

 ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM PICKENS COUNTY

Edward W. Miller, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CHRISTOPHER CLAYTON ROLLINS,

APPELLANT

Appellate Case No. 2012-213135

RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)
COUNTY OF PICKENS) IN THE COURT OF GENERAL SESSIONS

THE STATE)
-vs-) TRANSCRIPT OF RECORD
CHRISTOPHER ROLLINS,) 2011-GS-39-02042
DEFENDANT.) SEPTEMBER 18, 2012
PICKENS, SOUTH CAROLINA

B E F O R E:

THE HONORABLE EDWARD W. MILLER, JUDGE. ; And a Jury.

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

SAM TOOKER, ASSISTANT SOLICITOR
ATTORNEY FOR THE STATE

TEAL JOHNSON, ASSISTANT PUBLIC DEFENDER
ATTORNEY FOR THE DEFENDANT

MICHAEL R. WATTS
CIRCUIT COURT REPORTER

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1 (PROCEEDINGS, SEPTEMBER 18, 2012)

2 THE COURT: May I see the lawyers for just a
3 second up here?

4 (Off the record)

5 (Back on the record)

6 THE COURT: Ladies and gentlemen of the jury,
7 welcome to the courtroom, and I appreciate you all being
8 here. I didn't get a chance to talk with you yesterday, so
9 I will introduce myself. I am Ned Miller and I'm a Circuit
10 Judge in the 13th Circuit. My home office is in Greenville,
11 but it's always a pleasure for me to come to Pickens. I
12 come every chance that I get. So I hope you all are having
13 a pleasant week so far.

14 We are going to, as you know by now, going to
15 strike or qualify you all to serve as jurors in this
16 particular case. And in order for me to do that --

17 Y'all have to excuse me. I'm a little under the
18 weather.

19 But in order for us to do that, I have got to ask
20 you some more questions to make sure that the jury that is
21 picked in this case is fair and impartial, so let me just
22 ask you a few questions after I introduce the case to you.

23 The case we are going to try is the State of South
24 Carolina versus Christopher Clayton Rollins.

25 This is an indictment for failure to register as a

1 sex offender.

2 This indictment alleges that Christopher Clayton
3 Rollins did, in Pickens County, on or about the 19th day of
4 July of 2011, willfully, unlawfully and feloniously fail to
5 register or provide required notification of change of
6 address within ten days of establishing a new residence for
7 the sex offender registry after notice of this requirement,
8 in violation of the statutes and laws of this state.

9 Now, ladies and gentlemen, a couple of things I
10 want to tell you before we start is that this indictment is
11 nothing more than it appears to be, and that is a piece of
12 paper, and it contains allegations in the case, but it is
13 not evidence, and you should take no inference or make any
14 presumption with respect to guilt or innocence from the fact
15 that this piece of paper has been issued. Evidence will be
16 presented during a trial and that is the only thing that a
17 jury can base its decision on.

18 Also, please remember that every person charged
19 with a crime in this country is presumed to be innocent,
20 unless and until the charging body, which in this case is
21 the State, can prove to a jury beyond any reasonable doubt
22 each and every element of the offense that is charged
23 against that individual. So please keep that in mind
24 throughout the course of these proceedings.

25 Now, before I go any farther, I would ask the

1 attorneys to stand and introduce themselves and their
2 client.

3 MR. TOOKER: Thank you, Your Honor.

4 May it please the court, my name is Sam Tooker and
5 I'm an assistant solicitor here in Pickens County.

6 THE COURT: All right. Ms. Johnson.

7 MS. JOHNSON: May it please the court, my name is
8 Teal Johnson and I represent Chris Clayton Rollins.

9 THE COURT: All right. Ladies and gentlemen, is
10 there any member of the jury panel who is related by blood
11 or marriage, or who has a business, personal, or social
12 relationship with any of the attorneys involved in this case
13 or any member of the 13th Circuit Solicitor's Office? If
14 so, please stand.

15 (No response).

16 THE COURT: All right. Is there any member of the
17 jury panel related by blood or marriage to Mr. Christopher
18 Clayton Rollins? If so, please stand.

19 (No response).

20 THE COURT: I'm going to read a list of potential
21 witnesses. I need to know the same thing about these
22 persons, so please pay attention.

23 Is there any person related by blood or marriage,
24 or who has a business, personal, or social relationship with
25 either Pete Peters, Anthony Raines, or Patricia Garrett? If

1 so, please stand.

2 (No response).

3 THE COURT: Okay. Is there any member of the jury
4 panel who has any knowledge about the events that are
5 alleged in this indictment? If so, please stand.

6 (No response).

7 THE COURT: Is there any member of the jury panel
8 who is aware of any bias or prejudice towards either the
9 State or the defense? If so, please stand.

10 (No response).

11 THE COURT: Is there any member of the jury panel
12 who is a member of or a contributor to a group whose primary
13 concern is the promotion of law enforcement or victims
14 rights? Examples would be MADD, SADD or CAVE. If so,
15 please stand.

16 (No response).

17 THE COURT: Is there any juror who knows of any
18 reason whatsoever why he should not be selected to serve in
19 this case, with the particular emphasis on your ability to
20 be fair and impartial to both the State and the defense? If
21 you cannot do that, please stand.

22 (No response).

23 THE COURT: All right. Anything further from the
24 State?

25 MR. TOOKER: Nothing from the State, Your Honor.

1 THE COURT: From the defense?

2 MS. JOHNSON: No, Your Honor.

3 THE COURT: All right. Ladies and gentlemen, we
4 are going to strike the jury.

5 Five and five.

6 THE CLERK: Do you want them just to stand in
7 place?

8 THE COURT: When I call your name, please stand.
9 Juror number 167, Sally W. Smith.

10 What says the State?

11 MR. TOOKER: Please present Ms. Smith.

12 THE CLERK: The defense?

13 MS. JOHNSON: Please seat the juror.

14 THE CLERK: Please come have a seat in the jury
15 box.

16 Juror Number 14, Sherry J. Baker.

17 What says the State?

18 MR. TOOKER: Please present Ms. Baker.

19 THE CLERK: The defense?

20 MS. JOHNSON: Please excuse the juror.

21 THE CLERK: Please have a seat.

22 Juror Number 149, Franklin C. Roper.

23 What says the State?

24 MR. TOOKER: Please excuse Mr. Roper.

25 THE CLERK: Please have a seat.

1 Juror Number 35, Anthony E. Coogler.

2 What says the State?

3 MR. TOOKER: Please present Mr. Coogler.

4 THE CLERK: What says the defense?

5 MS. JOHNSON: Please seat the juror.

6 THE CLERK: Please come have a seat in the jury
7 box.

8 Juror Number 97, Trinidy J. Lyda.

9 What says the State?

10 MR. TOOKER: Please excuse Mr. Lyda.

11 THE CLERK: Excused?

12 MR. TOOKER: Yes, ma'am.

13 THE CLERK: Please have a seat.

14 Juror Number 121, Nadine L. Mulligan.

15 What says the State?

16 MR. TOOKER: Please present Ms. Mulligan.

17 THE CLERK: The defense?

18 MS. JOHNSON: Please excuse this juror.

19 THE CLERK: Please have a seat.

20 Juror Number 147, Joshua K. Rogers.

21 What says the State?

22 MR. TOOKER: Please present Mr. Rogers.

23 THE CLERK: The defense?

24 MS. JOHNSON: Please seat the juror.

25 THE CLERK: Please have a seat in the jury box.

1 Juror Number 47, Harold W. Esler.
2 What says the State?
3 MR. TOOKER: Please present Mr. Esler.
4 THE CLERK: The defense?
5 MS. JOHNSON: Please seat the juror.
6 THE CLERK: Please have a seat.
7 Juror Number 116, Tommy L. Moore.
8 What says the State?
9 MR. TOOKER: Please present Mr. Moore.
10 THE CLERK: The defense?
11 MS. JOHNSON: Please excuse the juror.
12 THE CLERK: Please have a seat.
13 Juror Number 54, Robert D. Fowler.
14 What says the State?
15 MR. TOOKER: Please present Mr. Fowler.
16 THE CLERK: The defense?
17 MS. JOHNSON: Please seat the juror.
18 THE CLERK: Please have a seat in the jury box.
19 Juror Number 166, Melton S. Smith.
20 What says the State?
21 MR. TOOKER: Please present Mr. Smith.
22 THE CLERK: The defense?
23 MS. JOHNSON: Please seat the juror.
24 THE CLERK: Please have a seat in the jury box.
25 Juror Number 196, Melissa W. Whitmire.

1 What was your name before?
2 JUROR NUMBER 196: Willis.
3 THE CLERK: Willis.
4 It was Melissa Willis, but it's now Whitmire.
5 What says the State?
6 MR. TOOKER: Please present Ms. Whitmire.
7 THE CLERK: The defense?
8 MS. JOHNSON: Please seat the juror.
9 THE CLERK: Please have a seat in the jury box.
10 Juror Number 110, Jonathan J. Michael.
11 What says the State?
12 MR. TOOKER: Please excuse Mr. Michael.
13 THE CLERK: Juror Number 154, Terry D. Sexton.
14 What says the State?
15 MR. TOOKER: Please present Mr. Sexton.
16 THE CLERK: The defense?
17 MS. JOHNSON: Please seat the juror.
18 THE CLERK: Please have a seat in the jury box.
19 Juror Number 69, Diane C. Hamlin.
20 What says the State?
21 MR. TOOKER: Please present Ms. Hamlin.
22 THE CLERK: The defense?
23 MS. JOHNSON: Please seat the juror.
24 THE CLERK: Please have a seat in the jury box.
25 Juror Number 19, Allan B. Bomar.

1 What says the State?

2 MR. TOOKER: Please excuse Mr. Bomar.

3 THE CLERK: Juror Number 198, Crystal W. Worley.

4 What says the State?

5 MR. TOOKER: Please present Ms. Worley.

6 THE CLERK: The defense?

7 MS. JOHNSON: Please seat the juror.

8 THE CLERK: Please have a seat in the jury box.

9 Juror Number 87, Kelly R. Juarez.

10 What says the State?

11 MR. TOOKER: Please present Ms. Juarez.

12 THE CLERK: The defense?

13 MS. JOHNSON: Please excuse this juror.

14 THE CLERK: Juror Number 73, James T. Hedgepath.

15 What says the State?

16 MR. TOOKER: Please present Mr. Hedgepath.

17 THE CLERK: The defense?

18 MS. JOHNSON: Please seat the juror.

19 THE CLERK: Please have a seat in the jury box.

20 Juror Number 180, John W. Vess, Jr..

21 What says the State?

22 MR. TOOKER: Please present Mr. Vess.

23 THE CLERK: The defense?

24 MS. JOHNSON: Please seat the juror.

25 THE CLERK: Please have a seat in the jury box.

1 THE COURT: Do you need an alternate?

2 MR. TOOKER: I don't think so, Your Honor.

3 MS. JOHNSON: No, Your Honor.

4 THE COURT: All right. Is there any exception or
5 objection to the jury as impaneled pursuant to Batson or
6 Jefferies?

7 MR. TOOKER: No, sir, Your Honor.

8 MS. JOHNSON: No, Your Honor.

9 THE COURT: All right, ladies and gentlemen, I'm
10 sorry that you didn't get this opportunity to serve. I hope
11 that you get another chance this week. I honestly believe
12 if you are selected, you will find it to be a very rewarding
13 experience, but with that, ladies and gentlemen, I will
14 excuse you all for the remainder of the day and ask you all
15 to call back tonight after six o'clock. Thank you.

16 (Whereupon, the Jury Venire Panel left the
17 courtroom)

18 THE COURT: All right, ladies and gentlemen, I
19 want to thank you all for being here and appreciate the
20 sacrifices that you have made in coming to serve your fellow
21 citizens.

22 We are -- as you are aware, we are about to start
23 this trial. I want to tell you that we have a dispute about
24 the facts in this case which can't be resolved in any
25 fashion other than to ask a jury to come and sit and listen

1 to the evidence and the law in this case and make a decision
2 which will resolve the dispute. We appreciate you being
3 here and that's what your job is.

4 I would remind you again that the indictment
5 that's issued in this case is not evidence and you should
6 not take any inference or make any presumption with respect
7 to guilt or innocence simply from the fact that an
8 indictment, an arrest warrant, or any other document has
9 been issued in this case. The decision which will resolve
10 this dispute will be based on evidence which would be
11 presented in this courtroom and it generally comes in as one
12 of three ways. The way that we most commonly think of would
13 be by oral testimony from this witness stand.

14 The second common way is through the introduction
15 of tangible items or documents.

16 And the third common way is through a stipulation
17 of the attorneys, where they agree that some fact or so
18 beyond dispute that you all should except it as true.

19 That's what the decision resolving this dispute
20 would be based on, that and the law that you will hear
21 throughout the course of the trial.

22 I want to remind you that fundamental to our
23 system of justice and our freedoms is that everyone who is
24 charged with a crime in this country is presumed to be
25 innocent, unless and until the charging body can prove

1 beyond any reasonable doubt each and every element of the
2 offense that is alleged. Please keep that in mind
3 throughout the course of the trial.

4 The burden is always on the party that has made
5 the allegation. So remember that, that the burden is always
6 on the State in this case.

7 You can divide a trial into many parts. I break
8 them into five parts, just for your benefit, so you have an
9 idea procedurally where we are in the trial. The parts are
10 not of equal length, but the first part we are going to
11 start in just a second would be the opening statements to
12 you from the attorneys. And those are brief,
13 non-argumentative statements.

14 The second part is the meat and potatoes of every
15 case, and that is the presentation of the evidence in the
16 case.

17 The third part of the trial would be after all the
18 evidence is admitted, the attorneys will make their closing
19 arguments to you, where they advocate their position.

20 The fourth part of the trial would be when I give
21 you the law, charge you the law in the case.

22 And then the fifth part of the trial would be when
23 you all retire to the jury room and deliberate this matter
24 and resolve this dispute.

25 So I'll ask you to do probably a number of things

1 throughout the course of the trial, but there are three main
2 things that I ask you to do.

3 The first is to keep an open mind. We ask all
4 these questions, we ask all -- Judge Welmaker asked the
5 questions yesterday and I asked these questions today to
6 ensure that we have a fair and impartial jury. So don't
7 make up your mind until the end of the case. Keep an open
8 mind throughout the course of the trial. Listen to all the
9 evidence and all the law before you make a decision.

10 The second thing I ask you to do is to pay
11 attention. It sounds very simple, but if you are to
12 daydream a limit bit, let your mind drift, you might miss an
13 important piece of evidence; perhaps a way a witness acts on
14 the witness stand, which might put you at a disadvantage in
15 your discussions at the end of the case. So please pay
16 attention.

17 And then finally I ask you and instruct you not to
18 discuss this case with anyone until you are free to
19 deliberate at the end of the case. That means don't talk
20 about it among yourselves. Don't talk about it with a
21 bailiff. If we go to lunch, don't talk about it with
22 anybody that you might see on the street, because even an
23 innocent comment from someone who you'd like to trust would
24 impact your state of mind with respect to this case and that
25 wouldn't be fair to the parties here. It wouldn't be fair

1 to your fellow jurors, and it wouldn't be fair to yourself
2 to allow someone who is not making the sacrifices that you
3 are making to have any input in the outcome of the case. So
4 don't talk about it until you are free to deliberate at the
5 end of the trial.

6 I want to tell you briefly that you all are the
7 sole judges of the facts; that is, you all are to decide
8 what to believe and what not to believe, what is true and
9 what is not true.

10 The law does not allow a trial judge to have any
11 opinion about the facts of the case, so don't think by
12 anything I say or do throughout the course of the trial that
13 I have an opinion. I do not and the law does not allow it.

14 That same law makes me the sole judge of the law
15 in the case. So if you have any opinion about the law, what
16 it should be or what it is and it disagrees with what I tell
17 you the law is throughout the course of the trial, at the
18 end of the case, you are going to swear an oath in just a
19 second to set aside your own opinion and apply the law
20 precisely as I state it to you.

21 With that, ladies and gentlemen, I'm going to ask
22 you to stand and I'll ask our Clerk of Court to swear you
23 in.

24 THE CLERK: Please raise your right hand. And
25 after the oath is administered, please say I will.

1 You shall well and truly try the issues joined in
2 this case of the State versus Christopher Clayton Rollins
3 and a true verdict render according to the law and evidence,
4 so help you God.

5 JURY PANEL: (Collectively said I will.)

6 THE CLERK: Thank you.

7 THE COURT: Thank you very much, ladies and
8 gentlemen.

9 Mr. Tooker.

10 MR. TOOKER: Yes, sir, Your Honor.

11 May it please the court?

12 THE COURT: Yes, sir.

13 MR. TOOKER: Ladies and gentlemen of the jury, I
14 introduced myself briefly a moment ago, but my name is Sam
15 Tooker and I work here in the courthouse with the
16 solicitor's office, and I'm here today with the case for you
17 to decide.

18 The judge gave you a really good instruction when
19 he said that you guys are the ultimate fact finders. Y'all
20 determine what's the truth and if the defendant is, in fact,
21 guilty of the crime that the State is alleged that he's
22 committed.

23 Now, the crime that he's alleged to have committed
24 is failing to register as a sex offender. In this state,
25 and in other states, if you are on what we call the sex

1 offender registry for certain convictions, criminal
2 convictions, then you have to register with an agency in the
3 county in which you reside.

4 What the State is going to show you through
5 testimony and evidence is that the defendant did not do
6 that; that he was in Anderson County and he moved to Pickens
7 County. Pickens County became aware that he was living
8 here, went down and told him to register, gave him an extra
9 day and he did not do that. So that's what the State would
10 propose to show you today.

11 It should be a quick trial. I don't anticipate
12 that it taking very long, so you're in luck. You don't have
13 to spend three days here, you know, hearing fifty witnesses.
14 You know, it's probably going to be two or three.

15 And at the close of the case I will come back up
16 before you and I'll explain to you why it is that based on
17 that evidence I think the defendant is guilty. And you guys
18 will go back and make the determination based on your
19 experiences in your life and what you know and what you have
20 seen with your own eyes in this case. So really that's
21 about it. I'll be quick.

22 I do want to say one thing too. The judge was
23 telling you about the State's burden. The State's burden is
24 beyond a reasonable doubt. That's an important burden. We
25 have the burden in the case and that's what we have to prove

1 to you, but I do want you to think, too, you know, there
2 have been a lot of criminal cases in the history of our
3 country, going back to 1883 was our Constitutional
4 Convention. I might be wrong on that, don't quote me, but
5 we have had the same burden and the same jury system since
6 that time. So any time anybody has been charged with a
7 criminal offense in this country, be it at the federal
8 level, or the state level, or the magistrate's level, there
9 have been jury trials and the burden on the State has been
10 beyond a reasonable doubt. So every time somebody has been
11 found guilty in this country, it is because the State has
12 met that burden, so it is not an insurmountable burden. I
13 want you to remember that and concentrate on the testimony
14 and concentrate on the evidence and at the end I trust that
15 you will make the correct decision in this case. Thank you.

16 THE COURT: Ms. Johnson.

17 MS. JOHNSON: May it please the court?

18 THE COURT: Yes, ma'am.

19 MS. JOHNSON: Mr. Tooker.

20 Ladies and gentlemen of the jury, my name is Teal
21 Johnson and I am pleased to represent Chris Rollins, who is
22 seated over at counsel table.

23 Now, a little bit about Mr. Rollins before we
24 begin. Mr. Rollins is in his thirties. He is a jack of all
25 trades. He's done landscaping. He's done hardwood floor

1 repairs. He's done restaurant work.

2 Obviously we are here today for a charge of
3 failure to register as a sex offender, and I want to remind
4 you that that is merely a charge. The warrant and the
5 indictment mean nothing. Your verdict, however, means
6 everything.

7 So back to this failure to register charge.

8 Again, it is just a charge that the State has
9 alleged that my client didn't do what he was supposed to do.

10 Now, let's talk about what we are not here to do
11 today, okay? Mr. Rollins was placed on the registry as a
12 result of an adjudication he received as a juvenile. You
13 will learn this in this trial. He did not get a conviction.
14 He was a young man, and as a result of a mistake he made as
15 a young man, as a young teenager, he is on the registry. We
16 are not disputing that, but I want to ask you to keep that
17 in mind, okay? He has paid for that offense, and you are
18 not here today to judge him for that offense, okay? You are
19 here today to judge whether or not he registered or did what
20 he was supposed to do as prescribed by law.

21 Now, I'm going to ask that you do a couple of
22 things throughout this trial.

23 The first one, as His Honor instructed, is keep an
24 open mind, okay? With this charge you probably want to
25 close your arms and close your mind. Do not do that. My

1 client is entitled to a fair trial. This is his day in
2 court. He has waited over a year to come to court and he's
3 entitled to a fair trial.

4 Just as it is an important day for him, it's an
5 important day for you as well. You get to participate in
6 one of the greatest systems the world has ever seen. And I
7 know I sound like a cheesy commercial for America, but we
8 have got a system in place where we could hold our
9 government, the big powerful government with all of its
10 force and might that it is against an individual. Think
11 about what a neat dynamic or a neat benefit that is as
12 citizens.

13 Now, I'm also going to ask that you, you know,
14 don't close your arms and don't close your minds to this
15 when you hear the evidence. Listen to the evidence and then
16 make your decision. After the close of the evidence and
17 when you are in your deliberation, then you can determine
18 what the evidence means.

19 I'm also going to ask that you question
20 everything. Question everybody's motives. Question their
21 intentions. Dig beneath the surface. I think once you dig
22 beneath the surface you will discover the truth.

23 And I also ask that you keep in mind one concept,
24 and that concept is common courtesy, common decency to our
25 fellow man. If you will keep that in mind throughout this

1 trial, at the end of this trial, at the close of the
2 evidence, I will come back to you and explain to you what
3 that means. And at the end of this trial I'm going to ask
4 that you find my client not guilty. Thank you.

5 THE COURT: All right, Mr. Tooker.

6 MR. TOOKER: Yes, sir, Your Honor.

7 The first thing, just a little housekeeping, per
8 Rule 902 of the South Carolina Rules of Evidence, I have got
9 two true copies from the Clerk of Court's Office of the
10 defendant's juvenile adjudication for criminal sexual
11 conduct in the first degree with a minor, and I would like
12 to have those admitted as State's 1 and 2.

13 THE COURT: From the defense?

14 Well, y'all come up here for a second.

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

17 THE COURT: Ladies and gentlemen, I neglected to
18 tell you in my opening comments to you that there might be
19 from time to time throughout the course of this, and every
20 trial, I might have to discuss matters with the attorneys
21 outside of your presence. And you all -- well, we are not
22 talking behind your back, but we -- we are not trying to
23 deceive you, but we might be trying to keep something from
24 you. As you can imagine, we talk about things that perhaps
25 might or might not be appropriate for you all to hear. And

1 if it's not appropriate, of course, you can understand why
2 we would excuse you while we discuss that.

3 The other thing I would like to do is ask you all
4 to see if you can decide who you would like to be your
5 foreperson. The foreperson is the moderator of the
6 discussions at the end of the case and the jury spokesperson
7 in the courtroom, should that become necessary.

8 So I'm going to excuse you all back to the jury
9 room and see if you all can, in the spirit of this election
10 season, pick your own foreperson. If not, I'll be happy to
11 do it for you, okay? Thank you.

12 (The following takes place outside the presence of
13 the jury panel)

14 MR. TOOKER: Will you mark these as 1 and 2,
15 please?

16 (Order of Commitment marked as Court's Exhibit No.
17 1 for identification)

18 (Order of Commitment marked as Court's Exhibit No.
19 2 for identification)

20 THE COURT: All right, what do you y'all want?

21 I'm looking at two certified copies of orders of
22 commitment dated from August of 1995.

23 MR. TOOKER: Yes, sir, Your Honor.

24 The State wants to introduce those per Rule 902 of
25 the Rules of Evidence as self-authenticating documents and

1 publish them to the jury.

2 Ms. Johnson said that they don't dispute the fact
3 that he had the adjudications and so I would like to
4 introduce them and publish them.

5 MS. JOHNSON: Judge, I would object and I would
6 just ask that some sort of foundation be laid.

7 THE COURT: Well, I'm more concerned with the 403
8 analysis of the prejudice outweighing the probative value.

9 You acknowledged it. Are you stipulating that he
10 is required to register on the sex offender registry?

11 MS. JOHNSON: Judge, I am.

12 I just would like a chance to cross-examine
13 someone as to why he was placed on the registry as -- that
14 he was placed on the registry as a result of an adjudication
15 as opposed to a conviction, and I think that difference is
16 extremely important in this case.

17 MR. TOOKER: Your Honor, I told Ms. Johnson before
18 trial that I would stipulate that he was on the registry for
19 a juvenile adjudication. We didn't have to talk about what
20 the charge was or anything. So --

21 MS. JOHNSON: And, judge, I'm just worried that
22 the jury is not going to know what an adjudication is.

23 MS. TOOKER: I think Ms. Johnson can explain that
24 in closing, if she would like.

25 THE COURT: Well -- and I can't -- you know, I

1 think they are admissible under 902.

2 I can't make the solicitor call a witness so you
3 can cross-examine them. You will have an opportunity to
4 call a witness, if you need to. So I will --

5 I am more concerned that the jury is going to see
6 that he has been convicted of these other offenses and that
7 they might -- you know, I'm worried about the prejudicial --
8 I mean, CSC with a minor in the first is a very serious
9 offense and I would hate the jury to be prejudiced against
10 your client because they know what the underlying charge is.

11 MR. TOOKER: And, Your Honor, the State is still
12 willing to stipulate juvenile adjudication puts him on the
13 registry.

14 And Ms. Johnson is still free to call somebody if
15 she would like and ask them about juvenile adjudications.
16 The State is not opposed to that.

17 MS. JOHNSON: I just don't -- the burden is not on
18 me to prove --

19 THE COURT: No, he's got to prove the elements of
20 his offense.

21 MS. JOHNSON: Judge, I mean, it's a -- it's a
22 sticky wicket, but, you know, I want the jury to hear the
23 fact that my client was fourteen when this happened and that
24 he did not get the benefit of a jury system to adjudicate
25 him.

1 MR. TOOKER: The State will stipulate that he was
2 adjudicated in juvenile court, that it was not in front of a
3 jury, and that he was fourteen when charged, fifteen when
4 convicted.

5 MS. JOHNSON: Okay.

6 THE COURT: All right.

7 MS. JOHNSON: We will go with that.

8 THE COURT: And we will just add these for the
9 court record as Court exhibits.

10 MR. TOOKER: And while we have the jury out, Your
11 Honor, I think it might be a good time. We would do a
12 Jackson v. Denno on Detective Raines, just so we don't have
13 to interrupt the trial.

14 THE COURT: Yeah. Okay. Go ahead.

15 MR. TOOKER: The State calls Detective Raines to
16 the stand.

17 DETECTIVE ANTHONY RAINES, having been first duly
18 sworn, testified as follows:

19 THE CLERK: Have a seat and state your name for
20 the record, please.

21 THE WITNESS: I'm Anthony Raines.

22 DIRECT EXAMINATION BY MR. TOOKER:

23 Q. Detective Raines, do you know why you are here today?

24 A. I do.

25 Q. And why is that?

1 A. For the trial of Christopher Rollins for failure to
2 register.

3 Q. Okay. And do you know the defendant Mr. Rollins?

4 A. Just through this investigation.

5 Q. Okay. And would you just outline for the court what
6 you did in this investigation?

7 A. I was notified on the 11th of July, 2011, that Mr.
8 Rollins had moved into Pickens County from Anderson County.

9 Upon that notification, I started an investigation on
10 the 18th of July. I went to Mr. Rollins' residence, being
11 that he had not come and registered since I had been
12 notified.

13 Q. What was that residence?

14 A. [REDACTED] in Central, which is inside
15 Pickens County.

16 Q. And did you encounter Mr. Rollins?

17 A. I did. I knocked on the door. Mr. Rollins came to the
18 door. I introduced myself and at that time I asked him how
19 long he had been living at that residence. He told me that
20 had been there for about a month.

21 I told him why I was there, because he had not come in
22 and registered. I told him he needed to come and register
23 because of his statutory obligations to register within
24 three days of his moving into that residence.

25 I told him at that point that I was not there to arrest

1 him at that time, that I understood that he possibly didn't
2 know the statutory obligations, so I would give him until
3 the next day, the end of the next business day, which would
4 have been the 19th of July to come in and register.

5 Q. Okay. So what did he tell you about how long he had
6 been living there?

7 A. He told me he had been there about a month.

8 Q. Okay. And at that residence?

9 A. Yes.

10 Q. In Pickens County?

11 A. Yes.

12 Q. Now, was he under arrest at this point?

13 A. No.

14 Q. Was he in handcuffs?

15 A. No.

16 Q. Were you cornering him?

17 A. No.

18 Q. Was he intoxicated?

19 A. No.

20 Q. How do you know he wasn't intoxicated?

21 A. Just through my knowledge and experience. I mean, he
22 didn't appear intoxicated at all to me. I didn't smell any
23 alcoholic beverage coming from him or anything.

24 Q. Okay. Did you arrest him at that point?

25 A. No.

1 Q. Okay. And so you told him that he could come in the
2 next day, by the end of the day, and register?

3 A. I did.

4 Q. Did he do that?

5 A. No, he did not.

6 Q. Okay. So when he failed to do that, what did you do?

7 A. I called him the next day and asked him why he had not
8 come in and registered. He told me at that point that he
9 didn't have a ride, so he started walking, but it got hot so
10 he turned around and went back home.

11 Q. Okay.

12 A. So at that point I contacted Mr. Peters, who is our sex
13 offender registrar, and told him that Mr. Rollins would not
14 be coming in that day, because I had told him previously to
15 expect him and that I would be seeking warrants for his
16 arrest.

17 Q. Okay. On what date did you arrest him?

18 A. I sought the warrant on the 20th. I went to the judge,
19 the magistrate with that, and I believe he was arrested on
20 the 21st.

21 Q. Okay.

22 MR. TOOKER: No further questions.

23 THE COURT: Okay.

24 MS. JOHNSON: Your Honor, at this time I do not
25 have any questions.

1 THE COURT: All right. Any motion with respect to
2 the statement?

3 MS. JOHNSON: No, Your Honor.

4 THE COURT: Okay. Thank you.

5 You can step down.

6 I'm going to admit the statement.

7 MR. TOOKER: And, Your Honor, could I look at
8 the 1 and 2?

9 THE COURT: Let's just take a couple of minutes.

10 MR. TOOKER: Okay.

11 I would like to prepare a stipulation to be read
12 to the jury real quick.

13 THE COURT: Okay.

14 MR. TOOKER: Is that fine with you?

15 MS. JOHNSON: Yes.

16 (Whereupon, proceedings were recessed)

17 (Whereupon, proceedings were reconvened).

18 THE COURT: Are you all ready to go?

19 MS. JOHNSON: Judge, I have three things, briefly.

20 THE COURT: Three?

21 MS. JOHNSON: Yes, sir, Your Honor.

22 The first issue is we have got a tape of a
23 preliminary hearing, and I believe Mr. Tooker will
24 stipulate.

25 MR. TOOKER: I will stipulate to its

1 admissibility.

2 MS. JOHNSON: The second item --

3 THE COURT: Wait a minute. Are you going to admit
4 it?

5 MS. JOHNSON: No. In case I need to impeach.

6 THE COURT: Okay.

7 MS. JOHNSON: The second item of business is I'm
8 going to object to Mr. Peters' testimony in its -- or in its
9 entirety. I think the State is offering him as an expert in
10 sex offender registry, and I didn't -- I don't know that
11 there is such an animal, but I -- I don't know for what
12 purpose they are trying to offer him, and I'm just going to
13 make a general --

14 THE COURT: An anticipatory objection?

15 MS. JOHNSON: Yes, sir, Your Honor.

16 THE COURT: Well, until I know what it is I can't
17 rule on it.

18 MS. JOHNSON: Okay.

19 THE COURT: That was two.

20 MS. JOHNSON: I lost my train of thought, Your
21 Honor.

22 Oh, if you will allow us to reserve the right to
23 call Ms. Garrett in our --

24 THE COURT: Ms. Garrett?

25 MS. JOHNSON: Patricia Garrett from the clerk's

1 office. We failed to provide a witness list which included
2 her name.

3 MR. TOOKER: I had her on mine. That's fine with
4 me.

5 THE COURT: Okay.

6 MS. JOHNSON: Thank you, Your Honor.

7 THE COURT: We will check with Ms. Garrett and see
8 if it's fine with her.

9 MR. TOOKER: I think she's excited.

10 THE COURT: Are you all ready.

11 (Stipulation marked as State's Exhibit No. 1 for
12 identification).

13 THE COURT: Mr. Hedgepath is our foreperson.

14 MR. TOOKER: He's a lawyer.

15 THE COURT: Huh?

16 MR. TOOKER: He's a lawyer.

17 THE COURT: Okay. He's our foreperson today.

18 Who is he working for?

19 MR. TOOKER: I think he said he works for either
20 Nexsen, Pruett or Hayneworth, one of the two.

21 THE CLERK: I think it was Nexsen.

22 MR. TOOKER: Nexsen.

23 THE CLERK: Uh-huh.

24 THE COURT: We all ready to go?

25 MR. TOOKER: Yes, sir.

1 THE COURT: Okay.

2 (The following takes place in the presence of the
3 jury pane)

4 THE COURT: Mr. Hedgepath, thank you for agreeing
5 to serve. I always want to ask if he was out of the room
6 when you all voted or something, I don't know, but thank you
7 for agreeing to serve. And with that we will resume the
8 trial.

9 MR. TOOKER: Thank you, sir.

10 May it please the court?

11 THE COURT: Yes.

12 MR. TOOKER: At this time point, Your Honor, the
13 State moves what's marked as State's 1, a stipulation, into
14 evidence. I would like to publish for the jury.

15 THE COURT: All right. Yes.

16 MR. TOOKER: The defendant, Mr. Christopher
17 Clayton, stipulates to the following:

18 "1. That as a fourteen year old juvenile, the
19 defendant was charged with an offense that required sex
20 offender registry.

21 "2. That as a fifteen year old juvenile the
22 defendant pleads guilty in the Family Court of Pickens
23 County, South Carolina, to that same offense, which required
24 that he register as a sex offender.

25 "3. The defendant is required to register as a

1 sex offender per that juvenile adjudication to a conviction
2 under South Carolina Code of Laws Section 23-3-430.

3 "4. The defendant's plea constitutes a juvenile
4 adjudication."

5 The State is prepared to call Pete Peters, sir.

6 THE COURT: All right.

7 PETER PETERS, having been first duly sworn,
8 testified as follows:

9 THE CLERK: Have a seat and state your name for
10 the record, please.

11 THE WITNESS: Peter J. Peters.

12 DIRECT EXAMINATION BY MR. TOOKER:

13 Q. Mr. Peters, where do you work, sir?

14 A. The pickens County sheriff's office.

15 Q. And what do you do there?

16 A. I register sex offenders in Pickens County.

17 Q. And did you register the defendant, Mr. Christopher
18 Rollins?

19 A. Yes, I did.

20 Q. What was the first day that you registered him?

21 A. July 22nd, 2011.

22 Q. Okay. And what is it that you do with people who have
23 to register? What's required?

24 A. It depends on their convictions. Some I register twice
25 a year. Some I register four times a year.

1 Q. Okay.

2 A. As a sex offender in Pickens County you have to
3 register for life.

4 Q. Okay. And what are the rules about moving counties?

5 A. When you move from county to county --

6 MS. JOHNSON: Judge, I'm going to object to this.

7 A. -- you --

8 THE COURT: Wait, wait, wait.

9 MS. JOHNSON: You administer the law. You give
10 the law, not Mr. Peters.

11 THE COURT: All right.

12 MR. TOOKER: Are you sustaining that?

13 THE COURT: Well, ask your question again.

14 MR. TOOKER: My question to him was what sex
15 offenders must do when they move into Pickens County.

16 THE COURT: Okay. That's all right.

17 MR. TOOKER: Okay.

18 BY MR. TOOKER:

19 Q. So what does the sex offender have to do when he moves
20 into Pickens County?

21 A. He's got three days to come in and register with me --

22 Q. Okay.

23 A. -- from the county that he moves in from.

24 Q. And if somebody doesn't do that, what do you do?

25 A. If he doesn't register with me, I usually turn the case

1 over to the deputy that I'm working with and he follows up
2 on it and he decides what to do from there.

3 Q. Okay. All right.

4 MR. TOOKER: No further questions, and I tender
5 the witness to Ms. Johnson.

6 MS. JOHNSON: May it please the court?

7 THE COURT: Yes, ma'am.

8 CROSS EXAMINATION BY MS. JOHNSON:

9 Q. Okay. Mr. Peters, so your first contact with Mr.
10 Rollins was July 22nd?

11 A. Yes.

12 Q. You didn't know anything about this case until July
13 22nd?

14 A. I knew that Anthony had a warrant on him.

15 Q. You didn't have a report opened, an investigation
16 going?

17 A. Any investigation would be through Anthony --

18 Q. Okay.

19 A. -- not me.

20 Q. Your personal --

21 A. I just register.

22 Q. Your personal knowledge you had no dealings with him
23 until July 22nd?

24 A. Not personally.

25 Q. Okay. So you never talked to Mr. Rollins on the

1 phone --

2 A. Previously?

3 Q. -- previously?

4 A. No.

5 Q. Okay. And you never made a promise that you would send
6 a car out to get him?

7 A. No.

8 Q. Okay. And you didn't receive any kind of notification
9 from Anderson that he had moved? Was that you or was that
10 Detective Raines?

11 A. The -- there is -- it was -- when he left Anderson it
12 would have been that I would get notification that he's
13 going to be coming to Pickens County.

14 Q. So you did have knowledge before July 22nd about Mr.
15 Rollins?

16 A. Yes, I knew that we had an arrest warrant for him for
17 not registering.

18 Q. No, that's not my question.

19 You knew that Anderson -- or Anderson had notified you
20 that Mr. Rollins had moved?

21 A. Every county --

22 Q. So the answer is yes?

23 A. Yes.

24 Q. Thank you.

25 MS. JOHNSON: And that's all I have for this

1 witness.

2 THE COURT: All right. Any redirect?

3 MR. TOOKER: No, sir, Your Honor.

4 THE COURT: All right. Thank you. You can step
5 down.

6 MR. TOOKER: The State next calls Detective
7 Raines.

8 DETECTIVE ANTHONY RAINES, having been first duly
9 sworn, testified as follows:

10 THE COURT: Have a seat and state your name for
11 the record, please.

12 THE WITNESS: Anthony Raines.

13 DIRECT EXAMINATION BY MR. TOOKER:

14 Q. Where do you work, sir?

15 A. The Pickens County sheriff's office.

16 Q. How long have you worked there?

17 A. Six years.

18 Q. In what capacity are you currently working?

19 A. Currently I'm a detective.

20 Q. Okay. And what is it that you have to do with the sex
21 offender registry?

22 A. At the -- at this point nothing, but at the time of
23 this case I did do all the sex offender investigations.

24 Q. And what does that mean exactly, sex offender
25 investigations?

1 A. If an offender failed to register as they were supposed
2 to by law, then Mr. Peters would notify me and I would go
3 out and conduct an investigation to determine whether they
4 were in violation of the law or whether they were in
5 compliance.

6 Q. Okay. All right.

7 Now, how is it that you got to encounter the defendant,
8 Mr. Rollins?

9 A. Well, on the 11th of July, 2011, I did receive
10 notification from Mr. Peters that he had been notified by
11 Anderson County that Christopher Clayton Rollins was moving
12 into our county. I held onto that information.

13 On the 18th I checked back. He had not registered.

14 Q. Okay. So the 11th you became aware that he was living
15 here in Pickens County?

16 A. Yes.

17 Q. And then the 18th you checked back and he still had not
18 yet registered with Mr. Peters?

19 A. That's correct.

20 Q. Okay. Now, continue, I'm sorry.

21 A. On the 18th, once I determined that he had not
22 registered, I went out to his residence at [REDACTED]

23 [REDACTED], which is in Central.

24 Q. Is that in Pickens County, South Carolina?

25 A. It is in Pickens County.

1 Q. Okay.

2 A. I went out to the residence to attempt to make contact
3 with him to make sure that he did live at that residence.

4 Q. Did you have occasion to talk to Mr. Rollins?

5 A. I did. I knocked on the door. He came to the door.

6 Q. Would you just for a moment, please, identify Mr.
7 Rollins in the courtroom?

8 A. He's -- Mr. Rollins is the defendant sitting at the
9 defense table.

10 Q. Okay. And when you talked to him, where were y'all
11 standing?

12 A. Standing on the porch, the front porch.

13 Q. His porch?

14 A. Yeah, his porch.

15 Q. Okay. Now, was he under arrest at that point?

16 A. No.

17 Q. Well, why hadn't you placed him under arrest?

18 A. I gave him an opportunity. I just asked him, you know,
19 did you -- "how long have you lived here?"

20 He said, "about a month."

21 I said, "well, you know you are supposed to come in and
22 register as a sex offender, to be on the sex offender
23 registry?"

24 Yeah."

25 Q. So what's the window for doing that?

1 A. Three days. At that time it was three days.

2 And he -- he verified that he knew he was supposed to
3 register.

4 Q. Okay. So he says he had been living there a month and
5 then he knew he was supposed to be registered and he hadn't
6 done it?

7 A. Correct.

8 Q. He told you both those things?

9 A. Yes.

10 Q. Okay.

11 A. I told him he needed to come in. I said "I'll give you
12 to the end of the business day tomorrow," which would have
13 been the 19th. I said "you know, Mr. Peters will be there
14 tomorrow. If you will come in by the end of the day
15 tomorrow I won't get arrest warrants for you. You know, I
16 will give you that one opportunity," and he agreed that he
17 would come in by the next day, the end of the next day.

18 Q. Now, did you have occasion to talk to him again after
19 that?

20 A. I did. On the 19th, about four o'clock in the
21 afternoon, he had not come back in. So just recollection is
22 it was 3:30, four o'clock, somewhere in that area, and I
23 called him on the phone. He give me his phone number, so I
24 called him and I said "Chris, you know, you are not here.
25 Why didn't you show up?"

1 And he said "well, I started walking. I couldn't get a
2 ride, so I started walking up there and it got hot, so I
3 turned around and went back home."

4 I said "so you are not coming?

5 No."

6 So at that point I discontinued my conversation with
7 him on the phone. I called Mr. Peters and told him, because
8 he normally closes the office at four. So I called him and
9 told him not to worry about waiting, because I had
10 previously told him that Mr. Rollins would be in that day.
11 I called him and said "Pete, don't worry about it. He's not
12 going to show up today. So I will just get warrants on him
13 tomorrow," which is what I did.

14 I had told him I would give him to the end of the
15 business day on the 19th. I waited until the 20th and I
16 sought the warrant from the magistrate for his arrest.

17 Q. And then, to your knowledge, do you know when he was
18 arrested on that warrant?

19 A. He was arrested on the 21st.

20 Q. And when did he finally register?

21 A. He registered on the 22nd of July, when he was released
22 on bond.

23 Q. Okay. So after he got arrested for violating, that's
24 when he finally registered?

25 A. Yes.

1 Q. Is there anything else relevant that we haven't touched
2 on?

3 A. Not that I know of.

4 Q. Okay.

5 MR. TOOKER: No further questions.

6 THE COURT: Okay.

7 MS. JOHNSON: May it please the court?

8 CROSS EXAMINATION BY MS. JOHNSON:

9 Q. Detective Raines, let me get this straight. You go to
10 where he says he is and he's there?

11 A. I go to where Anderson County reported to me that he
12 was telling them he was going to live.

13 Q. And he's there?

14 A. He was, yes.

15 Q. Okay. He didn't give you a bad -- or he didn't give
16 Anderson a bad address?

17 A. No.

18 Q. Y'all didn't have a bad address?

19 A. No.

20 Q. He comes to the door of the porch, as you say?

21 A. Correct.

22 Q. He's not running away?

23 A. No.

24 Q. He's not evading you?

25 A. No.

1 Q. He's talking to you?

2 A. Yes, ma'am.

3 Q. Okay. The whole time he's living where he says he is
4 living?

5 A. He's living where he told Anderson County he was
6 living, that's correct.

7 Q. Okay. Well, you found him?

8 A. Correct.

9 Q. Okay. Now, let's talk about this Anderson address.
10 You never did any independent investigation as to when he
11 moved, did you?

12 A. Other than asking him and him telling me, no.

13 Q. Okay. But you never contacted Anderson?

14 A. No.

15 Q. Okay. And you say by your own account that you or Mr.
16 Peters received notification from Anderson that he moved
17 July 11th?

18 A. Yes.

19 Q. Okay. Was it you or Mr. Peters?

20 A. Mr. Peters would have received that notification and
21 just passed it along to me.

22 Q. Okay. So you included it in your report?

23 A. I just put in there that I received notification in my
24 report.

25 Q. Okay.

1 A. Yes.

2 Q. So who is it, you or Mr. Peters?

3 A. Mr. Peters.

4 Q. Okay. He couldn't have been living at that residence
5 for over a month, or somebody seriously fell down on their
6 job?

7 A. I don't know if maybe he waited three weeks and then
8 went to Anderson and told them. I have no idea.

9 Q. Okay. But either way, there is some discrepancies in
10 the dates?

11 A. Yes, there is any realm of possibilities, yes.

12 Q. Okay. But if he says he had been there for a month and
13 Anderson notifies Pickens on July 11th, those dates don't
14 match up?

15 A. No.

16 Q. Okay. So you would agree with me that that does not
17 make any sense?

18 A. It could be anything. I mean, he -- like I said,
19 possibly he waited three weeks after he had moved to notify
20 Anderson. And then --

21 Q. But why -- but Anderson would have notified you as soon
22 as they found out?

23 A. As soon as he went to Anderson and told them, the day
24 that he goes to Anderson and says "I moved," Anderson would
25 send us a notification.

1 Q. Okay.

2 A. The way the sex offender registry works is through a
3 network, a computer network. He is required to tell
4 Anderson County that he's moving from their county. That
5 way they can release him from their registry.

6 Then he's required to tell Pickens County that he's
7 also moved into that county, so that we can include him in
8 our registry.

9 Q. Well, we don't know that, okay. Let's go on what we
10 know.

11 We know that we get a notification from July 11th --

12 A. Correct.

13 Q. -- from Anderson?

14 A. Correct.

15 Q. Okay. That is when Anderson says he moved?

16 A. Yes, ma'am.

17 Q. So we have to assume that is when he moved?

18 A. Okay.

19 Q. Because there is nothing else -- there is no other
20 evidence that he was living at this residence for over a
21 month?

22 A. Other than his statement to me that he had been.

23 Q. Right.

24 And let's talk about the statement. You never got it
25 in writing?

1 A. No.

2 Q. Okay. So you are coming here today and saying he said
3 he lived there for thirty days?

4 A. Okay.

5 Q. Don't y'all typically put things in writing? Y'all got
6 video capabilities?

7 A. At that time I did not have video or audio
8 capabilities.

9 I could have asked him to write it down, yes, but just
10 based on the fact that I had received notification from
11 Anderson on the 11th, it was already the 18th. That's seven
12 days. He only has three days to register. He's already out
13 of compliance with the law.

14 Q. Right.

15 A. I give him one extra day just to give him a benefit.

16 Q. I understand.

17 And he told you when you met with him at his house,
18 where you found him, that he needed a ride?

19 A. I don't recall him saying he needed a ride.

20 Q. He said -- he told you he didn't have transportation.

21 A. I don't recall that.

22 Q. The next day did he call you or Mr. Peters and tell you
23 that he didn't have transportation?

24 A. The next day he did not call us at all. I called him.

25 Q. Okay. In that conversation, though, he indicated to

1 you that he did not have a ride?

2 A. That is correct.

3 Q. Okay. So we have got two contacts with your
4 department, or with you, actually?

5 A. Initiated by me, yes, both.

6 Q. Okay. Initiated by you, but -- and actually three,
7 because the next day when the officer goes out to his house,
8 he's there where he says he's going to be. The officer
9 picks him up, arrests him.

10 Now, let's talk about your job. Usually -- or I won't
11 say usually, but a lot of times sex offenders aren't where
12 they say they are going to be. Would you agree with me?

13 A. Correct.

14 Q. Okay. It's kind of like a cat and mouse game?

15 A. Correct.

16 Q. Okay. You kind of got to hunt for them. They don't
17 typically say they are going to be somewhere.

18 In this case Mr. Rollins was where he said he was going
19 to be?

20 A. He was where he told Anderson County he was going to
21 be, yes.

22 Q. Okay. Well, you found him.

23 And your testimony is that you gave him until the close
24 of business on the 19th?

25 A. Correct.

1 Q. Okay. And the close of business, is it five o'clock?

2 A. The close of business, as indicated by Mr. Peters
3 office, the sex offender registry office closes at four
4 p.m..

5 Q. Okay. I noticed on your report that you went ahead and
6 issued your report at 4:05 on the 19th. So you didn't wait
7 around until five o'clock, giving him the benefit of the
8 doubt?

9 A. Correct, on the report, but it wasn't presented to the
10 judge until the 20th.

11 MS. JOHNSON: Beg the court's indulgence.

12 THE COURT: Uh-huh.

13 (Off the record)

14 (Back on the record)

15 BY MS. JOHNSON:

16 Q. If my client didn't contact you, how did you get his
17 phone number to call him back?

18 A. He told me on the day that I went to see him on the
19 18th.

20 Q. Okay. So he's talking to you. That's contact. He's
21 providing information about himself?

22 A. Yes, he is.

23 Q. Okay. Did you ever offer him a ride?

24 A. No, ma'am.

25 Q. I know that's not your job to offer people a ride, but

1 if somebody says they don't have a ride, wouldn't it make
2 sense to say "hey, man, let me give you a ride?"

3 A. In the sense of fairness, if I did that for Mr.
4 Rollins, I would have to do it for every sex offender in the
5 county, which at this point I believe is well over two
6 hundred sex offenders that have to register, most of them
7 four times a year. So that's a thousand rides that I have
8 to offer to people.

9 Q. But don't you think certain circumstances call for an
10 exception?

11 A. I would think that if Mr. Rollins was not a thirty year
12 old capable adult that, you know, maybe there would be some
13 type of circumstance; was he in a wheelchair, or something;
14 we needed to provide ambulatory care for him, or something,
15 in order for him to come register.

16 No, ma'am, I don't think there was any exception that
17 Mr. Rollins needed at that time.

18 Q. And, again, I'm not saying it would be an every day
19 thing, but, you know, one time --

20 A. Again --

21 Q. -- offer of assistance?

22 A. Again, if I offered to assist Mr. Rollins, in the sense
23 of fairness, then I have to do that to every other sex
24 offender in the county.

25 MS. JOHNSON: I believe that's all I have, Your

1 Honor.

2 THE COURT: Any redirect?

3 MR. TOOKER: Just briefly.

4 REDIRECT EXAMINATION BY MR. TOOKER:

5 Q. So you found out from Anderson he's living here on the
6 11th?

7 A. Yes, sir.

8 Q. Did he register on the 12th?

9 A. No.

10 Q. 13th?

11 A. No, sir.

12 Q. 14th?

13 A. No, sir.

14 Q. 15th?

15 A. No, sir.

16 Q. 16th?

17 A. No, sir.

18 Q. 17th?

19 A. No, sir.

20 Q. 18th?

21 A. No, sir.

22 Q. 19th?

23 A. No, sir.

24 Q. 20th?

25 A. No, sir.

1 Q. 21st?

2 A. No, sir.

3 Q. Registered on the 22nd?

4 A. He did.

5 Q. Okay. And when you talked to him, he told you the
6 truth about his phone number, didn't he?

7 A. He did.

8 Q. That phone number worked?

9 A. That's correct, yes.

10 Q. Is there any reason for you to think that he wasn't
11 telling the truth when he told you he had been here for
12 thirty days?

13 A. No, sir.

14 MR. TOOKER: No further questions.

15 THE COURT: Anything?

16 MS. JOHNSON: No, Your Honor.

17 THE COURT: Thank you, sir. You can step down.

18 MR. TOOKER: At this point, Your Honor, the State
19 rests.

20 THE COURT: All right.

21 Mr. Foreman, ladies and gentlemen of the jury,
22 this is another time I have to discuss some legal issues
23 with the attorneys outside of your presence, so I'm going to
24 excuse you back to your room. We will be with you in just a
25 second. Don't talk about it.

1 (The following takes place outside the presence of
2 the jury panel)

3 THE COURT: All right. Anything?

4 MS. JOHNSON: Your Honor, at this time I have a
5 motion for a directed verdict.

6 THE COURT: Okay.

7 MS. JOHNSON: And, judge, I refer Your Honor to
8 the indictment.

9 My client is charged with a violation of 23-3-470.
10 I am looking at 23-3-470 right now.

11 "It is the duty of the offender to contact the
12 sheriff in order to register, provide notification of change
13 of permanent or temporary address."

14 I think by their own testimony my client contacted
15 the sheriff's office, and I think he is entitled to a
16 directed verdict.

17 We are not here on this biannual sex offender
18 registry.

19 THE COURT: That would be 23-3-460.

20 MS. JOHNSON: Yes, Your Honor.

21 Today I am here to represent my client on
22 23-3-470, and I believe he has made contact, either direct
23 or indirect, with the sheriff's office, and, therefore, is
24 entitled to a directed verdict.

25 THE COURT: How about it, Mr. Tooker?

1 MR. TOOKER: Yes, sir, Your Honor.

2 Actually that's not in the argument I anticipated,
3 but it's the registrant's obligation to register in the
4 county into which he moves per 23-3 -- you know, et
5 sequence. That entire --

6 THE COURT: Well, wait a minute.

7 MR. TOOKER: Excuse me, Your Honor?

8 THE COURT: I believe the motion --

9 MR. TOOKER: Is based on 23-3-470.

10 THE COURT: Which is what's listed in the
11 indictment.

12 MR. TOOKER: Yes, and that is the --

13 THE COURT: It is more specific than that.

14 MR. TOOKER: That is the Code Section.

15 THE COURT: Yeah.

16 MR. TOOKER: Yes, sir, Your Honor.

17 Per this codification, 23-3-470, I think it's not
18 an unreasonable thing to read it in light of its legislative
19 history and the intent of the legislature. And in this case
20 the intent of the legislature is to enact the Sex Offender
21 Registry Act, which is Article 7.

22 Per Article 7 of the Sex Offender Registry Act,
23 registrants are required to annually -- register either
24 biannually or --

25 THE COURT: Her point is that the indictment is a

1 notice document.

2 MR. TOOKER: Sure.

3 THE COURT: And he's been noticed that he's been
4 called to defend himself for a violation of 23-3-470, and
5 she's handed up a copy of the law, and it is her contention
6 that he has complied.

7 MR. TOOKER: Well, with regards to her
8 contention --

9 THE COURT: Although I'm --

10 MR. TOOKER: -- he has complied.

11 The sheriff's office went to meet him and talked
12 to him. He never initiated contact with the sheriff's
13 office. So that is of note, but, again, I don't think
14 that's actually what's controlling here. I think what
15 controls in this instant --

16 THE COURT: No, I -- I'm -- you are missing out.

17 MR. TOOKER: I'm missing out?

18 THE COURT: Yeah.

19 She's saying that she's here to defend 470, when
20 what you all have talked about is a violation of 460.

21 MR. TOOKER: Well, 470 is the penalty section of
22 the law. 470 is what makes it illegal to fail to register.

23 Now, the failure to register statute should be
24 read in light of the entirety of Article 7, which addresses
25 what the registrants are supposed to do when on the

1 registry.

2 I mean, I think what she's arguing is effectively
3 that -- well --

4 THE COURT: She's arguing that he hadn't gotten
5 notice of what you want to convict him of.

6 MR. TOOKER: Well, I don't think there is any
7 doubt as to whether or not he has notice of what we want to
8 convict him of. I mean, we want to convict him of failing
9 to register, and that is clear in both his warrant and his
10 indictment. And failing to register is an --

11 THE COURT: Whoa, whoa, whoa --

12 MR. TOOKER: -- obligation on the defendant.

13 THE COURT: -- whoa. The warrant has got nothing
14 to do with it.

15 MR. TOOKER: Well, no, I understand that, but we
16 are talking about notice, and I think that he has been well
17 noticed of the fact that he is up here for violating a Code
18 Section of our statutes that requires him to register in the
19 county in which he lived.

20 THE COURT: You're well versed in the law, Mr.
21 Tooker, so you know that the indictment is a notice
22 document.

23 MR. TOOKER: Yes, sir, I'm aware of that.

24 THE COURT: Okay. And he's been noticed --

25 What she's saying is there is an error in your

1 indictment.

2 MR. TOOKER: Well, if there is an error, then at
3 this point the State would move to amend the indictment to
4 accurately reflect the facts shown at trial.

5 THE COURT: Well --

6 MR. TOOKER: But I don't believe there is an error
7 in the indictment, Your Honor.

8 I don't think that the indictment fails because it
9 references 470. I think that the indictment is there to
10 notify him of the fact that --

11 THE COURT: Her point is it fails because it does
12 not -- it does not notice him about 460, but we will take --
13 we are going to take a short break and give you a chance to
14 do a little research.

15 MR. TOOKER: Okay. I appreciate that, Your Honor.

16 THE COURT: But before we do that, Mr. Rollins,
17 raise your right hand.

18 CHRISTOPHER CLAYTON ROLLINS, having been first
19 duly sworn, testified as follows:

20 THE COURT: All right. Do you understand you have
21 an absolute Constitutional Right to testify in your own
22 defense?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: You have an equal absolute
25 Constitutional Right not to testify and it cannot be held

1 against you.

2 THE DEFENDANT: Yes, sir.

3 THE COURT: There are a lot of strategic decisions
4 that go into whether or not you decide to testify. That
5 would include what your prior criminal history is. That
6 would include a number of other strategic decisions that you
7 and your attorney I'm sure have talked about.

8 Have you made a decision about whether or not you
9 will testify?

10 THE DEFENDANT: No, I don't want to testify.

11 THE COURT: You don't want to testify?

12 THE DEFENDANT: No.

13 THE COURT: All right. Do you have any questions
14 you want to ask me?

15 MS. JOHNSON: Judge, if I could talk to him?

16 THE COURT: Yeah, we will just take a break. You
17 just -- you understand all your rights about testimony and
18 all that?

19 THE DEFENDANT: I don't understand none of it,
20 sir.

21 THE COURT: Well, how can I explain it to you so
22 that you understand?

23 THE DEFENDANT: I have no idea.

24 THE COURT: You have no idea.

25 Well, you have a right to get up and take the

1 witness stand. You would be subject to cross-examination,
2 and I don't know what your criminal history is, but you may
3 well be -- it may well -- the State may well be entitled to
4 go into some of your criminal history in an effort to
5 impeach your credibility, make you look like you are not
6 believable.

7 THE DEFENDANT: I don't have a criminal history.

8 THE COURT: Okay. Well, you do have a criminal
9 history, but --

10 THE DEFENDANT: No, I don't.

11 THE COURT: I'm sorry?

12 Well, I don't know. Without getting into that
13 right now, that is something that you have to consider.

14 You also have to consider that if you put up any
15 evidence, then your attorney loses the right to have last
16 argument.

17 If you decide not to testify and don't put up any
18 evidence, then she gets the last argument.

19 If you don't put up any evidence, then, of course,
20 you don't have any evidence.

21 So you need talk to your lawyer about it. We will
22 take a break and get back to you.

23 (Whereupon, proceedings were recessed)

24 (Whereupon, proceedings were reconvened)

25 THE COURT: Well, what do you want to tell me?

1 MR. TOOKER: One moment, sir, please.

2 (Off the record)

3 (Back on the record)

4 MR. TOOKER: The case I'm passing up is a
5 relatively recent case. It doesn't yet have a case
6 citation, but it does have a Westlaw citation. It's 2012
7 Westlaw. I will have to look at the -- it's 2012 Westlaw
8 1609071. It's a Supreme Court of South Carolina case.

9 Now, this is somewhat anecdotal, but in the case
10 it actually references the fact -- and I believe it is on
11 page -- well, it references the fact that the defendant is
12 indicted for a violation of the Registry Act, but indicted
13 under 23-3-470. And the indictment was sufficient in that
14 case, and it was indicted per that statute number, despite
15 the fact that the charge was actually in this case failing
16 to register biannually, which is incorporated in 460.

17 I was looking at --

18 THE COURT: Where do you see that?

19 MR. TOOKER: Hang on one second.

20 It's in a footnote.

21 (Off the record)

22 (Back on the record)

23 MR. TOOKER: Okay. So in footnote number 4, it
24 says S.C. Code and Section 23-3-470.

25 And then if you look --

1 THE COURT: What page are you on?

2 MR. TOOKER: The document I handed you would be 10
3 of 11.

4 And then if you go toward to where the footnote
5 is, which is on page -- it's on page 4 of 11. It says on
6 July 6th it talks about the amendment of 460 to require
7 biannual registration.

8 But then it says he was arrested and indicted in
9 March of 2007, and indicted pursuant to Section 23-3-470.

10 It says in footnote 4, "it's the duty of the
11 defendant to contact the sheriff in order to register. Fail
12 to register, he must be punished in accordance with
13 Subsection (B)."

14 So the indictment in that case was per 470,
15 despite the fact that the failure was one in 460. The
16 failure alleged was a failure to biannually register.

17 Now, the real issue in this case was whether or
18 not the defendant had been given proper notice of biannual
19 registration. When he initially had been put on the
20 registry, he was only required to register yearly.

21 The legislature subsequently amended the statute
22 in 460 to require biannual registration. And so that --
23 that was the main contention in this case.

24 However, I do think it is important to note the
25 indictment there was 23-3-470, but it was for a violation of

1 460.

2 When I read that, I started thinking, well, what
3 does 23-3-470 say? And the immediate, you know, caption on
4 the first part of the -- the first part is the Code says
5 "failure to register or provide required notifications;
6 penalties."

7 So required notifications or register.

8 It says "it's the duty of the offender to contact
9 the sheriff in order to register."

10 Now, what does register mean? I don't think you
11 can say register without looking at the additional Code for
12 460.

13 THE COURT: What do you say, Ms. Johnson?

14 MS. JOHNSON: Judge, again, I was noticed to
15 defend my client on a violation of 470.

16 I'm not clear -- I can't -- I'm not supposed to go
17 to 460. I'm supposed to look at 470.

18 And it is my contention that my client contacted
19 the sheriff in order to register.

20 THE COURT: Well, that would be a factual
21 determination for a jury, in any event, would it not?

22 MS. JOHNSON: Well, I think the evidence
23 submitted -- I think by their own testimony they -- or
24 contact is shown.

25 THE COURT: Well, let's see what the clear

1 language of the statute is. "It is the duty of the offender
2 to contact the sheriff."

3 MS. JOHNSON: I think he contacted the sheriff.
4 He gave them his phone number. By their own --

5 THE COURT: Who -- I didn't hear that from the
6 evidence.

7 MS. JOHNSON: Judge --

8 THE COURT: I heard from the evidence that they
9 contacted him.

10 MS. JOHNSON: But they got his phone number
11 somehow.

12 THE COURT: So, I mean, that sounds like a factual
13 determination for a jury to decide, doesn't it?

14 MS. JOHNSON: Judge, I -- I disagree. I think
15 that he has made the contact necessary --

16 THE COURT: There has been contact.

17 MS. JOHNSON: -- to fulfill -- or the requirements
18 as set forth in this statute, and, therefore, I -- you know,
19 I would ask that you grant --

20 THE COURT: There certainly was contact between
21 your client and the sheriff's office. At a very minimum
22 it's a factual issue as to who initiated the contact,
23 because my plain reading of 470 is that it is the duty of
24 the offender to contact. He has to be the assertive party
25 with respect to establishing contact.

1 The only evidence I have heard today has been that
2 the sheriff's office was the assertive party. And that
3 doesn't even -- that doesn't even take us to 460.

4 And I'm a little disappointed that Mr. Tooker has
5 not referred us to 17-19-100, which allows the court to
6 amend a questionable or defective indictment to conform to
7 the evidence offered at trial.

8 MR. TOOKER: Your Honor, the State would like to
9 refer you to --

10 THE COURT: I thought I was going to hear that.

11 MR. TOOKER: -- 17-19-100.

12 THE COURT: I never heard that.

13 I'm sorry?

14 MR. TOOKER: I said the State would like to refer
15 you to 17-19-100, which allows the State to amend a
16 defective indictment to --

17 THE COURT: Well -- and it's a question -- you
18 know, and that reads, and I'm sure you are familiar, Ms.
19 Johnson, it could be any defect in the form in any
20 indictment, or in the trial of any case, there shall appear
21 to be any variance between the allegations of the indictment
22 and the evidence offered in proof thereof.

23 Your client had notice of what he was supposed to
24 do, and that's the bottom line.

25 I -- the very thorough -- through your very

1 thorough preparation in this case you have disarmed the
2 solicitor's office by your argument with respect to the
3 notice contained in the indictment, but I'm going to
4 respectfully deny your motion.

5 MS. JOHNSON: Judge, and just so that I can note
6 it for the record?

7 THE COURT: Yeah.

8 MS. JOHNSON: They are allowed to come after all
9 of their evidence has been presented and make this notice?

10 THE COURT: The statute is there.

11 MS. JOHNSON: Okay.

12 THE COURT: Well, even so it is a question of
13 fact. I mean, it's certainly not --

14 I have heard no evidence that your client made,
15 initiated contact with the sheriff.

16 MS. JOHNSON: And, judge, this is probably an
17 issue for charging, but I would certainly argue that --

18 THE COURT: We are not -- we are not quite there
19 yet, but you are right, it is going to be an issue.

20 MS. JOHNSON: Okay.

21 THE COURT: What has your client decided to do?

22 MS. JOHNSON: I think he is going to testify.

23 THE COURT: Okay. All right.

24 And you have gone over all the ramifications of
25 testimony?

1 MS. JOHNSON: Judge, he's familiar with that, Your
2 Honor.

3 THE COURT: Okay.

4 Is that right, Mr. Rollins?

5 THE DEFENDANT: The only thing I know is she
6 wanted me to tell the truth of what really happened.

7 THE COURT: Okay.

8 THE DEFENDANT: That's all I wanted to do.

9 THE COURT: Okay. Well, are you all ready to go?

10 MR. TOOKER: Yes, sir, Your Honor.

11 Just to put on the record, briefly, I don't
12 believe Mr. Rollins has any offenses with which the State
13 could impeach him.

14 THE COURT: Okay.

15 MR. TOOKER: He's got some smaller stuff.

16 And, of course, there was a juvenile offense, but
17 I don't think --

18 THE COURT: Well, let's don't get into that,
19 because it is --

20 MR. TOOKER: He does have two priors --

21 THE COURT: Excuse me.

22 MR. TOOKER: Sir?

23 THE COURT: You do not get into the juvenile
24 offenses, for a number of reasons, not the least of which is
25 that because this is a -- because of the nature of this

1 charge it would be too prejudicial, so just --

2 MR. TOOKER: Sure.

3 The State, though, would like to at least delve
4 into on cross with the defendant -- he has been convicted of
5 this twice before. And without actually going into the fact
6 that he does have two convictions for failing to register
7 before, delve into him with -- delve into him with regards
8 to what he knows about registering and how it is after, you
9 know, having contended with this issue --

10 THE COURT: Well, if he takes the witness stand,
11 you can certainly ask him about it, because him having
12 knowledge and notice of the requirements are vital. And if
13 he says he doesn't know, then I think he's opened the door
14 to get into some --

15 MR. TOOKER: Okay.

16 THE COURT: What -- you know.

17 MR. TOOKER: Thank you, sir.

18 THE COURT: And I know that Ms. Johnson will be
19 alert and vigilant, prepared to object if she thinks it's in
20 a violation of her client's rights.

21 Are we ready to go?

22 MS. JOHNSON: Yes, Your Honor.

23 MR. TOOKER: Yes, sir.

24 THE COURT: Okay. Let bring the jury in.

25 (The following takes place in the presence of the

1 jury panel)

2 THE COURT: All right, ladies and gentlemen,
3 welcome back. Thank you for your patience.

4 Ms. Johnson.

5 MS. JOHNSON: Your Honor, at this time the
6 defendant calls Chris Rollins.

7 THE COURT: Okay.

8 CHRISTOPHER CLAYTON ROLLINS, having been first
9 duly sworn, testified as follows:

10 THE CLERK: Have a seat and state your name for
11 the record, please.

12 THE WITNESS: Christopher Rollins.

13 DIRECT EXAMINATION BY MS. JOHNSON:

14 Q. Okay, Chris, how old are you?

15 A. Thirty-two.

16 COURT REPORTER: Speak up, please. Pull that
17 microphone up a little closer.

18 A. Thirty-two years old.

19 BY MS. JOHNSON:

20 Q. Thank you. Sit up straight.

21 THE COURT: It's kind of hard to do, sit up
22 straight and not lean into the microphone. Just make sure
23 we can hear you.

24 Okay.

25 BY MS. JOHNSON:

1 Q. Okay. Now, let's talk about this registry requirement.

2 How old were you?

3 A. At the age of fourteen I committed a sex offense and
4 was adjudicated of that, and --

5 Q. Okay. I'm going to interrupt you.

6 What is an adjudication?

7 A. It's not a conviction. That's all I know.

8 Q. Okay. What court were you in?

9 A. Now?

10 Q. What court were you in?

11 A. Family Court.

12 Q. Okay. Did you get a jury trial?

13 A. No, ma'am.

14 Q. Okay.

15 A. I pled guilty.

16 Q. Okay. Now, let's talk about July of 2011.

17 Tell me what happened July 18th, 2011.

18 A. I -- I can't recall July 18th. I don't --

19 Q. Okay. When Detective Raines came out to your house,
20 what transpired?

21 A. I get a knock on the door. My dad came to the door.

22 He asked my dad if I was there. My dad tried to tell him I
23 wasn't there, and I came out and told my dad not to tell him
24 that because I was there. I wasn't trying to hide. And

25 he -- he --

1 I come outside on the porch and he steps up to me and
2 says "Pickens County don't play them kind of games."

3 And I told him "I'm not playing any games. I just
4 don't have a ride to register."

5 Q. Did you ask him for a ride?

6 A. No, no, I didn't ask him for a ride.

7 Q. But you told him --

8 A. I was scared to because of the way he came at me.

9 Q. Okay. So how did he treat you?

10 A. Like -- just the way he came at me was very
11 intimidating.

12 Q. Okay. Now, this thirty day comment --

13 A. That's -- no comment about me living thirty days was
14 ever made. Ever made.

15 Q. Okay. Now, let's talk about the next day.

16 Did you attempt to go to the Pickens County sheriff's
17 office?

18 A. He did tell me I needed to call that next day, or try
19 to register that next day, and I told him I didn't have a
20 ride, so it would probably be very unlikely that I would be
21 able to register.

22 Q. Did you ask him for a ride then?

23 A. No, I didn't ask him for a ride.

24 Q. Okay.

25 A. So when he left, the next day I called whoever was over

1 the registry. I don't -- this is the guy here that -- I
2 don't know if it was him on the phone, but he is the one
3 that I guess supposedly I called, but he told me, he said he
4 don't care if I have to walk up there, whatever I have to do
5 to do get there to register.

6 Q. Okay.

7 A. I said "okay, I'll do that then."

8 Q. Did you start walking?

9 A. Not that day, no.

10 I tried to get a ride that first day. I couldn't find
11 anybody -- I don't have any -- nobody around to give me a
12 ride.

13 Q. Okay. So the next day?

14 A. So the next day I set off walking, because I know I
15 only have one more day to register.

16 Q. Okay. Let me -- let me stop you there.

17 It's July. How hot is it out there?

18 A. It was it was ninety, hundreds, I don't know. It was
19 very hot.

20 Q. Okay. So you started walking?

21 A. Yeah.

22 Q. And what happened?

23 A. I got to sweating real bad. I didn't have -- I didn't
24 have any money to my name to stop and buy a water or nothing
25 like that. I was -- I was scared I was going to have a heat

1 stroke. That's why -- that's the only reason why I went
2 back home.

3 Q. Okay. And how long --

4 A. If I would have known -- if I would have known it would
5 have ended all of this, I would have took that chance of
6 having a heat stroke to prevent all this.

7 Q. Okay. And how far was your house in Central to the
8 Pickens County sheriff's office?

9 A. It's a long -- I don't know. It's a long walk.

10 Q. Fifteen miles? More than that?

11 A. It's -- it's a long walk. I don't know exactly how
12 many miles.

13 Q. Okay.

14 A. Too long -- it was too long for a person to be walking
15 in the hot.

16 Q. Okay.

17 A. I mean --

18 Q. So what happens after that when you come back to the
19 house?

20 A. Well --

21 Q. What do you do?

22 A. When I started walking and I realized it was too hot
23 for me to walk, I called back to the sheriff's department.

24 Q. That day? Was it that day?

25 A. Yes, that day.

1 Q. Okay.

2 A. On the walk -- on the walk back to my house I asked
3 him, I said -- I told him, I said "it is way too hot for me
4 to be walking out here. Is there any kind of way that you
5 could send an officer or some kind of transport so we can
6 avoid all this, me going to jail?"

7 Q. Okay.

8 A. He said "yeah, sure, I'll send a car out there to help
9 you so we can get this resolved."

10 Q. So who was that? Who said that to you?

11 A. This guy -- I guess this guy here. I don't -- I don't
12 know. It was on the phone. I can't say who.

13 Q. Okay. So did a car ever come for you?

14 A. Not that day, no. They came -- they give me a --

15 I get a call the next morning. They said "well, I
16 can't come." I don't know if it was Mr. Raines, or who it
17 was. I don't -- I don't recall who it was, but they said
18 they had to get their car fixed. So -- they said they had
19 to get their car fixed and they would be out there the next
20 day.

21 Q. Okay.

22 A. So I didn't -- I didn't worry about it. I had faith
23 that they would come and pick me up to help me.

24 Q. Okay. And so what happened the next day?

25 A. So the next day a guy pulls up in the yard in --

1 Q. Hold up. What kind of guy?

2 A. A police --

3 Q. An officer?

4 A. A police officer, yes.

5 Q. Okay.

6 A. In a gray Impala. Blows the horn.

7 Q. How did that make you feel when he started blowing the
8 horn?

9 A. I mean, it didn't make me feel like anything until I
10 seen it was the police.

11 Q. Okay.

12 A. He could have got out and knocked on the door. I
13 mean --

14 Q. Okay.

15 A. All I know is I wasn't trying to run. I wasn't trying
16 to hide.

17 I got -- I got in the car thinking he was going to help
18 me to register to avoid getting locked up.

19 Q. Okay. What happened?

20 A. When we get to the sheriff's department, he calls in my
21 name. They say something back to him and he says "well,
22 there ain't nothing I can do to help you now, buddy," and he
23 slaps the handcuffs on me. Never read me my rights.

24 Never --

25 I mean, I was tricked into coming to the jail. If I

1 had known they was going to lock me up, I would have ran.

2 I'm not going to lie about that.

3 Q. So when you got in the car, what did that officer tell
4 you, once you get in that car?

5 A. We didn't -- he just blew the horn and I got in the
6 car, because I was assuming he was there to help me to
7 register.

8 Q. Okay. Now, let's talk about --

9 Let's go back to the thirty day comment. You weren't
10 living there thirty days?

11 A. No, I hadn't -- I hadn't been living there barely
12 twenty-four hours.

13 Q. Is there anything else that I have left out you would
14 like to tell this jury?

15 A. I don't know.

16 I mean, the only thing I know, I made all the calls,
17 all the proper steps. I contacted Anderson and told them I
18 was moving to Pickens County.

19 That day he called the man on the phone, gave me a
20 number to call. When I moved to Pickens I called that
21 number and everything I just said. That's how it happened,
22 and that's the truth.

23 MS. JOHNSON: That's all I have.

24 CROSS EXAMINATION BY MR. TOOKER:

25 Q. If you knew that they would lock you up, you would have

1 run?

2 A. I plead the Fifth.

3 MR. TOOKER: Your Honor --

4 THE COURT: No, sir, you can't do that.

5 BY MR. TOOKER:

6 Q. If you knew they would have locked you up, you would
7 have run?

8 A. (No response)

9 MR. TOOKER: Your Honor, the State request that
10 you instruct this witness to answer the State.

11 THE COURT: Mr. Rollins, you got to answer the
12 questions.

13 A. Yes, that's true.

14 BY MR. TOOKER:

15 Q. Okay. And you would have run, because you knew that
16 you were in trouble, right?

17 A. Yes.

18 Q. Okay. So you run when you are in trouble?

19 A. (No response).

20 Q. Yes?

21 A. (No response).

22 Q. Mr. Rollins?

23 A. No.

24 Q. No?

25 A. No.

1 Q. Is that not what you just said?

2 A. No, that's not what I just said.

3 Q. What did you just say?

4 A. I did not say when I'm in trouble I run.

5 Q. What did you say then? Clarify it for me.

6 A. (No response).

7 Q. Mr. Rollins.

8 A. (No response).

9 MR. TOOKER: Your Honor --

10 THE COURT: Ask him your questions.

11 BY MR. TOOKER:

12 Q. Okay. You have been on the registry since you were
13 fifteen years old?

14 A. Yes.

15 Q. Okay. And you know what to do when you are on the
16 registry?

17 A. (No response).

18 Q. Yes?

19 A. Yes.

20 Q. You know what your duties are?

21 A. I know when I left out of juvenile they told me I was
22 supposed to register once a year.

23 Q. Okay. And did that ever change?

24 A. The laws have been changed so much that I don't know.

25 No, I don't know what it is.

1 Q. How many times are you supposed to register now?

2 A. I know I'm supposed to register once a year.

3 Q. You are supposed to register once a year?

4 A. Once a year.

5 Q. Okay. Would it surprise you to know that you are
6 supposed to register four times a year?

7 A. Yes.

8 Q. That would surprise you?

9 MS. JOHNSON: Judge, I'm going to object.

10 I'm not under the impression about four times a
11 year.

12 THE COURT: Well -- y'all come up here.

13 (Whereupon, the lawyers approached the bench for
14 an off-the-record discussion)

15 BY MR. TOOKER:

16 Q. All right. So you are on the registry. You have been
17 on since you were fifteen. You are supposed to register at
18 the county that you live in, isn't that right?

19 A. Yes.

20 Q. You are supposed to register in person, isn't that
21 right?

22 A. I guess.

23 Q. You are supposed to register in person in that county
24 sheriff's office?

25 A. Yes.

1 Q. Okay. Is that what you are supposed to do when you
2 were living in Anderson County?

3 A. Yes.

4 Q. How long did you live in Pickens County before you
5 moved to Anderson County?

6 A. I don't recall.

7 Q. You don't recall.

8 Your juvenile adjudication is from Pickens County,
9 isn't that correct?

10 A. I don't recall.

11 Q. You don't recall. Okay.

12 The stipulation that the State and the defense entered
13 into says that you were adjudicated guilty in Pickens
14 County, South Carolina. Does that sound correct?

15 A. I don't recall.

16 Q. You don't recall. Okay.

17 You don't recall whether or not you lived in Pickens
18 County after being adjudicated, but you do recall moving to
19 Anderson County?

20 A. (No response).

21 Q. Sir?

22 A. (No response).

23 Q. Mr. Rollins?

24 THE COURT: Just a minute.

25 Mr. Rollins.

1 THE WITNESS: I don't mean to disrespect the
2 court. I really don't, but I told the truth awhile ago and
3 that's it.

4 THE COURT: Okay. Just answer his questions.
5 He's got a right to ask you questions. Just answer his
6 questions.

7 Okay, go ahead.

8 MR. TOOKER: Okay.

9 BY MR. TOOKER:

10 Q. Do you recall moving to Anderson County?

11 A. Yes.

12 Q. Okay. And then do you recall moving to Pickens County,
13 back to Pickens?

14 A. Yes.

15 Q. In fact, you called Anderson and told them that you
16 were moving to Pickens?

17 A. No, I went -- I went to Anderson to register, to let
18 them know that I was moving to Pickens County, because
19 that's what I'm supposed to do.

20 Q. Okay. And you did that in July?

21 A. Yes.

22 Q. Yes.

23 Do you recall that?

24 A. Yes.

25 Q. Okay. And you went to Anderson and you told them that

1 you were moving, but you didn't go to Pickens and tell them
2 that you were now registered in that county?

3 A. I had three days to register -- I had three days to
4 contact Pickens.

5 Q. So if you moved on the 11th, did you contact them by
6 the 14th?

7 A. It wasn't no 11th. I don't recall the dates.

8 Q. You don't recall the dates?

9 A. No, not the exact dates.

10 Q. So you don't recall the dates, how do you recall
11 whether or not you did what you were supposed to do or not?

12 A. Because I know what I'm supposed to do.

13 Q. How is this jury supposed to believe you when you don't
14 recall so much?

15 A. I told the truth.

16 Q. You told the truth. Okay.

17 You tell the truth by getting a knock at the door. You
18 came to the door?

19 A. Yes.

20 Q. Okay. And you didn't ask for a ride at that point?

21 A. No.

22 Q. And Anthony Raines told you you got to register at the
23 sheriff's office?

24 A. Yes.

25 Q. Gave you an extra day and said "heads up, man, you need

1 to do this."

2 A. When he showed up at my door, I still had two days.

3 Q. You still had two days?

4 A. Yes.

5 Q. Despite the fact you moved in on the 11th?

6 A. He did not give me an extra day.

7 Q. He did not give you to the 19th, even though you
8 weren't arrested until the 21st, is that correct?

9 A. I don't -- I don't recall the exact dates.

10 Q. You don't recall the exact dates, but you recall that
11 you had made it in three days?

12 A. Yes.

13 Q. You do recall that, but you just don't recall anything
14 else?

15 A. No, no, I didn't make it in three days, no.

16 Q. You didn't make it at all, did you?

17 A. No, they made sure I didn't.

18 Q. No, you didn't make it at all, did you?

19 Now, you're supposed to register in person, per your
20 obligations, and you affirm that that's the case, right?

21 A. Uh-huh.

22 Q. Yes? Is that a yes?

23 A. Uh-huh.

24 Q. Okay. And you are supposed to register in the county
25 that you live in, is that correct?

1 A. Yes.

2 Q. Okay. So when you moved in on the 11th, you had to
3 register in person. And did you ever do that?

4 A. Yes.

5 Q. You did? When did you do that?

6 A. (No response).

7 Q. You don't know?

8 THE COURT: Mr. Rollins, I got ask you to speak
9 up. The jury is having a hard time hearing you.

10 BY MR. TOOKER:

11 Q. You don't know?

12 A. (No response).

13 Q. Mr. Rollins?

14 A. (No response).

15 MR. TOOKER: Your Honor, the State request that
16 you instruct this --

17 THE COURT: All right, just a second.

18 Ladies and gentlemen, let me excuse you all to
19 your jury room and be back with you in just a second.

20 (The following takes place outside the presence of
21 the jury panel)

22 THE COURT: Mr. Rollins -- Mr. Rollins, I know
23 it's a tense situation, but you're up here on the witness
24 stand and you need to respond to his -- to the questions,
25 and I have to ask you to speak up so the jury can hear what

1 you say.

2 Can I get you some water or something?

3 THE WITNESS: (Shaking head no).

4 THE COURT: You don't want to -- are you going to
5 be able to go forward?

6 THE WITNESS: (Shaking head no).

7 THE COURT: Well, Mr. Rollins, that kind of puts
8 me in a pickle.

9 THE WITNESS: I apologize for that.

10 THE COURT: Well, you know, I -- so how do you fix
11 this is just to answer the questions, bear up and get
12 through it.

13 If you are not going to do it, you know, I -- it's
14 possible I could hold you in contempt of court, which could
15 put you in jail longer than if you get convicted on this, so
16 you just need to answer the questions. Take a deep breath.

17 I know, based on your testimony on direct, that
18 you apparently don't respond well to aggressive --

19 THE WITNESS: I don't like being lied on.

20 THE COURT: Well -- okay. But there is not
21 anything that you can about that except you tell the truth.
22 And so I'm just going to ask you to bear up and get through
23 this, okay?

24 Are you going to be all right?

25 THE WITNESS: (No response).

1 THE COURT: Mr. Rollins?

2 THE WITNESS: (Shaking head no).

3 THE COURT: I know it's a very unpleasant
4 circumstance for you, but we got to deal with it, so are you
5 going to be able to go forward?

6 THE WITNESS: (Shaking head yes).

7 THE COURT: All right. He indicates yes.

8 I got to ask you to speak up now.

9 All right. And, Mr. Tooker, you just tone down
10 your presentation.

11 MR. TOOKER: Yes, sir, Your Honor.

12 THE COURT: All right, let's bring them back.

13 (The following takes place in the presence of the
14 jury panel)

15 THE COURT: All right, Mr. Tooker.

16 MR. TOOKER: Thank you, Your Honor.

17 May it please the court?

18 THE COURT: Yes, sir.

19 BY MR. TOOKER:

20 Q. Part of the reason that you are supposed to register is
21 that they need to take a picture of you. Do you know that?

22 A. Yes.

23 Q. Okay. And that's why you have to come in in person.
24 Do you know that?

25 A. Yes.

1 Q. Okay. And they can't take a picture of you unless you
2 go down to the sheriff's office, isn't that right?

3 A. Yes.

4 Q. And it's your duty to do that, isn't that right?

5 A. Yes.

6 Q. Now, you have been on this thing since you were
7 fifteen, is that right?

8 A. Yes.

9 Q. Okay. And you got on it as a juvenile?

10 A. Yes.

11 Q. Okay. And do you sometimes feel like you got a raw
12 deal?

13 A. No.

14 Q. You don't think that you got a raw deal?

15 A. No.

16 Q. Okay. So it doesn't make you upset that you have to do
17 this?

18 A. No.

19 Q. It doesn't make you upset that you have to register?

20 A. No.

21 Q. And you always register when you are supposed to?

22 A. Yes.

23 Q. You do?

24 Mr. Rollins, do you recall whether in 2001 you pleaded
25 guilty to failing to register?

1 A. Yes.

2 Q. You did do that?

3 A. Yes.

4 Q. So you don't always register when you are supposed to?

5 A. I guess not.

6 Q. So you don't recall in 2010 failing to register?

7 A. Yes.

8 Q. Do you recall pleading guilty to that?

9 A. Yes.

10 Q. Okay. And you understand that it's your duty, being on
11 the register, to register with the sheriff's office?

12 A. Yes.

13 Q. Okay.

14 MR. TOOKER: No further questions.

15 THE COURT: Redirect.

16 REDIRECT EXAMINATION BY MS. JOHNSON:

17 Q. Mr. Rollins, you plead guilty when you are guilty,
18 right?

19 A. Yes.

20 Q. You are not pleading guilty today, are you?

21 A. No.

22 Q. And nobody ever said anything about register four
23 times?

24 A. No.

25 Q. How many times were you under the impression that you

1 had to register?

2 A. Once.

3 MS. JOHNSON: I believe that's all I have, Your
4 Honor.

5 THE COURT: All right.

6 Anything?

7 MR. TOOKER: No, sir.

8 THE COURT: All right. Thank you very much, Mr.
9 Rollins. You can step down. Thank you.

10 All right, Ms. Johnson?

11 Well, I tell you what, ladies and gentlemen, it's
12 one o'clock. I know they provide lots of gourmet snacks
13 back there, but let's break for lunch.

14 If I ask you all to be back by 2:15, will that
15 give you all enough time?

16 Please remember not to talk about this with
17 anybody. And believe me, we know it's human nature to want
18 to do that, particularly if you are going to see somebody
19 who you like and trust and, you know, maybe somebody that
20 you want to bounce -- any time that you make a big decision
21 you bounce it off that person - a spouse, or a sibling, or a
22 close friend. You can't do that. Those people are not in
23 this courtroom. They are not making the sacrifices that you
24 are making. They are not looking at the witnesses testify.
25 They are not hearing this and they are not seeing the

1 evidence. And if you don't protect the law in this case, it
2 weakens the foundation of our whole system. It's vitally
3 important that you not talk about it. Don't go on the
4 internet and do research. Don't do any of that. Everything
5 that you need to know to decide this case you will hear in
6 this courtroom.

7 So you all have a pleasant lunch. We will see you
8 back at 2:15.

9 (The following takes place outside the presence of
10 the jury panel).

11 THE COURT: All right, Ms. Johnson, are you going
12 to have anything else?

13 MS. JOHNSON: I think we are going to call Ms.
14 Garrett.

15 THE COURT: What are you going to ask her?

16 MS. JOHNSON: I'm going to ask her about the
17 adjudication part.

18 THE COURT: Well, I'm not sure she's qualified to
19 testify to that.

20 How is she qualified to testify to that?

21 MS. JOHNSON: She's a court official, judge.

22 THE COURT: Well -- I mean, yes, she is, and a
23 highly qualified one at that, but that may be outside her
24 field of knowledge. She's not going to know what -- I don't
25 believe she's going to know what an adjudication is, but

1 I'll tell you what. You know, what you are talking about is
2 a legal issue, so if you want to at lunch propose a charge
3 about what a juvenile adjudication is, but that I don't
4 believe is -- I think that would be sort of a nullification
5 of the law. I'm not sure it would be relevant and
6 appropriate.

7 I mean, you can certainly argue to -- I don't
8 think I would limit your argument, but I'm not sure I'm
9 going to allow testimony in evidence.

10 You can talk about him being adjudicated by a
11 Family Court judge as opposed to a conviction in a jury
12 trial. That's what happened and that's in evidence.

13 MS. JOHNSON: Thank you, judge.

14 THE COURT: Anything else?

15 MR. TOOKER: Nothing from the State, sir.

16 MS. JOHNSON: Judge, I don't know if we are on the
17 subject of charging.

18 THE COURT: That's where we are headed. Okay.

19 MS. JOHNSON: I would submit to the court that the
20 law that I cited earlier, Code Section 23-3-470, is the law
21 of this case.

22 THE COURT: So what you are talking about, you
23 want me to charge Subsection (A)?

24 MS. JOHNSON: Yes, sir, Your Honor.

25 THE COURT: Okay. As appropriate.

1 Any charges from the State?

2 MR. TOOKER: If Your Honor is inclined, I wouldn't
3 mind having the opportunity -- I apologize, having the
4 opportunity to reflect on that over lunch.

5 THE COURT: Yeah, okay, you all -- we will do it.
6 We will finish up.

7 Any other charges?

8 MS. JOHNSON: No, Your Honor.

9 If I can research over lunch?

10 THE COURT: Yeah, you all do your research. Just
11 be back here a little bit before 2:15.

12 Is there any objection to leaving Mr. Rollins out
13 on bond?

14 MR. TOOKER: Your Honor, he's actually currently
15 incarcerated.

16 THE COURT: Oh, is he?

17 MR. TOOKER: He has no bond. He didn't fail -- or
18 he failed to show for court, so he's --

19 THE COURT: Oh, Mr. Rollins. Okay.

20 All right. Well, we will be back.

21 MS. JOHNSON: Thank you, judge.

22 THE COURT: You all be back just a little -- 2:10,
23 or something like that.

24 MR. TOOKER: Thank you, sir.

25 (Whereupon, proceedings were recessed)

1 (Whereupon, proceedings were reconvened)

2 THE COURT: You all gotten your requests to
3 charge?

4 MS. JOHNSON: Judge, I submitted to Your Honor
5 special requests on just the concept of adjudication.

6 And I would also ask for a general intent charge.

7 Thank you, Your Honor.

8 THE COURT: Okay. Do you want to submit your --

9 MR. TOOKER: Your Honor, the State was going to
10 request that you charge from the indictment and just leave
11 out the element about having been convicted of CSC first,
12 per -- you know, because of the stipulation I don't think
13 that needs to be said, but I just thought maybe that you
14 could charge with reference to the specific statute from the
15 verbiage on the indictment.

16 I looked and our request to charge book actually
17 didn't find a request to charge on --

18 THE COURT: Whose request to charge book is that?

19 MR. TOOKER: -- failure to register.

20 The one we have in our office.

21 Then I also have an additional printout I got from
22 Charleston and I just didn't -- or not an additional
23 printout, an additional file.

24 THE COURT: Well, what do you say about her
25 juvenile conviction?

1 MR. TOOKER: Your Honor, I don't think that that's
2 really relevant of anything. I mean, that -- he's
3 stipulated to the fact that's he's on the registry. And
4 that's the offense, is if you are on the registry, then you
5 didn't do what you are supposed to do. I think that's
6 really just going to result in confusion and potentially
7 misleading the jury and I think it sort of lays the
8 groundwork potentially for jury nullification. Then so
9 that's -- that's why I propose that request, sir.

10 THE COURT: Yeah, I --

11 Yes, Ms. Johnson?

12 MS. JOHNSON: No, Your Honor.

13 THE COURT: I tend to agree. I would be happy if
14 you want to make it a Defendant's Exhibit.

15 MS. JOHNSON: Certainly, Your Honor.

16 THE COURT: For purposes of the record we will do
17 that.

18 (Defendant's Request for Jury Charge marked as
19 Defendant's Exhibit No. 1 for identification)

20 THE COURT: I'm just going to charge 23-3-470 (A).

21 MR. TOOKER: So "the duty of the offender to
22 contact the sheriff in order to register."

23 THE COURT: Yeah.

24 MR. TOOKER: And you are just going to charge it
25 straight out of the text?

1 THE COURT: Yeah.

2 MR. TOOKER: The State would request that you add
3 something in there sufficient to cover 460 in the
4 requirements put in place per that statute, inasmuch as I
5 don't think it's sufficiently precise to charge registering
6 and the jury is not going to know, you know, what that is.
7 I guess we can argue --

8 THE COURT: I didn't know if you were going to ask
9 for that or not. You are going to ask for it?

10 What do you want me to charge?

11 MR. TOOKER: Well, I would like you to include, I
12 guess, within, you know, the duty of the offender to contact
13 the sheriff to register, the fact that, you know, 460 (A) it
14 says that you have got to do it in the county of your
15 residence and --

16 THE COURT: Well, how about 460 (C)? "If a person
17 required to register pursuant to this article changes his
18 address within the --" no, that's not it.

19 The same county -- wait a minute.

20 MR. TOOKER: Yeah, it's (D), sir.

21 It says "if a person required to register pursuant
22 to this article changes permanent or temporary address into
23 another county in South Carolina, that person must
24 register --" yada, yada, yada.

25 THE COURT: Within three days -- "three business

1 days of establishing the new residence."

2 So I guess one of the main questions here is when
3 did he establish his residence.

4 MR. TOOKER: And I think that's a jury question
5 based on the question of both Mr. Rollins and Detective
6 Raines.

7 THE COURT: I don't know if it's necessary to
8 charge about change of address in the previous county.

9 MS. JOHNSON: Your Honor --

10 MR. TOOKER: No, because I don't think that's
11 contested in this case, Your Honor. It seems to me that he
12 actually did do that, so he's not in violation of that.

13 MS. JOHNSON: Your Honor, if I may?

14 THE COURT: Well, I -- also --

15 Yeah, just a second.

16 "For purposes of this subsection temporary address
17 or residence means a location of the individual's home or
18 other place where the person eventually lives or resides or
19 where the person lives or resides for a period of ten, or
20 more, consecutive days."

21 MR. TOOKER: Yes, sir, I think that's appropriate.
22 It sort of creates for the jury the opportunity to determine
23 whether or not Mr. Rollins had decided that is my permanent
24 address.

25 THE COURT: All right..

1 MS. JOHNSON: Judge, I would certainly ask for the
2 language about notifying the prior county. I think that is
3 relevant here. I think it's a two-part test.

4 THE COURT: Well, hadn't that been done? I don't
5 think that's --

6 I'll just charge the whole thing.

7 MR. TOOKER: Okay.

8 THE COURT: Is that what you want?

9 MS. JOHNSON: Yes, Your Honor.

10 THE COURT: Okay. Well, we will do that. I mean,
11 I don't think it will confuse them.

12 MR. TOOKER: No objection from the State, Your
13 Honor. That's fine.

14 I think we're all in the same mindset, sir.

15 THE COURT: Do you want to formally rest in front
16 of the jury?

17 MS. JOHNSON: Yes, Your Honor.

18 THE COURT: And, any motion -- let's just go ahead
19 and do the motion hearing. I'll allow you to formally --
20 you are going to rest at this time?

21 MS. JOHNSON: Yes, Your Honor.

22 THE COURT: All right. Any motions?

23 MS. JOHNSON: Judge, at this time I would renew my
24 motion for a directed verdict.

25 THE COURT: Okay. The same rulings.

1 MS. JOHNSON: Thank you, Your Honor.

2 MR. TOOKER: Thank you, sir.

3 THE COURT: Are you all ready to go?

4 MR. TOOKER: Yes, sir, Your Honor.

5 MS. JOHNSON: Yes, Your Honor.

6 THE COURT: Okay, bring the jury in.

7 (The following takes place in the presence of the
8 jury panel)

9 THE COURT: All right, welcome back, ladies and
10 gentlemen. I hope none of you got soaked.

11 All right, Ms. Johnson?

12 MS. JOHNSON: May it please the court.

13 Mr. Tooker --

14 THE COURT: No, are you --

15 MS. JOHNSON: Your Honor, at this time we rest.

16 THE COURT: Okay.

17 All right, ladies and gentlemen, all the evidence
18 is in. If you will remember my little procedural road map,
19 we finished the first two parts of the trial. We are moving
20 to the third part, and that's the closing arguments of these
21 attorneys. So please pay close attention. Thank you very
22 much.

23 All right, ma'am, Ms. Johnson.

24 MS. JOHNSON: May it please the court?

25 Mr. Tooker.

1 MR. TOOKER: Yes, ma'am.

2 MS. JOHNSON: Ladies and gentlemen of the jury, in
3 my opening statement I told you that this case was going to
4 be about one thing, and that one thing was common courtesy
5 and human decency to our fellow man - doing what's right,
6 treating people with kindness that they deserve. And
7 unfortunately we are here today because the Pickens County
8 sheriff's office didn't have any of those qualities or
9 attributes for Christopher Rollins.

10 All it took was for these officers or their
11 affiliates to put Mr. Rollins in the car. And I am not
12 saying that it is their duty to provide transportation, but
13 this man had obviously fallen on hard times and he was just
14 asking for a ride. By their own testimony he asked for a
15 ride.

16 Now, I think he's worthy of an exception. I think
17 he's a human being. And the reason he is worthy of an
18 exception is because he is not running. He is not hiding.
19 He is not playing cat and mouse with these officers. They
20 go to where he said he was going to be, okay? I want you
21 you to keep that in mind. They are not trying to track him
22 down. They are not issuing, what is it, all points
23 bulletins for this guy. They are not having to go by his
24 house every day. He is where he says he is going to be.

25 They come out to his house and he asks for a

1 ride -- or he says he doesn't have a ride. He says "I do
2 not have a ride." Okay, we will get a ride. All this whole
3 thing could have been averted "hey, man, get in the car and
4 we'll go register." That's it.

5 The next day somebody calls him. We know there
6 was a phone call, okay? Somebody calls him and says "hey,
7 man, I got a car coming for you," and he believes that and
8 he relies on that, after he had walked in the July heat
9 fifteen miles from Central -- or he didn't walk that long,
10 but the difference or the distance from Central to Pickens
11 is fifteen miles. And I remember last summer as being
12 hotter than this summer.

13 And then somebody comes to his house the next day,
14 honks his horn like he's a dog, like he's subhuman, and he
15 thinks they are coming to help him "hey, man get in the
16 car." No, they trick him. "Welcome to the web said the
17 spider to the fly." Okay?

18 All of this could have been averted "hey, man, get
19 in the car and let's go register." He was there where he
20 said he was going to be.

21 Now, you know, these dates that everybody has
22 given, and I just want to talk about the dates real quick.

23 You know, let's talk about July 11th, okay?
24 That's the date that the State provided that Anderson
25 subsequently -- or supposedly received notification. Well,

1 where is Anderson? Okay? Where is Anderson is what I want
2 to ask, okay?

3 And this thirty day statement that my client
4 supposedly made, okay? Well, not only is Anderson not here
5 to say when he moved, okay, but if we believe that my client
6 made a thirty day -- a statement that he had been living at
7 a place for thirty days and didn't register. We have got
8 July 18th. We have got July 11th. We have got July 4th.
9 We have got June 27th. June -- that's four weeks; one, two,
10 three, four. Four weeks that either Pickens or Anderson
11 fell down on their job.

12 And this case is not about that. I'm not blaming
13 Pickens or Anderson. I'm not here to blame them, but I'm
14 just saying that is a falsehood, okay? I'm not calling it a
15 lie, but I'm calling it a falsehood.

16 And, you know, Pickens never did any independent
17 investigation about when or -- when or whether he moved.
18 All we know is that he contacted Anderson. He told them
19 where he was and he was there,

20 Now, let's talk about the times that law
21 enforcement made contact with Chris Rollins during this
22 incident. We know that contact was made on July 18th. We
23 know that contact was made on July 19th, and subsequently a
24 warrant was taken out for his arrest. And we know that
25 contact was made on July 21st, or 22nd, when he was

1 arrested.

2 We know that Anthony Raines comes out on July
3 18th; that Mr. Rollins or Mr. Peters -- excuse me, Detective
4 Raines or Mr. Peters calls Chris Rollins with the number he
5 provided sometime on the 19th. And then we know that Mr.
6 Rollins is picked up later on July 21st under a trick. And
7 if we include this whole Anderson question, let's call it
8 the Anderson question, that's four times. Four times that
9 he contacted law enforcement. And I would argue that three
10 of those times are calls for help "I don't have a ride. I
11 need a ride. Just give me a ride this one time."

12 Does this look like somebody who is trying to
13 evade the authorities? Does this look like somebody who is
14 trying to shirk his responsibilities? No, it does not. He
15 has contacted them four times. He made a good faith effort
16 to register.

17 You are the judge of the facts and you get to
18 judge the credibility. And I'm -- I am just asking you to
19 consider the raw emotion that Mr. Rollins showed from the
20 stand. That's all I'm asking.

21 And I'm also going to ask that you do not consider
22 what I talked about in my opening, the fact that he is a
23 registered sex offender, as hard as that is for me to say.
24 And I think, you know, that label is why we are here today,
25 because our government can't make the right call to find an

1 exception to do what's right.. Big government, cold,
2 heartless government not doing the right thing.

3 Again, I want to remind you, all this takes is --
4 we wouldn't be here today, "hey, man, get in the car and
5 let's go register." That's all it took. Three times.

6 He wasn't hiding. He wasn't running. He wasn't
7 skipping town. He was there where he says he was. And for
8 these reasons I'm going to ask that you find my client not
9 guilty. Thank you.

10 THE COURT: All right.

11 MR. TOOKER: Thank you, Your Honor.

12 May it please the court?

13 THE COURT: Yes, sir.

14 MR. TOOKER: Ms. Johnson.

15 Ladies and gentlemen of the jury, while I
16 appreciate Ms. Johnson's compassionate argument, you guys
17 when you got here swore an oath, and that oath was to uphold
18 the law as instructed to you by His Honor.

19 Now -- could I take that pen from you?

20 MS. JOHNSON: Yes.

21 MR. TOOKER: Thank you.

22 So there is a specific law in this case. And the
23 judge will instruct you on the law, so if I screw any of
24 this up, take his word for it, not mine, but there are
25 certain obligations that somebody on the sex offender

1 registry has, and the judge will instruct you as to what
2 those are, but I'm just going to try to paraphrase them real
3 quick for you, okay?

4 So in this case what we have is an address change.
5 So an address change.

6 And essentially you got two duties, and that is if
7 you go into a new county. You got two duties.

8 The first duty being on the registry is you need
9 to notify the new county that you are in in person. You
10 need to notify them of that change. So you got to go to
11 them in person and say "I have changed my address. This is
12 where I live." And I spelled change wrong.

13 The second duty. You have got to notify the
14 current -- or the county that you were in that you changed
15 into a new county.

16 So, the residence has to change. That's really
17 the first element. You know, you change residence from one
18 county to another, and then you got two things that you have
19 to do. You have got to notify the new county and you have
20 got to notify the old county. You have got to notify that
21 new county in person. Those are your obligations on the
22 registry.

23 Now, this case -- Mr. Rollins did the right thing.
24 The defendant did the right thing in notifying the first
25 county, so he satisfied that.

1 The reason we are here is because he never came in
2 and changed his address in the new county, in Pickens
3 County.

4 This is a -- it's a statute that's in place for
5 public policy reasons. You know, whether or not we agree
6 with it or disagree with it, it is the law as per our
7 legislature and anybody who is on the sex offender registry
8 is required to register.

9 In this case, and you will hear from the judge's
10 instruction as well, I believe, that you have got three
11 days. So you move into that new county, you are afforded
12 three days in which to go to the sheriff's office and tell
13 them "yeah, I'm here. I am on the registry. I'll sign
14 whatever you need me to sign to get out, but I have switched
15 my address."

16 We have got testimony, and there is some
17 conflicting testimony, so let's go through that, but before
18 we do I think it is important to note that what y'all have
19 to determine really -- you know, you determine whether or
20 not those elements are met, right? But after you do that,
21 you have to determine credibility. So you have to look at
22 the people who get up there and testify on the stand and say
23 are they telling me the truth? Are they telling me the
24 truth? And I think any analysis of that is really very much
25 dependent upon why would they lie. What are their motives

1 to tell the truth? What are their motives to lie, right?

2 You heard two witnesses from the State and you
3 also saw a stipulation. The stipulation is that the
4 defendant is on the registry. So that element is satisfied.
5 He is on the registry. You don't have to worry about that.

6 Really what's in dispute is whether or not he did
7 enough to satisfy that element, that change in county, going
8 to Pickens County and verifying that he is, in fact, now
9 here.

10 So you heard two witnesses on behalf of the State,
11 Mr. Pete Peters and Detective Raines, both of whom testified
12 the defendant did not register when he was supposed to.
13 That's their testimony. These are fellows who are
14 disinterested. I mean, they don't really have a dog in the
15 fight, other than they have to do their job. This is
16 something that you heard Mr. Peters, he's got two hundred,
17 plus, people on the registry and he has to keep count of
18 every single one of them. So this is what they do.

19 Mr. Raines or Detective Raines serves people with
20 warrants when they fail to register and they are following
21 those procedurally, but it's what they are required to do by
22 law and they are fulfilling their obligation as officers of
23 the law.

24 Now, you also heard testimony from the defendant.
25 And before I get into that, any time that you hear somebody

1 testify, again, like I said, you got to think about why
2 would they lie? What reason do they have to tell the truth
3 and what reason do they have to lie?

4 In the defendant's case he is charged with a
5 serious crime and if he doesn't tell the truth, "well, maybe
6 I can get out of it. Maybe that jury will believe me and
7 not convict me." That would be his reason to lie. That
8 would be his reason to distort the truth for his own
9 purposes.

10 But let's talk about dates. Ms. Johnson mentioned
11 some dates, and I think these are important. So we have got
12 a first date of thirty days. That's how long Detective
13 Raines testified that the defendant told him he had been
14 living in the county. So if you believe that, if you
15 believe what the defendant told Detective Raines that he had
16 been living there thirty days, then we meet our element and
17 we satisfy our burden and then we have proven him
18 guilty.

19 Now, you heard another date. You heard 7-11.
20 Now, if you believe that date, if you believe that it's
21 true, that Anderson County contacted the sheriff's office,
22 and said "he notified us on 7-11," and I believe that is
23 what the defendant himself testified to, that he notified
24 them that he had changed his address. That on 7-11 when
25 Detective Raines was notified of that fact, he went to

1 talk -- or, excuse me, he was notified of that fact on 7-11,
2 so that puts the time between the 11th and the 18th when the
3 defendant first encountered Detective Raines, that's seven
4 days. So in seven days he failed to register. And, again,
5 he has three. So if you believe that, believe the 11th,
6 it's satisfied.

7 Finally, you have got the 18th. Now -- and I
8 think this is important. On the 18th Detective Raines goes
9 out and talks to the defendant. He talks to the defendant
10 and says "hey, man, you are supposed to register. You know,
11 this is your obligation. We have got informed that you
12 moved in here on the 11th. You are living here.

13 "Yeah, I'm living here. I been living here for
14 thirty days.

15 "You need to register. That's your obligation.
16 Do it tomorrow. Do it tomorrow or I'm going to have to get
17 a warrant."

18 Did he do it? No, he didn't. He does not do it.
19 He's given until the end of business on the 19th and he's
20 failed to do it.

21 So on the 19th Detective Raines again calls the
22 defendant and says "where are you?"

23 The defendant says "I'm not coming. I'm not
24 coming because it's hot and I got to walk."

25 And, again, I appreciate Ms. Johnson's argument,

1 but the State is under no obligation or duty, and neither
2 should it be, to transport sex offender registrants to the
3 sheriff's office so they can register. That is not the law.
4 The law is that they must register upon living in a new
5 county in three days. The defendant in this case did not do
6 that.

7 Now, again, we heard testimony from the defendant,
8 and an issue I think, in addition to why he would lie, why
9 he wouldn't tell the truth, why he would distort what had
10 happened, something y'all need to consider is his inability
11 to recall what happened. I mean, how many times did he say
12 "I don't recall" when asked a direct question from either
13 myself or Ms. Johnson? And I understand his hesitancy in
14 not wanting to talk to me, but from his own attorney "I do
15 not recall" came out in a great many times.

16 More importantly than that, though, when asked
17 specific questions, he would change his story. I said "hey,
18 you always register?

19 "No -- or "yes, I do. I always register.

20 "Well, what about in '01, when you pled guilty in
21 failing to register?

22 "Oh, yeah, yeah, yeah, I didn't do it that time.

23 "What about 2010, when you pled guilty to failing
24 to register?

25 "Oh, yeah, yeah, I didn't do it that time."

1 You have somebody who changes his story when he
2 needs to to satisfy what he thinks you want him to say, what
3 he thinks is going to get him out of trouble, and that is
4 not reasonable. That is not reasonable doubt.

5 Like I told you at the beginning of this trial,
6 every trial in our nations history the burden has been
7 beyond a reasonable doubt, that that is proven. Every time
8 someone has been found guilty in this nation, they have been
9 found guilty beyond a reasonable doubt.

10 You have got two officers, two officers who work
11 for law enforcement, who promised to tell the truth, who do
12 what they are supposed to do, fulfill their obligation, they
13 come in and say "he said he's been here thirty days." That
14 doesn't satisfy it.

15 You go out on the 18th, after he's been there
16 since the 11th. That's more than three days.

17 They don't arrest him until the 21st. He hadn't
18 come in on the 20th and registered. He didn't go in on the
19 19th and register. They arrested him on the 21st, and at
20 that point he had still not registered.

21 When did he register? He registered, per Mr.
22 Peters, when he got arrested and was put in jail and was
23 released. That's when he finally registered.

24 Now, this is one of those cases where really you
25 have to decide did he do X, Y, and Z. That's it. It's not

1 that you feel bad for him; is his lot in life rough; is it
2 tough; are you sympathetic. It's did he do what he was
3 supposed to do as were his obligations under the law, and I
4 believe, the State believes, that the evidence you have seen
5 today, the testimony that you have heard is sufficient for
6 you to find him guilty. Thank you.

7 (Whereupon, at 2:45 p.m., the Court instructed the
8 Jury Panel)

9 THE COURT: All right, Mr. Foreman, ladies and
10 gentlemen of the jury, during this trial you and I have
11 certain duties to perform.

12 As the trial judge it is my responsibility to
13 preside over the trial of the case and to rule on the
14 admissibility of the evidence that's offered during the
15 trial.

16 It is also my duty to charge you the law
17 applicable to the case, and it is your duty as jurors to
18 accept and apply the law as I now state it to you.

19 If you think you have any idea as to what the law
20 is or what the law should be and it differs from what I now
21 tell you the law is, you have sworn an oath to set aside
22 your own opinion and apply the law precisely as I state it
23 to you.

24 I would also remind you that in every case tried
25 in this court before a jury, the jury is the sole and

1 exclusive judge of the facts, and a trial judge cannot
2 comment on or make any statement about the facts in the
3 case. So please don't think by anything I may have said or
4 done throughout the course of the trial that I have such an
5 opinion. I do not and the law does not allow it.

6 I instruct you that the fact that the defendant
7 was arrested, charged and indicted in this case is not
8 evidence of guilt, nor does it create any presumption or
9 inference of guilt. These documents are simply the formal
10 written instruments which contain the charge made against
11 this defendant and they serve as the formal documents by
12 which the case is processed and brought into court for
13 resolution.

14 Now, necessarily your duty as jurors includes that
15 you must determine the credibility or believability of the
16 witnesses who have testified. And it becomes your duty as
17 jurors to evaluate the evidence and determine which evidence
18 convinces you that it is true.

19 In determining the believability of the witnesses
20 you may believe one witness over several, or several over
21 one.

22 You may believe a part of the testimony of a
23 witness and reject the remaining part.

24 You may believe the testimony of a witness in its
25 entirety, or reject that same testimony in its entirety.

1 You may consider whether the witness has an
2 interest in the result of the trial; whether the witness is
3 prejudiced towards either the State or the defense; the
4 opportunity for the witness to have seen the matters and
5 things about which the witness has testified; and the way
6 the witness acts on the witness stand, or what we have call
7 a witness' demeanor.

8 You have heard evidence that this defendant was
9 convicted of a crime other than the one for which he is now
10 on trial. This evidence may be considered by you, if you
11 conclude it is true, only in deciding whether the
12 defendant's testimony is believable, and for no other
13 purpose. You must not consider the defendant's prior record
14 as any evidence of the defendant's guilt of the charge we
15 are trying today.

16 The defendant has pled not guilty to the
17 indictment, and that plea puts the burden on the State to
18 prove the defendant guilty.

19 A person charged with committing a criminal
20 offense in South Carolina is never required to prove
21 themselves innocent. And I charge you that it is a cardinal
22 and a signal rule of the law that the defendant in a
23 criminal trial will always be presumed to be innocent of the
24 crime for which an indictment has issued, unless, and until,
25 guilt has been proven by evidence satisfying you of guilt

1 beyond a reasonable doubt.

2 Now, a reasonable doubt is the kind of doubt which
3 would cause a reasonable person to hesitate to act. And
4 reasonable doubt may arise from the evidence which is in the
5 case, or from the lack or absence of evidence in the case,
6 and you, the jury, must determine whether or not reasonable
7 doubt exists as to the guilt of this defendant.

8 The State has the burden of proving each and every
9 element of a crime beyond a reasonable doubt, and any
10 reasonable doubt that you may have in your deliberations
11 should be resolved in favor of the defendant.

12 The defendant has been indicted for a violation of
13 South Carolina Code of Laws Section 23-3-470, and that Code
14 Section reads, in part: "It is the duty of the offender to
15 contact the sheriff in order to register, provide
16 notification of change of permanent or temporary address, or
17 notification of change of employment, or in attendance,
18 enrollment, employment, volunteer status, intern status, or
19 vocation status at any public or private school, including,
20 but not limited to, a kindergarten, elementary school,
21 middle school or junior high school, high school, secondary
22 school, adult education school, college or university, and
23 any vocational, technical, or occupational school."

24 South Carolina Code of Laws Section 23-3-460
25 reads, in part: "If a person required to register pursuant

1 to this article changes his permanent or temporary address
2 into another county in South Carolina, that person must
3 register with the county sheriff in the new county within
4 three business days of establishing the new residence. The
5 person also must provide written notice within three
6 business days of the change of address in the previous
7 county to the sheriff with whom the person last registered.
8 For purposes of this subsection, temporary address or
9 residence means the location of the individual's home or
10 other place where the person habitually lives or resides, or
11 where the person lives or resides for a period of ten or
12 more consecutive days. For purposes of this subsection
13 habitually lives or resides means locations at which that
14 person lives with some regularity."

15 Now, ladies and gentlemen, there are two possible
16 verdicts which you may reach in this case. There is
17 absolutely no importance in the order in which they are
18 stated. One has to be stated first, and those two verdicts
19 are either guilty or not guilty.

20 I will tell you, ladies and gentlemen, that all
21 twelve of you must agree. Your verdict must be unanimous.

22 You have to decide this case on the evidence and
23 it cannot be based on sympathy, passion, prejudice, emotion,
24 or any other consideration which is not in evidence.

25 Remember, you have no friends to reward and you

1 have no enemies to punish.

2 Mr. Foreperson, when you all have agreed on a
3 verdict, we have prepared this verdict form which we will
4 send back to you. If you would indicate in the appropriate
5 spot, sign it, and indicate to the bailiffs and we will
6 receive you back in the courtroom.

7 I'm going to excuse you at this time and ask you
8 not to begin your deliberations just yet. I need to go over
9 my charge on the law with the attorneys to make sure I did
10 not misstate something or omit something. So with that,
11 ladies and gentlemen, would you please return to the jury
12 room.

13 (Whereupon, at 2:52 p.m., the Jury Panel went to
14 the jury room, awaiting instructions to begin deliberations)

15 THE COURT: Exceptions or objections to the
16 charge?

17 MR. TOOKER: Nothing from the State, sir.

18 MS. JOHNSON: Nothing from the defendant, Your
19 Honor.

20 THE COURT: Okay. All right.

21 Well, here is the verdict form.

22 Okay, let them go.

23 All right, good job.

24 MR. TOOKER: Thank you, Your Honor.

25 (Whereupon, at 2:53 p.m., the Jury Panel was

1 instructed to begin deliberations)

2 (Whereupon, at 2:53 p.m., proceedings recessed,
3 pending the verdict of the jury panel)

4 (Whereupon, at 3:04 p.m., proceedings were
5 reconvened)

6 THE COURT: I understand they have a verdict.
7 Bring them in.

8 (Whereupon, at 3:05 p.m., the jury panel was
9 brought into the courtroom to render its verdict)

10 THE COURT: All right, Mr. Foreman, I understand
11 that you have reached a verdict?

12 JURY FOREMAN: We have.

13 THE COURT: Would you please hand it to the
14 bailiff.

15 All right, Madam Clerk, if you would please
16 publish it.

17 THE CLERK: Docket number 2011-GS-39-2042, the
18 State of South Carolina versus Christopher Clayton Rollins,
19 as to Indictment Number 2011-GS-39-2042, the charge of
20 failure to register as a sex offender, we, the jury, find
21 the defendant guilty.

22 If this is your verdict and still your verdict, so
23 say you all by raising your right hand.

24 (Whereupon, all jurors raised their right hand)

25 THE CLERK: Thank you.

1 THE COURT: Anything further of the jury, from the
2 State?

3 MR. TOOKER: Nothing from the State, sir.

4 THE COURT: From the defense?

5 MS. JOHNSON: No, Your Honor.

6 THE COURT: Okay.

7 All right, Mr. Foreman and ladies and gentlemen of
8 the jury, I want to thank you for your service. I wish I
9 could tell you you are done for the week, but I have to ask
10 you to call back after six o'clock tonight. Thank you very
11 much.

12 Mr. Foreperson, if we could get you to stay and we
13 just need to get you to sign one other thing.

14 All right. Thank you very much.

15 (Whereupon, at 3:10 p.m., the Jury Panel was
16 discharged)

17 THE COURT: All right, come around.

18 All right. Mr. Rollins, how many days in jail
19 does he get?

20 MR. TOOKER: By the State's calculation, Your
21 Honor, he has got -- I had 144, but then he got picked up on
22 a bench warrant a little bit ago.

23 Actually, no, that's correct. I think 144.

24 Mr. Rollins, does that sound correct?

25 THE DEFENDANT: (No response).

1 THE COURT: 144?

2 MR. TOOKER: That's what I have written in my
3 file, sir.

4 THE COURT: How about that?

5 MS. JOHNSON: If you will allow me?

6 (Off the record)

7 (Back on the record)

8 THE COURT: All right. This is a third offense?

9 MR. TOOKER: Yes, sir, Your Honor.

10 The State's understanding that it's a five year
11 sentence. However, it may be suspended to three years.

12 THE COURT: Yeah.

13 What's -- give us -- put on the record -- well,
14 you did during examination, but let's just for the record
15 for sentencing purposes what are the prior convictions?

16 MR. TOOKER: Yes, sir.

17 Well, he had the juvenile conviction, of course.

18 But then in 2001 there was a failure to register,
19 which we are passing up.

20 THE COURT: Just put them in the record:

21 And the other one was 2010?

22 MR. TOOKER: 2010.

23 And then other than that, he had a couple of
24 magistrate offenses; DUS and unlawful use of telephone, but
25 nothing serious.

1 THE COURT: Okay.

2 All right. Anything that you want to tell me, Ms.
3 Johnson, Mr. Rollins?

4 MS. JOHNSON: Judge, we obviously respect the
5 verdict of the jury. We may not agree with it, but we
6 certainly respect it.

7 I'm going to ask Your Honor to impose the minimal
8 sentence.

9 Chris has three children and he could tell me
10 their birth dates, which I thought was a neat fact.

11 I would certainly ask for the minimal sentence you
12 can give.

13 THE COURT: All right. Well, it's -- I don't have
14 a lot of leeway in this.

15 Anything that you want to tell me, Mr. Rollins?

16 THE DEFENDANT: (Shaking head no).

17 THE COURT: All right, he's shaking his head no.

18 This is a -- this is a tough --

19 Well, five years, provided upon the service of
20 three. The balance is suspended. Okay.

21 MS. JOHNSON: Thank you, judge.

22 MR. TOOKER: Thank you, sir.

23 (Jury Note marked as Court's Exhibit No. 3 for
24 identification)

25 (END OF REQUESTED TRANSCRIPT OF RECORD)

CERTIFICATE

I, the undersigned, Michael R. Watts, Official Court Reporter for the Sixteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for PICKENS County, South Carolina, on the 18TH day of SEPTEMBER, 2012.

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

JANUARY 25, 2013

Michael R. Watts

Michael R. Watts
Circuit Court Reporter

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)

INDICTMENT FOR
FAILURE TO REGISTER AS A SEX OFFENDER

At a Court of General Sessions, convened on

DEC 06 2011

the Grand Jurors of Pickens

County present upon their oath:

That CHRISTOPHER CLAYTON ROLLINS did in Pickens County, on or about the 19th day of July, 2011, willfully, unlawfully and feloniously fail to register and/or provide required notification of change of address within (10) days of establishing his new residence for the Sexual Offender Registry after notice of this requirement and after being convicted of Criminal Sexual Conduct with a Minor < 11 Years Old 1st Degree under §16-03-0655(A)(1) as amended. This is in violation of §23-03-0470 of the South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

WITNESSES

Anthony Raines

Pickens County Sheriff's Office

7/21/2011

ARREST WARRANT NUMBER

1689029

ACTION OF GRAND JURY

Date

Foreperson of Grand Jury

VERDICT

X Guilty

Foreperson of Petit Jury

Date:

DOCKET NO. 2011-GS-39-SBT 2042

The State of South Carolina

County of Pickens

COURT OF GENERAL SESSIONS

DEC 06 2011 TERM 2011

THE STATE

vs.

CHRISTOPHER CLAYTON ROLLINS

Indictment for

2435

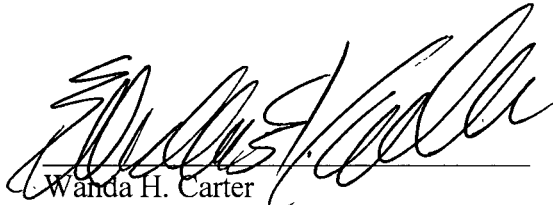
FAILURE TO REGISTER AS A SEX OFFENDER

VIOLATION § 23-03-0470(B)(3)

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 August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

April 1, 2013



Wanda H. Carter
Deputy Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

Edward W. Miller, Circuit Court Judge

THE STATE,

V:

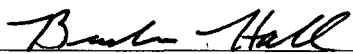
CHRISTOPHER CLAYTON ROLLINS,

RECEIVED
RESPONDENT, APR 01 2013
SC Court of Appeals

APPELLANT

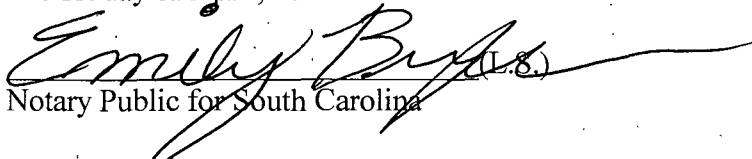
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and Christopher Clayton Rollins, #352463, at Evans Correctional Institution, 610 Hwy. 9 West, Bennettsville, SC 29512, this 1st day of April, 2013.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 1st day of April, 2013.



Notary Public for South Carolina (L.S.)

My Commission Expires: November 16, 2022.