUMBER 260: I think so. Form an opinion
14 about --

15 THE COURT: In other words, have you made up your
16 mind as to whether or not you think Mr. Young is guilty
17 or not guilty of these charges?

18 JUROR NUMBER 260: Okay. Yeah. From that, I kind
19 of did at one time.

20 THE COURT: Okay. And what would that opinion be,
21 that he is guilty or not guilty?

22 JUROR NUMBER 260: Guilty.

23 THE COURT: If you were asked to serve as a juror
24 in this case, could you set aside that opinion, and
25 decide this case based on the evidence that you would

1 hear in court?

2 JUROR NUMBER 260: I could.

3 THE COURT: I could?

4 JUROR NUMBER 260: Yes, sir.

5 THE COURT: Would you be willing to do that?

6 JUROR NUMBER 260: Yes, sir.

7 THE COURT: Would you require that Mr. Young
8 present some evidence to you to show you why he's not
9 guilty of these charges before you can find him not
10 guilty?

11 JUROR NUMBER 260: Yes, sir.

12 THE COURT: You would? Thank you, Mr. Masteller.
13 We're going to set you aside as a juror in the trial of
14 this case. You can go back and have a seat. Thank you,
15 sir.

16 END BENCH CONFERENCE.

17 BAILIFF: Juror Number 30, your Honor.

18 ON-THE-RECORD BENCH CONFERENCE, OUT OF
19 HEARING OF JURORS. PRESENT: THE COURT,
20 JUROR NUMBER 30, MR. STONE, MR. THORNTON, MR.
21 VAUX, AND MR. VAUX.

22 THE COURT: Ms. Berlin?

23 JUROR NUMBER 30: Yes.

24 THE COURT: Ms. Berlin, you indicated that you had
25 some prior knowledge about this case. Would you tell us

1 the source of that knowledge?

2 JUROR NUMBER 30: News, media.

3 THE COURT: Okay.

4 JUROR NUMBER 30: Social media.

5 THE COURT: All right. Thank you. Have you
6 followed the case since it occurred a couple years ago,
7 three years ago?

8 JUROR NUMBER 30: On and off.

9 THE COURT: All right. Based on any of the
10 information that you've accumulated about the case, have
11 you formed in your own mind, or have you expressed to
12 anybody else any opinion that you might have as to the
13 guilt or the innocence of Mr. Young in this case?

14 JUROR NUMBER 30: No.

15 THE COURT: If you're asked to serve as a juror,
16 could you set aside what you've seen and heard, and
17 decide the case based on what you would see and hear in
18 court, rather than what you've read?

19 JUROR NUMBER 30: I believe so.

20 THE COURT: And would you do that, please, ma'am?

21 JUROR NUMBER 30: Yes.

22 THE COURT: Thank you, Ms. Berlin. You can go back
23 and have a seat.

24 END BENCH CONFERENCE.

25 BAILIFF: Juror Number 274, your Honor.

1 ON-THE-RECORD BENCH CONFERENCE, OUT OF
2 HEARING OF JURORS. PRESENT: THE COURT,
3 JUROR NUMBER 274, MR. STONE, MR. THORNTON,
4 MR. ROBERTS VAUX, MR. TABOR VAUX.
5 JUROR NUMBER 274: Good morning.
6 THE COURT: Mr. Miller?
7 JUROR NUMBER 274: Yes, sir.
8 THE COURT: If you will speak so she can hear you.
9 JUROR NUMBER 274: Yes, sir.
10 THE COURT: Mr. Miller, you said that you have some
11 knowledge about this case. Would you tell us the source
12 of that knowledge, please?
13 THE COURT: Well, it was news outlets. I work on
14 the Island and live on the Island. So, I guess just
15 general knowledge, as well, too.
16 THE COURT: Right.
17 JUROR NUMBER 274: Small island.
18 THE COURT: Oh, yeah.
19 JUROR NUMBER 274: Everyone talks.
20 THE COURT: We can understand that. Based on the
21 information that you've accumulated about this case from
22 any source, have you formed in your own mind, or have
23 you expressed to anybody else any opinion that you might
24 have as to whether or not Mr. Young is guilty or not
25 guilty of these charges?

1 JUROR NUMBER 274: No, I have not.

2 THE COURT: If you are asked to serve as a juror in
3 this case, could you set aside what you have seen or
4 heard or read, and decide this case based on what you
5 would hear in court?

6 JUROR NUMBER 274: Definitely.

7 THE COURT: And you will do that?

8 JUROR NUMBER 274: Yes, sir.

9 THE COURT: Thank you, Mr. Miller. You can go back
10 and have a seat.

11 END BENCH CONFERENCE.

12 BAILIFF: Juror Number 70, your Honor.

13 ON-THE-RECORD BENCH CONFERENCE, OUT OF
14 HEARING OF JURORS. PRESENT: THE COURT,
15 JUROR NUMBER 70, MR. STONE, MR. THORNTON, MR.
16 VAUX, AND MR. VAUX.

17 THE COURT: Ms. Carn?

18 JUROR NUMBER 70: Um-hmm.

19 THE COURT: If you'll speak so that she can hear
20 you.

21 JUROR NUMBER 70: Okay.

22 THE COURT: You said that you have some knowledge
23 about this case. What was the source of that knowledge?

24 JUROR NUMBER 70: Just the newspaper.

25 THE COURT: Okay. Have you followed the case since

1 it occurred a couple years ago? Just --

2 JUROR NUMBER 70: Not really.

3 THE COURT: Based on what you have seen or heard at
4 any time about this case, have you formed, in your own
5 mind, or have you expressed to anybody else any opinion
6 that you might have as to the guilt or the innocence of
7 Mr. Young?

8 JUROR NUMBER 70: No.

9 THE COURT: If you were asked to serve as a juror
10 in this case, could you set aside what you have seen and
11 heard about this case, and decide the case based on what
12 you'd hear in court, without regard to those other
13 things?

14 JUROR NUMBER 70: Um-hmm.

15 THE COURT: Would you please do that, ma'am?

16 JUROR NUMBER 70: Yes, sir.

17 THE COURT: Thank you, Ms. Carn. You may go back
18 and have a seat.

19 END BENCH CONFERENCE.

20 BAILIFF: Juror Number 214, your Honor.

21 ON-THE-RECORD BENCH CONFERENCE, OUT OF
22 HEARING OF JURORS. PRESENT: THE COURT,
23 JUROR NUMBER 214, MR. STONE, MR. THORNTON,
24 MR. ROBERTS VAUX, MR. TABOR VAUX.

25 THE COURT: Ms. Jones?

1 JUROR NUMBER 214: Yes. Yes, sir.

2 THE COURT: You indicated that you or a family
3 member had been involved in a crime of personal
4 violence. Was it you or a family member?

5 JUROR NUMBER 214: It was neither, actually. I --
6 before I moved here, I worked in law enforcement for
7 sixteen years, and I witnessed violence. That was part
8 of the job, and I did investigations and so forth, so
9 I'm very much biased on the part of law enforcement.

10 THE COURT: All right.

11 JUROR NUMBER 214: I was law enforcement.

12 THE COURT: I understand, and we can appreciate
13 that. Where were you a law enforcement officer?

14 JUROR NUMBER 214: In Kentucky, North Carolina, and
15 Phoenix, Arizona.

16 THE COURT: I see. Okay. And was it everything,
17 like, investigations, street patrol, road patrol? What
18 was it?

19 JUROR NUMBER 214: In prison.

20 THE COURT: In a prison. I see. We would call
21 that a correctional officer here. Is that the same
22 thing it was called in those places?

23 JUROR NUMBER 214: Yes.

24 THE COURT: Okay. All right.

25 JUROR NUMBER 214: Yes, but it has other duties

1 besides just supervising inmates. You also had to
2 investigate crimes, you did surveillance, all those
3 things.

4 THE COURT: Within the prison system?

5 JUROR NUMBER 214: Yes.

6 THE COURT: I understand. You indicated that you
7 are biased in favor of law enforcement, and we can
8 appreciate that, with sixteen years' involvement. What
9 I need to know is whether or not that bias -- that
10 understandable bias would make it difficult for you to
11 be fair and impartial as a juror in the trial of this
12 case..

13 JUROR NUMBER 214: Yes, because my friends are all
14 still in law enforcement.

15 THE COURT: I see. All right.

16 JUROR NUMBER 214: As well as the number of years.

17 THE COURT: Right. And we appreciate that, and we
18 understand. That's the reason we ask these questions.
19 Thank you, Ms. Jones. You can go back and have a seat.
20 We'll stand you aside as a juror in the trial of this
21 case.

22 END BENCH CONFERENCE.

23 THE COURT: Number 214 will be stood aside as a
24 juror in this trial.

25 BAILIFF: Juror Number 200, your Honor.

1 ON-THE-RECORD BENCH CONFERENCE, OUT OF
2 HEARING OF JURORS. PRESENT: THE COURT,
3 JUROR NUMBER 200, MR. STONE, MR. THORNTON,
4 MR. ROBERTS VAUX, MR. TABOR VAUX.
5 THE COURT: All right. Is it Ms. Jauss?
6 JUROR NUMBER 200: Jauss.
7 THE COURT: Jauss.
8 JUROR NUMBER 400: Um-hmm.
9 THE COURT: Jauss: All right. Ms. Jauss, let's
10 talk about, first of all, your knowledge about the case.
11 Tell us what the source of the knowledge is.
12 JUROR NUMBER 200: The local newspapers in Hilton
13 Head and the television news.
14 THE COURT: Okay. Have you followed the case since
15 it occurred a couple years ago, or is it just at the
16 time that it happened that you --
17 JUROR NUMBER 200: Pretty much followed it.
18 THE COURT: Okay. Based on the information that
19 you've accumulated about this case over the course of
20 time, have you formed any, in your own mind, any opinion
21 about the guilt or the innocence of Mr. Young, or have
22 you expressed any opinion to anybody else about whether
23 you think he's guilty or not guilty?
24 JUROR NUMBER 200: I've not expressed it to anyone,
25 to my knowledge, but I --

1 THE COURT: But you have --

2 JUROR NUMBER 200: I have --

3 THE COURT: -- formed an opinion.

4 JUROR NUMBER 200: More or less, yes.

5 THE COURT: And was it that he's guilty or not
6 guilty?

7 JUROR NUMBER 200: I think I would need to know
8 more information, but I'm kind of sitting on the fence.

9 THE COURT: I understand. Would you require that
10 Mr. Young present some evidence to you to convince you
11 that he was not guilty to get you over the fence?

12 JUROR NUMBER 200: Um-hmm.

13 THE COURT: You would? All right. Ms. Jauss, we
14 appreciate that, and I'm going to stand you aside as a
15 juror in the trial of this case. I can appreciate that
16 honesty that you've expressed. We have to have folks
17 who can come to this with a completely open mind --

18 JUROR NUMBER 200: Um-hmm.

19 THE COURT: -- and who can set aside their
20 opinions.

21 JUROR NUMBER 200: Okay.

22 THE COURT: And would not require him to prove that
23 he's not guilty of these charges. I'm going to stand
24 you aside. You can go back and have a seat.

25 JUROR NUMBER 200: Thank you.

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THE COURT: Thank you, Ms. Jauss.

END BENCH CONFERENCE.

BAILIFF: Juror Number 119, your Honor.

ON-THE-RECORD BENCH CONFERENCE, OUT OF
HEARING OF JURORS. PRESENT: THE COURT,
JUROR NUMBER 119, MR. STONE, MR. THORNTON,
MR. ROBERTS VAUX, MR. TABOR VAUX.

THE COURT: Ms. Fee?

JUROR NUMBER 119: Yes.

THE COURT: If you would come right here, and speak
so that she can hear you, please, ma'am.

JUROR NUMBER 119: Sure.

THE COURT: Ms. Fee, you indicated that you or a
family member had some involvement in a crime of
personal violence. Was it you or a family member?

JUROR NUMBER 119: It was me and family members.

THE COURT: In the same single incident, or just
two separate?

JUROR NUMBER 119: No, multiple incidents.

THE COURT: Okay. Let's talk about you, first of
all. What was it?

JUROR NUMBER 119: I was assaulted when I was
babysitting someone several years ago. Someone entered
the house and assaulted me.

THE COURT: Okay. Was anybody ever caught and

1 convicted of that?

2 JUROR NUMBER 119: No.

3 THE COURT: Where did that occur? What state?

4 JUROR NUMBER 119: That occurred in Bronx, New
5 York. New York.

6 THE COURT: All right. And tell me, you said there
7 was some family members involved in that.

8 JUROR NUMBER 119: Yes. My sister was assaulted by
9 her boyfriend and knocked unconscious.

10 THE COURT: Okay. And where did that occur?

11 JUROR NUMBER 119: And that was in New York, also.

12 THE COURT: All right. Was the boyfriend caught
13 and convicted?

14 JUROR NUMBER 119: Yes, he was.

15 THE COURT: Would either of those events or both of
16 them together make it difficult for you to serve fairly
17 and impartially as a juror in this trial?

18 JUROR NUMBER 119: I think it might, yeah.

19 THE COURT: All right. All right, Ms. Fee. We'll
20 stand you aside as a juror in this trial.

21 JUROR NUMBER 119: Thank you.

22 THE COURT: Thank you, ma'am.

23 END BENCH CONFERENCE.

24 THE COURT: Number 119 will be stood aside as a
25 juror in this case.

1 BAILIFF: Juror Number 408, your Honor.
2 ON-THE-RECORD BENCH CONFERENCE, OUT OF
3 HEARING OF JURORS. PRESENT: THE COURT,
4 JUROR NUMBER 408, MR. STONE, MR. THORNTON,
5 MR. ROBERTS VAUX, MR. TABOR VAUX.
6 THE COURT: Mr. Turrisi?
7 JUROR NUMBER 408: Yes.
8 THE COURT: Did I say it right? Mr. Turrisi, let's
9 deal with, first of all, your knowledge about the case.
10 What was the source of that knowledge?
11 JUROR NUMBER 408: Extensive reading in the
12 newspapers.
13 THE COURT: Okay.
14 JUROR NUMBER 408: About the -- not only this, but
15 the previous trial.
16 THE COURT: Okay. Based on what you read at the
17 time or any information that you have, have you formed
18 in your own mind, or have you expressed to anybody else
19 any opinion as to whether you think Mr. Young is guilty
20 or not guilty of the charges?
21 JUROR NUMBER 408: I kind of have, yeah.
22 THE COURT: Okay. And what would that opinion be?
23 JUROR NUMBER 408: Guilty.
24 THE COURT: Would you be able to set aside that
25 opinion, and decide the case based on the evidence that

1 you would hear in the court, without regard to that
2 opinion?

3 JUROR NUMBER 408: I'd like to say no, but I can't
4 be a hundred percent sure of that.

5 THE COURT: All right. Do you feel like that those
6 opinions might still follow you into the trial of the
7 case?

8 JUROR NUMBER 408: Yes.

9 THE COURT: All right. We can understand that. We
10 can appreciate that, and we -- I'm going to stand you
11 aside as a juror, because we don't expect a hundred
12 percent, but we do have to have folks who can come in
13 here with -- basically, with an open mind, and don't
14 have those opinions controlling them in the courtroom.
15 All right? Mr. Turrisi, you can go back and have a
16 seat. Thank you for coming up.

17 JUROR NUMBER 408: Okay. Thanks.

18 END BENCH CONFERENCE.

19 THE COURT: Juror Number 408 is stood aside as a
20 juror in this trial.

21 BAILIFF: Juror Number 263, your Honor.

22 ON-THE-RECORD BENCH CONFERENCE, OUT OF
23 HEARING OF JURORS. PRESENT: THE COURT,
24 JUROR NUMBER 263, MR. STONE, MR. THORNTON,
25 MR. ROBERTS VAUX, MR. TABOR VAUX.

1 THE COURT: Ms. McCrimon?

2 JUROR NUMBER 263: Yes.

3 THE COURT: Ms. McCrimon. Now, I don't have you
4 down as responding to a question.

5 JUROR NUMBER 263: Yeah, because at first, I
6 thought it was like, for here, like, for South Carolina.
7 But then, when you asked about, you know, if your family
8 member has been killed or stuff like that --

9 THE COURT: Yes, ma'am. Okay. So, you or a family
10 member has been involved in a crime of personal
11 violence.

12 JUROR NUMBER 263: Yes, my sister.

13 THE COURT: Your sister?

14 JUROR NUMBER 263: Yes.

15 THE COURT: And what was your sister's involvement?

16 JUROR NUMBER 263: Well, this was domestic
17 violence, and she got murdered in Chapel Hill, North
18 Carolina.

19 THE COURT: I'm sorry. How long ago did that
20 happen?

21 JUROR NUMBER 263: That's been since 2004.

22 THE COURT: And you say it was a domestic violence
23 situation?

24 JUROR NUMBER 263: Yes. Um-hmm.

25 THE COURT: Was the person convicted?

1 JUROR NUMBER 263: He killed hisself right beside
2 of her, too.

3 THE COURT: Oh, goodness gracious.

4 JUROR NUMBER 263: It was her husband.

5 THE COURT: I see. And she lived in North
6 Carolina?

7 JUROR NUMBER 263: Um-hmm.

8 THE COURT: At the time. All right.. How much
9 difference in the age between you and your sister?

10 JUROR NUMBER 263: Well, I'm fifty -- I'm turning
11 52 today.

12 THE COURT: Okay.

13 JUROR NUMBER 263: So, she was -- I think she was
14 thirty-something years old, something like that.

15 THE COURT: Would your tragic involvement as a
16 victim through your sister make it difficult for you to
17 be fair and impartial as a juror in this particular
18 case?

19 JUROR NUMBER 263: In my heart, yes.. For right
20 now, yes.

21 THE COURT: All right.

22 JUROR NUMBER 263: Because I'm still grieving over
23 her, too.

24 THE COURT: We can understand that, Ms. McCrimon,
25 and it will probably go on for some time, and I'm sorry

1 about that.

2 JUROR NUMBER 263: Yes, it will. Yes, it will.

3 THE COURT: We'll stand you aside. Go back and

4 have a seat.

5 JUROR NUMBER 263: Okay. Thank you.

6 END BENCH CONFERENCE.

7 THE COURT: Number 263 will be excused as a juror

8 in this trial.

9 BAILIFF: Juror Number 90, your Honor.

10 THE COURT: Thank you.

11 ON-THE-RECORD BENCH CONFERENCE, OUT OF

12 HEARING OF JURORS. PRESENT: THE COURT,

13 JUROR NUMBER R90, MR. STONE, MR. THORNTON,

14 MR. ROBERTS VAUX, MR. TABOR VAUX.

15 THE COURT: Mr. Crowther?

16 JUROR NUMBER 90: Yes.

17 THE COURT: Mr. Crowther, you indicated you have

18 some knowledge about the case. Tell us the source of

19 that knowledge, please, sir.

20 JUROR NUMBER 90: When you read the charges, it

21 seemed vaguely familiar to me. I believe I probably saw

22 the headlines in the *Beaufort Gazette*.

23 THE COURT: Right.

24 JUROR NUMBER 90: That's about it.

25 THE COURT: Okay. It would have been in the

1 Gazette and in the Packet, as well. Based on what
2 knowledge you have from any source about the case, have
3 you formed in your own mind, or have expressed to
4 anybody else any opinion you might have as to whether
5 Mr. Young is guilty or not guilty of these charges?

6 JUROR NUMBER 90: No. I have no opinion.

7 THE COURT: Could you set aside what you've heard
8 and read about this case, and decide this case based on
9 the evidence that you would hear in court?

10 JUROR NUMBER 90: Yes.

11 THE COURT: Would you do that, please, sir?

12 JUROR NUMBER 90: Yes, I would.

13 THE COURT: Thank you, Mr. Crowther. You can go
14 back and have a seat.

15 END BENCH CONFERENCE.

16 THE COURT: Yeah, but we're going to take -- let's
17 just take --

18 BAILIFF: Juror Number 36, your Honor.

19 THE COURT: Okay. And we're not going to take the
20 whole section, I have learned. We'll divide it.

21 ON-THE-RECORD BENCH CONFERENCE, OUT OF

22 HEARING OF JURORS. PRESENT: THE COURT,

23 JUROR NUMBER 36, MR. STONE, MR. THORNTON, MR.
24 VAUX, AND MR. VAUX.

25 THE COURT: I'm sorry. Miss, your number again?

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JUROR NUMBER 36: 36.

THE COURT: 36. Ms. Borders?

JUROR NUMBER 36: Yes, sir.

THE COURT: Ms. Borders, you didn't respond to one of the questions. Is this in response to knowledge about the case, or a crime of violence?

JUROR NUMBER 36: No, your Honor, neither. Actually, I do not apply to any of your questions --

THE COURT: Okay.

JUROR NUMBER 36: -- towards the whole juror section.

THE COURT: Okay.

JUROR NUMBER 36: But since the age of the victim was mentioned, I have been extremely uncomfortable. I have two small children at home.

THE COURT: I see. That was one of the questions I was going to ask later, about whether or not --

JUROR NUMBER 36: I'm jumping the gun.

THE COURT: No, that's okay. You might be saving time. The victim, Mr. Khalil Singleton, was eight or nine.

MR. STONE: Eight.

THE COURT: He was eight years old at the time this occurred. The victim in the other case, Mr. Robinson, was an adult in the attempted murder case charge. Do

1. you feel that the fact that one of the victims on these
2. charges was an eight-year-old boy, the fact that you
3. have young children yourself, would that make it
4. difficult for you to serve fairly and impartially as a
5. juror in this trial?

6. JUROR NUMBER 36: Yes, your Honor.

7. THE COURT: Really, that's all I need to know. You
8. don't have any further explanation, Ms. Borders. I can
9. appreciate that.

10. JUROR NUMBER 36: Thank you, your Honor.

11. THE COURT: We'll stand you aside as a juror.
12. Don't leave. There might be other cases that you would
13. qualify on.

14. JUROR NUMBER 36: I understand, your Honor.

15. THE COURT: All right.

16. JUROR NUMBER 36: Thank you, sir.

17. THE COURT: Thank you.

18. END BENCH CONFERENCE.

19. THE COURT: Juror Number 36 will be set aside as a
20. juror in this trial.

21. Folks, I have learned through experience, your
22. experience, or these folks' experience having to stand
23. up here, that, I'm not going to call the whole section
24. at one time. So, how many rows do we have there?

25. Somebody count them. Six?

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BAILIFF: Six.

THE COURT: Six. Let's take those of you who are seated on the first three rows. And if you all will come around and form a line, that way you won't have to stand for an extensive length of time. You folks were MY teachers in that regard. I apologize to those of you that had to stand so long.

BAILIFF: Juror Number 352, your Honor.

ON-THE-RECORD BENCH CONFERENCE, OUT OF HEARING OF JURORS. PRESENT: THE COURT, JUROR NUMBER 352, MR. STONE, MR. THORNTON, MR. ROBERTS VAUX, MR. TABOR VAUX.

THE COURT: Your number again? I'm sorry.

JUROR NUMBER 352: 352, sir.

THE COURT: 352..

JUROR NUMBER 352: Yes, sir..

THE COURT: Mr. Sferlazzo.

JUROR NUMBER 352: Yes, sir.

THE COURT: Okay. Mr. Sferlazzo, you indicated, first of all, that you had some knowledge about the case. Let's explore that first.

JUROR NUMBER 352: I did. I'm local to the area, and I was just -- I've read -- I read the media, based on what -- what transpired.

THE COURT: I understand. Based on those things

1 that you have heard or read, have you formed in your own
2 mind, or have you expressed to anybody else, any opinion
3 that you might have as to whether you think Mr. Young is
4 guilty or not guilty?

5 JUROR NUMBER 352: No, sir.

6 THE COURT: Okay. If you are asked to serve as a
7 juror, could you set aside what you have seen and heard,
8 and decide this case based on the evidence that you'd
9 hear in court?

10 JUROR NUMBER 352: Yes, sir.

11 THE COURT: Would you do that, please, sir?

12 JUROR NUMBER 352: Yes, sir.

13 THE COURT: You also indicated that you or a family
14 member had been involved in a crime of personal
15 violence. Was that you or a family member?

16 JUROR NUMBER 352: Well, this is -- I was on active
17 duty in the United States Marine Corp. Do I need to go
18 further into that, or?

19 THE COURT: It was all in conjunction with active
20 duty?

21 JUROR NUMBER 352: That's right, sir. Combat
22 environment.

23 THE COURT: No, sir.

24 JUROR NUMBER 352: Okay.

25 THE COURT: Although, I do need to know, just in

1 general terms, whether or not your experience,
2 obviously, in dealing with violence, you were deployed,
3 obviously?

4 JUROR NUMBER 352: Yes, sir, Afghanistan.

5 THE COURT: Would that make it difficult for you to
6 be fair and impartial as a juror in this case?

7 JUROR NUMBER 352: No, sir.

8 THE COURT: Thank you, sir. You can go back and
9 have a seat. And thank you for your service.

10 JUROR NUMBER 352: Thank you.

11 END BENCH CONFERENCE.

12 BAILIFF: Juror Number 61, your Honor.

13 ON-THE-RECORD BENCH CONFERENCE, OUT OF
14 HEARING OF JURORS. PRESENT: THE COURT,
15 JUROR NUMBER 61, MR. STONE, MR. THORNTON, MR.
16 VAUX, AND MR. VAUX.

17 THE COURT: Mr. Caldwell?

18 JUROR NUMBER 61: Yes, sir.

19 THE COURT: Mr. Caldwell, you didn't stand earlier.
20 Is this in response to the information about the case,
21 or the crime of personal violence question?

22 JUROR NUMBER 61: Neither one. I don't know.
23 anything.

24 THE COURT: All right, sir.

25 JUROR NUMBER 61: Is that what you're asking?

1 THE COURT: That's what I was asking.

2 JUROR NUMBER 61: I didn't stand for nothing, no.

3 THE COURT: Okay, then. Would you mind telling me
4 why you're standing now? Yeah. What questions do you
5 have of me?

6 JUROR NUMBER 61: None.

7 THE COURT: Okay.

8 JUROR NUMBER 61: I mean, you called everyone up
9 here, right?

10 THE COURT: No, no, no. No, no, no. I'm sorry.

11 JUROR NUMBER 61: I didn't stand earlier for
12 nothing.

13 THE COURT: I'm sorry. I wasn't real clear on
14 that, Mr. Caldwell. I'm sorry. I just wanted those
15 folks on the first three rows who had stood earlier.

16 JUROR NUMBER 61: Oh, okay.

17 THE COURT: And so, since you -- thank goodness.

18 JUROR NUMBER 61: Sounds good.

19 THE COURT: I'm delighted that you didn't stand.

20 JUROR NUMBER 61: I thought everyone was coming up.

21 THE COURT: It seems like that on the other cases.

22 JUROR NUMBER 61: It did.

23 THE COURT: No, sir. You can have a seat. We're
24 good.

25 JUROR NUMBER 61: Okay.

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THE COURT: Thank you.

END BENCH CONFERENCE.

BAILIFF: Juror Number 81, your Honor.

THE COURT: Thank you.

ON-THE-RECORD BENCH CONFERENCE, OUT OF
HEARING OF JURORS. PRESENT: THE COURT,
JUROR NUMBER 81, MR. STONE, MR. THORNTON, MR.
VAUX, AND MR. VAUX.

THE COURT: Ms. Cooler?

JUROR NUMBER 81: Yes, sir.

THE COURT: You indicated that you or a family
member had had some involvement in a crime of personal
violence. Was it you or a family member?

JUROR NUMBER 81: It was a family member.

THE COURT: And what was the relation to you?

JUROR NUMBER 81: It was my uncle.

THE COURT: And what was his involvement in the
crime?

JUROR NUMBER 81: He was the victim. He was shot
in the head by the Mafia. A murder.

THE COURT: Shot and murdered.

JUROR NUMBER 81: Yes, sir.

THE COURT: Where did that occur?

JUROR NUMBER 81: Pennsylvania.

THE COURT: How long ago?

1 JUROR NUMBER 81: Over twenty years ago.

2 THE COURT: Twenty years ago? All right. How long
3 have you been living down here?

4 JUROR NUMBER 81: Over twenty years.

5 THE COURT: Were you in Pennsylvania at the time
6 this occurred?

7 JUROR NUMBER 81: No, sir.

8 THE COURT: So, you were down here at the time?

9 JUROR NUMBER 81: Yes, sir.

10 THE COURT: Would your uncle's -- obviously, the
11 victimization of your uncle in that regard make it
12 difficult for you to be fair and impartial as a juror in
13 this trial?

14 JUROR NUMBER 81: No, sir.

15 THE COURT: You could set aside that matter and
16 decide this case based on the evidence you would hear in
17 court?

18 JUROR NUMBER 81: Yes, sir.

19 THE COURT: Would you do that, please, ma'am?

20 JUROR NUMBER 81: Yes, sir.

21 THE COURT: I'm sorry we had to cause you to
22 re-live that unpleasant time, Ms. Cooler, but thank you
23 for your willingness to serve. You can go back and have
24 a seat.

25 END BENCH CONFERENCE.

1 BAILIFF: Juror Number 180, your Honor.

2 ON-THE-RECORD BENCH CONFERENCE, OUT OF
3 HEARING OF JURORS. PRESENT: THE COURT,
4 JUROR NUMBER 180, MR. STONE, MR. THORNTON,
5 MR. ROBERTS VAUX, MR. TABOR VAUX.

6 THE COURT: Ms. Hodges?

7 JUROR NUMBER 180: Yes.

8 THE COURT: You indicated that you had some
9 knowledge about the case. Would you tell us the source
10 of that knowledge?

11 JUROR NUMBER 180: I just recall reading about it,
12 eight-year-old being killed on Hilton Head, so.

13 THE COURT: Okay. Was this at the time that it
14 occurred?

15 JUROR NUMBER 180: Yes.

16 THE COURT: All right. Have you followed the case
17 since that time?

18 JUROR NUMBER 180: No.

19 THE COURT: Based on what you heard or read at that
20 time, or any knowledge that you may have about the case,
21 have you formed in your own mind, or have you expressed
22 to anybody else, any opinion that you might have as to
23 whether or not Mr. Young is guilty or not guilty of
24 these charges?

25 JUROR NUMBER 180: Probably, yes.

1 THE COURT: And what would that opinion be?

2 JUROR NUMBER 180: He's guilty.

3 THE COURT: If you were asked to serve as a juror
4 on this case, would you be able to set aside that
5 opinion, and decide this case based on the evidence, or
6 do you feel that that opinion will carry you over into
7 the trial of this case?

8 JUROR NUMBER 180: I think -- I think I'd be fair
9 and listen to the case.

10 THE COURT: Would you require that Mr. Young prove
11 he's not guilty of these charges, or would you be
12 willing to listen with an open mind, whatever you would
13 hear?

14 JUROR NUMBER 180: I would probably say he would
15 have to prove he was innocent.

16 THE COURT: He probably what?

17 JUROR NUMBER 180: Prove he was innocent. Sorry.

18 THE COURT: All right. Thank you, Ms. Hodges. I
19 appreciate that. I'm going to send you back. You'll be
20 excused from the trial of this case.

21 JUROR NUMBER 180: Thank you.

22 THE COURT: Thank you.

23 END BENCH CONFERENCE.

24 BAILIFF: Juror Number 248, your Honor.

25 THE COURT: Okay. Thank you.

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ON-THE-RECORD BENCH CONFERENCE, OUT OF
HEARING OF JURORS. PRESENT: THE COURT,
JUROR NUMBER 248, MR. STONE, MR. THORNTON,
MR. ROBERTS VAUX, MR. TABOR VAUX.

THE COURT: Mr. Loconte?

JUROR NUMBER 248: Yes, sir. Loconte.

THE COURT: Mr. Loconte.

JUROR NUMBER 248: Loconte.

THE COURT: I'm sorry.

JUROR NUMBER 248: Loconte.

THE COURT: Loconte.

JUROR NUMBER 248: Yeah.

THE COURT: I apologize.

JUROR NUMBER 248: No problem. That's okay.

THE COURT: You indicated you have some knowledge
about this case. What's the source of that knowledge?

JUROR NUMBER 248: Through the media and chatter.
I live three weeks -- I live three blocks away from
where the incident happened.

THE COURT: Okay.

JUROR NUMBER 248: I live off of Marshland Road.

THE COURT: I see.

JUROR NUMBER 248: So.

THE COURT: Okay. You followed it pretty closely.

JUROR NUMBER 248: Very closely.

1 THE COURT: I appreciate that.

2 JUROR NUMBER 248: Yeah.

3 THE COURT: Based on the information that you have
4 about the case, have you formed in your own mind, or
5 have you expressed to anybody else, any opinion that you
6 might have as to whether Mr. Young is guilty or not
7 guilty of these charges?

8 JUROR NUMBER 248: No.

9 THE COURT: If you were asked to serve as a juror,
10 could you set aside what you know about this case, and
11 decide the case based on the evidence that would hear in
12 court?

13 JUROR NUMBER 248: Yes.

14 THE COURT: Would you do that, please, sir?

15 JUROR NUMBER 248: Yes.

16 THE COURT: Thank you, Mr. Loconte. You can go
17 back and have a seat.

18 END BENCH CONFERENCE.

19 BAILIFF: Juror Number 117, your Honor.

20 ON-THE-RECORD BENCH CONFERENCE, OUT OF
21 HEARING OF JURORS. PRESENT: THE COURT,
22 JUROR NUMBER 117, MR. STONE, MR. THORNTON,
23 MR. ROBERTS VAUX, MR. TABOR VAUX.

24 THE COURT: Mr. Faulkner?

25 JUROR NUMBER 117: Yes, sir.

1 THE COURT: You indicated that you have some
2 knowledge about the case from -- would you tell us the
3 source of the knowledge?

4 JUROR NUMBER 117: Newspaper and T.V., sir.

5 THE COURT: Okay. Have you followed the case since
6 it happened, or was this just at the time it occurred?

7 JUROR NUMBER 117: Just at the time that it
8 occurred.

9 THE COURT: Okay. Based on the information that
10 you have accumulated about the case from any source at
11 all, have you formed in your own mind, or have you
12 expressed to anybody else, any opinion that you might
13 have as to the guilt or the innocence of Mr. Young in
14 this case?

15 JUROR NUMBER 117: No, sir.

16 THE COURT: If you were asked to serve as a juror,
17 could you set aside anything that you have seen or heard
18 or read?

19 JUROR NUMBER 117: Yes, sir.

20 THE COURT: And you will decide this case based on
21 what you will hear in court?

22 JUROR NUMBER 117: Yes, sir.

23 THE COURT: And you will do that, please, sir?

24 JUROR NUMBER 117: Yes, sir.

25 THE COURT: Thank you, Mr. Faulkner. You can go

1 back and have a seat.

2 END BENCH CONFERENCE.

3 BY THE COURT:

4 THE COURT: Now, anybody on the last three rows who
5 has stood earlier in response to the questions, if you
6 all will now form a line and come around, please.

7 BAILIFF: Juror Number 437, your Honor.

8 THE COURT: Okay.

9 ON-THE-RECORD BENCH CONFERENCE; OUT OF

10 HEARING OF JURORS. PRESENT: THE COURT,

11 JUROR NUMBER 437, MR. STONE, MR. THORNTON,

12 MR. ROBERTS VAUX, MR. TABOR VAUX.

13 THE COURT: Ms. Williams?

14 JUROR NUMBER 437: Um-hmm.

15 THE COURT: If you'll speak so that she can hear
16 you, please, ma'am.

17 JUROR NUMBER 437: Okay. My --

18 THE COURT: Ms. Williams, you had indicated that
19 you or a family member had been involved -- first of
20 all, was it you or a family member?

21 JUROR NUMBER 437: Family member.

22 THE COURT: And what was the relation to you,
23 please?

24 JUROR NUMBER 437: He's my husband.

25 THE COURT: Your husband. And what was his

1 involvement?

2 JUROR NUMBER 437: He was a witness to domestic.
3 violence.

4 COURT REPORTER: He was what?

5 THE COURT: He witnessed it?

6 JUROR NUMBER 437: The witness to domestic
7 violence.

8 THE COURT: Okay. All right. The -- the domestic
9 violence itself, did it involve relatives of yours or
10 his, or friends of his?

11 JUROR NUMBER 437: It was his parents, when he was
12 younger.

13 THE COURT: Oh, I see. I see. Okay. Would that
14 experience of your husband's make it difficult for you
15 to be fair and impartial as a juror in this case, Ms.
16 Williams?

17 JUROR NUMBER 437: No.

18 THE COURT: You could set aside that matter and
19 decide this case based on what you would hear in court?

20 JUROR NUMBER 437: Um-hmm.

21 THE COURT: You will do that, please, ma'am?

22 JUROR NUMBER 437: Um-hmm.

23 THE COURT: Thank you, Ms. Williams. You can go
24 back and have a seat.

25 JUROR NUMBER 437: Thank you.

1 END BENCH CONFERENCE.

2 BAILIFF: Juror Number 126, your Honor.

3 ON-THE-RECORD BENCH CONFERENCE, OUT OF
4 HEARING OF JURORS. PRESENT: THE COURT,
5 JUROR NUMBER 126, MR. STONE, MR. THORNTON,
6 MR. ROBERTS VAUX, MR. TABOR VAUX.

7 THE COURT: Ms. Foss?

8 JUROR NUMBER 126: Yes, sir.

9 THE COURT: If you'll speak so that she can hear
10 you. Tell me about the information or the knowledge
11 that you have about this case..

12 JUROR NUMBER 126: Just news coverage, newspaper,
13 T.V. It's -- it's --

14 THE COURT: Okay.

15 JUROR NUMBER 126: It just drew my attention,
16 because he was a former student of mine.

17 THE COURT: I'm sorry?

18 JUROR NUMBER 126: I said, it drew my attention
19 because --

20 THE COURT: I'm sure.

21 JUROR NUMBER 126: -- Tyrone was a --

22 THE COURT: Tyrone was a former student.

23 JUROR NUMBER 126: -- a former student.

24 THE COURT: So, you followed this case, and you
25 followed the other trial of Tyrone, I'm sure.

1 JUROR NUMBER 126: Not so much, to be honest with
2 you.

3 THE COURT: Okay. Based on the information that
4 you've accumulated from whatever source about this case,
5 have you formed in your own mind, or have you expressed
6 to anybody else, any opinion that you might have as to
7 whether Mr. Young is guilty or not guilty of these
8 charges?

9 JUROR NUMBER 126: No, sir.

10 THE COURT: If you were asked to serve as a juror,
11 could you set aside what you've seen and heard about
12 this case, and the fact that Tyrone was a student of
13 yours, and decide this case based on the evidence that
14 you would hear in court?

15 JUROR NUMBER 126: Yes, sir.

16 THE COURT: And would you do that, please?

17 JUROR NUMBER 126: Yes, sir.

18 THE COURT: Thank you, Ms. Foss. You can go back
19 and have a seat.

20 END BENCH CONFERENCE.

21 BAILIFF: Juror Number 391, your Honor.

22 ON-THE-RECORD BENCH CONFERENCE, OUT OF
23 HEARING OF JURORS. PRESENT: THE COURT,
24 JUROR NUMBER 391, MR. STONE, MR. THORNTON,
25 MR. ROBERTS VAUX, MR. TABOR VAUX.

1 THE COURT: Thank you. Takach?

2 JUROR NUMBER 391: Takach.

3 THE COURT: Takach.

4 JUROR NUMBER 391: Takach.

5 THE COURT: Thank you, ma'am.

6 JUROR NUMBER 391: Um-hmm.

7 THE COURT: Tell me about the information you heard
8 about this case, where it came from.

9 JUROR NUMBER 391: Just basically the news and --

10 THE COURT: Newspaper?

11 JUROR NUMBER 391: Newspaper. And just, you know,
12 the details of what happened, and knowing that there was
13 a shooting; it was family that was involved.

14 THE COURT: Right.

15 JUROR NUMBER 391: And basically, the day of the
16 incident, I was actually on that road. We were going to
17 dinner, and we did pass the scene with, you know.

18 THE COURT: After it occurred?

19 JUROR NUMBER 391: Um-hmm. I wanted to make sure
20 that you knew of that.

21 THE COURT: Yes, ma'am. That's helpful to know.

22 Now, I need to know what impact all that has on you,
23 because that's what's really important about this. Have
24 you formed, in your own mind, or have you expressed any
25 opinion to anybody else, any opinion that you might have

1 as to whether or not Mr. Young is guilty of these
2 charges?

3 JUROR NUMBER 391: No.

4 THE COURT: Could you set aside what you've seen
5 and heard, and the fact that you drove by the site, and
6 decide this case based on the evidence that you hear in
7 court?

8 JUROR NUMBER 391: I could.

9 THE COURT: Would you do that, please, ma'am?

10 JUROR NUMBER 391: Yes.

11 THE COURT: Thank you, ma'am.

12 JUROR NUMBER 391: Um-hmm.

13 THE COURT: You may go back and have a seat.

14 JUROR NUMBER 391: Thank you.

15 END BENCH CONFERENCE.

16 BAILIFF: Juror Number 59, your Honor.

17 ON-THE-RECORD BENCH CONFERENCE, OUT OF

18 HEARING OF JURORS. PRESENT: THE COURT,

19 JUROR NUMBER 59, MR. STONE, MR. THORNTON, MR.

20 VAUX, AND MR. VAUX.

21 THE COURT: Ms. Cahill, you've been standing all
22 day, either back there or in that line. So, finally,
23 you get to come up here.

24 JUROR NUMBER 59: Yes.

25 THE COURT: You indicated that you have some

1 knowledge about this case. Would you tell us the source
2 of that knowledge, where it came from?

3 JUROR NUMBER 59: *Island Packet*. I read one
4 article about the --

5 THE COURT: Okay. So, you haven't followed it
6 throughout the news, throughout the history of it, in
7 other words?

8 JUROR NUMBER 59: No.

9 THE COURT: Based on what you have heard or read,
10 have you formed in your own mind, or have you expressed
11 to anybody else, any opinion that you might have as to
12 whether Mr. Young is guilty or not guilty of these
13 charges?

14 JUROR NUMBER 59: I don't think so.

15 THE COURT: Let me ask it a clearer way. Have you
16 made up your mind as to whether or not you think Mr.
17 Young is guilty or not guilty of these charges?

18 JUROR NUMBER 59: No.

19 THE COURT: All right. If you were asked to serve
20 as a juror in this trial, could you set aside whatever
21 you know about this case, and decide this case based on
22 what you would hear in court?

23 JUROR NUMBER 59: Sure. Yes.

24 THE COURT: Would you do that, please, ma'am?

25 JUROR NUMBER 59: Yes.

1 THE COURT: Thank you, Ms. Cahill. You can go back
2 and have a seat.

3 JUROR NUMBER 59: Okay. Thank you.

4 END BENCH CONFERENCE.

5 BAILIFF: Juror Number 152, your Honor.

6 ON-THE-RECORD BENCH CONFERENCE, OUT OF

7 HEARING OF JURORS. PRESENT: THE COURT,

8 JUROR NUMBER 152, MR. STONE, MR. THORNTON,

9 MR. ROBERTS VAUX, MR. TABOR VAUX.

10 THE COURT: Ms. Green, how are you?

11 JUROR NUMBER 152: I'm okay.

12 THE COURT: If you'll speak so that she can hear
13 you right here.

14 JUROR NUMBER 152: Okay.

15 THE COURT: Ms. Green, first of all, let's inquire
16 about your knowledge about the case. Where did that
17 come from?

18 JUROR NUMBER 152: Newspapers.

19 THE COURT: Okay. Have you followed it throughout
20 the course of it, or was it just at the time it
21 occurred?

22 JUROR NUMBER 152: At the time it occurred. And
23 then, they had written something a couple weeks ago in
24 the papers about these trials coming up.

25 THE COURT: That's right. Based on anything that

1 you know about the case from any source at all, have you
2 formed any opinion in your own mind as to whether you
3 think Mr. Young is guilty or not guilty of these
4 charges?

5 JUROR NUMBER 152: I have been a teacher for thirty
6 years, and I think it would be very hard for me to deal
7 with a child that, as a kid, got murdered.

8 THE COURT: I see. I see. You taught grammar
9 school?

10 JUROR NUMBER 152: Yes, I did.

11 THE COURT: All right. And knowing that there's an
12 eight-year-old victim would make it difficult for you.

13 JUROR NUMBER 152: Yes.

14 THE COURT: We don't want to put you through that
15 emotional distress. It will be tough enough for folks
16 who have not taught children. We can appreciate that
17 special stress it might have for you. We're not going
18 to put you through that. Okay?

19 JUROR NUMBER 152: Okay. Thank you.

20 THE COURT: Ms. Green, is it?

21 JUROR NUMBER 152: Yes.

22 THE COURT: Number 152?

23 JUROR NUMBER 152: Yes.

24 THE COURT: You can go back and have a seat. Thank
25 you.

1 JUROR NUMBER 152: Thank you.

2 END BENCH CONFERENCE.

3 THE COURT: Number 152 is stood aside as a juror in
4 this trial.

5 BAILIFF: Juror Number 32, your Honor.

6 THE COURT: Okay.

7 ON-THE-RECORD BENCH CONFERENCE, OUT OF
8 HEARING OF JURORS. PRESENT: THE COURT,
9 JUROR NUMBER 32, MR. STONE, MR. THORNTON,
10 MR. ROBERTS VAUX, MR. TABOR VAUX.

11 JUROR NUMBER 32: Good morning. Or afternoon, I
12 guess, now,

13 THE COURT: Mr. Blasey?

14 JUROR NUMBER 32: Yes, sir.

15 THE COURT: Is it Blasey? Mr. Blasey, you
16 indicated that a family member or you had been involved
17 in a crime of personal violence. Was it you or a family
18 member?

19 JUROR NUMBER 32: My daughter.

20 THE COURT: Your daughter. And what was her
21 involvement?

22 JUROR NUMBER 32: Guy tried to kill her.

23 THE COURT: I see. And where did that happen?

24 JUROR NUMBER 32: Where we lived, on Hilton Head.
25 He drove his truck through her house.

1 THE COURT: Oh, my goodness. Was he an
2 acquaintance of you or your daughter?

3 JUROR NUMBER 32: He had dated her, in the past.

4 THE COURT: I see.

5 JUROR NUMBER 32: She was trying to break up with
6 him.

7 THE COURT: I understand. How long ago did it
8 happen?

9 JUROR NUMBER 32: 2002.

10 THE COURT: Okay. Was he caught and convicted of
11 that?

12 JUROR NUMBER 32: No, he shot himself.

13 THE COURT: Oh, he shot himself.

14 JUROR NUMBER 32: Um-hmm.

15 THE COURT: Okay. How badly was your daughter
16 injured in that situation?

17 JUROR NUMBER 32: Physically, not.

18 THE COURT: I see.

19 JUROR NUMBER 32: Emotionally, you know.

20 THE COURT: I understand.

21 JUROR NUMBER 32: He never did hurt her. She
22 jumped out of the window, and he shot himself.

23 THE COURT: How is your daughter doing now?

24 JUROR NUMBER 32: She died.

25 THE COURT: Did it have any connection with any of

1 this?

2 JUROR NUMBER 32: No.

3 THE COURT: I'm sorry.

4 JUROR NUMBER 32: It was poison by chemotherapy.

5 THE COURT: Oh, I'm sorry. I'm sorry. Would that
6 unfortunatè set of circumstances in your family through
7 your daughter make it difficult for you to be fair and
8 impartial as a juror in this trial?

9 JUROR NUMBER 32: No.

10 THE COURT: Could you set aside those circumstances
11 and decide this case based on what you'd hear in the
12 courtroom?

13 JUROR NUMBER 32: Yes, I could.

14 THE COURT: And you would you do that, please, sir?

15 JUROR NUMBER 32: Yes, sir.

16 THE COURT: Thank you, Mr. Blasey. I'm sorry we
17 had to get you to re-live those memories. Thank you.
18 You can go back and have a seat.

19 END BENCH CONFERENCE.

20 THE COURT: Okay. Is that it? Okay. Have you got
21 a list of those excused?

22 MADAM CLERK: I'm sorry?

23 THE COURT: I'm trying to make sure my list and
24 yours are the same.

25 MADAM CLERK: Oh, okay.

1 THE COURT: Okay. You all want to start? Well, I
2 was just going to go down my --
3 MR. STONE: Just go down your list?
4 MADAM CLERK: Yeah, just go down your list, and
5 mine are not in order.
6 THE COURT: Okay. Number 36.
7 MR. ROBERTS VAUX: 136 or 36?
8 MR. STONE: 36.
9 THE COURT: 36.
10 MADAM CLERK: 36.
11 THE COURT: Number 40, 49, 103.
12 MR. TABOR VAUX: Did you miss 62? I'm sorry. I
13 had you excused at 62. 3
14 MR. STONE: I had 62 excused.
15 THE COURT: 62?
16 MR. STONE: Didn't you all have 62 excused?
17 THE COURT: I didn't have anything by 62.
18 MADAM CLERK: 62 was excused for age.
19 COURT REPORTER: Over there, she was excused
20 earlier. Yeah, yeah.
21 MR. STONE: I'm sorry.. I'm sorry.
22 THE COURT: Okay... All right.
23 MR. STONE: I'm sorry, Judge.
24 THE COURT: Where were we?
25 MR. STONE: 103.

1 THE COURT: 103, 119, 140, 152, 160, 180, 200,
2 206, 214, 225, 260, 263, 357, 368, 370, 395, 399, 400,
3 and 408. Did I miss any?

4 MADAM CLERK: I got 415 out.

5 COURT REPORTER: Yeah, that was Ms. Voss, but I
6 don't have her marked down as being excused.

7 THE COURT: What number is she?

8 COURT REPORTER: 415, Voss. Not excused.

9 THE COURT: Okay. Ladies and gentlemen, thank you
10 very much for your patience and for your stamina during
11 that long and tedious part of the process. But I'm sure
12 that each of you understands the need for us to engage
13 in that colloquy.

14 Now, ladies and gentlemen, I need to know whether
15 any of you are conscious of or aware of any bias or
16 prejudice that you might have, for or against the State,
17 or for or against Mr. Young? If so, will you please
18 stand?

19 Have any of you who have not formally previously
20 answered this question formed or expressed any opinion
21 as to whether or not you think Mr. Young is guilty or
22 not guilty of the charges? If you have, will you please
23 stand?

24 Understanding and knowing that the charges
25 contained in these indictments surround the death of an

1 eight-year-old boy, is there anything in your own
2 personal history, your own family background, your
3 religious beliefs, that would make it difficult for you
4 to serve fairly and impartially as a juror in the trial
5 of this case? If you know of any such reason, will you
6 please stand?

7 Do any of you know of any reason of any kind
8 whatsoever that would prevent you from being fair and
9 impartial to the State of South Carolina, and to the
10 defendant, Mr. Young? If you know of any such reason,
11 will you please stand? Thank you.

12 Mr. Stone, further questions from the State?

13 MR. STONE: Nos, sir, not from the State.

14 THE COURT: Thank you. Mr. Vaux, from the Defense?

15 MR. ROBERTS VAUX: No, sir.

16 THE COURT: Thank you. Ladies and gentlemen, it's
17 going to take us a few minutes to plug all this
18 information into the computer, and get this list up-to-
19 date. You all have been sitting here for -- I was going
20 to say you've been sitting here patiently, but nobody
21 can be patient long as you all have been there. So, I
22 would expect all of you to be patient. We're going to
23 take a brief break to let you step outside and excuse
24 yourself.

25 If you could be back as close to 2:00 o'clock as

1 you can be, that's not quite fifteen minutes.
2 Hopefully, we'll be in a position at that time to
3 conclude the jury selection process. We'll be at ease
4 until 2:00 o'clock. Please be back in your seats by
5 then. Thank you.

6 BAILIFF: Do not leave the building.

7 THE COURT: All right, folks, we'll stand down for
8 a few minutes. We'll be back at 2:00 o'clock. Thank
9 you.

10 OFF THE RECORD 1:50 P.M.

11 BACK ON THE RECORD 2:10 P.M.

12 BAILIFF: All rise, please. Court is back in
13 session. Come to order.

14 THE COURT: Thank you. You all can be seated.
15 Ladies and gentlemen, we go now to the very final phase
16 of the selection process. It started this morning when
17 you came in the door the roll call began, and since that
18 time we have been heading to this point of the phase to
19 be able to select a jury for the trial of this
20 particular case.

21 Is the State ready to proceed?

22 MR. STONE: Yes, sir, the State's ready.

23 THE COURT: Defense ready to proceed?

24 MR. ROBERTS VAUX: Yes, sir.

25 THE COURT: Ladies and gentlemen, as your names are

1 called, if you will please stand in the place right
2 where you are, the Clerk will give you further
3 instructions from that point on here. You don't need to
4 come forward. You just stand in place as your names are
5 called, and follow the instructions that the clerk will
6 give you.

7 There will be five for the State, ten for the
8 Defense. We'll select two alternates. That's each
9 alternate. One strike for the State, two strike for the
10 Defense. Madam Clerk?

11 JUROR SELECTION:

12 MADAM CLERK: Juror Number 123, Gerald Floresca.
13 What says the State?

14 MR. STONE: Please present Mr. Floresca.

15 MADAM CLERK: What says the Defense?

16 MR. ROBERTS VAUX: Seat the juror, please.

17 MADAM CLERK: Juror Number 61, Jeffrey Caldwell.
18 What says the State?

19 MR. STONE: Please excuse Mr. Caldwell from this
20 case.

21 MADAM CLERK: Juror Number 285, Tonya Mulligan.
22 What says the State?

23 MR. THORNTON: What number?

24 MADAM CLERK: 285. What says the State?

25 MR. STONE: Please present Ms. Mulligan,

1 MADAM CLERK: What says the Defense?
2 BAILIFF: Remain standing, ma'am.
3 MR. ROBERTS VAUX: Please seat the juror.
4 BAILIFF: Come around and be seated in the juror
5 box, please.
6 MADAM CLERK: Juror Number 347, Del Douglas Scott.
7 What says the State?
8 MR. STONE: Please present Mr. Scott.
9 MADAM CLERK: What says the Defense?
10 MR. ROBERTS VAUX: Please excuse the juror.
11 THE COURT: Sit down, sir.
12 MADAM CLERK: Juror Number 122, Hayley Flemetis.
13 What says the State?
14 MR. STONE: Please present Ms. Flemetis.
15 MADAM CLERK: What says the Defense?
16 MR. ROBERTS VAUX: Excuse the juror, please, for
17 purposes of this case.
18 BAILIFF: Sit down, ma'am.
19 MADAM CLERK: Juror Number 41, Kevin Breedlove.
20 What says the State?
21 MR. STONE: Please present Mr. Breedlove.
22 MADAM CLERK: What says the Defense?
23 MR. ROBERTS VAUX: Please seat the juror.
24 BAILIFF: Come forward, sir.
25 MADAM CLERK: Juror Number 437, Rosa Williams.

1 What says the State?

2 MR. STONE: Please present Ms. Williams.

3 MADAM CLERK: What says the Defense?

4 MR. ROBERTS VAUX: Please seat the juror.

5 BAILIFF: Come on around.

6 MADAM CLERK: Juror Number 327, Marta Rodriguez.

7 What says the State?

8 MR. STONE: Please present Ms. Rodriguez.

9 MADAM CLERK: What says the Defense?

10 MR. ROBERTS VAUX: Please excuse the juror.

11 MADAM CLERK: Juror Number 352, Anthony Sferlazzo.

12 What says the State?

13 MR. STONE: Please present Mr. Sferlazzo.

14 MADAM CLERK: What says the Defense?

15 MR. ROBERTS VAUX: Please excuse the juror.

16 MADAM CLERK: Juror Number 124, Penny Fobes. What

17 says the State?

18 MR. STONE: Please present Ms. Fobes.

19 MADAM CLERK: What says the Defense?

20 MR. ROBERTS VAUX: Please seat the juror.

21 MADAM CLERK: Juror Number 45, Samantha Britt.

22 What says the State?

23 MR. STONE: Please present Ms. Britt.

24 MADAM CLERK: What says the Defense?

25 MR. ROBERTS VAUX: Please seat the juror.

1 MADAM CLERK: Juror Number 105, Deborah Doty. What
2 says the State?
3 MR. STONE: Please present Ms. Doty.
4 MADAM CLERK: What says the Defense?
5 MR. ROBERTS VAUX: Please excuse the juror.
6 MADAM CLERK: Juror Number 117, Larry Faulkner.
7 What says the State?
8 MR. STONE: Please seat Mr. Faulkner.
9 MADAM CLERK: What says the Defense?
10 MR. ROBERTS VAUX: Please excuse the juror.
11 MADAM CLERK: Juror Number 59, Patricia Cahill.
12 What says the State?
13 MR. STONE: Please present Ms. Cahill.
14 MADAM CLERK: What says the Defense?
15 MR. ROBERTS VAUX: Please seat Ms. Cahill.
16 MADAM CLERK: Juror Number 367, Aaliyah Smalls.
17 What says the State?
18 MR. STONE: Please present Ms. Smalls.
19 MADAM CLERK: What says the Defense?
20 MR. ROBERTS VAUX: Please seat the juror.
21 MADAM CLERK: Juror Number 19, Marla Barger. What
22 says the State?
23 MR. STONE: Please present Ms. Barger.
24 MADAM CLERK: What says the Defense?
25 MR. ROBERTS VAUX: Please seat the juror.

1 MADAM CLERK: Juror Number 135, Sherri Gamrani.

2 What says the State?

3 MR. STONE: Please present Ms. Gamrani.

4 MADAM CLERK: What says the Defense?

5 MR. ROBERTS VAUX: Please excuse the juror.

6 MADAM CLERK: Juror Number 126, Charlene Foss.

7 What says the State?

8 MR. STONE: Please present Ms. Foss.

9 MADAM CLERK: What says the Defense?

10 MR. ROBERTS VAUX: Please excuse the juror.

11 THE COURT: The State has exercised one strike; the
12 Defense has exercised eight strikes.

13 MADAM CLERK: Juror Number 411, Ashley Vaughan.

14 What says the State?

15 MR. STONE: Please present Ms. Vaughan.

16 MADAM CLERK: What says the Defense?

17 MR. ROBERTS VAUX: Please seat the juror.

18 MADAM CLERK: Juror Number 55, James Burns. What
19 says the State?

20 MR. STONE: Please present Mr. Burns.

21 MADAM CLERK: What says the Defense?

22 MR. ROBERTS VAUX: Please excuse the juror.

23 MADAM CLERK: Juror Number 386, Leslie Suda. What
24 says the State?

25 MR. STONE: Please present Ms. Suda.

1 MADAM CLERK: What says the Defense?

2 MR. ROBERTS VAUX: Please seat the juror..

3 MADAM CLERK: Juror Number 130, Lisa Fudjack. What
4 says the State?

5 MR. STONE: Please excuse the juror.

6 THE COURT: Okay. We've got the State as having
7 accepted, and the Defense having excused. Is that
8 right?

9 MR. STONE: That's fine, Judge.

10 THE COURT: Okay.

11 MADAM CLERK: Juror Number 360, Jessica Shrieve.
12 What says the State?

13 MR. STONE: Please present this juror.

14 MADAM CLERK: What says the Defense?

15 MR. ROBERTS VAUX: Please seat the juror.

16 THE COURT: We'll now proceed to alternates. Madam
17 Clerk, the strikes will be one for the State, two for
18 the Defense, as to each.

19 MADAM CLERK: Juror Number 31, Daniel Bittick.

20 What says the State?

21 MR. STONE: Please present Mr. Bittick.

22 MADAM CLERK: What says the Defense?

23 MR. ROBERTS VAUX: Please seat the alternate.

24 MADAM CLERK: Juror Number 272, Mandy Michaels.

25 What says the State?

1 MR. STONE: Please present Ms. Michaels.

2 MADAM CLERK: What says the Defense?

3 MR. ROBERTS VAUX: Please seat the alternate.

4 THE COURT: Mr. Stone, are there any matters of law
5 regarding the jury selection process from the State?

6 MR. STONE: No, sir.

7 THE COURT: Mr. Vaux, from the Defense?

8 MR. ROBERTS VAUX: No, sir, your Honor.

9 THE COURT: Thank you. Ladies and gentlemen, those
10 of you who were not selected as jurors for the trial of
11 this case, I want to thank you again for your
12 cooperation through what has been a rather long and
13 tedious process. I wish I could say that I could let
14 you go home now, but Judge Early might need you this
15 afternoon. As a matter of fact, he will need some of
16 you this afternoon to draw a jury for the case that he's
17 going to be trying.

18 He would like for you to be back at 3:30. That's
19 an hour from now. I'll give you an hour, and hopefully,
20 you can get a lunch, then. You'll report back to the
21 jury assembly room when you come back. That's across
22 the hall, I believe, right?

23 MADAM CLERK: Yes, sir.

24 THE COURT: You'll report back to the jury assembly
25 room when you get back at 3:30. And then, Judge Early

1 or somebody from the Clerk's Office will tell you where
2 you need to go at that point in time.

3 I thank you again, folks. You have been very
4 patient. It has been a long process, and I'm certain
5 you all understand why. I doubt that you'll have to sit
6 through another qualification process quite that long
7 this week. I doubt that I'll get to see you again. I
8 appreciate the chance of having worked with you during
9 this brief time, and Judge Early will look forward to
10 seeing you back at 3:30 this afternoon. Thank you.
11 Everybody except this jury, please remain seated.

12 JURORS NOT CHOSEN LEAVE COURTROOM 4:11 P.M.

13 THE COURT: Now, ladies and gentlemen, you all have
14 been selected as jurors in the trial of this case, but
15 you deserve a lunch hour, too, and so do we, as a matter
16 of fact. And so, we're going to let you go to lunch
17 now, a little bit longer than an hour for you, because
18 not only do we have to take lunch here; we also have to
19 deal with a couple of preliminary matters of law that we
20 need to get out of the way before we can start the trial
21 of this case.

22 So, I want you back in the jury room, please, at a
23 quarter of four. When you leave here, you'll go out
24 this back hall, and they'll take you down to the jury
25 room, and you'll report back to the jury room at 3:45

1 this afternoon.

2 Now, when you come out at 3:45, I'll give you
3 some instructions on what you may or may not do as
4 jurors in the trial of this case. But to keep you from
5 wondering and mistakenly doing some of those things in
6 the meantime, without doing anything you're not supposed
7 to, let me tell you, preliminarily, the jury cannot talk
8 about this case with anybody, even among themselves,
9 during the trial of this case, until you have heard
10 everything that you're going to hear about the trial of
11 this case. And then, you can take as much time as you
12 want to, to talk about it, but you can't talk about it
13 until then.

14 And so, if someone should talk with you during the
15 lunch hour, or try to talk to you about this case, just
16 tell them you're a juror, and you're not supposed to
17 talk about it, and I'm sure that will end your
18 discussion at that point in time.

19 Everything we have been doing up until this point,
20 this long process that we have been doing all day long,
21 since you first got here, has been designed to assure
22 that, once we got fourteen of you folks up in those
23 chairs, that we're going to have fourteen folks who do
24 not have any pre-conceived ideas about this case, who
25 didn't have any connection with any of the parties or

1 the witnesses or the facts of this case, who didn't have
2 any opinions about this case that would keep you from
3 serving fairly and impartially as jurors in this trial.
4 That's what we've been doing. Every one of those
5 questions that was asked all day was designed to assure
6 that, and you've been a part of that, and you've
7 invested your time in it, as we have, too.

8 And so, if you should violate those instructions,
9 and all of the time and effort that we all have taken to
10 insure that we're going to have fourteen folks like you
11 in that jury box would have been wasted. So, please
12 don't discuss it with anybody, even among yourselves,
13 during the trial of this case, and certainly not while
14 you are on the lunch hour.

15 We'll bring you out about 3:45 this afternoon and
16 start the trial of this case. Enjoy your lunch, and
17 I'll see you then. Thank you.

18 BAILLIFF: Follow me, please.

19 JURORS LEAVE COURTROOM 4:14 P.M.

20 MOTIONS:

21 THE COURT: Folks, we have a motion to quash the
22 indictment on the murder charge that's been filed by Mr.
23 Young. Other than that, are there any other pretrial
24 motions that we need to take care of?

25 MR. STONE: I would anticipate a *Jackson/Denno*. I

1 don't remember if we got through that or not in the very
2 first time we had this trial.

3 THE COURT: All right.

4 MR. STONE: And we're prepared to do that today. I
5 think that's probably out of an abundance of caution, we
6 want to go back over and cover that.

7 THE COURT: Okay.

8 MR. STONE: So, I would expect a *Jackson/Denno*,
9 obviously, the indictment charge. And quite frankly,
10 the *Jackson/Denno*, it's such a long statement, I believe
11 it's going to be rather protracted.

12 THE COURT: Okay.

13 MR. STONE: I'd try to get that uninterrupted.

14 THE COURT: See if you can get that jury room --
15 that jury box -- get them out of there before they
16 leave. Run down the hall, and stop them before they
17 leave to go to lunch, if you can. I'm going to give
18 them longer than I thought.

19 MR. STONE: I apologize. I should have --

20 THE COURT: That's okay. Anything other than that?
21 What about from Mr. Vaux? Any other pretrial motions
22 from the Defense?

23 MR. ROBERTS VAUX: Your Honor, the only thing I'd
24 ask is that the witnesses be sequestered. If you will
25 recall, last time, there were some people in the

1 courtroom. There were some conversations in the
2 hallway.

3 THE COURT: Yes.

4 MR. ROBERTS VAUX: This time, I'd like to keep them
5 separate and apart. The witnesses.

6 THE COURT: Out of the hall.

7 MR. ROBERTS VAUX: Out of the hall, and out of the
8 courtroom.

9 THE COURT: I think we -- I believe we did
10 sequester the witnesses last time, but we -- didn't we?

11 MR. ROBERTS VAUX: No, sir. They were in the
12 hallway, and there was a -- there was some discussion
13 during Mr. Robinson's trial.

14 THE COURT: I recall that. They were sequestered;
15 they were not in the courtroom. You're right.

16 MR. ROBERTS VAUX: Well, one witness actually ended
17 up being in the courtroom.

18 THE COURT: I know. Slipped in back there, in
19 spite of my -- our best. Do you have a problem with
20 that, Mr. Thornton?

21 MR. THORNTON: I don't have a recollection of that
22 going on during the Tyrone Robinson trial. However, I
23 will say, just so we're all clear, we will be happy to
24 sequester them, but they're not sequestered
25 individually. They're put in a room together. They

1 will be instructed, as they always are, not to have
2 discussions about the case.

3 THE COURT: That's okay. Yes, we don't have enough
4 space for that. Were you able to head them off?

5 BAILIFF: Yes, sir. Yes, sir.

6 MR. THORNTON: Your Honor, may I?

7 THE COURT: Let me deal with this -- the jury.

8 MR. THORNTON: That's what I wanted to address,
9 your Honor, about, if possible?

10 THE COURT: What was that? Go ahead.

11 MR. THORNTON: Judge, you know, unless Mr. Vaux
12 says something markedly different, although we may not
13 be trying to introduce the entire statement, --

14 THE COURT: Right.

15 MR. THORNTON: -- I think you have to look at the
16 entire statement --

17 THE COURT: Right.

18 MR. THORNTON: -- to make a decision. My request
19 would be that we not bring them back 'til in the
20 morning.

21 THE COURT: Okay. Does that create a problem?

22 MR. ROBERTS VAUX: No, sir.

23 THE COURT: Okay. That'll be good. We'll just
24 tell them.

25 MR. THORNTON: Thank you, Judge. I'm sorry to

1 interrupt, sir.
2 THE COURT: You all mind if I go tell them that?
3 MR. THORNTON: No, sir.
4 MR. ROBERTS VAUX: No, sir.
5 THE COURT: Let's just go ahead and take our lunch
6 hour anyway. let's just start back at quarter 'til
7 four, just like we planned.
8 MR. ROBERTS VAUX: Yes, sir.
9 MR. THORNTON: Yes, sir. Thank you, your Honor.
10 THE COURT: Okay. Thank you.
11 END DAY ONE, MONDAY,
FEBRUARY 23, 2015, 4:28 P.M.

CERTIFICATE OF REPORTER

DAY ONE, MONDAY, FEBRUARY 23, 2015

TRANSCRIPT OF TRIAL

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

I, Wanda H. Rowe, CVR-M, Official Court Reporter for the State of South Carolina, do hereby certify that: the foregoing Day One, Monday, February 23, 2015, Transcript of Trial is a true, accurate, and complete record of the proceedings had on said dates, in the case of State of South Carolina versus Aaron Scott Young, Jr., Beaufort County, Court of General Sessions, Case Numbers 2012-GS-07-01932 and 2014-GS-07-01940; that no exhibits were admitted; that I am of neither kin, counsel, nor interest to any party hereto.

A CERTIFICATE OF REPORTER IS ATTACHED TO THE ORIGINAL OF THIS TRANSCRIPT AND CONTAINS MY DIGITAL SIGNATURE. PURSUANT TO SCACR 607, REQUESTS FOR COPIES OF THIS TRANSCRIPT MUST BE MADE TO THE COURT REPORTER. UNAUTHORIZED COPYING OF THIS TRANSCRIPT IS PROHIBITED.

Witness my signature May 2, 2015.

S/Wanda H. Rowe
Wanda H. Rowe, CVR-M
Official Court Reporter

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

In the General Sessions
Court of Beaufort

Case No.: 2014-GS-07-01940
2012-GS-07-01932

State of South Carolina.,)
)
Plaintiff.,)
)
-vs-)
)
Aaron Scott Young, Junior.,)
)
Defendant.)

Transcript of Record

February 23, 24, 25, 2015
Beaufort, South Carolina

B E F O R E:

The Honorable Thomas W. Cooper, judge, and a jury.

A P P E A R A N C E S:

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ORIGINAL

Wanda Nelson, CVR-M
Official Court Reporter
To the Honorable John C. Hayes, III

I-N-D-E-X

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

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4	Deputy Doug Seifert	Solicitor Thornton 214-221 (In camera)
5		361-368
6		Mr. Voux 222 (In camera)
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8	Melanie Smith	Solicitor Stone 258-264
9		Mr. Voux 265
10	Zachary Taylor	Solicitor Stone 266-268
11	Charlese Taylor-Mitchell	
12		Solicitor Stone 268-285
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16	Tyrone Delaney	Solicitor Stone 301-307
17		Mr. Voux 307-310
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21		Solicitor Thornton 327-345
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25		Mr. Voux 3376-380

I-N-D-E-X

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<u>WITNESS</u>	<u>BY:</u>	<u>PAGE NO.</u>
Sergeant Brandon Cooler	Solicitor Thornton	380-384.
	Mr. Vaux	384-389
Sergeant Derrick Nelson	Solicitor Stone	390-392
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	Mr. Vaux	408-413
Sergeant Wendy Conant	Solicitor Stone	414-418
	Mr. Vaux	419-422
Agent Dan DeFreese	Solicitor Stone	423-438
	Mr. Vaux	438-440
Sergeant Laurel Albertin	Solicitor Thornton	442-449
		460-464
	Mr. Vaux	450-460
Doctor Lee Marie Tormos	Solicitor Stone	469-476
	Mr. Vaux	476-477

I-N-D-E-X - CON'T

E-X-H-I-B-I-T-S

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1			
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3			
4	St.1 Aerial photo scene incident	P.236	P.259
5	St.2 CD - 911 audio	P.236	P.262
6	St.3 Photo/playground area	P.236	P.276
7	St.4 Photo/grey Ford F150 pickup	P.236	P.278
8	St.5 Photo-Aaron Young, Senior	P.236	P.279
9	St.6 Photo - Tyrone Robinson	P.236	P.269-280
10	St.7 Photo - Blue Acura - front	P.236	P.284
11	st.8 Photo - backyard at		
12	S. Simmons' residence	P.236	P.318
13	St.9 Photo bag	P.236	P.374
14	St.10 Photo - inside bag	P.236	P.374
15	St.11 Photo - bag contents	P.236	P.374
16	St.12 Photo-Ford pickup - rear	P.236	P.284
17	St.13 Photo-shell casings	P.236	P.364
18	St.14 Photo-shell casings	P.236	P.364
19	St.15 Photo-shell casings	P.236	P.364
20	St.16 Photo-blue Acura-rear view	P.236	P.284
21	St.17 Photo	NOT ENTERED	
22	St.18 Photo	NOT ENTERED	
23	St.19 Photo-dowels in Acura	P.236	P.398
24	st.20 Photo-dowels in Acura	P.236	P.400
25	Rear view.		

I-N-D-E-X - CON'T

E-X-H-I-B-I-T-S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
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2			
3			
4	St.21 Photo-dowels in Acura	P.236	P.392
5	St.22 Photo-dowels in Acura	P.236	P.399
6	lower portion driver's side		
7	St.23 Photo-dowels in Acura	P.236	P.405
8	entire driver's side		
9	St.24 Photo-X-ray of victim	P.236	P.472
10	St.25 Photo-X-ray of victim	P.236	P.472
11	St.26 .9 mm semi-automatic	P.236	P.337
12	handgun		
13	St.27 Black bag	P.236	P.336
14	St.28 Large .9 mm, 33 round	P.236	P.337
15	magazine		
16	St.29 Black firearm suppressor	P.236	P.337
17	St.30 Bag containing bullets	NOT ENTERED	
18	St.31 3 .9 mm shell casings	P.236	429-430
19	St.32 Federal ammunition	P.382	P.383
20	St.33 spent projectile	P.382	P.405/431
21	(SLED Item #14)		
22	St.34 spent projectile	P.401	P.431
23	(SLED Item #16)		
24	St.35 spent projectile	P.401	P.431
25	(SLED Item #12)		

I-N-D-E-X - CON'T

E-X-H-I-B-I-T-S

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<u>NO.</u>	<u>DESCRIPTION</u>	<u>ID.</u>	<u>EVD.</u>
St.36	spent projectile (SLED Item #15)	P.407	P.431
St.37	spent projectile (SLED Item #13)	P.407	P.431
St.38	CD - Aaron Young, Junior interview		P.444
Def.1	NOT ENTERED		
Ct.1	Jury note @ 2:00 p.m. 2/24/2015		P.360
Ct.2	Jury note @ 12:45 p.m. 2/25/2015		P.555
Ct.3	Jury note @ 3:15 p.m. 2/25/2015		P.567

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

1 (COURT IN SESSION MONDAY, FEBRUARY 23, 2014 AT 03:50
2 P.M..)

3 THE COURT: All right, folks, I'm prepared now to go
4 forward with the motions. I understand we've got certainly
5 have a motion to quash the murder indictment and we've got
6 the Jackson v. Denno issues.

7 As to sequestration that was mentioned off the record
8 before we broke for lunch and the order of sequestration is
9 granted. It will be effective after the opening statements
10 have been made. It's my understanding that the witnesses -
11 and it will be reciprocal - if there are any witnesses for
12 the defendant they likewise will be sequestered, will be
13 couched out in the hallway except in the normal course of
14 coming and going.

15 All right, which motion should we take first,
16 gentlemen? Is there any --

17 MR. VAUX: Your Honor, I'd like to take the Motion to
18 Quash first because if it's granted the other one ---

19 THE COURT: That's right.

20 MR. VAUX: --- doesn't necessarily need to be heard.

21 THE COURT: It makes sense. All right, Mr. Vaux.

22 MR. VAUX: Your Honor, if it please the court, the
23 defendant Aaron Young moves to quash the indictment because
24 the indictment does not comport and comply with the
25 requirements of state law.

1 Murder is as stated in 16-3-30 at the time is any
2 person killing - is a killing of any person with malice
3 aforethought either expressed or implied.

4 The - Obviously the first part of it is that the
5 defendant didn't kill anybody as evidenced by the decision
6 that was rendered in this building before Your Honor as you
7 announced this morning.

8 THE COURT: Right.

9 MR. VAUX: The problem that we have, Your Honor, a
10 couple fold, primarily is the notice of how the state is
11 proceeding. The problem that we have is that the
12 indictment says that he engaged in mutual combat with
13 Tyrone Robinson. The first thing is, Your Honor, mutual
14 combat is not a criminal offense in this state. Mutual
15 combat is an exclusion to self-defense so he didn't commit
16 an unlawful act there and thereby caused the victim Call
17 Singleton to be shot and killed in the area of Marshland
18 Road.

19 The problem with that is this is not a civil case and
20 causation is not - is not a factor. It's interesting that
21 the factor in the sense that the bullet caused the death
22 but he didn't cause the bullet to be fired into the victim.

23 The law in the United States is long in this area
24 believe it or not though not in South Carolina. Probably
25 the most scintilla case is a case called Commonwealth

1 versus Redline out of Pennsylvania which came down in 1958
2 and that was 391 Pennsylvania 486. In all these cases that
3 I'm gonna cite to Your Honor I have provided for you ---

4 THE COURT: Okay.

5 MR. VAUX: --- with a copy for the solicitor. And a
6 copy for Your Honor.

7 THE COURT: Thank you.

8 MR. VAUX: That represents, Your Honor, law in every
9 jurisdiction in the United States. And it's interesting
10 because in Redline it is 38, but in Redline it's cited more
11 importantly and closer to home in cases in North Carolina -
12 in a case in North Carolina. The first case in North
13 Carolina - and these cases in North Carolina stands for the
14 same principle as Redline does. The first case in North
15 Carolina is case called Oxydine at 122 S.E. 568 which was
16 affirmed and expanded upon in Bonner which is 411 S.E. 2d
17 598. Those two cases are found at Tab 33.

18 And they state the law clearly and concisely, Your
19 Honor. In Oxydine there was several defendant's, Bonner
20 and Witherspoon, who joined together with El'Rico Stewart
21 and a fellow named Gainey to rob a restaurant. And in an
22 attempt to thwart the robbery a off duty police officer
23 acting as a security guard at the restaurant shot and
24 killed Gainey and Stuart and following the indictments the
25 defendant's were found guilty and the Supreme Court in

1 North Carolina were reversed and said no. It said it is
2 unquestionably the law that where two or more persons
3 conspire or confederate together among themselves to commit
4 a felony each is criminally responsible for every crime
5 committed by his conspirators and furtherance of the
6 original conspiracy in which naturally or reasonably might
7 have been anticipated as a result there from.

8 And in the incident case if the deceased had been
9 killed and shot from Walter Oxidize's pistol each and every
10 one of this confederates would have been equally
11 responsible with him for the homicide.

12 And it is the general rule of law that a person may
13 not be held criminally responsible for a killing unless a
14 homicide were actually or constructively committed by him.
15 In order to be his act it must be committed by his own hand
16 or if someone acting in concert with him or in furtherance
17 of the design.

18 Now, when you get into the causation, Your Honor, in
19 Tab 10 which is the case of Bonner -

20 THE COURT: No.

21 MR. VAUX: I'm sorry. Ten is the Georgia law and
22 that's Jackson. And here's the difference. In Jackson you
23 had a similar situation as to the death of these people.
24 And the court says in Jackson it is 411 S.E. 2d, 598 - I'm
25 sorry, not. Jackson is 697, S.E. 2d 757. And the court

1. says this is an easy case for a Georgia Appellate Court.
2. The question presented is what the term causes mean as used
3. in the felony murder statute.

4. A person who commits the offense of murder wherein the
5. commission of a felony he causes the death of another human
6. being irrespective of malice. Then he's caused the death
7. and he can be criminally held responsible.

8. The point of it is, Your Honor, that as stated in
9. Redline which is the point that I think needs to be
10. underscored. They say in Redline this - You can deal with
11. this problem with causation but you do it by going to the
12. legislature and getting the House and the Senate to get
13. together and change the law which is what they did in
14. Georgia.

15. Now how does that come back and impact on us in this
16. indictment? They haven't alleged the common law. They
17. haven't alleged felony murder. They haven't alleged any
18. theory and the theories that they have alleged are in
19. conflict with each other. It's impossible for the
20. defendant to accurately prepare himself when he - he didn't
21. willfully or malice aforethought kill or murder the
22. defendant with a - going into judicial estoppel yet he
23. obviously didn't pull the trigger. He wasn't acting in
24. concert with Tyrone Robinson. They were advisories. They
25. haven't alleged that he committed any kind of a criminal

1 offense because mutual combat isn't a criminal offense.
2 It's an exclusionary rule to the self-defense defense if
3 you will.

4 It's impossible for us to defend the thing. And they
5 need to - They don't believe common law - include the
6 common law violation of any sort. And they don't allege a
7 crime under the statute because he did not kill the person
8 and he wasn't working in concert with the person who did
9 kill the person. And it can't be - For that matter it
10 can't be manslaughter or voluntary manslaughter because for
11 all three of those crimes you have to have killed the
12 person.

13 Now, even if you go to the causation factor which I
14 think you shouldn't do, they didn't cause the death. What
15 caused the death was the bullet fired by Tyrone Robinson
16 and the acts of Tyrone Robinson certainly would have been
17 an intervening cause. And so the thing is just, Your
18 Honor, if it were a traffic offense it would be one thing
19 but you have no more serious crime - I'm not sure unless
20 perhaps treason - than the taking of a human life.

21 And it is not something that they ought to be treated
22 and handled with an indictment of this sort.

23 But the law is as we've provided to you in every
24 single jurisdiction. Some have passed statutes. For
25 example Illinois has passed the statute. Georgia has

1 passed the statute. I think Connecticut's passed the
2 statute. But they're all gone in and passed statutes to
3 address the fact that this theory that the solicitor
4 appears to be proceeding on we can't be sure what the
5 theory is but he appears to be proceeding under we can't be
6 sure what's the theory is but it appears to be proceeding
7 under violates the common law as it come from England as it
8 violates the common law as set out by the Supreme Court and
9 haven't alleged the common law.

10 He's alleged that we specifically violated a statute,
11 names the statute. But then says we didn't - He says we
12 violated it but the problem is by his own hand we didn't
13 kill anybody and it's a contradiction.

14 THE COURT: All right, Mr. Vaux, I missed a couple of
15 tabs that you mentioned. I got *Redline* at Tab 38,
16 *Jackson's* Tab 10. There are a couple of other tabs that
17 you mentioned in the twenties.

18 MR. VAUX: Thirty-eight is Pennsylvania, Your Honor.

19 THE COURT: That's *Redline*.

20 MR. VAUX: Ten is Georgia which is *State v. Jackson*.

21 THE COURT: All right.

22 MR. VAUX: And thirty-three is North Carolina which is
23 *State v. Oxydine* and *State v. Bonner*.

24 THE COURT: Okay. All right.

25 MR. VAUX: Now *Redline* cites the Massachusetts case.

1 Frankly that goes back to 1863 -

2 THE COURT: Right.

3 MR. FAUX: --- and I thought I would start a little
4 closer in time.

5 THE COURT: That's good.

6 MR. FAUX: And *Redline* is a 1958 case.

7 THE COURT: Right.

8 MR. VAUX: But *Conner* is - is 1992.

9 THE COURT: All right. Yes, sir, Mr. Stone.

10 SOLICITOR STONE: May it please the court, Your Honor.

11 Let me first start by addressing just the general
12 motion under *State versus Gentry* and then later on *State*
13 *versus Myron Samuels* which can be found at 403 S.C. 551.

14 What they talk about in those two cases basically is
15 the sufficiency of an indictment and what needs to be on
16 the indictment in order for the indictment to be the
17 sufficient notice document that in fact it is.

18 And I use *Samuels* because *Samuels* very - I think -
19 succinctly takes their indictment and runs it along side of
20 the *Gentry* rule and says, you know, this is what is
21 sufficient and this is what's not sufficient.

22 What *Samuels* says is that that indictment in that case
23 was sufficient because number one, it showed what crime he
24 committed. Number two, what the date was, where it took
25 place, the naming of the victims, and all of that would be

1 accomplishing two things. Giving you the ability as the
2 trial court to decide what judgment is passed and the
3 defendant with sufficient notice to know the defending is.

4 In this case if you look just basically at the front
5 of the indictment the charge is murder giving you a very
6 good idea about the - obviously the potential sentence in
7 this case would be thirty to life. The date September the
8 1st, 2012, the fact that it occurred on Marshland Drive and
9 Allen Road, Hilton Head, South Carolina, that Khalil
10 Singleton was the victim and that he was killed.

11 What our indictment does, Judge, and I quite frankly
12 its probably a good thing we address this now. It probably
13 gives you more information than was needed or was necessary
14 under either Gentry or Samuels. And it gets into the law
15 of mutual combat. And I must say that the cases that Mr.
16 Vaux handed up to you seem to all be directed toward the
17 felony murder rule and that's not what the state's going
18 under.

19 What we are going under, Your Honor, is the law of
20 mutual combat. And the cases that I brought today are
21 actually all from South Carolina, and I'd like to go ahead
22 and hand those up to you and then start talking about it if
23 I could. I have copies for Mr. Vaux as well.

24 The first one I will be discussing is *State versus*
25 *Brown*. This case is from 1918, January the 22nd.

1 THE COURT: Thank you.

2 SOLICITOR STONE: The second case will be *Thorough*
3 *Avery Taylor*. This case is from June of 2003. And I am
4 going to skip down, I've got some other cases as well that
5 may be relevant later but I want to also skip to *State*
6 *versus Douglas Arthur Graham*. This case from May the 9th
7 of 1973.

8 And first if we could, Judge, go into *State versus*
9 *Brown*. What they did in that case it was interesting it
10 was a - it was a strike and there were people that were on
11 one side of the strike and on the other side of the strike
12 and it became a fight. And in the midst of the fight one
13 of the participants brought out his knife and someone at
14 that point said, Mike has his knife out. One person got
15 stabbed and that entire case was tried against five co-
16 defendants all of which under the theory of mutual combat.

17 The jury charge in that case which was the subject of
18 the case itself, and I'll point you to Page 4, the second
19 paragraph on the right column is probably the best
20 description. That everyone is presumed to know the
21 consequences of his act and if one voluntarily enters a
22 mutual combat where deadly weapons are used knowing that
23 they are being used and death results to one of the
24 participating parties everyone engaged in such combat is
25 equally guilty regardless of whether he used a weapon or

1 not. And regardless of whether he was on one side or the
2 other makes no difference. Where all are participating in
3 mutual combat all are equally responsible for the national
4 consequences.

5 Further on that column when it gets to the very bottom
6 it also says "Where people to have a mutual combat they are
7 engaged in an unlawful act. They're all presumed to intend
8 the consequences which naturally flow from one to another
9 from an unlawful act and if one of the participants be on
10 one side himself and the other be slain by participating in
11 the mutual combat all are equally guilty.

12 Now granted this is from 1918, however, Chief Justice
13 Taal in her decision going to *State versus Taylor* the 2003
14 case, makes the statement under the law and analysis on
15 Page 2 the sixth paragraph down "the doctrine of mutual
16 combat has existed in South Carolina since at least 1843,
17 but has fallen out of the common use in recent years."

18 I will agree that this is not something that is
19 commonly used. "The case law does establish that there
20 must be mutual intent and willingness to fight to
21 constitute mutual combat. Citing *State versus Graham* which
22 is the case that I was going to refer to in just a few
23 moments.

24 At that point she also says "whether or not mutual
25 combat exists is significant because the plea of self-

1 defense is not available." That does not mean that it's
2 not the crime itself or the motive of the crime or - It
3 simply says that if you're involved in mutual combat you
4 can't claim self-defense. I would agree with that. I
5 would agree from the standpoint of the defense that that is
6 certainly a bar to self-defense. But that's not all it
7 does. And I think in order for you to hold that that's all
8 it does we have to ignore the Chief Justice's first
9 statement in which she says that it has been around since
10 1843 and the facts in *State versus Brown*.

11 The question of whether or not its voluntary,
12 manslaughter or murder gets answered in *State versus*
13 *Douglas MacArthur Graham*, 1973. The first page of that at
14 the very bottom paragraph over to the right it references
15 *State versus Andrews*. We held in *State versus Andrews* that
16 where two persons mutually engaged in combat and one kills
17 the other and at the time of the killing getting
18 maliciously done it is murder. If it is done with sudden
19 heat and passion upon sufficient provocation without
20 premeditation or malice it is manslaughter.

21 So from that standpoint it outlines the difference
22 between murder and manslaughter using the theory of mutual
23 combat which is what we're going on today.

24 The only addition to that from a legal standpoint is
25 the concept of transferred intent. If a number of people

1 are shooting and they are responsible for killing someone
2 or, if there's somebody else being killed in that mutual
3 combat then clearly they would be under the transferred
4 intent doctrine also responsible for killing an innocent
5 child that happens to be somewhere around. That is the
6 only difference in the cases that I read to you. *State*
7 *versus Brown, MacArthur* and the rest of 'em than if what we
8 have here.

9 Its additional - It's the addition of transferred
10 intent. Other than that the mutual combat is the same and
11 I believe that is the theory that is the proper way for us
12 to go forward. And that's what I put in the indictment.

13 MR. VAUX: May I be heard, Your Honor?

14 THE COURT: Yes, sir, please.

15 MR. VAUX: The problem the solicitor's got is that
16 other than the first case he cited which is a Greenville
17 County case as I recall, the defendant killed the other
18 person and in this case the defendant didn't kill anybody.

19 In the Greenville case they couldn't figure out who
20 killed him and one fellow that was killed and all these
21 people over here were charged. And the jury had the
22 opportunity to figure whether one killed him or all killed
23 him or what have you. Here we have the person who killed
24 the child. And so all these cases are distinguishable.

25 And transferred intent, Your Honor, requires - it

1 doesn't fit the build here because it transfers the intent
2 from one person to another. You can't transfer the intent
3 if it's not foreseeable that your co-felon is gonna do
4 something. It just doesn't fit.

5 THE COURT: Mr. Voux, I'm looking at the Brown case
6 and it talks about mutual combat as you know. But one of
7 the things that it says is that if two persons or two
8 groups of people are fighting in mutual combat and deadly
9 weapons are used, and everybody knows that deadly weapons
10 are being used, and death results to one of the
11 participating parties, it doesn't matter which side as I
12 read the case, could be on the side of the person who is
13 killed or on the side of the person who's doing the killing
14 because that's what the case says, it makes no difference
15 as to whether the shooter was on one side or the other if
16 all of them are out there participating then all are
17 equally responsible.

18 So if we just look at that part and it seems that
19 without transferred intent of course which is what carries
20 this case to little Khalil that if the Young's and Mr.
21 Robinson are out there shooting at each other that if
22 either one of them got shot and killed that everybody would
23 be guilty under mutual combat. Do you read that into that
24 case?

25 MR. VAUX: Your Honor, I think I understand what

1 you're saying. I think I agree with you. The word that
2 you used that distinguishes Brown from us is you said
3 participating parties.

4 THE COURT: Right.

5 MR. VAUX: Now, there's no question but the fact that
6 if Aaron Senior had gotten shot ---

7 THE COURT: Right.

8 MR. VAUX: --- then everybody would be responsible.

9 THE COURT: Right..

10 MR. VAUX: Okay. But that's not what happened.

11 THE COURT: Right.

12 MR. VAUX: Okay. We have an unrelated uninvolved
13 unparticipating third party.

14 THE COURT: Right.

15 MR. VAUX: And we know who killed this unparticipating
16 third party.

17 THE COURT: Right.

18 MR. VAUX: So it's totally distinguishable. And I
19 think the word that you read that's absolutely vital ---

20 MR THE COURT: Right.

21 MR. VAUX: --- is that a participant - I think the
22 phrase.

23 MR. VAUX: I know you used the word participate.

24 THE COURT: That's what it is. You're right.

25 MR. VAUX: And that's the whole key.

1 THE COURT: Right. And of course that is the
2 distinguishing feature without a doubt. Mr. Stone is
3 stating that the doctrine of transferred intent then
4 expands that from participating parties to innocent
5 bystanders. And of course that's - that requires an
6 extrapolation in the extension from what these cases say to
7 reach that conclusion obviously.

8 MR. VAUX: That's a long reach. There is no law to
9 that affect. He hasn't presented any this afternoon and I
10 haven't been able to find any.

11 THE COURT: Right.

12 MR. VAUX: And how was it foreseeable that a non-
13 participating person would be shot and killed.

14 SOLICITOR STONE: May I hand one other case up to you?
15 And I apologize it didn't get that far.

16 THE COURT: All right.

17 SOLICITOR STONE: This is State versus Porter from
18 1977.

19 THE COURT: Okay. All right, Mr. Stone.

20 SOLICITOR STONE: This one, Your Honor, actually
21 involved a deceased who is not a participant. I want to
22 make sure that I get the characters - and they move back
23 and forth a couple of times with the people - but this was
24 a argument over somebody's - it was apparently a rural
25 farming community. It's an argument over some pigs that

1 had escaped from one property to another and the defendant
2 and the deceased had quarreled and threatened each other.

3 But - Well let me see. Let me make sure this is

4 . . . And I apologize, I should have read this out. Moore
5 is the actual victim in this case. Moore was as they
6 determined it. Moore and Emmett Williams were all
7 strangers to the Appellate. They were there simply - And I
8 believe you had basically a fight in which two people were
9 shot. One, Slagel not being shot particularly badly,
10 however, Moore is severely wounded.

11 And the question there became that one defendant
12 claimed self-defense against the other defendant and the
13 issue - And it's very interesting when the issue became
14 whether or not you could use transferred intent for self-
15 defense. In other words two people are shooting at each
16 other, one claims I shot back in self-defense, I missed and
17 hit an innocent bystander and killed them and I want to be
18 able to say that I had a self-defense.

19 The court says in that case that the self-defense -
20 that self-defense has to come from the victim and that that
21 transferred intent was not allowed. However in the case it
22 was a mutual combat case and it involved the death of
23 someone who is not a participant as far as the gun. In
24 fact what I think even on the over view, the first page,
25 the plead to self-defense was not available to the

1 defendant because he was engaged in mutual combat, again
2 referencing the existence of that theory.

3 MR. VAUX: The problem we've got with that one, Your
4 Honor, he was on Page 2 of the pleadings, in the right hand
5 column and the last full paragraph it says the legal theory
6 is recognized in some jurisdictions to absolve the
7 defendant who injures an innocent third party while
8 attempting to defend himself from bodily harm.

9 That's not the facts were have here. And he's talking
10 about transferred intent there. The other problem they
11 have, again, Your Honor, is -

12 THE COURT: I'm sorry. Mr. Vaux, point me to where
13 you're reading cause I'm looking at those cases and I want
14 to make sure that I -

15 MR. VAUX: All right. I assume we're still talking
16 about Porter. And on Page 2 ---

17 THE COURT: That's right. Yeah.

18 MR. VAUX: --- right hand column, the next to the last
19 paragraph or the last full paragraph on that page. It
20 starts off Appellate asserts error on part of the trial
21 judge for refusing to charge transferred intent.

22 THE COURT: Right.

23 MR. VAUX: So the fact situation you have and they're
24 engaged in mutual combat and A injures C and says wait a
25 minute you can't get me cause I plead self-defense from B.

1 That's not the facts we have here. Tyrone Robinson was
2 convicted. And what they're talking about there is - What
3 they're talking about there is the perpetrator is the one
4 who hurt the person not the other person so you have the
5 self defense.

6 And let me bring out the fact that Mr. Young did not
7 participate in the actual act that killed the child. But
8 I go back to the same thing that I hope Your Honor hadn't
9 lost sight of. We've been talking about self-defense. In
10 everyone of these things you can't use self-defense. Self-
11 defense is not available to you. That's not the situation
12 that we have here.

13 THE COURT: Just as an aside, it seems to me that I've
14 seen Porter before. I may have seen it when I tried
15 Robinson. It's my recollection is that I charged the jury
16 in that case as transferred intent in the law of self-
17 defense in that regard did I not?

18 I got some notes that reflect that I drafted a charge
19 in that regard. I don't know. And the only reason I
20 mention that is because I would not have done it in the
21 face of a clear holding of our court that I couldn't do it.
22 And what Porter says is that we don't need to pass on the
23 viability of this theory because we think Appellate got a
24 better charge anyway.

25 And what I'm trying to determine is whether or not by

1 putting these various cases together I can try to
2 understand the theory of the law or the theory of the
3 courts more correctly in applying to this unique situation
4 that we apparently have or that we do have, that is not the
5 hand of one being the hand of all in the traditional sense
6 but co-conspirators or aiders and abettors getting together
7 and committing a crime that results in the death of
8 somebody caused by a shooter making all the aiders and
9 abettors equally guilty.

10 We do have the - of that as you've said, Mr. Voux, we
11 have people engaged in shooting at each other which
12 obviously brings the law of mutual combat into play.

13 And so the narrow question is whether any mutual
14 combat the non-shooter can be held accountable if an
15 innocent party is killed. Now the cases are pretty clear
16 that you all have given me here that if a combatant is
17 killed then it doesn't make any difference which side the
18 shooter was on and which side the victim was on everybody
19 who was out there involved is guilty.

20 So in our case, the Porter case I think it is, is a
21 case which says our court has not acted on that yet. We
22 have not yet decided whether or not the defendant is
23 absolved while defending himself injuring an innocent third
24 party. And so I guess what I'm gonna have to do is read
25 some of these cases you've handed me, Mr. Vaux, and the

1 cases that Solicitor Stone has handed me to see if I can
2 get some sensible legal theory on one side of that issue or
3 another which makes the transferred intent doctrine
4 applicable in mutual conduct or which says no it cannot be
5 and should not be. And that of course is why you've cited
6 the Redline case and the others.

7 The Redline involved of course a policeman who shot
8 one of the two participants in a robbery and whether or not
9 in that particular case transferred intent or felony murder
10 would apply more directly.

11 Frankly it is as I see it it's a case of first
12 impression unless somebody can show you another situation
13 that is a little bit more on point than the ones that you
14 have shown me so far.

15 Another issue that deals with the efficiency of the
16 indictment itself Mr. Stone has raised in Mr. Vaux's motion
17 and it comes about as a result of that case that came out a
18 couple of weeks ago, State versus Baker which came down on
19 the heels of State versus Chavis I think which was a case
20 that now we're at the trial level and we're all trying to
21 decide what happens if we've got an expert witness
22 testifying in a criminal sexual conduct with a minor case.
23 And in that particular case we had plurality opinion, two
24 folks agreeing, a third one agreeing in the result which
25 got the case reversed, two others dissenting.

1 And the *Baker* case came out on the issue of course of
2 the sufficiency of the indictment and whether or not it was
3 acceptable to expand the time period with in which one
4 could be charged with CSC with a minor. And in that case
5 one of the things that created some confusion, I had that
6 case on my computer earlier, I don't have it in front of me
7 right now, was a case in which - And in the dissent Chief
8 Justice Toal writing the dissent, saying that the majority
9 had improperly conflated which is a word that we see more
10 and more of in Supreme Court and Court of Appeals opinions
11 any more - they conflated which is a polite way of saying
12 they got real confused on the issue of whether the
13 indictment was sufficient notice which was not what the
14 *Baker* case said entirely.

15 It said that in part because it cited *Gentry*. But
16 more than that it said expanding the dates in the
17 indictment made it virtually impossible for the defendant
18 to be able to defend himself by raising the defense of
19 alibi because now he would have to have an alibi for a much
20 greater period of time several years back behind the
21 original charge. And they said that that was enough reason
22 in itself to grant a reversal.

23 The Chief Justice said that's not an issue for the
24 sufficiency of the indictment. Whether or not the strategy
25 of the defense is made more difficult by the wording of the

1 indictment doesn't make any difference as long as - as long
2 as those points which you in Gentry had mentioned are in
3 place in the indictment.

4 Well, the majority spoke to that part of the dissent
5 which said that in fact it is an issue that they took into
6 account. Not only whether the indictment was proper notice
7 under Gentry but whether or not it made the defense more
8 difficult on the alibi. Of course the dissent said the
9 defendant had never raised a defense of alibi. The
10 majority opinion raised it for the first time.

11 And so that - I think that kind of focuses in on the
12 part of Mr. Vaux's argument here is what's he defending
13 against. He's saying that he doesn't know what he's
14 defending against so he can't be defending against a murder
15 for the shooting of Khalil Singleton because he didn't
16 shoot him and so what is he defending against.

17 In your argument, Mr. Stone, you made it perfectly
18 clear what he's defending against. He's defending against
19 mutual combat. And of course that's referred to in the
20 indictment itself. So the long and the short of it is I
21 need to look at these cases that you all have cited. I'm
22 somewhat familiar with Redline and I'm familiar with
23 Porter, I've seen it before, to see as I have said whether
24 or not there's some legal theory in these points which maps
25 a clear path for me to follow in deciding whether or not

1 the doctrine of transferred intent applies in the case of
2 mutual combat when an innocent third party is killed in
3 that -

4 SOLICITOR STONE: And for whatever it's worth, Your
5 Honor, I think that's exactly the issue. And I think it
6 might very well be and unfortunately welcome back to
7 Beaufort County where we have these law review issues and
8 coming up every time. But I think that's exactly what it
9 is. I cannot find a case directly on point that included
10 both transferred intent. It just seems to me that it would
11 be very difficult to understand how if multiple people are
12 shooting at each other and someone in the group is killed
13 and everyone's responsible how they would also not be
14 responsible if an innocent third party was shot.

15 And I think if this is something that has to go up and
16 I assume that it would to the Supreme Court ---

17 THE COURT: Right.

18 SOLICITOR STONE: --- my position is I don't know that
19 there is any case law directly on point but it is
20 unsatisfactory how that could not be the case. And so from
21 that standpoint that's how we're going forward and that's
22 been our intent all along. We do not allege that Aaron
23 Young Junior or Senior fired the bullet that killed Khalil.

24 THE COURT: Sure.

25 SOLICITOR STONE: Our theory is that they were involve

1 din mutual combat. They were armed, they knew they were
2 armed, and they knew both parties were armed and that as a
3 result of that - And in fact if you look at Brown which I
4 also found was interesting, Brown even said - and I think
5 they're going back to the concept that five people were
6 indicted, five people were charged in mutual combat, but
7 only one had a knife.

8 THE COURT: Right.

9 SOLICITOR STONE: Because they say in Brown, it doesn't
10 even matter if they used the weapon or not, if they knew
11 they were armed and the knowledge in that case was inferred
12 to everybody by somebody saying Mike's got his knife out.

13 So anyway, I just wanted to be very clear on that
14 because I think it is a matter of first impression. I
15 think it is something that would probably have to be
16 reviewed by the Supreme Court. But I think it would be
17 infantumable if that's not the case.

18 THE COURT: All right.

19 SOLICITOR STONE: Thank you.

20 THE COURT: Thank you.

21 MR. VAUX: Your Honor, two things. One is it's not
22 foreseeable. And the second is in Brown - and I quote from
23 the first page, paragraph number seven, "everyone engaged
24 in such a combat is equally guilty regardless of - as to
25 whether or not - as to whether he used a deadly weapon or

1 not and regardless as to whether he was on one side of the
2 building makes no difference and when all are participating
3 in mutual combat all are equally responsible for the
4 natural consequences.

5 Well, all the people were engaged in the mutual
6 combat. And the point of it is, Your Honor, is that they
7 can't use self-defense against each other because it's -
8 mutual combat is a self-defense defense court ruling.

9 THE COURT: Right.

10 MR. VAUX: Well, A, B, and C are on one side and D, E,
11 F are on the other and they're fighting. Well one side
12 could claim self-defense against the other one. But the
13 mutual combat says you can't do that and that's the point.
14 And the point is again, and they used it twice in that
15 sentence, all are participating so you exclude the self-
16 defense.

17 THE COURT: Right.

18 MR. VAUX: And that's the whole point. Khalil
19 Singleton I haven't heard any allegation he was
20 participating in any way.

21 THE COURT: All right. And I'm trying to make sure
22 that there is a clear connect between the fact that all are
23 participating on one hand which makes them all equally
24 responsible and thereby takes away self-defense.

25 I'm trying to decide whether that same theory also

1 takes away transferred intent. That's the main thing.

2 MR. VAUX: And I thank you.

3 THE COURT: All right. Gentlemen, you all have given
4 me enough - Well you've given me everything there is.

5 SOLICITOR STONE: I think so. By the way, that's our
6 jury charge request. That's why I wanted to go ahead and
7 get that out there just so that --

8 MR. VAUX: Well the jury or --

9 SOLICITOR STONE: The Brown case.

10 THE COURT: *State versus Brown*.

11 SOLICITOR STONE: And I'll print it up separately.

12 THE COURT: Okay.

13 MR. VAUX: I would respectfully remind the court that
14 that went up on the charge on the facts.

15 THE COURT: Okay. And we'll deal with that if the
16 need should arise at a later juncture. But in any event,
17 Mr. Vaux, I'm gonna have to read over night. - A whole lot
18 you've given me cause I have simply skimmed these today,
19 but I will read those four cases over night and be prepared
20 to rule on this tomorrow before we open before the jury is
21 sworn. All right.

22 Now, does that get us to the *Jackson v. Denno* issues?

23 SOLICITOR THORNTON: Your Honor, I've got another issue
24 that I always hesitate to say that something may be short.
25 I'm hoping so if the court will hear that one or entertain

1 that motion and then we can move into the *Jackson v. Denno*.

2 THE COURT: Okay.

3 SOLICITOR THORNTON: This is maybe an unusual request,
4 Your Honor. I'm not sure that Mr. Vaux is going to attempt
5 to get into this, but in case he does I'd like to go ahead
6 and take care of that now.

7 Your Honor, there has been - obviously there were some
8 quotes in the paper when all this first came out. I
9 believe even the sheriff was ask about the new charge, the
10 charge being murder on Khalil Singleton by the Young.

11 And investigators obviously are discussing in the
12 interview which you'll see on the *Jackson v. Denno* which is
13 why I wanted to kind of touch on this now in a few minutes
14 about whether they think that the Young's should have been
15 charged or what the charges are likely to be.

16 And I wanted to ask the court to preclude Mr. Roberts
17 from asking any law enforcement offices about what they
18 thought the charge should be or what they felt like was the
19 appropriate charge at the time or whether they intended to
20 charge the Young's with murder.

21 Going off - I'd like to hand these up, Your Honor, I'm
22 going off of several cases. *State versus Commander* which
23 is 396 S.C. 254, 2011 case and it cites *Dawkins v. Fields*
24 which is 354 S.C. 58, it's a 2003 case. If I could I will
25 hand those up to the court and I'll also hand them to - a

1 .. copy to Mr. Vaux.

2 THE COURT: Okay.

3 SOLICITOR THORNTON: And I apologize, Your Honor, I
4 grabbed the wrong stack. Basically, Your Honor, any
5 comment by - I'll try to keep it brief - under both those
6 cases I've just cited into the record it is invading the
7 judge's providence as far as what the law is of the case
8 for someone to ask a law enforcement officer or anybody
9 else for that matter what the proper charge for someone is
10 to be.

11 Charges are something that you determine and you after
12 hearing arguments from both sides and seeing all the facts
13 in the case, you were the one or who is the sole judge of
14 the law in the case and instructs the jury on what the law
15 is and if you felt that the law was not appropriate for
16 instance that mutual combat doesn't apply then you would
17 direct a verdict. And that would be an improper - improper
18 interference with your role as the judge of the law in the
19 case.

20 And again I don't know that Mr. Vaux is gonna go into
21 that but I did want to go ahead and touch base on it now
22 and get that out of the way and get a limiting instruction.
23 I do not think its appropriate any more for Mr. Stone or
24 Mr. Vaux to say what in their opinion the charge on the law
25 should be. That's for Your Honor to decide.

1 THE COURT: All right. Let me see if that's gonna be
2 an issue first then I'll read these cases.

3 SOLICITOR THORNTON: Yes, sir.

4 THE COURT: Mr. Vaux.

5 MR. VAUX: Well, Your Honor, I had no plans on asking
6 the officers what their thoughts are as to what the charge
7 would be - charges. It's interesting being used to two
8 different sentences here, one in the charge, your charge to
9 a jury on the law and the other being charges placed
10 against the defendant. I certainly would never ask a
11 witness what he thought the judge's charge ought to be. I
12 might ask Your Honor but I wouldn't ask the witness.

13 The reason I'm hesitating and quivocating is that in
14 some of these statements, and I'm not sure whether it was
15 in Young Junior or not, the officers says things like I
16 know you didn't kill the boy I know you're not guilty of
17 that. If he gets on the witness stand and in fact said
18 something like that I think that's fair game for me to ask
19 him.

20 THE COURT: Of course once the case begins to unfold
21 then I'm not gonna issue a script or an advisory opinion in
22 that regard. I think the point however in trying to elicit
23 on unpled ground whether or not the charges in the
24 indictment is properly brought or not is - that shouldn't
25 be done as a practical matter of course in spite of what

1 Young Senior was told he got charged anyway so - as I
2 recall so whether the officer was serious about that a
3 great deal of controversy erupted around that particular
4 exchange well over a year ago when we were just starting
5 down this road.

6 But I agree, whether the charges are properly brought
7 is a matter of law and that's not something that should be
8 elicited. And I don't think it's gonna have an
9 approbative value. First of all arguably it would intrude
10 in the providence of the court, ultimately it would intrude
11 into the jury's providence as well. The jury is going to
12 decide ultimately if it has a charge sent to it at the end
13 of the day whether or not it was a proper charge.

14 MR. VAUX: Co-counsel reminds me of something that
15 could conceivably come up, Your Honor. I think this is a
16 third time that the defendant could have been indicted and
17 I hadn't thought about bringing up the fact that they had
18 been indicted and then nol. prosequi and indicted again and I
19 guess nol. prosequi and indicated again.

20 THE COURT: The indictments of course are not evidence
21 as I always instruct the jury and as I instructed them
22 today as well. They are just what we were arguing a while
23 ago and arguing in the earlier motion notice documents and
24 whether a notice is proper of course is a matter of law.

25 So unless there is some real good reason to trod down

1 that road -

2 MR. VAUX: I don't intend to, Your Honor.

3 THE COURT: All right. Thank you.

4 MR. VAUX: But if one of the officers says in this
5 statement I can't - As I said I can't remember whether he
6 does or not - if he said something like Aaron, I know you
7 didn't kill the boy, I think that's fair game.

8 THE COURT: As long - The problem is of course
9 everybody concedes that Aaron did not fire the fatal shot.
10 The question is whether or not under the legal theories he
11 is accountable for the death of Khalil. And how that is
12 addressed and how that is conveyed to a jury in such a
13 manner as to prevent misleading the jury would be a real
14 semantic tight rope it would have to go down when it gets
15 to that point.

16 You know and it would require quite frankly a curative
17 instruction from me if that is solicited. As I have
18 already told the jury this morning in provocation Mr.
19 Robinson has been convicted of a federal charge and of the
20 murder in that regard. That's not what brings Mr. Young
21 into court. What brings him into court is this whole
22 conflation of these other issues that we're dealing with.
23 So I'd have to make sure that the jury is not misled by
24 that line of questioning into thinking that just because
25 somebody else fired the fatal shot that as a matter of law

1 that is a defense to the charge, a complete defense to the
2 charge and he can't be charged with murder under those
3 circumstances. So hopefully we won't - If you all would
4 just confine your confusion to me and let me deal with the
5 confusion so we won't deal with the judge - I mean the jury
6 being confused. I'm confused enough already. All right.

7 SOLICITOR STONE: Thank you, Your Honor.

8 THE COURT: Let's go to the next one.

9 SOLICITOR THORNTON: Yes, sir, the state's ready to go
10 ahead with the *Jackson v. Denno* at this time.

11 THE COURT: All right. You want to call your witness?

12 SOLICITOR THORNTON: Doug Seifert.

13 THE COURT: Mr. Seifert, come forward please and be
14 sworn.

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

17 MADAM CLERK: Please be seated and state your name.

18 A: Investigator Doug Seifert.

19 DIRECT EXAMINATION - IN CAMERA

20 INVESTIGATOR DOUG SEIFERT BY SOLICITOR THORNTON:

21 Q. Investigator Seifert, who do you work for?

22 A. Beaufort County Sheriff's office.

23 Q. And did you work for them on or about September the
24 1st of 2012?

25 A. Yes, sir.

1 Q. And did you have the occasion to respond out to any
2 particular scene on that day?

3 A. Yes, sir.

4 Q. All right. And where did you go?

5 A. I went to the intersection of Gumtree Road and US
6 278, sir.

7 Q. And was the defendant Aaron Young, Junior at that
8 intersection?

9 A. Yes, sir.

10 Q. And where was he when you first pulled up when you saw
11 him?

12 A. He was in the back of a patrol car which would be
13 Corporal Garcia's.

14 A. All right. And is there anything unusual about
15 Corporal Garcia or the car that Corporal Garcia was
16 using that day?

17 A. Yes. He actually had his shift car that day.

18 Q. And what does that mean?

19 A. It's not his assigned vehicle that he has on a daily
20 basis with his shift.

21 Q. And on September the first, 2012 did the car used by
22 Garcia did it have audio video capabilities?

23 A. Yes, sir.

24 Q. Okay. Did the shift car that Aaron Young, Junior was
25 in the back of, was there audio recording going on?

1 A. No, sir.

2 Q. And I'm sorry if I ask an awkward questions. Not
3 Garcia's car, the car Garcia was using?

4 A. Correct.

5 Q. Okay.

6 A. Correct.

7 Q. So at some point did you speak with Aaron Young,
8 Junior?

9 A. I did.

10 Q. Now let me ask you a quick question. Did you also
11 that day speak with two other people who had been riding
12 with Aaron Young, Junior?

13 A. Yes, sir.

14 Q. And when I say riding with I mean in the same vehicle?

15 A. Yes, sir.

16 Q. And was one of those persons Aaron Young, Senior?

17 A. Yes, sir.

18 Q. And was the other one a Miss Ebony Campbell?

19 A. Yes, sir.

20 Q. Now did you issue Miranda warnings to any or all of
21 these people?

22 A. All three of them, sir.

23 Q. Now as to Miss Campbell and Mr. Young, Senior, was
24 your Miranda recorded in some fashion?

25 A. Yes, sir.

1 Q. And was that recorded inside the back of patrol cars?

2 A. Yes, sir.

3 Q. And were those cars different than the one that Aaron
4 Young, Junior was in that day?

5 A. Yes, sir.

6 Q. So just to go back again, is your Miranda of Aaron
7 Young, Junior was it recorded in this shift car?

8 A. Yes, sir.

9 Q. And did it have the ability to be recorded in the
10 shift car?

11 A. Yes, sir.

12 Q. All right. Did you at some point attempt to talk to
13 Aaron Young, Junior?

14 A. Yes, sir.

15 Q. And did you use a Miranda form or did you do it by
16 memory or how did you do it?

17 A. I had a card.

18 Q. A card. Do you have the same card with you?

19 A. I do, sir.

20 Q. And could you pull it out for me? And would you
21 please read the rights as you read them to Aaron Young,
22 Junior on that day?

23 A. "You have the right to remain silent, anything you
24 that you say can and will be used against you in a court of
25 law. You have the right to an attorney if you can't afford

1 an attorney one will be appointed for you. Do you
2 understand these rights I explained to you?"

3 Q. And did Mr. Young, Junior are those the rights that
4 you read to him?

5 A. Yes, sir.

6 Q. And did Mr. Young, Junior, the defendant in this case,
7 did he appear to understand those rights?

8 A. Yes, sir.

9 Q. Did he appear to be under the influence of any
10 alcohol or drugs to the extent that he couldn't understand
11 you or converse with you?

12 A. No, sir.

13 Q. Once you gave him those rights and advised him of
14 these, by the way, did you threaten him in any way to get
15 him to talk to you?

16 A. No, sir.

17 Q. Did you promise him anything?

18 A. No, sir.

19 Q. Did he after you read those rights to him did he
20 say anything to you at all?

21 A. Yes, sir.

22 Q. All right. What if anything did you ask him once you
23 Mirandized him?

24 A. Mr. Young, Junior stated that he was getting dropped
25 off at work by his father. He also - I ask him about the