

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable Lee S. Alford, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AMY N. TAYLOR,

APPELLANT

APPELLATE CASE NO 2019-001117

RECORD ON APPEAL

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Sep 24 2020
SC Court of Appeals

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1 STATE OF SOUTH CAROLINA) IN THE COURT OF
2) GENERAL SESSIONS
3 COUNTY OF SPARTANBURG) OF THE SEVENTH
4) JUDICIAL CIRCUIT
5 STATE OF SOUTH CAROLINA,)
6 Plaintiff,) TRANSCRIPT OF RECORD
7 vs.) 2017-GS-42-02256
8 AMY N. TAYLOR,)
9 Defendant.)

10 -----

11 June 24-28, 2019
12 Spartanburg, South Carolina

13
14 B E F O R E:

15 HONORABLE LEE ALFORD, Judge.

16
17 A P P E A R A N C E S

18 EDDIE JAMES HUNTER, ASSISTANT SOLICITOR
19 For The State

20 HOPE COLEMAN-HICKS, ASSISTANT SOLICITOR
21 For The State

22 BEVERLY JONES, ASSISTANT PUBLIC DEFENDER
23 For Defendant

24 Julie A. Cendroski,
25 Circuit Court Reporter
 Seventh Judicial Circuit

DIRECT EXAMINATION OF SGT. RYAN MILLER BY MR. HUNTER

1 THE WITNESS: Yes, I do.

2 THE CLERK: Thank you, be seated.

3 JACKSON V. DENNO HEARING

4 SERGEANT RYAN MILLER,

5 having been duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. HUNTER:

8 Q. Sergeant Miller, are you a sheriff's office
9 deputy with the Spartanburg County Sheriff's Office?

10 A. Yes, I am.

11 Q. Okay. And did you respond out to a scene on
12 McSwain Road on March 4, 2017?

13 A. Yes, I did.

14 Q. Why did you respond to that location?

15 A. I had received a call from our dispatch of a call
16 that they got from an individual who had a -- should I
17 tell everything?

18 Q. Yeah. For the purposes of this hearing, you can
19 tell what that individual told you.

20 A. Okay. Our call center called us and called me
21 and said that he got a call, a guy called in here and he
22 wants to talk to an officer about some information that
23 he got from his son, so I called. I got the number, I
24 called the man. And he said -- he told me what his name
25 was, which I don't remember at the particular moment,

1 but ---

2 Q. Would that be James Fowler?

3 A. James Fowler and his son was named --

4 Q. Anthony?

5 A. -- Anthony Fowler. He said, my son was just
6 here. And he told me that he was with his girlfriend
7 and his girlfriend's mother and that they had just,
8 either the night before or a few nights before, I don't
9 remember -- I don't know if there was a timeframe he
10 gave, but he said that his girlfriend's mom had shot her
11 boyfriend and there was blood all over the place and
12 bullet holes in the walls, but they already called the
13 police and they said it was okay because the coroner
14 said they were busy and they couldn't come right now and
15 they said just to wrap him up in a tarp and put him out
16 in a, in a field or some such as that.

17 Q. So when you heard that story, what did, what did
18 you think?

19 A. Well, I thought it sounded a little farfetched
20 and ridiculous, to be honest.

21 Q. Okay. But did you respond anyway?

22 A. We did.

23 Q. Who responded with you?

24 A. I responded, Officer Jason Watson responded,
25 Officer John Burgess responded, and I believe Officer

DIRECT EXAMINATION OF MARK GADDY BT MR. HUNTER

1 that day?

2 A. Yes.

3 Q. Okay. And ---

4 A. I stand corrected. Investigator Lawson was there
5 at that time also.

6 Q. Okay. But you were the one asking the questions?

7 A. Yes.

8 Q. Okay. And Investigator Lawson witnessed it?

9 A. He, he notarized it.

10 Q. He notarized it. But who took -- who was the
11 witness?

12 A. I did -- I was.

13 Q. Okay. And, again, she writes that she gave this
14 freely and voluntarily?

15 A. Yes, sir.

16 Q. Okay. And was this interview audio recorded?

17 A. Yes.

18 Q. Okay. Why was it not video recorded?

19 A. Because we were at the detention center and they
20 didn't have that availability.

21 Q. Okay. But you did do an audio recording of this?

22 A. Yes.

23 Q. Okay. And, again, you went over her rights with
24 her?

25 A. Yes.

1 opening of the State jumped straight to the end of the
2 story. I'm going to start at the beginning of the story
3 and tell you Amy is 34 years old.

4 Amy first met James Sprouse when she was 14 going
5 on 15 and pregnant with her first child; 14 going on 15.
6 She never completed high school. She only went to the
7 eighth grade. That first child is Destiny, who is in
8 the courtroom.

9 She married Destiny's father, Jason Lyda. That
10 marriage did not go well. He ended up being convicted
11 in this very courthouse of domestic assault on Amy. He
12 attacked Amy when she was bathing Destiny in the
13 bathroom one night. So assault and the idea of being a
14 battered woman didn't just start in 2017 in Amy's life.

15 When she found herself at 15 and pregnant, I told
16 you she married Jason Lyda. He actually worked at a
17 garage with James Sprouse. That's how her life became
18 intertwined with James Sprouse. James Sprouse was 25
19 years older than Amy.

20 After the marriage with Jason Lyda, a few years
21 later she married her second husband, Kenny Taylor. And
22 with Kenny, she had her other two girls, Kelsey, who I
23 believe is now 12 or 13, or thereabouts. And Ally, who
24 should be about 7 or 7 1/2 now.

25 It seemed in their life that Kenny and Amy had a

1 Q. Okay. Did you speak with the defendant while you
2 were on scene?

3 A. I did.

4 Q. Did she indicate to you that she knew why police
5 had responded?

6 A. She had -- she did not know why we were there.

7 Q. Okay. What did you tell her you were there for?

8 A. I told her I was there for a welfare check. And
9 that's all I could tell her cause that's all I knew at
10 the time.

11 Q. Did she say where James was?

12 A. She told me -- I asked her where James was at,
13 and Amy stated that James was with his mother, and he
14 went over there earlier in the day.

15 Q. Okay. Can you describe her demeanor when you
16 spoke with her?

17 A. A lot of questions on why we were there, but
18 other than that, she, she acted pretty normal to me.

19 Q. Did you go inside the residence or did you stay
20 outside?

21 A. I stayed outside.

22 Q. Okay. Did you interview anyone else while you
23 were there?

24 A. I did. I spoke with Destiny in depth.

25 Q. Okay. Did you have your BWC on at the time, your

DIRECT EXAMINATION OF RYAN MILLER BY MS. COLEMAN HICKS

1 Q. How long have you been in law enforcement?

2 A. The same amount of time.

3 Q. Okay. What are your general duties and
4 responsibilities at the sheriff's office?

5 A. I'm a uniform patrol sergeant.

6 Q. Is that -- was that your title in 2017 as well?

7 A. It was, yes.

8 Q. Did you respond to a residence in Chesnee on
9 March 4th of 2017?

10 A. I did.

11 Q. Do you recall the address you responded to?

12 A. It's 1247 McSwain Road, Spartanburg County.

13 Q. And is that in Spartanburg County?

14 A. Yes, Spartanburg County.

15 Q. Who responded with you?

16 A. Myself, Deputy Watson and Deputy Burgess.

17 Q. Okay. What did you observe when you arrived on
18 scene?

19 A. When I arrived on scene, initially we pulled into
20 the driveway, which was a very long driveway. And as we
21 were approaching the house I could see a person that I
22 could identify as a female running from a trailer or a
23 camper, travel trailer type thing, and it was off to the
24 left of the main residence, running towards the main
25 residence.

1 A. She did.

2 Q. And did she waive those rights and agree to speak
3 with you then?

4 A. She did.

5 Q. And what was her response to the reason you gave
6 her for being on scene?

7 A. She still acted like we had -- she had no idea of
8 what we were talking about and offered us to look
9 around.

10 Q. Did she tell you that you could go inside the
11 house and look around?

12 A. She did.

13 Q. And did you and Deputy Watson both enter the
14 residence at that point?

15 A. We did.

16 Q. And once inside what did you observe?

17 A. Going into the residence, I observed fresh
18 spackling on the living room wall. Then going to the
19 back door of the bedroom, the back bedroom, inside that
20 room we noticed that the box spring for the bed was
21 flipped up on its side. And in the back room the main
22 mattress was completely missing.

23 There was what appeared to be a large amount of
24 blood in the floor and some on the walls. There was a
25 box of latex gloves and some cleaning supplies. And a

1 number of trash bags that contained what appeared to be
2 bedding from the bed.

3 Q. And before you even got into the bedroom, did you
4 notice that the bedroom door was closed?

5 A. The bedroom door was closed and locked.

6 Q. And did the defendant open the door for you?

7 A. I did. I asked her what was in that room. She
8 said, oh that's James's room. I said, it's locked. She
9 goes, I can open it for you. And then she unlocked the
10 door.

11 Q. Okay. And after you observed what was in the
12 bedroom, did you call Investigator Gaddy at that point?

13 A. I did.

14 Q. And what did you tell him?

15 A. I just told him what I just told there, what we'd
16 seen.

17 Q. Okay. Did you ask the defendant any more
18 questions after that?

19 A. I did not.

20 Q. Were the defendants, Destiny and Anthony, then
21 separated and placed in investigative detention?

22 A. They were.

23 Q. And at that point was the residence considered a
24 crime scene?

25 A. It was.

1 office, I was placed in as the sergeant over the crime
2 scene unit for violent crimes and homicide
3 investigations involving the crime scene division.

4 Q. And is that how you report on March 4th, 2017?

5 A. Yes, sir.

6 Q. All right. And you were the sergeant over the
7 crime scene unit?

8 A. I was.

9 Q. Okay. On that day, did you receive a phone call
10 from Sergeant Letterman?

11 A. I did. I got a phone call that he needed, as we
12 were called ID, to respond to this incident location,
13 which is the, I think, it's McSwain Road in
14 Chesnee.

15 Q. And, obviously, you were here during the showing
16 of the video. Is that the residence that you responded
17 to?

18 A. That's correct, that was the residence.

19 Q. When you first get there, what do you do?

20 A. Basically I meet with Sergeant Letterman, was
21 informed that a search warrant was being obtained for
22 the property. At that time I sat back in my vehicle and
23 waited until the search warrant arrived and also other
24 investigators to arrive on the scene.

25 Q. Okay. Did you actually leave before the search

1 warrant arrived?

2 A. I did. Due to the timeframe that was when I got
3 called out there, it was getting closer to dark. Due to
4 being poor lighting conditions, I left and went back to
5 the sheriff's office and picked up a mobile crime scene
6 trailer that has numerous crime scene processing tools
7 in it to include generators and lights.

8 Q. Okay. And once you got back to the residence,
9 was the search warrant at the residence?

10 A. It was. It was at the residence at that time.

11 Q. Okay. So you begin to process the scene?

12 A. I did. We did, yes, sir.

13 Q. Okay. Where do you first go?

14 A. The first place we go is, it's still on the
15 property, but it's probably 100, 150 yards below the
16 house. There's a little logging trail. That's the
17 first place we go due to the fact someone found a tarp
18 down there that appeared to be a body inside.

19 Q. Okay. Describe the size of this property, it's
20 obviously not just the trailer, if you know.

21 A. Right. It's, it's multiple acres. I would say
22 three to ---

23 Q. Twenty-Seven acres for the total land?

24 A. Right. That would be approximate.

25 Q. Oh, so, and what kind of land is it?

1 or Investigator Nix had to come back later to take
2 measurements of that after we had moved the vehicle.

3 Q. Okay. Were there search warrants for the
4 vehicles?

5 A. There was.

6 Q. Okay. Did you begin a search of one of the
7 vehicles?

8 A. I did. The gray vehicle, the gray sedan that was
9 sitting behind the back of the residence, I did execute
10 a search warrant on that.

11 Q. And that's the small car. When you say "behind
12 the residence", I think when we're looking at that body
13 camera that you've seen, where everybody's standing, is
14 that the front of the residence or the rear of the
15 residence?

16 A. That would be the rear of the residence.

17 Q. Okay. Did anybody -- could anybody use the front
18 door?

19 A. No. It was barricade -- or not barricaded but
20 covered up with a couch.

21 Q. So the decorations in the living room kind of
22 make that door obsolete?

23 A. Correct.

24 Q. Okay. So everybody's in the rear of the
25 residence?

1 secured area inside the, the building.

2 Q. Okay. And that large Dodge truck that we've seen
3 on the video, is that what you all searched?

4 A. That's correct. I executed a search warrant on
5 that as well. Same practice that I did with the, the
6 gray vehicle or any vehicle in this type of situation.
7 It was photographed from the exterior into the interior
8 and then all the compartments were photographed as well.

9 Q. Okay. Did you observe anything in the bed?

10 A. I did. There was a ladder and a couple
11 miscellaneous items in the back of the truck.

12 Q. Okay. But outside of that did you collect any
13 evidence?

14 A. The only thing I collected was a ladder.

15 Q. Okay. Where do you go from the county shop?

16 A. I go back to McSwain Road and I meet up with the
17 investigators and went back to that location.

18 Q. And did you locate any trash bags?

19 A. I did. I located the trash -- several trash bags
20 in the bedroom itself, and also in the kitchen area of
21 the home. There was a trash bag that was there.

22 Q. Did you remove the trash bag from the kitchen
23 area?

24 A. I did. I removed the trash can from the kitchen
25 area and conducted a search through the actual trash.

1 remember being behind the trailer sort of towards the
2 pasture?

3 A. Behind the trailer, and you can see it peeking
4 out a little bit behind the trailer, is a pink in color,
5 what we termed, as a toddler bed.

6 Q. Okay. And what was actually located on the
7 mattress?

8 A. There's a mattress on that trailer. In the
9 pictures it's gonna be upside down, so the top part is
10 on the wood part of the trailer. And we could observe,
11 before we ever actually turned it over, what we thought
12 to be blood on it or what appeared to be blood on it.

13 Q. And in the back of that picture we saw a few
14 barrels I would term burn barrels.

15 A. Yes, sir.

16 Q. And then was that shown in State's Exhibit 13?

17 A. Yes, sir.

18 Q. Okay. Did you recover any items from the burn
19 barrels?

20 A. A heart shaped pillow.

21 Q. Okay. Is that the pillow you see on the ground
22 there?

23 A. Yes, sir.

24 Q. What was inside the burn barrels?

25 A. If I recall correctly, there was some duct tape

1 A. On this particular side there are two holes on
2 the back of it.

3 Q. Okay. And on State's Exhibit 42, is this the
4 front side?

5 A. Yes, sir.

6 Q. Okay. And how many holes did you observe on the
7 front side?

8 A. I believe I wrote in my report I had observed
9 three holes on the front side.

10 Q. If you could please open this bag.

11 A. Sure.

12 (Discussion occurred off the record between
13 counsel.)

14 (State's Exhibit Number 53, Peppa Pig Pillow, was
15 marked for identification.)

16 BY MR. HUNTER:

17 Q. Is this the only item inside of this bag?

18 A. Uh-huh.

19 Q. Okay. I'll show you what's premarked State's
20 Exhibit 53. What is that item?

21 A. Peppa pillow Pig [sic].

22 Q. And is it in the same or substantially the same
23 condition as you found it that day?

24 A. Yes, sir.

25 MR. HUNTER: Your Honor, at this time the State

1 BY MR. HUNTER:

2 Q. When you first were interviewing Ms. Taylor, what
3 did she tell you where Mr. Fowler is?

4 A. She had said that she had a miscarriage and got
5 some blood all over a mattress and they had gotten into
6 an argument. And I believe she said he had went to his
7 mother's house.

8 Q. Okay. And I said Mr. Fowler. I meant to say
9 James Sprouse.

10 A. Yes, sir.

11 Q. All right. Did she stick to that story?

12 A. No, sir.

13 Q. Okay. Did you present -- did you question her as
14 to that story?

15 A. Yes, sir.

16 Q. And why did you question her as to that specific
17 story?

18 A. Well, just spoke, spoke to her about where -- was
19 she afraid of him? You know, was there any kind of
20 domestic issue going on. You know, had he ever hit her.
21 Things of that nature. Then at the end of this series
22 of questions it was, no, she wasn't afraid of him. No,
23 she ---

24 Q. Did she admit being hit one time?

25 A. She did. She said about a month-and-a-half

1 earlier. I believe it was a month-and-a-half, that he
2 had slapped her in the face because of an argument.

3 Q. So, when you were asking her about any abuse, she
4 only says one time --

5 A. Yes, sir.

6 Q. -- in the past? Okay. And she sticks to the
7 story that he had gone to his mother's house?

8 A. Yes, sir.

9 Q. Okay. But you had already interviewed Mr.
10 Fowler?

11 A. Yes, sir.

12 Q. Okay. And so, you confront her with the
13 information you've learned from Mr. Fowler?

14 A. We did.

15 Q. Okay. And what does she do at that point?

16 A. She, she began to cry. And then basically said
17 the opposite of what she just told me, that she was
18 battered and, and they had -- he was mean to her and
19 rough to her and beat her. Not, obviously, in those
20 words, but...

21 Q. Okay. But she was inconsistent from the story we
22 actually --

23 A. Yes, sir.

24 Q. -- heard from the officers on scene, as well as
25 her first --

1 A. Yes, sir.

2 Q. -- beginning interview with her? What does she
3 then say happened to James Sprouse?

4 A. She said that she saw Mr. Sprouse with a --
5 through a mirror with a gun up.

6 Q. But before that, did she talk about him shooting
7 at her the day before?

8 A. Not -- not --

9 Q. If you need to read your report that's fine.

10 A. She stated that earlier Mr. Sprouse had shot
11 through a wall.

12 Q. Okay. So you didn't know which time that was,
13 that she had stated earlier he shot through the wall?

14 A. Yes.

15 Q. Okay. Did she go on -- what else did she tell
16 you at that point?

17 A. That he had also punched her in the, in the right
18 jaw.

19 Q. Okay. Did you observe any injuries on Amy
20 that --

21 A. No, sir.

22 Q. -- that day? Any injuries on the right jaw?

23 A. No, sir.

24 Q. Any bruising, scratches, or abrasions on her
25 face?

1 A. No, sir.

2 Q. Okay. When did she started talking about how --
3 where James was at that point?

4 A. I'm sorry?

5 Q. Where did she start saying that James was at that
6 point?

7 A. Just in the bedroom, if I can recall. I don't
8 have it written down.

9 Q. No. I'm saying now we're -- she's past that.
10 Where does she say James is at this point in the
11 interview? But also at this point in time when you're
12 interviewing her, does she change her story?

13 A. She did.

14 Q. Okay. And what's the new story she gives you?

15 A. That he got a gun and accidentally shot himself.

16 Q. Okay. Does she stick to that story? If you want
17 to, instead of answering me, just go ahead and read your
18 full report. That way we can ---

19 A. I'm sorry. It's been a couple years.

20 Q. That's fine.

21 A. She stated that Mr. Sprouse then shot at her.
22 She stated he accident ---

23 MS. JONES: Your Honor, I object when he's
24 reading the report. He can use it to refresh.

25 THE COURT: He could leave it open and then ask

1 him some questions, but he can't read it.

2 THE WITNESS: If you can just give me one second.

3 Is that ---

4 BY MR. HUNTER:

5 Q. Yeah, just read. Just answer my questions.

6 Don't start talking.

7 A. Okay.

8 Q. Okay. So she says he shot himself?

9 A. Yes.

10 Q. And then what did she say happened after that?

11 A. That she then got the gun and shot him in the
12 shoulder.

13 Q. Shot him in the shoulder. Does she stick to that
14 story --

15 A. Yes, sir, pretty much.

16 Q. -- at that point? Does she describe how she
17 disposed of his body?

18 A. Yes, sir. She -- yes, sir.

19 Q. Okay. Did she state that she did it with someone
20 else or by herself?

21 A. At first she said she acted alone.

22 Q. Did she then change her story on that part?

23 A. She did.

24 Q. Okay. And who did she say helped her after that?

25 A. She stated that she tricked Mr. Fowler and

2 | Q. What interview room was this done in?

5 Q. All right. And was there a recording of this
6 interview?

8 Q. From the beginning until the end?

10 Q. Okay. Who else was in the interview room?

12 Q. Okay. So the two of you all were doing it
13 together, sometimes one's --

15 | Q. -- in and one's out, but mostly together?

17 Q. Okay. And, again, did you ask her if she was
18 afraid of Mr. Sprouse at the beginning?

20 Q. And what was her answer?

22 Q. Okay. Please answer any questions Ms. Jones may
23 have.

25 | CROSS-EXAMINATION

DIRECT EXAMINATION OF MARK GADDY BY MR. HUNTER

1 Q. So you're the supervisor of the gang task force?

2 A. Yes.

3 Q. Okay. How were you employed on March 4th, 2017?

4 A. I was an investigator that was assigned and on
5 call at the time of this case.

6 Q. For violent crimes?

7 A. Yes.

8 Q. Okay. Did you receive a call on March 4th, 2017?

9 A. I did.

10 Q. Who did you receive that call from?

11 A. Sergeant Miller.

12 Q. Okay. And based on that phone call, what did you
13 do?

14 A. Based on the first phone call I asked him, you
15 know, have we got anybody at the residence? Have we
16 verified any of this stuff? He advised that they had
17 not, so I asked him, if he would, to try to get somebody
18 up there and if they found anything to certainly call us
19 back.

20 Q. Okay. Did you receive a call back?

21 A. I did. About 30 minutes later Sergeant Miller
22 called back and advised that what they had been told and
23 that he did think that there was -- that something had
24 happened.

25 Q. Okay. So then what do you do?

1 camera?

2 A. Yes, sir.

3 Q. Okay. Did he also advise you as to what he had
4 observed in the bedroom?

5 A. He did.

6 Q. Okay. At this point where do you go?

7 A. At this point he was able to provide a general
8 direction of where they said that the body had been
9 disposed of or that the tarp that was rolled up had been
10 disposed of. And I went over and located a place at the
11 edge of the wood line that looked like something had
12 driven down through there, and I followed on foot. Went
13 down through there, probably 2 or 300 yards and located
14 a pile of, pile of trash.

15 Q. And you've seen the pictures. That's what you
16 observed on that day?

17 A. Yes.

18 Q. Okay. So who do you notify at this point?

19 A. In the interim of all this, as I'm on my way up
20 there and getting updates from Sergeant Miller at the
21 scene, I had already been in communication with Sergeant
22 Letterman, letting him know the updates of what's going
23 on.

24 Q. Okay. And who contacts the coroner's office?

25 A. I would assume that that would be uniform patrol

1 and that was what spurred the argument.

2 Q. Okay. Is she then confronted with what you know
3 from Anthony and Destiny's --

4 A. Yes.

5 Q. -- interviews?

6 A. Yes.

7 Q. At that point, what does she do?

8 A. She starts crying and starts giving the, the
9 story about the going into the bedroom and seeing him
10 pointing a, what she believed to be a weapon, at her
11 with a pillow over it. And when he fired, he missed her
12 because he didn't have his glasses on and hit himself.
13 At that point, the gun partially fell out of his hand
14 and she took control of the gun and shot him in the
15 shoulder.

16 Q. Okay. She only said she shot him once in the
17 shoulder?

18 A. Yes.

19 Q. Okay. How does she dispose of the body in her
20 interview?

21 A. She, she rolled him up in a tarp. She said she
22 disposed of him with stuff that was already at the
23 house, but that she had rolled him up in a tarp, put him
24 on the back of a truck and took him down off the back of
25 the property.

1 Q. Okay. Did she state she did this with anybody?

2 A. At first she stated she was -- she acted alone.

3 Q. Okay. And has she been confronted again?

4 A. Yes.

5 Q. All right. Does she change that?

6 A. Yes.

7 Q. And who does she say helped her?

8 A. Anthony and Destiny.

9 (State's Exhibit Number 60, CD of Interrogation
10 Video with Missing Part, was marked for identification.)

11 (State's Exhibit Number 61, Full Interrogation
12 CD, was marked for identification.)

13 BY MR. HUNTER:

14 Q. I'm gonna show you what's been premarked State's
15 60 and 61. Did you provide our office with copies of
16 your interview?

17 A. Yes.

18 Q. Okay. And then the original, the first copy of
19 the interview, does the whole interview appear on that
20 CD or was there a part that it left off?

21 A. I think there's a part that's left off.

22 Q. Okay. And so did you then give our office a
23 second copy --

24 A. Yes.

25 Q. -- that shows the end? Okay. And have you

1 Q. Okay. Were you able to identify the victim based
2 on that?

3 A. Sergeant Letterman ran those -- his prints and
4 those came back with James Earl Sprouse.

5 Q. What side of the chest were the, the holes
6 located? Were they in the left upper chest?

7 A. That's what I have indicated in my notes, yes,
8 sir.

9 Q. Okay. And on what side of the back were the
10 holes located?

11 A. It says there was two, two holes were found in
12 the middle, one just to the right and one just to the
13 left of the spine.

14 Q. Okay. Were any abrasions noted on his body that
15 you remember seeing?

16 A. I believe that there was an abrasion noted about
17 his head, but that was something that was -- that Dr.
18 Wren was like superficial could have been done at some
19 other time or something like that.

20 Q. Okay.

21 A. Is about the only thing I remember.

22 Q. After leaving the autopsy, where do you go?

23 A. After leaving the autopsy I go back to the scene.

24 Q. Okay. And what are you doing at the scene?

25 A. At this point we're still processing. This would

1 the --

2 Q. Okay.

3 A. -- dowel rods.

4 Q. Okay. But at what height were the bullet holes
5 or the holes that were observed in the closet?

6 A. As I remember, they were between thigh and waist
7 high on me.

8 Q. Okay. And same for outside the wall?

9 A. Yes.

10 Q. For the living room wall?

11 A. (Nods head up and down.)

12 Q. Okay. At that point as the search warrant closed
13 out, do you leave the residence?

14 A. Yes.

15 Q. Okay. Was Amy's cellphone the only cellphone you
16 all searched?

17 A. No.

18 Q. Okay. Did Destiny Lyda and Anthony Fowler also
19 give you consent to search their cellphones?

20 A. They did.

21 Q. Okay. Who did you give the cellphones to?

22 A. Investigator Lindsey McGraw.

23 Q. Okay. Did you receive any other cellphones from
24 someone?

25 A. I did. We received the one from Cynthia that

1 turned out to be James's.

2 Q. When you originally -- did you receive that
3 cellphone from someone else?

4 A. We received it from, as I remember, Destiny's
5 grandmother.

6 Q. Okay. So that would be Amy's mother?

7 A. Right.

8 Q. Okay. And did the sheriff's office return that
9 phone at some point to someone?

10 A. I did. We returned it to Cynthia.

11 Q. Okay. Did you receive that phone back?

12 A. I did.

13 Q. Okay. And Cynthia being Cindy --

14 A. Yes.

15 Q. -- Sprouse?

16 A. Yes.

17 Q. All right. I know you received consent to search
18 for Ms. Taylor's cellphone. Did you all also execute a
19 search warrant on that cellphone?

20 A. I did.

21 Q. Okay. Did you just do that out of an abundance
22 of caution?

23 A. Yes.

24 Q. All right. Did you go to the Fred's discount
25 store? The Fred's discount store. Why did you go to

1 that store?

2 A. Indicated in both Anthony and Destiny's
3 statement, that's where they went to get the supplies
4 to, to dispense of the body.

5 Q. Okay. And then her story to you in the
6 interview, where did she say she got the supplies?

7 A. She said they were already at the house.

8 Q. Okay. And ultimately you give another interview.
9 Does she admit going to Fred's in that other interview?

10 A. Yes.

11 Q. Okay. What do you discover at Fred's?

12 A. The video clearly shows them in there. And the
13 receipt that was recovered by Investigator Nix, we were
14 able to find things consistent with the way the body was
15 wrapped, is what they ultimately bought.

16 Q. Okay. So, what were the items that you were able
17 to discover were bought at Fred's?

18 A. I think there was duct tape, a tarp and some
19 bungee cords.

20 Q. Okay. Did you view that video?

21 A. Yes.

22 Q. Okay. And who's present in that video?

23 A. Destiny ---

24 MS. JONES: He's already answered this question,
25 Your Honor. He said he reviewed it and he saw their

1 would offer State's Exhibit 70 into evidence.

2 MS. JONES: No objection.

3 THE COURT: Admitted without objection.

4 (State's Exhibit Number 70 was entered into
5 evidence.)

6 BY MR. HUNTER:

7 Q. Specifically, could you read -- would you read
8 Item Number 3, the whole line.

9 (Witness reads from report.)

10 A. Okay. Item Number 3. The date and the timestamp
11 on this is the 4th of March, 2017, 6:31 p.m., UTC, so
12 it's gonna be 131 p.m. local time: "Does lime help
13 decompose dead animals?"

14 Q. All right. And that's -- what source is that?

15 A. The source is Safari brow -- Safari web browser,
16 which is installed on an iPhone by default.

17 Q. Okay. Could you read Line Number 4.

18 A. Number four was done on the 4th of March, 2017,
19 6:29 p.m., 1:29 p.m. local: "What can you pour on dead
20 animals to hurry up to make them disappear?"

21 Q. What about line number five?

22 A. Number five, again the same day, 3/4/2017, 6:29
23 p.m., 1:29 local: "What can you pour on dead animals --

24 Q. So it's basically the same.

25 A. -- to hurry up to make them disappear?" Right.

1 Q. Line seven.

2 A. Line seven, 3/4/2017, 4:11 p.m. UTC: "Inman Gun
3 and Pawn."

4 Q. So that's at 11:11:45 local time?

5 A. Right.

6 Q. Okay. Go to the next one.

7 A. Eleven a.m. local time, yes.

8 Q. Does it appear that Inman Gun and Pawn is
9 searched again, or previous to that?

10 A. I don't know if it's an actual search or if it's
11 -- sometimes you can pull the same search up in a
12 different location.

13 Q. Okay.

14 A. So it doesn't necessarily mean it's a second
15 search for the, the same thing.

16 Q. What about line 13 and 14.

17 A. Line 13, 3/3/2017, 11:44 a.m. local, which would
18 be --

19 Q. Or UTC.

20 A. -- UTC. It's gonna be 6:44 a.m. local: "On a
21 handgun when red is showing on the side, does it mean
22 it's on safety or off?"

23 Q. Right. And what time, local time, is that again?

24 A. Local time is gonna be 6:44 a.m.

25 Q. On what date?

1 A. On the third of March.

2 Q. So Friday, March 3rd?

3 A. Yes, sir.

4 Q. And, again, is line 14 the same search?

5 A. Correct.

6 Q. All right. We're gonna go back in time. Could
7 you read Number 78.

8 A. 78 is on the 20th of February, 2017, at 9:12
9 p.m., which is gonna be 4:12 p.m. local: "Undetectable
10 poisons in autopsy."

11 Q. What about Line 79.

12 A. Line 79 is 9:08 p.m. on the 20th of February.
13 It's UTC, so it's gonna be 4:08 p.m. local. "What is a
14 way you can poison someone without it being traceable in
15 blood stream?"

16 Q. And, again, 80 has that same search?

17 A. Correct.

18 Q. Okay.

19 (State's Exhibit Number 71, Web History On Phone,
20 was marked for identification.)

21 BY MR. HUNTER:

22 Q. I'm gonna show you what's been premarked State's
23 Exhibit 71. What is that item?

24 A. It's going to be web history. Basically when you
25 go to a different site, it logs in the web browser where

1 you've been.

2 Q. Okay. So it's not necessarily what you searched,
3 but a site that you went to?

4 A. Correct.

5 Q. Okay.

6 A. Or sites they will visit.

7 Q. Can you tell us what's on line Number 3?

8 A. Line Number 3, the title is? "What do I do with
9 a dead body." {Archive} - Straight Dope Message Board.

10 Q. Okay.

11 A. And then it gives the URL for it. That site is
12 visited on 3/4/2017, 6:32 p.m. UTC or 1:32 p.m. local.

13 Q. Okay. And just for when we read these, can you
14 just give us the local time?

15 A. Sure.

16 Q. Okay.

17 A. If I can do my subtraction in my head.

18 Q. Yeah. And Number 4 and 5.

19 A. Okay. Number 4: Does lime help decompose dead
20 animals? Google search, 3/4/2017; 1:31 p.m. local.

21 And Number 5: "What can you pour on dead animals
22 to hurry up to make them disappear?" Google search,
23 3/4/2017; 1:29 p.m. local.

24 Q. Okay. Line Number 87.

25 A. 87? "On a handgun when red is showing on side,

1 does it mean its on safety or off?" Google search.

2 That would be 3/3/2017. And it's gonna be 6:44 a.m.

3 Q. And instead of reading 67, 68, 69, 70, 71, do
4 those all go with the web or the search history that
5 we've already talked about? Do they appear to match
6 with the search history?

7 A. They do, yes.

8 Q. And what was that search history?

9 A. As far as the content?

10 Q. Correct.

11 A. Basically undetectable poisons, toxicology,
12 forensic science. What is a way you can poison someone
13 without it being traceable in the blood stream.

14 Q. And that's from February 20th?

15 A. Yes, sir, February 20th.

16 MR. HUNTER: Your Honor, at this time the State
17 would offer State's Exhibit 71 into evidence.

18 MS. JONES: No objection.

19 THE COURT: Admitted without objection.

20 (State's Exhibit Number 71 was entered into the
21 record.)

22 (Bench conference was held off the record.)

23 THE COURT: All right. Mr. Foreman, ladies and
24 gentlemen of the jury panel, by the courtroom clock it's
25 almost 12 o'clock. We're gonna go ahead and recess for

1 identified as deleted in this report.

2 Q. But based on the fact we know whose phone it is,
3 we know who at least sends the message?

4 A. Correct.

5 Q. Okay. On a sent message?

6 A. Yes, sir, on a sent message.

7 Q. Okay. Can you read the next message, Number 62?

8 A. Number 62 is gonna be 3/3/2017; 5:24 p.m. It's a
9 sent message: "Y'all almost done? I need to go in,
10 too, and spray. Also, I need to get these sheets in
11 trash bag. Also, I need to give Anthony a trash bag to
12 see if he can fold Alley's mattress up and put in bag
13 and stuff."

14 Q. And is the next message a sent message?

15 A. It is.

16 Q. Also on that date?

17 A. Yes, sir.

18 Q. Okay. And what's the message say?

19 A. The message says: "See if they can before Kenny
20 gets here. If not, let me KNW." Which is shorthand for
21 know when.

22 I guess for future reference, if there's text
23 message shorthand, do you want me to just use the ---

24 Q. No, read what it says.

25 A. Okay.

1 Q. Okay. And starting with the second message, what
2 date is this now?

3 A. This is now March 3rd, 2017.

4 Q. Okay.

5 A. Okay. Do you want me to read the times, too, or
6 just...

7 Q. No. Just the -- it's March 3rd.

8 A. Okay. Destiny.

9 Q. But after what time, though?

10 A. Okay. It's starting at, it's gonna be 7, 7:40
11 a.m.

12 Q. Okay. So all these text messages happened at
13 7:40 a.m. or after?

14 A. Yes. Right.

15 Q. Okay.

16 A. Okay.

17 Destiny: "Call the cops, please. I love you."

18 Destiny: "Don't hide him or nothing, mom. Do as
19 right with the law, please, for us."

20 Destiny: "Momma, what if Michael don't take you
21 side?"

22 Mommy: "I'm home, okay, chill. We okay for now.
23 I will call cops."

24 Destiny: "Please."

25 Destiny: "Are you okay?"

1 Mommy: "I'm okay."

2 Mommy: "He almost dead, barely breathing.
3 Pouring blood out of his mouth, gasping for air. He
4 almost dead."

5 Destiny: "Oh my God, oh my God. Did you call
6 cops? Please before it's too late. You can't get in
7 trouble, mom."

8 Destiny: "Where are y'all going?"

9 Mommy: "Like Anthony said, go in and see if he
10 was dead or alive. I did. He said if he was barely
11 alive run out and we leave and give it a few more
12 minutes till he stops breathing. In care he is faking
13 it and jumps up. I took him to TJ's. He drove in
14 running to gas station like he told me to."

15 Destiny: "Tell TJ to bring his car to the house
16 and pawn stuff and to keep you safe if he is faking it."

17 Destiny: "Will cops read our message?"

18 Destiny: "Swear on your life, kids you'll call
19 the cops, mom."

20 Destiny: "They are not gonna believe it was
21 self-defense if you keep waiting, mom."

22 Destiny: "Get Ginger to help you."

23 Mommy: "No, they want, Baby. I will, I will,
24 Baby, but no matter what I still have to clean blood up
25 and they only take out away. I done called. Finger

1 told her she knew other day I told her he might kill
2 me."

3 Mommy: "You need to calm down, please. I can't
4 text and drive."

5 Destiny: "Well, call the cops, mom. What are
6 you waiting for, momma?"

7 Destiny: "It's gonna be too late. Ugh."

8 Destiny: "What about Michael, mom? He will tell
9 cops different."

10 DESTINY: "Get Ginger in your side."

11 DESTINY: "I don't know. Just please call the
12 cops, mom. I'll calm down when you do. I'm just
13 scared."

14 MOMMY: Anthony told me to wait another 2p 35
15 minutes. He said then do it. I have to clean all this
16 blood up, Destiny. Cops don't do it. No, he want
17 Michael knows he's shot through house. Michael ask him
18 yesterday what his problem was."

19 DESTINY: Your skipping import -- excuse me.
20 "You're skipping important steps, mom."

21 DESTINY: "You're gonna fuck yourself if you
22 don't, okay? And we will clean it up, but you need to
23 call them or it's done, you'll be in prison."

24 DESTINY: "We're trying to help you. Even
25 Anthony said you're skipping steps that you're supposed

1 to do."

2 Mommy: "I just talked to Ginger, told her, but
3 she keeping it between us. No, I'm not. If I go in
4 there and hang out while he still breathing, they going
5 say well you wouldn't scared for your life."

6 Destiny: "Anthony said you should've called him
7 right away, mom."

8 Destiny: "No. But you don't call, meaning they
9 don't come out, which means gonna look like a murder."

10 Destiny: "Mom, call the cops God damn it. I'm
11 trying to help you, momma."

12 Destiny: "Self-defense, call them."

13 Destiny: "Your promises you would."

14 Mommy: "He told me to wait, okay? I'm calling
15 them now. Tell Anthony don't come back by house at all.
16 They will be pulling in back yard. Cops will be so you
17 got to quit writing me."

18 Destiny: "Okay. Well, swear to call."

19 Mommy: "I'll let you know, but I don't want to
20 sit at that house until cops her there. Y'all, don't
21 open y'all's mouth. Swear. Love you."

22 Destiny: "Love you, but better call them, mom,
23 if you love us."

24 Destiny: "Cops won't be able to get in house."

25 Destiny: "You ain't going to jail, are you? Or

1 To Amy, 3/1/2017, 2:06 p.m.: "Him cause I seen
2 both of them walking together. He ain't got my damn
3 money. He got to go."

4 To Amy, 3/1/2017, at 2:11 p.m.: "So he in my
5 damn car."

6 To Amy, 3/1/2017, 2:14 p.m.: "Then I guess I'll
7 fuck'n ask for my damn money, and why not bring them
8 down, you have 20-minutes to kill."

9 To Amy, 3/2 -- this is the next day. 3/2/17 at
10 1:59 p.m.: "Miss you nut house."

11 To Amy, 3/2/17 at 2:08 p.m.: "What the matter,
12 texting me -- texting me or other, I guess."

13 To Amy, 3/2/2017 at 2:19 p.m.: "Lie again. He
14 just told him you text him, now you go live up there."

15 From Amy, 3/2/2017 at 2:22 p.m.: "Huh."

16 From Amy again at 3/2/20 -- 3/2/2017 at 2:25
17 p.m.: "Do what you just said. He told me to text him."

18 From Amy at 2:25 p.m.: "No ain't a liar."

19 From Amy at 2:26 p.m.: "I'm messaging you when I
20 had to stop and messaging Destiny. She letting me know
21 she thinks she done good on her SAT test."

22 To Amy, 3/2/2017 at 2:28 p.m.: "No. You texted
23 him and told him cause he told me you did."

24 From Amy, 2:30 p.m.: "Texting what?"

25 To Amy, 3/2/27 -- or 3/2/2017 at 2:34 p.m.: "You

1 not stupid. You text Michael and told him I shot up
2 house cause he told me."

3 To Amy, 3/2/2017, 2:47 p.m.: "What the hell are
4 you fucking talking to me now?"

5 From Amy at 3:03 p.m.: "Guess nothing to say now
6 to me."

7 From Amy, 3:05 p.m.: "What the hell, are you not
8 talking to me now? What the fuck?"

9 To Amy at 3:09 p.m.: "Either one told me you
10 text him. Hell, let's go to his face. I seen his
11 phone."

12 To Amy at 3:17 p.m.: "Hate a liar."

13 From Amy at 3:40 p.m.: "Nothing again to say."

14 From Amy, 4:06 p.m.: "Hello. Guess nothing to
15 say to me."

16 To Amy, 4:12 p.m.: "Why is it a lie that you
17 text Michael? No, it ain't. You did. I saw it. What
18 I do here is no damn body business. You made your
19 choice, have a nice life."

20 From Amy, 4:17 p.m.: "Now I made my choice,
21 hmm."

22 To Amy, 4:17 p.m.: "Oh, yeah. Where is my
23 20-damn dollars out of my billfold?"

24 To Amy, 4:20 p.m.: "Go to H, liar."

25 And then the third one is a -- changes date.

PLEA QUALIFICATION

1 THE CLERK: No, sir.

2 Please raise your right hand. (Complies.)

3 Do you swear or affirm the testimony you'll give
4 will be the truth, whole truth, and nothing but the
5 truth so help you God?

6 THE DEFENDANT: I do.

7 THE COURT: Ma'am, for the record you're Amy N.
8 Taylor?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Ms. Taylor, how old are you?

11 THE DEFENDANT: Thirty-four.

12 THE COURT: How far did you go in school?

13 THE DEFENDANT: Eighth grade.

14 THE COURT: What do you do for job or occupation?

15 THE DEFENDANT: Nothing right now, sir.

16 THE COURT: Are you married at the present time?

17 THE DEFENDANT: No, sir.

18 THE COURT: What are the ages of your children?

19 THE DEFENDANT: 18, 14, and 7.

20 THE COURT: How much time have you served in jail
21 on this charge?

22 MS. JONES: Oh, I didn't calculate that, I'm
23 sorry.

24 THE DEFENDANT: Two years, four months. Two
25 years, four months.

PLEA QUALIFICATION

1 MS. JONES: I can have the exact number in the
2 morning.

3 THE COURT: If you'd do that, be sure to remind
4 me and I'll --

5 MS. JONES: Yes, sir, I will.

6 THE COURT: -- put it on the sheet here for full
7 credit for that.

8 Okay. Ms. Taylor, you're charged today with the
9 offense of murder, which carries a sentence -- a minimum
10 sentence of 30 years, a maximum sentence of life without
11 parole, so 30 years to life without parole, is the range
12 of the sentence, but the minimum's 30 years. And that
13 is classified as a felony. It's classified as a most
14 serious offense.

15 The importance of that classification is, should
16 you get two most serious offenses on your record or a
17 combination of three serious and most serious offenses
18 on your record, upon receiving the second or the third
19 such offense, you could get a sentence of life without
20 parole, so called two strikes and three strikes rule.
21 This offense will classify as one of those strikes under
22 either scenario. Do you, do you understand that?

23 A. Yes, sir.

24 Q. This is, essentially, I understand that we may be
25 have a separate hearing to determine whether you might

PLEA QUALIFICATION

1 be eligible for some parole eligibility, but this charge
2 in normal course, unless the Court would find that, and
3 if the Court does not find that you're entitled to that,
4 then this would be a day-for-day sentence, which means
5 there'll be no parole, no work credit, no anything. You
6 serve whatever sentence you receive. Do you understand
7 that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Now, understanding that, has anybody
10 -- my understanding is there is a negotiation of 30 to
11 50, discretionary with the Court; is that correct?

12 MR. HUNTER: Yes, Your Honor. Again, she has the
13 opportunity to ask for the CDV parole. As far as the
14 co-defendant's part of this offer, both co-defendants,
15 Destiny Lyda and Anthony Fowler, have received offers of
16 accessory after the fact to murder, Your Honor, which
17 they would then plead tomorrow in front of you.

18 THE COURT: Now ---

19 MR. HUNTER: If they accept. If they accept
20 those offers.

21 THE COURT: If they accept it, I understand. Of
22 course, they always have an option of going to trial
23 themselves on the original charges.

24 Now, is that your understanding of the agreement
25 you have with the solicitor's office? Let me go over it

PLEA QUALIFICATION

1 with you, and your attorney is here as well. The
2 negotiated sentence is 30 years to 50 years in the
3 discretion of the Court. It's left to the Court what
4 sentence you get.

5 The other thing is that the two other defendant's
6 in this case who have been charged with accessory before
7 the fact of murder, it's treated just like a murder. So
8 they, themselves, would be possibility of getting a
9 murder charge, life, because accessory before the fact
10 is treated the same as the murder itself as an accessory
11 to the murder.

12 But they would be entitled to -- they gonna allow
13 to plead to accessory after the fact, which is
14 classified as a felony and it carries up through 15, a
15 maximum of 15 years. And then it would be their
16 decision whether they want to accept one of the offers
17 made to them or go to trial themselves or not. But at
18 any rate, that offer would be made to accessory after
19 the fact. And then their sentence would be within the
20 discretion of the Court. I'm saying if they fail to go
21 to the end, if they couldn't get me to it.

22 Now, and is that your understanding of the
23 agreement you had with the solicitor's office in order
24 to plead guilty to this charge?

25 THE DEFENDANT: Yes, sir.

PLEA QUALIFICATION

1 THE COURT: Has anybody promised you anything
2 other than that in order to get you to plead guilty?

3 THE DEFENDANT: No, sir.

4 THE COURT: Are you today -- well, let me ask
5 you, do you understand that by entering this plea, a
6 plea of guilty, you give up your right to a trial by
7 jury?

8 A. Yes, sir.

9 Q. And do you understand we're in the middle of a
10 trial right now, and we could go forward with the trial
11 and let a jury make a determination in this case? And
12 by pleading guilty you're giving up your right to have
13 the -- finish the trial and have the jury decide? Do
14 you understand that?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: And you give up your right to remain
17 silent. Do you understand that?

18 THE DEFENDANT: Yes, sir.

19 THE COURT; And if you give up your right to a
20 trial by jury, you also give up your right to assert any
21 legal defenses that you might have in a jury trial.
22 Now, this sentencing thing where you might have parole
23 eligibility thing is a separate hearing, but you
24 otherwise give up your right with regard to as set forth
25 with regard to the murder charges, so you understand

PLEA QUALIFICATION

1 that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And I know your attorney's gone over
4 that right with you. And we've been through a good bit
5 of the trial already, although you've not had an
6 opportunity to present your defense, but I'm gonna go
7 other that right with you.

8 At trial you have the right to confront,
9 cross-examine all witnesses against you. You would have
10 the right -- you have the right to present any witnesses
11 and/or elements in your own defense. You have the right
12 to testify on your own defense, if you wish to do so,
13 but no one could make you testify in your own trial.

14 If you decided to go to -- finish trial and not
15 testify, the Judge would tell the jury they could not
16 hold your failure to testify against you. In fact, the
17 jury couldn't even consider your failure to testify in
18 their deliberations on your guilt or innocence. You
19 would be presumed innocent throughout your trial. The
20 State would have to prove you guilty beyond a reasonable
21 doubt to a jury of 12 people. All 12 people would have
22 to unanimously agree that you were guilty in order for
23 you to be convicted. And even if you were convicted,
24 you'd still have the right to appeal that conviction.
25 Do you understand your rights with regard to a trial by

PLEA QUALIFICATION

1 jury?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Understanding that right, do you
4 still want to plead guilty or do you want to continue
5 with your trial?

6 THE DEFENDANT: Plead guilty.

7 THE COURT: Now, I've gone over negotiations and
8 agreements with you. Are you satisfied with the manner
9 in which your attorney has advised and represented you
10 in this case?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Have you and your attorney fully
13 discussed the charges against you?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Has your attorney told you the
16 witnesses are evidence the State has been able to
17 present at trial to prove your guilt?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Has your attorney discussed with you
20 any possible legal defenses that might be available to
21 you if you finish with the trial?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Have you told your attorney the names
24 of any and all witnesses you know of that your attorney
25 could subpoena and bring to trial to assist you in your

PLEA QUALIFICATION

1 defense if you were to go to trial?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: If you want to finish a trial?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Are you today under the influence of
6 any mind altering substance, such as alcohol, drugs, or
7 prescription medications which interfere with your
8 judgment or ability to understand what you're doing in
9 court?

10 THE DEFENDANT: No, sir.

11 THE COURT: Do you have any mental, emotional, or
12 nervous condition that interferes with your judgment or
13 ability to understand what you're doing in court?

14 THE DEFENDANT: No, sir.

15 THE COURT: Are you pleading guilty today of your
16 own free will?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Are you, in fact, guilty of this
19 murder charge?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Please -- I've heard a lot of the
22 facts, anything else you want to add?

23 MR. HUNTER: Yes, Your Honor. That you would
24 have heard from Anthony Fowler, Kelsey, and Dr. Wren
25 that she did shoot him on that morning of March 3rd,

ACCEPTANCE OF PLEA

1 2017. Left his body there, obviously with the help of
2 the children. Dumped his body into the woods. You
3 know, so with malice aforethought. Obviously, with the
4 planning through Google searches, we believe this was a
5 premeditated murder, Your Honor.

6 THE COURT: All right. Now, Ms. Taylor, you've
7 heard the facts recited to the Court by the solicitor's
8 office, much of which has been presented during this
9 trial by the State, but do you disagree in any way to
10 what they say happened?

11 THE DEFENDANT: No, sir.

12 THE COURT: I find the decision of the defendant,
13 Amy N. Taylor, to plead guilty to this murder charge to
14 be made freely, voluntarily, and intelligently. She's
15 had the representation of a competent attorney, with
16 whom she says she is satisfied. I find the facts
17 presented to the Court by the solicitor's office,
18 concurred then by the defendant, fully support the
19 guilty plea in this case. I'll accept the plea as
20 freely and voluntarily made.

21 Now, Ms. Taylor, if you disagree with the
22 proceeding in which you're currently involved, and this
23 will include the parole eligibility hearing that we're
24 gonna have later, you would have ten days from the day
25 we finished that hearing to appeal. And you have to

ACCEPTANCE OF PLEA

1 file your notice within ten days after the last thing we
2 hear on this case. Do you understand your right to
3 appeal and you have to file your notice of appeal within
4 ten days after the last thing in the hearing? Do you
5 understand that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Okay. All right. Do you want to
8 reserve your mitigation or whatever --

9 MS. JONES: Yes, sir. That's --

10 THE COURT: -- until the morning as well?

11 MS. JONES: Yes, sir.

12 THE COURT: When we hear from the family of the,
13 the victim. And we'll hear any other mitigation you
14 want at that point.

15 MS. JONES: Thank you.

16 THE COURT: All right. All right. I'm gonna --
17 I find the decision of the defendant, Amy N. Taylor, to
18 plead guilty to this charge will be made freely,
19 voluntarily, and intelligently. Again, as I said, she's
20 had the representation of a competent attorney with whom
21 she says she is satisfied, and I will accept the plea as
22 freely and voluntarily made.

23 I will reserve actual sentencing until in the
24 morning, so we can let the jury go this afternoon. And
25 then we'll hear from anyone who wishes to be heard in

1 this matter from both the victim's family and the
2 defense mainly tomorrow. All right?

3 MR. HUNTER: Thank you, Your Honor.

4 MS. JONES: Thank you, Your Honor.

5 THE COURT: All right. Bring the jury in,
6 please.

7 Counsel, do you want to approach real quick. You
8 can, too.

9 (Bench conference was held off the record.)

10 (Jury enters the courtroom at 4:43 p.m.)

11 THE COURT: Mr. Foreman, ladies and gentlemen of
12 the jury panel, I know you're not really happy with the
13 Court right now, but let me explain to you what's going
14 on. We decided y'all wanted to work until about
15 midnight tonight to finish this because if we can -- no,
16 I'm kidding. I'm joking. I knew I could make you
17 laugh.

18 No. Really, this is a serious matter, of course,
19 but we -- the good news I have to share with you is, the
20 case has been disposed of and it's taken us some amount
21 of time to work that out and get it all done because it
22 all has to be done before we release you. But the case
23 has already been agreed to, so we're handling it. And
24 so it will not be necessary for you to decide the case
25 or participate any more.

1 So this is gonna complete your service on this
2 case. It'll complete your service for the week. And I
3 want to take this opportunity to thank you for your
4 service this week and the sacrifice you've made to help
5 make our justice system work. And believe me, you might
6 think we take that -- your sacrifice for granted, but we
7 do not. We understand that it's sacrifice on your part.
8 We deeply appreciate it. Thank you so much. And you're
9 free to go at this time. And I think you will get a
10 check in the mail in the very near future from the
11 clerk's office --

12 THE CLERK: Yes, sir, in about a week.

13 THE COURT: -- for your service this week. And,
14 again, you won't have to serve again for three years.
15 Isn't that great? You couldn't be called again for at
16 least three years. But anyway, thank you for your
17 service and your attention. You're free to go at this
18 time with our thanks.

19 (Jury leaves the courtroom at 4:45 p.m.)

20 All right. Thank you, counsel. We'll go ahead
21 and adjourn and start back in the morning. Do you want
22 to start back around nine or do you want to do a little
23 later than that? Whatever you want to do. Let's start
24 at nine.

25 MS. JONES: Okay.

1 THE COURT: Let's start at nine.

2 MS. JONES: Okay.

3 THE COURT: Okay.

4 MR. HUNTER: I think lately we've been starting
5 at nine. It's really been 9:30, so that works.

6 THE COURT: Well, I mean...

7 MR. HUNTER: Without cakes and ---

8 THE COURT: All right. We'll start at nine, and
9 we're gonna start with --

10 MS. JONES: Sentencing.

11 THE COURT: Well, we've got to finish this up.
12 That's right, we're gonna finish up the plea, and then
13 we'll get started with your other witnesses that you
14 have.

15 MS. JONES: And let's approach and nail this
16 down.

17 (Bench conference was held off the record.)

18 (Court concluded at 4:46 p.m.)

19

20 --- THIS ENDS THIRD DAY OF TRIAL ---

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1 THE STATE VERSUS AMY NICOLE TAYLOR, DAY 4

2 (State's Exhibit Number 73, Coroner's Report, was
3 marked for identification.)

4 THE COURT: All right. Be glad to hear from the
5 defendant at this time or anyone who wishes to be heard,
6 or do you want to take the State first?

7 MR. HUNTER: Usually, I think we usually go
8 first, that way --

9 THE COURT: Yeah.

10 MR. HUNTER: -- she can have her reply.

11 THE COURT: All right. Why don't we do that.

12 MR. HUNTER: Okay.

13 THE COURT: Anyone in the family who wishes to
14 speak?

15 MR. HUNTER: There is one thing I would like to
16 bring up, Your Honor. I know we kind of went quick
17 yesterday to get the jury out. I did want to enter
18 State's Exhibit 73 into the record in this case. It is
19 the coroner's report of the autopsy. We spoke about
20 five wounds. Again, the State would like to offer
21 State's Exhibit 73 into evidence.

22 MS. JONES: I have no objection to it.

23 THE COURT: Okay. Admitted without objection.

24 MR. HUNTER: It just, it talks about the wounds.
25 He was shot three times. Two wounds entered the back,

1 exited, entered the right -- excuse me, to the left and
2 right of the spine of the back. Exited the left of the
3 chest, Your Honor. And then the one wound on the side
4 went into the body.

5 After speaking to the coroner, Dr. Wren, he would
6 have testified that it would have taken 10 to 25 minutes
7 for the wounds to bleed out before Mr. Sprouse had died,
8 so he would have been alive for at least 10 minutes
9 after the heart shot. The liver shot, he would have
10 been alive for 90 minutes.

11 So depending on when the shots actually occurred
12 to Mr. Sprouse, Dr. Wren would have opined that he could
13 have been saved with an experienced trauma surgeon.
14 Now, he most likely would have died at some point later
15 in the hospital, but he would have been saved for a
16 while, but sepsis and other items probably would have
17 killed him later in the hospital.

18 But, generally, the wounds were to the back and
19 that he possibly could have lived for at least 10
20 minutes after being shot. And then be saved to live for
21 a while in the hospital. So that's the one thing I
22 wanted to note.

23 (State's Exhibit Number 73 was entered into the
24 record.)

25 As far as speaking, first I'd like to call his

1 separated for six months. We might would have had a
2 future. We might could have been back together, but she
3 decided to end his life. She showed him no mercy and
4 she showed him no remorse. All I ask is that you give
5 her the maximum as possible and you give James the
6 justice he deserves. Thank you.

7 THE COURT: Thank you, ma'am.

8 MR. HUNTER: Your Honor, that's it from the
9 State, Your Honor.

10 THE COURT: All right. Counsel?

11 MS. JONES: Thank you, Your Honor. On her
12 behalf, I just want to, again, give the Court some
13 background on her, as I did to a certain degree in my
14 opening statement.

15 Your Honor, she -- Ms. Taylor got pregnant at 14,
16 married her first husband at 15. She -- that is the
17 marriage that produced the child, Destiny Lyda. She and
18 Jason Lyda divorced in 2003, after a domestic event in
19 which Ms. Taylor, Ms. Lyda at the time, was injured.
20 He, Jason Lyda, actually pled guilty to an aggravated
21 CDV in 2003 -- I'm sorry, 2004, I believe.

22 And at that time in the divorce, Jason Lyda gave
23 up his parental rights in Destiny. And, I think, the
24 fact that in her eyes, and legally Destiny understands
25 she only has one parent, is what has made them as close

STATEMENT OF DEFENSE BY MS. JONES

1 as they were at the time this happened.

2 Some of the exchanges between them that, that --
3 well, not so much the video tape, but all this texting
4 and all the information about their relationship shows
5 they were almost -- she was -- her mother was almost
6 acting as her friend, more than her mother because they,
7 for a good period of Destiny's first life, that was --
8 her mother was her, her everything. She did have
9 grandparents that were helpful at the time, but she and
10 her mother bonded very heavily at that time.

11 Now, Ms. Taylor moved on, entered a relationship
12 with Kenny Taylor and ended up having two other
13 children. Kelsey, who I believe they indicated they
14 might put up in the mitigation hearing, she was born in
15 2005. And then Alley, the smallest one, was born in
16 2011.

17 Both of the children -- excuse me. All three of
18 the children and Mr. and Ms. Taylor lived together
19 nearby Mr. Sprouse. At the time she got pregnant, her
20 first husband, Jason Lyda, was actually working with Mr.
21 Sprouse. That's how she knew them. They -- his family,
22 he and his wife, became friendly with them. Helped her,
23 she acknowledges. And that's how far back this
24 relationship goes.

25 As I said, the Taylor family, the five of them,

1 school. They got in the car and there was a routine.
2 The only variable was whether James was gonna ride along
3 or not, and that always depended on his mood.

4 Same thing happened later that afternoon, it was
5 a routine. Homework, if we had looked -- Your Honor
6 wouldn't have had the time cause there's tens of
7 thousands of them, but if we had looked at all the text
8 messages, there were text messages from her to Destiny,
9 are you doing your homework? Please go help Kelsey do
10 your homework. These are indicators that she truly was
11 a good mother.

12 So, Your Honor, in this case we ask you to
13 consider that. She has no criminal history. She's then
14 in jail, Your Honor for 846 days as of today. And ask
15 you to be as merciful as you can in this case. And she
16 does have a very brief comment she'd like to make.

17 THE COURT: Yes, ma'am, Ms. Taylor.

18 THE DEFENDANT: I want to say sorry to my family
19 and my kids and I ask for their forgiveness. As well,
20 Your Honor, I'd like to say sorry to the Sprouse family
21 and ask their forgiveness as well. And I'm asking Your
22 Honor for your forgiveness for the chaos I've caused and
23 have mercy on me when you sentence me. Thank you.

24 THE COURT: All right. In Case 2017-GS-42-2256,
25 Amy N. Taylor having pled guilty to murder, the sentence

SENTENCE OF THE COURT

1 of the Court is that she be committed to the state
2 Department of Corrections for a determinat term of 45
3 years. She's given credit for 846 days of jail time.

4 MR. HUNTER: Thank you, Your Honor. Would you
5 like to take a break so that the room can clear out?

6 THE COURT: Yes, sir.

7 MR. HUNTER: Okay.

8 (Hearing concluded at 9:24 a.m.)

9
10 --- THIS ENDS DAY 4 OF PROCEEDINGS ---
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1 THE STATE VERSUS AMY N. TAYLOR MITIGATION HEARING

2 THE COURT: Good morning, Counsel, ready to
3 proceed?

4 MS. JONES: Yes, sir. At this point the defense
5 would call Ginger Teague.

6 (Witness comes forward.)

7 THE CLERK: Place your left hand on the Bible and
8 raise your right. (Complies.)

9 Do you solemnly swear or affirm the testimony you
10 will give will be the truth, the whole truth, and
11 nothing but the truth so help you God?

12 THE WITNESS: Yes, ma'am.

13 VIRGINIA LEE TEAGUE,

14 having been duly sworn, testified as follows:

15 DIRECT EXAMINATION

16 BY MS. JONES:

17 Q. Ma'am, would you state your name for us, please?

18 A. Virginia Lee Teague.

19 Q. Okay. And do you sometimes go by Ginger?

20 A. Yes, ma'am.

21 Q. And, generally, where do you live, Ms. Teague?
22 What area of the county?

23 A. Chesnee.

24 Q. Okay. And do you know Amy Taylor?

25 A. Yes, ma'am.

1 Q. Seated here with me. How long have you known
2 Amy?

3 A. About ten years or so.

4 Q. How did you meet Amy?

5 A. My sister-in-law works at Check Advance in Inman
6 and Amy was a customer there.

7 Q. Okay. And after y'all met, was there a time
8 those years ago when y'all were socially friendly?

9 A. Yes, ma'am.

10 Q. And was there a time a number of years ago when
11 Amy was married to Kenny that you either babysat her
12 children or she babysat your children?

13 A. Yes, ma'am. She would keep my daughter and my
14 sister-in-law -- like my nephew.

15 Q. Okay. And how old is that child now? Give us a
16 timeframe.

17 A. My daughter is nine. She just turned nine in
18 May.

19 Q. Okay.

20 A. And my nephew will be nine in December.

21 Q. Okay. And were they babies or toddlers?

22 A. They were.

23 Q. Okay. Now, since that time you have had periodic
24 contact with Amy, haven't you?

25 A. Yes, ma'am.

1 Q. And including up until the last couple months
2 before the death of Mr. Sprouse?

3 A. Yes, ma'am.

4 Q. And the event we're here about. And I guess
5 there's really no real delicate way to put this, but in
6 the last, especially in the last couple of years, your
7 relationship with Amy, how would you characterize it?
8 What kind of relationship is it?

9 A. I wouldn't say we were friends, but I wouldn't
10 say we weren't friends. Like, we were acquaintances.
11 If we see each other out, we talk, you know, stuff like
12 that.

13 Q. Okay. And there was, there was another reason
14 that at times Amy contacted you, something she wanted
15 from you?

16 A. Yes, ma'am.

17 Q. Okay. And what was that?

18 A. Prescription pills.

19 Q. Okay. Now, you have told me that that was not
20 something you engaged in yourself, but you knew someone
21 who has things and you got them and sold them to her.

22 A. Yes, ma'am.

23 Q. Okay. Now, in conjunction with some of those
24 contacts --

25 A. Yes, ma'am.

1 Q. -- would you often meet somewhere and talk for a
2 few minutes so that you could give her an envelope or
3 give her something?

4 A. She would generally stop by my house.

5 Q. Okay. In the last couple of months before the
6 death of Mr. Sprouse, during those visits did she
7 mention to you -- well, let me back up and start it this
8 way. In the last couple of months, were there times
9 when you saw her, that you saw marks on her?

10 A. There was two times that I recall.

11 Q. Okay.

12 A. One time she had a slap to the face. Another
13 time she had broken toes.

14 Q. Okay.

15 A. She showed me.

16 Q. Okay. And those were in the last couple of
17 months before --

18 A. I would say within eight weeks --

19 Q. -- this event?

20 A. -- of what happened.

21 Q. Okay. Did she indicate to you what happened to
22 get those injuries?

23 A. He hit her, is what she told me. And I don't
24 recall how the toes got broke, but it was by him, is
25 what she said.

1 Q. Okay. During those conversations, in addition to
2 telling you that he had hit her or did whatever it took
3 to break the toes, did she indicate fear or apprehension
4 about that?

5 A. In my statement I remember reading, you know,
6 that I had said that she had told me, you know, if I end
7 up dead you know who did it, type stuff like that. And
8 I asked her, you know, why don't you leave because if I
9 was personally in a situation like that I would have
10 left, you know? And she said she had nowhere to go.

11 Q. Okay. And on those two specific incidents, you
12 actually saw an injury?

13 A. I did.

14 Q. Okay.

15 A. I did. One to the face and another to the foot.

16 Q. Thank you. That's all I have for you, Ms.
17 Teague. I appreciate you being here.

18 CROSS-EXAMINATION

19 BY MR. HUNTER:

20 Q. Good morning, Ms. Teague. You also met with me
21 and Ms. Hicks in this case.

22 A. Yes, sir.

23 Q. Have you reviewed your statement? I believe you
24 reviewed it with her when ---

25 A. I did, yes, sir.

1 MR. HUNTER: I'm gonna go ahead and mark this for
2 this.

3 (State's Exhibit Number 74, Virginia Teague's
4 Statement, was marked for identification.)

5 BY MR. HUNTER:

6 Q. Would you admit that you told -- or that Amy told
7 you that, as you said, that she said if she wound up
8 dead you'd know who did it?

9 A. Yes.

10 Q. Okay. Do you remember when she told you that?

11 A. Not the exact day, but it would have been within
12 the last -- within a week or two of what happened.

13 Q. Okay. Would you say it was after she told you he
14 had been shooting live rounds in the house?

15 A. To be honest, I couldn't tell you yes or no on
16 that one.

17 Q. I'm gonna hand you your statement, State's
18 Exhibit 74.

19 A. Okay.

20 Q. Can you just read the first couple sentences?

21 A. Of the whole thing?

22 Q. Yeah. Just a ---

23 A. Okay. "I stated that Amy had been calling me,
24 telling me that James was going crazy. He had been
25 shooting live rounds through the house at her. She

1 would make comments about if I end up dead, you know who
2 did it."

3 Q. Okay, thank you. So it would have been after the
4 shootings of live rounds?

5 A. I would say probably.

6 Q. Okay. You also testified that you saw marks on
7 Amy.

8 A. Yes, sir.

9 Q. Okay. Did you actually ever see a broken toe?

10 A. I did not. I believe it was wrapped, maybe, with
11 like some white tape or something like that. I did not
12 see the toe physically.

13 Q. Okay. You said she was babysitting your kids at
14 one point.

15 A. Yes.

16 Q. Did she continue babysitting your kids?

17 A. No.

18 Q. Why not?

19 A. Well, we went through a, I believe like a period
20 we didn't talk. Her and Kenny moved a couple of times.
21 They were, I believe -- what I believe, I don't know for
22 sure, that they were having kind of like problems and
23 stuff like that or whatever was going on in their life
24 and I just -- she babysat for us to go, like my husband
25 and I go out on dates and stuff like that. You know, it

1 wasn't like an every day type babysat like it was for my
2 nephew, but it just -- we just didn't. I didn't.

3 Q. And you would admit that you were Amy's drug
4 dealer at the time?

5 A. Unfortunately, yes, I was.

6 Q. And how often would you bring pills to Amy?

7 A. Maybe once or twice a week she would call me for
8 them.

9 Q. For how long?

10 A. A few months.

11 Q. Okay. So it was for a while?

12 A. It was a while.

13 Q. Okay. I think you did testify that she would
14 stop at your house.

15 A. Yeah.

16 Q. So she was able to come to your house?

17 A. Yes.

18 Q. Okay.

19 A. James would actually even bring her to my house.

20 Q. Okay. Would she sometimes come alone, though?

21 A. Yes, she could go alone.

22 Q. Okay. She could go alone?

23 A. Yes. She -- I've seen her, you know, like out
24 and about alone and stuff like that.

25 Q. Okay. Specifically on the day that she showed up

1 at your house, that would be Friday, March 3rd?

2 A. Yes.

3 Q. And did she tell you she was scared of James on
4 that day?

5 A. I believe from my statement that she had said
6 something like she had gotten out that day.

7 Q. Uh-huh.

8 A. I didn't really get into their business, you
9 know? Like, I didn't -- I'm not trying to know
10 everything that was going on in their relationship and
11 stuff, so I didn't ask any questions. I just know what
12 she stated to me.

13 Q. Okay. But was she, was she scared on that day on
14 March 3rd?

15 A. Scared, no. I would say nervous, yes.

16 Q. Nervous, okay.

17 A. Looking back now, it was more of a nervous than a
18 scared.

19 Q. Okay. And did you give her a change of clothes?

20 A. Yes, I did.

21 Q. Do you know what happened to her change of
22 clothes?

23 A. She took them with her.

24 Q. She took them with her, okay.

25 A. It was pajamas pants and a pajamas shirt.

1 Q. Okay. Did she show you anything out of her
2 pocket?

3 A. She pulled out a handful of change out of her
4 pocket and it looked to be -- I didn't really, like,
5 stop and examine them, but it looked to be what to me,
6 and I've never seen a bullet like shot and then like
7 taken back, but it looked like the tip of the bullet,
8 you know like three of them.

9 Q. Okay. Did she tell you that they were bullets?

10 A. To be honest, I don't know.

11 Q. Can I show you your statement again?

12 A. Yes. Oh, oh, yes, she did.

13 Q. Okay.

14 A. Actually, I remember. I'm sorry. She told me
15 that Alley had -- that he had been shooting live rounds
16 through the house. She had told me previously that he
17 had shot into the ceiling like once or twice, but that
18 he never did it while the kids were there. And that
19 that day she said that he had shot those live rounds
20 through the house and that Alley had found them and had
21 brought them to her.

22 Q. Okay. And, again, this is Friday --

23 A. But he hit her.

24 Q. -- March 3rd?

25 A. Yes.

1 Q. This was Friday March 3rd?

2 A. Yes.

3 Q. And what time was she at your house?

4 A. It was early morning. I had just took my kids to
5 school, and she had just dropped her kids to school.

6 Q. Okay.

7 A. I can't tell you exact time. Mr. Gay may be able
8 to because I didn't remember her calling before she
9 came.

10 Q. So this was after she would have dropped her kids
11 off at school --

12 A. Yes. Yes.

13 Q. -- on Friday, March 3rd?

14 A. Yes.

15 Q. After 7 a.m.?

16 A. Yes. And I recall she said she was going either
17 to Ingles to walk around or to Wal-Mart cause she
18 couldn't go back home.

19 Q. And did she tell you that she'd already shot and
20 killed ---

21 A. No.

22 Q. No?

23 A. No. I would have called 911, you know?

24 Q. When you spoke with me, did I ask you if you
25 believed Amy's story about the domestic abuse?

REDIRECT EXAMINATION OF VIRGINIA TEAGUE BY MS. JONES

1 A. I don't know whether to believe it or not, but I
2 said that I've never seen any physical evidence other
3 than the face and the toe.

4 And I didn't see it happen, so I don't know. I
5 had always heard nice things about the man and I do not
6 know him personally, but every time I've seen him out
7 and about he was very polite, very kind. So, I mean, in
8 my opinion, I'd never seen anything to believe that he
9 would have done anything ugly.

10 Q. Thank you.

11 REDIRECT EXAMINATION

12 BY MS. JONES:

13 Q. But twice you did see what appeared to be
14 injuries?

15 A. I did.

16 Q. Okay, that's all. Thank you, Ms. Teague. I
17 appreciate all the time you've given us.

18 Can she be excused, Your Honor?

19 MR. HUNTER: No objection.

20 MS. JONES: She's been here for a couple days
21 now.

22 THE COURT: Thank you for coming, you may be
23 excused at this time.

24 THE WITNESS: Yes, sir. Thank you.

25 (Witness leaves witness stand and courtroom.)

1 MS. JONES: Your Honor, at this point the defense
2 calls Destiny Lyda.

3 (Witness comes forward.)

4 THE CLERK: Place your left hand on the Bible and
5 raise your right. (Complies.)

6 Do you swear or affirm the testimony you will
7 give will be the truth, the whole truth, and nothing but
8 the truth so help you God?

9 (State's Exhibit Number 75, Sworn Statement of
10 Destiny Lyda, was marked for identification.)

11 THE COURT: Counsel approach just a minute.

12 (Bench conference was held off the record.)

13 MS. JONES: Your Honor, did you want to put it on
14 the record?

15 THE COURT: Yes, I did. Counsel, do you
16 represent Destiny Lyda --

17 MR. FILE: That's correct.

18 THE COURT: -- in relation to this? And have you
19 had a chance to discuss her testimony for this?

20 MR. FILE: Yes, Your Honor.

21 THE COURT: All right. That's what I needed,
22 thank you. Oh, give us your name for the record.

23 MR. FILE: My name is Robin File, F-I-L-E.

24 THE COURT: Thank you, sir.

25 DESTINY LYDA,

DIRECT EXAMINATION OF DESTINY LYDA BY MS. JONES

1 having been duly sworn, testified as follows:

2 DIRECT EXAMINATION

3 BY MS. JONES:

4 Q. Could you state your name for us, please?

5 A. Destiny Nicole Lyda.

6 Q. Okay. Ms. Lyda, you speak kind of softly, so
7 make sure you speak up. I want to make sure everybody
8 can hear you. How old are you now?

9 A. Eighteen.

10 Q. How old were you back on March 3rd when James
11 Sprouse died?

12 A. Sixteen.

13 Q. Okay. What is your relationship with Amy Taylor?

14 A. She's my mother.

15 Q. Okay. During that timeframe, were you living in
16 the home with your mother and James Sprouse?

17 A. I was living in the camper, but I would go in the
18 house. But still, everything was in the house pretty
19 much.

20 Q. Okay. In the last week or so, let's talk about
21 that first. School is in session and you were in what
22 school?

23 A. Chesnee High School.

24 Q. Okay. And what was your schedule as far as
25 school hours?

1 A. It was 8 or 8:30 'til 3 or 3:30.

2 Q. Okay. And you said you lived in a camper. That
3 is a small camper. It didn't have electricity, did it?

4 A. No, ma'am.

5 Q. Okay. Was there any power to it at all?

6 A. No. But my mom had it set up where we had
7 dragged a drop cord from James's garage so that we would
8 have power to put a lamp or something on.

9 Q. Okay. Did you -- well, let me back up again.
10 You lived in that camper with your boyfriend.

11 A. Yes, ma'am.

12 Q. What was his name?

13 A. Anthony Fowler.

14 Q. Okay. How long had he lived in the camper prior
15 to this event?

16 A. From what I remember he moved in in January.

17 Q. Okay. So we're talking about a month or two
18 before this event?

19 A. Yes, ma'am.

20 Q. And was it understood by your mom and everybody
21 involved that when he moved in you would be living in
22 the camper too?

23 A. Not intentionally, but my mom didn't have a
24 problem with me going out there because I would come
25 home from school and, you know, I would do my homework

1 and I would be in the camper for the rest of the day
2 pretty much, unless I came in for food or something.

3 Q. Okay. So was the arrangement that Anthony
4 Fowler, your boyfriend, could come into the house as
5 well cause there was no plumbing in the camper, right?

6 A. Yes. Use the restroom, unless he used it
7 outside.

8 Q. Okay. And was he fed with the family or provided
9 food?

10 A. He was, but there would be times where I would
11 have to go inside to get the food for him and bring it
12 out to him.

13 Q. Well, what would cause those times?

14 A. He would be able to come in, but James -- it
15 depended on his mood if he could, like, come in or not.
16 Like, he was able to come in and get food and take a
17 shower, but there was days where we didn't really go in
18 and I would go get it for him because he didn't really
19 want to go in.

20 Q. And the reason why he did not want to go in was
21 not your mom or your little sisters', it was because of
22 James being there?

23 A. Yes.

24 Q. Anything particular about James's presence or...

25 A. No. I, I don't think James really -- at first

1 James didn't have a problem with him, but as time
2 progressed, I think he started feeling like -- I feel
3 like Anthony felt like he was unwanted at times because
4 that's what James made it seem like.

5 Q. Okay. Let's go back in time. Who is your
6 father?

7 A. Jason Bryan Lyda.

8 Q. Okay. And you don't have anymore encounters with
9 him? Y'all have no relationship?

10 A. We do.

11 Q. Well, at the time this event happened.

12 A. Oh, no, ma'am.

13 Q. Okay. Up in March of --

14 A. Yes.

15 Q. -- 2017. You have lived with your mother your
16 entire life until this even happened, hadn't you?

17 A. Yes, ma'am.

18 Q. Okay. At some point in your life your mom met
19 and married Kenny Taylor and the three of y'all became a
20 family.

21 A. Yes, ma'am.

22 Q. As a product of that marriage, you now have two
23 younger sisters, don't you?

24 A. Yes, ma'am.

25 Q. So at the time of this event in March of '17, it

1 was you, your younger sister, Kelsey, your youngest
2 sister, Alley, your mom and James Sprouse living in the
3 trailer?

4 A. Yes, ma'am.

5 Q. And Anthony living on the property and you
6 visiting him there a lot?

7 A. Yes, ma'am.

8 Q. Okay. Did you keep your stuff in the house?

9 A. I did, some of it.

10 Q. You actually had a space in the bedroom, didn't
11 you?

12 A. Yes, ma'am.

13 Q. You and Kelsey shared a bedroom. Now, prior to
14 that point in time, your whole family had moved in with
15 James Sprouse and his wife Cindy, correct?

16 A. Yes, ma'am.

17 Q. Okay. And during that time, what was family life
18 like in the house?

19 A. It was very crowded. Sometimes it would be tense
20 on some days and stressful.

21 Q. From what?

22 A. The arguing and the disagreements and the
23 fussing.

24 Q. Who was arguing, disagreeing and fussing?

25 A. It would be Cindy and James at times. And then

1 sometimes my mom and James.

2 Q. Okay. Were the arguments loud?

3 A. It could be sometimes. They would mainly go in
4 the room and argue or outside.

5 Q. Okay. Over the course of time, up until even in
6 March, did you develop this habit of if it got too
7 stressful, got too loud, got too boisterous ---

8 MR. HUNTER: Objection, Your Honor; this is
9 leading the witness.

10 THE COURT: Rephrase, Counsel.

11 MS. JONES: Okay, thank you.

12 BY MS. JONES:

13 Q. Would you often take your two younger sisters
14 into your room with Chelsea [sic]?

15 A. Yes, ma'am.

16 Q. That you shared with Chelsea. Why did you do
17 that?

18 A. I didn't really want them to hear it or know what
19 was going on, and I thought it was best for them. Even
20 though I knew what was going on, I just wanted to
21 protect them.

22 Q. Okay. Did that happen when you lived there with
23 James, James and Cindy?

24 A. Yes, sometimes it would.

25 Q. Okay. Once Cindy moved out and Kenney moved out,

1 did it happen -- did you do that again when your mom and
2 James Sprouse would argue?

3 A. Yes. I would do it more often.

4 Q. Okay. Did you during those times ever see them
5 violent with each other?

6 A. No, ma'am.

7 Q. Okay. Did you ever hear one or the other
8 threaten violence?

9 A. Yes, ma'am.

10 Q. What happened?

11 A. James would threaten not only my mom sometimes,
12 but he would threaten all of us to kick us out so we
13 wouldn't have a place to stay. And if we were to get
14 kicked out that we couldn't take any of our stuff, and
15 we could only make one trip if we were able to,
16 depending on his mood.

17 Q. Okay. Did he threaten anything else other than
18 to throw you out?

19 A. He would threaten to brag about his guns and like
20 try to shoot them in the field and stuff, but other than
21 that, no.

22 Q. Okay. So you knew he had weapons?

23 A. Yes, ma'am.

24 Q. Did you ever hear him say anything about or boast
25 about or threaten to shoot other people?

1 A. Yes, ma'am.

2 Q. Tell me about those instances.

3 A. When James and Cindy were going through a divorce
4 or in the middle of it, I would hear him talk bad about
5 Cindy and say that if he ever seen him or her out in
6 public and they said something or did something, that he
7 would blow a cap in their head pretty much. His
8 brother ---

9 Q. Is that what he said or did you try to clean it
10 up?

11 A. I tried to clean it up.

12 Q. Tell me exactly. Don't protect us, we're adults.

13 A. He said that he would blow a cap in her ass.

14 Q. Okay. You said they and she and him. If she saw
15 she and him out, who are you referring to?

16 A. Cindy and her boyfriend.

17 Q. Okay. So she had gotten involved with somebody
18 and that's what he's talking about?

19 A. Yes, ma'am.

20 Q. Did you ever hear him say that about anybody
21 else?

22 A. His brother. He was -- I think they were arguing
23 over the land that their mom or father left to them.
24 And I think one day that his brother called him asking
25 him to move the tractor or something from the land, and

1 he would always talk about that he was tired of his bull
2 crap and that he would shoot him.

3 Q. Again, did you try to clean that one up?

4 A. Yes.

5 Q. Okay. Say what he said.

6 A. He said that he would blow a cap in his ass also.

7 Q. Okay. Is that the only other person you've ever
8 heard him say that about?

9 A. It would be other people, but they -- I didn't
10 know them real well. They were like his friends or
11 something or acquaintances, I'm not sure.

12 Q. When would he say I'm gonna blow a cap in
13 somebody? Was that when he was laughing about it or
14 angry about it?

15 A. Angry.

16 Q. Okay. Did he ever boast about his past and
17 getting in trouble?

18 A. Yes, he bragged about it.

19 Q. What did he say about that?

20 A. He would used to say that he wasn't scared to go
21 to jail, and so that if we called the cops that it
22 wouldn't matter because he had connections and he would
23 be able to get out.

24 Q. Did he ever say he had -- he wasn't afraid of
25 jail because he'd already been there before?

1 A. Yes, ma'am.

2 Q. Okay. Did he have guns in the house?

3 A. Yes, ma'am.

4 Q. Did you believe that was all the guns he had?

5 A. No, ma'am.

6 Q. Why not?

7 A. He always talked about he has many and several
8 guns. He said he used to buy them and he used to take
9 them to auctions and sell, so I didn't believe that that
10 was all that he had.

11 Q. Did he ever say he ever had them in other places?

12 A. I believe that I heard one time that he used to
13 keep them up at the top shed at the top of the driveway,
14 but I never witnessed them or seen them.

15 Q. Okay. Now, was there times when you saw marks,
16 bruises or injuries on your mother?

17 A. Yes, ma'am.

18 Q. Okay. Tell me about that, please.

19 A. I had walked in the bathroom one time, and I
20 believe my mom was getting in the shower and I had seen
21 bruises down her side. If I remember correctly, it was
22 on her boob also. And I asked her what happened and she
23 said that she just ran into the side of the table and
24 she didn't really want to tell me what really happened.

25 Q. Okay. Did you ever -- were you aware of anything

1 involving her toes?

2 A. No, ma'am.

3 Q. Okay. The incident -- I mean, seeing the bruises
4 that she ran into, you said, the wall?

5 A. Yes, ma'am.

6 Q. Okay.

7 A. Or the side of the table.

8 Q. Did you see her stumble into the wall at any
9 point around that time?

10 A. No, ma'am. She said it happened in the garage.

11 Q. Okay. Do you remember when that -- about when
12 that was?

13 A. I can't remember the exact date.

14 Q. Okay. Let's go back and talk about the last
15 couple of months. Now, Anthony moved in in January. At
16 the beginning when he moved in, did he go in and out of
17 the house a little more?

18 A. Yes.

19 Q. Okay. Did Anthony have access into the house at
20 night?

21 A. If they were home, yes, or if I was there to let
22 him in. But other than that, no.

23 Q. Okay. So he didn't have free reign to go in and
24 go to the bathroom if nobody was home?

25 A. No, ma'am.

1 Q. Okay. Did Anthony have a job?

2 A. No.

3 Q. How old was Anthony?

4 A. I believe he was 19.

5 Q. Okay. So you were getting up, you're going to
6 school on the week days?

7 A. Yes, ma'am.

8 Q. And where's -- what's Anthony doing during the
9 day?

10 A. He would either stay in the camper or go to his
11 friend TJ's.

12 Q. Okay. And did he walk to TJ's?

13 A. Yes, ma'am.

14 Q. Or did he sometimes catch a ride with your mom or
15 do you know that?

16 A. I'm not sure.

17 Q. Okay. So during the day, if he was not at TJ's,
18 he was just -- he wasn't going in the house and hanging
19 out with your mom and with James?

20 A. No, ma'am, not that I know of.

21 THE COURT: Counsel, where are you going with
22 this? What's the relevance of it?

23 MS. JONES: I was just trying to establish a
24 pattern, and I'm moving on, Your Honor.

25 THE COURT: This is Anthony we're talking about?

1 MS. JONES: Yes, sir. The day-to-day activity in
2 the house.

3 THE COURT: All right.

4 BY MS. JONES:

5 Q. Okay. So, in the last couple months of James
6 Sprouse's life, he got sick, did he not?

7 A. Yes, ma'am.

8 Q. And do you recollect how many times he went in
9 and out of the hospital?

10 A. I can't tell you the exact or how many times
11 exactly, but it was often.

12 Q. Okay. When he would come home, was he completely
13 confined to the bed?

14 A. He would lay in bed when he first got home, but
15 the next day or later on that night he would be up
16 walking around.

17 Q. Okay. He was not bedridden?

18 A. No.

19 Q. Okay. Did you notice any change in his mood or
20 ease at irritation?

21 A. Yes, ma'am.

22 Q. When did you notice that?

23 A. The last couple weeks and last couple months he
24 started getting more moodier and it seemed like every
25 little thing irritated him.

1 Q. How would you know he was irritated?

2 A. You can tell by his -- the things he said and his
3 face turning red. And just the way, like, he acted.

4 Q. Did he yell?

5 A. Yes, he did.

6 Q. Okay. Did it frighten you?

7 A. It did.

8 Q. The -- how big was James, do you know?

9 A. He was a big guy. I don't know --

10 Q. You don't know, like, how tall and how much he
11 weighed?

12 A. He was probably six foot probably.

13 Q. At least six foot, maybe?

14 A. Maybe a little taller.

15 Q. Okay. Was his size part of his -- oh, excuse me,
16 intimidation to you on fear?

17 A. Yes, ma'am. He used it as that also.

18 Q. Okay. Did you, on days that he was moody and
19 irritable, did you modify your own or change what you
20 did in the house?

21 A. I wouldn't really talk to him much because I was
22 scared of what was gonna happen or what he would say
23 back to me, or his reaction to what I would say or do.

24 Q. Were you tippy-toeing around him?

25 A. Yes.

1 Q. Okay.

2 A. I was trying to stay out of the way.

3 Q. Okay. Did it look like Anthony was doing the
4 same thing?

5 A. Yes, ma'am.

6 Q. Okay. Were you -- the day before James Sprouse
7 died, did you become aware that some shots had been
8 fired in your house?

9 A. The day before?

10 Q. Yes.

11 A. Yes.

12 Q. Okay. Were you at school when that happened?

13 A. I was.

14 Q. How did you find out about it then?

15 A. Anthony messaged me and told me that the guns --
16 or there's shots that has been fired and he heard them.

17 Q. Okay. And what did you do in reaction to that?

18 A. I quickly messaged my mom to make sure she was
19 okay.

20 Q. Okay. Did you get a reply?

21 A. It took a little while before I got a reply. If
22 I remember correctly, I had to send another text.

23 Q. Okay. And so later on, did you come home from
24 school at the normal time that day?

25 A. I did.

1 Q. Did you see those shots in the house?

2 A. I didn't. They were covered up.

3 Q. Okay. Could you see where they tried to cover
4 them up?

5 A. I didn't really pay too much attention to it
6 because the only thing I knew was that they were shot
7 through the wall. I didn't know exactly where to look
8 when I got home.

9 Q. Did you see the spackling on the wall?

10 A. I did.

11 Q. Okay. Did you notice anything about James's mood
12 that day?

13 A. If I remember correctly, I think that they were
14 arguing.

15 Q. Okay. Did you, yourself, that day try to speak
16 to him about what was going on?

17 A. I did that night.

18 Q. What, what were you thinking when you undertook
19 that?

20 A. Usually when they argue or fuss, they usually
21 made up after a little while. They would talk it out.
22 But my mom was crying, so she had asked us to go in
23 there and try to talk to him, so that's what I did. I
24 had went in there and I had told him or asked him could
25 you please stop, me and my sisters don't want to hear

1 the arguing and fussing, or can y'all please work things
2 out. And he just replied that he was tired and he
3 didn't want us there anymore.

4 Q. Okay. So did you leave him alone?

5 A. I didn't. I stayed in there and I continued
6 talking to him. And I sat on the bed beside him. And
7 he kept going on about how he didn't love my mom anymore
8 and he said that she was too old for him and that he
9 wished I was 14 again.

10 Q. What else did you talk to him about at that point
11 or did you leave?

12 A. After that my mom came in and then I had walked
13 out.

14 Q. Okay. So he was to -- can you describe his mood
15 at the end of that conversation?

16 A. He was angry. He acted like he didn't want no,
17 like, to be messed with or nobody's to talk to him.

18 Q. Okay. Was that the first time you'd seen that
19 kind of mood?

20 A. No, ma'am.

21 Q. Okay. Did you try later on to approach him
22 again, or did you just leave it there?

23 A. I just left it.

24 Q. Okay. Did you have any contact with your
25 grandparents during this time?

1 A. No, ma'am.

2 Q. Did you try?

3 A. No, ma'am. I didn't have the number.

4 Q. Okay. Did you want to?

5 A. I did.

6 Q. Did you ask to be able to do that?

7 A. Yes. I have several times, but they were not --
8 my mom and James just didn't want to have anything to do
9 with them, so since they couldn't, we couldn't.

10 Q. Okay.

11 MS. JONES: Thank you, Ms. Lyda. Answer any
12 questions the solicitor's gonna have for you.

13 CROSS-EXAMINATION

14 BY MR. HUNTER:

15 Q. All right. You just testified that Anthony sent
16 you a text message telling you that shots were fired in
17 the house and that he heard them?

18 A. Yes, sir.

19 Q. All right. Would you like me to go through all
20 of Anthony's texts?

21 A. You can, yes.

22 Q. Because there's not a single one that says that.

23 A. It was on Facebook Messenger. It wasn't on text
24 message.

25 Q. But you said he texted you earlier. I mean,

1 that's what you said on the stand.

2 A. Yes, sir. I meant message.

3 Q. Is this -- just so we go over this. You were
4 previously charged with accessory before the fact to
5 murder; is that correct?

6 A. Yes, sir.

7 Q. And as part of your plea arrangement with your
8 mom, you are now being offered a plea to accessory after
9 the fact of murder; is that correct?

10 A. Yes, sir.

11 Q. Okay. You testified you saw bruises on your mom?

12 A. Yes, sir.

13 Q. Okay. And you testified that you knew that James
14 beat your mom or hit your mom?

15 A. That's what she told me, yes. I never witnessed
16 it.

17 Q. Okay. And you gave a statement to police?

18 A. Yes, ma'am -- or yes, sir. Sorry.

19 Q. No, that's fine. This 12-page statement, pretty
20 long statement?

21 A. Yes, sir.

22 Q. Okay. In your statement, do you ever admit that
23 James was ever abusive towards your mom prior to Anthony
24 moving into the house?

25 A. Yes. So that's what I heard. I never witnessed

1 it again.

2 Q. Okay. Never witnessed it?

3 A. No.

4 Q. "I know that James had hit my mom before because
5 that's what she told me." Is that part of your
6 statement?

7 A. Yes, sir.

8 Q. And you talk about an incident where he lit a
9 napkin on fire and threatened to shoot her.

10 A. Yes.

11 Q. But that's what mom said, correct?

12 A. Yes.

13 Q. Okay. Your mom told you that he had hit her
14 before?

15 A. Yes, sir.

16 Q. And, again, in your statement you admit that your
17 mom told you that.

18 A. Yes, sir.

19 Q. And you said you heard him threaten your mom?

20 A. Yes, sir.

21 Q. In your -- so you actually heard the threats?

22 A. Yes, sir.

23 Q. That's what you testified to. Did you tell
24 police that you heard threats?

25 A. I told them that I heard them arguing and that

1 when they would argue I would hear him say that he was
2 tired of her crap and that he would hit her or that he
3 would say he was going to, but...

4 Q. Well, you just testified you never heard him hit
5 her.

6 A. No, I haven't. I never ---

7 Q. But you just said you heard them arguing and
8 heard him hit her.

9 A. No, sir. I never heard him hit her. I've heard
10 him talk about it.

11 Q. Okay. Did you ever tell police that?

12 A. I'm not sure. I don't remember.

13 Q. Okay. If you did tell them that your mom was
14 threatened, do you admit that in your statement that's
15 based on what she told you?

16 A. Yes, sir.

17 Q. Okay. I want to talk a little bit about this
18 incident. In your statement the morning of, Friday, you
19 stated you heard a boom.

20 A. Yes, sir.

21 Q. Okay. Then you ran to get Anthony out of the
22 camper.

23 A. Yes, sir.

24 Q. And then you and Anthony come back to the car.

25 A. Yes, sir. I told him to wait at the camper while

1 I came over there and then he eventually came over.

2 Q. And it's not until he came over, so it took a
3 while?

4 A. A few minutes, yes.

5 Q. Okay. So then you testified you then heard
6 another boom.

7 A. Yes.

8 Q. Okay. So there were multiple gunshots, but not
9 right behind each other?

10 A. No.

11 Q. It actually took a few minutes for the gunshot?

12 A. I believe that when I ran to get Anthony that's
13 when the second one happened.

14 Q. But that's not what you testified -- or that's
15 not what you wrote in your statement, is it?

16 A. I would ---

17 Q. I mean, I can show you your statement.

18 MR. HUNTER: Your Honor, at this time I'll show
19 her.

20 MS. JONES: Which statement and what day?

21 MR. HUNTER: This is the first one.

22 MS. JONES: Okay. You're using her own written
23 statements?

24 MR. HUNTER: Yes.

25 MS. JONES: Okay.

1 MR. HUNTER: I also have ---

2 MS. JONES: Which one is that?

3 MR. HUNTER: This is all -- this is the same.

4 MS. JONES: Okay, got it.

5 BY MR. HUNTER:

6 Q. If you'll go to page 6. Do you now testify you
7 think the second shot happened pretty much after the
8 first one? That's what you just testified to. Will you
9 start reading on page 6 of your statement?

10 A. On which one?

11 Q. On the copy.

12 A. "The first, and I was standing up still with the
13 door open by my mom. Said give her 5 to 10 minutes, she
14 wanted to try to nicely talk to James and try to work
15 things out. Pretty much, well, five minutes later I
16 heard a boom, like something fell. My first instinct
17 was to run and get Anthony while my mom -- or while my
18 sisters stayed in the car.

19 So I ran and got Anthony and I said I think James
20 hit my mom or shot her. Well, I told him to stay inside
21 the camper, I ran to the door and it was locked.
22 Another boom went off a few minutes later. My mom came
23 to the door upset and she" ---

24 Q. Okay, that's fine. So you admit in your
25 statement what you just testified to is inconsistent

1 with the statement you gave police on the day of this
2 incident?

3 A. Can you repeat that, please?

4 Q. What you wrote in your statement and what you
5 testified to earlier are now inconsistent. Would you
6 agree with that?

7 A. Yes, sir.

8 MR. HUNTER: Your Honor, at this time the State
9 would offer State's Exhibit 75 into evidence.

10 MS. JONES: I don't have an objection.

11 THE COURT: Admitted without objection.

12 (State's Exhibit Number 75 was entered into the
13 record.)

14 BY MR. HUNTER:

15 Q. And I know we've kind of already gone over this,
16 so I'm not gonna belabor the point, but every time
17 police officers asked you if James was abusive towards
18 your mom, did you ever admit that you ever actually saw
19 anything?

20 A. Not that I recall.

21 Q. Did you ever admit that you actually heard
22 anything to police?

23 A. Just the arguing.

24 Q. Okay. Just the arguing?

25 A. Yes.

1 Q. Okay. And any type of abuse that you believe
2 occurred, who did you hear that from?

3 A. My mom.

4 Q. And you were actually interviewed by Investigator
5 Andy Lawson on March 4th?

6 A. I believe so.

7 Q. The day that we saw the video. You were here
8 when we saw the videos and you were taken back to the
9 police station and interviewed?

10 A. Yes, sir.

11 Q. Okay. Would you admit that in that interview you
12 said that when James and Amy were arguing, it only
13 happened every now and then?

14 A. Yes, sir.

15 Q. Okay. And when you were asked if the arguing had
16 been going on for a couple days or a couple weeks, is
17 your answer that it's ever since he got out of the
18 hospital?

19 A. Yes, sir.

20 Q. Okay. And he was only in the hospital the month
21 of February?

22 A. Yes, sir.

23 Q. Okay. So the arguing really started the month of
24 February? Really started.

25 A. Yes.

1 Q. Okay. And his mood being bad only started in the
2 month of February?

3 A. Yes, sir. And I would ---

4 Q. And I'm saying really getting bad. I understand
5 people are moody all the time.

6 A. Yes, sir.

7 Q. Like, you can be sometimes moody; I can sometimes
8 be moody.

9 A. Yes, sir.

10 Q. But it just didn't get -- really start getting
11 bad until February?

12 A. Yes.

13 Q. According to your testimony. And you said you
14 didn't have your grandparent's phone number?

15 A. I didn't.

16 Q. Okay. Your grandparents being Amy's ---

17 A. Yes.

18 Q. Is that the Gosnell?

19 A. Yes.

20 Q. The Gosnell side of the family, you didn't have
21 their number?

22 A. No. I believe they had their number changed.

23 Q. Okay. Did they ever try to reach out to you?

24 A. They would ride by, but I didn't know until I
25 moved in with them, so...

1 Q. Okay. But never tried to call you?

2 A. Not me personally.

3 Q. Never wrote you letters?

4 A. No, sir.

5 Q. No contact with you whatsoever?

6 A. No, sir.

7 Q. And just so we're clear, any actual evidence of
8 him hitting her came from her mouth?

9 A. Yes, sir.

10 MR. HUNTER: Okay. No further questions, Your
11 Honor.

12 REDIRECT EXAMINATION

13 BY MS. JONES:

14 Q. Except for the bruises you saw the time she
15 undressed to get in the shower?

16 A. I did see the bruises.

17 Q. Okay. Did they look like real bruises to you?

18 A. Yes.

19 Q. Okay. Did she -- did you hear him yell at her?

20 A. Yes, ma'am.

21 Q. Did you hear him threaten her?

22 A. No. I mean, I've heard him threaten her, saying
23 he was going to kick us out and that he was gonna not
24 let her drive her car and stuff like that, but not like
25 physically.

1 Q. Okay. But you heard him talk about popping a cap
2 in people's asses frequently?

3 A. Yes.

4 MR. HUNTER: Your Honor, just two questions, if I
5 may?

6 THE COURT: Yes, sir.

7 RE CROSS-EXAMINATION

8 BY MR. HUNTER:

9 Q. But you never heard him say that about her,
10 popping the cap in her ass?

11 A. No, sir.

12 Q. Okay. And when you saw those bruises, when did
13 you see those bruises?

14 A. I don't recall. I don't remember.

15 Q. Would it have been shortly before James was
16 killed?

17 A. Yes. I believe it was like a month or two
18 before.

19 Q. So, again, after he got out of the hospital?

20 A. Yes, sir.

21 THE COURT: Thank you, ma'am. You may stand
22 down.

23 (Witness leaves witness stand.)

24 MS. JONES: Your Honor, at this point we call Amy
25 Taylor.

DIRECT EXAMINATION OF AMY TAYLOR BY MS. JONES

1 (Witness comes forward and raises right hand.)

2 THE CLERK: Do you solemnly swear or affirm the
3 testimony you will give will be the truth, the whole
4 truth and nothing but the truth so help you God?

5 THE WITNESS: I do.

6 AMY N. TAYLOR,
7 having been duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MS. JONES:

10 Q. State your name for us, please.

11 A. Amy Nicole Taylor.

12 Q. Okay. Make sure you speak up and don't talk too
13 fast, but I know you're nervous. How old were you when
14 you first met James Sprouse?

15 A. I was 14 years old.

16 Q. Okay. And how did you actually meet him?

17 A. He was working with my first husband in the
18 garage.

19 Q. And who was that?

20 A. Jason Bryan Lyda.

21 Q. Okay. How old was James Sprouse? Did you know
22 at that time?

23 A. No.

24 Q. Okay. Later on in your life you developed enough
25 of a relationship, how much older -- to notice -- how

1 much older is James than you?

2 A. 20-something years.

3 Q. Okay. How old are you?

4 A. I am 34.

5 Q. At the time of the event we've been talking about
6 for days now, how old were you?

7 A. I was 32.

8 Q. And how old was James?

9 A. He was 57.

10 Q. Okay. How long were you married to Jason Lyda?

11 A. Roughly three years.

12 Q. Okay. And born out of that relationship is the
13 daughter Destiny?

14 A. Yes, ma'am.

15 Q. Okay. How did the relationship with Jason Lyda
16 end?

17 MR. HUNTER: Objection, Your Honor; this is about
18 the violence at the hands of Mr. Sprouse. This is
19 irrelevant to the violence of Mr. Sprouse for this
20 hearing.

21 THE COURT: All right. I will allow it. Go
22 ahead.

23 BY MS. JONES:

24 Q. How did it end? What happened at the end?

25 A. He tried to harm me and Destiny. He tried to

1 kill us.

2 Q. Okay. Did he end up getting charged because of
3 it?

4 A. Yes, ma'am, he did.

5 Q. Was he convicted of a domestic violence?

6 A. Yes.

7 Q. Okay. Did you get divorced?

8 A. Yes.

9 Q. Okay. Now, at some point after that did you meet
10 Kenny Taylor?

11 A. Yes, ma'am.

12 Q. And did you ultimately marry Kenny Taylor?

13 A. Yes.

14 Q. Did you have children with Kenny Taylor?

15 A. Yes. Kelsey ---

16 Q. And -- go ahead.

17 A. Kelsey Taylor and Alley Taylor.

18 Q. At the time of this event we're here about, how
19 old were those two girls?

20 A. Five. Alley was five and Kelsey was 11.

21 Q. Okay. At some point in early 2012 or around
22 there, were you and Kenny Taylor and your family, your
23 three girls living near the Sprouse's?

24 A. Yes, ma'am.

25 Q. Okay. Were you living with them yet at that

1 point?

2 A. No, not at that point.

3 Q. Okay. Was there some financial hardship in the
4 family, and you ultimately moved in with the Sprouses?

5 A. Yes, ma'am.

6 Q. Okay. Prior to that, though, had you still been
7 having contact with James Sprouse through the garage?

8 A. Yes, ma'am.

9 Q. How -- what kind of contact? Was it work
10 related? You would go and work?

11 A. Yes, ma'am.

12 Q. Okay. Where did Kenny work during that time?

13 A. Frito Lay.

14 Q. Okay. You had financial difficulties. Explain
15 how you came to live with James and Cindy.

16 A. We had financial difficulties, and we was getting
17 kicked out so they offered us a place to stay.

18 Q. So what kind of relationship did y'all, the
19 family have with the Sprouse's at that point, were y'all
20 social friends or...

21 A. Social friends, yes.

22 Q. Were they kind of like in your life?

23 A. Yes.

24 Q. Okay. Were your kids familiar with them?

25 A. Yes, ma'am.

1 Q. Were they in your life enough that did the kids
2 have presents for them or were they given presents by
3 them?

4 A. Yes, ma'am.

5 Q. Okay. But they were not related to you?

6 A. No, ma'am.

7 Q. And who specifically invited y'all to come live
8 into the home?

9 A. James did.

10 Q. Okay. Did you do that?

11 A. Yes.

12 Q. How long did you live in the home?

13 A. First time a couple months.

14 Q. So there was more than one time?

15 A. Yes.

16 Q. Why did you move out after a couple months?

17 A. Because we ended up getting a place to stay
18 again. Another home.

19 Q. How long did you live in that home?

20 A. Probably around six months maybe, give or take, I
21 guess.

22 Q. Did you ultimately end up coming back to the
23 house again?

24 A. Yes.

25 Q. And do you remember about when that was? Maybe

1 2014?

2 A. Yes.

3 Q. And was that all of you moving back in?

4 A. Yes, it was.

5 Q. Now, just briefly explain how five people in one
6 family and two people in another family co-exist in a
7 two-bedroom trailer.

8 A. The kids had that back room. James and Cindy at
9 the far end. And there was a couch -- two couches in
10 the living room. Me and Kenny slept on each couch.

11 Q. Okay. It was crowded, wasn't it?

12 A. Yeah. And Alley had her toddler bed, which was
13 in the living room.

14 Q. Okay. So how long did that arrangement last
15 before Kenny Taylor moved out?

16 A. I believe two months, and he went to stay with
17 his mother.

18 Q. Okay. Did y'all ultimately get divorced?

19 A. Yes, we did.

20 Q. He never came back --

21 A. No.

22 Q. -- in the home with y'all?

23 A. No.

24 Q. At some point -- how much longer did Cindy stay
25 before Cindy left?

1 A. Um...

2 Q. After Kenny left.

3 A. She stayed a good bit. She stayed over a year,
4 cause she did not leave until August of 2016.

5 Q. Okay. And where did she go?

6 A. She went to go stay with her mother.

7 Q. Okay. Prior to each of the spouses moving out
8 and then the divorce being commenced with them, had you
9 and James Sprouse begun a relationship?

10 A. Yes, ma'am.

11 Q. How far back did that go?

12 A. Several years, around 2010.

13 Q. Okay. And when I say relationship, I am talking
14 about were you engaging in sex?

15 A. Yes, ma'am.

16 Q. Okay. In 2010 were you married to Kenny?

17 A. Yes, ma'am.

18 Q. And who was he married to?

19 A. James was married to Cindy.

20 Q. Okay. So did you -- was that frequent or
21 sporadic during that time period that you had -- you
22 were sexually involved with each other?

23 A. Just sporadic.

24 Q. Okay. And after both spouses left, however --
25 well, did it continue until both spouses left?

1 A. Yes, ma'am.

2 Q. So sporadically or occasionally you were having
3 sex while both of your spouses are living in the same
4 house?

5 A. Yes, ma'am.

6 Q. After they moved out, did your relationship with
7 James change some?

8 A. Yes.

9 Q. How?

10 A. It become actually open more.

11 Q. Okay. Before did you consider it like an affair?

12 A. Yes, ma'am.

13 Q. Now, after they left y'all were a couple?

14 A. Yes, ma'am.

15 Q. You have to admit, don't you, that Mr. Sprouse
16 and his wife have been a part of your life for a long
17 time?

18 A. Yes, ma'am.

19 Q. And they have been financially very good to you,
20 have they not?

21 A. Yes, ma'am.

22 Q. And to your kids?

23 A. Yes, ma'am.

24 Q. In the time y'all were having an affair before
25 your, your spouse's began divorcing you, did you -- did

1 you feel like you were falling in love with him?

2 A. Yes, I did.

3 Q. In the end did you want, after his divorce was
4 finished, to resolve to marry and be a family?

5 A. Yes, we did.

6 Q. Okay. How tall was James Sprouse?

7 A. About 6'3", 6'4", maybe.

8 Q. How much did he weigh in after Christmas of 2016
9 into the first ---

10 A. Like 298 pounds.

11 Q. Okay. How do you know that so concretely?

12 A. Because I went to the doctor with him.

13 Q. Okay.

14 A. And that was the last time he got weighed.

15 Q. Okay. At some point during your time with him,
16 you were -- you undertook the role of caretaker.

17 A. Yes, ma'am.

18 Q. Isn't it -- is it true that at some point many
19 years earlier you were being paid to be his caretaker?

20 A. Yes, ma'am.

21 Q. What kind of money were you being paid and what
22 were you supposed to do?

23 A. I would just take him back and forth to the
24 doctors, take care of his medications, put them in his
25 medicine box. As far as the pay, they pay 50 to \$150.

1 Q. A day? A week?

2 A. Sometimes a week, yes.

3 Q. Okay. Now, did that -- were you performing those
4 services even before you moved into the house?

5 A. Yes.

6 Q. Prior to that, were you actually work -- did you
7 actually work for him in the garage?

8 A. Yes, ma'am, I did.

9 Q. Do you know how to fix cars?

10 A. Yes, ma'am, I do.

11 Q. Okay. Did your caretaker role continue all the
12 way 'til the end?

13 A. Yes, ma'am.

14 Q. And in the last few years of his life he had
15 heart problems?

16 A. Yes, ma'am.

17 Q. How many times was he hospitalized for his heart?

18 A. More than three.

19 Q. Okay. Were -- did you assist him at the hospital
20 during those hospitalizations?

21 A. Yes, ma'am.

22 Q. Was the first one the -- at the time of the first
23 one, was he still married?

24 A. Yes, ma'am.

25 Q. Did you go to the hospital and stay at the

1 hospital with him?

2 A. Yes, ma'am.

3 Q. Did she work?

4 A. Yes, she did.

5 Q. So, when he came home from the hospital, were you
6 there to take care of him, give him his meds, and help
7 him get something to eat and all that while he was sick?

8 A. Yes, ma'am.

9 Q. Did that continue to the end?

10 A. Yes, ma'am.

11 Q. So you were very well versed on his health and
12 his medicine, what he should take, when he should take
13 it and all that?

14 A. Yes, ma'am.

15 Q. Did you coordinate his appointments with doctors?

16 A. Yes, ma'am, I did.

17 Q. In the last -- well, the February before his
18 death, he was hospitalized for several days twice.

19 A. Yes, ma'am.

20 Q. Were you involved in that process?

21 A. Yes, ma'am, I was.

22 Q. Did you stay at the hospital with him?

23 A. Yes, ma'am, I did.

24 Q. Who stayed with your kids?

25 A. I didn't stay. I would just come home at night.

1 I would stay with him during the day.

2 Q. Okay. Were you in contact with the doctors?

3 A. Yes, ma'am, I was.

4 Q. Up until the very end, you were helping him with
5 a heart monitor, it went off, you called in and checked
6 on it and all that.

7 A. Yes, ma'am.

8 Q. Now, with regard to James Sprouse's mood, had you
9 encountered him -- or found him to be a moody person?

10 A. Yes, ma'am.

11 Q. Was he always that way?

12 A. No.

13 Q. Okay. When did it increase?

14 A. His mood started to really increase the last
15 several months.

16 Q. Okay. Have you seen him have outbursts before
17 the last couple of months?

18 A. Not towards me specifically as far as throwing or
19 anything.

20 Q. Okay.

21 A. Prior to the past couple months.

22 Q. Okay. So in the last couple months, what have
23 you seen him do as an outburst? Were they only at you?

24 A. Uh, no. Towards his son. He kicked his son and
25 threw him out of the house.

1 Q. In the last couple of months?

2 A. Yes, ma'am.

3 Q. Okay. Let's talk about before that. With regard
4 to weapons, did James Sprouse have weapons in his house?

5 A. Yes, ma'am.

6 Q. Do you know how many weapons he had in his house?

7 A. More, more than ten.

8 Q. What kind of weapons? Do you know much about
9 weapons?

10 A. A .38's and I know he had an SPS. I'm not sure.
11 He had a couple of rifles. I'm not sure what.

12 Q. Did you say .38's, like there was more than one
13 of them?

14 A. A .38 caliber, I believe is what it's called.

15 Q. Okay. Was there one pistol?

16 A. There was more than one pistol in the house.

17 Q. Okay. Did he have other weapons outside the
18 home?

19 A. Yes, ma'am, he did.

20 Q. Where were they?

21 A. He had some stored at Michael Head's, and the
22 rest at his mother's, Amy Sprouse's.

23 Q. Why did Michael Head have guns of his?

24 A. Because Michael was storing them for him because
25 him and Cynthia was going through the divorce and she

1 wanted all the guns to be appraised. He hid half of
2 them so she couldn't get them.

3 Q. Okay. Michael Head lives on this 27 acres?

4 A. At the end of the driveway to the right. It's
5 right beside the property, yes.

6 Q. Did -- was Michael Head's house or is his house
7 situated so that every car that comes to your house
8 passed his house?

9 A. Yes, ma'am.

10 Q. Did James have an arrangement with Michael Head
11 about telling him when cars were coming?

12 A. Yes, ma'am.

13 Q. Why, why did he do that?

14 A. To see who was coming in and out, and he was
15 making sure that Cindy didn't come down there and get
16 anything. That's what he says.

17 Q. Okay. Did you believe James Sprouse to be
18 paranoid?

19 A. Yes.

20 Q. Did he have an opinion about people being on his
21 property?

22 A. Yes.

23 Q. Okay. Did you see outbursts about that?

24 A. Yes, I did.

25 Q. With regard to the weapons, did you ever hear him

1 threaten to hurt people with weapons?

2 A. Yes, ma'am, I did.

3 Q. What did you hear him say?

4 A. He has threatened to, quote/unquote, put a cap in
5 people's ass that owed him money. He also threatened as
6 well to put a cap in my family's ass.

7 Q. Okay. Did you ever hear him threaten Kenny?

8 A. Yes, I have.

9 Q. What did he say about Kenny?

10 A. He said that if Kenny ran through his grass one
11 more time when he come down the driveway, that he was
12 gonna shoot at his truck.

13 Q. Okay. Did he ever ask you to do anything about a
14 conversation you were having with Kenny when he came to
15 get the kids?

16 A. Yes. He wanted me to record the conversations,
17 as well as to tell Kenny to, if he can't come down the
18 driveway properly, then don't come down the driveway at
19 all.

20 Q. You recorded conversations with your estranged
21 husband --

22 A. Yes.

23 Q. -- when he came to get the children?

24 A. Yes, I did.

25 Q. What did he want to do that for?

1 A. To verify exactly what he was saying. And also
2 to wanting me to try to get his words against him at the
3 time.

4 Q. Okay. So you say James is paranoid.

5 A. Yeah.

6 Q. He has a temper.

7 A. Yes, ma'am.

8 Q. Did his temper flare-ups exist before he got
9 sick?

10 A. Yeah, he was -- he had a very nasty temper
11 beforehand. It just got really bad at the end.

12 Q. And during the -- because he had a nasty temper,
13 did before the end, did he threaten you?

14 A. Yes.

15 Q. How?

16 A. He threatened to beat my ass, quote/unquote.
17 He's also threatened to shoot me.

18 Q. Okay. Prior to the end, did he ever strike you?

19 A. Yes.

20 Q. Tell me about that.

21 A. He has threw me up against a wall.

22 Q. Do you -- when was that, if you remember?

23 A. Later at the end of that, the following year, so
24 later end of 2016. He's also struck me on the face.

25 Q. Let, let me do this. When was -- what was the

1 very first way he struck you?

2 A. He hit me in the face.

3 Q. Where did that take place?

4 A. In the garage.

5 Q. On the property?

6 A. Yes.

7 Q. Were you living there at the time?

8 A. Uh, I don't recall. But, yeah, I think I was
9 living there at the time.

10 Q. Were you -- had y'all -- at that time had y'all
11 been intimate for years by then --

12 A. Yes.

13 Q. -- or was it right at the beginning of your
14 intimacy?

15 A. We'd been for years.

16 Q. Okay. And do you know why he hit you?

17 A. He was pissed off.

18 Q. At what, you?

19 A. I guess me, yeah.

20 Q. Had you said something, done something or he
21 thought you had?

22 A. Yeah. He thought I was, I guess, being a smart,
23 smart aleck towards him and he come over there and
24 pretty much set me straight.

25 Q. Okay. Where did he hit you?

1 A. On the right side of my face.

2 Q. How?

3 A. Backhand.

4 Q. Okay. Was he standing?

5 A. Yes. He walked over there.

6 Q. Were you sitting or standing?

7 A. I was sitting. I was sitting on a bed, just like
8 a little bed table in the garage, and he come back in
9 and knocked me smack off of it.

10 Q. I'm sorry?

11 A. He knocked me slam off the table.

12 Q. Into the floor?

13 A. Into the floor.

14 Q. Okay. What happened to your face as a result of
15 that?

16 A. It -- he broke a tooth, and it also bruised.

17 Q. Okay. What happened after that, immediately
18 afterward?

19 A. He's the -- probably the -- probably 30 minutes
20 passed before he ultimately apologized.

21 Q. Did he say anything about doing it again?

22 A. He promised not to do it again.

23 Q. Okay. Was there another time after that before
24 the very end?

25 A. Yes. He hit me again.

1 Q. Where were you when that one happened?

2 A. When he hit me in the face, it was in the
3 bedroom.

4 Q. Were y'all living together then?

5 A. Yes, ma'am.

6 Q. I guess.

7 A. Yes, ma'am.

8 Q. Was his wife still there?

9 A. No, ma'am.

10 Q. Okay. So we're talking after August of '16?

11 A. Yeah.

12 Q. What was going on at the time he hit you in the
13 face?

14 A. He was coming. After that I walked into the
15 bedroom and he, I guess he thought I said something
16 smart again to him and he proceeded to open handedly
17 smack me in the face again.

18 Q. Okay. Were you inside the bedroom when it
19 happened?

20 A. Yes, ma'am.

21 Q. Did anybody see it?

22 A. No, the kids was not there. He had a tendency to
23 hit me when the kids were at school.

24 Q. Okay. What did you do?

25 A. I sit there and cried. There's just nothing else

1 I could do. I sit there and cried. And then he didn't
2 apologize on that one until the next day. He swore he
3 would never do it again.

4 Q. Okay. Was there a time that he hurt your foot?

5 A. Yes. He was trying to open a metal safe, a
6 lockbox safe that was in the top of his closet.

7 Q. What room were you in?

8 A. In the bedroom.

9 Q. Okay. What happened?

10 A. He had several sets of keys and he couldn't find
11 the right key. He got frustrated. I proceeded to ask
12 him, well, do you want me to help you? I said, I can
13 find the keys for you. And I said that you probably
14 misplaced them. And he thought I was calling him stupid
15 for misplacing the keys. And he moved the safe down on
16 my right foot.

17 Q. And what did it do?

18 A. It busted them both and then bruised them really
19 bad instantly.

20 Q. And did you see Ginger while your foot was
21 bandaged?

22 A. Yes, I did.

23 Q. What other time did he strike you or hit you or
24 throw something at you?

25 A. He has actually punched me in the knee in the

1 bed. And that's when I went to the couch.

2 Q. Was there -- and that was a very, like, the day
3 before. Did you -- or the night before. Did you -- was
4 there ever a time when he picked you up and ---

5 MR. HUNTER: Objection to leading.

6 MS. JONES: Okay.

7 THE COURT: Please avoid leading.

8 MS. JONES: Yes, sir.

9 BY MS. JONES:

10 Q. Was -- did you ever get bruises as a result of
11 something he did to you?

12 A. Yes.

13 Q. Have you described that event yet?

14 A. That he threw me up against the wall.

15 Q. When was that?

16 A. It was in the -- I think it was early in January.
17 He got really angry with me. He picked me up by my
18 shirt, front of my shirt, and literally swung me against
19 the wall like a rag doll.

20 Q. Against what?

21 A. The wall like a rag doll.

22 Q. Where was that?

23 A. That was in the living room.

24 Q. Okay.

25 A. And I got marked up pretty, pretty bad.

1 Q. Where were you marked from that?

2 A. On my chest, on my side and on my leg.

3 Q. Do -- is that when Destiny saw you ---

4 A. Destiny saw me. When I was going to take a
5 shower, she'd come in and she saw the marks.

6 Q. Did she ask you about it?

7 A. Yes. And I proceeded to lie to her.

8 Q. Okay. Why did you lie to her?

9 A. Because I didn't want her to worry. I don't want
10 her to be afraid.

11 Q. Okay. Did you -- with the other events you've
12 talked about up into this point, did you tell her about
13 those?

14 A. I told her about some, but some of them I lied
15 about because I don't want her to have to worry about
16 her mom getting hurt.

17 Q. When you say you lied about him ---

18 A. I had told her I ran into a wall or --

19 Q. Well ---

20 A. -- get in the car or...

21 Q. -- let me ask you this: Any of these events,
22 were they witnessed by the kids?

23 A. No, ma'am.

24 Q. Okay. You chose to tell Destiny about some of
25 the assaults?

1 A. Yes, ma'am.

2 Q. Why?

3 A. Because she was the oldest and I knew that she
4 would just worry if I didn't. I mean, she can tell
5 instantly something's wrong with me.

6 Q. Okay. Would she say, momma what's wrong or she
7 could tell something was wrong --

8 A. Yeah. She'd say, mom, what's wrong or ---

9 Q. Could she tell something was wrong?

10 A. (Nods head up and down.)

11 Q. She'd nag you and you'd end up telling her?

12 A. Yes.

13 Q. Okay. But that didn't always happen?

14 A. (Witness nods head up and down.)

15 Q. Okay. The -- during the end of the last couple
16 months before Mr. Sprouse died, you ended up with a
17 bruise on your face.

18 A. Yes.

19 Q. Did you try to hide it?

20 A. Yes, I did.

21 Q. Well, did -- do you think, or do you remember if
22 you told Ginger about it or Ginger asked you about it?

23 A. Well, I remember Cindy gave a picture, I think,
24 it was on Facebook to Ginger.

25 Q. Did she ask you about it?

1 A. Yes.

2 Q. One of those times y'all would meet?

3 A. Yes.

4 Q. Okay. Did you tell her what had happened?

5 A. Yeah, I told her that he hit me.

6 Q. Did Ginger tell you to leave?

7 A. Yes, she did.

8 Q. Did you consider leaving?

9 A. I thought about it, but I had no place to go at
10 the time.

11 Q. Okay.

12 A. Didn't know where I was gonna go.

13 Q. During your relationship with James Sprouse, you
14 took pills, didn't you?

15 A. Yes, I did.

16 Q. What kind of pills would you take?

17 A. Percocets and Xanax.

18 Q. Were you ever prescribed those?

19 A. Yes, ma'am, I was.

20 Q. Did you take them beyond prescription, though?

21 A. Yes, ma'am, I did.

22 Q. And that's where Ginger came in?

23 A. Yes, ma'am.

24 Q. Did James Sprouse take pills as well?

25 A. Yes, he took pills.

1 Q. What kind of pills?

2 A. Percocets and Xanax.

3 Q. Did he take them as prescribed?

4 A. Sometimes yes; sometimes no. Sometimes he took
5 more than usual sometimes.

6 Q. Did James give you pills?

7 A. Yes, ma'am.

8 Q. Did y'all argue about pills?

9 A. Yes.

10 Q. Did he -- he accused you of taking his pills at
11 times.

12 A. Yes.

13 Q. Did he ever commit an act of violence because he
14 thought you took pills from him?

15 A. Just yelled and fussed.

16 Q. Did he -- would he do that in front of the kids?

17 A. In the bedroom. The kids would be in the living
18 room or in their rooms, but it was loud enough to be
19 heard.

20 Q. Were you afraid of James at times?

21 A. Yes, I was.

22 Q. Why?

23 A. His violent streak. One of the reasons is in the
24 past he's hit me. But, two, him threatening to shoot me
25 or shoot up the house or to pop a cap, quote/unquote, in

1 somebody's ass. He said he wasn't scared of going back
2 to jail. He's been in before.

3 Q. The -- had he ever pointed a gun -- well, excuse
4 me. Had he ever discharged the gun in your house near
5 you before the last day?

6 MR. HUNTER: Objection to leading.

7 MS. JONES: Yes, sir.

8 THE COURT: Counsel, it would be nice to let her
9 testify.

10 MS. JONES: Yes, sir.

11 THE COURT: You're pretty much testifying. Ask a
12 question and let her answer the question.

13 BY MS. JONES:

14 Q. Did James ever shoot a gun in the house?

15 A. Yeah, we were in it.

16 Q. When?

17 A. The day before.

18 Q. Okay. Describe that incident, if you would.

19 A. He was in the bedroom. I was fix -- I come into
20 the bedroom, fixing to walk towards the closet. He
21 already had a gun in his hand because he was fixing to
22 go out to the truck and put it in the truck. He got
23 pissed off. It was something about the medication. He
24 could not find his pill bottles, which was beside his
25 cowboy boot where he put it. He thought I took it, and

1 he proceeded to shoot right through the walls right
2 beside my head.

3 Q. Okay. You were standing at or near that, that
4 part of the bedroom?

5 A. Yes.

6 Q. What did that event do to you as far as how you
7 were feeling?

8 A. It scared the crap out of me.

9 Q. Did you -- what did you do to try to determine if
10 there was any coming back from his -- with his mood?

11 A. That was the breaking point. I knew that he's
12 done flipped his gourd.

13 Q. Okay. But did you try to talk to him?

14 A. Yeah. Later on, yes.

15 Q. Okay. And, ultimately, that night you slept on
16 the couch.

17 A. Yes, I did.

18 Q. Did you remain fearful that night?

19 A. Yes, I did.

20 Q. Why?

21 A. Because he kept pacing back and forth through the
22 house.

23 Q. Doing what?

24 A. Cussing, mumbling. He thought I was asleep. I
25 had Alley in my arms on the couch. He thought I was

1 asleep, but I wasn't. I'm gonna get you, you fucking
2 bitch. I'm gonna get you.

3 Q. What -- had he become angry that day --

4 A. It was ---

5 Q. -- after the shooting?

6 A. Yes.

7 Q. Did your neighbor, Michael Head, come down?

8 A. Yes, he did.

9 Q. Did that help the mood or hurt it?

10 A. It hurt it.

11 Q. Did you and James argue about Michael Head
12 knowing about the shooting?

13 A. Yes.

14 Q. It is reflected in your testimony?

15 A. Yes.

16 Q. Why was he angry about that?

17 A. Cause he said that I shouldn't have told his
18 business and Michael shouldn't be on his property.

19 Q. The next morning at the time that you shot James
20 Sprouse, what were you thinking?

21 A. My, my emotions was I don't know what the day is
22 gonna hold. I mean, I don't know what he's gonna do.

23 Q. Were you afraid at that moment?

24 A. Oh, yeah.

25 Q. Of what?

1 A. The fact that he kept mumbling, I'm gonna kill
2 you, bitch, the night before. I knew something,
3 something erratic was gonna happen.

4 Q. Okay. At the very moment that you grabbed the
5 gun, what did you think was going to happen?

6 A. I really didn't honestly think at the time.

7 Q. Just before you -- why did you grab the gun?

8 A. Because he was leaning over, like he was flipping
9 over to reach for it.

10 Q. And what do you think was gonna happen?

11 A. He was gonna grab that gun.

12 Q. And?

13 A. He was gonna kill me.

14 Q. Okay. In the last few months of, of your
15 relationship, did you think his mood changed?

16 A. Yes.

17 Q. Did the anger and violence change?

18 A. Yes.

19 Q. How?

20 A. He would -- he used to be more, like, playful
21 with us, me and the kids. He got more angry. The least
22 little things would bother him. He would flip out over
23 the least little thing. Certain smells. Like if we
24 cooked something, certain smells ticked him off cause he
25 didn't want the smell in the house.

1 Q. Okay. Did you think the -- his anger toward you
2 escalates and gets worse in the end?

3 A. Yes. It increased extremely.

4 Q. Okay. Were you concerned about that?

5 A. Yes, I was.

6 Q. During this entire time, even in the bad times,
7 what were your feelings for him?

8 A. I loved the man and I wanted a relationship. I
9 wanted a future with that man.

10 Q. Okay. Thank you, Ms. Taylor. Answer any
11 questions Mr. Hunter is gonna ask.

12 A. Yes, ma'am.

13 THE COURT: Counsel, before we go forward, let's
14 take a short break.

15 Now, Ms. Taylor, you can stand down from the
16 stand.

17 THE WITNESS: Yes, sir.

18 THE COURT: You cannot discuss your testimony any
19 more with your attorney or with anyone else, okay,
20 during this break?

21 THE WITNESS: Yes, sir.

22 THE COURT: Okay. Thank you, Ms. Taylor.

23 (A recess was had from 10:29 a.m. - 10:43 a.m.)

24 THE COURT: Okay. Counsel, you may proceed.

25 CROSS-EXAMINATION

1 BY MR. HUNTER:

2 Q. Since 2016 have you ever called 911 for James
3 Sprouse hitting you?

4 A. No, sir.

5 Q. Prior to that, had you ever called 911 for James
6 Sprouse hitting you?

7 A. No, sir.

8 Q. Had you ever called police?

9 A. No, sir.

10 Q. For that specific fact?

11 A. No, sir.

12 Q. Have you ever reported the abuse to police?

13 A. No, sir.

14 Q. Or to any other authoritative figure?

15 A. No, sir.

16 Q. Okay. Not to anybody at the school that your
17 kids went to?

18 A. No, sir.

19 Q. Okay. When the police arrived on the scene,
20 we've seen the video, did you lie to them about where
21 James was?

22 A. Yes.

23 Q. Did you lie to them about calling him and his
24 phone being off?

25 A. Yes.

1 Q. Did you lie to them about calling his mother?

2 A. I did talk to his mother that she might expect
3 him.

4 Q. Did you lie to them about calling his mother --

5 A. Yes.

6 Q. -- and asking where he was?

7 A. Yes.

8 Q. Did you lie to them about dumping him in the
9 woods?

10 A. To the police?

11 Q. Yes.

12 A. At the beginning, yes.

13 Q. Okay. Did you lie to them about the miscarriage?

14 A. Yes.

15 Q. Because, in fact, aren't your tubes tied?

16 A. They was.

17 Q. Okay. So there was no way you could have been
18 pregnant?

19 A. No, sir.

20 Q. Okay. When they start talking to you over at the
21 side and they're asking whether they can come into the
22 house, did you lie about why there was blood in the
23 residence?

24 A. Yes, sir.

25 Q. Okay. Did you lie as to why you had to move the

1 bed out?

2 A. Uh, yes.

3 Q. Okay. Now, back at the police station they
4 started interviewing you. Different officers, correct?

5 A. Uh, yes.

6 Q. Okay. And, again, you state those same lies?

7 A. Yes, sir.

8 Q. You begin to lie about where he's at.

9 A. Yes, sir.

10 Q. And then lie about the miscarriage.

11 A. Yes.

12 Q. They even give you a hoop to jump through and ask
13 you if you were abused; is that correct?

14 A. I do recall it briefly.

15 Q. Okay. Did they ask you if you've been hit
16 before?

17 A. Yes, they did.

18 Q. And how many times did you tell them you've been
19 hit?

20 A. I don't recall telling them a number of times.

21 Q. Okay. Would one time that he slapped you in the
22 face, is that what you told them?

23 A. I told the one, yeah. That one time, yes.

24 Q. And did they ask you repeatedly about that in
25 your interview?

1 A. Uh, they asked me about if I had been abused,
2 yes.

3 Q. And they asked you multiple times about that in
4 the interview?

5 A. Yes.

6 Q. At the beginning.

7 A. Yes.

8 Q. And every single time that they asked you about
9 this, you stated that he had only hit you one time in
10 the past.

11 A. Yes, I did.

12 Q. At the beginning of the interview.

13 A. Yes, I did.

14 Q. Okay. And so now it's your testimony today that
15 he's hit you multiple times and you were afraid for your
16 life.

17 A. Yes, he has.

18 Q. Okay. So that's your testimony today.

19 A. Yes, ma'am -- or yes, sir. I'm sorry.

20 Q. So you admit you were lying then?

21 A. Yes.

22 Q. Okay. They did confront you with what Anthony
23 and Destiny have now told police?

24 A. Yes, sir.

25 Q. Okay. And then you make up another story; is

1 that correct?

2 A. Yes.

3 Q. You then lie about him shooting himself in the
4 arm?

5 A. Yes, sir.

6 Q. You then lie about him shooting through the Peppa
7 Pig pillow.

8 A. I did not remember shooting through the pillow.

9 Q. You lied about him shooting through the Peppa Pig
10 pillow.

11 A. Yes, sir.

12 Q. Okay. So that whole story again was a lie?

13 A. Yes, sir.

14 Q. Could you please come down right here.

15 (Witness leaves witness stand.)

16 I know it's gonna be difficult, but can you help
17 her down to the ground?

18 A. Laying down which way?

19 Q. Laying down as if you were James in the bed.
20 Where is the headboard, just so we know.

21 A. Well, the wall, it'd be different. It'd be
22 backwards. The headboard would be at that end, if I was
23 laying correctly. (Indicating.)

24 Q. As if you were laying as if you were James?

25 A. Yes.

1 Q. Okay. How would he have been laying? Where's
2 the wall where the blood, we saw blood on?

3 A. That is on this side of the headboard. It was
4 maybe, as you walk in it would be the right side, but if
5 you're laying in bed it would be the left side.

6 (Indicating.)

7 Q. So you're basically saying he's laying down on
8 the bed the opposite way that someone normally would
9 sleep?

10 A. Yes. He was facing towards the closet. He was
11 sleeping on his left side. That's usually how he sleeps
12 that morning --

13 Q. On his left side.

14 A. -- when I went in there.

15 Q. And was his head closest to the wall or to the
16 TV?

17 A. To the wall.

18 Q. Okay. So the wall, if you lay down the wall's
19 behind you?

20 A. Yes.

21 Q. Could you please lay down in the way James was
22 laying.

23 A. Well, it would be this way. (Indicating.)

24 Q. Well, just whichever way you lay will have the
25 wall behind you.

1 A. Okay. He was like this. (Indicating.)

2 Q. Okay. Which chest of drawers was the gun in?

3 A. The one right behind him.

4 Q. Behind him?

5 A. Yes. Which would be over here. (Indicating.)

6 Q. Okay.

7 A. Which is his side of the bed.

8 Q. So he's on the left side of the bed?

9 A. Yes.

10 Q. Okay. And what did you observe that morning?

11 A. Uh, I ---

12 Q. Please put his actions. You perform his actions.

13 A. He was laying like this, talking. And I was
14 going to the closet. I seen the gun in the top drawer.
15 And then he was leaning over like this. It was my
16 impression he was leaning over with his arm to go for
17 the gun. (Indicating.)

18 Q. Okay. So his back was back towards the bed?

19 A. Yes.

20 Q. Okay. Like you're sitting now?

21 A. Yes, like this. (Indicating.)

22 Q. Okay. His back was on the bed?

23 A. Sideways. He's a big guy. It's like this. He's
24 on his side with his back, like, tilted just a tad.

25 Q. Okay. You can get up.

1 A. Okay.

2 Q. You can get back in your seat.

3 MS. JONES: I'm gonna help her.

4 THE WITNESS: Stand, no. Yeah.

5 THE DEPUTY: There you go.

6 (Witness resumes witness stand.)

7 THE WITNESS: I was gonna say how? There's no
8 way.

9 BY MR. HUNTER:

10 Q. And you wear glasses, ma'am?

11 A. Yes.

12 Q. Okay. Was he covered up?

13 A. Yes.

14 Q. How many blankets was he covered up with?

15 A. One blanket and a sheet, I think.

16 Q. Okay. Could it have been multiple blankets?

17 A. I don't recall. There's multiple blankets on the
18 bed.

19 Q. And you just don't recall multiple blankets on
20 the bed?

21 A. No. There's just a comforter and a sheet.

22 Q. Did you actually see his arm reaching for the,
23 for the gun?

24 A. Yes. He was rolling over, going to approach it.
25 That's where his arm was.

1 Q. Okay. So his arm was coming out of the sheets?

2 A. Yes.

3 Q. Okay. Do you wear glasses?

4 A. Yes.

5 Q. Okay. So you admit that almost every story you
6 gave in your interview with the police was a lie?

7 A. Yes. In the beginning, yes.

8 Q. Okay. Now, you've testified here today that he
9 hit you in the garage and that would probably be the
10 first time he hit you?

11 A. Yes.

12 Q. And then it was so hard he slammed you off the
13 table?

14 A. Yeah. He slapped me off the table.

15 Q. Okay. And then he hurt your tooth?

16 A. Yeah, he broke it.

17 Q. Okay. Did you ever tell the police about that?

18 A. Yes. In the interview I showed Mr. Gaddy.

19 Q. Okay. Well, you just testified that the slamming
20 off the table happened years prior to this incident.

21 A. No, I didn't.

22 Q. Yeah. Because you stated the strike on your face
23 in the garage, that was the first time he hit you.

24 A. In 2016.

25 Q. That's what you testified earlier today.

1 A. In 2016.

2 Q. Uh-huh.

3 A. Yes, sir.

4 Q. Okay. But then you testified or you told police
5 that that happened on the night before.

6 A. That, that was the last one.

7 Q. Okay. What I'm saying ---

8 A. That was the last time he hit me.

9 Q. What I'm saying, the time that he struck you in
10 the face the first time in the garage, did you tell
11 police about that?

12 A. No.

13 Q. No?

14 A. No.

15 Q. Not on that day?

16 A. No.

17 Q. Not in your interviews?

18 A. No.

19 Q. Okay. So the first time we're hearing about that
20 is today?

21 A. Yes, sir.

22 Q. When you have to prove the history of domestic
23 violence.

24 A. Well, my attorneys already knew, but other than
25 that...

1 Q. Okay. But that's the first time we heard that
2 today?

3 A. Yes.

4 Q. Okay. You also talk about him throwing you in
5 the wall.

6 A. Yes.

7 Q. Okay. Did you ever call police?

8 A. No, sir.

9 Q. Or anybody about that?

10 A. No, sir.

11 Q. Did you ever tell police that in your interviews
12 when they asked you about --

13 A. No, sir.

14 Q. -- him assaulting you?

15 A. No, sir.

16 Q. No?

17 A. No, sir.

18 Q. Okay. So, again, first time we're hearing about
19 that is today?

20 A. Yes, sir.

21 Q. And you admit in previous stories everything
22 you've told police is a lie?

23 A. Yes, sir.

24 Q. Okay. I believe the lady, I don't want to
25 misspeak, but I believe the lady with the blond hair

1 sitting behind Ms. Jones is Dr. Veronen?

2 A. Yes.

3 Q. Okay. And you've met with her?

4 A. Yes, sir.

5 Q. And you've talked to her?

6 A. Yes, sir.

7 Q. And you've given your story to her --

8 A. Yes.

9 Q. -- so that she could interview you and come to an
10 opinion as to her expertise?

11 A. Yes.

12 Q. How old did you tell her James Sprouse was?

13 A. At the time he was 57.

14 Q. Okay. Did you admit to Dr. Veronen that you all
15 had been in a relationship for seven years?

16 A. Yes. Prior to that, yes.

17 Q. So you admitted that you had been in a sexual
18 relationship for seven years?

19 A. Yes.

20 Q. Okay. Did you admit to Dr. Vernonen that you had
21 been arrested, along with Kenny's brother's girlfriend
22 for obtaining illegal prescriptions?

23 A. Kenny's brother's girlfriend?

24 Q. Yes.

25 A. It was not Kenny's brother. It was my brother's

1 girlfriend.

2 Q. Okay. Did you tell her that you were dependent
3 upon James for money?

4 A. At some points, yes.

5 Q. Okay. How much money did you have coming in?

6 A. Uh, like \$300 a week.

7 Q. A week?

8 A. Uh-huh.

9 Q. And that was for child support and alimony?

10 A. And alimony, yes.

11 Q. And he was only receiving \$800 a month?

12 A. Yes.

13 Q. Okay. So you actually had more money coming in
14 than James did.

15 A. Well, not in the actual sense. If you count what
16 he sold on the side, prescription drugs.

17 Q. Okay. He sold those on the side?

18 A. Yes, he did.

19 Q. Have we heard any testimony about that today?

20 A. It's never been asked.

21 Q. Okay. So you're stating now that he was a drug
22 dealer?

23 A. He has sold ---

24 Q. And he sold pills ---

25 A. He has sold prescription drugs, yes, he has.

1 Q. So your live-in boyfriend is selling prescription
2 pills, but you have to buy them from someone else?

3 A. Uh, when he sells his out, there's nobody else
4 could come.

5 Q. And you understand that we have your phone,
6 correct?

7 A. Uh-huh.

8 Q. And we've done a report on it?

9 A. Okay.

10 Q. Okay. I'll show you what's been premarked
11 State's Exhibit 44. Do you recognize that?

12 A. Yes.

13 Q. Okay. And what does it appear to be?

14 A. It is a prescription pack that prescriptions come
15 in.

16 Q. Okay. And would the prescription be for James?

17 A. Oh, yes.

18 Q. And it would be for Oxy --

19 A. Codone.

20 Q. Oxycodone.

21 A. Uh-huh.

22 Q. Is that the Percocets?

23 A. It is.

24 MR. HUNTER: Okay. Your Honor, at this time the
25 State would offer State's Exhibit 44 into evidence.

CROSS-EXAMINATION OF AMY TAYLOR BY MR. HUNTER

1 MS. JONES: I don't have an objection, Your
2 Honor.

3 THE COURT: Admitted without objection.

4 (State's Exhibit Number 44 was entered into the
5 record.)

6 BY MR. HUNTER:

7 Q. I believe on the bag it states that this
8 prescription was from 12/13/16, Oxycodone, if you can
9 confirm.

10 A. Yes.

11 Q. Okay. And there's some handwriting underneath
12 it.

13 A. Uh-huh.

14 Q. Okay. Handwriting seems to indicate on 12/13
15 A-10, J-5.

16 A. Uh-huh.

17 Q. Does that mean you had 10 of the pills?

18 A. That means he actually gave me 10 pills and he
19 sold five of them.

20 Q. He sold five of them?

21 A. Yes.

22 Q. Okay.

23 A. He takes them and marks them each time he does
24 something.

25 Q. And then on 12/15 you got six and he sold five?

1 A. Yes. Yes, he did.

2 Q. Okay. But you also said he's addicted to pills.

3 A. He does take them.

4 Q. And he took more than he was prescribed?

5 A. Yes.

6 Q. So you're saying he's selling pills, but then
7 taking more than he prescribed?

8 A. He takes Xanax more than prescribed.

9 Q. Okay. In your interview with police, you state
10 that you were married to Jason Lyda at the age of 15?

11 A. Yes.

12 Q. Is that a lie?

13 A. No, it's not a lie.

14 Q. Did you know in the state of South Carolina you
15 cannot get married until the age of 16?

16 A. I didn't get married in South Carolina. I got
17 married in North Carolina.

18 Q. You got married in North Carolina?

19 A. Uh-huh.

20 Q. With your parent's permission?

21 A. Yes, I did.

22 Q. Okay. To Jason Lyda?

23 A. Yes, I did.

24 Q. And you testified that James wasn't always moody?

25 A. That's correct.

1 Q. And that the moodiness and the anger didn't
2 really, really ramp up until the last couple months?

3 A. Yes, sir.

4 Q. Okay. I think you also testified that there
5 weren't really outbursts towards her at the beginning.
6 Towards you.

7 A. No.

8 Q. There weren't outbursts at the beginning towards
9 you?

10 A. Are you talking about the beginning of the
11 relationship?

12 Q. Your relationship.

13 A. No.

14 Q. Okay. Let's go back to your interview with Dr.
15 Veronen. Did you tell Dr. Veronen at one point you
16 stated: "He could shoot you, wrap you in a tarp and
17 throw you in a well?"

18 A. Yes, he did.

19 Q. Is that not exactly what you did to him?

20 A. Exactly what I told them -- I told her, that he
21 said the same thing to me, so...

22 Q. But is that not exactly what you did to him?

23 A. Yes. But I did not throw him in a well.

24 Q. Did you also tell him -- tell her that at one
25 point he became upset, grabbed his gun and fired ten

1 rounds above your head in the closet in the bedroom?

2 A. Yes.

3 Q. Okay. Are you aware that nothing was ever found
4 in the closet bedroom ceiling?

5 A. Above my head. If you're standing right here and
6 you're shooting sideways, that's going out past my head.

7 Q. Above your head?

8 A. Well, it would be beside my head.

9 Q. Okay.

10 A. However you'd like to do it.

11 Q. Okay. Did you tell her that he shot above your
12 head?

13 A. I, in my statement, I -- it was beside my head
14 actually, so...

15 Q. Okay. Did you tell her ---

16 A. I'm assuming I did, it's in her report.

17 Q. Okay. And did you tell her that you later heard
18 him say, yes, I fired 10 rounds?

19 A. Yes.

20 Q. And that I should have aimed lower?

21 A. Should have aimed lower to hit you in the head.

22 Q. Okay.

23 A. That's the exact words that he said.

24 Q. I should have aimed lower to hit you in the head?

25 A. Yes.

1 Q. Did you not tell police that he should have aimed
2 more to the right to hit you?

3 A. To the right to hit me in the head.

4 Q. Okay. But you didn't tell Vernonen that, did
5 you?

6 A. No. I don't know if I told her that part.

7 Q. Okay. Did you tell Vernonen that you didn't tell
8 anything to the kids about what had just occurred in the
9 bedroom after you shot him?

10 A. I did not tell the younger ones, no.

11 Q. All right. But did you clarify that?

12 A. No, I did not.

13 Q. Okay. Did you tell the police that James put the
14 children on a pedestal?

15 A. At one point, yes.

16 Q. Okay. Was it your opinion that James never would
17 have hurt the children?

18 A. I felt that in the beginning, yes.

19 Q. Okay. Did James ever make any threats towards
20 Destiny, Kelsey or Alley?

21 A. Yes, he did. Not, not to them, but to me. He
22 said, if I ever tried to leave, he'd make sure he'd
23 shoot the kids and shoot me too.

24 Q. Okay. Did you ever tell police that?

25 A. No, I did not.

1 Q. Okay. And, in fact, the first time we're hearing
2 about that is today?

3 A. Well, besides my attorney knows.

4 Q. The first time we are hearing about that is
5 today?

6 A. Yes. Yes, sir.

7 Q. Did you show Ginger Teague fired bullets?

8 A. Yes, I did.

9 Q. Okay. And you showed her those on Friday, March
10 3rd, 2017?

11 A. Yes.

12 Q. All right. And at that point you had already
13 shot and killed James?

14 A. Yes.

15 Q. Did you tell her that you had shot and killed
16 James?

17 A. No.

18 Q. But you still told her you were scared for your
19 life?

20 A. Yes.

21 Q. Okay. But at this point he's dead, correct?

22 A. Yes.

23 Q. Did you have James's phone?

24 A. At that one point, yes.

25 Q. And did you send that text message that we've

1 seen?

2 A. No, I did not. That was from the day before.

3 Q. Okay. So it's your testimony that the text that
4 was sent from his phone at 12:21 p.m. after he died was
5 sent the day before?

6 A. Yes.

7 Q. Okay. But you had his phone after he died?

8 A. Yes. I didn't turn it on 'til the next day.

9 Q. And you told police that you had keys and his
10 wallet after he'd been in the hospital?

11 A. Yes.

12 Q. And you didn't take any chance at that point to
13 try to leave?

14 A. No.

15 Q. Okay. And you do admit that you Googled about
16 the safety being on and off prior to shooting him?

17 A. Yes.

18 Q. And you do admit that you were Googling about how
19 to kill somebody without an autopsy showing it?

20 A. I do not remember, like I told my attorney, that,
21 Googling that.

22 Q. You don't remember that?

23 A. No, I don't remember that.

24 MR. HUNTER: Okay. No further questions, Your
25 Honor.

REDIRECT EXAMINATION

BY MS. JONES:

Q. Mr. Hunter asked you questions about after the shooting in the bedroom, Mr. Sprouse saying -- telling someone that he did it. Did he have a conversation with Michael Head?

A. Yes.

Q. Did he brag to him about it?

A. Yes.

MS. JONES: That's all I have, Your Honor.

RECROSS-EXAMINATION

BY MR. HUNTER:

Q. Just one question. I need to be sure. You've seen the text message we have from your phone and his phone?

A. Yes.

Q. Does he ever in those text messages admit that he shot at you?

A. No. Not specifically, no.

THE COURT: Thank you, ma'am. You may stand down.

(Witness leaves witness stand.)

MS. JONES: Defendant calls Dr. Lois Veronen.

(Witness comes forward.)

THE CLERK: Place your left hand on the Bible and

1 raise your right. (Complies.)

2 Do you swear or affirm the testimony you'll give
3 will be the truth, whole truth, and nothing but the
4 truth so help you God?

5 THE WITNESS: I do.

6 MR. HUNTER: Your Honor, I do not object to her
7 testifying, but as we stated in chambers, I still have
8 not received any tests or the raw data that she's gonna
9 base any opinions on. We still have not received that,
10 and we're on Friday of the trial after the plea, Your
11 Honor.

12 THE COURT: Well, if she testifies for use, she
13 can sure produce them today for your expert. I'll give
14 him a chance to look at it.

15 MS. JONES: Yes. I instructed her to bring it,
16 Your Honor, so she does have it available.

17 THE COURT: Okay.

18 DR. LOIS VERONEN,
19 having been duly sworn, testified as follows:

20 DIRECT EXAMINATION

21 BY MS. JONES:

22 Q. Could you state your name for us, please?

23 A. My name is Lois Joan Veronen.

24 Q. And where do you reside?

25 A. I reside in Rock Hill, South Carolina.

1 Q. What is your occupation?

2 A. I am a clinical psychologist.

3 Q. Could you please tell the court what positions
4 you currently hold?

5 A. Currently I am only in private practice and so I
6 don't have other positions. I'm retired from Winthrop
7 faculty. And prior to that I was at the Medical
8 University of South Carolina in Charleston, where I was
9 a faculty member, a post doc., and an intern.

10 Q. Okay. Where did you receive your training?

11 A. I received my bachelor's degree from Marquette
12 University and my masters and PhD from North Texas
13 University in Denton, Texas. And then I went to
14 Charleston to do my internship and I've remained in
15 South Carolina since that time.

16 Q. What research awards or funded research have you
17 received?

18 A. I have received awards in research to conduct
19 research from the National Institute of Mental Health
20 and the National Institute of Justice. I conducted one
21 of the very first studies looking at the impact of
22 violent events, such as a sexual assault on women. And
23 then subsequently the impact of a sexual assault on the
24 long-term impact of relationships in which the woman had
25 suffered a sexual assault.

1 Q. What year -- in what year was that or years?

2 A. My years of funded research were from 1978 to
3 1988, I believe.

4 Q. Generally, what is the nature of your research
5 and clinical experience?

6 A. The nature of my research in clinical experience
7 is primarily that of the impact of violence or traumatic
8 events on the functioning of women.

9 Q. Here today are you being paid for your
10 professional time?

11 A. I am being paid for my professional time.

12 Q. Do you -- would you please tell the Court about
13 our financial arrangement.

14 A. The financial arrangement is I get paid \$175 an
15 hour for interviewing and compiling a report. I get
16 paid for mileage. And for court time I get \$250 an
17 hour.

18 Q. How many times have you testified in the courts
19 of this state?

20 A. I'm not exact, but somewhere probably over 60
21 times. And we're talking about since 1978 when I
22 conducted the first expert witness testimony. So that's
23 many years ago, so I don't -- three or four times a
24 year.

25 Q. Okay. And in each of those instances when you

1 testify you are qualified as an expert in some aspect of
2 clinical psychology, are you not?

3 A. Clinical psychology, yes.

4 MS. JONES: Okay. Your Honor, at this point we
5 would offer her as an expert in clinical psychology with
6 research, variance in victims of violence.

7 MR. HUNTER: No objection, Your Honor.

8 THE COURT: Okay. The Court will find her so
9 qualified. You may proceed.

10 MS. JONES: Thank you.

11 BY MS. JONES:

12 Q. What is the Battered Woman or Battered Person
13 Syndrome, Dr. Veronen?

14 A. Actually, that is a legal term. It isn't -- the
15 Battered Woman's Syndrome does not exist in
16 psychological research. We talk about victims of
17 violence in psychological research. But the Battered
18 Woman's Syndrome has come into the law in South Carolina
19 and elsewhere to allow testimony from experts in not
20 only clinical psychology, but sometimes social work.

21 Sometimes persons who work at battered women's
22 shelters, a variety of settings, allowing them to
23 testify to how it is that a particular individual who
24 has had a history of violence or has had a history of
25 threat that may impact their feelings of fear, their

1 level of fear or why they might strike, what looks like,
2 preemptively prior to an event because of this previous
3 history.

4 The very first case that I know of was in
5 Washington State with a woman by the name of Yvonne
6 Wanrow. And she was acquitted. She was in her home and
7 this particular person had been harassing people in the
8 neighborhood, and because of his history of violence and
9 her previous history with him, she struck out and fired
10 a gun and took this particular person's life. And that
11 was one of the self-defense cases.

12 Q. Okay. Doctor, when you perform the first
13 evaluation of a woman with a history of violence at the
14 hand of her spouse who used a defense, when did you
15 first use ---

16 A. My first use was conducted the first examination
17 in 1978, and the person's name was Cindy -- Cynthia
18 Hutto (phonetic). She was the daughter of the North
19 Charleston police, police detective. The case was in
20 Charleston. And that was the first evaluation I did of
21 that kind before -- and then testified, and it was a
22 five-day trial.

23 Q. And how did it end?

24 A. She was acquitted.

25 Q. Okay.

1 A. It was Judge Bristow.

2 Q. Is the use of violence the only way a woman is
3 battered or controlled?

4 A. Definitely not. I mean, that's physical
5 violence, but there's the threats of violence. There's
6 verbal abuse. There is control of contact, isolation.
7 There is a threat to other family members or threats to
8 animals. So women can be controlled in multiple ways
9 based on their association with the individual who, who
10 knows them well.

11 Q. Okay. Doctor, at my request you became involved
12 and actually performed an evaluation on Amy Taylor; is
13 that correct?

14 A. Correct.

15 Q. Do you remember when you first got involved,
16 approximately?

17 A. I first received the first materials in 2018, but
18 I think that there was a phone call in 2017 which
19 alerted me to this particular case.

20 Q. And when you agreed to undertake an evaluation,
21 what procedures did you actually use in evaluating Ms.
22 Taylor?

23 A. I asked to receive what was full discovery in
24 this case, so... And then any other materials that
25 might be available and...

1 Q. What were your findings with regard to Amy
2 Taylor?

3 A. Well, the findings -- additionally, I conducted
4 psychological testing --

5 Q. Right.

6 A. -- too. And my findings were that she had
7 experienced ---

8 MR. HUNTER: Your Honor, I'm -- not to stop her.
9 I'm gonna object to this because we still haven't
10 received any of this raw data at this point, any of the
11 tests. We did not receive this. Any of the assessments
12 she gave, we don't have that.

13 MS. JONES: Well, I ---

14 MR. HUNTER: So I just want to make that
15 objection at this point, Your Honor, so --

16 MS. JONES: Rule --

17 MR. HUNTER: -- she won't testify.

18 MS. JONES: -- 705 of the rules of evidence
19 specifically say: "The expert may testify in terms of
20 opinion or inference and give reasons therefore without
21 first disclosing the underlying data and facts, unless
22 the court requires otherwise. The expert may in any
23 event be required to disclose the underlying facts or
24 data on cross-examination", as Your Honor has indicated
25 a couple of times now. It's supported by the rule.

1 THE COURT: About the criminal rules.

2 MR. HUNTER: And, Your Honor, if I just may, so I
3 can just put this on the record, we did serve them with
4 a Rule 5, as well as a motion requesting this Rule 5
5 requesting the scientific tests and reports, as in Rule
6 5, as well as the Motion for Discovery. That was back
7 in 2017, prior to myself getting on this case when it
8 was signed. So those were served upon the defense
9 counsel and we still have not received that information.

10 MS. JONES: Your Honor, they have received her
11 report that gives the results of the test.

12 THE COURT: Read the rule, please. I haven't got
13 mine right here. Go ahead and read the rule.

14 MS. JONES: Yes, sir.

15 THE COURT: Read it, please.

16 MS. JONES: You mean out loud?

17 THE COURT: Yes.

18 MS. JONES: Oh, I'm sorry, I thought you wanted
19 me to read it to myself. "If a defendant requests
20 disclosure under subsection, sub a, one, two, c or d of
21 this rule, upon compliance, such request by the
22 prosecution, the defense on request of the prosecution
23 shall permit the prosecution to inspect and copy any
24 results or reports of physical or mental examinations
25 and of scientific tests or experiments made in

1 connection with the texts within the possession of the
2 defendant or which they intend to offer.

3 THE COURT: What's that mean to you?

4 MS. JONES: It says the results of the test.

5 THE COURT: And it says tests, right?

6 MS. JONES: It says, shall permit the prosecution
7 to inspect and copy any results or reports.

8 THE COURT: Right. Or test.

9 MS. JONES: Or test or experiment.

10 THE COURT: Test, right? That's --

11 MS. JONES: Report the results.

12 THE COURT: -- what they're asking for, are you
13 not? She's performed the tests, and so she's basing her
14 opinion partly on these tests and they're asking for
15 them.

16 MS. JONES: They're asking -- the results of the
17 test are in the report. They're asking for the test
18 material itself and her responses to it.

19 MR. HUNTER: Your Honor, our argument ---

20 MS. JONES: Not his conclusions drawn from that.
21 Is that not what you're asking for?

22 MR. HUNTER: Your Honor, our argument would be
23 that results of the test are the actual raw data, not
24 her interpretation of the answers, the results would be
25 the actual test and what her answers were, and we don't

1 have that.

2 THE COURT: Well, I, I think you can
3 cross-examine her about it.

4 MR. HUNTER: Okay.

5 THE COURT: I hear what you're saying, but the
6 fact of the matter is that in these tests, there has to
7 be somebody qualified to interpret results of those
8 tests. And different experts, as I understand it, can
9 reach different conclusions and interpreted whatever
10 that data is.

11 Now, they have to present it so your expert can
12 look at it, and I'm gonna require that. And so because
13 I'm gonna have to ask her, her interpretation of certain
14 of this data. And so, as I understand, the experts can
15 disagree in determining the results.

16 MS. JONES: Yes, sir.

17 THE COURT: It's not -- there are some
18 subjectivity in it. But think that they're entitled to
19 know that. And how is their expert gonna know how she
20 tested and how she interpreted the results of the tests
21 if she doesn't know what the tests are and the results?

22 MS. JONES: Yes, sir. Okay. And that's why I've
23 instructed her to bring them. She has that material
24 available and prepared to give it to their expert
25 because I think there's some proprietary issues within

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1 their industry about giving it to non-licensed
2 practitioners, and so...

3 THE COURT: Well, we're in court. We're not
4 under their rules. She's here in court to testify and
5 we have our own rules.

6 MS. JONES: Well, yes, sir, but I --

7 THE COURT: And so --

8 MS. JONES: She's got ---

9 THE COURT: -- she'll produce them. And I'll
10 give your expert a chance to review it. Now, if you can
11 cross-examine her about those. I know it's harder to do
12 if your expert hasn't seen them --

13 MR. HUNTER: Doesn't have them right now.

14 THE COURT: -- and doesn't know what her
15 interpretation is exactly made of. But at any rate,
16 we've just got to go forward.

17 MR. HUNTER: Okay.

18 THE COURT: Just, you can cross-examine her about
19 the tests and how she interpreted them. She'll produce
20 them. If she's testifying she's gonna produce them and
21 give them to you so that you can look at them, your
22 expert can look at them. And, I mean, I think that's
23 the only way he can determine whether he agrees or
24 disagrees with her interpretation of these tests. All
25 right?

1 MS. JONES: Yes, sir.

2 THE COURT: Okay.

3 BY MS. JONES:

4 Q. Now, Dr. Veronen, we obviously had gotten to the
5 point about the process and procedure you undertake
6 through an evaluation. Can you explain that?

7 A. Okay. So, the psychological measures I used were
8 in terms of standard published materials for the
9 detailed assessment of post-traumatic stress disorder.
10 And, basically, this is a clinical assessment of trauma
11 exposure.

12 And the significant event or events that were
13 rated as traumatic for Amy were being shot at on March
14 2nd, the evening in which James was pacing back and
15 forth and muttering, and the threats of the morning of
16 March 3rd. So, that for her was to one event, and that
17 was rated according various symptoms.

18 The second assessment material that I used was a
19 standard measure called a personality assessment
20 inventory. And that's maybe a 344-question test that is
21 a multi-scale measure of, of personality functioning and
22 test taking attitude, as well as some scales that have
23 to do with kind of treatment considerations and kind of
24 insight into one's particular psychological problems and
25 problem areas.

1 I also -- I also used the Minnesota Multi-Phasing
2 Personality Inventory, which is a very widely used
3 assessment measure. And it is, again, consists of eight
4 validity scales and ten scales, clinical scales. And
5 then there is a detailed inner personal violence
6 assessment materials, which were also used and those are
7 in the developmental phase. They're by Mary Ann Douglas
8 and some other inner personal violence researchers. And
9 so there were separate tag events for those events.

10 And the tag events were the March 2nd event where
11 James became angry and fired next to or above Amy's
12 head. And then the evening of March 2nd, and then the
13 morning threats of March 3rd. So those are the
14 standardized measures.

15 There was also lengthy clinical interviewing
16 where I sat with Amy at the detention center and asked
17 her questions about her relationship with James. She
18 and James had a very, very long relationship. She first
19 met James when he was a co-worker of her first husband
20 and they were ---

21 MR. HUNTER: Your Honor, I believe she's reading
22 from her report. I request that she be able to tell us
23 without reading straight from her report.

24 THE COURT: Yes, sir. Please testify --

25 THE WITNESS: Okay.

1 THE COURT: -- without your report, please,
2 ma'am.

3 THE WITNESS: The things that I found significant
4 were that there was indeed an age differential. Um,
5 there was a size differential. There was -- Amy was a
6 petite, tiny gal, and she has been since she was age 14
7 at the first time they met. James stood 6'3", 6'4".
8 And according to Amy's report and medical records, he
9 weighed somewhere between 280, 290. And some medical
10 records record him as weighing 324 pounds. So there was
11 a big size differential.

12 There was also in terms of style differential.
13 Amy, although she is petite, sometimes has a sharp
14 mouth. James, by Amy's description, was much more
15 likely to be bombastic and threatening and at times
16 angry and threatened with his weapons and sometimes with
17 his demeanor.

18 Initially, the relationship between James and Amy
19 was very protective. He was highly protective of her to
20 the extent that the girls, particularly Destiny, knew
21 him as Papa. And the younger girls, after they were
22 born, also knew him as Papa. And there was warmth and a
23 great deal of love exchanged between the girls, Amy, and
24 Cynthia and her husband, James, according to Amy's
25 report of this relationship in the early years.

1 Um, as time changed, the relationship changed.
2 Amy, when -- there were times in which she helped
3 Cynthia out by caring for Cynthia. When Cynthia had
4 cancer, there were times when Cynthia cared for Amy's
5 youngest child while Amy worked in the garage with
6 James. So they enjoyed a long history. The discrepancy
7 between sort of the two years, versus seven years, they
8 were openly involved during the last ---

9 MR. HUNTER: She's now not testifying to the
10 question that was asked. She's going -- we don't have a
11 question at this point.

12 THE COURT: Counsel, is this in --

13 MS. JONES: I asked ---

14 THE COURT: -- response to a question you asked?

15 MS. JONES: Yes. I asked her, did she undertake
16 an evaluation and what processes and procedures did she
17 use in doing that. She talked about testing her, then
18 she went on and said she interviewed her and she is
19 relaying what she said in those interviews.

20 THE COURT: All right. All right. Proceed.
21 Proceed.

22 BY MS. JONES:

23 Q. We had gotten to the length of the relationship
24 and the character of what the relationship was.

25 A. Correct.

1 Q. Is where you were.

2 A. Okay. And so there was a great deal of
3 reciprocity or what we might call a co-dependence
4 between this relationship. And in later years it became
5 even closer. In the last two years, Amy was variously
6 described, according to medical records, as his fiancée,
7 his caretaker, so there were ways in which -- and
8 girlfriend, when she attended medical appointments with
9 him.

10 Over the last two years particularly, Amy
11 reported, and it's also substantiated by medical reports
12 that James' health conditions deteriorated quite
13 dramatically. And most dramatically between kind of
14 late 2016 and 2017. And it was during this time that
15 James, according to Amy, and actually there's reports by
16 a physician, that there were massive changes in terms of
17 his level of anxiety and depression reported in the
18 medical reports.

19 Wanda Starling said anxiety and depression. She
20 prescribed Xanax to him. There's reports in later 2016
21 in the medical records of Amy's concern or someone's
22 concern over the kind of medicine that James was getting
23 that she felt that some of the medication was
24 exacerbating his negative moves and making him more
25 inpatient and angrier.

1 In this relationship, there was a great deal of
2 care and concern on Amy's part toward James. The most
3 dramatic change that occurred within the latter part of
4 the relationship was a shift in terms of James no longer
5 apologizing for his behavior, but continuing to behave,
6 you know, more and more angrily.

7 It is not at all uncommon with individuals with
8 chronic heart conditions and ---

9 MR. HUNTER: Your Honor, now she's being
10 non-responsive to the question.

11 THE COURT: I'll allow a little leeway. I, I
12 agree to an extent, but I'll allow leeway. Go ahead.

13 THE WITNESS: So mood changes were noted by Amy.
14 His lack of apology for behaviors was also noted by Amy
15 and reported by Amy. What we see and substantiated by
16 the psychological testing was that Amy was suffering
17 from identifiable substance abuse.

18 Personality scales in the PAI, she was
19 exaggerating the negativity, which sometimes is called a
20 very definite cry for help. And she endorsed many
21 psychological symptoms that would say that she's
22 suffering from multiple clinical diagnoses.

23 Amy was, in fact, very truthful on the test about
24 her drug use. And she admitted that she abused
25 prescription and non-prescription drugs. That scale

1 also on the PAI showed a very low level of energy and
2 she has also poor self-esteem, as measured by this
3 psychological testing.

4 The MMPI showed similar things and even went so
5 far to suggest that there may be times in which her
6 thinking was severely impaired. And, you know,
7 certainly suggested poor reasoning. The detailed
8 assessment of posttraumatic stress inventory shows
9 extremely high fear and terror, which were produced by
10 the event of being shot at or next to or the day before.

11 THE COURT: Doctor, I hate to interrupt you, but
12 I'm the fact finder in this thing as well. The woman
13 had just killed him. Hidden him up there and all this
14 kind of stuff. She's being charged with murder. She's
15 coming to trial on murder. Do you think she might be
16 stressed out a little bit and it wouldn't have anything
17 to do with what happened a year or two or three years
18 ago?

19 I mean, you're talking about she was stressed
20 out. I expect she was. But how do you distinguish or
21 separate that fact that she was on trial for murder and
22 she had actually killed him and hauled him off and that
23 sort of stuff and gone through all these investigations
24 with the police officers? The fact she's in jail, been
25 in jail quite a while, on a murder charge. Wouldn't

1 that be stressful?

2 THE WITNESS: Oh, certainly that is stressful but
3 as I said, when we break out what it is that she's
4 responding to, particular events ---

5 THE COURT: How do you know that? That's what
6 I'm asking you.

7 THE WITNESS: Yes, sir.

8 THE COURT: How do you separate it out?

9 THE WITNESS: The assessment material, okay?
10 You're right, in terms of some measures you can't. In
11 terms of the detailed assessment of posttraumatic
12 stress, we can. And the detailed assessment ---

13 THE COURT: Well, how about would she suffer
14 posttraumatic stress disorder a year or two after she
15 shot and killed her husband, wrapped him up, hauled him
16 up, and took him up to the trash pile and dumped him,
17 and then she goes through all those things with the
18 police, do you think she might have PTSD relating back
19 to those events?

20 THE WITNESS: Certainly.

21 THE COURT: Okay. How do you separate them out
22 if you say she got ---

23 THE WITNESS: As I said, you'd separate them out
24 by asking what your target events or your tag event is,
25 okay? And I did ask about those tag or target events.

1 What was her reaction to at that particular time.

2 THE COURT: Okay. Go ahead.

3 THE WITNESS: And traumatic ---

4 THE COURT: Go ahead. I just --

5 THE WITNESS: Yeah. I, I ---

6 THE COURT: -- needed clarification on it, but go
7 ahead with your testimony. I'm sorry to interrupt, but
8 I just needed an answer to that right off the bat.

9 THE WITNESS: Well, can I provide a little extra
10 explanation?

11 THE COURT: You may, yes, ma'am.

12 THE WITNESS: Okay. When we were doing this
13 research initially about, you know, what were target
14 events in people's lives, we were really primarily
15 looking at, you know, a singular event such as sexual
16 assault. But what we found is that, you know, there are
17 aspects that when people began to disclose talk about
18 violent events that had happened to them, many times
19 their detail and recall of the event improved, okay?

20 And that, in fact, when people had the
21 opportunity in a situation in which they're heard or
22 validated, they can provide some additional detail as to
23 kind of what their state of mind was at the time, okay?
24 And, yes, you are correct that, you know, both of these
25 events were very traumatic. You know, and, you know,

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1 Amy sat ---

2 THE COURT: I understand.

3 THE WITNESS: I didn't -- I didn't ---

4 THE COURT: I understand what you're saying.

5 THE WITNESS: I didn't see her 'til -- you know,
6 this happened in March of 2017, and I first saw her in
7 2019.

8 THE COURT: I understand. Go ahead with your
9 testimony. I understand what you're saying.

10 BY MS. JONES:

11 Q. And, Dr. Veronen, had you had -- have you
12 completely described the results of the test? And I
13 think you got through that, did you not?

14 A. Yes.

15 Q. Okay. The -- other than what you've told us so
16 far, what did the testing and interviewing of Amy Taylor
17 reveal to you?

18 A. It revealed to me that she was a woman that had
19 poor self-esteem. Was highly dependent on James. She
20 had suffered many -- particularly, she had suffered
21 multiple events of violent nature and a very traumatic
22 event prior to Mr. Sprouse's death on March 3rd, that
23 previous day of being shot at.

24 Q. Based on your interviewing and testing, how did
25 the history of the relationship with James Sprouse

1 influence her perceptions and reactions to events?

2 A. Okay. In my opinion, and based on the test data
3 and interview, her perception of the danger posed by
4 James Sprouse on the morning of March 3rd, it was highly
5 significant. She was very, very fearful.

6 Q. Are there other reactions -- or what are the
7 other reactions of women who are subjected to physical
8 and emotional abuse at the hands of their intimate
9 partner, and were any of those present here too?

10 A. Well, some women, of course, when faced with
11 domestic violence at the hands of their intimate
12 partner, you know, leave the relationship, call the
13 police, do those other things. You know, Amy's
14 particular situation was that she was very dependent on
15 James for a place to live and a place to be.

16 She and James were tied together by, you know,
17 drug use and her being a caretaker. So she did not
18 exercise the same options or opportunities that other
19 people might under similar circumstances.

20 Q. Ultimately, in your expert opinion based on the
21 testing and interviewing, what is your final result or
22 finding about Amy Taylor?

23 A. That at the time she took -- she fired the gun,
24 she was in a high state of fear and anxiety. And I
25 don't know. I can -- I can't use the words, so she was

1 in a state of fear, terror, for herself and her
2 children.

3 Q. In your opinion, based on your testing and your
4 interviewing and the opinion you hold of the state,
5 emotional state she was in, do you believe it was a
6 reasonable response for a woman with her history to fire
7 a weapon if she was being felt threatened?

8 A. Yes. I think that was a reasonable response
9 given her history and the more immediate threats that
10 she had suffered, yes.

11 Q. I want to go back and talk about one thing. You
12 mentioned it, and I don't know if the reference was
13 clear. In your report you talk about the relationship
14 being two years. However, there's testimony that the
15 relationship spanned seven years. Can you explain that
16 inconsistency?

17 A. Yes. The two years was the relationship that she
18 had publicly with him and accompanying him places where
19 they were boyfriend and girlfriend or, you know, they
20 could profess their caring for one another openly.
21 Prior to that, this was an emotional and physical affair
22 and that, you know, existed, you know, as they worked in
23 the garage and did other things. They were sexually
24 involved and emotionally involved prior to that.

25 Q. Okay. Based on your expertise and evaluation,

1 what is the psychological state of a woman who has
2 previously been pushed, hit, threatened and then shot
3 at?

4 A. Well, someone who's been pushed, hit, threatened
5 and shot at generally becomes very, very fearful and
6 anxious.

7 Q. And the fear and the anxiety, is it your -- what
8 is your opinion about how it impacts their reaction to
9 what they perceive is a threat?

10 A. In general, what we find is that people who have
11 had those kind of histories, they become sensitized to
12 potential for violence. So they may recognize small
13 que's that somebody is going to be violent because they
14 have this intimate association and knowledge of them.
15 You know, could be the change in the voice tone. That
16 means that violence is imminent. Or it could be, you
17 know, movement toward. But women who have a close,
18 intimate relationship usually are generally more attuned
19 to when violence is imminent.

20 Q. And the hypersensitivity is going to make them --
21 is it -- how is it gonna change their reaction?

22 A. Well, their reaction may be, you know, quicker
23 than it would be. Other people might not view it as the
24 same threat, but because of their close association with
25 that individual, they may view it as very threatening.

1 Their state of mind is different potentially than, you
2 know, how another person might view it.

3 Q. So, based on your expertise, is it your opinion
4 -- what is your opinion about Amy Taylor's heightened
5 sense and reaction to a slight movement by James Sprouse
6 toward a weapon?

7 A. It would be my opinion that she would view that
8 as a threat to her life and potentially the lives of her
9 children.

10 Q. Thank you, Dr. Veronen. Answer any questions Mr.
11 Hunter will have for you.

12 MR. HUNTER: Your Honor, at this time I think she
13 even stated per the rule I need to have the scientific
14 tests so that I can cross-examine her.

15 THE COURT: Please.

16 MS. JONES: Yes.

17 MR. HUNTER: And allow my expert to take a look
18 at those. So if we may take a break so that he can do
19 that, Your Honor.

20 THE COURT: We'll do that.

21 MR. HUNTER: All right.

22 THE COURT: I know he doesn't know exactly, but
23 give me an estimate of time he's gonna need to be able
24 to do that.

25 MR. HUNTER: I mean, she testified that some of

1 the questions are 363 questions on some of the tests.
2 That's gonna ---

3 THE COURT: But he's not gonna have to look at
4 all 363, I don't think, to determine anything. In any
5 event, I've had a lot of experience with this,
6 obviously, in court.

7 MR. HUNTER: Right.

8 THE COURT: And so I know where we're going, but
9 I don't think they're getting ---

10 MR. HUNTER: Your Honor, he's requesting an
11 hour-and-a-half.

12 THE COURT: I'll give him an hour.

13 MR. HUNTER: Yes, Your Honor.

14 THE COURT: While he's doing an hour, I'm, you
15 know, I'm familiar with these tests, et cetera, and I
16 know where he's got to go. I'll give you an hour to do
17 that. So let's do this, let's just go ahead and take an
18 early lunch. It's a quarter to 12 by the courtroom
19 clock. I'll give you just a little bit longer than
20 that. Let's start back at -- we can go to lunch and
21 then start back at 1:15. That's an hour-and-a-half.
22 Let everybody get lunch. He can study that during lunch
23 and we'll start back then.

24 Dr. Veronen, you can stand down during the break.
25 What you can't do, though, is it's the same as if you

1 were still on the stand. You can't discuss your
2 testimony at all with counsel or anyone else during the
3 break. You can do anything else you want to do. Start
4 back at 1:15, that's an hour-and-a-half. And he can
5 study that during lunchtime. And start back then.

6 Dr. Veronen, can go, although the same as if you
7 were still on the stand, you can't discuss your
8 testimony with counsel at all. You can do whatever else
9 you want to do.

10 THE WITNESS: So I can give these to the expert?

11 THE COURT: Yes.

12 THE WITNESS: And he is not copying them or...

13 THE COURT: No. He is, he is not copying them
14 and he's to give them back to you.

15 MR. HUNTER: And just so it's on the record, his
16 name is Dr. Robert Nelson.

17 THE COURT: And make sure he's to be able to look
18 at them and give them back to you and not copy them. I
19 understand the rules there.

20 THE WITNESS: Thank you.

21 THE COURT: Okay. All right.

22 (Lunch recess was had from 11:46 a.m. -1:15 p.m.)

23 THE COURT: Dr. Veronen, you can retake the
24 stand, please.

25 MR. HUNTER: May it please the Court?

1 THE COURT: Solicitor.

2 MR. HUNTER: We don't have Madam Clerk.

3 MS. JONES: She's already sworn, so we don't need
4 her right now.

5 MR. HUNTER: Okay. The clerk wasn't here, so I
6 just wanted to make sure.

7 THE COURT: Yeah, we don't have to --

8 MR. HUNTER: Okay.

9 THE COURT: -- place her under oath. I could do
10 it, but she's already been sworn.

11 MR. HUNTER: Okay.

12 CROSS-EXAMINATION

13 BY MR. HUNTER:

14 Q. Dr. Veronen, so it's your testimony, I believe in
15 your report, there were some tests administered to Amy.

16 A. Correct.

17 Q. Psychological tests. You interviewed Amy
18 multiple times over a couple hours earlier this year in
19 2019.

20 A. Yeah. I think somewhere between eight and nine
21 hours, including this.

22 Q. Okay. I believe you met her on three different
23 days.

24 A. Yes.

25 Q. And interviewed her over the course of those

1 three days.

2 A. Correct.

3 Q. Did you ever interview Jason Lyda?

4 A. No.

5 Q. Did you ever interview Kenny Taylor?

6 A. No.

7 Q. Did you ever interview Destiny Lyda?

8 A. No.

9 Q. Did you ever interview Kelsey Taylor?

10 A. No.

11 Q. Or Alley Taylor?

12 A. No.

13 Q. Did you ever interview anybody from the Sprouse
14 family?

15 A. No.

16 Q. Okay. Do you have your report with you?

17 A. Yes.

18 Q. Okay. In your report you stated James Sprouse
19 was a 63-year-old man. Where did you learn that?

20 A. Oh, I got it wrong.

21 Q. Okay.

22 A. It's inadvertent.

23 Q. Okay.

24 A. Inadvertence. My mistake. It's wrong.

25 Q. And I believe also in that first paragraph you

1 state: "Amy has been his caregiver for several years
2 and his romantic partner for approximately two years
3 prior to the incident."

4 A. And I attempted to explain that. They had an
5 affair that predated that, and they were public for the
6 last two years in terms of the reports to the doctors
7 and that kind of thing.

8 Q. Do you think that would be important to put in
9 your report that they had been having a sexual
10 relationship for seven years?

11 A. Well, I think perhaps. I mean, they have a long
12 complicated history --

13 Q. Oh, they do.

14 A. -- which, you know, there was -- I mean, I think
15 I portrayed their emotional connection. You know, her
16 feeling of -- I mean, he had been -- well, I think
17 perhaps. I mean, he had been papa to Destiny. They've
18 had a close relationship.

19 Q. I think even Alley called him Dada.

20 A. Yeah, they had a close relationship.

21 Q. But you didn't note in your report that they'd
22 been sleeping together for seven years.

23 A. No.

24 Q. Did she tell you that?

25 A. She told me that they have had an affair, yes,

1 prior to that. And that, you know, most of that took
2 place in the garage.

3 Q. And do you have -- that's what I want to ask you,
4 do you have that?

5 A. Yes.

6 Q. Okay. And did she tell you that it was an open
7 relationship for two years prior to his murder or prior
8 to his death?

9 A. She expressed, I think she said approximately two
10 years. And, you know, she wanted this relationship to
11 continue. I, I -- there was some indication she wanted
12 them to be a family and that James was, yes, very
13 involved with the children, sometimes rode to pick them
14 up.

15 Q. Okay.

16 A. And asked them about their day and was, was
17 casual and loving toward them. And then asked them ---

18 Q. But she admitted there was an open relationship
19 for two years?

20 A. Correct.

21 Q. And we've also heard testimony that Cindy Sprouse
22 didn't leave the relationship until August the 28th of
23 '16. So it would be your testimony she told you that
24 there was an open intimate relationship while both of
25 them were living in the house?

1 A. Um...

2 Q. And I understand you don't know exactly when
3 Cindy left, but she stated it was August of 2016.

4 A. And leading, you know, if her mother lives down
5 the road, she might have been gone for substantial
6 periods of time. Yes, I don't know. I do not know
7 exactly. I do know that in terms of medical reports in
8 2016 and 2017 she's identified as a fiancée, a
9 girlfriend, a caregiver.

10 Q. Okay. I believe, yeah, she's identified as a
11 wife, I believe in one report. Caregiver in another.
12 Fiancée in the medical report. So it would be safe to
13 assume she's told different medical people different
14 roles.

15 A. Or James has.

16 Q. Or James has.

17 A. Yeah.

18 Q. Or James has.

19 A. We don't know exactly. And she's there.

20 Q. Okay. But...

21 A. Yeah, she was present.

22 Q. She would have been present and so different
23 roles.

24 A. Correct.

25 Q. Okay.

1 A. Well, it ---

2 Q. Well, different names for what she, she was to
3 James.

4 A. Correct.

5 Q. Okay. In your report you put that she was
6 arrested in 2014, along with Kenny's brother's
7 girlfriend. Is that another mistake on your part?

8 A. Correct.

9 Q. Okay.

10 A. She was arrested.

11 Q. Okay. That's another mistake as to what she told
12 you?

13 A. Well, I'm not sure that she told me or I got it
14 wrong because --

15 Q. Okay.

16 A. -- like I said, this is pretty involved,
17 complicated involvement, but what she -- the point of
18 all of that was that James again was very much
19 befriending her during this period of time, did not want
20 her to have a record. He paid for her expungement. He
21 was highly supportive of her. But what she says is
22 right after that he started her back on the road to drug
23 usage by giving her drugs.

24 Q. Again, my question, though, was that the mistake
25 was either yours or her -- was it yours that writes

1 Kenny's brother's girlfriend, because she said it wasn't
2 Kenny's brother's girlfriend. Was it yours or hers?

3 A. I -- it was probably mine.

4 Q. Okay. We're on page 6 of your report. I want to
5 make sure that we're on the same. The last paragraph
6 you state: "At this point Amy and James became
7 romantically involved. James was older than Amy by 30
8 years."

9 A. Again ---

10 Q. This is, this is directly after you write:
11 "Eventually James and Cindy separated with Cindy moving
12 out of the house." Is that not inconsistent with what
13 you wrote in your report earlier, that they had a
14 two-year romantic relationship?

15 A. (No response.)

16 Q. Because we know Cindy moved out of the house
17 August 2016, so is that not inconsistent with what's in
18 your report earlier?

19 A. It would appear to be inconsistent. However,
20 some people, as we know or as I was told or heard, you
21 know, Cindy's mother lived down the, the street and --
22 or down the road and Cindy was spending some times away
23 from the home as well.

24 Q. But, again, all that information comes from Amy?

25 A. Correct.

1 Q. Okay. There's none of that in the actual police
2 report or the discovery that you've reviewed about Cindy
3 spending time with her mom?

4 A. No. I think that was testimony here.

5 Q. Okay. And you did review his medical records
6 from, I believe, it's Mary Black and from Spartanburg
7 Regional.

8 A. And Wanda Starling.

9 Q. And Wanda Starling, okay, his primary care
10 physician. He had quite a history of, of medical issues
11 at this point; is that correct? Would that be correct
12 to say? And that ---

13 A. Very extensive history.

14 Q. Very extensive.

15 A. He had ---

16 Q. COPD, diabetes, obviously heart issues.

17 A. Yeah. Yeah, the open-heart surgery.

18 Q. I know that you haven't seen the picture. It
19 would be a big scar on --

20 A. Right, 2014.

21 Q. -- his sternum.

22 A. Approximately then. And...

23 Q. And, I believe, went to the hospital at least
24 twice in February of 2017.

25 A. He went to the hospital and to emergency rooms.

1 Q. Okay.

2 A. He was kept ---

3 Q. And actually admitted into the hospital --

4 A. Correct.

5 Q. -- after going to the emergency room.

6 A. Yes.

7 Q. That's multiple times leading up to March of
8 2017?

9 A. Correct.

10 Q. Okay. And did Amy tell you that he had fallen
11 multiple times?

12 A. He'd fall or he'd have to catch himself, yes.

13 Q. Based on not having enough oxygen in his blood to
14 get to his brain. And that's what she said at the time.

15 A. Correct.

16 Q. That's definitely possible for someone to faint
17 or possibly fall because of that.

18 A. Correct.

19 Q. Okay. And she would organize his medicines, go
20 to his doctors' appointments? That's what she stated?

21 A. Correct.

22 Q. Okay. There's a lot of quotes in here. If you
23 put quotation marks around something, is that a direct
24 quote as to what Amy would have told you?

25 A. That's what I heard. That's the best

1 representation I got, yes.

2 Q. Was there anybody else in the interview with you
3 other than you and Amy?

4 A. No.

5 Q. Okay. So you didn't have an assistant or the
6 defense attorney wasn't there?

7 A. No.

8 Q. Okay. Did you tell Amy why you were there to
9 examine her?

10 A. Yes. I kept coming back for visits and she was
11 told why I was there. Her attorney had appropriately
12 informed her that I would be coming and on the purpose
13 of the psychological evaluation page two.

14 Q. And that was in preparation for a defense of a
15 murder charge, correct?

16 A. That was to determine her history of
17 victimization and the nature of her relationship with
18 James Sprouse.

19 Q. Which would then be used in her defense at a
20 murder case, correct?

21 A. Potentially her defense or some mitigation, yes.

22 Q. But it would be used at trial. This wasn't just
23 you for coming as a clinical psychologist to treat Amy?

24 A. Correct.

25 Q. Okay. And she would have known that?

1 A. Yes.

2 Q. You weren't there to treat Amy for any possible
3 diagnoses that you found?

4 A. Correct.

5 Q. Okay. Did you write -- page 8, so that we can
6 make sure you're -- and this is gonna be on the fourth
7 paragraph. Would you just mind reading what the fourth
8 paragraph of your report says, instead of me asking you
9 did you write this cause you obviously did. Start at
10 "according to Amy". Or, excuse me.

11 I'm looking at facts page 8. I believe it may be
12 page 6 on yours, I apologize. I can show you so you can
13 look at yours. Yeah, this page right here.

14 (Indicating.) Starting at that, could you read that
15 paragraph.

16 A. Page 6. "According to Amy, James was becoming
17 more verbally threatening and angry with her. He would
18 threaten her, I could shoot you, wrap you in a tarp and
19 throw you in a well. No one will ever find you. No one
20 goes there. James had never fired a gun at her prior to
21 March 2nd. According to Amy, she was in the bedroom
22 talking to James. He became upset and grabbed his gun
23 and fired ten rounds above her head into the closet in
24 the bedroom. She was in a state of disbelief what just
25 happened and she was there."

1 Q. And in quotation marks was the part about I could
2 shoot you, wrap you up in a tarp and throw you in a
3 well; no one ever goes there -- or no one will ever find
4 you, no one ever goes there?

5 A. Correct.

6 Q. And she stated that he fired 10 rounds over her
7 head into the closet?

8 A. That's what I heard.

9 Q. That's what she would have stated to you. And,
10 in fact, if you go two paragraphs down, you actually
11 have in quotation marks: Yes, I fired ten rounds. I
12 should have aimed lower. She's stating to you what
13 James said; is that correct?

14 A. Correct.

15 Q. So she stated to you that he fired ten round
16 above her head?

17 A. Correct.

18 Q. Okay. I just -- okay. If you'll go to page 7.

19 A. Uh-huh.

20 Q. On the third paragraph. Did she state to you
21 that if she left with the kids, she stated that James
22 would shoot them and you before you get out of the
23 driveway?

24 A. Correct.

25 Q. Okay. Did she tell you that she was already

1 outside with the kids and could have taken them to
2 school?

3 A. My understanding is that she was going back in to
4 make peace with him and to see if he wanted to ride
5 along because he often did ride along.

6 And she was in a -- these are my words. She was
7 in a state of trying to calm him down and make things
8 peaceful. And the relationship was that often
9 involvement with the children distracted him, was a
10 source of some appropriate behavior because they
11 functioned as parents for these children. So that was
12 part of her motivation for going back in.

13 Q. Okay. Now, again, that's your words based on
14 what she tells you about the situation?

15 A. Correct.

16 Q. Okay. But you would admit that she did have the
17 opportunity at that point to leave the house, based on
18 her testimony that you've heard?

19 A. Correct.

20 Q. Okay. And that she did not leave the house with
21 all the kids in the car?

22 A. Correct.

23 Q. Okay. Were you able to view text messages
24 between the two?

25 A. I did, although admittedly they were confusing,

1 yes.

2 Q. Okay. And I believe -- were you here for the
3 portions of the trial prior to her pleading guilty?

4 A. No.

5 Q. Okay. So you wouldn't have heard the text
6 messages that were read out between Destiny and her
7 mother at trial?

8 A. (Indicating.)

9 Q. You wouldn't have heard any of the testimony in
10 trial?

11 A. Correct.

12 Q. I just want to get this on the record.

13 A. Correct.

14 Q. Okay. Was it your opinion that she felt like she
15 couldn't leave the relationship?

16 A. It was my opinion that -- right. She felt she
17 had no place to go, and she felt bonded and connected to
18 James.

19 Q. Okay.

20 A. She wanted a change in his behavior more than she
21 wanted to leave.

22 Q. Okay. But in a similar situation with Mr. Lyda,
23 she was able to get a divorce from him; is that correct?

24 A. Correct.

25 Q. Okay. And ---

1 A. My understanding at that point is that DSS came
2 in and, you know, intervened and, you know, separated
3 them. And Destiny, too, at that point had been directly
4 threatened, is what my understanding was.

5 Q. But she was able to get a divorce and get away
6 from Mr. Lyda; is that correct?

7 A. Correct.

8 Q. Okay. And when her and Kenny's relationship
9 soured, she was able to get a divorce and get away from
10 Kenny; is that correct?

11 A. Correct.

12 Q. Okay. Did she tell you that she had said nothing
13 to the kids about what had just occurred in the bedroom?

14 A. Correct.

15 Q. Okay. And she didn't differentiate to you which
16 kid she said something to or not?

17 A. Correct.

18 Q. Okay. If you could go to page 8, in the 5th
19 paragraph. Was it your opinion after administering
20 these tests and talking to Amy that Amy had no desire to
21 kill James or for James to die?

22 A. My opinion is that she had no desire or
23 motivation for James to die. Her life and the lives of
24 her children were, were tied to James, and she wanted
25 them to be a family. But she wanted James not to be

1 violent --

2 Q. Okay. But ---

3 A. -- toward her and threatening toward her and the
4 children.

5 Q. And that was also based on the fact that she said
6 she had no money to care for them without James?

7 A. Well, and ---

8 Q. And that's reading from your report directly.

9 A. Correct. That she didn't have the resources. It
10 should say resources, as opposed to no money.

11 Q. So, again, is that a mistake on your part in this
12 report?

13 A. Yes.

14 Q. Okay. But you admit that you wrote that she had
15 no desire for James to die?

16 A. Correct.

17 Q. Okay. Are you familiar with a Google search on
18 her phone from February 20th, 2017?

19 A. I've heard about it.

20 Q. And you heard about that today?

21 A. Correct.

22 Q. Did you hear about it before?

23 A. No.

24 Q. And you understand that she Googled how to poison
25 someone and have it not show up on an autopsy?

1 A. Well, I also understand there could be an
2 alternate explanation because James was behaving in a
3 very menacing way toward her.

4 THE COURT: Well, just answer the question,
5 please, ma'am. He didn't ask you for an alternative
6 explanation. Answer the question, if you will.

7 THE WITNESS: And the original question was I
8 didn't hear about it, no.

9 BY MR. HUNTER:

10 Q. You didn't hear about it. And you didn't see it?

11 A. No.

12 Q. But it's on her phone, I mean obviously?

13 A. (Witness nods head up and down.)

14 Q. In fact, you actually state further in your
15 opinion if she wanted to see him dead, she could have
16 overdosed his medicine; is that correct?

17 A. Correct.

18 Q. Now, you gave a series of psychological tests to
19 Ms. Taylor.

20 A. Correct.

21 Q. And those -- they're in your report. The DAPs
22 Test, PAI ---

23 A. MMPI.

24 Q. And that's ---

25 A. IPD.

1 Q. They all have -- there's a lot of acronyms in
2 these.

3 A. Yes, there is.

4 Q. Specifically about the MMPI, what are validity
5 scales?

6 A. Validity scales are, you know, certain measures
7 of tests taking attitude, certainly the response that
8 somebody has when taking a particular exam.

9 Q. And specifically with the MMPI, did you note
10 anything about the scales in response to her answers?

11 A. Well, that she both sort of under reported and
12 over reported, yes.

13 Q. Okay. As far as the personality assessment
14 inventory, that was a -- that's a long questionnaire; is
15 that correct?

16 A. Correct.

17 Q. That's 3 -- I think it's 300-something. There's
18 a lot of questions in that one.

19 A. Correct.

20 Q. I mean, that's more of a general inventory, as
21 opposed to the MMPI?

22 A. Well, it's -- I think that would be fair to say.
23 It's less pathology disturbance based.

24 Q. And do you have the results from that test?

25 A. Yes.

1 Q. Her answers to those tests?

2 A. Yes. I supplied all that to your experts.

3 Q. Yes. What is test question Number 132? And this
4 is on the MMPI.

5 A. 132: My medical problems always seem to be hard
6 to treat.

7 Q. That's 132?

8 A. Correct.

9 Q. May I approach? Hang on. I may just have the
10 number wrong down. Is there a question about sometimes
11 lying to get out of trouble?

12 A. I'm sure there is, but I don't know exactly where
13 it is.

14 Q. Can you look through the test and find the number
15 where that question is asked? I believe it may be near
16 132.

17 A. Okay.

18 Q. I apologize. I wrote the number down wrong.

19 A. My information sometimes would get mixed up. "I
20 used to lie a lot to get out of tight situations." She
21 answered that: "Slightly true."

22 Q. Slightly true. So she admitted that she would
23 lie to get out of tight situations?

24 A. Correct.

25 Q. Okay. Now, again, your testimony is everything

1 that you know about this case from the discovery and
2 from Amy -- from discovery, the test and Amy. And when
3 she's taking these tests, she knows you're there to help
4 prepare in her defense, whether that's a trial or
5 mitigation, she knows that you're there to prepare for
6 her defense?

7 A. Correct.

8 Q. Okay. And if she were to give untruthful answers
9 to you, would that make your report not accurate?

10 A. Um...

11 Q. And I'm not talking about the test. I'm talking
12 about her actual interview with you. If she gave you
13 inconsistent and untruthful reports, would that make
14 your report inaccurate?

15 A. I mean, it could make parts of this inaccurate
16 and part of my conclusions inaccurate, yes.

17 Q. Please answer any questions Ms. Jones may have.

18 REDIRECT EXAMINATION

19 BY MS. JONES:

20 Q. As to the last point Mr. Hunter was making, the
21 tests -- aren't the tests designed to catch the attempts
22 to manipulate them?

23 A. Yes, they are. And, you know, they're ---

24 MR. HUNTER: Your Honor, this would be bolstering
25 the witness's testimony.

1 THE COURT: I'll allow it since you asked
2 questions about it.

3 MR. HUNTER: Okay. And since you are the judge,
4 you can determine what you believe or not.

5 THE COURT: Right.

6 BY MS. JONES:

7 Q. Go ahead, Dr. Veronen.

8 A. Can you ask the question again?

9 Q. I said these tests are designed to prevent
10 manipulation and also the attempts to skew the results,
11 aren't they?

12 A. Relatively speaking, yes. You know, overall I
13 felt like I got a representative of, you know, she
14 truthfully answered I'm a drug user or I've never used
15 drugs, as one question she answered false. You know,
16 and she told me in interviews she was a drug user and
17 had used drugs.

18 So, yes, and in terms of, you know, she was lying
19 or misrepresenting the truth, she owned that. You know,
20 her biggest mistake was, you know, lying after this
21 event happened, as opposed to, you know, calling the
22 police immediately and, you know, trying to fabricate
23 this elaborate story. Yes, she admitted all that. And,
24 you know, certainly involving Destiny and Anthony, too,
25 was for her she admitted that, and that was a big

1 mistake on her part.

2 Q. The fact that there -- she may have told you the
3 relationship was open and with that to mean out in the
4 open, not an open relationship, longer than or earlier
5 than the wife left, does that change, impact your
6 overall opinions of this case?

7 A. No.

8 Q. Likewise, the inaccuracies that have been pointed
9 out also by Mr. Hunter, do any of those inaccuracies
10 make you want to change your report or change your
11 opinion about this case?

12 A. No, they don't.

13 MS. JONES: That's all I have, Your Honor.

14 MR. HUNTER: Quickly, Your Honor.

15 RECROSS-EXAMINATION

16 BY MR. HUNTER:

17 Q. These tests that you performed, they have a scale
18 namely detecting attempts to answer to looking good or
19 bad?

20 A. Correct.

21 Q. But they are not designed to prevent deception on
22 the person who's taking the test?

23 A. Not totally, but we, you know, we get the notion
24 of, you know, sort of test taking attitude.

25 Q. But you cannot totally say whether she is being

1 deceptive on these tests?

2 A. I can't ---

3 Q. Or anybody who's taking these tests, but...

4 A. Yeah. No one can say we're absolute sure that,
5 you know, certainly overall the validity scales are
6 within the realm that enables us to say she approached
7 this.

8 Q. She appears to be approaching ---

9 A. Approaching this straight forwardly. There's
10 areas in which she over-recorded. There's areas in
11 which she, she sort of under-reported in terms of the
12 validity scale. You know...

13 Q. But these tests cannot prevent deception.

14 A. No, not totally.

15 MR. HUNTER: Thank you, Your Honor.

16 THE WITNESS: But, you know, nor can any medical
17 tests either. I mean...

18 EXAMINATION

19 BY THE COURT:

20 Q. Doctor, did these tests reflect anything in
21 regard to whether she might be -- have a personality
22 disorder or anti-social personality traits? Does that
23 reflect any of that? Doesn't that MMPI do that?

24 A. Well, there's no indication of high aggression,
25 okay?

1 Q. That's not the question, ma'am.

2 A. Yeah. You know, in terms of possible personality
3 difficulties, when we have drug users, okay, that are
4 manipulative often, you know, their diagnosis ends up,
5 you know, coming out with sort of a borderline
6 personality disorder.

7 Q. Did you come up with any of that in there?

8 A. Let me look, but that wasn't primary. But it may
9 have been one of those ---

10 Q. So that's not what you were looking for in
11 measuring tests and trying to work with Ms. Taylor?

12 A. Well, the...

13 Q. I'm asking you, that should have been one of the
14 things that reflected in MMPI, shouldn't it, if she's
15 reflecting --

16 A. Well, hers ---

17 Q. -- as a personality disorder or an antisocial
18 personality, is any of that reflected in, in the
19 results?

20 A. What is reflected here is anxiety related
21 disorders, emotional responses, kind of malingering
22 depression related disorders, disorders involving stress
23 and anxiety. Somatic, meaning somatic physical things,
24 stomach problems, headaches. Disorders manifesting what
25 they call psychotic symptoms. Personality disorders

1 manifesting. Unusual thoughts and perceptions, but not
2 anti-social, okay?

3 Disorders involving paranoid delusional thinking.
4 Disorders associated with social avoidance, much as
5 avoidant personality disorder. So all of those things
6 are, are a part of this. But, you know, she does not
7 meet criteria. I mean, she does meet criteria for, you
8 know, substance abuse disorder, major depressant
9 disorder, and post-traumatic stress disorder.

10 Q. And personality disorder.

11 A. No.

12 Q. I thought you read that.

13 A. I said that's part of the suggestions here. I,
14 I ---

15 Q. Yeah.

16 A. But you -- she isn't a personality. That's not
17 her primary diagnosis, okay?

18 Q. Okay. Any other questions --

19 A. She had personality difficult ---

20 Q. -- related to the question I asked her?

21 A. Okay.

22 MS. JONES: No, sir.

23 MR. HUNTER: Just briefly.

24 FURTHER RECROSS-EXAMINATION

25 BY MR. HUNTER:

1 Q. In your report do you not state that she suffers
2 from personality disorder unspecified?

3 A. Where are you at?

4 Q. It's just the last sentence in the report or
5 right before if any additional information is needed.

6 A. I did.

7 Q. Okay.

8 A. Okay.

9 Q. Thank you.

10 THE COURT: Not really responsive to my question
11 then, were you? All right, thank you. Any other
12 question of this witness?

13 MS. JONES: No, sir.

14 MR. HUNTER: No, Your Honor.

15 THE COURT: Thank you, ma'am, you may stand down.

16 (Witness leaves witness stand.)

17 MS. JONES: Your Honor, that's our showing for
18 this hearing.

19 THE COURT: All right. Let me hear from the
20 State. Anything in rebuttal?

21 MR. HUNTER: Yes, Your Honor. We'd be calling
22 Kelsey Taylor to the stand.

23 THE COURT: All right.

24 MR. HUNTER: And I will really try to limit this
25 to the history of domestic violence, Your Honor.

1 THE COURT: Okay.

2 MR. HUNTER: I know it's getting late.

3 (Witness comes forward.)

4 THE CLERK: Place your left hand on the Bible and
5 raise your right. (Complies.)

6 Do you swear or affirm the testimony you'll give
7 will be the truth, whole truth, and nothing but the
8 truth so help you God?

9 THE WITNESS: Yes, ma'am.

10 KELSEY TAYLOR,
11 having been duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. HUNTER:

14 Q. Can you please state your full name for the
15 record.

16 A. Kelsey Leah Taylor.

17 Q. Okay. And how old are you?

18 A. Fourteen.

19 Q. Okay. Ms. Taylor, do you know what the truth is?

20 A. Yes, sir.

21 Q. Okay. And what is the truth to you?

22 A. Something that's a direct action happening.

23 Q. Okay. Do you know what lies are?

24 A. Yes, sir.

25 Q. And what are they?

1 A. Something that didn't happen.

2 Q. Okay. And you understand you put your hand on
3 the Bible to tell the truth today?

4 A. Yes, sir.

5 Q. Okay. All right. How old -- who is the lady
6 sitting over there at the defense table?

7 A. My birth mom.

8 Q. Okay. And did you live with her from 2014 to
9 2017 with James Sprouse?

10 A. Yes, sir.

11 Q. Okay. And where did you live?

12 A. In ---

13 Q. Specifically in the house?

14 A. Oh, me and my sister, Destiny, shared a bedroom
15 on the far left side of the house.

16 Q. Okay. Can you describe your relationship with
17 James.

18 A. Well, I called him papa. He was like a
19 grandfather since I didn't really have much connection
20 with any of my other family, so that was the only male
21 figure I had besides my father, was not allowed to be
22 seen very often.

23 Q. And so you only saw your father, what, every
24 other weekend?

25 A. Yes. And on Thursdays towards the end of the

1 divorce.

2 Q. Did you ever see Mr. Sprouse get angry?

3 A. Yes.

4 Q. Okay. Did you ever see him take that anger out
5 on your mom?

6 A. No, sir.

7 Q. Did you ever see him hit your mom?

8 A. No, sir.

9 Q. Did you ever see her [sic] control your mother's
10 movements?

11 A. No, sir.

12 Q. Couldn't go anywhere?

13 A. No, sir.

14 Q. Did you ever see him verbally abuse her?

15 A. Describe verbal abuse.

16 Q. Did you ever see her [sic] yell at her to the
17 point where she'd be scared?

18 A. No.

19 Q. Okay. Did you ever see any bruises on your
20 mother?

21 A. Um...

22 Q. Did you ever actually see what appeared to be
23 bruises on your mother?

24 A. Yes, sir.

25 Q. And I ask that question, appear to be. Did you

1 give an interview to the Children's Advocacy Center?

2 A. I did.

3 Q. Back, I believe, on May 24th of 2017?

4 A. Yes, sir.

5 Q. And did they ask you about seeing bruises on your
6 mother?

7 A. Yes, sir.

8 Q. Okay. Specifically, did you believe they were
9 bruises?

10 A. No, sir.

11 Q. Okay. And where were these alleged bruises?

12 A. She's had a very frequent past of her faking
13 injuries for attention. She had one on her breast and
14 she had one on her foot, and then one on -- she had
15 another one. I can't remember where, though.

16 Q. And were you in court when I believe either she
17 or Destiny testified that she was about to get in the
18 shower with those bruises?

19 A. Yes, sir.

20 Q. Okay. Did you believe that those bruises were
21 real?

22 A. No, sir.

23 Q. And why not?

24 A. Because she would get in the shower, she would
25 have them. She'd get out of the shower and they were

1 gone.

2 Q. What were they?

3 A. I believe they were makeup.

4 Q. And why did you believe that they were makeup?

5 A. Because bruises aren't shimmery.

6 Q. They aren't what?

7 A. Shimmery.

8 Q. Okay. Did James -- was James ever verbally or
9 physically abusive with you or Alley?

10 A. No, sir.

11 Q. Or Destiny?

12 A. No, sir.

13 Q. Okay. Would your mom tell you that he was
14 physically abusive?

15 A. Yes, sir.

16 Q. Okay. And is that when she would show you these
17 bruises?

18 A. Yes, sir.

19 Q. And is that when they would wipe off in the
20 shower?

21 A. Yes, sir.

22 Q. Without getting in specifics of the morning of
23 March 3rd, were you present in the car when you heard
24 gunshots?

25 A. Yes, sir.

1 Q. Okay. And on the drive to school, did she talk
2 to Destiny about shooting James?

3 A. Not directly. The -- me and my little sister,
4 Alley, were in the backseat playing a game on my phone
5 and it was some zombie game. And I'm guessing they were
6 using James as keyword for zombie or zombie as a keyword
7 for James.

8 Q. Why is that?

9 A. Because they were talking about like how they --
10 how she shot it and it's dead and all this stuff.

11 Q. She would say that she shot the zombie and he's
12 dead?

13 A. Yeah. She said the zombie was dead.

14 Q. So in your three years there living with James,
15 did you see any violence perpetrated against your
16 mother?

17 A. No, sir.

18 Q. And the violence that you did perceive washed
19 away in the shower?

20 A. Yes, sir.

21 Q. Okay. Please answer any questions Ms. Jones may
22 have for you.

23 A. Yes, sir.

24 CROSS-EXAMINATION

25 BY MS. JONES:

1 Q. Kelsey, you referred to Amy Taylor as your birth
2 mom. Have you kind of washed her out of your life, so
3 to speak?

4 A. I have.

5 Q. Okay. When you were interviewed by CAC, you
6 actually told them you hated your mother, didn't you?

7 A. I did.

8 Q. Okay. In this courtroom during this proceeding
9 you have said you hated your mother, haven't you?

10 A. I have.

11 Q. Okay. Now, this wash away bruise, for whose
12 benefit is a wash away bruise created?

13 A. Can you describe it more?

14 Q. Well, I -- okay. Who would we be trying to --
15 who would she have been trying to convince that she had
16 a bruise?

17 MR. HUNTER: Your Honor, this is speculation.

18 THE COURT: It is speculation.

19 MS. JONES: Okay.

20 THE COURT: You can argue that, but you can't
21 read anybody's mind.

22 BY MS. JONES:

23 Q. This wash away bruise event was one time?

24 A. No. She's had them multiple times on her knees.
25 All over her body. She would basically put makeup on

1 her and then they would wash off because --

2 Q. Did you --

3 A. -- she's an attention seeker.

4 Q. Did you see them wash off?

5 A. If she gets in the shower and she has -- well,
6 before she gets in the shower she has them on. She gets
7 out of the shower, there's no sign of a bruise there
8 anymore.

9 Q. There's no sign what?

10 A. There's no sign of a bruise there. There is
11 not ---

12 Q. Okay, it's gone?

13 A. Yes.

14 Q. If it's that temporary, what good is it?

15 A. To make her believe -- well, the kids believe
16 that he was violent.

17 Q. But she's not doing a very good job of it if
18 you're --

19 THE COURT: Is this argument?

20 MS. JONES: -- watching her wash it off.

21 THE COURT: Is this argument, counsel?

22 MS. JONES: I'm asking.

23 THE COURT: Phrase it as a question.

24 MS. JONES: Okay, yes, sir.

25 THE COURT: So it's not argument, okay?

1 BY MS. JONES:

2 Q. Is she being very per -- she's not being
3 persuasive with it, if she's allowing you to wash it
4 off, is she?

5 A. I never stated that I washed it off. I said that
6 she got in the shower. If I seen her getting dressed
7 and she had a bruise. She would get out of the shower
8 and I would go back in there to use the restroom or
9 something and the bruise would no longer be on her body.

10 Q. If it's that temporary, how is it working to
11 convince anybody of anything?

12 A. I'm guessing she didn't think that we were gonna
13 pay attention to it after we saw it.

14 MS. JONES: I don't have anything else from this
15 witness, Your Honor.

16 MR. HUNTER: Nothing, Your Honor.

17 THE COURT: Thank you, ma'am. You may stand
18 down.

19 (Witness leaves witness stand.)

20 MR. HUNTER: The State does not intend to call
21 any more witnesses, Your Honor.

22 THE COURT: All right. I'll be glad to hear from
23 you briefly, counsel. Of course, you have the burden of
24 proof. You have to prove by trustworthy evidence,
25 credible evidence, is what you've got to prove, that she

1 meets the definition of a battered, in this case, a
2 girlfriend, I guess, since they weren't married. They
3 were live-in.

4 MS. JONES: Correct, Your Honor.

5 THE COURT: You've got the burden of proof on
6 that.

7 MS. JONES: Yes, sir, Your Honor.

8 THE COURT: I'll be glad to hear from you.

9 MS. JONES: My, my client testified about several
10 instances, multiple instances. The -- including the
11 instance with the gunshots, which there are photos --
12 obviously were photos in evidence of the shots. The
13 results of the shots.

14 Your Honor, also, Ms. Teague, who is -- was a
15 friend of hers, testified on two different occasions she
16 saw physical injuries to her that my client attributed
17 to an act of violence by Mr. Sprouse. The bruise on her
18 face and the toes, those correspond to two of the events
19 that the client actually testified to. So those two
20 events are corroborated by an independent witness.

21 THE COURT: Well, she -- it might have been
22 corroborated by her, but she also thought Mr. Sprouse
23 was not the kind of person to do that. He's a very nice
24 fellow, kind, gentle, nice person. She didn't think he,
25 he would do anything like that. And she didn't say

1 whether she would believe her or not. That's the
2 question, that he actually did it. So that was not very
3 convincing to the Court that she didn't believe that Mr.
4 Sprouse actually did it; that she only had Ms. Taylor's
5 word on that.

6 MS. JONES: Your Honor, we also presented one of
7 the daughters of Ms. Taylor, Destiny Lyda, who said she,
8 on one occasion, saw a number of marks on the body that
9 corresponded to a place in Ms. Taylor's testimony about
10 being shoved or thrown into the wall.

11 And Ms. Lyda also testified about the very loud
12 and boisterous nature of Mr. Sprouse; that he was very
13 verbal. He would agitate easily, especially at the end.
14 That he threatened people. He talked about shooting
15 people.

16 THE COURT: Who said that?

17 MS. JONES: The daughter.

18 THE COURT: Okay.

19 MS. JONES: Destiny said that.

20 THE COURT: Okay.

21 MS. JONES: So she gives not only evidence of, of
22 bruises on the mother, she also provides other insight
23 into things that might constitute emotional abuse. Some
24 of what Dr. Veronen testified to, the -- giving her a
25 fear, especially at the last two months when he was, he

1 was sick. He was increasingly agitated because his
2 physical limitation -- I mean, some physical injuries
3 and physical ailments, Your Honor.

4 And Dr. Veronen testified about the symptoms and
5 her testing and about her conclusion that -- about the
6 abuse, the heightened state that Ms. Taylor was in the
7 last two days or day-and-a-half because of the shooting
8 event that never really died down. Although, they
9 talked about talking, Ms. Lyda does and Ms. Taylor does,
10 talk about talking to Mr. Sprouse to try to normalize
11 him to calm him down, which the doctor referred to, also
12 seemed to be a method they used when he had an outburst.
13 And it, it never went away.

14 She talked about sleeping on the sofa and how he
15 was up muttering and wandering around. She went back in
16 to try to talk to him. And then the final event
17 occurred in her heightened state whatever movement he
18 makes she says scared her. And I think Dr. Veronen, and
19 I specifically asked her about the heightened awareness,
20 fear and the slightest movement could be perceived by
21 someone in that position to, to make them fearful of
22 their life or someone else's at that point.

23 Your Honor, obviously this situation is filled
24 with things that she has said that were not true, but I
25 think as you piece -- when you've got her talking about

1 an event and Ms. Teague seeing a mark, and you have her
2 talking about an event, her daughter seeing a mark --
3 and, you know, Ms. Teague is a grown woman and she would
4 know the difference probably between a shimmery bruise
5 and a real bruise. She saw wrapped up toes after the
6 lock box slamming on the floor incident, Your Honor.

7 And I think if I was asking Your Honor to say --
8 make this finding based on Amy Taylor's statements
9 alone, I would be having a very hard time making this
10 motion.

11 THE COURT: You haven't got much more than that.

12 MS. JONES: Yes, sir.

13 THE COURT: You haven't got much more than that,
14 but go ahead and finish up.

15 MS. JONES: Well, and I think that the statute
16 says credible evidence of domestic abuse.

17 THE COURT: And what is credible? It's
18 trustworthy evidence, not what an expert clinician says
19 in many hours of talking to her when she knows why she's
20 there. She obviously has had an opportunity to talk
21 with you about it and what's involved. And so -- and
22 the question is all based on what she told initially and
23 then a little bit of testing of that. I'm glad for
24 personality disorder as part of her diagnosis, part of
25 her main diagnosis.

1 You know, the question is, did she talk to
2 anybody else? Find out anything from anybody else?
3 She's sitting here listening to any of the testimony or
4 anything that was in here and that sort of thing, all
5 these witnesses testified with regard to this. She's
6 relying solely on what Ms. Taylor has to say.

7 MS. JONES: But ---

8 THE COURT: And what this one witness, who is her
9 drug supplier, saw something on her face and a wrapped
10 toe, and her word that James had done something to her.
11 That's about it. Now ---

12 MS. JONES: The other ---

13 THE COURT: I don't know. Go ahead. I'm just
14 having trouble with where you're going with this.

15 MS. JONES: Well, Your Honor, the statute says
16 credible evidence of domestic violence. You've got
17 photographs of the holes made by a gun shot into the
18 bedroom closet. That's an act that was perpetrated.
19 There's been no attempt even by the government to say
20 she did that to herself.

21 THE COURT: Well, we don't know she didn't.

22 MS. JONES: Well, Your Honor, that ---

23 THE COURT: The only word we got on that is her
24 word that he did it. We don't have her word. And
25 there's a whole lot of gunshot, a lot of shells that

1 have been expended and that sort of thing down in trash
2 cans, jackets. She had three spent bullets, that's part
3 that's not in the shell, it's out of the shell when she
4 went to this -- her friend Cynthia [sic] did it. And
5 she had those. I mean, that there was patching in there
6 and ---

7 MS. JONES: There was also ---

8 THE COURT: -- there was patching up some holes.
9 Who did that and when did they do it? We don't know any
10 of that. We don't know who fired the shots in there
11 except her word that the shots were fired in there.
12 Most of the shots, according to the police officers,
13 there was a couple in the wall.

14 But Most of the shots hit this gun case, which
15 would take some punishment. It did take some
16 punishment. It only got one went through it. The rest
17 of them outside of it, might have ricocheted in to where
18 you're talking about, according to their testimony. So
19 if he was firing and firing in there, he was firing at
20 something that it wouldn't, wouldn't hurt, a metal gun
21 case. And so, and then there's a couple in the wall.

22 MS. JONES: Well ---

23 THE COURT: Her testimony, what she told
24 everybody was he fired over her head into the ceiling
25 overhead. They found, the police officers found there

1 were no gunshots to the ceiling of it, so...

2 MS. JONES: Well, in her statement she said she
3 shot -- he shot toward the closet. Now ---

4 THE COURT: The gun safe was in the closet.

5 MS. JONES: That's right.

6 THE COURT: And that's where he shot it, if he
7 shot it. If he did, in fact, shoot it. I don't know.
8 She sends text messages over his phone to her phone
9 after he's dead. She's got the possession. She does
10 that. So, you know, I, I don't know.

11 MS. JONES: There is a ---

12 THE COURT: We're looking at credibility.

13 MS. JONES: May I remind Your Honor that I
14 offered his text messages. And the reason I did that
15 was because there's a text for him from him, his phone
16 while he's alive saying, me shooting up the house. And
17 then they had an argument. They start bickering on the
18 text messages because she tells the neighbor Michael
19 Head that he shot in the house.

20 THE COURT: Well, I didn't say -- I don't mean to
21 say he didn't shoot. He could have very well have shot
22 them, but where he shot and what he was shooting at is
23 another story. We don't have that. Now, except for
24 what she has to say. I'm just saying she -- whether he
25 fired all of these shots or whether she fired some of

1 them, I don't know.

2 She's got the one daughter saying that she faked
3 these bruises and things to get sympathy, which someone
4 with a personality disorder might do. I'm sure Dr.
5 Veronen would agree with that. Personality getting
6 attention and that. I, you know, I don't know what she
7 did.

8 She did a lot of things and attributive to him.
9 And what I've got to look at is -- and all women that
10 are abused, even physically abused, don't suffer from
11 Spousal Battery Syndrome, they don't. Most of them
12 don't, as a matter of fact, so you've got a lot to prove
13 there. And so you got to -- there's a lot you've got to
14 prove.

15 Dr. Veronen attempted to try to establish it by
16 saying, well, he slapped her and then he apologized.
17 Then he did something and he apologized. This is
18 supposed to beat the criteria in a test, I guess, for
19 two cycles or something like that. There weren't any
20 cycles in here.

21 And the relationship really was probably that
22 they were actually openly in a relationship there. It
23 was probably sometime after August 2016 up until she
24 killed him. And so that would go to relationship. Now,
25 yeah, they had a sexual relationship. I don't doubt it,

1 but that sexual relationship broke up both marriages and
2 ruined both marriages, hers and his. I don't doubt it,
3 because her husband left first, and then Cynthia left
4 last. I don't doubt that.

5 And, of course, they were in an illicit affair of
6 carrying on when they were living in the house. But,
7 you know, that wasn't part -- they weren't together
8 then. When did they get together and really start
9 living as a couple? And it appears to me that that
10 didn't happen openly. They might have been secretly
11 doing that, but it was hidden from the children and
12 everything else. It wasn't open until after. And,
13 certainly, I don't think they would do it in front of
14 Cynthia, his wife. And so an open relationship had to
15 be after she left.

16 Now, sure, she went and took care of her mother
17 some, but that didn't make it over because they were
18 still married. She was still coming home, so that's not
19 open relationship. So we're talking about a fairly
20 limited period of time that it was open, a relationship
21 between the two of them, is what I'm looking at. That's
22 what we're looking at.

23 And I'm also looking at, yeah, I know several
24 people who have had heart surgery and had to go back and
25 recover from the heart surgery. And, yes, they're

1 depressed, they're irritable. They don't want to be
2 around anybody. They don't want a lot of fuss. They
3 want quiet, peace.

4 Here you've got a two-bedroom mobile home with
5 these children in there. And Destiny has her boyfriend
6 wanting to come in there and eat and take a shower and
7 do all his stuff in there. And, of course, he's living
8 out in a camper down here, but he's still wanting to
9 come in there.

10 I don't know that Mr. Sprouse approved of this
11 relationship between this 16-year-old, who he had
12 treated like a daughter and this guy who's 19 years old
13 living down there in the camper together and coming back
14 in the house. And, by the way, you know, he's on Social
15 Security disability. She's got more money coming in
16 every month than he does.

17 And this Anthony, who is 19, apparently is
18 perfectly capable of working somewhere, providing
19 support should be paying rent down there without paying
20 any rent. Do you think that might have aggravated him a
21 little bit?

22 MS. JONES: Well ---

23 THE COURT: I think he said, if you don't get out
24 of here or pay rent.

25 MS. JONES: Correct. That was part of it.

1 THE COURT: That was part of the aggravation.
2 And I don't think he, you know, he may not approve of
3 this relationship, a 16-year-old girl that he had
4 treated like a daughter.

5 And, you know, there are a lot of things that
6 could have agitated him and caused him to lose his
7 temper and that sort of thing. It doesn't justify
8 firing off a gun. Apparently that's one of the ways he
9 let off steam.

10 But we don't have -- he didn't shoot any of these
11 people that he's talking about popping a cap in. He
12 might have shot somebody in the past. That was unclear
13 to me in the past. It had to have been a distant past.
14 But in any event, there are people that say I'm gonna do
15 that, I'm gonna shoot him or I'm gonna put a cap in it.
16 They don't ever intend to do it. They don't ever act on
17 it. He didn't do any of that.

18 And so, so what I'm saying is, and I'm gonna
19 listen to the other side as well. What I'm saying is
20 you've got the burden of proof in this.

21 MS. JONES: Yes, sir.

22 THE COURT: And even an actually -- actual woman
23 who was actually abused frequently and there's no
24 question about it, we've got a police record where they
25 called in, they, of course, try to take it down. They

1 come into court and try to get the charges dismissed or
2 come and try to get them dismissed and all that stuff,
3 but we at least got something. No 911 calls. No police
4 record. The police are not called out there or
5 anything.

6 She claims she couldn't go anywhere, but she had
7 to text him to tell him where she was. She's out
8 driving a car, taking the kids here and there and
9 shopping and all that. So she wasn't just confined in
10 the house like a prisoner and couldn't go out unless he
11 went with her and that kind of thing. She could go.

12 There might have been some restriction. He
13 wanted to know where she was and this kind of stuff not,
14 you know -- you know, cause he was -- he had some health
15 problems. He was confined to home pretty much. Went
16 with her once in a while on a ride, sure.

17 What I'm saying is she wasn't restricted there.
18 She had more income than he had, but yet this Anthony
19 and that was getting money. He was bleeding the money
20 cause they were running power from this trailer down to
21 this camper for him and Destiny to go out and stay. It
22 had power running on a drop cord, which is illegal, of
23 course, but they were doing it.

24 And so, these were a drain on him. There were
25 plenty of reasons why this guy could be upset and he

1 could be mad and he could be angry and he could bolster.
2 And I don't doubt that if he fired off a gun, okay, in
3 the house, it should never happen. That is violent, no
4 question about it. And if he did that, the children
5 weren't actually in the house. But if he did that, you
6 know, I could understand that she might be afraid of
7 him.

8 So why didn't she take the kids and just get on
9 out of there? You can't, to my mind, establish she was
10 so feared and so controlled by him that she was afraid
11 to leave there. You know, she could have left. He
12 wanted her out. This is the real problem. He wanted
13 them out. He wanted her to leave. He didn't want to
14 try to keep her there. That's all the testimony.
15 There's nobody that disagrees with that.

16 So, you know, I have never understood why -- I
17 can understand her being afraid she could get shot. I
18 do understand that. And if you're presenting that as a
19 defense at a particular time, I certainly understand
20 that defense. But as far as establishing what you're
21 trying to establish now, though, is she suffers from a
22 Battered Spouse Syndrome, and you've got the burden of
23 proof on that.

24 And there's very little in the way of domestic
25 violence. And if I got to rely on what she says, I

1 don't know that I can believe anything she said. She's
2 been so untruthful all the way through this thing.
3 Throughout the trial is full of her untruths and false
4 deceptions and all this sort of thing. So I don't know
5 that I can believe anything that she said. When you
6 start telling untruths, then her credibility is gone.
7 And she doesn't have much credibility with this Court, I
8 can tell you that.

9 And if, you know, if the doctor believes that --
10 Dr. Veronen believes it's based solely pretty much on
11 what she tells on the testing that she's done looking to
12 establish grounds for Battered Spouse Syndrome, if
13 that's all it's based on, she didn't go outside of that,
14 trying to get any other information in arriving at her
15 opinion in this case, and she's accepted as verbatim
16 truth that which has been disputed that was told to her
17 by Ms. Taylor, then, you know, I don't know that I can
18 put any, any trustworthiness in, in that report.

19 MS. JONES: May I?

20 THE COURT: Yeah, go ahead.

21 MS. JONES: Dr. Veronen did -- she also stated
22 she relied on the discovery material. She had all the
23 police reports, not just her interview. That's what was
24 said. That's how she had the text messages and some of
25 the other material. His medical records were provided

1 to us by the State. That's how she -- because, you
2 know, she frequently made reference to his medical
3 records, too. And she had more than just her tests and
4 talking to her.

5 But she did not, when they asked her if she
6 talked to a couple of other people, she acknowledges she
7 did not interview anybody, but she did have thousands of
8 pages of the discovery that I had was given to her in
9 preparation for the case.

10 THE COURT: Well, then she should have had a lot
11 of trouble with the veracity of Ms. Taylor, if that's
12 the case.

13 MS. JONES: I think that is why --

14 THE COURT: Because she hasn't been honest --

15 MS. JONES: -- she addressed ---

16 THE COURT: She hasn't been honest about anything
17 all the way through this trial.

18 MS. JONES: That's why she addresses the, at the
19 very end of the report, she made the comment she did
20 about her lies. She clearly recognizes her actions were
21 wrong. She also recognizes her lying to the police
22 about what happened made it more difficult for anyone to
23 believe that she was truly in fear for her life and the
24 life of her children on the morning when she fired the
25 shots. And she, she knew about that, so she addressed

1 that.

2 THE COURT: She could have left with the children
3 anytime she wanted to. She could have left that morning
4 taking them to school. She could have taken off. She
5 had more resources than he had.

6 Of course, she was living there in his mobile
7 home, but she had more resources coming in than he did.
8 And so she -- this is not your destitute wife who had
9 never worked, has no income whatsoever coming in. No
10 money whatsoever and nobody to go to and no place to go.

11 I mean, she had 1800, from what I figured, about
12 \$1800 a month coming in, tax free dollars. And she
13 could have gotten help from social agencies for a place
14 to stay and that sort of thing based on that amount of
15 income. Food stamps and everything. I mean, there's
16 all kinds of resources available to her out there.

17 These two minor children, small children, that
18 belong to Mr. Taylor, I'm sure he would have taken them.
19 He was good with visitation. He would have taken them
20 in at least for a short period of time until she got on
21 her feet, if she needed to do that.

22 I mean, it doesn't make sense that she's a
23 battered spouse and suffers from Battered Spouse
24 Syndrome. It makes sense to me that she could have been
25 afraid of him on the day that this happened. What

1 doesn't make sense to me is that she had to take that
2 pistol and shoot him twice in the back laying in the bed
3 and once in the side. That doesn't make a lot of sense
4 to me, not when she could have taken the pistol and
5 walked out with it, okay?

6 MS. JONES: Yes, sir.

7 THE COURT: So that, that's causing me a lot of
8 problems. But more than anything else is what I -- what
9 the cases say is, me, what I've got to find.

10 MS. JONES: Yes, sir.

11 THE COURT: Trustworthiness and credibility.
12 Credible evidence. And I'm having a hard time seeing
13 that. If I got to rely on what she's saying, she's told
14 so many different stories, you know, she doesn't have
15 any credibility. I'm sorry. And even her own
16 14-year-old daughter talks about her faking injuries and
17 this kind of stuff and washing it off and that kind of
18 thing.

19 MS. JONES: Well ---

20 THE COURT: Faking injuries trying to get her to
21 draw attention to herself, that's what a personality
22 disorder does.

23 MS. JONES: Well, Your Honor, with regard to
24 that, you know, credibility is an issue potentially
25 there, too, because nobody else has indicated that; that

1 she had attention-seeking behaviors or ---

2 THE COURT: I don't disagree with you. I'm just
3 -- but that casts doubts on what she says. And that
4 fits with a personality disorder who often seeks
5 attention for themselves and might fake something to get
6 attention so she can get what she wants. I mean, I ---

7 MS. JONES: I don't -- Your Honor, I was trying
8 to establish by the way she described her as her birth
9 mother and she freely admits that she hates her, I was
10 trying to establish her bias as a witness.

11 THE COURT: Well, she may be. And there's no
12 question that she's extremely angry with her mother.
13 There's no question about it. I take that into
14 consideration, too. But I'm not talking about her's
15 necessarily.

16 MS. JONES: Right. I understand.

17 THE COURT: I'm talking about the diagnosis of
18 Ms. Taylor's personality disorder, and also her
19 credibility.

20 MS. JONES: Your Honor ---

21 THE COURT: Honestly, I'd have to pick her
22 daughters over her --

23 MS. JONES: Right.

24 THE COURT: -- because she's told so many false
25 stories. As Judge Judy says on TV, you lie to me once I

1 can't believe you. That's not necessarily the case, but
2 the fact of the matter is, you know, credibility is
3 established can I rely on what you're telling me or are
4 you telling me the truth all the time? She hadn't told
5 the truth on hardly anything, and she's, you know,
6 conflicted herself out so many times.

7 MS. JONES: Yes, sir.

8 THE COURT: And she goes to Dr. Veronen and
9 giving her information that's supposed to help establish
10 this Battered Spouse Syndrome for purposes of defense or
11 self-defense and also for the purpose of this hearing,
12 you know, I don't know that I can rely on anything she
13 told Dr. Veronen. And she had to rely quite a bit on
14 that in her interviews with her and this testing and
15 that. I don't know. Anything else, though, you want to
16 tell me?

17 MS. JONES: No, sir.

18 THE COURT: I'm sorry to interrupt you.

19 MS. JONES: No, that's all right.

20 THE COURT: I've got to make a decision. I'm
21 telling you, I'll give you a chance to respond to what
22 I think. And I'm having trouble with any credibility
23 whatsoever --

24 MS. JONES: Well, I ---

25 THE COURT: And what you provided the Court.

1 MS. JONES: I was just going to remind Your Honor
2 that under the statute it says that we provide credible
3 evidence. And I again would remind Your Honor that the
4 photos show the shots. The text messages he admits he
5 fired the shots.

6 THE COURT: Let's assume and let's say that's
7 true. That does not make her a battered -- suffers from
8 Battered Wife Syndrome. Not even close.

9 MS. JONES: Well ---

10 THE COURT: It may establish what was in her mind
11 at the time this thing happened. It may do that.

12 MS. JONES: But the -- and if I may say, Your
13 Honor, under the statute 16-25-90 requires her to
14 produce credible evidence of the history of criminal
15 domestic violence. It doesn't require a showing of
16 Battered Spouse Syndrome. That would have been a
17 determination for the defense in the trial.

18 We're, now that we've pled, we're on to is there
19 any criminal domestic violence that I can credibly
20 prove. So I'm showing -- reminding Your Honor that
21 there is the shooting in the bedroom that he admits in
22 the text message.

23 I have to acknowledge the statute also said the
24 history, though. So, is -- we can agree we can believe
25 that one, is that equivalent to a history? I know where

1 -- I mean, I don't know that ---

2 And, Your Honor, I'm looking at Grooms because
3 that's the one I couldn't find my copy of the statute.
4 That's the one that actually quotes verbatim the statute
5 on the third page, notwithstanding any other provision
6 of Wall, an inmate who pled to an offense against a
7 household member shall be eligible for parole after
8 serving a quarter of his prison term where the inmate at
9 the time has plead guilty to an offense against a
10 household member, presented credible evidence of a
11 history of criminal domestic violence, suffered at the
12 hands of the household member, which I think means the
13 victim.

14 I, I don't even think that would, you know,
15 because we're obviously not talking about Mr. Lyda's DV
16 or Mr. Sprouse's stalking incident. I think it came up.
17 I don't know if we testified to that or not yet.

18 THE COURT: All right. Let me hear from the
19 other side. And I'm gonna review these cases.

20 MR. HUNTER: All right. And I would specifically
21 point to State versus Hawes, but I don't know if you
22 have it.

23 THE COURT: Spelling on it?

24 MR. HUNTER: H-A-W-E-S. I believe it was in the
25 packet, but...

1 THE COURT: I don't think I have it, counsel. If
2 you've got it, I'll be glad to look at it.

3 MR. HUNTER: Okay. I do. I want to make sure
4 the defense attorney has a copy. I have a copy.

5 (Discussion occurred off the record between
6 counsel.)

7 MR. HUNTER: And, Your Honor, she is correct
8 under 16-25-90, it's their burden to prove a, a credible
9 history of domestic violence at the hands of a household
10 member. There's a few problems with that. First, if
11 you look at that footnote that is highlighted,
12 specifically it talks about when the statute was put
13 into place and speaks about the legislative intent. And
14 the legislative intent, according to the court, is
15 long-term abuse.

16 As you have stated, at the most right now he
17 became a household member -- and we don't even know,
18 based on whether she's telling the truth or lies -- at
19 least in August of 2016 when Cindy left the residence.
20 At that point we would state that the State agrees she
21 is a household member at that point, but that's only for
22 seven months before she shot and killed him.

23 First, we'd argue that's not a long-term --
24 there's no long-term abuse that can happen in seven
25 months. Second, we've talked about the shots. And the

1 reason I brought up the shots, and I think you also made
2 the point I was gonna make, never in the text or any of
3 the testimony does he admit that he shot -- or that he
4 shot at her. The text says, me shoot'n up the house.

5 Well, she had his phone. We don't know if she
6 sent that text, he sent that text. We know that that
7 text was send and we know that it was sent from his
8 phone to her's, but we, we aren't sure if he sent it.
9 Even if he did send it, it's me shooting up the house,
10 not me shooting at you, which was her story.

11 And then her story to police, to Dr. Veronen was
12 different. She stated he shot ten rounds in the closet.
13 As you'll note, there are only three holes in the wall
14 and there's a few markings on the safe where it appears
15 it deflected off the safe. There are not ten markings.

16 And I also made a point when the officers were
17 testifying that it was waist high. As her testimony
18 indicated, he shot over her head. We can see her in
19 court shooting over her head, would not leave bullet
20 holes at waste high unless he's standing on the roof
21 while shooting at her through the roof. So, again,
22 another lie.

23 Obviously we pointed out on the stand, and I
24 think you have stated, her credibility is shot. She's
25 admitted that she lied to police. She admitted on the

1 tests given by Dr. Veronen that she will lie to get out
2 of situations. And since the standard here is credible
3 evidence, it has to be believable, not just plausible
4 that there is no credible evidence of domestic violence
5 at the hands of Mr. Sprouse.

6 And that's what this statute requires. It
7 requires long-term abuse at the hands of Mr. Sprouse.
8 And we, frankly, believe that they have not presented
9 that evidence or met the preponderance of evidence
10 standard that have stated in these cases.

11 MS. JONES: Your Honor, may I reply?

12 THE COURT: Yes, ma'am.

13 MS. JONES: One thing I want to mention, the
14 definition of domestic violence includes, it states:
15 It's unlawful to, a, cause physical injury or harm to a
16 person who is a household member; to offer or attempt to
17 cause physical harm or injury to a person, putting him
18 in fear of imminent peril.

19 When I heard all the officers testify, well, that
20 was only waist high, I kept thinking, well, only waist
21 height is all it takes if you're the one on the other
22 end of the shots. Your Honor, the act and offering and
23 attempting doesn't -- domestic violence doesn't require
24 him to have hit her. The fact that he shot a gun in her
25 general direction in the same room she was in.

1 THE COURT: I, I agree with that.

2 MS. JONES: You -- oh, thank you.

3 THE COURT: I agree with that. If he did that.
4 And assuming it's true, I would constitute that does
5 constitute domestic violence, in my opinion.

6 MS. JONES: Right. Yes, sir.

7 THE COURT: But, you know, that's one incidence.

8 MS. JONES: Yes, sir.

9 THE COURT: And we're talking about -- address
10 what he just addressed in *Hawes*. Do you got a copy of
11 that now?

12 MS. JONES: I do now.

13 THE COURT: And this Supreme Court opinion, what
14 does that say?

15 MS. JONES: The court seemed to rely on the
16 legislative history. Let me see what it's quoted from.

17 THE COURT: Legislative history. They're the
18 only ones that can do that, the Supreme Court, but they
19 can do that, quote the legislative history.

20 MS. JONES: Your Honor, I have to concede that is
21 what the opinion says. I'd say that the, the, you know,
22 what is long-term? Is it long -- if the relationship is
23 only seven months long and one of the -- in the early
24 parts of the relationship there's another act. Of
25 course, I know Your Honor's saying you're not sure these

1 are credible -- there's credible evidence of the act.
2 But I think a relationship that is seven-months long,
3 something that happened in the first month before, you
4 know, might make it long-term, because the relationship
5 itself is no longer termed in seven months. I think you
6 have to -- does Your Honor get what I'm saying? I
7 understand there's an --

8 THE COURT: I understand.

9 MS. JONES: -- underlying problem with her
10 credibility --

11 THE COURT: I understand what you're saying.

12 MS. JONES: -- but...

13 THE COURT: You know the statute is a special
14 statute.

15 MS. JONES: It is.

16 THE COURT: It's a specific statute.

17 MS. JONES: It is very specific.

18 THE COURT: It's specifically addressed to those
19 situations where you've got a spouse subjective to
20 domestic abuse over a long period of time and is
21 dominated basically controlled, totally controlled by
22 somebody. And there is domestic abuse over a long
23 period of time. That's not what we have here, is what
24 I'm telling you. I don't see that here.

25 MS. JONES: I, I don't know if I necessarily

1 agree with Your Honor's opinion that a person using this
2 statute to try to get this parole eligibility would have
3 to prove that the victim of these crimes were under
4 total control. I just think they have to show --

5 THE COURT: Well, I ---

6 MS. JONES: -- a credible pattern.

7 THE COURT: Well, I just --

8 MS. JONES: But, yeah, I think ---

9 THE COURT: You know what I'm talking about.

10 MS. JONES: I do know what you're talking about.

11 THE COURT: You know about spousal abuse like
12 that and domestic violence abuse, it's just not slapping
13 somebody a couple times. That's not gonna qualify.
14 And, and a ---

15 MS. JONES: Well, and, of course, we would
16 disagree --

17 THE COURT: I mean, it's, it's --

18 MS. JONES: -- but I understand.

19 THE COURT: It's domestic. It's domestic. I
20 don't -- you know, that's not what I mean. But whether
21 it's gonna qualify --

22 MS. JONES: Yes, sir.

23 THE COURT: -- under the statute or not is a
24 different matter. You know, to fall within their
25 purview. Yeah, I don't think one spouse hitting

1 another, whether it's a man to a woman or a woman to a
2 man, especially usually a man to a woman, I think that's
3 terribly wrong, and I think it is domestic violence.
4 And I certainly don't approve of it.

5 MS. JONES: Well, and ---

6 THE COURT: But what we're talking about it is
7 domestic violence, I agree with that.

8 MS. JONES: And, Your Honor ---

9 THE COURT: But, you know, they're saying
10 credible evidence over a history, credible evidence over
11 a long period of time.

12 MS. JONES: Well, if I may add, Your Honor?
13 Because it is a special statute and because it does seem
14 to be composed of several parts that require a good bit
15 of information, I think it's probably why there aren't
16 that many cases on it honestly, because it sounds like a
17 hard showing to make. But I will say that one of the
18 continuing problems with domestic violence and, you
19 know, having been a solicitor at times, I know the shoes
20 they walk in, in these cases.

21 Domestic violence is one of those kind of crimes
22 that's not permitted with a bunch of witnesses most of
23 the time. You know, so you have to -- which is a
24 disadvantage to me in this case because, as Dr. Veronen
25 has had to do in her report, I have to concede there is

1 a definite credibility problem. So, it has made it a
2 difficult road to hoe to try to find a way to establish
3 something in the absence ---

4 THE COURT: No police reports.

5 MS. JONES: Right.

6 THE COURT: No 911 calls. No police reports. No
7 arrests. It's questionable whether these bruises were
8 real or not. Even the police said this happened
9 yesterday. This happened yesterday. They checked,
10 there's nothing. She didn't have a bruise on her. It
11 just fits the pattern of what she does with personality
12 disorder.

13 Said he smacked me. When was that -- or hit me
14 in the jaw. He says when was that? Yesterday or the
15 day before the shooting, as I recall. And did you see,
16 the solicitor asked him, well, did you see any evidence
17 of that? Was there any bruising? Any marks? Anything?
18 Any evidence of that? No.

19 MS. JONES: Again, I would ---

20 THE COURT: And there were bookings, you know, if
21 you want to check that. I mean...

22 MS. JONES: Well, and I would, I would again
23 remind Your Honor that the statute doesn't necessarily
24 require injury, it requires an offer or attempt.

25 THE COURT: Listen, you know I know that.

1 MS. JONES: But I know what you're saying.

2 THE COURT: But you know that somebody -- do
3 people argue?

4 MS. JONES: Yes, sir.

5 THE COURT: Do they argue? Because somebody
6 that's depressed, suddenly realizes he's very
7 vulnerable, he's had his heart problems --

8 MS. JONES: Yes, sir.

9 THE COURT: -- he can't take care of himself like
10 he has been doing, kind of confined and he's confined in
11 a mobile home with two bedrooms with children and all
12 this going on in there. And, you know, surely they can
13 be irritable.

14 MS. JONES: Yes, sir.

15 THE COURT: Some of my relatives and friends have
16 been that way, and I know by common experience, don't
17 take that away. But, I mean, sure there can be
18 arguments that doesn't result in firing a gun, that's
19 for sure. And so, obviously, that gives me a problem,
20 but it's one episode when he's depressed and taking
21 medications and that kind of stuff. And so, you know,
22 it's one episode. That gives me trouble.

23 MS. JONES: Yes, sir.

24 THE COURT: It gives me trouble.

25 All right, counsel. I'm gonna take a few minutes

1 and go review these cases, see if I can discern any
2 more. We don't have a lot of authority in South
3 Carolina yet on how far we go with this, so, so I've got
4 to go by what I've got here and what the case law says.
5 That's what I've got to go by.

6 So, I do say, though, the burden of proof is upon
7 the defendant to prove by credible and trustworthy
8 evidence the domestic violence happened over a period of
9 time, not just one day. The self-defense argument is a
10 lot better on this one thing happening, than just trying
11 to establish a pattern of domestic violence over a
12 period of time.

13 It's entirely different if you're firing a gun
14 and it was self-defense and that comes in. On that
15 issue, it's very, very important obviously. But
16 establishing a pattern of domestic violence is a whole
17 different ball game. That's what's giving me trouble.
18 Let me go read these cases and...

19 MS. JONES: Your Honor, could we speak to you
20 briefly in the back hall before you do that?

21 THE COURT: Sure. Sure.

22 (Sidebar was held off the record.)

23 MR. HUNTER: And I'll go ahead and prepare the
24 pleas for the co-defendants.

25 THE COURT: Okay.

1 MR. HUNTER: Once you go back to chambers.

2 (A recess was had from 2:34 p.m. - 3:12 p.m.)

3 THE COURT: All right. Counsel, I'm ready to
4 rule on this motion and state my reasons for my finding.
5 First of all, let me say that I reread all of the case
6 law that I had, the cases I had. And defense counsel is
7 quite right in that most of the cases dealt with
8 Battered Wife Syndrome and how to prove that really in
9 self-defense for the primary motive.

10 And so, I had read those cases in conjunction
11 with the trial and to prove it self-defense in a
12 Battered Wife Syndrome in that point, so you're quite
13 right about that. That's not the standard here. It's
14 not what has to be proven.

15 And the case handed up, State versus Hawes, which
16 I had not read, but I have read now, a short case
17 really, found 411 S.C. 188. It's a 2015 case. I think
18 it's current law. I found that 767 S.E.2d 707. And in
19 reading that case, I note the footnote in here, which is
20 part of the case. And this had to do, of course, with
21 the trial court whether it thought it had discretion or
22 non discretion to decide it.

23 But the court went on to say, according to the
24 language of the statute, that is to say, 16-25-90, which
25 we are in the current version of that statute that we

1 are bound by today. And it does provide a footnote
2 here. And I've tried to use it the best way. Of
3 course, the Supreme Court kind of frowns on that, but we
4 trial judge use it, but they don't mind using it, going
5 back to get the legislative history included in their
6 case.

7 And they said footnote two: The legislative
8 history of Section 16-25-90 indicates that the statute
9 was intended to confer early parole eligibility only to
10 long-term victims of repeated abuse at the hands of a
11 household member. Indicating that Section 16-25-90 was
12 first enacted alongside the defense of Battered Spouse
13 Syndrome. So there is some conjunction with it.

14 Now, looking at it then, the defense, in making
15 this motion, has the burden of proof by a preponderance
16 of the evidence. The federal courts have said before
17 preponderance of evidence is the appropriate standard in
18 this case to establish credible evidence. So, the
19 defense has the burden of establishing that.

20 And I've looked carefully and wrestled with it
21 and tried to consider everything. But the bottom line
22 is when I get through with everything, I don't find,
23 although there was some sexual activity between the
24 deceased and the defendant in this case several years
25 earlier, they weren't living together as spouses at that

1 time in an open relationship of like husband and wife.
2 They weren't living together like that. And whatever
3 went on with them was some kind of illicit sexual affair,
4 should say adulterous affair because both of them were
5 married at the time, and that was conducted outside the
6 marriage.

7 And so, you know, there's one alleged domestic
8 abuse when that relationship was there, and I don't
9 really think that qualifies. But even if it were to
10 qualify, this is something that may work in a garage
11 together that the deceased is, according to the
12 defendant, slapped her off the stool bed or whatever
13 that they had in the garage.

14 And, first of all, I doubt the credibility of
15 that. I'm not convinced of the credibility of that and
16 the truthfulness of it. And the reason is there's no
17 other evidence of it, except -- and she has told no one
18 about it and no one else knows about it.

19 And the first time anybody's heard about it is in
20 court when she testifies today in this hearing. It's
21 the first time anybody's heard of it. And her
22 credibility is certainly in question because she hasn't
23 been truthful about anything, to be honest with you.
24 And so, I discount that. I don't think it should be
25 considered at all.

1 Secondly, I think that the time that they were
2 living openly together in an actual situation, or like
3 man and wife or two people who were living together as
4 man and wife, was in August 2016 when the deceased's
5 wife left the home. After that they were, the testimony
6 was, they were in an open relationship.

7 And I think the defendant has tried to indicate
8 that there was some kind of open relationship before
9 that, maybe when Cindy wasn't there all the time,
10 helping with her mother. But the fact of the matter is,
11 that's pretty much when it started. And there is no
12 alleged abuse up to that point in any event, or none
13 that's identified in the timeline as happening before
14 that.

15 So we're really dealing with about a seven-month
16 period here. I don't think that's a long-term
17 relationship, as intended by the statute. And I think
18 the statute intended this to provide this early parole
19 eligibility to people who had been victims of domestic
20 violence over a long period of time, which could account
21 for some of, some of their behavior.

22 I don't think it's intended to account for one
23 episode. One episode might be all that's needed for
24 self-defense, but I don't think it's sufficient for
25 early parole eligibility under the statute. After all,

1 this is a remedy legislature came up with. We strictly
2 comply with what their intent was. This is what the
3 Supreme Court said their intent was, and make it apply
4 only to long-term relationships.

5 Secondly, if I can remember my reasoning, most
6 of, of what was testified to by Dr. Veronen, she didn't
7 talk to anybody else, didn't try to find out anything
8 else about the deceased. I guess she, and if she has
9 to, all she's got to do is -- on the question of
10 credibility, though, the defense counsel's had an
11 opportunity to talk with the defendant and tell her the
12 purpose of Dr. Veronen's interview with her in talking
13 with her. And, certainly, understands what would have
14 to be established.

15 And I think Dr. Veronen tried to say, tried to
16 get into a cycle of abuse, but she couldn't do it. I
17 mean, I didn't see a cycle of abuse. I just didn't see
18 it. And even though she kind of hinted at it, she
19 didn't establish any kind of cycle abuse.

20 Third, of course, we've got the 14-year-old
21 daughter and she doesn't like her mother. She was
22 fighting with her mother at this point. I take that
23 into consideration to determine credibility, but she
24 does say that she saw these markings on her and was able
25 to see them, obviously.

1 I don't think her mother too often gets in the
2 shower naked or whatever in front of the children, but
3 she did. And she said she saw these things on her, but
4 she got in the shower and a little bit later, maybe not
5 right when she comes out of the shower, she said a
6 little bit later they were gone, which meant to her they
7 weren't real. They were put on by Ms. Taylor.

8 And she said she was often seeking self-attention
9 by trying to bring attention to herself to get sympathy
10 or whatever. Whether it was from the deceased or not,
11 most often with the deceased that led to some kind of
12 abuse on his part to the children. And that, to me, is
13 a dangerous sign and should be to a clinician if they're
14 trying to involve their children into a relationship
15 with the spouse or another person.

16 And I've also heard them testify in it that
17 that's a reason to take the children away from a mother
18 who does those sorts of things and makes the children
19 basically her defender and champion. And I've often
20 heard them say that in court in Family Court when I was
21 a family court judge many years doing that.

22 And so -- and, finally, Veronen, Dr. Veronen --
23 excuse me, I want to call her Dr. Veronen, give her
24 credit for her real title. Dr. Veronen had to admit,
25 but it had to be called to her attention. I questioned

1 her about this because I wanted to know. I know MMPI.
2 What I'm looking for as the judge when those things come
3 into court is, did they make a finding of anti-social
4 personality, borderline personality or personality
5 disorder. She first said, well, this is -- read through
6 these things and it's kind of one of many kind of
7 diagnoses. But that's an important axis usually when an
8 examiner examines somebody. And one of the axis that
9 they cite in their findings, their end finding.

10 But defense counsel had to point it out to her in
11 her report. I didn't have her report here in front of
12 me. And pointed out there, no, you did know. You said
13 she was a personality disorder right here. It's your
14 finding, conclusion, personality disorder. And so she,
15 Dr. Veronen wasn't forthcoming with the Court on that
16 issue, and that was advantage to the Court because in my
17 -- and I'm not a clinician or an expert in mental
18 health, but I was a probate judge, family court judge,
19 circuit court judge for 40-and-a-half years.

20 And I've heard so much mental health testimony
21 during all those years because we used to do mental
22 health commitments in probate court. Probably did 13,
23 1400 during my time as probate judge because I heard all
24 my own hearings, except -- but I've heard all of this
25 and seen all these findings and reports.

1 And, of course, a lot of defendants have to be
2 evaluated. And to come back and I'm looking for those
3 sorts of things. I know what they mean. And she was a
4 personality disorder. That is a person that tries to
5 call attention to themselves, have some fantasies and
6 that sort of thing. So, it all fits with her.

7 Now, as far as the toe thing, all we got on that
8 is Cynthia, I think it's Cynthia, who was -- sold Ms.
9 Taylor drugs from time-to-time, prescription drugs from
10 time to time. Obviously they weren't prescribed
11 prescription drugs sold to her from time-to-time and
12 they were kind of acquaintances.

13 And she said, well, she's had something wrapped
14 around her toe. And she alleged that that was James who
15 did it by throwing something down on her foot. All
16 we've got is her word for that.

17 And since she stated James was a really nice guy
18 and she's -- deceased. And that he's a really nice guy
19 and was a real gentleman around her all the time, and
20 liked everybody who, whoever she was around. And, you
21 know, do you know anything about that other than what
22 she told you? No, I don't know anything about it. It's
23 her word. I don't know.

24 And so, then you get down to what abuse have we
25 got left? Well, let's see. She told the police, and I

1 believe it was in her first interview, I believe. I
2 could be wrong about that. I've heard quite a bit. She
3 told police that he had smacked her the day before. And
4 they asked her repeatedly, repeatedly about domestic
5 abuse cause that could make a difference in the case.
6 She said, no, they got along great and they loved each
7 other. That there was no abuse between them. I mean,
8 he didn't abuse her, except one time he slapped her.

9 Later on at some point she told him about
10 shooting rounds in the house. But at that time she said
11 he smacked her, and that's the day before, if I recall
12 correctly. The police officers were asked, well, did
13 you make pictures of it. I think he took them into
14 evidence. No markings, no bruise, no nothing.

15 And he was supposed to have hit her in the jaw
16 and he wasn't there, so she couldn't have been telling
17 the truth about that particular abuse. So, what do we
18 dot left? Arguments, threats. That's all part of
19 domestic abuse if you can prove it. I just don't
20 believe it. And I believe they had arguments.

21 I doubt if she was the easiest person to live
22 with either. And he was going through a trying time,
23 and I take that into consideration. You can be
24 irritable, argumentative and not want to be bothered
25 during that period of time, and she had three children

1 in there, plus Anthony, who was planning on coming up
2 there and eating all.

3 This might have been very well aggravating to
4 him. He may have argued with him about it. And it was
5 costing him money. And he only had Social Security
6 disability, is all he had coming in.

7 She had more money than he did. Let's talk about
8 that for a minute. She wasn't dependent upon him for
9 financial resources. The place she lived is where he
10 lived, but as far as money is concerned itself, she had
11 more money coming in than he did. So that wasn't an
12 issue. She wasn't there on account of money. There was
13 no reason why she couldn't get out.

14 The two children that belonged to Mr. Taylor
15 visited with him every other weekend and on Thursdays,
16 down there towards the end on a Thursday. There's no
17 reason why he couldn't take them in if she wanted to
18 leave. I'm sure he would have been glad to take them in
19 until she got back on her feet or she got her a place to
20 stay. She had money coming in.

21 No reason why Anthony couldn't go to work and
22 provide some support if he was gonna be living with his
23 girl. And no reason why he couldn't do it.

24 This girl was 16. When I was 13, I was working.
25 Had to wait until I was 15 to get a job at a supermarket

1 where I could help. She can work. There are a lot of
2 people who are 16, 17, who are working at fast food and
3 all. They're bringing in money and still going to
4 school and doing well. She could have gone to work. I
5 mean, there are options around there, okay? She could
6 have left.

7 The fact of the matter is, and part of what you
8 look at was she forced to stay there and have no contact
9 with anybody? She got that car and drove around. She
10 tried to say well, I could only drive when he told me I
11 could drive, but she could drive. She went to school.
12 She went shopping, took the kids shopping, and all that
13 sort of thing. S.

14 He could have, you know, while she was out in the
15 car or whatever, he kept tabs on her with a phone she
16 says and texting her and this kind of thing. But she
17 had that freedom to do that. Could have left any time
18 she wanted to with the kids.

19 Now, on this -- but she was, to a certain extent,
20 this killing is premeditated and in my opinion done with
21 malice because she searched -- I don't know why she
22 couldn't realize with that phone, that they were going
23 to be able to check it. I guess she didn't think that
24 far ahead. She was trying to find a way to kill him
25 without it being detected. She wanted to get poison.

1 How do I -- how can I get poison, what poison can I get
2 to kill somebody so it can't be detected by a coroner or
3 somebody? So that was premeditated. She was looking to
4 kill him.

5 Then she wants to know, she goes on that very
6 morning of the killing, she goes on the internet to find
7 out when is a safety on. Is it when the red thing is
8 showing or not showing? When is the safety on the gun?
9 And why do you want to know that?

10 You know, if you go in there with somebody else's
11 gun, you're not gonna be able to see whether the
12 safety's on or not. She wanted to know whether the
13 safety was on when she picked up the gun, okay? And she
14 picked up the gun.

15 She says that he was about to rollover and get
16 the gun and she was afraid he was gonna shoot her.
17 Well, you know, once she got the gun, she could have run
18 out with the gun. There's no way to shoot her if he
19 didn't have his hands on the gun.

20 She could have run out and got in the car and
21 taken off if she wanted to do that. She picked up the
22 gun and she pumped two shots in his back laying in the
23 bed and one in his side while he was laying in the bed.
24 And then waited for him to bleed out. Make sure he was
25 dead. And he could have been picked up and taken to the

1 hospital. This is premeditated malice in my opinion.

2 Now, if she had done what the daughter said, told
3 her repeatedly and repeatedly in text messages call the
4 police. If it's self-defense call the police. Mom, if
5 it's self-defense call the police. Mom, call the police
6 and get them out there if it's self-defense, you need to
7 do that. Well, yeah, I called them. I called them. I
8 called them. She didn't call, because it wasn't
9 self-defense. That's the problem in her mind.

10 In any event, I'm not going back through the
11 whole trial. Let me just say, I don't believe anything
12 she said. She told so many stories to the police and
13 made up so much stuff and everything. She's very good
14 at that. But I just can't believe anything she said.
15 She has no credibility with the Court whatsoever. If
16 she told me it was raining outside, I'd have to go out
17 there and look to see before I would believe it. I
18 mean, that's how my credibility is with me with her.

19 Now, my belief is that he wanted her to leave and
20 take the children with her. He wanted her to leave. He
21 told her that. She was mad about that. She was going
22 in there to try to talk him out of it, she said. And I
23 think there was somewhat of a love/hate relationship
24 there, but I think it turned to hate right at that
25 moment. I think it turned to hate and malice. That's

1 what I think.

2 In any event, I don't think it's the result of
3 her being of a history, long history of criminal
4 domestic violence. I don't think that was it. She only
5 knows what was in her mind, and I have no way of
6 knowing. I'm just saying, she certainly did not have to
7 do that. And trying to say as a result of -- or that
8 she's entitled to some special treatment as a result ---

9 Oh, the other thing is, you talk about, counsel
10 talked about people reporting and then trying to come in
11 and take it down and say it didn't happen and this kind
12 of stuff and gets the husband back out of jail and get
13 the charges, they do do that. It happens a lot.
14 Everybody knows that's affiliated with the court system
15 and it happens a lot.

16 She never made one single call. Not one. If
17 there was some police record of her calling because of
18 domestic abuse, we -- this would be a good situation.
19 I'd be looking at this a whole lot differently than I am
20 now. If there was -- she was afraid of him and if there
21 was domestic violence going on, why did she never once
22 call the police or call 911?

23 And you say, well, I didn't think it would do any
24 good. She knows it would do some good. She's already
25 been through it with the first husband. They got

1 involved in it. She knows what to do if she was getting
2 abused. She didn't do it. There is no record of it.
3 And that would certainly be corroboration and make her
4 testimony much more credible to the Court than it is.

5 So, I know why the statute is there, and I think
6 it's there for a good purpose. And if you look at the
7 legislative history and intent, it was designed to help
8 people who were the victims of long-term repeated abuse
9 at the hands of a household member. And I just don't
10 find that.

11 And I don't find credible evidence of any
12 long-term domestic abuse by a partner who was able to
13 put them in a home. I just don't find it. There may be
14 a little. There may be some. The best example being
15 somebody firing off a gun. There's a question about how
16 that was done.

17 It looks like he hit the safe in there, which was
18 metal and it wouldn't -- one of them went through. The
19 rest of them bounced the wall and ricocheted out. There
20 was none in the ceiling. Certainly that would be
21 evidence of, of domestic violence and cause somebody
22 somebody some fear. I would agree with that part of it.
23 But that's the only credible part that -- in what she's
24 presented. And I don't think it meets the test for
25 long-term domestic abuse.

ORDER OF THE COURT

1 For that reason, I'm gonna deny your motion for
2 early parole. And I think, I think I've had time to
3 dwell on it well enough to know. I've exercised all the
4 discretion I have. I've looked at everything, and
5 that's, that's my conclusion. Somebody might disagree
6 with me up the line. If they do, you know, they can
7 come up with a different opinion, but that's mine, okay?

8 MS. JONES: Your Honor, at this point based on
9 your ruling I would make a motion for reconsideration of
10 the sentence that was previously imposed. The -- when
11 Your Honor imposed a 45-year sentence, there was an
12 unknown issue of whether it would be 45 after this
13 hearing with a one-quarter parole eligibility versus a
14 day-for-day. Now that has been precluded. And since
15 that's a vastly different sentence, 45 at day-for-day,
16 I'm gonna ask Your Honor to consider a reduction.

17 THE COURT: Does the State wish to be heard on
18 that motion?

19 MR. HUNTER: Your Honor, I would state that I
20 think the ruling for that, there has to be some evidence
21 that you have to discuss when you made the ruling of 45.
22 I do believe you've now heard from an expert. You've
23 heard from other witnesses, so it would be appropriate
24 for you to make a reconsideration motion.

25 However, I would just briefly state, as you

1 stated in your findings of fact on specifically this
2 issue, is that we still believe that this was a
3 premeditated, planned murder. And then even after the
4 murder she got her kids involved. Her kid and a
5 boyfriend involved. She wrapped him up like a burrito,
6 dumped him in the woods and acted like she was gonna get
7 away with it. And so we'd ask that the sentence stand.

8 THE COURT: Well, let me say if I was sentencing
9 and there was no possibility of an early parole and that
10 was not an issue, in this case based on the facts of
11 this case, I still would not have given 45 years. And
12 so for that reason, in light of my ruling on this
13 motion, I will reconsider the sentence. I think it
14 would be appropriate to reconsider the sentence.

15 And for the sake of the victim's family, let me
16 just say that whatever sentence she gets, and if she's
17 not eligible for early parole, there is no parole, which
18 means she has to serve day-for-day, every year, every
19 day that she's sentenced. She cannot get early parole
20 or credit for anything she does there. No credit for
21 time served, no nothing.

22 And so, whatever sentence I give, she has to
23 serve the entire sentence. And so, I take that into
24 consideration to determine what's an appropriate
25 sentence in this case.

ORDER OF THE COURT ON MOTION TO RECONSIDER

1 Do you still have the sentencing sheet?

2 THE CLERK: Yes, sir.

3 THE COURT: You haven't recorded it yet? Well,
4 if I hadn't sentenced you -- oh, well, I did sentence
5 her.

6 THE CLERK: Yes, sir.

7 THE COURT: Has it already been recorded
8 somewhere?

9 THE CLERK: Yes, sir, but we can do it as a
10 revised or resentence.

11 THE COURT: Okay.

12 MS. JONES: Your Honor, would you like for her to
13 stand or do you just want her to sit?

14 THE COURT: No, that's fine. She can remain
15 where she is.

16 All right. The Court's decided to reconsider the
17 sentence. I think it's appropriate at this point, based
18 on everything I've heard, and I'm gonna reduce the
19 sentence to a 35-year sentence, from 45 to 35. That
20 still means she's got to serve 35 years day-for-day.
21 It'll be 35 years from today before she would be able to
22 get out of prison. And that's gonna put her at about 70
23 years old.

24 In any event, that's it. She's still gonna miss
25 everything about her children's lives and everything

1 going up, but that's the decision she made. It's
2 something she'll have to live with. All right, thank
3 you.

4 MS. JONES: Thank you for the reconsideration,
5 Your Honor.

6 (Hearing concluded at 3:38 p.m.)

7

8 --- THIS ENDS REQUESTED TRANSCRIPT ---

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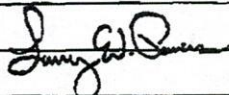
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WITNESSES

Spartanburg County Sheriff's Office



ARREST WARRANT NUMBER

2017A4210200717 Amended (Count One)

Direct Indictment (Count Two)

ACTION OF GRAND JURY

True Bill

Foreperson of Grand Jury

Date: JUN 07 2019

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO.

17-GS-42- 2256

The State of South Carolina

County of Spartanburg

Barry Barnette, Solicitor

COURT OF GENERAL SESSIONS

JUN 10 2019

TERM

THE STATE
vs.

Amy Taylor

Indictment for

COUNT ONE-MURDER, COUNT TWO-
POSSESSION OF WEAPON DURING
VIOLENT CRIME

SC Code 16-03-0010, 0020, 16-23-490

CDR Code 116, 549

Class FEL-EXM

CLERK
COUNTY
SPARTANBURG COUNTY
2019 JUN 12 AM 11:17

Pled guilty to Count I
Count II only

per plea agreement

6/28/19
6/28/19

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

INDICTMENT

JUN 07 2019

At a Court of General Sessions, convened on _____, the

Grand Jurors of Spartanburg County present upon their oath:

COUNT ONE-MURDER

The Defendant, Amy Taylor did in Spartanburg County on or about March 3, 2017, feloniously, willfully, and with malice aforethought, kill one James Sprouse, by shooting the victim and the victim died as a proximate result thereof, all in violation of Section 16-3-0010, 0020, Code of Laws of South Carolina, (1976, as amended).

COUNT TWO- POSSESSION OF WEAPON DURING VIOLENT CRIME

That the defendant, Amy Taylor, Jr did in Spartanburg County on or about March 3, 2017, visibly display and/or possess a firearm or knife during the commission or attempted commission of a violent crime, to-wit: Murder, in violation of Code §16-23-490, CODE OF LAWS OF SOUTH CAROLINA, (1976), as amended.

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


Assistant Solicitor

CERTIFICATE OF COUNSEL FOR APPELLANT

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

Respectfully Submitted,

RECEIVED
Sep 24 2020
SC Court of Appeals

s/Jessica M. Saxon

Jessica M. Saxon

Appellate Defender

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

ATTORNEY FOR APPELLANT

This 24th day of September, 2020.