

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
J. C. Nicholson, Jr., Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JOSEPH LAMAR BROWN, JR.

APPELLANT

APPELLATE CASE NO. 2019-000781

SECOND SUPPLEMENTAL RECORD ON APPEAL

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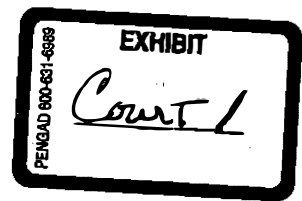
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THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

STATE’S EXHIBIT #38 (PHOTO); STATE’S EXHIBIT #39 (PHOTO); STATE’S EXHIBIT #40 (PHOTO); STATE’S EXHIBIT #41 (PHOTO); STATE’S EXHIBIT #42 (PHOTO); STATE’S EXHIBIT #48 (PHOTO); STATE’S EXHIBIT #49 (PHOTO); STATE’S EXHIBIT #50 (PHOTO); STATE’S EXHIBIT #51 (PHOTO); STATE’S EXHIBIT #78 (DVD – 911 CALL); DEFENDANT’S EXHIBIT #2 (PHOTO); DEFENDANT’S EXHIBIT #3 (PHOTO); DEFENDANT’S EXHIBIT #4 (PHOTO); COURT’S EXHIBIT #5 (PHOTO); COURT’S EXHIBIT #6 (PHOTO); COURT’S EXHIBIT #7 (PHOTO); COURT’S EXHIBIT #8 (PHOTO); COURT’S EXHIBIT #9 (PHOTO); COURT’S EXHIBIT #11 (VIDEO); COURT’S EXHIBIT #13 (PHOTO); COURT’S EXHIBIT #14 (PHOTO).



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

v.

JOSEPH LAMAR BROWN, JR.,

Defendant.

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT

) Case No(s): 2017-GS-10-04077, 2017-GS-10-
) 04079, 2017-GS-10-04080, 2017-GS-10-04081,
) 2017-GS-10-04083

) Warrant No(s): 2016A1010206049,
) 2016A1010206050, 2016A1010206051,
) 2016A1010206052, K404187

) Charge(s): Possession of a Firearm During the
) Commission of a Violent Crime, Kidnapping,
) Burglary (First Degree), Armed Robbery,
) Murder

) MOTION TO SUPPRESS EVIDENCE

PLEASE TAKE NOTICE that Defendant Joseph Lamar Brown, Jr., by and through his undersigned attorneys, will move before the Presiding Judge of the Court of General Sessions at the Charleston County Judicial Center, as soon as the matter can be heard, to suppress all evidence that the Charleston County Sheriff's Office seized in Dorchester County at [REDACTED] East Third North Street, Apartment [REDACTED], Summerville, South Carolina on January 3, 2017. Defendant Brown requests that this Court suppress the evidence on the grounds that the search violated Defendant Brown's right to be free from unreasonable searches and seizures afforded by both the Fourth Amendment to the United States Constitution and Article 1 § 10 of the South Carolina Constitution. Defendant Brown further requests an evidentiary hearing according to *Franks v. Delaware*, 438 U.S. 154 (1978).

FILED
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JULIE A. ARISTARCHIS
CLERK OF COURT
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October 22, 2018
Charleston, South Carolina

FILED

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JULIE A. HARRIS
CLERK OF COURT

BY

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	Case No(s): 2017-GS-10-04077, 2017-GS-10-
	)	04079, 2017-GS-10-04080, 2017-GS-10-04081,
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	)	Warrant No(s): 2016A1010206049,
	)	2016A1010206050, 2016A1010206051,
STATE OF SOUTH CAROLINA	)	2016A1010206052, K404187
	)	Charge(s): Possession of a Firearm During the
v.	)	Commission of a Violent Crime, Kidnapping,
	)	Burglary (First Degree), Armed Robbery,
JOSEPH LAMAR BROWN, JR.,	)	Murder
	)	MEMORANDUM IN SUPPORT OF
Defendant.	)	MOTION TO SUPPRESS EVIDENCE

Defendant Joseph Lamar Brown, Jr. respectfully submits this Memorandum in Support of his Motion to Suppress Evidence and requests that this Court grant his motion.

In January 2017, the State applied for and obtained a search warrant for Brown's home based on a patently false affidavit. Now, the State asks this court to use the illegally-obtained evidence against Brown at trial. This Court should suppress the evidence.

FACTS

On December 23, 2016, at 12:56 PM, Hugh Pritchard asked a neighbor to call 911 and eventually reported to Dispatch that his cousin John "Johnny" Glenn Pritchard had been shot at [REDACTED] East Thomas Street in Lincolntonville, South Carolina. Hugh told Dispatch that a person had come into Johnny's home, demanded money, and shot Johnny. Hugh was in the kitchen at the time and had witnessed the shooting. During the 911 call, Hugh was unable to give any coherent description of the shooter. Ex. 1, at 12:2-12. By the time officers arrived, Johnny was dead. At the scene, officers recovered one shell casing from a .9-millimeter Speer Luger bullet.

Later, Hugh gave a slightly more detailed description of the person who shot Johnny. Hugh said that the shooter was a black man who was wearing all black clothing, a face mask, and a hat.

Ex. 2, at 4:7–15. According to Hugh, the person was not a teenager and was instead in his late 20s or 30s.¹ *Id.* Hugh also said that the person “wasn’t a big guy” and estimated his height as 5’8” to 5’10” and his weight as 170 pounds.² *Id.* at 5:11–16. Hugh did not see the person’s face and could not tell officers which way the person left. *Id.* at 5:17–19, Ex. 1, at 11:1–5.

Shortly after responding to the scene, detectives spoke with Johnny’s neighbor Celest McBride, who reported hearing a noise and seeing a person running past her front window around the time that Johnny was shot. Ex. 3, at 3:8–13. McBride said that the person was wearing grey sweatpants. *Id.* at 4:11–15. McBride described the person as a tall black man with shoulder-length dreads. *Id.* at 4:16–20. McBride said the person was between 5’8” and 6’ tall and had an average build and medium-dark complexion. *Id.* at 8:3–9, 8:20–9:1. McBride said that he dropped an object and what she believed to be money. *Id.* at 3:8–22, 6:7–12. McBride said that the person had picked up the money and continued running. *Id.* at 3:21–22. McBride also mentioned that a green SUV was slowly following the person. *Id.* at 6:20–8:3.

McBride reported to detectives that her father had retrieved the object that the person dropped in front of their house. *Id.* at 6:4–19. Her father had left the object, an iPhone, on the grill on their front porch. *Id.* The background image on the iPhone was a picture of Brown and his girlfriend Nautica Manigault, Ex. 4, but officers were not yet able to identify either person.

Officers started to look for the driver of the green SUV that McBride had described and spoke to Merritt Williams. Williams said that the green SUV belonged to him. Ex. 5, at 7:4–11. Williams also said that he had been driving by when he saw a “young boy” running. *Id.* at 3:17–23. Williams described the person as wearing a black sweatshirt with a multicolored number 23

¹ Brown was 18 at the time.

² According to Brown’s booking information at the Charleston County Detention Center, Brown was 5’9” and weighed 155 pounds at the time of his arrest on January 3, 2017.

on the back. *Id.* at 3:20–21, 7:25–8:8. Williams further described that the person was wearing black jogging pants, red Converse shoes, and a cap with white writing. *Id.* at 4:23–5:6, 9:8–12. Williams said that the person had dreads and a dark complexion. *Id.* at 4:19–22. Williams described the person's height as shorter than 6'1" and described the person's build as "skinny." *Id.* at 4:14–18, 8:12–14.

Within hours of the murder, officers canvassing the neighborhood noticed an individual fitting the description of the person that McBride and Williams had seen: David Felder. That day, Felder had shoulder-length dreads and was wearing a black shirt, a multicolored jacket with the number 23 on the back, matching jogging pants, and red sneakers. Officers, including Detective Goldstein, quietly responded to Felder's home and detained and interrogated him. *See* Ex. 6. Officers seized Felder's clothing as evidence and executed a search warrant on Felder's house.³

See Ex. 7. In the search warrant affidavit, Detective Khan wrote

That on December 23, 2016, Charleston County Sheriff [sic] Office responded to [REDACTED] E. Thomas St, Lincolnville for a home invasion and murder. A witness advised the responding units that a black male suspect was seen running from the incident location wearing red sneakers and had the number 23, on his clothing. The witness also advised that the suspect ran in the direction of Joshua Ln which is close to Brenda B Dr. Detective Goldstein observed a person matching the description of the suspect a short time later, who identified himself as David Felder at [REDACTED] Brenda B Dr. David Felder stated that he resides at [REDACTED] Brenda B. It is the affiant's belief that evidence may be found at this location which will further this investigation. Any and all evidence recovered as a result of this search will be compared to other evidence already obtained in the investigation.

Id. Officers did not recover anything significant from Felder's house. *Id.* Ultimately, officers released Felder, who claimed he had an alibi—he had supposedly been on his way to court in Dorchester County at the time of the murder.⁴

³ Felder lived at [REDACTED] Brenda B Lane, approximately 920 feet from Johnny's house.

⁴ Court was not in session in Dorchester County on December 23, 2016.

An officer recognized Manigault from the background image of the iPhone. A few days later, detectives met with Manigault and asked her to identify the other person in the image. Manigault identified Brown. Ex. 8, at 6:4–16. Manigault also said that Brown had recently lost his iPhone, and that the background image on his iPhone was a picture of the two of them. *Id.* at 18:10–19:6. Manigault unequivocally said that Brown did not have dreads and appeared exactly as he did in the background image. *Id.* at 14:10–25.

Officers detained Brown for questioning on January 3, 2017, and Detective Thompson applied for a search warrant of Brown's home. *See* Ex. 9. Officers were looking for red sneakers, clothing with the number 23 on it, grey clothing, weapons, and anything belonging to Johnny. *Id.* Detective Goldstein asserted the following statements as probable cause to search Brown's home:⁵

That on 12/23/16 at approximately 13:00hrs. the victim John Glenn Pritchard W/M/ DOB [REDACTED] was shot and killed during the commission of an armed robbery, burglary at [REDACTED] E. Thomas St. Lincolnville, S.C. That the subject documented above Joseph Lamar Brown Jr. is believed to be the assailant in this incident though [*sic*] the affiant's investigation. At the time of the robbery the defendant was armed with a 9mm firearm. Recovered at the crime scene was one 9mm spent casing within proximity of the deceased inside the residence. The assailant was wearing running pants or some type of trouser, stone washed with a shirt of some type with the number 23 on it, and a pair of red sneakers. These descriptions are listed in various statements of witnesses in the area of the homicide who spoke with detectives from the CCSO. A short distance away from the scene of the homicide a witness gave an audio statement that the assailant was dropping cash and his cellphone from his pant pocket onto E. Owens St. Lincolnville, S.C. as he was running away from the residence. The cellphone was taken as evidence by the CCSO, and during the investigation it was determined that the above subject Joseph Lamar Brown Jr. is the owner. The driver's license and other records reflect that the subject Joseph Lamar Brown Jr. also fits the physical description of the person fleeing the scene, dropping the cellphone as stated above in this affidavit. The affiant believes that the above evidence is at Joseph Lamar Brown Jr.'s listed above, that is also on his SCDL and is in the proximity of the homicide.

⁵ While Detective Thompson signed and applied for the search warrant, Detective Goldstein drafted it.

Id. A Dorchester County magistrate signed the search warrant. *Id.* Officers executed the search warrant and recovered two boxes of .9-millimeter ammunition.⁶ One of the boxes contained four .9-millimeter Speer Luger bullets, which matched the type of shell casing found at the scene of the crime.

Officers arrested Brown and charged him with the murder.

LEGAL STANDARD AND BURDEN OF PROOF

The Fourth Amendment to the United States Constitution protects people against unreasonable searches and seizures. Specifically:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

U.S. Const. amend. IV. In general, the Fourth Amendment prevents the government from searching a person, his home, or his property, without a warrant, unless certain exceptions apply. *Katz v. United States*, 389 U.S. 347 (1967). Warrants require probable cause.⁷ U.S. Const. amend. IV; S.C. Const. art. I, § 10. If the government does not comply with the Fourth Amendment during a search, the government may not use any evidence it recovers. *Mapp v. Ohio*, 367 U.S. 643 (1961). The purpose of this exclusionary rule is to deter bad-faith violations of the Fourth Amendment. *Rakas v. Illinois*, 439 U.S. 128, 168 (1978) (White, J., dissenting).

⁶ Officers also recovered other items of no significance here.

⁷ The relevant provision of the South Carolina Constitution states:

[t]he right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, the person or thing to be seized, and the information to be obtained.

S.C. Const. art. I, § 10.

"[T]he federal Constitution sets the floor for individual rights while the state constitution establishes the ceiling." *State v. Forrester*, 343 S.C. 637, 643, 541 S.E.2d 837, 840 (2001). While the United States Constitution requires merely an oath or affirmation of probable cause, South Carolina goes further. In South Carolina, a warrant requires a sworn affidavit:

A warrant issued hereunder shall be issued *only upon affidavit sworn to before the magistrate, municipal judicial officer, or judge of a court of record establishing the grounds for the warrant*. If the magistrate, municipal judge, or other judicial officer abovementioned is satisfied that the grounds for the application exist or that there is probable cause to believe that they exist, he shall issue a warrant identifying the property and naming or describing the person or place to be searched.

S.C. Code Ann. § 17-13-140 (emphasis added). Here, like in other areas of Fourth Amendment jurisprudence, the state government "imposed stricter requirements than federal law." *State v. Jones*, 342 S.C. 121, 128, 536 S.E.2d 675, 678 (2000); *cf. State v. Weaver*, 374 S.C. 313, 649 S.E.2d 479 (2007); *State v. Forrester*, 343 S.C. 637, 541 S.E.2d 837 (2001). Thus, a South Carolina court must exclude evidence, in some circumstances, even if a warrant complies with the Fourth Amendment. *Cf. Weaver*, 374 S.C. at 322, 649 S.E.2d at 483; *Forrester*, 343 S.C. at 644, 541 S.E.2d at 841.

A defendant may challenge the truthfulness of a warrant affidavit. *Franks v. Delaware*, 438 U.S. 154, 155-56 (1978).

[W]here the defendant makes a substantial preliminary showing that a false statement knowingly and intentionally, or with reckless disregard for the truth, was included by the affiant in the warrant affidavit, and if the allegedly false statement is necessary to the finding of probable cause, the Fourth Amendment requires that a hearing be held at the defendant's request. In the event that at that hearing the allegation of perjury or reckless disregard is established by the defendant by a preponderance of the evidence, and, with the affidavit's false material set to one side, the affidavit's remaining content is insufficient to establish probable cause, the search warrant must be voided and the fruits of the search excluded to the same extent as if probable cause was lacking on the face of the affidavit.

Id. Without a rule like this, defendants would never be able to ensure that warrants contained truthful information. *Id.* at 164–65. “[I]t would be an unthinkable imposition upon [a magistrate’s] authority if a warrant affidavit, revealed after the fact to contain a deliberately or recklessly false statement, were to stand beyond impeachment.” *Id.* at 165.

Courts interpret the *Franks* ruling as a two-prong test. First, a defendant must prove that the warrant affidavit contains deliberately false statements or false statements made with reckless disregard for their truth. The defendant must prove these allegations by a preponderance of the evidence. *Id.* at 156. Second, if the defendant can prove the affidavit contains these statements, the reviewing court must exclude the false statements and determine whether the rest of the warrant is sufficient to establish probable cause.

The South Carolina Supreme Court has held that *Franks* also allows a defendant to challenge a search warrant when he alleges that exculpatory material was omitted from an affidavit. *State v. Missouri*, 337 S.C. 548, 554, 524 S.E.2d 394, 397 (1999), *aff’d on other grounds*, 361 S.C. 107, 603 S.E.2d 594 (2004). Similarly, the defendant “must make a preliminary showing that the information in question was omitted with the intent to make, or in reckless disregard of whether it made, the affidavit misleading to the issuing judge.” *Missouri*, 337 S.C. at 554, 524 S.E.2d at 397. “The defendant must also show that the omitted material was necessary to the finding of probable cause” *State v. Porch*, 417 S.C. 619, 627, 790 S.E.2d 440, 444 (Ct. App. 2016); *State v. Lynch*, 412 S.C. 156, 180, 771 S.E.2d 346, 358–59 (Ct. App. 2015). While the Fourth Circuit has not yet decided the issue, some federal courts of appeals have decided that material information omitted from a warrant is entitled to an inference of intent or recklessness. *See Madiwale v. Savaiko*, 117 F.3d 1321, 1327 (11th Cir. 1997); *United States v. Martin*, 615 F.2d 318, 329 (5th Cir. 1980) (“It is possible that when the facts omitted from the affidavit are clearly

critical to a finding of probable cause the fact of recklessness may be inferred from proof of the omission itself.”); *but see United States v. Colkley*, 899 F.2d 297, 301 (4th Cir. 1990) (declining to address whether intent or recklessness could be inferred from an omission in a warrant affidavit because the omission was not material).

If the defendant can prove that a material exculpatory fact was intentionally or recklessly left out of a warrant affidavit, the court reviewing the affidavit must insert the fact and determine whether the magistrate still could have determined that probable cause existed. *Missouri*, 337 S.C. at 555, 524 S.E.2d at 397. If not, the evidence should be suppressed.

ARGUMENT

I. The affidavit supporting a search warrant for Brown’s home contains purposeful false statements and omissions.

The search warrant affidavit for Brown’s home contains deliberate false statements and omissions. According to Detective Goldstein, he sought a search warrant because he alleged that Brown’s cell phone was found near the scene and Brown “fit[] the physical description of the person fleeing the scene, dropping the cellphone.” Ex. 9. Brown specifically takes issue with the assertion that Brown fit the physical description of the person running down the street and the omission of information suggesting that the person running down the street must have been someone else.

Contrary to the affidavit, Brown could not have matched witnesses’ descriptions of the person running because they were all different. Hugh Pritchard said that the person was in his late 20s or 30s, Williams said that the person was a “young boy,” and McBride did not mention an age range. Williams said the person was skinny, McBride said the person had an average build, and Pritchard said that the person “wasn’t a big guy” and weighed about 170 pounds. McBride said the person was wearing grey sweatpants, Pritchard said the person was dressed all in black, and

Williams said that the person was wearing black jogging pants, a black sweatshirt with a multicolored number 23 on the back, and red shoes. The search warrant does not contain even a conclusory allegation that Brown matched any one of these three descriptions.

The only potential overlap between all three statements was the person's race and height. All three witnesses said that the person was black. Pritchard said the person was 5'8" to 5'10", McBride said he was 5'8" to 6', and Williams said the person was shorter than 6'1". If all three witnesses were correct, the person must have been between 5'8" and 5'10". These two extremely general facts are not enough to say that Brown fits witnesses' descriptions. That Brown is black and 5'9" cannot be sufficient to place Brown near Johnny's home at the time of the murder and obtain a search warrant on this basis. If it did, officers would have been able to search many, many more homes.

While descriptions of the person vary, McBride's and Williams's descriptions converge on one exculpatory point: the person they saw had dreads. Detective Goldstein left out this part of their statements in the search warrant affidavit. Detective Goldstein could only have relied on McBride's and Williams's witness statements to assert in the search warrant affidavit that the person was wearing grey sweatpants, red shoes, and a shirt with the number 23 on it. But Detective Goldstein declined to mention that the same sources both described the person as having dreads.

Detective Goldstein also left out the fact that he did not have any reason to believe that Brown ever had dreads. Detective Goldstein was present for Manigault's interview, when she told officers that Brown did not have dreads. *See* Ex. 8. And, despite statements to the contrary in the search warrant affidavit, Brown's driver's license photo similarly offers no support for the assertion that Brown ever had dreads. Ex. 10. Goldstein knew that McBride's and Williams's

physical descriptions did *not* match Brown and purposely omitted this information to obtain a search warrant.

Detective Goldstein also omitted the fact that Felder, a person who lived nearby and was questioned by police, matched significant portions of the descriptions. Detective Goldstein met Felder hours after the murder and was present for Felder's interrogation that same day. *See* Ex. 6. Detective Goldstein had the opportunity to observe that Felder matched Williams's description and portions of McBride's description.⁸ Specifically, Felder had shoulder-length dreads and was wearing jogging pants, a black shirt, and a multicolored jacket with the number 23 on the back. Detective Goldstein knew that Felder matched eyewitness descriptions because he personally observed and interrogated Felder. Again, Detective Goldstein left that out.

Furthermore, to the extent that the search warrant states that the person was "fleeing the scene," the search warrant is patently misleading and incorrect. Pritchard could not tell officers which way the shooter went. McBride only saw the person run past her home after hearing a noise that caused her to look out the window. Williams merely saw the person running down the road. No one saw the person leave the scene of the murder. No one saw the person with a gun. Detective Goldstein knew this.

This case is similar to *Missouri*. In that case, officers sought a search warrant for the home of a man nicknamed "Hot Sauce" based on statements of a confidential informant. *Missouri*, 337 S.C. at 550, 524 S.E.2d at 395. In relevant portions of the warrant affidavit, detectives alleged that Hot Sauce had told the confidential informant that Hot Sauce had a half kilo of cocaine base in his home. *Id.* at 551–52, 524 S.E.2d at 395. At the suppression hearing, the officer admitted that the

⁸ As an aside, and further supporting the deliberateness of the false statements and omissions here, the same evidence that Detective Thompson included in his search warrant affidavit was also included in Detective Khan's search warrant affidavit for Felder's house. Specifically, the affidavit stated that Felder matched the description of a person who had been "seen running from the incident location" wearing the number 23 and red sneakers. Ex. 7.

statement was false, and that Hot Sauce did not tell the confidential informant that he had cocaine base in his home. *Id.* at 553, 524 S.E.2d at 396. In addition, the officer said that a wire had recorded conversations between the confidential informant and Hot Sauce suggesting that the cocaine base in question was not, in fact, in Hot Sauce's home. *Id.*

The South Carolina Supreme Court found in *Missouri* that the deliberately false statements combined with the omissions from the warrant affidavit were at least reckless. *Id.* at 555, 524 S.E.2d at 397. The same is true here. The search warrant affidavit for Brown's home contained an allegation that was patently false: that Brown matched the description of a person fleeing the crime scene. Further, the search warrant affidavit omitted exculpatory information that Brown did not match witness descriptions and that Felder did. These facts are material.

II. Removing the false statements and adding the omitted statements would defeat probable cause for a search warrant for Brown's home.

Without the false statements included in the search warrant and with the omitted significant information about the suspect's dreads, the warrant lacks probable cause. Without the offending statements and with the omitted statements, the warrant affidavit would state something like this:

That on 12/23/16 at approximately 13:00hrs. the victim John Glenn Pritchard W/M/ DOB [REDACTED] was shot and killed during the commission of an armed robbery, burglary at [REDACTED] E. Thomas St. Lincolnville, S.C. That the subject documented above Joseph Lamar Brown Jr. is believed to be the assailant in this incident though [sic] the affiant's investigation. At the time of the robbery the defendant was armed with a 9mm firearm. Recovered at the crime scene was one 9mm spent casing within proximity of the deceased inside the residence. The assailant was a *black male with shoulder-length dreadlocks and* wearing running pants or some type of trouser, stone washed with a shirt of some type with the number 23 on it, and a pair of red sneakers. These descriptions are listed in various statements of witnesses in the area of the homicide who spoke with detectives from the CCSO. A short distance away from the scene of the homicide a witness gave an audio statement that the assailant was dropping cash and his cellphone from his pant pocket onto E. Owens St. Lincolnville, S.C. as he was running away from the residence down the street. The cellphone was taken as evidence by the CCSO, and during the investigation it was determined that the above subject Joseph Lamar Brown Jr. is the owner. *The driver's license and witness statements reflect that the subject Joseph Lamar Brown, Jr., is a*

black male, who does not have shoulder-length dreadlocks. A neighbor, David Felder, is a black male with shoulder-length dreadlocks who on December 23, 2016, was wearing running pants, a shirt with the number 23 on it, and a pair of red sneakers. The driver's license and other records reflect that the subject Joseph Lamar Brown Jr. also fits the physical description of the person fleeing the scene, dropping the cellphone as stated above in this affidavit. Nonetheless, [t]he affiant believes that the above evidence is at Joseph Lamar Brown Jr.'s listed above, that is also on his SCDL and is in the proximity of the homicide.

Most of the statements in the affidavit are conclusory and give no reason why the affiant believes that Brown committed the crime. But to establish probable cause, “[m]ere conclusory statements which give the magistrate no basis to make a judgment regarding probable cause are insufficient.” *State v. Bacchus*, 367 S.C. 41, 51, 625 S.E.2d 216, 221 (2006). Removing the conclusory statements leaves the following two-sentence portion: “A short distance away from the scene of the homicide a witness gave an audio statement that the assailant was dropping cash and his cellphone from his pant pocket onto E. Owens St. Lincolnville, S.C. as he was running down the street. The cellphone was taken as evidence by the CCSO, and during the investigation it was determined that the above subject Joseph Lamar Brown Jr. is the owner.”

Even this portion of the warrant is problematic. The affidavit does not specify *why* the affiant believes that Brown was the owner of the iPhone. But the affidavit must indicate where Detective Goldstein obtained the information and provide some sort of assertion that the information or its source is reliable. *State v. Jenkins*, 398 S.C. 215, 223–24, 727 S.E.2d 761, 765–66 (Ct. App. 2012), *rev'd on other grounds*, 412 S.C. 643, 773 S.E.2d 906 (2015). For example, in *Jenkins*, a search warrant was executed for Jenkins's DNA in a rape case. 398 S.C. at 220, 727 S.E.2d at 763–64. The warrant affidavit included information alleging that Jenkins had raped the victim. *Id.* But the warrant contained no information about *why* officers alleged that Jenkins raped the victim. *Id.* at 223, 727 S.E.2d at 765. The State argued that the court could infer that the victim was the source of the information in the warrant. *Id.* The court rejected that argument. *Id.* Further,

the court specified that the affidavit would need some “assertion that the information or its source is reliable.” *Id.* at 224, 727 S.E.2d at 765. Here, too, the search warrant affidavit for Brown’s home requires both source information and reasons to suggest that information is reliable. The affidavit contains neither.

Finally, the search warrant affidavit even as it stands contains no evidence connecting the person running through the neighborhood, or the iPhone, to the murder. Again, witnesses did not see where the person came from. Pritchard did not see the person leave. And a person running away from gunshots, without more, is not particularly suspicious. Neither is dropping an iPhone.

CONCLUSION

Removing the false statements from the search warrant affidavit and including the omitted statements defeats probable cause for the search of Brown’s home. Specifically:

[t]he combination of the police officer’s deliberate falsehood and his omission of critical facts pollute the affidavit to the extent that a magistrate could not have found that probable cause existed to issue the search warrant. . . . [W]hen an omission is combined with an affirmative falsehood, it reveals that the affiant not only believed the omitted information was critical but that a statement in the affidavit to the contrary was necessary for establishing probable cause. . . . [T]he depth of the prevarication perpetrated by the officer in this case undermines any remaining legitimacy the affidavit might possess.

Missouri, 337 S.C. 548 at 556–57, 524 S.E.2d at 398.

This Court should suppress the evidence that officers seized from Brown’s home because it was obtained based on a warrant affidavit that deliberately or recklessly contained false statements supporting probable cause and omitted critical information negating probable cause. The search thus violated Brown’s right to be free from unreasonable searches and seizures afforded by both the Fourth Amendment to the United States Constitution and Article 1 § 10 of the South Carolina Constitution.

Respectfully submitted,



Taylor J. Seman, Assistant Public Defender
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ATTORNEYS FOR DEFENDANT
JOSEPH LAMAR BROWN, JR.

October 22, 2018
Charleston, South Carolina

FILED

2018 OCT 22 PM 3:03

JULIE J. ARMSTRONG
CLERK OF COURT

BY _____

EXHIBIT 1

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

1 STATE OF SOUTH CAROLINA
2 CHARLESTON COUNTY
3
4 THE STATE OF SOUTH CAROLINA,
5 -Vs-
6 JOSEPH LAMAR BROWN,
7 Defendant.

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9
10 TRANSCRIPTION OF 911 CALL MADE BY HUGH
11 PRITCHARD, RELATIVE TO THE ABOVE-ENTITLED MATTER ON
12 DECEMBER 23, 2016.

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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1 911 CALL RECORDING MADE BY HUGH PRITCHARD
2
3 (Telephone ringing.)
4 HUGH PRITCHARD: Johnny got shot (inaudible),
5 someone shot Johnny --- cause I was just with him.
6 911 OPERATOR: 911. What's the address of the
7 emergency?
8 UNIDENTIFIED MALE: I don't know the address,
9 it's at the corner of --- I'm at [REDACTED] East Colpat. It's at
10 the corner of Owens and uh --- Colpat.
11 911 OPERATOR: Okay.
12 Tell me exactly what happened?
13 UNIDENTIFIED MALE: I don't know, the (inaudible)
14 someone got shot.
15 911 OPERATOR: Do you know where this happened
16 at?
17 UNIDENTIFIED MALE: I don't know.
18 According to ---
19 911 OPERATOR: Is the person that said that
20 someone got shot right there with you?
21 UNIDENTIFIED MALE: Uh-huh, yeah, he is.
22 911 OPERATOR: Can I talk to that person?
23 UNIDENTIFIED MALE: Hey, here you go, here you
24 go.
25 Hold on. Here you go, you need to talk.

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1 HUGH PRITCHARD: Hello.
2 911 OPERATOR: Yes, sir.
3 This is Operator 38 with Charleston County.
4 HUGH PRITCHARD: Yes, ma'am.
5 911 OPERATOR: Can you tell me exactly what
6 happened?
7 HUGH PRITCHARD: Well, my cousin was, I was out
8 shopping and I was helping, we packing up and move and a
9 fella ran in there at the front door and shot my cousin and
10 I was ---
11 911 OPERATOR: Okay.
12 HUGH PRITCHARD: --- in the kitchen.
13 911 OPERATOR: So someone ran into the house and
14 shot your cousin?
15 HUGH PRITCHARD: Yep, huh-huh. Yes, ma'am.
16 911 OPERATOR: Okay.
17 What's the address where this occurred at?
18 HUGH PRITCHARD: Okay.
19 Um, I'm going to look out here, I'm so nervous.
20 I don't live here, you know?
21 I'm just helping him pack, so I'm his cousin,
22 he's ---
23 911 OPERATOR: You're doing a good job, just stay
24 right here with me and give me ---
25 HUGH PRITCHARD: He got shot.

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1 911 OPERATOR: --- as much information as you
2 can, okay?
3 HUGH PRITCHARD: Excuse me, I'm about ready to
4 freak out.
5 911 OPERATOR: No. You're doing an amazing job,
6 I'm very proud of you, okay? Just stay right here with me,
7 okay?
8 HUGH PRITCHARD: What the Lord --- (inaudible).
9 Oh my God (inaudible), I don't understand. It's got the
10 address is, oh my God, this is freaking me out.
11 911 OPERATOR: All right. You're doing a good
12 job, just stay right here with me and let me know that
13 address when you can, okay?
14 HUGH PRITCHARD: I got it right now --- I'm
15 walking around, I'm headed outside --- [REDACTED].
16 911 OPERATOR: [REDACTED] and what's the street name?
17 HUGH PRITCHARD: East Owen.
18 911 OPERATOR: [REDACTED] East Owens?
19 HUGH PRITCHARD: Yes, ma'am.
20 911 OPERATOR: All right.
21 You're doing a great job for me, okay?
22 Sir, just stay right here with me, okay?
23 HUGH PRITCHARD: Yeah.
24 Is he dead? Is he dead?
25 UNIDENTIFIED MALE: Yes, sir.

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1 HUGH PRITCHARD: You need to get somebody here
2 real fast.
3 911 OPERATOR: Yes, sir.
4 Just one moment. I'm just trying to get that
5 address and map in my system, okay?
6 HUGH PRITCHARD: Okay.
7 Yeah, I thought he was gonna shoot me cause I was
8 in the kitchen ---
9 911 OPERATOR: So it's [REDACTED] East Owens?
10 HUGH PRITCHARD: Yes, ma'am.
11 911 OPERATOR: And what is your name, sir?
12 HUGH PRITCHARD: My name's Hugh Pritchard and his
13 name's John Pritchard, the one that got shot.
14 911 OPERATOR: John Pritchard?
15 HUGH PRITCHARD: Yep.
16 911 OPERATOR: And what was your first name, sir?
17 HUGH PRITCHARD: Hugh, H-U-G-H, Pritchard.
18 911 OPERATOR: Okay, Hugh.
19 My name is Maria, I'm Operator 38. My partner
20 will be getting help on the way while you and I are
21 talking, okay, sir?
22 HUGH PRITCHARD: Yes.
23 911 OPERATOR: You're doing a good job, just stay
24 right here with me.
25 Are you at that location now?

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1 HUGH PRITCHARD: Yes, ma'am.
2 I'm with my friend next door.
3 911 OPERATOR: Okay.
4 When did this happen? How long ago did he get
5 shot?
6 HUGH PRITCHARD: About 15 minutes ago, 20
7 minutes.
8 911 OPERATOR: 15 to 20 minutes ago, okay.
9 You're doing a good job. Just stay focused on
10 me, okay?
11 HUGH PRITCHARD: Yes, ma'am.
12 911 OPERATOR: Okay.
13 I need to get the weapon description, did you see
14 the weapon that was used to shoot your cousin?
15 HUGH PRITCHARD: I mean I don't know, looked like
16 a .9 millimeter something, a glock.
17 911 OPERATOR: Okay.
18 Did you see what color it was?
19 HUGH PRITCHARD: I --- I thought it was a joke at
20 first, but there was ---
21 911 OPERATOR: Okay.
22 HUGH PRITCHARD: --- no joke.
23 911 OPERATOR: All right.
24 Where is the weapon now?
25 HUGH PRITCHARD: I mean the man came in shot him

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1 and ran out the door.

2 911 OPERATOR: Okay.

3 HUGH PRITCHARD: Yeah.

4 911 OPERATOR: All right.

5 (Hugh Pritchard and Operator talking over each
6 other.)

7 911 OPERATOR: You're doing a good job, just stay
8 right here with me, okay?

9 Giving me this information's is going to help the
10 officers be prepared when they get there, okay?

11 How many suspects are involved?

12 HUGH PRITCHARD: (Inaudible) --- now with Johnny,
13 he's dying, or either dead, okay?

14 911 OPERATOR: Yes, sir.

15 We are getting EMS, Fire Department and the
16 police to help you and John out, okay?

17 So help me out so we can help him out.

18 How many suspects are involved?

19 HUGH PRITCHARD: (Crying/inaudible.)

20 911 OPERATOR: Hugh, do you know how many people
21 were involved?

22 HUGH PRITCHARD: Just --- Johnny got shot ---

23 911 OPERATOR: Was it just one person who came in
24 the house at Johnny or was it multiple people?

25 (Other parties speaking.)

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1 HUGH PRITCHARD: He's shot right there.
2 UNIDENTIFIED FEMALE: Oh, my God.
3 HUGH PRITCHARD: Look out, he's still alive ---
4 UNIDENTIFIED FEMALE: (Crying/inaudible.)
5 911 OPERATOR: All right, Hugh. I need you to
6 help me out, okay?
7 My para --- Hugh?
8 HUGH PRITCHARD: He was shot, he's got a chance.
9 911 OPERATOR: All right.
10 I need you to help me out. They are trying to
11 find you. Can you confirm the address for me?
12 HUGH PRITCHARD: At [REDACTED] East Owens Street.
13 911 OPERATOR: [REDACTED] East Owens?
14 HUGH PRITCHARD: Yeah.
15 911 OPERATOR: Okay.
16 How did they leave?
17 HUGH PRITCHARD: How did who leave?
18 911 OPERATOR: The person who shot ---
19 HUGH PRITCHARD: I didn't see the person who came
20 out there, I didn't see --- I didn't see what he was in or
21 nothing. He just busted in the front door ---
22 911 OPERATOR: Okay that's ---
23 HUGH PRITCHARD: --- and shot my cousin dead.
24 911 OPERATOR: --- okay.
25 All right, listen, okay. I'm being told that [REDACTED]

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1 East Owens doesn't exist. Can you find a piece of mail or
2 something inside the house to confirm this address for me?

3 My responders are trying to find you.

4 HUGH PRITCHARD: Oh --- [REDACTED] East Colpat, old
5 Colpat ---

6 911 OPERATOR: [REDACTED] East Colpat?

7 HUGH PRITCHARD: Yeah.

8 911 OPERATOR: Okay.

9 Now, what direction was he going?

10 HUGH PRITCHARD: Huh?

11 911 OPERATOR: What direction was the person who
12 shot your cousin going?

13 HUGH PRITCHARD: Came in the front door.

14 911 OPERATOR: Okay.

15 When he left, you said he left the scene ---

16 HUGH PRITCHARD: East Thomas Street ---

17 911 OPERATOR: --- what direction did he go?

18 HUGH PRITCHARD: East Thomas Street is another uh
19 --- street. It's all three, four streets come together at
20 a corner right here.

21 911 OPERATOR: All right.

22 HUGH PRITCHARD: He's on the corner lot.

23 911 OPERATOR: All right.

24 Listen to my question, okay?

25 HUGH PRITCHARD: Yes.

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1 911 OPERATOR: When the person who shot your
2 cousin left, did he go down East Owens, East Thomas, East
3 Colpat, did he go down Owen, what direction did he go?
4 HUGH PRITCHARD: I don't know.
5 I didn't watch him leave ---
6 911 OPERATOR: Okay.
7 If you ---
8 HUGH PRITCHARD: --- I ---
9 911 OPERATOR: --- don't know, that's okay to
10 tell me I don't know. I need to --- Hugh, help me out
11 here, okay?
12 HUGH PRITCHARD: I know, but just send the EMS,
13 please, and the police.
14 911 OPERATOR: Hugh, like I've told you multiple
15 times, we are sending police, fire and EMS to help you
16 both.
17 HUGH PRITCHARD: Okay.
18 911 OPERATOR: Okay?
19 The information I'm gathering is going to help
20 both you and your cousin.
21 HUGH PRITCHARD: We need 'em right now.
22 911 OPERATOR: Okay.
23 I need to get the --- they are already on the
24 way. Like I said earlier, we're trying to confirm the
25 address, okay?

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1 HUGH PRITCHARD: Jesus.
2 911 OPERATOR: I need to get the suspect's
3 description.
4 What race was he?
5 HUGH PRITCHARD: (Inaudible.)
6 911 OPERATOR: I'm sorry?
7 HUGH PRITCHARD: He what?
8 911 OPERATOR: The person who shot your cousin,
9 was he white, black, Hispanic or Asian?
10 HUGH PRITCHARD: I don't really know, ma'am.
11 I just --- I just --- I need somebody here for my
12 cousin.
13 911 OPERATOR: Okay.
14 Like I've told you multiple times, Hugh, my
15 partner's already sending them, they're on the way.
16 HUGH PRITCHARD: I stood behind the table, I was
17 gonna get ready to get shot.
18 Here are the police right here.
19 911 OPERATOR: Is the officer out with you, sir?
20 HUGH PRITCHARD: He's --- yeah, they're pulling
21 up here right now.
22 911 OPERATOR: All right.
23 Go talk to the officer, sir, please.
24 HUGH PRITCHARD: Okay.
25 Here you go...

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911 Call - Hugh Pritchard on 12/23/2016

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1 (CONCLUSION.)

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

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12

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14 SCOTT A. HUSEBY

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
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EXHIBIT 2**MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S
MOTION TO SUPPRESS EVIDENCE**

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF HUGH PRITCHARD,
11 RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER 23, 2016.

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1 INTERVIEW OF HUGH PRITCHARD

2

3 DETECTIVE GOLDSTEIN: This is a statement of Hugh

4 ---

5 HUGH PRITCHARD: Hugh.

6 DETECTIVE GOLDSTEIN: --- Potter Pritchard, [REDACTED]
7 Fargo Street, Apartment A, North Charleston 29418. Date of
8 birth [REDACTED]. Social, [REDACTED]. Phone number's 843-
9 367-2614. Driver's license is South Carolina [REDACTED].

10 Mr. Pritchard, please tell me, this is Hugh
11 Potter Pritchard speaking.

12 Please tell me the circumstances in reference to
13 the shooting that took place at [REDACTED] East Thomas Street,
14 12/23/16?

15 HUGH PRITCHARD: Yes, sir.

16 I was in the kitchen, my cousin had left and took
17 the next door neighbor to --- to wherever they went and uh
18 --- and I was in the kitchen boxing up dishes. He was ---
19 we were in the process of moving him to his new home and
20 when I was in the kitchen, he came home and the door came
21 open and he --- and he said hi to me and he had brought me
22 my two beverages and uh --- and I said thank you and I
23 walked back in the kitchen.

24 As soon I did, the front door, evidently he
25 didn't lock it or either they knocked on it and he jumped

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Hugh Pritchard on 12/23/2016

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1 up to it, but he jumped in with a .9 millimeter, looked
2 like a black glock thing and um --- and he said give me
3 your money and then Johnny evidently gave him the money and
4 then pow, he shot him in the head and I jumped out the back
5 door and ran and jumped the fence and --- to my next door
6 neighbor and uh --- and --- and the neighbor called 911.

7 DETECTIVE GOLDSTEIN: All right.

8 Can you describe the individual that came in and
9 robbed your cousin?

10 HUGH PRITCHARD: He was a black male in his 30's,
11 could have been in his late 20's, but he wasn't a teenager.
12 I couldn't tell exactly how old he was, but he wasn't an
13 old man. He was a younger man and he was dressed in black
14 and had some kind of mask on his face and a --- and a hat
15 on and that's --- that's it. That's all I know.

16 I thought he was gonna shoot me dead, cause he
17 looked at me in that --- back in that kitchen. I said oh
18 shit, I'm --- excuse me, I'm gonna get it now and then he
19 jumped out the front door and ran.

20 DETECTIVE GOLDSTEIN: How did he get into the
21 house, was the door locked, did he ring the bell?

22 HUGH PRITCHARD: Evidently he --- there's no
23 doorbell. He --- I didn't hear a knock, when --- see,
24 Johnny usually locks the door. So I'm thinking that Johnny
25 --- that the guy knocked on the door and then he went and

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

Page 5

1 opened the door and jumped in with the gun, that's what I'm
2 thinking, cause Johnny usually locks that door, you know,
3 religiously.

4 DETECTIVE GOLDSTEIN: All right.

5 Could you describe the clothing the individual
6 was wearing?

7 HUGH PRITCHARD: Dark color clothing.

8 I don't even know, you know, I didn't look. I
9 wasn't --- I was gonna run out there to him, but he would
10 have shot me dead too, you know that.

11 DETECTIVE GOLDSTEIN: All right.

12 Height and weight of the individual?

13 HUGH PRITCHARD: He was not a tall person,
14 probably 5'8", nine, ten, that's about it, um --- and uh --
15 he wasn't a big guy, you know, probably --- and about 170
16 pounds or so, but uh ---

17 DETECTIVE GOLDSTEIN: Could you see any of his
18 face?

19 HUGH PRITCHARD: No, I did not see his face.

20 I just know he was a black man cause he got ---
21 oh, I seen the top of his face where he had like a scarf or
22 something over his face, over his mouth and all and not
23 covering his eyes, you know, and I --- I didn't see his
24 eyes. I didn't know if he --- he might have had sunglasses
25 on. I don't even know that, but I don't think he had

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

Page 6

1 sunglasses on.

2 DETECTIVE GOLDSTEIN: What complexion was he?

3 HUGH PRITCHARD: Dark complected, dark African
4 male.

5 DETECTIVE GOLDSTEIN: Dark.

6 And how tall did you tell me he was?

7 HUGH PRITCHARD: 5'8" or nine, he wasn't no 6
8 foot, but I --- that's about it. That's all I seen of him.

9 DETECTIVE GOLDSTEIN: Could you describe his
10 shoes, anything like that?

11 HUGH PRITCHARD: I didn't see, well what kind of
12 shoes he had on or nothing.

13 All I was --- I was afraid he was gonna run in
14 that kitchen and shoot me dead, which is two steps across
15 the room.

16 DETECTIVE GOLDSTEIN: All right.

17 How many times did he shoot the gun?

18 HUGH PRITCHARD: Once.

19 DETECTIVE GOLDSTEIN: Did you hear his voice?

20 HUGH PRITCHARD: I heard him say, give me the
21 money --- uh --- or --- and, but he didn't say he was gonna
22 shoot 'em and evidently Johnny gave him the money and then
23 pow, he shot 'em.

24 DETECTIVE GOLDSTEIN: Okay.

25 Do you live inside the house?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

Page 7

1 HUGH PRITCHARD: Do I live there?
2 DETECTIVE GOLDSTEIN: Yes.
3 HUGH PRITCHARD: No, sir.
4 I'm from West --- from North Charleston.
5 DETECTIVE GOLDSTEIN: North Charleston.
6 HUGH PRITCHARD: I just came to help Johnny move,
7 pack his stuff and move to his new residence.
8 He just bought 'em a brand --- not a brand new, a
9 used mobile home and they --- put on off on Royal Road,
10 Royal Oak Road or something over there, out in ---
11 DETECTIVE GOLDSTEIN: All right.
12 What --- did the individual have something cover
13 his head?
14 HUGH PRITCHARD: He had a hat on. He had some
15 kind of a hat on.
16 DETECTIVE GOLDSTEIN: Can you describe that?
17 HUGH PRITCHARD: No, I don't know what kind of
18 hat it was.
19 I didn't look (laughs) I was in fear for my life.
20 I jumped out that back door when I heard that shot and then
21 I looked up and then he looked like he was gonna come in
22 the kitchen and shoot me dead, so I jumped out the back
23 door and ran.
24 DETECTIVE GOLDSTEIN: Could you tell if he was
25 wearing any type of covers over his hands?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 HUGH PRITCHARD: I couldn't tell you that one.

2 I couldn't tell you that, Officer.

3 DETECTIVE GOLDSTEIN: Okay, all right.

4 Anything else you can describe to me in reference
5 to this incident?

6 HUGH PRITCHARD: No, sir. I sure can't.

7 DETECTIVE GOLDSTEIN: All right.

8 This will complete the statement of Hugh
9 Pritchard and it's December 23rd, 2:27.

10 What's the victim's name here?

11 HUGH PRITCHARD: John, Johnny --- John Glen
12 Pritchard.

13 DETECTIVE GOLDSTEIN: John Glen Pritchard.

14 Does he live with anybody in there?

15 HUGH PRITCHARD: No, no, he don't. He live by
16 his self, he was getting ready to move.

17 DETECTIVE GOLDSTEIN: All right.

18 Did the individual walk around the inside of the
19 house at all?

20 HUGH PRITCHARD: No.

21 DETECTIVE GOLDSTEIN: Okay.

22 All right. This will complete the statement of
23 Hugh Pritchard. Again, 2:27 p.m.

24 (CONCLUSION.)

25

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

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12

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

Hugh Pritchard on 12/23/2016

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Hugh Pritchard on 12/23/2016

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EXHIBIT 3

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF CELEST

11 MC BRIDE, RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER

12 23rd, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 INTERVIEW OF CELEST MC BRIDE

2

3 DETECTIVE GOLDSTEIN: All right.

4 This is a statement of Celest,

5 C-E-L-E-S-T, Jackie McBride. Date of birth is [REDACTED].

6 Phone number is 843-879-1234, unknown Social Security

7 number, resides at [REDACTED] Owens Drive, Lincolnville.

8 Okay, Ms. McBride, please tell me the

9 circumstances regarding an incident that happened in your
10 neighborhood today?

11 CELEST MC BRIDE: I heard a boom, it kind of
12 sounded like something fell and I was curious, so I looked
13 out of my living room windows, see a man running by. I
14 made sure that he couldn't see me in case something big
15 happened, but as he was running, I saw an older model green
16 SUV driving next to him really slowly and he dropped his
17 phone at the power pole in front of my house and in picking
18 it up, he dropped money at a trashcan just a few feet away.

19 He didn't turn to pick up the phone again after
20 he tried to pick it up the first time and it fell again.
21 He continued running and he picked up the money and
22 continued running and I didn't see him afterwards.

23 DETECTIVE GOLDSTEIN: All right.

24 You said you heard some type of noise and that
25 got your attention.

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Celest McBride on 12/23/2016

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1 What was the noise?

2 CELEST MC BRIDE: It was just a boom, sounded
3 like a tree or something fell. Like if you take a box and
4 just drop it on concrete, it sounded like that.

5 I didn't know that it was anything major, thought
6 it was just something falling, so I looked to make sure
7 that everyone was okay.

8 I was curious, and then I saw the person running
9 and I was like oh well, it's probably something related to
10 him, so I kept my eye on him.

11 DETECTIVE GOLDSTEIN: All right.

12 Do you remember what he was wearing?

13 CELEST MC BRIDE: Stone gray sweatpants and I
14 can't remember his shoes or his shirt, but I can remember
15 the sweatpants.

16 DETECTIVE GOLDSTEIN: All right.

17 Do you remember, did he have --- anything about
18 his features, hair features?

19 CELEST MC BRIDE: Uh, roughly shoulder length
20 black dreads, he was a rather tall black male.

21 DETECTIVE GOLDSTEIN: All right.

22 Would you remember him if you saw him again?

23 CELEST MC BRIDE: Probably not. I didn't see his
24 face. I saw a profile, side view.

25 DETECTIVE GOLDSTEIN: Okay.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 Let's describe this phone that fell out of his --
2 wherever it fell out of.

3 What did it fall out of?

4 CELEST MC BRIDE: It fell out of his pocket.

5 DETECTIVE GOLDSTEIN: All right and which pocket
6 would it be?

7 CELEST MC BRIDE: Left pocket.

8 DETECTIVE GOLDSTEIN: All right.

9 So that would be the one closest to the house?

10 CELEST MC BRIDE: Huh-huh.

11 DETECTIVE GOLDSTEIN: All right.

12 And you saw it fall out of his pocket?

13 CELEST MC BRIDE: Huh-huh.

14 DETECTIVE GOLDSTEIN: All right.

15 And you said he tried to pick it up again?

16 CELEST MC BRIDE: It looked like he went to go
17 pick it up and it looked like he picked it up and put it in
18 his pocket. I couldn't really see cause there's pampas
19 grass in front, but it looked like he tried to pick it up.

20 I could be mistaken and he was just trying to
21 shove the money back into his pocket, but it looked like he
22 tried to pick it up.

23 DETECTIVE GOLDSTEIN: Did the money fall out of
24 his pocket too?

25 CELEST MC BRIDE: It did at the trashcan.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 DETECTIVE GOLDSTEIN: Okay.

2 And he kept running down the street?

3 CELEST MC BRIDE: Huh-huh.

4 DETECTIVE GOLDSTEIN: And the same location, what
5 did you do then?

6 Did --- how did your Dad get involved?

7 CELEST MC BRIDE: I let him know that there was
8 an object that fell out of some dude's pocket in the ditch.
9 I just said hey Dad, someone dropped something over by the
10 ditch, I don't know what it is and from my view, it just
11 looked like a little black rectangular box. I didn't know
12 that it was a phone.

13 DETECTIVE GOLDSTEIN: Okay.

14 And what did your Dad do then?

15 CELEST MC BRIDE: My Dad went out there and
16 picked it up, and put it on the grill ---

17 DETECTIVE GOLDSTEIN: Okay.

18 CELEST MC BRIDE: --- and that's when we both
19 noticed cops and ambulance and fire truck pulling up.

20 DETECTIVE GOLDSTEIN: Okay.

21 Can you describe this vehicle that was on the
22 street that was following this guy?

23 CELEST MC BRIDE: It was an older model looking
24 SUV, um, couldn't really get the make or model, but it was
25 ---

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 DETECTIVE GOLDSTEIN: What color was it?

2 CELEST MC BRIDE: Light green, but at the same
3 time, it was like a dark green.

4 DETECTIVE GOLDSTEIN: Some type of green?

5 CELEST MC BRIDE: It looked really old.

6 DETECTIVE GOLDSTEIN: Okay.

7 Was it with this guy or ---

8 CELEST MC BRIDE: It kind of followed him and
9 then went in front of him a few feet and it went way below
10 the speed limit and it was on this side of the street,
11 driving on the opposite side of the road.

12 DETECTIVE GOLDSTEIN: All right.

13 So if he's traveling, the subject is running down
14 ---

15 CELEST MC BRIDE: The vehicle is next to him,
16 literally right next to him.

17 DETECTIVE GOLDSTEIN: Going alongside?

18 CELEST MC BRIDE: Huh-huh.

19 DETECTIVE GOLDSTEIN: Could you see who was in
20 it?

21 CELEST MC BRIDE: No.

22 DETECTIVE GOLDSTEIN: Okay.

23 CELEST MC BRIDE: I wasn't paying attention. I
24 was paying attention to the man running.

25 DETECTIVE GOLDSTEIN: All right.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 How about the windows to the vehicle?

2 CELEST MC BRIDE: They looked darkly tinted.

3 DETECTIVE GOLDSTEIN: Darkly tinted, okay.

4 Height and weight on the guy that was running
5 that dropped the phone?

6 CELEST MC BRIDE: Um, I want to say anywhere from
7 5'8" to about 6 foot tall.

8 DETECTIVE GOLDSTEIN: Huh-huh.

9 CELEST MC BRIDE: Average build.

10 DETECTIVE GOLDSTEIN: Okay.

11 CELEST MC BRIDE: Couldn't really get a good
12 estimate of the weight.

13 DETECTIVE GOLDSTEIN: And we said stonewash
14 running pants?

15 CELEST MC BRIDE: Stone colored.

16 DETECTIVE GOLDSTEIN: Stone colored.

17 And how about his shirt?

18 CELEST MC BRIDE: I couldn't get a good glimpse
19 of it.

20 DETECTIVE GOLDSTEIN: Okay.

21 Did we talk about his complexion?

22 CELEST MC BRIDE: I only saw part of his arm and
23 his hand and he was black.

24 DETECTIVE GOLDSTEIN: Did you see, you know, what
25 tone it would be if you saw it?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 CELEST MC BRIDE: Medium-dark.
2 DETECTIVE GOLDSTEIN: Okay.
3 And you were looking from?
4 CELEST MC BRIDE: I was looking from my windows
5 here (indicating).
6 DETECTIVE GOLDSTEIN: Right in front?
7 CELEST MC BRIDE: Right in front, yes.
8 DETECTIVE GOLDSTEIN: Okay.
9 CELEST MC BRIDE: And once he got out of view of
10 the windows, I walked over to the front door to watch,
11 because I wanted to make sure everything was okay.
12 DETECTIVE GOLDSTEIN: Okay.
13 CELEST MC BRIDE: I made sure that he couldn't
14 see me because I didn't want him to see me in case there
15 was something big that happened.
16 DETECTIVE GOLDSTEIN: Right, right.
17 All right.
18 Is there anything else you'd like to add to this
19 statement?
20 CELEST MC BRIDE: Um --- not that I am ---
21 DETECTIVE GOLDSTEIN: Okay.
22 CELEST MC BRIDE: --- aware of right now.
23 DETECTIVE GOLDSTEIN: Okay.
24 This will complete the statement of Celest
25 McBride, 3:30 p.m.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1	(CONCLUSION)
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 R E P O R T E R ' S C E R T I F I C A T E

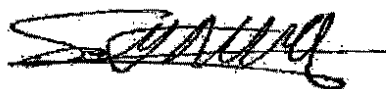
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4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

Celest McBride on 12/23/2016

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MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

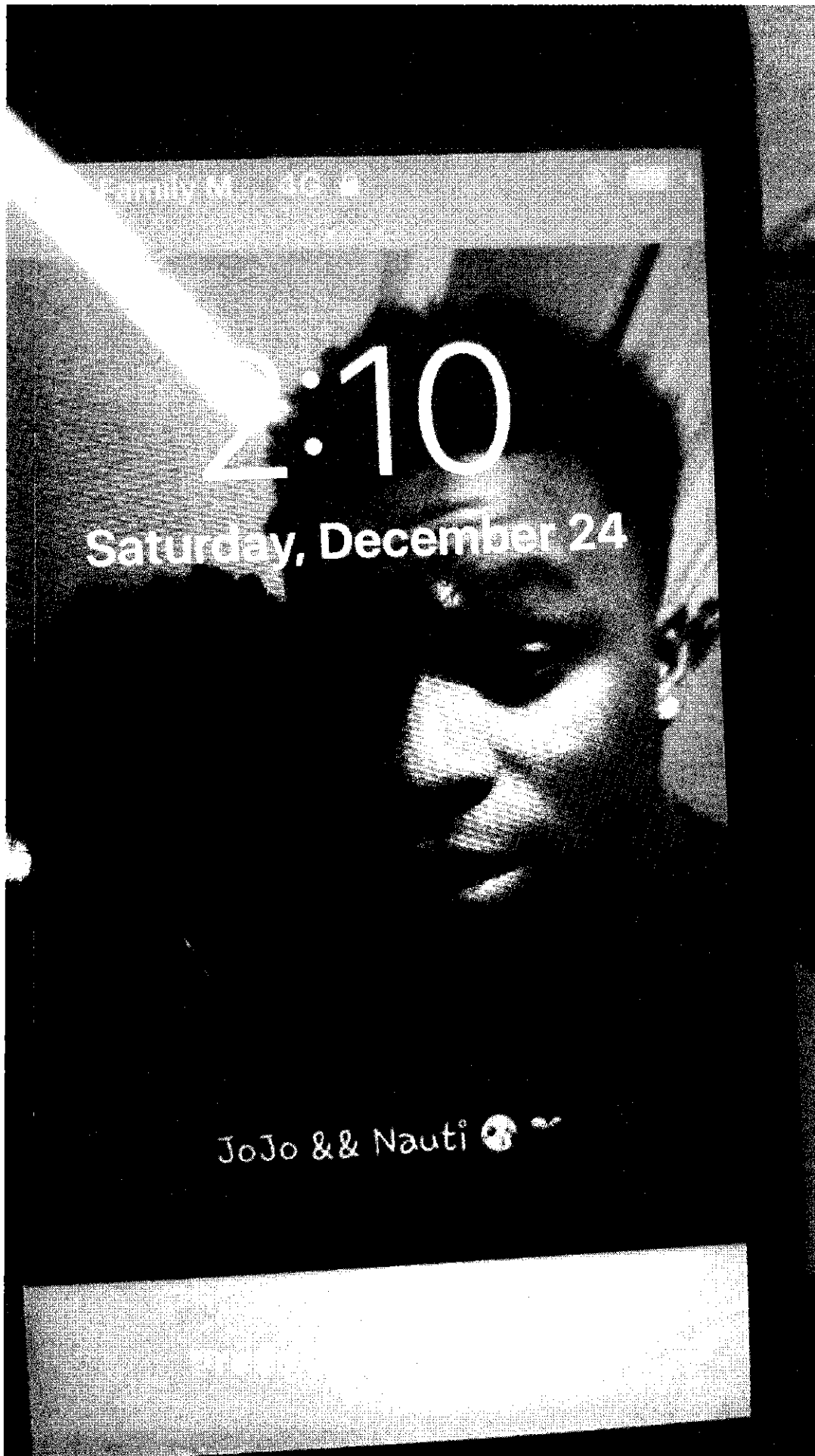


EXHIBIT 5

**MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S
MOTION TO SUPPRESS EVIDENCE**

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF MERRIT

11 WILLIAMS, RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER

12 23rd, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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Page 3

1 INTERVIEW OF MERRIT WILLIAMS

2

3 MERRIT WILLIAMS: I have no warrants, I have
4 nothing on my record.

5 DETECTIVE GOLDSTEIN: All right.

6 I'm going to take a statement from Merrit Lafond,
7 L-A-F-O-N-D, Williams. Driver's license [REDACTED], [REDACTED]
8 Savannah River Road, Summerville. Date of birth is
9 [REDACTED] Phone number's 843-806-9534.

10 Mr. Williams, please state to me any knowledge
11 you might have regarding an incident that took place on
12 East Thomas Street and the point we're trying to cover is
13 it was a green vehicle that was seen in the area driving
14 down East Thomas or East Owen.

15 Can you tell me a little bit about that?

16 MERRIT WILLIAMS: Okay.

17 Well, when I left my buddy's house, I was going
18 to the store, just going getting some beer and I seen a
19 fella doggone running.

20 He had a --- he had dreads and he had a No. 23 on
21 his back for his hoodie. I didn't think nothing of it, you
22 know, I feel he's just a young boy doggone, trying to stay
23 athletic.

24 So I went on down there to the store and I
25 grabbed my beer and came back on down to my buddy's house.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 DETECTIVE GOLDSTEIN: All right.

2 We're standing over here at your friend's house
3 and we're looking over there at East Owens.

4 How far down did you see him running, is it
5 within visibility of where we are?

6 MERRIT WILLIAMS: At the corner, it is.

7 DETECTIVE GOLDSTEIN: Okay.

8 And what direction was he going in?

9 MERRIT WILLIAMS: Uh, well from where we're at
10 now, he was going to the left.

11 DETECTIVE GOLDSTEIN: To the left, okay.

12 And what side of the street was he running?

13 MERRIT WILLIAMS: He was on the left-hand side.

14 DETECTIVE GOLDSTEIN: Okay.

15 And you got a height and a --- do you have a
16 height on him approximately?

17 MERRIT WILLIAMS: I don't know, maybe he was uh -
18 -- well, he was shorter than me, I'm 6'1".

19 DETECTIVE GOLDSTEIN: Okay.

20 Did you see his face?

21 MERRIT WILLIAMS: Yes, I did through the side
22 view mirror on my car. He was dark-skinned with dreads.
23 He had a black hoodie on with the No. 23 on, on the back of
24 it and he had black, what's those pants called? Uh ---
25 like jogger's pants.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DETECTIVE GOLDSTEIN: Okay.
2 MERRIT WILLIAMS: Warmers.
3 DETECTIVE GOLDSTEIN: Okay.
4 MERRIT WILLIAMS: With a pair of red --- red uh -
5 -- Converse shoes on.
6 DETECTIVE GOLDSTEIN: Red Converse, okay.
7 Did you drive past him?
8 MERRIT WILLIAMS: I drove past him.
9 DETECTIVE GOLDSTEIN: Okay.
10 MERRIT WILLIAMS: I didn't think anything of it.
11 DETECTIVE GOLDSTEIN: And did you hear any
12 gunshots while you were at your friend's house?
13 MERRIT WILLIAMS: No. I just talked to, I guess,
14 the victim, I just talked to him.
15 DETECTIVE GOLDSTEIN: Yeah.
16 MERRIT WILLIAMS: Beforehand. I shook his hand
17 and everything.
18 DETECTIVE GOLDSTEIN: And what did he say, did
19 the victim say anything to you prior?
20 MERRIT WILLIAMS: No.
21 DETECTIVE GOLDSTEIN: Okay.
22 MERRIT WILLIAMS: No, he said he was going ---
23 well, he did say this, he said he was going to his house to
24 go ahead and finish, wrapping up his boxes.
25 DETECTIVE GOLDSTEIN: Okay.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 MERRIT WILLIAMS: With duct tape or whatever so
2 he can go and get to his new place.

3 DETECTIVE GOLDSTEIN: All right.

4 And how long after you were talking to him did
5 you see this guy jogging?

6 MERRIT WILLIAMS: Oh, well ---

7 DETECTIVE GOLDSTEIN: Approximately?

8 MERRIT WILLIAMS: Approximately?

9 Maybe 7 to 10 minutes, maybe.

10 DETECTIVE GOLDSTEIN: Okay.

11 Did you see this guy, a description of this guy,
12 did you see him hanging around the area at all while you
13 were talking ---

14 MERRIT WILLIAMS: No, but that was like ---

15 DETECTIVE GOLDSTEIN: --- to Johnny?

16 MERRIT WILLIAMS: --- it was kind of like a spur
17 of the moment-type thing, when I got to that corner right
18 there, that stop sign by Johnny's house, I was making a
19 left and then I see a guy doggone bolt from here and ran
20 down the road, but I --- he was a young boy.

21 DETECTIVE GOLDSTEIN: Yeah.

22 MERRIT WILLIAMS: So I didn't think nothing of
23 it.

24 DETECTIVE GOLDSTEIN: Okay, all right.

25 I just figured maybe he was uh --- running to,

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 you know, keep up with his athleticism.

2 DETECTIVE GOLDSTEIN: Sure, sure.

3 MERRIT WILLIAMS: You know?

4 DETECTIVE GOLDSTEIN: Sure and was this the green
5 truck that you were driving, sir, at the time?

6 MERRIT WILLIAMS: Yeah.

7 DETECTIVE GOLDSTEIN: Okay.

8 That belongs to you?

9 MERRIT WILLIAMS: Yeah, after I found out what
10 happened, then I went back down that road to doggone, see
11 exactly where he went.

12 DETECTIVE GOLDSTEIN: Okay.

13 MERRIT WILLIAMS: Well and when I got there to
14 the point where I saw him turn, I made that left and as I
15 went down that road there, I didn't see anything from that
16 point on.

17 DETECTIVE GOLDSTEIN: Okay.

18 MERRIT WILLIAMS: I didn't see him. I didn't see
19 the --- the No. 23.

20 DETECTIVE GOLDSTEIN: Huh-huh.

21 MERRIT WILLIAMS: The No. 23 is going to stick in
22 my mind ---

23 DETECTIVE GOLDSTEIN: Yes, sir.

24 MERRIT WILLIAMS: --- cause that's where ---

25 DETECTIVE GOLDSTEIN: What color was the hoodie?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 MERRIT WILLIAMS: It was jet black, but it had a
2 multiple color ratio on the back for 23.

3 DETECTIVE GOLDSTEIN: Okay.

4 I never seen that, just all different colors in
5 the 23 symbol?

6 MERRIT WILLIAMS: It was all in the 23, it had
7 all different colors in the number.

8 DETECTIVE GOLDSTEIN: Okay.

9 MERRIT WILLIAMS: But I didn't think anything of
10 it though.

11 DETECTIVE GOLDSTEIN: Okay, that's fine.

12 Shorter than you, how about his build?

13 MERRIT WILLIAMS: His build, oh, he was a skinny
14 guy. He was a ---

15 DETECTIVE GOLDSTEIN: Okay.

16 MERRIT WILLIAMS: --- he wouldn't --- he would
17 not be ---

18 DETECTIVE GOLDSTEIN: Let's go over the sneakers
19 again.

20 MERRIT WILLIAMS: Red Converse.

21 DETECTIVE GOLDSTEIN: Okay.

22 Solid red?

23 MERRIT WILLIAMS: Solid red.

24 DETECTIVE GOLDSTEIN: Okay.

25 MERRIT WILLIAMS: Maybe about a size 9 when I was

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 walking down the road, I used to do a little job to where I
2 picked up shoes, so I kind of got to, you know, where I can
3 tell a person's size from the shoes.

4 DETECTIVE GOLDSTEIN: Okay.

5 Facial hair, do you remember, you know, from
6 looking in the mirror?

7 MERRIT WILLIAMS: There wasn't any facial hair.
8 He was just dark-skinned, he had a little --- looks like a
9 --- I don't know what those caps are called, like a skully
10 cap maybe.

11 DETECTIVE GOLDSTEIN: Yep.

12 MERRIT WILLIAMS: White writings on it.

13 DETECTIVE GOLDSTEIN: Okay.

14 MERRIT WILLIAMS: And he had dreads, you could
15 see those and he was trucking. He was dropping stuff as he
16 was going.

17 DETECTIVE GOLDSTEIN: He was dropping stuff?

18 MERRIT WILLIAMS: Yeah.

19 DETECTIVE GOLDSTEIN: Did you see what he was
20 dropping?

21 MERRIT WILLIAMS: No, unfortunately, no.

22 DETECTIVE GOLDSTEIN: Did you see any type of
23 handgun?

24 MERRIT WILLIAMS: No, I didn't see a gun.

25 DETECTIVE GOLDSTEIN: Okay, all right.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 MERRIT WILLIAMS: Maybe ---
2 DETECTIVE GOLDSTEIN: Well very good.
3 MERRIT WILLIAMS: --- that's what he's picking
4 up, but I don't know.
5 DETECTIVE GOLDSTEIN: But he was dropping stuff?
6 MERRIT WILLIAMS: Yeah, I just --- I know the
7 area that he went to.
8 I know that when he --- when he went out, he went
9 to the left.
10 DETECTIVE GOLDSTEIN: Yes, sir.
11 MERRIT WILLIAMS: He cut in and that's about as
12 far as it from there.
13 So when I heard what happened, I drove my truck
14 back on down that damn way there, and I figured that I can
15 doggone map out and try to follow to see where he went.
16 You know, with young boys ---
17 DETECTIVE GOLDSTEIN: Sure.
18 MERRIT WILLIAMS: --- they do something like
19 this, you know, chances are, they're still in the yard.
20 DETECTIVE GOLDSTEIN: Yep.
21 MERRIT WILLIAMS: But I didn't see him.
22 DETECTIVE GOLDSTEIN: Okay, all right.
23 This will complete the statement of Mr. Williams,
24 4:18 p.m.
25 (CONCLUSION.)

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11

12

13

14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

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6,9,13,16,	
20,23,25	
9:7,12,14,	
18,21,24	
10:1,3,6,	
11,18,21,	
23	
wouldn't	
8:16	
wrapping	
5:24	

EXHIBIT 6

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF DAVID FELDER,
11 RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER 23, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

Page 3

1 INTERVIEW OF DAVID FELDER

2

3 DETECTIVE GOLDSTEIN: Sorry now, need some bags.
4 As soon as he comes back, we'll take your handcuffs off,
5 all right, fair enough?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: All right.

8 DAVID FELDER: He loosen them up a little bit for
9 me though.

10 DETECTIVE GOLDSTEIN: Yeah, we'll get them off.
11 That's no problem.

12 Let me just read you --- you're not under arrest,
13 I want to clear that out, but I do under the law, have to
14 read you your Miranda Warnings.

15 DAVID FELDER: Huh-huh.

16 DETECTIVE GOLDSTEIN: You have the right to
17 remain silent.

18 Anything you say can and will be used against you
19 in a Court of law.

20 You have the right to talk with a lawyer, to have
21 him present during any questioning.

22 If you cannot afford a lawyer, one will be
23 appointed to represent you before any questioning if you
24 wish one.

25 If you decide to answer questions without a

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 lawyer present, you have the right to stop answering
2 questions at any time if you so choose.

3 Do you understand that?

4 DAVID FELDER: (No verbal response.)

5 DETECTIVE GOLDSTEIN: Yes?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: Okay, all right.

8 Let me just --- as soon he comes back, we'll get
9 some specifics, some details and then we'll explain to you
10 why we confronted you, why we asked you to come down here
11 and one of two things is going to happen.

12 Either you're involved or we're going to clear
13 you and that will be the end of that.

14 Anything that we do today, I'm going to explain
15 to you.

16 DAVID FELDER: Yes, sir.

17 DETECTIVE GOLDSTEIN: Okay.

18 If you have any questions, just stop me and, you
19 know, ask me and I'm gonna tell you the answer.

20 DAVID FELDER: Huh-huh, huh-huh.

21 DETECTIVE GOLDSTEIN: Cause that's what, you
22 know, that's what I'm supposed to do.

23 DAVID FELDER: Yes, sir.

24 DETECTIVE GOLDSTEIN: And that's the proper thing
25 to do.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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Page 5

1 DAVID FELDER: Huh-huh.
2 DETECTIVE GOLDSTEIN: That address over at [REDACTED],
3 what's it, Brenda B is the address?
4 DAVID FELDER: Huh-huh.
5 DETECTIVE GOLDSTEIN: That's your house or the
6 lady's house?
7 DAVID FELDER: My Uncle Wayne's.
8 DETECTIVE GOLDSTEIN: Wayne?
9 DAVID FELDER: Huh-huh.
10 DETECTIVE GOLDSTEIN: Okay.
11 Wayne who?
12 DAVID FELDER: Wayne Pye.
13 DETECTIVE GOLDSTEIN: Wayne Pye, okay.
14 DAVID FELDER: I was helping paying a little
15 bills here and there.
16 DETECTIVE GOLDSTEIN: Yeah, it's understandable.
17 DAVID FELDER: We work on the shrimp boat
18 together.
19 DETECTIVE GOLDSTEIN: Yes, sir. Yeah, we
20 discussed that.
21 What education, how far did you go into in
22 school?
23 DAVID FELDER: Oh, eleventh grade, eleventh
24 grade.
25 DETECTIVE GOLDSTEIN: Eleventh grade?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

Page 6

1 DAVID FELDER: Yeah.
2 DETECTIVE GOLDSTEIN: Okay.
3 DAVID FELDER: Yes, sir.
4 DETECTIVE GOLDSTEIN: Okay.
5 You got handcuff keys (speaking to unidentified
6 detective)?
7 UNIDENTIFIED DETECTIVE: Yeah.
8 (Officer removes David Felder's handcuffs.)
9 DAVID FELDER: Thank you, sir.
10 DETECTIVE GOLDSTEIN: Thank you (laughs).
11 UNIDENTIFIED DETECTIVE: I'm sorry for the
12 inconvenience.
13 DAVID FELDER: It be all right.
14 DETECTIVE GOLDSTEIN: Let me just go get a pen,
15 Michael.
16 UNIDENTIFIED DEFENDANT: Here you go, sir.
17 DETECTIVE GOLDSTEIN: You got it, all right.
18 First thing I'm going to ask you to do and this
19 is for a gunshot residue, check for any gunshot, you can't
20 --- what we do is we do it, I don't know if you've ever had
21 it done ---
22 DAVID FELDER: I never had it done ---
23 DETECTIVE GOLDSTEIN: --- we dab some things on
24 your hands and we can't do it here, it's done
25 microscopically and if there's nothing there, you didn't

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 shoot a gun.

2 DAVID FELDER: Nah, I'm not allowed to be around

3 a gun.

4 DETECTIVE GOLDSTEIN: You're not allowed to be

5 around a gun?

6 DAVID FELDER: I'm on probation.

7 DETECTIVE GOLDSTEIN: Do you have any guns?

8 DAVID FELDER: No, sir.

9 DETECTIVE GOLDSTEIN: No guns at all, okay.

10 So you didn't shoot a gun today?

11 DAVID FELDER: No, sir.

12 DETECTIVE GOLDSTEIN: Very good.

13 All right, so this is the left palm (indicating),

14 all right, left palm.

15 DAVID FELDER: No, this is my right (indicating).

16 DETECTIVE THOMPSON: Your first name was David?

17 DAVID FELDER: Yes, sir.

18 (David Felder being tested for gunshot residue.)

19 DETECTIVE THOMPSON: What's your number Barry?

20 DETECTIVE GOLDSTEIN: 10541.

21 All right, left back (indicating), right back,

22 right palm, right palm.

23 DETECTIVE THOMPSON: Can I get a middle name?

24 DAVID FELDER: No, sir.

25 DETECTIVE THOMPSON: Dave, you got a middle name?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DETECTIVE THOMPSON: No middle name?
2 DAVID FELDER: No, sir.
3 DETECTIVE THOMPSON: F-E-L-D-E-R?
4 DAVID FELDER: Yes, sir.
5 DETECTIVE THOMPSON: What's your date of birth?
6 DAVID FELDER: [REDACTED].
7 DETECTIVE THOMPSON: [REDACTED]?
8 DAVID FELDER: Yes, sir.
9 DETECTIVE THOMPSON: Okay.
10 Are you right-handed or left-handed?
11 DAVID FELDER: Right.
12 DETECTIVE GOLDSTEIN: Have you washed your hands
13 in the last, let's say six or eight hours?
14 DAVID FELDER: No, sir. I don't think so.
15 UNIDENTIFIED DETECTIVE: What do you do for a
16 living?
17 DAVID FELDER: Shrimp, landscaping.
18 UNIDENTIFIED DETECTIVE: All right.
19 Shrimper and landscaper?
20 DAVID FELDER: Yes, sir.
21 UNIDENTIFIED DETECTIVE: What kind of hobbies do
22 you have?
23 DAVID FELDER: Uh --- like to work.
24 DETECTIVE GOLDSTEIN: You still like working?
25 DAVID FELDER: Yes, sir.

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1 UNIDENTIFIED DETECTIVE: And let's say in the
2 last couple --- last three or four hours today, what have
3 you been out doing?

4 DAVID FELDER: No, I went --- I've been in
5 Cordesville, checking out with my own --- my landlord took
6 me to the landlord, right there in Cordesville ---

7 UNIDENTIFIED DETECTIVE: Riding in a car?

8 DAVID FELDER: Yeah, if you had a (inaudible),
9 yeah.

10 UNIDENTIFIED DETECTIVE: I'm gonna use the
11 restroom.

12 You could probably do that search warrant quicker
13 if Zack gets back here.

14 DETECTIVE THOMPSON: Yeah, you didn't call him.

15 DETECTIVE GOLDSTEIN: Do you want to so I can
16 talk to this gentleman here?

17 DETECTIVE THOMPSON: Sure.

18 DETECTIVE GOLDSTEIN: He needs to use the
19 restroom, so we can get everything downstairs ---

20 DETECTIVE GOLDSTEIN: I'll wait for you to come
21 back.

22 UNIDENTIFIED DETECTIVE: All right, thank you.
23 I'm trying to get everything in this bag.

24 How old are you?

25 DAVID FELDER: 25.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 DETECTIVE GOLDSTEIN: You look a little older
2 than that. People ever tell you that?
3 DAVID FELDER: Huh-huh.
4 DETECTIVE GOLDSTEIN: You don't look that young.
5 DAVID FELDER: It's my birthday on the 28th.
6 DETECTIVE GOLDSTEIN: You've just been working
7 all your life?
8 DAVID FELDER: Yeah, something like that (laughs)
9 old man soul, yep, yep, yep.
10 My wife about to come up here and get me, or you
11 that all taking me back?
12 UNIDENTIFIED DETECTIVE: I'm not sure, okay.
13 You need to ask him.
14 (Unidentified Detective speaking to unknown
15 male.)
16 He's here at the office, cause I'm at the office,
17 Barry told me to ---
18 UNIDENTIFIED MALE: (Inaudible.)
19 UNIDENTIFIED DETECTIVE: Find out where
20 (inaudible) is and give him something else.
21 Barry told me that --- do the search warrant
22 here, that's why we're here.
23 UNIDENTIFIED MALE: (Inaudible.)
24 UNIDENTIFIED DETECTIVE: He's not here.
25 UNIDENTIFIED MALE: (Inaudible).

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1 UNIDENTIFIED DETECTIVE: All right, okay. I was
2 just --- trying to save you some trouble.

3 UNIDENTIFIED MALE: (Inaudible.)

4 UNIDENTIFIED DETECTIVE: Okay, I'll call him.

5 UNIDENTIFIED MALE: Okay.

6 UNIDENTIFIED DETECTIVE: Thanks.

7 (Unidentified Detective ends conversation with
8 unidentified male.)

9 UNIDENTIFIED DETECTIVE: So you're thinking about
10 moving to Cordesville?

11 DAVID FELDER: (Nods affirmatively) Um, I'm
12 probably --- probably going to go out there.

13 UNIDENTIFIED DETECTIVE: I'm trying to think
14 where that is.

15 DAVID FELDER: It's a little down (inaudible).

16 UNIDENTIFIED DETECTIVE: Moncks Corner, I'm
17 familiar with Goose Creek and Moncks Corner.

18 DAVID FELDER: That's right, Moncks Corner area
19 (inaudible).

20 UNIDENTIFIED DETECTIVE: Moncks Corner?

21 DAVID FELDER: Yeah.

22 UNIDENTIFIED DETECTIVE: Okay.

23 (Detective Goldstein speaking to unidentified
24 male). Okay.

25 UNIDENTIFIED DETECTIVE: Okay. He's already

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 here, isn't he?

2 DETECTIVE GOLDSTEIN: Yeah, okay.

3 Okay, I'm going to walk out to my trunk. I'm
4 going to take a buccal swab, I'll be right back.

5 UNIDENTIFIED DETECTIVE: I've got those materials
6 in my car.

7 DETECTIVE GOLDSTEIN: No, I got it.

8 UNIDENTIFIED DETECTIVE: Okay.

9 DAVID FELDER: This is crazy.

10 UNIDENTIFIED DETECTIVE: How long have you lived
11 right there?

12 DAVID FELDER: Where, last spot I lived?

13 UNIDENTIFIED DETECTIVE: Huh-huh.

14 DAVID FELDER: Not too long, I just have moved
15 to, help my Uncle Wayne. He had his lights and stuff cut
16 off, so I just step in and help him with the bills a little
17 bit since we was working on the boat together.

18 UNIDENTIFIED DETECTIVE: Where do you keep your
19 boat at?

20 DAVID FELDER: Right there at Shem Creek.

21 UNIDENTIFIED DETECTIVE: What's the name of it?

22 DAVID FELDER: Shem Creek.

23 UNIDENTIFIED DETECTIVE: The boat?

24 DAVID FELDER: Uh, that's Magwood, I ain't know
25 if that's Magwood's boat or what.

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1 UNIDENTIFIED DETECTIVE: Magwood what?

2 DAVID FELDER: I think that's Captain Magwood
3 boat.

4 UNIDENTIFIED DETECTIVE: Oh, you know the name of
5 the boat?

6 DAVID FELDER: I think it's Magwood.

7 UNIDENTIFIED DETECTIVE: The boat's just called
8 Magwood?

9 DAVID FELDER: Yeah, I think so. I ain't know,
10 or the Seahorse, I think we're riding with Seahorse, big
11 old blue one.

12 UNIDENTIFIED DETECTIVE: Huh-huh.

13 DAVID FELDER: Yeah.

14 You all been out?

15 DAVID FELDER: Ain't been out lately, the shrimp
16 they ain't been doing too much lately, you know?

17 They ain't doing too much, ain't been doing too
18 much lately.

19 I've been mostly buying my shrimp from the um,
20 Captain Magwood.

21 UNIDENTIFIED DETECTIVE: (Laughs) You're a
22 shrimper and you buy shrimp?

23 DAVID FELDER: Yeah ---

24 UNIDENTIFIED DETECTIVE: That's kind of --- that's
25 kind of backwards, isn't it?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: Yeah, especially if they ain't
2 catching no shrimp out there, everybody buy shrimp from the
3 docks from the people who catching the shrimp.

4 UNIDENTIFIED DETECTIVE: Okay.

5 DAVID FELDER: Yeah.

6 Someday you have a good day, if not, then you buy
7 some shrimp from the next shrimpers.

8 UNIDENTIFIED DETECTIVE: So do you shrimp every
9 day?

10 DAVID FELDER: No, kind of not every day, you
11 can't go out there every day.

12 UNIDENTIFIED DETECTIVE: No, and you landscape?

13 DAVID FELDER: Yeah, do a little landscaping here
14 and there.

15 UNIDENTIFIED DETECTIVE: What kind of landscaping
16 do you do?

17 DAVID FELDER: Cut grass, rake leaves, blow the
18 leaves.

19 UNIDENTIFIED DETECTIVE: Where do you keep all
20 that equipment?

21 DAVID FELDER: At my grandma house.

22 UNIDENTIFIED DETECTIVE: Not at your --- not at
23 your own house?

24 DAVID FELDER: No, like I said I be --- I'm mean
25 if my grandma house, I leave my stuff there all the time --

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1 UNIDENTIFIED DETECTIVE: (Interrupts) I
2 didn't see much grass cutting equipment over there.
3 DAVID FELDER: Where, at the house?
4 UNIDENTIFIED DETECTIVE: Where you live, yeah.
5 DAVID FELDER: Well, I got my little (inaudible)
6 and my blows.
7 UNIDENTIFIED DETECTIVE: Where did you keeping
8 them, I didn't see them.
9 DAVID FELDER: You didn't see 'em?
10 UNIDENTIFIED DETECTIVE: No.
11 DAVID FELDER: (Laughing.)
12 UNIDENTIFIED DETECTIVE: I chase --- I chase down
13 stolen lawnmowers and blowers and stuff, that's what I do.
14 I'd have seen all that stuff if I had saw it, but
15 I didn't see any of it over there.
16 DETECTIVE GOLDSTEIN: David, let me ask you a
17 question.
18 DAVID FELDER: What's that there, boss man?
19 DETECTIVE GOLDSTEIN: We're investigating this
20 incident that took place down there at (interruption) at
21 East Colpat and East Owens.
22 DAVID FELDER: Huh-huh.
23 DETECTIVE GOLDSTEIN: There was a burglary to a
24 house and the guy got shot in there.
25 Are you aware of that?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: I heard about it.
2 DETECTIVE GOLDSTEIN: Heard about it, okay.
3 DAVID FELDER: Huh-huh.
4 DETECTIVE GOLDSTEIN: And as I said, to clear,
5 we're trying to do as much as we can do to clear you.
6 Would you consent to a buccal swab?
7 DAVID FELDER: I don't know who that is?
8 DETECTIVE GOLDSTEIN: A buccal swab is just for
9 DNA.
10 Were you in the man --- have you ever been in
11 that man's house.
12 I tell you the guy's name, the guy's name is
13 Pritchard?
14 DAVID FELDER: Pritchard?
15 DETECTIVE GOLDSTEIN: Yeah.
16 DAVID FELDER: Don't know who that is.
17 DETECTIVE GOLDSTEIN: John Pritchard.
18 DAVID FELDER: I have no idea.
19 DETECTIVE GOLDSTEIN: You don't know who that guy
20 is?
21 DAVID FELDER: I heard a crew from East Colpat, I
22 know a lot of people in the area, but I don't ---
23 DETECTIVE GOLDSTEIN: Sure.
24 Well, have you ever been in that guy's house?
25 DAVID FELDER: I don't know who that guy is.

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1 DETECTIVE GOLDSTEIN: Then your DNA shouldn't
2 show up in there.
3 DAVID FELDER: No.
4 DETECTIVE GOLDSTEIN: Okay.
5 So would you consent to be ---
6 DAVID FELDER: (Interrupts) It don't matter ---
7 (inaudible) --- get it in.
8 DETECTIVE GOLDSTEIN: Let's get it done.
9 DAVID FELDER: Yes, sir.
10 DETECTIVE GOLDSTEIN: Michael, go get me one of
11 those little boxes, did I bring it in?
12 DETECTIVE THOMPSON: No.
13 I'll be right back.
14 DETECTIVE GOLDSTEIN: Thank you, sir.
15 (Unidentified Detective exits room.)
16 (Unidentified Detective reenters room.)
17 DAVID FELDER: I hope I don't miss these festival
18 lights, boss man ---
19 DETECTIVE GOLDSTEIN: Why not?
20 DAVID FELDER: Shit, if I miss these festival
21 lights (inaudible) supposed to --- my wife gonna kill me,
22 cuz ---
23 DETECTIVE GOLDSTEIN: Was that your wife out
24 there earlier?
25 DAVID FELDER: (Inaudible) --- yeah.

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1 DETECTIVE GOLDSTEIN: Well, they're going every
2 night, the Festival of Lights.

3 DAVID FELDER: The Festival of Lights?

4 DETECTIVE GOLDSTEIN: Yeah.

5 DAVID FELDER: Yeah, they're going every night,
6 but this was a date night.

7 DETECTIVE GOLDSTEIN: Oh, a date night?

8 DAVID FELDER: Yeah, something like that. Just
9 something like that, it was planned ---

10 DETECTIVE GOLDSTEIN: Well, she'll understand.
11 She'll have to understand.

12 DAVID FELDER: Huh-huh.

13 DETECTIVE GOLDSTEIN: I tried to explain it to
14 her, but I see she's --- short tempered.

15 (Detective Goldstein and unidentified officer
16 speaking.)

17 DETECTIVE THOMPSON: You got the swab, the gloves
18 and the envelope, right?

19 DETECTIVE GOLDSTEIN: Yep, yep, yep, yep.

20 Okay, here we go.

21 DETECTIVE THOMPSON: I'll pull this out for you.
22 Let me get him ready first cause it has to go in

23 ---

24 DETECTIVE GOLDSTEIN: They can go in together.

25 We'll only use once. Where's the box?

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1 DETECTIVE THOMPSON: Are you sure?

2 DETECTIVE GOLDSTEIN: Yeah, okay.

3 Let me get the box ready, cause you can't write
4 on it, so we'll have to write on it afterwards.

5 Date of birth, David?

6 DAVID FELDER: [REDACTED].

7 DETECTIVE THOMPSON: Today's the 23rd, right?

8 DETECTIVE GOLDSTEIN: Yes.

9 DETECTIVE THOMPSON: 6, 7 --- 18, 1750.

10 UNIDENTIFIED OFFICER: Every time I come
11 (telephone rings) in and get you, coming to get you.

12 UNIDENTIFIED DETECTIVE: That's my brother, I
13 have to turn this off.

14 He loves --- he loves Friday, so it's his
15 favorite movie, the older he gets, he acts like Mr. Jones
16 cause he complains about his kids eating all his food and
17 everything.

18 I said that's a good ringtone for you.

19 DETECTIVE GOLDSTEIN: Okay, you ready, sir?

20 DETECTIVE THOMPSON: I'm ready.

21 (All parties speaking/inaudible.)

22 DETECTIVE GOLDSTEIN: You consent, you consent?

23 DETECTIVE THOMPSON: That's right.

24 DETECTIVE GOLDSTEIN: Come on, hold ---

25 DAVID FELDER: On my throat?

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1 UNIDENTIFIED DETECTIVE: No, no.
2 Just inside your cheek, he's just going to rub
3 inside your cheek.
4 DAVID FELDER: You hit my tonsil just now
5 (laughing).
6 DETECTIVE THOMPSON: It's like a baby daddy test.
7 DAVID FELDER: Huh-huh.
8 DETECTIVE GOLDSTEIN: All right. You consented
9 to that, right?
10 DAVID FELDER: Yes, sir.
11 DETECTIVE GOLDSTEIN: All right.
12 DAVID FELDER: You hit my tonsil.
13 DETECTIVE THOMPSON: What's that guy's name
14 again, I want to say, Richard Pritchard?
15 DAVID FELDER: I don't know.
16 DETECTIVE THOMPSON: Richard --- Pritchard, John,
17 I think.
18 DETECTIVE THOMPSON: John, I think.
19 All right. Second box, I remember what the
20 number on that.
21 DAVID FELDER: This say they matching my
22 description.
23 DETECTIVE THOMPSON: No, no.
24 He's talking about something else.
25 DAVID FELDER: Say you got wrong guy, dude ---

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1 DETECTIVE THOMPSON: I don't know what he's
2 talking about.

3 DAVID FELDER: Oh, man.

4 DETECTIVE THOMPSON: Just relax, you're doing
5 good so far.

6 It says the 23rd day of December that on the 16
7 that, 17, 18 --- case number --- okay.

8 This is for the consent, just initial each one of
9 those and sign right there (indicating).

10 (David Felder complies.)

11 DETECTIVE THOMPSON: I'll sign as your witness.
12 Now, you gave consent for that, right?

13 DAVID FELDER: I reckon I haven't told the both
14 of you ---

15 DETECTIVE THOMPSON: No, man, I mean you had a
16 choice.

17 You understand, right?

18 DAVID FELDER: Yeah, but that's ---

19 DETECTIVE THOMPSON: You gave a consent.

20 I mean you understand, you understand we're
21 trying to --- we're trying to ---

22 DAVID FELDER: Yes, I understand.

23 DETECTIVE THOMPSON: --- trying to figure out
24 what happened and, you know, rule you out, you know, and
25 just, and then just --- if you didn't have nothing to do

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 with it, then this will go towards figuring out whether you
2 had anything to do with it or not.

3 DAVID FELDER: I know I ain't got nothing to do
4 with it.

5 DETECTIVE THOMPSON: Sure, sure.

6 So did you understand all this?

7 DAVID FELDER: Yes.

8 DETECTIVE THOMPSON: Okay, okay, all right, all
9 right.

10 So anyway, sir, let's deal with this table, it's
11 all fucked up back there, like it spins like an ottoman of
12 something, or Lazy Susan.

13 So you shrimp, but you don't shrimp every day?

14 DAVID FELDER: No, not every day.

15 I'm trying to figure out, I'm ready to get this
16 over with.

17 DETECTIVE THOMPSON: Yeah, he'll come back in a
18 minute.

19 DAVID FELDER: Yeah, I'm trying to get this shit
20 over with.

21 DETECTIVE THOMPSON: I am too.

22 DAVID FELDER: Cause I got --- I got ---

23 DETECTIVE THOMPSON: I know.

24 So did you --- you all ain't caught no shrimp, so
25 you all buy shrimp?

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1 DAVID FELDER: Yeah, I buy shrimp.
2 DETECTIVE THOMPSON: Well, why do you buy the
3 shrimp?
4 DAVID FELDER: To sell.
5 DETECTIVE THOMPSON: So you're a shrimper, but
6 you don't catch any shrimp, you buy shrimp and then sell
7 it?
8 DAVID FELDER: If you don't catch no shrimp, you
9 buy 'em from the next shrimper.
10 DETECTIVE THOMPSON: You're like a shrimp
11 salesman, not a shrimp catcher man?
12 DAVID FELDER: No, I catch 'em.
13 Somedays you have good days, somedays you don't.
14 DETECTIVE THOMPSON: Huh.
15 DAVID FELDER: If I catch 'em, if I don't catch
16 'em, then we'll buy it 'em from the next man for like \$1.50
17 a pound and sell 'em for like \$4.50 a pound.
18 DETECTIVE THOMPSON: Okay.
19 So it's a variation of shrimp, and not actually
20 out in the ocean catching the shrimp ---
21 DAVID FELDER: No, it's really out there in the
22 ocean catching ---
23 DETECTIVE THOMPSON: But how often do you do
24 that?
25 DAVID FELDER: Big, old, long, dragging for

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1 hours.
2 DETECTIVE THOMPSON: Yeah?
3 DAVID FELDER: Dragging for hours, don't come
4 back in till about 5:00 or 6:00.
5 DETECTIVE GOLDSTEIN: (Laughs.)
6 DAVID FELDER: Yes, long.
7 DETECTIVE GOLDSTEIN: Okay.
8 DAVID FELDER: All right.
9 What's the ---
10 DETECTIVE GOLDSTEIN: Okay.
11 Let's get started, let's get started.
12 DAVID FELDER: All right.
13 DETECTIVE GOLDSTEIN: You said you had court
14 today?
15 DAVID FELDER: I went --- I went to go to Court
16 today.
17 DETECTIVE GOLDSTEIN: All right.
18 And what happened there?
19 DAVID FELDER: It was a turnaround.
20 DETECTIVE GOLDSTEIN: What happened?
21 DAVID FELDER: I got to go meet with Mr. James
22 Smiley on the 2nd of January.
23 DETECTIVE GOLDSTEIN: Okay.
24 So did you make it to Court today?
25 DAVID FELDER: No, I made it to court, but my

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1 name wasn't on the roster.

2 DETECTIVE GOLDSTEIN: I see, okay.

3 So which court did you go to today?

4 DAVID FELDER: To Saint George.

5 DETECTIVE GOLDSTEIN: Saint George?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: Is that General Sessions
8 Court or ---

9 DAVID FELDER: I don't have no idea.

10 I was just supposed to go meet with my attorney.

11 DETECTIVE GOLDSTEIN: What are the charges?

12 DAVID FELDER: I was supposed to go meet with my
13 attorney.

14 DETECTIVE GOLDSTEIN: And who's your attorney?

15 DAVID FELDER: James Smiley.

16 DETECTIVE GOLDSTEIN: All right.

17 And that's on a different --- that's on something
18 outstanding right?

19 DAVID FELDER: Yeah.

20 DETECTIVE GOLDSTEIN: Okay.

21 Did you meet with Mr. Smiley (sic) at Saint
22 George?

23 DAVID FELDER: Didn't --- didn't meet with him
24 today cause he is out of town for, I guess, Christmas or
25 something with him.

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1 DAVID FELDER: Okay.
2 So we gotta meet January 2nd.
3 DETECTIVE GOLDSTEIN: Okay.
4 Did you make it to Saint George?
5 DAVID FELDER: I made it up to Saint George, yes.
6 DETECTIVE GOLDSTEIN: To the courthouse?
7 DAVID FELDER: It was supposed to be at 1:00
8 o'clock.
9 DETECTIVE GOLDSTEIN: 1:00 o'clock?
10 DAVID FELDER: Huh-huh.
11 DETECTIVE GOLDSTEIN: All right.
12 So you went there at 1:00 o'clock ---
13 DAVID FELDER: Huh-huh.
14 DETECTIVE GOLDSTEIN: --- and what happened at
15 1:00 o'clock?
16 DAVID FELDER: My old lady called and he said he
17 would schedule it, so and so. So we turned around and been
18 to the country.
19 DETECTIVE GOLDSTEIN: I see.
20 Did you go inside the courthouse?
21 DAVID FELDER: No, didn't went in the courthouse.
22 DETECTIVE GOLDSTEIN: You were in the parking
23 lot?
24 DAVID FELDER: Yes, I went over there.
25 DETECTIVE GOLDSTEIN: Where did you park?

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1 DAVID FELDER: I don't know where I park at.

2 I wasn't driving.

3 DETECTIVE GOLDSTEIN: I know, but front of the
4 building, back of the building, side of the building ---

5 DAVID FELDER: Ah, I don't know, side of the ---

6 DETECTIVE GOLDSTEIN: Was the courthouse open
7 today?

8 DAVID FELDER: Is the courthouse open?

9 I have no idea. We got in the parking lot, she
10 called and he said to reschedule so and so till January
11 2nd.

12 DETECTIVE GOLDSTEIN: Who did she talk to, Jim
13 Smiley or somebody else?

14 DAVID FELDER: James Smiley.

15 DETECTIVE GOLDSTEIN: Okay.

16 DAVID FELDER: Mr. James Smiley.

17 DETECTIVE GOLDSTEIN: Okay. You know his number?

18 DAVID FELDER: No.

19 DETECTIVE GOLDSTEIN: Okay.

20 So she --- so your wife spoke to James Smiley?

21 DAVID FELDER: Yes, sir.

22 DETECTIVE GOLDSTEIN: All right.

23 And it's rescheduled.

24 DETECTIVE THOMPSON: He told you he was out of
25 town or something?

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1 DAVID FELDER: I don't know.
2 She talked to him.
3 DETECTIVE THOMPSON: All right.
4 DETECTIVE GOLDSTEIN: All right.
5 So where did you go then?
6 DAVID FELDER: To the country, got the ---
7 DETECTIVE GOLDSTEIN: (Interrupts) All right.
8 What time --- what time were you up there?
9 DAVID FELDER: I was supposed to be at the
10 courthouse at 1:00 o'clock today, so ---
11 DETECTIVE GOLDSTEIN: So what time were you
12 there?
13 DAVID FELDER: --- after --- I made it there
14 around 1:00, but we turned around cause he --- cause we had
15 --- so we went to Cordesville to go ---
16 DETECTIVE GOLDSTEIN: Huh-huh.
17 DAVID FELDER: --- talk to my landlord about the
18 key in the trailer.
19 DETECTIVE GOLDSTEIN: Sure.
20 DAVID FELDER: In Cordesville.
21 DETECTIVE GOLDSTEIN: All right.
22 So you go to Cordesville after that?
23 DAVID FELDER: Yes, sir.
24 DAVID FELDER: What address did you go to in
25 Cordesville?

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1 DAVID FELDER: I have no idea. I have no idea
2 boss man.
3 After --- I don't even know what the address like
4 that. It's a trailer that's getting remodeled. I got to
5 remodel it all and the landlord supposed to be paying me
6 \$12.00 an hour to knock my rent off ---
7 DETECTIVE GOLDSTEIN: Sure.
8 DAVID FELDER: --- with the deposit,
9 It was a ---
10 DETECTIVE GOLDSTEIN: And did you --- so who did
11 you talk to at the house?
12 DAVID FELDER: What house?
13 DETECTIVE GOLDSTEIN: Whatever house you went to
14 in Cordesville?
15 DAVID FELDER: That supposed to be my house.
16 DETECTIVE GOLDSTEIN: That's your house?
17 DAVID FELDER: Huh-huh.
18 The landlord had a stroke, so we just went to go
19 do a walk through.
20 DETECTIVE GOLDSTEIN: Walk through, all right.
21 Was the landlord there?
22 DAVID FELDER: No, sir.
23 DETECTIVE GOLDSTEIN: So it was just you and your
24 wife?
25 DAVID FELDER: Me and my wife and her friend.

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1 DETECTIVE GOLDSTEIN: All right.
2 So it's your wife, her friend ---
3 DAVID FELDER: And me.
4 DETECTIVE GOLDSTEIN: What's her friend's name?
5 DAVID FELDER: Sharon.
6 DETECTIVE GOLDSTEIN: Sharon.
7 And what's your wife's name?
8 DAVID FELDER: Carrie.
9 DETECTIVE GOLDSTEIN: Carrie, all right.
10 So you did your walk through, right?
11 DAVID FELDER: Yeah, did a little walk through.
12 DETECTIVE GOLDSTEIN: All right.
13 Where did you go then?
14 DAVID FELDER: When we left there, I think we
15 came straight toward Lincolnville.
16 DETECTIVE GOLDSTEIN: What ---
17 DAVID FELDER: --- little place called
18 Lincolnville, little place we call Lincolnville.
19 DETECTIVE GOLDSTEIN: Okay.
20 DAVID FELDER: I already had got the phone call,
21 I already --- I already get a phone call to say hey,
22 there's a bunch of police in Lincolnville, whatever ---
23 DETECTIVE GOLDSTEIN: Sure.
24 DAVID FELDER: --- you know what I mean?
25 I mean yeah, I already get the phone call, you

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1 know, cause it right in front of my aunt house.
2 DETECTIVE GOLDSTEIN: Yes, sir.
3 DAVID FELDER: My Uncle Wayne's sister house,
4 right off of East Colpat.
5 Yeah, so I got a phone call, hey, the police is
6 over here, so and so. So we were like ---
7 DETECTIVE GOLDSTEIN: You uncle --- what's your
8 uncle's name?
9 DAVID FELDER: My Uncle Wayne, my Uncle Wayne.
10 So ---
11 DETECTIVE GOLDSTEIN: Where does he live on East
12 Colpat?
13 DAVID FELDER: He don't stay on East Colpat, he
14 stay with me.
15 DETECTIVE GOLDSTEIN: He stays with you?
16 DAVID FELDER: Yeah.
17 DETECTIVE THOMPSON: What's his last name?
18 DAVID FELDER: Pye.
19 DETECTIVE THOMPSON: How do you spell that?
20 DAVID FELDER: P-Y-E.
21 DETECTIVE GOLDSTEIN: Yeah.
22 DAVID FELDER: P-Y-E.
23 Yeah, we headed toward Lincolnville way. I came,
24 turn on Brenda-B, came, pull in the yard, crank a little
25 beer or so.

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1 That's when you came, guys came flying down the
2 road.
3 DETECTIVE GOLDSTEIN: Okay, all right.
4 Do you know John Pritchard?
5 DAVID FELDER: No, sir.
6 DETECTIVE GOLDSTEIN: Don't know him?
7 DAVID FELDER: Nope.
8 DETECTIVE GOLDSTEIN: Okay.
9 Do you own a gun?
10 DAVID FELDER: No, sir.
11 DETECTIVE GOLDSTEIN: Did you fire a gun today?
12 DAVID FELDER: No, sir.
13 DETECTIVE GOLDSTEIN: Okay.
14 Have you ever been in a house at the corner of
15 East Colpat and East Owens Street?
16 DAVID FELDER: No, sir.
17 DETECTIVE GOLDSTEIN: Okay, all right.
18 Do you have a cell phone?
19 DAVID FELDER: My cell phone's in the car.
20 DETECTIVE GOLDSTEIN: Oh, it is, it's in your
21 car.
22 Which car?
23 DAVID FELDER: Right --- where we just left.
24 DETECTIVE GOLDSTEIN: There's three cars, take
25 your pick?

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1 DAVID FELDER: My wife car, the car I just been
2 in with it.

3 DETECTIVE THOMPSON: The new Focus?

4 DETECTIVE GOLDSTEIN: Is that your car?

5 DAVID FELDER: No, the green, I mean it's black.

6 DETECTIVE THOMPSON: It's a black Focus?

7 DAVID FELDER: Yeah.

8 DETECTIVE THOMPSON: Okay.

9 DETECTIVE GOLDSTEIN: What's your phone number?

10 DAVID FELDER: My phone number's 707-5900.

11 DETECTIVE GOLDSTEIN: What is it?

12 DAVID FELDER: 707-5900.

13 DETECTIVE GOLDSTEIN: 843?

14 DAVID FELDER: Yes, sir.

15 DETECTIVE GOLDSTEIN: What kind of phone is it?

16 DAVID FELDER: It's an LG, the Boost Mobile.

17 DETECTIVE GOLDSTEIN: Okay, all right.

18 Do you have any other cell phones?

19 DAVID FELDER: No, sir.

20 DETECTIVE GOLDSTEIN: All right.

21 Have you been wearing that outfit all day?

22 DAVID FELDER: Yes, sir.

23 DETECTIVE GOLDSTEIN: When did you put that
24 outfit on?

25 DAVID FELDER: When did I put it on?

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1 I put out for --- tell you the truth like, the
2 day before yesterday is my sister's party ---

3 DETECTIVE GOLDSTEIN: Oh, okay.

4 So you've been wearing it for two days?

5 DAVID FELDER: Hmm --- most say a day and a half.

6 DETECTIVE GOLDSTEIN: Day and a half?

7 DAVID FELDER: Yeah.

8 DETECTIVE GOLDSTEIN: So you had it on today?

9 DAVID FELDER: Yes.

10 DETECTIVE GOLDSTEIN: Okay, all right.

11 Tell you what we're going to do.

12 DAVID FELDER: What you say boss man, talk to me.

13 DETECTIVE GOLDSTEIN: Tell what we're going to
14 do, we're going to get a change of clothes because we're
15 going to take those clothes and we're going to have them
16 examined for gunpowder. You're going to get your clothes
17 back either way.

18 DAVID FELDER: Yeah.

19 DETECTIVE GOLDSTEIN: But again, just like I told
20 you with the gunshot residue and the DNA, I want to make
21 sure there's no gunshot residue on there.

22 DAVID FELDER: All right.

23 DETECTIVE GOLDSTEIN: You okay with that?

24 DAVID FELDER: Yes, sir.

25 DETECTIVE GOLDSTEIN: We got a change of clothes

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1 here.

2 I'll give you a receipt which will cover for it,
3 because it's very expensive clothing you have.

4 DAVID FELDER: Yes, sir.

5 DETECTIVE GOLDSTEIN: Michael Jordan's.

6 DAVID FELDER: Yes, sir.

7 DETECTIVE THOMPSON: The clothes that we're going
8 to give you is, it's actually a jumpsuit ---

9 DAVID FELDER: I don't ---

10 DETECTIVE THOMPSON: It's a jumpsuit from the
11 jail, so you probably want to give it back to me as soon as
12 you get home.

13 DETECTIVE GOLDSTEIN: What is it, the cloth one?

14 DETECTIVE THOMPSON: Yeah, it's the newest ---
15 stripes now ---

16 DETECTIVE GOLDSTEIN: Oh okay, all right. All
17 right.

18 Well let's change that out, let's get some bags.

19 DETECTIVE THOMPSON: Okay.

20 DAVID FELDER: Hey, but --- cause I ain't got ---
21 I'm not wearing no orange suit or nothing, right?

22 DETECTIVE THOMPSON: It's black and white
23 stripes.

24 DAVID FELDER: Oh --- shit ---

25 DETECTIVE THOMPSON: When you get home, you can

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1 change it and give it back to me.
2 DAVID FELDER: All right.
3 DETECTIVE GOLDSTEIN: Just leave it all right
4 here (indicating).
5 DAVID FELDER: All right.
6 DETECTIVE GOLDSTEIN: Just leave it here
7 (indicating).
8 Just leave it all on for now.
9 DAVID FELDER: Damn, I can't --- I'll help you
10 all get to the bottom of this, cause I be in that area
11 sometime ---
12 DETECTIVE GOLDSTEIN: Sure.
13 DAVID FELDER: --- yeah, that's why I say, you
14 guys got a card or something, let me know something, cause,
15 you know, you know how people talk.
16 DETECTIVE GOLDSTEIN: Sure.
17 DAVID FELDER: People talk, yes, sir.
18 I ain't got no problem with it, you know, I mean
19 --- hmm, hmm.
20 And I hope you ain't ---
21 DETECTIVE GOLDSTEIN: What's the matter?
22 DAVID FELDER: My damn dog.
23 I hope my damn dog ain't fucking ---
24 DETECTIVE GOLDSTEIN: What kind of dog was that?
25 DAVID FELDER: American Stafford, American

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1 Stafford.

2 DETECTIVE THOMPSON: What size shoe do you wear,
3 David?

4 DAVID FELDER: Oh ---

5 DETECTIVE THOMPSON: These are all I have, so ---

6 DAVID FELDER: I don't want no shoe, I don't want
7 --- I ain't gonna take ---

8 DETECTIVE THOMPSON: (Interrupts) I'm not going
9 take you --- I'm not going make you walk barefoot, I mean -
10 --

11 DETECTIVE GOLDSTEIN: All right. Let's go
12 through your paper bags, okay? Paper bags, let's go.

13 (David Felder removes clothing, and shoes.)

14 DAVID FELDER: You want this black shirt right
15 here too?

16 DETECTIVE GOLDSTEIN: (Inaudible) Yeah.

17 DAVID FELDER: Drawers and all?

18 DETECTIVE GOLDSTEIN: No, no, no.

19 Just the outer garments.

20 (Detectives speaking to unidentified persons.)

21 DAVID FELDER: You gonna get that jumper over
22 there for me?

23 DETECTIVE GOLDSTEIN: Yeah.

24 Here you go.

25 (Detective speaking to unidentified persons.)

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1 DETECTIVE GOLDSTEIN: Let's go, yeah, bring ---
2 about 15 of them.

3 UNIDENTIFIED PERSON: All right.

4 DETECTIVE GOLDSTEIN: You want a little bag for
5 that?

6 DAVID FELDER: Little bag?

7 DETECTIVE GOLDSTEIN: Yeah, so you don't forget
8 it.

9 DAVID FELDER: I ain't gonna forget it, boss man.

10 DETECTIVE GOLDSTEIN: Okay.

11 How much you got there?

12 DAVID FELDER: Oh, supposed to be a hundred and
13 fifty bucks.

14 DETECTIVE GOLDSTEIN: Oh that's right.

15 You cashed your check?

16 DAVID FELDER: No, we don't get checks.

17 DETECTIVE GOLDSTEIN: You don't get checks,
18 everything's cash?

19 DAVID FELDER: Yeah, they don't do no check,
20 they're Vietnamese people.

21 They don't do checks.

22 DETECTIVE GOLDSTEIN: What, you work for
23 Vietnamese on the boat?

24 DAVID FELDER: Yeah, they --- lots of them
25 people.

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1 DETECTIVE GOLDSTEIN: Really, what?
2 DAVID FELDER: I don't --- and they steady coming
3 in, beating 'em, with lots of 'em.
4 DETECTIVE GOLDSTEIN: To work, to run the boat?
5 DAVID FELDER: Yeah, they working. They make ---
6 their wives, they --- they own, like they get in the salons
7 ---
8 DETECTIVE GOLDSTEIN: Yeah.
9 DAVID FELDER: Like they going crazy, they got
10 lots, lots and lots and lots of 'em, you know?
11 DETECTIVE GOLDSTEIN: I'll hand them to you one
12 at a time (indicating).
13 Is that all you had back there?
14 DETECTIVE THOMPSON: I tipped --- everything's
15 stacked, lot easier for us --- (paper rustling/inaudible) -
16 --
17 (Detective placing clothing in bag for David
18 Felder.)
19 DETECTIVE GOLDSTEIN: Just enough.
20 DETECTIVE THOMPSON: That's the only ones we
21 have.
22 DETECTIVE GOLDSTEIN: Here you go, sir.
23 Let me tear up these socks.
24 DETECTIVE THOMPSON: Just to make them work.
25 DETECTIVE GOLDSTEIN: All right.

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1 Let me --- what's your criminal record, sir?
2 DAVID FELDER: Umm, I got a marijuana charge, I
3 got a gun charge.
4 DETECTIVE GOLDSTEIN: Huh-huh.
5 You've been convicted of a gun charge, cause you
6 said you couldn't possess a gun, right?
7 DAVID FELDER: Yeah.
8 DETECTIVE GOLDSTEIN: Okay.
9 And what else you got?
10 DAVID FELDER: That's it.
11 DETECTIVE GOLDSTEIN: That's it?
12 DAVID FELDER: I went --- my recent charge was a
13 crack cocaine charge.
14 DETECTIVE GOLDSTEIN: And that's what's
15 outstanding?
16 DAVID FELDER: That's what I'm on probation for
17 and stuff, but that's rare.
18 DETECTIVE GOLDSTEIN: Yeah, okay, all right.
19 DAVID FELDER: Yep.
20 I got to go to court January 9th and I got to
21 meet with Mr. James Smiley on the 2nd.
22 DETECTIVE GOLDSTEIN: Right, right.
23 DAVID FELDER: Huh-huh.
24 DETECTIVE GOLDSTEIN: Okay.
25 Well, the shooting incident, I'm not going to go

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1 into the details of it with you, because it's still in the
2 investigative stages.

3 There's no sense ---

4 DAVID FELDER: Having a black guy with dreads,
5 obviously ---

6 DETECTIVE GOLDSTEIN: Well that's a good start,
7 that's a good start, black guy with dreads.

8 DAVID FELDER: That ain't me ---

9 DETECTIVE GOLDSTEIN: Yeah.

10 DAVID FELDER: Really (laughing).

11 DETECTIVE GOLDSTEIN: Yeah.

12 DAVID FELDER: Really?

13 DETECTIVE GOLDSTEIN: Yeah.

14 DAVID FELDER: But I wasn't ---

15 DETECTIVE GOLDSTEIN: Right, it wasn't you?

16 DAVID FELDER: No, it wasn't me.

17 DETECTIVE GOLDSTEIN: Yeah.

18 DAVID FELDER: No, sir, not at all.

19 DETECTIVE GOLDSTEIN: Okay.

20 And all right and what are we going to find at
21 your house?

22 Are we going to find any weapons over there,
23 guns?

24 DAVID FELDER: Hmm --- no, shouldn't find, no.

25 DETECTIVE GOLDSTEIN: There are no guns over

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1 there?
2 DAVID FELDER: You shouldn't find no guns over
3 there.
4 DETECTIVE GOLDSTEIN: Okay, all right.
5 And do you own a gun?
6 DAVID FELDER: No, sir.
7 DETECTIVE GOLDSTEIN: Okay.
8 DAVID FELDER: Nope.
9 DETECTIVE GOLDSTEIN: And the cell phone number
10 that you gave me, this 707, that's the only phone you
11 possess, huh?
12 DAVID FELDER: Yeah, that's my number.
13 DETECTIVE GOLDSTEIN: That's your number?
14 DAVID FELDER: Huh-huh.
15 DETECTIVE GOLDSTEIN: All right.
16 DETECTIVE THOMPSON: Any large amounts of money?
17 DAVID FELDER: What that?
18 DETECTIVE THOMPSON: Any large amounts of money?
19 DAVID FELDER: What about that?
20 DETECTIVE THOMPSON: Do you have any large
21 amounts of money?
22 DAVID FELDER: No, uh-uh.
23 DETECTIVE GOLDSTEIN: You got a nickname?
24 DAVID FELDER: No, sir.
25 DETECTIVE GOLDSTEIN: No nickname.

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1 What do they call you?
2 DAVID FELDER: Dave.
3 DETECTIVE GOLDSTEIN: Dave?
4 DAVID FELDER: Yes, sir.
5 DETECTIVE GOLDSTEIN: That's what I asked, that's
6 your name.
7 DAVID FELDER: Huh-huh.
8 DETECTIVE THOMPSON: You don't have a middle
9 name?
10 DAVID FELDER: No.
11 DETECTIVE THOMPSON: How about if we run this
12 positive I.D., if you want, so we can look at that before
13 we leave, so we just make sure we got everything.
14 DETECTIVE GOLDSTEIN: Let's --- yeah, yeah, do
15 that.
16 DETECTIVE THOMPSON: Okay.
17 DAVID FELDER: I just got a brand new I.D.
18 DETECTIVE THOMPSON: Do you know the number?
19 DAVID FELDER: No.
20 DETECTIVE THOMPSON: Okay.
21 I'll just run it by your date of birth.
22 DETECTIVE GOLDSTEIN: Yeah.
23 DETECTIVE THOMPSON: What's your --- tell me
24 again, I know it's 1990?
25 DAVID FELDER: [REDACTED].

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1 DETECTIVE THOMPSON: Okay.

2 DETECTIVE GOLDSTEIN: Go ahead and do that and
3 (paper rustling).

4 DETECTIVE GOLDSTEIN: Do you know what time you
5 left to go to Saint George?

6 DAVID FELDER: It was about 9:00 or something.
7 It was 9:00 something, cause I stayed in a hotel, me and my
8 ex, me and my other girl.

9 DETECTIVE GOLDSTEIN: Yeah, yeah.

10 DAVID FELDER: We stayed out last night.

11 DETECTIVE GOLDSTEIN: What's her name?

12 DAVID FELDER: Misty.

13 DETECTIVE GOLDSTEIN: Misty?

14 DAVID FELDER: Yeah, they fighting with each
15 other right now.

16 DETECTIVE GOLDSTEIN: How long were you with her
17 today?

18 DAVID FELDER: Who, Misty?

19 DETECTIVE GOLDSTEIN: Misty.

20 What time did you cut loose from her?

21 DAVID FELDER: Misty dropped me off with my wife
22 about 9:00, I wanna say about 10:00, 10:30.

23 Me and she got together and we shot off to Saint
24 George.

25 DETECTIVE GOLDSTEIN: Okay.

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1 So does Misty and your wife get along?
2 DAVID FELDER: No.
3 DETECTIVE GOLDSTEIN: Oh boy, that shouldn't be.
4 What's Misty's name?
5 DAVID FELDER: Misty.
6 DETECTIVE GOLDSTEIN: You know --- what's her
7 phone number?
8 DAVID FELDER: She just a friend.
9 DETECTIVE GOLDSTEIN: Yeah.
10 What's her phone number?
11 DAVID FELDER: It's in my phone.
12 DETECTIVE GOLDSTEIN: It's in your phone and
13 where's your phone?
14 DAVID FELDER: Old guy got my phone.
15 DETECTIVE GOLDSTEIN: Huh?
16 DAVID FELDER: Old guy got my phone, it's in the
17 car still, I think.
18 DETECTIVE GOLDSTEIN: In the car, okay.
19 All right, Misty.
20 DETECTIVE GOLDSTEIN: All right.
21 Let me ask you this, if we get the --- we find
22 the phone there, are you going to consent for us to look
23 into that phone for Misty's number and anything else that -
24 --
25 DAVID FELDER: I'll go in there and get Misty

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1 number for y'all.

2 DETECTIVE GOLDSTEIN: You'll get it?

3 DAVID FELDER: Yeah.

4 DETECTIVE GOLDSTEIN: Okay, all right.

5 DAVID FELDER: I'll let y'all call her. Y'all
6 can call her up and talk to her.

7 I'm just saying, I don't want them two to be ---

8 DETECTIVE GOLDSTEIN: I'm never going to put them
9 together.

10 DAVID FELDER: Oh, yeah.

11 DETECTIVE GOLDSTEIN: Yeah, I'm a grown man, I
12 know that song.

13 DAVID FELDER: Yeah.

14 DETECTIVE GOLDSTEIN: There's no reason to.

15 DAVID FELDER: Yeah.

16 DETECTIVE GOLDSTEIN: I just want to verify that
17 she dropped you off.

18 Was your wife at home when Misty dropped her
19 (sic) off?

20 DAVID FELDER: I got dropped off over on the
21 corner from home.

22 DETECTIVE GOLDSTEIN: Oh, around the corner, so
23 she doesn't know who --- who you were with?

24 DAVID FELDER: No, Misty, she'll tell you though.

25 DETECTIVE GOLDSTEIN: Okay.

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1 DAVID FELDER: Yeah, she'll tell you.
2 DETECTIVE GOLDSTEIN: Okay.
3 Where's Misty work at?
4 DAVID FELDER: Misty work at MUSC.
5 DETECTIVE GOLDSTEIN: Good job.
6 Whereabouts down there?
7 DAVID FELDER: The Children Care Place, I think.
8 DETECTIVE GOLDSTEIN: Children Care?
9 DAVID FELDER: Children's ---
10 DETECTIVE GOLDSTEIN: Do you know her last name?
11 DAVID FELDER: No, sir.
12 DETECTIVE GOLDSTEIN: Okay.
13 Children's Care.
14 What does she do down there?
15 DAVID FELDER: I have no idea.
16 DETECTIVE GOLDSTEIN: How long you been seeing
17 Misty?
18 DAVID FELDER: For a little while now.
19 DETECTIVE GOLDSTEIN: Yeah.
20 What hotel you stay at?
21 DAVID FELDER: This star one right there by the
22 Tanger Outlet.
23 DETECTIVE GOLDSTEIN: Tanger?
24 Is it Star?
25 DAVID FELDER: I forgot what it's called, Star

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1 something, I think.
2 DETECTIVE GOLDSTEIN: Okay.
3 DAVID FELDER: It's right out there by Tanger.
4 DETECTIVE GOLDSTEIN: Okay.
5 So at about 12:00 or 12:30, you weren't even in
6 Lincolnvillle, you're telling me?
7 DAVID FELDER: No.
8 Actually we had to check out the hotel room at
9 11:00.
10 DETECTIVE GOLDSTEIN: Okay.
11 DAVID FELDER: So we left.
12 We left and I got dropped off about 11:00, 11:30,
13 something like that.
14 DETECTIVE GOLDSTEIN: And where did she drop you
15 off at?
16 DAVID FELDER: Right there around the corner from
17 my sugar mama, my wife's house.
18 DETECTIVE GOLDSTEIN: Do you remember what
19 street?
20 DAVID FELDER: Sangaree yeah, I got dropped off
21 at Coachmen.
22 DETECTIVE GOLDSTEIN: On where?
23 DAVID FELDER: Coachmen.
24 DETECTIVE GOLDSTEIN: Coachmen?
25 DAVID FELDER: Yeah, around the corner from my

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1 sugar mama house. She stay on (Expressway). That's in
2 Sangaree.

3 DETECTIVE GOLDSTEIN: Okay.

4 That's in Sangaree?

5 DAVID FELDER: Yeah, so I ---

6 DETECTIVE GOLDSTEIN: So how did you get from
7 Sangaree over to Brenda B?

8 DAVID FELDER: My wife.

9 DETECTIVE GOLDSTEIN: Oh, your wife came over to
10 Sangaree and picked you up?

11 DAVID FELDER: No.

12 When I left the hotel room, went straight to
13 Sangaree --- get dropped off around the corner.

14 I jump in the car, my wife, she took me to Saint
15 George with her.

16 DETECTIVE GOLDSTEIN: Okay.

17 So you weren't even in Lincolnville today?

18 DAVID FELDER: No.

19 DETECTIVE GOLDSTEIN: Until late in the day?

20 DAVID FELDER: --- I --- that was my first time
21 coming to Lincolnville when I pulled up ---

22 DETECTIVE GOLDSTEIN: When you pulled up?

23 So you weren't even there at 12:00 o'clock today?

24 DAVID FELDER: No, not at all.

25 DETECTIVE GOLDSTEIN: 1:00 o'clock today?

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1 DAVID FELDER: Not at all, not at all, nope.
2 DETECTIVE GOLDSTEIN: Hmm.
3 So your wife picked you up at Sangaree at about,
4 what time?
5 DAVID FELDER: I got there, I'd say about 11:30.
6 DETECTIVE GOLDSTEIN: Okay.
7 And that's the short --- the short lady that was
8 ---
9 DAVID FELDER: Huh-huh.
10 DETECTIVE GOLDSTEIN: --- that was speaking on
11 behalf of you?
12 What's her name?
13 DAVID FELDER: Carrie.
14 DETECTIVE GOLDSTEIN: Carrie, okay.
15 All right, very good.
16 All right. I'm going to tell you --- do you need
17 a glass of water or something?
18 DAVID FELDER: (No audible response.)
19 DETECTIVE GOLDSTEIN: You need anything?
20 I'll be with you in a few minutes and then we'll
21 get out of here, all right, sir?
22 DAVID FELDER: Yes, sir.
23 DETECTIVE GOLDSTEIN: We're going to give you
24 something to think about.
25 DAVID FELDER: Huh?

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1 DETECTIVE GOLDSTEIN: I'm going to give you
2 something to talk about. Then I'll walk out of here.

3 DAVID FELDER: What's that there?

4 DETECTIVE GOLDSTEIN: Then we'll walk out of
5 here.

6 We had a crime today and we got evidence, that's
7 what we work with cause we're the police and only because I
8 believe in physical evidence.

9 Do you know what physical evidence is?

10 DAVID FELDER: No, sir.

11 DETECTIVE GOLDSTEIN: Physical evidence is things
12 that are tangible and touchable.

13 DAVID FELDER: Right.

14 DETECTIVE GOLDSTEIN: And things like that.
15 Things that I can go to Court with.

16 DAVID FELDER: Huh-huh.

17 DETECTIVE GOLDSTEIN: Not circumstances.

18 I don't work on circumstances and I feel very
19 confident that the information you've given me today is not
20 the whole truth, but I'm not going to sit here and beat you
21 up and go back and forth across this table.

22 DAVID FELDER: Uh --- I'm telling you guys for
23 real ---

24 DETECTIVE GOLDSTEIN: Yeah.

25 I'm going to either clear you or I'm going to

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1 condemn you.
2 DAVID FELDER: My man.
3 DETECTIVE GOLDSTEIN: Okay?
4 DAVID FELDER: That's your job.
5 DETECTIVE GOLDSTEIN: Yeah.
6 DAVID FELDER: It's serious.
7 DETECTIVE GOLDSTEIN: Yeah.
8 If I condemn you ---
9 DAVID FELDER: I hope I'll be clear, cause I know
10 this ---
11 DETECTIVE GOLDSTEIN: Yeah, if I ---
12 DAVID FELDER: --- and I know ---
13 DETECTIVE GOLDSTEIN: --- if I condemn you, it
14 ain't going to be pleasant.
15 DAVID FELDER: I know that's right.
16 DETECTIVE GOLDSTEIN: But it's all done with
17 physical evidence.
18 DAVID FELDER: Right.
19 DETECTIVE GOLDSTEIN: So if something went
20 haywire today for you and any of the above is not the truth
21 ---
22 DAVID FELDER: No.
23 DETECTIVE GOLDSTEIN: --- now is the time for us
24 to put it on the table.
25 DAVID FELDER: No.

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1 My day went --- my day been going good all day
2 long.

3 DETECTIVE GOLDSTEIN: Okay.

4 DAVID FELDER: All day long and I be happy, my
5 attorney said I had to meet with him on ---

6 DETECTIVE GOLDSTEIN: Yes, sir.

7 DAVID FELDER: --- (inaudible).

8 DETECTIVE GOLDSTEIN: Yes, sir, absolutely.

9 DETECTIVE THOMPSON: What is Carrie's name, first
10 and last name?

11 She doesn't --- she's not --- goes by Carrie
12 Felder, does she?

13 DAVID FELDER: No.

14 She's Carrie Watson.

15 DETECTIVE THOMPSON: Carrie Watson?

16 DAVID FELDER: Yes, sir.

17 DETECTIVE THOMPSON: C-A-R-R ---

18 DETECTIVE GOLDSTEIN: I'd say that's you?

19 DAVID FELDER: That's me (laughs).

20 DETECTIVE THOMPSON: What is Carrie's birthday?

21 DAVID FELDER: I have no idea. January 2nd.

22 DETECTIVE THOMPSON: She's your wife.

23 DAVID FELDER: I --- it ain't my wife, wife,
24 wife, no.

25 DETECTIVE THOMPSON: Oh come on, man.

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1 Birthdays, holidays, you don't know her ---
2 DAVID FELDER: I just been explaining to him, the
3 other lady dropped me off to Carrie earlier.
4 DETECTIVE THOMPSON: How old is Carrie?
5 DAVID FELDER: Carrie, I --- I have no idea,
6 picture like 44.
7 DETECTIVE THOMPSON: All right.
8 Be right back.
9 (Detective Goldstein exits room.)
10 DETECTIVE GOLDSTEIN: What's this Hershey Circle
11 (indicating)?
12 When did you move there, you just moved there,
13 Hershey Circle?
14 DAVID FELDER: Hmm --- hmm, no, I used to stay on
15 Hershey Circle.
16 DETECTIVE GOLDSTEIN: You did?
17 DAVID FELDER: Yeah, awhile ---
18 DETECTIVE GOLDSTEIN: How long ago?
19 DAVID FELDER: I have no idea.
20 DETECTIVE GOLDSTEIN: Last year, year and a half
21 ago?
22 DAVID FELDER: Hmm, no.
23 DETECTIVE GOLDSTEIN: No?
24 DAVID FELDER: (No audible response.)
25 DETECTIVE GOLDSTEIN: Hmm.

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1 14, 15? You don't remember?
2 DAVID FELDER: Um-um (no).
3 DETECTIVE GOLDSTEIN: Where is Hershey Circle?
4 DAVID FELDER: That's in Knightsville.
5 DETECTIVE GOLDSTEIN: Yeah, it is.
6 DAVID FELDER: They can take their pictures out
7 there, boss man?
8 DETECTIVE GOLDSTEIN: No, he don't need it.
9 DAVID FELDER: No (laughing).
10 DETECTIVE GOLDSTEIN: All right.
11 You take a breather, I'll be with you in a
12 minute, okay, sir?
13 DETECTIVE GOLDSTEIN: I'm just going to close
14 this for a minute.
15 (Detective exits room.)
16 (STATEMENT CONCLUDED.)
17
18
19
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25

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11

12

13

14 SCOTT A. HUSEBY

15

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EXHIBIT 7**MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S
MOTION TO SUPPRESS EVIDENCE**

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

STATE OF SOUTH CAROLINA

County of Charleston

SEARCH WARRANT

2016-019282

Detective Z. Khan

SCCA 513

(3-1978)

R5 DBD 128

STATE OF SOUTH CAROLINA)

SEARCH WARRANT

Form Approved by

SC Attorney General

Section 19-13-160

March 15, 1978

COUNTY OF CHARLESTON)

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
MUNICIPALITY OF CHARLESTON:

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

SEE ATTACHED AFFIDAVIT

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

SEE ATTACHED AFFIDAVIT

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Charles L., South Carolina

[Signature]
Signature of Judge

18.42

Dated: 23 December 2016

SCCA 513

(3-1978)

R5 DBD 129

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

AFFIDAVIT

2016-019282

Personally appeared before me, one Detective Z. Khan, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Any and all instrumentalities of the crime of home invasion and murder, to include but not limited to photographs, latent fingerprints, firearms or paperwork pertaining to any firearms, ammunition, spent shell casings, projectiles, to include DNA or other types of trace residue such as hair and fibers, notes, cell phones, electronic media storage devices, miscellaneous paperwork related to John Pritchard, drugs, narcotics and other illegal contraband or currency.

**DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED**

The residence to be searched is located at [REDACTED] Brenda B Dr, Lincolnville, SC. The residence is a single family home, consisting of a single story. The residence is tan with a single white front door and white shutters. The numbers [REDACTED] are affixed to the right side of the residence. The residence is located on Brenda B Dr, and can be reached by turning left onto E. Owens Dr and then by turning left onto Brenda B Dr. Also to include any attached or unattached buildings, appurtenances, and vehicles located on the property as well as any property surrounding the described residence.

**REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES**

That on December 23, 2016, Charleston County Sheriff's Office responded to [REDACTED] E. Thomas St, Lincolnville for a home invasion and murder. A witness advised the responding units that a black male suspect was seen running from the incident location wearing red sneakers and had the number 23, on his clothing. The witness also advised that the suspect ran in the direction of Joshua Ln which is close to Brenda B Dr. Detective Goldstein observed a person matching the description of the suspect a short time later, who identified himself as David Felder at [REDACTED] Brenda B Dr. David Felder stated that he resides at [REDACTED] Brenda B. It is the affiant's belief that evidence may be found at this location which will further this investigation. Any and all evidence recovered as a result of this search will be compared to other evidence already obtained in the investigation.

Sworn to and Subscribed before me

23 day of Dec, 2016

Signature of Judge

1842

Address

Affiant

3691 Leeds Ave
North Charleston, SC
(843) 554-2475

Phone

SCCA 513
(3-1978)

R5 DBD 130

RETURN

I received the attached Search Warrant 12/23, 20 16, and have executed it as follows:
 On 12/23, 20 16, at 7:30 o'clock P. M., I searched
 (the person) described in the warrant and (the premises).

I left a copy of the warrant with RESIDENCE
 Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant: _____

PHOTOGRAPHS / OVERALL

- LIVING ROOM 1

BLUE PILLS IN PLASTIC BAG.

BUR MARLEY GRINDER

GPM IN PLASTIC BAG.

- BED ROOM 1:

GRINDER AND MULTI COLOR PPE

GPM IN PLASTIC BAG.

This inventory was made in the presence of DET. KIMON / DET. MEELROY

AND _____

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this 29

day of December, 20 16

(Signature of Officer Executing Warrant)

(Signature of Judge)

(L.S.)

R5 DBD 131

CCSO-113
 Rev. 10/21/15

EXHIBIT 8

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF NAUTICA
11 MANIGAULT, PAULINE ALSTON and TAWANNA ALSTON, RELATIVE TO
12 THE ABOVE-ENTITLED MATTER ON DECEMBER 26, 2016.

13

14

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25

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 2

1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 3

1 INTERVIEW WITH NAUTICA MANIGAULT,
2 TAWANNA ALSTON AND PAULINE ALSTON
3
4 DETECTIVE THOMPSON: This is South Carolina, 7402
5 John Queen, black car.
6 PAULINE ALSTON: Hello, how are you? Come on in.
7 DETECTIVE THOMPSON: It's just starting to rain.
8 PAULINE ALSTON: Hello. Yeah, come on.
9 DETECTIVE THOMPSON: I like your door.
10 PAULINE ALSTON: Thank you, yeah.
11 DETECTIVE THOMPSON: That's pretty --- we're
12 waiting on our boss, hang on a second.
13 PAULINE ALSTON: Okay.
14 Are you Nautica's aunt?
15 PAULINE ALSTON: I'm her grandmother.
16 DETECTIVE THOMPSON: Her grandmother.
17 That's Nautica right there.
18 PAULINE ALSTON: Right.
19 DETECTIVE THOMPSON: Hey, how are you?
20 PAULINE ALSTON: How are you?
21 DETECTIVE THOMPSON: This is Mr. Goldstein.
22 NAUTICA MANIGAULT: Okay.
23 DETECTIVE THOMPSON: Can we come in?
24 PAULINE ALSTON: Yeah, sure.
25 DETECTIVE THOMPSON: Anybody else home, but us?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 4

1 PAULINE ALSTON: And her mother's in the
2 bathroom.
3 DETECTIVE THOMPSON: Mom's in the bathroom.
4 DETECTIVE GOLDSTEIN: Hi, how are you?
5 PAULINE ALSTON: How are you, good, good.
6 DETECTIVE GOLDSTEIN: Barry Goldstein.
7 PAULINE ALSTON: Pauline, my name Alston, I'm her
8 grandmother.
9 DETECTIVE GOLDSTEIN: How are you young lady?
10 NAUTICA MANIGAULT: Good, how are you?
11 DETECTIVE GOLDSTEIN: You doing okay?
12 NAUTICA MANIGAULT: Yes, sir.
13 DETECTIVE GOLDSTEIN: Okay.
14 You stay with us. I want you to stay. I want to
15 talk to her about something and you're more than welcome to
16 stay.
17 PAULINE ALSTON: Okay.
18 DETECTIVE THOMPSON: Can you turn the T.V. off,
19 it's kind of loud.
20 PAULINE ALSTON: Turn the T.V. off, Nautica.
21 DETECTIVE GOLDSTEIN: And turn the phone off.
22 PAULINE ALSTON: You can sit down.
23 DETECTIVE GOLDSTEIN: Yeah, thank you.
24 PAULINE ALSTON: Nautica, slide down.
25 DETECTIVE GOLDSTEIN: Nautica, how old are you?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 5

1 NAUTICA MANIGAULT: 16.
2 DETECTIVE GOLDSTEIN: I'm going to put some light
3 on here.
4 NAUTICA MANIGAULT: Oh, no, there's not really
5 light in here.
6 DETECTIVE GOLDSTEIN: Who else is here?
7 PAULINE ALSTON: Mom --- her Mom and daughter,
8 she's in the restroom.
9 DETECTIVE GOLDSTEIN: That's it, okay.
10 How are you?
11 PAULINE ALSTON: I'm good.
12 DETECTIVE GOLDSTEIN: Okay, all right.
13 I'm a Detective, these are all Detectives.
14 NAUTICA MANIGAULT: Huh-huh.
15 DETECTIVE GOLDSTEIN: From Charleston County and
16 we just came here, got to ask you a question.
17 PAULINE ALSTON: Huh-huh.
18 DETECTIVE GOLDSTEIN: All we want --- you're not
19 involved. You're out of the mix, okay, but I think you can
20 answer some questions for us.
21 NAUTICA MANIGAULT: Huh-huh.
22 DETECTIVE GOLDSTEIN: All right.
23 Whatever we talk about stays here.
24 PAULINE ALSTON: Exactly.
25 DETECTIVE GOLDSTEIN: Stays right here.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 6

1 That's why it's so important for you to tell the
2 truth.

3 NAUTICA MANIGAULT: Okay.

4 DETECTIVE GOLDSTEIN: Okay?

5 So we're going to show you a picture, all right
6 and I want to know who the young man is in the picture,
7 okay?

8 Let you see the picture.

9 Who's that (indicating)?

10 NAUTICA MANIGAULT: My boyfriend.

11 DETECTIVE GOLDSTEIN: What's his name?

12 NAUTICA MANIGAULT: Joseph.

13 DETECTIVE GOLDSTEIN: Joseph what?

14 NAUTICA MANIGAULT: Brown.

15 DETECTIVE GOLDSTEIN: Joseph Brown?

16 NAUTICA MANIGAULT: Yes, sir.

17 TAWANNA ALSTON: Hello, how are you?

18 DETECTIVE GOLDSTEIN: Hi, how are you, ma'am?

19 PAULINE ALSTON: That's her ---

20 TAWANNA ALSTON: I'm her mother.

21 DETECTIVE GOLDSTEIN: Hi, how are you?

22 TAWANNA ALSTON: All right, and you?

23 DETECTIVE GOLDSTEIN: Barry Goldstein.

24 TAWANNA ALSTON: Nice to meet you.

25 DETECTIVE GOLDSTEIN: Nice to meet you.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 7

1 DETECTIVE THOMPSON: Mike Thompson.
2 TAWANNA ALSTON: Can I sit down?
3 DETECTIVE GOLDSTEIN: Yeah.
4 TAWANNA ALSTON: She know who that is, that's
5 Joseph ---
6 NAUTICA MANIGAULT: Stop sticking (yelling at
7 Mom).
8 (Mom and daughter arguing.)
9 DETECTIVE THOMPSON: It's okay, Mom, it's okay.
10 (All parties speaking.)
11 DETECTIVE GOLDSTEIN: We got grandmother right
12 here --- (inaudible).
13 You got her all riled up, okay? Don't yell at
14 the girl.
15 TAWANNA ALSTON: I'm sorry.
16 DETECTIVE GOLDSTEIN: Ready, okay.
17 What's Joseph's middle name?
18 NAUTICA MANIGAULT: Lamar, I think.
19 DETECTIVE GOLDSTEIN: Joseph Lamar Brown?
20 NAUTICA MANIGAULT: Huh-huh.
21 DETECTIVE THOMPSON: How old is he?
22 NAUTICA MANIGAULT: 18.
23 DETECTIVE GOLDSTEIN: All right.
24 Now, he's your boyfriend?
25 NAUTICA MANIGAULT: Huh-huh.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 8

1 DETECTIVE GOLDSTEIN: So you know his birthday
2 cause you give him a birthday present.
3 When's his birthday?
4 NAUTICA MANIGAULT: I didn't give him a birthday
5 present.
6 DETECTIVE GOLDSTEIN: What's his birthday?
7 NAUTICA MANIGAULT: [REDACTED]
8 DETECTIVE GOLDSTEIN: August what?
9 NAUTICA MANIGAULT: [REDACTED]
10 DETECTIVE GOLDSTEIN: Yeah.
11 What year?
12 NAUTICA MANIGAULT: 1998.
13 DETECTIVE GOLDSTEIN: [REDACTED] [REDACTED].
14 Where's he live at?
15 NAUTICA MANIGAULT: Um, right over here
16 (indicating).
17 DETECTIVE GOLDSTEIN: Where, in the apartments?
18 NAUTICA MANIGAULT: Yes, sir.
19 DETECTIVE GOLDSTEIN: Do you know where?
20 NAUTICA MANIGAULT: Yes, sir.
21 DETECTIVE GOLDSTEIN: What apartment number?
22 NAUTICA MANIGAULT: Uh, 7, I think. I believe
23 it's 7.
24 DETECTIVE GOLDSTEIN: Same building?
25 NAUTICA MANIGAULT: Uh-uh (no).

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 9

1 DETECTIVE GOLDSTEIN: Different building?
2 NAUTICA MANIGAULT: Huh-huh.
3 DETECTIVE THOMPSON: What's the letter?
4 TAWANNA ALSTON: Want me to show you the
5 building?
6 DETECTIVE GOLDSTEIN: No, no.
7 TAWANNA ALSTON: We don't know the name, the
8 letter ---
9 DETECTIVE GOLDSTEIN: I got it, I got it.
10 TAWANNA ALSTON: Okay.
11 DETECTIVE GOLDSTEIN: More important.
12 Let me get away from all that. What's his phone
13 number?
14 NAUTICA MANIGAULT: Oh, I don't know the first
15 three, cause it's like mine, it's 557, that's all I know --
16 -
17 DETECTIVE GOLDSTEIN: Well, look in your phone,
18 it's in your phone.
19 NAUTICA MANIGAULT: You told me to turn it off.
20 DETECTIVE GOLDSTEIN: Turn it on now.
21 DETECTIVE THOMPSON: (Laughing.)
22 DETECTIVE GOLDSTEIN: How are you?
23 PAULINE ALSTON: I'm good.
24 DETECTIVE GOLDSTEIN: You have a good holiday?
25 PAULINE ALSTON: Yeah, it was nice, huh-huh, but

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 10

1 this here pop out and that's ---
2 (Women both talking.)
3 DETECTIVE GOLDSTEIN: This ain't nothing, we'll
4 be out of here in 5 minutes and don't yell when I leave.
5 TAWANNA ALSTON: I'm not --- (laughing).
6 DETECTIVE THOMPSON: (Laughing.)
7 DETECTIVE GOLDSTEIN: All right --- where do you
8 go to school at?
9 NAUTICA MANIGAULT: Stratford High School.
10 DETECTIVE GOLDSTEIN: You're about to graduate?
11 NAUTICA MANIGAULT: Next year.
12 DETECTIVE GOLDSTEIN: What are you going to do
13 after that?
14 NAUTICA MANIGAULT: Military.
15 DETECTIVE THOMPSON: Good.
16 DETECTIVE GOLDSTEIN: Good for you.
17 DETECTIVE THOMPSON: Very good.
18 PAULINE ALSTON: I got to go, but she (inaudible)
19 taking too long.
20 DETECTIVE GOLDSTEIN: Nautica, you got her
21 number?
22 DETECTIVE THOMPSON: Nautica, your last name is
23 Manigault?
24 NAUTICA MANIGAULT: Yes, sir.
25 DETECTIVE THOMPSON: What's your date of birth?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 11

1 NAUTICA MANIGAULT: [REDACTED].
2 DETECTIVE GOLDSTEIN: Give me that phone number,
3 that's important.
4 NAUTICA MANIGAULT: She got it.
5 DETECTIVE GOLDSTEIN: Oh, she got it?
6 NAUTICA MANIGAULT: Huh-huh.
7 DETECTIVE THOMPSON: Do you have an I.D. card or
8 a driver's license?
9 NAUTICA MANIGAULT: I have my school I.D.
10 DETECTIVE GOLDSTEIN: Yeah.
11 DETECTIVE THOMPSON: Can you let Zach take a
12 picture of it?
13 NAUTICA MANIGAULT: (No audible response.)
14 DETECTIVE THOMPSON: Thank you very much.
15 PAULINE ALSTON: So what, the little guy did
16 something or something?
17 DETECTIVE GOLDSTEIN: Nah, we're just trying to
18 follow-up on some cases and I got this picture.
19 I said, man, that's a pretty girl there.
20 NAUTICA MANIGAULT: Huh-huh.
21 DETECTIVE GOLDSTEIN: And we tracked it down to
22 Nautica with the red hair.
23 (Laughter.)
24 DETECTIVE GOLDSTEIN: That's why we're
25 Detectives.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 12

1 TAWANNA ALSTON: On his phone or something, how
2 you all ---
3 DETECTIVE GOLDSTEIN: Huh?
4 TAWANNA ALSTON: --- how did you all get her
5 picture?
6 DETECTIVE GOLDSTEIN: We work with computers.
7 PAULINE ALSTON: Facebook?
8 DETECTIVE THOMPSON: Making sure that one ---
9 PAULINE ALSTON: Yes, since I told her, I don't
10 have the control back in, but I have to scroll through the
11 cases, I'll know what it is when I see it.
12 DETECTIVE GOLDSTEIN: Why don't you have it on
13 yours?
14 He's your boyfriend.
15 DETECTIVE THOMPSON: Her phone was in the ---
16 powering up ---
17 TAWANNA ALSTON: Huh-huh.
18 NAUTICA MANIGAULT: Um --- where are my contacts?
19 557-3277.
20 TAWANNA ALSTON: And I just could pop it up. She
21 sent it.
22 DETECTIVE GOLDSTEIN: 557-3277.
23 NAUTICA MANIGAULT: 3277.
24 DETECTIVE GOLDSTEIN: 847-6199.
25 DETECTIVE THOMPSON: Different numbers?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 13

1 DETECTIVE GOLDSTEIN: Yeah.
2 You got them written down?
3 DETECTIVE THOMPSON: No, I'm ready, read them off
4 one at a time.
5 DETECTIVE GOLDSTEIN: 557-3277.
6 DETECTIVE THOMPSON: Huh-huh.
7 DETECTIVE GOLDSTEIN: 847-6199.
8 DETECTIVE THOMPSON: Huh-huh.
9 DETECTIVE GOLDSTEIN: I gotta take a picture of
10 this, that going to be your husband?
11 TAWANNA ALSTON: Yeah.
12 That floor should be dry.
13 DETECTIVE GOLDSTEIN: Is he gonna travel with you
14 in the Military?
15 NAUTICA MANIGAULT: Hmm, I don't know.
16 DETECTIVE GOLDSTEIN: You don't know?
17 I don't think so. You need to go in the
18 Military, do your 20 by yourself, men hold you back.
19 PAULINE ALSTON: Exactly right.
20 DETECTIVE THOMPSON: All right.
21 DETECTIVE GOLDSTEIN: You got it?
22 DETECTIVE THOMPSON: Double check it, got it.
23 DETECTIVE GOLDSTEIN: All right.
24 Now, go back to your --- your --- what's that,
25 your Facebook?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 14

1 I know your Facebook. You're opening page here,
2 I saw it, and it was that same picture.
3 Bring that up, I want to see that.
4 (Nautica Manigault complies.)
5 DETECTIVE GOLDSTEIN: Got your phone ready,
6 Michael?
7 DETECTIVE THOMPSON: Yes, sir.
8 DETECTIVE GOLDSTEIN: Take a picture of that.
9 (Officer Thompson complies.)
10 DETECTIVE GOLDSTEIN: All right.
11 Now, what's he look like today?
12 Like that?
13 NAUTICA MANIGAULT: Like that.
14 DETECTIVE GOLDSTEIN: Like that?
15 NAUTICA MANIGAULT: Huh-huh.
16 (Nautica's grandmother and Mom speaking in
17 background.)
18 NAUTICA MANIGAULT: This is ---
19 DETECTIVE GOLDSTEIN: With the earring, okay.
20 Does he have --- well, whose got dreads?
21 NAUTICA MANIGAULT: I don't know.
22 DETECTIVE GOLDSTEIN: Does he have dreads?
23 NAUTICA MANIGAULT: No.
24 DETECTIVE GOLDSTEIN: No dreads, huh. Hmm. All
25 right.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 DETECTIVE THOMPSON: Do you know the letter on
2 the top of the building where he stays?
3 He stays in the same complex?
4 NAUTICA MANIGAULT: Yes, sir.
5 DETECTIVE THOMPSON: But it's Apartment 7, you
6 don't know what building?
7 NAUTICA MANIGAULT: I don't know the letter.
8 DETECTIVE THOMPSON: If you go back by the
9 office, you know, where the trucks are parked.
10 You go in the back, you go right in the back.
11 (Parties all speaking.)
12 TAWANNA ALSTON: That building right there
13 (indicating).
14 PAULINE ALSTON: Huh-huh.
15 TAWANNA ALSTON: But it's not that building, it's
16 that building (indicating).
17 DETECTIVE THOMPSON: Okay.
18 TAWANNA ALSTON: See where that blue door's at,
19 that building right there.
20 DETECTIVE THOMPSON: I got you, that's going to
21 be ---
22 TAWANNA ALSTON: Yeah, I think that one is "M".
23 PAULINE ALSTON: What building Shea-Shea (ph)
24 used to stay in?
25 TAWANNA ALSTON: I can't remember, but it's next

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 to that.

2 DETECTIVE THOMPSON: So that's in that --- it's
3 Apartment 7?

4 TAWANNA ALSTON: Huh-huh.

5 DETECTIVE THOMPSON: Mom, what's your name?

6 TAWANNA ALSTON: Tawanna.

7 DETECTIVE GOLDSTEIN: Does he work?

8 That young man work?

9 NAUTICA MANIGAULT: Huh-huh.

10 DETECTIVE GOLDSTEIN: Where's he work at?

11 DETECTIVE THOMPSON: Need your last name?

12 TAWANNA ALSTON: Alston (inaudible).

13 DETECTIVE THOMPSON: And your date of birth?

14 TAWANNA ALSTON: [REDACTED].

15 DETECTIVE THOMPSON: And, Grandma, what's your
16 name?

17 PAULINE ALSTON: Pauline.

18 DETECTIVE THOMPSON: Pauline.

19 PAULINE ALSTON: Alston.

20 DETECTIVE GOLDSTEIN: They live in --- work at
21 the McDonald's right there by I-26?

22 NAUTICA MANIGAULT: Huh-huh.

23 DETECTIVE THOMPSON: And your date of birth?

24 PAULINE ALSTON: [REDACTED].

25 DETECTIVE THOMPSON: Thank you very much.

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1 DETECTIVE GOLDSTEIN: When was the last time you
2 spoke to him on the phone or text him or whatever?

3 NAUTICA MANIGAULT: This morning.

4 DETECTIVE GOLDSTEIN: Really, show me?

5 (Nautica Manigault complies.)

6 DETECTIVE GOLDSTEIN: I'm not going to look at
7 your message, that's private.

8 Oh, future husband.

9 TAWANNA ALSTON: Oh, wow.

10 DETECTIVE THOMPSON: (Laughs.)

11 DETECTIVE GOLDSTEIN: 10:46.

12 Did he answer you?

13 NAUTICA MANIGAULT: Yeah.

14 DETECTIVE GOLDSTEIN: All right.

15 Tell me how he answered you, show --- open it up
16 and tell us how ---

17 NAUTICA MANIGAULT: In a minute.

18 DETECTIVE GOLDSTEIN: Want me to open it?

19 I ain't going to ---

20 NAUTICA MANIGAULT: He was just going to go back
21 to bed.

22 DETECTIVE GOLDSTEIN: Yesterday you had a missed
23 call, I see you missed a call, to him?

24 NAUTICA MANIGAULT: Yeah.

25 DETECTIVE GOLDSTEIN: Yeah, he missed you

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1 yesterday.
2 You called him today?
3 NAUTICA MANIGAULT: Huh-huh.
4 DETECTIVE GOLDSTEIN: You spoke to him for 4
5 minutes and you called him on 847-6199?
6 NAUTICA MANIGAULT: Huh-huh.
7 DETECTIVE GOLDSTEIN: And he answered you?
8 NAUTICA MANIGAULT: Huh-huh.
9 DETECTIVE GOLDSTEIN: Okay.
10 DETECTIVE THOMPSON: Did he get a new phone
11 recently?
12 NAUTICA MANIGAULT: Yeah, cause he lost his
13 phone.
14 DETECTIVE GOLDSTEIN: He did?
15 DETECTIVE THOMPSON: Oh, he did?
16 NAUTICA MANIGAULT: Yeah.
17 DETECTIVE THOMPSON: When did he say he lost his
18 phone?
19 NAUTICA MANIGAULT: He lost it around his --- his
20 uncle died, so he say Thursday, I think.
21 DETECTIVE GOLDSTEIN: Oh, Thursday he lost his
22 phone?
23 NAUTICA MANIGAULT: Huh-huh.
24 DETECTIVE GOLDSTEIN: What kind of phone was
25 that?

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1 NAUTICA MANIGAULT: iPhone.
2 DETECTIVE GOLDSTEIN: He had an iPhone?
3 NAUTICA MANIGAULT: Huh-huh.
4 DETECTIVE GOLDSTEIN: Did he have the same, did
5 he have that picture on there?
6 NAUTICA MANIGAULT: Huh-huh, I think so.
7 DETECTIVE GOLDSTEIN: Yeah, well you're his
8 girlfriend, he should.
9 NAUTICA MANIGAULT: (Laughs.)
10 DETECTIVE GOLDSTEIN: Okay.
11 So he told you that?
12 NAUTICA MANIGAULT: Yeah, cause he said something
13 about um --- he lost his phone coming from one of his
14 friend's house.
15 DETECTIVE GOLDSTEIN: Did he tell you who ---
16 who's ---
17 NAUTICA MANIGAULT: Somebody named Red.
18 DETECTIVE GOLDSTEIN: Who?
19 NAUTICA MANIGAULT: Red.
20 DETECTIVE GOLDSTEIN: Oh, Red?
21 NAUTICA MANIGAULT: Huh-huh.
22 DETECTIVE GOLDSTEIN: Do you know who Red is?
23 NAUTICA MANIGAULT: Uh-uh (no).
24 DETECTIVE GOLDSTEIN: How old is Red?
25 NAUTICA MANIGAULT: I don't know.

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1 DETECTIVE GOLDSTEIN: Where does Red stay at?
2 NAUTICA MANIGAULT: I don't know.
3 DETECTIVE GOLDSTEIN: Oh.
4 Now, which phone number cause there was two, so
5 which phone number did he lose?
6 NAUTICA MANIGAULT: The 557.
7 DETECTIVE GOLDSTEIN: 557 he lost?
8 NAUTICA MANIGAULT: Huh-huh.
9 DETECTIVE GOLDSTEIN: Okay.
10 NAUTICA MANIGAULT: He had a --- he said he had
11 to get a new phone cause he had to call his job and someone
12 must have ---
13 DETECTIVE GOLDSTEIN: Yeah.
14 When you lose your phone, you can't talk to your
15 best girl.
16 (Laughing.)
17 DETECTIVE GOLDSTEIN: Very very good.
18 TAWANNA ALSTON: I'm sorry.
19 This smoke ain't bothering you ---
20 DETECTIVE THOMPSON: No, no, no. You're fine.
21 TAWANNA ALSTON: --- cause I'm already finished
22 and I just asked.
23 DETECTIVE THOMPSON: No, you're fine.
24 I like --- cigarettes are okay.
25 PAULINE ALSTON: What's all this leading up to?

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1 DETECTIVE GOLDSTEIN: Oh, he got a Facebook?
2 NAUTICA MANIGAULT: No.
3 DETECTIVE GOLDSTEIN: He don't have a Face ---
4 what's his about?
5 PAULINE ALSTON: Yeah.
6 DETECTIVE GOLDSTEIN: I'll tell you what it's
7 about.
8 We're investigating a crime and I don't want to
9 get your granddaughter in the middle of it, so I ain't
10 going to tell her anything because ---
11 PAULINE ALSTON: I think I have an idea.
12 DETECTIVE GOLDSTEIN: --- I'll just keep it
13 confidential.
14 NAUTICA MANIGAULT: I think so too.
15 DETECTIVE GOLDSTEIN: What do you think it is?
16 NAUTICA MANIGAULT: Cause he told me um --- the
17 night he lost his phone he had text me off his Mama phone
18 and he was like, yeah, tell me later about it.
19 So he told me later and he said he was coming
20 from his friend's, Red house.
21 DETECTIVE GOLDSTEIN: Huh-huh.
22 NAUTICA MANIGAULT: And --- no, he wasn't coming
23 from Red house, he was coming from, you know that --- you
24 know the road to 78?
25 DETECTIVE GOLDSTEIN: Huh-huh.

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1 NAUTICA MANIGAULT: He say something about he's
2 coming from the --- back from Lincolnville and he was ---
3 somebody with something about he heard gunshots or
4 whatever.

5 DETECTIVE GOLDSTEIN: Huh-huh.

6 NAUTICA MANIGAULT: So he ran to Red house, cause
7 I guess Red staying next door to the person who had the
8 gunshots flying or whatever.

9 DETECTIVE GOLDSTEIN: Right.

10 NAUTICA MANIGAULT: And he ran to Red house, but
11 Red wasn't home or something.

12 So he ran back this way (indicating).

13 DETECTIVE GOLDSTEIN: Okay.

14 NAUTICA MANIGAULT: And he said ever since then
15 he lost his phone, he can't find it, cause he said he was
16 on the phone while --- the gun --- like while he was
17 walking and then the gunshots went off and that's when he
18 ran to Red house and then Red wasn't home. So he ran
19 there. He say he ran to Red house for safety.

20 DETECTIVE GOLDSTEIN: Hmm, okay.

21 And who's Red?

22 NAUTICA MANIGAULT: Uh ---

23 DETECTIVE GOLDSTEIN: I know you don't know, but
24 do you know ---

25 NAUTICA MANIGAULT: I know cause they be on the

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1 phone talking, I guess they're like brothers or best
2 friends or whatever, but I don't know ---

3 DETECTIVE GOLDSTEIN: What's Red look like?

4 NAUTICA MANIGAULT: I've never seen him.

5 DETECTIVE GOLDSTEIN: Never seen him.

6 DETECTIVE THOMPSON: Would you happen to have
7 Red's number in your phone?

8 NAUTICA MANIGAULT: Uh-uh (no).

9 DETECTIVE THOMPSON: Is Red on --- maybe a friend
10 of yours on Facebook or anything?

11 NAUTICA MANIGAULT: Uh-uh (no).

12 DETECTIVE THOMPSON: Okay.

13 DETECTIVE GOLDSTEIN: Who does he hang around
14 with that has dreads?

15 NAUTICA MANIGAULT: He don't hang with nobody
16 that has dreads.

17 DETECTIVE GOLDSTEIN: Nobody with dreads?

18 NAUTICA MANIGAULT: Uh-uh (no).

19 DETECTIVE GOLDSTEIN: But he lost his phone on
20 Thursday or ---

21 NAUTICA MANIGAULT: Yeah and then he's --- that's
22 when he found out his --- he came home, he found his uncle
23 died.

24 DETECTIVE GOLDSTEIN: His uncle died, what day?

25 NAUTICA MANIGAULT: I think Thursday too.

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1 DETECTIVE GOLDSTEIN: Thursday?
2 NAUTICA MANIGAULT: And that's when they went
3 over to his house.
4 DETECTIVE GOLDSTEIN: Okay.
5 Where --- and he lost his phone where?
6 NAUTICA MANIGAULT: Um, somewhere, I don't know,
7 he lost it somewhere, running, cause his --- he heard
8 gunshots and he started running.
9 DETECTIVE GOLDSTEIN: Okay.
10 And he's --- where did he say he heard gunshots
11 at?
12 NAUTICA MANIGAULT: I'm not sure.
13 DETECTIVE GOLDSTEIN: Alrighty.
14 You got all that, Michael?
15 DETECTIVE THOMPSON: Huh-huh.
16 DETECTIVE GOLDSTEIN: Alrighty.
17 All right and we got your number, right?
18 NAUTICA MANIGAULT: Huh-huh, 557-3932.
19 DETECTIVE THOMPSON: Does that sound right?
20 DETECTIVE THOMPSON: Yeah.
21 DETECTIVE THOMPSON: Okay.
22 DETECTIVE GOLDSTEIN: 557 ---
23 DETECTIVE THOMPSON: 557.
24 NAUTICA MANIGAULT: 39.
25 DETECTIVE THOMPSON: 39.

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1 NAUTICA MANIGAULT: 32.
2 DETECTIVE THOMPSON: Okay.
3 DETECTIVE GOLDSTEIN: Does he like Michael
4 Jordan?
5 NAUTICA MANIGAULT: I don't know.
6 He only wear Adidas.
7 DETECTIVE GOLDSTEIN: He only wears Adidas?
8 NAUTICA MANIGAULT: He only wears Adidas, Adidas
9 and Converse, that's all he wears.
10 DETECTIVE GOLDSTEIN: Oh, Converse?
11 NAUTICA MANIGAULT: Huh-huh.
12 DETECTIVE GOLDSTEIN: What kind of Converse does
13 he have?
14 NAUTICA MANIGAULT: Um ---
15 DETECTIVE GOLDSTEIN: What color?
16 NAUTICA MANIGAULT: Black.
17 He had a black --- cause --- he had all black.
18 DETECTIVE GOLDSTEIN: Anything else?
19 NAUTICA MANIGAULT: Uh-uh (no).
20 DETECTIVE GOLDSTEIN: Huh?
21 NAUTICA MANIGAULT: Uh-uh (no).
22 DETECTIVE THOMPSON: So was he with a friend of
23 his when he lost his phone, was he with somebody?
24 NAUTICA MANIGAULT: He's --- he was by himself.
25 That what he told me.

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1 DETECTIVE THOMPSON: Does he --- when he's out
2 and about, does he --- does he have a friend that he rides
3 around with?

4 NAUTICA MANIGAULT: I mean yeah, when he goes to
5 work, yeah, he has a ride from his brother.

6 DETECTIVE THOMPSON: What kind of car does his
7 brother drive?

8 NAUTICA MANIGAULT: A Chrysler.

9 DETECTIVE THOMPSON: What color is it?

10 TAWANNA ALSTON: I think it is Chrysler.

11 NAUTICA MANIGAULT: A gray Chrysler, huh-huh.

12 DETECTIVE THOMPSON: Huh-huh.

13 DETECTIVE GOLDSTEIN: What's his brother look
14 like?

15 NAUTICA MANIGAULT: Big.

16 DETECTIVE GOLDSTEIN: Big guy?

17 NAUTICA MANIGAULT: Huh-huh, real big.

18 TAWANNA ALSTON: Not real big, about his size ---

19 NAUTICA MANIGAULT: Yeah like ---

20 TAWANNA ALSTON: --- I like a big man, but he
21 like his size.

22 NAUTICA MANIGAULT: Yeah.

23 DETECTIVE GOLDSTEIN: What's his hair look like?

24 NAUTICA MANIGAULT: He has --- he's bald headed
25 with a beard.

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1 DETECTIVE GOLDSTEIN: That's out.

2 DETECTIVE THOMPSON: Yeah.

3 NAUTICA MANIGAULT: That's the only person he
4 ride around with.

5 That's the only person cause he say he don't like
6 getting in cars with other people.

7 DETECTIVE GOLDSTEIN: I don't blame him.

8 Okay.

9 Anything else, Michael?

10 DETECTIVE GOLDSTEIN: Does he wear running pants
11 at all?

12 NAUTICA MANIGAULT: Running, uh-uh (no). He
13 wears jeans.

14 DETECTIVE GOLDSTEIN: Jeans, yeah.

15 NAUTICA MANIGAULT: Black jeans, all he wear is
16 black.

17 DETECTIVE GOLDSTEIN: Well, how about Friday?
18 Did you see him on Friday?

19 NAUTICA MANIGAULT: No, he was at his people's, I
20 think he was at his --- yeah, he was at his uncle's house.

21 DETECTIVE GOLDSTEIN: Uncle's house, for the
22 funeral?

23 NAUTICA MANIGAULT: No, the funeral's Wednesday,
24 but, you know how, when your uncle died ---

25 DETECTIVE GOLDSTEIN: People --- yeah, yeah,

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1 yeah.
2 NAUTICA MANIGAULT: --- they go to his house and
3 stuff.
4 DETECTIVE GOLDSTEIN: So where's the uncle live
5 at?
6 NAUTICA MANIGAULT: I don't know.
7 DETECTIVE GOLDSTEIN: You don't know.
8 Do you know the man's name that died?
9 NAUTICA MANIGAULT: Jimmy, I think.
10 DETECTIVE GOLDSTEIN: Jimmy?
11 NAUTICA MANIGAULT: Huh-huh.
12 DETECTIVE GOLDSTEIN: Okay, all right.
13 DETECTIVE THOMPSON: Does he drive a car?
14 NAUTICA MANIGAULT: Uh-uh (no).
15 DETECTIVE THOMPSON: He doesn't have a license?
16 NAUTICA MANIGAULT: (No audible response.)
17 DETECTIVE THOMPSON: Does he know how to drive?
18 I mean has he ever driven a car before?
19 NAUTICA MANIGAULT: I think he drove his Mom car,
20 cause his Mama has a car, but I don't know.
21 DETECTIVE GOLDSTEIN: Has he ever been in trouble
22 before, Joe-Joe?
23 NAUTICA MANIGAULT: Huh-huh, yeah, but he's been
24 trying to stay out of, he been staying ---
25 DETECTIVE GOLDSTEIN: No, I know.

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1 NAUTICA MANIGAULT: --- out of trouble ---
2 DETECTIVE GOLDSTEIN: Good for him.
3 NAUTICA MANIGAULT: --- cause he just got out and
4 he's on probation and stuff like that.
5 So he ---
6 DETECTIVE GOLDSTEIN: Where did he get out of?
7 NAUTICA MANIGAULT: (No audible response.)
8 DETECTIVE GOLDSTEIN: Detention?
9 NAUTICA MANIGAULT: No.
10 DETECTIVE GOLDSTEIN: Jail?
11 NAUTICA MANIGAULT: Yeah.
12 DETECTIVE GOLDSTEIN: What jailhouse?
13 NAUTICA MANIGAULT: I don't know, but he's been
14 staying out of trouble ---
15 DETECTIVE GOLDSTEIN: How long you been dating
16 this boy?
17 NAUTICA MANIGAULT: Like a month.
18 DETECTIVE GOLDSTEIN: Oh.
19 DETECTIVE THOMPSON: Just started seeing him.
20 DETECTIVE GOLDSTEIN: Not too long.
21 Just got out of jail?
22 DETECTIVE THOMPSON: So you didn't go see him in
23 jail or anything like that, right?
24 NAUTICA MANIGAULT: No.
25 He's been out for like 6 months now.

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1 DETECTIVE GOLDSTEIN: What did he get arrested
2 for?
3 NAUTICA MANIGAULT: I don't know.
4 He say he don't like to talk about it, so ---
5 DETECTIVE GOLDSTEIN: Oh.
6 And you don't like to ask him?
7 NAUTICA MANIGAULT: Nope.
8 DETECTIVE GOLDSTEIN: Cause he's your boyfriend?
9 (Laughter.)
10 DETECTIVE THOMPSON: Seems like you would ask
11 him, if, you know, you're trying to get to know him.
12 I mean that's kind of mysterious, you know, going
13 to jail, bad boy and all, you would say, what did you do,
14 he probably would have told you something about it.
15 NAUTICA MANIGAULT: Yeah, I never asked cause I
16 asked him once and he's like, he don't like to talk about
17 it. So I just left it alone.
18 DETECTIVE GOLDSTEIN: Okay.
19 We're good, we got a date of birth, we got good
20 name, what was that name again?
21 DETECTIVE THOMPSON: Joseph.
22 DETECTIVE GOLDSTEIN: Not you.
23 (Laughter.)
24 DETECTIVE GOLDSTEIN: Nautica ---
25 NAUTICA MANIGAULT: Huh-huh.

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1 DETECTIVE GOLDSTEIN: What's the boy's name?
2 NAUTICA MANIGAULT: Joseph.
3 DETECTIVE GOLDSTEIN: Joseph what?
4 NAUTICA MANIGAULT: Brown.
5 DETECTIVE GOLDSTEIN: And middle name?
6 NAUTICA MANIGAULT: Lamar.
7 DETECTIVE GOLDSTEIN: Lamar.
8 DETECTIVE THOMPSON: Date of birth?
9 NAUTICA MANIGAULT: [REDACTED].
10 DETECTIVE THOMPSON: What year?
11 NAUTICA MANIGAULT: [REDACTED].
12 DETECTIVE THOMPSON: Okay.
13 DETECTIVE GOLDSTEIN: All right.
14 I'm going to tell you something, Nautica, and I'm
15 telling you right in front of your grandmother and your
16 mother cause they're good people.
17 Your Mama's a smart woman cause she's a mother.
18 Your grandmother's even smarter, cause she had her ---
19 PAULINE ALSTON: Huh-huh.
20 DETECTIVE GOLDSTEIN: --- and now she's got a
21 grand.
22 PAULINE ALSTON: Huh-huh.
23 DETECTIVE GOLDSTEIN: The best thing you can do
24 is keep your mouth shut.
25 TAWANNA ALSTON: I told her today to stay away

1 from him.

2 DETECTIVE GOLDSTEIN: That too.

3 And if you text him, you'll be jammed up, I will
4 jam you up so tight, you won't know what hit you.

5 TAWANNA ALSTON: That's understandable.

6 DETECTIVE GOLDSTEIN: And the only reason why
7 that we're going to walk out of here, see I believe in
8 doing everything in front of the mother and the
9 grandmother.

10 I'm not a secret guy, I don't need to take them
11 to police stations and all that.

12 You people have been kind to us and let us into
13 your home. So follow what your Mom and your grandmother
14 tell you and what I tell you.

15 Just do what you're going to do and just, you
16 know, if he texts you, I'm busy with my Mom, anything like
17 that. I don't care ---

18 TAWANNA ALSTON: Can we get one of your cards ---

19 DETECTIVE THOMPSON: Yes, I have a card.

20 DETECTIVE GOLDSTEIN: I will give you a card,
21 yeah, we'll give you cards, absolutely and I'm going to
22 stay in touch with both of you.

23 DETECTIVE THOMPSON: But what you don't want to
24 do is let him know that we were here.

25 DETECTIVE THOMPSON: Yeah.

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1 DETECTIVE THOMPSON: You don't want to do that.
2 PAULINE ALSTON: Exactly.
3 DETECTIVE THOMPSON: The neighborhood probably
4 already knows.
5 DETECTIVE GOLDSTEIN: Yeah, yeah.
6 DETECTIVE THOMPSON: But that's okay, but you
7 don't want him to know we were here asking about him.
8 TAWANNA ALSTON: Exactly.
9 DETECTIVE GOLDSTEIN: You're a good girl, we got
10 to get you in the military and out.
11 TAWANNA ALSTON: Huh-huh.
12 DETECTIVE GOLDSTEIN: That's the plan.
13 TAWANNA ALSTON: She's a very smart kid.
14 DETECTIVE GOLDSTEIN: She is, she is.
15 TAWANNA ALSTON: She's sick --- (inaudible) all
16 day.
17 DETECTIVE GOLDSTEIN: You just got hooked --- you
18 got --- you don't get hooked up with young men that just
19 get out of jail, okay?
20 TAWANNA ALSTON: And that's kind of my fault
21 cause I like used to like bad boys. So that's probably
22 where she gets it from.
23 DETECTIVE GOLDSTEIN: That's not --- that's not
24 in the gene pool, that's called growing up.
25 TAWANNA ALSTON: Exactly. Thank you, sir.

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1 DETECTIVE GOLDSTEIN: Yeah, that's no problem,
2 okay?
3 And again, she's not in any trouble ---
4 TAWANNA ALSTON: Huh-huh.
5 DETECTIVE GOLDSTEIN: She's done exactly what a
6 young --- what an individual is supposed to do.
7 TAWANNA ALSTON: Huh-huh.
8 DETECTIVE GOLDSTEIN: So when I walk out of here,
9 both of you be proud.
10 TAWANNA ALSTON: Huh-huh.
11 DETECTIVE GOLDSTEIN: Cause that girl told the
12 truth.
13 Please be proud of her and I'm proud of you.
14 Do we have these folk's phone number?
15 DETECTIVE THOMPSON: Huh-huh.
16 Oh, I got --- who wants to be the contact person,
17 grandma or Mom?
18 DETECTIVE GOLDSTEIN: Both of them.
19 I want both.
20 DETECTIVE THOMPSON: Pauline, what's your phone
21 number?
22 PAULINE ALSTON: 873 --- what ---
23 TAWANNA ALSTON: 6962.
24 PAULINE ALSTON: You know the area code.
25 DETECTIVE THOMPSON: And Tamara (sic), what's

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1 your phone?
2 TAWANNA ALSTON: 214.
3 DETECTIVE THOMPSON: Tawanna, 214.
4 TAWANNA ALSTON: 7429.
5 DETECTIVE THOMPSON: 29, thank you.
6 TAWANNA ALSTON: You're welcome.
7 DETECTIVE GOLDSTEIN: How old are you?
8 NAUTICA MANIGAULT: 16.
9 DETECTIVE GOLDSTEIN: Why are you rolling with an
10 18 year old, you're only 16.
11 Where you work at?
12 NAUTICA MANIGAULT: A hair salon on 78.
13 DETECTIVE GOLDSTEIN: Go figure, huh?
14 (Laughter.)
15 DETECTIVE THOMPSON: All right. I'll see you
16 later.
17 TAWANNA ALSTON: Thanks.
18 DETECTIVE THOMPSON: It was nice meeting you,
19 thank you.
20 DETECTIVE GOLDSTEIN: Ladies.
21 My car (inaudible).
22 PAULINE ALSTON: (Inaudible.)
23 DETECTIVE GOLDSTEIN: No.
24 (Laughter.)
25 DETECTIVE THOMPSON: Listen, stay away from him.

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1 Don't tell anybody we were here asking about him.
2 Don't anymore, don't, you know, social media about it.
3 Don't be tweeting, or Facebooking or My Space or anything.
4 Stay out of this.
5 DETECTIVE THOMPSON: Nobody does My Space ---
6 DETECTIVE THOMPSON: You don't know --- well, you
7 know what I'm saying.
8 You don't know nothing. You didn't --- you don't
9 know, we were --- we were here looking for --- looking to
10 talk to your grandmother.
11 Do you own a vehicle?
12 PAULINE ALSTON: Huh-huh.
13 DETECTIVE THOMPSON: Which car is yours?
14 PAULINE ALSTON: The black Pontiac.
15 DETECTIVE THOMPSON: We wanted to ask her about
16 her car because we were looking for a car like that that
17 was involved in a car accident, a hit and run accident and
18 it wasn't your grandmother's car.
19 NAUTICA MANIGAULT: Okay.
20 DETECTIVE THOMPSON: Okay.
21 If somebody --- cause when we leave, what was the
22 police doing in your house, right?
23 Is that a good story?
24 PAULINE ALSTON: That sound good to me.
25 DETECTIVE THOMPSON: It was --- cause I'll go

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1 outside and we'll look at your --- we'll look your car over
2 real good ---

3 PAULINE ALSTON: Okay.

4 DETECTIVE THOMPSON: --- they can watch us
5 looking at your car.

6 PAULINE ALSTON: Okay.

7 DETECTIVE THOMPSON: But it was not about that
8 boy.

9 PAULINE ALSTON: I understand what you're saying.

10 DETECTIVE THOMPSON: Because you want her to stay
11 away from him.

12 PAULINE ALSTON: Exactly.

13 I've been telling her that.

14 DETECTIVE THOMPSON: And she needs to not tell
15 him that we were here asking about him.

16 PAULINE ALSTON: Huh-huh.

17 DETECTIVE THOMPSON: You understand?

18 You know how important that is?

19 NAUTICA MANIGAULT: Yes, sir.

20 DETECTIVE THOMPSON: Your future depends on it.

21 NAUTICA MANIGAULT: Yes, sir.

22 DETECTIVE THOMPSON: Okay, all right.

23 PAULINE ALSTON: Okay.

24 DETECTIVE GOLDSTEIN: Nautica, don't get soft-
25 hearted on this one, okay?

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1 NAUTICA MANIGAULT: Okay.
2 DETECTIVE GOLDSTEIN: All right?
3 He's going to call you, do whatever.
4 DETECTIVE THOMPSON: You've only known him a
5 month ---
6 NAUTICA MANIGAULT: (Inaudible) We just started
7 dating ---
8 DETECTIVE THOMPSON: At 16, you're going to know
9 so many other men in your life.
10 PAULINE ALSTON: Exactly.
11 DETECTIVE THOMPSON: So many others.
12 He's just a drop in a bucket, okay?
13 NAUTICA MANIGAULT: Yeah.
14 DETECTIVE THOMPSON: Next time and I'm way older
15 than you, better decisions.
16 Let's say I've been to jail.
17 DETECTIVE THOMPSON: That's next, next guy, you
18 been to jail, next guy.
19 NAUTICA MANIGAULT: Yes, sir.
20 DETECTIVE THOMPSON: Because, you know, you're
21 not supposed to go to jail.
22 NAUTICA MANIGAULT: Right.
23 DETECTIVE THOMPSON: That right?
24 PAULINE ALSTON: Okay.
25 DETECTIVE THOMPSON: We'll put on a good show

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1 here looking at your car ---
2 PAULINE ALSTON: All right.
3 Then I'm standing to the door too, make it look
4 good.
5 TAWANNA ALSTON: Yeah.
6 PAULINE ALSTON: Yeah, huh-huh.
7 (All parties outside.)
8 DETECTIVE THOMPSON: I don't think it's the car,
9 what do you think, Zach?
10 ZACH: Ah brother, I don't think so.
11 (Grandmother speaking in background.)
12 DETECTIVE THOMPSON: You don't let anybody borrow
13 it either, do you?
14 PAULINE ALSTON: No, no, no.
15 DETECTIVE THOMPSON: Good for you.
16 PAULINE ALSTON: Uh-uh (no).
17 DETECTIVE THOMPSON: You don't let her drive it?
18 PAULINE ALSTON: Nope, nobody.
19 DETECTIVE THOMPSON: Okay.
20 PAULINE ALSTON: I might let my boyfriend drive
21 it, but he don't drive that far, only goes to the store and
22 back.
23 DETECTIVE THOMPSON: We can go back inside.
24 PAULINE ALSTON: Yeah.
25 DETECTIVE THOMPSON: Thank you.

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1 PAULINE ALSTON: Huh-huh, thank you.

2 DETECTIVE THOMPSON: Now, Nautica, is there

3 anything that you may know about this or he may have said

4 or you suspect that you haven't told us before we leave?

5 Is there any ---

6 PAULINE ALSTON: Is this about that shooting was

7 up --- up the road there in Summerville?

8 DETECTIVE THOMPSON: Do what, ma'am?

9 DETECTIVE GOLDSTEIN: No, no, no, not the

10 Summerville.

11 PAULINE ALSTON: Well, this ain't about the

12 Summerville one?

13 DETECTIVE THOMPSON: When was there a shooting in

14 Summerville?

15 DETECTIVE GOLDSTEIN: Yesterday.

16 PAULINE ALSTON: Yeah, yesterday, I think.

17 DETECTIVE THOMPSON: Oh, I don't know.

18 PAULINE ALSTON: Huh-huh, by Kangaroo.

19 DETECTIVE GOLDSTEIN: Yeah.

20 DETECTIVE THOMPSON: No.

21 Is there anything that you --- that you could

22 tell us that you haven't told us?

23 NAUTICA MANIGAULT: Uh-uh (no).

24 DETECTIVE THOMPSON: Okay.

25 You told us everything?

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1 NAUTICA MANIGAULT: Yes.
2 DETECTIVE THOMPSON: Very good.
3 DETECTIVE GOLDSTEIN: Did you guys talk Friday?
4 NAUTICA MANIGAULT: Huh-huh, he was at his
5 people's house, cause I was checking on him cause he was
6 pretty upset that his uncle --- uncle died, cause he said
7 him and his uncle was really close.
8 DETECTIVE THOMPSON: What time was that Friday?
9 NAUTICA MANIGAULT: Can't remember.
10 DETECTIVE THOMPSON: Can you look back in your
11 call log?
12 NAUTICA MANIGAULT: No, cause the phone ---
13 DETECTIVE THOMPSON: Your phone?
14 NAUTICA MANIGAULT: Yeah, oh ---
15 DETECTIVE THOMPSON: You were using that phone to
16 talk to him.
17 NAUTICA MANIGAULT: Oh, yeah.
18 DETECTIVE GOLDSTEIN: You said he called you from
19 a different phone?
20 NAUTICA MANIGAULT: Yeah.
21 DETECTIVE THOMPSON: From his Mom's --- from his
22 mother's phone you said?
23 NAUTICA MANIGAULT: Yeah, but it was on Facebook,
24 you know Facebook don't show you ---
25 DETECTIVE GOLDSTEIN: Oh, right.

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1 DETECTIVE THOMPSON: You can have a phone call on
2 Facebook?
3 DETECTIVE GOLDSTEIN: Yeah.
4 NAUTICA MANIGAULT: Huh-huh, messenger.
5 DETECTIVE THOMPSON: Then you can speak to
6 somebody --- you have to type it out, you can ---
7 NAUTICA MANIGAULT: Yeah, you can video chat and
8 everything.
9 DETECTIVE THOMPSON: And that's ---
10 DETECTIVE GOLDSTEIN: Forget about it, friend.
11 (Laughing.)
12 DETECTIVE GOLDSTEIN: Technologically --- yeah --
13 -
14 NAUTICA MANIGAULT: I want to.
15 DETECTIVE THOMPSON: You know, I can ---
16 telephone is on the wall, it's got a cord on it.
17 PAULINE ALSTON: Yeah.
18 DETECTIVE THOMPSON: You'll leave me a message,
19 then you can come back and I can check the machine later.
20 PAULINE ALSTON: That's what mine is over there
21 too (indicating).
22 DETECTIVE THOMPSON: Yeah, (laughs).
23 I don't fool around with this other stuff.
24 PAULINE ALSTON: Uh-uh (no).
25 DETECTIVE GOLDSTEIN: I work his technology for

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1 him.
2 PAULINE ALSTON: Oh, okay.
3 DETECTIVE GOLDSTEIN: And I'm older than he is.
4 (Laughing.)
5 DETECTIVE THOMPSON: All right.
6 PAULINE ALSTON: I even got one of them little
7 clap phones, the phone ---
8 NAUTICA MANIGAULT: Flip phone.
9 DETECTIVE THOMPSON: I got one too.
10 PAULINE ALSTON: I don't mess with that ---
11 little (inaudible) them things like that, too much.
12 DETECTIVE GOLDSTEIN: Michael?
13 DETECTIVE THOMPSON: Yes, sir.
14 DETECTIVE GOLDSTEIN: Give me your tape recorder.
15 DETECTIVE THOMPSON: It's still running, sir.
16 DETECTIVE GOLDSTEIN: All right.
17 What is your name?
18 TAWANNA ALSTON: Tawanna Alston.
19 DETECTIVE GOLDSTEIN: Alston?
20 TAWANNA ALSTON: A-L-S-T-O-N.
21 DETECTIVE GOLDSTEIN: Alston, all right.
22 What's your date of birth, Tawanna?
23 TAWANNA ALSTON: [REDACTED].
24 DETECTIVE GOLDSTEIN: April?
25 TAWANNA ALSTON: [REDACTED].

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1 DETECTIVE GOLDSTEIN: [REDACTED]

2 TAWANNA ALSTON: [REDACTED]

3 DETECTIVE GOLDSTEIN: Okay.

4 Ms. Alston, we've come to your house to speak
5 with your daughter Nautica Alston and you asked to talk to
6 me and we're in the kitchen at the address at the Abby Lane
7 Apartments and we're here investigating a shooting that
8 took place over on East Owen Street.

9 Would you tell me what information you might have
10 regarding that?

11 Start off, go back to Friday, tell me what you
12 heard?

13 TAWANNA ALSTON: It was Friday between the hours
14 of 12:00 and 1:00, me and my stepfather was outside.

15 We heard about three or four gunshots, really
16 didn't --- we didn't pay it no attention cause we always
17 hearing gunshots. Then we saw a helicopter. Then like
18 two, three hours later, my daughter's boyfriend Joseph,
19 a/k/a Joe-Joe came to the house, all hysterical and stuff
20 like that, telling yeah, we did it.

21 I'm like yeah, what did you all do?

22 He said me and my brother, he would never give
23 his brother's name and a dude named Red was at the Torres.

24 We saw this dude that owed us money. Me and Red
25 got the boy into my brother's car, we rode around with him.

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1 Then all of sudden, he stopped saying what he was
2 saying and that's when we heard the gunshots and then
3 that's when Joe-Joe took off running and he said he lost
4 his phone and I told him to get out of my house, cause I
5 don't want me and my daughter involved in anything.

6 DETECTIVE GOLDSTEIN: So he said that he and his
7 brother had kidnapped somebody from the Torres Grocery?

8 TAWANNA ALSTON: Huh-huh, right up the street
9 right there.

10 DETECTIVE GOLDSTEIN: Did he say who he kidnapped?

11 TAWANNA ALSTON: He did not say, all I know it
12 was a guy and that the guy had owed them money.

13 DETECTIVE GOLDSTEIN: The guy had owed him money?

14 TAWANNA ALSTON: Huh-huh.

15 DETECTIVE GOLDSTEIN: Did he say where the guy
16 lived?

17 TAWANNA ALSTON: No, sir.

18 DETECTIVE GOLDSTEIN: And this was the same day
19 that you heard the helicopter?

20 TAWANNA ALSTON: Yes, sir.

21 DETECTIVE GOLDSTEIN: And you heard gunshots?

22 TAWANNA ALSTON: Yes, sir.

23 DETECTIVE GOLDSTEIN: How many, do you remember?

24 TAWANNA ALSTON: Three or four.

25 DETECTIVE GOLDSTEIN: Three or four.

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1 And between what times was it?
2 TAWANNA ALSTON: Between 12:00 and 1:00.
3 DETECTIVE GOLDSTEIN: All right, between 12:00
4 and 1:00, all right.
5 Do you remember what Joe-Joe was wearing when he
6 came to the house?
7 TAWANNA ALSTON: Black shirt, black jeans, red
8 Converse.
9 DETECTIVE GOLDSTEIN: Red Converse, all right.
10 Did you see any symbols on the shirt?
11 TAWANNA ALSTON: No.
12 DETECTIVE GOLDSTEIN: Okay.
13 TAWANNA ALSTON: He had like a little white T-
14 shirt underneath the black T-shirt.
15 DETECTIVE GOLDSTEIN: He had a white T-shirt?
16 TAWANNA ALSTON: Underneath the black, he had the
17 white T-shirt on, then the black T-shirt on top of it.
18 DETECTIVE GOLDSTEIN: All right.
19 And did you see a black T-shirt --- anything on
20 the black T-shirt, symbols or anything?
21 TAWANNA ALSTON: No, sir.
22 DETECTIVE GOLDSTEIN: Coloring?
23 TAWANNA ALSTON: No, sir.
24 DETECTIVE GOLDSTEIN: And he had red Converse?
25 TAWANNA ALSTON: Yes, sir.

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1 DETECTIVE GOLDSTEIN: Did he have any money?
2 TAWANNA ALSTON: If he did, he ain't letting me
3 see it (laughing).
4 DETECTIVE GOLDSTEIN: Okay.
5 His hair, now in the picture and from what your
6 daughter says, his hair is about the same length.
7 TAWANNA ALSTON: Huh-huh.
8 DETECTIVE GOLDSTEIN: That day was it nappy, or
9 was it in twists?
10 TAWANNA ALSTON: Nappy and twists.
11 DETECTIVE GOLDSTEIN: He had twists also?
12 TAWANNA ALSTON: Yes, sir.
13 DETECTIVE GOLDSTEIN: All right.
14 Where were the twists, point to me on my hair?
15 TAWANNA ALSTON: On the top, the very top part.
16 DETECTIVE GOLDSTEIN: Twists on top?
17 TAWANNA ALSTON: Huh-huh.
18 DETECTIVE GOLDSTEIN: And how about down on the
19 side?
20 TAWANNA ALSTON: Nappy.
21 DETECTIVE GOLDSTEIN: Nappy, all right.
22 So he had red sneakers on, being Converse?
23 TAWANNA ALSTON: Huh-huh.
24 DETECTIVE GOLDSTEIN: And what color pants?
25 TAWANNA ALSTON: Black jeans.

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1 DETECTIVE GOLDSTEIN: Black jeans?
2 TAWANNA ALSTON: Black shirt.
3 DETECTIVE GOLDSTEIN: Black shirt.
4 TAWANNA ALSTON: With the white T-shirt
5 underneath.
6 DETECTIVE GOLDSTEIN: Okay, all right.
7 And he said that --- and who was he talking to,
8 your daughter about ---
9 TAWANNA ALSTON: He was on the phone.
10 DETECTIVE GOLDSTEIN: He was on the phone?
11 TAWANNA ALSTON: He was on another phone, he had
12 a flip phone at that time.
13 DETECTIVE GOLDSTEIN: Flip phone?
14 TAWANNA ALSTON: Huh-huh.
15 DETECTIVE GOLDSTEIN: All right.
16 Let's talk about the phone he lost.
17 TAWANNA ALSTON: Okay.
18 That was an iPhone.
19 DETECTIVE GOLDSTEIN: That was an iPhone.
20 And have you ever seen it before?
21 TAWANNA ALSTON: Huh-huh.
22 DETECTIVE GOLDSTEIN: Is that the one that has
23 your daughter and him on it?
24 TAWANNA ALSTON: On the cover of it, yes.
25 DETECTIVE GOLDSTEIN: And that's the picture that

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1 I just showed you?

2 TAWANNA ALSTON: Yes, sir.

3 DETECTIVE GOLDSTEIN: Okay.

4 TAWANNA ALSTON: That's exactly how his hair is
5 now.

6 DETECTIVE GOLDSTEIN: Okay, all right.

7 And he said he lost the phone on the same day as
8 the gunshots and the helicopter?

9 TAWANNA ALSTON: Yes.

10 DETECTIVE GOLDSTEIN: Okay.

11 Did he say where he lost that?

12 TAWANNA ALSTON: Bell Street.

13 DETECTIVE GOLDSTEIN: Bell Street, okay. All
14 right.

15 Do you know --- well what you had told me that he
16 and somebody else had committed some type of a kidnapping
17 at the Torres?

18 TAWANNA ALSTON: Huh-huh.

19 DETECTIVE GOLDSTEIN: Okay.

20 TAWANNA ALSTON: And I did hear you mention
21 something about Jordan's, he does have a pair of black
22 Jordan's.

23 DETECTIVE GOLDSTEIN: Okay.

24 But that day he had on reds?

25 TAWANNA ALSTON: Huh-huh.

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1 DETECTIVE GOLDSTEIN: Okay.
2 And they were what?
3 TAWANNA ALSTON: Converse.
4 DETECTIVE GOLDSTEIN: All right.
5 Very good, all right. This will complete the
6 statement of Tawanna Alston.
7 (Casual conversation between Officers and family
8 members.)
9 DETECTIVE THOMPSON: How are your grades now?
10 NAUTICA MANIGAULT: All A's.
11 DETECTIVE THOMPSON: Perfect.
12 NAUTICA MANIGAULT: Yeah.
13 DETECTIVE THOMPSON: So with Tim Scott, tell him
14 that a Sheriff's Deputy told you to call him, send you to
15 the Air Force Academy. He'll say okay.
16 NAUTICA MANIGAULT: (Laughs.)
17 DETECTIVE GOLDSTEIN: You got my number, I got
18 yours.
19 TAWANNA ALSTON: Yes, thanks.
20 These kids.
21 DETECTIVE GOLDSTEIN: Yeah, all right.
22 I spoke to your Mom, everything's good, okay.
23 Don't contact him, stay here with her, do your
24 hair, whatever. Blow him off and everything else, okay?
25 NAUTICA MANIGAULT: (No audible response.)

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1 DETECTIVE GOLDSTEIN: You're good people.
2 NAUTICA MANIGAULT: Yes, sir.
3 DETECTIVE GOLDSTEIN: You're good people.
4 And as I told you earlier and I showed your
5 mother, the object of the game here cause you're not in the
6 middle, is to get you graduated and in the military and out
7 of Summerville, South Carolina.
8 PAULINE ALSTON: That's right.
9 DETECTIVE GOLDSTEIN: So you can come back in
10 your uniform and show your Mom, make her proud.
11 TAWANNA ALSTON: Huh-huh.
12 DETECTIVE GOLDSTEIN: Bye, granny. See you
13 later.
14 PAULINE ALSTON: All right.
15 You all take care ---
16 (CONCLUSION.)
17
18
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25

1 R E P O R T E R ' S C E R T I F I C A T E

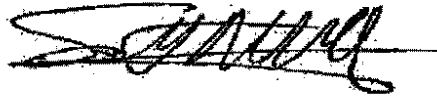
2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11



12

13

14 SCOTT A. HUSEBY

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1	3277 12:23	8	Alston 3:2,
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16 5:1	20:6,7	12:24 13:7	11,17,24
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13 31:11	6	absolutely	12:1,4,7,
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20 13:18	7 8:22,23	accident	15,18,22,
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13 31:9	35:12	ain't 10:3	20:18,21,
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32 25:1		40:11 47:2	20 31:19,
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			24 35:2,4,
			6,17,22
			36:12,14,
			24 37:3,6,
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20,24	30:1	beard 26:25	boyfriend
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24 43:2,6,	11:13	big 26:15,	44:18
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20,21,23,	50:25	20	boy's 31:1
25 44:2,4,	August 8:7,	birth 10:25	Bring 14:3
5,13 45:8,	8,13 31:9	16:13,23	brother
11,14,17,	43:25 44:1	30:19 31:8	26:5,7,13
20,22,24	aunt 3:14	43:22	39:10
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19 51:8,		blame 27:7	15,16,19,
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16:3		bothering	
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April 16:24			
43:24			

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5 33:24	41:5	12:10	Deputy 50:14
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25 34:4,7,	17 5:9	15:1,5,8,	41:2,8,10,
10,23	6:1,19 7:4	17,20	13,15,21
35:2,3,4,	9:15 10:1	16:2,5,11,	42:1,5,9,
6,17 39:5	11:3,19,24	13,15,18,	15,18,22
43:18,20,	15:20 16:2	23,25	43:5,9,13,
22,23,25	17:7 22:17	17:10	15 50:9,
44:2,13	23:21 24:2	18:10,15,	11,13
45:8,11,	25:9 27:1,	17 20:20,	Thursday
14,17,20,	3,5 30:12	23 23:6,9,	18:20,21
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46:2,7,11,	12,20,21,	19,20,21,	24:1
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20,23,25	48:25 49:4	28:13,15,	41:8 48:12
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12,18,20,	thing 31:23	32:19,23,	12:9 19:11
25 50:3,6,	things 43:11	25 33:1,3,	21:16,19
19 51:11	Thompson	6 34:15,	25:25
Technological	3:4,7,9,	20,25	30:14
y 42:12	11,16,19,	35:3,5,15,	31:25
technology	21,23,25	18,25	34:11
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31:15	17,22,25	22 38:4,8,	46:17
37:13	11:7,11,14	11,14,17,	
44:20		20,23,25	
		39:8,12,	

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/25/2016 Torres..young

47:15,16	40:23	wasn't 21:22	where's 8:14
Torres 44:23	42:24	22:11,18	16:10 28:4
45:7 49:17	uncle 18:20	36:18	white 46:13,
touch 32:22	23:22,24	watch 37:4	15,17 48:4
tracked	27:24 28:4	wear 25:6	who's 6:9
11:21	41:6,7	27:10,15	19:16
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29:1,14	46:14,16	Wednesday	won't 32:4
34:3	48:5	27:23	work 12:6
trucks 15:9	understand	we'll 10:3	16:7,8,10,
truth 6:2	37:9,17	32:21 37:1	20 26:5
34:12	understandable	38:25	35:11
turn 4:18,	32:5	we're 3:11	42:25
20,21	uniform	6:5 11:17,	wow 17:9
9:19,20	51:10	24 21:8	written 13:2
tweeting	upset 41:6	30:19 32:7	
36:3		44:6,7	y
twists 47:9,	v	we've 44:4	
10,11,14,	vehicle	what's 6:11	year 8:11
16	36:11	7:17 8:6	10:11
type 42:6	video 42:7	9:3,12	31:10
49:16		10:25	35:10
	w	13:24	yell 7:13
u		14:11	10:4
uh-uh 8:25	waiting 3:12	16:5,15	yelling 7:6
19:23	walk 32:7	20:25 21:4	yesterday
23:8,11,18	34:8	23:3	17:22 18:1
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27:12	22:17	31:1	young 4:9
28:14	wall 42:16	34:20,25	6:6 16:8
39:16	wanted 36:15	43:22	33:18 34:6
		When's 8:3	

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
 Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2006x: you'll.Zach

you'll 32:3

42:18

you're 4:15

5:18,19

10:10 14:1

19:7

20:20,23

30:11

32:15 33:9

35:6,10

37:9 38:8,

20 51:1,3,

5

You've 38:4

Z

Zach 11:11

39:9,10

EXHIBIT 9

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO SUPPRESS EVIDENCE

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

STATE OF SOUTH CAROLINA

County of Dorchester

Case #2016-019282

SEARCH WARRANT

*Mike Thompson*Det. ~~Barry N. Goldstein~~SCCA 513
(3-1978)R5 DBD 132

STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)
)

SEARCH WARRANT

Form Approved by
 SC Attorney General
 Section 19-13-160
 March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY OR OF THE
 MUNICIPALITY OF DORCHESTER

It appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)

TO BE SEARCHED

The address is located at 703 E 3rd North St. Apt. 8F Summerville S.C. 29485, the residence of Joseph Lamar Brown Jr. B/M/, DOB [REDACTED] S.C.D.I. [REDACTED]. Said residence is a red brick structure with the alphabetical symbol F on the front and the numerical apartment 8. Said residence is occupied with ten apartments in the building.

Now, therefore, you are hereby authorized to search the subject premises for the property described below and to seize such property if found:

DESCRIPTION OF PROPERTY

Photographs, red sneakers, any clothing with the numeric 23, gray or stone washed clothing. Also found at the crime scene was one 9mm spent casing so the affiant is looking for any firearms, ammunition, accessories for a firearm and any other evidence related to this homicide and any documentation related to the victim John Glenn Pritchard W/M/ DOB [REDACTED]

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to the issuing magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

AFFIDAVIT

Personally appeared before me, one Det. B. Goldstein, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of S.C. Code Ann. § 17-13-140, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Photographs, red sneakers, any clothing with numeric 23, gray or stone washed clothing. Also found at the crime scene was one 9mm spent casings so the affiant is looking for any firearms, ammunition, accessories for a firearm and any other evidence related to this homicide and any documentation related to the victim John Glenn Pritchard, W/M, D.O.B. [REDACTED]

DESCRIPTION OF PREMISES (PERSON OR THING)
TO BE SEARCHED

The address is located at [REDACTED] E 3rd North St. Summerville, S.C. 29485, the residence of Joseph Lamar Brown Jr., B/M, DOB [REDACTED], SCDL [REDACTED]. Said residence is a red brick structure with the alphabetical symbol F on the front, and the numerical apartment 8. Said residence is occupied with ten apartments in the building.

REASON FOR AFFIANT'S BELIEF THAT THE
PROPERTY SOUGHT IS ON THE SUBJECT PREMISES

That on 12/23/16 at approximately 13:00hrs, the victim John Glenn Pritchard W/M/ DOB [REDACTED] was shot and killed during the commission of an armed robbery, burglary at [REDACTED] E. Thomas St. Lincolnville, S.C. That the subject documented above Joseph Lamar Brown Jr. is believed to be the assailant in this incident though the affiant's investigation. At the time of the robbery the defendant was armed with a 9mm firearm. Recovered at the crime scene was one 9mm spent casing within proximity of the deceased inside the residence. The assailant was wearing running pants or some type of trouser, stone washed with a shirt of some type with the number 23 on it, and a pair of red sneakers. These descriptions are listed in various statements of witnesses in the area of the homicide who spoke with detectives from the CCSO. A short distance away from the scene of the homicide a witness gave an audio statement that the assailant was dropping cash and his cellphone from his pant pocket onto E. Owens St. Lincolnville, S.C. as he was running away from the residence. The cellphone was taken as evidence by the CCSO, and during the investigation it was determined that the above subject Joseph Lamar Brown Jr. is the owner. The driver's license and other records reflect that the subject Joseph Lamar Brown Jr. also fits the physical description of the person fleeing the scene, dropping the cellphone as stated above in this affidavit. The affiant believes that the above evidence is at Joseph Lamar Brown Jr.'s listed above, that is also on his SCDL and is in the proximity of the homicide.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Sumner, E, South Carolina

LeDatter
Signature of Judge

Dated:

January 3, 2017

Sworn to and Subscribed before me

3rd day of January, ²⁰¹⁷~~2016~~

Signature of Judge

Affiant

Address

3691 Leeds Ave.

North Charleston, S.C.

Phone

843-554-2241

SCCA 513

(3-1978)

R5 DBD 136

RETURN

I received the attached Search Warrant 1103, 20 17, and have executed it as follows:
 On 1103, 20 17, at 14:59 o'clock P M., I searched
 (the person) described in the warrant and (the premises).

I left a copy of the warrant with RESNAKE
 Name of person searched or "at the place of search" with.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- 1- Photographs.
- 2- Bedroom 1:
 - 1 Box. HORNADY CRITICAL DEFENSE 9mm
 - 1 Box BLAZER 9mm
 - 2 SHORT SLEEVE TEE SHIRTS
 - 2 LONG SLEEVE TEE SHIRTS
 - 1 PAIR BLACK AND GREEN CAMOUFLAGE SHORTS
 - 1 PAIR LANS. BLACK JEANS
 - 1 BLACK BEANIE
 - LAUNDRY ROOM:
 - 1 PAIR RED AND WHITE SHOES
 - LIVING ROOM:
 - 1 PAIR BLACK AND WHITE NIKE SHOES

This inventory was made in the presence of DET M. THOMPSON / DET. KIRK
 AND DNV. McFERRY

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

SWORN to before me this

3rd day of January, 20 17

[Signature] (L.S.)
 Signature of Judge

[Signature]
 (Signature of Officer Executing Warrant)

EXHIBIT 10**MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S
MOTION TO SUPPRESS EVIDENCE**

State of South Carolina

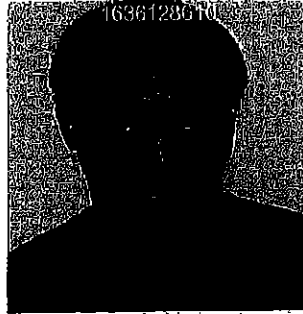
v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083



3 YEAR DRIVER RECORD



Customer No: 33243651		Driver License No: [REDACTED]	
Name: BROWN, JOSEPH LAMAR JR			
Address: [REDACTED] E 3RD NORTH ST [REDACTED]		State: SC Zip: 294857048	
City: SUMMERVILLE			
County: DORCHESTER		Sex: M Driver Training: N	
DOB: [REDACTED]		Height: 6'09 Weight: 155 Race: BLACK	
Status - DL: SUSPENDED		GDL: DISQUALIFIED Moped: SUSPENDED	

Address Change - Date Changed: 09/15/2016
 Address: 406 RIDGE RD
 City: SUMMERVILLE State: SC Zip: 294854533

Point Summary
 Total Current Points: 0
 Driver Credit: -0
 Adjusted Current Points: 0

CANC: 096 - Court Administration Cancellation	Cancellation End: INDEFINITE
Cancellation Beg: 11/28/2016	Post: 08/29/2016
Causal: 05/13/2016	
Reinstatement Requirements Met: INDEFINITE	Withdrawal Reason Ref:
ACD: W00 Withdrawal Loc Ref:	
Cancellation No: 0	

End of Report



STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

v.

JOSEPH LAMAR BROWN, JR.,

Defendant.

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Case No(s): 2017-GS-10-04077, 2017-GS-10-
) 04079, 2017-GS-10-04080, 2017-GS-10-04081,
) 2017-GS-10-04083
) Warrant No(s): 2016A1010206049,
) 2016A1010206050, 2016A1010206051,
) 2016A1010206052, K404187
) Charge(s): Possession of a Firearm During the
) Commission of a Violent Crime, Kidnapping,
) Burglary (First Degree), Armed Robbery,
) Murder
) MOTION TO INTRODUCE EVIDENCE OF
) THIRD-PARTY GUILT

PLEASE TAKE NOTICE that Defendant Brown, by and through his undersigned attorney, will move before the Presiding Judge of the Court of General Sessions at the Charleston County Judicial Center, as soon as the matter can be heard, to introduce evidence of the third-party guilt of David Felder in Brown's trial pursuant to *State v. Gregory*, 198 S.C. 98, 16 S.E.2d 532 (1941). Defendant Brown believes that excluding this evidence would impermissibly restrain his constitutional right to present a defense. Defendant Brown asks this Court to allow the introduction of the evidence.

Taylor J. Seman

Taylor J. Seman, Assistant Public Defender
Teresa L. Norris, Assistant Public Defender
Charleston County Public Defender's Office
101 Meeting Street
Fifth Floor
Charleston, SC 29401
(843) 958-2007

ATTORNEYS FOR DEFENDANT JOSEPH
LAMAR BROWN, JR.

FILED
2018 OCT 22 PM 3:02
CLERK OF COURT

October 22, 2018
Charleston, South Carolina

FILED

2018 OCT 22 PM 3:02

JULIE J. ARMSTRONG
CLERK OF COURT

BY _____

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

STATE OF SOUTH CAROLINA

v.

JOSEPH LAMAR BROWN, JR.,

Defendant.

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Case No(s): 2017-GS-10-04077, 2017-GS-10
) 04079, 2017-GS-10-04080, 2017-GS-10-04081,
) 2017-GS-10-04083
) Warrant No(s): 2016A1010206049,
) 2016A1010206050, 2016A1010206051,
) 2016A1010206052, K404187
) Charge(s): Possession of a Firearm During the
) Commission of a Violent Crime, Kidnapping,
) Burglary (First Degree), Armed Robbery,
) Murder
) MEMORANDUM IN SUPPORT OF
) MOTION TO INTRODUCE EVIDENCE OF
) THIRD-PARTY GUILT

Defendant Joseph Brown respectfully submits this Memorandum in Support of his Motion to Introduce Evidence of Third-Party Guilt and requests that this Court grant his motion.

Evidence of third-party guilt is crucial to Brown's right to present a defense. Moreover, this evidence is inconsistent with Brown's guilt and shows a significant connection between a third-party and the crime. Brown asks this Court to allow him to introduce evidence of third-party guilt in his trial. This Court should admit the evidence.

FACTS

On December 23, 2016, at 12:56 PM, Hugh Pritchard asked a neighbor to call 911 and eventually reported to Dispatch that his cousin John "Johnny" Glenn Pritchard had been shot at [REDACTED] East Thomas Street in Lincolnton, South Carolina. Hugh told Dispatch that a person had come into Johnny's home, demanded money, and shot Johnny. Hugh was in the kitchen at the time and had witnessed the shooting. During the 911 call, Hugh was unable to give any coherent description of the shooter. Ex. 1, at 12:2-12. By the time officers arrived, Johnny was dead. At the scene, officers recovered one shell casing from a .9-millimeter Speer Luger bullet.

Later, Hugh gave a slightly more detailed description of the person who shot Johnny. Hugh said that the shooter was a black man who was wearing all black clothing, a face mask, and a hat. Ex. 2, at 4:7–15. According to Hugh, the person was not a teenager and was instead in his late 20s or 30s.¹ *Id.* Hugh also said that the person “wasn’t a big guy” and estimated his height as 5’8” to 5’10” and his weight as 170 pounds.² *Id.* at 5:11–16. Hugh did not see the person’s face and could not tell officers which way the person left. *Id.* at 5:17–19, Ex. 1, at 11:1–5.

Shortly after responding to the scene, detectives spoke with Johnny’s neighbor Celest McBride, who reported hearing a noise and seeing a person running past her front window around the time that Johnny was shot. Ex. 3, at 3:8–13. McBride said that the person was wearing grey sweatpants. *Id.* at 4:11–15. McBride described the person as a tall black man with shoulder-length dreads. *Id.* at 4:16–20. McBride said the person was between 5’8” and 6’ tall and had an average build and medium-dark complexion. *Id.* at 8:3–9, 8:20–9:1. McBride said that he dropped an object and what she believed to be money. *Id.* at 3:8–22, 6:7–12. McBride said that the person had picked up the money and continued running. *Id.* at 3:21–22. McBride also mentioned that a green SUV was slowly following the person. *Id.* at 6:20–8:3.

McBride reported to detectives that her father had retrieved the object that the person dropped in front of their house. *Id.* at 6:4–19. Her father had left the object, an iPhone, on the grill on their front porch. *Id.* The background image on the iPhone was a picture of Brown and his girlfriend Nautica Manigault. Ex. 4. Officers were not yet able to identify either person, but they did obtain a search warrant for the iPhone.

¹ Brown was 18 at the time.

² According to Brown’s booking information at the Charleston County Detention Center, Brown was 5’9” and weighed 155 pounds at the time of his arrest on January 3, 2017.

Officers started to look for the driver of the green SUV that McBride had described and spoke to Merritt Williams. Williams said that the green SUV belonged to him. Ex. 5, at 7:4–11. Williams also said that he had been driving by when he saw a “young boy” running. *Id.* at 3:17–23. Williams described the person as wearing a black sweatshirt with a multicolored number 23 on the back. *Id.* at 3:20–21, 7:25–8:8. Williams further described that the person was wearing black jogging pants, red Converse shoes, and a cap with white writing. *Id.* at 4:23–5:6, 9:8–12. Williams said that the person had dreads and a dark complexion. *Id.* at 4:19–22. Williams described the person’s height as shorter than 6’1” and described his build as “skinny.” *Id.* at 4:14–18, 8:12–14.

Within hours of the murder, officers canvassing the neighborhood noticed an individual fitting the description of the person that McBride and Williams had seen: David Felder. That day, Felder had shoulder-length dreads and was wearing a black shirt, a multicolored jacket with the number 23 on the back, matching jogging pants, and red sneakers. Officers quietly responded to Felder’s home and detained and interrogated him. Officers tested Felder for gunshot residue, seized Felder’s clothing as evidence, and executed a search warrant on Felder’s house.³ Ultimately, officers released Felder, who claimed he had an alibi—he had supposedly been on his way to court in Dorchester County at the time of the murder.⁴ Ex. 6, at 24:13–25:6. Felder denied having or shooting a gun. *Id.* at 6:17–7:11. Months later, the South Carolina Law Enforcement Division tested Felder’s jacket and detected gunshot residue on it. Ex. 7, 390–92.

During the few days following the murder, an officer recognized Nautica Manigault from the background image of the iPhone found in front of McBride’s home. Officers met with Manigault and asked her to identify the other person in the image. Manigault identified Brown.

³ Felder lived at [REDACTED] Brenda B Lane, approximately 920 feet from Johnny’s house. Officers did not recover anything significant from Felder’s house.

⁴ Court was not in session in Dorchester County on December 23, 2016.

Ex. 8, at 6:4–16. Manigault also said that Brown had recently lost his iPhone, and that the background image on the iPhone was a picture of the two of them. *Id.* at 18:10–19:6. Manigault unequivocally said that Brown did not have dreads and appeared exactly as he did in the picture. *Id.* at 14:10–25.

On January 3, 2017, officers arrested Brown and executed a search warrant on Brown's apartment. Officers were looking for red sneakers, clothing with the number 23 on it, grey clothing, weapons, and anything belonging to Johnny Pritchard. Officers recovered two boxes of .9-millimeter ammunition.⁵ One of the boxes contained four .9-millimeter Speer Luger bullets, which matched the type of shell casing found at the crime scene.

During the investigation, officers also learned that Trey Coleman had been one of the last people to see Johnny alive. Coleman was Johnny's next-door neighbor. The morning of Johnny's murder, Johnny had driven Coleman to a few stores to run some errands. Officers recovered surveillance footage from the stores that showed Coleman wearing a distinctive shirt and hat. Officers also recovered home surveillance footage from Martin Perez which showed Coleman, wearing the same clothing, pick up an unidentified person in a vehicle at the end of Brenda B Drive shortly after Johnny's murder.

At first, officers did not arrest Coleman. But on May 2, 2017, when Coleman was in jail on another charge, officers questioned him again. *See* Ex. 9. Coleman identified Brown as the person he picked up at the end of Brenda B Drive. *Id.* at 151:13–23. On May 3, 2017, officers arrested Coleman and charged him with accessory before the fact to murder. Officers later charged Coleman as a principal in the murder.

⁵ Officers also recovered other items of no significance here.

Officers had trouble opening the iPhone found near the crime scene. Months after the crime, with the help of an independent company who provided the iPhone's password, officers were able to examine its contents. The iPhone contained text messages from the day of the murder that included the following exchange between the iPhone and a contact named Red at (843) 609-9577 starting at 11:53 AM:

(843) 609-9577: Man u gotta rob dude 2day... Im wit him nw
 (843) 557-3277: Pull up to my hood right now wit ion give a fuck pull up Ima rob him now
 (843) 557-3277: Pull up wit him blood firr
 (843) 609-9577: Nigga we cnt do it like that... Then he gone knw i set him up
 (843) 557-3277: Man Bruh just act lke U pulling up to get one of yo pples and Ima rob both of y'all to make it look real xhristmas bumming up ion got shut for my pples Ima make it look like I'm Robbin both of y'all
 (843) 557-3277: I just gone bum from around the building
 (843) 557-3277: Where u at at yo house I'll act lke you my home boy and rob u in the yard he ain't gone think u set him up den cuz I came to your yard I'm telling you Bruh it's now or nvr wasssup let me eat Bruh
 (843) 609-9577: Not my house... Tf just wait til we get 2 his house and u cum n then... And bruh dnt try an shyt me... We split 50/50
 (843) 557-3277: Yea nigga u knoe dat when y'all gone be to his house and u want me 2 just knock on his door
 (843) 609-9577: Ill let u kaw when i get there... Ima b home when u do it... Just do it and go 2 da bak of bell street or 2 da circle by smokey them house ... U ball me and i bum get u from there
 (843) 557-3277: Diss a white man or black and who all in da house
 (843) 609-9577: His fat ass brother and him... Da skinny one got da money tho... I Want u 2 run his pockets and take his wallet an all... Da fat one aint got nthn.. But do wateva to take it.. Hell take his pants off of him and take his phone too
 (843) 557-3277: Aye ball me
 (843) 609-9577: We burnin dwn royal rd
 (843) 557-3277: So u want me to go in there when dey both in there
 (843) 609-9577: They packin cuh he bout 2 move... they sum pussies and aint no gun n da house
 (843) 557-3277: Where y'all at
 (843) 609-9577: Hold on... He out here talkin 2 my ppl n my yard.. Ill let u knw when he leaves my house
 (843) 557-3277: Where his brother
 (843) 609-9577: N his house

Ex. 10, at 1909–11. The exchange ended at 12:41 PM. *Id.* at 1911. In addition, the search warrant uncovered two outgoing calls to “Red” at (843) 609-9577 at 11:54 AM and incoming calls from “Red” at (843) 609-9577 to (843) 557-3277 at 12:42 PM and 12:47 PM. *Id.* at 1909–11. Jessie Yates later told a detective that Coleman’s street name is Red. Ex. 11, at 8:4–11. The State alleges that Brown sent the text messages and made the calls from (843) 557-3277 and that Coleman sent the text messages and made the calls from (843) 609-9577.

LEGAL STANDARD AND BURDEN OF PROOF

“Whether rooted directly in the Due Process Clause of the Fourteenth Amendment, or in the Compulsory Process or Confrontation clauses of the Sixth Amendment, the Constitution guarantees criminal defendants ‘a meaningful opportunity to present a complete defense.’” *Crane v. Kentucky*, 476 U.S. 683, 690 (1986) (internal citations omitted). So too does the South Carolina Constitution: “Any person charged with an offense shall enjoy the right . . . to be fully heard in his defense by himself or by his counsel or by both.” S.C. Const. art. I, § 14; *see also* S.C. Code Ann. § 17-23-60 (“Every person accused shall, at his trial, be allowed to be heard by counsel, may defend himself and shall have a right to produce witnesses and proofs in his favor . . .”).

But the right to present a defense has limits. *United States v. Scheffer*, 523 U.S. 303, 308 (1998). Reasonable restrictions on a defendant’s right to present evidence are constitutional “so long as they are not arbitrary or disproportionate to the purposes they are designed to serve.” *Id.* (internal quotation marks omitted). On the other hand, rules excluding evidence that “infringe[] upon a weighty interest of the accused” have been held to be unconstitutionally arbitrary and disproportionate. *Id.*

The South Carolina Supreme Court delineated one of these limits in *State v. Gregory*, 198 S.C. 98, 16 S.E.2d 532 (1941), holding that

evidence offered by accused as to the commission of the crime by another person must be limited to such facts as are inconsistent with his own guilt, and to such facts as raise a reasonable inference or presumption as to his own innocence; evidence which can have (no) other effect than to cast a bare suspicion upon another, or to raise a conjectural inference as to the commission of the crime by another, is not admissible.

Gregory, 198 S.C. at 104, 16 S.E.2d at 534 (citations omitted). To introduce proof of third-party guilt, a defendant must show a sufficient “logical connection” between the third-party and the crime. *Holmes v. South Carolina*, 547 U.S. 319, 330 (2006); *see also Gregory*, 198 S.C. at 105, 16 S.E.2d at 535. Courts must consider “challenges to the reliability of the prosecution’s evidence” in determining whether such a connection exists. *Holmes*, 547 U.S. at 330.

ARGUMENT

I. Brown is entitled to introduce evidence of Felder’s guilt.

A. *Felder’s guilt is inconsistent with Brown’s and raises a reasonable presumption of his innocence.*

Felder’s guilt is inconsistent with Brown’s and raises a reasonable presumption of Brown’s innocence. *State v. Beckham*, 334 S.C. 302, 513 S.E.2d 606 (1999), is illustrative. In *Beckham*, Anderson told police that Stephen Beckham had asked Anderson to dispose of the body of Stephen’s wife Victoria Beckham. *Id.* at 308, 513 S.E.2d at 609. At Stephen’s trial for Victoria’s murder, Anderson testified that he saw Stephen beat Victoria with a gun the night she was killed. *Id.* at 308–09, 513 S.E.2d at 609. Anderson also said that Stephen told him to break Victoria’s neck with a pair of bolt cutters that same night. *Id.* at 309, 513 S.E.2d at 609. Finally, Anderson said that Stephen told him to drive Victoria’s car off the road to make her death appear to be an accident. *Id.*

At trial, Stephen wanted to introduce evidence that someone else was with Anderson on the night of Victoria’s murder. *Id.* at 318, 513 S.E.2d at 614. In Stephen’s case, though, Anderson’s

cohort's guilt "would not exculpate [Stephen]." *Id.* at 317, 513 S.E.2d at 614. The court affirmed the trial court's exclusion of the evidence. *Id.* at 318, 513 S.E.2d at 614.

Here, evidence of Felder's guilt does not merely add another co-defendant; if Felder is guilty, Brown is not. Hugh Pritchard, the only eyewitness to the shooting, was sure about one thing: only one person entered Johnny Pritchard's home. No evidence exists of Felder and Brown acting together.⁶ Proving Felder's guilt would exculpate Brown.

B. Evidence of Felder's guilt has a sufficient connection to the crime and is not "mere conjecture" or "bare suspicion."

Evidence against Felder is strong enough to prove a logical connection to the murder. Certainly, this evidence is much stronger than in *State v. Mansfield*, 343 S.C. 66, 538 S.E.2d 257 (Ct. App. 2000). In *Mansfield*, eyewitness Diamond called 911 and reported an attempted burglary. Diamond described the burglar as "a light-skinned black male, between 5'5" and 5'6" tall, wearing a red jersey, tennis shoes, and short white pants." 343 S.C. at 70, 538 S.E.2d at 259. Diamond further said that the man had plaited hair. *Id.* A short time later, officers arrested Mansfield, who was wearing "a red jersey, grey sweat pants pulled up to his knees, and Timberland boots."⁷ *Id.* Mansfield had an afro and was 5'7". *Id.* at 71, 538 S.E.2d at 259. At trial, Mansfield tried to introduce evidence that Perry committed the burglary. *Id.* at 80, 538 S.E.2d at 264. Specifically, Mansfield wanted to introduce evidence that an officer had mentioned Perry after Diamond's 911 call. *Id.* Mansfield also asked to introduce a picture of Perry and testimony that Perry lived near the scene of the crime, was about 5'7" or 5'8", had light skin, and wore his hair in plaits near the time of the crime. *Id.* at 81, 538 S.E.2d at 264-65.

⁶ iPhone records from the phone that the State alleges belongs to Brown support this assertion; no texts or calls were placed to or from either Brown or Felder leading up to or after the murder.

⁷ Officers later matched Mansfield's boots to a shoeprint at the scene of the burglary. *Id.* at 71, 538 S.E.2d at 259.

The South Carolina Supreme Court held that Mansfield could not introduce evidence of Perry's guilt. *Id.* at 85–86, 538 S.E.2d at 267. The court reasoned that Mansfield's intended evidence merely cast a "bare suspicion" on Perry. *Id.* at 85, 538 S.E.2d at 267; compare *State v. Williams*, 321 S.C. 327, 468 S.E.2d 626 (1996) (excluding evidence of the third-party guilt of marijuana manufacturers who had threatened to kill a confidential informant and a narcotics agent near the area where two murder victims were found because there was no evidence of a connection between the manufacturers and the murders); *State v. Southerland*, 316 S.C. 377, 447 S.E.2d 862 (1994) (excluding evidence of a murder victim's prison smuggling scheme to show that others had motive to kill her because there was no evidence connecting the smuggling to victim's death), *overruled on other grounds by State v. Chapman*, 317 S.C. 302, 454 S.E.2d 317 (1995). "The fact that Perry generally fit the description of the perpetrator and lived nearby [did] not show his guilt." *Mansfield*, 343 S.C. at 85, 538 S.E.2d at 267.

Here, evidence of Felder's guilt is much stronger. First, Felder fits most of Williams's quite specific description and important portions of McBride's description. Felder was still wearing a sweatshirt with the number 23 on the back, a black shirt, and red shoes when officers detained him. Felder also had shoulder-length dreads.⁸ Second, Felder was in the neighborhood that day; officers confronted Felder at his home, approximately 920 feet from Johnny's home, just hours after the crime.⁹ Felder was interrogated *that same day*. Third, Felder's clothing later tested positive for gunshot residue despite Felder's assertion that he did not own and had not fired a gun. Evidence of Felder's guilt has a sufficient connection to the crime to be admissible in Brown's trial.

⁸ That officers seized Felder's clothing lends further support for the conclusion that Felder matched witness descriptions. Even the search warrant affidavit for Brown's apartment appears to be describing Felder, though it does not mention Felder's dreadlocks.

⁹ Felder's "alibi"—he was in court in Dorchester County that day—is not reliable, given that court was not in session.

CONCLUSION

Evidence of Felder's guilt meets South Carolina's third-party guilt standard as set forth in *State v. Gregory*. Not only is this evidence inconsistent with Brown's guilt, but it also has a sufficient connection to the murder to warrant its introduction in Brown's trial. Excluding this evidence would eviscerate Brown's right to present a defense. This Court should let Brown introduce evidence of Felder's guilt.

Respectfully submitted,



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ATTORNEYS FOR DEFENDANT
JOSEPH LAMAR BROWN, JR.

October 22, 2018
Charleston, South Carolina

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CLERK OF COURT
BY _____

EXHIBIT 1

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

**Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083**

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF 911 CALL MADE BY HUGH

11 PRITCHARD, RELATIVE TO THE ABOVE-ENTITLED MATTER ON

12 DECEMBER 23, 2016.

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
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Page 2

1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 911 CALL RECORDING MADE BY HUGH PRITCHARD
2
3 (Telephone ringing.)
4 HUGH PRITCHARD: Johnny got shot (inaudible),
5 someone shot Johnny --- cause I was just with him.
6 911 OPERATOR: 911. What's the address of the
7 emergency?
8 UNIDENTIFIED MALE: I don't know the address,
9 it's at the corner of --- I'm at [REDACTED] East Colpat. It's at
10 the corner of Owens and uh --- Colpat.
11 911 OPERATOR: Okay.
12 Tell me exactly what happened?
13 UNIDENTIFIED MALE: I don't know, the (inaudible)
14 someone got shot.
15 911 OPERATOR: Do you know where this happened
16 at?
17 UNIDENTIFIED MALE: I don't know.
18 According to ---
19 911 OPERATOR: Is the person that said that
20 someone got shot right there with you?
21 UNIDENTIFIED MALE: Uh-huh, yeah, he is.
22 911 OPERATOR: Can I talk to that person?
23 UNIDENTIFIED MALE: Hey, here you go, here you
24 go.
25 Hold on. Here you go, you need to talk.

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
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1 HUGH PRITCHARD: Hello.
2 911 OPERATOR: Yes, sir.
3 This is Operator 38 with Charleston County.
4 HUGH PRITCHARD: Yes, ma'am.
5 911 OPERATOR: Can you tell me exactly what
6 happened?
7 HUGH PRITCHARD: Well, my cousin was, I was out
8 shopping and I was helping, we packing up and move and a
9 fella ran in there at the front door and shot my cousin and
10 I was ---
11 911 OPERATOR: Okay.
12 HUGH PRITCHARD: --- in the kitchen.
13 911 OPERATOR: So someone ran into the house and
14 shot your cousin?
15 HUGH PRITCHARD: Yep, huh-huh. Yes, ma'am.
16 911 OPERATOR: Okay.
17 What's the address where this occurred at?
18 HUGH PRITCHARD: Okay.
19 Um, I'm going to look out here, I'm so nervous.
20 I don't live here, you know?
21 I'm just helping him pack, so I'm his cousin,
22 he's ---
23 911 OPERATOR: You're doing a good job, just stay
24 right here with me and give me ---
25 HUGH PRITCHARD: He got shot.

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 911 OPERATOR: --- as much information as you
2 can, okay?
3 HUGH PRITCHARD: Excuse me, I'm about ready to
4 freak out.
5 911 OPERATOR: No. You're doing an amazing job,
6 I'm very proud of you, okay? Just stay right here with me,
7 okay?
8 HUGH PRITCHARD: What the Lord --- (inaudible).
9 Oh my God (inaudible), I don't understand. It's got the
10 address is, oh my God, this is freaking me out.
11 911 OPERATOR: All right. You're doing a good
12 job, just stay right here with me and let me know that
13 address when you can, okay?
14 HUGH PRITCHARD: I got it right now --- I'm
15 walking around, I'm headed outside --- [REDACTED].
16 911 OPERATOR: [REDACTED] and what's the street name?
17 HUGH PRITCHARD: East Owen.
18 911 OPERATOR: [REDACTED] East Owens?
19 HUGH PRITCHARD: Yes, ma'am.
20 911 OPERATOR: All right.
21 You're doing a great job for me, okay?
22 Sir, just stay right here with me, okay?
23 HUGH PRITCHARD: Yeah.
24 Is he dead? Is he dead?
25 UNIDENTIFIED MALE: Yes, sir.

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
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1 HUGH PRITCHARD: You need to get somebody here
2 real fast.
3 911 OPERATOR: Yes, sir.
4 Just one moment. I'm just trying to get that
5 address and map in my system, okay?
6 HUGH PRITCHARD: Okay.
7 Yeah, I thought he was gonna shoot me cause I was
8 in the kitchen ---
9 911 OPERATOR: So it's [REDACTED] East Owens?
10 HUGH PRITCHARD: Yes, ma'am.
11 911 OPERATOR: And what is your name, sir?
12 HUGH PRITCHARD: My name's Hugh Pritchard and his
13 name's John Pritchard, the one that got shot.
14 911 OPERATOR: John Pritchard?
15 HUGH PRITCHARD: Yep.
16 911 OPERATOR: And what was your first name, sir?
17 HUGH PRITCHARD: Hugh, H-U-G-H, Pritchard.
18 911 OPERATOR: Okay, Hugh.
19 My name is Maria, I'm Operator 38. My partner
20 will be getting help on the way while you and I are
21 talking, okay, sir?
22 HUGH PRITCHARD: Yes.
23 911 OPERATOR: You're doing a good job, just stay
24 right here with me.
25 Are you at that location now?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
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1 HUGH PRITCHARD: Yes, ma'am.
2 I'm with my friend next door.
3 911 OPERATOR: Okay.
4 When did this happen? How long ago did he get
5 shot?
6 HUGH PRITCHARD: About 15 minutes ago, 20
7 minutes.
8 911 OPERATOR: 15 to 20 minutes ago, okay.
9 You're doing a good job. Just stay focused on
10 me, okay?
11 HUGH PRITCHARD: Yes, ma'am.
12 911 OPERATOR: Okay.
13 I need to get the weapon description, did you see
14 the weapon that was used to shoot your cousin?
15 HUGH PRITCHARD: I mean I don't know, looked like
16 a .9 millimeter something, a glock.
17 911 OPERATOR: Okay.
18 Did you see what color it was?
19 HUGH PRITCHARD: I --- I thought it was a joke at
20 first, but there was ---
21 911 OPERATOR: Okay.
22 HUGH PRITCHARD: --- no joke.
23 911 OPERATOR: All right.
24 Where is the weapon now?
25 HUGH PRITCHARD: I mean the man came in shot him

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 and ran out the door.

2 911 OPERATOR: Okay.

3 HUGH PRITCHARD: Yeah.

4 911 OPERATOR: All right.

5 (Hugh Pritchard and Operator talking over each
6 other.)

7 911 OPERATOR: You're doing a good job, just stay
8 right here with me, okay?

9 Giving me this information's is going to help the
10 officers be prepared when they get there, okay?

11 How many suspects are involved?

12 HUGH PRITCHARD: (Inaudible) --- now with Johnny,
13 he's dying, or either dead, okay?

14 911 OPERATOR: Yes, sir.

15 We are getting EMS, Fire Department and the
16 police to help you and John out, okay?

17 So help me out so we can help him out.

18 How many suspects are involved?

19 HUGH PRITCHARD: (Crying/inaudible.)

20 911 OPERATOR: Hugh, do you know how many people
21 were involved?

22 HUGH PRITCHARD: Just --- Johnny got shot ---

23 911 OPERATOR: Was it just one person who came in
24 the house at Johnny or was it multiple people?

25 (Other parties speaking.)

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911 Call - Hugh Pritchard on 12/23/2016

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1 HUGH PRITCHARD: He's shot right there.
2 UNIDENTIFIED FEMALE: Oh, my God.
3 HUGH PRITCHARD: Look out, he's still alive ---
4 UNIDENTIFIED FEMALE: (Crying/inaudible.)
5 911 OPERATOR: All right, Hugh. I need you to
6 help me out, okay?
7 My para --- Hugh?
8 HUGH PRITCHARD: He was shot, he's got a chance.
9 911 OPERATOR: All right.
10 I need you to help me out. They are trying to
11 find you. Can you confirm the address for me?
12 HUGH PRITCHARD: At [REDACTED] East Owens Street.
13 911 OPERATOR: [REDACTED] East Owens?
14 HUGH PRITCHARD: Yeah.
15 911 OPERATOR: Okay.
16 How did they leave?
17 HUGH PRITCHARD: How did who leave?
18 911 OPERATOR: The person who shot ---
19 HUGH PRITCHARD: I didn't see the person who came
20 out there, I didn't see --- I didn't see what he was in or
21 nothing. He just busted in the front door ---
22 911 OPERATOR: Okay that's ---
23 HUGH PRITCHARD: --- and shot my cousin dead.
24 911 OPERATOR: --- okay.
25 All right, listen, okay. I'm being told that [REDACTED]

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 East Owens doesn't exist. Can you find a piece of mail or
2 something inside the house to confirm this address for me?
3 My responders are trying to find you.
4 HUGH PRITCHARD: Oh --- [REDACTED] East Colpat, old
5 Colpat ---
6 911 OPERATOR: [REDACTED] East Colpat?
7 HUGH PRITCHARD: Yeah.
8 911 OPERATOR: Okay.
9 Now, what direction was he going?
10 HUGH PRITCHARD: Huh?
11 911 OPERATOR: What direction was the person who
12 shot your cousin going?
13 HUGH PRITCHARD: Came in the front door.
14 911 OPERATOR: Okay.
15 When he left, you said he left the scene ---
16 HUGH PRITCHARD: East Thomas Street ---
17 911 OPERATOR: --- what direction did he go?
18 HUGH PRITCHARD: East Thomas Street is another uh
19 --- street. It's all three, four streets come together at
20 a corner right here.
21 911 OPERATOR: All right.
22 HUGH PRITCHARD: He's on the corner lot.
23 911 OPERATOR: All right.
24 Listen to my question, okay?
25 HUGH PRITCHARD: Yes.

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 911 OPERATOR: When the person who shot your
2 cousin left, did he go down East Owens, East Thomas, East
3 Colpat, did he go down Owen, what direction did he go?

4 HUGH PRITCHARD: I don't know.
5 I didn't watch him leave ---

6 911 OPERATOR: Okay.
7 If you ---

8 HUGH PRITCHARD: --- I ---

9 911 OPERATOR: --- don't know, that's okay to
10 tell me I don't know. I need to --- Hugh, help me out
11 here, okay?

12 HUGH PRITCHARD: I know, but just send the EMS,
13 please, and the police.

14 911 OPERATOR: Hugh, like I've told you multiple
15 times, we are sending police, fire and EMS to help you
16 both.

17 HUGH PRITCHARD: Okay.

18 911 OPERATOR: Okay?

19 The information I'm gathering is going to help
20 both you and your cousin.

21 HUGH PRITCHARD: We need 'em right now.

22 911 OPERATOR: Okay.

23 I need to get the --- they are already on the
24 way. Like I said earlier, we're trying to confirm the
25 address, okay?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
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1 HUGH PRITCHARD: Jesus.

2 911 OPERATOR: I need to get the suspect's

3 description.

4 What race was he?

5 HUGH PRITCHARD: (Inaudible.)

6 911 OPERATOR: I'm sorry?

7 HUGH PRITCHARD: He what?

8 911 OPERATOR: The person who shot your cousin,

9 was he white, black, Hispanic or Asian?

10 HUGH PRITCHARD: I don't really know, ma'am.

11 I just --- I just --- I need somebody here for my

12 cousin.

13 911 OPERATOR: Okay.

14 Like I've told you multiple times, Hugh, my

15 partner's already sending them, they're on the way.

16 HUGH PRITCHARD: I stood behind the table, I was

17 gonna get ready to get shot.

18 Here are the police right here.

19 911 OPERATOR: Is the officer out with you, sir?

20 HUGH PRITCHARD: He's --- yeah, they're pulling

21 up here right now.

22 911 OPERATOR: All right.

23 Go talk to the officer, sir, please.

24 HUGH PRITCHARD: Okay.

25 Here you go...

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
911 Call - Hugh Pritchard on 12/23/2016

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1 (CONCLUSION.)

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1 R E P O R T E R ' S C E R T I F I C A T E

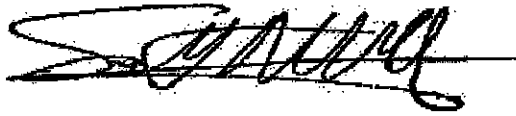
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4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

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EXHIBIT 2

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF HUGH PRITCHARD,
11 RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER 23, 2016.

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

Page 3

1 INTERVIEW OF HUGH PRITCHARD

2

3 DETECTIVE GOLDSTEIN: This is a statement of Hugh

4 ---

5 HUGH PRITCHARD: Hugh.

6 DETECTIVE GOLDSTEIN: --- Potter Pritchard, [REDACTED]
7 Fargo Street, [REDACTED] North Charleston 29418. Date of
8 birth [REDACTED]. Social, [REDACTED]. Phone number's 843-
9 367-2614. Driver's license is South Carolina [REDACTED].

10 Mr. Pritchard, please tell me, this is Hugh
11 Potter Pritchard speaking.

12 Please tell me the circumstances in reference to
13 the shooting that took place at [REDACTED] East Thomas Street,
14 12/23/16?

15 HUGH PRITCHARD: Yes, sir.

16 I was in the kitchen, my cousin had left and took
17 the next door neighbor to --- to wherever they went and uh
18 --- and I was in the kitchen boxing up dishes. He was ---
19 we were in the process of moving him to his new home and
20 when I was in the kitchen, he came home and the door came
21 open and he --- and he said hi to me and he had brought me
22 my two beverages and uh --- and I said thank you and I
23 walked back in the kitchen.

24 As soon I did, the front door, evidently he
25 didn't lock it or either they knocked on it and he jumped

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 up to it, but he jumped in with a .9 millimeter, looked
2 like a black glock thing and um --- and he said give me
3 your money and then Johnny evidently gave him the money and
4 then pow, he shot him in the head and I jumped out the back
5 door and ran and jumped the fence and --- to my next door
6 neighbor and uh --- and --- and the neighbor called 911.

7 DETECTIVE GOLDSTEIN: All right.

8 Can you describe the individual that came in and
9 robbed your cousin?

10 HUGH PRITCHARD: He was a black male in his 30's,
11 could have been in his late 20's, but he wasn't a teenager.
12 I couldn't tell exactly how old he was, but he wasn't an
13 old man. He was a younger man and he was dressed in black
14 and had some kind of mask on his face and a --- and a hat
15 on and that's --- that's it. That's all I know.

16 I thought he was gonna shoot me dead, cause he
17 looked at me in that --- back in that kitchen. I said oh
18 shit, I'm --- excuse me, I'm gonna get it now and then he
19 jumped out the front door and ran.

20 DETECTIVE GOLDSTEIN: How did he get into the
21 house, was the door locked, did he ring the bell?

22 HUGH PRITCHARD: Evidently he --- there's no
23 doorbell. He --- I didn't hear a knock, when --- see,
24 Johnny usually locks the door. So I'm thinking that Johnny
25 --- that the guy knocked on the door and then he went and

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

Page 5

1 opened the door and jumped in with the gun, that's what I'm
2 thinking, cause Johnny usually locks that door, you know,
3 religiously.

4 DETECTIVE GOLDSTEIN: All right.

5 Could you describe the clothing the individual
6 was wearing?

7 HUGH PRITCHARD: Dark color clothing.

8 I don't even know, you know, I didn't look. I
9 wasn't --- I was gonna run out there to him, but he would
10 have shot me dead too, you know that.

11 DETECTIVE GOLDSTEIN: All right.

12 Height and weight of the individual?

13 HUGH PRITCHARD: He was not a tall person,
14 probably 5'8", nine, ten, that's about it, um --- and uh --
15 he wasn't a big guy, you know, probably --- and about 170
16 pounds or so, but uh ---

17 DETECTIVE GOLDSTEIN: Could you see any of his
18 face?

19 HUGH PRITCHARD: No, I did not see his face.

20 I just know he was a black man cause he got ---
21 oh, I seen the top of his face where he had like a scarf or
22 something over his face, over his mouth and all and not
23 covering his eyes, you know, and I --- I didn't see his
24 eyes. I didn't know if he --- he might have had sunglasses
25 on. I don't even know that, but I don't think he had

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 sunglasses on.

2 DETECTIVE GOLDSTEIN: What complexion was he?

3 HUGH PRITCHARD: Dark complected, dark African
4 male.

5 DETECTIVE GOLDSTEIN: Dark.

6 And how tall did you tell me he was?

7 HUGH PRITCHARD: 5'8" or nine, he wasn't no 6
8 foot, but I --- that's about it. That's all I seen of him.

9 DETECTIVE GOLDSTEIN: Could you describe his
10 shoes, anything like that?

11 HUGH PRITCHARD: I didn't see, well what kind of
12 shoes he had on or nothing.

13 All I was --- I was afraid he was gonna run in
14 that kitchen and shoot me dead, which is two steps across
15 the room.

16 DETECTIVE GOLDSTEIN: All right.

17 How many times did he shoot the gun?

18 HUGH PRITCHARD: Once.

19 DETECTIVE GOLDSTEIN: Did you hear his voice?

20 HUGH PRITCHARD: I heard him say, give me the
21 money --- uh --- or --- and, but he didn't say he was gonna
22 shoot 'em and evidently Johnny gave him the money and then
23 pow, he shot 'em.

24 DETECTIVE GOLDSTEIN: Okay.

25 Do you live inside the house?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 HUGH PRITCHARD: Do I live there?

2 DETECTIVE GOLDSTEIN: Yes.

3 HUGH PRITCHARD: No, sir.

4 I'm from West --- from North Charleston.

5 DETECTIVE GOLDSTEIN: North Charleston.

6 HUGH PRITCHARD: I just came to help Johnny move,
7 pack his stuff and move to his new residence.

8 He just bought 'em a brand --- not a brand new, a
9 used mobile home and they --- put on off on Royal Road,
10 Royal Oak Road or something over there, out in ---

11 DETECTIVE GOLDSTEIN: All right.

12 What --- did the individual have something cover
13 his head?

14 HUGH PRITCHARD: He had a hat on. He had some
15 kind of a hat on.

16 DETECTIVE GOLDSTEIN: Can you describe that?

17 HUGH PRITCHARD: No, I don't know what kind of
18 hat it was.

19 I didn't look (laughs) I was in fear for my life.
20 I jumped out that back door when I heard that shot and then
21 I looked up and then he looked like he was gonna come in
22 the kitchen and shoot me dead, so I jumped out the back
23 door and ran.

24 DETECTIVE GOLDSTEIN: Could you tell if he was
25 wearing any type of covers over his hands?

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 HUGH PRITCHARD: I couldn't tell you that one.
2 I couldn't tell you that, Officer.
3 DETECTIVE GOLDSTEIN: Okay, all right.
4 Anything else you can describe to me in reference
5 to this incident?
6 HUGH PRITCHARD: No, sir. I sure can't.
7 DETECTIVE GOLDSTEIN: All right.
8 This will complete the statement of Hugh
9 Pritchard and it's December 23rd, 2:27.
10 What's the victim's name here?
11 HUGH PRITCHARD: John, Johnny --- John Glen
12 Pritchard.
13 DETECTIVE GOLDSTEIN: John Glen Pritchard.
14 Does he live with anybody in there?
15 HUGH PRITCHARD: No, no, he don't. He live by
16 his self, he was getting ready to move.
17 DETECTIVE GOLDSTEIN: All right.
18 Did the individual walk around the inside of the
19 house at all?
20 HUGH PRITCHARD: No.
21 DETECTIVE GOLDSTEIN: Okay.
22 All right. This will complete the statement of
23 Hugh Pritchard. Again, 2:27 p.m.
24 (CONCLUSION.)
25

THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN
Hugh Pritchard on 12/23/2016

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1 R E P O R T E R ' S C E R T I F I C A T E

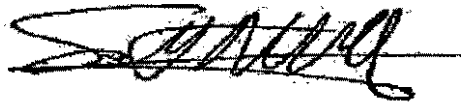
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4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

Hugh Pritchard on 12/23/2016

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

Hugh Pritchard on 12/23/2016

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

Hugh Pritchard on 12/23/2016

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THE STATE OF SOUTH CAROLINA vs- JOSEPH LAMAR BROWN

Hugh Pritchard on 12/23/2016

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EXHIBIT 3

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF CELEST

11 MC BRIDE, RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER

12 23rd, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 INTERVIEW OF CELEST MC BRIDE

2

3 DETECTIVE GOLDSTEIN: All right.

4 This is a statement of Celest,

5 C-E-L-E-S-T, Jackie McBride. Date of birth is [REDACTED].

6 Phone number is 843-879-1234, unknown Social Security

7 number, resides at [REDACTED] Owens Drive, Lincolnville.

8 Okay, Ms. McBride, please tell me the
9 circumstances regarding an incident that happened in your
10 neighborhood today?

11 CELEST MC BRIDE: I heard a boom, it kind of
12 sounded like something fell and I was curious, so I looked
13 out of my living room windows, see a man running by. I
14 made sure that he couldn't see me in case something big
15 happened, but as he was running, I saw an older model green
16 SUV driving next to him really slowly and he dropped his
17 phone at the power pole in front of my house and in picking
18 it up, he dropped money at a trashcan just a few feet away.

19 He didn't turn to pick up the phone again after
20 he tried to pick it up the first time and it fell again.
21 He continued running and he picked up the money and
22 continued running and I didn't see him afterwards.

23 DETECTIVE GOLDSTEIN: All right.

24 You said you heard some type of noise and that
25 got your attention.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 What was the noise?

2 CELEST MC BRIDE: It was just a boom, sounded
3 like a tree or something fell. Like if you take a box and
4 just drop it on concrete, it sounded like that.

5 I didn't know that it was anything major, thought
6 it was just something falling, so I looked to make sure
7 that everyone was okay.

8 I was curious, and then I saw the person running
9 and I was like oh well, it's probably something related to
10 him, so I kept my eye on him.

11 DETECTIVE GOLDSTEIN: All right.

12 Do you remember what he was wearing?

13 CELEST MC BRIDE: Stone gray sweatpants and I
14 can't remember his shoes or his shirt, but I can remember
15 the sweatpants.

16 DETECTIVE GOLDSTEIN: All right.

17 Do you remember, did he have --- anything about
18 his features, hair features?

19 CELEST MC BRIDE: Uh, roughly shoulder length
20 black dreads, he was a rather tall black male.

21 DETECTIVE GOLDSTEIN: All right.

22 Would you remember him if you saw him again?

23 CELEST MC BRIDE: Probably not. I didn't see his
24 face. I saw a profile, side view.

25 DETECTIVE GOLDSTEIN: Okay.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

Page 5

1 Let's describe this phone that fell out of his --
2 wherever it fell out of.

3 What did it fall out of?

4 CELEST MC BRIDE: It fell out of his pocket.

5 DETECTIVE GOLDSTEIN: All right and which pocket
6 would it be?

7 CELEST MC BRIDE: Left pocket.

8 DETECTIVE GOLDSTEIN: All right.

9 So that would be the one closest to the house?

10 CELEST MC BRIDE: Huh-huh.

11 DETECTIVE GOLDSTEIN: All right.

12 And you saw it fall out of his pocket?

13 CELEST MC BRIDE: Huh-huh.

14 DETECTIVE GOLDSTEIN: All right.

15 And you said he tried to pick it up again?

16 CELEST MC BRIDE: It looked like he went to go
17 pick it up and it looked like he picked it up and put it in
18 his pocket. I couldn't really see cause there's pampas
19 grass in front, but it looked like he tried to pick it up.

20 I could be mistaken and he was just trying to
21 shove the money back into his pocket, but it looked like he
22 tried to pick it up.

23 DETECTIVE GOLDSTEIN: Did the money fall out of
24 his pocket too?

25 CELEST MC BRIDE: It did at the trashcan.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 DETECTIVE GOLDSTEIN: Okay.

2 And he kept running down the street?

3 CELEST MC BRIDE: Huh-huh.

4 DETECTIVE GOLDSTEIN: And the same location, what
5 did you do then?

6 Did --- how did your Dad get involved?

7 CELEST MC BRIDE: I let him know that there was
8 an object that fell out of some dude's pocket in the ditch.
9 I just said hey Dad, someone dropped something over by the
10 ditch, I don't know what it is and from my view, it just
11 looked like a little black rectangular box. I didn't know
12 that it was a phone.

13 DETECTIVE GOLDSTEIN: Okay.

14 And what did your Dad do then?

15 CELEST MC BRIDE: My Dad went out there and
16 picked it up, and put it on the grill ---

17 DETECTIVE GOLDSTEIN: Okay.

18 CELEST MC BRIDE: --- and that's when we both
19 noticed cops and ambulance and fire truck pulling up.

20 DETECTIVE GOLDSTEIN: Okay.

21 Can you describe this vehicle that was on the
22 street that was following this guy?

23 CELEST MC BRIDE: It was an older model looking
24 SUV, um, couldn't really get the make or model, but it was
25 ---

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 DETECTIVE GOLDSTEIN: What color was it?

2 CELEST MC BRIDE: Light green, but at the same
3 time, it was like a dark green.

4 DETECTIVE GOLDSTEIN: Some type of green?

5 CELEST MC BRIDE: It looked really old.

6 DETECTIVE GOLDSTEIN: Okay.

7 Was it with this guy or ---

8 CELEST MC BRIDE: It kind of followed him and
9 then went in front of him a few feet and it went way below
10 the speed limit and it was on this side of the street,
11 driving on the opposite side of the road.

12 DETECTIVE GOLDSTEIN: All right.

13 So if he's traveling, the subject is running down
14 ---

15 CELEST MC BRIDE: The vehicle is next to him,
16 literally right next to him.

17 DETECTIVE GOLDSTEIN: Going alongside?

18 CELEST MC BRIDE: Huh-huh.

19 DETECTIVE GOLDSTEIN: Could you see who was in
20 it?

21 CELEST MC BRIDE: No.

22 DETECTIVE GOLDSTEIN: Okay.

23 CELEST MC BRIDE: I wasn't paying attention. I
24 was paying attention to the man running.

25 DETECTIVE GOLDSTEIN: All right.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

Page 8

1 How about the windows to the vehicle?

2 CELEST MC BRIDE: They looked darkly tinted.

3 DETECTIVE GOLDSTEIN: Darkly tinted, okay.

4 Height and weight on the guy that was running
5 that dropped the phone?

6 CELEST MC BRIDE: Um, I want to say anywhere from
7 5'8" to about 6 foot tall.

8 DETECTIVE GOLDSTEIN: Huh-huh.

9 CELEST MC BRIDE: Average build.

10 DETECTIVE GOLDSTEIN: Okay.

11 CELEST MC BRIDE: Couldn't really get a good
12 estimate of the weight.

13 DETECTIVE GOLDSTEIN: And we said stonewash
14 running pants?

15 CELEST MC BRIDE: Stone colored.

16 DETECTIVE GOLDSTEIN: Stone colored.

17 And how about his shirt?

18 CELEST MC BRIDE: I couldn't get a good glimpse
19 of it.

20 DETECTIVE GOLDSTEIN: Okay.

21 Did we talk about his complexion?

22 CELEST MC BRIDE: I only saw part of his arm and
23 his hand and he was black.

24 DETECTIVE GOLDSTEIN: Did you see, you know, what
25 tone it would be if you saw it?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 CELEST MC BRIDE: Medium-dark.
2 DETECTIVE GOLDSTEIN: Okay.
3 And you were looking from?
4 CELEST MC BRIDE: I was looking from my windows
5 here (indicating).
6 DETECTIVE GOLDSTEIN: Right in front?
7 CELEST MC BRIDE: Right in front, yes.
8 DETECTIVE GOLDSTEIN: Okay.
9 CELEST MC BRIDE: And once he got out of view of
10 the windows, I walked over to the front door to watch,
11 because I wanted to make sure everything was okay.
12 DETECTIVE GOLDSTEIN: Okay.
13 CELEST MC BRIDE: I made sure that he couldn't
14 see me because I didn't want him to see me in case there
15 was something big that happened.
16 DETECTIVE GOLDSTEIN: Right, right.
17 All right.
18 Is there anything else you'd like to add to this
19 statement?
20 CELEST MC BRIDE: Um --- not that I am ---
21 DETECTIVE GOLDSTEIN: Okay.
22 CELEST MC BRIDE: --- aware of right now.
23 DETECTIVE GOLDSTEIN: Okay.
24 This will complete the statement of Celest
25 McBride, 3:30 p.m.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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1 (CONCLUSION)

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Celest McBride on 12/23/2016

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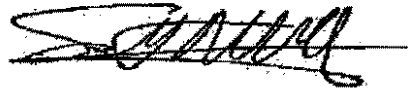
2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11



12

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

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EXHIBIT 4

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083



EXHIBIT 5

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

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10 TRANSCRIPTION OF INTERVIEW OF MERRIT

11 WILLIAMS, RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER

12 23rd, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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Page 3

1 INTERVIEW OF MERRIT WILLIAMS

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3 MERRIT WILLIAMS: I have no warrants, I have
4 nothing on my record.

5 DETECTIVE GOLDSTEIN: All right.

6 I'm going to take a statement from Merrit Lafond,
7 L-A-F-O-N-D, Williams. Driver's license [REDACTED], [REDACTED]
8 Savannah River Road, Summerville. Date of birth is
9 [REDACTED]. Phone number's 843-806-9534.

10 Mr. Williams, please state to me any knowledge
11 you might have regarding an incident that took place on
12 East Thomas Street and the point we're trying to cover is
13 it was a green vehicle that was seen in the area driving
14 down East Thomas or East Owen.

15 Can you tell me a little bit about that?

16 MERRIT WILLIAMS: Okay.

17 Well, when I left my buddy's house, I was going
18 to the store, just going getting some beer and I seen a
19 fella doggone running.

20 He had a --- he had dreads and he had a No. 23 on
21 his back for his hoodie. I didn't think nothing of it, you
22 know, I feel he's just a young boy doggone, trying to stay
23 athletic.

24 So I went on down there to the store and I
25 grabbed my beer and came back on down to my buddy's house.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 DETECTIVE GOLDSTEIN: All right.

2 We're standing over here at your friend's house
3 and we're looking over there at East Owens.

4 How far down did you see him running, is it
5 within visibility of where we are?

6 MERRIT WILLIAMS: At the corner, it is.

7 DETECTIVE GOLDSTEIN: Okay.

8 And what direction was he going in?

9 MERRIT WILLIAMS: Uh, well from where we're at
10 now, he was going to the left.

11 DETECTIVE GOLDSTEIN: To the left, okay.

12 And what side of the street was he running?

13 MERRIT WILLIAMS: He was on the left-hand side.

14 DETECTIVE GOLDSTEIN: Okay.

15 And you got a height and a --- do you have a
16 height on him approximately?

17 MERRIT WILLIAMS: I don't know, maybe he was uh -
18 -- well, he was shorter than me, I'm 6'1".

19 DETECTIVE GOLDSTEIN: Okay.

20 Did you see his face?

21 MERRIT WILLIAMS: Yes, I did through the side
22 view mirror on my car. He was dark-skinned with dreads.
23 He had a black hoodie on with the No. 23 on, on the back of
24 it and he had black, what's those pants called? Uh ---
25 like jogger's pants.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 DETECTIVE GOLDSTEIN: Okay.
2 MERRIT WILLIAMS: Warmers.
3 DETECTIVE GOLDSTEIN: Okay.
4 MERRIT WILLIAMS: With a pair of red --- red uh -
5 -- Converse shoes on.
6 DETECTIVE GOLDSTEIN: Red Converse, okay.
7 Did you drive past him?
8 MERRIT WILLIAMS: I drove past him.
9 DETECTIVE GOLDSTEIN: Okay.
10 MERRIT WILLIAMS: I didn't think anything of it.
11 DETECTIVE GOLDSTEIN: And did you hear any
12 gunshots while you were at your friend's house?
13 MERRIT WILLIAMS: No. I just talked to, I guess,
14 the victim, I just talked to him.
15 DETECTIVE GOLDSTEIN: Yeah.
16 MERRIT WILLIAMS: Beforehand. I shook his hand
17 and everything.
18 DETECTIVE GOLDSTEIN: And what did he say, did
19 the victim say anything to you prior?
20 MERRIT WILLIAMS: No.
21 DETECTIVE GOLDSTEIN: Okay.
22 MERRIT WILLIAMS: No, he said he was going ---
23 well, he did say this, he said he was going to his house to
24 go ahead and finish, wrapping up his boxes.
25 DETECTIVE GOLDSTEIN: Okay.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 MERRIT WILLIAMS: With duct tape or whatever so
2 he can go and get to his new place.

3 DETECTIVE GOLDSTEIN: All right.

4 And how long after you were talking to him did
5 you see this guy jogging?

6 MERRIT WILLIAMS: Oh, well ---

7 DETECTIVE GOLDSTEIN: Approximately?

8 MERRIT WILLIAMS: Approximately?

9 Maybe 7 to 10 minutes, maybe.

10 DETECTIVE GOLDSTEIN: Okay.

11 Did you see this guy, a description of this guy,
12 did you see him hanging around the area at all while you
13 were talking ---

14 MERRIT WILLIAMS: No, but that was like ---

15 DETECTIVE GOLDSTEIN: --- to Johnny?

16 MERRIT WILLIAMS: --- it was kind of like a spur
17 of the moment-type thing, when I got to that corner right
18 there, that stop sign by Johnny's house, I was making a
19 left and then I see a guy doggone bolt from here and ran
20 down the road, but I --- he was a young boy.

21 DETECTIVE GOLDSTEIN: Yeah.

22 MERRIT WILLIAMS: So I didn't think nothing of
23 it.

24 DETECTIVE GOLDSTEIN: Okay, all right.

25 I just figured maybe he was uh --- running to,

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

Page 7

1 you know, keep up with his athleticism.

2 DETECTIVE GOLDSTEIN: Sure, sure.

3 MERRIT WILLIAMS: You know?

4 DETECTIVE GOLDSTEIN: Sure and was this the green
5 truck that you were driving, sir, at the time?

6 MERRIT WILLIAMS: Yeah.

7 DETECTIVE GOLDSTEIN: Okay.

8 That belongs to you?

9 MERRIT WILLIAMS: Yeah, after I found out what
10 happened, then I went back down that road to doggone, see
11 exactly where he went.

12 DETECTIVE GOLDSTEIN: Okay.

13 MERRIT WILLIAMS: Well and when I got there to
14 the point where I saw him turn, I made that left and as I
15 went down that road there, I didn't see anything from that
16 point on.

17 DETECTIVE GOLDSTEIN: Okay.

18 MERRIT WILLIAMS: I didn't see him. I didn't see
19 the --- the No. 23.

20 DETECTIVE GOLDSTEIN: Huh-huh.

21 MERRIT WILLIAMS: The No. 23 is going to stick in
22 my mind ---

23 DETECTIVE GOLDSTEIN: Yes, sir.

24 MERRIT WILLIAMS: --- cause that's where ---

25 DETECTIVE GOLDSTEIN: What color was the hoodie?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 MERRIT WILLIAMS: It was jet black, but it had a
2 multiple color ratio on the back for 23.

3 DETECTIVE GOLDSTEIN: Okay.

4 I never seen that, just all different colors in
5 the 23 symbol?

6 MERRIT WILLIAMS: It was all in the 23, it had
7 all different colors in the number.

8 DETECTIVE GOLDSTEIN: Okay.

9 MERRIT WILLIAMS: But I didn't think anything of
10 it though.

11 DETECTIVE GOLDSTEIN: Okay, that's fine.

12 Shorter than you, how about his build?

13 MERRIT WILLIAMS: His build, oh, he was a skinny
14 guy. He was a ---

15 DETECTIVE GOLDSTEIN: Okay.

16 MERRIT WILLIAMS: --- he wouldn't --- he would
17 not be ---

18 DETECTIVE GOLDSTEIN: Let's go over the sneakers
19 again.

20 MERRIT WILLIAMS: Red Converse.

21 DETECTIVE GOLDSTEIN: Okay.

22 Solid red?

23 MERRIT WILLIAMS: Solid red.

24 DETECTIVE GOLDSTEIN: Okay.

25 MERRIT WILLIAMS: Maybe about a size 9 when I was

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

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1 walking down the road, I used to do a little job to where I
2 picked up shoes, so I kind of got to, you know, where I can
3 tell a person's size from the shoes.

4 DETECTIVE GOLDSTEIN: Okay.

5 Facial hair, do you remember, you know, from
6 looking in the mirror?

7 MERRIT WILLIAMS: There wasn't any facial hair.
8 He was just dark-skinned, he had a little --- looks like a
9 --- I don't know what those caps are called, like a skully
10 cap maybe.

11 DETECTIVE GOLDSTEIN: Yep.

12 MERRIT WILLIAMS: White writings on it.

13 DETECTIVE GOLDSTEIN: Okay.

14 MERRIT WILLIAMS: And he had dreads, you could
15 see those and he was trucking. He was dropping stuff as he
16 was going.

17 DETECTIVE GOLDSTEIN: He was dropping stuff?

18 MERRIT WILLIAMS: Yeah.

19 DETECTIVE GOLDSTEIN: Did you see what he was
20 dropping?

21 MERRIT WILLIAMS: No, unfortunately, no.

22 DETECTIVE GOLDSTEIN: Did you see any type of
23 handgun?

24 MERRIT WILLIAMS: No, I didn't see a gun.

25 DETECTIVE GOLDSTEIN: Okay, all right.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merrit Williams on 12/23/2016

Page 10

1 MERRIT WILLIAMS: Maybe ---
2 DETECTIVE GOLDSTEIN: Well very good.
3 MERRIT WILLIAMS: --- that's what he's picking
4 up, but I don't know.
5 DETECTIVE GOLDSTEIN: But he was dropping stuff?
6 MERRIT WILLIAMS: Yeah, I just --- I know the
7 area that he went to.
8 I know that when he --- when he went out, he went
9 to the left.
10 DETECTIVE GOLDSTEIN: Yes, sir.
11 MERRIT WILLIAMS: He cut in and that's about as
12 far as it from there.
13 So when I heard what happened, I drove my truck
14 back on down that damn way there, and I figured that I can
15 doggone map out and try to follow to see where he went.
16 You know, with young boys ---
17 DETECTIVE GOLDSTEIN: Sure.
18 MERRIT WILLIAMS: --- they do something like
19 this, you know, chances are, they're still in the yard.
20 DETECTIVE GOLDSTEIN: Yep.
21 MERRIT WILLIAMS: But I didn't see him.
22 DETECTIVE GOLDSTEIN: Okay, all right.
23 This will complete the statement of Mr. Williams,
24 4:18 p.m.
25 (CONCLUSION.)

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Merritt Williams on 12/23/2016

Page 11

1 R E P O R T E R ' S C E R T I F I C A T E

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4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

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14 SCOTT A. HUSEBY

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

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EXHIBIT 6

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF DAVID FELDER,
11 RELATIVE TO THE ABOVE-ENTITLED MATTER ON DECEMBER 23, 2016.

12

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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Page 3

1 INTERVIEW OF DAVID FELDER

2

3 DETECTIVE GOLDSTEIN: Sorry now, need some bags.
4 As soon as he comes back, we'll take your handcuffs off,
5 all right, fair enough?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: All right.

8 DAVID FELDER: He loosen them up a little bit for
9 me though.

10 DETECTIVE GOLDSTEIN: Yeah, we'll get them off.
11 That's no problem.

12 Let me just read you --- you're not under arrest,
13 I want to clear that out, but I do under the law, have to
14 read you your Miranda Warnings.

15 DAVID FELDER: Huh-huh.

16 DETECTIVE GOLDSTEIN: You have the right to
17 remain silent.

18 Anything you say can and will be used against you
19 in a Court of law.

20 You have the right to talk with a lawyer, to have
21 him present during any questioning.

22 If you cannot afford a lawyer, one will be
23 appointed to represent you before any questioning if you
24 wish one.

25 If you decide to answer questions without a

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 lawyer present, you have the right to stop answering
2 questions at any time if you so choose.

3 Do you understand that?

4 DAVID FELDER: (No verbal response.)

5 DETECTIVE GOLDSTEIN: Yes?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: Okay, all right.

8 Let me just --- as soon he comes back, we'll get
9 some specifics, some details and then we'll explain to you
10 why we confronted you, why we asked you to come down here
11 and one of two things is going to happen.

12 Either you're involved or we're going to clear
13 you and that will be the end of that.

14 Anything that we do today, I'm going to explain
15 to you.

16 DAVID FELDER: Yes, sir.

17 DETECTIVE GOLDSTEIN: Okay.

18 If you have any questions, just stop me and, you
19 know, ask me and I'm gonna tell you the answer.

20 DAVID FELDER: Huh-huh, huh-huh.

21 DETECTIVE GOLDSTEIN: Cause that's what, you
22 know, that's what I'm supposed to do.

23 DAVID FELDER: Yes, sir.

24 DETECTIVE GOLDSTEIN: And that's the proper thing
25 to do.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: Huh-huh.

2 DETECTIVE GOLDSTEIN: That address over at [REDACTED],
3 what's it, Brenda B is the address?

4 DAVID FELDER: Huh-huh.

5 DETECTIVE GOLDSTEIN: That's your house or the
6 lady's house?

7 DAVID FELDER: My Uncle Wayne's.

8 DETECTIVE GOLDSTEIN: Wayne?

9 DAVID FELDER: Huh-huh.

10 DETECTIVE GOLDSTEIN: Okay.

11 Wayne who?

12 DAVID FELDER: Wayne Pye.

13 DETECTIVE GOLDSTEIN: Wayne Pye, okay.

14 DAVID FELDER: I was helping paying a little
15 bills here and there.

16 DETECTIVE GOLDSTEIN: Yeah, it's understandable.

17 DAVID FELDER: We work on the shrimp boat
18 together.

19 DETECTIVE GOLDSTEIN: Yes, sir. Yeah, we
20 discussed that.

21 What education, how far did you go into in
22 school?

23 DAVID FELDER: Oh, eleventh grade, eleventh
24 grade.

25 DETECTIVE GOLDSTEIN: Eleventh grade?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: Yeah.

2 DETECTIVE GOLDSTEIN: Okay.

3 DAVID FELDER: Yes, sir.

4 DETECTIVE GOLDSTEIN: Okay.

5 You got handcuff keys (speaking to unidentified

6 detective)?

7 UNIDENTIFIED DETECTIVE: Yeah.

8 (Officer removes David Felder's handcuffs.)

9 DAVID FELDER: Thank you, sir.

10 DETECTIVE GOLDSTEIN: Thank you (laughs).

11 UNIDENTIFIED DETECTIVE: I'm sorry for the

12 inconvenience.

13 DAVID FELDER: It be all right.

14 DETECTIVE GOLDSTEIN: Let me just go get a pen,

15 Michael.

16 UNIDENTIFIED DEFENDANT: Here you go, sir.

17 DETECTIVE GOLDSTEIN: You got it, all right.

18 First thing I'm going to ask you to do and this

19 is for a gunshot residue, check for any gunshot, you can't

20 --- what we do is we do it, I don't know if you've ever had

21 it done ---

22 DAVID FELDER: I never had it done ---

23 DETECTIVE GOLDSTEIN: --- we dab some things on

24 your hands and we can't do it here, it's done

25 microscopically and if there's nothing there, you didn't

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 shoot a gun.

2 DAVID FELDER: Nah, I'm not allowed to be around
3 a gun.

4 DETECTIVE GOLDSTEIN: You're not allowed to be
5 around a gun?

6 DAVID FELDER: I'm on probation.

7 DETECTIVE GOLDSTEIN: Do you have any guns?

8 DAVID FELDER: No, sir.

9 DETECTIVE GOLDSTEIN: No guns at all, okay.
10 So you didn't shoot a gun today?

11 DAVID FELDER: No, sir.

12 DETECTIVE GOLDSTEIN: Very good.

13 All right, so this is the left palm (indicating),
14 all right, left palm.

15 DAVID FELDER: No, this is my right (indicating).

16 DETECTIVE THOMPSON: Your first name was David?

17 DAVID FELDER: Yes, sir.

18 (David Felder being tested for gunshot residue.)

19 DETECTIVE THOMPSON: What's your number Barry?

20 DETECTIVE GOLDSTEIN: 10541.

21 All right, left back (indicating), right back,
22 right palm, right palm.

23 DETECTIVE THOMPSON: Can I get a middle name?

24 DAVID FELDER: No, sir.

25 DETECTIVE THOMPSON: Dave, you got a middle name?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DETECTIVE THOMPSON: No middle name?
2 DAVID FELDER: No, sir.
3 DETECTIVE THOMPSON: F-E-L-D-E-R?
4 DAVID FELDER: Yes, sir.
5 DETECTIVE THOMPSON: What's your date of birth?
6 DAVID FELDER: [REDACTED].
7 DETECTIVE THOMPSON: '90?
8 DAVID FELDER: Yes, sir.
9 DETECTIVE THOMPSON: Okay.
10 Are you right-handed or left-handed?
11 DAVID FELDER: Right.
12 DETECTIVE GOLDSTEIN: Have you washed your hands
13 in the last, let's say six or eight hours?
14 DAVID FELDER: No, sir. I don't think so.
15 UNIDENTIFIED DETECTIVE: What do you do for a
16 living?
17 DAVID FELDER: Shrimp, landscaping.
18 UNIDENTIFIED DETECTIVE: All right.
19 Shrimper and landscaper?
20 DAVID FELDER: Yes, sir.
21 UNIDENTIFIED DETECTIVE: What kind of hobbies do
22 you have?
23 DAVID FELDER: Uh --- like to work.
24 DETECTIVE GOLDSTEIN: You still like working?
25 DAVID FELDER: Yes, sir.

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1 UNIDENTIFIED DETECTIVE: And let's say in the
2 last couple --- last three or four hours today, what have
3 you been out doing?

4 DAVID FELDER: No, I went --- I've been in
5 Cordesville, checking out with my own --- my landlord took
6 me to the landlord, right there in Cordesville ---

7 UNIDENTIFIED DETECTIVE: Riding in a car?

8 DAVID FELDER: Yeah, if you had a (inaudible),
9 yeah.

10 UNIDENTIFIED DETECTIVE: I'm gonna use the
11 restroom.

12 You could probably do that search warrant quicker
13 if Zack gets back here.

14 DETECTIVE THOMPSON: Yeah, you didn't call him.

15 DETECTIVE GOLDSTEIN: Do you want to so I can
16 talk to this gentleman here?

17 DETECTIVE THOMPSON: Sure.

18 DETECTIVE GOLDSTEIN: He needs to use the
19 restroom, so we can get everything downstairs ---

20 DETECTIVE GOLDSTEIN: I'll wait for you to come
21 back.

22 UNIDENTIFIED DETECTIVE: All right, thank you.
23 I'm trying to get everything in this bag.

24 How old are you?

25 DAVID FELDER: 25.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
David Felder on 12/23/2016

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1 DETECTIVE GOLDSTEIN: You look a little older
2 than that. People ever tell you that?

3 DAVID FELDER: Huh-huh.

4 DETECTIVE GOLDSTEIN: You don't look that young.

5 DAVID FELDER: It's my birthday on the 28th.

6 DETECTIVE GOLDSTEIN: You've just been working
7 all your life?

8 DAVID FELDER: Yeah, something like that (laughs)
9 old man soul, yep, yep, yep.

10 My wife about to come up here and get me, or you
11 that all taking me back?

12 UNIDENTIFIED DETECTIVE: I'm not sure, okay.

13 You need to ask him.

14 (Unidentified Detective speaking to unknown
15 male.)

16 He's here at the office, cause I'm at the office,
17 Barry told me to ---

18 UNIDENTIFIED MALE: (Inaudible.)

19 UNIDENTIFIED DETECTIVE: Find out where
20 (inaudible) is and give him something else.

21 Barry told me that --- do the search warrant
22 here, that's why we're here.

23 UNIDENTIFIED MALE: (Inaudible.)

24 UNIDENTIFIED DETECTIVE: He's not here.

25 UNIDENTIFIED MALE: (Inaudible).

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 UNIDENTIFIED DETECTIVE: All right, okay. I was
2 just --- trying to save you some trouble.

3 UNIDENTIFIED MALE: (Inaudible.)

4 UNIDENTIFIED DETECTIVE: Okay, I'll call him.

5 UNIDENTIFIED MALE: Okay.

6 UNIDENTIFIED DETECTIVE: Thanks.

7 (Unidentified Detective ends conversation with
8 unidentified male.)

9 UNIDENTIFIED DETECTIVE: So you're thinking about
10 moving to Cordesville?

11 DAVID FELDER: (Nods affirmatively) Um, I'm
12 probably --- probably going to go out there.

13 UNIDENTIFIED DETECTIVE: I'm trying to think
14 where that is.

15 DAVID FELDER: It's a little down (inaudible).

16 UNIDENTIFIED DETECTIVE: Moncks Corner, I'm
17 familiar with Goose Creek and Moncks Corner.

18 DAVID FELDER: That's right, Moncks Corner area
19 (inaudible).

20 UNIDENTIFIED DETECTIVE: Moncks Corner?

21 DAVID FELDER: Yeah.

22 UNIDENTIFIED DETECTIVE: Okay.

23 (Detective Goldstein speaking to unidentified
24 male). Okay.

25 UNIDENTIFIED DETECTIVE: Okay. He's already

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 here, isn't he?

2 DETECTIVE GOLDSTEIN: Yeah, okay.

3 Okay, I'm going to walk out to my trunk. I'm
4 going to take a buccal swab, I'll be right back.

5 UNIDENTIFIED DETECTIVE: I've got those materials
6 in my car.

7 DETECTIVE GOLDSTEIN: No, I got it.

8 UNIDENTIFIED DETECTIVE: Okay.

9 DAVID FELDER: This is crazy.

10 UNIDENTIFIED DETECTIVE: How long have you lived
11 right there?

12 DAVID FELDER: Where, last spot I lived?

13 UNIDENTIFIED DETECTIVE: Huh-huh.

14 DAVID FELDER: Not too long, I just have moved
15 to, help my Uncle Wayne. He had his lights and stuff cut
16 off, so I just step in and help him with the bills a little
17 bit since we was working on the boat together.

18 UNIDENTIFIED DETECTIVE: Where do you keep your
19 boat at?

20 DAVID FELDER: Right there at Shem Creek.

21 UNIDENTIFIED DETECTIVE: What's the name of it?

22 DAVID FELDER: Shem Creek.

23 UNIDENTIFIED DETECTIVE: The boat?

24 DAVID FELDER: Uh, that's Magwood, I ain't know
25 if that's Magwood's boat or what.

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1 UNIDENTIFIED DETECTIVE: Magwood what?

2 DAVID FELDER: I think that's Captain Magwood
3 boat.

4 UNIDENTIFIED DETECTIVE: Oh, you know the name of
5 the boat?

6 DAVID FELDER: I think it's Magwood.

7 UNIDENTIFIED DETECTIVE: The boat's just called
8 Magwood?

9 DAVID FELDER: Yeah, I think so. I ain't know,
10 or the Seahorse, I think we're riding with Seahorse, big
11 old blue one.

12 UNIDENTIFIED DETECTIVE: Huh-huh.

13 DAVID FELDER: Yeah.

14 You all been out?

15 DAVID FELDER: Ain't been out lately, the shrimp
16 they ain't been doing too much lately, you know?

17 They ain't doing too much, ain't been doing too
18 much lately.

19 I've been mostly buying my shrimp from the um,
20 Captain Magwood.

21 UNIDENTIFIED DETECTIVE: (Laughs) You're a
22 shrimper and you buy shrimp?

23 DAVID FELDER: Yeah ---

24 UNIDENTIFIED DETECTIVE: That's kind of --- that's
25 kind of backwards, isn't it?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: Yeah, especially if they ain't
2 catching no shrimp out there, everybody buy shrimp from the
3 docks from the people who catching the shrimp.

4 UNIDENTIFIED DETECTIVE: Okay.

5 DAVID FELDER: Yeah.

6 Someday you have a good day, if not, then you buy
7 some shrimp from the next shrimpers.

8 UNIDENTIFIED DETECTIVE: So do you shrimp every
9 day?

10 DAVID FELDER: No, kind of not every day, you
11 can't go out there every day.

12 UNIDENTIFIED DETECTIVE: No, and you landscape?

13 DAVID FELDER: Yeah, do a little landscaping here
14 and there.

15 UNIDENTIFIED DETECTIVE: What kind of landscaping
16 do you do?

17 DAVID FELDER: Cut grass, rake leaves, blow the
18 leaves.

19 UNIDENTIFIED DETECTIVE: Where do you keep all
20 that equipment?

21 DAVID FELDER: At my grandma house.

22 UNIDENTIFIED DETECTIVE: Not at your --- not at
23 your own house?

24 DAVID FELDER: No, like I said I be --- I'm mean
25 if my grandma house, I leave my stuff there all the time --

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1 - UNIDENTIFIED DETECTIVE: (Interrupts) I
2 didn't see much grass cutting equipment over there.

3 DAVID FELDER: Where, at the house?

4 UNIDENTIFIED DETECTIVE: Where you live, yeah.

5 DAVID FELDER: Well, I got my little (inaudible)
6 and my blows.

7 UNIDENTIFIED DETECTIVE: Where did you keeping
8 them, I didn't see them.

9 DAVID FELDER: You didn't see 'em?

10 UNIDENTIFIED DETECTIVE: No.

11 DAVID FELDER: (Laughing.)

12 UNIDENTIFIED DETECTIVE: I chase --- I chase down
13 stolen lawnmowers and blowers and stuff, that's what I do.

14 I'd have seen all that stuff if I had saw it, but
15 I didn't see any of it over there.

16 DETECTIVE GOLDSTEIN: David, let me ask you a
17 question.

18 DAVID FELDER: What's that there, boss man?

19 DETECTIVE GOLDSTEIN: We're investigating this
20 incident that took place down there at (interruption) at
21 East Colpat and East Owens.

22 DAVID FELDER: Huh-huh.

23 DETECTIVE GOLDSTEIN: There was a burglary to a
24 house and the guy got shot in there.

25 Are you aware of that?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
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1 DAVID FELDER: I heard about it.

2 DETECTIVE GOLDSTEIN: Heard about it, okay.

3 DAVID FELDER: Huh-huh.

4 DETECTIVE GOLDSTEIN: And as I said, to clear,

5 we're trying to do as much as we can do to clear you.

6 Would you consent to a buccal swab?

7 DAVID FELDER: I don't know who that is?

8 DETECTIVE GOLDSTEIN: A buccal swab is just for

9 DNA.

10 Were you in the man --- have you ever been in

11 that man's house.

12 I tell you the guy's name, the guy's name is

13 Pritchard?

14 DAVID FELDER: Pritchard?

15 DETECTIVE GOLDSTEIN: Yeah.

16 DAVID FELDER: Don't know who that is.

17 DETECTIVE GOLDSTEIN: John Pritchard.

18 DAVID FELDER: I have no idea.

19 DETECTIVE GOLDSTEIN: You don't know who that guy

20 is?

21 DAVID FELDER: I heard a crew from East Colpat, I

22 know a lot of people in the area, but I don't ---

23 DETECTIVE GOLDSTEIN: Sure.

24 Well, have you ever been in that guy's house?

25 DAVID FELDER: I don't know who that guy is.

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1 DETECTIVE GOLDSTEIN: Then your DNA shouldn't
2 show up in there.

3 DAVID FELDER: No.

4 DETECTIVE GOLDSTEIN: Okay.

5 So would you consent to be ---

6 DAVID FELDER: (Interrupts) It don't matter ---
7 (inaudible) --- get it in.

8 DETECTIVE GOLDSTEIN: Let's get it done.

9 DAVID FELDER: Yes, sir.

10 DETECTIVE GOLDSTEIN: Michael, go get me one of
11 those little boxes, did I bring it in?

12 DETECTIVE THOMPSON: No.

13 I'll be right back.

14 DETECTIVE GOLDSTEIN: Thank you, sir.

15 (Unidentified Detective exits room.)

16 (Unidentified Detective reenters room.)

17 DAVID FELDER: I hope I don't miss these festival
18 lights, boss man ---

19 DETECTIVE GOLDSTEIN: Why not?

20 DAVID FELDER: Shit, if I miss these festival
21 lights (inaudible) supposed to --- my wife gonna kill me,
22 cuz ---

23 DETECTIVE GOLDSTEIN: Was that your wife out
24 there earlier?

25 DAVID FELDER: (Inaudible) --- yeah.

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1 DETECTIVE GOLDSTEIN: Well, they're going every
2 night, the Festival of Lights.

3 DAVID FELDER: The Festival of Lights?

4 DETECTIVE GOLDSTEIN: Yeah.

5 DAVID FELDER: Yeah, they're going every night,
6 but this was a date night.

7 DETECTIVE GOLDSTEIN: Oh, a date night?

8 DAVID FELDER: Yeah, something like that. Just
9 something like that, it was planned ---

10 DETECTIVE GOLDSTEIN: Well, she'll understand.
11 She'll have to understand.

12 DAVID FELDER: Huh-huh.

13 DETECTIVE GOLDSTEIN: I tried to explain it to
14 her, but I see she's --- short tempered.

15 (Detective Goldstein and unidentified officer
16 speaking.)

17 DETECTIVE THOMPSON: You got the swab, the gloves
18 and the envelope, right?

19 DETECTIVE GOLDSTEIN: Yep, yep, yep, yep.

20 Okay, here we go.

21 DETECTIVE THOMPSON: I'll pull this out for you.

22 Let me get him ready first cause it has to go in

23 ---

24 DETECTIVE GOLDSTEIN: They can go in together.

25 We'll only use once. Where's the box?

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1 DETECTIVE THOMPSON: Are you sure?
2 DETECTIVE GOLDSTEIN: Yeah, okay.
3 Let me get the box ready, cause you can't write
4 on it, so we'll have to write on it afterwards.
5 Date of birth, David?
6 DAVID FELDER: [REDACTED].
7 DETECTIVE THOMPSON: Today's the 23rd, right?
8 DETECTIVE GOLDSTEIN: Yes.
9 DETECTIVE THOMPSON: 6, 7 --- 18, 1750.
10 UNIDENTIFIED OFFICER: Every time I come
11 (telephone rings) in and get you, coming to get you.
12 UNIDENTIFIED DETECTIVE: That's my brother, I
13 have to turn this off.
14 He loves --- he loves Friday, so it's his
15 favorite movie, the older he gets, he acts like Mr. Jones
16 cause he complains about his kids eating all his food and
17 everything.
18 I said that's a good ringtone for you.
19 DETECTIVE GOLDSTEIN: Okay, you ready, sir?
20 DETECTIVE THOMPSON: I'm ready.
21 (All parties speaking/inaudible.)
22 DETECTIVE GOLDSTEIN: You consent, you consent?
23 DETECTIVE THOMPSON: That's right.
24 DETECTIVE GOLDSTEIN: Come on, hold ---
25 DAVID FELDER: On my throat?

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1 UNIDENTIFIED DETECTIVE: No, no.
2 Just inside your cheek, he's just going to rub
3 inside your cheek.
4 DAVID FELDER: You hit my tonsil just now
5 (laughing).
6 DETECTIVE THOMPSON: It's like a baby daddy test.
7 DAVID FELDER: Huh-huh.
8 DETECTIVE GOLDSTEIN: All right. You consented
9 to that, right?
10 DAVID FELDER: Yes, sir.
11 DETECTIVE GOLDSTEIN: All right.
12 DAVID FELDER: You hit my tonsil.
13 DETECTIVE THOMPSON: What's that guy's name
14 again, I want to say, Richard Pritchard?
15 DAVID FELDER: I don't know.
16 DETECTIVE THOMPSON: Richard --- Pritchard, John,
17 I think.
18 DETECTIVE THOMPSON: John, I think.
19 All right. Second box, I remember what the
20 number on that.
21 DAVID FELDER: This say they matching my
22 description.
23 DETECTIVE THOMPSON: No, no.
24 He's talking about something else.
25 DAVID FELDER: Say you got wrong guy, dude ---

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1 DETECTIVE THOMPSON: I don't know what he's
2 talking about.

3 DAVID FELDER: Oh, man.

4 DETECTIVE THOMPSON: Just relax, you're doing
5 good so far.

6 It says the 23rd day of December that on the 16
7 that, 17, 18 --- case number --- okay.

8 This is for the consent, just initial each one of
9 those and sign right there (indicating).

10 (David Felder complies.)

11 DETECTIVE THOMPSON: I'll sign as your witness.
12 Now, you gave consent for that, right?

13 DAVID FELDER: I reckon I haven't told the both
14 of you ---

15 DETECTIVE THOMPSON: No, man, I mean you had a
16 choice.

17 You understand, right?

18 DAVID FELDER: Yeah, but that's ---

19 DETECTIVE THOMPSON: You gave a consent.

20 I mean you understand, you understand we're
21 trying to --- we're trying to ---

22 DAVID FELDER: Yes, I understand.

23 DETECTIVE THOMPSON: --- trying to figure out
24 what happened and, you know, rule you out, you know, and
25 just, and then just --- if you didn't have nothing to do

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1 with it, then this will go towards figuring out whether you
2 had anything to do with it or not.

3 DAVID FELDER: I know I ain't got nothing to do
4 with it.

5 DETECTIVE THOMPSON: Sure, sure.

6 So did you understand all this?

7 DAVID FELDER: Yes.

8 DETECTIVE THOMPSON: Okay, okay, all right, all
9 right.

10 So anyway, sir, let's deal with this table, it's
11 all fucked up back there, like it spins like an ottoman of
12 something, or Lazy Susan.

13 So you shrimp, but you don't shrimp every day?

14 DAVID FELDER: No, not every day.

15 I'm trying to figure out, I'm ready to get this
16 over with.

17 DETECTIVE THOMPSON: Yeah, he'll come back in a
18 minute.

19 DAVID FELDER: Yeah, I'm trying to get this shit
20 over with.

21 DETECTIVE THOMPSON: I am too.

22 DAVID FELDER: Cause I got --- I got ---

23 DETECTIVE THOMPSON: I know.

24 So did you --- you all ain't caught no shrimp, so
25 you all buy shrimp?

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1 DAVID FELDER: Yeah, I buy shrimp.

2 DETECTIVE THOMPSON: Well, why do you buy the
3 shrimp?

4 DAVID FELDER: To sell.

5 DETECTIVE THOMPSON: So you're a shrimper, but
6 you don't catch any shrimp, you buy shrimp and then sell
7 it?

8 DAVID FELDER: If you don't catch no shrimp, you
9 buy 'em from the next shrimper.

10 DETECTIVE THOMPSON: You're like a shrimp
11 salesman, not a shrimp catcher man?

12 DAVID FELDER: No, I catch 'em.

13 Somedays you have good days, somedays you don't.

14 DETECTIVE THOMPSON: Huh.

15 DAVID FELDER: If I catch 'em, if I don't catch
16 'em, then we'll buy it 'em from the next man for like \$1.50
17 a pound and sell 'em for like \$4.50 a pound.

18 DETECTIVE THOMPSON: Okay.

19 So it's a variation of shrimp, and not actually
20 out in the ocean catching the shrimp ---

21 DAVID FELDER: No, it's really out there in the
22 ocean catching ---

23 DETECTIVE THOMPSON: But how often do you do
24 that?

25 DAVID FELDER: Big, old, long, dragging for

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1 hours.

2 DETECTIVE THOMPSON: Yeah?

3 DAVID FELDER: Dragging for hours, don't come
4 back in till about 5:00 or 6:00.

5 DETECTIVE GOLDSTEIN: (Laughs.)

6 DAVID FELDER: Yes, long.

7 DETECTIVE GOLDSTEIN: Okay.

8 DAVID FELDER: All right.

9 What's the ---

10 DETECTIVE GOLDSTEIN: Okay.

11 Let's get started, let's get started.

12 DAVID FELDER: All right.

13 DETECTIVE GOLDSTEIN: You said you had court
14 today?

15 DAVID FELDER: I went --- I went to go to Court
16 today.

17 DETECTIVE GOLDSTEIN: All right.

18 And what happened there?

19 DAVID FELDER: It was a turnaround.

20 DETECTIVE GOLDSTEIN: What happened?

21 DAVID FELDER: I got to go meet with Mr. James
22 Smiley on the 2nd of January.

23 DETECTIVE GOLDSTEIN: Okay.

24 So did you make it to Court today?

25 DAVID FELDER: No, I made it to court, but my

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1 name wasn't on the roster.

2 DETECTIVE GOLDSTEIN: I see, okay.

3 So which court did you go to today?

4 DAVID FELDER: To Saint George.

5 DETECTIVE GOLDSTEIN: Saint George?

6 DAVID FELDER: Yes, sir.

7 DETECTIVE GOLDSTEIN: Is that General Sessions
8 Court or ---

9 DAVID FELDER: I don't have no idea.

10 I was just supposed to go meet with my attorney.

11 DETECTIVE GOLDSTEIN: What are the charges?

12 DAVID FELDER: I was supposed to go meet with my
13 attorney.

14 DETECTIVE GOLDSTEIN: And who's your attorney?

15 DAVID FELDER: James Smiley.

16 DETECTIVE GOLDSTEIN: All right.

17 And that's on a different --- that's on something
18 outstanding right?

19 DAVID FELDER: Yeah.

20 DETECTIVE GOLDSTEIN: Okay.

21 Did you meet with Mr. Smiley (sic) at Saint
22 George?

23 DAVID FELDER: Didn't --- didn't meet with him
24 today cause he is out of town for, I guess, Christmas or
25 something with him.

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1 DAVID FELDER: Okay.
2 So we gotta meet January 2nd.
3 DETECTIVE GOLDSTEIN: Okay.
4 Did you make it to Saint George?
5 DAVID FELDER: I made it up to Saint George, yes.
6 DETECTIVE GOLDSTEIN: To the courthouse?
7 DAVID FELDER: It was supposed to be at 1:00
8 o'clock.
9 DETECTIVE GOLDSTEIN: 1:00 o'clock?
10 DAVID FELDER: Huh-huh.
11 DETECTIVE GOLDSTEIN: All right.
12 So you went there at 1:00 o'clock ---
13 DAVID FELDER: Huh-huh.
14 DETECTIVE GOLDSTEIN: --- and what happened at
15 1:00 o'clock?
16 DAVID FELDER: My old lady called and he said he
17 would schedule it, so and so. So we turned around and been
18 to the country.
19 DETECTIVE GOLDSTEIN: I see.
20 Did you go inside the courthouse?
21 DAVID FELDER: No, didn't went in the courthouse.
22 DETECTIVE GOLDSTEIN: You were in the parking
23 lot?
24 DAVID FELDER: Yes, I went over there.
25 DETECTIVE GOLDSTEIN: Where did you park?

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1 DAVID FELDER: I don't know where I park at.

2 I wasn't driving.

3 DETECTIVE GOLDSTEIN: I know, but front of the
4 building, back of the building, side of the building ---

5 DAVID FELDER: Ah, I don't know, side of the ---

6 DETECTIVE GOLDSTEIN: Was the courthouse open
7 today?

8 DAVID FELDER: Is the courthouse open?

9 I have no idea. We got in the parking lot, she
10 called and he said to reschedule so and so till January
11 2nd.

12 DETECTIVE GOLDSTEIN: Who did she talk to, Jim
13 Smiley or somebody else?

14 DAVID FELDER: James Smiley.

15 DETECTIVE GOLDSTEIN: Okay.

16 DAVID FELDER: Mr. James Smiley.

17 DETECTIVE GOLDSTEIN: Okay. You know his number?

18 DAVID FELDER: No.

19 DETECTIVE GOLDSTEIN: Okay.

20 So she --- so your wife spoke to James Smiley?

21 DAVID FELDER: Yes, sir.

22 DETECTIVE GOLDSTEIN: All right.

23 And it's rescheduled.

24 DETECTIVE THOMPSON: He told you he was out of
25 town or something?

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1 DAVID FELDER: I don't know.
2 She talked to him.
3 DETECTIVE THOMPSON: All right.
4 DETECTIVE GOLDSTEIN: All right.
5 So where did you go then?
6 DAVID FELDER: To the country, got the ---
7 DETECTIVE GOLDSTEIN: (Interrupts) All right.
8 What time --- what time were you up there?
9 DAVID FELDER: I was supposed to be at the
10 courthouse at 1:00 o'clock today, so ---
11 DETECTIVE GOLDSTEIN: So what time were you
12 there?
13 DAVID FELDER: --- after --- I made it there
14 around 1:00, but we turned around cause he --- cause we had
15 --- so we went to Cordesville to go ---
16 DETECTIVE GOLDSTEIN: Huh-huh.
17 DAVID FELDER: --- talk to my landlord about the
18 key in the trailer.
19 DETECTIVE GOLDSTEIN: Sure.
20 DAVID FELDER: In Cordesville.
21 DETECTIVE GOLDSTEIN: All right.
22 So you go to Cordesville after that?
23 DAVID FELDER: Yes, sir.
24 DAVID FELDER: What address did you go to in
25 Cordesville?

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1 DAVID FELDER: I have no idea. I have no idea
2 boss man.
3 After --- I don't even know what the address like
4 that. It's a trailer that's getting remodeled. I got to
5 remodel it all and the landlord supposed to be paying me
6 \$12.00 an hour to knock my rent off ---
7 DETECTIVE GOLDSTEIN: Sure.
8 DAVID FELDER: --- with the deposit,
9 It was a ---
10 DETECTIVE GOLDSTEIN: And did you --- so who did
11 you talk to at the house?
12 DAVID FELDER: What house?
13 DETECTIVE GOLDSTEIN: Whatever house you went to
14 in Cordesville?
15 DAVID FELDER: That supposed to be my house.
16 DETECTIVE GOLDSTEIN: That's your house?
17 DAVID FELDER: Huh-huh.
18 The landlord had a stroke, so we just went to go
19 do a walk through.
20 DETECTIVE GOLDSTEIN: Walk through, all right.
21 Was the landlord there?
22 DAVID FELDER: No, sir.
23 DETECTIVE GOLDSTEIN: So it was just you and your
24 wife?
25 DAVID FELDER: Me and my wife and her friend.

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1 DETECTIVE GOLDSTEIN: All right.
2 So it's your wife, her friend ---
3 DAVID FELDER: And me.
4 DETECTIVE GOLDSTEIN: What's her friend's name?
5 DAVID FELDER: Sharon.
6 DETECTIVE GOLDSTEIN: Sharon.
7 And what's your wife's name?
8 DAVID FELDER: Carrie.
9 DETECTIVE GOLDSTEIN: Carrie, all right.
10 So you did your walk through, right?
11 DAVID FELDER: Yeah, did a little walk through.
12 DETECTIVE GOLDSTEIN: All right.
13 Where did you go then?
14 DAVID FELDER: When we left there, I think we
15 came straight toward Lincolnville.
16 DETECTIVE GOLDSTEIN: What ---
17 DAVID FELDER: --- little place called
18 Lincolnville, little place we call Lincolnville.
19 DETECTIVE GOLDSTEIN: Okay.
20 DAVID FELDER: I already had got the phone call,
21 I already --- I already get a phone call to say hey,
22 there's a bunch of police in Lincolnville, whatever ---
23 DETECTIVE GOLDSTEIN: Sure.
24 DAVID FELDER: --- you know what I mean?
25 I mean yeah, I already get the phone call, you

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1 know, cause it right in front of my aunt house.

2 DETECTIVE GOLDSTEIN: Yes, sir.

3 DAVID FELDER: My Uncle Wayne's sister house,
4 right off of East Colpat.

5 Yeah, so I got a phone call, hey, the police is
6 over here, so and so. So we were like ---

7 DETECTIVE GOLDSTEIN: You uncle --- what's your
8 uncle's name?

9 DAVID FELDER: My Uncle Wayne, my Uncle Wayne.
10 So ---

11 DETECTIVE GOLDSTEIN: Where does he live on East
12 Colpat?

13 DAVID FELDER: He don't stay on East Colpat, he
14 stay with me.

15 DETECTIVE GOLDSTEIN: He stays with you?

16 DAVID FELDER: Yeah.

17 DETECTIVE THOMPSON: What's his last name?

18 DAVID FELDER: Pye.

19 DETECTIVE THOMPSON: How do you spell that?

20 DAVID FELDER: P-Y-E.

21 DETECTIVE GOLDSTEIN: Yeah.

22 DAVID FELDER: P-Y-E.

23 Yeah, we headed toward Lincolnville way. I came,
24 turn on Brenda-B, came, pull in the yard, crank a little
25 beer or so.

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1 That's when you came, guys came flying down the
2 road.
3 DETECTIVE GOLDSTEIN: Okay, all right.
4 Do you know John Pritchard?
5 DAVID FELDER: No, sir.
6 DETECTIVE GOLDSTEIN: Don't know him?
7 DAVID FELDER: Nope.
8 DETECTIVE GOLDSTEIN: Okay.
9 Do you own a gun?
10 DAVID FELDER: No, sir.
11 DETECTIVE GOLDSTEIN: Did you fire a gun today?
12 DAVID FELDER: No, sir.
13 DETECTIVE GOLDSTEIN: Okay.
14 Have you ever been in a house at the corner of
15 East Colpat and East Owens Street?
16 DAVID FELDER: No, sir.
17 DETECTIVE GOLDSTEIN: Okay, all right.
18 Do you have a cell phone?
19 DAVID FELDER: My cell phone's in the car.
20 DETECTIVE GOLDSTEIN: Oh, it is, it's in your
21 car.
22 Which car?
23 DAVID FELDER: Right --- where we just left.
24 DETECTIVE GOLDSTEIN: There's three cars, take
25 your pick?

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1 DAVID FELDER: My wife car, the car I just been
2 in with it.

3 DETECTIVE THOMPSON: The new Focus?

4 DETECTIVE GOLDSTEIN: Is that your car?

5 DAVID FELDER: No, the green, I mean it's black.

6 DETECTIVE THOMPSON: It's a black Focus?

7 DAVID FELDER: Yeah.

8 DETECTIVE THOMPSON: Okay.

9 DETECTIVE GOLDSTEIN: What's your phone number?

10 DAVID FELDER: My phone number's 707-5900.

11 DETECTIVE GOLDSTEIN: What is it?

12 DAVID FELDER: 707-5900.

13 DETECTIVE GOLDSTEIN: 843?

14 DAVID FELDER: Yes, sir.

15 DETECTIVE GOLDSTEIN: What kind of phone is it?

16 DAVID FELDER: It's an LG, the Boost Mobile.

17 DETECTIVE GOLDSTEIN: Okay, all right.

18 Do you have any other cell phones?

19 DAVID FELDER: No, sir.

20 DETECTIVE GOLDSTEIN: All right.

21 Have you been wearing that outfit all day?

22 DAVID FELDER: Yes, sir.

23 DETECTIVE GOLDSTEIN: When did you put that
24 outfit on?

25 DAVID FELDER: When did I put it on?

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1 I put out for --- tell you the truth like, the
2 day before yesterday is my sister's party ---

3 DETECTIVE GOLDSTEIN: Oh, okay.

4 So you've been wearing it for two days?

5 DAVID FELDER: Hmm --- most say a day and a half.

6 DETECTIVE GOLDSTEIN: Day and a half?

7 DAVID FELDER: Yeah.

8 DETECTIVE GOLDSTEIN: So you had it on today?

9 DAVID FELDER: Yes.

10 DETECTIVE GOLDSTEIN: Okay, all right.

11 Tell you what we're going to do.

12 DAVID FELDER: What you say boss man, talk to me.

13 DETECTIVE GOLDSTEIN: Tell what we're going to
14 do, we're going to get a change of clothes because we're
15 going to take those clothes and we're going to have them
16 examined for gunpowder. You're going to get your clothes
17 back either way.

18 DAVID FELDER: Yeah.

19 DETECTIVE GOLDSTEIN: But again, just like I told
20 you with the gunshot residue and the DNA, I want to make
21 sure there's no gunshot residue on there.

22 DAVID FELDER: All right.

23 DETECTIVE GOLDSTEIN: You okay with that?

24 DAVID FELDER: Yes, sir.

25 DETECTIVE GOLDSTEIN: We got a change of clothes

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1 here.

2 I'll give you a receipt which will cover for it,
3 because it's very expensive clothing you have.

4 DAVID FELDER: Yes, sir.

5 DETECTIVE GOLDSTEIN: Michael Jordan's.

6 DAVID FELDER: Yes, sir.

7 DETECTIVE THOMPSON: The clothes that we're going
8 to give you is, it's actually a jumpsuit ---

9 DAVID FELDER: I don't ---

10 DETECTIVE THOMPSON: It's a jumpsuit from the
11 jail, so you probably want to give it back to me as soon as
12 you get home.

13 DETECTIVE GOLDSTEIN: What is it, the cloth one?

14 DETECTIVE THOMPSON: Yeah, it's the newest ---
15 stripes now ---

16 DETECTIVE GOLDSTEIN: Oh okay, all right. All
17 right.

18 Well let's change that out, let's get some bags.

19 DETECTIVE THOMPSON: Okay.

20 DAVID FELDER: Hey, but --- cause I ain't got ---
21 I'm not wearing no orange suit or nothing, right?

22 DETECTIVE THOMPSON: It's black and white
23 stripes.

24 DAVID FELDER: Oh --- shit ---

25 DETECTIVE THOMPSON: When you get home, you can

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1 change it and give it back to me.

2 DAVID FELDER: All right.

3 DETECTIVE GOLDSTEIN: Just leave it all right
4 here (indicating).

5 DAVID FELDER: All right.

6 DETECTIVE GOLDSTEIN: Just leave it here
7 (indicating).

8 Just leave it all on for now.

9 DAVID FELDER: Damn, I can't --- I'll help you
10 all get to the bottom of this, cause I be in that area
11 sometime ---

12 DETECTIVE GOLDSTEIN: Sure.

13 DAVID FELDER: --- yeah, that's why I say, you
14 guys got a card or something, let me know something, cause,
15 you know, you know how people talk.

16 DETECTIVE GOLDSTEIN: Sure.

17 DAVID FELDER: People talk, yes, sir.

18 I ain't got no problem with it, you know, I mean
19 --- hmm, hmm.

20 And I hope you ain't ---

21 DETECTIVE GOLDSTEIN: What's the matter?

22 DAVID FELDER: My damn dog.

23 I hope my damn dog ain't fucking ---

24 DETECTIVE GOLDSTEIN: What kind of dog was that?

25 DAVID FELDER: American Stafford, American

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1 Stafford.

2 DETECTIVE THOMPSON: What size shoe do you wear,
3 David?

4 DAVID FELDER: Oh ---

5 DETECTIVE THOMPSON: These are all I have, so ---

6 DAVID FELDER: I don't want no shoe, I don't want
7 --- I ain't gonna take ---

8 DETECTIVE THOMPSON: (Interrupts) I'm not going
9 take you --- I'm not going make you walk barefoot, I mean -
10 --

11 DETECTIVE GOLDSTEIN: All right. Let's go
12 through your paper bags, okay? Paper bags, let's go.

13 (David Felder removes clothing, and shoes.)

14 DAVID FELDER: You want this black shirt right
15 here too?

16 DETECTIVE GOLDSTEIN: (Inaudible) Yeah.

17 DAVID FELDER: Drawers and all?

18 DETECTIVE GOLDSTEIN: No, no, no.

19 Just the outer garments.

20 (Detectives speaking to unidentified persons.)

21 DAVID FELDER: You gonna get that jumper over
22 there for me?

23 DETECTIVE GOLDSTEIN: Yeah.

24 Here you go.

25 (Detective speaking to unidentified persons.)

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1 DETECTIVE GOLDSTEIN: Let's go, yeah, bring ---
2 about 15 of them.

3 UNIDENTIFIED PERSON: All right.

4 DETECTIVE GOLDSTEIN: You want a little bag for
5 that?

6 DAVID FELDER: Little bag?

7 DETECTIVE GOLDSTEIN: Yeah, so you don't forget
8 it.

9 DAVID FELDER: I ain't gonna forget it, boss man.

10 DETECTIVE GOLDSTEIN: Okay.

11 How much you got there?

12 DAVID FELDER: Oh, supposed to be a hundred and
13 fifty bucks.

14 DETECTIVE GOLDSTEIN: Oh that's right.

15 You cashed your check?

16 DAVID FELDER: No, we don't get checks.

17 DETECTIVE GOLDSTEIN: You don't get checks,
18 everything's cash?

19 DAVID FELDER: Yeah, they don't do no check,
20 they're Vietnamese people.

21 They don't do checks.

22 DETECTIVE GOLDSTEIN: What, you work for
23 Vietnamese on the boat?

24 DAVID FELDER: Yeah, they --- lots of them
25 people.

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1 DETECTIVE GOLDSTEIN: Really, what?

2 DAVID FELDER: I don't --- and they steady coming
3 in, beating 'em, with lots of 'em.

4 DETECTIVE GOLDSTEIN: To work, to run the boat?

5 DAVID FELDER: Yeah, they working. They make ---
6 their wives, they --- they own, like they get in the salons
7 ---

8 DETECTIVE GOLDSTEIN: Yeah.

9 DAVID FELDER: Like they going crazy, they got
10 lots, lots and lots and lots of 'em, you know?

11 DETECTIVE GOLDSTEIN: I'll hand them to you one
12 at a time (indicating).

13 Is that all you had back there?

14 DETECTIVE THOMPSON: I tipped --- everything's
15 stacked, lot easier for us --- (paper rustling/inaudible) -
16 --

17 (Detective placing clothing in bag for David
18 Felder.)

19 DETECTIVE GOLDSTEIN: Just enough.

20 DETECTIVE THOMPSON: That's the only ones we
21 have.

22 DETECTIVE GOLDSTEIN: Here you go, sir.

23 Let me tear up these socks.

24 DETECTIVE THOMPSON: Just to make them work.

25 DETECTIVE GOLDSTEIN: All right.

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1 Let me --- what's your criminal record, sir?

2 DAVID FELDER: Umm, I got a marijuana charge, I

3 got a gun charge.

4 DETECTIVE GOLDSTEIN: Huh-huh.

5 You've been convicted of a gun charge, cause you

6 said you couldn't possess a gun, right?

7 DAVID FELDER: Yeah.

8 DETECTIVE GOLDSTEIN: Okay.

9 And what else you got?

10 DAVID FELDER: That's it.

11 DETECTIVE GOLDSTEIN: That's it?

12 DAVID FELDER: I went --- my recent charge was a

13 crack cocaine charge.

14 DETECTIVE GOLDSTEIN: And that's what's

15 outstanding?

16 DAVID FELDER: That's what I'm on probation for

17 and stuff, but that's rare.

18 DETECTIVE GOLDSTEIN: Yeah, okay, all right.

19 DAVID FELDER: Yep.

20 I got to go to court January 9th and I got to

21 meet with Mr. James Smiley on the 2nd.

22 DETECTIVE GOLDSTEIN: Right, right.

23 DAVID FELDER: Huh-huh.

24 DETECTIVE GOLDSTEIN: Okay.

25 Well, the shooting incident, I'm not going to go

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1 into the details of it with you, because it's still in the
2 investigative stages.

3 There's no sense ---

4 DAVID FELDER: Having a black guy with dreads,
5 obviously ---

6 DETECTIVE GOLDSTEIN: Well that's a good start,
7 that's a good start, black guy with dreads.

8 DAVID FELDER: That ain't me ---

9 DETECTIVE GOLDSTEIN: Yeah.

10 DAVID FELDER: Really (laughing).

11 DETECTIVE GOLDSTEIN: Yeah.

12 DAVID FELDER: Really?

13 DETECTIVE GOLDSTEIN: Yeah.

14 DAVID FELDER: But I wasn't ---

15 DETECTIVE GOLDSTEIN: Right, it wasn't you?

16 DAVID FELDER: No, it wasn't me.

17 DETECTIVE GOLDSTEIN: Yeah.

18 DAVID FELDER: No, sir, not at all.

19 DETECTIVE GOLDSTEIN: Okay.

20 And all right and what are we going to find at
21 your house?

22 Are we going to find any weapons over there,
23 guns?

24 DAVID FELDER: Hmm --- no, shouldn't find, no.

25 DETECTIVE GOLDSTEIN: There are no guns over

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1 there?

2 DAVID FELDER: You shouldn't find no guns over

3 there.

4 DETECTIVE GOLDSTEIN: Okay, all right.

5 And do you own a gun?

6 DAVID FELDER: No, sir.

7 DETECTIVE GOLDSTEIN: Okay.

8 DAVID FELDER: Nope.

9 DETECTIVE GOLDSTEIN: And the cell phone number

10 that you gave me, this 707, that's the only phone you

11 possess, huh?

12 DAVID FELDER: Yeah, that's my number.

13 DETECTIVE GOLDSTEIN: That's your number?

14 DAVID FELDER: Huh-huh.

15 DETECTIVE GOLDSTEIN: All right.

16 DETECTIVE THOMPSON: Any large amounts of money?

17 DAVID FELDER: What that?

18 DETECTIVE THOMPSON: Any large amounts of money?

19 DAVID FELDER: What about that?

20 DETECTIVE THOMPSON: Do you have any large

21 amounts of money?

22 DAVID FELDER: No, uh-uh.

23 DETECTIVE GOLDSTEIN: You got a nickname?

24 DAVID FELDER: No, sir.

25 DETECTIVE GOLDSTEIN: No nickname.

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1 What do they call you?
2 DAVID FELDER: Dave.
3 DETECTIVE GOLDSTEIN: Dave?
4 DAVID FELDER: Yes, sir.
5 DETECTIVE GOLDSTEIN: That's what I asked, that's
6 your name.
7 DAVID FELDER: Huh-huh.
8 DETECTIVE THOMPSON: You don't have a middle
9 name?
10 DAVID FELDER: No.
11 DETECTIVE THOMPSON: How about if we run this
12 positive I.D., if you want, so we can look at that before
13 we leave, so we just make sure we got everything.
14 DETECTIVE GOLDSTEIN: Let's --- yeah, yeah, do
15 that.
16 DETECTIVE THOMPSON: Okay.
17 DAVID FELDER: I just got a brand new I.D.
18 DETECTIVE THOMPSON: Do you know the number?
19 DAVID FELDER: No.
20 DETECTIVE THOMPSON: Okay.
21 I'll just run it by your date of birth.
22 DETECTIVE GOLDSTEIN: Yeah.
23 DETECTIVE THOMPSON: What's your --- tell me
24 again, I know it's 1990?
25 DAVID FELDER: [REDACTED].

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1 DETECTIVE THOMPSON: Okay.

2 DETECTIVE GOLDSTEIN: Go ahead and do that and
3 (paper rustling).

4 DETECTIVE GOLDSTEIN: Do you know what time you
5 left to go to Saint George?

6 DAVID FELDER: It was about 9:00 or something.
7 It was 9:00 something, cause I stayed in a hotel, me and my
8 ex, me and my other girl.

9 DETECTIVE GOLDSTEIN: Yeah, yeah.

10 DAVID FELDER: We stayed out last night.

11 DETECTIVE GOLDSTEIN: What's her name?

12 DAVID FELDER: Misty.

13 DETECTIVE GOLDSTEIN: Misty?

14 DAVID FELDER: Yeah, they fighting with each
15 other right now.

16 DETECTIVE GOLDSTEIN: How long were you with her
17 today?

18 DAVID FELDER: Who, Misty?

19 DETECTIVE GOLDSTEIN: Misty.

20 What time did you cut loose from her?

21 DAVID FELDER: Misty dropped me off with my wife
22 about 9:00, I wanna say about 10:00, 10:30.

23 Me and she got together and we shot off to Saint
24 George.

25 DETECTIVE GOLDSTEIN: Okay.

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1 So does Misty and your wife get along?
2 DAVID FELDER: No.
3 DETECTIVE GOLDSTEIN: Oh boy, that shouldn't be.
4 What's Misty's name?
5 DAVID FELDER: Misty.
6 DETECTIVE GOLDSTEIN: You know --- what's her
7 phone number?
8 DAVID FELDER: She just a friend.
9 DETECTIVE GOLDSTEIN: Yeah.
10 What's her phone number?
11 DAVID FELDER: It's in my phone.
12 DETECTIVE GOLDSTEIN: It's in your phone and
13 where's your phone?
14 DAVID FELDER: Old guy got my phone.
15 DETECTIVE GOLDSTEIN: Huh?
16 DAVID FELDER: Old guy got my phone, it's in the
17 car still, I think.
18 DETECTIVE GOLDSTEIN: In the car, okay.
19 All right, Misty.
20 DETECTIVE GOLDSTEIN: All right.
21 Let me ask you this, if we get the --- we find
22 the phone there, are you going to consent for us to look
23 into that phone for Misty's number and anything else that -
24 --
25 DAVID FELDER: I'll go in there and get Misty

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1 number for y'all.

2 DETECTIVE GOLDSTEIN: You'll get it?

3 DAVID FELDER: Yeah.

4 DETECTIVE GOLDSTEIN: Okay, all right.

5 DAVID FELDER: I'll let y'all call her. Y'all
6 can call her up and talk to her.

7 I'm just saying, I don't want them two to be ---

8 DETECTIVE GOLDSTEIN: I'm never going to put them
9 together.

10 DAVID FELDER: Oh, yeah.

11 DETECTIVE GOLDSTEIN: Yeah, I'm a grown man, I
12 know that song.

13 DAVID FELDER: Yeah.

14 DETECTIVE GOLDSTEIN: There's no reason to.

15 DAVID FELDER: Yeah.

16 DETECTIVE GOLDSTEIN: I just want to verify that
17 she dropped you off.

18 Was your wife at home when Misty dropped her
19 (sic) off?

20 DAVID FELDER: I got dropped off over on the
21 corner from home.

22 DETECTIVE GOLDSTEIN: Oh, around the corner, so
23 she doesn't know who --- who you were with?

24 DAVID FELDER: No, Misty, she'll tell you though.

25 DETECTIVE GOLDSTEIN: Okay.

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1 DAVID FELDER: Yeah, she'll tell you.
2 DETECTIVE GOLDSTEIN: Okay.
3 Where's Misty work at?
4 DAVID FELDER: Misty work at MUSC.
5 DETECTIVE GOLDSTEIN: Good job.
6 Whereabouts down there?
7 DAVID FELDER: The Children Care Place, I think.
8 DETECTIVE GOLDSTEIN: Children Care?
9 DAVID FELDER: Children's ---
10 DETECTIVE GOLDSTEIN: Do you know her last name?
11 DAVID FELDER: No, sir.
12 DETECTIVE GOLDSTEIN: Okay.
13 Children's Care.
14 What does she do down there?
15 DAVID FELDER: I have no idea.
16 DETECTIVE GOLDSTEIN: How long you been seeing
17 Misty?
18 DAVID FELDER: For a little while now.
19 DETECTIVE GOLDSTEIN: Yeah.
20 What hotel you stay at?
21 DAVID FELDER: This star one right there by the
22 Tanger Outlet.
23 DETECTIVE GOLDSTEIN: Tanger?
24 Is it Star?
25 DAVID FELDER: I forgot what it's called, Star

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1 something, I think.

2 DETECTIVE GOLDSTEIN: Okay.

3 DAVID FELDER: It's right out there by Tanger.

4 DETECTIVE GOLDSTEIN: Okay.

5 So at about 12:00 or 12:30, you weren't even in
6 Lincolnville, you're telling me?

7 DAVID FELDER: No.

8 Actually we had to check out the hotel room at
9 11:00.

10 DETECTIVE GOLDSTEIN: Okay.

11 DAVID FELDER: So we left.

12 We left and I got dropped off about 11:00, 11:30,
13 something like that.

14 DETECTIVE GOLDSTEIN: And where did she drop you
15 off at?

16 DAVID FELDER: Right there around the corner from
17 my sugar mama, my wife's house.

18 DETECTIVE GOLDSTEIN: Do you remember what
19 street?

20 DAVID FELDER: Sangaree yeah, I got dropped off
21 at Coachmen.

22 DETECTIVE GOLDSTEIN: On where?

23 DAVID FELDER: Coachmen.

24 DETECTIVE GOLDSTEIN: Coachmen?

25 DAVID FELDER: Yeah, around the corner from my

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1 sugar mama house. She stay on (Expressway). That's in
2 Sangaree.

3 DETECTIVE GOLDSTEIN: Okay.

4 That's in Sangaree?

5 DAVID FELDER: Yeah, so I ---

6 DETECTIVE GOLDSTEIN: So how did you get from
7 Sangaree over to Brenda B?

8 DAVID FELDER: My wife.

9 DETECTIVE GOLDSTEIN: Oh, your wife came over to
10 Sangaree and picked you up?

11 DAVID FELDER: No.

12 When I left the hotel room, went straight to
13 Sangaree --- get dropped off around the corner.

14 I jump in the car, my wife, she took me to Saint
15 George with her.

16 DETECTIVE GOLDSTEIN: Okay.

17 So you weren't even in Lincolnville today?

18 DAVID FELDER: No.

19 DETECTIVE GOLDSTEIN: Until late in the day?

20 DAVID FELDER: --- I --- that was my first time
21 coming to Lincolnville when I pulled up ---

22 DETECTIVE GOLDSTEIN: When you pulled up?

23 So you weren't even there at 12:00 o'clock today?

24 DAVID FELDER: No, not at all.

25 DETECTIVE GOLDSTEIN: 1:00 o'clock today?

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1 DAVID FELDER: Not at all, not at all, nope.

2 DETECTIVE GOLDSTEIN: Hmm.

3 So your wife picked you up at Sangaree at about,
4 what time?

5 DAVID FELDER: I got there, I'd say about 11:30.

6 DETECTIVE GOLDSTEIN: Okay.

7 And that's the short --- the short lady that was
8 ---

9 DAVID FELDER: Huh-huh.

10 DETECTIVE GOLDSTEIN: --- that was speaking on
11 behalf of you?

12 What's her name?

13 DAVID FELDER: Carrie.

14 DETECTIVE GOLDSTEIN: Carrie, okay.

15 All right, very good.

16 All right. I'm going to tell you --- do you need
17 a glass of water or something?

18 DAVID FELDER: (No audible response.)

19 DETECTIVE GOLDSTEIN: You need anything?

20 I'll be with you in a few minutes and then we'll
21 get out of here, all right, sir?

22 DAVID FELDER: Yes, sir.

23 DETECTIVE GOLDSTEIN: We're going to give you
24 something to think about.

25 DAVID FELDER: Huh?

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1 DETECTIVE GOLDSTEIN: I'm going to give you
2 something to talk about. Then I'll walk out of here.

3 DAVID FELDER: What's that there?

4 DETECTIVE GOLDSTEIN: Then we'll walk out of
5 here.

6 We had a crime today and we got evidence, that's
7 what we work with cause we're the police and only because I
8 believe in physical evidence.

9 Do you know what physical evidence is?

10 DAVID FELDER: No, sir.

11 DETECTIVE GOLDSTEIN: Physical evidence is things
12 that are tangible and touchable.

13 DAVID FELDER: Right.

14 DETECTIVE GOLDSTEIN: And things like that.
15 Things that I can go to Court with.

16 DAVID FELDER: Huh-huh.

17 DETECTIVE GOLDSTEIN: Not circumstances.

18 I don't work on circumstances and I feel very
19 confident that the information you've given me today is not
20 the whole truth, but I'm not going to sit here and beat you
21 up and go back and forth across this table.

22 DAVID FELDER: Uh --- I'm telling you guys for
23 real ---

24 DETECTIVE GOLDSTEIN: Yeah.

25 I'm going to either clear you or I'm going to

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1 condemn you.

2 DAVID FELDER: My man.

3 DETECTIVE GOLDSTEIN: Okay?

4 DAVID FELDER: That's your job.

5 DETECTIVE GOLDSTEIN: Yeah.

6 DAVID FELDER: It's serious.

7 DETECTIVE GOLDSTEIN: Yeah.

8 If I condemn you ---

9 DAVID FELDER: I hope I'll be clear, cause I know

10 this ---

11 DETECTIVE GOLDSTEIN: Yeah, if I ---

12 DAVID FELDER: --- and I know ---

13 DETECTIVE GOLDSTEIN: --- if I condemn you, it

14 ain't going to be pleasant.

15 DAVID FELDER: I know that's right.

16 DETECTIVE GOLDSTEIN: But it's all done with

17 physical evidence.

18 DAVID FELDER: Right.

19 DETECTIVE GOLDSTEIN: So if something went

20 haywire today for you and any of the above is not the truth

21 ---

22 DAVID FELDER: No.

23 DETECTIVE GOLDSTEIN: --- now is the time for us

24 to put it on the table.

25 DAVID FELDER: No.

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1 My day went --- my day been going good all day
2 long.

3 DETECTIVE GOLDSTEIN: Okay.

4 DAVID FELDER: All day long and I be happy, my
5 attorney said I had to meet with him on ---

6 DETECTIVE GOLDSTEIN: Yes, sir.

7 DAVID FELDER: --- (inaudible).

8 DETECTIVE GOLDSTEIN: Yes, sir, absolutely.

9 DETECTIVE THOMPSON: What is Carrie's name, first
10 and last name?

11 She doesn't --- she's not --- goes by Carrie
12 Felder, does she?

13 DAVID FELDER: No.

14 She's Carrie Watson.

15 DETECTIVE THOMPSON: Carrie Watson?

16 DAVID FELDER: Yes, sir.

17 DETECTIVE THOMPSON: C-A-R-R ---

18 DETECTIVE GOLDSTEIN: I'd say that's you?

19 DAVID FELDER: That's me (laughs).

20 DETECTIVE THOMPSON: What is Carrie's birthday?

21 DAVID FELDER: I have no idea. January 2nd.

22 DETECTIVE THOMPSON: She's your wife.

23 DAVID FELDER: I --- it ain't my wife, wife,
24 wife, no.

25 DETECTIVE THOMPSON: Oh come on, man.

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1 Birthdays, holidays, you don't know her ---
2 DAVID FELDER: I just been explaining to him, the
3 other lady dropped me off to Carrie earlier.
4 DETECTIVE THOMPSON: How old is Carrie?
5 DAVID FELDER: Carrie, I --- I have no idea,
6 picture like 44.
7 DETECTIVE THOMPSON: All right.
8 Be right back.
9 (Detective Goldstein exits room.)
10 DETECTIVE GOLDSTEIN: What's this Hershey Circle
11 (indicating)?
12 When did you move there, you just moved there,
13 Hershey Circle?
14 DAVID FELDER: Hmm --- hmm, no, I used to stay on
15 Hershey Circle.
16 DETECTIVE GOLDSTEIN: You did?
17 DAVID FELDER: Yeah, awhile ---
18 DETECTIVE GOLDSTEIN: How long ago?
19 DAVID FELDER: I have no idea.
20 DETECTIVE GOLDSTEIN: Last year, year and a half
21 ago?
22 DAVID FELDER: Hmm, no.
23 DETECTIVE GOLDSTEIN: No?
24 DAVID FELDER: (No audible response.)
25 DETECTIVE GOLDSTEIN: Hmm.

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1 14, 15? You don't remember?
2 DAVID FELDER: Um-um (no).
3 DETECTIVE GOLDSTEIN: Where is Hershey Circle?
4 DAVID FELDER: That's in Knightsville.
5 DETECTIVE GOLDSTEIN: Yeah, it is.
6 DAVID FELDER: They can take their pictures out
7 there, boss man?
8 DETECTIVE GOLDSTEIN: No, he don't need it.
9 DAVID FELDER: No (laughing).
10 DETECTIVE GOLDSTEIN: All right.
11 You take a breather, I'll be with you in a
12 minute, okay, sir?
13 DETECTIVE GOLDSTEIN: I'm just going to close
14 this for a minute.
15 (Detective exits room.)
16 (STATEMENT CONCLUDED.)
17
18
19
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25

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11

12

13

14 SCOTT A. HUSEBY

15

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

David Felder on 12/23/2016

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN

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EXHIBIT 7

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

HENRY D. MCMASTER
Governor



MARK A. KEEL
Chief

Inv. Kathy B. Kjellman
Charleston County Sheriff's Office
3691 Leeds Avenue
North Charleston, SC 29405

TRACE EVIDENCE
February 15, 2018
SLED LAB: L17-00010
Your Case No: 16019282
Incident Date: 12/23/2016
[V] John Pritchard
[W] David Felder
[W] Allen McBride
[W] Hugh Pritchard

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

ITEMS OF EVIDENCE:

Item: 1 One GSR kit from David Felder

Item 1 was analyzed using Scanning Electron Microscopy with Energy Dispersive X-Ray Spectrometry (SEM-EDX) for morphology and elemental composition.

RESULTS:

No particles characteristic of gunshot primer residue detected.

The absence of primer residue on the hands is consistent with, but not limited to, the following scenarios:

- The individual not having discharged a firearm
- Four (4) to six (6) hours passing between firing and sampling
- Normal physical activity between firing and sampling



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SLED LAB No. L17-00010
February 15, 2018

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- The individual washing the hands, wiping the hands, or sweating profusely
- The individual wearing gloves during the discharge of a firearm
- Excessive blood or debris on the hands
- Environmental factors including wind and rain
- The ammunition discharged (lead-free, non-toxic, or some .22 caliber rimfire ammunition) not producing particles characteristic of the conventional gunshot primer residue
- The firearm not producing primer residue on the hands when discharged

Item: 5 One GSR kit from John Pritchard

Item 5 was analyzed using Scanning Electron Microscopy with Energy Dispersive X-Ray Spectrometry (SEM-EDX) for morphology and elemental composition.

RESULTS:

Particles characteristic of gunshot primer residue were found. In general, particles characteristic of gunshot primer residue are microscopic, molten particles that contain the elements lead, barium, and antimony. Gunshot primer residue can come from being in the vicinity to the discharge of a firearm, to include sustaining a gunshot wound, discharging a firearm, or coming into contact with a surface that has gunshot primer residue on it. No information can be provided as to the likelihood of any of these scenarios.

Item: 19 One pair of red, black and white pants

Item: 10.1 Particle lifts collected from pants

Item 10.1 was analyzed using Scanning Electron Microscopy with Energy Dispersive X-Ray Spectrometry (SEM-EDX) for morphology and elemental composition.

RESULTS:

No particles characteristic of gunshot primer residue detected.

The absence of primer residue on the item is consistent with, but not limited to, the following scenarios:

- The item not being in the vicinity to the discharge of a firearm
- Cleaning of the item
- Excessive blood or debris on the item



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R5 DBD 391

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February 15, 2018

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- Environmental factors including wind and rain
- The ammunition discharged (lead-free, non-toxic, or some .22 caliber rimfire ammunition) not producing particles characteristic of the conventional gunshot primer residue
- The firearm not producing primer residue on the item when discharged

Item: 11 One red, black and white jacket
Item: 11.1 Particle lifts collected from jacket

Item 11.1 was analyzed using Scanning Electron Microscopy with Energy Dispersive X-Ray Spectrometry (SEM-EDX) for morphology and elemental composition.

RESULTS:

Particles characteristic of gunshot primer residue were found. In general, particles characteristic of gunshot primer residue are microscopic, molten particles that contain the elements lead, barium, and antimony. Gunshot primer residue can come from being in the vicinity to the discharge of a firearm or coming into contact with a surface that has gunshot primer residue on it; however, no information can be provided as to the time frame in which these particles were deposited.

This report contains the conclusions, opinions and interpretations of the analyst whose signature appears below.



Lt. Jennifer M. Nates
Forensic Scientist



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EXHIBIT 8

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF NAUTICA
11 MANIGAULT, PAULINE ALSTON and TAWANNA ALSTON, RELATIVE TO
12 THE ABOVE-ENTITLED MATTER ON DECEMBER 26, 2016.

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 2

1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
6
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 3

1 INTERVIEW WITH NAUTICA MANIGAULT,
2 TAWANNA ALSTON AND PAULINE ALSTON
3
4 DETECTIVE THOMPSON: This is South Carolina, 7402
5 John Queen, black car.
6 PAULINE ALSTON: Hello, how are you? Come on in.
7 DETECTIVE THOMPSON: It's just starting to rain.
8 PAULINE ALSTON: Hello. Yeah, come on.
9 DETECTIVE THOMPSON: I like your door.
10 PAULINE ALSTON: Thank you, yeah.
11 DETECTIVE THOMPSON: That's pretty --- we're
12 waiting on our boss, hang on a second.
13 PAULINE ALSTON: Okay.
14 Are you Nautica's aunt?
15 PAULINE ALSTON: I'm her grandmother.
16 DETECTIVE THOMPSON: Her grandmother.
17 That's Nautica right there.
18 PAULINE ALSTON: Right.
19 DETECTIVE THOMPSON: Hey, how are you?
20 PAULINE ALSTON: How are you?
21 DETECTIVE THOMPSON: This is Mr. Goldstein.
22 NAUTICA MANIGAULT: Okay.
23 DETECTIVE THOMPSON: Can we come in?
24 PAULINE ALSTON: Yeah, sure.
25 DETECTIVE THOMPSON: Anybody else home, but us?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 PAULINE ALSTON: And her mother's in the
2 bathroom.
3 DETECTIVE THOMPSON: Mom's in the bathroom.
4 DETECTIVE GOLDSTEIN: Hi, how are you?
5 PAULINE ALSTON: How are you, good, good.
6 DETECTIVE GOLDSTEIN: Barry Goldstein.
7 PAULINE ALSTON: Pauline, my name Alston, I'm her
8 grandmother.
9 DETECTIVE GOLDSTEIN: How are you young lady?
10 NAUTICA MANIGAULT: Good, how are you?
11 DETECTIVE GOLDSTEIN: You doing okay?
12 NAUTICA MANIGAULT: Yes, sir.
13 DETECTIVE GOLDSTEIN: Okay.
14 You stay with us. I want you to stay. I want to
15 talk to her about something and you're more than welcome to
16 stay.
17 PAULINE ALSTON: Okay.
18 DETECTIVE THOMPSON: Can you turn the T.V. off,
19 it's kind of loud.
20 PAULINE ALSTON: Turn the T.V. off, Nautica.
21 DETECTIVE GOLDSTEIN: And turn the phone off.
22 PAULINE ALSTON: You can sit down.
23 DETECTIVE GOLDSTEIN: Yeah, thank you.
24 PAULINE ALSTON: Nautica, slide down.
25 DETECTIVE GOLDSTEIN: Nautica, how old are you?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 5

1 NAUTICA MANIGAULT: 16.
2 DETECTIVE GOLDSTEIN: I'm going to put some light
3 on here.
4 NAUTICA MANIGAULT: Oh, no, there's not really
5 light in here.
6 DETECTIVE GOLDSTEIN: Who else is here?
7 PAULINE ALSTON: Mom --- her Mom and daughter,
8 she's in the restroom.
9 DETECTIVE GOLDSTEIN: That's it, okay.
10 How are you?
11 PAULINE ALSTON: I'm good.
12 DETECTIVE GOLDSTEIN: Okay, all right.
13 I'm a Detective, these are all Detectives.
14 NAUTICA MANIGAULT: Huh-huh.
15 DETECTIVE GOLDSTEIN: From Charleston County and
16 we just came here, got to ask you a question.
17 PAULINE ALSTON: Huh-huh.
18 DETECTIVE GOLDSTEIN: All we want --- you're not
19 involved. You're out of the mix, okay, but I think you can
20 answer some questions for us.
21 NAUTICA MANIGAULT: Huh-huh.
22 DETECTIVE GOLDSTEIN: All right.
23 Whatever we talk about stays here.
24 PAULINE ALSTON: Exactly.
25 DETECTIVE GOLDSTEIN: Stays right here.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 That's why it's so important for you to tell the
2 truth.

3 NAUTICA MANIGAULT: Okay.

4 DETECTIVE GOLDSTEIN: Okay?

5 So we're going to show you a picture, all right
6 and I want to know who the young man is in the picture,
7 okay?

8 Let you see the picture.

9 Who's that (indicating)?

10 NAUTICA MANIGAULT: My boyfriend.

11 DETECTIVE GOLDSTEIN: What's his name?

12 NAUTICA MANIGAULT: Joseph.

13 DETECTIVE GOLDSTEIN: Joseph what?

14 NAUTICA MANIGAULT: Brown.

15 DETECTIVE GOLDSTEIN: Joseph Brown?

16 NAUTICA MANIGAULT: Yes, sir.

17 TAWANNA ALSTON: Hello, how are you?

18 DETECTIVE GOLDSTEIN: Hi, how are you, ma'am?

19 PAULINE ALSTON: That's her ---

20 TAWANNA ALSTON: I'm her mother.

21 DETECTIVE GOLDSTEIN: Hi, how are you?

22 TAWANNA ALSTON: All right, and you?

23 DETECTIVE GOLDSTEIN: Barry Goldstein.

24 TAWANNA ALSTON: Nice to meet you.

25 DETECTIVE GOLDSTEIN: Nice to meet you.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 DETECTIVE THOMPSON: Mike Thompson.
2 TAWANNA ALSTON: Can I sit down?
3 DETECTIVE GOLDSTEIN: Yeah.
4 TAWANNA ALSTON: She know who that is, that's
5 Joseph ---
6 NAUTICA MANIGAULT: Stop sticking (yelling at
7 Mom).
8 (Mom and daughter arguing.)
9 DETECTIVE THOMPSON: It's okay, Mom, it's okay.
10 (All parties speaking.)
11 DETECTIVE GOLDSTEIN: We got grandmother right
12 here --- (inaudible).
13 You got her all riled up, okay? Don't yell at
14 the girl.
15 TAWANNA ALSTON: I'm sorry.
16 DETECTIVE GOLDSTEIN: Ready, okay.
17 What's Joseph's middle name?
18 NAUTICA MANIGAULT: Lamar, I think.
19 DETECTIVE GOLDSTEIN: Joseph Lamar Brown?
20 NAUTICA MANIGAULT: Huh-huh.
21 DETECTIVE THOMPSON: How old is he?
22 NAUTICA MANIGAULT: 18.
23 DETECTIVE GOLDSTEIN: All right.
24 Now, he's your boyfriend?
25 NAUTICA MANIGAULT: Huh-huh.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 8

1 DETECTIVE GOLDSTEIN: So you know his birthday
2 cause you give him a birthday present.
3 When's his birthday?
4 NAUTICA MANIGAULT: I didn't give him a birthday
5 present.
6 DETECTIVE GOLDSTEIN: What's his birthday?
7 NAUTICA MANIGAULT: [REDACTED]
8 DETECTIVE GOLDSTEIN: August what?
9 NAUTICA MANIGAULT: [REDACTED].
10 DETECTIVE GOLDSTEIN: Yeah.
11 What year?
12 NAUTICA MANIGAULT: [REDACTED]
13 DETECTIVE GOLDSTEIN: [REDACTED] [REDACTED].
14 Where's he live at?
15 NAUTICA MANIGAULT: Um, right over here
16 (indicating).
17 DETECTIVE GOLDSTEIN: Where, in the apartments?
18 NAUTICA MANIGAULT: Yes, sir.
19 DETECTIVE GOLDSTEIN: Do you know where?
20 NAUTICA MANIGAULT: Yes, sir.
21 DETECTIVE GOLDSTEIN: What apartment number?
22 NAUTICA MANIGAULT: Uh, 7, I think. I believe
23 it's 7.
24 DETECTIVE GOLDSTEIN: Same building?
25 NAUTICA MANIGAULT: Uh-uh (no).

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 DETECTIVE GOLDSTEIN: Different building?
2 NAUTICA MANIGAULT: Huh-huh.
3 DETECTIVE THOMPSON: What's the letter?
4 TAWANNA ALSTON: Want me to show you the
5 building?
6 DETECTIVE GOLDSTEIN: No, no.
7 TAWANNA ALSTON: We don't know the name, the
8 letter ---
9 DETECTIVE GOLDSTEIN: I got it, I got it.
10 TAWANNA ALSTON: Okay.
11 DETECTIVE GOLDSTEIN: More important.
12 Let me get away from all that. What's his phone
13 number?
14 NAUTICA MANIGAULT: Oh, I don't know the first
15 three, cause it's like mine, it's 557, that's all I know --
16 -
17 DETECTIVE GOLDSTEIN: Well, look in your phone,
18 it's in your phone.
19 NAUTICA MANIGAULT: You told me to turn it off.
20 DETECTIVE GOLDSTEIN: Turn it on now.
21 DETECTIVE THOMPSON: (Laughing.)
22 DETECTIVE GOLDSTEIN: How are you?
23 PAULINE ALSTON: I'm good.
24 DETECTIVE GOLDSTEIN: You have a good holiday?
25 PAULINE ALSTON: Yeah, it was nice, huh-huh, but

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

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1 this here pop out and that's ---

2 (Women both talking.)

3 DETECTIVE GOLDSTEIN: This ain't nothing, we'll
4 be out of here in 5 minutes and don't yell when I leave.

5 TAWANNA ALSTON: I'm not --- (laughing).

6 DETECTIVE THOMPSON: (Laughing.)

7 DETECTIVE GOLDSTEIN: All right --- where do you
8 go to school at?

9 NAUTICA MANIGAULT: Stratford High School.

10 DETECTIVE GOLDSTEIN: You're about to graduate?

11 NAUTICA MANIGAULT: Next year.

12 DETECTIVE GOLDSTEIN: What are you going to do
13 after that?

14 NAUTICA MANIGAULT: Military.

15 DETECTIVE THOMPSON: Good.

16 DETECTIVE GOLDSTEIN: Good for you.

17 DETECTIVE THOMPSON: Very good.

18 PAULINE ALSTON: I got to go, but she (inaudible)
19 taking too long.

20 DETECTIVE GOLDSTEIN: Nautica, you got her
21 number?

22 DETECTIVE THOMPSON: Nautica, your last name is
23 Manigault?

24 NAUTICA MANIGAULT: Yes, sir.

25 DETECTIVE THOMPSON: What's your date of birth?

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 11

1 NAUTICA MANIGAULT: [REDACTED].
2 DETECTIVE GOLDSTEIN: Give me that phone number,
3 that's important.
4 NAUTICA MANIGAULT: She got it.
5 DETECTIVE GOLDSTEIN: Oh, she got it?
6 NAUTICA MANIGAULT: Huh-huh.
7 DETECTIVE THOMPSON: Do you have an I.D. card or
8 a driver's license?
9 NAUTICA MANIGAULT: I have my school I.D.
10 DETECTIVE GOLDSTEIN: Yeah.
11 DETECTIVE THOMPSON: Can you let Zach take a
12 picture of it?
13 NAUTICA MANIGAULT: (No audible response.)
14 DETECTIVE THOMPSON: Thank you very much.
15 PAULINE ALSTON: So what, the little guy did
16 something or something?
17 DETECTIVE GOLDSTEIN: Nah, we're just trying to
18 follow-up on some cases and I got this picture.
19 I said, man, that's a pretty girl there.
20 NAUTICA MANIGAULT: Huh-huh.
21 DETECTIVE GOLDSTEIN: And we tracked it down to
22 Nautica with the red hair.
23 (Laughter.)
24 DETECTIVE GOLDSTEIN: That's why we're
25 Detectives.

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016

Page 12

1 TAWANNA ALSTON: On his phone or something, how
2 you all ---
3 DETECTIVE GOLDSTEIN: Huh?
4 TAWANNA ALSTON: --- how did you all get her
5 picture?
6 DETECTIVE GOLDSTEIN: We work with computers.
7 PAULINE ALSTON: Facebook?
8 DETECTIVE THOMPSON: Making sure that one ---
9 PAULINE ALSTON: Yes, since I told her, I don't
10 have the control back in, but I have to scroll through the
11 cases, I'll know what it is when I see it.
12 DETECTIVE GOLDSTEIN: Why don't you have it on
13 yours?
14 He's your boyfriend.
15 DETECTIVE THOMPSON: Her phone was in the ---
16 powering up ---
17 TAWANNA ALSTON: Huh-huh.
18 NAUTICA MANIGAULT: Um --- where are my contacts?
19 557-3277.
20 TAWANNA ALSTON: And I just could pop it up. She
21 sent it.
22 DETECTIVE GOLDSTEIN: 557-3277.
23 NAUTICA MANIGAULT: 3277.
24 DETECTIVE GOLDSTEIN: 847-6199.
25 DETECTIVE THOMPSON: Different numbers?

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1 DETECTIVE GOLDSTEIN: Yeah.
2 You got them written down?
3 DETECTIVE THOMPSON: No, I'm ready, read them off
4 one at a time.
5 DETECTIVE GOLDSTEIN: 557-3277.
6 DETECTIVE THOMPSON: Huh-huh.
7 DETECTIVE GOLDSTEIN: 847-6199.
8 DETECTIVE THOMPSON: Huh-huh.
9 DETECTIVE GOLDSTEIN: I gotta take a picture of
10 this, that going to be your husband?
11 TAWANNA ALSTON: Yeah.
12 That floor should be dry.
13 DETECTIVE GOLDSTEIN: Is he gonna travel with you
14 in the Military?
15 NAUTICA MANIGAULT: Hmm, I don't know.
16 DETECTIVE GOLDSTEIN: You don't know?
17 I don't think so. You need to go in the
18 Military, do your 20 by yourself, men hold you back.
19 PAULINE ALSTON: Exactly right.
20 DETECTIVE THOMPSON: All right.
21 DETECTIVE GOLDSTEIN: You got it?
22 DETECTIVE THOMPSON: Double check it, got it.
23 DETECTIVE GOLDSTEIN: All right.
24 Now, go back to your --- your --- what's that,
25 your Facebook?

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1 I know your Facebook. You're opening page here,
2 I saw it, and it was that same picture.
3 Bring that up, I want to see that.
4 (Nautica Manigault complies.)
5 DETECTIVE GOLDSTEIN: Got your phone ready,
6 Michael?
7 DETECTIVE THOMPSON: Yes, sir.
8 DETECTIVE GOLDSTEIN: Take a picture of that.
9 (Officer Thompson complies.)
10 DETECTIVE GOLDSTEIN: All right.
11 Now, what's he look like today?
12 Like that?
13 NAUTICA MANIGAULT: Like that.
14 DETECTIVE GOLDSTEIN: Like that?
15 NAUTICA MANIGAULT: Huh-huh.
16 (Nautica's grandmother and Mom speaking in
17 background.)
18 NAUTICA MANIGAULT: This is ---
19 DETECTIVE GOLDSTEIN: With the earring, okay.
20 Does he have --- well, whose got dreads?
21 NAUTICA MANIGAULT: I don't know.
22 DETECTIVE GOLDSTEIN: Does he have dreads?
23 NAUTICA MANIGAULT: No.
24 DETECTIVE GOLDSTEIN: No dreads, huh. Hmm. All
25 right.

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1 DETECTIVE THOMPSON: Do you know the letter on
2 the top of the building where he stays?

3 He stays in the same complex?

4 NAUTICA MANIGAULT: Yes, sir.

5 DETECTIVE THOMPSON: But it's Apartment 7, you
6 don't know what building?

7 NAUTICA MANIGAULT: I don't know the letter.

8 DETECTIVE THOMPSON: If you go back by the
9 office, you know, where the trucks are parked.

10 You go in the back, you go right in the back.

11 (Parties all speaking.)

12 TAWANNA ALSTON: That building right there
13 (indicating).

14 PAULINE ALSTON: Huh-huh.

15 TAWANNA ALSTON: But it's not that building, it's
16 that building (indicating).

17 DETECTIVE THOMPSON: Okay.

18 TAWANNA ALSTON: See where that blue door's at,
19 that building right there.

20 DETECTIVE THOMPSON: I got you, that's going to
21 be ---

22 TAWANNA ALSTON: Yeah, I think that one is "M".

23 PAULINE ALSTON: What building Shea-Shea (ph)
24 used to stay in?

25 TAWANNA ALSTON: I can't remember, but it's next

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1 to that.

2 DETECTIVE THOMPSON: So that's in that --- it's
3 Apartment 7?

4 TAWANNA ALSTON: Huh-huh.

5 DETECTIVE THOMPSON: Mom, what's your name?

6 TAWANNA ALSTON: Tawanna.

7 DETECTIVE GOLDSTEIN: Does he work?

8 That young man work?

9 NAUTICA MANIGAULT: Huh-huh.

10 DETECTIVE GOLDSTEIN: Where's he work at?

11 DETECTIVE THOMPSON: Need your last name?

12 TAWANNA ALSTON: Alston (inaudible).

13 DETECTIVE THOMPSON: And your date of birth?

14 TAWANNA ALSTON: [REDACTED].

15 DETECTIVE THOMPSON: And, Grandma, what's your
16 name?

17 PAULINE ALSTON: Pauline.

18 DETECTIVE THOMPSON: Pauline.

19 PAULINE ALSTON: Alston.

20 DETECTIVE GOLDSTEIN: They live in --- work at
21 the McDonald's right there by I-26?

22 NAUTICA MANIGAULT: Huh-huh.

23 DETECTIVE THOMPSON: And your date of birth?

24 PAULINE ALSTON: [REDACTED].

25 DETECTIVE THOMPSON: Thank you very much.

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1 DETECTIVE GOLDSTEIN: When was the last time you
2 spoke to him on the phone or text him or whatever?

3 NAUTICA MANIGAULT: This morning.

4 DETECTIVE GOLDSTEIN: Really, show me?

5 (Nautica Manigault complies.)

6 DETECTIVE GOLDSTEIN: I'm not going to look at
7 your message, that's private.

8 Oh, future husband.

9 TAWANNA ALSTON: Oh, wow.

10 DETECTIVE THOMPSON: (Laughs.)

11 DETECTIVE GOLDSTEIN: 10:46.

12 Did he answer you?

13 NAUTICA MANIGAULT: Yeah.

14 DETECTIVE GOLDSTEIN: All right.

15 Tell me how he answered you, show --- open it up
16 and tell us how ---

17 NAUTICA MANIGAULT: In a minute.

18 DETECTIVE GOLDSTEIN: Want me to open it?

19 I ain't going to ---

20 NAUTICA MANIGAULT: He was just going to go back
21 to bed.

22 DETECTIVE GOLDSTEIN: Yesterday you had a missed
23 call, I see you missed a call, to him?

24 NAUTICA MANIGAULT: Yeah.

25 DETECTIVE GOLDSTEIN: Yeah, he missed you

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1 yesterday.
2 You called him today?
3 NAUTICA MANIGAULT: Huh-huh.
4 DETECTIVE GOLDSTEIN: You spoke to him for 4
5 minutes and you called him on 847-6199?
6 NAUTICA MANIGAULT: Huh-huh.
7 DETECTIVE GOLDSTEIN: And he answered you?
8 NAUTICA MANIGAULT: Huh-huh.
9 DETECTIVE GOLDSTEIN: Okay.
10 DETECTIVE THOMPSON: Did he get a new phone
11 recently?
12 NAUTICA MANIGAULT: Yeah, cause he lost his
13 phone.
14 DETECTIVE GOLDSTEIN: He did?
15 DETECTIVE THOMPSON: Oh, he did?
16 NAUTICA MANIGAULT: Yeah.
17 DETECTIVE THOMPSON: When did he say he lost his
18 phone?
19 NAUTICA MANIGAULT: He lost it around his --- his
20 uncle died, so he say Thursday, I think.
21 DETECTIVE GOLDSTEIN: Oh, Thursday he lost his
22 phone?
23 NAUTICA MANIGAULT: Huh-huh.
24 DETECTIVE GOLDSTEIN: What kind of phone was
25 that?

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1 NAUTICA MANIGAULT: iPhone.
2 DETECTIVE GOLDSTEIN: He had an iPhone?
3 NAUTICA MANIGAULT: Huh-huh.
4 DETECTIVE GOLDSTEIN: Did he have the same, did
5 he have that picture on there?
6 NAUTICA MANIGAULT: Huh-huh, I think so.
7 DETECTIVE GOLDSTEIN: Yeah, well you're his
8 girlfriend, he should.
9 NAUTICA MANIGAULT: (Laughs.)
10 DETECTIVE GOLDSTEIN: Okay.
11 So he told you that?
12 NAUTICA MANIGAULT: Yeah, cause he said something
13 about um --- he lost his phone coming from one of his
14 friend's house.
15 DETECTIVE GOLDSTEIN: Did he tell you who ---
16 who's ---
17 NAUTICA MANIGAULT: Somebody named Red.
18 DETECTIVE GOLDSTEIN: Who?
19 NAUTICA MANIGAULT: Red.
20 DETECTIVE GOLDSTEIN: Oh, Red?
21 NAUTICA MANIGAULT: Huh-huh.
22 DETECTIVE GOLDSTEIN: Do you know who Red is?
23 NAUTICA MANIGAULT: Uh-uh (no).
24 DETECTIVE GOLDSTEIN: How old is Red?
25 NAUTICA MANIGAULT: I don't know.

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1 DETECTIVE GOLDSTEIN: Where does Red stay at?
2 NAUTICA MANIGAULT: I don't know.
3 DETECTIVE GOLDSTEIN: Oh.
4 Now, which phone number cause there was two, so
5 which phone number did he lose?
6 NAUTICA MANIGAULT: The 557.
7 DETECTIVE GOLDSTEIN: 557 he lost?
8 NAUTICA MANIGAULT: Huh-huh.
9 DETECTIVE GOLDSTEIN: Okay.
10 NAUTICA MANIGAULT: He had a --- he said he had
11 to get a new phone cause he had to call his job and someone
12 must have ---
13 DETECTIVE GOLDSTEIN: Yeah.
14 When you lose your phone, you can't talk to your
15 best girl.
16 (Laughing.)
17 DETECTIVE GOLDSTEIN: Very very good.
18 TAWANNA ALSTON: I'm sorry.
19 This smoke ain't bothering you ---
20 DETECTIVE THOMPSON: No, no, no. You're fine.
21 TAWANNA ALSTON: --- cause I'm already finished
22 and I just asked.
23 DETECTIVE THOMPSON: No, you're fine.
24 I like --- cigarettes are okay.
25 PAULINE ALSTON: What's all this leading up to?

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1 DETECTIVE GOLDSTEIN: Oh, he got a Facebook?

2 NAUTICA MANIGAULT: No.

3 DETECTIVE GOLDSTEIN: He don't have a Face ---

4 what's his about?

5 PAULINE ALSTON: Yeah.

6 DETECTIVE GOLDSTEIN: I'll tell you what it's

7 about.

8 We're investigating a crime and I don't want to

9 get your granddaughter in the middle of it, so I ain't

10 going to tell her anything because ---

11 PAULINE ALSTON: I think I have an idea.

12 DETECTIVE GOLDSTEIN: --- I'll just keep it

13 confidential.

14 NAUTICA MANIGAULT: I think so too.

15 DETECTIVE GOLDSTEIN: What do you think it is?

16 NAUTICA MANIGAULT: Cause he told me um --- the

17 night he lost his phone he had text me off his Mama phone

18 and he was like, yeah, tell me later about it.

19 So he told me later and he said he was coming

20 from his friend's, Red house.

21 DETECTIVE GOLDSTEIN: Huh-huh.

22 NAUTICA MANIGAULT: And --- no, he wasn't coming

23 from Red house, he was coming from, you know that --- you

24 know the road to 78?

25 DETECTIVE GOLDSTEIN: Huh-huh.

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1 NAUTICA MANIGAULT: He say something about he's
2 coming from the --- back from Lincolnville and he was ---
3 somebody with something about he heard gunshots or
4 whatever.

5 DETECTIVE GOLDSTEIN: Huh-huh.

6 NAUTICA MANIGAULT: So he ran to Red house, cause
7 I guess Red staying next door to the person who had the
8 gunshots flying or whatever.

9 DETECTIVE GOLDSTEIN: Right.

10 NAUTICA MANIGAULT: And he ran to Red house, but
11 Red wasn't home or something.

12 So he ran back this way (indicating).

13 DETECTIVE GOLDSTEIN: Okay.

14 NAUTICA MANIGAULT: And he said ever since then
15 he lost his phone, he can't find it, cause he said he was
16 on the phone while --- the gun --- like while he was
17 walking and then the gunshots went off and that's when he
18 ran to Red house and then Red wasn't home. So he ran
19 there. He say he ran to Red house for safety.

20 DETECTIVE GOLDSTEIN: Hmm, okay.

21 And who's Red?

22 NAUTICA MANIGAULT: Uh ---

23 DETECTIVE GOLDSTEIN: I know you don't know, but
24 do you know ---

25 NAUTICA MANIGAULT: I know cause they be on the

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1 phone talking, I guess they're like brothers or best
2 friends or whatever, but I don't know ---

3 DETECTIVE GOLDSTEIN: What's Red look like?

4 NAUTICA MANIGAULT: I've never seen him.

5 DETECTIVE GOLDSTEIN: Never seen him.

6 DETECTIVE THOMPSON: Would you happen to have
7 Red's number in your phone?

8 NAUTICA MANIGAULT: Uh-uh (no).

9 DETECTIVE THOMPSON: Is Red on --- maybe a friend
10 of yours on Facebook or anything?

11 NAUTICA MANIGAULT: Uh-uh (no).

12 DETECTIVE THOMPSON: Okay.

13 DETECTIVE GOLDSTEIN: Who does he hang around
14 with that has dreads?

15 NAUTICA MANIGAULT: He don't hang with nobody
16 that has dreads.

17 DETECTIVE GOLDSTEIN: Nobody with dreads?

18 NAUTICA MANIGAULT: Uh-uh (no).

19 DETECTIVE GOLDSTEIN: But he lost his phone on
20 Thursday or ---

21 NAUTICA MANIGAULT: Yeah and then he's --- that's
22 when he found out his --- he came home, he found his uncle
23 died.

24 DETECTIVE GOLDSTEIN: His uncle died, what day?

25 NAUTICA MANIGAULT: I think Thursday too.

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1 DETECTIVE GOLDSTEIN: Thursday?
2 NAUTICA MANIGAULT: And that's when they went
3 over to his house.
4 DETECTIVE GOLDSTEIN: Okay.
5 Where --- and he lost his phone where?
6 NAUTICA MANIGAULT: Um, somewhere, I don't know,
7 he lost it somewhere, running, cause his --- he heard
8 gunshots and he started running.
9 DETECTIVE GOLDSTEIN: Okay.
10 And he's --- where did he say he heard gunshots
11 at?
12 NAUTICA MANIGAULT: I'm not sure.
13 DETECTIVE GOLDSTEIN: Alrighty.
14 You got all that, Michael?
15 DETECTIVE THOMPSON: Huh-huh.
16 DETECTIVE GOLDSTEIN: Alrighty.
17 All right and we got your number, right?
18 NAUTICA MANIGAULT: Huh-huh, 557-3932.
19 DETECTIVE THOMPSON: Does that sound right?
20 DETECTIVE THOMPSON: Yeah.
21 DETECTIVE THOMPSON: Okay.
22 DETECTIVE GOLDSTEIN: 557 ---
23 DETECTIVE THOMPSON: 557.
24 NAUTICA MANIGAULT: 39.
25 DETECTIVE THOMPSON: 39.

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1 NAUTICA MANIGAULT: 32.
2 DETECTIVE THOMPSON: Okay.
3 DETECTIVE GOLDSTEIN: Does he like Michael
4 Jordan?
5 NAUTICA MANIGAULT: I don't know.
6 He only wear Adidas.
7 DETECTIVE GOLDSTEIN: He only wears Adidas?
8 NAUTICA MANIGAULT: He only wears Adidas, Adidas
9 and Converse, that's all he wears.
10 DETECTIVE GOLDSTEIN: Oh, Converse?
11 NAUTICA MANIGAULT: Huh-huh.
12 DETECTIVE GOLDSTEIN: What kind of Converse does
13 he have?
14 NAUTICA MANIGAULT: Um ---
15 DETECTIVE GOLDSTEIN: What color?
16 NAUTICA MANIGAULT: Black.
17 He had a black --- cause --- he had all black.
18 DETECTIVE GOLDSTEIN: Anything else?
19 NAUTICA MANIGAULT: Uh-uh (no).
20 DETECTIVE GOLDSTEIN: Huh?
21 NAUTICA MANIGAULT: Uh-uh (no).
22 DETECTIVE THOMPSON: So was he with a friend of
23 his when he lost his phone, was he with somebody?
24 NAUTICA MANIGAULT: He's --- he was by himself.
25 That what he told me.

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1 DETECTIVE THOMPSON: Does he --- when he's out
2 and about, does he --- does he have a friend that he rides
3 around with?

4 NAUTICA MANIGAULT: I mean yeah, when he goes to
5 work, yeah, he has a ride from his brother.

6 DETECTIVE THOMPSON: What kind of car does his
7 brother drive?

8 NAUTICA MANIGAULT: A Chrysler.

9 DETECTIVE THOMPSON: What color is it?

10 TAWANNA ALSTON: I think it is Chrysler.

11 NAUTICA MANIGAULT: A gray Chrysler, huh-huh.

12 DETECTIVE THOMPSON: Huh-huh.

13 DETECTIVE GOLDSTEIN: What's his brother look
14 like?

15 NAUTICA MANIGAULT: Big.

16 DETECTIVE GOLDSTEIN: Big guy?

17 NAUTICA MANIGAULT: Huh-huh, real big.

18 TAWANNA ALSTON: Not real big, about his size ---

19 NAUTICA MANIGAULT: Yeah like ---

20 TAWANNA ALSTON: --- I like a big man, but he
21 like his size.

22 NAUTICA MANIGAULT: Yeah.

23 DETECTIVE GOLDSTEIN: What's his hair look like?

24 NAUTICA MANIGAULT: He has --- he's bald headed
25 with a beard.

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1 DETECTIVE GOLDSTEIN: That's out.

2 DETECTIVE THOMPSON: Yeah.

3 NAUTICA MANIGAULT: That's the only person he
4 ride around with.

5 That's the only person cause he say he don't like
6 getting in cars with other people.

7 DETECTIVE GOLDSTEIN: I don't blame him.

8 Okay.

9 Anything else, Michael?

10 DETECTIVE GOLDSTEIN: Does he wear running pants
11 at all?

12 NAUTICA MANIGAULT: Running, uh-uh (no). He
13 wears jeans.

14 DETECTIVE GOLDSTEIN: Jeans, yeah.

15 NAUTICA MANIGAULT: Black jeans, all he wear is
16 black.

17 DETECTIVE GOLDSTEIN: Well, how about Friday?

18 Did you see him on Friday?

19 NAUTICA MANIGAULT: No, he was at his people's, I
20 think he was at his --- yeah, he was at his uncle's house.

21 DETECTIVE GOLDSTEIN: Uncle's house, for the
22 funeral?

23 NAUTICA MANIGAULT: No, the funeral's Wednesday,
24 but, you know how, when your uncle died ---

25 DETECTIVE GOLDSTEIN: People --- yeah, yeah,

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1 yeah.

2 NAUTICA MANIGAULT: --- they go to his house and
3 stuff.

4 DETECTIVE GOLDSTEIN: So where's the uncle live
5 at?

6 NAUTICA MANIGAULT: I don't know.

7 DETECTIVE GOLDSTEIN: You don't know.

8 Do you know the man's name that died?

9 NAUTICA MANIGAULT: Jimmy, I think.

10 DETECTIVE GOLDSTEIN: Jimmy?

11 NAUTICA MANIGAULT: Huh-huh.

12 DETECTIVE GOLDSTEIN: Okay, all right.

13 DETECTIVE THOMPSON: Does he drive a car?

14 NAUTICA MANIGAULT: Uh-uh (no).

15 DETECTIVE THOMPSON: He doesn't have a license?

16 NAUTICA MANIGAULT: (No audible response.)

17 DETECTIVE THOMPSON: Does he know how to drive?

18 I mean has he ever driven a car before?

19 NAUTICA MANIGAULT: I think he drove his Mom car,
20 cause his Mama has a car, but I don't know.

21 DETECTIVE GOLDSTEIN: Has he ever been in trouble
22 before, Joe-Joe?

23 NAUTICA MANIGAULT: Huh-huh, yeah, but he's been
24 trying to stay out of, he been staying ---

25 DETECTIVE GOLDSTEIN: No, I know.

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1 NAUTICA MANIGAULT: --- out of trouble ---
2 DETECTIVE GOLDSTEIN: Good for him.
3 NAUTICA MANIGAULT: --- cause he just got out and
4 he's on probation and stuff like that.
5 So he ---
6 DETECTIVE GOLDSTEIN: Where did he get out of?
7 NAUTICA MANIGAULT: (No audible response.)
8 DETECTIVE GOLDSTEIN: Detention?
9 NAUTICA MANIGAULT: No.
10 DETECTIVE GOLDSTEIN: Jail?
11 NAUTICA MANIGAULT: Yeah.
12 DETECTIVE GOLDSTEIN: What jailhouse?
13 NAUTICA MANIGAULT: I don't know, but he's been
14 staying out of trouble ---
15 DETECTIVE GOLDSTEIN: How long you been dating
16 this boy?
17 NAUTICA MANIGAULT: Like a month.
18 DETECTIVE GOLDSTEIN: Oh.
19 DETECTIVE THOMPSON: Just started seeing him.
20 DETECTIVE GOLDSTEIN: Not too long.
21 Just got out of jail?
22 DETECTIVE THOMPSON: So you didn't go see him in
23 jail or anything like that, right?
24 NAUTICA MANIGAULT: No.
25 He's been out for like 6 months now.

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1 DETECTIVE GOLDSTEIN: What did he get arrested
2 for?

3 NAUTICA MANIGAULT: I don't know.

4 He say he don't like to talk about it, so ---

5 DETECTIVE GOLDSTEIN: Oh.

6 And you don't like to ask him?

7 NAUTICA MANIGAULT: Nope.

8 DETECTIVE GOLDSTEIN: Cause he's your boyfriend?

9 (Laughter.)

10 DETECTIVE THOMPSON: Seems like you would ask
11 him, if, you know, you're trying to get to know him.

12 I mean that's kind of mysterious, you know, going
13 to jail, bad boy and all, you would say, what did you do,
14 he probably would have told you something about it.

15 NAUTICA MANIGAULT: Yeah, I never asked cause I
16 asked him once and he's like, he don't like to talk about
17 it. So I just left it alone.

18 DETECTIVE GOLDSTEIN: Okay.

19 We're good, we got a date of birth, we got good
20 name, what was that name again?

21 DETECTIVE THOMPSON: Joseph.

22 DETECTIVE GOLDSTEIN: Not you.

23 (Laughter.)

24 DETECTIVE GOLDSTEIN: Nautica ---

25 NAUTICA MANIGAULT: Huh-huh.

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1 DETECTIVE GOLDSTEIN: What's the boy's name?
2 NAUTICA MANIGAULT: Joseph.
3 DETECTIVE GOLDSTEIN: Joseph what?
4 NAUTICA MANIGAULT: Brown.
5 DETECTIVE GOLDSTEIN: And middle name?
6 NAUTICA MANIGAULT: Lamar.
7 DETECTIVE GOLDSTEIN: Lamar.
8 DETECTIVE THOMPSON: Date of birth?
9 NAUTICA MANIGAULT: [REDACTED].
10 DETECTIVE THOMPSON: What year?
11 NAUTICA MANIGAULT: [REDACTED].
12 DETECTIVE THOMPSON: Okay.
13 DETECTIVE GOLDSTEIN: All right.
14 I'm going to tell you something, Nautica, and I'm
15 telling you right in front of your grandmother and your
16 mother cause they're good people.
17 Your Mama's a smart woman cause she's a mother.
18 Your grandmother's even smarter, cause she had her ---
19 PAULINE ALSTON: Huh-huh.
20 DETECTIVE GOLDSTEIN: --- and now she's got a
21 grand.
22 PAULINE ALSTON: Huh-huh.
23 DETECTIVE GOLDSTEIN: The best thing you can do
24 is keep your mouth shut.
25 TAWANNA ALSTON: I told her today to stay away

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1 from him.

2 DETECTIVE GOLDSTEIN: That too.

3 And if you text him, you'll be jammed up, I will
4 jam you up so tight, you won't know what hit you.

5 TAWANNA ALSTON: That's understandable.

6 DETECTIVE GOLDSTEIN: And the only reason why
7 that we're going to walk out of here, see I believe in
8 doing everything in front of the mother and the
9 grandmother.

10 I'm not a secret guy, I don't need to take them
11 to police stations and all that.

12 You people have been kind to us and let us into
13 your home. So follow what your Mom and your grandmother
14 tell you and what I tell you.

15 Just do what you're going to do and just, you
16 know, if he texts you, I'm busy with my Mom, anything like
17 that. I don't care ---

18 TAWANNA ALSTON: Can we get one of your cards ---

19 DETECTIVE THOMPSON: Yes, I have a card.

20 DETECTIVE GOLDSTEIN: I will give you a card,
21 yeah, we'll give you cards, absolutely and I'm going to
22 stay in touch with both of you.

23 DETECTIVE THOMPSON: But what you don't want to
24 do is let him know that we were here.

25 DETECTIVE THOMPSON: Yeah.

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1 DETECTIVE THOMPSON: You don't want to do that.
2 PAULINE ALSTON: Exactly.
3 DETECTIVE THOMPSON: The neighborhood probably
4 already knows.
5 DETECTIVE GOLDSTEIN: Yeah, yeah.
6 DETECTIVE THOMPSON: But that's okay, but you
7 don't want him to know we were here asking about him.
8 TAWANNA ALSTON: Exactly.
9 DETECTIVE GOLDSTEIN: You're a good girl, we got
10 to get you in the military and out.
11 TAWANNA ALSTON: Huh-huh.
12 DETECTIVE GOLDSTEIN: That's the plan.
13 TAWANNA ALSTON: She's a very smart kid.
14 DETECTIVE GOLDSTEIN: She is, she is.
15 TAWANNA ALSTON: She's sick --- (inaudible) all
16 day.
17 DETECTIVE GOLDSTEIN: You just got hooked --- you
18 got --- you don't get hooked up with young men that just
19 get out of jail, okay?
20 TAWANNA ALSTON: And that's kind of my fault
21 cause I like used to like bad boys. So that's probably
22 where she gets it from.
23 DETECTIVE GOLDSTEIN: That's not --- that's not
24 in the gene pool, that's called growing up.
25 TAWANNA ALSTON: Exactly. Thank you, sir.

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1 DETECTIVE GOLDSTEIN: Yeah, that's no problem,
2 okay?
3 And again, she's not in any trouble ---
4 TAWANNA ALSTON: Huh-huh.
5 DETECTIVE GOLDSTEIN: She's done exactly what a
6 young --- what an individual is supposed to do.
7 TAWANNA ALSTON: Huh-huh.
8 DETECTIVE GOLDSTEIN: So when I walk out of here,
9 both of you be proud.
10 TAWANNA ALSTON: Huh-huh.
11 DETECTIVE GOLDSTEIN: Cause that girl told the
12 truth.
13 Please be proud of her and I'm proud of you.
14 Do we have these folk's phone number?
15 DETECTIVE THOMPSON: Huh-huh.
16 Oh, I got --- who wants to be the contact person,
17 grandma or Mom?
18 DETECTIVE GOLDSTEIN: Both of them.
19 I want both.
20 DETECTIVE THOMPSON: Pauline, what's your phone
21 number?
22 PAULINE ALSTON: 873 --- what ---
23 TAWANNA ALSTON: 6962.
24 PAULINE ALSTON: You know the area code.
25 DETECTIVE THOMPSON: And Tamara (sic), what's

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1 your phone?
2 TAWANNA ALSTON: 214.
3 DETECTIVE THOMPSON: Tawanna, 214.
4 TAWANNA ALSTON: 7429.
5 DETECTIVE THOMPSON: 29, thank you.
6 TAWANNA ALSTON: You're welcome.
7 DETECTIVE GOLDSTEIN: How old are you?
8 NAUTICA MANIGAULT: 16.
9 DETECTIVE GOLDSTEIN: Why are you rolling with an
10 18 year old, you're only 16.
11 Where you work at?
12 NAUTICA MANIGAULT: A hair salon on 78.
13 DETECTIVE GOLDSTEIN: Go figure, huh?
14 (Laughter.)
15 DETECTIVE THOMPSON: All right. I'll see you
16 later.
17 TAWANNA ALSTON: Thanks.
18 DETECTIVE THOMPSON: It was nice meeting you,
19 thank you.
20 DETECTIVE GOLDSTEIN: Ladies.
21 My car (inaudible).
22 PAULINE ALSTON: (Inaudible.)
23 DETECTIVE GOLDSTEIN: No.
24 (Laughter.)
25 DETECTIVE THOMPSON: Listen, stay away from him.

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1 Don't tell anybody we were here asking about him.

2 Don't anymore, don't, you know, social media about it.

3 Don't be tweeting, or Facebooking or My Space or anything.

4 Stay out of this.

5 DETECTIVE THOMPSON: Nobody does My Space ---

6 DETECTIVE THOMPSON: You don't know --- well, you
7 know what I'm saying.

8 You don't know nothing. You didn't --- you don't
9 know, we were --- we were here looking for --- looking to
10 talk to your grandmother.

11 Do you own a vehicle?

12 PAULINE ALSTON: Huh-huh.

13 DETECTIVE THOMPSON: Which car is yours?

14 PAULINE ALSTON: The black Pontiac.

15 DETECTIVE THOMPSON: We wanted to ask her about
16 her car because we were looking for a car like that that
17 was involved in a car accident, a hit and run accident and
18 it wasn't your grandmother's car.

19 NAUTICA MANIGAULT: Okay.

20 DETECTIVE THOMPSON: Okay.

21 If somebody --- cause when we leave, what was the
22 police doing in your house, right?

23 Is that a good story?

24 PAULINE ALSTON: That sound good to me.

25 DETECTIVE THOMPSON: It was --- cause I'll go

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1 outside and we'll look at your --- we'll look your car over
2 real good ---

3 PAULINE ALSTON: Okay.

4 DETECTIVE THOMPSON: --- they can watch us
5 looking at your car.

6 PAULINE ALSTON: Okay.

7 DETECTIVE THOMPSON: But it was not about that
8 boy.

9 PAULINE ALSTON: I understand what you're saying.

10 DETECTIVE THOMPSON: Because you want her to stay
11 away from him.

12 PAULINE ALSTON: Exactly.

13 I've been telling her that.

14 DETECTIVE THOMPSON: And she needs to not tell
15 him that we were here asking about him.

16 PAULINE ALSTON: Huh-huh.

17 DETECTIVE THOMPSON: You understand?
18 You know how important that is?

19 NAUTICA MANIGAULT: Yes, sir.

20 DETECTIVE THOMPSON: Your future depends on it.

21 NAUTICA MANIGAULT: Yes, sir.

22 DETECTIVE THOMPSON: Okay, all right.

23 PAULINE ALSTON: Okay.

24 DETECTIVE GOLDSTEIN: Nautica, don't get soft-
25 hearted on this one, okay?

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1 NAUTICA MANIGAULT: Okay.

2 DETECTIVE GOLDSTEIN: All right?

3 He's going to call you, do whatever.

4 DETECTIVE THOMPSON: You've only known him a

5 month ---

6 NAUTICA MANIGAULT: (Inaudible) We just started

7 dating ---

8 DETECTIVE THOMPSON: At 16, you're going to know

9 so many other men in your life.

10 PAULINE ALSTON: Exactly.

11 DETECTIVE THOMPSON: So many others.

12 He's just a drop in a bucket, okay?

13 NAUTICA MANIGAULT: Yeah.

14 DETECTIVE THOMPSON: Next time and I'm way older

15 than you, better decisions.

16 Let's say I've been to jail.

17 DETECTIVE THOMPSON: That's next, next guy, you

18 been to jail, next guy.

19 NAUTICA MANIGAULT: Yes, sir.

20 DETECTIVE THOMPSON: Because, you know, you're

21 not supposed to go to jail.

22 NAUTICA MANIGAULT: Right.

23 DETECTIVE THOMPSON: That right?

24 PAULINE ALSTON: Okay.

25 DETECTIVE THOMPSON: We'll put on a good show

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1 here looking at your car ---
2 PAULINE ALSTON: All right.
3 Then I'm standing to the door too, make it look
4 good.
5 TAWANNA ALSTON: Yeah.
6 PAULINE ALSTON: Yeah, huh-huh.
7 (All parties outside.)
8 DETECTIVE THOMPSON: I don't think it's the car,
9 what do you think, Zach?
10 ZACH: Ah brother, I don't think so.
11 (Grandmother speaking in background.)
12 DETECTIVE THOMPSON: You don't let anybody borrow
13 it either, do you?
14 PAULINE ALSTON: No, no, no.
15 DETECTIVE THOMPSON: Good for you.
16 PAULINE ALSTON: Uh-uh (no).
17 DETECTIVE THOMPSON: You don't let her drive it?
18 PAULINE ALSTON: Nope, nobody.
19 DETECTIVE THOMPSON: Okay.
20 PAULINE ALSTON: I might let my boyfriend drive
21 it, but he don't drive that far, only goes to the store and
22 back.
23 DETECTIVE THOMPSON: We can go back inside.
24 PAULINE ALSTON: Yeah.
25 DETECTIVE THOMPSON: Thank you.

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1 PAULINE ALSTON: Huh-huh, thank you.

2 DETECTIVE THOMPSON: Now, Nautica, is there
3 anything that you may know about this or he may have said
4 or you suspect that you haven't told us before we leave?

5 Is there any ---

6 PAULINE ALSTON: Is this about that shooting was
7 up --- up the road there in Summerville?

8 DETECTIVE THOMPSON: Do what, ma'am?

9 DETECTIVE GOLDSTEIN: No, no, no, not the
10 Summerville.

11 PAULINE ALSTON: Well, this ain't about the
12 Summerville one?

13 DETECTIVE THOMPSON: When was there a shooting in
14 Summerville?

15 DETECTIVE GOLDSTEIN: Yesterday.

16 PAULINE ALSTON: Yeah, yesterday, I think.

17 DETECTIVE THOMPSON: Oh, I don't know.

18 PAULINE ALSTON: Huh-huh, by Kangaroo.

19 DETECTIVE GOLDSTEIN: Yeah.

20 DETECTIVE THOMPSON: No.

21 Is there anything that you --- that you could
22 tell us that you haven't told us?

23 NAUTICA MANIGAULT: Uh-uh (no).

24 DETECTIVE THOMPSON: Okay.

25 You told us everything?

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1 NAUTICA MANIGAULT: Yes.
2 DETECTIVE THOMPSON: Very good.
3 DETECTIVE GOLDSTEIN: Did you guys talk Friday?
4 NAUTICA MANIGAULT: Huh-huh, he was at his
5 people's house, cause I was checking on him cause he was
6 pretty upset that his uncle --- uncle died, cause he said
7 him and his uncle was really close.
8 DETECTIVE THOMPSON: What time was that Friday?
9 NAUTICA MANIGAULT: Can't remember.
10 DETECTIVE THOMPSON: Can you look back in your
11 call log?
12 NAUTICA MANIGAULT: No, cause the phone ---
13 DETECTIVE THOMPSON: Your phone?
14 NAUTICA MANIGAULT: Yeah, oh ---
15 DETECTIVE THOMPSON: You were using that phone to
16 talk to him.
17 NAUTICA MANIGAULT: Oh, yeah.
18 DETECTIVE GOLDSTEIN: You said he called you from
19 a different phone?
20 NAUTICA MANIGAULT: Yeah.
21 DETECTIVE THOMPSON: From his Mom's --- from his
22 mother's phone you said?
23 NAUTICA MANIGAULT: Yeah, but it was on Facebook,
24 you know Facebook don't show you ---
25 DETECTIVE GOLDSTEIN: Oh, right.

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1 DETECTIVE THOMPSON: You can have a phone call on
2 Facebook?

3 DETECTIVE GOLDSTEIN: Yeah.

4 NAUTICA MANIGAULT: Huh-huh, messenger.

5 DETECTIVE THOMPSON: Then you can speak to
6 somebody --- you have to type it out, you can ---

7 NAUTICA MANIGAULT: Yeah, you can video chat and
8 everything.

9 DETECTIVE THOMPSON: And that's ---

10 DETECTIVE GOLDSTEIN: Forget about it, friend.
11 (Laughing.)

12 DETECTIVE GOLDSTEIN: Technologically --- yeah --
13 -

14 NAUTICA MANIGAULT: I want to.

15 DETECTIVE THOMPSON: You know, I can ---
16 telephone is on the wall, it's got a cord on it.

17 PAULINE ALSTON: Yeah.

18 DETECTIVE THOMPSON: You'll leave me a message,
19 then you can come back and I can check the machine later.

20 PAULINE ALSTON: That's what mine is over there
21 too (indicating).

22 DETECTIVE THOMPSON: Yeah, (laughs).

23 I don't fool around with this other stuff.

24 PAULINE ALSTON: Uh-uh (no).

25 DETECTIVE GOLDSTEIN: I work his technology for

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1 him.

2 PAULINE ALSTON: Oh, okay.

3 DETECTIVE GOLDSTEIN: And I'm older than he is.

4 (Laughing.)

5 DETECTIVE THOMPSON: All right.

6 PAULINE ALSTON: I even got one of them little

7 clap phones, the phone ---

8 NAUTICA MANIGAULT: Flip phone.

9 DETECTIVE THOMPSON: I got one too.

10 PAULINE ALSTON: I don't mess with that ---

11 little (inaudible) them things like that, too much.

12 DETECTIVE GOLDSTEIN: Michael?

13 DETECTIVE THOMPSON: Yes, sir.

14 DETECTIVE GOLDSTEIN: Give me your tape recorder.

15 DETECTIVE THOMPSON: It's still running, sir.

16 DETECTIVE GOLDSTEIN: All right.

17 What is your name?

18 TAWANNA ALSTON: Tawanna Alston.

19 DETECTIVE GOLDSTEIN: Alston?

20 TAWANNA ALSTON: A-L-S-T-O-N.

21 DETECTIVE GOLDSTEIN: Alston, all right.

22 What's your date of birth, Tawanna?

23 TAWANNA ALSTON: [REDACTED].

24 DETECTIVE GOLDSTEIN: April?

25 TAWANNA ALSTON: [REDACTED].

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1 DETECTIVE GOLDSTEIN: [REDACTED].

2 TAWANNA ALSTON: [REDACTED].

3 DETECTIVE GOLDSTEIN: Okay.

4 Ms. Alston, we've come to your house to speak
5 with your daughter Nautica Alston and you asked to talk to
6 me and we're in the kitchen at the address at the Abby Lane
7 Apartments and we're here investigating a shooting that
8 took place over on East Owen Street.

9 Would you tell me what information you might have
10 regarding that?

11 Start off, go back to Friday, tell me what you
12 heard?

13 TAWANNA ALSTON: It was Friday between the hours
14 of 12:00 and 1:00, me and my stepfather was outside.

15 We heard about three or four gunshots, really
16 didn't --- we didn't pay it no attention cause we always
17 hearing gunshots. Then we saw a helicopter. Then like
18 two, three hours later, my daughter's boyfriend Joseph,
19 a/k/a Joe-Joe came to the house, all hysterical and stuff
20 like that, telling yeah, we did it.

21 I'm like yeah, what did you all do?

22 He said me and my brother, he would never give
23 his brother's name and a dude named Red was at the Torres.

24 We saw this dude that owed us money. Me and Red
25 got the boy into my brother's car, we rode around with him.

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1 Then all of sudden, he stopped saying what he was
2 saying and that's when we heard the gunshots and then
3 that's when Joe-Joe took off running and he said he lost
4 his phone and I told him to get out of my house, cause I
5 don't want me and my daughter involved in anything.

6 DETECTIVE GOLDSTEIN: So he said that he and his
7 brother had kidnapped somebody from the Torres Grocery?

8 TAWANNA ALSTON: Huh-huh, right up the street
9 right there.

10 DETECTIVE GOLDSTEIN: Did he say who he kidnapped?

11 TAWANNA ALSTON: He did not say, all I know it
12 was a guy and that the guy had owed them money.

13 DETECTIVE GOLDSTEIN: The guy had owed him money?

14 TAWANNA ALSTON: Huh-huh.

15 DETECTIVE GOLDSTEIN: Did he say where the guy
16 lived?

17 TAWANNA ALSTON: No, sir.

18 DETECTIVE GOLDSTEIN: And this was the same day
19 that you heard the helicopter?

20 TAWANNA ALSTON: Yes, sir.

21 DETECTIVE GOLDSTEIN: And you heard gunshots?

22 TAWANNA ALSTON: Yes, sir.

23 DETECTIVE GOLDSTEIN: How many, do you remember?

24 TAWANNA ALSTON: Three or four.

25 DETECTIVE GOLDSTEIN: Three or four.

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1 And between what times was it?

2 TAWANNA ALSTON: Between 12:00 and 1:00.

3 DETECTIVE GOLDSTEIN: All right, between 12:00
4 and 1:00, all right.

5 Do you remember what Joe-Joe was wearing when he
6 came to the house?

7 TAWANNA ALSTON: Black shirt, black jeans, red
8 Converse.

9 DETECTIVE GOLDSTEIN: Red Converse, all right.
10 Did you see any symbols on the shirt?

11 TAWANNA ALSTON: No.

12 DETECTIVE GOLDSTEIN: Okay.

13 TAWANNA ALSTON: He had like a little white T-
14 shirt underneath the black T-shirt.

15 DETECTIVE GOLDSTEIN: He had a white T-shirt?

16 TAWANNA ALSTON: Underneath the black, he had the
17 white T-shirt on, then the black T-shirt on top of it.

18 DETECTIVE GOLDSTEIN: All right.

19 And did you see a black T-shirt --- anything on
20 the black T-shirt, symbols or anything?

21 TAWANNA ALSTON: No, sir.

22 DETECTIVE GOLDSTEIN: Coloring?

23 TAWANNA ALSTON: No, sir.

24 DETECTIVE GOLDSTEIN: And he had red Converse?

25 TAWANNA ALSTON: Yes, sir.

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1 DETECTIVE GOLDSTEIN: Did he have any money?
2 TAWANNA ALSTON: If he did, he ain't letting me
3 see it (laughing).
4 DETECTIVE GOLDSTEIN: Okay.
5 His hair, now in the picture and from what your
6 daughter says, his hair is about the same length.
7 TAWANNA ALSTON: Huh-huh.
8 DETECTIVE GOLDSTEIN: That day was it nappy, or
9 was it in twists?
10 TAWANNA ALSTON: Nappy and twists.
11 DETECTIVE GOLDSTEIN: He had twists also?
12 TAWANNA ALSTON: Yes, sir.
13 DETECTIVE GOLDSTEIN: All right.
14 Where were the twists, point to me on my hair?
15 TAWANNA ALSTON: On the top, the very top part.
16 DETECTIVE GOLDSTEIN: Twists on top?
17 TAWANNA ALSTON: Huh-huh.
18 DETECTIVE GOLDSTEIN: And how about down on the
19 side?
20 TAWANNA ALSTON: Nappy.
21 DETECTIVE GOLDSTEIN: Nappy, all right.
22 So he had red sneakers on, being Converse?
23 TAWANNA ALSTON: Huh-huh.
24 DETECTIVE GOLDSTEIN: And what color pants?
25 TAWANNA ALSTON: Black jeans.

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1 DETECTIVE GOLDSTEIN: Black jeans?
2 TAWANNA ALSTON: Black shirt.
3 DETECTIVE GOLDSTEIN: Black shirt.
4 TAWANNA ALSTON: With the white T-shirt
5 underneath.
6 DETECTIVE GOLDSTEIN: Okay, all right.
7 And he said that --- and who was he talking to,
8 your daughter about ---
9 TAWANNA ALSTON: He was on the phone.
10 DETECTIVE GOLDSTEIN: He was on the phone?
11 TAWANNA ALSTON: He was on another phone, he had
12 a flip phone at that time.
13 DETECTIVE GOLDSTEIN: Flip phone?
14 TAWANNA ALSTON: Huh-huh.
15 DETECTIVE GOLDSTEIN: All right.
16 Let's talk about the phone he lost.
17 TAWANNA ALSTON: Okay.
18 That was an iPhone.
19 DETECTIVE GOLDSTEIN: That was an iPhone.
20 And have you ever seen it before?
21 TAWANNA ALSTON: Huh-huh.
22 DETECTIVE GOLDSTEIN: Is that the one that has
23 your daughter and him on it?
24 TAWANNA ALSTON: On the cover of it, yes.
25 DETECTIVE GOLDSTEIN: And that's the picture that

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1 I just showed you?

2 TAWANNA ALSTON: Yes, sir.

3 DETECTIVE GOLDSTEIN: Okay.

4 TAWANNA ALSTON: That's exactly how his hair is
5 now.

6 DETECTIVE GOLDSTEIN: Okay, all right.

7 And he said he lost the phone on the same day as
8 the gunshots and the helicopter?

9 TAWANNA ALSTON: Yes.

10 DETECTIVE GOLDSTEIN: Okay.

11 Did he say where he lost that?

12 TAWANNA ALSTON: Bell Street.

13 DETECTIVE GOLDSTEIN: Bell Street, okay. All
14 right.

15 Do you know --- well what you had told me that he
16 and somebody else had committed some type of a kidnapping
17 at the Torres?

18 TAWANNA ALSTON: Huh-huh.

19 DETECTIVE GOLDSTEIN: Okay.

20 TAWANNA ALSTON: And I did hear you mention
21 something about Jordan's, he does have a pair of black
22 Jordan's.

23 DETECTIVE GOLDSTEIN: Okay.

24 But that day he had on reds?

25 TAWANNA ALSTON: Huh-huh.

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1 DETECTIVE GOLDSTEIN: Okay.
2 And they were what?
3 TAWANNA ALSTON: Converse.
4 DETECTIVE GOLDSTEIN: All right.
5 Very good, all right. This will complete the
6 statement of Tawanna Alston.
7 (Casual conversation between Officers and family
8 members.)
9 DETECTIVE THOMPSON: How are your grades now?
10 NAUTICA MANIGAULT: All A's.
11 DETECTIVE THOMPSON: Perfect.
12 NAUTICA MANIGAULT: Yeah.
13 DETECTIVE THOMPSON: So with Tim Scott, tell him
14 that a Sheriff's Deputy told you to call him, send you to
15 the Air Force Academy. He'll say okay.
16 NAUTICA MANIGAULT: (Laughs.)
17 DETECTIVE GOLDSTEIN: You got my number, I got
18 yours.
19 TAWANNA ALSTON: Yes, thanks.
20 These kids.
21 DETECTIVE GOLDSTEIN: Yeah, all right.
22 I spoke to your Mom, everything's good, okay.
23 Don't contact him, stay here with her, do your
24 hair, whatever. Blow him off and everything else, okay?
25 NAUTICA MANIGAULT: (No audible response.)

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1 DETECTIVE GOLDSTEIN: You're good people.

2 NAUTICA MANIGAULT: Yes, sir.

3 DETECTIVE GOLDSTEIN: You're good people.

4 And as I told you earlier and I showed your
5 mother, the object of the game here cause you're not in the
6 middle, is to get you graduated and in the military and out
7 of Summerville, South Carolina.

8 PAULINE ALSTON: That's right.

9 DETECTIVE GOLDSTEIN: So you can come back in
10 your uniform and show your Mom, make her proud.

11 TAWANNA ALSTON: Huh-huh.

12 DETECTIVE GOLDSTEIN: Bye, granny. See you
13 later.

14 PAULINE ALSTON: All right.

15 You all take care ---

16 (CONCLUSION.)

17

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3

4 I, Scott A. Huseby, Court Reporter,
5 do hereby certify that this transcript
6 is a true and accurate record of the
7 electronically recorded proceedings,
8 transcribed under my direction
9 this 30th day of May, 2018.

10

11

12

13

14 SCOTT A. HUSEBY

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Nautica Manigault, Pauline Alston and Tawanna Alston on 12/20/2016: 10:46..Alston

1	3277 12:23	8	Alston 3:2,
10:46 17:11	39 24:24,25		6,8,10,13,
11th 43:25	4	43:23	15,18,20,
44:1	4 18:4		24 4:1,5,
12:00 44:14			7,17,20,
46:2,3	5	847-6199	22,24 5:7,
16 5:1	5 10:4	12:24 13:7	11,17,24
35:8,10	557 9:15	18:5	6:17,19,
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18 7:22	24:22,23		7:2,4,15
35:10	557-3277	A	9:4,7,10,
18th 16:24	12:19,22	A-l-s-t-o-n	23,25
1981 44:2	13:5	43:20	10:5,18
1998 8:12,	557-3932	a/k/a 44:19	11:15
13 31:11	24:18	Abby 44:6	12:1,4,7,
1:00 44:14	57 16:24	absolutely	9,17,20
46:2,4	6	32:21	13:11,19
2	6 29:25	Academy	15:12,14,
20 13:18	6962 34:23	50:15	15,18,22,
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Nautica Manigault, Pauline Alston and Tawanna Alston ctn22612016ologically..top

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Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016 Torres..young

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 Nautica Manigault, Pauline Alston and Tawanna Alston on 12/26/2016 Ex: you'll.Zach

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EXHIBIT 9

MEMORANDUM IN SUPPORT OF DEFENDANT BROWN'S MOTION TO INTRODUCE EVIDENCE OF THIRD-PARTY GUILT

State of South Carolina

v.

Joseph Brown

Case Nos. 2017-GS-10-04077; 2017-GS-10-04079; 2017-GS-10-04080; 2017-GS-10-04081,
2017-GS-10-04083

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

1 STATE OF SOUTH CAROLINA

2 CHARLESTON COUNTY

3

4 THE STATE OF SOUTH CAROLINA,

5 -Vs-

6 JOSEPH LAMAR BROWN,

7 Defendant.

8

9

10 TRANSCRIPTION OF INTERVIEW OF TREY COLEMAN,
11 RELATIVE TO THE ABOVE-ENTITLED MATTER ON MAY 2, 2017.

12

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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 NINTH CIRCUIT PUBLIC DEFENDER
2 BERKELEY AND CHARLESTON COUNTY
3 101 MEETING STREET
4 5th Floor
5 Charleston, South Carolina 29401
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THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 INTERVIEW OF TREY COLEMAN
2
3 DETECTIVE GOLDSTEIN: You up, sir?
4 TREY COLEMAN: Yes, sir.
5 DETECTIVE GOLDSTEIN: All right.
6 Please say your whole name?
7 TREY COLEMAN: Charles.
8 DETECTIVE GOLDSTEIN: Oh, Coleman.
9 Let me fill this out, Trey Lorenzo?
10 TREY COLEMAN: Yes, sir.
11 DETECTIVE GOLDSTEIN: What's your birthdate?
12 TREY COLEMAN: 9/17/1992.
13 DETECTIVE GOLDSTEIN: What's your address?
14 TREY COLEMAN: [REDACTED] East Colpat.
15 DETECTIVE GOLDSTEIN: What's your cell phone
16 number?
17 TREY COLEMAN: 843 ---
18 DETECTIVE GOLDSTEIN: 843?
19 TREY COLEMAN: 751.
20 DETECTIVE GOLDSTEIN: 751?
21 TREY COLEMAN: 5078.
22 DETECTIVE GOLDSTEIN: 5078?
23 TREY COLEMAN: Yes, sir.
24 DETECTIVE GOLDSTEIN: Employed or unemployed?
25 TREY COLEMAN: I just been doing um side work,

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 like landscaping.

2 DETECTIVE GOLDSTEIN: Self-employed?

3 TREY COLEMAN: Yes, sir.

4 DETECTIVE GOLDSTEIN: Okay.

5 What you got, Michael?

6 UNIDENTIFIED DETECTIVE: Barry, make sure that
7 red light is on.

8 You see the red light, up into the front cover?

9 DETECTIVE GOLDSTEIN: Yeah, red lights on.

10 UNIDENTIFIED DETECTIVE: You got an audio backup?

11 DETECTIVE GOLDSTEIN: We tape every conversation
12 to cover us. Cover us, cover you.

13 TREY COLEMAN: I understand.

14 DETECTIVE GOLDSTEIN: You got it?

15 TREY COLEMAN: I understand.

16 DETECTIVE GOLDSTEIN: All right.

17 751-5078.

18 Social?

19 TREY COLEMAN: [REDACTED].

20 DETECTIVE GOLDSTEIN: Yeah.

21 TREY COLEMAN: [REDACTED], sorry.

22 DETECTIVE GOLDSTEIN: That's all right, you're
23 okay.

24 You got a South Carolina's driver's license?

25 TREY COLEMAN: Huh-huh.

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Trey Coleman on 05/02/2017

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1 DETECTIVE GOLDSTEIN: You have a ---
2 TREY COLEMAN: It ain't a driver's license, but
3 I.D.
4 DETECTIVE GOLDSTEIN: You know the number?
5 I could look it up if you don't.
6 TREY COLEMAN: Okay (laughs).
7 DETECTIVE GOLDSTEIN: Don't worry about it.
8 We're just waiting on Detective Khan to come
9 back.
10 TREY COLEMAN: All right.
11 DETECTIVE GOLDSTEIN: You all set, you need any
12 water, you thirsty?
13 TREY COLEMAN: No, I'm fine, I'm fine.
14 DETECTIVE GOLDSTEIN: Let me know if you need
15 water, you want to use the bathroom all that stuff.
16 TREY COLEMAN: I'm fine.
17 DETECTIVE GOLDSTEIN: Okay.
18 TREY COLEMAN: See who he is ---
19 DETECTIVE GOLDSTEIN: What's that, sir?
20 TREY COLEMAN: Detective, I don't know him, I
21 said I just come to see, I go back and lay down.
22 DETECTIVE GOLDSTEIN: You going to go back to
23 sleep?
24 TREY COLEMAN: Yeah, man.
25 DETECTIVE GOLDSTEIN: Good for you.

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1 Couldn't do it?

2 DETECTIVE KHAN: Sorry.

3 Michael Broadback (ph).

4 DETECTIVE GOLDSTEIN: All right, Detective Khan,

5 Detective Goldstein, we're here with the Sheriff's office.

6 TREY COLEMAN: Okay.

7 DETECTIVE GOLDSTEIN: All right.

8 I want to talk about a case that I'm working?

9 TREY COLEMAN: Yes, sir.

10 DETECTIVE GOLDSTEIN: You can maybe help me.

11 TREY COLEMAN: Yes, sir.

12 DETECTIVE GOLDSTEIN: Okay?

13 Under the law, we're required to read Miranda.

14 TREY COLEMAN: Right.

15 DETECTIVE GOLDSTEIN: Okay?

16 So we'll read you Miranda Rights, all right?

17 You just tell me if you understand, if you don't

18 understand, not a problem.

19 TREY COLEMAN: Right.

20 DETECTIVE GOLDSTEIN: I'll explain it to you.

21 TREY COLEMAN: Right.

22 DETECTIVE GOLDSTEIN: Not a big deal.

23 TREY COLEMAN: Okay.

24 DETECTIVE GOLDSTEIN: Okay?

25 TREY COLEMAN: Yes, sir.

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Trey Coleman on 05/02/2017

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1 DETECTIVE GOLDSTEIN: All right.

2 And all this stuff I just asked you was your
3 pertinent information, date of birth, everything else.

4 TREY COLEMAN: Right.

5 DETECTIVE GOLDSTEIN: That I have the absolute
6 right to remain silent and do not have to answer any
7 questions or give a statement and this fact cannot be used
8 against me.

9 TREY COLEMAN: Huh-huh.

10 DETECTIVE GOLDSTEIN: You understand that?

11 TREY COLEMAN: Yes, sir.

12 DETECTIVE GOLDSTEIN: Speak up.

13 TREY COLEMAN: Yes, sir.

14 DETECTIVE GOLDSTEIN: Thank you.

15 If I do answer questions or give a statement,
16 anything I say can and will be used against me in a Court
17 of Law.

18 TREY COLEMAN: Yes, sir.

19 DETECTIVE GOLDSTEIN: Okay?

20 That I have the right to consult with a lawyer of
21 my choice before I answer questions or give a statement and
22 also to have him present while I'm being questioned.

23 TREY COLEMAN: Yes, sir.

24 DETECTIVE GOLDSTEIN: Okay.

25 If I answer, that if I wish to talk to a lawyer

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 or have him present, but am unable to afford a lawyer, one
2 will be appointed to represent me free of charge.

3 TREY COLEMAN: Yes, sir.

4 DETECTIVE GOLDSTEIN: Okay.

5 If I decide to answer questions or give a
6 statement without having a lawyer present representing me,
7 I have the absolute right during this interview to stop
8 answering questions and remain silent.

9 TREY COLEMAN: Yes, sir.

10 DETECTIVE GOLDSTEIN: Okay, all right.

11 I'm going to ask you to sign this and all it says
12 is I read this and you understand the five rights, that's
13 it.

14 TREY COLEMAN: Yes, sir.

15 DETECTIVE GOLDSTEIN: Grab the hook, unhook him.

16 DETECTIVE KHAN: Yes, sir.

17 (Trey Coleman's handcuffs are removed.)

18 DETECTIVE GOLDSTEIN: Yeah, that's fine and then
19 I'm going to let you know what all this is about.

20 TREY COLEMAN: Yes, sir.

21 DETECTIVE GOLDSTEIN: You're going back to the
22 jailhouse.

23 TREY COLEMAN: Of course (laughs).

24 Yeah, man, I got for --- till June 24th and that
25 probably ---

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1 DETECTIVE GOLDSTEIN: June, I think it says.

2 TREY COLEMAN: June 24th.

3 DETECTIVE GOLDSTEIN: Yeah.

4 TREY COLEMAN: And then I got court May 9th in
5 DeKalb County, but ---

6 DETECTIVE GOLDSTEIN: Georgia?

7 TREY COLEMAN: Yeah.

8 DETECTIVE GOLDSTEIN: What you got down there?

9 TREY COLEMAN: Oh, driving under suspension and
10 illegal --- no, illegal use of a license, what that
11 (inaudible), sir, I have no license, I been on --- that's
12 why I don't got my license, I got I.D.

13 DETECTIVE GOLDSTEIN: Right, left?

14 TREY COLEMAN: Right hand, sir.

15 And I got --- I got no license, I got I.D., they
16 charge me with improper change lanes and ---

17 DETECTIVE GOLDSTEIN: How long you've been down
18 in DeKalb?

19 TREY COLEMAN: No, I just went to visit. I just
20 went to visit a friend of mine, over that way, that was ---
21 that was it.

22 DETECTIVE GOLDSTEIN: Yeah, okay. All right.

23 Sign right here (indicating). This is what I
24 just read to you.

25 TREY COLEMAN: Huh-huh.

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1 (Trey Coleman complies.)

2 DETECTIVE GOLDSTEIN: All right, hang onto that.

3 I fully understand each of these rights, they've
4 been explained to me, and having these in mind, I wish to
5 waive these rights and answer questions.

6 I haven't threatened you. No threats, force or
7 promise of any kind have been made to induce or cause me to
8 waive these rights and answer questions.

9 So in other words, I haven't threatened you, I
10 haven't yelled at you.

11 TREY COLEMAN: Right.

12 DETECTIVE GOLDSTEIN: All right.

13 Sign right there (indicating).

14 (Trey Coleman complies.)

15 TREY COLEMAN: Oh, excuse me.

16 DETECTIVE GOLDSTEIN: Do you know what you're
17 doing over here?

18 TREY COLEMAN: I mean I had talked to my --- my
19 girlfriend, well my baby mama.

20 DETECTIVE GOLDSTEIN: Okay.

21 TREY COLEMAN: In Columbia and she told me that
22 you all come by the house, somebody come by the house
23 yesterday.

24 DETECTIVE GOLDSTEIN: I did.

25 TREY COLEMAN: Right, she say you come by the

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 house yesterday.
2 DETECTIVE GOLDSTEIN: Okay.
3 TREY COLEMAN: Okay.
4 DETECTIVE GOLDSTEIN: What's baby mama's name?
5 TREY COLEMAN: Huh?
6 DETECTIVE GOLDSTEIN: What's her name?
7 TREY COLEMAN: Shakira Thomas, she all the way in
8 Columbia.
9 DETECTIVE GOLDSTEIN: Shakira?
10 TREY COLEMAN: Huh-huh.
11 DETECTIVE GOLDSTEIN: How do you --- Shakira.
12 TREY COLEMAN: Thomas.
13 DETECTIVE GOLDSTEIN: Where she stay at?
14 TREY COLEMAN: In Columbia.
15 DETECTIVE GOLDSTEIN: You know her address?
16 TREY COLEMAN: No, I don't know the address.
17 DETECTIVE GOLDSTEIN: You've driven there?
18 TREY COLEMAN: No.
19 DETECTIVE GOLDSTEIN: No, you know her phone
20 number?
21 TREY COLEMAN: Yes, sir.
22 DETECTIVE GOLDSTEIN: What's that?
23 TREY COLEMAN: 803.
24 DETECTIVE GOLDSTEIN: Yes, sir.
25 TREY COLEMAN: 480-6169.

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1 DETECTIVE GOLDSTEIN: She work?
2 TREY COLEMAN: Yes, sir.
3 DETECTIVE GOLDSTEIN: Where she work at?
4 TREY COLEMAN: I don't know.
5 I know she'd been working, she was working at
6 Wendy's.
7 DETECTIVE GOLDSTEIN: Okay.
8 TREY COLEMAN: But I haven't seen him in like, a
9 little minute now, cause I moved up here.
10 DETECTIVE GOLDSTEIN: You moved where?
11 TREY COLEMAN: To Lincolnville.
12 DETECTIVE GOLDSTEIN: Lincolnville?
13 TREY COLEMAN: Yes, sir.
14 DETECTIVE GOLDSTEIN: Okay.
15 You know her birthdate?
16 TREY COLEMAN: (No audible response.)
17 DETECTIVE GOLDSTEIN: She's your baby mama.
18 TREY COLEMAN: (Laughing) Oh, man ---
19 DETECTIVE GOLDSTEIN: We won't tell her you don't
20 remember, right?
21 TREY COLEMAN: Just gets --- I wanna say May
22 14th.
23 DETECTIVE GOLDSTEIN: What year?
24 TREY COLEMAN: Oh ---
25 DETECTIVE GOLDSTEIN: How old is she, I'll figure

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 that out.

2 TREY COLEMAN: How old Shakira is, I think she's
3 26.

4 DETECTIVE GOLDSTEIN: Okay, age 26. All right.
5 Do you know how to spell her first name?

6 TREY COLEMAN: S-H-A-K-I-R-A.

7 DETECTIVE GOLDSTEIN: Look how I spelled it
8 (indicating). I was way off.

9 TREY COLEMAN: (Laughing.)

10 DETECTIVE GOLDSTEIN: Way off.

11 TREY COLEMAN: That's like a little country man,
12 man.

13 DETECTIVE GOLDSTEIN: Yeah, what country?

14 TREY COLEMAN: I don't know.

15 DETECTIVE GOLDSTEIN: December 23rd, I spoke to
16 you on the telephone.

17 TREY COLEMAN: Yes, sir.

18 DETECTIVE GOLDSTEIN: Okay.

19 Do you remember talking to me on the phone?

20 TREY COLEMAN: Yes, sir.

21 DETECTIVE GOLDSTEIN: All right.

22 Let's go over those events, because all we did
23 was talk on the phone.

24 TREY COLEMAN: Right, right, right.

25 DETECTIVE GOLDSTEIN: So while you're here, I've

THE STATE OF SOUTH CAROLINA vs JOSEPH LAMAR BROWN
Trey Coleman on 05/02/2017

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1 got to document it.

2 TREY COLEMAN: Right.

3 DETECTIVE GOLDSTEIN: Okay.

4 Tell me December 23rd, let's start at like 11:00
5 o'clock, 11:30 in the morning ---

6 TREY COLEMAN: Huh-huh, yes, sir.

7 DETECTIVE GOLDSTEIN: --- just go through all
8 that.

9 TREY COLEMAN: All right.

10 I had got off work from CARS Recon, I detail cars
11 at the Charleston Auto Auction and I had got paid on that
12 day. So I went home (inaudible). My mama and them also
13 told Johnny was going to the store, you know, so I decided
14 to catch a ride with him to the store, cash my check and go
15 to Family Dollar to get some laundry detergent and stuff.

16 After we get the laundry detergent and stuff, we
17 go back to the house, he was at my --- he was at my house.
18 He sat there talking to my stepdad for a little bit, then I
19 leave in my car and go to the Corner Store down the street
20 and get me some cigarettes.

21 DETECTIVE GOLDSTEIN: Okay.

22 TREY COLEMAN: And as I was --- when I was
23 coming, he --- when he leave, he leave out behind me, but
24 when I was coming back, my stepdad was like Trey, look at
25 this. I run over there and that's when I found out he been

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1 --- that he had been shot over there.

2 DETECTIVE GOLDSTEIN: Right.

3 All right. Let's go back. So the Family Dollar
4 and what else?

5 TREY COLEMAN: I went to the liquor store right
6 there by Family Dollar to cash my check.

7 DETECTIVE GOLDSTEIN: All right.

8 And who did you go there with?

9 TREY COLEMAN: Johnny.

10 DETECTIVE GOLDSTEIN: All right.

11 And where are those two places?

12 TREY COLEMAN: They right, they um --- the liquor
13 store is, you know, you know where Family Dollar's at?

14 DETECTIVE GOLDSTEIN: I got an idea.

15 TREY COLEMAN: Okay.

16 You know the seafood place right down the corner.

17 DETECTIVE GOLDSTEIN: Huh-huh.

18 TREY COLEMAN: The liquor store's right behind
19 there.

20 DETECTIVE GOLDSTEIN: Okay.

21 Now, that was your check you were saying?

22 TREY COLEMAN: Yes, sir. Yes, sir.

23 DETECTIVE GOLDSTEIN: How much was that for?

24 TREY COLEMAN: I think it was like maybe a
25 hundred something.

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1 DETECTIVE GOLDSTEIN: Okay.
2 What did Johnny do?
3 TREY COLEMAN: Nothing.
4 He just sat there and waited for me to come back
5 out.
6 DETECTIVE GOLDSTEIN: Okay.
7 I see, so you went in alone?
8 TREY COLEMAN: Yes, sir.
9 DETECTIVE GOLDSTEIN: All right.
10 Did you buy liquor?
11 TREY COLEMAN: No.
12 DETECTIVE GOLDSTEIN: All right.
13 So you leave the liquor store, how about Family
14 Dollar, what did you do there?
15 TREY COLEMAN: He and me sat outside, actually he
16 got out the car and smoke a cigarette.
17 DETECTIVE GOLDSTEIN: Okay.
18 TREY COLEMAN: I went inside and got the laundry
19 detergent, pay for it and come back out and he was just
20 sitting out there waiting for me.
21 DETECTIVE GOLDSTEIN: Which Family Dollar is
22 that?
23 TREY COLEMAN: That's what, Main Street I want to
24 say.
25 DETECTIVE GOLDSTEIN: Huh-huh.

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1 TREY COLEMAN: Yeah, right there.
2 DETECTIVE GOLDSTEIN: Okay.
3 Now, back then, what was your phone number?
4 TREY COLEMAN: Um --- it was 843 --- 843, um ---
5 um --- 843-586 --- I don't know any more than that.
6 DETECTIVE GOLDSTEIN: All right.
7 We'll go past that.
8 TREY COLEMAN: Right.
9 DETECTIVE GOLDSTEIN: Because I remember calling
10 you on some phone number.
11 TREY COLEMAN: Yes, sir.
12 DETECTIVE GOLDSTEIN: All right.
13 So you two fellas go up to the liquor store,
14 Family Dollar, whose car?
15 TREY COLEMAN: His.
16 DETECTIVE GOLDSTEIN: His car?
17 TREY COLEMAN: Yes, sir.
18 DETECTIVE GOLDSTEIN: Who's driving?
19 TREY COLEMAN: Johnny.
20 DETECTIVE GOLDSTEIN: All right.
21 So you come back to the house?
22 TREY COLEMAN: Huh-huh.
23 DETECTIVE GOLDSTEIN: Now where do you go?
24 TREY COLEMAN: When we come back to my house, I
25 took the stuff inside, come back out to my car and I was

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1 leaving to go to Torres ---
2 DETECTIVE GOLDSTEIN: Okay.
3 TREY COLEMAN: --- and get me some cigarettes and
4 stuff.
5 DETECTIVE GOLDSTEIN: All right.
6 So you went to Torres?
7 TREY COLEMAN: Huh-huh.
8 DETECTIVE GOLDSTEIN: Did you run into anybody
9 you know at the Torres?
10 TREY COLEMAN: No.
11 DETECTIVE GOLDSTEIN: No?
12 TREY COLEMAN: No, sir.
13 DETECTIVE GOLDSTEIN: Okay.
14 So you went and bought cigarettes at the Torres?
15 TREY COLEMAN: Huh-huh.
16 DETECTIVE GOLDSTEIN: Why didn't you get
17 cigarettes back at Family Dollar?
18 TREY COLEMAN: Cause I --- cause I don't usually
19 buy --- it just slipped my mind when I go there, cause
20 like, it's like groceries and stuff.
21 DETECTIVE GOLDSTEIN: Yeah.
22 TREY COLEMAN: So I really don't think about
23 buying them there, you know what I'm saying?
24 DETECTIVE GOLDSTEIN: Right.
25 TREY COLEMAN: It just slipped my mind then.

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1 DETECTIVE GOLDSTEIN: Okay.
2 So you went into Torres?
3 TREY COLEMAN: Huh-huh.
4 DETECTIVE GOLDSTEIN: What kind of cigarettes you
5 buy?
6 TREY COLEMAN: Newports.
7 DETECTIVE GOLDSTEIN: All right.
8 How many packs?
9 TREY COLEMAN: One.
10 DETECTIVE GOLDSTEIN: One pack of Newport's?
11 TREY COLEMAN: Yes, sir.
12 DETECTIVE GOLDSTEIN: All right.
13 Which car were you driving, when you say it's
14 your car?
15 TREY COLEMAN: My um, I had a Prizm, a Chevrolet,
16 '98 Prizm.
17 DETECTIVE GOLDSTEIN: Yeah, okay.
18 Anybody go with you to Torres?
19 TREY COLEMAN: No, sir.
20 DETECTIVE GOLDSTEIN: So you leave Johnny talking
21 to your stepdad?
22 TREY COLEMAN: Yes, sir.
23 DETECTIVE GOLDSTEIN: All right.
24 So you come back from the Torres, and what
25 happened then?

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1 TREY COLEMAN: That's when I see, I see my
2 stepdad coming back over toward the house from over Johnny
3 house ---

4 DETECTIVE GOLDSTEIN: Yeah.

5 TREY COLEMAN: --- and that's how I knew, that's
6 how I figured out, that's when I knew that what happened to
7 him ---

8 DETECTIVE GOLDSTEIN: Oh.

9 TREY COLEMAN: --- when my stepdad came over.
10 So I run over to see was there anything that, you
11 know, saying, we could help him out with, but it wasn't.

12 DETECTIVE GOLDSTEIN: Were the police already
13 there?

14 TREY COLEMAN: No, sir.

15 DETECTIVE GOLDSTEIN: They weren't even there
16 yet?

17 TREY COLEMAN: No, sir.

18 They was on the way.

19 DETECTIVE GOLDSTEIN: Oh, okay.

20 What did your stepdad tell you happened?

21 TREY COLEMAN: He say, he said, only thing he
22 knew was, he just heard a pop sound.

23 DETECTIVE GOLDSTEIN: All right.

24 TREY COLEMAN: And I was like man, you know,
25 that's all he say he heard.

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1 DETECTIVE GOLDSTEIN: Now, what did you see?

2 TREY COLEMAN: I didn't see nothing.

3 DETECTIVE GOLDSTEIN: You were in the house?

4 TREY COLEMAN: No, I was standing at the, I
5 didn't wanna to go in the house, I just stood ---

6 DETECTIVE GOLDSTEIN: I understand.

7 TREY COLEMAN: --- at the door, you know, like
8 cause my brother had walked inside the house and I just
9 stood at the door and I was like, you know, and I just
10 can't see no more, you know?

11 DETECTIVE GOLDSTEIN: Sure.

12 TREY COLEMAN: And I just stepped away and I
13 passed out ---

14 DETECTIVE GOLDSTEIN: What door was it, the front
15 door, or back door?

16 TREY COLEMAN: The front door.

17 DETECTIVE GOLDSTEIN: All right.

18 TREY COLEMAN: And I just passed out.

19 DETECTIVE GOLDSTEIN: Passed out?

20 TREY COLEMAN: Yeah, like --- I don't know where
21 ---

22 DETECTIVE GOLDSTEIN: Freak you out that much?

23 TREY COLEMAN: --- yeah, you know, I mean I'm
24 like dang, what in the world just --- I was just with him,
25 you know, saying like ---

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1 DETECTIVE GOLDSTEIN: Sure, now he's dead?
2 TREY COLEMAN: Yeah, like, you know, he good
3 fella, man. Good dude.
4 DETECTIVE GOLDSTEIN: All right.
5 TREY COLEMAN: Helped me out a lot.
6 DETECTIVE GOLDSTEIN: What's your brother's name?
7 TREY COLEMAN: Aaron Cooper.
8 DETECTIVE GOLDSTEIN: Aaron Cooper?
9 TREY COLEMAN: Huh-huh.
10 DETECTIVE GOLDSTEIN: And where's he stay?
11 TREY COLEMAN: Oh um --- on, it's [REDACTED] Brenda B.
12 DETECTIVE GOLDSTEIN: Okay.
13 TREY COLEMAN: Right down the street from where I
14 stay.
15 DETECTIVE GOLDSTEIN: Yeah, okay.
16 What's he look like?
17 TREY COLEMAN: White guy, heavyset.
18 DETECTIVE GOLDSTEIN: Was he white?
19 TREY COLEMAN: Yeah.
20 DETECTIVE GOLDSTEIN: So he's related --- oh,
21 your Mama's black, right?
22 TREY COLEMAN: No.
23 DETECTIVE GOLDSTEIN: Your Mama's white?
24 TREY COLEMAN: Huh-huh.
25 DETECTIVE GOLDSTEIN: All right.

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1 So that's your Mom's relative?
2 TREY COLEMAN: Huh-huh.
3 DETECTIVE GOLDSTEIN: Oh, okay.
4 So Aaron Cooper lives in [REDACTED] Brenda B?
5 TREY COLEMAN: Yes, sir.
6 DETECTIVE GOLDSTEIN: Where's he work at?
7 TREY COLEMAN: He do concrete work.
8 DETECTIVE GOLDSTEIN: Okay.
9 All right, so you pass out?
10 TREY COLEMAN: Huh-huh.
11 DETECTIVE GOLDSTEIN: Okay?
12 Where did you pass out, what yard?
13 TREY COLEMAN: It was at Johnny yard, like on the
14 side of the house ---
15 DETECTIVE GOLDSTEIN: Yeah.
16 TREY COLEMAN: --- right off the concrete pad
17 where his porch at.
18 DETECTIVE GOLDSTEIN: Okay.
19 TREY COLEMAN: And then I just, probably a couple
20 seconds and then I get back up and I just --- my Mama come
21 and grab me cause she knew how I felt about Johnny, you
22 know what I mean?
23 DETECTIVE GOLDSTEIN: Sure.
24 TREY COLEMAN: So..
25 DETECTIVE GOLDSTEIN: Bad.

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1 Now, when did you wake up from passing out?
2 TREY COLEMAN: It was maybe a couple seconds
3 later.
4 DETECTIVE GOLDSTEIN: Sure.
5 What were you wearing that day?
6 TREY COLEMAN: Um, I had on, my work, I had on
7 my, I think I had on my vest for work, just some work
8 clothes. I really can't hide, uh-uh (no) ---
9 DETECTIVE GOLDSTEIN: You remember a striped
10 shirt?
11 TREY COLEMAN: (No audible response.)
12 DETECTIVE GOLDSTEIN: When you went in the liquor
13 store, you went to the liquor store, we had you in a
14 striped shirt.
15 TREY COLEMAN: Striped shirt?
16 DETECTIVE GOLDSTEIN: Huh-huh.
17 TREY COLEMAN: Maybe, I mean maybe, sure.
18 DETECTIVE GOLDSTEIN: Okay.
19 TREY COLEMAN: I wouldn't doubt it, you know?
20 DETECTIVE GOLDSTEIN: Yeah.
21 TREY COLEMAN: Maybe, maybe sure.
22 DETECTIVE GOLDSTEIN: Okay.
23 So you wake up, the police got to be there by
24 now?
25 TREY COLEMAN: The policemen's coming, yes, sir.

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1 DETECTIVE GOLDSTEIN: They were coming?

2 TREY COLEMAN: Yeah.

3 DETECTIVE GOLDSTEIN: I know you spoke to some
4 police ---

5 TREY COLEMAN: Yes, sir.

6 DETECTIVE GOLDSTEIN: --- I know they had their
7 little cameras going.

8 TREY COLEMAN: Yes, sir.

9 DETECTIVE GOLDSTEIN: What did you tell them
10 happened?

11 TREY COLEMAN: I just told them, he dropped me --
12 - when we went to the store, I tell him the same thing I
13 tell you.

14 DETECTIVE GOLDSTEIN: Yes, sir.

15 TREY COLEMAN: And I tell him once we came back,
16 the same thing. You know, like I leave and he leave and I
17 come back and everything happened.

18 DETECTIVE GOLDSTEIN: What did you do after you
19 spoke to the police?

20 Well, you spoke to the police, what did you do
21 then?

22 TREY COLEMAN: My fian --- well, my girlfriend at
23 the time ---

24 DETECTIVE GOLDSTEIN: Yeah.

25 TREY COLEMAN: She was um, on her way there so we

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1 could take our son to the zoo.

2 DETECTIVE GOLDSTEIN: Right.

3 You told me you went to go?

4 TREY COLEMAN: Yes, sir.

5 That's what it was. We had planned that, but it
6 threw us off for a couple, couple hours or whatever, couple
7 minutes, because of what was going on and I had wanted to
8 speak to them first.

9 DETECTIVE GOLDSTEIN: This Prizm, this car, is
10 that that Toyota, is that a Toyota Prizm?

11 TREY COLEMAN: It's a Chevrolet, Chevrolet.

12 DETECTIVE GOLDSTEIN: Chevrolet Prizm?

13 TREY COLEMAN: Yeah, Toyota made the Corolla, one
14 like the Prizm.

15 DETECTIVE GOLDSTEIN: Yeah.

16 What color is it?

17 TREY COLEMAN: Oh, it was like a darkish green
18 color.

19 DETECTIVE GOLDSTEIN: Is it still at your Mom's?

20 TREY COLEMAN: No, sir.

21 DETECTIVE GOLDSTEIN: Where's it at?

22 TREY COLEMAN: It gone.

23 DETECTIVE GOLDSTEIN: Gone?

24 TREY COLEMAN: Yeah.

25 DETECTIVE GOLDSTEIN: How's it gone?

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1 TREY COLEMAN: I mean I had, I done sell it.

2 DETECTIVE GOLDSTEIN: Why did you have to sell
3 it?

4 TREY COLEMAN: Cause I needed the money, the ---
5 the --- when I got pulled over for ---

6 DETECTIVE GOLDSTEIN: Huh-huh.

7 TREY COLEMAN: --- I just sold it cause it was
8 causing me trouble. I couldn't get insurance on it.

9 DETECTIVE GOLDSTEIN: Yeah, you couldn't drive
10 it?

11 TREY COLEMAN: Yeah, and that's what it was, you
12 know?

13 So I say as long as I got the car, I'm gonna keep
14 getting in trouble ---

15 DETECTIVE GOLDSTEIN: (Inaudible) --- drive it,
16 yeah ---

17 TREY COLEMAN: --- you know, so I get --- I sold
18 it.

19 DETECTIVE GOLDSTEIN: Okay.

20 Green 1998 Prizm.

21 TREY COLEMAN: Huh-huh.

22 DETECTIVE GOLDSTEIN: Do you know who you sold it
23 to?

24 TREY COLEMAN: To uh, it was a Mexican fella.

25 DETECTIVE GOLDSTEIN: Mexican.

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1 TREY COLEMAN: Yeah.
2 DETECTIVE GOLDSTEIN: Where's he from?
3 TREY COLEMAN: Um, I really can't tell you, just
4 had ---
5 DETECTIVE GOLDSTEIN: Charleston?
6 TREY COLEMAN: Charleston?
7 DETECTIVE GOLDSTEIN: Was he from here?
8 TREY COLEMAN: Probably so, more than likely,
9 yes.
10 DETECTIVE GOLDSTEIN: Between the time you went
11 from, you passed out or whatever, did you go down to Joshua
12 Drive or Brenda B?
13 TREY COLEMAN: No. No, sir, uh-uh.
14 No, cause I would have been back, the car been
15 back parked in the yard by that time and then when the
16 police had got there, I spoke to them and that was it.
17 My girlfriend had done come by then.
18 DETECTIVE GOLDSTEIN: Well, we got a video of you
19 down on Brenda B.
20 Yeah.
21 TREY COLEMAN: Hmm-hmm. No, sir.
22 DETECTIVE GOLDSTEIN: Now, how about this guy,
23 Joseph Brown that we arrested for shooting Pritchard, do
24 you know him?
25 TREY COLEMAN: He used to buy weed, but I never

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1 knew him from Joseph.

2 DETECTIVE GOLDSTEIN: Well, you know, whatever
3 his name is ---

4 TREY COLEMAN: (Interrupts/inaudible.)

5 DETECTIVE GOLDSTEIN: --- I call him by his real
6 name.

7 TREY COLEMAN: Yeah, I just --- he used to buy
8 weed back in the day, but ---

9 DETECTIVE GOLDSTEIN: From you?

10 TREY COLEMAN: --- don't deal with him.

11 DETECTIVE GOLDSTEIN: You deal with him?

12 TREY COLEMAN: Nay, I just knew ---

13 DETECTIVE GOLDSTEIN: It's no big deal, you sold
14 weed?

15 TREY COLEMAN: --- yeah, I'm saying, I knew him
16 through someone else.

17 DETECTIVE GOLDSTEIN: Okay.

18 TREY COLEMAN: And he used to buy weed that was
19 it.

20 DETECTIVE GOLDSTEIN: So you knew him?

21 TREY COLEMAN: No, not personally.

22 I just sold him weed ---

23 DETECTIVE GOLDSTEIN: If he walked up to you and
24 said hey, Trey, you would know who he was, yeah?

25 TREY COLEMAN: Right.

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1 DETECTIVE GOLDSTEIN: Yeah, okay.
2 TREY COLEMAN: Cause I seen his face ---
3 DETECTIVE GOLDSTEIN: (Interrupts/inaudible.)
4 TREY COLEMAN: --- right, right, right, right,
5 right, but I was ---
6 DETECTIVE GOLDSTEIN: Just tell me the truth ---
7 TREY COLEMAN: Yeah, I am ---
8 DETECTIVE GOLDSTEIN: --- that's all I ---
9 TREY COLEMAN: --- I'm telling you the truth.
10 DETECTIVE GOLDSTEIN: All right.
11 TREY COLEMAN: But I never really dealt with him,
12 but outside of the weed.
13 DETECTIVE GOLDSTEIN: No, no, you got a third
14 person.
15 You stand in line to go buy your weed?
16 TREY COLEMAN: Right.
17 DETECTIVE GOLDSTEIN: Hey Joe-Joe, hey Trey?
18 TREY COLEMAN: Yeah.
19 DETECTIVE GOLDSTEIN: You know who it is?
20 TREY COLEMAN: Right.
21 DETECTIVE GOLDSTEIN: Right?
22 TREY COLEMAN: Right.
23 DETECTIVE GOLDSTEIN: Okay.
24 Not a big deal.
25 TREY COLEMAN: Right.

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1 DETECTIVE GOLDSTEIN: When was the last time you
2 seen him, prior to this, prior to this ride?

3 TREY COLEMAN: Um, maybe like, to what ride?

4 DETECTIVE GOLDSTEIN: The day that Pritchard got
5 killed?

6 TREY COLEMAN: The day, that day?

7 DETECTIVE GOLDSTEIN: Yeah.

8 TREY COLEMAN: Maybe, I took him to work. He
9 paid me some gas money to take him to --- his stepdad paid
10 me to take him to work.

11 DETECTIVE GOLDSTEIN: Okay.

12 TREY COLEMAN: And I took him to work and that --
13 - that was probably, probably a couple days.

14 DETECTIVE GOLDSTEIN: A couple days prior?

15 TREY COLEMAN: Yeah.

16 DETECTIVE GOLDSTEIN: Okay.

17 TREY COLEMAN: Yeah.

18 DETECTIVE GOLDSTEIN: All right.

19 TREY COLEMAN: Couple days.

20 DETECTIVE GOLDSTEIN: So where did you pick him
21 up, you knew where he stayed at?

22 TREY COLEMAN: Yeah, he live down in the
23 apartments.

24 DETECTIVE GOLDSTEIN: Okay.

25 TREY COLEMAN: Yeah.

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1 DETECTIVE GOLDSTEIN: So you picked him up, you
2 took him to work?

3 TREY COLEMAN: Huh-huh.

4 DETECTIVE GOLDSTEIN: Okay.

5 Did you see him that day?

6 TREY COLEMAN: No, sir. No, sir.

7 I didn't see him that day.

8 DETECTIVE GOLDSTEIN: Okay, all right.

9 Let's go back to being this shirt and this multi-
10 colored shirt because this --- this --- we got video from
11 down there on Brenda B.

12 TREY COLEMAN: Huh-huh.

13 DETECTIVE GOLDSTEIN: The only reason why I'm not
14 bringing it in here right now is because it's on, it's in
15 our evidence locker.

16 TREY COLEMAN: Right.

17 DETECTIVE GOLDSTEIN: Okay.

18 But by law, by law, cause that's what I go by is
19 the law.

20 TREY COLEMAN: Huh-huh.

21 DETECTIVE GOLDSTEIN: I can't lie to you.

22 TREY COLEMAN: Right.

23 DETECTIVE GOLDSTEIN: And I'm telling you, you're
24 on this video and you know who the next one in the video
25 is?

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1 TREY COLEMAN: Who?
2 DETECTIVE GOLDSTEIN: Joe-Joe.
3 He's the next one on the video.
4 TREY COLEMAN: Right.
5 DETECTIVE GOLDSTEIN: Okay.
6 And you're making a motion, like this
7 (indicating) and Joe-Joe comes running into the video and
8 that's how the Court system works today is on video, not
9 this bullshit police talk.
10 TREY COLEMAN: Right.
11 DETECTIVE GOLDSTEIN: You know?
12 TREY COLEMAN: Right.
13 DETECTIVE GOLDSTEIN: You know, I could sit here
14 all day long talking talk bullshit ---
15 TREY COLEMAN: Right.
16 DETECTIVE GOLDSTEIN: --- don't make no sense, we
17 take the video.
18 TREY COLEMAN: Right.
19 DETECTIVE GOLDSTEIN: And that's what I'm going
20 to do. We'll take the video and I'm going to show the
21 Court that the guy that was in the liquor store in the
22 rainbow shirt, light-skinned, cashing a check is the same
23 fella that's picking up Joe-Joe that's been shooting,
24 that's you (indicating) and then you went back up to ---
25 when the police got there.

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1 I'm going to show them that and I can prove that.

2 Your problem, let me tell you what your problem
3 is, okay?

4 Your problem is you can be a witness today, or
5 you can be an accessory tomorrow, okay?

6 TREY COLEMAN: Yes, sir.

7 DETECTIVE GOLDSTEIN: And accessory under the
8 law, which I'm going to explain the law because I believe
9 you --- you need to know the law.

10 TREY COLEMAN: Yes, sir.

11 DETECTIVE GOLDSTEIN: I read your record.

12 TREY COLEMAN: Right.

13 DETECTIVE GOLDSTEIN: You know, you had a little
14 tiff with the law, so you know what I'm talking about.

15 TREY COLEMAN: Yes, sir.

16 DETECTIVE GOLDSTEIN: An accessory is the same as
17 a principal.

18 TREY COLEMAN: Right.

19 DETECTIVE GOLDSTEIN: So in other words, an
20 accessory before the fact of murder is what?

21 TREY COLEMAN: I don't know.

22 DETECTIVE GOLDSTEIN: Same shit as murder.

23 TREY COLEMAN: Right.

24 DETECTIVE GOLDSTEIN: 30 years.

25 TREY COLEMAN: Okay.

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1 DETECTIVE GOLDSTEIN: Okay?

2 And I'm just telling you, I'm not trying to scare
3 you.

4 TREY COLEMAN: Right, right, right. I
5 understand.

6 DETECTIVE GOLDSTEIN: And I don't want nobody to
7 say he scared me.

8 TREY COLEMAN: Right.

9 DETECTIVE GOLDSTEIN: I'm not here to scare you,
10 I'm just quoting you law.

11 TREY COLEMAN: Right.

12 DETECTIVE GOLDSTEIN: And I can do that by the
13 law.

14 TREY COLEMAN: Right.

15 DETECTIVE GOLDSTEIN: So you have 30 there, you
16 got armed robbery, it's 25, you've got burglary 1, 30,
17 that's what you're going to be up against, or you can get
18 over on this side, telling me and them the whole story.

19 TREY COLEMAN: Huh-huh.

20 DETECTIVE GOLDSTEIN: Okay, cause I've already
21 laid out what I have because I'm not going to sit here and
22 bullshit around ---

23 TREY COLEMAN: Right.

24 DETECTIVE GOLDSTEIN: --- back and forth and pull
25 teeth. I ain't doing that.

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1 TREY COLEMAN: Right.

2 DETECTIVE GOLDSTEIN: What I told you today is
3 exactly what I would take to the courthouse.

4 TREY COLEMAN: Right.

5 DETECTIVE GOLDSTEIN: Because we have to work
6 together.

7 TREY COLEMAN: Huh-huh.

8 DETECTIVE GOLDSTEIN: I believe you got jammed up
9 on this thing as a part of it, setting up Johnny and that's
10 why you're down to Torres, cause you could have got your
11 cigarettes any time before that (tapping on table).

12 TREY COLEMAN: No, that's not --- that's not the
13 truth.

14 DETECTIVE GOLDSTEIN: And you say you went to
15 Torres, I don't even know if you went to Torres.

16 TREY COLEMAN: I went to Torres.

17 DETECTIVE GOLDSTEIN: Yeah, I'm good with that.
18 I'm good with that.

19 I got to take your word.

20 TREY COLEMAN: Yes, sir.

21 DETECTIVE GOLDSTEIN: Yeah and I'm going to go
22 back to the Torres, Detective Khan's already been to
23 Torres.

24 TREY COLEMAN: Huh-huh.

25 DETECTIVE GOLDSTEIN: Okay.

1 He's already been there, so we --- we got the
2 video from the Torres, but as a benefit of the doubt for
3 you, I'm going to make sure that rainbow shirt ain't in it.

4 If that rainbow shirt ain't in it, you weren't at
5 the Torres.

6 TREY COLEMAN: Okay.

7 DETECTIVE GOLDSTEIN: Okay?

8 But if you were there, if we find it, you were
9 there, but all you do is pull yourself out of the equation
10 during the robbery. That's all you do.

11 TREY COLEMAN: Yeah, I ain't know.

12 DETECTIVE GOLDSTEIN: And you know we got Joe-
13 Joe's phone, you know that?

14 TREY COLEMAN: Huh-huh.

15 DETECTIVE GOLDSTEIN: Okay.

16 How do you know that?

17 TREY COLEMAN: Cause uh --- when I was there, the
18 officer there picked it up.

19 DETECTIVE GOLDSTEIN: Right.

20 Did you know it was his phone?

21 TREY COLEMAN: Not then.

22 DETECTIVE GOLDSTEIN: Not then?

23 TREY COLEMAN: No.

24 DETECTIVE GOLDSTEIN: Well, how do you know it
25 was his phone ---