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SC Court of Appeals

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF CHEROKEE)

IN THE COURT OF GENERAL SESSIONS

4 THE STATE OF SOUTH)
5 CAROLINA)

TRANSCRIPT OF RECORD
2015-GS-11-00875

6 -vs-

7 FRANKLIN PIERRE DOVER,)
8 DEFENDANT.)

JULY 16, 2019
GAFFNEY, SOUTH CAROLINA

(VOLUME II)

B E F O R E:

THE HONORABLE R. KEITH KELLY, JUDGE. ; And a Jury.

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

KIMBERLY L. LESKANIC, DEPUTY ASSISTANT SOLICITOR
ATTORNEY FOR THE STATE

G. MATTHEW KENDALL, ASSISTANT SOLICITOR
ATTORNEY FOR THE STATE

MICHAEL MORIN, ESQUIRE
ATTORNEY FOR DEFENDANT FRANKLIN PIERRE DOVER

MICHAEL R. WATTS
CIRCUIT COURT REPORTER

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 2 COUNTY OF CHEROKEE) IN THE COURT OF GENERAL SESSIONS
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 CAROLINA)
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 6) 2014-GS-11-00878
 7 RAJSHUN BERNARD FOSTER,) JULY 16, 2019
 8 DEFENDANT.) GAFFNEY, SOUTH CAROLINA

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G. MATTHEW KENDALL, ASSISTANT SOLICITOR
ATTORNEY FOR THE STATE

TRACY RACINE, ATTORNEY AT LAW
ATTORNEY FOR DEFENDANT RAJSHUN BERNARD FOSTER

MICHAEL R. WATTS
CIRCUIT COURT REPORTER

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1 (PROCEEDINGS, JULY 16, 2019)

2 (Whereupon, the lawyers approached the bench for
3 an off-the-record discussion).

4 THE COURT: Bring in Juror Number 110.

5 (Whereupon, Juror Number 110 was brought into the
6 courtroom)

7 THE COURT: Sir, come on around right there,
8 please --

9 JUROR NUMBER 110: Okay.

10 THE COURT: -- by the microphone.

11 You are Mr. Reynolds?

12 JUROR NUMBER 110: Yes, sir.

13 THE COURT: Mr. Reynolds, my clerk advised me
14 that -- I don't talk to jurors outside the presence of the
15 lawyer but for the record, so my clerk advised me that you
16 had recently moved --

17 JUROR NUMBER 110: Uh-huh.

18 THE COURT: -- into Spartanburg County?

19 JUROR NUMBER 110: Yes, I moved in with my
20 girlfriend.

21 THE COURT: Okay. Well, do you still have a
22 residence in -- a residence in --

23 JUROR NUMBER 110: No, I just have my vehicles
24 here ready to have transferred. I hadn't transferred my
25 vehicle into Spartanburg County yet. I was living with a

1 friend in Cherokee County.

2 THE COURT: You were living with a friend in
3 Cherokee County?

4 JUROR NUMBER 110: Yes.

5 THE COURT: So you don't have an apartment, a
6 house --

7 JUROR NUMBER 110: Uh-uh.

8 THE COURT: -- a mobile home, nothing here --

9 JUROR NUMBER 110: No, sir.

10 THE COURT: -- here in Cherokee County?

11 JUROR NUMBER 110: No, sir.

12 THE COURT: Well --

13 Anything from the State? He is no longer a
14 resident of Cherokee. He doesn't have anything.

15 Obviously if you had a residence here, I would
16 view that as you being temporarily away. My daughter is in
17 college and her home of record is still my residence --

18 JUROR NUMBER 110: Yes, sir.

19 THE COURT: -- even though they decided to live in
20 Richland County, but you don't have any contact with --
21 residence-wise in Cherokee County?

22 JUROR NUMBER 110: No, sir.

23 THE COURT: Okay. Anything from the State? Any
24 questions?

25 MS. LESKANIC: (No response).

1 THE COURT: Anything? Nothing?

2 MS. LESKANIC: I'm just looking at the address on
3 the jury questionnaire, Your Honor. That was the Quinn
4 Trail in Cowpens?

5 JUROR NUMBER 110: Yes, 344 Quinn Trail.

6 THE COURT: That was your friend?

7 JUROR NUMBER 110: Uh-huh.

8 THE COURT: Okay. Anything from the defense
9 lawyers?

10 MR. MORIN: I have nothing, Your Honor.

11 THE COURT: Ms. Racine?

12 MS. RACINE: No, Your Honor.

13 THE COURT: Sir, we will have to excuse you. We
14 certainly wished we had known this yesterday, but --

15 JUROR NUMBER 110: Yeah, it was -- I'm sorry about
16 that.

17 THE COURT: It's okay.

18 All right. We will have to -- we will have to
19 excuse you. I'm going to let you turn your badge in and be
20 sure that you get your vehicles and voter registration, if
21 you are a voter, changed over there, and driver's license
22 and so forth, so we don't run into this --

23 JUROR NUMBER 110: Yes.

24 THE COURT: -- because you could run into this
25 again.

1 JUROR NUMBER 110: Yes.

2 THE COURT: If not in this court, in Magistrate
3 Court.

4 JUROR NUMBER 110: Oh, yeah. I'm going to get it
5 squared away.

6 THE COURT: Okay. All right. Thank you, sir.

7 JUROR NUMBER 110: All right.

8 Do I just go?

9 THE COURT: You are free to go.

10 JUROR NUMBER 110: Okay.

11 (Whereupon, Juror Number 110 was discharged from
12 further jury service and left the courtroom)

13 THE COURT: We need juror -- let's see, that would
14 be number 70, is that right?

15 MS. LESKANIC: I think it's --

16 THE CLERK: Juror 2.

17 THE COURT: Oh, Juror 2.

18 THE CLERK: She's alternate number 2.

19 THE COURT: Okay. We need juror number 2, Ms.
20 Alcantara.

21 THE CLERK: Alcantara.

22 THE COURT: Alcantara.

23 THE CLERK: Magdalena Alcantara.

24 (Whereupon, Juror Number 2 was brought into the
25 courtroom)

1 THE COURT: Ma'am, come around please, if you
2 will.

3 You are Magdalena Alcantara?

4 JUROR NUMBER 2: Yes, sir.

5 THE COURT: Ms. Alcantara, I have been handed a
6 note that says that you are having difficulty with a
7 baby-sitter?

8 JUROR NUMBER 2: Yes.

9 THE COURT: Okay. I don't have any way of
10 excusing you for that.

11 Is Francisco Alcantara your husband?

12 JUROR NUMBER 2: That's my dad.

13 THE COURT: That's your dad?

14 JUROR NUMBER 2: Yes, sir.

15 THE COURT: Okay. So you have parents that are
16 here --

17 Wait a minute. This says he's 22 years of age.
18 That's not your dad, is it?

19 JUROR NUMBER 2: Oh, that's my brother.

20 THE COURT: That's your brother?

21 JUROR NUMBER 2: Yes, sir.

22 THE COURT: Okay. But you have family here. Is
23 there no one in the family that can assist you with
24 day-care?

25 JUROR NUMBER 2: Well, my mom, she watches over

1 him right now.

2 THE COURT: She can't watch him the rest of the
3 week?

4 JUROR NUMBER 2: Yeah, I can -- I mean, she can
5 probably. I can talk to her about it.

6 THE COURT: Well, if you don't mind you are going
7 to have to talk to her about that, because there is no
8 provision for me to dismiss you for that reason. I mean,
9 you work outside the home, right?

10 JUROR NUMBER 2: Yes, sir, I work part-time at
11 State Farm.

12 THE COURT: State Farm?

13 JUROR NUMBER 2: Yeah. I usually go in twelve or
14 one o'clock in the afternoon and that's when I'm going to
15 get the baby-sitter, so -- and it's the same part of the
16 week or before and then --

17 THE COURT: Okay. Well, if you don't mind talking
18 to her and make sure that someone in your family can take
19 care of the child, or you are going to have to arrange for
20 paid day-care or something, okay?

21 JUROR NUMBER 2: Okay.

22 THE COURT: Okay. We need you, okay?

23 JUROR NUMBER 2: Okay.

24 THE COURT: All right. Stay with us.

25 (Whereupon, Juror Number 2 returned to the jury

1 room)

2 THE COURT: Okay.

3 Mr. Bailiff, just reach in there and pull out one
4 of those.

5 THE CLERK: Adara McClure. She is juror 81.

6 THE COURT: All right.

7 THE CLERK: Yeah, 81.

8 THE COURT: She's the first one picked anyway.

9 Any objection to number 81 being moved to the
10 panel?

11 MS. LESKANIC: None from the State.

12 MR. MORIN: No, sir.

13 MS. RACINE: No, sir.

14 THE COURT: Okay.

15 THE COURT: All right. We ready for the jury?

16 MS. LESKANIC: The State is ready.

17 MR. MORIN: Defense is ready.

18 THE COURT: All right. We are ready.

19 (The following takes place in the presence of the
20 jury panel)

21 THE COURT: Jury number 81, Ms. McClure?

22 JUROR NUMBER 81: Yes.

23 THE COURT: You are now part of the twelve. You
24 have been moved to the twelve. Juror 110 has been excused
25 from the jury, so you are now part of the twelve.

1 And, ma'am, Ms. Alcantara, you are the alternate
2 and if you will always sit in that seat. If we have two
3 alternates, I don't have enough chairs, so I have to put you
4 down here, but I don't want you sitting down there by
5 yourself. I'm going to let you sit right there. If don't
6 mind, always sit in that seat, and, sir, you are in the
7 correct seat. Everybody else can move around.

8 All right. Mr. Foreman, any matters for the jury?

9 JURY FOREPERSON: No.

10 THE COURT: Ready to go.

11 Yes, ma'am.

12 MS. LESKANIC: May it please the court?

13 THE COURT: Yes.

14 MS. LESKANIC: The State calls Terrica Bonner.

15 THE CLERK: Please raise your right hand and put
16 your left hand on the Bible.

17 TERRICA BONNER, having been first duly sworn,
18 testified as follows:

19 THE WITNESS: I do.

20 THE CLERK: Watch your step.

21 THE COURT: Ma'am, tell us your name, please, and
22 spell your last name for the court reporter.

23 THE WITNESS: Terrica Bonner, B-O-N-N-E-R.

24 THE COURT: Thank you.

25 Solicitor.

1 MS. LESKANIC: May it please the court.

2 DIRECT EXAMINATION BY MS. LESKANIC:

3 Q. Good morning, Ms. Bonner.

4 A. Good morning.

5 Q. I want to take you back to June 22nd of 2014. Did you
6 know Timothy Blair?

7 A. Yes.

8 Q. And how did you know Mr. Blair?

9 A. We was dating.

10 Q. How long had you and Mr. Blair been dating?

11 A. About a year.

12 Q. And during that year did you live in Connecticut
13 Village?

14 A. Yes.

15 Q. And did he come and see you while you were in
16 Connecticut Village?

17 A. Yes.

18 Q. Did he live in Connecticut Village?

19 A. Yes.

20 Q. Did he live with you during some of that time?

21 A. Yes.

22 MR. MORIN: Your Honor, I'm going to object to her
23 leading. I know she's doing some of it and it's necessary,
24 but it's being repetitive already.

25 MS. LESKANIC: I'm just asking if he lived there.

1 I think that's an open --

2 THE COURT: Okay. Let's -- go ahead.

3 MS. LESKANIC: Thank you, Your Honor.

4 BY MS. LESKANIC:

5 Q. So you and Mr. Blair had been dating on and off for a
6 year, is that right?

7 A. Yes.

8 Q. You lived in Connecticut Village.

9 Let me show you what's been marked State's Exhibit 1
10 and 2. If you would, take a look at those and tell me if
11 you recognize that?

12 A. Yes.

13 Q. And what does that show?

14 A. Connecticut Village.

15 Q. Okay. And looking at both of those, do they both show
16 an accurate aerial view of Connecticut Village?

17 A. Yes.

18 MS. LESKANIC: Your Honor, I would offer at this
19 time State's Exhibit 1 and 2 for admission.

20 THE COURT: Any objection?

21 MR. MORIN: I think I know what they are.

22 I don't have any objection.

23 MS. RACINE: No objection.

24 THE COURT: State's 1 and 2 are admitted without
25 objection.

1 ((Whereupon, State's Exhibit No. 1 was entered into
2 the record as evidence).

3 (Whereupon, State's Exhibit No. 2 was entered into
4 the record as evidence)

5 MS. LESKANIC: Thank you. May I publish, Your
6 Honor.

7 THE COURT: Yes, ma'am.

8 BY MS. LESKANIC:

9 Q. Okay. Ms. Bonner, I'm going to start with State's
10 Exhibit 1.

11 I'm going to ask that you step down, if you don't mind.
12 Be careful on the steps.

13 (Witness off the witness stand)

14 BY MS. LESKANIC:

15 Q. And using this laser pointer, could you point out for
16 the ladies and gentlemen of the jury where you live?

17 A. Right here.

18 COURT REPORTER: Louder please.

19 BY MS. LESKANIC:

20 Q. Which apartment --

21 How do you get into your apartment? If you can take
22 them down into Connecticut Village?

23 A. You come through here.

24 Q. Uh-huh.

25 A. My apartment is right here on the end.

1 Q. Okay. Now, is that the front side or the back side?

2 Let me --

3 Okay. So this one here is your apartment, is that
4 right?

5 A. Yes.

6 Q. On the end?

7 A. Yes.

8 Q. Okay. And is this back here, is this the front or back
9 of the apartment?

10 A. The back.

11 Q. And this side?

12 A. Is the front.

13 Q. Okay. And that's where you lived on June 22nd of 2014?

14 A. Yes.

15 (Witness back on the witness stand).

16 BY MS. LESKANIC:

17 Q. And is that where Mr. Blair would come and see you?

18 A. Yes.

19 Q. How did Mr. Blair physically get into your apartment?

20 A. He come to the back door or the window.

21 Q. Where was the window?

22 A. In the back side.

23 Q. So he would normally -- did he use the front door very
24 often?

25 A. Sometimes.

1 Q. When would he use the front door?

2 A. If I was at home.

3 Q. And you were not there, how would he go into the house?

4 A. The back door or using the window.

5 Q. Now, do you know the defendant Rajshun Foster and
6 Franklin Dover?

7 A. Yes.

8 Q. Okay. Did you know them on June 22nd, 2014?

9 A. Yes.

10 Q. Do you know whether Timothy Blair -- what did you call
11 him?

12 A. "Slick".

13 Q. Okay. So Timothy's nickname was "Slick"?

14 A. Yes.

15 Q. All right. Was he friends with either Mr. Foster or
16 Mr. Dover?

17 A. Yes.

18 Q. Who?

19 A. Rajshun Foster.

20 Q. So "Slick" and Rajshun were friends?

21 A. Yes.

22 Q. And can you tell the jury about their friendship kind
23 of before June 22nd and leading up to that day?

24 A. They was real good friends before, but then "Slick"
25 said that their friendship wasn't like it used to be.

1 Q. Did you notice a change?

2 A. Yes.

3 Q. Now, did something happen a few days before "Slick" was
4 murdered? Did anyone come to your apartment?

5 A. Yes.

6 Q. Who came?

7 A. Rajshun Foster and Frank Dover.

8 Q. Okay. Do you see those two people in the courtroom
9 today?

10 A. Yes.

11 Q. Could you please identify them for the jury and for the
12 court?

13 A. Frank's got on a plaid shirt and Rajshun with the
14 yellow shirt.

15 MS. LESKANIC: Your Honor, I would ask the record
16 to reflect that she's identified the defendants.

17 THE COURT: So noted.

18 BY MS. LESKANIC:

19 Q. And when did these two men come to your home?

20 A. A couple days before "Slick" got killed.

21 Q. And what happened when they came to your house?

22 A. There was looking for "Slick". They said they had
23 something for him.

24 Q. How did they appear? What was their demeanor like?

25 A. They was looking for him. It wasn't no friendly visit.

1 Q. And was "Slick" there at the time?

2 A. No.

3 Q. Let me ask you now. Connecticut Village, is that
4 located in Cherokee County?

5 A. Yes.

6 Q. All right. What was your apartment number at the time?

7 A. 51.

8 Q. Now, did you ever tell "Slick" that Frank and Rajshun
9 had come looking for him?

10 A. No.

11 Q. Did you -- what was your relationship with "Slick"
12 during the time around June 22nd?

13 A. We was not together.

14 Q. Okay. What does that mean? Explain that to the jury.
15 Were you are not speaking to him at all? What was your
16 relationship?

17 A. We was just in an on-and-off relationship.

18 Q. Okay. Was he still allowed to go into your home?

19 A. Yes.

20 Q. Did you see him the day that he was killed?

21 A. Yes.

22 Q. So you saw him June 22nd, 2014?

23 A. Yes.

24 Q. Do you remember what day of the week that was?

25 A. It was on a Sunday.

1 Q. Sunday.

2 Where did you see him?

3 A. I seen him walking through the complex in Connecticut
4 Village.

5 Q. Okay. I'm going to put up State's Exhibit 2.

6 Looking at that, would you be able to identify
7 approximately where you saw him that day?

8 Where were you going June 22nd?

9 A. What?

10 Q. Where were you going that day that you saw "Slick"?

11 A. I was riding through the village.

12 Q. Do you want to show the jury? If you need to step down
13 or if you can do it from there?

14 A. I seen him up in here --

15 Q. Okay.

16 A. -- walking.

17 Q. And where were you?

18 A. I had stopped and talked to him.

19 Q. Were you in a car or walking?

20 A. Yeah, I was in a car.

21 Q. Okay. Just tell the jury what you were doing and what
22 you saw.

23 A. I was riding through and I stopped and talked to
24 "Slick". And then as I was leaving out --

25 Q. Where did you go after you talked to "Slick"?

1 A. Up through here up to my aunt's.

2 Q. How long did you talk to her?

3 A. About five minutes.

4 Q. Okay. And then what did you do?

5 A. I rolled back through and I didn't see him any more and
6 then I left.

7 Q. Okay. And then what did you see? Did you see anything
8 when you were leaving?

9 A. Yes, I seen Rajshun coming through in his girlfriend's
10 car and he came in, and I was leaving, and he turned like he
11 was following me, and then he turned back around.

12 Q. Okay. You saw Rajshun --

13 A. Yeah.

14 Q. -- in his girlfriend's car. Do you know what kind of
15 car she had?

16 A. A gray box-style jeep.

17 Q. Okay. Could you tell if anybody was with Rajshun?

18 A. Yes, it was three inside the car.

19 Q. Were you able to identify any of those three other
20 people?

21 A. No.

22 Q. Can you show with the laser pointer where you were
23 pulling out and where you saw Rajshun and these three guys
24 in the car?

25 A. I was pulling out right here and they was coming down

1 the road.

2 Q. And where did you see Rajshun?

3 A. As I was pulling out?

4 Q. Yes, ma'am.

5 A. He was pulling in.

6 Q. Okay. Just show them with the laser pointer where he
7 pulled in, please.

8 A. He pulled in right here.

9 Q. Okay. And what did he do?

10 A. He turned around.

11 Q. Please show them with the pointer.

12 A. (Witness pointing with laser pointer).

13 Q. Okay. And then what?

14 A. He was following, like he was following me.

15 Q. So which direction did you go when you pulled out of
16 Connecticut Village?

17 A. This way.

18 Q. Is that towards Ewing Middle School?

19 A. Yes.

20 Q. And where was Rajshun and these three other guys?

21 A. In the car behind me.

22 Q. And what did you notice?

23 A. That they stopped.

24 Q. Where did they stop? And I'll put up State's
25 Exhibit 1, a little bit further view.

1 A. Up in here.

2 Q. What did you see?

3 A. I seen them when they pulled over.

4 Q. So they pulled over on the right or left side of the
5 road?

6 A. It would be on the right.

7 Q. Okay. They pulled over on the right side of the road.
8 Did you see the vehicle again?

9 A. No, I was gone.

10 Q. And how certain are you that that was Rajshun that
11 pulled into the village and followed behind you?

12 A. I know it was Rajshun.

13 Q. How do you know him?

14 A. He's my cousin.

15 Q. Okay. So are you a hundred percent sure that was him?

16 A. Yeah.

17 Q. Thank you.

18 And where did you go? When you were leaving
19 Connecticut Village, where were you headed?

20 A. To my mom's.

21 Q. Did you make it to your mom's house?

22 A. Yes.

23 Q. How far does she live from Connecticut Village?

24 A. About five or ten minutes.

25 Q. Okay. And what happened after you got to your mom's

1 house?

2 A. I had a phone call that "Slick" just got killed.

3 Q. How soon did you receive that phone call,
4 approximately, after you left Connecticut Village?

5 A. About ten minutes.

6 MS. LESKANIC: One moment, please.

7 (Off the record).

8 (Back on the record).

9 BY MS. LESKANIC:

10 Q. Thank you.

11 Please answer any questions that the defense has.

12 CROSS EXAMINATION BY MR. MORIN:

13 Q. Ms. Bonner, back in 2014, when you were living in
14 Apartment 51, who else was living there with you?

15 A. Me and my two kids.

16 Q. What?

17 A. Me and my two kids.

18 Q. And how old are your children?

19 A. Now they are eight and ten.

20 Q. Okay. So they were real young then?

21 A. Yes.

22 Q. They are real young now, right?

23 A. Yeah.

24 Q. Okay.

25 Now, Mr. Blair was living there enough that he was

1 getting mail there, wasn't he?

2 A. Yeah.

3 Q. In fact, the Department of Motor Vehicles was sending
4 him letters? Did you know that?

5 A. No.

6 Q. Did he have a driver's license?

7 A. Yeah.

8 Q. Did he have a car?

9 A. No.

10 Q. Okay.

11 Now, when you met Mr. Blair -- where did you meet Mr.
12 Blair?

13 A. Where did I meet him?

14 Q. Uh-huh.

15 A. Through a friend.

16 Q. I understand.

17 Did you meet him there in Connecticut Village?

18 A. Yeah.

19 Q. All right.

20 And when you met him, was he living in Connecticut
21 Village?

22 A. No.

23 Q. Where was he living then?

24 A. I don't know.

25 Q. Okay.

1 And at that time where were you working?

2 A. I wasn't.

3 Q. You weren't?

4 A. No.

5 Q. All right.

6 How far did you go in school?

7 A. 10th.

8 Q. You dropped out in the 10th?

9 A. Yeah.

10 Q. Okay.

11 How were you paying your bills?

12 A. My mom was helping me.

13 Q. Your mom was. Okay.

14 Now, Mr. -- you said Mr. Blair, you have known him for
15 about a year before this happened?

16 A. Yeah.

17 Q. Okay.

18 Now, you have testified that you knew Mr. Foster. He's
19 your cousin, right?

20 A. Yeah.

21 Q. You knew him your whole life?

22 A. No.

23 Q. No?

24 A. No.

25 Q. How long have you known Mr. Foster?

1 A. I didn't know he was my cousin.

2 Q. Oh, okay.

3 Well, how did you get to know Mr. Foster?

4 A. Through "Slick".

5 Q. Through "Slick"?

6 A. Yeah.

7 Q. Okay.

8 So you knew "Slick" longer than you knew Mr. Foster?

9 A. No.

10 Q. Well, if you met Mr. Foster --

11 A. I met -- I already knew him, but I didn't know he was
12 related to me.

13 Q. So it was after you started dating Mr. Blair?

14 A. Yeah, he saw him coming up to the house and him and
15 "Slick" became friends.

16 Q. Okay.

17 Now, Mr. Dover, how long did you know him?

18 A. I knew -- I knew of him, but I didn't know him like
19 that.

20 Q. Okay.

21 Well, let me ask you this. Are you still living in
22 Connecticut Village?

23 A. No.

24 Q. How long after this happened did you leave Connecticut
25 Village?

1 A. About a year.

2 Q. Okay. So you stayed in there another year?

3 A. Yeah.

4 Q. Okay.

5 During the time that you were in Connecticut Village,
6 was anyone else -- were there any other deaths of any kind
7 that you know of?

8 A. No.

9 Q. Okay.

10 And after this happened, a lot of people down there in
11 Connecticut Village were talking to each other about what
12 happened, weren't they?

13 A. Yeah.

14 Q. And during that time did you talk to Bernice Dowdle?

15 A. No.

16 Q. No.

17 How about Jasmine Hudson, did you ever talk to her?

18 A. No.

19 Q. How about Sharie Studyvance?

20 A. No.

21 Q. Nakisha Love?

22 A. No.

23 Q. Susan Crawford?

24 A. No.

25 Q. Kiara Douglas?

1 A. No.

2 Q. Rebi Tate?

3 A. No.

4 Q. No.

5 Now, Rebi Tate lived close to you, didn't she?

6 A. Yeah.

7 Q. In fact, just a few doors down?

8 A. Yeah.

9 Q. And did Rebi ever tell you about what she -- about what
10 she heard about this?

11 A. No, after -- when "Slick" got killed, I wasn't at home.
12 I stayed at my momma's house.

13 Q. Okay.

14 So when you say -- when I asked you if you stayed there
15 after this and you said a year, you are saying you didn't
16 stay there?

17 A. I was there off and on. I come in and out.

18 Q. Kind of like when "Slick" was staying there with you?

19 A. Yeah.

20 Q. Now, is there some reason why "Slick" didn't have a key
21 if he was staying there, he had to climb through the window?

22 A. I didn't give him my keys. I didn't give him a key.

23 Q. You didn't give him a key?

24 A. No.

25 Q. But he could get in when he wanted to?

1 A. Yeah.

2 Q. And that was okay with you, right?

3 A. Yeah.

4 Q. Now, getting back to Mr. Dover, you knew of him. Did
5 he live in Connecticut Village?

6 A. No.

7 Q. Did you ever see him in Connecticut Village?

8 A. I did one time.

9 Q. Just the one time?

10 A. Uh-huh.

11 Q. Is that the time that you talked to -- you told the
12 State that he came by with Rajshun?

13 A. Yeah.

14 Q. Okay.

15 Now, this happened five years ago, didn't it?

16 A. Yeah.

17 Q. Uh-huh.

18 And a couple months after it happened you talked to the
19 police, didn't you?

20 A. Yeah.

21 Q. Did they come out to your house and talk to you, or did
22 they take you back to --

23 A. I went to the station.

24 Q. Did they ask you to come? Did they call?

25 A. Yes, they actually called me.

1 Q. Okay. And you went down there and gave a statement?

2 A. Yeah.

3 Q. In fact, you gave two statements, didn't you?

4 A. Yeah.

5 Q. All right.

6 MR. MORIN: Would you mark this as Defendant's 1,
7 please?

8 (Statement of Terrica Bonner marked as Defendant
9 Dover Exhibit No. 1 for identification)

10 BY MR. MORIN:

11 Q. Ma'am, I'm going to show you what's been marked as
12 Defense Exhibit No. 1 for identification and ask if you
13 recognize this?

14 A. Yeah.

15 Q. Okay. And this is your signature down here, isn't it?

16 A. Yes.

17 Q. Uh-huh.

18 And I believe it's signed also by Richard Burgess and
19 Officer Clark. They were with the sheriff's department,
20 weren't they?

21 A. Yes.

22 Q. All right.

23 Now, this is the statement that you signed saying it's
24 your statement, correct?

25 A. Yes.

1 Q. Isn't it true that you told the police that Rajshun and
2 three other guys came to your apartment looking for "Slick"?

3 A. Yes, I only know it was them two.

4 Q. I'm sorry, let me -- let me say that back at you.

5 You testified to Ms. Leskanic's question that two
6 people came, Rajshun and Frank, correct?

7 A. Yes.

8 Q. But you told the police shortly after this that Rajshun
9 and three other guys came, is that correct?

10 A. Yes.

11 Q. And you didn't say Frank was one of the people, did
12 you?

13 A. No.

14 Q. So I'm going to ask you, is there a reason why --

15 And you said this is the only time you ever saw Frank,
16 is that correct?

17 A. Yes.

18 Q. Who were the other people that were with Rajshun?

19 A. I didn't know the other people.

20 Q. All right.

21 So there were more than two people. There was others?

22 A. Yes, but I didn't know them.

23 Q. All right.

24 So when Ms. Leskanic said did anybody come to your
25 house and you said two people, it was actually more than

1 two?

2 A. Yeah, that wasn't in my house. It was outside.

3 Q. Okay.

4 Now, during the time that you went back to the
5 apartment after this happened, okay, when you were in
6 Connecticut Village going to your apartment, visiting with
7 your friends, whatever, do you remember those times? You
8 were staying with your mom, and as you stated, you were
9 sometimes staying at your apartment. Do you remember that?

10 A. Yeah.

11 Q. Okay. And during that time did you ever speak to
12 anyone in Connecticut Village about what happened?

13 A. No.

14 Q. Never talked to anybody? Nobody ever came over and
15 said "I'm sorry to hear about Tim and I heard this, I heard
16 that?" That never happened?

17 A. Yeah, people said as passing by --

18 Q. Uh-huh.

19 A. -- but I didn't ever talk to them about the case.

20 Q. You never talked about the case?

21 A. No.

22 Q. Now, I may have not asked this question appropriately,
23 so let me just make sure, because I called out some names
24 and asked you if you talked to them, okay? I didn't ask you
25 if you knew them, okay?

1 So I ask you to -- I covered this ground, but I want to
2 make sure I ask the question right. Did you know Bernice
3 Dowdle?

4 A. Yes.

5 Q. What's her nickname?

6 A. "Bundaddy".

7 Q. "Bundaddy".

8 Did you know Charie Studyvance?

9 A. Uh-uh.

10 Q. Okay.

11 How about Nakisha Love?

12 A. Yeah, I know her, but not like that.

13 Q. Did you know her from when you lived out there at
14 Connecticut Village?

15 A. Yes.

16 Q. Okay.

17 And how about Kiara Douglas?

18 A. Yes.

19 Q. And Rebi you knew?

20 A. Yes.

21 Q. How about Chariece Allen? She lives I think straight
22 across from you.

23 A. Yes.

24 Q. Okay.

25 How about Antron Bonner?

1 A. Yes.

2 Q. How do you know Antron Bonner?

3 A. My cousin.

4 Q. He is your cousin?

5 A. Yes.

6 Q. And how long have you known Antron?

7 A. All my life.

8 Q. All your life. Okay.

9 MR. MORIN: That's all the questions that I have.

10 THE COURT: Okay.

11 Ms. Racine.

12 MS. RACINE: Thank you, Your Honor.

13 May it please the court?

14 THE COURT: Yes, ma'am.

15 CROSS EXAMINATION BY MS. RACINE:

16 Q. Ms. Bonner, I believe you testified earlier that when
17 Rajshun stopped by your apartment looking for "Slick" a few
18 days earlier, that it didn't seem like it was a friendly
19 visit. Almost a threatening-type visit, is that right?

20 A. Yes.

21 Q. Okay. That he had something for him to do?

22 A. Yes.

23 Q. Did he make any type of threats that day?

24 A. No.

25 Q. Do you feel like if it was something that could be

1 threatening to "Slick", he would need to know about it?

2 A. Yes.

3 Q. Okay.

4 Did you track down "Slick" and --

5 A. No.

6 Q. -- tell him Rajshun was looking for him?

7 A. No.

8 Q. No. Okay.

9 You said that you never got the chance to even talk to
10 "Slick" to tell him Rajshun was looking for him, is that
11 correct?

12 A. Yes.

13 Q. I believe you also said that as you were leaving that
14 day, the same day he got shot, you pulled over and talked to
15 him and had a cigarette with him, is that right?

16 A. Yeah.

17 Q. So if you thought Rajshun was mad at him and maybe
18 looking to do him harm, you had a chance to tell him right
19 then?

20 A. I thought they would talk later on. I didn't know
21 there -- there wasn't nothing going out like that.

22 Q. Okay. All right.

23 But still you could have mentioned it to "Slick"?

24 A. Yeah.

25 Q. But you didn't do it?

1 A. No.

2 Q. Okay.

3 When Rajshun came by your apartment that day, did he
4 have any kind of weapon on him?

5 A. I didn't see a weapon.

6 Q. Okay.

7 Did he make any kind of threat at all against "Slick"?

8 A. No, he just said he had something for him.

9 Q. Something for him. Okay.

10 But you don't know what that something was?

11 A. No.

12 Q. It could have been a movie that "Slick" had been
13 wanting to watch? He could have said "I have got your DVD
14 you are looking for," is that right?

15 A. No.

16 Q. Okay. It could have been, though, correct?

17 A. Could have been, but --

18 Q. You don't know what it was?

19 A. No.

20 Q. It was just one friend looking for another friend, is
21 that right?

22 A. Yeah.

23 Q. Okay.

24 MS. RACINE: No further questions.

25 THE COURT: Anything from the State?

1 MS. LESKANIC: Yes, Your Honor.

2 REDIRECT EXAMINATION BY MS. LESKANIC:

3 Q. Okay. Ms. Bonner, who came to your apartment a few
4 days before "Slick" was killed looking for him?

5 A. Rajshun Foster and Franklin Dover.

6 Q. How certain are you that it was those two men that were
7 inside your apartment before "Slick" was killed, a few days
8 before he was killed?

9 A. Because I have seen them before. I knew who they was.

10 Q. Had you seen Frank Dover before that day?

11 A. Yeah. Yeah, I done seen him before.

12 Q. Okay. Where had you seen him before?

13 A. In the streets. I knew he was from around my family.

14 Q. Okay. So you had seen him before, but did you hang out
15 with him?

16 A. Oh, no.

17 Q. Okay.

18 When he came into your apartment, did you know who he
19 was?

20 A. Yes.

21 Q. All right. And is he seated at the defense table right
22 now?

23 A. Yes.

24 Q. And how certain are you that it was Frank Dover and
25 Rajshun Foster that came in looking for "Slick" a couple

1 days before he was murdered?

2 A. It was -- I'm sure it was them.

3 Q. Okay. A hundred percent sure, fifty percent sure? How
4 sure are you it was those two men?

5 A. A hundred percent.

6 Q. Okay.

7 Now, when they came into the apartment, were they
8 wanting to share a DVD with "Slick"?

9 A. No.

10 Q. What was the demeanor? How did it appear to you what
11 these two men wanted with "Slick"?

12 A. It wasn't no friendly visit. They said they had
13 something for him -- they had something for him to do.

14 Q. Okay. So it wasn't -- was it one friend looking for
15 another friend to go hang out?

16 A. No.

17 Q. Okay. They had something for him?

18 A. Yeah.

19 Q. And did they tell you to tell him anything?

20 A. No.

21 Q. But they came to your apartment. Both of them came
22 inside your apartment and they were looking for "Slick" and
23 had something for him?

24 A. Yes.

25 Q. And Ms. Racine asked and you agreed, you took it as a

1 threatening visit?

2 A. Yes.

3 Q. Now, when you saw "Slick" the day that he was murdered,
4 how did he appear to you, when you saw him in the parking
5 lot or drive-through area of Connecticut Village?

6 A. Like something was bothering him. He had something on
7 his mind.

8 Q. Okay. And what does that look like?
9 How did "Slick" normally act?

10 A. Laughing all day.

11 Q. And was he laughing and talking that day?

12 A. No.

13 Q. How did he appear to you?

14 A. You could feel something was bothering him.

15 Q. And that was just a short period of time before he was
16 murdered, is that correct?

17 A. Yes.

18 Q. And you didn't tell him that Rajshun and Frank had been
19 to your apartment, is that correct?

20 A. Yes.

21 Q. Why not?

22 A. I thought maybe they done seen him like. I was just
23 talking to "Slick".

24 Q. Okay.

25 So you and "Slick" were kind of on the outs at that

1 point?

2 A. Yes.

3 Q. But staying with you at night?

4 A. No.

5 Q. Okay.

6 So how much time did you spend with "Slick" at
7 Connecticut Village before you went up to your aunt's and
8 then drove to your mom's house?

9 A. About two minutes. Not long.

10 Q. Okay. Not long.

11 Did you think about telling him that Rajshun and Frank
12 had been by?

13 A. No.

14 Q. And it had been a few days?

15 A. Yes.

16 Q. Why did you stop staying in Connecticut Village after
17 "Slick" was murdered?

18 A. He had got shot. I was scared to stay there with my
19 kids.

20 Q. Where was he shot?

21 A. In my back door.

22 Q. Your back door and you have two minor children?

23 A. Uh-huh.

24 Q. So you started staying with your mom?

25 A. Yes.

1 Q. All right. Now, Rajshun --

2 You did put in your first statement --

3 Now, Mr. Morin asked you, you gave a statement to
4 police months after. Did you actually give a statement to
5 police on June 22nd, 2014, the day that "Slick" was
6 murdered?

7 A. Yes.

8 Q. And so it wasn't months later, but you did tell police
9 that it was Rajshun and three other guys?

10 A. Yes.

11 Q. Were there four people that came to your apartment?

12 A. Yes, but Rajshun and Frank are the only two that came
13 in. The other boys was outside.

14 Q. Do you know who the other two boys were?

15 A. No.

16 Q. So four people came, two came inside?

17 A. Uh-huh.

18 Q. And in your statement to police you didn't mention
19 Frank Dover?

20 A. No.

21 Q. Why not?

22 A. Because I heard that he had something to do with
23 "Slick" got killed.

24 Q. Why not tell the police?

25 A. I was afraid.

1 Q. Why?

2 A. Because they could come to my apartment again.

3 Q. Had they been arrested at that point?

4 A. No.

5 Q. On the day that you gave the statement to police, did
6 you know that it was Frank Dover that had come into your
7 apartment with Rajshun Foster?

8 A. Yeah.

9 Q. And why didn't you give his name?

10 A. Because there wasn't no arrest made.

11 Q. Now, you lived in Connecticut Village for how long?

12 A. Six years.

13 Q. Did you ever --

14 Is there a wooded path behind your house?

15 A. It's a path, yeah.

16 Q. Can you show the ladies and gentlemen of the jury, and
17 you may need to step down, where the back door of your
18 apartment is and where that wooded path leads?

19 A. Up in here.

20 Q. So there is a path -- the map says East Junior High
21 Road. There is a path off of East Junior High Road?

22 A. Uh-huh.

23 Q. And where does that path lead?

24 A. To my back door.

25 Q. Did you ever walk that path?

1 A. I have sometimes.

2 Q. And you were not home that day?

3 A. No.

4 Q. And with you not being home, where would "Slick" have
5 gone to get inside your apartment?

6 A. Through those window, or sometimes the door would be
7 open, unlocked.

8 Q. So the front door or back door?

9 A. The back door.

10 Q. Okay. But the back side of the apartment, if you are
11 not home, that's where he would go?

12 A. Yes.

13 Q. And you saw Rajshun Foster and he saw you --

14 A. Yes.

15 Q. -- leaving?

16 A. Yes.

17 Q. So they knew that you were not home?

18 A. Yes.

19 Q. Can you -- if you know, do you know how far down East
20 Junior High Road Rajshun drove before he pulled over, or how
21 were you watching them?

22 A. I seen them in my mirror. I wasn't past the school and
23 I didn't see them no more.

24 Q. So it was before you got to East Junior High -- I mean
25 to Ewing Middle School?

1 A. Yeah.

2 Q. Okay. You were watching in your rearview mirror?

3 A. Uh-huh.

4 Q. And saw the vehicle do what?

5 A. Turn around and pulled over.

6 Q. Okay. Turn around and pull over, or --

7 A. They pulled over actually when they stopped.

8 Q. Okay. So pulled over on the right side of the road?

9 A. Yes.

10 Q. And stopped.

11 And then you didn't see the vehicle come back up behind
12 you?

13 A. No.

14 Q. And it was ten minutes after that that you got a phone
15 call that "Slick" had been murdered?

16 A. Yes.

17 Q. Thank you.

18 RECROSS EXAMINATION BY MR. MORIN:

19 Q. Ma'am, do you know my name?

20 A. No.

21 Q. Have you seen me before?

22 A. No.

23 Q. You haven't seen me. This is first time that you have
24 ever seen me?

25 A. (No response).

1 Q. All right. Well, let me ask you this.

2 You don't know my name because I haven't told you,
3 correct?

4 A. Correct.

5 Q. And nobody else has told you what my name is, correct?

6 A. Yes.

7 Q. How did you know Frank's name?

8 A. I done seen him before.

9 Q. Yeah, I understand that you have seen him, but unless
10 somebody tells you what the name is or they say "my name
11 is," you don't know their name. How do you know his name?

12 A. I done heard his name before.

13 Q. From who?

14 A. People.

15 Q. What people?

16 A. People in the street.

17 Q. People in Connecticut Village?

18 A. Yeah.

19 Q. When you saw "Slick" that day, did you just say that
20 the two of you were on the outs, that y'all weren't seeing
21 each other?

22 A. Yes.

23 Q. But he still had access to your house?

24 A. Yes.

25 MR. MORIN: That's all the questions that I have.

1 THE COURT: Ms. Racine, anything?

2 MS. RACINE: No, sir.

3 THE COURT: Ma'am, you may step down. Please be
4 very careful.

5 MS. LESKANIC: The State calls Bernice Dowdle.

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

8 BERNICE DOWDLE, having been first duly sworn,
9 testified as follows:

10 THE WITNESS: I do.

11 THE CLERK: Watch your step.

12 THE WITNESS: Yes, ma'am.

13 THE COURT: Ma'am, tell us your full name and
14 spell your last name, please.

15 THE WITNESS: My name is Bernice Dowdle,
16 D-O-W-D-L-E.

17 THE COURT: Thank you.

18 Solicitor.

19 MS. LESKANIC: Thank you, Your Honor.

20 DIRECT EXAMINATION BY MS. LESKANIC:

21 Q. Good morning, Ms. Dowdle.

22 A. Good morning.

23 Q. I want to take you back to June 22nd, 2014. Were you
24 living in Connecticut Village at that time?

25 A. Yes, ma'am.

1 Q. Okay. And looking at what is State's Exhibit 2, would
2 you be able to show the ladies and gentlemen of the jury
3 where your apartment was?

4 A. Yes, ma'am.

5 Q. You may step down.

6 (Witness off the witness stand).

7 A. Right there.

8 BY MS. LESKANIC:

9 Q. Okay.

10 (Witness back on the witness stand)

11 BY MS. LESKANIC:

12 Q. And what apartment number did you live in?

13 A. 63.

14 Q. How long did you live in Connecticut Village?

15 A. Twenty years.

16 Q. Do you still live there?

17 A. No, ma'am.

18 Q. Did you know Timothy Blair, also known as "Slick"?

19 A. Yes, ma'am.

20 Q. How did you know Mr. Blair?

21 A. I met him by coming by in the mornings and asking me
22 for a cigarette.

23 Q. Okay. So tell the jury about that. What was your
24 interaction and how would you have known about "Slick"?

25 A. I didn't know him that long because I -- I didn't know

1 him but about two months.

2 Q. Okay. And during those two months what kind of
3 interactions did you have with him? What was he like?

4 A. He was a nice young man.

5 Q. And, I mean, would he come inside your home? Did you
6 see him outside?

7 A. No, ma'am, I always sat -- I always sit in my
8 breezeway. I'm an outside person. I don't sit in my house.

9 Q. Okay. And you would see him?

10 A. Come through.

11 Q. Did y'all stop and talk, or was it just --

12 A. Sometimes he did and sometimes he just said good
13 morning and gone about his business.

14 Q. Okay. A few days --

15 Were you in Connecticut Village the day that "Slick"
16 was murdered?

17 A. Yes, ma'am.

18 Q. Before that day did anyone approach you about "Slick"?

19 A. Yes, ma'am, Mr. Foster.

20 Q. Is that Rajshun Foster?

21 A. Yes, ma'am.

22 Q. Do you see him in the courtroom today?

23 A. Yes, ma'am.

24 Q. What is he wearing?

25 A. A yellow shirt.

1 MS. LESKANIC: Your Honor, if the record would
2 reflect she's identified Rajshun Foster?

3 THE COURT: So noted.

4 MS. LESKANIC: Thank you.

5 BY MS. LESKANIC:

6 Q. He came by your house a few days before the murder?

7 A. I was sitting outside and he came through and he asked
8 me have I seen "Slick" that morning and I told him no, I
9 hadn't seen him. So he told me if I see him, tell him he
10 was looking for him. And so I spoke up and said "I thought
11 y'all was cool." He said "I did too," so I didn't see him
12 no more.

13 Q. What was the tone in Mr. Foster's voice when he said
14 "tell him I'm looking for him?"

15 A. Well, it was normal. He wasn't like angry. You know,
16 he just -- you know, it was early in the morning. He just
17 asked me about seeing him.

18 Q. Okay. Was that unusual and not see the two of them
19 together?

20 A. They was -- usually they always be together, because --
21 the majority of the time they was together, because I sit
22 out there all the time. You know, that's why I thought they
23 was cool, because you usually see them -- you know, see them
24 together.

25 Q. Okay. And his response to "I thought y'all were cool"

1 was what?

2 A. I said that and he said "I thought I did -- "I thought
3 we were too."

4 Q. All right. Now, the day -- that was a few days before?

5 A. Yes, ma'am.

6 Q. All right.

7 Did you have an opportunity to tell "Slick" that
8 Rajshun was looking for him?

9 A. Yes, ma'am.

10 Q. When did that happen?

11 A. The day -- the same day he got killed.

12 Q. Okay. Could you please tell the ladies and gentlemen
13 of the jury about that?

14 A. Well, he came through and I told him that Mr. Foster
15 had been looking for him and he said yeah. So my response
16 was he is looking -- he looked -- I said they -- "he is
17 looking for you dead or alive." So he asked me did Mr.
18 Foster say that and I told him "no, I'm the one that said
19 it."

20 Q. Okay. All right.

21 So you told him that Rajshun had been by looking for
22 him?

23 A. Yes, ma'am.

24 Q. And then did you have any other interaction with
25 "Slick"?

1 A. No, ma'am.

2 Q. And how soon after "Slick" walked away from your
3 apartment did you --

4 Did you hear a gunshot?

5 A. I heard a big bam, like a boom. It seemed like it
6 shook the whole complex. I usually run in the house, but I
7 ran to the scene of the crime.

8 Q. And what did you see?

9 A. He was laying behind Ms. Bonner's back door. He was
10 dead.

11 Q. "Slick" was?

12 A. Yes, ma'am.

13 Q. Did you see anybody running away from the scene?

14 A. No, ma'am.

15 Q. Did you see Mr. Foster after the shooting had happened?

16 A. Yes, ma'am. He was parked by the trash can in a box
17 car, him and Mr. Bonner.

18 Q. Do you know Mr. Bonner's first name?

19 A. No, ma'am. I just know him by "Red".

20 Q. "Red."

21 Okay. So you saw --

22 I'm going to show you State's Exhibit 6.

23 Looking at this --

24 A. He was parked right there.

25 Q. So you would be able to show on this where you saw Mr.

1 Foster and Mr. Bonner?

2 A. He was parked right there.

3 Q. Okay.

4 MS. LESKANIC: Your Honor, at this time I would
5 offer State's Exhibit 6 for admission.

6 MR. MORIN: No objection.

7 MS. RACINE: No objection.

8 THE COURT: Without objection, it's admitted.

9 (Whereupon, State's Exhibit No. 6 was entered into
10 the record as evidence)

11 BY MS. LESKANIC:

12 Q. Okay. Ms. Dowdle, I'm showing you State's Exhibit 6.
13 Can you step down and kind of acclimate the jury --

14 (Witness off the witness stand)

15 BY MS. LESKANIC:

16 Q. -- to where you saw Mr. Foster and Mr. Bonner and also
17 where you ran to see "Slick"?

18 A. They was parked -- this is the trash can right here.

19 Q. Let me give you this. I'm sorry.

20 A. Okay. They was parked like right there. You know,
21 backed in right in here.

22 Q. Okay. And where did you run to "Slick's" body?

23 A. Right around here.

24 Q. Okay. So that's Apartment 55 on the end and his body
25 was around the back of that apartment?

1 A. Yes, ma'am.

2 Q. And it was after the shooting that you saw Mr. Foster
3 and a guy you know as "Red" parked --

4 (Witness back on the witness stand).

5 BY MS. LESKANIC:

6 Q. -- right here?

7 A. Yeah, I don't know what kind of car it was, but I call
8 them little box cars.

9 Q. Do you remember what color?

10 A. No, ma'am.

11 Q. Okay. Was there anyone else in the car with Mr. Foster
12 and Mr. Bonner, also known as "Red"?

13 A. No. No, ma'am.

14 Q. Did you see what -- did you talk to them or say
15 anything to them?

16 A. No, ma'am.

17 Q. What did you do?

18 A. I ran to my cousin's house so she could get in touch
19 with Ms. Rebi, so she could get in touch with his parents,
20 because he wasn't from Gaffney.

21 Q. So your first thought was to get in touch with
22 "Slick's" family?

23 A. Yes, ma'am.

24 Q. Did you see when Rajshun and "Red" left the village or
25 where they went?

1 A. No, ma'am, because I went straight in the house and my
2 boyfriend told me not to go back out there because I had got
3 very upset seeing him laying there and wasn't nobody helping
4 him, so I just started crying, and he told me not to go back
5 outside because I was angry.

6 Q. What apartment did you live in? You may have told me.

7 A. Apartment 63.

8 Q. 63. Thank you.

9 How soon after "Slick" walked away from your apartment
10 did you hear the gunshot?

11 A. Seemed like, you know, he -- I think he might have
12 stopped and talked to one of the other -- other clients that
13 back there to testify, but after that I didn't see him no
14 more. I didn't see him no more until I ran behind the
15 building and saw him laying down there. He just opened his
16 eyes and he looked up and the blood started coming out his
17 mouth, and so I got -- I just started running, because I
18 have never seen that before, you know, in my life.

19 Q. Yes, ma'am.

20 A. So I just -- I just started running from it -- from the
21 scene, you know, when I come to my cousin's house so she
22 could get in touch with his parents. And after that I don't
23 know what happened.

24 Q. All right. And at this time are there a lot of people
25 running to the back of Apartment 51?

1 A. I don't really know. I just saw some of them, because
2 when we was -- when we was out in the back people was
3 coming, but I just started running after I saw him. I just
4 started running, because I ain't never, you know,
5 experienced nothing like that before in my life.

6 Q. Do you have any idea -- Ms. Dowdle, do you have any
7 idea how long it was from when "Slick" walked away from your
8 apartment? You said maybe he went to talk to somebody else,
9 how long it was before the gunshot went off?

10 A. It wasn't long. I wasn't long. It wasn't really that
11 long, because -- because after I got -- I said what I said
12 and he turned around and said, then they say that he said
13 that for real, I said "no, he didn't." I said "Mr. Foster
14 did not say that." I said "I said that," because there was
15 a saying back in the days when momma used to look for me and
16 my cousin said that she be wanting me dead or alive, I knew
17 I was going to get in trouble.

18 Q. Yes, ma'am.

19 A. But after that I don't know what happened.

20 Q. But "Slick" asked you "did Rajshun really say that he
21 was looking for me dead or alive?"

22 A. Yes, ma'am, but I told him that he did not say that, I
23 said it.

24 Q. One moment, Ms. Dowdle.

25 (Off the record).

1 (Back on the record)

2 BY MS. LESKANIC:

3 Q. That's all the questions that I have for you. Please
4 answer any questions from the defense, Ms. Dowdle.

5 A. Thank you.

6 Q. Thank you.

7 CROSS EXAMINATION BY MR. MORIN:

8 Q. Ms. Dowdle, you testified that you have been out
9 there -- you have lived out there for twenty years, is that
10 right?

11 A. Yes, sir.

12 Q. A long time.

13 You knew a lot of people that lived out there, didn't
14 you?

15 A. Not that many. I didn't fool with a lot of folks.

16 Q. Okay.

17 Well, this happened in June, a little over five years
18 ago, right?

19 A. Yes, sir.

20 Q. It was hot then like it is now? Hot outside, right?

21 A. It feels real good to me.

22 Q. It feels good to you. All right.

23 Well, you testified that you sat outside --

24 A. Yes, sir.

25 Q. -- because it can be cooler outside, right?

1 A. Yeah, I like it outside.

2 Q. Sure.

3 Now, you said that you had known Timothy Blair for a
4 couple of months, right?

5 A. Yes, sir.

6 Q. All right.

7 And back then did you work anywhere?

8 A. No, sir, I'm disabled.

9 Q. Okay. How long have you been disabled?

10 A. Oh, man. I'm sixty-five years old. It's been like
11 ever since -- well, I have been disabled. I just recently
12 started getting my check.

13 Q. I see. And what was your disability?

14 A. SSI.

15 Q. Yeah, but, I mean --

16 A. Rheumatoid arthritis.

17 Q. Oh, okay. It can be bad, can't it?

18 A. Sometimes.

19 Q. Okay.

20 Now -- and I may have misunderstood you and please
21 correct me if I'm wrong. You referred to some of the other
22 people that are here today as clients. Did you mean Ms.
23 Leskanic's clients?

24 A. I was talking about my friends back there in the lobby.

25 Q. Okay. And who are your friends that are out there in

1 the lobby? What are their names?

2 A. I don't know all their names.

3 Q. Okay.

4 A. I just know Rebi.

5 Q. Rebi.

6 A. And --

7 Q. She's your cousin, correct?

8 A. Huh?

9 Q. Is that your cousin you said?

10 A. No, she -- Rebi?

11 Q. Uh-huh.

12 A. I guess. Well, she is some kin to me.

13 Q. Okay. Who else?

14 A. I don't know the rest of the girls name. I know their
15 faces.

16 Q. All right. And they all lived down there in
17 Connecticut Village when this happened?

18 A. Yes, sir.

19 Q. In the twenty years you have been down there -- in the
20 twenty years that you lived there, did they have a lot of
21 people get killed down there?

22 A. No, sir.

23 Q. So when this happened, this was pretty big news, right?

24 A. Yes, sir.

25 Q. I imagine the whole apartment complex was talking about

1 it, correct?

2 A. Yes, sir.

3 Q. All right.

4 And I realize that this is emotional and I'm not going
5 to try to belabor it, but you say that you saw Rajshun in a
6 box car there by the trash can before the shooting, correct?

7 A. I saw him after the shooting.

8 Q. After the shooting?

9 A. Yes, sir, I was running from the crime scene and he
10 was -- they was parked out there by the trash can.

11 Q. All right. And --

12 A. Him and Mr. Bonner.

13 Q. Okay. Was he there before the shooting?

14 A. I do not know.

15 Q. Okay.

16 Do you know if Mr. Blair worked anywhere?

17 A. Not as I know. We didn't -- we wasn't that tight. We
18 wasn't that, you know, close.

19 Q. Right.

20 A. He was just the new kid on the block.

21 Q. I see.

22 A. But I didn't know if he had worked or not.

23 Q. When he went down after he left you, because you can't
24 see it on this picture, but it kind of goes down. 63 kind
25 of sits down a little bit, doesn't it?

1 A. Yes, sir.

2 Q. There's a hill there?

3 A. Yes, sir.

4 Q. And if you are sitting there, you may not have been
5 able to see where he went because of the trash can and the
6 hill, correct?

7 A. I didn't see him. When he left my house, he just
8 walked towards the other building.

9 Q. This building that we see in this picture?

10 A. Yes, sir.

11 Q. Okay. Do you know how many people were down there
12 or --

13 A. No. No, sir.

14 Q. All right.

15 And when was the last time that you -- is that the last
16 time that you saw him, or did you see him go somewhere else?

17 A. No, sir, that was the last time I saw him.

18 Q. Okay. How about Terrica Bonner, do you know her?

19 A. Who?

20 Q. Terrica Bonner.

21 A. That's the girl he was seeing. She stayed in the
22 other -- she stayed in the other end where he -- I think
23 that's where he got killed at behind her house.

24 Q. But you just kind of knew her, right? I mean --

25 A. We wasn't -- I don't -- you know, them young kids, I

1 that he left.

2 Q. Okay. You know what somebody sounds like when they are
3 angry, don't you?

4 A. I don't know if he was angry or not.

5 Q. Okay. And did he tell you that he was mad at "Slick"?

6 A. No, I asked him this question. I said "I thought y'all
7 was cool," and he said "I thought we were too." That's the
8 only conversation we had after that and he left.

9 Q. Okay. But he didn't -- he didn't tell you he wanted to
10 hurt "Slick"?

11 A. No, ma'am.

12 Q. Or he was mad at "Slick"?

13 A. No, ma'am.

14 Q. Okay. So it was one friend looking for another friend?

15 A. Just if I had seen him then because he just asked me
16 about him and I just told the truth.

17 Q. Okay.

18 MS. RACINE: No further questions. Thank you.

19 A. You are welcome.

20 THE COURT: Anything?

21 MS. LESKANIC: Very, very briefly.

22 REDIRECT EXAMINATION BY MS. LESKANIC:

23 Q. Ms. Dowdle, I know that a lot of people were talking in
24 Connecticut Village after this happened. Did anybody tell
25 you what to say, or you coming in and telling the ladies and

1 gentlemen of the jury what you saw that day?

2 A. No. No, ma'am. Ain't nobody told me what to say.

3 What I'm saying now is the truth.

4 Q. Okay. Thank you very much.

5 THE COURT: Anything on that one question?

6 MR. MORIN: No, sir.

7 MS. RACINE: No, sir.

8 THE COURT: Ma'am, you may step down. Please be
9 careful.

10 THE WITNESS: Thank you, sir.

11 Y'all have a nice blessed day.

12 THE COURT: Thank you.

13 THE WITNESS: Thank you, sir. Lord Jesus.

14 MS. LESKANIC: The State calls Jasmine Hudson.

15 THE CLERK: Please raise your right hand and place
16 your left hand on the Bible.

17 JASMINE HUDSON, having been first duly sworn,
18 testified as follows:

19 THE WITNESS: Yes.

20 THE CLERK: Okay. Watch your step.

21 THE COURT: Ms. Hudson, tell us your name and
22 spell your last name for the court reporter, please.

23 THE WITNESS: Jasmine Hudson, H-U-D-S-O-N.

24 THE COURT: Thank you.

25 Solicitor.

1 MS. LESKANIC: Thank you.

2 DIRECT EXAMINATION BY MS. LESKANIC:

3 Q. Good morning, Ms. Hudson.

4 I want to take you back to June 22nd, 2014. Who were
5 you are dating at the time?

6 A. Rajshun Foster.

7 Q. Do you see him in the courtroom today?

8 A. Uh-huh.

9 Q. And what is he wearing?

10 A. Yellow.

11 Q. Okay.

12 MS. LESKANIC: Your Honor, I would like the record
13 to reflect that she's identified the defendant Rajshun
14 Foster?

15 THE COURT: So noted.

16 MS. LESKANIC: Thank you, Your Honor.

17 BY MS. LESKANIC:

18 Q. How long have you and Rajshun been close, spending time
19 together?

20 A. It was almost a year.

21 Q. Okay.

22 And could you please tell the ladies and gentlemen of
23 the jury what y'all were doing on June 22nd, 2014?

24 A. Um --

25 Q. How did y'all get together that today?

1 A. Well, he had spent the night at my house and I was
2 taking him home.

3 Q. Okay. Where were you taking him home?

4 A. I don't know what it's called. I forgot what it's
5 called. Maybe Grassy Pond area. I don't know.

6 Q. Okay. Did you take him home?

7 A. Yes.

8 Q. Okay. Did you have a car?

9 A. Uh-huh.

10 Q. What kind of car did you have?

11 A. A Kia Soul, gray.

12 Q. A gray Kia Soul?

13 A. Uh-huh.

14 Q. Is that what you were driving?

15 A. Yes.

16 Q. Did you take Rajshun back to his house in Grassy Pond?

17 A. Yes.

18 Q. What happened when you got there?

19 A. He went in the house for a couple of minutes and then
20 he came back out.

21 Q. And what was the plan then?

22 A. I was going to my best friend's house.

23 Q. Who was that?

24 A. Cordelia Smith.

25 Q. Where did Cordelia Smith live in 2014?

1 A. In Connecticut Village.

2 Q. Was the original plan that Rajshun was going to go with
3 you there, or how did he decide to come with you?

4 A. I don't remember. I don't remember.

5 Q. But after going to his house you were going to go
6 where?

7 A. To my best friend's house.

8 Q. Okay. And what happened along the way? Tell the jury
9 what happened.

10 A. We stopped at a store and he went in the store and he
11 saw one of his friends and then we -- we got back in the
12 car. We went by his friend's house before we went to
13 Connecticut Village.

14 Q. Okay. So do you know the name of the store where you
15 stopped or what's the area?

16 A. The Redwood Store.

17 Q. Stopped at Redwood Store. Rajshun went in?

18 A. Yes.

19 Q. Okay. And when he came back out what happened?

20 A. He seen one of his friends.

21 Q. What's his friend's name? Do you recall the friend's
22 name?

23 A. Frank.

24 Q. Okay. Do you see Frank in the courtroom today?

25 A. Yes.

1 Q. Could you please identify him for the jury and to the
2 court?

3 A. He has on a plaid shirt.

4 MS. LESKANIC: Your Honor, I would like the record
5 to reflect that she's identified Franklin Dover?

6 THE COURT: So noted.

7 MS. LESKANIC: Thank you.

8 BY MS. LESKANIC:

9 Q. So you and Rajshun meet up with Frank at the Redwood
10 Store?

11 A. He just seen him there.

12 Q. Okay. And then what happened at the Redwood Store?

13 A. He got back in the car and he said that we was supposed
14 to stop by his house before we went to Connecticut Village.

15 Q. Okay. So do you remember who was driving?

16 A. I think I was driving at the time -- no, he was
17 driving. I was on the passenger's side.

18 Q. Okay. And where did y'all go?

19 A. We went down the street where the trailers was from
20 Redwood Store.

21 Q. Do you know the name of the trailer park?

22 A. No, I don't know the name. I just know it was a
23 trailer park.

24 Q. How close is it to the Redwood Store?

25 A. Right down the street.

1 Q. Within walking distance of the Redwood Store?

2 A. Uh-huh.

3 Q. Okay. Where did y'all pull in and where did you go?

4 A. I think it was the first street on the right.

5 Q. Okay. And was this Frank's house, or what you thought
6 was Frank's house?

7 A. I -- I don't know. I guess that was his house he
8 stayed in.

9 Q. And how did y'all pull in when you got to his house?

10 A. We pulled in on the right side.

11 Q. And where was Frank's car?

12 A. He was driving a car. I don't know if that was his
13 car, but it was on the left.

14 Q. Okay. Were y'all side by side, or front and back? How
15 were the cars positioned?

16 A. Side by side.

17 Q. Okay. I'm going to show you what's been marked State's
18 Exhibit 3. Tell me if you can identify this.

19 A. It was on the other end.

20 Q. Do you recognize this?

21 A. I mean, I don't remember what that -- that was my first
22 time ever going there. I don't know. I don't remember
23 exactly what it looked like, but it was like it was at the
24 end, the end of the street on the right.

25 Q. Okay. But you don't know if this is the mobile home

1 that you went to?

2 A. Uh-uh.

3 Q. Okay. But when you pulled in and Frank pulled in, how
4 were the cars positioned?

5 A. Like facing the trailer. We was on the right and he
6 was on the left.

7 Q. Okay. Side by side?

8 A. Uh-huh.

9 Q. All right. What happens after y'all arrived at the
10 trailer?

11 A. They went inside for a couple minutes and then they
12 came back outside.

13 Q. Okay. And then what happened?

14 A. We was going to Connecticut Village.

15 Q. Okay. Did you see anything while you were at the house
16 that you and Rajshun and Frank went to?

17 A. Not the house. I didn't go into the house.

18 Q. Did you see anything outside?

19 A. Yeah, it was a gun in the car.

20 Q. Please tell the jury about that, where you saw the gun
21 and in what car.

22 A. It was on the passenger's side.

23 Q. Of what car?

24 A. Of the car he was driving.

25 Q. Who is he?

1 A. I guess Frank.

2 Q. Okay. So the car that you saw Frank in at the Redwood
3 Store, he drove that to the trailer?

4 A. Yes.

5 Q. And at what point did you see a gun?

6 A. Like before we was leaving, but it wasn't like we all
7 left together. It was just me and Rajshun had left.

8 Q. Okay. But when did you see the gun?

9 A. Before we left.

10 Q. How did you see it?

11 A. He opened his passenger door.

12 Q. Frank?

13 A. Uh-huh.

14 Q. Frank opened the passenger's side, his car door, and
15 you saw what?

16 A. A gun.

17 Q. Was it a handgun or a big gun?

18 A. It was bigger than a handgun.

19 Q. It was bigger than --

20 A. Than a handgun.

21 Q. Do you remember what color it was or what it looked
22 like?

23 A. No.

24 Q. You don't remember the color?

25 A. Uh-uh.

1 Q. Do you remember giving a statement in this case?

2 A. Yes, but that was a long time ago.

3 Q. Okay. Would looking at that statement refresh your
4 memory?

5 MS. LESKANIC: May I approach, Your Honor?

6 THE COURT: Yes, ma'am.

7 BY MS. LESKANIC:

8 Q. Okay. I'm going to show you a copy of the statement.
9 Just take a look at that and see if that's the statement
10 that you gave to police.

11 A. (Witness examining document).

12 Yes.

13 Q. Okay. And reading over I believe page two, if you
14 would just read that and see if that refreshes your memory
15 and then I'll ask you some questions.

16 A. (Witness reviewing document).

17 Okay.

18 Q. Does that refresh your memory?

19 A. Yes.

20 Q. Okay. And can you please tell the ladies and gentlemen
21 of the jury now what you saw?

22 A. A beige colored gun.

23 Q. Did you describe it as big?

24 A. Yeah, it's big.

25 (Witness reviewing document).

1 Yes.

2 Q. And where were you when you saw the gun?

3 A. In the car.

4 Q. You were in your car?

5 A. Yes.

6 Q. And who drove from there to Cordelia's apartment in
7 Connecticut Village?

8 A. Rajshun.

9 Q. I'm going to show you State's Exhibit 4 and 5. Please
10 take a look at those and tell me if you recognize them.

11 A. Yes, that's where my best friend lives.

12 Q. Okay. So looking at State's Exhibit 4 and 5, you would
13 be able to identify where y'all went to Cordelia's
14 apartment?

15 A. Yes.

16 MS. LESKANIC: Your Honor, at this time I offer 4
17 and 5 for admission.

18 MS. RACINE: No objection.

19 MR. MORIN: No objection.

20 THE COURT: Without objection, 4 and 5 are
21 admitted.

22 (Whereupon, State's Exhibit No. 4 was entered into
23 the record as evidence).

24 (Whereupon, State's Exhibit No. 5 was entered into
25 the record as evidence)

1 BY MS. LESKANIC:

2 Q. Ms. Hudson, I'm going to start with State's Exhibit 4.

3 Looking at that exhibit, can you tell me where you and
4 Rajshun went on June 22nd, 2014 to Cordelia's apartment?

5 A. Right there.

6 Q. Is it the first door on the left?

7 A. Yes.

8 Q. I see there are two doors side by side.

9 A. The first one.

10 Q. And where did y'all park, the general area?

11 A. Like right here somewhere.

12 Q. Okay.

13 State's Exhibit 5, which is a different angle, would it
14 have been this apartment here?

15 A. Yes, right there.

16 Q. Okay. So just a little different view giving the
17 entire apartment. She was in the apartment on the far left?

18 A. Right.

19 Q. Okay. And what happened when you and Rajshun arrived
20 at Cordelia's apartment?

21 A. I went inside and then he went outside for a little
22 while.

23 Q. Okay. And what would -- he being Rajshun?

24 A. Yes.

25 Q. What was he going outside for?

1 A. To listen to music in the car. Just stay out there.

2 Q. Okay. Did you give him the keys so he could do that?

3 A. Yes.

4 Q. Okay. Did you stay inside?

5 A. Yes.

6 Q. All right. At any point did you see anyone outside
7 with Rajshun?

8 A. No.

9 Q. You never saw anybody with him?

10 A. Uh-uh.

11 Q. Did you know Timothy Blair?

12 A. I knew of him, but I didn't know him like.

13 Q. Did you see him out there that day?

14 A. Uh-uh.

15 Q. When did you and Rajshun break up?

16 A. I can't remember.

17 Q. You all dated for about a year?

18 A. It's a long time ago.

19 Q. You all dated for about a year?

20 A. Yes.

21 Q. All right. I'm going to show you your statement again
22 and you take your time and read over this to refresh your
23 memory and I'll ask you some questions.

24 A. (Witness examining document).

25 Okay.

1 Q. Does that refresh your memory?

2 A. Yes.

3 Q. Did you see anyone else out there with Rajshun that
4 day?

5 A. No.

6 Q. Did you tell law enforcement that you saw someone else
7 out there with him?

8 A. I -- I don't -- I can't remember. I'm trying to read
9 to see like, because I don't remember saying that.

10 Q. Page two, I believe.

11 A. (Witness examining document).

12 Okay. It -- I mean, I -- that's what I had to see if
13 it's in the statement, but I don't remember.

14 Q. What did you have to see?

15 A. It say "I saw "Slick" and Rajshun and two other guys."

16 Q. Okay. And that's the statement that you gave to law
17 enforcement close in time to when this incident happened and
18 when you were dating --

19 A. It was the same day.

20 Q. Okay. And that's when you were dating Rajshun?

21 A. Yes.

22 Q. So you saw "Slick" and Rajshun outside the apartment?

23 A. And two other people.

24 Q. Okay. Did you see Frank Dover, the man that you had
25 just met as Frank?

1 A. No.

2 Q. Did you see his vehicle out there?

3 A. No. Not yet.

4 Q. What do you mean not yet?

5 A. It was like maybe about like thirty or forty-five
6 minutes after they was outside.

7 Q. I -- just -- did you see Frank's car outside Cordelia's
8 apartment --

9 A. Not when I seen him and "Slick" and two other people,
10 no, I didn't see his car.

11 Q. Okay.

12 Did you see Frank's car outside Cordelia's apartment
13 while you were inside? During the time that you were inside
14 Cordelia's apartment, did you look outside and see Frank's
15 car?

16 A. Yes.

17 Q. The car that you had just seen at the Redwood Store --

18 A. It was black.

19 Q. -- and the car that you saw at the trailer that had the
20 big brown beige gun in it?

21 A. Yes.

22 Q. You saw that car outside Cordelia's apartment?

23 A. Yes.

24 Q. And you saw Rajshun?

25 A. Yes.

1 Q. And you saw "Slick"?

2 A. Yes.

3 Q. Did you hear a gunshot?

4 A. No.

5 Q. Did you find out that there had been a shooting at
6 Connecticut Village?

7 A. Yeah, um --

8 MR. MORIN: Objection, calls for hearsay.

9 THE COURT: Ask the question a little differently.

10 MS. LESKANIC: I just asked if she found out that
11 there had been a shooting at the village.

12 MR. MORIN: I'll withdraw.

13 THE COURT: All right.

14 A. My best friend's boyfriend called and it was like
15 "somebody is shooting. Y'all just need to stay in the
16 house."

17 BY MS. LESKANIC:

18 Q. Okay. Did you stay in the house?

19 A. For a little while, and then like when we started
20 seeing people coming outside and stuff, we had went outside.

21 Q. And what did you see when you went outside?

22 A. Nothing until we walked up the hill.

23 Q. Okay. Did you see your car there? Was your gray Kia
24 Soul still parked where you left it at Cordelia's apartment?

25 A. No.

1 Q. Was Rajshun Foster, your boyfriend, still standing
2 outside Cordelia's apartment?

3 A. No.

4 Q. Did you give Rajshun permission to take your car?

5 A. No.

6 Q. Did you call Rajshun to find out where he went and
7 where your car was?

8 A. Yes.

9 Q. Did he answer his phone?

10 A. It was dead.

11 Q. How do you know it was dead?

12 A. It was going straight to voicemail.

13 Q. Okay. So it may have been off --

14 A. Uh-huh.

15 Q. -- but it went straight to voicemail?

16 A. Yes.

17 Q. Did you finally get in touch with Rajshun?

18 A. Yes.

19 Q. How?

20 A. I think it was during his sister's.

21 Q. So his sister called him?

22 A. I'm not sure who she called, but she got in touch with
23 him.

24 Q. And where was he?

25 A. At his dad's house.

1 Q. Where does his dad live?

2 A. In Iveywood.

3 Q. With your car?

4 A. Yes.

5 Q. Now, do you remember Rajshun's phone number at the
6 time, June 22nd, 2014?

7 A. It was 219 or 216. I can't remember the last four.

8 Q. Okay. I'll show you the statement that you gave to
9 police. Did you provide his cellphone number to police in
10 your statement?

11 A. (Witness reviewing document).

12 Yes.

13 Q. And what was Rajshun Foster's cellphone number on June
14 22nd, 2014?

15 A. 219-8252.

16 Q. 219-8252?

17 A. Yes.

18 Q. And that's the number that you called?

19 A. Uh-huh.

20 Q. And that's the number he didn't answer?

21 A. Yes.

22 Q. And when you finally did get in touch with him, he had
23 left in your car and he was at Iveywood Apartments?

24 A. Yes.

25 Q. Do you remember what Rajshun was wearing that day?

1 A. A red shirt with a white shirt under it.

2 Q. And do you remember when you saw him after the shooting
3 if anything had changed about his clothing?

4 A. I can't remember if he had his shirt off or just one
5 shirt on.

6 Q. If you will refer to page three of four of your
7 statement to refresh your memory.

8 A. (Witness examining document).

9 He had the white shirt on.

10 Q. But he no longer had on the red shirt?

11 A. Uh-uh.

12 Q. Thank you.

13 Please answer any questions of the defense.

14 THE COURT: Yes, sir.

15 CROSS EXAMINATION BY MR. MORIN:

16 Q. Ma'am, it's my understanding at this time you saw Frank
17 Dover, that was the one time that you seen him?

18 A. Yes.

19 Q. And that was at Redwood?

20 A. Yes.

21 Q. Rajshun told you what his name was?

22 A. Yes.

23 Q. You went to a trailer, but you don't know if that was
24 his trailer, right?

25 A. Correct.

1 Q. You went -- he went in the car that he was driving, but
2 you don't know if that was his car?

3 A. Correct, because I don't know -- I didn't know him.

4 Q. Right.

5 Was that car a two door or a four door, do you
6 remember?

7 A. (No response)

8 Q. You can't remember?

9 A. No.

10 Q. Okay. That's fine.

11 And you stated Frank came out, opened the passenger
12 door and then closed it?

13 A. Yes.

14 Q. And you were in the passenger's side of your Kia?

15 A. Yes.

16 MR. MORIN: That's all the questions that I have.

17 THE COURT: Ms. Racine.

18 MS. RACINE: Thank you, Your Honor.

19 CROSS EXAMINATION BY MS. RACINE:

20 Q. Ms. Hudson, you said that you and Rajshun went into
21 your friend Cordelia's apartment, right?

22 A. Yes.

23 Q. And he stays a while and you said he went outside to
24 listen to music, is that right?

25 A. Yes.

1 Q. Okay. And I believe you said that you looked out a few
2 minutes later and you saw Rajshun and "Slick" and a couple
3 other people out there?

4 A. Yes.

5 Q. Yes?

6 A. Uh-huh.

7 Q. All right.

8 Now, I believe in her opening Ms. Leskanic talked about
9 an altercation, a fight, a verbal fight, between Rajshun and
10 "Slick". When you looked out there, did you see anything in
11 their body language as to whether Rajshun is moving with
12 him, did you see anything that made you think oh, this was
13 about a fight?

14 A. No.

15 Q. Okay. So did they -- were they standing there kind of
16 facing each other, their arms blaring, or just kind of
17 talking like they normally talk?

18 A. Just talking.

19 Q. Okay. So nothing you saw would make you think --

20 A. That something was going on, yeah, no.

21 Q. Okay.

22 And I believe also Ms. Leskanic asked you about a shirt
23 change from maybe what Rajshun had on that morning that saw
24 later in that day. It was a really hot day that day, wasn't
25 it?

1 A. (Shaking head yes).

2 Q. And Rajshun had been outside most of the day sitting
3 out in the parking lot listening to music. Would it be that
4 unusual if he was out there and got hot for him to just
5 change shirts when he got home?

6 A. No, because he always took his shirt off.

7 Q. He what, I'm sorry?

8 A. He always took his shirt off.

9 Q. He changed clothes on regular basis?

10 A. Uh-huh.

11 Q. Okay.

12 MS. RACINE: Beg the court's indulgence, Your
13 Honor.

14 THE COURT: Yes, ma'am.

15 (Off the record)

16 (Back on the record)

17 BY MS. RACINE:

18 Q. You dated Rajshun for about a year, right?

19 A. Yes.

20 Q. Did you ever hear him say anything to you about a
21 falling out between him and "Slick"?

22 A. Not him and "Slick", no.

23 Q. I'm sorry?

24 A. They supposedly was close friends.

25 Q. Yeah.

1 Did he ever say that he wanted harm to come to "Slick"?

2 A. No.

3 Q. "Slick" had wronged him in any way?

4 A. No.

5 Q. Okay. So he never gave you any indication that he had
6 any problem at all with "Slick"?

7 A. No. That's why when people were saying they had fought
8 and stuff, I was like why.

9 Q. Completely out of character between Rajshun and "Slick"
10 for them to fight?

11 A. Uh-huh.

12 Q. Okay.

13 MS. RACINE: No further questions.

14 MS. LESKANIC: May we approach just a moment, Your
15 Honor?

16 (Whereupon, the lawyers approached the bench for
17 an off-the-record discussion)

18 THE COURT: Mr. Foreman, ladies and gentlemen of
19 the jury, I'm going to have a matter of law I have to take
20 up, but it's break time. In fact, we are past the break
21 time. We try to stop at the top of hour there, so with that
22 it's going to be a good fifteen or eighteen minute break,
23 because as soon as I decide this, I'm going -- we are going
24 to take a break as well. I'm going to get some more coffee.

25 Don't talk about the case. It's certainly not at

1 an end. It's not at that point. You are on break. When
2 you're on break and you're on break at work, you don't talk
3 about work, so, Mr. Foreman, if you will take the jury out
4 and refresh yourselves.

5 (The following takes place outside the presence of
6 the jury panel)

7 THE COURT: Okay. Let's get on the record on
8 this.

9 MS. LESKANIC: Thank you, Your Honor.

10 Ms. Racine's last line of questioning had to do
11 with whether Rajshun had any problem with "Slick" leading up
12 to this.

13 Ms. Hudson, in her statement, stated that "I
14 remember that morning before anything happened I remember
15 Rajshun said that both of his home boys were beefing with
16 each other. He said that Frank was mad because Frank was
17 saying "Slick" had robbed him. Rajshun said that Frank told
18 him that when he went to the Club Universal in Spartanburg.
19 He had went with Frank there Saturday night. Frank dropped
20 him off at my apartment about four a.m. that morning."

21 But I think it's been presented to the jury like
22 nobody has a problem with "Slick", and I didn't go into that
23 whether anybody had said anything or whether she was aware
24 of any conflict, but she is aware of a conflict with one of
25 the defendants, and I understand Ms. Racine just represents

1 Mr. Foster and she is protecting his interests. However, I
2 don't want it to be misleading either that Ms. Hudson isn't
3 aware that there was a conflict between "Slick" and one of
4 the defendants.

5 THE WITNESS: She said Rajshun --

6 THE COURT: Hang on, ma'am. Hang on. Hang on.

7 THE WITNESS: Oh.

8 THE COURT: Mr. Morin?

9 MR. MORIN: Your Honor, obviously I didn't ask
10 anything about this, because I represent Mr. Dover, and
11 obviously this is a hearsay question that I can't
12 cross-examine the person because he's unavailable. And it's
13 akin to a Blair issue, and I think Ms. Racine's questions
14 regarding her client are regarding her client and we are not
15 at the point to where the State has presented their case.
16 And so for them to now say that they have to correct this
17 thing because of what Ms. Racine said is completely out of
18 bounds.

19 I'm sorry that she elected to have us tried
20 together, but that's the way it is, and for my client to be
21 prejudiced by something else a defense attorney said
22 representing another client is completely inappropriate.

23 It would have been appropriate, and I was waiting
24 to object in the event she asked her on direct, and I was
25 careful not to open that door on my cross, and I don't think

1 that we should be penalized because Ms. Racine is trying to
2 represent her client.

3 It's tremendously prejudicial. It serves no
4 purpose, other than the fact that Ms. Leskanic has been
5 having trouble with this client -- this witness throughout
6 her testimony. And to now allow her to attach a motive to
7 my client, where we haven't done anything to justify that
8 being brought out, and by we, I mean Mr. Dover and I, is
9 inappropriate and I would object to any lineup of
10 questioning on that because it's hearsay.

11 MS. LESKANIC: If I --

12 Just briefly on the trying them together. Neither
13 Ms. Racine nor Mr. Morin filed a motion to sever. We did
14 elect to try them together, but the defense did not appear
15 to have any objection to that and no motion to sever was
16 filed and heard before Your Honor on that issue.

17 And I'll let the court determine the remaining
18 issue, but it just is making it sound like nobody had a
19 problem, and the State did not open that door, but now it
20 has been opened to, you know, Rajshun didn't have an issue.
21 Well, he didn't, but she has information about who did, and
22 if we are going to go into what who he didn't have a problem
23 with, then I think we should be able to go into who he did
24 have a problem with.

25 THE COURT: All right.

1 Ma'am, you can leave the stand and refresh
2 yourself. You are still under oath. You can't talk to
3 anyone about your testimony whatsoever. We are going to
4 take a break and refresh ourselves and I'll be back on the
5 bench in about fifteen minutes.

6 (Witness off the witness stand).

7 (Whereupon, proceedings were recessed)

8 (Whereupon, proceedings were reconvened)

9 THE COURT: I don't think that I should allow the
10 State to go into that, and I understand your position. I
11 really do. I think it is too prejudicial to Mr. Dover and I
12 just can't allow that.

13 I don't know if you want to -- while we don't have
14 a jury here, I don't know if you want to try to ask her some
15 questions in a proffer mode to maybe see if you can clean
16 that up or not. I will be happy to let the State do that.

17 MS. LESKANIC: I mean, I think what I would ask is
18 "are you aware of him having a problem with anyone? Were
19 you given information that he was having a problem with
20 anyone?"

21 THE COURT: Mr. Morin?

22 MR. MORIN: I still object to that because I can't
23 cross-examine them on that. The confrontation clause is
24 violated, if I can't --

25 I'm in a box, yeah, because I can't say "well, who

1 is the anyone?" I can't say "who told you that," because if
2 I do that, then they can ask "well, what did he say," so I'm
3 still boxed in that way.

4 MS. LESKANIC: I mean, I made a note "potential
5 Bruton issues. Don't go there," but now we've gone here and
6 it is -- everything is hunky dory between "Slick" and
7 Rajshun, but Rajshun told her that morning that there was a
8 problem with "Slick" and Frank, and I just think it's
9 misleading that nobody knows about any problems that anyone
10 is having and that's the impression the defense is trying to
11 present to the jury. It's not accurate.

12 MR. MORIN: She's got witnesses that are going to
13 fill in that.

14 MS. LESKANIC: I understand, but it's --

15 MR. KENDALL: I don't -- just so we are clear on
16 this, I just want to make sure we are not -- this is not a
17 Bruton issue. Bruton and testimony -- the Crawford case
18 makes clear the confrontation clause applies to statements
19 that are made like, just in pending for trial proceedings.
20 The statements Rajshun makes to Frank certainly is not
21 within the confines of that. Obviously I know there is a
22 separate argument going on here and I just want to make sure
23 that as far as Bruton goes, this isn't going to be a Bruton
24 issue. It's not a -- I don't think. I don't think it's a
25 testimonial statement nature. I just wanted to kind of

1 make --

2 MS. LESKANIC: No, I was just saying I was
3 avoiding anything that would have Rajshun say anything about
4 Frank, or Frank say anything about Rajshun, but now we have
5 pushed that door open a bit to say "were you aware of any
6 problem with Rajshun" and the answer to that is "no" and I
7 want to follow up "well, were you told of any problem that
8 Frank was having, or that "Slick" was having with someone?"
9 I mean, I think for a full examination of the facts, I just
10 think that that cuts us off and is misleading to the jury
11 and Ms. Hudson was not made aware of any problems that
12 anyone was having with "Slick" the day he was killed.

13 MR. KENDALL: And just the facts today would seem
14 to suggests otherwise. When they go to Frank's house and
15 she sees with an assault rifle, shows up again talking to
16 "Slick" with an assault rifle. I mean, that does not seem
17 like Rajshun is mixed -- has no problem with that, but they
18 are all there back together after having a meeting at
19 Frank's house.

20 MR. MORIN: He didn't see Frank there.

21 THE COURT: I understand. I understand. She's
22 testified, which is in contradiction to her statement to law
23 enforcement, because, ma'am, the statement that you gave,
24 you did know about a problem.

25 THE WITNESS: Not between Rajshun and "Slick".

1 THE COURT: Ma'am?

2 THE WITNESS: Not between Rajshun and "Slick" I
3 didn't.

4 THE COURT: I know that.

5 THE WITNESS: I never said -- I didn't say that
6 about Frank and "Slick".

7 THE COURT: Well, I know it leaves the State in a
8 tough spot there, but I just -- I just cannot let that -- I
9 can't open that door. He can't -- Mr. Morin cannot
10 cross-examine Mr. Foster.

11 Again, if you want to -- or just maybe just leave
12 it alone, I don't know.

13 MS. LESKANIC: I don't want to do this a third
14 time, but it just --

15 THE COURT: I know. I don't want to do it a third
16 time either.

17 MR. MORIN: I don't want to do it a second time.

18 MS. LESKANIC: Would I be able to ask "were you
19 made aware of a problem that anyone was having with "Slick"
20 at that time?"

21 MR. MORIN: I'm going to stay on -- I don't --
22 because the information is coming in she's already said it
23 wasn't Rajshun, so what can I do next? If she says yes,
24 then that means my client, who has already said no about Mr.
25 Foster, so I'm still stuck in that same spot.

1 THE COURT: I think the best thing to do is just
2 leave it alone and not draw any more attention to it.

3 MS. LESKANIC: Okay.

4 MR. MORIN: And I will say this. I'm not going to
5 talk about this line of questioning at all at the end, or
6 anywhere else.

7 MS. LESKANIC: Is that going to be part of the
8 closing, though --

9 MR. MORIN: Not from me.

10 MS. LESKANIC: And I understand that, but there
11 are two people over there and if it's going to be --

12 MR. MORIN: Well, I just wanted to be fair about
13 it.

14 MS. LESKANIC: And I'm trying to be fair about it
15 as well and I'm trying to have a clean case and I'm trying
16 to avoid issues that would make that not happen, but I also
17 need to be able to present the State's case. I do bear the
18 burden of proof and I know the jury would be told that
19 multiple times by everyone in here who gets to speak, so --
20 but I would like to be able to present the State's case and
21 when they open the door to things, I need to be able to ask
22 the followup questions.

23 THE COURT: I understand.

24 All right. Ready for the jury to come back?

25 MR. MORIN: Yes, sir.

1 THE COURT: Where are we on this?

2 THE WITNESS: Am I done?

3 THE COURT: I don't know, hang on. You may be
4 finished.

5 MS. LESKANIC: I guess Ms. Racine had just
6 finished with her --

7 THE COURT: Yeah.

8 MS. LESKANIC: -- so it would be redirect, and I'm
9 not going to have any redirect, Your Honor.

10 THE COURT: Okay. The next witness will be how
11 long?

12 Hang on, ma'am. Hang on.

13 MS. LESKANIC: Twenty minutes.

14 THE COURT: Twenty minutes. Okay. Good. It's
15 fifteen 'til, so that would take us -- the next witness
16 would be afternoon and we'll break for lunch?

17 MR. MORIN: Well --

18 THE COURT: Sir?

19 MR. MORIN: I have eighteen points that I needed
20 to cover.

21 THE COURT: Oh, that's fine. If it takes --

22 MR. MORIN: It may be more than twenty minutes.

23 THE COURT: That's fine, but the next witness will
24 take us past noon.

25 MR. MORIN: Yes.

1 THE COURT: Okay. Stay right there.

2 We will have the jury.

3 (The following takes place in the presence of the
4 jury panel)

5 THE COURT: Thank you, Mr. Foreman, ladies and
6 gentlemen.

7 Anything further from the State?

8 MS. LESKANIC: No redirect, Your Honor.

9 THE COURT: Ma'am, you may step down. Please be
10 careful.

11 MS. LESKANIC: The State calls Sharie Studyvance.

12 THE CLERK: Please raise your right hand and place
13 your left hand on the Bible.

14 SHARIE STUDYVANCE, having been first duly sworn,
15 testified as follows:

16 THE WITNESS: Yes.

17 THE CLERK: Watch your step.

18 THE COURT: Ma'am, tell us your name and spell
19 your last name, please.

20 THE WITNESS: Sharie Studyvance,
21 S-T-U-D-Y-V-A-N-C-E.

22 THE COURT: Yes, ma'am.

23 DIRECT EXAMINATION BY MS. LESKANIC:

24 Q. Good morning, Ms. Studyvance.

25 A. Good morning.

1 Q. I want to take you back to June 22nd, 2014. Did you
2 live in Connecticut Village at that time?

3 A. Yes.

4 Q. Do you remember which apartment that you lived in?

5 A. 20.

6 Q. Are you still living in Connecticut Village?

7 A. Yes.

8 Q. Do you still live in the same apartment?

9 A. Yes.

10 Q. All right.

11 Would you be able, looking at State's Exhibit 2, to
12 step down and show the ladies and gentlemen of the jury
13 where you live?

14 (Witness off the witness stand).

15 BY MS. LESKANIC:

16 Q. Be careful.

17 A. Right there.

18 Q. And that's Apartment 20?

19 A. Yes.

20 Q. Okay. Thank you very much.

21 A. Uh-huh.

22 (Witness back on the witness stand).

23 BY MS. LESKANIC:

24 Q. Were you home on June 22nd, 2014, the day Timothy Blair
25 was shot and killed?

1 A. Yes.

2 Q. Did you know Timothy Blair?

3 A. I know of him being in the neighborhood.

4 Q. So if you saw him, you would know who he was?

5 A. Yes.

6 Q. Okay. Did you see him that day?

7 A. Yes.

8 Q. Where did you see him?

9 A. Across the street -- across the street --

10 Q. Let me show you what's been marked State's Exhibit 5.

11 A. Yes, by that trash can.

12 Q. Okay. All right.

13 And who did you see outside?

14 A. I saw "Slick", "Shawn Fawlk", and "Gwap".

15 Q. Okay. "Slick" is Timothy Blair?

16 A. Yeah.

17 Q. And he was shot and killed that day?

18 A. Right.

19 Q. "Shawn Fawlk", do you know his real name?

20 A. Rajshun.

21 Q. Rajshun.

22 Okay. Do you see him in the courtroom today?

23 A. Yes.

24 Q. And what's he wearing?

25 A. A green shirt.

1 Q. Okay.

2 MS. LESKANIC: Your Honor, I would like the record
3 to reflect that she's been identified Mr. Foster.

4 THE COURT: So noted.

5 BY MS. LESKANIC:

6 Q. All right.

7 And you also saw "Gwap"?

8 A. Yes.

9 Q. Do you know who that is?

10 A. Yes.

11 Q. What's his real name?

12 A. Frank Dover.

13 Q. Okay. Do you see him in the courtroom today?

14 A. Yes.

15 Q. And what is he wearing?

16 A. A plaid shirt. I think that's burgundy.

17 Q. Okay.

18 MS. LESKANIC: Your Honor, I would like the record
19 to reflect that she's also identified Franklin Dover.

20 THE COURT: So noted.

21 MS. LESKANIC: With his nickname "Gwap".

22 BY MS. LESKANIC:

23 Q. Okay. If you could, I'm sorry to have you step down
24 again.

25 (Witness off the witness stand).

1 BY MS. LESKANIC:

2 Q. Could you please tell the ladies and gentlemen of the
3 jury what you were doing -- because your apartment is up
4 here, right --

5 A. Yeah.

6 Q. -- at the top, and this is looking down from your
7 apartment?

8 A. Right.

9 Q. All right.

10 Tell the jury what you were doing and details of what
11 you saw, please.

12 A. I was going to this apartment over here to take a lady
13 to the store.

14 I saw right here "Shawn Fawlk" and "Slick" over here
15 arguing on this side.

16 I saw "Gwap" about right here and his car with the door
17 open with a gun.

18 As me and the lady right here gets in the car to go up
19 the street, I heard "Gwap" told "Slick", which was over here
20 as well, he was over here say "I'll get you one way or the
21 other," and I went home. I -- no, I went to the store.

22 And then when I came back and dropped her off over
23 here, I went back home, my sister called me and say "they
24 shot that boy."

25 I went up there and I saw the boy on the ground where

1 he was shot at.

2 Q. Thank you very much.

3 A. Uh-huh.

4 (Witness back on the witness stand).

5 BY MS. LESKANIC:

6 Q. You saw Rajshun and "Slick" arguing?

7 A. Yes.

8 Q. Can you say -- describe that. What did you see? Who
9 was arguing and who was doing what?

10 A. I saw "Slick" and Rajshun arguing.

11 "Slick" was walking away because he did not want to
12 fight Rajshun, and he always would back up. When Rajshun
13 run up on him, he would back up.

14 Q. So Rajshun was running up on "Slick"?

15 A. Yeah, and "Slick" will back up.

16 Q. Was "Slick" yelling back at him, or who was doing most
17 of the yelling?

18 A. Rajshun was doing most of the yelling. "Slick" was
19 saying "I don't want to fight."

20 Q. Okay. And what was "Gwap" or Frank Dover doing?

21 A. He was just standing in the car.

22 Q. Standing on what side of his car?

23 A. The driver's side.

24 Q. Was the driver's door open?

25 A. Yes, it was.

1 Q. What did you see?

2 A. He had a gun.

3 Q. What did the gun look like?

4 A. It was black and brown.

5 Q. Okay. Was it a pistol or was it a long gun?

6 A. It was a long gun.

7 Q. Big gun?

8 A. Big, like a -- it could be a rifle or a shotgun.

9 Q. Okay. And what did you hear? Did you hear anything
10 about what Rajshun and "Slick" were arguing about?

11 A. No, I did not.

12 Q. Okay. Did you have your car window up or down?

13 A. Down.

14 Q. And when you rode by, what did you hear Frank Dover
15 say?

16 A. He said "I'll get you one way or the other."

17 Q. "I'll get you one way or the other."

18 A. Yes.

19 Q. And you left?

20 A. I left.

21 Q. And went where?

22 A. To the store.

23 Q. How long -- how long from the time that you left to go
24 to the store you came back and got the call that "Slick" had
25 been murdered?

1 A. It was twenty, twenty-five minutes.

2 Q. So not long?

3 A. Not long.

4 Q. From the time that you watched that altercation --

5 A. Yes.

6 Q. -- you came home and got the call that "Slick" was
7 killed?

8 A. Right.

9 Q. I think that's all the questions that I have. Please
10 answer any questions the defense has.

11 THE COURT: Yes, sir.

12 CROSS EXAMINATION BY MR. MORIN:

13 Q. Ma'am, how long did you live in Connecticut Village?

14 A. I been living there for about thirteen years now.

15 Q. Still living there?

16 A. Yup.

17 Q. Okay. And who lives with you?

18 A. My kids.

19 Q. How old are they?

20 A. Fourteen and twelve.

21 Q. And where do you work at?

22 A. Heaven Sent Caregivers.

23 Q. Okay. Who was the person that you went to take to the
24 store?

25 A. Darlene.

1 Q. Did you go to the Food Lion there, or did you go to a
2 different store?

3 A. It's been so long I can't remember what store we went
4 to.

5 Q. All right. But it probably would have been something
6 like that, because by the time you went down East Junior
7 High and turned and went to the store and you came back,
8 that's twenty minutes, or so, that you are talking about
9 would have went by. Does that sound about right?

10 A. Yeah. It depends on what she went to the store and
11 got. I don't remember which store we went to.

12 Q. Okay.

13 Now, you knew "Slick" from there at Connecticut
14 Village, is that right?

15 A. Yes.

16 Q. Had you ever seen Frank Dover before that day?

17 A. Nope.

18 Q. Have you ever seen him since that day out?

19 A. Nope.

20 Q. Okay. Tell me about the car he was standing next to.

21 A. It was a black car.

22 Q. Okay. Do you remember if it had -- how many doors it
23 had?

24 A. No, I don't remember how many doors it had.

25 Q. Okay.

1 How about Rajshun, did he have a car, or do you know?

2 A. Well, I didn't see him by a car or nothing. He was on
3 the sidewalk.

4 Q. How long have you been known Mr. Foster?

5 A. I went to school with him.

6 Q. Okay.

7 Now, since this --

8 You say that you have been there for thirteen years,
9 right?

10 A. Uh-huh.

11 Q. This is the only murder that's happened out there, is
12 that correct?

13 A. Yup.

14 Q. Okay. And that day after this happened there were a
15 lot of people out and about talking about this, is that
16 right?

17 A. I can't say because I'm a home person. I stay in the
18 house.

19 Q. So you didn't go on up there? Everybody else -- there
20 was a lot of people who went up there, though, wasn't there?

21 A. Yeah, there was a lot of people who went up there, but
22 I don't talk to people like that.

23 Q. Okay. Who told you the name "Gwap"?

24 A. Who told me the name "Gwap"?

25 Q. Uh-huh.

1 A. Well, I don't know who told me the name "Gwap".
2 Everybody was saying "Gwap", but I -- I have a good
3 memory --

4 Q. Sure.

5 A. -- and if I see you one time and I see you, I remember
6 who you is.

7 Q. I understand that. That I agree with, but, I mean, do
8 you know my name?

9 A. No.

10 Q. No.

11 And if I told you my name, or if Ms. Leskanic told you
12 my name, then you would know my name, right? I mean, that's
13 how names work.

14 A. Yeah.

15 Q. So somebody told you the name "Gwap", because you never
16 seen Mr. Dover before?

17 A. No, it's like I said, there's a lot of people --

18 Q. A lot of people down there in Connecticut Village --

19 A. And if --

20 Q. -- right?

21 A. And if you go out and walk in your house and you hear
22 people talking --

23 Q. Uh-huh.

24 A. -- and you hear names, and they will say "well, that
25 person right there was such and such and such," you are

1 going to remember who that person is and put a face with it.

2 Q. I understand.

3 Now, do you know Terrica Bonner?

4 A. I have heard of her. I don't know her.

5 Q. Okay.

6 And you knew "Slick" from out there at Connecticut
7 Village?

8 A. Right.

9 Q. Do you know if he lived out there, or did you just see
10 him around?

11 A. I saw him around, because I stay in the house. I don't
12 bother people.

13 Q. Obviously you have those young children too. You ain't
14 got time to be between work and them, right?

15 A. Nope.

16 Q. Do you know Antron Bonner?

17 A. No, I don't know him.

18 Q. Okay.

19 MR. MORIN: That's all questions that I have, Your
20 Honor.

21 THE COURT: Okay, Ms. Racine.

22 MS. RACINE: Thank you, Your Honor.

23 CROSS EXAMINATION BY MS. RACINE:

24 Q. Just a few questions for you, Ms. Studyvance.

25 When Ms. Leskanic was talking to you, you said that

1 Rajshun ran up on "Slick". What do you mean by ran up on
2 him?

3 A. Like wanted to fight.

4 Q. How did you know he wanted to fight?

5 A. The way he was running up on him.

6 Q. Okay. Did he touch him?

7 A. No..

8 Q. Shove him?

9 A. No.

10 Q. Punch at him?

11 A. No.

12 Q. Stopped close to him, is that what you are saying?

13 A. He never did get close, because "Slick" would always
14 back up.

15 Q. Okay. But he's running up on him trying to get close,
16 is that right?

17 A. Yeah, but he never did touch him, because "Slick" would
18 always move.

19 Q. Okay. Did "Slick" have to jump down to avoid a punch?

20 A. No.

21 Q. Okay. Did he have to jump back to keep Rajshun from
22 shoving him?

23 A. No.

24 Q. When "Slick" walked away, did Rajshun take after him?

25 A. No.

1 Q. He just stood there and let him go?

2 A. Yeah.

3 Q. Okay. I believe you said that you heard "Gwap" make a
4 threat --

5 A. Yeah.

6 Q. -- is that correct?

7 A. Yes.

8 Q. Did you hear Rajshun say anything?

9 A. He did not.

10 Q. Thank you.

11 MS. RACINE: No further questions.

12 THE COURT: Yes, ma'am.

13 MS. LESKANIC: May we approach a moment?

14 THE COURT: Yes.

15 (Off the record).

16 (Back on the record).

17 (Whereupon, the lawyers approached the bench for
18 an off-the-record discussion).

19 THE COURT: Solicitor.

20 MS. LESKANIC: Thank you, Your Honor.

21 REDIRECT EXAMINATION BY MS. LESKANIC:

22 Q. Ms. Studyvance, how certain are you that the three
23 people you saw outside the apartment was Rajshun Foster,
24 "Slick", and Frank Dover?

25 A. One hundred percent.

1 Q. And you hadn't seen Frank Dover before that day, is
2 that correct?

3 A. No.

4 Q. All right. Were you interviewed by police?

5 A. Yes.

6 Q. And during that interview were you ever shown a lineup
7 of individuals?

8 A. Yes.

9 Q. And asked whether you recognized anyone in that lineup?

10 A. Yes.

11 (Photographic Lineup marked as State's Exhibit No.
12 28 for identification)

13 BY MS. LESKANIC:

14 Q. Okay. I want to show you what's marked State's Exhibit
15 28. If you would, take a look at this, please, and tell me
16 if you recognize that?

17 A. Yes, I do.

18 Q. Okay. Is this something that was shown to you by law
19 enforcement on July 15th of 2014, at 12:25?

20 A. Yes.

21 Q. Is this your signature?

22 A. Yes, ma'am.

23 Q. And what does this show?

24 A. That I marked "Fawlk", number 4.

25 Q. Okay. All right. And you selected him from --

1 A. I did.

2 Q. Okay. And you went to school with him, is that
3 correct?

4 A. I went to school with Rajshun. I didn't go to school
5 with "Gwap".

6 Q. Okay. All right. But State's Exhibit 28, that's your
7 identification --

8 A. Uh-huh.

9 Q. -- of Franklin Dover, or "Gwap", is that correct?

10 A. Right.

11 Q. When law enforcement showed you this lineup, can you
12 walk the ladies and gentlemen of the jury through the
13 process by which you picked him out?

14 A. I looked at it and I went straight to him.

15 Q. Okay. And did law enforcement give you any indication
16 that --

17 A. No.

18 Q. -- the person -- that any person involved in this case
19 would actually be in one of these six photographs?

20 A. Uh-uh.

21 Q. Okay. What did they ask you?

22 A. They asked me, said "I'm going to show you some lineup.
23 They may and it may not be in here." And they said "if you
24 see who the person is, you circle it."

25 Q. Okay. And you did that on July 15th of 2014?

1 A. Yes.

2 Q. Okay. And you are a hundred percent sure this is who
3 was outside and who made the threat to "Slick"?

4 A. Yes, ma'am.

5 Q. Okay. And the altercation between "Slick" and Rajshun,
6 Rajshun didn't chase after "Slick", but what was going on in
7 that area near the trash can? Describe to the ladies and
8 gentlemen of what you saw.

9 A. All I saw was them arguing. I don't know what they was
10 arguing about, but they -- Rajshun wanted to fight, but
11 "Slick" didn't want to fight.

12 Q. Did it appear that the three men, or at least that
13 Rajshun and "Gwap", were together? I mean, "Gwap" was
14 watching what was going on --

15 A. Yeah.

16 Q. -- and was part of that?

17 A. Yeah, he was watching.

18 Q. Okay. And then he yelled out the statement to "Slick"?

19 A. Yes, he did.

20 Q. And was there anything obstructing your view of what
21 was going on and the individuals that were out there?

22 A. No.

23 MS. LESKANIC: Your Honor, at this time we would
24 offer State's Exhibit 28 for admission.

25 MR. MORIN: No objection.

1 MS. RACINE: No objection.

2 THE COURT: State's 28 is admitted without
3 objection.

4 (Whereupon, State's Exhibit No. 28 was entered
5 into the record as evidence)

6 BY MS. LESKANIC:

7 Q. Thank you. That's all the questions that I have.

8 THE COURT: Anything?

9 MR. MORIN: Yes, sir.

10 RECROSS EXAMINATION BY MR. MORIN:

11 Q. Ma'am, Ms. Studyvance, you spoke to Spike McCraw and
12 Richard Burgess that day, is that correct?

13 A. Yes.

14 Q. And you gave them a statement?

15 A. Yes.

16 Q. And did you give the statement before or after you
17 picked this lineup, do you remember?

18 A. I don't remember.

19 Q. Okay. And in the statement you told them "Slick",
20 "Fawlk", and "Gwap", correct?

21 A. Yes.

22 Q. Okay. And they didn't tell you the name "Gwap", did
23 they?

24 A. No.

25 Q. Okay.

1 MR. MORIN: That's all the questions that I have.

2 THE COURT: Anything?

3 MS. RACINE: No questions.

4 THE COURT: Ma'am, you may step down. Please be
5 careful.

6 Mr. Foreman, ladies and gentlemen of the jury, we
7 are going to break for lunch at this time.

8 Do not talk about the case. Do not try to learn
9 anything about the case outside of this courtroom. Again,
10 we must learn from this witness stand from the testimony and
11 exhibits that are provided in this courtroom.

12 We are going to break for lunch for about an hour
13 and a half. Actually, just a little more than that. That
14 will put us at a quarter to two, so 1:45 if you will be back
15 in place ready to go to work. I bring my lunch, so I'm not
16 going anywhere. I'm going to throw it in the microwave and
17 I will be right here so we will be ready to go at 1:45.
18 1:45.

19 Mr. Bailiff.

20 (The following takes place outside the presence of
21 the jury panel)

22 THE COURT: Anything from anyone before we break
23 for lunch?

24 MR. MORIN: No, sir.

25 MS. LESKANIC: No, sir.

1 MS. RACINE: No, sir.

2 THE COURT: Okay. 1:45.

3 (Whereupon, proceedings were recessed)

4 (Whereupon, proceedings were reconvened)

5 THE COURT: Bring her in the courtroom.

6 (Whereupon, Juror Number 2 was brought into the
7 courtroom)

8 THE COURT: Come right here, ma'am.

9 What can I help you with?

10 JUROR NUMBER 2: I have already spoken to my mom
11 and she actually forgotten all about it, but she was
12 actually planning to go out of town Thursday. Yeah,
13 Thursday. And I have contacted like so many people already
14 and they said that they can't take care of my son at the
15 time I would be needed for jury duty.

16 THE COURT: Well, how old is your son?

17 JUROR NUMBER 2: He's nineteen months.

18 THE COURT: Well, let's do this. If she's going
19 to be gone on Thursday, today is just Tuesday, we still got
20 plenty of time to get day-care lined up. I cannot release
21 you. You have been picked and you are on the panel.

22 JUROR NUMBER 2: I'm not -- I know I can't do
23 that, but I'm just not comfortable with putting him in
24 day-care, not something that I would like to do.

25 THE COURT: I understand, but what I'm saying is

1 we still have plenty of time. You have family and friends
2 that are here, and so if she's only going to be gone one day,
3 she's going to be gone Thursday?

4 JUROR NUMBER 2: Yeah. Yes, sir.

5 THE COURT: So she would be available Friday?

6 JUROR NUMBER 2: I think so.

7 THE COURT: She's available tomorrow, Wednesday?

8 JUROR NUMBER 2: Yes, sir.

9 THE COURT: Okay. Well, that gives you tonight
10 and, you know, tomorrow, tomorrow night to try to make some
11 arrangements. I can't -- I can't let you go.

12 JUROR NUMBER 2: I have contacted a lot of people
13 during break. I have contacted them and they said they
14 already got their own plans, their own scheduling, they were
15 unable to take care of him.

16 THE COURT: Okay. You don't have anybody that
17 could take care of this child? What about your brother?

18 JUROR NUMBER 2: He works.

19 THE COURT: All right. And your father?

20 JUROR NUMBER 2: He also works.

21 THE COURT: Okay. I can't let you go, so you are
22 going to have to make some arrangements tonight at some
23 point, okay?

24 JUROR NUMBER 2: Yeah.

25 THE COURT: I can't. Thank you.

1 (Whereupon, Juror Number 2 returned to the jury
2 room).

3 THE COURT: Ready for the jury?

4 MS. LESKANIC: Yes, sir, the State is ready.

5 MR. MORIN: Yes, sir.

6 MS. RACINE: Yes.

7 THE COURT: All right. We will have the jury.

8 (The following takes place in the presence of the
9 jury panel)

10 THE COURT: Solicitor.

11 MS. LESKANIC: If it please the court, the State
12 calls Nakisha Love.

13 THE CLERK: Please raise your right hand and place
14 your left hand on the Bible.

15 NAKISHA LOVE, having been first duly sworn,
16 testified as follows:

17 THE WITNESS: Yes, ma'am.

18 THE CLERK: Watch your step.

19 THE COURT: Ma'am, tell us who you are and spell
20 your last name for my court reporter, please.

21 THE WITNESS: I'm Nakisha Love and my last name is
22 spelled L-O-V-E.

23 THE COURT: Solicitor.

24 MS. LESKANIC: Thank you, Your Honor.

25

1 DIRECT EXAMINATION BY MS. LESKANIC:

2 Q. Ms. Love, were you in Connecticut Village on June 22nd
3 of 2014?

4 A. Yes, ma'am.

5 Q. And what were you doing there?

6 A. I was in my aunt's house with my baby.

7 Q. And who is your aunt?

8 A. Sharie Studyvance.

9 Q. And do you know that she already testified today?

10 A. Yes, ma'am, she did.

11 Q. Do you know what apartment she lives in?

12 A. 20.

13 Q. Okay. Could you show -- step down and just show the
14 jury where that is?

15 (Witness off the witness stand).

16 A. Right there.

17 BY MS. LESKANIC:

18 Q. Okay. So you are at your aunt's house visiting her?

19 A. Yes, ma'am.

20 Q. Okay.

21 (Witness back on the witness stand).

22 BY MS. LESKANIC:

23 Q. And did something get your attention?

24 A. Yes, ma'am.

25 Q. What -- please tell the ladies and gentlemen of the

1 jury what you saw and heard.

2 A. I heard arguing outside.

3 Q. Okay. Where was the arguing coming from?

4 A. Do you want me to get back down?

5 Q. If you would. You can stay down. I have got a few
6 exhibits, so if you don't mind. Just speak up loud enough
7 that the court reporter can hear you and that the jury can
8 hear you.

9 (Witness off the witness stand).

10 A. I was in the house. I heard arguing. By the time I
11 got outside I didn't hear no more arguing, or whatever, but
12 I seen people outside.

13 BY MS. LESKANIC:

14 Q. And where were they?

15 A. Right there, right there, and right there.

16 Q. Okay. Let me -- stay right there and I'm going to try
17 to give you a closer-up view.

18 Do you recognize this as State's Exhibit 4?

19 A. Yes, ma'am.

20 Q. Could you use that, would that help you explain where
21 you saw people?

22 A. Yes, ma'am.

23 Q. Okay. Who did you see and where were they?

24 A. I seen Frank right there.

25 Q. Is that Franklin Dover?

1 A. Yes, ma'am.

2 Q. All right. And do you know him?

3 A. I don't know him know him, but I have heard of him,
4 seen him around.

5 Q. Okay. And you saw him that day?

6 A. Uh-huh.

7 Q. All right. And where was he?

8 A. He was right here.

9 Q. Okay. Do you see him in the courtroom today?

10 A. Yes, ma'am.

11 Q. What is he wearing?

12 A. It looks like a brown striped shirt.

13 Q. Okay.

14 MS. LESKANIC: Your Honor, if the record would
15 reflect she's identified Franklin Dover?

16 THE COURT: So noted.

17 MS. LESKANIC: Thank you.

18 BY MS. LESKANIC:

19 Q. Okay. And who else did you see outside?

20 A. I saw Rajshun right here.

21 Q. Okay. Who is Rajshun?

22 A. Right there in the -- that's a green or yellow. I
23 can't really see over there.

24 MS. LESKANIC: Your Honor, let the record reflect
25 she's identified Rajshun Foster.

1 THE COURT: So noted.

2 BY MS. LESKANIC:

3 Q. Okay. And who else did you see?

4 A. I seen "Slick".

5 Q. Is "Slick" Timothy Blair?

6 A. Yes.

7 Q. And where was he?

8 A. He was -- it ain't showing in the picture, but he's
9 about seventy feet.

10 Q. Okay. And what was going on when you --

11 You may take a seat now.

12 What was going on when you went outside?

13 (Witness back on the witness stand)

14 A. When I went outside it wasn't nothing going on.

15 BY MS. LESKANIC:

16 Q. Okay. What got your attention to go outside?

17 A. I heard arguing.

18 Q. Okay. Was anyone else outside, other than Franklin
19 Dover, Rajshun Foster, and Timothy Blair?

20 A. I didn't see no one else.

21 Q. Okay. And so what do you do?

22 A. I went outside and I seen "Fawlk", he asked me could he
23 see my baby and I put my baby to him and let him see him.
24 And then when he got finished talking to her, or whatever, I
25 went back in the house.

1 Q. Okay. Now, why would Rajshun Foster want to see your
2 baby?

3 A. Because he is my baby's father's cousin.

4 Q. Okay.

5 A. So that makes him and my baby related.

6 Q. Makes him what?

7 A. Him and my baby girl related.

8 Q. Okay. So he wanted to see the baby.

9 Now, you saw Franklin Dover out there. Did you hear
10 anything that anybody said or hear what the argument was
11 about?

12 A. No, I didn't hear what the argument was about.

13 Q. Okay. Did you hear anybody say anything?

14 A. I heard Frank say "I'll get you one way or another,"
15 but that was it.

16 Q. Okay. And who was he saying that to?

17 A. I'm guessing "Slick", I don't know.

18 Q. Okay. How did "Slick" appear to you?

19 A. He just had his head down. He was walking away.

20 Q. Okay. Did he --

21 A. When I -- when I got outside he was already walking
22 away.

23 Q. Okay. He was walking away and you heard Frank Dover
24 yell out to him "I'll get you one way or the other?"

25 A. Yes, ma'am.

1 Q. Okay. Did you see where "Slick" walked when he left,
2 and I will show you back State's Exhibit 2, if you saw what
3 direction he walked away.

4 A. He walked between the --

5 (Witness off the witness stand).

6 A. He walked between the building right here.

7 BY MS. LESKANIC:

8 Q. Okay. There is a sidewalk there?

9 A. Yes, ma'am.

10 Q. Okay. So he's down in the bottom area?

11 A. Right there.

12 Q. And you saw him start to walk up the sidewalk?

13 A. Yes, ma'am.

14 Q. And you heard Frank Dover yell "I'll get you one way or
15 the other?"

16 A. Yes, ma'am.

17 Q. And he and Rajshun were both kind of in the same area
18 when you walked outside?

19 A. A little bit, yes, ma'am.

20 Q. Okay.

21 (Witness back on the witness stand)

22 BY MS. LESKANIC:

23 Q. And it was arguing that you heard that got your
24 attention to come out?

25 A. Yes, ma'am.

1 Q. Did you see when Rajshun and Frank left?

2 A. Yes, ma'am.

3 Q. Did they drive away in one car or drive away
4 separately?

5 A. I seen them in separate cars.

6 Q. Okay. Did you see them do anything near their cars?

7 A. No, ma'am.

8 Q. All right. Now, were you still in Connecticut Village
9 when "Slick" was shot?

10 A. Yes, ma'am.

11 Q. And how did you find out about the shooting?

12 A. I just heard a gunshot. And when I looked outside, I
13 seen everybody running, so I started going -- I went over to
14 Sharie's house to take my brother my baby, or whatever, and
15 I started going with the crowd.

16 Q. And where did the crowd go?

17 A. By the mail box.

18 Q. Okay. These mail boxes here?

19 A. Yes, ma'am.

20 Q. Okay. And this is the back of Apartment 51. Did you
21 go around there and see "Slick"?

22 A. Yes, ma'am, I went all the way up.

23 Q. Okay. Did you see anybody running away from the scene?

24 A. No, ma'am.

25 Q. How soon after you heard the argument and went outside

1 and saw "Gwap" and Rajshun and "Slick", how soon after that
2 did you hear the shot fired, approximately?

3 A. I would say about fifteen, twenty minutes.

4 MS. LESKANIC: Just one moment, please.

5 (Off the record).

6 (Back on the record).

7 BY MS. LESKANIC:

8 Q. I think that's all the questions that I have.

9 Please answer any questions that the defense has.

10 CROSS EXAMINATION BY MR. MORIN:

11 Q. Ma'am, how long have you lived in Connecticut Village?

12 A. I stayed down there for nine years.

13 Q. Okay. And you said at the beginning that you were
14 visiting your --

15 A. My aunt.

16 Q. Sharie Studyvance --

17 A. Yes.

18 Q. -- is that right?

19 A. Yes.

20 Q. She lives in Apartment 20?

21 A. Yes.

22 Q. When you heard the argument, was Mr. Studyvance home?

23 A. No.

24 Q. Where -- do you know where she was?

25 A. She was across the road at her friend girl's house

1 taking her to the store.

2 Q. Okay. And after the argument, fifteen or twenty
3 minutes went by, and then people started going?

4 A. Uh-huh.

5 Q. That's the way you described it.

6 And it was a lot of people down there?

7 A. Yes.

8 Q. When that happened where were you? Were you still at
9 Ms. Studyvance's apartment?

10 A. Yes.

11 Q. Was Ms. Studyvance home?

12 A. No.

13 Q. She wasn't there?

14 A. No.

15 Q. And you say that you saw Mr. Foster and Mr. Dover leave
16 in separate cars?

17 A. Yes.

18 MR. MORIN: That's all the questions that I have.

19 THE COURT: Ma'am?

20 CROSS EXAMINATION BY MS. RACINE:

21 Q. Ms. Love, I only have two questions for you.

22 I know you said that you heard Mr. Dover threaten
23 "Slick". Did you ever hear Rajshun threaten him?

24 A. No, ma'am.

25 Q. Okay. And there was testimony earlier about Rajshun

1 running up on "Slick", like he was trying to fight him. Did
2 you see any evidence that he was trying to fight "Slick"?

3 A. No, ma'am.

4 MS. RACINE: No further questions. Thank you.

5 THE COURT: Anything?

6 MS. LESKANIC: Nothing further, Your Honor.

7 THE COURT: Ma'am, you may step down. Please be
8 careful.

9 THE WITNESS: Thank you.

10 MS. LESKANIC: The State calls Kiara Douglas.

11 THE CLERK: Please raise your right hand and place
12 your left hand on the Bible.

13 KIARA DOUGLAS, having been first duly sworn,
14 testified as follows:

15 THE WITNESS: Yes, ma'am.

16 THE CLERK: Okay. Watch your step.

17 THE COURT: Ma'am, tell us your name and spell
18 your last name, please.

19 THE WITNESS: Kiara, last name Douglas,
20 D-O-U-G-L-A-S.

21 THE COURT: Thank you.

22 Solicitor.

23 MS. LESKANIC: Thank you, Your Honor.

24 DIRECT EXAMINATION BY MS. LESKANIC:

25 Q. Ms. Douglas, were you living in Connecticut Village on

1 on June 22nd, 2014?

2 A. Yes, ma'am.

3 Q. What apartment did you live in?

4 A. 25.

5 Q. Could you please, looking at State's Exhibit 2, show
6 the ladies and gentlemen of the jury which apartment was
7 yours? You may step down if you need to. Just watch your
8 step.

9 (Witness off the witness stand).

10 A. (Witness pointing).

11 MS. LESKANIC: Okay. Thank you very much.

12 (Witness back on the witness stand).

13 BY MS. LESKANIC:

14 Q. Did you know Timothy Blair?

15 A. Yes, ma'am.

16 Q. And how long had you known Mr. Blair?

17 A. Something like two or three months.

18 Q. Did you meet him in Connecticut Village, or how did you
19 meet him?

20 A. In Connecticut Village.

21 Q. And how did you meet him?

22 A. How did I meet him?

23 Q. Yes, ma'am.

24 A. Just -- I had been walking and he came up to me and we
25 got -- we were friends ever since then. Just being outside.

1 Q. So you have been friends for a few months --

2 A. Yes.

3 Q. -- just from living in that area and Mr. Blair being in
4 Connecticut Village?

5 A. Yes, ma'am.

6 Q. Did you see him on the day that he was killed?

7 A. I saw him.

8 Q. Okay. When did you see him and where? If you could
9 explain to the jury your interaction with "Slick" that day
10 before he was murdered?

11 A. He had came up to my apartment, to the back door, and
12 when he came in he was looking nervous and I asked him what
13 was going on. He had told me he had got into an argument
14 with Rajshun and Frank.

15 Q. Did you know Rajshun and Frank?

16 A. Yes, ma'am.

17 Q. Okay. Could you identify them? Do you see them in the
18 courtroom?

19 A. Yes, ma'am.

20 Q. Okay. Well, did you see them that day?

21 A. No, ma'am.

22 Q. Okay. So you didn't see -- did you see any altercation
23 take place?

24 A. No, ma'am.

25 Q. All right. You just -- "Slick" came to your house and

1 told you what?

2 A. That they had got into an argument.

3 Q. Okay. And that they had just gotten into that
4 argument?

5 A. Yes, ma'am.

6 Q. How did -- how did "Slick" normally appear? What was
7 his personality on a normal day?

8 A. He normally appeared happy, but this time it looked
9 like he had something on his mind.

10 Q. Okay. What does that mean?

11 A. Nervous. Nervous type. He was nervous.

12 Q. Okay. And when he told you that he was nervous, did he
13 tell you why he was nervous?

14 A. Yes, ma'am.

15 Q. Okay. Because of the altercation?

16 A. Yes, ma'am.

17 Q. All right.

18 And then did y'all decide to do something because of
19 that?

20 A. Yes, ma'am. When I told him to go out and get his
21 clothes and come back and call whoever he needed to call and
22 come and pick him up.

23 Q. So he wanted to get out of Connecticut Village?

24 A. Yes, ma'am.

25 Q. All right. And what did you -- I guess what was

1 y'all's plan for him to be able to leave?

2 A. The plan was to go get his clothes, come back and use
3 my phone and just stay there until whoever come and pick him
4 up.

5 Q. Okay. Did he seem afraid to you?

6 A. Yes, ma'am, when he came up there.

7 Q. Okay. How long was he in your apartment before he
8 left?

9 A. He wasn't -- probably like fifteen minutes. He wasn't
10 in there long.

11 Q. Okay. And then he left?

12 A. Yes, ma'am.

13 Q. And did you ever see him again?

14 A. No, ma'am. No, I didn't.

15 Q. All right. What happened?

16 A. When I saw him, he was laying on the ground dead. I
17 could see he had got shot.

18 Q. Okay. How did you find out about the shooting?

19 A. I had went outside. I know I had called his phone. He
20 didn't pick up, and I called again, so that what's made me
21 go outside. And then when I ran around the corner by the
22 mail boxes and saw him laying on the ground in the back.

23 Q. So after he had left your apartment, you were concerned
24 enough to call him twice to find out when he was coming
25 back?

1 A. Yes, ma'am. I didn't call him right then, but I called
2 him.

3 Q. Okay. And no answer?

4 A. No answer.

5 Q. And then how did you find out about the shooting, or
6 did you hear the shot?

7 A. I didn't hear no shooting. I just walked around and
8 people was talking about it and I wandered around there and
9 I saw him laying on the ground.

10 Q. And how soon after he left your apartment did you find
11 out that he had been shot?

12 A. Probably about twenty minutes. Fifteen, twenty
13 minutes.

14 Q. Hold on one minute.

15 (Off the record).

16 (Back on the record).

17 BY MS. LESKANIC:

18 Q. Thank you. Please answer any questions that the
19 defense has.

20 THE COURT: Yes, sir.

21 CROSS EXAMINATION BY MR. MORIN:

22 Q. Ms. Douglas, when you say there was a plan, the two of
23 you agreed that that was going to happen, is that correct?

24 A. Agreed what was going to happen?

25 Q. That he was going to leave and come back?

1 A. I thought he was going to come back, but he didn't get
2 to make it back that what we agreed so didn't come back.

3 Q. That's the part I'm asking about right now.

4 So when he left out of your apartment, the two of you
5 had an agreement, is that correct?

6 A. Uh-huh, to come back and call.

7 Q. He was going to go to which apartment to get his
8 clothes?

9 A. Somewhere down the street. He didn't say.

10 Q. You didn't know where he stayed?

11 A. Uh-uh.

12 Q. You just met him while he was walking around?

13 A. I met him -- I -- when I was outside.

14 Q. Yeah, that's what I meant.

15 A. Yeah.

16 Q. Because it's hot out there and they are not all air
17 conditioned, right, so a lot of people are out there,
18 especially when it's hot that time of year, right?

19 A. I really rather be outside like that, but I be out
20 there.

21 Q. Sure.

22 Who did you live with?

23 A. Myself.

24 Q. You didn't -- nobody else lived with you?

25 A. Uh-uh.

1 Q. Okay.

2 Now, if I understand correctly, he had his own
3 cellphone, right?

4 A. Uh-huh.

5 THE COURT: Yes?

6 A. Yes, sir.

7 BY MR. MORIN:

8 Q. And he could have called his people right from your
9 house, couldn't he?

10 A. He had to go get his stuff.

11 Q. All right. But he could have called and said "y'all
12 need to come and pick me up" and then gone and got his
13 stuff, correct?

14 A. Yes, but I don't think he had no cellphone on him then,
15 so I told him to come back to my apartment.

16 Q. Right, but you called him. You testified that you
17 called him.

18 A. Uh-huh.

19 Q. So he did have the phone, but you are saying now you
20 don't know if he had it with him?

21 A. No, because I didn't look for none of that. He was
22 just telling me what was going on.

23 Q. Okay.

24 Back then where were you working?

25 A. What? Where I what?

1 Q. Where were you working?

2 A. I don't remember.

3 Q. All right. And you are saying he came to your house
4 and told you there was an argument and he stayed there about
5 fifteen minutes, is that right?

6 A. Uh-huh. Yes, sir.

7 Q. And then after he left, another fifteen minutes go by
8 and you had --

9 A. Decided to call him.

10 Q. Decided to call?

11 A. Uh-huh.

12 Q. Okay. And it wasn't shortly after that that you
13 started hearing other people talking about what had
14 happened?

15 A. No, sir, I had walked outside and went around the
16 corner --

17 Q. Okay.

18 A. -- and then when I heard talking about when I went
19 outside.

20 Q. Okay. You went outside after you tried to call him?

21 A. Uh-huh, and he didn't pick up.

22 Q. Right.

23 But as far as you know, did he even live in Connecticut
24 Village?

25 A. I really don't know. I don't know.

1 Q. And do you know who his people were?

2 A. No.

3 Q. Did you have a car?

4 A. No.

5 Q. But it's fair to say that when he left, because you
6 knew him, he was your friend, that he was going to go get
7 his stuff and come back? That was your plan?

8 A. That's what I thought, but he didn't get to make it
9 back.

10 Q. I understand. But that's what he was going to do, as
11 far as you knew?

12 A. Yes, sir.

13 MR. MORIN: That's all the questions that I have.

14 THE COURT: Ms. Racine?

15 MS. RACINE: Thank you, Your Honor.

16 If it please the court.

17 CROSS EXAMINATION BY MS. RACINE:

18 Q. Ms. Douglas, I really -- I really only have one
19 question for you.

20 A. Uh-huh.

21 Q. You said that "Slick" was terrified or something,
22 right; trying to get away, trying to pack up his stuff and
23 get out as quick as he could, is that right?

24 A. No, ma'am, I said he was terrified that he had got into
25 an argument with Rajshun and Frank.

1 Q. Okay.

2 A. I didn't say just Rajshun.

3 Q. Rajshun and Frank. Okay.

4 So he came to you and you said "get your stuff. I'll
5 help you get out of here?"

6 A. No, ma'am, I didn't say it like that.

7 Q. Okay.

8 A. I said "you go get your stuff and come back and use my
9 phone and call your people to come and get you."

10 Q. And I guess what I want to know is he would have gone
11 out of his way to avoid seeing Rajshun and Frank in the
12 village at that point, don't you think?

13 A. I don't know.

14 Q. But he didn't want to see them, right?

15 A. I don't know. I --

16 Q. Because --

17 A. I just know what he had told me.

18 Q. Okay. And he was scared of them?

19 A. He was looking afraid that he had got into an argument
20 with the two.

21 Q. Okay.

22 A. I don't know what was said, what happened.

23 Q. Okay. All right. Thank you, Ms. Douglas.

24 A. Uh-huh.

25 THE COURT: Solicitor?

1 REDIRECT EXAMINATION BY MS. LESKANIC:

2 Q. Were you just trying to be a friend to "Slick" and help
3 him out?

4 A. Yeah, just trying to be a friend. I wasn't trying to
5 get into it; trying to help him out trying to get away.

6 Q. He came to you?

7 A. He came to me.

8 Q. And explained what he had --

9 A. What was going on.

10 Q. -- just gotten into it with Rajshun Foster and Frank
11 Dover?

12 A. Yes, ma'am.

13 Q. And it was to such an extent that you said "you can get
14 your stuff and come back up here and call to get out of the
15 village?"

16 A. Yes, ma'am.

17 Q. Thank you.

18 THE COURT: Anything at all?

19 MR. MORIN: No, sir.

20 MS. RACINE: No, sir.

21 THE COURT: Ma'am, you may step down. Please be
22 careful.

23 THE WITNESS: Uh-huh.

24 MS. LESKANIC: The State calls Rebi Tate.

25 THE CLERK: Please raise your right hand and place

1 your left hand on the Bible.

2 REBI TATE, having been first duly sworn, testified
3 as follows:

4 THE WITNESS: Yes, ma'am.

5 THE CLERK: Okay. Watch your step.

6 THE COURT: Ma'am, tell us your name and spell
7 your last name, please.

8 THE WITNESS: Rebi, last name Tate, T-A-T-E.

9 THE COURT: Thank you.

10 Solicitor.

11 MS. LESKANIC: Thank you, Your Honor.

12 DIRECT EXAMINATION BY MS. LESKANIC:

13 Q. Ms. Tate, were you living in Connecticut Village on
14 June 22nd of 2014?

15 A. Yes, ma'am.

16 Q. What apartment did you live in?

17 A. 54.

18 Q. Can you, looking at State's Exhibit 2, step down and
19 show the ladies and gentlemen of the jury where Apartment 54
20 is located? Watch your step.

21 (Witness off the witness stand).

22 A. There.

23 BY MS. LESKANIC:

24 Q. And in relation to that, where was Timothy Blair's body
25 found? Where was he shot that day?

1 A. Right here.

2 Q. Okay. So the apartment right next door to yours, is
3 that correct?

4 A. Yes, ma'am.

5 Q. Thank you. You may have a seat.

6 (Witness back on the witness stand).

7 BY MS. LESKANIC:

8 Q. Now, were you home at your apartment on June 22nd,
9 2014?

10 A. Yes, ma'am.

11 Q. Okay. And can you explain a little to the ladies and
12 gentlemen of the jury who was at your apartment, what you
13 were doing, and we will walk through what happened that day?

14 A. I was sitting outside fixing my baby's hair.

15 "Slick", that's Timothy Blair --

16 Q. Okay.

17 A. -- he walked off from up the street and he came out
18 there to see me and he had a cigarette. I asked him to sell
19 me a short on the cigarette, and before then -- after that
20 he took off and went to Terrica's house.

21 Q. And Terrica's house is Apartment 51?

22 A. Yes, ma'am.

23 Q. And which way did he walk to go to her apartment?

24 (Witness off the witness stand).

25 BY MS. LESKANIC:

1 Q. He walks up to you. Which direction does he come from
2 to you get to your house?

3 A. He come up from that street.

4 Q. So he's walking down to your house?

5 A. Right there.

6 Q. Okay.

7 A. And he walked this way. This is his normal routine.

8 Q. Okay.

9 A. He walked.

10 Q. So is there space between the two buildings where he
11 could have walked a shorter distance?

12 A. Yes, right here.

13 Q. Okay. But he didn't go that way?

14 A. No, ma'am.

15 Q. Was that normal for him?

16 A. Yes, ma'am.

17 Q. Okay. Normal for him to walk all the way around?

18 A. To walk around.

19 Q. Okay. If you will stay right there. I'm going to show
20 you State's Exhibit 6, 7, 8, and 9. If you could take a
21 look at these and tell me if you recognize these?

22 A. Yes, ma'am.

23 Q. Okay. And what are these, without going into too much
24 detail?

25 A. My apartment building.

1 Q. Okay.

2 A. The side of my apartment building.

3 That's the side of my apartment building.

4 Q. Okay.

5 A. And that's the back of Terrica's building.

6 Q. Okay. And do these accurately show the layout at
7 Connecticut Village?

8 A. What do you mean by that?

9 Q. Does this accurately show where the buildings are
10 positioned and what it looks like at Connecticut Village?

11 A. Yes, ma'am.

12 MS. LESKANIC: Your Honor, at this time we would
13 offer State's Exhibit 6, 7, 8, and 9 for admission.

14 BY MS. LESKANIC:

15 Q. And I'm going to get you to stay right there.

16 A. Okay.

17 Q. Thank you.

18 MS. RACINE: No objection.

19 MR. MORIN: No objection.

20 THE COURT: Without objection, 6, 7, 8 and 9 are
21 in evidence.

22 (Whereupon, State's Exhibit No. 7 was entered into
23 the record as evidence).

24 (Whereupon, State's Exhibit No. 8 was entered into
25 the record as evidence).

1 ((Whereupon, State's Exhibit No. 9 was entered into
2 the record as evidence)

3 MS. LESKANIC: May I publish, Your Honor?

4 THE COURT: Yes, ma'am.

5 BY MS. LESKANIC:

6 Q. Okay. Ms. Tate, I'm going to start with State's
7 Exhibit 6. Could you just tell the ladies and gentlemen of
8 the jury where your apartment is located and what they are
9 looking out here, give them an idea of --

10 A. Right here.

11 Q. So the door on the --

12 A. The left.

13 Q. Okay. So the left door there, that's your apartment,
14 number 55?

15 A. 54.

16 Q. 54. Thank you.

17 And where were you that day?

18 A. Sitting right here.

19 Q. Right at your door with your daughter?

20 A. Yes, ma'am.

21 Q. And who was out there with you, if you remember?

22 A. It was me, Chariece, a girl named Tye, and a couple
23 more people. I can't remember all of them.

24 Q. And while you were out there, that's when "Slick"
25 walked up from the roadway?

1 A. Yes, ma'am.

2 Q. And how long did he talk to you?

3 A. I think he -- we talked a little bit, smoke a cigarette
4 and sell me a short.

5 Q. Did you see Rajshun Foster?

6 A. Not at the beginning.

7 Q. What does that mean? Go ahead and tell us.

8 A. That means after we was talking, he sell me a short,
9 Rajshun pulled in right beside the trash can.

10 Q. Okay. He pulled in driving what?

11 A. A gray car. A gray Jeep Soul. I think that's what it
12 was.

13 Q. Jeep Soul?

14 A. Uh-huh.

15 Q. Okay. Was he alone or did he have someone with him?

16 A. "Red".

17 Q. "Red" was with him.

18 Do you know "Red's" real name?

19 A. No, ma'am.

20 Q. Okay. So "Slick" is at your apartment. Rajshun --

21 Do you see Rajshun Foster in the courtroom today? Do
22 you know him?

23 A. Yes, ma'am.

24 Q. Okay. Can you identify him for the court and the jury?

25 A. The yellow shirt.

1 Q. Okay.

2 MS. LESKANIC: Your Honor, if the record would
3 reflect she's identified Rajshun Foster?

4 THE WITNESS: So noted.

5 BY MS. LESKANIC:

6 Q. So Rajshun Foster and "Red" pulled down in a gray Soul
7 and parked beside the trash can?

8 A. Yes, ma'am.

9 Q. And "Slick" is at your apartment, along with Chariece
10 and Tye and a couple other people?

11 A. Yes, ma'am.

12 Q. What happened?

13 A. Rajshun get out of the car and they went to talking and
14 they were standing like right here.

15 Q. Who went to talking?

16 A. Rajshun was talking to "Slick".

17 Q. So Rajshun gets out of the car to approach "Slick"?

18 A. Yes, ma'am.

19 Q. And did you hear what they were talking about, or did
20 you pay it attention?

21 A. No, ma'am.

22 Q. Did you hear any part of the conversation?

23 A. Nothing but "stay out of it."

24 Q. I'm sorry?

25 A. Nothing but "stay out of it."

1 Q. Who said "stay out of it?"

2 A. Rajshun.

3 Q. Rajshun said it?

4 A. Yes.

5 Q. Said "stay out of it," or "Slick" said it to Rajshun?

6 A. "Slick" said it to Rajshun, my bad. "Slick" say, told
7 Rajshun to "stay out of it," and that was the end of the
8 conversation. That's all I heard.

9 Q. Okay. And then where did Rajshun go?

10 A. He walked back to his car.

11 Q. Okay.

12 A. And "Slick" walked this way.

13 Q. And did Rajshun stay there, or did he drive somewhere
14 else?

15 A. I think he just drove off, if I'm not mistaken.

16 Q. Did you pay attention to where he went?

17 A. No, ma'am.

18 Q. So he pulls down with "Red", gets out, says something
19 with "Slick", you are not really paying attention?

20 A. Yes, ma'am.

21 Q. "Slick" says "stay out of it?"

22 A. "Stay out of it."

23 Q. "Slick" starts to walk off?

24 A. And Rajshun walks to get in his car.

25 Q. And he drives off somewhere?

1 A. Somewhere. I don't know which way.

2 Q. All right.

3 What is the next thing that happened?

4 A. After that "Slick" went around the building and I
5 heard a --

6 Q. Let me show you State's Exhibit 9. Can you tell the
7 jury what we are looking at here?

8 A. This is the back of Terrica's building.

9 Q. Okay. So if you walk around the long side of the
10 building, where would "Slick" have been walking to get to
11 Terrica's apartment?

12 A. He walked like around this way to down -- Terrica
13 stayed at the end apartment.

14 Q. Okay. The very last apartment on the right?

15 A. Yes, ma'am.

16 Q. That's where he would have been walking?

17 A. Yes, ma'am.

18 Q. Okay. So he goes around the building and then what?

19 A. You hear a "waa" sound.

20 Q. And what was that?

21 A. I guess a gun, I guess.

22 Q. Okay. Loud?

23 A. It was loud, a loud noise.

24 Q. And what did you do?

25 A. Duck and told my little girl to get in the house and

1 the kids was saying somebody was running through the woods.
2 So when we got up to see, they was going through the woods
3 right here.

4 Q. Let me show you State's Exhibit 7. Will that show
5 where you saw someone?

6 A. They was running up through this path right here.

7 Q. How many people did you see running?

8 A. Two.

9 Q. And did you see them carrying anything?

10 A. Like a weapon.

11 Q. What did it look like?

12 A. The only thing I could see is the wood. It was
13 swinging.

14 Q. Okay.

15 A. The wood down there.

16 Q. So what color wood?

17 A. About like this color.

18 Q. Okay. Did it appear to be a short gun, like a pistol,
19 or a long gun?

20 A. It looked like a big gun.

21 Q. Big gun. Okay.

22 And you saw two people take off through the woods?

23 A. Yes.

24 Q. Running up through the woods.

25 Were you able to identify either one of them?

1 A. No, ma'am.

2 Q. All right. I'm going to show you State's Exhibit 8.

3 Looking at State's Exhibit 8, can you tell me there
4 where you came from and where Terrica's apartment is?

5 A. I come this way.

6 Q. Okay. And where was "Slick"?

7 A. Laying right over here.

8 Q. Okay. And where did you see -- is this -- where did
9 you see the people running?

10 A. On this hill.

11 Q. Okay. Thank you.

12 You can have a seat. I'll try not to make you stand
13 back down. You can sit it right up there, if you don't
14 mind.

15 (Witness back on the witness stand).

16 BY MS. LESKANIC:

17 Q. When you spoke with "Slick" that day, how did he appear
18 to you?

19 A. Kind of nervous.

20 Q. Okay. Different than he normally did?

21 A. Uh --

22 Q. Was he --

23 A. When he was walking away he paused like before he
24 stepped off the sidewalk.

25 Q. Okay. How much time have you spent with "Slick" in the

1 last few months leading up to the shooting?

2 A. I just know him from the neighborhood, not spending
3 much time with him.

4 Q. Okay. What was his normal personality?

5 A. He was a fun kind of guy, keeps you laughing.

6 Q. Was he laughing that day?

7 A. No, he wasn't laughing that day.

8 Q. So his demeanor seemed different?

9 A. Kind of, yes, ma'am.

10 Q. All right. And when you saw Rajshun get out of the car
11 and approach him, did you notice anything about facial
12 expressions or demeanor? I mean, did it seem like a
13 friendly conversation, or --

14 A. I really can't say, but, you know, face expressions, we
15 make them a lot, so I couldn't really tell what they was
16 talking about, period. So the only thing I heard was
17 "Slick" say "stay out of it."

18 Q. Anything about facial expressions? I'm sorry, I
19 didn't hear you.

20 A. I said, you know, when you are talking, you make facial
21 expressions, so I really couldn't tell like how he was --
22 what was going on.

23 Q. Okay. You couldn't tell if it was just a -- I mean,
24 did it seem like a friendly conversation, or did it seem
25 like they had an issue between each other?

1 A. I don't know.

2 Q. Okay. And you just saw Rajshun and "Red" in the gray
3 Soul, is that right?

4 A. Yes, ma'am.

5 Q. How long from the time that you saw "Slick" walk around
6 the building to when you heard the gunshot?

7 A. I would say like two or three minutes. That's what I
8 would say. I really don't know an exact time.

9 Q. It wasn't long? He walks around the building --

10 A. Yeah.

11 Q. -- and after that you hear the gunshot?

12 A. Yes, ma'am.

13 Q. Did you go around the back to check on "Slick"?

14 A. Yes, ma'am.

15 Q. What did you see when you walked around there --

16 A. Him laying --

17 Q. -- other than the two men running away?

18 A. Him laying on the ground, and I asked him was he all
19 right. He was trying to talk to me and blood was shooting
20 out of his mouth.

21 Q. Did you see Rajshun any more that day after the
22 shooting?

23 A. No, ma'am.

24 Q. What did you do after you went around the building and
25 saw "Slick"?

1 A. My nerves was tore up. I tried to talk to him, but
2 every time you tried to talk to him blood would come out of
3 his mouth, so I got scared and just took off.

4 Q. Back to your apartment?

5 A. I just run.

6 Q. Okay. Where did you go?

7 A. Around the village. My nerves was tore up.

8 Q. Okay. Thank you.

9 I think that's all the questions that I have.

10 Please answer any questions that the defense has.

11 CROSS EXAMINATION BY MR. MORIN:

12 Q. You -- you were sitting out there at your apartment,
13 right?

14 A. Yes, sir.

15 Q. That's the --

16 A. Do you want me to step down?

17 Q. Well, if you need to, but I'm going to just reiterate.
18 It's the third door. There is three doors --

19 A. It's right there.

20 Q. -- there on the building, right?

21 A. It's right here.

22 Q. Here is third one. There is two over here and if I'm
23 going to left to right?

24 A. It's right here.

25 Q. Right, that's your apartment and you are -- you are

1 sitting in the front of your door, which is the next door
2 over, right?

3 A. Yes, sir.

4 Q. All right. You have a chair out there?

5 A. Yes, I was fixing my baby's hair.

6 Q. How old is your child?

7 A. At the time she was like six.

8 Q. Okay. Is that the only child that you had at that
9 time?

10 A. Yes, at that time. I was trying to get rid of her too.

11 Q. Okay. Anybody else live there with you?

12 A. Just me and my kids.

13 Q. Okay. And Chariece Allen was there?

14 A. Yes, sir.

15 Q. Was she sitting with you?

16 A. She was coming up.

17 Q. Coming up?

18 A. She's like -- well, I don't have a picture.

19 Q. Okay.

20 A. She was coming -- we always sit in the front of my
21 house. You know, we have a good time.

22 Q. Right, she was coming up --

23 A. Yes.

24 Q. -- and she is either going to be standing or sitting
25 there by you?

1 A. Yes.

2 Q. Okay. And there was somebody -- actually some other
3 people there that were standing around too?

4 A. Yes, sir.

5 Q. Okay. Now, do you remember when you seen -- you saw
6 "Slick" walking?

7 A. He walked up to my apartment.

8 Q. Right.

9 Did he come around from where the --

10 Just out of curiosity, did he come from the road that
11 leads to East Junior High, or did he just come straight
12 down? You see what I'm saying?

13 A. He was -- yes, sir. He was coming from off the street.
14 He had done bought a cigarette.

15 Q. Go ahead and show them which direction.

16 A. Down there.

17 Q. He was coming down there?

18 A. Yes.

19 Q. Okay. And could you see him when he was coming from a
20 little ways off, or --

21 A. No, I didn't see him until he got up on me.

22 Q. Okay. The sidewalk?

23 A. Yes.

24 Q. Okay.

25 He walks up to you and y'all talk, right?

1 A. Yes, he was talking about the movies.

2 Q. All right. Talking about smoking too?

3 A. Yes.

4 Q. What were you smoking?

5 A. Weed.

6 Q. Smoking weed.

7 And how long did that conversation go on?

8 A. He smoked a cigarette and he saved me a short.

9 Q. You say what?

10 A. We smoked a cigarette --

11 Q. Right.

12 A. -- and I asked him for a short on his cigarette.

13 After asking for a short on the cigarette, he told me
14 he would be back. He was going to get the weed so we could
15 roll it up so we could smoke.

16 Q. All right.

17 Now, just to make sure I'm clear, he was going to get
18 some weed and the paper, or just the rolling paper?

19 A. I don't know nothing about no rolling paper. He told
20 me weed.

21 Q. Okay. He was going to get the weed?

22 A. Weed, yes, sir.

23 Q. And y'all were going to smoke some more weed?

24 A. Yes.

25 Q. Now, you and Chariece and maybe some of the other

1 people at the house?

2 A. Yes, sir, there was a good bit of us out there.

3 Q. Okay. Were you working anywhere then?

4 A. No, I don't think so.

5 Q. All right.

6 So "Slick" had some weed he was going to share it with
7 everybody?

8 A. Yes.

9 Q. Okay. Chariece Allen, she had a child too, didn't she?

10 A. I think she had -- yeah, one at the time.

11 Q. Was she out there too?

12 A. Yeah, Chariece was out there.

13 Q. Okay. Now -- so "Slick" --

14 So then Mr. Foster shows up?

15 A. Yes, right before he walked off.

16 Q. Okay. And then "Slick" walked over to where he was,
17 right?

18 A. No. Rajshun walked --

19 Q. Rajshun walked.

20 A. -- walked to "Slick".

21 Q. Right. But by that time, correct me if I'm wrong,
22 because I'm trying to get these times straight --

23 A. Okay.

24 Q. -- "Slick" was all the way down where you were talking
25 about, you know, smoking weed?

1 A. We was right here.

2 Q. Right.

3 Let me -- maybe this would be a little better. I just
4 wanted to get that part.

5 Here we go. How about this one?

6 A. He walked up. He was right up there.

7 Q. They were all right there?

8 A. Okay. He walked up.

9 Q. All right.

10 A. He talked for a little bit.

11 Q. Did Rajshun walk all the way down there to where y'all
12 were, or --

13 A. No, because "Slick" was leaving and I think -- because
14 he wanted to get the weed.

15 Q. Sort of they arrived at the same time?

16 A. Yeah, like he was leaving and Rajshun --

17 Q. Okay.

18 A. -- pulled up.

19 Q. He talked to him and then he went on to walk to 51 to
20 get the weed?

21 A. Yes, sir. Rajshun walked to his car.

22 Q. Correct.

23 Now, after he walked off to get the weed and Rajshun
24 went to his car, Rajshun drove off, is that right?

25 A. Yes, sir.

1 Q. Let me make sure I got this.

2 He drove off before you heard any "waa"?

3 A. Yes, sir.

4 MR. MORIN: Just a moment, Your Honor.

5 (Off the record).

6 (Back on the record).

7 BY MR. MORIN:

8 Q. Chariece lived in the building -- that's Building J, I
9 think it is, right?

10 A. I don't know. I just know the number.

11 Q. 52, 53, 54, 55, 56, 57 in that building?

12 A. Yes, and then on down the hill there is another
13 building.

14 Q. And that's where Chariece lived?

15 A. Yes.

16 Q. Right?

17 A. (Shaking head yes).

18 Q. Okay.

19 MR. MORIN: That's all the questions that I have.

20 THE COURT: Yes, ma'am.

21 MS. RACINE: Thank you, Your Honor.

22 May it please the court.

23 CROSS EXAMINATION BY MS. RACINE:

24 Q. Hey.

25 A. Hey.

1 Q. Just a few questions for you.

2 You said that y'all were out there smoking weed?

3 A. No, we wasn't smoking sitting in front of the door.

4 "Slick" was supposed to come and smoking.

5 Q. And then he left to go get some marijuana?

6 A. Yeah, they kind of like split at the same time.

7 Q. Okay. And then Rajshun pulled in?

8 A. No, Rajshun pulled in before "Slick" walked off.

9 Q. Oh, all right.

10 So Rajshun got out and walked toward "Slick" and then

11 "Slick" walked toward him?

12 A. They were having a conversation.

13 Q. Okay. Did "Slick" hesitate to go towards Rajshun,

14 or --

15 A. No.

16 Q. He just walked right up to him?

17 A. Yes, because they was friends.

18 Q. Okay. All right.

19 And you said that you didn't hear anything except for

20 "Slick" say "stay out of it?"

21 A. Yes, ma'am.

22 Q. So you could see them the whole time, is that right?

23 A. Yes, ma'am.

24 Q. Couldn't necessarily hear what was said?

25 A. Yes, ma'am.

1 Q. Okay. Did you see Rajshun make any kind of aggressive
2 action towards "Slick"?

3 A. No, ma'am.

4 Q. No pushing?

5 A. No, ma'am.

6 Q. No hitting?

7 A. No, ma'am.

8 Q. Nothing like that?

9 A. No, ma'am.

10 Q. Okay. How did this seem when they parted? Did they --

11 A. Like he felt a little nervous, you know.

12 Q. Okay.

13 A. And he said -- before he stepped off the sidewalk, it's
14 like "I'm all right," but I could tell he was nervous
15 because he paused before he stepped down.

16 Q. Okay. But he still went up to Rajshun willingly and
17 talking for a few minutes then?

18 A. Yes, ma'am.

19 Q. And I believe, Ms. Tate, you made two statements to the
20 police in this case, is that right?

21 A. I wrote one and the detective wrote one.

22 Q. Okay. And do you happen to remember your phone number
23 that you would have put on your police statement?

24 A. Not at the moment, no, ma'am.

25 Q. Would it help if you had an opportunity to review your

1 statement?

2 A. I don't know. Well, I can review the phone number.

3 Q. Okay. All right.

4 MS. RACINE: May I approach, Your Honor?

5 THE COURT: Yes, ma'am.

6 BY MS. RACINE:

7 Q. Ms. Tate, if you will just take a minute to look at
8 that. Your phone number.

9 A. Oh, yes, ma'am.

10 Q. And do you now know your phone number that you put on
11 there?

12 A. This was about --

13 Q. Could you just read that?

14 A. Phone number?

15 Q. Yes, ma'am.

16 A. 491-0251.

17 Q. And that's the phone number you had at the time, on the
18 day that this happened?

19 A. Yes, ma'am.

20 MS. RACINE: No further questions.

21 THE COURT: Yes, ma'am, anything?

22 MS. LESKANIC: Yes, Your Honor.

23 REDIRECT EXAMINATION BY MS. LESKANIC:

24 Q. Ms. Tate, when Rajshun and "Red" left, do you know
25 where they went? They left the building to go deeper into

1 the village?

2 A. I don't know.

3 Q. Did you pay attention?

4 A. I don't know if they left or if they --

5 Q. Okay. You just didn't pay attention to them?

6 A. No, ma'am.

7 Q. Okay. Now, did you receive or make -- let me ask you
8 this.

9 Did you know Frank Dover back on June 22nd, 2014?

10 A. Yes, ma'am, I went to school with him.

11 Q. Did you talk to him the day of the shooting?

12 A. I called him for some weed earlier.

13 Q. And was there a decision made on that? You called
14 Frank to see if he could get you some weed?

15 A. Well, I needed him to get me a couple things. They
16 didn't have none of it.

17 Q. I'm sorry?

18 A. At the time he said he didn't have any.

19 Q. Okay. Were there any more phone calls between you and
20 Frank Dover that day?

21 A. There was a phone call made, but I haven't talked to
22 him. Say -- tell him to keep his name --

23 Q. Wait --

24 THE COURT: Hang on. Hang on.

25 MS. LESKANIC: May we approach a minute?

1 THE COURT: Yes.

2 (Whereupon, the lawyers approached the bench for
3 an off-the-record discussion)

4 BY MS. LESKANIC:

5 Q. Sorry, Ms. Tate, I didn't mean to interrupt you.

6 What was that second -- you received a phone call from
7 Frank Dover?

8 A. Yes, ma'am.

9 Q. And what was said on that phone call?

10 A. "Tell him to keep -- "tell Shamar to keep my name out
11 of his mouth."

12 Q. "Tell Shamar." Who is Shamar?

13 A. It's my cousin. He stays down there.

14 Q. Okay. And who was he related to?

15 A. Nakisha Love and I guess Sharie Studyvance. Charie
16 Studyvance.

17 Q. Okay. So Shamar is related to Charie Studyvance and
18 Nakisha Love?

19 A. Yes.

20 Q. And you received a phone call from Frank Dover saying
21 "tell Shamar --

22 A. " -- to keep his name out of his mouth."

23 Q. "To keep my name," being Frank's name?

24 A. Yes.

25 Q. -- out of their mouth"?

1 A. Yes.

2 Q. So you made a phone call to him at one point during the
3 day asking for weed?

4 A. For weed.

5 Q. Okay. How many phone calls were there between you and
6 Frank on this day?

7 A. Only one I can remember is the one and the receiving
8 phone call.

9 Q. All right.

10 MS. LESKANIC: I think that's all the questions.
11 Thank you.

12 THE COURT: Anything?

13 MR. MORIN: No questions.

14 MS. RACINE: No, sir, no questions.

15 THE COURT: Ma'am, you may step down. Please be
16 careful.

17 THE WITNESS: Okay.

18 THE COURT: The State calls Chariece Allen.

19 THE CLERK: Please raise your right hand and place
20 your left hand on the Bible.

21 CHARIECE ALLEN, having been first duly sworn,
22 testified as follows:

23 THE WITNESS: Yes.

24 THE CLERK: Watch your step.

25 THE COURT: Ma'am, tell us your name and spell

1 your last name for my court reporter, please.

2 THE WITNESS: Chariece Allen, A-L-L-E-N.

3 THE COURT: A little louder.

4 THE WITNESS: Chariece Allen, A-L-L-E-N.

5 THE COURT: Thank you, Ms. Allen.

6 Solicitor.

7 MS. LESKANIC: Thank you, Your Honor.

8 DIRECT EXAMINATION BY MS. LESKANIC:

9 Q. Good afternoon, Ms. Allen.

10 I want to take you back to June 22nd, 2014. Did you
11 live in Connecticut Village at the time?

12 A. Yes.

13 Q. What apartment did you live in?

14 A. 58.

15 Q. Looking at State's Exhibit 2, would you be able to
16 identify which apartment you lived in?

17 You can step down, if you need to.

18 (Witness off the witness stand).

19 A. This apartment right there.

20 BY MS. LESKANIC:

21 Q. Okay. It's the first one?

22 Now, Rebi Tate is here?

23 A. Uh-huh.

24 Q. Okay. And you are here?

25 A. Uh-huh.

1 Q. Okay. And that was Apartment --

2 A. 58.

3 Q. 58.

4 (Witness on the witness stand).

5 BY MS. LESKANIC:

6 Q. Were you home on June 22nd --

7 A. Yes.

8 Q. -- 2014. Okay.

9 What were you doing that day?

10 A. I was sitting outside at Rebi's house.

11 Q. Okay. So you went over to Rebi's?

12 A. Uh-huh.

13 Q. And who was there?

14 A. It was me, Rebi, and a couple more people.

15 Q. Okay. Did you see Timothy Blair, "Slick"?

16 A. Yes.

17 Q. When did you see him?

18 A. After I had came back home -- I mean, after I -- I had
19 left my house and I walked back up to Rebi's house.

20 Q. Okay. So were you at Rebi's house and left and came
21 back?

22 A. Yeah, I was back and forth like, because I had to use
23 the bathroom or something. I don't know what I had to do,
24 but I had went home and then I came back and then he walked
25 up.

1 Q. Okay. Were you pregnant at the time?

2 A. Uh-huh.

3 Q. Okay. So you were going to the bathroom a good bit,
4 which is kind of between your house and Rebi's?

5 A. Uh-huh.

6 Q. All right.

7 A. Yes, ma'am.

8 Q. Thank you.

9 All right. So did you ever see Rajshun Foster while
10 "Slick" was out there, while Timothy Blair was at Rebi's?

11 A. No.

12 Q. Okay. What did you see while you were at Rebi's?

13 A. I didn't even see nothing. I just -- we was talking to
14 him, Timothy Blair, or whatever. He was talking back. We
15 asked did have a blunt paper, or whatever, and he said yeah.
16 He was going to get it and that was it. That's all I know.

17 Q. Okay. So when you got there was Timothy getting ready
18 to leave?

19 A. He was there for like five minutes. Like I said, we
20 had -- they was talking and I was just out there, you know
21 what I'm saying? I wasn't really having, you know, a
22 conversation with nobody. They asked for a blunt paper and
23 he said he was going to go get it and that was it.

24 Q. All right. But you didn't see Rajshun Foster pull up
25 at that point?

1 A. Uh-uh.

2 Q. Do you know Rajshun Foster?

3 A. Uh-huh.

4 Q. How do you know him?

5 A. I just know him, because at Gaffney. I mean, Gaffney
6 is small. I just know him.

7 Q. Okay. Do you see him in the courtroom today?

8 A. Yes.

9 Q. Could you identify him for the jury and the court?

10 A. He's over there in the yellow shirt.

11 Q. Okay.

12 MS. LESKANIC: Your Honor, I would like the record
13 to reflect she's identified Rajshun Foster.

14 THE COURT: So noted.

15 MS. LESKANIC: Thank you.

16 BY MS. LESKANIC:

17 Q. Okay. So when you saw "Slick" --

18 Had you seen him a lot in the village while he stayed
19 around there and while you were there?

20 A. Yes.

21 Q. How did he normally appear?

22 A. Normal, like he was like a normal dude that talked junk
23 all the time, but cool, you hear what I'm saying?

24 Q. Good mood? Bad mood? What kind of personality?

25 A. He -- he was -- when I -- I didn't really know him like

1 that to be like just up his face and talking to him having a
2 whole conversation with the man. I knew him because he
3 walked around the village and he was talking to a couple
4 people down there in the village, but I don't know him
5 personally. But every time I did see him, he was -- he
6 wasn't -- he was jolly, you hear what I'm saying? He was
7 cool.

8 Q. How did he appear on June 22nd when you saw him?

9 A. Nervous.

10 Q. What do you mean by nervous? What does a nervous
11 person look like?

12 A. Like you got something on your mind and you are worried
13 about it. Like -- have you ever been around somebody and
14 they act like they are fidgety, like they got something on
15 their mind, but they don't be want to talk about it.

16 Q. Okay. And that's the way he appeared to you?

17 A. To me.

18 Q. All right.

19 So what do you -- so where does he go? Where is
20 everybody kind of standing and what happened?

21 A. I was standing like on the sidewalk in front of Rebi's
22 house.

23 Q. Okay.

24 A. They was all standing in the back. Everybody was
25 standing everywhere, but I was standing on the sidewalk

1 like.

2 That's a good picture.

3 Q. Close to Rebi's door, or farther near the parking lot?

4 A. Not -- I wasn't -- I was farther to the parking lot,
5 but I wasn't all the way to the parking lot. I was like in
6 the middle in that walkway right there, but I wasn't close
7 to the door.

8 Q. Okay. All right.

9 I'm going to show you State's Exhibit 10 and 11 to see
10 if you recognize these.

11 A. Yes, but I was standing up a little farther. I wasn't
12 standing this close to the door. I was standing a little
13 farther up.

14 Q. Okay. Well, what do these photographs show?

15 A. They show the area the man was standing in and Rebi's
16 door.

17 Q. Okay.

18 MS. LESKANIC: Your Honor, at this time I would
19 like to offer State's Exhibit 10 and 11 for admission.

20 MR. MORIN: No objection.

21 MS. RACINE: No objection.

22 THE COURT: State's 10 and 11 without objection.

23 (Whereupon, State's Exhibit No. 10 was entered
24 into the record as evidence).

25 (Whereupon, State's Exhibit No. 11 was entered

1 into the record as evidence)

2 BY MS. LESKANIC:

3 Q. Okay. Ms. Allen, when you were at Rebi's what did you
4 see?

5 A. Well, I was standing outside and I looked up, or
6 whatever. I was just looking up, you know, just looking
7 around. When I turned around I seen a man on the side of
8 the building with a gun and some gloves and a mask, but I
9 can't identify nobody because I didn't see his face.

10 Q. Okay. That's a lot of information.

11 On the side of what building did you see the man?

12 A. On the side of that building over here in front of this
13 white jeep thing, on the side.

14 I seen him on the side of that building. On the side
15 of it, though, do you understand?

16 Q. All right. Let me show you State's Exhibit 8.

17 A. Like I was just standing right here.

18 Q. Let me show you State's Exhibit 8 that's been put into
19 evidence. Can you tell from this photograph where you saw
20 the person?

21 A. Right here.

22 Q. All right. And is that the corner of Apartment 51?

23 A. Yes.

24 Q. Terrica Bonner's apartment?

25 A. Yes.

1 Q. All right. Now, when you saw --

2 Tell the jury what you saw on the side of that
3 building.

4 A. I saw a man standing there with a shotgun, a long gun.
5 I don't know if it was a shotgun or not, but it was a long
6 gun and it was black, with a mask and gloves on. I did see
7 a man, but I can't identify him. I didn't -- I don't know
8 who he was.

9 Q. Okay. What kind of gloves did the man have on?

10 A. He had on some working gloves, like the cleanup gloves,
11 the clearest kind.

12 Q. Like a latex doctor's gloves, or a leather glove?

13 A. Latex doctor's glove.

14 Q. Okay. And State's Exhibit 10, can you tell the jury
15 what we are looking at here?

16 A. That's Rebi's front door. That's the side of the
17 building right there.

18 Q. Okay. And you were at Rebi's when you saw him on the
19 side of the building?

20 A. Yes.

21 Q. And State's Exhibit 11?

22 A. That's the corner of the -- of Terrica's house where I
23 saw the man standing there at.

24 Q. Okay. And where were you?

25 A. I was over that way, but if you actually go out there,

1 it's not that close. Like I guess that's how the camera is.
2 I was standing back off in there, but I could see over this
3 way.

4 Q. Okay. But you were in that direction and that's how
5 you were able to see the side of the building?

6 A. Uh-huh.

7 Q. Okay. Now, when you saw the man on the side of the
8 building, where was "Slick"? Where was Timothy Blair at
9 that point?

10 A. He had already walked around the building.

11 Q. Were you able to say anything or warn anybody, or what
12 did you do when you saw him?

13 A. I told them there was a man on the side of the
14 building, but wasn't nobody paying me no attention, and I
15 wasn't about to be out there yelling and hollering.
16 Carrying on, because he got a gun over there. I don't know
17 what he got capable of doing, so -- and I'm pregnant. I
18 wasn't doing all that.

19 Q. Okay. Well, how soon did you hear a shot go off?

20 A. Maybe a minute.

21 Q. Okay.

22 A. A couple seconds after -- after he walked around --
23 after he walked from over there, it was like a minute or
24 seconds -- a couple seconds.

25 Q. Okay. A couple seconds from the time that "Slick" went

1 around the building to when you -- or from when you saw the
2 man?

3 A. From when I saw the man.

4 Q. Okay. You saw --

5 A. It all happened so fast, like he walked around the
6 building, I look up, I see a man and then boom, he shot.
7 That's how it happened.

8 Q. All at one time?

9 A. All at one time. It was -- it was -- it was -- I mean,
10 I don't know. I can't tell you no time frame, because I
11 wasn't timing it, but he walked away. He went around the
12 building and boom, he got shot.

13 Q. Okay. Did you see where the man went after the
14 shooting, or what did you do after the shot?

15 A. No, after that my nerves are tore -- I told you I'm
16 pregnant, so my nerves was shot like. I think I went home.
17 Well, I did go around there after the fact and then I walked
18 back around and I seen Rajshun sitting in the front -- in
19 front of the trash can and I told him his friend was back
20 there laying on the ground and he just looked at me and left
21 out of the village and that was it.

22 Q. Okay. So after the shooting --

23 Looking at State's Exhibit 6, will that show you where
24 you saw Rajshun?

25 A. Uh-huh.

1 Q. Where did you see -- and this is after the shot was
2 fired?

3 A. (Shaking head yes).

4 Q. Is everybody kind of running to the back of the
5 building?

6 A. Yeah, everybody was looking and seeing what was going
7 on, but I had walked around from here and he was parked
8 right here, because my apartment is in front of this trash
9 can down the steps. I was walking past him right here.

10 Q. Okay. And why did you tell him?

11 A. That was his home boy.

12 Q. How did he react when you told him that "Slick" had
13 been shot?

14 A. He didn't have no reaction.

15 Q. And what did he do?

16 A. He just left out of the village.

17 Q. Was anyone with him in the car?

18 A. (Shaking head yes).

19 Q. Who was with Rajshun?

20 A. "Red".

21 Q. Do you know who "Red" is?

22 A. I don't know him personally, but I know him because of
23 Gaffney.

24 Q. Do you know his real name?

25 A. No.

1 Q. Okay. That's fine.

2 So Rajshun didn't get out of the car and go over and
3 check on "Slick"?

4 A. (Shaking head no). He left.

5 Q. And drove out of the village? You saw him pull out of
6 the village, not back into the village?

7 A. No.

8 Q. That's are all the questions that I have.

9 Please answer any questions that the defense may have.

10 THE COURT: Yes, sir.

11 CROSS EXAMINATION BY MR. MORIN:

12 Q. Ms. Allen --

13 A. Yes, sir.

14 Q. -- when you were living there in 58, right?

15 A. Yes, sir.

16 Q. Who lived there with you?

17 A. Me and my daughter.

18 Q. How old was she?

19 A. She was three, or two.

20 Q. She was two or three?

21 A. She was somewhere up in there.

22 Q. Right.

23 And you were pregnant with another child?

24 A. Yes.

25 Q. And you went out there that day. Rebi was sitting out

1 with other people?

2 A. Yes.

3 Q. And Mr. Blair walks up and y'all talked a little bit
4 and he's going to get some marijuana and smoke it?

5 A. Yeah, that, or a blunt, one of the two.

6 Q. Okay. Had you smoked marijuana with Mr. Blair before?

7 A. Have I --

8 Q. Yeah.

9 A. -- smoked? No.

10 Q. Okay.

11 Now, if I understand you correctly, this is in front of
12 Rebi's house?

13 A. Yes.

14 Q. I mean, this is right in front of her door? You
15 weren't -- I think you testified you were further out onto
16 the sidewalk, because there's a sidewalk that runs --

17 Let's see if I can find it on this.

18 A. Right here. You can see it. I was standing like in
19 this area right here.

20 Q. Yes.

21 A. In this area right here.

22 Q. Right, towards the -- towards the parking lot some, not
23 right at the building?

24 A. Yes, sir, it was towards the parking lot some, but that
25 was right there where I could see straight from there.

1 Q. I see.

2 Now, when Rajshun pulls up and got out and walks over
3 to "Slick" and starts talking, do you remember that?

4 A. No.

5 Q. You don't remember that?

6 A. No.

7 Q. Okay. So the only time that you saw Rajshun and "Red"
8 was, and correct me if I'm wrong, after the shooting?

9 A. (Shaking head yes).

10 Q. They weren't parked there before the shooting?

11 A. Uh-uh.

12 Q. Okay.

13 Do you remember how long it took after the shooting
14 from the time that you heard it to when the police got
15 there?

16 A. It took about fifteen minutes to get there.

17 Q. Fifteen?

18 A. About fifteen, twenty minutes, uh-huh.

19 Q. Okay.

20 MR. MORIN: That's all the questions that I have.

21 CROSS EXAMINATION BY MS. RACINE:

22 Q. Ms. Allen, you stated earlier that you heard the shot?

23 A. Uh-huh.

24 Q. Did you go around the building to see what had
25 happened? I might have missed that earlier.

1 A. Uh-huh.

2 Q. You did. You went behind Terrica's --

3 A. Uh-huh.

4 Q. -- apartment?

5 THE COURT: Ma'am, is that a yes?

6 A. Yes, ma'am.

7 THE WITNESS: I mean, yes, sir, I'm sorry.

8 A. Yes.

9 BY MS. RACINE:

10 Q. Okay. How long did you stay there with him?

11 A. Oh, I didn't stay there that long --

12 Q. Okay.

13 A. -- because my nerves -- like I say, my nerves was tore
14 up. I don't want to sit there and look at nobody like that.

15 Q. I understand that.

16 But then when you left, did you go all the way around
17 that building, or did you go through the cut-through between
18 Terrica's building and Rebi's building?

19 A. I cut through -- I came around the building and walked.
20 My apartment is right here. It's right behind this trash
21 can.

22 Q. That's your apartment behind the trash can?

23 A. Right behind the trash can, so I had to walk through
24 the parking lot to get to my house.

25 Q. So was it pretty chaotic over there? Were there people

1 running?

2 A. Yeah, it was -- it was -- it was a lot of people
3 outside that day.

4 Q. Okay. People coming everywhere?

5 A. People coming everywhere.

6 Q. And when all that was happening, shots had been fired,
7 people ran around, and Rajshun just was sitting there in
8 that car?

9 A. Yeah, he was just sitting there looking.

10 Q. Okay. So --

11 A. When I walked up, he was just sitting there looking.

12 Q. How long would you say after the shots were fired was
13 it until you walked up and talked to Rajshun?

14 A. It was about ten minutes.

15 Q. Ten minutes?

16 A. About five or ten minutes, uh-huh, because, like I say,
17 I walked around there.

18 I didn't walk around to the back when he first got
19 shot, no. We waited. Then we was like what was that and
20 then we ran around. I did. I didn't run around until
21 later. I didn't go around there right when it happened.

22 Q. Okay. But then --

23 A. Then when I walked around and I came back, he was
24 sitting in the front right there.

25 Q. Okay. So about five to ten minutes after you heard the

1 shot you walked around and told Rajshun what had happened?

2 A. Yes, ma'am.

3 Q. No further questions. Thank you, ma'am.

4 A. Yes, ma'am.

5 MS. LESKANIC: Briefly.

6 REDIRECT EXAMINATION BY MS. LESKANIC:

7 Q. Ms. Allen, were you at Rebi's all afternoon, or were
8 you going back and forth?

9 A. I was going back and forth.

10 Q. All right. Is it possible that Rajshun was there and
11 talked to "Slick" at some point when you were not there?

12 A. It's possible.

13 Q. And is it possible that it was less than five or ten
14 minutes from the time that you saw "Slick's" body until you
15 saw Rajshun? Were you timing this, or was it --

16 A. I wasn't timing it, but I -- I don't know -- I don't
17 know.

18 Q. Okay. Had you ever seen someone shot and killed
19 before?

20 A. No.

21 Q. Okay. And you had walked around there and seen "Slick"
22 dying or dead?

23 A. Yes.

24 Q. And after you saw him, you went back to your apartment?

25 A. (Shaking head yes).

1 Q. Did you stay around there for a long time to look at
2 him?

3 A. Uh-uh.

4 Q. Okay. So pretty quickly to see what had happened and
5 you --

6 A. Yes.

7 Q. Where was your two or three-year old daughter?

8 A. She was gone.

9 Q. Staying with someone else?

10 A. She was -- I think she might have been with her daddy,
11 or something.

12 Q. Okay. And you went back to your apartment. On your
13 way back to the apartment is where you saw Rajshun?

14 A. Yes.

15 Q. And how did you meet "Slick"? Who introduced you to
16 him?

17 A. I mean, whenever my cousin got there. "Shawn Fawlk"
18 came over there and he was with him. I mean, he ain't
19 introduced me to him, but, I mean, that's the first time I
20 saw him.

21 Q. So the first time that you met "Slick", it was with
22 "Shawn Fawlk"?

23 A. (Shaking head yes).

24 Q. And that's why you told him "Slick" had been shot?

25 A. Yes, ma'am.

1 Q. Thank you very much.

2 MR. MORIN: Nothing further.

3 MS. RACINE: No further questions.

4 THE COURT: Ma'am, you may step down. Please be
5 careful.

6 MS. LESKANIC: The State calls Dennis Gardner.

7 THE CLERK: Please raise your right hand and place
8 your left hand on the Bible.

9 DENNIS GARDNER, having been first duly sworn,
10 testified as follows:

11 THE WITNESS: I do.

12 THE CLERK: Watch your step.

13 THE COURT: Sir, tell us your name and spell your
14 last name for the court reporter, please.

15 THE WITNESS: Dennis Gardner, G-A-R-D-N-E-R.

16 THE COURT: Thank you.

17 Solicitor.

18 MS. LESKANIC: Thank you.

19 DIRECT EXAMINATION BY MS. LESKANIC:

20 Q. Mr. Gardner, where are you employed?

21 A. Cherokee County 911.

22 Q. And how long have you been employed there?

23 A. Almost nine years.

24 Q. And what are your general duties?

25 A. I am the director. I oversee all operations of

1 Cherokee County 911.

2 Q. And when -- can you explain to the jury what happens
3 when a 911 call is made? What documents are produced with
4 that call?

5 A. Okay. At the second that the telephone rings, our
6 recorders kick in with the telephone. And as soon as we
7 pick up, we also document and a time is stamped and recorded
8 on our CAD system. The two times coordinate and we record
9 verbal and all written documents for any call that comes in.

10 Q. Okay. I'm going to show you what's been marked State's
11 Exhibit 12.

12 MR. MORIN: No objection.

13 MS. RACINE: No objection.

14 BY MS. LESKANIC:

15 Q. I will ask you to take a look at that.

16 A. Yes, ma'am.

17 Q. And do you recognize that?

18 A. Yes, ma'am, this is from our Tiberon, which is our old
19 CAD system. This is a CAD sheet, very commonly what we use
20 every day.

21 Q. All right. And what date was that CAD sheet created?

22 A. It looks like August the 22nd, 2014.

23 Q. August?

24 A. Maybe June -- I don't have my glasses. I'm sorry.

25 Q. Okay, I'm sorry.

1 A. That's either an 8 or a 6.

2 Q. Mine might help you, I don't know.

3 A. Yes, ma'am, June 22nd, 2014.

4 Q. Okay. Now, is this a CAD --
5 What is a CAD sheet?

6 A. CAD is computer automated dispatching, which means
7 everything that we record is in our CAD system and this is
8 just a printout of that report.

9 Q. Okay. And is that a printout from this case that was
10 made on June 22nd of 2014?

11 A. Yes, ma'am.

12 Q. And does that tell you what time the 911 call came in?

13 A. Yes, ma'am, the call was answered at 16:59:43.

14 Q. Okay. Is that 4:59?

15 A. Yes, ma'am.

16 Q. 4:59 p.m. is when the call was placed to 911 in this
17 case?

18 A. Yes, ma'am.

19 Q. Okay. Is everything on that document accurate and kept
20 in the normal course of business by 911?

21 A. Yes, ma'am, it's our normal practice.

22 Q. Okay.

23 MS. LESKANIC: Your Honor, at this time I would
24 offer State's Exhibit 12 for admission.

25 MR. MORIN: No objection.

1 MS. RACINE: No objection.

2 THE COURT: Without objection, State's 12.

3 (Whereupon, State's Exhibit No. 12 was entered
4 into the record as evidence)

5 BY MS. LESKANIC:

6 Q. Okay. Let me just ask you. What is the difference in
7 the call answered and the created box?

8 A. Okay. The second the phone rings and it starts, our
9 dispatcher may have to take a few seconds to start putting
10 the call in.

11 The CAD system does automatically open to the screen.
12 Our phone system opens. We have got -- and we have to
13 manually touch a button to make a screen pop up and we start
14 filling in. So the call time may be a little earlier than
15 the created time. That's when the dispatcher actually
16 starts putting the information into the system.

17 Q. Okay. But the -- let me read it correctly. The call
18 answered --

19 A. Uh-huh.

20 Q. -- that is the most accurate time for what time the 911
21 call was made?

22 A. Yes, ma'am.

23 Q. Would be 4:59:43?

24 A. Yes, ma'am.

25 Q. Okay. Thank you very much.

1 A. Yes, ma'am.

2 MS. LESKANIC: I think that's all the questions
3 that I have.

4 MR. MORIN: No questions.

5 MS. RACINE: No questions for this witness.

6 THE COURT: All right, sir, you may step down.
7 Please be careful.

8 THE WITNESS: Thank you, sir.

9 THE COURT: Mr. Foreman, ladies and gentlemen, we
10 would normally break here at about 3:30, but we started a
11 few minutes early, so we have been running about ninety
12 minutes, as I promised, I don't try to go more than ninety
13 minutes, or so, and the next witness would certainly last
14 more than eight or ten minutes.

15 With that we are going to take the afternoon
16 break. This would be a good solid fifteen minute break for
17 you. Stretch your legs.

18 I didn't ask earlier, is there a smoker on the
19 jury? And would you like to smoke?

20 UNKNOWN JUROR: Yes, please.

21 THE COURT: Okay. I wish you would quit, but
22 that's your business.

23 The bailiffs will have to carry you out. There is
24 a designated smoking area. There is no smoking in the
25 courthouse. There is a bailiff I think that smokes and he

1 will go out with you outside. It's probably outside the
2 steps where you came in down at the foot of the steps there,
3 so they have to stay with you while you smoke.

4 Don't anybody talk about the case, but get some
5 water, whatever you might need. Just let us know.

6 Mr. Foreman.

7 (The following takes place outside the presence of
8 the jury panel)

9 THE COURT: Let's take about fifteen minutes and
10 refresh ourselves and we will run to the end of the day.

11 (Whereupon, proceedings were recessed)

12 (Whereupon, proceedings were reconvened).

13 (Photograph marked as State's Exhibit No. 29 for
14 identification)

15 THE COURT: Tell you what I'm going to do. Let's
16 make these both court's exhibits.

17 (Jury Note marked as Court's Exhibit No. 1 for
18 identification).

19 (Jury Note marked as Court's Exhibit No. 2 for
20 identification)

21 THE COURT: We got everybody?

22 MS. LESKANIC: Yes.

23 THE COURT: All the jurors?

24 THE BAILIFF: Yes, sir.

25 THE COURT: We are ready.

1 (The following takes place in the presence of the
2 jury panel)

3 THE COURT: Mr. Foreman, ladies and gentlemen, let
4 me re-emphasize that you are not to take any notes. Please
5 don't anyone make any notes during the trial of this case.
6 Okay. Thank you.

7 Ready, solicitor?

8 MS. LESKANIC: Yes, Your Honor.

9 The State calls Dr. Janice Ross.

10 THE COURT: All right, Dr. Ross.

11 THE CLERK: Please raise your right hand.

12 DR. JANICE ROSS, having been first duly sworn,
13 testified as follows:

14 THE WITNESS: I do.

15 THE CLERK: Watch your step.

16 THE COURT: Doctor, tell us your full name and
17 spell your last name for my court reporter, please.

18 THE WITNESS: Janice Edwards Ross, R-O-S-S.

19 THE COURT: Thank you, doctor.

20 Solicitor.

21 MS. LESKANIC: Thank you, Your Honor.

22 May it please the court.

23 DIRECT EXAMINATION BY MS. LESKANIC:

24 Q. Good afternoon, Dr. Ross.

25 A. Good afternoon.

1 Q. Would you please introduce yourself to the jury and
2 tell them about your employment?

3 A. Yes, I'm a doctor. I have been through four years of
4 college at the University of South Carolina and four years
5 of medical school.

6 I received my M.D. at Upstate Medical Center in
7 Syracuse, New York, where I did further training in the area
8 of pathology.

9 Pathology, as opposed to surgery or pediatrics, is a
10 discipline in medicine where we learn how to diagnose
11 diseases using a microscope and using laboratory tests. We
12 also learn how to do an autopsy to find a cause of death.

13 I did further training in the field of forensic
14 pathology, in which we learn how to identify patterns of
15 injury, submit documentation for the court of law, and
16 retain fluids and tissue for the purpose of identifying
17 drugs or any other diseases.

18 Q. In your career have you had any idea of approximately
19 how many autopsies you have performed?

20 A. Over 14,000.

21 Q. Okay. And how many times have you been called to
22 testify in court, been qualified as an expert?

23 A. Over 200.

24 Q. Okay.

25 MS. LESKANIC: And at this time, Your Honor, we

1 would offer Dr. Janice Ross as an expert in the field of
2 forensic pathology.

3 MR. MORIN: No objection.

4 MS. RACINE: No objection.

5 THE COURT: Okay.

6 Ladies and gentlemen, generally a person cannot
7 give opinion testimony. A person must testify to something
8 they have seen, heard, sensed, but there is an exception
9 where someone is qualified due to their education,
10 experience, knowledge, skill, and training. That person is
11 qualified to give an opinion.

12 This witness is now qualified as an expert in
13 forensic pathology. That does not mean that you must accept
14 her opinion. Give it whatever weight you see fit and the
15 credibility that you believe is appropriate.

16 Thank you.

17 MS. LESKANIC: Thank you, Your Honor.

18 BY MS. LESKANIC:

19 Q. Dr. Ross, did you perform an autopsy on Timothy Blair?

20 A. Yes.

21 Q. When did you perform that autopsy?

22 A. It was on June 23rd, 2014.

23 Q. So the day after he died, is that correct?

24 A. Yes.

25 Q. Okay. And where was that autopsy performed?

1 A. In the morgue at Newberry County Memorial Hospital.

2 Q. And based upon your autopsy, within the bounds of
3 reasonable medical certainty were you able to determine a
4 cause of death for Timothy Blair?

5 A. Yes.

6 Q. And what is your opinion?

7 A. It's exsanguination, which means to bleed out due to
8 laceration of lungs and blood vessels due to gunshot wound
9 to the chest.

10 Q. Okay. During your autopsy did you photograph the
11 injuries that were visible on Mr. Blair?

12 A. Yes.

13 Q. I would like to show you what's been marked State's
14 Exhibit 20, 21, and 22. If you could look at those and tell
15 me if you recognize those?

16 A. Yes, those depict the wounds on Timothy Blair at the
17 time of autopsy.

18 MS. LESKANIC. Okay. Your Honor, at this time we
19 would offer State's Exhibit 20, 21, and 22 for admission.

20 MR. MORIN: No objection.

21 THE COURT: State's 20, 21, and 22 --

22 MS. RACINE: No objection.

23 THE COURT: -- are admitted without objection.

24 (Whereupon, State's Exhibit No. 20 was entered
25 into the record as evidence).

1 (Whereupon, State's Exhibit No. 21 was entered
2 into the record as evidence).

3 (Whereupon, State's Exhibit No. 22 was entered
4 into the record as evidence)

5 MS. LESKANIC: Thank you, Your Honor.

6 May I publish, Your Honor?

7 THE COURT: Yes, ma'am.

8 BY MS. LESKANIC:

9 Q. If you need to step down, Dr. Ross.

10 I'm going to place these up on the overhead and if you
11 can explain to the jury what wounds you saw on Mr. Blair
12 during the autopsy.

13 (Witness off the witness stand)

14 BY MS. LESKANIC:

15 Q. I'm showing you first State's Exhibit 20.

16 A. Yes, this is obviously the front of Mr. Blair and there
17 is an entrance gunshot wound here in the left upper chest in
18 his shoulder.

19 Q. Okay. So that is where the bullet entered that's in
20 his left shoulder?

21 A. Yes.

22 Q. Okay. And then what is the path that the bullet
23 traveled?

24 A. It went from that left to the right, slightly downward,
25 and went through both lungs and blood vessels here in the

1 neck. It went through the -- under his armpit of the right
2 arm.

3 Q. I'll show you State's Exhibit 21.

4 A. Yes. That's the wound going through the armpit. It
5 kind of comes out and goes back in, because the bullet then
6 goes into the right arm.

7 Q. Okay. State's Exhibit 22, if you can see that.

8 A. It's hard to see.

9 Q. I tell you what. I'll bring it to you and let you
10 stand in front of the jury, if you would with that, and tell
11 them what that is.

12 A. We placed the number so that the head is upward, and
13 this is the right upper arm. The exit wound. Part of the
14 bullet came out the right arm, the outside of the right arm,
15 and a little fragment was left in the arm itself, which we
16 retrieved at the autopsy.

17 Q. Okay. And you may have a seat.

18 With that I'm going to show you State's Exhibit 23 --

19 (Witness back on the witness stand).

20 BY MS. LESKANIC:

21 Q. -- and see if you recognize that, Dr. Ross?

22 A. Yes, that's the fragment of a bullet that we got out of
23 the right arm.

24 Q. Okay. So the bullet passes through his left shoulder,
25 penetrating both lungs, and then exits out of the right

1 armpit and into the right arm and partially out?

2 A. Yes.

3 Q. And a piece of bullet fragment you retrieved during
4 autopsy from his right arm --

5 A. Yes.

6 Q. -- is that correct?

7 A. Yes.

8 Q. And this is the piece that was retrieved?

9 A. Yes.

10 MS. LESKANIC: Your Honor, at this time we would
11 offer State's Exhibit 23 for admission into evidence.

12 MR. MORIN: No objection.

13 MS. RACINE: No objection.

14 THE COURT: Without objection, State's 23 is
15 admitted.

16 MS. LESKANIC: Thank you.

17 (Whereupon, State's Exhibit No. 23 was entered
18 into the record as evidence)

19 BY MS. LESKANIC:

20 Q. Did you note any other injuries of concern on Mr. Blair
21 during the autopsy?

22 A. No, I did not.

23 Q. So was there one gunshot wound?

24 A. Yes.

25 Q. And what was the ultimate cause of death?

1 A. He bled out from the laceration of the lungs and some
2 of the arteries in the neck.

3 Q. Do you have any way of knowing how long it would have
4 taken him to bleed out, based on this injury?

5 A. Minutes. It's hard to say exactly, but four or five
6 minutes.

7 Q. All right. Thank you.

8 Please answer any questions of the defense.

9 MR. MORIN: I have no questions of this witness.

10 MS. RACINE: No questions.

11 THE COURT: All right. Doctor, you may step down.

12 Thank you. Please be careful.

13 THE WITNESS: Thank you.

14 MS. LESKANIC: The State calls Billy Anthony.

15 THE CLERK: Please raise your right hand.

16 OFFICER BILLY ANTHONY, having been first duly
17 sworn, testified as follows:

18 THE WITNESS: I do.

19 THE CLERK: Watch your step.

20 THE COURT: Sir, tell us your full name and spell
21 your last name for the court reporter, please.

22 THE WITNESS: My name is Billy Anthony,
23 A-N-T-H-O-N-Y.

24 THE COURT: Solicitor.

25 MS. LESKANIC: Thank you, Your Honor.

1 DIRECT EXAMINATION BY MS. LESKANIC:

2 Q. Detective Anthony, where are you currently employed?

3 A. For the Cherokee County Sheriff's Office.

4 Q. And how long have you been employed at the sheriff's
5 department?

6 A. I have been employed there full time for seventeen
7 years.

8 Q. And during your seventeen years of employment, what
9 types of positions have you held?

10 A. I started out as a road patrol officer. I worked my
11 way up as the supervisor on the road. I had a lieutenant on
12 a shift, and I'm currently in evidence and a crime scene
13 investigator.

14 Q. Were you working in crime scene investigations on
15 June 22nd of 2014?

16 A. Yes, ma'am, I was.

17 Q. And were you called out to Connecticut Village
18 Apartments on that day?

19 A. Yes, ma'am.

20 Q. Where is Connecticut Village located?

21 A. It's in the southern part of Cherokee County, just
22 below Gaffney.

23 Q. Okay. So it's located in Cherokee County, South
24 Carolina?

25 A. Yes, ma'am.

1 Q. Off of East Junior High Road?

2 A. Yes, ma'am, that's correct.

3 Q. Do you know what time that you received the call and
4 what time that you arrived?

5 A. If I can refer to my notes?

6 I was called on June the 22nd of 2014. I don't have
7 the time I was notified. I arrived on the scene right
8 around five o'clock. I was actually out working another
9 case unrelated when I received the initial call.

10 Q. Okay. So you came from essentially another crime scene
11 to this scene?

12 A. Yes, ma'am, that's correct.

13 Q. All right. And where were you directed when you
14 arrived in Connecticut Village?

15 A. When I first arrived on the scene, I was contacted by
16 one of the -- I met with the detective that was on the scene
17 and the first responding officers. We were going to do a
18 walk-through of the scene and I was directed to go to a
19 wooded area just above it. There was the path traveled
20 behind Connecticut Village Apartments. We walked that path
21 to look for evidence or anything that was in that area.

22 Q. Okay. Did you take photographs while you were there?

23 A. Yes, ma'am, I did.

24 Q. Okay. I'm going to show you what's been marked State's
25 Exhibit 13, 18, and 19.

1 MS. RACINE: No objection.

2 MR. MORIN: No objection.

3 MS. LESKANIC: Thank you.

4 BY MS. LESKANIC:

5 Q. If you would, take a look at these and see if you
6 recognize them?

7 A. Yes, ma'am, I do.

8 Q. Okay. And do these photographs accurately show that
9 wooded trail and the area of Connecticut Village?

10 A. Yes, ma'am, they do.

11 MS. LESKANIC: Your Honor, at this time we would
12 offer State's Exhibit 13, 18, and 19 for admission as
13 evidence.

14 THE COURT: Without objection?

15 MR. MORIN: Without objection.

16 MS. RACINE: Without objection.

17 THE COURT: Without objection, they are admitted.

18 (Whereupon, State's Exhibit No. 13 was entered
19 into the record as evidence).

20 (Whereupon, State's Exhibit No. 18 was entered
21 into the record as evidence).

22 (Whereupon, State's Exhibit No. 19 was entered
23 into the record as evidence)

24 MS. LESKANIC: May I publish?

25 THE COURT: Yes, ma'am.

1 MS. LESKANIC: Thank you.

2 BY MS. LESKANIC:

3 Q. Detective Anthony, if you need to step down, feel free
4 to do so.

5 (Witness off the witness stand).

6 BY MS. LESKANIC:

7 Q. I'm showing you first State's Exhibit 13.

8 A. This is a photograph of East Junior High Road.

9 Just to kind of give you a reference, Connecticut
10 Village Apartments, it's kind of hard to see, but you can
11 see some of the buildings in the background there.

12 East Junior High School would be to your left out of
13 frame.

14 And the path in the wooded area we are discussing is
15 this little opening. You kind of see it in the trees. It
16 goes down to the upper end of Connecticut Village
17 Apartments.

18 Q. I'm going to let you show them while you are there
19 State's Exhibit 13. It's a little hard to see. If you
20 could point out to the jury on that one where the wooded
21 path is on the side of the road?

22 A. It would be the right -- right where my finger is there
23 is a little dirt area where it goes into the wooded area.

24 Q. Okay. And I'll show you State's Exhibit 18.

25 A. This is taken from the same direction. This is the

1 sidewalk. Connecticut Village Apartments would be through
2 the wooded area here, and this is the path. You can see the
3 dirt path that goes down into the woods.

4 Q. And were you able to -- did you walk that wooded path?

5 A. Yes, ma'am, I did.

6 Q. And where does that path come out, once you reach
7 Connecticut Village?

8 A. It comes out behind the buildings at Apartment 51, as
9 it's kind of between that building and the adjacent
10 building.

11 Q. And is that the general area where Timothy Blair was
12 found shot?

13 A. Yes, ma'am, it is.

14 Q. Okay. I'm showing you State's Exhibit 19.

15 A. This is just a little more close-up of the previous
16 photo. You can see the dirt path where it goes down through
17 the woods.

18 Q. Thank you.

19 So you were called out to the scene. You were called
20 out to the wooded path.

21 (Witness back on the witness stand).

22 BY MS. LESKANIC:

23 Q. And then what else did you do during the crime scene
24 investigation?

25 A. After we took overall photographs of the scene, we

1 blocked off the area from view. There was a large crowd had
2 formed. The officers had it blocked off with crime scene
3 tape and officers kept the people back, but we set up a
4 canopy around where the victim was to block the view and
5 then we started taking our more close-up photographs looking
6 for any evidence that was right there around the victim and
7 examined the victim himself.

8 Q. And were you able to find any potential evidence?

9 A. Yes, ma'am, we did.

10 Q. What were you able to locate?

11 A. Located -- on near the back walkway area we located a
12 7.62 X 39 cartridge casing, a Bic cigarette lighter and --
13 and that was all that was located there near the victim.

14 Q. Okay. I want to show you State's Exhibits 14, 15, 16
15 and 17. Take a look at these and tell me if you recognize
16 this.

17 A. Yes, ma'am, I do.

18 Q. Okay. And what are the photographs?

19 A. The photographs are some of the overall photographs and
20 close-ups of the items of evidence behind Apartment 50, 51
21 area of Connecticut Village.

22 And then the envelope is the cartridge casing that I
23 recovered. I had sealed it and dated it on the back with my
24 seal and it carries our case number and bar code. That's
25 how we track our evidence so I'm able to identify it by

1 that.

2 Q. Okay. I'm going to leave that one with you right now.

3 MS. LESKANIC: Your Honor, at this time I would
4 offer State's Exhibit 14, 15, 16, and 17 for admission.

5 MR. MORIN: No objection.

6 MS. RACINE: No objection.

7 THE COURT: Without objection, they are admitted.

8 (Whereupon, State's Exhibit No. 14 was entered
9 into the record as evidence).

10 (Whereupon, State's Exhibit No. 15 was entered
11 into the record as evidence).

12 (Whereupon, State's Exhibit No. 16 was entered
13 into the record as evidence).

14 (Whereupon, State's Exhibit No. 17 was entered
15 into the record as evidence)

16 BY MS. LESKANIC:

17 Q. Okay. Detective Anthony, starting with State's
18 Exhibit 14 --

19 Can you step down again?

20 If you would tell --

21 (Witness off the witness stand).

22 BY MS. LESKANIC:

23 Q. If you would tell the ladies and gentlemen of the jury
24 what we are looking at here?

25 A. This is the back corner of -- this would be Apartment

1 51, of the rear door to Apartment 51.

2 The trail that we were referencing earlier that came
3 off East Junior High Road would kind of come back from this
4 general area behind the apartment.

5 And this is just an overall photograph where the victim
6 was located and our close-up photos of these items of
7 evidence in this area.

8 Q. Okay. I'm going to put up State's Exhibit 8 just so
9 you can reference again where on State's Exhibit 8 you found
10 Mr. Blair's body and the wooded path and how it all relates.

11 A. This again would be the rear door of Apartment 51.
12 This -- the victim was located right in this area. And this
13 is the end of the trail where it comes out behind the
14 apartments.

15 Q. I'm going to show you State's Exhibit 15.

16 A. This would be the back door to Apartment 51, the
17 sidewalk coming out, and there is the red lighter that we
18 located marked by number 3.

19 Number 2 we marked as the cartridge casing that was
20 located on the scene.

21 Q. State's Exhibit 16?

22 A. This is just a close-up photograph of the cartridge
23 casing.

24 Q. Was the lighter and the cartridge casing collected as
25 evidence?

1 A. Yes, ma'am, they were.

2 (Witness back on the witness stand).

3 BY MS. LESKANIC:

4 Q. And was fingerprint testing done on those items?

5 A. Yes, ma'am, it was.

6 Q. Were there any fingerprints that were of useful quality
7 found on either the cartridge casing or the lighter?

8 A. No, ma'am.

9 Q. Was the lighter and the cartridge casing sent off for
10 DNA testing?

11 A. Yes, ma'am.

12 Q. And do you know the results of that?

13 A. They were also negative.

14 Q. Okay. So no DNA of useable quality was found on the
15 lighter or the cartridge casing, is that correct?

16 A. That's correct.

17 Q. Okay. And looking at State's Exhibit --

18 A. 17.

19 Q. -- 17, if you would please open that and show the jury
20 what you collected?

21 A. Inside this plastic envelope is a cartridge casing that
22 was collected.

23 Q. Have you had firearms training during your time at the
24 sheriff's department?

25 A. Yes, ma'am, I have.

1 Q. What type of firearms training do you have?

2 A. I am currently a firearms instructor with the sheriff's
3 office, and we have done injury-distance determination as to
4 reference to weapons and those things.

5 Q. And would any of that knowledge help you determine the
6 type of weapon that may have been used to shoot Mr. Blair or
7 the distance away from Mr. Blair when the weapon was fired?

8 MR. MORIN: Yes, I have a matter.

9 THE COURT: Yes.

10 (Whereupon, the lawyers approached the bench for
11 an off-the-record discussion)

12 MS. LESKANIC: Thank you, Your Honor.

13 THE COURT: Solicitor.

14 BY MS. LESKANIC:

15 Q. Okay. Detective Anthony, what type of firearms
16 training do you have and what type of knowledge do you have
17 compared with handguns versus long guns, shotguns, assault
18 rifles, that type of thing?

19 And what I'm trying to get from you is what type of
20 weapon would normally fire this type of cartridge casing
21 that was located right next to Mr. Blair's body?

22 A. Being in law enforcement, we commonly come across
23 handguns, rifles, shotguns. I've received many courses in
24 types of weapons and what they typically are fired from or
25 what they can hold.

1 And this one is primarily found in a rifle. It's a
2 rifle cartridge as compared to a handgun.

3 Q. Okay. So this type of shell casing would typically be
4 fired from a long gun, a rifle?

5 A. Typically it is, yes, ma'am.

6 Q. Okay. In this case were you ever given or do you have
7 knowledge of whether the weapon that fired this was ever
8 collected for comparison?

9 A. No, ma'am, it was not.

10 Q. Okay. So the only thing that you received was the
11 cartridge casing?

12 A. Yes, ma'am, that's correct.

13 Q. But no weapon to compare it to?

14 A. No, ma'am.

15 Q. Okay. Did you search Mr. Blair as a part of the crime
16 scene?

17 A. Yes, ma'am, we did.

18 Q. Did you find any weapon on Mr. Blair?

19 A. No, ma'am, we did not.

20 Q. And also in working this case, did you happen to drive
21 the distance, or do you know the distance from Mcentire
22 Mobile Home Park on Providence Road to Connecticut Village
23 on East Junior High Road?

24 A. Yes, ma'am, I actually drove one route from Connecticut
25 Village Apartments to Mcentire's Mobile Home Park and it was

1 3.7 miles.

2 Q. I want to show you --

3 How long have you lived in Cherokee County?

4 A. My entire life.

5 Q. Okay. So you are familiar with Gaffney and Cherokee
6 County?

7 A. Yes, ma'am.

8 Q. I want to show you what's been marked State's
9 Exhibit 29. Can you take a look at that and tell me if you
10 can say what that is?

11 A. Yes, ma'am, this would be a Google map's image of
12 Gaffney and most of Cherokee County.

13 Q. Okay.

14 MS. LESKANIC: Your Honor, at this time I would
15 like to offer State's Exhibit 29 for admission.

16 MR. MORIN: No objection.

17 MS. RACINE: No objection.

18 THE COURT: Without objection, State's 29.

19 (Whereupon, State's Exhibit No. 29 was entered
20 into the record as evidence)

21 BY MS. LESKANIC:

22 Q. Detective Anthony, looking at this, and I'm not sure if
23 you would be able to see it on the overhead, but could I ask
24 you to come over here?

25 (Witness off the witness stand).

1 BY MS. LESKANIC:

2 Q. And I would just like you to circle two areas for me on
3 State's Exhibit 29.

4 Can you locate Connecticut Village Apartments, the
5 general area on the map?

6 A. Yes, ma'am. This is -- there is a red marker for 409
7 East Junior High Road and that's where the apartments are
8 located.

9 Q. Okay. Do you know where Mcentire Mobile Home Park is
10 located?

11 A. Yes, ma'am, it is right here on the map.

12 Q. Okay. And Littlejohn Street in Cherokee County?

13 A. It's hard to see. I can't distinguish which street it
14 is, but looking at this map it is right in this general --
15 general area there.

16 Q. Okay. And how about the Redwood Store?

17 A. Can I pick it up just a moment?

18 Q. Yes, you may. Yes, you may pick it up.

19 A. The Redwood Store is right at this intersection.

20 Q. Okay. And, lastly, Sarratt Avenue?

21 A. It's going to be right -- right in this area.

22 Q. Okay. All right. Thank you very much.

23 And the distance that you drove from Mcentire Mobile
24 Home Park from here to get to Connecticut Village here were
25 3.7 miles?

1 A. Yes, ma'am, it was.

2 (Witness back on the witness stand).

3 BY MS. LESKANIC:

4 Q. Just one moment, please.

5 (Off the record).

6 (Back on the record).

7 BY MS. LESKANIC:

8 Q. I think that's all the questions that I have for you.

9 Please answer any questions from the defense.

10 THE COURT: Yes, sir.

11 CROSS EXAMINATION BY MR. MORIN:

12 Q. Detective Anthony, you -- when you were collecting
13 evidence out there, you also checked in the pockets of the
14 victim in this case, is that correct?

15 A. Yes, sir, that's correct.

16 Q. And you located a phone, is that correct?

17 A. Yes, sir.

18 Q. And you also in that same pocket I think also located
19 some green plantlike material is what it's described as?

20 A. Yes, sir, that's correct.

21 Q. Was -- did you -- did you know what the phone number on
22 that phone was?

23 A. No, sir, I do not.

24 Q. Do you know if the plantlike material was tested?

25 A. I did not see a report in there for it. I'm not sure

1 at this moment if it was or not.

2 Q. All right.

3 Now, I have been out to Connecticut Village recently.
4 We are talking about five years ago, but there are signs up
5 now about videos. Do you know if there were any videos
6 being made at Connecticut Village in 2014?

7 A. I'm not aware of any.

8 Q. All right.

9 How about any at Mcentire Mobile Home Park or the store
10 to which you have referred?

11 A. I do not know. That's generally -- I work the crime
12 scenes --

13 Q. Okay.

14 A. -- and our investigators follow up on with witnesses,
15 or videos, or that sort of thing.

16 Q. Well, and I apologize, but you testified you drove to
17 that location.

18 A. I did, yes, sir.

19 Q. Okay. You say it's four miles, 3.7?

20 A. Yes, sir.

21 Q. And you have to go through I'm just saying four lights
22 on that route?

23 A. Yeah, it would be about right, yes, sir.

24 Q. Past the sheriff's office?

25 A. Yes, sir.

1 Q. And over the railroad tracks?

2 A. That's correct.

3 Q. Okay. And I think that's all pretty much in the city?
4 Except maybe right there where Connecticut Village is, it's
5 on the border, isn't it?

6 A. It is, and the trailer park also.

7 Q. Is in the city?

8 A. It's in the county.

9 Q. Okay. So it's sort of if you pass through the City of
10 Gaffney from point A to point B?

11 A. That's correct.

12 Q. And the speed limit in the City of Gaffney is I think
13 35 everywhere, isn't it?

14 A. Pretty much, unless marked otherwise.

15 Q. Right.

16 And you certainly go over the railroad tracks, you
17 better not be going much more than that?

18 A. That's correct.

19 MR. MORIN: That's all the questions that I have,
20 Your Honor.

21 THE COURT: Yes, ma'am.

22 MS. RACINE: I have no questions for this witness.

23 THE COURT: Okay.

24 MS. LESKANIC: No redirect.

25 THE COURT: Sir, you may step down. Please be

1 THE COURT: Anything from the defense?

2 MR. MORIN: No, sir.

3 MS. RACINE: No, sir.

4 THE COURT: Okay. I will be here a little earlier
5 tomorrow morning.

6 (Whereupon, proceedings were adjourned to July 17,
7 2019)

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