



1 even if you're right in your objection, it still could be  
2 proffered anyway. So, I've got to look at them one way or  
3 the other. It doesn't matter. Y'all go ahead and mark  
4 them.

5 (A PAUSE.)

6 THE COURT: Just for the record, I would inform  
7 everybody -- I don't always do this -- but Elizabeth  
8 Harris, some of you know that's Greg Harris's sister.

9 You don't mind my telling people that, do you?

10 COURT REPORTER: No, sir.

11 THE COURT: So if you have something bad to say about  
12 Greg Harris, don't say it so she can hear you.

13 (A PAUSE.)

14 THE COURT: While she's marking them, just  
15 parenthetically, I read something somewhere. Was there an  
16 action filed in family court?

17 MS. JEFFRIES: There was an action filed in family  
18 court.

19 THE COURT: What happened to that action? I'm just  
20 curious.

21 MS. JEFFRIES: It got administratively dismissed in  
22 December of 2016.

23 THE COURT: I hate to be pesty or testy, but I can't  
24 understand anything with your mask on.

25 MS. JEFFRIES: It got administratively dismissed.

1 THE COURT: Administratively dismissed.

2 Go ahead, Mr. Moore.

3 MR. MOORE: Basically what happened was we filed it in  
4 family court and in circuit court in an effort to try to  
5 determine whether ---

6 THE COURT: A common-law marriage existed. Was that  
7 it?

8 MR. MOORE: Yes, sir. When they, when they filed  
9 saying they denied it, we then allowed it to  
10 administratively die so we could try the matter in circuit  
11 court.

12 MS. JEFFRIES: And, and that's correct, Your Honor,  
13 but I, I do have some concerns because -- well, we'll get  
14 to that in the motion for summary judgement. But if there  
15 is -- the argument is we were common-law husband and wife,  
16 I think that needs to get adjudicated in family court  
17 because family court would be the court of exclusive  
18 jurisdiction over whether or not there was a marriage. If  
19 there was a marriage, what are the assets of this marriage  
20 and how is it going to be equitably apportioned, so.

21 THE COURT: Well, currently there's no matter pending  
22 in family court affecting this hearing here today.

23 MS. JEFFRIES: It's not. No. No, Your Honor.

24 THE COURT: Okay. All right. What happens later on,  
25 we'll worry about crossing that bridge when we come to it.

1 Right now, I have jurisdiction. Everybody agrees. We're  
2 ready to proceed?

3 MR. MOORE: Yes, sir.

4 THE COURT: Fair enough. Okay.

5 (A PAUSE.)

6 MS. JEFFRIES: Your Honor, I do have the original copy  
7 of ---

8 THE COURT: Of whose deposition?

9 MS. JEFFRIES: Of the plaintiff's deposition.

10 THE COURT: If you'll hand it up, I'll open it now.  
11 Any objection? Y'all have it anyway.

12 MR. MOORE: None.

13 THE COURT: Anything else y'all want to submit?

14 MR. MOORE: I guess we would like to submit the  
15 deposition of the defendant.

16 THE COURT: All right. That's fine, number 2.

17 (A PAUSE.)

18 (PHOTOGRAPHS MARKED INDIVIDUALLY INTO EVIDENCE AS  
19 PLAINTIFF'S EXHIBIT NUMBERS 1, 2, 3, 4.)

20 (E\*TRADE FINANCIAL DOCUMENT MARKED INTO EVIDENCE AS  
21 PLAINTIFF'S EXHIBIT NUMBER 5.)

22 (SUMMONS AND COMPLAINT MARKED INTO EVIDENCE AS  
23 PLAINTIFF'S EXHIBIT NUMBER 6.)

24 (LETTERS MARKED INDIVIDUALLY INTO EVIDENCE AS  
25 PLAINTIFF'S EXHIBIT NUMBERS 7, 8, 9.)

1 resulting trust or express trust. Those factors are not  
2 met in this case. And so we'd ask that the -- that she be  
3 granted summary judgement.

4 THE COURT: All right.

5 MS. JEFFRIES: All right.

6 THE COURT: Thank you, ma'am.

7 Mr. Moore, I think Shakespeare said the course of true  
8 love never runs smooth.

9 MR. MOORE: Absolutely.

10 THE COURT: I was once married a long time. Go ahead.

11 MR. MOORE: Your Honor, we have filed extensive  
12 motions -- returns to the motion setting forth the issues  
13 of law. What you basically have, according to the  
14 testimony, counsel says there's no, there's no proof of any  
15 of this. If you read Ms. Willing's deposition, she  
16 acknowledges most of this. They lived together for  
17 thirteen years. They shared expenses. They shared assets.  
18 They commingled their money. They had the property that  
19 they're talking about on Meeting Street. The bills came in  
20 Jimmy's name. The name of the company, the name of the  
21 location is Jimmy's Citgo. They held joint bank accounts.  
22 They commingled their money, and they worked side by side  
23 together for thirteen years sharing everything.

24 Mr. Helms contributed to the education of her  
25 children; he contributed to purchasing cars for her

1 children. He let her live at his home for a significant  
2 period of time. He invested \$80,000 of his cash money into  
3 her home with the construction of a swimming pool and  
4 basically doubling the size of the home. The convenience  
5 store actually belonged to Jimmy before they ever took up  
6 with each other. They lived together for thirteen years.

7 Your Honor, we've handed up significant cases dealing  
8 with constructive trust, equitable trust. We haven't  
9 mentioned the *quantum meruit, quantum meruit* concepts in  
10 regard to avoiding unjust enrichment, equitable trust,  
11 resulting trusts, partnership. They basically had  
12 everything they held together. The actual naked title in a  
13 partnership arrangement matters not.

14 This lady, Your Honor, has had the benefit. They,  
15 they open -- they had \$180,000 worth of joint money they  
16 put in a CD, in two CDs. She's had some \$4,000 a month  
17 from rent out of the convenience store for the last four  
18 years. No accounting whatsoever.

19 What's interesting, the house that she's talking about  
20 she sold out on the lake, the lot was something Jimmy got  
21 in his divorce situation. So, Jimmy winds up with a lot at  
22 Harbour Watch. It winds up being put in the defendant's  
23 name. She apparently now has sold it. It's interesting.  
24 In her testimony, she testified the lot had zero value,  
25 which of course a lake lot has value.

1 and Jimmy Helms move in with each other?

2 A. In December of 2003.

3 Q. And you lived together until when?

4 A. Until two thousand -- some time in 2014 we split up or  
5 '15. I can't -- I have a hard time remembering. That was  
6 a long time ago.

7 Q. That means that you lived together for approximately  
8 eleven years?

9 A. Yes, sir.

10 Q. Now, you have two children. Is that correct?

11 A. Yes, sir.

12 Q. In 2003, how old would they have been?

13 A. I think my daughter was sixteen; I think my son was  
14 nineteen.

15 Q. And in 2003 when you moved in, your children moved in,  
16 too, correct?

17 A. Yes.

18 Q. And the home that you moved into belonged to Jimmy  
19 Helms. Is that right?

20 A. It does. It was in his name.

21 Q. How did you meet Jimmy Helms?

22 A. We lived in the same neighborhood on the lake, and  
23 everybody got together once a month.

24 Q. What was the name of that neighborhood?

25 A. Lake Village.

1 Q. And were you married when you met him?

2 A. Yes. He was married, too.

3 Q. Did both of you have an affair? Did y'all have an  
4 affair with each other?

5 A. No, sir.

6 Q. You basically started having sex with him after you  
7 got divorced?

8 A. I was legally separated in October of 2003.

9 Q. Well, ma'am, were you legally married?

10 A. Yes.

11 Q. So, you were having sex with him while married?

12 A. Yes.

13 Q. And he was having sex with you while married, correct?

14 A. I don't know.

15 Q. Now, isn't it true that Jimmy helped pay for some of  
16 your children's education?

17 A. No, sir.

18 Q. Where did your daughter go to school?

19 A. She went to Midlands Tech and she went to USC, and she  
20 had a B average and the lottery paid her education.

21 Q. Now, what kind of education do you have?

22 A. I have some college.

23 Q. Do you have a college degree?

24 A. No, sir.

25 Q. And before you met Jimmy, what kind of work were you

1 doing?

2 A. I was working for a company in Massachusetts  
3 negotiating contracts for their phone systems.

4 Q. You were negotiating contracts for phone systems. You  
5 were, in effect, selling service, weren't you?

6 A. No. I was negotiating contracts for that company's  
7 phone service. Like MCI, Bell South, I would go to them  
8 and try to make a deal to try to get a cheaper price.

9 Q. All right. Now, the house that you moved into in 2003  
10 with Jimmy and moved your children into, whose name was it  
11 titled in?

12 A. Jimmy's name.

13 Q. And it was approximately a 5,000 square-foot home on  
14 Lake Murray, correct?

15 A. Yes, sir.

16 Q. It was a very nice home, correct?

17 A. Yes, sir.

18 Q. How long did you and your children live there with  
19 Jimmy?

20 A. I think that the summer of 2004, he was having a hard  
21 time making the payments, he told me. So, I helped make,  
22 like, four, four or five of the payments, and I told him  
23 maybe we should just make it a vacation rental.

24 Q. How long did you and Jimmy live in that home?

25 A. Through December until April of the next year.

1 Q. And like you say, you contributed some of the money  
2 for the payments for that house?

3 A. Yes, sir.

4 Q. How many payments did you make?

5 A. It was four or five. I can't recall, but I, I have  
6 copies.

7 Q. Did, did you get a note where Jimmy owed you the  
8 money?

9 A. No, sir.

10 Q. Now, you're a businessperson ---

11 A. I had a ---

12 Q. --- right?

13 A. --- check. I had a check and I had loan on it.

14 Q. So, you actually loaned him the money?

15 A. Uh-huh.

16 Q. Is that yes?

17 A. Yes, sir.

18 Q. When did he pay you back?

19 A. Never did.

20 Q. What were the terms of the repayment of that loan?

21 A. He, he was just supposed to pay me back. I didn't  
22 have the terms. I put loan on there. I guess I could have  
23 taken him to small claims court.

24 Q. But you continued to live with him?

25 A. I continued to live with him.

1 Q. You never paid him any rent while you and your  
2 children were living in that house, did you?

3 A. I made mortgage payments, his.

4 Q. Well, you paid it for four months, but you lived there  
5 for how long?

6 A. I lived there from December, December...

7 THE COURT: How many total years was she there?

8 Q. How many total years were you there?

9 A. I was only there five months. We left the lake house.

10 Q. Now, let's look at your assets when you moved in, all  
11 right?

12 A. Yeah.

13 Q. Let's talk about what you actually owned in December  
14 of 2003 when you moved in with Jimmy.

15 A. Okay.

16 Q. Correct?

17 A. Yes, sir.

18 Q. You did not own a convenience store when you moved in  
19 then, did you?

20 A. No, sir.

21 Q. Was the convenience store in business when you moved  
22 in?

23 A. Yes, sir.

24 Q. Do you know who owned the convenience store when you  
25 moved in?

1 A. I worked remotely, so I could do it whenever I wanted.

2 That was when I negotiated the contracts for their ---

3 Q. Right. You kept the job in Massachusetts?

4 A. Uh-huh.

5 Q. Right?

6 A. Yeah.

7 Q. We're talking about both jobs. The other job was  
8 doing what?

9 A. Working for my ex-husband, doing his books.

10 Q. Right. Now, after you moved in until you separated  
11 from Jimmy, what jobs did you have?

12 A. I had R.H. McKnight. I had them until 2006, and I had  
13 worked for Scott, my ex-husband, til 2018.

14 Q. And did you also work at a store called Jimmy's Citgo?

15 A. If you want to call that, yes.

16 Q. Ma'am, I'm not wanting to call it anything.

17 A. I don't know what ---

18 Q. I'm just asking ---

19 A. I don't know what to say.

20 Q. Wait, wait. I'm, I'm not going to argue with you.

21 A. I'm not.

22 Q. I just want to know. Did you work at a store called  
23 Jimmy's Citgo?

24 A. I purchased a store called Jimmy's Citgo.

25 Q. I didn't ---

1 THE COURT: Stop. He's asked you a question. Did you  
2 work there or not? Yes or no.

3 WITNESS: I don't know. Does that mean do I -- yes, I  
4 guess.

5 THE COURT: Okay. All right. She worked there.

6 MR. MOORE: Thank you, Your Honor.

7 BY MR. MOORE:

8 Q. Now, do you acknowledge that Jimmy Helms trusted you?

9 A. Yes.

10 Q. Ma'am?

11 A. Yes.

12 Q. And y'all lived together?

13 A. Yes.

14 Q. You took trips together?

15 A. Yes.

16 Q. Jimmy worked also at Jimmy's Texaco?

17 A. Yes.

18 Q. Tell me some of the trips that y'all took together.

19 A. We went on a cruise, and I think we went, we went to  
20 Florida.

21 Q. I believe that you have testified that you're a lot  
22 smarter than Jimmy, right?

23 A. I'm not -- I don't know because I don't know how smart  
24 he is.

25 Q. Well, let's take a look at page 23 of your deposition,

1 Q. --- put in it?

2 A. --- not positive. He won a football pool, and that's  
3 where he came up with the money. He had his three kids  
4 every other weekend, and we wanted a pool.

5 THE COURT: I'm sorry. Slow down just bit, please.

6 WITNESS: Sorry.

7 BY MR. MOORE:

8 Q. He won a football pool of \$40,000, didn't he?

9 A. I'm not sure how much it was.

10 Q. And he put that into your house, didn't he?

11 A. I don't know how much he paid for the pool. He wanted  
12 the pool for his kids. My kids were grown.

13 Q. And he put money from the sale of his house into your  
14 house?

15 A. It was -- no. It was from the football pool. I know  
16 that for a fact.

17 Q. Well, did he -- but you have no idea how much money of  
18 his he put into your home?

19 A. I have no idea.

20 Q. And since you don't know, you could not deny that it  
21 was \$80,000 he invested in your home?

22 A. My home's not even worth 80. I mean, the amount of  
23 money I owed on it, I don't know. I guess if you give me  
24 something that showed me, I would agree with you.

25 Q. Ma'am, since you don't know how much he put in, you

1 couldn't deny that he ---

2 A. He ---

3 Q. --- put in 80,000.

4 A. He never paid one bill in the house.

5 Q. I didn't ask you that. I'm talking about what money  
6 of his went into your ---

7 A. I don't know.

8 Q. --- home.

9 A. I guess I'll have to have my lawyer ask him.

10 Q. Well.

11 A. I don't know.

12 Q. So, the only person we know that would know would be  
13 Jimmy, right?

14 A. You could say that.

15 Q. Well, would that be the truth?

16 A. If I saw something, bills and what he did. I don't  
17 trust him.

18 Q. Did Jimmy pay for a swimming pool at your house?

19 A. Yes.

20 Q. Who built the pool?

21 A. I don't know the name of the guy. I can't remember.

22 Q. How about describe for me what Jimmy did to help  
23 remodel your home. Just tell me what all he paid for.

24 A. Somebody owed him money because he was booking. So,  
25 he owned a carpet place and he couldn't pay Jimmy. So, he

1 put hardwood floors in the living room in the house. I put  
2 the addition on, and he paid for the cabinets, and he got  
3 the pool.

4 Q. How big is your swimming pool?

5 A. Exactly what he wanted, 20 by 40.

6 Q. That's a large pool, isn't it?

7 A. Yes.

8 Q. Is it gunite or is it vinyl?

9 A. It's vinyl.

10 Q. And who did he pay to put in the swimming pool?

11 A. I don't recall the man's name.

12 Q. Now the hardwood floors, was that put throughout your  
13 home?

14 A. There was already hardwood floors in it, so -- and the  
15 living room was done, the kitchen was done. It was -- it's  
16 a small house. It's a 800 square-foot house. The -- all  
17 the bedrooms I put laminate in.

18 Q. And I believe your testimony was you have no idea how  
19 much that 20 by 40 pool cost, right?

20 A. I'm not positive.

21 Q. You'd have to ask Jimmy that, right?

22 A. Yes.

23 Q. But you still have that swimming pool that he paid  
24 for?

25 A. Yes.

1 Q. And you still have the cabinets that he paid for?

2 A. Yes.

3 Q. And you still have the hardwood floors that he paid  
4 for?

5 A. Yes.

6 Q. Did the improvements he made, made -- the cabinets,  
7 the hardwood floors, the swimming pool -- did it increase  
8 the value of your home?

9 A. Actually, it messed my home up because I had a -- I  
10 had my house and the lot behind it, and then I had a lot to  
11 the left of it. And what happened is when they put the  
12 pool in, they put it over the lot line to the extra lot.

13 Q. How long did you and Jimmy live in the house where he  
14 put in the pool and the cabinets and the hardwood floors?

15 A. 2004 until 2014, sometime in there. I'm not positive.

16 Q. Did you, did you ever file a gift tax return for the  
17 money he put into your home?

18 A. No, sir.

19 Q. Why not?

20 A. Didn't know I was supposed to.

21 Q. Well, is it your position that he put that money in,  
22 that much money into your house just as a gift?

23 A. He wanted the swimming pool for his children.

24 Q. Well, yes, ma'am, but he didn't even have a lease  
25 there, did he?

1 A. No.

2 Q. He didn't have written equitable interest in the house  
3 at all, did he?

4 A. No, sir.

5 Q. Well, what guarantee was it that he would be able to  
6 make use of the pool for his children?

7 A. I guess he shouldn't have done it.

8 Q. Well, but he did do it, didn't he, and I want to know  
9 from you. Was it just intended to you as a gift?

10 A. I don't know. I don't know. I don't know what he was  
11 thinking.

12 Q. You do know what he was thinking because you just  
13 testified: he had an expectancy that he would be able to  
14 use that pool and that house for his children. That's what  
15 you testified to.

16 A. I said he put the pool in for his children.

17 Q. Right.

18 A. To keep them busy while they're there every other  
19 weekend.

20 Q. And he had an expectancy they would be there and would  
21 be at that house, correct?

22 A. Yes, sir.

23 Q. And he wasn't paying any rent, was he?

24 A. No, sir.

25 Q. Well, now, you don't have any idea what would give him

1 such an expectancy, do you?

2 A. No, sir.

3 Q. Except for the fact that you told him you loved him,  
4 right?

5 A. Yes, sir.

6 Q. And you slept with him?

7 A. Yes, sir.

8 Q. And you had a bank account together?

9 A. No, we did not.

10 Q. You had a E\*TRADE account together?

11 A. That's the only account, and I did not know about it.

12 Q. So, you and he were pretty much a couple, right?

13 A. We were.

14 Q. You say he walked out on you several times. You were  
15 not happy when he did that, were you?

16 A. No. Who would be happy when that happens in a  
17 relationship?

18 Q. Right. You had a relationship, right?

19 A. Uh-huh.

20 Q. Is that yes?

21 A. Yes.

22 Q. Explain to the judge what the relationship that you  
23 and Jimmy had was.

24 A. We were boyfriend and girlfriend and we lived  
25 together.

1 A. Well, my last wife's name -- I consider Debbie being  
2 my wife, but I, I, I thought me and her were married, but  
3 we didn't do it legally. Let's put it that way, sir.

4 Q. Y'all never had a formal ceremony?

5 A. No, sir.

6 Q. And she claims that you weren't?

7 A. That's right. Yes, sir.

8 Q. All right. So, in any event, you were also married to  
9 Sandy?

10 A. Sandy Helms, yes.

11 Q. All right, and you and Sandy had children?

12 A. Yes, sir.

13 Q. How old are they?

14 A. Twenty-seven, twenty-three, and nineteen.

15 Q. What assets do you have in your name?

16 A. Nothing now, nothing.

17 Q. What are you living on?

18 A. Social security.

19 Q. How is your health?

20 A. It's good. It's all right.

21 Q. Throughout your life, have you worked?

22 A. Worked hard all my life. Yes, sir, I have done that.

23 Q. Where were you raised, Jimmy?

24 A. Monroe, North Carolina, until I was eight years old.

25 Q. How long have you lived in the Columbia area?

1 A. Sixty-seven years. This is home.

2 Q. And when did you and Sandy get divorced?

3 A. It was around 2001, I believe, 2000, around 2000, 2001  
4 I'm pretty sure.

5 Q. And after the house -- after you divorced, did you own  
6 a house on the lake?

7 A. I did.

8 Q. Do you still own that house?

9 A. No, sir.

10 Q. Describe that house to me.

11 A. It was a, it was kind of our dream home. We kind of  
12 -- it was a 5,100 square-foot house. Had 120 foot of water  
13 frontage. Dock, boats. Nice house.

14 Q. Did you ultimately sell it?

15 A. Yes, sir.

16 Q. Did you get any cash out of the sale?

17 A. Yes, sir.

18 Q. How much?

19 A. It was, like, 32 to 35,000. I don't remember that  
20 exact amount.

21 Q. When did you meet Debbie Willing?

22 A. We had met numerous years earlier. We were at all --  
23 we lived in the same neighborhood. We used to all of us  
24 hang out at the same time together. Friends, you know,  
25 cookout, stuff like that.

1 Q. Did she get divorced?

2 A. Yes.

3 Q. And you got divorced?

4 A. Yes, sir.

5 Q. Did y'all get divorced at about the same time?

6 A. I think I was maybe a year before hers. I, I can't  
7 remember. Maybe, maybe -- it could have been close to the  
8 same time. I'm not sure.

9 Q. Did you date her while she was separated from her  
10 husband?

11 A. Yes, I did.

12 Q. When did y'all start living together?

13 A. I'm pretty sure it was around 2002 or '3, somewhere  
14 around that range.

15 Q. Were y'all, were y'all in love?

16 A. I was at one time, yes, sir.

17 Q. All right. When y'all decided to move in together,  
18 what was the understanding that you and she reached, just  
19 talking to each other?

20 A. I just, I remember her telling me -- my understanding  
21 is I -- we, we were in love. I, you know, I was in love  
22 with her and we were going to do well together. I remember  
23 her telling me she was going to make me a rich man one day.

24 Q. All right. How about business? What was your  
25 understanding in regard to ownership of properties and

1 Q. Jimmy, in regard to the money that you and Debbie had,  
2 did y'all keep everything separate, or did you mix it up?

3 A. We kept most everything separate except the cash that  
4 I gave her. I mean, I was, I was having a lot of cash -- I  
5 was making good money in the video poker business, so.

6 Q. And you would give her cash for what reasons?

7 A. Pay the bills, pay my bills. She, she, she wrote  
8 almost all my checks. She paid all the bills.

9 Q. When you say she wrote all, almost all your checks,  
10 what do you mean by that?

11 A. Any bills that I had, she would pay them for me. She  
12 handled my checkbook. I don't even -- I can't even  
13 remember how much money I had back then. She handled my  
14 checkbook, and I would give her money from video poker  
15 proceeds that -- and she would -- you know, what she did  
16 with that, I don't know. It was cash money. She's a  
17 pretty smart lady. She probably put it in the bank.

18 Q. When she moved in with you, what, if anything, did you  
19 charge her to live with you?

20 A. No, I didn't charge her anything, no. I was in love  
21 with the lady.

22 Q. And you're already told us this. Why did you consider  
23 yourself married to her?

24 A. Well, I was in love with her. I mean -- but she  
25 helped me, she helped me raise my children. I mean, she

1 was just a good lady. I mean, she, she a lot harder on my  
2 kids than I was, but it was a good thing she was because I  
3 was letting them get too much rope, but she -- we just  
4 carried -- I, I, I -- you know, she told me one time why  
5 don't you ask me to marry you and I -- she said it might be  
6 to your advantage or not. I said just not quite ready.  
7 Just went through some divorces. That's, that's the  
8 reason, so.

9 Q. You say she helped you with your children.

10 A. Absolutely.

11 Q. Tell me how she helped you with your children.

12 A. She helped me raise my children, especially my, my, my  
13 youngest boy. I got custody of my children. My oldest boy  
14 came back after the divorce, pretty quick after the divorce  
15 from Sandy; he just left and came back to me.

16 Q. Would you tell me how you and Debbie conducted your  
17 business affairs compared to a married couple?

18 A. I don't quite -- what do you mean by that?

19 Q. Compared to ---

20 A. We were partners. We were partners in everything if  
21 that's what you're asking me. I mean, I -- we were  
22 partners, I mean.

23 Q. That's what I want to get to.

24 A. If she wanted something, if she wanted something --  
25 hell, I bought her a damn \$10,000 Rolex watch. I mean, I

1 must have liked her some, you know? I mean, I mean, I  
2 don't quite understand that question really, but we carried  
3 ourself as man and wife. If she says not, that's okay,  
4 too, but I thought we did.

5 Q. When you say y'all were partners, what do you mean by  
6 that?

7 A. Well, Debbie, Debbie was really smart, like I told you  
8 before. So, when the store -- I wasn't -- the store wasn't  
9 doing very well. I went through this divorce with this  
10 young girl. I was, damn, just going backwards, and she  
11 came to my life at a good time. She helped get my ass  
12 straight. She sure did, so -- and we just fell in love,  
13 you know.

14 Q. Why did you trust her, Jimmy?

15 A. She never gave me a reason not to trust her.

16 Q. Now, y'all lived together for how many years?

17 A. It was almost fourteen, I believe. We actually broke  
18 up in 2016 in July.

19 Q. Now, did you have problems of your own?

20 A. Absolutely. Yes, sir.

21 Q. What problems did you have?

22 A. Well, we were -- well, I was drinking too much, number  
23 one. When I got divorced from my second wife, I got hooked  
24 on pain pills. I did it myself. Nobody, you know, wasn't  
25 -- I was feeling sorry for myself. I took a couple

1 Percocet. Next thing I know, I'm a strung out junkie on  
2 damn pain pills.

3 Q. How long did it take you to get cleaned up?

4 A. It took me four or five years to really get clean,  
5 yes, sir. I finally -- I'm still on Suboxone as we speak.

6 Q. Now, did she have a problem?

7 A. I think, I think she had a drinking problem. I think  
8 I had a drinking problem. That's, that's probably why  
9 we're not together anymore. The drinking just -- you know,  
10 we just argued too much.

11 Q. When you'd get to drinking and she'd get to drinking,  
12 was it pretty?

13 A. No, it wasn't pretty, no.

14 Q. How many times she throw you out of the house?

15 A. Four or five at least.

16 Q. And the last time that y'all separated, did you leave  
17 voluntarily, or did she kick you out?

18 A. She made such a big deal about me letting my son go to  
19 dinner with his girlfriend, and we were drinking and I, I,  
20 I did leave that time. I did. I, I said I can't do this  
21 no more.

22 Q. All right. So, y'all separated after about fourteen  
23 years. So, that would mean y'all separated in what year?

24 A. 2016.

25 Q. And when you separated, where did you move into?

1 Q. Now, do you know Jimmy Helms?

2 A. I do.

3 Q. How do you know Jimmy?

4 A. Through Jakie and seeing him.

5 Q. How long have you known Jimmy?

6 A. I'd say maybe forty years.

7 Q. Do you know Debbie?

8 A. I do know Debbie.

9 Q. How do you know Debbie?

10 A. From being married to Jimmy.

11 Q. And why do you think she was married to Jimmy?

12 A. They were always together and had things together and  
13 lived together.

14 Q. Did either one of them ever refer to the other as  
15 spouse, my wife, my husband?

16 A. Jimmy did. Jimmy did.

17 Q. What did he refer to her as?

18 A. As his wife.

19 Q. All right. Now, you say they had things together.  
20 What do you mean by that?

21 A. They had a convenience store together.

22 Q. And you say they lived together. How did you know  
23 that?

24 A. They said they did.

25 Q. Now at any point in time, did you and your husband

1 socialize with Jimmy and Debbie?

2 A. We did.

3 Q. What did you do?

4 A. We went out to eat and have drinks.

5 Q. And did they appear to share things?

6 A. Yes.

7 Q. Why do you say that?

8 A. They were just together, and they just acknowledged  
9 theirself as husband and wife, and they had the store  
10 together. So, just thought they were.

11 Q. Now, are you familiar with an establishment known as  
12 Jake's Party Shop?

13 A. Yes.

14 Q. Did you ever work there?

15 A. Jake's Party Shop, I own Jake's Party Shop, me and, me  
16 and Jakie.

17 Q. And how far was Jake's Party Shop from Jimmy's Mini  
18 Mart?

19 A. I'll say a block.

20 Q. And did you ever have occasion to go into Jimmy's Mini  
21 Mart?

22 A. I did.

23 Q. And who would you see working there?

24 A. Jimmy and his wife, Debbie.

25 Q. And were there other people from time to time working

1 your husband, was Debbie even in the picture?

2 A. No. They were neighbors but they weren't, like,  
3 together or anything.

4 Q. At some point in time, did they come together?

5 A. Yes.

6 Q. And how did their relationship develop? What did they  
7 do? Did they move in together?

8 A. Yes. So, at some point Dad lived in -- at Lake Murray  
9 out -- and then Debbie and her ex-husband also lived in  
10 Lake Murray at the same neighborhood. And then, yeah,  
11 after they separated, they both -- my -- both of -- Debbie  
12 separated from her husband. My dad separated from his  
13 wife, and at some point they moved in together.

14 Q. All right, and they lived together for a long period  
15 of time?

16 A. Yeah. I think, like, fifteen years or something.  
17 It's been a long time.

18 Q. During that fifteen years that they lived together,  
19 can you describe how they managed their financial affairs?  
20 Did they keep everything separate, or was it together, or  
21 mixed up, or what?

22 A. I'm -- as, as far as I knew -- I mean, of course, I  
23 don't have access to their, you know, accounts or anything  
24 like that, but, I mean, they always were together. They  
25 did pretty much everything together. They worked together

1 side by side at that store for a long time, and they  
2 managed everything together.

3 Q. What do you mean by that, they managed everything  
4 together? What do you mean by that? Explain that to me.

5 A. I mean, they were -- in my eyes, they weren't legally  
6 married but they were married. They operated like a  
7 married couple. You know what I mean? Like, they worked  
8 together for a very long time. They both -- they loved  
9 each other. They had -- they raised -- you know, Dad's  
10 youngest child, Kaden, was raised with them together. Her  
11 son, Michael, her daughter, Stephanie, I mean, we all did  
12 stuff as family. We'd go over there for July 4th. We  
13 would do -- even though I was the oldest -- I had the first  
14 grandchild in our family, which was a daughter. So, she  
15 and Kaden, you know, were pretty close in age. We always  
16 did -- we just did, we always did stuff as a family.

17 Q. All right. Did they seem to keep their finances  
18 separate or together?

19 A. Together.

20 MR. MOORE: All right, have no further questions.

21 Would you answer any questions counsel might have?

22 THE COURT: Cross?

23 CROSS-EXAMINATION BY MS. JEFFRIES:

24 Q. Christa, you've never seen a bank statement belonging  
25 to your father or Debbie Willing, have you?

1 Q. Gotcha. Okay, and you had conversations with Jimmy.  
2 Was he talking mainly just about -- what ---

3 A. He was just trying to -- talking mainly about the  
4 money, like how much you are going to pay.

5 Q. Okay.

6 A. Like for the price for the business.

7 Q. But the terms and the details of everything were dealt  
8 primarily with Debbie, correct?

9 A. Yeah. Like, we could see everything was -- I was  
10 provided by, by Sunbelt broker. Everything was on the  
11 internet, on the paper, like, yeah, how much they are  
12 asking for the business, how much rent, everything with  
13 property.

14 MS. JEFFRIES: No further questions, Your Honor.

15 THE COURT: Anything further?

16 MR. MOORE: Nothing further.

17 EXAMINATION BY THE COURT:

18 Q. I have a question for you, Mr. Patel. Mr. Patel, I  
19 have a question.

20 A. Uh-huh.

21 Q. Based on your observation of your dealings with Mr.  
22 Helms and Ms. Willing, what was your impression,  
23 understanding of the nature of that relationship? What was  
24 your impression of the nature of the relationship between  
25 this man and this woman when you were dealing with them in

1 the sale Jimmy's Citgo?

2 A. Yeah. Like, they are like -- you know, I, I, I didn't  
3 ask them personal questions, but I was understanding that  
4 they had a, like, relationship, you know, like, like  
5 husband and wife.

6 Q. A partnership or what?

7 A. Husband, wife or like -- because when I buy -- bought  
8 the business, I didn't check anything like, you know, like  
9 personal matters. I didn't check, like, they are husband  
10 wife or, like, a boyfriend, girlfriend nothing. But I know  
11 they were together. That I know.

12 THE COURT: All right. Thank you, sir. You may step  
13 down.

14 Anything further as a result of that question from the  
15 court?

16 MR. MOORE: No.

17 MS. JEFFRIES: Nothing, Your Honor.

18 THE COURT: You may step down, Mr. Patel.

19 WITNESS: Thank you, sir.

20 THE COURT: And you may leave.

21 WITNESS: Yeah. Thank you.

22 MR. MOORE: I do -- I would like one question.

23 THE COURT: All right. Go ahead.

24 REDIRECT EXAMINATION BY MR. MOORE:

25 Q. In regard to what the judge asked you, your impression

1 Q. Were you able to watch the way they did business  
2 together?

3 A. I was not.

4 Q. All right.

5 A. I had started another business at that time.

6 Q. Did you know their marital status, or did you believe  
7 you knew their marital status?

8 A. I didn't. I never could figure it out if they were  
9 married or not, so.

10 Q. How did they conduct themselves?

11 A. Like they were married.

12 Q. What do you mean by that, they conducted themselves  
13 like they were married?

14 A. Well, I mean, I knew they lived together, and we  
15 didn't hang out that much. I mean, Christa and I, we had  
16 three kids and we were doing our own thing. We did see Jim  
17 and Debbie every once in a while. Be like for family  
18 events, somebody's birthday, or something like that.

19 MR. MOORE: Thank you. I have no further questions,  
20 Your Honor.

21 CROSS-EXAMINATION BY MS. JEFFRIES:

22 A. Mr. Wilks, you have no personal knowledge as to how  
23 Jimmy handled his business affairs, do you?

24 A. I do not.

25 Q. You have no personal knowledge as to how Debbie

1 little bit.

2 WITNESS: K-a-d-e-n William.

3 KADEN W. HELMS, BEING DULY SWORN,

4 TESTIFIES AS FOLLOWS:

5 CLERK OF COURT: You can have a seat right there.

6 WITNESS: Thank you.

7 DIRECT EXAMINATION BY MR. MOORE:

8 Q. Kaden, how about take the mask off. There you are.

9 Your name is Kaden Helms?

10 A. Yes, sir.

11 Q. How old are you, Kaden?

12 A. I'm nineteen years old.

13 Q. Who is your father?

14 A. Jimmy Helms. James Helms.

15 Q. Do you know Debbie Willing?

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

17 Q. Did she help raise you?

18 A. Yes, sir, she did.

19 Q. Did you ever live in the home with Debbie and your  
20 dad?

21 A. Yes, sir, I did.

22 Q. What did you call Debbie?

23 A. I called her Debbie or Mom at times. It just depended  
24 on my relationship with her.

25 Q. So, sometimes you called her Debbie?

1 A. Yeah, sometimes.

2 Q. Sometimes you called her Mom?

3 A. Yes, sir.

4 Q. Now, when you were -- how long did you live with  
5 Debbie and Jimmy?

6 A. I believe it was for seven years, seven or eight, yes,  
7 sir.

8 Q. And during that period of time, did you have occasion  
9 to watch them interact?

10 A. Yes, sir.

11 Q. Did you watch the way they did business?

12 A. Yes, sir. I went to work with them.

13 Q. Did you work at the store?

14 A. Yes, sir.

15 Q. You worked at Jimmy's?

16 A. I mean, I wouldn't say work work, but I was there  
17 doing my thing, doing my part.

18 Q. What did you do over there?

19 A. I would normally just go in the back and mess with the  
20 drinks and stuff, just fill them up, stock them up.

21 Q. During the time that you lived with Debbie and your  
22 dad, can you tell me how they conducted their business  
23 affairs from what you could see? What did you see?

24 A. They just seemed like they were doing everything  
25 together then. They didn't, they didn't have -- like,

1 split up things. They were always together doing their own  
2 thing.

3 Q. Did they seem to share everything?

4 A. Yeah, from what I noticed as a kid, yeah.

5 Q. Where did your dad work?

6 A. At the mini mart, the Citgo.

7 Q. And where did Debbie work?

8 A. The same place, Citgo.

9 Q. And at any point in time, did you ever see them  
10 discussing business together?

11 A. Not much. I was young but, I mean, I'm sure I was,  
12 like, around it a lot.

13 Q. All right. Tell me what your relationship was like  
14 with Debbie.

15 A. It was fairly good. We always -- I mean, I never had  
16 a problem her. I don't think she had a problem with me.

17 Q. Did she help raise you?

18 A. Yes.

19 Q. Did you love her?

20 A. Yes.

21 Q. Still love her?

22 A. Yeah.

23 MR. MOORE: I don't have any further questions. Thank  
24 you, Your Honor.

25 THE COURT: Any questions?