

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Jun 18 2020

SC Court of Appeals

Appeal from Beaufort County

Honorable G. Thomas Cooper, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRIAN DAVID WALLS,

APPELLANT

APPELLATE CASE NO 2019-000689

RECORD ON APPEAL

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1 MR. WALLS: Yes, sir.

2 THE COURT: We've now reached the stage
3 of this trial where you may present your defense.
4 You have the right to claim the protections given
5 to you by the fifth amendment of the Constitution
6 of the United States. This amendment states in
7 part, "No person shall be compelled in any
8 criminal case to be a witness against himself."
9 This means that you cannot be required to testify
10 in this case. You have the right to testify on
11 your own behalf. However, no one can make you
12 testify. This is a personal right. No one can
13 waive this right except you. If you decide to
14 testify, you will be subject to the same rules
15 that govern other witnesses and you may be examined
16 and cross-examined on any relevant issue in this
17 case.

18 In addition, if you have any convictions
19 involving dishonesty or false statements or for
20 crimes punishable by imprisonment of more than one
21 year and this Court determines that the probative
22 value of admitting this evidence outweighs its
23 prejudicial effect to you, the solicitor will be
24 able to introduce your record to attack your
25 credibility.

1 If you decide to testify, this decision
2 on your part must be freely, voluntarily, and
3 intelligently made with knowledge of the
4 protections given to you by the 5th amendment to
5 the constitution and the consequences of your
6 decision to testify.

7 If you decide not to testify, I will
8 instruct the jurors that they cannot give the fact
9 that you did not testify any consideration
10 whatsoever, and that there is absolutely no
11 prejudice to you because you did not testify.

12 It is left entirely up to you whether or
13 not you testify. You may talk with your attorney,
14 your family and friends, or anyone else, but the
15 final decision will be left entirely up to you.
16 Do you understand?

17 MR. WALLS: Yes, sir.

18 THE COURT: Do you understand what I've
19 explained to you?

20 MR. WALLS: Yes, sir.

21 THE COURT: Do you have any questions
22 about what I've explained to you?

23 MR. WALLS: Yes, sir.

24 THE COURT: What are those questions?

25 MR. WALLS: I do have a question. My

1 question is, I will speak to my attorney about
2 this after this is done. And my question is this:
3 During that process, whenever I'm able to be on
4 the stand and either she's questioning me or I'm
5 being cross-examined by Miss Hunter, my question
6 is, am I to have a moment to be able to speak, or
7 is it going to be one of those situations where
8 the very second I speak, I'm shut up immediately,
9 or do I get to actually say my piece of what I'm
10 trying to say, or is it one of those things where
11 it's going to be used just to -- basically, I'm
12 asking, to make me look specifically as a liar, or
13 to just shut me up constantly while I'm trying to
14 say my piece?

15 I guess the question will be, is the only
16 thing I'm allowed to say is a direct yes or no to
17 a question? So if I want to go, would I need to
18 get my lawyer to line the questions up to get out
19 what I want to say, or is it that I'm going to
20 have a moment to say what I want to say, or am I
21 only going to be allowed to say yes, no, yes, no?

22 THE COURT: I understand. The rules that
23 we're governed by --

24 MR. WALLS: Yes, sir.

25 THE COURT: -- would allow you to testify

1 and answer in full to a question, as long as
2 you're in response to the question.

3 What it does not allow is, for lack of a
4 better term, speechmaking, or taking off on
5 subjects that are not related to the question.

6 I think you probably can imagine what I'm
7 talking about.

8 MR. WALLS: I think I understand
9 clearly.

10 THE COURT: The best example I can give
11 you is watching witnesses before Congress. You
12 know what I'm talking about?

13 MR. WALLS: If I could just say, from
14 what I understand, it's as simple as this: If I'm
15 asked a question, I can answer that question to
16 the full of my ability and add nothing more to it
17 outside of what pertains to that question.

18 THE COURT: That's basically right.

19 MR. WALLS: Yes, sir.

20 THE COURT: I'm not saying, at some
21 point, I won't cut you off.

22 MR. WALLS: Yes, sir.

23 THE COURT: Or opposing counsel won't
24 object.

25 MR. WALLS: Yes, sir. I understand that.

1 Yes, sir.

2 THE COURT: But to answer to your
3 question, generally speaking, yes, you will get to
4 answer. I understand. This is your case.

5 MR. WALLS: We're talking, I sat here
6 these days, and I heard it. I know my truth. But
7 then I see what this is about to boil down to.
8 What it's about to boil to, she's going to get to
9 paint a picture of what she wants and my lawyer is
10 going to have to --

11 THE COURT: Do the same thing.

12 MR. WALLS: Do the same thing. And then
13 we're going to lead up to that -- at this time,
14 we've only been able to defend against what was
15 brought against us. So, in hers, she's been able
16 to point a few characters to point against my
17 person as a character -- one or two persons this
18 morning, and a person to bash me as a person, and
19 that's all the jury got to hear.

20 Nobody has been able to hear anything
21 positive of me. That's all I want to speak to.

22 THE COURT: Your lawyer can raise
23 questions that allows you to, as you say, testify
24 to your truth.

25 MR. WALLS: Yes, sir.

1 THE COURT: That's related to this case.

2 MR. WALLS: I do understand clearly.

3 THE COURT: And when she -- when the
4 solicitor asks you, your answer has to reply to
5 her question.

6 MR. WALLS: I do understand that also.
7 Yes, sir.

8 THE COURT: Now, do you wish to discuss
9 this further with your attorney? Is that what I
10 heard you say?

11 MR. WALLS: Most definitely. Yes, sir.

12 THE COURT: Okay. Tell you what I'm
13 going to do. It's 12:30 now. I'll give you to
14 2:00 and I'll expect your answer at that time.

15 MR. WALLS: Yes, sir. It won't take that
16 long, but, yes, sir.

17 THE COURT: I'll hear from you at 2:00.
18 Thank you very much.

19 MR. WALLS: Thank you very much.

20 MS. SWANSON: Your Honor, before we leave
21 this subject, I just want to make sure -- and I'm
22 sure Miss Campbell is aware of this, that
23 certainly there are other things that I would get
24 into with Mr. Walls' criminal record should he
25 open the door, other contents of the cell phone,

1 should those become probative, and the three
2 interviews in which he made statements, I would
3 cross him on for impeachment purposes.

4 MS. CAMPBELL: I have explained that to
5 my client, but I'm going to take advantage of
6 Your Honor's offer to allow us, over the lunch
7 break, to fully explore what his decision is going
8 to be.

9 THE COURT: Okay.

10 MS. SWANSON: Thank you, Your Honor.

11 THE COURT: Approach the bench, please,
12 for scheduling purposes.

13 We'll stand at ease until 2:00.

14 (A break was taken from 12:32 to 2:05 p.m.)

15 THE BAILIFF: All rise. Court is back in
16 session.

17 THE COURT: Be seated. State ready to
18 proceed?

19 MS. SWANSON: State's ready, Your
20 Honor.

21 THE COURT: Defense ready?

22 MS. CAMPBELL: Yes, sir.

23 THE COURT: Mr. Walls, would you stand
24 please? Before the break, I advised you of your
25 constitutional rights, and told you I would expect

1 an answer from you about whether you wish to
2 testify or not testify at this time. Have you
3 discussed this matter with your lawyer
4 sufficiently, at this time, to make a decision?

5 MR. WALLS: Yes, sir. Thank you for the
6 time. My answer is, no, I would not like to
7 testify.

8 THE COURT: You will not testify.

9 MR. WALLS: Yes, sir. Thank you very
10 much.

11 THE COURT: You can be seated.

12 Counsel, does the defendant plan to
13 introduce any evidence?

14 MS. CAMPBELL: We do not.

15 THE COURT: All right. Therefore?

16 MS. CAMPBELL: At this time, for the
17 record, the defense rests.

18 THE COURT: All right.

19 MS. CAMPBELL: And pursuant to resting, I
20 would renew all of the pretrial motions that I
21 have made on behalf of Mr. Walls to include the
22 directed verdict motion made during the case, and
23 the two mistrial motions that were made
24 additionally during the presentation of the
25 State's case. And I renew those motions on behalf

1 of Mr. Walls at this time. Thank you, Judge.

2 THE COURT: I think I thoroughly
3 considered those motions and I denied them
4 earlier. And, at this time, I respectfully deny
5 them again.

6 MS. CAMPBELL: Thank you, Judge.

7 THE COURT: Ready for the jury?

8 MS. SWANSON: Yes, Your Honor.

9 THE COURT: Ready for the jury?

10 MS. CAMPBELL: Yes.

11 THE COURT: Bring the jury, please.

12 THE BAILIFF: The jury is entering the
13 courtroom, Your Honor.

14 (Jury enters the courtroom at 2:08 p.m.)

15 THE BAILIFF: The jury is seated, Your
16 Honor.

17 THE COURT: All right. Thank you very
18 much.

19 All right. Ladies and Gentlemen, we will now
20 continue the trial. Miss Campbell, does the defendant
21 wish to present any evidence?

22 MS. CAMPBELL: No, Your Honor. The
23 defense rests.

24 THE COURT: All right. Thank you very
25 much.

1 All right. Ladies and Gentlemen, that's all
2 the evidence that you will hear in this case. Now,
3 the remaining portion of the trial consists of the
4 final summations or arguments by counsel. The State
5 will go first, followed by the defendant's attorney
6 who will take their case to you.

7 Following that, I will give you my
8 instructions on the law in South Carolina that
9 applies to this case, and after that, you will be
10 asked to make a decision. In other words, the
11 case will be given to you for deliberation.

12 All right. Miss Swanson.

13 MS. SWANSON: Thank you, Your Honor. May
14 it please the Court?

15 Why, is the question that victims and their
16 families so often seek. It's the one that juries want
17 to know as well. Why? It's also called motive, and
18 it's something that the State doesn't have to prove to
19 prove its case, but I want to talk about it with you.
20 I think it's important to know what was going on in
21 the life of Brian Walls in December of 2016 in order
22 to get there, because desperate times call for
23 desperate measures, and in December of 2016, Brian
24 Walls was a desperate man.

25 What do we recall from the testimony?

1 Amanda Reddish helped paint this picture of this
2 group of drug addicts that were so engrossed and
3 engrained in that culture that they really didn't
4 care about anything else. They cared about their
5 next high.

6 Brian was living in a trailer at ■0
7 Falls Road with John Priester, Courtney Brock, her
8 boyfriend, her baby, and his kids that would
9 sometimes stay with him. All right?

10 The trailer that Amanda Reddish described
11 as being in a state of unhealthy living
12 conditions. Okay? One where constant drug use
13 was going on. Where it was not unusual for Brian
14 and the rest of this crowd to stay up for days on
15 end using drugs.

16 He didn't have any steady work. He may
17 have worked from time to time as a carpenter, but
18 based on the state of his trailer, it doesn't look
19 like he was doing any work on that, demonstrating
20 his skills on that.

21 He didn't have a car. He had been
22 bumming rides from Teresa for quite a while. He
23 was constantly texting Amanda for rides.

24 He had this on and off again relationship
25 with Tera Kennedy that spanned the course of about

1 14, 15 years, also described as unhealthy.

2 And recently, the Sunday before Teresa's
3 death, they had been hanging out at Teresa's
4 house, even though she was living with another
5 man, and they were having private talks in a
6 bedroom. That relationship was not going well.
7 Okay?

8 Amanda told you about the rampant drug
9 use that Brian would engage in. That he would use
10 anything and everything, and that he was
11 unpredictable when he was using.

12 All of these factors lead to the biggest
13 drug abuse bender that Brian Walls has ever been
14 on, and it ends in tragedy for Teresa Seigler.

15 Now, Judge Cooper is going to talk to you
16 about credibility of the witnesses. And, in judging
17 their credibility, you get to look at a number of
18 factors.

19 Amanda Reddish, as I stated before, and
20 it helps us put together this time period and
21 timeline, she was straightforward and confident in
22 her testimony, she is a reformed drug addict. Did
23 she want to be here talking about the darkest
24 period of her life, answering questions about how
25 she should have taken better care of her child?

1 No. But she did and she had to, and it was also
2 the right thing to do.

3 Her testimony regarding those phone
4 conversations and text messages with Brian were
5 also corroborated by that phone that came out of
6 the Toyota Camry by Derek Nelson's testimony about
7 the dates, times, and subject of those text
8 conversations. Both Hannah and Amanda spoke about
9 how Teresa had helped others in need. How she had
10 helped Courtney. She had helped Courtney and her
11 baby. She had helped those boys. She had helped
12 Brian out of a tough spot. She had this open-door
13 policy. She was pretty much confined to her home,
14 and she probably enjoyed the company, to her
15 detriment. And, in enjoying that company, she had
16 unfortunately made herself an easy target.

17 You heard about her medical conditions,
18 her prior surgeries, the prescriptions, the pain
19 management doctor that she went to. All of these
20 things from Hannah. And, as the neighbor of
21 Brian Walls and his crew, those factors made her a
22 sitting duck.

23 Before we go over some of the physical
24 evidence in this case, I want to review the
25 timeline that's been established through

1 testimony, through that cell phone, and go over
2 that. I know people learn differently. It's hard
3 to sit here and listen to someone speak to you.
4 I'm going to put the timeline up on the monitor
5 right there and go over it with you.

6 All right. So we are starting with
7 Saturday, December 3, 2016. This is when Amanda
8 tells us she gives Teresa a ride home from
9 Walmart. Teresa has gotten her prescriptions
10 filled. Brian comes over, whispers in her ear
11 asking about the pills and wants Amanda to go grab
12 them.

13 Sunday, the next day, December 4th,
14 Amanda take Tera, the on and off, on and off
15 relationship, over to Teresa's house to hang out
16 with Brian. But, of course, they can't go over to
17 Tera's house to hang out, that's her new live-in
18 boyfriend. They have a private talk in the
19 bedroom. They're supposed to come back the next
20 day. This is also the day of Hannah's last
21 conversation with her mother.

22 Monday, December 5th of 2016, Amanda
23 hangs out with Tera all day on Lady's Island at
24 Josh Cleveland's. The two never make it from new
25 boyfriend's house over to Falls Road. They never

1 see Brian that day.

2 Late that night, Brian begins texting
3 Amanda about pills, money, and getting messed up
4 starting at about 11:30 p.m.

5 The next day is a Tuesday, December 6,
6 2016. Amanda doesn't feel well from using. She's
7 being slow to get up. She talks to Brian on the
8 phone about giving he and Courtney a ride.
9 They're offering some pills. There are further
10 text messages about pills and pain meds that
11 follow around 2:00 p.m. She's supposed to take
12 his son to court. Amanda arrives at ■0 Falls
13 Road at 3:15 to find only Brandon and Courtney's
14 daughter M ■. Nobody else is there.

15 I'm going to move this up. This is
16 technological.

17 Okay. So she gets to ■0 Falls Road and
18 finds only the baby and Brandon, who is upset because
19 he's stuck with Courtney's baby. The two repeatedly
20 try and get in touch with Brian and Courtney, calling,
21 texting Brian's phone to no avail. It's crickets.

22 Meanwhile, on the same day, remember
23 Hannah said she didn't feel well. She didn't talk
24 to her on Monday, but she tried to get back in
25 touch with her on Tuesday. The phone rings and

1 rings, and it sounds like somebody picks it up and
2 hangs it up. She never gets a phone call back
3 from her mother, which she testified was unusual.
4 She tries the phone again. It goes straight to
5 voice mail and she never talks to her again.

6 On Wednesday, December 7th, firefighters pull
7 Teresa's body from her blazing house at 11:15.

8 Police also attempt to question Xavier
9 and Kyle who were spotted in the area with John
10 Priester shortly before the blaze. When police
11 get near them and begin to talk to them, they run,
12 and they fight. But they only get about a block
13 down the road and they're apprehended and later
14 charged with arson.

15 That evening, Brian and Courtney are
16 located in Chesterfield in a car that doesn't
17 belong to them with Teresa's purse, phone, pills,
18 bank card, and duct tape.

19 I'm sure this is all a coincidence.

20 So, we've had direct and circumstantial
21 evidence in this case, and we have a lot of
22 physical evidence. I erred on the side of
23 entering pretty much everything we had because I
24 wanted you guys to have the full story. I wanted
25 you all to be able to look at what you wanted to

1 look at to make your decision.

2 So, we have Brian Walls' DNA on the duct
3 tape that Teresa is bound with. Even though it's
4 in the middle of a burning trailer, which is the
5 last place that DNA should be, if it is meant to
6 survive. We have him laying in a car that doesn't
7 belong to him with what appears to be a murder
8 kit. This car chock full of backpacks that
9 contain gloves and pockets, duct tape, several
10 phones, bunch of lighters, bunch of drugs to give
11 him some courage, sustenance, ropes. And we have
12 forensic evidence that, not only places him at the
13 murder scene, but connects him to the murder
14 victim's possessions.

15 We have his children and his new roommate
16 who are left behind to clean up his mess. They're
17 getting rid of evidence.

18 I wonder who Brian was willing to
19 sacrifice to cover his tracks, and the answer is
20 anyone. Even his children. And he was especially
21 happy to sacrifice the new guy and have the black
22 guy as the fall guy, John Priester.

23 This is not all happenstance or DNA
24 transfer. It can't be explained by coincidence
25 because it all points to the three people that are

1 charged with Teresa's murder.

2 All right. The duct tape from the
3 blanket that Teresa was bound in that comes back
4 as a match to Brian Walls, you heard the SLED guy
5 testify he swabbed around -- John Donahue -- he
6 got a match. There's no duct tape found at the
7 victim's house separating the Beaufort County
8 crime scene. But where is it found?

9 Well, there is a roll of duct tape in the
10 ES backpack that has items with Brian's name on
11 it, an envelope with the name Brian on it, as well
12 as whatever you want to call this. Don't know
13 what he was doing with it. Don't know the
14 purpose. But, you know what, it could have been
15 used as a weapon. Could have been used for not
16 what its intended purpose was, but to beat Teresa
17 Seigler. This has his DNA on it, is in the ES
18 backpack. Also in the ES backpack, gloves in the
19 side pockets.

20 Despite what Miss Campbell may have you
21 believe about touch DNA, it's really not
22 everywhere, or at least not in quantities that
23 scientists can develop a profile from and report
24 to you. Okay? And it's certainly not in a
25 burning trailer. And we don't know, you know, why

1 weren't Brian's fingerprints on this duct tape.
2 That's a question you may ask, and that's a
3 question Miss Campbell may ask. Well, could he
4 have been wearing gloves, absolutely. There are
5 gloves in the ES backpack that was found in the
6 car with him.

7 Well, where would that DNA have come
8 from? Well, he might have physically exerted
9 himself in beating Teresa Seigler and wrapping her
10 up in blankets. It could have been one drop of
11 sweat, or, you know, part of his arm that grazed
12 the duct tape.

13 But remember, Courtney and John -- John's
14 fingerprints were found on the duct tape that was
15 binding the wrists of the victim. There was only
16 one usable print found. This forensic evidence is
17 like finding a needle in a haystack many times.
18 All right? I mean, it's not just all over the
19 place. But, guess what, we do have it here. And
20 it's what juries want. It's the CSI effect, and
21 we have corroborating evidence to back it up.

22 I suspect we would have a lot more had
23 John Priester and Brian's kids not torched the
24 trailer to destroy it. Okay? When you saw
25 pictures of the blanket that was singed, there

1 were pieces of the duct tape that Agent Crooks
2 could not swab because they were burned. There
3 may have been good forensic evidence on those.
4 But regardless, this is what we have and this is
5 what we have before you.

6 Where was the duct tape found on the roll
7 or on the blanket? Well, when you look at the way
8 the blanket and the duct tape is rolled -- let's
9 say I'm touching the outside of this duct tape.
10 That's not going to be what is on the outside of
11 the blanket because you keep rolling. All right?
12 And so it's what's inside the interior of the duct
13 tape. It's not as if Brian could have just picked
14 up this roll of duct tape and low and behold
15 somehow it just appears on the outside of the
16 blanket.

17 Remember, Hannah identifies Teresa's
18 purse. She identifies her new phone. She
19 identifies the contents within it. In the
20 Trailmaker backpack, several bottles of Teresa's
21 medications are found, one of which is an
22 unlabeled bottle that has Brian's DNA on it. It's
23 a match. From the Trailmaker backpack. The one
24 that has the women's clothing in it, and the
25 Victoria's Secret pouch, and the women's Speed

1 Stick. They were in and out of all of this stuff.
2 He knew it was in the car. It would be crazy to
3 suggest that he's simply driving this car in
4 Chesterfield, for no explained reason, having
5 split in Beaufort, right when Teresa Seigler is
6 violently murdered and her trailer torched,
7 unknowingly carrying all of this stuff in the car.

8 You heard from Dr. Tormos that the victim
9 was in a state of advanced decomposition on
10 December 8th of 2016 when she performed the
11 autopsy. Now, as a part of that she reviewed
12 other things, such as the pictures from
13 December 7th that were taken of Teresa at the
14 hospital. And she gave her opinion that she was
15 also in a state of decomposition at that time, and
16 noted that she had been deceased for a period of
17 time prior to the fire.

18 The signs of decomposition that she noted
19 with lividity, marbling of the skin, skin slippage
20 was evident. In addition, she was able to
21 conclude through an examination of the lungs and
22 toxicology that Teresa had been dead prior to the
23 fire and had been for some time.

24 Now, she also told you that when a body
25 is in the state of advanced decomp, it's a little

1 bit harder for her to pinpoint the exact cause of
2 death. And she has to consider the totality of
3 the circumstances to make a determination, and she
4 did determine Teresa died at the hands of others,
5 homicidal violence.

6 There was evidence of blunt force trauma.
7 She had a broken ninth rib that had hemorrhaged,
8 meaning she was alive when that rib was broken.
9 She had many contusions, bruising. She had bitten
10 her tongue at some point during all of this. Her
11 organs appeared to be functioning properly. There
12 was no heart attack. There was no natural cause
13 of death here. And, of course, she would not have
14 bound her wrist herself and rolled herself up in a
15 blanket with duct tape all around it.

16 Dr. Tormos said that her findings would
17 be consistent with a suffocation. Stopping
18 someone's breathing with something soft would not
19 leave a mark. Sitting on someone's chest would
20 not leave a mark.

21 And based on the description of Teresa's
22 limited physical means, it does not sound like it
23 would take much force, particularly if it was by
24 three people.

25 Now, as part of your deliberations, you

1 can consider Brian's flight as consciousness of
2 guilt. And we have evidence that we briefly
3 discussed that sometime around 3:00 p.m. on
4 Tuesday, December 6th, Brian and Courtney go off
5 the radar. They are located in Chesterfield for
6 unknown reasons the evening of December 7th.
7 Family and friends were looking for them.
8 Courtney had left her baby. What mother leaves
9 their baby unless she in a state of desperation.
10 And Brian, of course, leaves his kids too, but
11 they're the cleanup crew.

12 I told you at the outset of this case
13 that it is complex. It involves multiple people,
14 many multiple crimes. We've got murder and the
15 arson. A lot of people working together to commit
16 this crime, and then cover it up. But it's not
17 impossible to connect the dots. And you have
18 those tools. You have the common sense. You have
19 all of the evidence and the testimony that came
20 from the stand.

21 And, of course, as I told you in the
22 beginning, the burden of proof rests on the State.
23 With all of the pieces of evidence and the
24 testimony, you should be able to link this
25 together, link this to Brian in a tragic chain of

1 events that leaves you firmly convinced of his
2 guilt, along with his accomplices. However, they
3 are not on trial here today.

4 Remember that any doubt you must have,
5 any doubt that you do have must be reasonable.
6 That's the standard.

7 Based on what happened here and based on
8 the evidence, the State is not tasked with having
9 to overcome any possible doubt, any crazy
10 conspiracy theory, or whacko chain of events that
11 might be suggested, because it has to be based on
12 the evidence and it has to be based on
13 reasonableness. What happened in this courtroom.

14 Lastly, I want to remind you that my
15 words, Miss Campbell's words are not evidence.
16 And if we have told you or quoted something to you
17 and you don't think that's correct, this is a
18 court of record. You can relisten to testimony,
19 if you need to.

20 I want you to take your time and get this
21 right. Teresa Seigler died a horrific death that
22 nobody should ever have to endure. She was an
23 infirm woman, killed in her own bed by people that
24 she trusted. Duct taped and then lit on fire.
25 How does it get worse than that?

1 And so, I am asking you to hold Brian Walls
2 accountable for his role in this murder. Today is his
3 judgment day. I'm asking you to return a verdict of
4 guilty.

5 Thank you.

6 THE COURT: Miss Campbell.

7 MS. CAMPBELL: Your Honor, may we
8 approach?

9 THE COURT: Certainly.

10 (Bench conference.)

11 MS. CAMPBELL: Thank you. I'm going
12 to -- after I do my closing, I would like to place
13 on the record an objection to a portion of the
14 State's closing argument. I just am asking that
15 this time be considered as contemporaneous to the
16 argument.

17 THE COURT: Okay.

18 MS. CAMPBELL: Thank you, Judge.

19 Good afternoon. One of my favorite TV
20 shows in recent years has been the PBS show
21 Sherlock Holmes. And that show was -- the
22 detective in that show was originally brought to
23 life by Sir Arthur Conan Doyle. And as to
24 circumstantial evidence, he wrote, circumstantial
25 evidence is a tricky thing. It may seem to point

1 to one thing. But if you shift your own point of
2 view just a little, you find it pointing in an
3 equally uncompromising manner to something
4 entirely different. And according to Doyle, there
5 is nothing more deceptive than an obvious fact.

6 The State of South Carolina has strung
7 together a series of pieces of evidence to create
8 a chain necklace, and they have tried to hang that
9 necklace around Brian Walls' neck. And they have
10 tried to tell you that Brian Walls is a murderer.
11 And they want you to now pull that chain of
12 circumstantial evidence tight and return a verdict
13 of guilty. So you must take these pieces of
14 evidence, as you find them, and ask yourselves
15 about each and every one of them.

16 Does this piece, does this link in the
17 chain, does this link in the necklace, does it
18 hold up to the rule of the law that the judge has
19 given me?

20 If one link fails, if one link is faulty,
21 then the entire chain fails, and the State has not
22 created a case of circumstantial evidence that can
23 allow you to find this man guilty of murder.

24 So what are the links in this chain?
25 Brian Walls' touch DNA on the duct tape. So

1 you've heard testimony, Brian Walls lived in the
2 home at ■6 Falls Road in the fall of 2016. You
3 heard testimony, you will find cellular DNA, all
4 other kinds of DNA. Where you live, it's on
5 everything. He slept in those beds. He covered
6 in those sheets. He wrapped those blankets around
7 him, and you heard testimony. The best evidence
8 is to find DNA in a place it should not be.

9 Brian Walls's DNA is found in a location
10 where he has been, where he has lived, and the
11 scientific forensic expert tells you that's not
12 suspicious. That's how it is. That's a fact of
13 science.

14 DNA results, John Donahue told you the
15 word inconclusive means maybe, maybe not. And
16 maybe under the law His Honor is going to give
17 you, equals doubt, equals not guilty.

18 On this one link alone, you can stop, the
19 chain is broken. It's a weak link. It fails.
20 The chain breaks. Not guilty.

21 Okay. Brian Walls, I didn't hear any
22 testimony that he was driving in the car.
23 Something the solicitor said. In any event, he's
24 in a here where Courtney Brock has the Trailmaker
25 backpack and Teresa Seigler's personal items are

1 in that backpack. Well, okay. So close proximity
2 to those items in the Toyota Camry, items that
3 were concealed in Courtney Brock's backpack does
4 not -- close proximity does not equal possession.
5 And even so, factor in the science that John
6 Donahue testified about. And we went into great
7 detail on what he called, correctly so, secondary
8 transfer.

9 If I, you know, touch the door handle and
10 then the Judge touches the door handle, it may be
11 that he carries my DNA somewhere else to an object
12 I've never actually handled. Weak link, doubt,
13 not guilty.

14 MS. SWANSON: Your Honor, I have an
15 objection. If we may approach, please.

16 (Bench conference.)

17 MS. SWANSON: Judge, this --

18 THE COURT: Go ahead.

19 MS. SWANSON: Miss Campbell has stated a
20 number of times and misstated the law on
21 circumstantial evidence. I would --

22 THE COURT: I'll talk about
23 circumstantial evidence.

24 MS. SWANSON: Okay. If she can stop
25 misstating the law --

1 THE COURT: I'm not going to stop her.

2 MS. SWANSON: Okay.

3 THE COURT: You may continue.

4 MS. CAMPBELL: Thank you, judge.

5 And let me just say, I'm not the final
6 word on the law. His Honor is going to give you
7 the law. This is just an analogy, a metaphor that
8 I'm using to try and help you understand some
9 matters in this case. So, please, His Honor will
10 give you the law.

11 Now, Brian Walls shares the use of the
12 cell phone with Courtney Brock. We've had
13 testimony about that. The cell phone has text
14 messages with Courtney Brock, the testimony is
15 very clear on this, saying that she has some pills
16 and some money. Both Brian Walls and
17 Courtney Brock use that cell phone. Nelson
18 testified, there's nobody -- there's been no
19 evidence who actually had physical possession of
20 that phone in early December 2016. None. Zero.

21 What you can see in the messages is, hey,
22 it's Courtney, come get me. I got Molly. We got
23 Molly. Well, that's a not a prescription drug.
24 But that cell phone that Nelson testified about is
25 inherently unreliable to put anything happening in

1 the beginning of December 2016.

2 Why do you know that? Because internally
3 within that phone, something is wrong with the
4 dates in that phone. It's got dates on text
5 messages for 2011 and, I mean, he couldn't
6 testify, but, honestly, who keeps a cell phone for
7 the six years or so? That phone probably wasn't
8 even made in 2011. There's something wrong with
9 the dates and times, because the message says,
10 hey, M is sick. Courtney needs to come to
11 the house, or something to that effect. M is
12 not even born until 2014.

13 Now, the State wants you to believe that
14 Brian Walls put on gloves and that is why his
15 fingerprints are not on the duct tape. Well
16 specifically -- you noticed I didn't ask a whole
17 lot of questions. What I asked were important
18 things that you needed hear. John Donahue said,
19 yeah, I put on gloves. I put on gloves so my DNA
20 doesn't -- doesn't get on items.

21 The State says that Brian and John
22 Priester and Courtney Brock got together and did
23 this. And John Priester and Courtney Brock seeing
24 that Brian is wearing gloves don't think to
25 themselves, gosh, you know, maybe I need to put

1 some gloves on too. This is not a plan between
2 Brian and John and Courtney.

3 This was John Priester getting together
4 with Courtney Brock and slipping into that house
5 where he had no reason to be. And Courtney Brock
6 knew how to get in that house. And John Priester
7 beat and hit Teresa Seigler.

8 When she found him, when she caught him,
9 a stranger, it doesn't have anything to do with
10 anything else. This is a stranger to her.
11 Someone she is not familiar with. Someone she
12 doesn't know.

13 Courtney Brock's fingerprints are on the
14 duct tape. John Priester's fingerprints are on
15 the duct tape. And John Priester, by whatever
16 means, and whatever relationship he had with Kyle
17 and Xavier, used them to assist him in covering up
18 his crime.

19 Everything else that the State has
20 blasted through this courtroom is bad character
21 evidence. The State has tried to tell you, Brian
22 Walls is a bad guy. Brian Walls is a drug user.
23 Brian Walls is -- Brian Walls is not well liked by
24 other drug users. And the other drug user that
25 they brought in here to tell you all these things

1 was Amanda Reddish, who clearly had an ax of
2 whatever nature to grind with Brian. I mean,
3 think about all the people the sheriff's
4 department and the fire department talked to on
5 Falls Road where Brian and Teresa had lived for
6 14, 15 years together.

7 The only one that they can scoop up out
8 of the batch to bring in here is this Amanda
9 Reddish. She comes in here with what appeared to
10 be clearly rehearsed testimony to bash his
11 character. And, you know, to the State's
12 questions, she had very clear memory. If I asked
13 a question, I don't remember, I can't recall, or,
14 I lied when I told the Court, you know, sort of
15 tell the truth then. I lied when I said, you
16 know, I was guilty of abusing my children.
17 They're painting a picture of a bad guy is not a
18 part of circumstantial evidence.

19 You know, desperate times? Desperate
20 times was the massive hurricane that hit the
21 Lowcountry in the fall 2016. Desperate times was
22 trying to make sure your friends and your family
23 were safe and taken care of during that storm,
24 that storm that ripped our county apart. And we
25 all made sure that our family and our friends got

1 out of town with us and we're safe. And who made
2 sure that his neighbor -- testimony -- often in a
3 wheelchair, who made sure that she made it safely
4 away from the storm to a hotel? Regardless of the
5 circumstances, who drove, who bought this meal and
6 who paid for that bill, they were together, and
7 Hannah went to her father's home in Georgia.
8 Brian made sure Teresa was safe.

9 So ask yourself, what changed on Falls
10 Road in the fall of 2016? From the years that
11 Brian had lived peacefully and in harmony with
12 everybody on Falls Road, including Teresa. One
13 thing, one man had changed, and that was
14 John Priester. That one thing was different.

15 He was not a friend to Teresa. He saw
16 her as someone that he could steal from. And in
17 doing so, he left his fingerprint on her. And in
18 doing so, he went back to cover it up. And
19 Courtney Brock, she was there. You heard the
20 testimony. She left her fingerprint too.

21 These links, these pieces, they crumble.
22 The State's evidence in this case crumbles under
23 the weight of reason, and I believe what you will
24 hear from the Judge, under the weight of law.

25 Mere suspicion, the Judge is going to

1 talk to you about this. And, please, take what he
2 says as the rule.

3 I said when we first met, just a couple
4 of days ago, each individual one of you has a seat
5 in this boat. Each man, each woman with your own
6 minds to bring to your deliberations on these
7 great matters, please do not allow bad character
8 evidence and circumstantial evidence to be the
9 kind of evidence that can convict a man of murder
10 in this county, in your county.

11 It is a slippery slope when the
12 foundations of law that shore up the life that we
13 all enjoy as a result of our constitution and the
14 protection that will begin to suffer under a State
15 that tells you in their opening statement that
16 reasonable doubt is a bit convoluted. Proof of
17 guilt beyond reasonable doubt is not convoluted.
18 It's the concrete under our feet here. And if
19 that concrete suffers a crack, then the foundation
20 may be -- may be so damaged that no man, no woman
21 who stands accused or sits with me on such
22 circumstantial evidence can count on the
23 protections guaranteed by our laws.

24 I will leave you with an ancient, I mean,
25 an ancient, thousands of years old, how long this

1 principle has been, it's an old ancient Jewish
2 teaching about the very situation that you must
3 confront in your jury room today. And the
4 teaching said, if we punish on the strength of
5 presumptions and suppositions, it may be that one
6 day we shall put to death an innocent person. And
7 it is better and more satisfactory to acquit a
8 thousand guilty persons than to put a single
9 innocent man to death.

10 Now --

11 MS. SWANSON: Your Honor --

12 MS. CAMPBELL: -- make no mistake.

13 MS. SWANSON: -- I would object.

14 MS. CAMPBELL: -- this is not --

15 THE COURT: Overruled. Go ahead.

16 MS. CAMPBELL: This case, your case, it
17 doesn't have anything to do with death, but it has
18 to do with life.

19 Make no mistake today, Brian Walls is
20 that innocent man. And you, you 12, you are the
21 anchor. You are the anchor to hold the State, the
22 Court, the law constant and right and firm in the
23 presumption of an innocent man, and no verdict of
24 guilty where there is reasonable doubt.

25 The verdict on this day, your verdict,

1 speaking right and true, on this evidence is not
2 guilty.

3 Thank you.

4 THE COURT: All right. Ladies and
5 Gentlemen, you've now heard all the testimony in
6 this case, you heard the arguments by the State
7 and the defendant, and you will take with you to
8 the jury room all the evidence in this case that's
9 introduced. You will have it all with you in the
10 jury room. It becomes my responsibility now to
11 explain the law of South Carolina as it applies to
12 this case.

13 Now, I remind you that during this trial,
14 you and I had certain duties to perform. As the
15 trial judge, it's been my responsibility to
16 preside over the trial of the case, and I also had
17 to do the ruling on the admissibility of the
18 evidence offered during the trial. You are to
19 consider only the competent evidence that is
20 before you. I don't believe any testimony was
21 stricken from the record, but, if it was, you are
22 to disregard that testimony.

23 You are to consider only the testimony
24 which has been presented from this witness stand,
25 the exhibits which have been made part of the

1 record, and any stipulations of counsel. I don't
2 believe there have been any of those either.

3 Well, I have the additional duty to
4 charge you on the law applicable to this case.
5 And, as the presiding judge, I am the sole judge
6 of the law of the case, and it's your duty to
7 accept and apply the law as I may now state it to
8 you. If you already have any idea what the law is
9 or what the law ought to be which does not agree
10 with what I now tell you the law is, you must
11 abandon this idea because you are sworn to accept
12 the law and apply the law exactly as I state it to
13 you.

14 In every case tried in this court before
15 a jury, the jury is the sole and exclusive judge
16 of the facts in the case. The trial judge cannot
17 intimate, state, comment on, or make any statement
18 to a trial jury about the facts of the case.

19 Since you, the jury, are the sole judge
20 of the facts the case, you are not to infer from
21 anything that I said during the progress of this
22 trial in ruling upon the admissibility of evidence
23 or otherwise, or anything I say now during the
24 course of this instruction to you, that I have any
25 opinion about the facts in this case. The law

1 does not allow me to have an opinion about the
2 facts in the case. This is solely a matter for
3 you, the jury, to determine. As jurors, it is
4 your duty to determine the effect, the value, the
5 weight and truth of the evidence presented during
6 the trial.

7 Now, the indictment charges the defendant
8 with murder in this case. I remind you of the
9 fact that a warrant was issued, the defendant was
10 arrested, charged, and indicted in this case are
11 not evidence in this case and cannot be considered
12 by you as evidence in this case, or evidence of
13 guilt in this case. Nor does it create any
14 presumption or inference of guilt. These
15 documents are simply the formal legal instruments
16 which contain the charges made against the
17 defendant. They are formal documents by which the
18 case is brought into court.

19 As I reminded you early on, the defendant
20 has pled not guilty at this indictment. That plea
21 puts the burden on the State to prove the
22 defendant guilty. The person charged with
23 committing a criminal offense in South Carolina is
24 never required to prove himself or herself
25 innocent. I charge you that this is an important

1 rule of law, that the defendant in a criminal
2 case, no matter what the seriousness of the charge
3 may be, will always be presumed innocent of a
4 crime for which the indictment is issued unless
5 guilt has been proven by evidence satisfying you
6 of that guilt beyond a reasonable doubt. This
7 presumption of innocence does not end even when
8 you begin your deliberations, but it accompanies
9 the defendant throughout the trial until or unless
10 you reach a verdict of guilt based on the evidence
11 satisfying you of the guilt beyond a reasonable
12 doubt. Presumption of innocence, it has been
13 said, is like a robe of righteousness placed about
14 the shoulders of defendant which remains with the
15 defendant until or unless it has been stripped
16 from the defendant by evidence satisfying you of
17 the defendant's guilt beyond a reasonable doubt.
18 Presumption of innocence, in other words, is not a
19 mere legal theory. It's not just a legal phrase.
20 It's a substantial right to which every defendant
21 is entitled unless you, the jury, are satisfied
22 from the evidence of the defendant's guilt beyond
23 a reasonable doubt.

24 But what is a reasonable doubt? A
25 reasonable doubt is the kind of doubt that would

1 cause a reasonable person to hesitate before they
2 do something. I'm going repeat that. A
3 reasonable doubt is a kind doubt that would cause
4 a reasonable person to hesitate to act, or before
5 they do something.

6 The State has the burden of proving the
7 defendant guilty beyond a reasonable doubt. Some
8 of your may have served as jurors in civil cases
9 where you were told it's only necessary to prove
10 that a fact is more likely true than not true,
11 such as by the greater weight or the preponderance
12 of the evidence.

13 In criminal cases, however, the State's
14 proof must be more powerful than that. It must be
15 beyond a reasonable doubt.

16 Proof beyond a reasonable doubt is proof
17 that leaves you firmly convinced of the
18 defendant's guilt. There are very few things in
19 this world that we know with absolute certainty.
20 And in criminal cases, the law does not require
21 proof that overcomes every possible doubt. If
22 based on your consideration of the evidence, you
23 are firmly convinced that the defendant is guilty
24 of crime charged, you must find the defendant
25 guilty.

1 Upon the other hand, if you think there's
2 a real possibility that the defendant is not
3 guilty, you must give the defendant the benefit of
4 the doubt and find him not guilty.

5 Now, in any trial, there are two types of
6 evidence, which are generally presented during the
7 trial; direct evidence and circumstantial
8 evidence.

9 Direct evidence directly proves the
10 existence of a fact that does not require
11 deduction. In other words, something like an
12 eyewitness. That would be direct evidence. And
13 direct evidence proves the existence of a fact.
14 It does not require any deductions.

15 Circumstantial evidence, on the other
16 hand, is proof of a chain of facts, circumstances
17 indicating the existence of some fact. Crimes may
18 be proven by circumstantial evidence. The law
19 makes no distinction between weight or value to be
20 given to either direct or circumstantial evidence.
21 However, to the extent that the State relies on
22 circumstantial evidence, all the circumstances
23 must be consistent with each other, when taken
24 together point conclusively to the guilt of the
25 accused beyond a reasonable doubt. If these

1 circumstances merely portray the defendant's
2 behavior as suspicious, the proof has failed.

3 The State has the burden of proving the
4 defendant guilty beyond a reasonable doubt. This
5 burden rests with the State, regardless of whether
6 the State relies on direct evidence or
7 circumstantial evidence, or some combination of
8 both.

9 Now necessarily, you must determine the
10 credibility of the witnesses who testified in this
11 case. Credibility simply means believability. It
12 becomes your duty as jurors to analyze and
13 evaluate the evidence and determine which evidence
14 convinces you of its truth.

15 In determining the believability of
16 witnesses who testified in this case, you may
17 believe one witness over several witnesses, or
18 several over one witness. You may believe a part
19 of the testimony of a witness and reject the
20 remaining part of the testimony of the same
21 witness. You may believe the testimony of a
22 witness in its entirety, or reject the testimony
23 of a witness in its entirety. You may consider
24 where any witness has exhibited to you any
25 interest, bias, prejudice, or other motive in this

1 case. You may also consider the appearance, the
2 manner of a witness while on the witness stand.

3 I believe there was testimony from a
4 witness who had a prior record, a criminal record.
5 A person who has a past criminal record is
6 competent to testify during a trial. A past
7 record does not affect the ability of a witness to
8 testify. The past record may only be considered
9 by you, if at all, in determining the witness'
10 believability. Remember, you are the sole judges
11 of the facts in the case and the believability of
12 any and all of the defendants.

13 We also had testimony in this case from
14 one who's been designated as an expert. The rules
15 of evidence do not ordinarily permit a witness to
16 testify about their opinions or conclusions. An
17 exception to this rule rests with the witnesses we
18 call expert witnesses. Witnesses, who by
19 education, experience, and has become an expert in
20 some art, science, or profession, or calling, may
21 state an opinion as to relevant and material
22 matter to which the witness claims to be an
23 expert, and may also state the reasons for his or
24 her opinion. You should consider any expert
25 opinion received in this case like any other

1 evidence. Give it the weight you think it
2 deserves. If you decide the opinion of an expert
3 witness is not based on sufficient education and
4 experience, or if you conclude that the reasons
5 given in support of the opinion are not sound, or
6 that the opinion is outweighed by other evidence,
7 you may disregard the opinions of an expert in its
8 entirety. An expert witness' testimony is to be
9 given no greater weight than that of other
10 witnesses simply because a witness is an expert.

11 Now, in order to establish criminal
12 liability, criminal intent is required. For
13 example, the mental state required to be proven by
14 the State to a particular crime might be a
15 purpose, or a recklessness, or criminal
16 negligence. Criminal intent must be proven by the
17 State beyond a reasonable doubt. Criminal intent
18 is always a matter that must be determined by the
19 jury from the circumstances surrounding this
20 situation. There's no way to prove intent to a
21 medical certainty. There's no way medical science
22 can dissect a person's brain and determine what
23 the person had in mind.

24 So the law says that criminal intent may
25 be inferred from the circumstances shown to have

1 existed at the time and place. And this is how
2 you make a determination of whether or not the
3 element requiring intent was present. It's not
4 necessary to establish intent by direct and
5 positive evidence. The intent may be established
6 by inference in the same way as any other fact, by
7 taking into consideration the acts of the parties
8 and all the facts and circumstances of the case.
9 Criminal intent is a mental state, conscious
10 wrongdoing. It's up to you to determine what the
11 defendant intended to do based on the
12 circumstances shown to have existed at the time
13 and place of the incident.

14 Now, the defendant is charged with
15 murder. The State must prove beyond a reasonable
16 doubt that the defendant killed another person
17 with malice aforethought, either expressed or
18 implied. Malice is hatred, ill will, or hostility
19 towards another person. It is the intentional
20 doing of a wrongful act without just cause or
21 excuse and with an intent to inflict an injury or
22 under circumstances that the law will infer evil
23 intent. Malice aforethought does not require that
24 the malice exists at any particular time before
25 the act is committed. Malice must exist in the

1 mind of the defendant just before and at the time
2 the act is committed. Therefore, it must be a
3 combination of a previous evil intent and the act
4 itself.

5 Malice aforethought may be expressed or
6 inferred. These terms, express and inferred, do
7 not mean different kinds of malice, but merely the
8 manner in which the malice may be shown to exist.
9 That is either by direct evidence or by inference
10 from the facts and circumstances which have been
11 proven.

12 Express malice is shown when a person
13 speaks words or expresses hatred or ill will for
14 another, and when the person prepared beforehand
15 to do the act which was later accomplished. For
16 example, lying in wait for a person or any other
17 acts of preparation going to show that the deed
18 was within the defendant's would-be expressed
19 malice.

20 Malice also may be inferred from conduct
21 showing a total disregard for human life. If
22 facts are proven beyond a reasonable doubt
23 sufficient to raise an inference of malice to your
24 satisfaction, this inference would be simply an
25 evidentiary fact to be considered by you along

1 with other evidence in the case, and you may give
2 the weight to it that you deem appropriate.

3 Now, we also have a postulate of our law
4 which is known as the hand of one. If a crime is
5 committed by two or more people who are acting
6 together in committing a crime, the act of one is
7 the act of all. A person who joins with another
8 to accomplish an illegal purpose is criminally
9 responsible for everything done by the other
10 person which occurs as a natural consequence of
11 the acts done in carrying out the common plan and
12 purpose.

13 For example, two people can be guilty of
14 killing another person, but only one of the two
15 had a gun and there was only one bullet, and only
16 one of the two fired the shot that caused the
17 death. If two or more people are together acting
18 together, acting together, assisting each other in
19 committing the offense, the act of one is the act
20 of all, and, as it's sometimes said, the hand of
21 one is the hand of all. Prior knowledge that a
22 crime is going to be committed, without more, is
23 not sufficient to make a person guilty of that
24 crime. Mere knowledge that another person is
25 going to commit a crime, even if the defendant is

1 present when the crime is committed, is not
2 sufficient to convict the defendant as a
3 principal.

4 Guilt as a principal is shown by actual
5 or constructive presence at the scene as a result
6 of prior arrangement. Therefore, a finding of a
7 prior arranged plan or common scheme is necessary
8 for a finding of guilt as a principal.

9 The State must prove beyond a reasonable
10 doubt by competent evidence the theory of the hand
11 of one is the hand of all.

12 The principal in a crime is one who
13 actually commits the crime or who is present,
14 aiding, abetting, or assisting in committing the
15 crime. The person doesn't act in the presence of
16 and with the assistance of the other. The act is
17 done by both where two or more acting with a
18 common plan or intent are present at the
19 commission of the crime. It does not matter who
20 actually commits the crime. All are guilty. The
21 hand of one is the hand of all.

22 Presence at the commission of a crime
23 means to be sufficiently near to aid or abet and
24 assist in the commission of the crime. However,
25 mere presence at a scene of a crime is not

1 sufficient to convict one as a principal on the
2 theory of aiding and abetting.

3 Intent is also a necessary element.

4 There must have been a common design or intent to
5 commit the crime, and the crime must have been
6 committed pursuant thereto with the person aiding
7 and abetting by some over an act. Intent means --
8 intent means intending the result which actually
9 occurs, not accidentally or involuntarily. Intent
10 may be shown by acts and conduct of the defendant
11 and other circumstances from which you may
12 naturally and reasonably infer intent. The State
13 must prove these elements beyond a reasonable
14 doubt.

15 As I said, mere presence at the scene is
16 not sufficient to prove someone guilty of a crime.
17 The defendant's presence where a crime is being
18 committed or mere association with the person who
19 commits a crime does not make a defendant or an
20 accomplice or an aider or an abetter of the person
21 committing the crime. The burden is on the State
22 to prove every element of the crime charged.

23 If you find, after reviewing all the
24 evidence that the State has proved the defendant
25 was only present at the scene of the crime, and

1 they have not proved beyond a reasonable doubt any
2 other participation in the crime, then you must
3 find the defendant not guilty.

4 The law is that mere proof -- that proof
5 of mere presence at the scene of a crime is not
6 sufficient to find someone guilty.

7 Now, Ladies and Gentlemen, I instruct and
8 want to emphasis this fact to you: The fact that
9 the defendant did not testify is not a factor to
10 be considered by you in any way in your
11 deliberation or your consideration of the question
12 of the guilt or innocence of the defendant. It
13 must not be considered by you in any manner
14 whatsoever. The defendant has a constitutional
15 right to remain silent, and the assertion of this
16 right must not be considered by you in your
17 deliberations. I repeat, under our oath, you are
18 to draw no conclusion whatsoever from the fact
19 that the defendant in this case did not testify.
20 The fact that this defendant did not testify,
21 should not even be discussed in the jury room.
22 The burden of proof, as I've stated to you, is on
23 the State. The defendant is not required to prove
24 his innocence. The burden of proof remains on the
25 State to prove guilt beyond a reasonable doubt.

1 But before you do that, let me tell, Madame
2 Foreman, I have what's called the verdict form
3 prepared for you. It merely says, "As to the
4 charge of murder, we, the jury, unanimously find
5 the defendant, Brian David Walls, guilty or not
6 guilty." And once the jury has reached a
7 unanimous decision, I'll ask you to enter it on
8 the form and sign the verdict form and date it
9 today or tomorrow, whenever you get it, make a
10 decision.

11 All right, Ladies and Gentlemen, I'm
12 going to ask you now to retire to the jury room.
13 Just relax for a few minutes. Do not begin your
14 deliberations until you receive all the evidence
15 in the case and the verdict form. Once you
16 receive the verdict form, you can begin your
17 deliberations.

18 All right. The jury is now excused to
19 retire to the jury room.

20 THE BAILIFF: Do you want the notebooks
21 to stay here, or can they bring them back?

22 THE COURT: Oh, no. They take their
23 notes with them.

24 THE BAILIFF: Okay.

25 THE COURT: I told you what I think --

1 what the notes are for, for your personal use and
2 benefit.

3 If you will have the alternates wait in
4 the hall.

5 THE BAILIFF: Yes, sir.

6 (The jury exits the courtroom.)

7 THE COURT: Any objections or exceptions
8 to the charge from the State?

9 MS. SWANSON: No objections to the charge
10 from the State. Thank you.

11 THE COURT: From the defendant?

12 MS. CAMPBELL: No, Your Honor.

13 THE COURT: All right. Miss Campbell,
14 it's my understanding you have something you wish
15 to place on the record.

16 MS. CAMPBELL: I do, and I understand the
17 solicitor may as well. When the solicitor was
18 talking to the jury in her closing argument, and I
19 could be mistaken, but I thought she said that the
20 Judge would instruct on flight, being --
21 consciousness of guilt.

22 THE COURT: I don't believe she said
23 that.

24 MS. CAMPBELL: Okay. Just for the
25 record, I believe that's what she said. And the

1 record can speak for itself, if she did, indeed,
2 say that, then that would be an error. And, of
3 course, we would request a mistrial on that basis.

4 THE COURT: For the record, I did not
5 instruct on flight. Anything from the State?

6 MS. SWANSON: I specifically said that
7 they could consider flight as consciousness of
8 guilt. If any law was being referenced in a way
9 that was not accurate, it is being referenced by
10 Miss Campbell.

11 I am a little concerned in particular
12 about the diatribe that Miss Campbell went on
13 regarding it's more important to set many guilty
14 man free than send an innocent man to death.

15 Clearly, this is not a death penalty
16 case. While we all know that, I don't know for
17 sure if the jury wouldn't be confused by that.
18 And, obviously, people have very strong opinions
19 about the death penalty.

20 So, I mean, I would ask the Court to
21 consider making it clear that there is no death
22 penalty in this case.

23 THE COURT: What the defendant's
24 position?

25 MS. CAMPBELL: And, Your Honor, that's

1 what was written and exactly what I said after I
2 quoted the ancient, you know, verbiage from the
3 Jewish traditional law, that this is not a death
4 case.

5 THE COURT: Well, in the past, I've had
6 attorneys talk about punishment, maybe
7 inadvertently, but it happens. I have a
8 punishment charge. Why don't you two look at it
9 and tell me.

10 MS. SWANSON: Well, quoting this whole
11 big long spiel was obviously not inadvertent, so I
12 do take issue with that.

13 THE COURT: It's sort of like a curative.

14 MS. SWANSON: I don't know.

15 MS. CAMPBELL: I don't think it --

16 MS. SWANSON: I don't think it does
17 either. I just want to them to understand that
18 death is not on the table here.

19 THE COURT: Maybe they'll ask.

20 All right. Let's collect the evidence,
21 please.

22 MS. CAMPBELL: Thank you, Judge.

23 (Evidence checked and logged off record.
24 Evidence brought back to jury.)

25 THE BAILIFF: Come to order, please.

1 THE COURT: Counsel, any objections to
2 releasing the alternates at this time?

3 MS. SWANSON: None from the State.

4 MS. CAMPBELL: None from the defense.

5 THE COURT: The other Miss Campbell never
6 would let them go until deliberations were
7 underway. But anyway, yes, bring the alternates
8 in, please.

9 (Alternate jurors enter the courtroom.)

10 THE COURT: Obviously, you sat as
11 alternates in this case and you cannot enter into
12 deliberations. Some of you -- I always had,
13 frequently, jurors say, I'd like to be in there
14 and be able to deliberate on this case, but,
15 obviously, you can't. I'm going to release you
16 now for the week, but I want to thank you for your
17 service now.

18 If any of the lawyers or participants in
19 the trial, I don't know that it's going to happen,
20 but if anybody wants to talk to you, you don't
21 have to talk to them. You just tell them that
22 you're not interested in talking to them. If
23 that's a problem, I'll deal with it.

24 But in all sincerity, I've told jurors,
25 this system can do without me, it can do without

1 these lawyers, but it can't do without you. Even
2 if you get here a little late.

3 JUROR: Sorry.

4 THE COURT: I hope it didn't cause you
5 too much trouble, the reason you were late.

6 JUROR: Yeah, yeah.

7 THE COURT: By the way, I cannot help you
8 with that.

9 JUROR: That's fine. That's fine.

10 THE COURT: Okay. Well, thank you again
11 very much for service.

12 JUROR: I just want to compliment the
13 bailiffs. The services here are first class. I
14 appreciate it.

15 THE COURT: Well, I don't want give them
16 a big head. They treat me pretty nicely too. So
17 thank you very much. Good luck to all of you.

18 (Alternates jurors released at 3:45 p.m.)

19 THE COURT: All right. We'll stand at
20 ease until we hear from the jury.

21 (Recess at 3:45 p.m.)

22 (Question from the jury.)

23 (The foreperson enters the courtroom.)

24 THE COURT: Madame Forelady, you asked to
25 hear the testimony of Miss Reddish and

1 Mr. Donahue, correct? We just, sort of, double
2 checked with the court reporter. It seems like
3 the Reddish testimony will be about 30 minutes,
4 and Donahue testimony will be about 45 minutes.

5 Now, what I would like for you to do, I'm
6 going to give you this so you can take it back to
7 the jury room, talk to your jurors and ask them if
8 they would like to hear these two this afternoon,
9 or if they'd rather go home and hear them in the
10 morning.

11 FOREPERSON: Okay.

12 THE COURT: Obviously, we will do it
13 either way you want to do it.

14 Court reporter, mark this.

15 When you have an answer, you can just knock
16 on the door and tell us.

17 (Foreperson exits the courtroom.)

18 FOREPERSON: Your Honor, we would like to
19 do this tomorrow.

20 THE COURT: Okay. You just leave that
21 here. Go ahead and bring the jury.

22 THE BAILIFF: Yes, sir.

23 All rise. Court is back in session.

24 THE COURT: Be seated.

25 Two more. Hannah Seigler and Jeff Cross.

1 We'll try the whole thing again.

2 (Jury enters the courtroom.)

3 THE COURT: The jury is entering the
4 courtroom, Your Honor.

5 The jury is seated, Your Honor.

6 THE COURT: Did you think I was going to
7 keep you here all night? Jurors usually think
8 that, but we're not. We understand you have
9 families and concerns of your own, but we need to
10 move right along with this case.

11 Now, it's my understanding that you asked
12 for the testimony, and we can replay it for you,
13 Amanda Reddish, Hannah Seigler, Jeff Crooks, and
14 Mr. Donahue, I think. Those four. So we'll cue
15 it up for you in the morning and we'll be ready to
16 go at 9:30.

17 Now, again, since you've heard all the
18 evidence and you are now in a position of being in
19 deliberations, I guess I could lock you up, but I
20 don't plan to do that. But it's important now,
21 probably more so than ever, that you not
22 communicate with anyone about this case. And the
23 reason I say that is because, if somebody
24 unrelated or related asks you, what have you been
25 doing the last few days, and you say, I'm on a

1 jury down at the Beaufort County courthouse. Oh,
2 what's that case about? Oh, it's a murder case.
3 Tell me about it, tell me about it. All of a
4 sudden you're caught with a friend or a family
5 member, and, invariably, somebody with say, well,
6 I think you ought to do this, or I think you ought
7 to do that.

8 So it's important -- the way you avoid
9 that is just tell anybody that tries to or wants
10 to hear about what you're doing, the Judge told me
11 not to, and the Judge told me he would put me in
12 jail if I talked about it before the case was
13 over. I told my kids that all the time. If you
14 got to scrape, just blame it on me and tell
15 somebody that your daddy said you can't do that,
16 or you can't go there. You know what I mean.

17 So please, A, don't do any independent
18 investigation of the case. Please don't talk
19 about the case.

20 I will tell you that the press appeared
21 today. I doubt that there will be anything in the
22 press tomorrow, but in the unlikely event there
23 were, I'd ask you not to read it because what a
24 reporter says in a newspaper article may not be
25 what you heard. And this is what you heard and it

1 all took place here. And somebody else's opinion
2 about what took place today would be -- well, it
3 might change your mind one way or the other
4 thinking that they knew better than you, which is
5 not true.

6 So I'm just trying emphasize the fact
7 that when you come in in the morning, I want you
8 clear headed and not pre-determine about anything.
9 You're going to hear the testimony of these
10 witnesses. You got the evidence. We're trusting
11 in you to deliberate consciously among yourselves
12 and make decision.

13 And I will tell you, trying to get 12
14 people to agree to something is not an easy job.
15 You got 12 different opinions. So we trust that
16 you will follow my instructions and have a
17 pleasant evening. Thank you very much.

18 THE BAILIFF: Follow me.

19 (Jury exits the courtroom at 5:33 p.m.)
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CERTIFICATE OF REPORTER

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I, SHARON G. HARDOON, Official Circuit Court Reporter, II for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in General Sessions for Beaufort County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

August 18, 2019


Sharon G. Hardoon, CSR
Official Circuit Court Reporter, II

1 STATE OF SOUTH CAROLINA
2 IN GENERAL SESSIONS
3 COUNTY OF BEAUFORT

4 State of South Carolina,
5 Plaintiff,

6 vs. Transcript of Record
7 Case No.: 2017-GS-07-0328

8 Brian David Walls,
9 Defendant.

10

11

12 April 11, 2019
13 Beaufort, South Carolina
14 Volume IV of IV

15 B E F O R E:

16 The HONORABLE G. THOMAS COOPER

17

18 A P P E A R A N C E S:

19 Hunter Swanson, Representing the State of Carolina
20 Trasi Campbell, Representing the defendant
21 James Bell, Representing the defendant

22

23

24

25

1 THE BAILIFF: Court will come to order. The
2 Honorable G. Cooper presiding.

3 THE COURT: All right. As you all know,
4 the jury has requested to rehear some testimony.
5 The State ready for the jury?

6 MS. SWANSON: State's ready.

7 THE COURT: Defense ready for the jury?

8 MS. CAMPBELL: Yes, sir.

9 THE COURT: Bring the jury.

10 THE BAILIFF: The jury is entering the
11 courtroom, Your Honor.

12 (The jury enters the courtroom at 9:37 a.m.)

13 THE BAILIFF: The jury is seated, Your
14 Honor.

15 THE COURT: Good morning, Ladies and
16 Gentlemen.

17 JURY PANEL: Morning.

18 THE COURT: You have requested that we
19 replay some testimony, which we are prepared to
20 do. What I have done, I arranged them in the
21 order in which they appeared during the trial. I
22 just felt that was the way to do it. So the first
23 recording will be of Amanda Reddish, then Hannah
24 Seigler, then John Crooks, and then John Donahue.

25 Okay. Court Reporter, just do your thing.

1 (Requested testimony is played back at 9:40
2 a.m. to 12:06 p.m.)

3 THE COURT: I ordered lunch for you. I
4 anticipate it will be here somewhere around 12:30,
5 but I'm not in charge of lunch. But just return
6 to the jury room and recommence your deliberations
7 and we'll be here. Thank you very much. Stand at
8 ease.

9 (Jury resumes deliberations at 12:06 p.m.)

10 THE BAILIFF: All rise. This court is
11 back in session.

12 THE COURT: All right. Madame Foreman
13 informs that court that the jury has reached a
14 verdict. Are you ready to receive the verdict?

15 MS. SWANSON: Yes, sir.

16 MS. CAMPBELL: Yes, sir.

17 THE COURT: Bring the jury.

18 THE BAILIFF: The jury is entering the
19 courtroom, Your Honor.

20 (Jury enters the courtroom at 12:30 p.m.)

21 THE BAILIFF: The jury is seated, Your
22 Honor.

23 THE COURT: Madame Forelady, the bailiff
24 informs the Court the jury has reached a verdict;
25 is that correct?

1 FOREMAN: Yes, Your Honor.

2 THE COURT: Hand it to the bailiff.

3 Clerk, publish the verdict.

4 THE CLERK: The State of South Carolina,
5 County of Beaufort vs. Brian David Walls as to the
6 charge of murder, we, the jury, unanimously find
7 the defendant, Brian David Walls, guilty.

8 THE COURT: Any desire to poll the jury?

9 MS. CAMPBELL: Your Honor, on behalf of
10 Mr. Walls, I would ask the jury be polled.

11 THE CLERK: Juror number 125, is this the
12 decision of each --

13 Juror number 125, if you would raise your
14 hand. Is this your verdict?

15 JUROR 125: Yes, it is.

16 THE CLERK: Is it still your verdict?

17 JUROR 125: Yes, it is.

18 THE CLERK: Juror number 161, if you
19 would please raise your hand. Is this your
20 verdict?

21 JUROR 161: Yes, ma'am.

22 THE CLERK: Is it still your verdict?

23 JUROR 161: Yes, ma'am.

24 THE CLERK: Juror 217, if you could raise
25 your hand. Is this your verdict?

1 JUROR 217: Yes, it is.

2 THE CLERK: Is it still your verdict?

3 JUROR 217: Yes, it is.

4 THE CLERK: Juror number 109, is this
5 your verdict?

6 JUROR 109: Yes, it is.

7 THE CLERK: Is it still your verdict?

8 JUROR 109: Yes, it is.

9 THE CLERK: Juror 308, is this your
10 verdict?

11 JUROR 308: Yes, it is.

12 THE CLERK: Is it still your verdict?

13 JUROR 308: Yes, it is.

14 THE CLERK: Juror 145, is this your
15 verdict?

16 JUROR 145: Yes, it is.

17 THE CLERK: Is it still your verdict?

18 JUROR 145: Yes, it is.

19 THE CLERK: Juror 342, is this your
20 verdict?

21 JUROR 342: Yes, it is.

22 THE CLERK: Is it still your verdict?

23 JUROR 342: Yes, it is.

24 THE CLERK: Juror 77, is this your
25 verdict?

1 JUROR 77: Yes.

2 THE CLERK: And it's still your verdict?

3 JUROR 77: Yes.

4 THE CLERK: Juror 269, is this your
5 verdict?

6 JUROR 269: Yes, it is.

7 THE CLERK: And it's still your verdict?

8 JUROR 125: Yes, it is.

9 THE CLERK: Juror 41, is this your
10 verdict?

11 JUROR 41: Yes, ma'am.

12 THE CLERK: And it's still your verdict?

13 JUROR 41: Yes, ma'am.

14 THE CLERK: Juror 72, is this your
15 verdict?

16 JUROR 72: Yes.

17 THE CLERK: And it's still your verdict?

18 JUROR 72: Yes.

19 THE CLERK: Juror 299, is this your
20 verdict?

21 JUROR 299: Yes.

22 THE CLERK: And it's still your verdict?

23 JUROR 299: Yes.

24 THE CLERK: Juror 179 -- that's all. I'm
25 sorry.

1 THE COURT: The jury has been polled.

2 MS. CAMPBELL: Thank you, Judge.

3 THE COURT: All right. Just have a seat.

4 Please, just you all sit down. Have a seat,

5 please. We're not going anywhere.

6 All right. Ladies and Gentlemen, at this

7 time, you are dismissed. However, the remaining

8 portion of this trial will consist of the

9 sentencing of the defendant.

10 Now, it's not like television where you
11 get a verdict and maybe a month later there's a
12 sentencing. But because of the case load we have,
13 not just in Beaufort County but everywhere, it is
14 the practice of this Court to sentence immediately
15 following a guilty verdict.

16 That process is going to take a few
17 minutes to, kind of, get everything together, get
18 the paperwork together and things like that.

19 So I'm going to ask you to return to the
20 jury room, but I'm telling you now that you can
21 leave if you wish. But those of who would like to
22 stay and witness the sentencing procedure, and
23 sometimes jurors feel that they like to do that,
24 you will be welcome to back into the courtroom
25 when I say the process is about to begin.

1 But if you choose to leave, I do want to
2 thank you very much for your service. It's been,
3 kind of, a trying week for all of us in a sense,
4 but -- and I know you heard me tell the jury
5 panel, the original jury panel that this system
6 can do without me, it can do without these
7 lawyers, it can't do without you. You're such an
8 important part of the judicial system of this
9 country that your role is written in the
10 constitution of the United States some 200 years
11 ago. It's a valuable service that you provide to
12 your community, so I want to thank you on behalf
13 of all the court personnel that are here today.

14 So, at this time, I'm going to excuse you
15 to go to the jury room -- return to the jury room.
16 I don't know about the lunch thing, but I told you
17 something --

18 THE BAILIFF: It's here, Judge.

19 THE COURT: Oh, it is. You can relax for
20 a few minutes. You can take it with you, if you
21 choose to. Otherwise, good luck to all of you.

22 JURY PANEL: Thank you.

23 THE COURT: Those of you who wish to
24 return, just tell the bailiff, at the proper time,
25 you will return.

1 THE BAILIFF: Please follow me.

2 (Jury is excused and exits the courtroom
3 at 12:53.)

4 THE BAILIFF: The jury is clear, Your
5 Honor.

6 THE COURT: Any motions?

7 MS. CAMPBELL: May it please the Court,
8 Your Honor? At this time, on behalf of Mr. Walls,
9 I make a motion for a new trial. The basis of
10 that motion would be that the Court erred in
11 failing to grant defendant's pretrial motions,
12 that the Court erred in failing to grant
13 defendant's directed verdict motions, that the
14 Court failed in -- erred in failing to grant
15 defendant's three mistrial motions, and, lastly,
16 that the decision of the jury was not supported by
17 the weight of the evidence.

18 And, in conclusion, that would be the
19 only matter that the defendant would have to place
20 before Your Honor at this time. I know that the
21 State has provided us with a sentencing sheet,
22 which I will need to sign and Mr. Walls will need
23 to sign, and then my understanding is, when you
24 rule on the new trial motion, we would go directly
25 to sentencing.

1 THE COURT: That's correct. Thank you.

2 MS. CAMPBELL: Thank you.

3 THE COURT: State's position?

4 MS. SWANSON: Thank you, Your Honor. The
5 State would stand on previous arguments regarding
6 the mistrial motions and directed verdict motions.

7 Additionally, the State believes that
8 there was ample evidence in the record from which
9 a jury could deduce the defendant's guilt, and,
10 thus, a new trial is not warranted.

11 THE COURT: All right. Miss Campbell --

12 MS. CAMPBELL: May it please the Court?

13 THE COURT: -- I want to rule on your
14 motion.

15 MS. CAMPBELL: I know. Thank you, Judge.

16 THE COURT: Having carefully considered
17 all previous motions, I respectfully deny your
18 motion to reconsider the motions that I've already
19 denied.

20 As to the evidence presented to this
21 jury, I feel the evidence was sufficient and
22 within the province of the jury. They deliberated
23 a considerable amount of time and I feel that
24 their verdict was proper in light of the evidence
25 submitted to them. So I respectfully deny your

1 motion for a new trial.

2 MS. CAMPBELL: Thank you, Judge.

3 THE COURT: All right. If you'll --

4 MS. SWANSON: If I may pass up the
5 sentencing sheet, Your Honor.

6 THE COURT: It's all ready?

7 MS. SWANSON: Correct, yes.

8 THE COURT: Do you need a few minutes?

9 MS. SWANSON: We have tried reaching
10 Hannah Seigler and left messages. We can't get
11 ahold of her. I don't think she went far.

12 All right. But I believe we just need to
13 move forward with sentencing at this time.

14 THE COURT: Do you need any time for
15 mitigation?

16 MS. CAMPBELL: No, sir.

17 THE COURT: All right. I promised the
18 jury they can come back.

19 MS. SWANSON: Sure. If you want to give
20 the jury a few minutes, maybe that will give
21 Hannah time.

22 THE COURT: Let's wait about five
23 minutes. Stand at ease for less than ten minutes.
24 I want to give the jury a chance to relax.

25 (A break was taken from 1:00 p.m. to 1:04 p.m.)

1 THE COURT: Bailiff, any members of the
2 jury wish to observe the sentencing proceeding?

3 THE BAILIFF: Yes.

4 THE COURT: Bring the jury. Bring those
5 who wish to observe.

6 THE BAILIFF: The jury is entering the
7 courtroom, Your Honor.

8 THE COURT: All right. Solicitor?

9 MS. SWANSON: Thank you, Your Honor. As
10 Your Honor is aware, Teresa Seigler's murder was
11 the first of an extremely violent drug induced
12 spree that the defendant went on. He does still
13 have pending a criminal sexual conduct in the
14 first degree, as well as unlawful use of a vehicle
15 and a kidnapping.

16 Regarding his prior record, he has a
17 1999, simple assault, 2001, assault and battery of
18 the high and aggravated nature, simple possession
19 of marijuana times two. He was revoked on his
20 probation in 2002. In 2005, he has a CDV first,
21 unlawful carrying of a firearm, possession of a
22 scheduled two substance, resisting arrest. 2007,
23 fraud check. 2011 simple possession of marijuana.
24 2012, assault and battery second degree,
25 shoplifting. 2013, contributing to the

1 delinquency of a minor.

2 As you are aware, murder carries 30 years
3 up to life. At this time, the State would request
4 a life sentence for Mr. Walls. And Laurie Latham,
5 a family friend of Teresa Seigler's would like to
6 address the Court, and Hannah Seigler is here. We
7 have been leaving messages for her. I'm glad she
8 made it.

9 Hannah, did you want to address the
10 Court?

11 HANNAH SEIGLER: My brother might want to
12 do it, I think.

13 MS. SWANSON: If you wanted to address
14 the Court in regards to sentencing for Mr. Walls
15 on behalf of your family, I know Laurie Latham
16 would like to, so it's totally up to you. But,
17 perhaps, Laurie can stand up and make her
18 statement while you think about whether or not you
19 would like to.

20 Yes, ma'am.

21 MS. LATHAM: Your Honor, my name is
22 Laurie Latham.

23 THE COURT: Yes, ma'am.

24 MS. LATHAM: I have been friends with
25 Resa since 1994. We have been through good times,

1 bad times, up, downs. She had a heart of gold.
2 She took care of many people. We took care of
3 her. She had a beautiful family. She had a
4 daughter that will never see her mother. A son
5 that will never see his mother again. I will
6 never see Resa again.

7 And it breaks all of our hearts that
8 somebody, that is a monster, could do this to
9 somebody that was willing to help him, in any way,
10 to get off drugs, in any way to help all of them.
11 And she, of all of us, did not deserve this, ever.
12 She will be missed greatly.

13 She had grandchildren that will never
14 really know her.

15 And I want to see him sit for the rest of
16 his life because he gets to breath, he gets to
17 read, he gets to bathe, he gets to have a book in
18 front of him, and she does not, ever again.

19 But she's happy because what she wanted
20 was Jesus. And that's all I have to say, Your
21 Honor.

22 THE COURT: Thank you very much, ma'am.

23 MS. SWANSON: Would anyone else like to
24 address the Court?

25 Thank you, Your Honor. That concludes

1 our presentation.

2 THE COURT: All right. Miss Campbell.

3 MS. CAMPBELL: May it please the Court,
4 Your Honor?

5 THE COURT: Go ahead.

6 MS. CAMPBELL: And I apologize for being
7 distracted. As far as -- well, ethically, as far
8 as any pending indictments, I cannot and will not
9 be addressing the Court as to the strength or
10 weaknesses of any of those matters.

11 Secondly, as the Court is aware,
12 Mr. Walls, and so that the record is clear, you
13 know, will be now embarking on the journey through
14 the appellate process relative to any issues,
15 legal -- law issues that came up during the trial
16 to include his three mistrial motions.

17 And I have advised him, fully, that it is
18 against my advice that he speak in mitigation
19 prior to Your Honor pronouncing a sentence in this
20 matter, simply because, in my experience, it can
21 be, in the emotion and trauma of the moment, that
22 he may say something that may damage him further
23 down the line in the legal process.

24 So that the record is clear, I've fully
25 advised him of this.

1 Now, at this time, should he choose to
2 address the Court that is his decision that he
3 would make on his own, Your Honor.

4 THE COURT: Any other persons wish to
5 speak on his behalf in mitigation?

6 MS. CAMPBELL: There are not. No,
7 Your Honor.

8 THE COURT: Okay. Mr. Walls, do you have
9 anything you wish to tell the Court?

10 MR. WALLS: Yes, sir. I do.

11 THE COURT: Please stand.

12 MR. WALLS: I'm not going to try to give a
13 speech. If you just allow me just a few minutes to
14 address the parties.

15 THE COURT: Yes, sir. Go right ahead.
16 This is your moment.

17 MR. WALLS: I would just like to say to the
18 jury --

19 MS. CAMPBELL: Wait just a second.

20 MR. WALLS: Sorry. I've been advised I can't
21 address the jury. These words are for the jury ears
22 to hear.

23 I understand how you came to this
24 decision. I sat here along with all of you and I
25 heard all that evidence, and I heard the way it

1 come across.

2 I also want to take this time to say,
3 Miss Hunter Swanson did a great job doing what she
4 had to do with what she had presented in front of
5 her. The task she was given, the picture she was
6 painting against my character, she did what she
7 needed to do.

8 All of that being said, I did not kill
9 Miss Resa.

10 For her family, I understand they have to
11 be here and they went through this. I was not
12 going to speak at all. If you all have noticed, I
13 was not emotional through this trial. The one
14 time I did start crying was when my lawyer gave
15 her closing argument for me and she stated about
16 how close me and Resa was to the point to where I
17 took her out of town with us.

18 Amanda Reddish that was on stage is a
19 drug addict, and she was a friend of my wife's, a
20 very close friend. Me and wife have been off and
21 on some over the years.

22 Three years to prior to this event, I've
23 had only been back in town six months at the time
24 that this happened. That girl did not know me. I
25 met her in October. Now, she may have known me

1 over the years, or my name because I was kind of
2 popular growing up, but I never knew her and she
3 didn't know me.

4 The home that we were living in, it was
5 destroyed over there. My brother was living in
6 motels. We were doing major carpentry work. I
7 also had another property Bonaire. ■ Bonaire to
8 where I lived.

9 I shared the inside of Resa's home back
10 forth with her. Randy Seigler killed himself,
11 which is one of my very best friends. I've been
12 friends with Miss Resa since. I was 21 years old
13 when I met Miss Resa. She's always like this.
14 She's always, kind of, fiddling -- she wasn't how
15 they portrayed her, someone in need to have
16 someone around to visit her. She was -- she
17 definitely wasn't someone that had a open-door
18 policy to everyone. That is the very wrong way to
19 perceive that woman. She did not.

20 But we did have an ongoing friendship. A
21 very ongoing friendship.

22 Me and Hannah, at one point in time in
23 our life, had a very small relationship that
24 didn't end up well because I went back with my
25 wife. There had been a continuous bond and

1 friendship with this family for a long time.

2 I stood in here. I never asked my lawyer
3 to beg for a plea for me. I never asked that.
4 She was able to explain to me from the very
5 beginning how there were such a thing as touch
6 DNA. The very first time when Mr. Malphrus
7 brought to my attention that he never thought I
8 was guilty of this charge. As a matter of fact,
9 he only assumed I knew something about it and was
10 trying to convince me to tell on other people. I
11 didn't know anything.

12 The people who may have done this, they
13 would have never admitted it to someone like me.
14 Because, although I didn't kill no one, don't mean
15 wouldn't have whipped off me some real ass if I
16 would have learned anything about this. And my
17 truth stands. He never thought I was this person.

18 He came later once my DNA was found,
19 because by law, he charged me with this. I
20 devastated to learn my DNA. It wasn't until
21 Miss Campbell explained to me what touch DNA is
22 out there. I can touch this, someone else could
23 touch it, and then go over here and touch it.

24 I didn't flee town. Chesterfield County
25 is a place that I work. Anyone who knows me --

1 from what I understand, one of our jurors passed
2 you a note saying they recognized me from working
3 next to the naval base. And in this town, lots of
4 people would notice me from work. I'm a master
5 carpenter. I'm not someone who struggles or would
6 have had a need for money on no level.

7 That's think about what they said:
8 There's two trailers that I'm paying bills inside
9 of. I'm feeding these people. I'm clothing these
10 people. I wasn't someone who didn't have a way to
11 go.

12 The reason my brothers was living in
13 motels was through carpentry work shared between
14 us. This is \$300 a week just to live in a hotel
15 room with my children. The reason they're coming
16 back and forth is because they was supposed to be
17 helping me.

18 The reason John Priester was ever around
19 me was because they was my kids. They was friends
20 with him. He didn't have no place to live. So if
21 I'm guilty of anything, it's this big heart also
22 of allowing people to come to my house.

23 My daughter-in-law, my step-son, and my
24 grand-baby didn't have no place to live. I let
25 them live inside of my home. I helped take care

1 of them.

2 Do I do drugs? I smoked marijuana every
3 single day of my life. Guess who else smokes
4 marijuana every single day of their life? Miss
5 Resa. Me and her would sit together daily and
6 smoke it. She did it for her pain meds. Not
7 because she was a drug addict or a junky, because
8 she was a drug addict or a junky. She went to
9 church every week.

10 These wisdom cards you call kept hearing
11 about it, Hannah was able to tell you her
12 handwriting, if you was to look at those wisdom
13 cards with my name that was on that thing, what
14 you would find is Miss Resa's handwriting on all
15 of those wisdom cards to me. It was something
16 that she did for me.

17 When I would come over, there would be an
18 envelope on her desk. I would take it and go to
19 my room at the end of the night. It's was stuff
20 to help me, because she was helping me study the
21 Bible. I'm a Bible studier myself. I'm not a
22 perfect person, but I am a Bible studier myself.

23 And the only reason I ask to be able to
24 say anything today, I don't want to make anybody
25 feel bad about their decision that they made.

1 Like I said, I heard what you all heard. I told
2 Miss Campbell yesterday, if I heard that, there's
3 no way possible I could back there and come up --
4 I said, so how are they supposed to -- because
5 nothing was adding up with this whole touch DNA no
6 more. I was like, where I'm now, or wherever, to
7 get these 12 people to see me on any length.

8 She was able to pick through her list of
9 people to come on the stand. And from that, my
10 lawyer had to pull from that to get any character.
11 That was my only character.

12 Amanda Reading, while me and my wife Tera
13 broke up, tried to date me. And I don't knock
14 her. She's a pretty girl. She just wasn't the
15 kind of girl I would have wanted to date, so I
16 shot her down. She tried to date my son Kyle, my
17 15-year-old son Kyle. And that's why I got in an
18 argument.

19 What you all heard Miss Campbell stop her
20 from saying, because they didn't want that to go
21 on record, that I kicked her off my property. I
22 kicked her off my property because they was trying
23 to date my son Kyle that was 15. And not, to tell
24 you the truth, that I cared they was dating, but
25 she was a big girl and she was drunk and she was

1 about to beat him up in the front yard one day.
2 So, yeah, I told her, ruthlessly, to get out of my
3 yard. I didn't go down there and ask her to
4 steal.

5 Look what was told to you guys.
6 Miss Resa, a sickly lady, in a wheelchair, who had
7 problems coming and going. Me, this man, did he
8 need to do all of that to steal anything from her,
9 no. All I would have had to do is wait for her to
10 go to the bathroom and take her purse and run out
11 the door. I didn't have to kill someone I've
12 known my whole life to accomplish that. I just
13 would not have had to do that.

14 I'm sorry. Please, just -- I understand
15 I have a process to walk down now. You all made
16 you all's decision now.

17 MS. SWANSON: Your Honor, can you please
18 ask the defendant to stop addressing the jury?

19 MR. WALLS: I'm sorry. If I look that
20 way, I am sorry.

21 THE COURT: You're addressing me.

22 MR. WALLS: I am sorry.

23 THE COURT: It's all right.

24 MR. WALLS: I'll just continue to look.

25 All I was trying to say in that part was

1 I know that I have a process still to go through
2 for this. I know in my heart I didn't kill
3 Miss Resa. I just wanted that to be heard.

4 Amanda Reading lied to you. She didn't
5 know me for 15 years. She might have known my
6 name for 15 years. I met her October when she
7 come over because she befriend my girlfriend,
8 Tera, and they were coming back and forth over,
9 communicating. The reason we're always
10 communicating while she was dating someone else,
11 because we share children together and they come
12 to me for money.

13 I'm not saying that Amanda probably
14 wasn't never over there doing no drugs, but I'm
15 almost 40 years old and the only drugs that I
16 participate in myself is, I smoke marijuana.

17 I don't drink. My brothers don't drink.

18 It was his trailer. I was only living in
19 that trailer -- and saying living in is an
20 overstatement because I was only staying in it
21 back and forth when the kids would come over
22 because there was more room. One more reason,
23 because Miss Resa does not allow a house full of
24 people to be in her house wondering around.

25 And I'm not going to point fingers and

1 cause nothing bad right now, but there are reasons
2 why other members of her family and some of her
3 friends couldn't be allowed around her house,
4 because times when they were living there, they
5 did take things from her. She did trust me to go
6 pick up her prescriptions. I didn't just -- I'm
7 sorry. I'm looking at them.

8 I didn't just go borrow her car. I drove
9 her back and forth to Hilton Head to her pain
10 management. I did drive her out of town in her
11 vehicle to go stay with me and my entire family;
12 my sister Nicole, my sister Tiffany, my brother
13 Pat, my other brother. We rented four hotels
14 rooms to accommodate everybody. I didn't pay for
15 all of them, but I paid for the two that me and
16 Teresa stayed in, and I paid for the ones that my
17 kids and his girlfriend stayed in.

18 All of that being said, a lot of that
19 couldn't come out in the trial. You all couldn't
20 hear that, so you all could have made a true
21 decision.

22 And I was scared when I heard it come
23 that fast. I'm not going to lie. I knew it was
24 going to be guilty all the way. I couldn't have
25 made a different decision on what you all were

1 given, so don't think I'm trying to make anybody
2 feel sorry. But since no one is telling you now,
3 I did not kill Miss Resa.

4 And if I would have had known about -- I
5 even told Malphrus in the beginning when he told
6 me my kids admitted to being part of a fire, what
7 did I tell you, Malphrus? I said, give me way to
8 call my kids and listen in while I speak to them,
9 because if they know anything, I can get that out
10 of them. But that was never provided for me to be
11 able to do. You know? It was a lot.

12 And you know something else that wasn't
13 able to come out when everything was said and I
14 told not to say it, but this is the only chance I
15 got to say it, he didn't me, but I asked them when
16 they first brought it to my attention in the
17 beginning that it happened and it might be looked
18 at, I asked them to please give me a lie detector
19 test. You know, I got a hundred pages of what
20 they call a Rule Five information back there.

21 And I know you've all seen me in a suit,
22 but, for three years, I have worn a suit. I've
23 worn a green jump suit back here, amongst a bunch
24 of other inmates with charges similar to mine.
25 And that's where I live at, back there in a jail

1 cell for three years --

2 MS. SWANSON: All right. Your Honor,
3 he's still addressing the jury.

4 THE COURT: Okay, sir.

5 MR. WALLS: I'm sorry. Waiting on this
6 day to be able to come in this courtroom. And I
7 prayed every single day -- and I'm still loving
8 God. This answer hadn't -- because I wasn't a
9 perfect person, and maybe this next five years
10 it's going to take for me to get an appeal to come
11 in play that they haven't heard is something that
12 God wants me to learn.

13 I didn't kill nobody. You all couldn't
14 do no research.

15 I'm going to end it and just say this
16 right here: There was never nothing that you're
17 going to be able to talk to nobody that's going to
18 say anything about my character. And there's
19 nothing more I can say today that's going to turn
20 them around, the decision you all have done made.
21 From what I understand, I would have had to take
22 the stand and allow her to bring up my past which
23 would have only gave more bad character on me
24 because we see this. I most definitely was not
25 the greatest person in the world, that's for sure.

1 THE COURT: All right.

2 MR. WALKER: I'm going to end it right
3 here. All I'm saying is, my full name is
4 Brian David Walls. And there's a Facebook out
5 there with my name on it, and when you pull it up,
6 you'll see -- the only things that you'll see,
7 from what I understand, because I've never talked
8 to no one on it. I only post to the wall. Those
9 are comments that who I am as a character, and
10 that will say to the things I try to speak about
11 and get out to people, if you get that chance to
12 look at it.

13 But other than that, I just wanted to
14 say, she did a wonderful job. Miss Campbell did a
15 wonderful job. For everybody else that was
16 involved, I'm grieving along with everybody just
17 the same. Well, not the same. There are family
18 members probably that are grieving harder than I
19 am. I don't mean to sound -- I'm sorry if that
20 came out with no compassion. I'm sorry that they
21 had to go through any of those feelings, as I'm
22 sorry for myself that I've had to feel this way of
23 not knowing anything, as I came out in here, that
24 I wasn't even aware of through my paperwork.

25 That also being said, I'm not mad at none

1 of you jurors on no level either because I
2 understand you only gave her best verdict on what
3 you was given.

4 And all that being said, I'm sorry.

5 And, Your Honor, you did a wonderful job,
6 too, and everybody else. Thank you very much.

7 THE COURT: Thank you, Mr. Walls.

8 MS. CAMPBELL: Thank you, Judge. Would
9 you like him to remain standing?

10 THE COURT: Yeah, he should.

11 MS. CAMPBELL: Yes, he should.

12 THE COURT: Mr. Walls you understand that
13 the minimum sentence for murder is 30 years. You
14 understand that?

15 MR. WALLS: Yes, sir. I do understand.

16 THE COURT: I'm sure your lawyer has told
17 you that. And you have been convicted by a jury
18 of your peers of murder.

19 MR. WALLS: Yes, sir.

20 THE COURT: And, as it has been described
21 in this trial, a heinous crime. The way that the
22 victim was portrayed as most probably being dead
23 before she was wrapped in the blanket and put in
24 the trailer, it's just -- it's, sort of, an
25 inhumane thing that I've listened to during the

1 course of this trial.

2 Your fingerprints, or your footprints, or
3 your DNA were all over the place.

4 I respect what you're telling me, but on
5 the other hand, I have a responsibility to this
6 county and this state, and I intend to fulfill
7 that responsibility.

8 Mr. Walls, the sentence of the Court is,
9 you be committed to the State Department of
10 Corrections for a period of 40 years.

11 Good luck to you, sir.

12 MR. WALLS: Thank you, sir.

13 THE COURT: This court is adjourned.

14 (The trial was concluded at 1:26 p.m.)
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CERTIFICATE OF REPORTER

I, SHARON G. HARDOON, Official Circuit Court Reporter, II for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in General Sessions, Beaufort County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

August 18, 2019


Sharon G. Hardoon, CSR
Official Circuit Court Reporter, II

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WITNESSES

J Malphrus- BCSO

DOCKET NO. 2017GS0700328

The State of South Carolina

County of Beaufort

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

Defendant

COURT OF GENERAL SESSIONS

June Term 2017

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

THE STATE

vs.

Brian David Walls

ARREST WARRANT NUMBER

2017A0710400042

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

Defendant

Nully B. Bowman

Foreperson of Grand Jury

Date: JUN 22 2017

VERDICT

Guilty

Witness:

True Bill

S. S.

Foreperson of Petit Jury

Date: April 11, 2019

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

INDICT

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

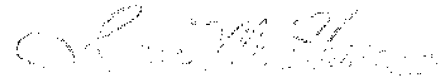
INDICTMENT
2017GS0700328

At a Court of General Sessions, convened on June 22, 2017, the Grand Jurors of Beaufort County present upon their oath:

Murder

That in Beaufort County, South Carolina, on or about December 5, 2016 through December 6, 2016, the Defendant, Brian David Walls, along with Co-Defendants, did, with malice aforethought, kill Teresa Seigler and Teresa Seigler did die as a proximate result of his actions, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

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



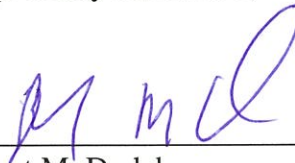
Solicitor

True Bill

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Robert M. Dudek
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

RECEIVED

Jun 18 2020

SC Court of Appeals

This 18th day of June, 2020.