

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Edgefield County

Honorable Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIAM C. (BILLY) SELLERS,

APPELLANT

APPELLATE CASE NO 2018-001667

RECORD ON APPEAL

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1 State of South Carolina) In the Court
2 County of Edgefield) Of General Sessions
3 State of South Carolina,) Indictment Nos.: 2015-GS-19-00044
4 Plaintiff,) 2016-GS-19-00055
5 vs.) Transcript of Record
6 William C. Sellers,)
7 Defendant.)
8

9 August 27th through 31st, 2018
10 Edgefield, South Carolina
11

12 BEFORE:

13 The Honorable Eugene C. Griffith, Junior,
14 Judge, and a Jury
15

16 APPEARANCES:

17 Suzanne Mayes, Assistant State Solicitor
18 Robert McNair, Assistant State Solicitor
19 Attorneys for the State/Plaintiff

20 Bennett Casto, Assistant Public Defender
21 Elizabeth Fullwood, Assistant Public Defender
22 Attorneys for the Defendant

23 ALSO PRESENT:

24 William C. Sellers
25

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1 MR. McNAIR: Billy Sellers made the decision to end
2 Johnny Hydrick's existence on this earth just to steal a
3 dollar, some pain pills, and a few old guns he couldn't
4 even sell on the street. In fact, after he had beat the
5 life out of Johnny Hydrick with the butt end of a pistol,
6 he laughed about it as he bragged to his buddy Joey Lowe
7 that, man, for a beating like that I would have given up
8 everything I had. Well, he did take everything Johnny
9 Hydrick had. He took his life.

10 Johnny Hydrick died in the living room of his own
11 home around 1:43 a.m. on October 10th, 2014, beat over
12 the head with his own .38 revolver until he was
13 unrecognizable. We know he died at 1:43 because he had
14 an ankle monitor on, GPS monitor because he was on
15 probation for a DUI. Johnny Hydrick wasn't a perfect
16 man. Nobody is. But he had a life ahead of him. He has
17 a family that cherished him and he didn't deserve to die.

18 Now, when law enforcement showed up on the scene to
19 process the crime scene, there was bloody handprints all
20 over the house, on the walls, on the refrigerator, on
21 everything that had been rummaged through but yet they
22 were unable to find any DNA or fingerprints. In fact,
23 the victim's hands had been duct taped and he had duct
24 tape over his mouth. They couldn't get any DNA or
25 fingerprints off of that either. The only reasonable

1 conclusion from that is that Mr. Sellers and whoever he
2 did it with, they had planned it and they took steps to
3 cover their actions. They wore gloves.

4 Now, even though law enforcement didn't have leads
5 from the crime scene itself, a few names came up early on
6 in the investigation. One was Jessica Reeder. She lived
7 with Johnny Hydrick in the past. One was Travis Murray,
8 Jessica Reeder's boyfriend, friends of Billy Sellers, and
9 Billy Sellers name came up. When Detective Ireland went
10 to go talk to Billy Sellers about a week after this
11 happened, he admitted that he knew Johnny Hydrick. He
12 said he had bought pills from Johnny Hydrick in the past.
13 Johnny Hydrick had been in a car wreck. He got a regular
14 prescription for oxycodone pain pills.

15 Mr. Sellers also admitted that he had been in the
16 area across from Johnny Hydrick's house about a day prior
17 to the murder. He said he had been there with Travis
18 Murray and another guy named Shawn Nicholson looking for
19 scrap metal in an old abandoned house. At that point law
20 enforcement, they still didn't have enough to make an
21 arrest. Then a guy named Joey Lowe came forward. A guy
22 who had nothing to gain by coming forward, and he said a
23 couple of days prior to the murder Billy Sellers had
24 talked to him and said, hey, man, are you interested in
25 doing a lick on a guy that has a bunch of pills and gets

1 drunk every night and it would be an easy target? Joey
2 said no. I'm not into doing licks.

3 The next time he heard from Billy Sellers it was the
4 early morning hours of October 10th. That's when Billy
5 Sellers called him and said, man, for a beating like that
6 I would have given up everything I had. All he had was a
7 dollar in his wallet. Sure enough, when you look at
8 Billy Sellers phone records, there's a call that he makes
9 to Joey Lowe at 2:40 a.m. on the 10th that lasted for a
10 minute and 51 seconds. That's that call where he said,
11 man, I would have given up everything I had.

12 The other thing you see on his phone records, you
13 see a bunch of activity on his phone up until about 12:17
14 a.m. on the 10th, then it goes silent and picks back up
15 at about 2:11, about a two hour gap. Remember, that
16 murder happened right around 1:43 a.m. The other thing
17 we know is that Shawn Nicholson called him twice during
18 that time frame, once at 12:49 a.m., once at 1:50 a.m.
19 The reason we know that is because those calls are on
20 Shawn Nicholson's record but they're not reflected on
21 Billy Sellers phone or his phone records because his
22 phone was off. His phone didn't pick up those calls.

23 The other thing we know is that when his phone does
24 come back active at 2:11 a.m., then again at 2:19 a.m.
25 and then again at 2:48 a.m. when he's talking to Joey

1 Lowe, he's hitting on a cell tower off of Edgefield
2 Highway. He ain't home. That's the route he would have
3 taken from the victim's house in Trenton to where he
4 lived in Aiken. He's on the move. At that point he was
5 arrested for the murder of Johnny Hydrick. While he was
6 in jail he continues to brag about what he had done to
7 people in the jail. You're gonna hear from them. David
8 Amerson, Phillip Griffin, Wesley Omar Brown. And the
9 thing about all of these people is they don't know each
10 other. They don't know anybody involved in this case
11 really. Two of them aren't even from South Carolina.
12 They have no reason to know what they know unless they
13 talked to the killer himself.

14 The common thing they all know is that Billy Sellers
15 said he did it and Billy Sellers tells them he did it
16 with other people. And that may be true and we don't
17 know who those people are, but it didn't matter whether
18 he did it alone or with other people. He's guilty all
19 the same because the hand of one is the hand of all. I'm
20 sure y'all have heard that. That's the law in South
21 Carolina. We don't have to prove whether he acted alone
22 or with other people, just that he participated in it.
23 He's guilty all the same.

24 Now, Wesley Omar Brown who I mentioned was in the
25 cell with Billy Sellers who Billy Sellers talked to.

1 Billy Sellers wrote a letter that he wanted Wesley Omar
2 Brown to turn over to the police. In that letter he's
3 trying to pin the murder on a guy named Hakim Talib. His
4 nickname is Jersey. So Wesley Omar Brown turns that
5 letter over to Detective Ireland. Detective Ireland
6 never heard the name Jersey before, so he figures out
7 that Jersey is this Hakim Talib guy from Aiken. He
8 reaches out to Aiken County and realizes they had just
9 done a drug raid on Hakim Talib's house and searched his
10 house and he says, hey, by chance did y'all find a .38
11 revolver? Lo and behold they had. That was sent to SLED
12 and it came back and it had the victim's DNA on it,
13 Johnny Hydrick's .38 revolver that had been used to beat
14 him over the head.

15 Now, Detective Ireland went to talk to Hakim Talib.
16 He said, yeah, I used to sell Billy marijuana. He came
17 to me one day with Shawn Nicholson and he tried to sell
18 me a shotgun, a long shotgun which had also been stolen
19 from Johnny Hydrick's house and he tried to sell me some
20 roxies, oxycodone pain pills. Hakim Talib told him I'm
21 not interested in that stuff. He said a couple days
22 later Billy came back with that .38 by himself and sold
23 him that .38 for \$30.00 and some weed.

24 Now, again, that letter contains details nobody
25 would have any reason to know unless you had been there

1 and done it. That letter was sent to SLED for
2 handwriting analysis. It came back as a match to Billy
3 Sellers handwriting. Billy Sellers also told Wesley Omar
4 Brown that his alibi was a guy named Shawn Nicholson.
5 Shawn Nicholson is gonna come in here and tell you that,
6 yeah, Billy was with me that night but he left and I
7 didn't see him again until about 3:00 in the morning.
8 Shawn also will tell you that he was with Billy and
9 Travis Murray scrapping for metal that day on October
10 8th, a couple of days before the murder; that he heard
11 Billy and Travis talking about something that led him to
12 believe they were talking about doing a lick on Mr.
13 Hydrick.

14 Now, I mentioned Jessica Reeder and Travis Murray.
15 They were initially arrested in this case for the murder.
16 As under the belief and information that the police had
17 at the time it was their belief that they acted with
18 Billy Sellers.

19 Now, as Prosecutors our job is once we get a case
20 from the police, we review it. We analyze the evidence,
21 evaluate it. We have to determine whether or not we can
22 prove it. We may have a hunch somebody was involved or a
23 suspicion somebody was involved but we don't concern
24 ourselves with that. We concern ourselves with proof
25 beyond a reasonable doubt. We can prove Billy Sellers

1 did it. We can prove he was there.

2 You're also gonna hear the name Gee. Gee, that's
3 how he was saved in Billy Sellers phone. There's lots of
4 calls and texts between Mr. Sellers and Gee leading up to
5 the murder. There's lots of calls and texts after the
6 murder. But all those calls and texts were deleted by
7 Mr. Sellers. Nobody has provided law enforcement with
8 Gee's real name. His phone was unregistered so we
9 couldn't figure out what his name was that way so Gee is
10 just in the wind. Nobody knows where he is or who he is.
11 But the one thing about all of these people who may have
12 been involved in this with Billy Sellers is it all comes
13 back to Billy Sellers because they don't all know each
14 other but they all know Billy Sellers. He's at the
15 center of all of this and no matter who they may try to
16 point the finger at, all those come back to Billy
17 Sellers. We know he's involved. And honestly, I mean, I
18 think he's proud of it. As many people as he talked to
19 and bragged to about it, he's proud of it.

20 The other thing I want you to keep in mind
21 throughout this trial because y'all get to evaluate who
22 is believable, who is not, who is credible, who is not,
23 but keep this in mind throughout this whole trial, these
24 witnesses that you're gonna hear from who will point the
25 finger at Billy Sellers who know information about Billy

1 Sellers, those were his friends and associates at the
2 time. We don't just pick these people out of thin air.
3 The defense is gonna have to try to discredit these
4 people because they hurt Billy Sellers. They're gonna
5 say things that hurt him. But we don't get to choose our
6 witnesses. Those are his friends. Those are people he
7 trusted. People he did business with so keep that in
8 mind when determining who is credible, who is not, who is
9 believable and who is not.

10 Also I want you to keep in mind that testimony from
11 that witness stand is evidence. In our world today with
12 shows like CSI and stuff like that, people sometimes
13 think evidence has to be high tech or scientific. But
14 from the beginning of time evidence is what somebody saw
15 or heard, a witness, okay? And it's still good evidence
16 today. If you determine, decide a witness is believable,
17 that's evidence. You can take it to the bank.

18 Now, obviously I mentioned we don't have an eye
19 witness from the crime scene to point the finger at Billy
20 Sellers. We don't have DNA or fingerprints from the
21 crime scene. But that's okay because you can build a
22 case on circumstantial evidence and that's as strong as
23 any other type of evidence, okay? The best way I have
24 ever heard to describe that is it's like snow. You go to
25 bed one night and there's no snow on the ground and you

1 wake up the next morning and it's cover in snow, you
2 don't have to see a snow flake to know it snowed that
3 night. You wouldn't have any doubt that it snowed that
4 night. Or like a puzzle. You put it piece by piece
5 together. Each piece by itself may not mean that much.
6 But when you put them together, you can see the picture
7 and it's gonna be clear. And even if we're missing a few
8 pieces like who he may have done it with, you can still
9 be able to see the picture that he was involved in it and
10 that he did it and you're not gonna have a doubt.

11 Now, reasonable doubt. Everybody knows that's the
12 burden of proof in a criminal case. A lot of people have
13 misconceptions about what that really means. A while
14 back I heard somebody on the radio say the prosecution
15 didn't prove their case beyond a shadow of a doubt.
16 Well, that's not the standard, okay? The law doesn't
17 require us to prove things to an absolute certainty or
18 beyond every possible doubt because there are very few
19 things in this world that we can ever know to an absolute
20 certainty and the law doesn't require that, okay? It
21 requires that you just be firmly convinced of his guilt.
22 If you are firmly convinced, then y'all just took an oath
23 to find him guilty.

24 So this sounds cliché' and it's said a lot in the
25 courtrooms but use your common sense. The greatest asset

1 that y'all bring to this whole process is your common
2 sense. Just like you do in your everyday life, use your
3 common sense to determine what makes sense and what
4 doesn't, what's reasonable and what's not. You don't
5 have to leave your common sense at the door. I submit to
6 you at the end of this there's only one reasonable
7 conclusion. There's only one reasonable verdict.
8 There's only one verdict that speaks the truth and
9 delivers justice and that's going to be guilty. Thank
10 y'all.

11 THE COURT: Mr. Casto.

12 MR. CASTO: Thank you, Judge. May it please the
13 Court and opposing counsel.

14 Allegations but no physical evidence. This case is
15 about allegations but no physical evidence. From the
16 outset we agree that a life was taken and the case before
17 you is one that is sad and is a tragedy. A life that's
18 cut short and so in that regard we actually agree with
19 the State. So that's not our question. Our question is
20 this: That's not why we're here. Why we're here is if
21 there's enough evidence in this case that this crime
22 happened the way that the State says that it did and the
23 answer to that question is no. There will be allegations
24 but no physical evidence in this case.

25 As the trial unfolds I will be trying this case.

1 And again, my name by way of introduction is Bennett
2 Casto. I try cases in Lexington and Edgefield, Saluda
3 and McCormick and throughout the life of this case I'll
4 be joined with my co-counsel Elizabeth Fullwood. And by
5 way of introduction this is my client Mr. William
6 Sellers.

7 Now, William, throughout the life of the case
8 William goes by Billy. After this incident happened on
9 October 11th, 2014 when Mr. Hydrick's body was found, in
10 the days and in the weeks and in the months the crime
11 scene was searched by law enforcement and processed.
12 Mr. Sellers or Billy's house was searched. Even his
13 vehicle was searched and no, no physical evidence that
14 ties him to this crime was found and so you will hear a
15 case of allegations but no physical evidence and
16 allegations throughout the life of this case will come
17 through, the State will be forced to bring before you
18 allegations from folks that cannot be trusted, who have
19 their own motives to misrepresent, misstate and bend the
20 truth in the way they see fit to get what they want.
21 That's what this case is about. Allegations but no
22 physical evidence.

23 From the outset what we want to do is we want to
24 thank you for your service in this case. As this case
25 plays out it won't be an episode of Perry Mason. It

1 won't contain all the southern charm of, say, an episode
2 a Ben Matlock or even as the State says CSI. It's very,
3 very popular. It won't always be like that. But unlike
4 all those other shows the case before you is one of real
5 life. It matters and it matters to Billy. This is his
6 day in court.

7 In tying all of this back to your role as a juror in
8 this case what you really do is you serve as kind of a
9 shield between the awesome power of the State and the
10 power that it has to strip one of your fellow citizens of
11 their liberty. What do I mean? You are each called upon
12 as kind of a shield to protect one of your fellow
13 citizens from plain old ordinary evils that is false
14 charges, false allegations and plain old ordinary lack of
15 evidence.

16 Now, at this point in the trial you have only heard
17 from one party and that's the State and keep in mind it's
18 that same State that's charged with proving the case.
19 They have what's called the burden of proof. In other
20 words, our side may not prove anything at all. They have
21 to do the proving and if they cannot prove their case
22 beyond a reasonable doubt, you must find Billy not
23 guilty. In the world of this case and the trial of this
24 case and the crime alleged in this case several elements
25 exist and they're kind of like puzzle pieces that stitch

1 together and that constitute the crime for which we are
2 all here and if you find reasonable doubt exists versus
3 one of those puzzle pieces, you must find Billy not
4 guilty.

5 Reasonable doubt. What does that mean? So much has
6 been said and we love our shows and our books and
7 television and that and the way that it's been handed
8 down in South Carolina courts is this: Here's a
9 definition. Catch this. Reasonable doubt is the type of
10 doubt that would cause an ordinary person to pause or to
11 hesitate before they act. Reasonable doubt is the type
12 of doubt that would cause an ordinary person to pause or
13 to hesitate before they act. Stated another way, it's
14 like this, do you have a doubt about Billy's guilt and is
15 it a doubt that you can give a valid reason for? Do you
16 have a doubt about Billy's guilt and is it a doubt that
17 you can give a valid reason as to why you have that
18 doubt? And if that answer is yes, you must find Billy
19 not guilty of this offense.

20 A lot of times, one thing that bears mentioning is a
21 lot of times juries feel that the burden might be on them
22 to solve the case and that is not at all the case. That
23 job is left to law enforcement. So in that regard the
24 pressure is off somewhat. It's not your job to solve the
25 case. You have to determine whether there is enough

1 evidence to strip Billy of his freedom in this case. If
2 you have a doubt about Billy's guilt, one that you can
3 give a valid reason for, you must find Billy not guilty.

4 Now, as the State said, how to evaluate the evidence
5 that comes before you? Yes. Things said in this
6 courtroom will come from this witness stand. Question
7 everything. Who has motivation to lie, misrepresent, to
8 be biased? Think about those things while people
9 testify. Think about things that are not said. Think
10 about things they don't say. Take a look at their body
11 language. Ladies and gentlemen, all of that is fair game
12 in your analysis. In a case that seems so
13 straightforward it might be anything but.

14 In conclusion and at the end of the trial and at the
15 close of all the evidence and after all the evidence is
16 paraded before you from the witness stand I'm gonna hop
17 back up here and I'm gonna stand right here and at the
18 conclusion of this case I'm gonna ask you to find Billy
19 not guilty of the crime alleged. Thank you.

20 THE COURT: All right. Call you first witness.

21 MS. MAYES: The State calls Polly Worden.

22 THE COURT: So y'all know, some of the witnesses are
23 sequestered. Some of the witnesses are allowed to stay
24 in if they're involved, the lead investigator for the
25 State, Mr. Sellers obviously needs to stay in here, the

1 investigator for the defense. The fact witnesses that
2 will come and testify are in another room so they don't
3 get the benefit of listening to each other's testimony.
4 That's the reason why we have got to go get them, all
5 right?

6 Thereupon,

7 POLLY WORDEN

8 after having been first duly sworn, testified as follows,

9 THE CLERK: Please have a seat. Once you're seated,
10 state your full name spelling your last please.

11 THE WITNESS: Polly Worden, W-o-r-d-e-n.

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q. Good afternoon. Tell us a little bit about
15 yourself, Ms. Worden. Where are you employed?

16 A. I'm employed at Edgefield County Sheriff's Office.
17 I am the 911 and jail administrator there.

18 Q. All right. I need you to speak up a little bit more
19 or place that microphone down a little bit closer to you.

20 A. (Witness complies.)

21 Q. All right. Tell us again where you are employed and
22 in what capacity?

23 A. Edgefield County Sheriff's Office, 911 director and
24 jail administrator there.

25 Q. Now, as the 911 director can you tell us whether or

1 not you are also custodian of business records for the 911
2 calls that come into Edgefield County dispatch?

3 A. Yes, ma'am. I am.

4 Q. Are all calls recorded that come into the 911
5 communication center from citizens?

6 A. Yes, ma'am.

7 Q. That includes calls for police assistance?

8 A. Yes.

9 Q. EMS?

10 A. Yes.

11 Q. Fire?

12 A. Yes.

13 Q. So I want to ask you whether or not you received a
14 subpoena for records including audio recordings related to a
15 911 call in the area of Windy Ridge?

16 A. Yes, ma'am. I did.

17 Q. And that dates back to October 11th, 2014?

18 A. Yes, ma'am.

19 Q. How do you go about actually documenting the
20 information as a form of data entry in a computerized
21 system?

22 A. Well, once I get the request in my computer, I have
23 a list of who requests that information, the date and time
24 it's requested and the date and time the call came in.

25 Q. All right. Now, when a call comes in in addition to

1 audio recording it, what does the dispatcher do?

2 A. For recording? I'm sorry. I didn't understand the
3 question.

4 Q. Yes. Is the dispatcher making data entries during
5 the course of the call?

6 A. Yes, ma'am.

7 Q. All right. How is that preserved?

8 A. Uhm, in our CAD system.

9 Q. Now, you used the term CAD. What do you mean by
10 that?

11 A. It's computer aided dispatch.

12 Q. Do you have with you the computer aided dispatch
13 records for this particular call at Windy Ridge on October
14 11th, 2014?

15 A. Yes, ma'am.

16 Q. Are you the custodian for those records as well?

17 A. Yes, ma'am.

18 Q. I'm going to show you an item, Ms. Worden, and ask
19 you whether or not you recognize it?

20 A. Yes, ma'am.

21 Q. How so?

22 A. That is my handwriting and I initialed it besides.

23 Q. All right. Is that the actual 911 call in this
24 case?

25 A. Yes, ma'am.

1 Q. That was preserved for you as custodian of records
2 to identify?

3 A. Yes, ma'am.

4 Q. And you've listened to it?

5 A. Yes.

6 Q. Is that recording a fair and accurate representation
7 of the call that came in in relation to this case?

8 A. Yes, ma'am. It is.

9 MS. MAYES: This will be State's Exhibit 1 for
10 evidence.

11 THE COURT: Any objection?

12 MR. CASTO: No objection, Judge.

13 THE COURT: State's 1 in evidence.

14 (Whereupon, State's Exhibit #1 marked for
15 identification and entered.)

16 MS. MAYES: May we approach?

17 THE COURT: Yes, ma'am.

18 (Side bar off the record.)

19 THE COURT: It has been brought to my attention some
20 of the witnesses sequestered are kept outside. I found
21 out there are witnesses in here. Per my direction I
22 would like any witnesses who were sequestered, not the
23 investigators for either side, be given an opportunity to
24 sit outside the courtroom while we present this other
25 testimony. So whoever is involved, y'all know your

1 witnesses, let's make certain we don't have a violation
2 of the sequester rule from the beginning.

3 BY MS. MAYES:

4 Q. Now, you mentioned, Ms. Worden, that data entries
5 are being made during the course of that 911 call?

6 A. Yes, ma'am.

7 Q. Can you tell us the time of the call that was
8 received in relation to this case?

9 A. It was 11:19 a.m.

10 Q. And what was the address?

11 A. [REDACTED] Windy Ridge Road, Trenton.

12 Q. What was the nature of that call?

13 A. It was for a murder.

14 Q. Do you have 11:19 a.m. as the time that the call
15 actually came in, but what is the date that this occurred?

16 A. October 11th, 2014.

17 Q. And then do you have the time of arrival for the
18 first officer or Edgefield County Sheriff's Department unit to
19 arrive there at the scene?

20 A. Let's see. That would be 12:16.

21 Q. All right. So 12:16 would be -- If you could refer
22 to the report again please.

23 A. On the front of the paper of the CAD sheet it says
24 call arrival time it says 11:29 but if you go all the way to
25 the back it's got a unit arrived at 12:16 also.

1 Q. All right. Well, can you confirm the time that the
2 -- What is noted as the initial time of arrival for an officer
3 there at the scene?

4 A. It would be 11:29.

5 Q. Do you know which officer that was?

6 A. No, ma'am. I don't see that in this report.

7 Q. So at 11:19 when that call came in, you had officers
8 respond right away?

9 A. Yes, ma'am.

10 Q. And your notes or your CAD sheet indicates that they
11 arrived there at the scene shortly thereafter?

12 A. Yes, ma'am.

13 Q. And then does that include EMS as well?

14 A. Yes, ma'am.

15 MS. MAYES: Now, you mentioned that you do have the
16 911 call audio actually preserved in this case, that you
17 have had a chance to listen to it and identify it as a
18 fair and accurate representation of the call that was
19 received in this case. Your Honor, at this time the
20 State would request permission to publish.

21 THE COURT: You may do so.

22 (Whereupon, State's Exhibit #1, the 911 call was
23 published to the jury.)

24 MS. MAYES: Nothing further, Your Honor.

25 THE COURT: All right. Your witness.

1 MR. CASTO: No questions for this witness, Your
2 Honor.

3 THE COURT: All right. Ms. Worden, you may step
4 down.

5 THE WITNESS: Thank you.

6 MS. MAYES: May we approach?

7 THE COURT: Yes, ma'am.

8 (Side bar off the record.)

9 MS. MAYES: The State calls Richard Hydrick.

10 THE COURT: All right.

11 Thereupon,

12 RICHARD FITZGERALD HYDRICK

13 after having been first duly sworn, testified as follows,

14 THE CLERK: Please have a seat. Once you're seated,
15 state your full name spelling your last please.

16 THE WITNESS: Richard Fitzgerald Hydrick,
17 H-y-d-r-i-c-k.

18 DIRECT EXAMINATION

19 BY MS. MAYES:

20 Q. Okay. Mr. Hydrick, we need you to maybe pull the
21 microphone a little closer to you.

22 A. (Witness complies.)

23 Q. A few minutes ago, Mr. Hydrick, we heard a 911 call.
24 Who made that call?

25 A. I did.

1 Q. And how are you related to Johnny Hydrick?

2 A. He's my big brother.

3 Q. How long had Mr. Hydrick lived there at the [REDACTED]
4 Windy Ridge residence?

5 A. I give it probably 12, 13 years.

6 Q. All right. And at the time of his homicide was he
7 living there alone?

8 A. Uhm, he had his girlfriend which was Jessica.

9 Q. What was her name?

10 A. Jessica Reeder.

11 Q. All right. How long had it been since you had
12 contact with your brother before the date of October 11th,
13 2014?

14 A. The night before.

15 Q. And did anything appear to be wrong or unusual with
16 Johnny that night?

17 A. When I talked to him, he said that everything was
18 fine. I said, do you need anything? He said no.

19 Q. All right. Now, was Johnny receiving disability?

20 A. Yes, ma'am.

21 Q. What had occurred to leave him disabled?

22 A. He was in a car accident.

23 Q. As a result of the car accident was he receiving
24 prescription medications?

25 A. Yes, ma'am.

1 Q. What type of injuries had he sustained in that car
2 accident?

3 A. Uhm, it broke his jaw and it messed him up pretty
4 bad, I mean, as far as he couldn't move for a while.

5 Q. In addition to those injuries, was there pain
6 involved that lingered beyond the accident itself?

7 A. Yes, ma'am.

8 Q. Do you know whether or not Johnny was still
9 receiving prescription pills up until the time of his
10 murder?

11 A. Yes, ma'am. He was.

12 Q. What prompted you to go over there on October 11th
13 to check on Johnny?

14 A. Uhm, my truck broke down and my mom, I talked to him
15 the night before and I tried to call him the next day and
16 never could get ahold to him and text him and never could get
17 a text back and then the following day my mom told me to go by
18 there and check on him and make sure he was all right and
19 whenever I got there, I noticed that the music wasn't playing
20 like he usually has the music playing outside, you know, and I
21 figured maybe he was inside just doing whatever and usually he
22 has the front door open but the front door was closed.

23 Q. All right. So was October 11th being the day
24 you went over and October 10th being the date that you sent
25 text that went unanswered, what was the approximate date that

1 you had actually last spoken with him? October 9th?

2 A. October 9th.

3 Q. That's the night you said everything appeared to be
4 ordinary --

5 A. Yes, ma'am.

6 Q. -- with Johnny?

7 A. Yes, ma'am.

8 Q. And then on the 10th when you didn't receive
9 responses to your text --

10 A. Yes, ma'am.

11 Q. -- was that unusual?

12 A. Yes, ma'am. Usually he would call me back or if I
13 had any problems with the truck, he would call me, you know.

14 Q. Okay. So by the 11th when you had not heard back
15 from Johnny, what action did you take?

16 A. Ma'am, what?

17 Q. By the 11th when you had not heard back from him,
18 what did you do in response?

19 A. That's when my mom told me to go out there and check
20 on him.

21 Q. Now, when you got to the residence, did there appear
22 to be any obvious signs of the residence being disturbed there
23 along the front door?

24 A. Just that the door was shut.

25 Q. When you went inside, what did you observe?

1 A. All I saw was my brother in there and he was on the
2 floor and --

3 Q. Okay. Did you approach him or disturb the scene in
4 any way?

5 A. No, ma'am. As far as I made it was the door.

6 Q. That's when you stopped outside to call --

7 A. Yes, ma'am.

8 Q. -- law enforcement?

9 A. Yes, ma'am.

10 Q. Now, you mentioned that he had had a girlfriend.
11 Again, what was her name?

12 A. Jessica Reeder.

13 Q. Do you know when she had last stayed over at his
14 residence?

15 A. About like two or three days before that.

16 Q. All right. Now, in terms of actually staying there,
17 residing there, is it your understanding that Johnny resided
18 alone?

19 A. Yes, ma'am.

20 Q. But you think he had last had contact with Jessica
21 Reeder two or three days before?

22 A. Correct.

23 Q. Where had Johnny worked prior to his disability?

24 A. Murray's. Murray Fabrication. I think it's on 19
25 because he was working there just to make whatever they make.

1 And before that I think he was at a plant on 25.

2 Q. All right. Do you know whether he had ever worked
3 for Allen Murray Construction?

4 A. Yes, ma'am.

5 Q. So he had held several jobs prior to his
6 disability?

7 A. Yes, ma'am.

8 MS. MAYES: Nothing further.

9 CROSS EXAMINATION

10 BY MR. CASTO:

11 Q. Hi, Mr. Hydrick. How are you?

12 A. Fine.

13 Q. October 11th, 2014 was the day that you first met
14 and spoke with Investigator Ireland about this case; is that
15 right?

16 A. Yes, sir.

17 Q. I'm sorry?

18 A. Yes, sir.

19 Q. If you could speak into the microphone just so we
20 could hear you?

21 A. Yes, sir.

22 Q. But before you made that call, you went to the house
23 and you noticed the front door was closed, right?

24 A. Correct.

25 Q. And now one thing that you noticed was that the

1 front door was unlocked as well; is that right?

2 A. Correct.

3 Q. And you did not notice any type of forced entry
4 whether it be a broken door, broken glass, broken door frame,
5 anything like that, did you?

6 A. I didn't really actually look whenever I went
7 through as far as that.

8 Q. When you spoke with Investigator Ireland, you told
9 him about Jessica Reeder, right?

10 A. Correct.

11 Q. That Johnny had been seeing her, right?

12 A. Correct.

13 Q. And you also told Investigator Ireland that Jessica
14 had a boyfriend and his name is Travis Murray; is that
15 right?

16 A. Correct.

17 Q. And the situation was that Johnny would see Jessica
18 but Jessica Reeder had a boyfriend and his name is Travis
19 Murray; is that right?

20 A. Correct.

21 Q. And you know that this caused tension between Johnny
22 Hydrick and Travis Murray?

23 A. Right.

24 Q. And you know that there was a time that Jessica
25 Reeder lived with Johnny Hydrick; is that right?

1 A. She stayed with him in and out.

2 Q. Okay. And this would have happened I guess in late
3 August, right, and into September?

4 A. Yeah. September, October.

5 Q. All right. You're aware that in one of the
6 incidents or instances where she was staying there that
7 Jessica and Johnny had gotten into a fight; is that right?

8 A. Correct.

9 Q. All right. And the argument I believe was about
10 Jessica Reeder's son Mason; is that right?

11 A. Correct.

12 Q. And during that argument I believe that Jessica
13 Reeder, she hit Johnny with a bat, correct?

14 A. Correct.

15 Q. But she hit him on his side; is that right?

16 A. Yeah. Correct.

17 Q. And when you spoke with Investigator Ireland on
18 October 11th, 2014, you told him about all of this?

19 A. Yes.

20 Q. And based on your conversation with Investigator
21 Ireland I believe that later that same day he goes to try to
22 speak to Jessica Reeder and Travis Murray; is that right?

23 A. (Witness nodding head.)

24 Q. Okay. Now, with regard to that bat, you held onto
25 the bat --

1 A. Yes.

2 Q. -- is that right?

3 A. Yes, sir.

4 Q. And it was found in Johnny's house the same day that
5 Johnny was found?

6 A. Correct.

7 Q. And it wasn't one of the items collected by law
8 enforcement that day, was it?

9 A. No, sir.

10 Q. I believe in the past four years since this has
11 happened you have held onto the bat?

12 A. Yes, sir. Well, it's been in the possession of the
13 house.

14 Q. Yes, sir.

15 A. From --

16 Q. In other words, law enforcement didn't have it. You
17 had it; is that right?

18 A. Right.

19 Q. And until earlier this month I believe the bat was
20 brought to the Sheriff's Office, correct?

21 A. Correct.

22 Q. Okay. And I believe at that time it was turned into
23 evidence earlier this month?

24 A. Correct.

25 Q. Okay. One of the items -- Well, jumping forward to

1 a conversation that you had with Investigator Ireland on
2 October 16th, you had called him and let him know items that
3 you believed to be taken from Johnny's house, right?

4 A. Correct.

5 Q. These included some guns and things, right?

6 A. Yes.

7 Q. One of the items that you believe was taken at the
8 time was a slot machine, right?

9 A. Yes.

10 Q. And that's what you told Investigator Ireland on
11 October 16th, 2014?

12 A. Right.

13 Q. And in the days and weeks following this incident
14 you actually located the old busted up slot machine, right?

15 A. Yes, sir.

16 Q. And it was in one of the back bedrooms in Johnny's
17 house?

18 A. Correct.

19 Q. And it wasn't taken, right?

20 A. Correct.

21 Q. Lastly, on or about October 31st you spoke with
22 Investigator Ireland again; is that right?

23 A. (Witness nodding head.)

24 Q. Is that correct?

25 A. Yes, sir.

1 Q. And during that interaction, if I could just refresh
2 your memory, Investigator Ireland shows you a wallet with some
3 children inside the wallet; is that right?

4 A. Yes, sir.

5 Q. And these were pictures from a wallet found in
6 Billy's van, right?

7 A. Yes, sir.

8 Q. And you looked at the pictures of the children and
9 you looked at the wallet, right?

10 A. (Witness nodding head.)

11 Q. Is that yes?

12 A. Yes, sir.

13 Q. He's taking down everything we say. I apologize.
14 I'm not harping on you. And you did not recognize the kids or
15 the wallet, did you?

16 A. Not at that time I didn't.

17 MR. CASTO: No further questions. Thank you.

18 THE COURT: Anything else, Ms. Mayes?

19 MS. MAYES: Yes, sir, Your Honor.

20 REDIRECT EXAMINATION

21 BY MS. MAYES:

22 Q. Mr. Casto was asking you about some of your
23 brother's belongings that you knew to be missing from the
24 home. What were some of those belongings?

25 A. A slot machine. Well, we thought the slot machine

1 was missing at once. The gun. Uhm --

2 Q. All right. To your knowledge was there more than
3 one gun in the residence?

4 A. Yes, ma'am.

5 Q. All right. And then you mentioned a slot machine.
6 Ultimately where did you find the slot machine in Johnny's
7 house?

8 A. The beginning or after?

9 Q. After his murder.

10 A. Uhm, we found it in the back which used to be --

11 Q. If you can speak up a little bit louder.

12 A. It was located in the back back there in the back
13 broken up.

14 Q. Okay. All right. And prior to Johnny's murder,
15 where do you normally recall seeing a slot machine in his
16 home?

17 A. It used to sit on the bar.

18 Q. In what area of the residence?

19 A. Right as you open the door it would be right there
20 to your left in the front.

21 Q. In the kitchen area?

22 A. Yes, ma'am.

23 Q. And then ultimately after you reported a slot
24 machine missing, you indicated you found one in the back area
25 of the home and what was in that back room?

1 A. That was his area where he just put his messed up
2 parts and stuff like fishing tackle and stuff like that.

3 Q. Okay. And what condition was it in when you found
4 it at that point?

5 A. It was broken.

6 Q. Say that again please?

7 A. It was broken in pieces.

8 Q. So it was broken in pieces?

9 A. Yes, ma'am.

10 Q. Is that -- Was it broken prior to Johnny's murder?

11 A. No, ma'am.

12 Q. How frequently would you see Johnny and drop by his
13 house?

14 A. About every other day.

15 Q. All right. So when you had last dropped by, was
16 that slot machine that you are referring to in good
17 condition?

18 A. Yes, ma'am.

19 Q. And there in the front area of the home?

20 A. Yes, ma'am.

21 Q. And you said it was busted up in pieces?

22 A. Yes, ma'am.

23 Q. Now, what was ordinarily kept in the slot machine?

24 A. He usually had coins in it and what he would do is
25 basically put a coin in, pull the little slot down, that way

1 that would tell his luck for the day. That's the way he's
2 always used it.

3 Q. Say that again. I'm sorry. You need to speak up a
4 little bit louder.

5 A. He would put a coin inside and let it drop through
6 and pull the lever down and that's how he would pull his luck
7 for the day.

8 Q. When you said that you could drop a coin in it --

9 A. Yes, ma'am.

10 Q. -- where would the coin go?

11 A. Down into a little tray.

12 Q. Okay. And why was he putting coins in it?

13 A. That it just repeat itself.

14 Q. All right. And if you could describe what you were
15 describing before.

16 A. Okay. He would put a coin in and pull the lever and
17 that would tell, it was like it had cherries across or 7's and
18 that would tell, if he came across all cherries, he would be
19 like, well, today is gonna be a good day, you know.

20 Q. All right. And to your knowledge had there been
21 more than one coin in that slot machine prior to it being
22 busted up?

23 A. Yes, ma'am.

24 MS. MAYES: Nothing further, Your Honor.

25 MR. CASTO: No further questions for this witness.

1 THE COURT: All right. You may step down.

2 MS. MAYES: The State calls Deputy Joseph Tracy
3 Wood.

4 Thereupon,

5 JOSEPH TRACY WOOD

6 after having been first duly sworn, testified as follows,

7 THE CLERK: Please have a seat. Once you're seated,
8 state your full name spelling your last please.

9 THE WITNESS: Joseph Tracy Wood, W-o-o-d.

10 DIRECT EXAMINATION

11 BY MR. MCNAIR:

12 Q. Officer Wood, where are you currently employed?

13 A. North Augusta Public Safety.

14 Q. How long have you been there?

15 A. Two and a half years.

16 Q. What's your current position?

17 A. Public safety officer.

18 Q. Now, back in October of 2014 where were you
19 working?

20 A. Edgefield County Sheriff's Office.

21 Q. What was your position at that time?

22 A. A deputy.

23 Q. Now on October 11th of 2014 did you respond to
24 Windy Ridge Road in Trenton?

25 A. I did.

1 Q. What time did you get on the scene?

2 A. 11:29 in the morning.

3 Q. Were you the first officer on the scene?

4 A. That's correct.

5 Q. Was anybody else on scene when you arrived?

6 A. Yes, sir. The complainant who was Mr. Hydrick's
7 brother Richard Hydrick.

8 Q. Were you able to identify who the victim was?

9 A. I was through speaking with his brother Richard.

10 Q. What was his name?

11 A. The victim? The victim?

12 Q. Yes.

13 A. John Hydrick.

14 Q. Johnny Hydrick. All right. Now, is ■3 Windy Ridge
15 in Edgefield County?

16 A. It is.

17 Q. What did you do when you first got on the scene?

18 A. When we first arrived, we spoke with Mr. Richard,
19 for simplicity. He gave us some basic information. He had
20 found his brother. We then entered the residence and did a
21 protective sweep of the residence and we exited the residence,
22 secured it with crime scene tape and started a crime scene
23 investigations.

24 Q. Okay. Describe to the jury what you mean by
25 clearing the residence?

1 A. We did a protective sweep of the residence just to
2 make sure there was nobody still inside, there was no threat
3 to any of us that was waiting around for criminal
4 investigations.

5 Q. When you're doing that, did you disturb the crime
6 scene in any manner?

7 A. No, sir. We do not.

8 Q. When you secure the crime scene, describe for the
9 jury what that means.

10 A. We pretty much put tape up around like everybody has
11 seen on TV and stuff, we put tape up around and secure it so
12 nobody gets in without our knowledge. Anybody who enters
13 through the crime scene log their name is written down.

14 Q. Were you on scene when investigators and Curtis
15 Morris with CSI arrived?

16 A. Yes. I was.

17 Q. Prior to their arrival, had the crime scene been
18 disturbed in any way?

19 A. No, sir.

20 (Whereupon, State's Exhibits #2, #3, #4 marked for
21 identification.)

22 MR. MCNAIR: Your Honor, may we approach.

23 THE COURT: Sure.

24 (Side bar off the record.)

25 THE COURT: The photographs about to be identified

1 requires a 403 analysis. The Court has done so at side
2 bar and finds it probative and not unduly prejudicial.

3 BY MR. MCNAIR:

4 Q. Officer, let me show you what's been pre-marked as
5 State's Exhibit 2, 3 and 4. Take a look at these and tell me
6 if you recognize those?

7 A. Yes, sir.

8 Q. All right. Is that how the crime scene appeared on
9 October 11th?

10 A. It is.

11 MR. MCNAIR: Your Honor, we would offer State's 2
12 through 4 in evidence at this time.

13 THE COURT: Subject to your objection and the
14 Court's analysis of the 403, is there anything you want
15 to put on the record?

16 MR. CASTO: No, sir, Your Honor. That's perfect.
17 We just note our objection for the record.

18 THE COURT: Okay. They are admitted subject to my
19 403 analysis as probative.

20 MR. MCNAIR: May I have the witness step down?

21 THE COURT: Sure.

22 BY MR. MCNAIR:

23 Q. Step down for a second.

24 A. (Witness complies.)

25 Q. I'll show you State's 2. What does this picture

1 depict?

2 A. This is the location from Windy Ridge from the front
3 of the mobile home where Mr. Hydrick lives and the vehicle
4 that belongs to him.

5 Q. Okay. State's 3, what does that show?

6 A. That would be from standing outside looking into the
7 front door of the mobile home that we just looked at where
8 Mr. Hydrick was on the floor.

9 Q. I guess, did you see any obvious signs of forced
10 entry into the residence?

11 A. We did not.

12 Q. I apologize to the victim's family for having to
13 show this one, but State's 4, what does that depict?

14 A. That was Mr. Hydrick in the position that we found
15 him when we entered the structure doing the protective
16 sweep.

17 Q. That's how he was positioned when you arrived and
18 nobody disturbed the body?

19 A. That's correct.

20 Q. You can have your seat. Thank you.

21 A. (Witness complies.)

22 Q. Now, did you observe blood in the house?

23 A. I did.

24 Q. Where was it?

25 A. There were several locations all throughout the

1 house where blood was.

2 Q. All right. And where did those locations appear to
3 be?

4 A. As far as like the living room, bedroom, is that
5 what you're asking?

6 Q. Well, I guess, did it appear to be some type of
7 blood spatter or was it some type of transfer type blood?

8 A. It appeared in the bedroom and the kitchen area that
9 it was smears from blood maybe from the hand.

10 MR. McNAIR: I don't have any further questions.

11 Please answer any questions the defense has.

12 CROSS EXAMINATION

13 BY MR. CASTO:

14 Q. Officer Wood, how are you?

15 A. Good, sir. How are you?

16 Q. Good. You were the first officer to arrive on the
17 scene; is that right?

18 A. Yes, sir.

19 Q. And the arrival was somewhere in and about 11:29
20 a.m. that morning?

21 A. That's correct.

22 Q. One of the first things you did was spoke with
23 Mr. Richard Hydrick?

24 A. Yes, sir.

25 Q. You go to the front porch of the house, right?

1 A. Correct.

2 Q. And you looked, you had an opportunity to see the
3 door of the residence?

4 A. Correct.

5 Q. I talked over you. What was your response?

6 A. Yes, sir.

7 Q. Okay. And you had an opportunity to see the door
8 frame of the residence, right?

9 A. Correct.

10 Q. And you didn't see a broken door frame?

11 A. No, sir.

12 Q. You didn't see a broken door?

13 A. No, sir.

14 Q. You didn't see broken glass?

15 A. No, sir.

16 Q. And the house was found with the front door closed;
17 is that correct?

18 A. That's correct.

19 Q. It was closed but it was unlocked?

20 A. Unlocked.

21 Q. And it appeared to you that Johnny Hydrick had been
22 deceased for some time --

23 A. Yes, sir.

24 Q. -- is that correct? And that was based on the state
25 that you found the body in, correct?

1 A. Correct.

2 Q. As you said, okay, where you fit into the life of
3 the case, you did a protective sweep of the home, right?

4 A. Correct.

5 Q. You returned to the living room area?

6 A. Correct.

7 Q. One thing you noticed is that Johnny's hands, they
8 were bound together with duct tape; is that right?

9 A. That's correct.

10 Q. And there was, as we saw in the picture, there was a
11 blanket covering him?

12 A. Correct.

13 Q. In order to notice Johnny's wrists and the condition
14 they were in did you touch or move the blanket at all?

15 A. No, sir.

16 Q. And prior to leaving the scene that day what you did
17 was you forwarded all of this information to Investigator
18 Ireland; is that correct?

19 A. That's right.

20 MR. CASTO: No further questions for this witness.

21 THE COURT: Any redirect?

22 MR. McNAIR: Nothing further, Your Honor.

23 THE COURT: Officer, you may step down. Thank you.

24 Good time for a short break. Jury, step into the jury
25 room and stretch your legs. You can't discuss the case.

1 It's probably best if y'all leave your note pads in your
2 seat. Unless y'all want to carry them with you. Just
3 don't discuss the case. All right.

4 (Whereupon, the jury entered the jury room at 10:19
5 a.m.)

6 (Short break.)

7 (Whereupon, State's Exhibits #5 through #48 marked
8 for identification.)

9 BAILIFF: All rise.

10 THE COURT: Please be seated. Ready to go?

11 MS. MAYES: We have a couple matters to take up,
12 Your Honor.

13 THE COURT: Okay.

14 MS. MAYES: The first being with photographs from
15 the scene, the victim, Mr. Hydrick, was pistol whipped.
16 There were multiple lacerations to the head. In addition
17 to that, the blood pattern on the ground is suggestive of
18 the injuries being sustained while he's down on the
19 ground. He also was bound so the condition that he's
20 found in is relevant to malice, Your Honor, which is the
21 element we are required to prove. The State maintains
22 under State v. Robinson that the photos would be used to
23 corroborate testimony as well showing the condition of
24 the victim at the crime scene just how he was found. We
25 do not intent to offer any autopsy photographs in this

1 case, Your Honor. The autopsy photographs are very, very
2 graphic. They are going to show multiple lacerations,
3 reflection of the scalp and things of that nature.

4 We have two photographs which depict the victim as
5 he's found at the scene surrounded by blood spatter. The
6 injuries are consistent with the multiple lacerations and
7 blunt force trauma to the head which is certainly a
8 critical issue in this case because it was repetitive
9 blows and the hands being bound. We have two
10 photographs, one we're offering, one we're not. We just
11 want to make the other one a court's exhibit because it's
12 an example of numerous other photographs that we have
13 that would be very graphic in nature.

14 For the record this would be the photograph and the
15 single photograph that's offered in this case to depict
16 the injuries to the victim. Again, we are not offering
17 any of the photographs from autopsy due to their graphic
18 nature as well as multiple other photographs from the
19 scene which are far more graphic than the ones that we
20 are proposing at the time.

21 THE COURT: So the two you are proposing is to offer
22 both of them as representative of the other numerous
23 photographs? So you're offering those two?

24 MS. MAYES: Only one and then the other will be
25 representative of numerous other photographs. We will

1 have one marked as a Court's exhibit and then one marked
2 as State's exhibit.

3 THE COURT: All right. Y'all want to be heard on
4 the 403 issues and whatever issue you may have with these
5 photographs?

6 MR. CASTO: Yes, sir. As I understand it, just to
7 place it on the record, out understanding is this. There
8 are two photographs mentioned. One will be offered and
9 one will be asked to be put in front of the jury. The
10 other one is gonna be a Court's Exhibit. We don't have
11 any issue with the one that will not be shown to the
12 jury. With regard to the 403 issues, the one that the
13 State seeks to put it front of the jury --

14 THE COURT: Hold up. All right. Start over. We
15 have two pictures. One being marked in evidence with no
16 objection but the 403, the one the State offers, you want
17 to make an argument on that?

18 MR. CASTO: Yes, Your Honor. There is one that will
19 be a Court's Exhibit. We don't have any issue with that
20 because it won't be brought before the jury. The one
21 that will be put before the jury we feel that it is more
22 prejudicial than probative. It is a murder case and
23 there's already a picture that is in evidence that we
24 think is enough to capture what the State seeks to prove
25 in the photographs. Well, in the photograph that they

1 hope to admit. In other words, they can accomplish the
2 same objective through the photograph that's already been
3 admitted and just to place our objection on the record we
4 feel that it's more probative - or more prejudicial than
5 probative in this case.

6 THE COURT: All right. Understanding the picture
7 which is State's 4, it's already been introduced, that
8 does not show the face of the victim, but State's 41 is
9 the one that Ms. Mayes suggests she would like to
10 introduce through this next witness. And this will be
11 the only one depicting his face and no autopsy
12 photographs?

13 MS. MAYES: That's correct, Your Honor. We'll use
14 some other means of having Dr. Ross explain the injuries
15 without using any photographs from that autopsy. Number
16 4 which is in evidence also does not depict the hands
17 that are bound in that condition. That is the only
18 picture that shows the multiple injuries to the head in
19 relation to the scene, the blood spatter and the hands
20 being bound. That photograph is the most representative
21 of the victim's condition at the scene.

22 THE COURT: In State's 41 the picture shows the
23 partial covering removed as opposed to the one that's the
24 Court's Exhibit number 3. That was manipulated during
25 the investigation of the scene?

1 MS. MAYES: Yes, sir, Your Honor. That was done by
2 Investigator Curtis Morris and he will explain that and
3 lay that foundation during the course of his testimony.

4 THE COURT: Mr. Casto, understanding the nature of
5 the charge which is murder against your client, it is a
6 very graphic picture and it shows the binding of the
7 wrists and some other injuries particularly injuries
8 about the head. I'm going to allow it since the State is
9 representing to the Court that that will be the only one
10 depicting the body on the floor without autopsy photos.
11 That should -- I would be concerned about the repetitive
12 prejudicial effect of multiple photographs presented to
13 the jury only be two, those being 4 and 41. I do find
14 them relevant and probative and 41 is graphic but I will
15 allow 41 if proper foundation is laid. Court's Exhibit 3
16 will be received as representative of other photographs
17 that the State has but does not intend to introduce.

18 MR. CASTO: Yes, sir, Your Honor.

19 THE COURT: For the record, so I will sustain your
20 objection to multiple other photographs as being unduly
21 prejudicial but marked as a court exhibit
22 representative.

23 MR. CASTO: Just so the record is clear, at side bar
24 objection because they were entered as a group pictures
25 2, 3 and 4, we made our objection previously with regard

1 to only photograph number 4. And just so the record is
2 further clear, it's my understanding the one that the
3 State seeks to introduce at this point of the trial, the
4 number is not 5, it's 41?

5 THE COURT: Correct.

6 MR. CASTO: Okay.

7 THE COURT: And Court's Exhibit 3 is the one that's
8 representative of the other photographs that's just part
9 of the record but not being introduced for purposes of
10 entering the record. I think that's clear.

11 MR. CASTO: Yes, sir.

12 THE COURT: And 2, 3 and 4, I didn't see the
13 photographs but 2, State's 2 is a photograph of the home
14 and 3 is a photograph of a viewing into the front door,
15 and 4 would be the body on the floor that's covered.

16 MR. CASTO: Yes, sir.

17 THE COURT: And your objection is noted on the 403
18 basis as to number 4 and potentially if the State moves
19 forward as they propose also a 403 objection to 41?

20 MR. CASTO: Yes, sir. That is correct.

21 THE COURT: Okay. Is that consistent, Ms. Mayes?
22 You understood what my ruling to be now?

23 MS. MAYES: It is, Your Honor. The remaining
24 photographs of the victim are going to depict him from
25 the waist down. I believe we can go ahead and let

1 defense counsel look at any other photos that they may
2 have a question about from the living room area of the
3 home but these have been pre-marked.

4 THE COURT: Okay.

5 (Whereupon, the jury entered the courtroom at 11:10
6 a.m.).

7 THE COURT: Ladies and gentlemen, there's a lot of
8 exhibits meaning photographs and things that the parties
9 will utilize in the trial. The State allowed the court
10 reporter to mark some of them ahead of time and my law
11 clerk so we took some time to mark those hopefully to
12 speed things up. There were more to mark than I realized
13 and so the lengthy break is mostly my fault. So all
14 right. Ready to continue. Ms. Mayes.

15 MS. MAYES: The State calls Gregory Wagner.

16 Thereupon,

17 GREGORY WAGNER

18 after having been first duly sworn, testified as follows,

19 THE CLERK: Please have a seat. Once you're seated,
20 state your full name spelling your last please.

21 THE WITNESS: Full name is Gregory David Wagner,
22 W-a-g-n-e-r.

23 DIRECT EXAMINATION

24 BY MS. MAYES:

25 Q. Mr. Wagner, where are you employed?

1 A. BI Incorporated.

2 Q. You say BI Incorporated but tell us a little bit
3 about that company. What do you do?

4 A. My current position I'm account executive with the
5 company. The company is an electronic monitoring company. We
6 manufacture equipment and software. We're part of the GEO
7 Group is our parent company.

8 Q. So when we talk about an ankle monitor, does it have
9 any capability of determining GPS data such as where an
10 individual is located?

11 A. Correct.

12 Q. Is that actually the point of the software?

13 A. Yes. The point of the software is to display the
14 information gathered by the equipment and allow supervising
15 officers to handle the case as they need to.

16 Q. Such as probation and parole officers, correct?

17 A. Yes, ma'am.

18 Q. Now, are you aware of whether Johnny Hydrick, the
19 victim in this case, had an ankle monitor as part of his
20 probation and parole?

21 A. I know he was assigned to a GPS tracker on our
22 system with South Carolina PP and P.

23 Q. When you say South Carolina PP and P that's South
24 Carolina Probation, Parole and Pardon Services?

25 A. Yes, ma'am.

1 Q. And they monitor clients who are on probation; is
2 that correct?

3 A. Yes, ma'am.

4 Q. And you mentioned that Johnny Hydrick was assigned
5 an ankle bracelet as part of his probation through the local
6 PP and P office, correct?

7 A. That's correct.

8 Q. And when we talk about that ankle monitor, how do
9 you go about making sure that someone doesn't cut it off or
10 remove it, for example?

11 A. There are a number of tamper technologies built into
12 the device. The GPS tracker, for instance, has a fiber optic
13 strap so if it's cut or removed, et cetera, it generates an
14 immediate alert to the supervising officer to let them know.

15 Q. It's a sensitive piece of equipment?

16 A. It is.

17 Q. Now, how do you actually track that a person is
18 wearing it? How do you track that the equipment is moving
19 along with the person to know that they are, in fact, wearing
20 it?

21 A. When the device is installed, it reports a number of
22 various messages, one of those indicating that the strap is
23 closed on the person's leg. Any alteration of that would
24 result in another alert to the officer indicating that it had
25 been removed. There's also a motion sensor that will tell you

1 if the unit stops moving for an extended period of time.

2 Q. All right. I'm going to ask you to speak up a
3 little bit louder. Pull that microphone a little bit closer
4 to you. But you mentioned that there is, in fact, a motion
5 sensor?

6 A. Correct.

7 Q. And that motion sensor is there to make sure that
8 the person is, in fact, wearing it, correct?

9 A. It lets you know that the device is still in motion.
10 It would alert the officer if the unit stopped moving for an
11 extended period of time.

12 Q. All right. I'm going to show you a document and ask
13 you whether or not you recognize it?

14 A. Yes, ma'am.

15 Q. How do you recognize that document?

16 A. It's a standard summary report from our software, of
17 course, with the company logo at the top.

18 Q. All right. Is that for Johnny Hydrick at ■ 3 Windy
19 Ridge?

20 A. Yes, ma'am.

21 Q. This is in relation to his ankle monitor?

22 A. It is.

23 Q. Are you custodian of records for the BI Corporation,
24 custodian of records?

25 A. Yes, ma'am.

1 Q. In the ordinary course of business are records such
2 as this maintained?

3 A. They are.

4 Q. And when you received a subpoena in this case, can
5 you tell us whether or not you were able to authenticate these
6 records as the records going with Johnny Hydrick's ankle
7 bracelet monitor at Windy Ridge Road in Trenton?

8 A. Yes. I was.

9 MS. MAYES: Your Honor, at this time this would be
10 an exhibit for evidence and we'll just put a number on
11 it.

12 (Whereupon, State's Exhibit #49 marked for
13 identification.)

14 THE COURT: State's Exhibit 49 has been marked for
15 identification purposes at this time.

16 MS. MAYES: I believe it's admitted.

17 THE COURT: Any objection?

18 MR. CASTO: No, Your Honor.

19 THE COURT: State's 49 admitted which is the ankle
20 monitor record. How many pages, Ms. Mayes?

21 MS. MAYES: Two, Your Honor.

22 THE COURT: Okay. Would it be convenient to staple
23 it together, the two pages?

24 MS. MAYES: Yes, Your Honor.

25 THE COURT: Okay. Two pages.

1 BY MS. MAYES:

2 Q. Now, do you have a copy of this report with you,
3 Mr. Wagner?

4 A. Yes.

5 Q. All right. I'm gonna have you refer along to your
6 copy as we go.

7 A. Mm-hmm.

8 Q. I'm gonna start by asking you what the requirements
9 are for someone who is wearing an ankle monitor. They're at
10 their home. They're wearing an ankle monitor but what are the
11 requirements that are in place for this client?

12 A. Standard requirements would be to charge the unit at
13 least two hours per day. Requirements beyond that would be at
14 the discretion of the supervising officer in terms of movement
15 whether they're allowed to leave their home and so forth.

16 Q. Now, you mentioned charging it. Is that something
17 that the client is able to do from home himself?

18 A. Yes.

19 Q. And is that reflected in your records?

20 A. Yes. It is.

21 Q. What happens if it suddenly indicates that there's
22 no movement at all from the client?

23 A. If the tracker stops moving, the motion sensor in
24 the device immediately records the time and the date that
25 motion stopped.

1 Q. Now, how is it that there's a no motion sensor that
2 you're alerted to if it's no longer moving that doesn't just
3 come on every night when people go to bed, for example, and
4 they're resting? What's the difference there?

5 A. The difference -- No. The sensor records a no
6 motion or lack of movement as soon as it occurs. It will
7 occur when someone is sleeping but it resets as soon as
8 movement is detected so the slightest motion will reset that
9 motion sensor and it will record a tracker moving that then is
10 reported in the software.

11 Q. All right. And when we talk about the sensitivity
12 of the equipment, how slight may a movement be to register
13 that it is working and the person is moving?

14 A. The slightest movement. A vibration in the device
15 would set it off.

16 Q. Something as small as a vibration --

17 A. Yes.

18 Q. -- will cause it to show movement?

19 A. It will.

20 Q. Ordinarily when a person is sleeping, if they move
21 their leg slightly to the left or their foot slightly to the
22 right, would that be recorded as movement?

23 A. It is.

24 Q. So how unusual is it to get a no movement alert?

25 A. It is unusual to get a no motion alert in the course

1 of someone going through their normal day, sleeping at night
2 so I would say yes, it is unusual to see that.

3 Q. All right. And when a monitor shows no motion or no
4 movement, how is the company alerted?

5 A. The device communicates via cell network and that
6 information is reported to our monitoring computers displayed
7 in the software and then communicated via text email
8 notification to the supervising officer.

9 Q. Is an attempt made to get a response from the
10 client?

11 A. That's at the officer's discretion but most often,
12 yes.

13 Q. Okay. Can you tell us whether or not the records of
14 Johnny Hydrick reflect all of these activities that we have
15 discussed?

16 A. Yes. They do.

17 MS. MAYES: All right. At this time we are going to
18 publish what is State's 49.

19 THE COURT: All right.

20 BY MS. MAYES:

21 Q. And I may need you to step down, Mr. Wagner, if you
22 don't mind.

23 A. (Witness complies.)

24 Q. All right. Let's start here at the top of this
25 document here.

1 A. Mm-hmm.

2 Q. Does that indicate client name?

3 A. That does. Client name, address.

4 Q. So it is, in fact, Johnny Hydrick, [REDACTED] Windy Ridge
5 Road in Trenton?

6 A. Yes. It is.

7 Q. And then over to the right does it indicate the
8 monitoring agency, in this case you mentioned Edgefield County
9 Probation?

10 A. Yes. It does.

11 Q. Now, what about time zone in this particular case.
12 How is it, how do we know that the times we are looking at
13 that are recorded through your company are, in fact, that's
14 eastern standard time which we utilize here in South
15 Carolina?

16 A. In this case the time zone is indicated as EST or
17 eastern standard time.

18 Q. All right. And that has already been adjusted for
19 daylight savings and all of that?

20 A. It automatically adjusts.

21 Q. So we know the times we are looking at are, in fact,
22 accurate?

23 A. Yes.

24 Q. Looking at the daytime hours over here to the right,
25 let's start with 10/9/2014. So October 9th, 2014 is going to

1 be a Thursday. Is that reflected here in your document?

2 A. Yes. The gray bar there indicates the date,
3 10/9/14.

4 Q. Okay. If you could take us through what we are
5 looking at here throughout the day, what's going on during the
6 day of Thursday, October 9th?

7 A. Starting with the first event there we see that the
8 tracker was charging so the charging cord is connected. Just
9 a few minutes later there it's disconnected. We see that
10 repeated where the charger was connected to the device, we see
11 a tracker battery charge indicating the battery is fully
12 charged at that point.

13 Q. All right. For comparison if you have an iPhone at
14 home and you charge the iPhone and then you're done charging
15 it, you would disconnect the charger?

16 A. Correct.

17 Q. So all of this is consistent with the charging
18 mechanism where it's charged and then disconnected once the
19 battery is charged?

20 A. Yes. Correct.

21 Q. We see that activity going on throughout the day.
22 Is the client himself responsible for the charging?

23 A. Yes.

24 Q. Now, I'll take you down here to 10/10 and ask you
25 what we're looking at here?

1 A. 10/10 you see a no motion event that occurred 01:43
2 in the morning. That indicates that the tracker stopped
3 moving at that point in time.

4 Q. All right. Now, I want to move up here just so we
5 can finish what we were talking about before. On October 9th
6 as it's being charged, why is that actually being reported to
7 the company as late as 10/10?

8 A. Oh, where it's reported on 10/10?

9 Q. Yes.

10 A. It's a matter of how reporting is set up in the
11 device and in the software. Different agencies use different
12 reporting times.

13 Q. Okay. And all of this is military time but, for
14 example, the charger, the battery would have last been charged
15 at 6:23 p.m. on the 9th; is that correct?

16 A. Yes, ma'am.

17 Q. And the charger would have last been disconnected at
18 6:37 p.m. on October 9th?

19 A. That's correct.

20 Q. Now, over here to the right this is just a time that
21 it's reported to your company?

22 A. It's the time it's received by our computers. Yes,
23 ma'am.

24 Q. But this is the time here in the middle in which the
25 client is actually conducting the activity?

1 A. That's correct.

2 Q. So the times on the right are only for -- If you can
3 just explain the relevance of the times on the right?

4 A. Yes. The times on the right are just the times that
5 information is received by our computers just so that we can
6 put a time stamp there.

7 Q. Okay. And why is there a delay there between the
8 real time the client is conducting the activity here in the
9 middle and when it actually is received there in the
10 background?

11 A. Again, in some cases events are scheduled to report
12 later. We have events that are immediate report. Others that
13 just report the next time the device communicates with us.

14 Q. Okay. All right. So I want to focus on realtime
15 and the realtime here is designated as the time that it
16 occurred?

17 A. Yes.

18 Q. And then the time that it's received you mentioned
19 is the time that your agency receives the notification?

20 A. That's correct.

21 Q. So moving down here to 10/10 what, if anything, is
22 significant about the alert that is entitled no motion?

23 A. The no motion event, the alert there just indicates
24 that the tracker ceased moving at 1:43 in the morning of
25 10/10.

1 Q. You mentioned before about the sensitivity of the
2 monitor?

3 A. Yes.

4 Q. That's going to be 1:43 a.m.

5 A. Mm-hmm.

6 Q. On October 10th in realtime that it actually stopped
7 moving?

8 A. Yes, ma'am.

9 Q. So there in the early morning hours of October 10th
10 at 1:43 a.m. when the client's monitor notes or sends an alert
11 that there's no motion and we know that occurs at 1:43, it's
12 not received by your company until 15:18?

13 A. Mm-hmm. Correct.

14 Q. What action does the company take to then check on
15 the status of the client?

16 A. At that point the next message that you see is an
17 audio message submitted. The officer, the supervising officer
18 has the capability to send an audio message to this device for
19 the client to respond to.

20 Q. Now, does that audio message that's submitted here
21 at 15:19 on the 10th, does it create any type of vibration?

22 A. It does. It's a series of tones that will cause the
23 unit to vibrate, yes.

24 Q. So right below that where the audio message with a
25 vibration is sent at 15:19 and then at 15:20 denotes tracker

1 moving, what, if anything, does that indicate?

2 A. Looking at this I would say that indicates the
3 tracker no motion sensor recorded movement as a result of
4 audio message vibration.

5 Q. Now, are you able to confirm that when the audio
6 message is sent, that it's actually delivered to that
7 device?

8 A. Yes. By means that first message there audio
9 message delivered indicates that the message has been received
10 by the tracker.

11 Q. So that's at 15:20. It causes the vibration
12 which you mentioned previously would cause it to show movement
13 but when it says did not acknowledge, what, if anything, does
14 that tell you?

15 A. There's ten minutes allowed for the person wearing
16 the device to acknowledge that message. At the end of ten
17 minutes the did not acknowledge message is sent.

18 Q. How would a client ordinarily acknowledge that they
19 got that message?

20 A. There's a sensor, a depression on the outside of the
21 case of the unit that the person puts their finger in. It
22 just records that they are acknowledging that audio message.

23 Q. But it would require some action from the client?

24 A. It would. Yes.

25 Q. All right. So this indicates that Mr. Hydrick

1 did not acknowledge receiving the message?

2 A. Correct. Yes.

3 Q. Now we're going to go on. Does it continue to
4 notify your company that there's continued no motion?

5 A. Once the sensor ceases a no motion, lack of movement
6 again, it does record another no motion event.

7 Q. All right. And in this particular case did the no
8 motion notification continue on for Mr. Hydrick after that
9 initial alert at 1:43 a.m. on October 10th, 2014?

10 A. Yeah. No motion did continue as you see the did not
11 acknowledge was the end of the attempt to deliver or to notify
12 the file of the audio message and at that point the tones
13 would have ceased, the vibrations would have ceased and the
14 tracker went back to no motion at that point.

15 Q. All right. And it appears that there were numerous
16 other attempts to send messages causing a vibration where
17 there would be a subsequent tracker movement in response to
18 vibration, but was Mr. Hydrick ever able to acknowledge
19 receipt of that message?

20 A. No. No audio message was ever acknowledged.

21 Q. So based on all of this information, Mr. Wagner,
22 what time can you tell us that Mr. Hydrick, that the ankle
23 monitor that Mr. Hydrick was wearing stopped reflecting any
24 form of motion or movement?

25 A. That ankle unit ceased moving at 01:43 on 10/10.

1 Q. 1:43 a.m. on October 10th?

2 A. Correct.

3 Q. Thank you. You may return to your seat.

4 A. (Witness complies.)

5 MS. MAYES: We have nothing further of Mr. Wagner at
6 this time, Your Honor.

7 THE COURT: All right. Cross examination.

8 CROSS EXAMINATION

9 BY MR. CASTO:

10 Q. Two questions. About how long does someone need to
11 stay still before the machine will transmit a no motion
12 message?

13 A. The no motion is recorded as soon as movement
14 ceases.

15 Q. Okay. And the no motion recording was sent by the
16 device at 1:43 a.m.?

17 A. That's the time no motion was recorded. Yes, sir.

18 Q. On October 10th of 2014?

19 A. Yes, sir.

20 MR. CASTO: Thank you.

21 REDIRECT EXAMINATION

22 BY MS. MAYES:

23 Q. Just to clarify further, when the monitor stops
24 reflecting any motion at all, when that occurs in realtime
25 you're notified immediately?

1 A. We're not notified immediately. No. The motion is
2 recorded or the lack of motion is recorded as soon as it
3 occurs.

4 Q. My mistake. So as you explained earlier it's
5 actually recorded a small time later but when that occurs is
6 noted in the document under this column which says occurred?

7 A. Yes. That is correct.

8 Q. So that's in realtime and that is registered as an
9 occurred event immediately when there's no movement?

10 A. Yes. The time is recorded as soon as it happens.

11 MS. MAYES: Nothing further.

12 THE COURT: All right. You may step down.

13 THE WITNESS: Thank you, sir.

14 MS. MAYES: We would ask that the witness be
15 released, Your Honor.

16 THE COURT: Certainly.

17 MS. MAYES: The State calls Investigator Curtis
18 Morris.

19 Thereupon,

20 CURTIS ALLEN MORRIS

21 after having been first duly sworn, testified as follows,

22 THE CLERK: Please have a seat. Once you're seated,
23 state your full name spelling your last please.

24 THE WITNESS: Curtis Allen Morris, M-o-r-r-i-s.

25 DIRECT EXAMINATION

1 BY MS. MAYES:

2 Q. And Investigator Morris, tell us a little bit about
3 yourself. How long have you been a law enforcement officer?

4 A. I have been in law enforcement for approximately 20
5 years.

6 Q. All right. And Investigator Morris, speak up a
7 little bit or pull that mic closer to you.

8 A. I apologize.

9 Q. You said approximately 20 years?

10 A. Yes, ma'am.

11 Q. And, in fact, when is your 20 year mark?

12 A. This Friday I'll be retiring.

13 Q. Okay. That's after 20 years in law enforcement?

14 A. Yes, ma'am.

15 Q. Now, how long have you been with the Edgefield
16 County Sheriff's Department?

17 A. The last almost 14 years.

18 Q. Of those 14 years how much time has been spent in
19 the field of major crime investigation?

20 A. Nine going toward 10 years.

21 Q. All right. Specifically as to crime scene
22 investigation who is the trained and designated officer for
23 Edgefield County Sheriff's Department that does CSI work?

24 A. That would be me.

25 Q. How long have you been involved in crime scene

1 investigation as a science and field that you specialize in
2 here at the Sheriff's Department?

3 A. Nine going toward 10 years.

4 Q. Is it possible for you to estimate how many crime
5 scenes you have worked over the course of those almost 10
6 years?

7 A. It would probably be in the hundreds. I can't give
8 you an exact amount.

9 Q. That includes major crimes such as burglary, armed
10 robbery and homicides?

11 A. Yes, ma'am.

12 Q. Have you worked homicide cases prior to October of
13 2014?

14 A. I believe so.

15 Q. All right. And specifically the training that is
16 involved in working CSI, what type of training have you
17 received and gone through over the course of your experience
18 specifically in this field of crime scene investigation?

19 A. Initially started with PATC getting my certification
20 in the original crime scene sciences, then blood spatter
21 pattern recognition, blood recovery, several different courses
22 in crime scene identification and evidence retrieval.

23 Q. All right. And you mentioned blood spatter. Have
24 you received training specifically in that field of blood
25 spatter?

1 A. Yes, ma'am.

2 Q. And I'll show you what is currently marked as
3 Court's Exhibit 4 (proffering.) Does that include blood
4 pattern analysis?

5 A. Yes, ma'am.

6 Q. Can you tell us whether or not you received training
7 in the field of latent prints?

8 A. Yes, ma'am.

9 Q. Here at Edgefield County Sheriff's Department if a
10 crime scene needs a print lifted, who is the person who
11 handles that?

12 A. It depends on the crime scene itself, the deputies
13 are also trained in processing some scenes and retrieving some
14 fingerprints but if it is a major scene, then I'm called.

15 Q. How long have you been working in the field of
16 latent prints?

17 A. Nine going toward 10 years.

18 Q. So the field of CSI that you are trained in includes
19 both blood pattern analysis as well as latent print
20 retrieval?

21 A. Correct.

22 Q. Does it also include photography and things of that
23 nature involved with crime scenes?

24 A. Yes, ma'am.

25 Q. And if you could state for the record the

1 certifications that you have received following specific
2 training?

3 A. Off of these circumstances?

4 Q. Certificates of training.

5 A. Blood stain pattern was received in Rock Hill,
6 3/30/16 to 4/1/16. Blood stain recognition and application
7 received through Lexington County, April 2009. Blood recovery
8 October 28th through the 30th, 2008. The initial crime scene
9 phase one and two certification, trace evidence, what it is,
10 how to collect it and what it means. This was out of Columbia
11 in August of 2011. 19 and a half hours in crime scene
12 investigation in Greenville, South Carolina 8/26/13 through
13 8/28/2013. Stage crime scenes, crime scene clues to suspect
14 misdirection and investigation. That was March 29th, 2014.
15 Homicide investigation behind the crime scene. That was also
16 in Greenville 8/18/15 through 8/20/2015.

17 Q. So up until today's date have you maintained your
18 training in the field of crime scene investigation?

19 A. Yes, ma'am.

20 Q. And is that reflected by the work that you have done
21 over the course of the past almost decade?

22 A. Yes, ma'am.

23 MS. MAYES: Your Honor, at this time the State would
24 offer Curtis Morris as an expert in the field of crime
25 scene investigation.

1 THE COURT: Any voir dire?

2 MR. CASTO: Yes. Just briefly.

3 VOIR DIRE EXAMINATION

4 BY MR. CASTO:

5 Q. Officer Morris, have you ever been qualified as an
6 expert in crime scene investigation?

7 A. No, sir.

8 Q. Have you ever been qualified as an expert in blood
9 spatter evidence?

10 A. No, sir.

11 Q. Have you been qualified as an expert with regard to
12 latent prints?

13 A. No, sir.

14 Q. I had a couple questions while the State was asking
15 you questions.

16 A. Yes, sir.

17 Q. You mentioned your training but prior to that do you
18 have an undergraduate degree?

19 A. No, sir.

20 Q. And ultimately the courses that you took are ones
21 that lasted for, span anywhere from a couple days to two days
22 to maybe about five days; is that correct?

23 A. Other than the phase one and two for the original
24 crime scene certification which was two weeks.

25 Q. Okay. And I believe that it was your answer to one

1 of the questions was you think that you worked a homicide case
2 before but you're not sure?

3 A. I would have to look at case files back but I'm not
4 one hundred percent sure before that. I would have to look at
5 the files myself. There have been several homicides.

6 MR. CASTO: That concludes my voir dire, Your
7 Honor.

8 DIRECT EXAMINATION CONTINUED

9 BY MS. MAYES:

10 Q. Investigator Morris, Mr. Casto was asking you about
11 an undergraduate degree. What was your age when you entered
12 law enforcement?

13 A. 18.

14 Q. All right. You said you have been a law enforcement
15 officer for 20 years?

16 A. Yes.

17 Q. Since the age of 18?

18 A. Yes, ma'am.

19 Q. The last 10 years have included specific work in
20 crime scene investigation?

21 A. Yes, ma'am.

22 Q. Collection of latent prints?

23 A. Yes, ma'am.

24 Q. Have you testified before about your work in the
25 collection of latent prints?

1 A. Yes, ma'am.

2 Q. Including major crime cases?

3 A. Yes, ma'am.

4 Q. Have you testified before about CSI work in general

5 --

6 A. Yes, ma'am.

7 Q. -- in the course of major crimes?

8 A. Yes, ma'am.

9 THE COURT: Let me have a side bar quick.

10 (Side bar off the record.)

11 THE COURT: All right.

12 BY MS. MAYES:

13 Q. Now, Investigator Morris, I want to take you forward
14 to October 2014. How did you become aware of the homicide
15 investigation on Windy Ridge Road in Trenton?

16 A. I was called by the dispatch center and advised to
17 respond.

18 Q. Okay. I need you to speak up a little bit more.
19 What time was it that you arrived?

20 A. Approximately 12:21.

21 Q. You've got a copy of the CAD sheet there?

22 A. Yes, ma'am.

23 Q. Just to clarify, what was the time of that initial
24 officer's arrival, Deputy Tracy Wood that we heard from
25 earlier this morning?

1 A. It's showing initial arrival time of 11:29.

2 Q. All right. Is the first officer is 11:29 and your
3 arrival was what time again?

4 A. 12:21.

5 Q. Now, this is in the middle of the day and by now we
6 have moved onto Saturday, October 11th. What do you recall
7 observing when you first got there to the scene?

8 A. When I first arrived the crime scene tape was
9 already placed up around the area Deputy Wood and Deputy Moyer
10 were outside and arrived there to speak with them.

11 Q. What happened next?

12 A. Spoke to them. They gave me a brief rundown of what
13 had occurred. At that point I put on gloves and make entry
14 into the residence to do an initial walk through.

15 Q. Now, you mentioned gloves but how are you dressed in
16 general and how do you go about making sure that the scene is
17 preserved?

18 A. Standard uniform is worn to the crime scene by me.
19 Depending on the crime scene itself it depends on what you are
20 wearing. In this case gloves to cover from contaminating any
21 evidence on the scene, touching anything and leaving my DNA
22 there.

23 Q. All right. And what did you observe in the entry
24 way?

25 A. When I got there, the door was open. I walked up to

1 where the door was, looked inside, observed the victim laying
2 on his back in the living room.

3 Q. All right. And you mentioned the door. What steps
4 did you take, if any, to determine whether or not there may be
5 forced entry?

6 A. Well, the first thing is visual observation. After
7 that it's checking the additional scene in the area around
8 itself to see if there's any splintering or pieces of the door
9 laying on the floor. If that's the case, then it's
10 photographed and collected.

11 Q. In general, Investigator Morris, is the scene in its
12 entirety photographed?

13 A. The relevant areas.

14 Q. Okay. And who did that in this case?

15 A. I done all the photographs.

16 Q. You've had a chance to review them in this
17 particular case?

18 A. Yes, ma'am.

19 Q. I'm going to show you some items pre-marked and ask
20 you whether or not you recognize them. I'm going to start
21 with these as we call them out, 26, 14, 13, 12, 11, 10, 9, 8,
22 7, 6, and then 37 and 36. Are you familiar with these
23 photographs?

24 A. Yes, ma'am.

25 Q. You took them?

1 A. Yes, ma'am.

2 Q. Can you tell us whether or not they're a fair and
3 accurate representation of the scene as you recall it that
4 day?

5 A. They are.

6 Q. In addition to those I'm going to show you
7 photographs of Mr. Hydrick, 41, 26, 30, 27, 28 being the area
8 around --

9 A. Yes, ma'am.

10 Q. -- Mr. Hydrick where he was found?

11 A. Yes, ma'am.

12 Q. Are these fair and accurate representations?

13 A. They are.

14 Q. And who took these photographs?

15 A. I did.

16 Q. All right. And during the course of taking
17 photographs does that sometimes require you to move objects?

18 A. It does.

19 Q. And why is that done?

20 A. To get a clearer picture of the scene.

21 Q. All right. And also we have various objects that
22 were photographed through the home, 7, 8, 17, 18, 19, 20, 21,
23 22, 23, 24, and 25. Are these a fair and accurate
24 representation of the scene as you recall it?

25 A. They are.

1 Q. Who took these photographs?

2 A. I did.

3 MS. MAYES: Okay. I believe all of these would be
4 without objection, Your Honor.

5 MR. CASTO: They have shown all of those pictures to
6 us but for number 17 through 25.

7 THE COURT: That was the last group.

8 MR. CASTO: And we note our objection that we
9 brought up in side bar with regard to number 41, Judge.

10 THE COURT: All right. I want to make sure the
11 record is clear. 41 would be admitted subject to your
12 objection on 403. The other exhibit numbered
13 photographs, do we need to take anything from those or
14 are the ones that Ms. Mayes named okay?

15 MR. CASTO: No objection with regard to those.

16 THE COURT: Only 41?

17 MR. CASTO: Yes, sir.

18 THE COURT: All right. Then let me see if I can
19 remember. 26, 36, 37, 6, 7, 8, 9, 10, 11, 12, 13, 14.
20 15 and 16 being offered also?

21 MS. MAYES: I will call them out as we go, Your
22 Honor. I do not have those.

23 THE COURT: Okay. So as you call them out, we'll
24 admit them. They've all been identified. 41 is an
25 objection and that will be admitted subject to objection

1 and as you have identified them try to introduce them and
2 we'll do them one at time. That will be easier, okay?
3 Let me explain this to the jury. Part of the process
4 going through admitting certain things in evidence, some
5 things come in and some things are objected to and I let
6 them in anyway. Some things don't come in. Y'all will
7 have everything in the jury room that comes in. You
8 don't have to memorize it here on the overhead or TV or
9 just the photographs. Mr. LeBlanc and I have the task of
10 making certain that the record is clear as to what came
11 in. That's why we're being very careful as to what
12 numbers are in that y'all will see, okay? All right.
13 Continue on.

14 BY MS. MAYES:

15 Q. And in addition, photographs of the bedroom and duct
16 tape in the home, who took these photographs?

17 A. I did.

18 Q. Are all of those fair and accurate representation of
19 the scene as you recall it that day?

20 A. They are.

21 MS. MAYES: And, Your Honor, we will call these out
22 individually as we go. I believe we now have no
23 objection to all of these photographs coming in at this
24 time through Investigator Morris and have been previewed
25 by the defense.

1 THE COURT: Okay.

2 MR. CASTO: That's correct, except with regard to
3 number 41.

4 THE COURT: Except 41.

5 BY MS. MAYES:

6 Q. It may be best at this time, Investigator Morris, to
7 step down and take us through the photos as we go and we'll
8 just need you to keep your voice up so that Mr. LeBlanc can
9 get all of your testimony. I'll ask you to stand on the other
10 side of me. Now, previously in evidence was a photograph of
11 the residence. This is the residence of Mr. Hydrick?

12 A. Yes, ma'am.

13 Q. All right. And the vehicle out front also the
14 vehicle belonging to Mr. Hydrick?

15 A. Yes, ma'am.

16 Q. Now, you mentioned the entry way and that that is
17 part of what you observed upon your initial arrival. Let me
18 go back to State's 3 already in evidence and ask you whether
19 there were any obvious signs of forced entry?

20 A. Obvious? No.

21 Q. Okay. And in this particular situation once entry
22 is made into the residence, where is the victim located in
23 relation to that?

24 A. In the front entry way it would be to the right-hand
25 side.

1 Q. This is State's 4 already in evidence. When you
2 first arrived and took this photograph, can you tell us what,
3 if anything, you observed about the victim and the placement
4 of the arms at this point in time?

5 A. It appeared that his hands and arms were covered by
6 the blanket here as he was laying on the carpet area in the
7 living room.

8 Q. All right. How do you go about inspecting further
9 to determine what type of injuries may have been sustained and
10 how you want to process the scene from here?

11 A. At this point we have to wait until the coroner
12 arrives. Once the coroner gives me permission to touch the
13 body and remove that blanket, then I would do so.

14 Q. Is that what occurred in this case?

15 A. It is.

16 Q. I want to take you to State's 41. What type of
17 injuries had you observed to Mr. Hydrick being there and
18 seeing him at the scene?

19 A. Injuries to the head.

20 Q. All right. And from what you observed what, if
21 anything, was significant about any other parts of his body?

22 A. There appeared to be hand prints on his left and
23 right knee area. His hands were bound by duct tape and there
24 was other duct tape laying on the blanket area itself.

25 Q. State's 41 you mentioned hands bound by duct tape?

1 A. Yes, ma'am.

2 Q. How do you go about preserving that duct tape for
3 later analysis?

4 A. The duct tape around his hands were left in place to
5 go to autopsy with the victim.

6 Q. Now, when you see head injuries such as this, how do
7 you go about determining what areas of blood stain may be
8 present that you would then need to photograph in relation to
9 a crime scene?

10 A. Each individual crime scene is in itself different.
11 You have to determine that by the crime scene itself where you
12 may see blood spatter, you may see blood transfer, swipes and
13 wipes and such.

14 Q. So we'll talk a little bit more about that as we go
15 but you mentioned that with the hands being bound, did you
16 attempt to maneuver that tape or uncut that tape there at the
17 scene?

18 A. No, ma'am.

19 Q. How did you preserve it until it got to Dr. Ross at
20 Newberry Pathology for the autopsy?

21 A. The victim was rolled and placed in a body bag.
22 Once the body bag was secured, a tag was secured to the zipper
23 so nobody would have access to it until autopsy.

24 Q. What indications were there that there may have also
25 been tape on Mr. Hydrick's mouth?

1 A. A piece of tape was laying on the blanket near
2 him.

3 MS. MAYES: This is 26, Your Honor. I apologize.
4 That was 41.

5 THE COURT: I knew that was 41. 26 is admitted
6 without objection.

7 BY MS. MAYES:

8 Q. So this is a separate piece of duct tape than what
9 we saw on the victim's hands?

10 A. Yes, ma'am.

11 Q. How did you go about preserving this piece of duct
12 tape for analysis at the State Law Enforcement Division?

13 A. Once it was photographed as it was it was placed in
14 an evidence bag, sealed and transported to SLED for
15 analysis.

16 Q. Again, you're wearing gloves as you do this?

17 A. Yes, ma'am.

18 Q. You mentioned what appeared to be hand prints on
19 Mr. Hydrick's leg. How were you able to see some type of hand
20 prints?

21 A. I was able to visually observe them.

22 Q. And blood?

23 A. Yes, ma'am.

24 Q. This is State's exhibit 30. Of course we see the
25 ankle monitor that we have heard about previously but if you

1 could step forward and show us where we're seeing that, where
2 you were seeing indication of hand prints?

3 THE COURT: 30 is in without objection.

4 MR. CASTO: Without objection.

5 BY THE WITNESS:

6 A. In this particular picture you see the hand prints
7 by the finger outlines here and a palm outline here.

8 BY MS. MAYES:

9 Q. Okay. You can remain there and we'll look at 27.

10 A. Again you will see the finger themselves stained
11 with the blood as well as the hand in this area.

12 MS. MAYES: And that's State's 28.

13 THE COURT: 27 without objection.

14 MR. CASTO: Without objection.

15 THE COURT: And 28 without objection.

16 BY THE WITNESS:

17 A. Again, in this one, this would be the finger, what
18 appears to be the fingers and the hand in this area.

19 BY MS. MAYES:

20 Q. Does that appear to be present to some extent on
21 both of Mr. Hydrick's legs?

22 A. It was.

23 Q. And you mentioned that the coroner was at the scene.
24 How was the body itself preserved for purposes of autopsy and
25 then later recovering any type of forensic evidence as

1 necessary?

2 A. Upon the coroner's arrival he gives me instructions
3 as to what he wants done with the body. In this particular
4 case the victim was placed in a body bag. The body bag itself
5 was sealed and transported by EMS to the Edgefield County
6 morgue where it was placed there until the day of autopsy.

7 Q. And you were present for the autopsy?

8 A. I was.

9 Q. Around the victim were there any indications of
10 blood spatter?

11 A. Yes. There were.

12 Q. We talk about blood spatter. How is that different
13 than if I have blood on my hands and I just walk around
14 smearing blood somewhere?

15 A. It's just that if you have blood on your hands and
16 you're walking around touching, you may smear or have a wipe
17 or a swipe on whatever object you touch whereas blood spatter
18 you sometimes are able to determine trajectory by the blood
19 spatter itself, the smaller droplets.

20 Q. What is meant by the term blood transfer?

21 A. From one object to another.

22 Q. So if I walk around touching things with blood on my
23 hands, that would be considered blood transfer?

24 A. Correct.

25 Q. All right. But if I'm actually struck and lose

1 blood immediately as a result of being struck, what is that
2 termed?

3 A. After the second strike it would be blood spatter.

4 Q. Did you see evidence of blood spatter at the home of
5 Mr. Hydrick?

6 A. I did.

7 Q. I'll start here in the living room and couch area,
8 State's Exhibit 9. I'm also going to refer you to a diagram.
9 This is State's Exhibit 45.

10 THE COURT: Is that without objection?

11 MR. CASTO: We haven't seen that.

12 MS. MAYES: (Proffering.)

13 MR. CASTO: Without objection.

14 THE COURT: The diagram is in without objection
15 also?

16 MR. CASTO: Yes, Your Honor.

17 THE COURT: That's 49, Ms. Mayes?

18 MS. MAYES: 45, Your Honor.

19 THE COURT: 45, all right, and 9 are in evidence
20 without objection.

21 BY MS. MAYES:

22 Q. Looking here at this, if you could take us through
23 the area of the home and where Mr. Hydrick's body was in
24 relation to that?

25 A. This would be the front door area. Mr. Hydrick

1 would have been laying in this general vicinity here, blood
2 spatter and blood transfer, blood transfer would be throughout
3 the kitchen area here on several surfaces, the couch itself,
4 the blinds behind the couch. There would have been a vacuum
5 cleaner in this general vicinity here with blood spatter on it
6 and in this bedroom here there was one section on the bed, one
7 small amount of blood transfer there.

8 Q. And the couch that we're looking at in State's
9 Exhibit 9 currently on the overhead that's depicted here in
10 this diagram?

11 A. It is. This area right here.

12 Q. So the feet of the victim would be there at the
13 couch?

14 A. Yes, ma'am. Right here.

15 Q. All right. And one more diagram. I'll ask you
16 whether or not you prepared this yourself? This is State's
17 47.

18 MR. CASTO: Without objection.

19 THE COURT: 47 without objection.

20 BY MS. MAYES:

21 Q. Do you recognize that?

22 A. Yes. I do.

23 Q. Who prepared it?

24 A. I did.

25 Q. And did you use this to note where blood transfer

1 and blood spatter was noted throughout the residence?

2 A. I did.

3 Q. If you could utilize this and show us exactly what
4 we're looking at here?

5 A. In this particular - this would be the couch here
6 and the blood spatter on the right arm of the couch and I have
7 different transfer blood here on the refrigerator on different
8 areas, top, side to side. There's also blood transfer on the
9 counter and ceramic jars as well as on the basket on top of
10 the refrigerator and this duct tape had blood transfer on the
11 duct tape.

12 Q. Blood transfer meaning that it was brought to that
13 location or appears to have been brought to that location?

14 A. Correct.

15 Q. As opposed to coming from a source of injury?

16 A. Correct.

17 Q. Let's go back to State's Exhibit 9 being the couch
18 for orientation. Now we'll look at a closer up shot of that
19 which is State's Exhibit 8.

20 THE COURT: Any objection to 8?

21 MR. CASTO: No, sir, Your Honor.

22 THE COURT: It's in.

23 BY MS. MAYES:

24 Q. You mentioned here on your diagram a spatter, on 47
25 you mentioned spatter on the couch. Is that depicted in this

1 photograph?

2 A. It is.

3 Q. That being this area here in the middle?

4 A. Yes, ma'am.

5 Q. You also mentioned a vacuum cleaner. Did you
6 observe blood spatter on that vacuum cleaner?

7 A. I did.

8 Q. Let me show you State's Exhibit 6. If you could
9 refer to that diagram and show us where the approximate area
10 of that vacuum cleaner is in relation to Mr. Hydrick?

11 A. In which diagram?

12 THE COURT: Any objection to 6?

13 MR. CASTO: No, sir.

14 THE COURT: 6 is in without objection.

15 BY MS. MAYES:

16 Q. Going back to 4 for orientation, the relation of the
17 vacuum cleaner here looking at State's Exhibit 4.

18 A. In this picture here it would have been a little
19 lower than where the blood spatter is here, would have been
20 right in this general vicinity here just beyond the
21 photograph.

22 Q. So that vacuum cleaner sitting there on the floor?

23 A. Yes.

24 Q. All right. So it appears there is blood spatter
25 there on the floor next to Mr. Hydrick?

1 A. Correct.

2 Q. One more time here on the carpet itself can you tell
3 us whether there appears to be any indication of blood
4 spatter?

5 A. There was.

6 Q. Now, how is it all this on the couch is preserved?

7 A. It appears that the cushions have been removed as
8 well as some egg foam. It looks completely disheveled and
9 torn apart.

10 Q. This is how you found it?

11 A. It is.

12 Q. All right. And what are we looking at here?

13 THE COURT: What's the number?

14 MS. MAYES: I'm sorry, Your Honor. That's State's
15 Exhibit 7.

16 THE COURT: Any objection to 7?

17 MR. CASTO: No, sir, Your Honor.

18 THE COURT: State's 7 without objection.

19 BY MS. MAYES:

20 Q. Looking at 7, what are those items? What do they
21 appear to be in relation to the couch itself?

22 A. These were the cushions from the couch itself. They
23 were wrapped in the sheet. This is egg foam and a section of
24 plywood that was cut into the couch.

25 Q. All right. And this is how you found it with the

1 cushions removed?

2 A. It is.

3 Q. I'm going to refer you to State's 10 and ask you
4 what we're looking at here.

5 A. This is the window blinds behind the couch itself
6 where the blood spatter was.

7 Q. All right. And again, does that appear to be blood
8 spatter or blood transfer?

9 A. This is spatter.

10 THE COURT: Any objection to 10?

11 MR. CASTO: No, sir, Your Honor.

12 THE COURT: 10 is also in without objection.

13 BY MS. MAYES:

14 Q. State's Exhibit 11, can you tell us whether or not
15 Mr. Hydrick had a phone and whether or not that phone was
16 taken into evidence in this case?

17 A. Top center of the screen. Yes, ma'am.

18 THE COURT: Any objection to 11?

19 MR. CASTO: No, sir, Your Honor.

20 THE COURT: 11 is in without objection.

21 BY MS. MAYES:

22 Q. State's Exhibit 13, what are we looking at here in
23 terms of where was that in relation to the couch and the
24 pillow?

25 A. Just below that right arm.

1 Q. Okay. And it contains blood as well?

2 A. Yes, ma'am.

3 Q. Did it appear that that pillow was next to or
4 adjacent to the couch cushions that we saw previously?

5 A. Yes, ma'am.

6 THE COURT: Any objection to 13?

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

8 THE COURT: 13 is in without objection.

9 BY MS. MAYES:

10 Q. Now, as you have noted here in your diagram with
11 what appears to be blood transfer areas throughout the
12 kitchen, how do you go about documenting that evidence prior
13 to actually processing the scene?

14 A. It's photographed.

15 Q. Why is it photographed prior to processing the
16 scene?

17 A. You don't want anything disturbing the items before
18 it can be processed to show it in its original position.

19 Q. Was that done in this case?

20 A. It was.

21 Q. Starting here with State's Exhibit 17, I'm going to
22 ask you what we're looking at?

23 A. This is a photograph of a ceramic jar with blood
24 transfer on it as well as the counter top. This was in the
25 kitchen area with blood transfer on it.

1 THE COURT: Any objection to 17?

2 MR. CASTO: No, sir, Your Honor.

3 THE COURT: 17 is in without objection.

4 BY MS. MAYES:

5 Q. I'm going to show you 21 which is an overall view of
6 the kitchen. What are we looking at here?

7 A. Overview of the kitchen and also showing - it's cut
8 out here, but blood on the light switch here, blood on the
9 refrigerator in several locations as well as the ceramic jars
10 that were located on the kitchen counter with blood transfer
11 on them.

12 Q. All right. Is that the ceramic jar we just looked
13 at previously in State's 17?

14 A. Yes. That would be this jar.

15 THE COURT: Any objection to 21?

16 MR. CASTO: No, sir, Your Honor.

17 THE COURT: 21 is in.

18 BY MS. MAYES:

19 Q. Also in 21 you had, and in your diagram 45 you
20 showed us various areas of blood transfer around the
21 refrigerator as well as the kitchen cabinet. What are we
22 looking at in this particular photograph which is 22?

23 A. This is a front shot of the refrigerator, a picture
24 of the very front of it with blood transfer in several
25 different locations on the front of the refrigerator.

1 THE COURT: Any objection to 22?

2 MR. CASTO: No, sir, Your Honor.

3 THE COURT: 22 is in.

4 BY MS. MAYES:

5 Q. Investigator Morris, Did you find evidence of blood
6 transfer even inside that refrigerator?

7 A. There was.

8 Q. Did it appear somebody went inside the
9 refrigerator?

10 A. It did.

11 Q. State's 23, what are we looking at here?

12 A. This is inside and if you're looking at the
13 refrigerator the right hand side of the door, blood transfer
14 on that edge as well as on the inside. This is where the
15 weather strip would be as well the shelving inside the
16 refrigerator having blood transfer.

17 THE COURT: Any objection to 23?

18 MR. CASTO: No, sir.

19 THE COURT: 23 is in.

20 BY MS. MAYES:

21 Q. You noted in your diagram other various areas of the
22 home but did you proceed to walk through the home looking for
23 areas of blood transfer or blood smearing?

24 A. Yes.

25 Q. Throughout this process what action, if any, are you

1 taking to detect a possible latent print that you might
2 recover?

3 A. Visually observing each individual blood print
4 itself whether its transfer or spatter to see if there's any
5 underlying print one, and also if there's actually a print in
6 the blood itself. At this time with it being so bright
7 outside we had to use some flashlights on the inside but none
8 we're taken.

9 Q. All right. So you're at the scene here in the
10 middle of the day on a Saturday. How was the lighting?

11 A. It was bright.

12 Q. In addition to that you have alternative sources of
13 lighting such as flashlights to use?

14 A. Yes, ma'am.

15 MR. CASTO: Objection to leading.

16 MS. MAYES: I can rephrase that.

17 THE COURT: Sustained as to leading.

18 BY MS. MAYES:

19 Q. What other sources of lighting did you have?

20 A. Handheld strobe light.

21 Q. Did you utilize that as well?

22 A. I did.

23 Q. Now, you're actually at the scene observing these
24 markings, these smearings up close?

25 A. I am.

1 MR. CASTO: Objection to leading.

2 THE COURT: She'll rephrase it.

3 BY MS. MAYES:

4 Q. How close did you get to some of these markings and
5 smearings that you were photographing?

6 A. Within inches. Some of them you have to get real
7 close to see if there's any ridge detail.

8 Q. Throughout all of your observations at the scene,
9 did you ever observe what appeared to be an identifiable
10 print?

11 A. No.

12 Q. Or any partial ridge detail in which you could do a
13 latent lift of that print?

14 A. No.

15 Q. Prior to this scene is it possible to estimate how
16 many scenes you have worked where you were doing latent prints
17 including burglaries, home invasions and things of that
18 nature?

19 A. I can't give an exact amount. Again, probably be in
20 the hundreds.

21 Q. Can you give us some examples of various surfaces
22 throughout your career where you have been able to obtain a
23 latent print if it was present?

24 A. I've gotten it off of glass, latex on siding. Just
25 a multitude of surfaces. There's no one individual surface.

1 It's all different.

2 Q. All right. Have you had occasion in other crime
3 scenes to actually see a latent print or visualize a latent
4 print in blood?

5 A. I have.

6 Q. Did any of that occur in this particular crime
7 scene?

8 A. No.

9 Q. And just to clarify, if a person is wearing a
10 barrier such as gloves, would you expect to find a prints?

11 MR. CASTO: Objection. Speculation. Assuming facts
12 not in evidence.

13 THE COURT: Okay. Reask your last question.
14 Sustained as to speculation.

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

16 BY MS. MAYES:

17 Q. Uhm, through your training in recovering latent
18 prints does it need to be an actual fingerprint to recover
19 latent print?

20 A. No. You can actually get prints from a palm.

21 Q. So a palm or handprints but we're talking about bare
22 prints, correct?

23 A. Ma'am?

24 Q. We're talking about bare prints?

25 A. Yes. Skin to surface contact.

1 Q. All right. Now, I'm going to take you to State's 18
2 and ask you what we're looking at there?

3 A. It's a light switch in the kitchen, the kitchen
4 table here with blood transfer.

5 THE COURT: Any objection to 18?

6 MR. CASTO: No, sir, Your Honor.

7 THE COURT: 18 is in.

8 BY MS. MAYES:

9 Q. A closer view here in 24. Now, with this being a
10 close up view in 24, is this the same light switch you just
11 mentioned previously?

12 A. It is.

13 Q. And again, Investigator Morris, do you see any
14 indication of ridge detail or latent prints within that blood
15 stain?

16 A. There's none, none visible.

17 Q. I'll take you to 19 and ask you what we're looking
18 at there?

19 THE COURT: Did I get 24 without objection, the
20 close up of the light switch?

21 MR. CASTO: Yes, sir.

22 THE COURT: 24 is in. 19? Any objection to 19, Mr.
23 Casto?

24 BY MS. MAYES:

25 Q. What, if anything, are we looking at here,

1 Investigator Morris?

2 THE COURT: Any objection to 19? This is 19.

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

4 THE COURT: All right. 19 is in.

5 BY THE WITNESS:

6 A. In this particular picture what you are seeing here
7 is the doorway behind the kitchen where the refrigerator is
8 and a slight pattern on the wall itself.

9 BY MS. MAYES:

10 Q. And were you able to photograph that in even more
11 close up detail?

12 A. Yes, ma'am.

13 Q. I'll ask you what we're looking at in State's
14 Exhibit 20?

15 A. It's the same swipe pattern closer view.

16 Q. Again, how close are you in order to take this
17 photograph?

18 A. This photograph I was within about two feet.

19 THE COURT: Any objection to 20?

20 MR. CASTO: No, sir.

21 THE COURT: 20 is in.

22 BY MS. MAYES:

23 Q. Again, throughout this time when we're talking about
24 the surface here on the wall, what efforts, if any, are you
25 making to identify a latent print of possible recovery?

1 A. Visual observations.

2 Q. Does that include even a partial print?

3 A. None.

4 Q. Did you ever at any time with this print or any of
5 those markings on the wall see any identifiable print or
6 partial print to attempt to latent?

7 A. No, ma'am.

8 Q. Now, are you swabbing these areas?

9 A. There are some areas that have been swabbed.

10 Q. Why is that?

11 A. Hoping to get some suspect DNA.

12 Q. All right. And I'm going to ask you about the
13 actual door handle itself. How did you process the doors, the
14 entryways and then ultimately that door handle that we see in
15 State's 25?

16 A. In this particular picture the blood in the picture
17 itself was swabbed first to remove it from the door handle
18 before being processed with black fingerprint powder.

19 THE COURT: State's 25, the doorknob, any objection?

20 MR. CASTO: No objection, Your Honor.

21 THE COURT: 25 is in.

22 BY MS. MAYES:

23 Q. Why did you attempt or what attempts were made there
24 at the doorway and why?

25 A. After swabbing the blood from the doorknob, it was

1 fingerprinted with black powder attempting to lift latent
2 fingerprints.

3 Q. And that's there at the entry way?

4 A. Correct.

5 Q. Was the exit of the residence also processed?

6 A. Excuse me?

7 Q. How many doorways were processed?

8 A. Two.

9 Q. Which are located where?

10 A. This one would be in the front of the house. The
11 rear one was at the back to the rear of the house and
12 processed as well.

13 Q. When you say processed, can you explain what efforts
14 you were taking to recover evidence?

15 A. They were visually checked. Again, the front door
16 for blood was swabbed, both front and rear were processed with
17 black powder and no fingerprints were recovered.

18 Q. Have you been able to recover latent prints in other
19 cases and working other scenes in using those same methods?

20 A. I have.

21 Q. But not at this scene?

22 A. No, ma'am.

23 Q. Now, I'll show you some other photographs from the
24 residence and just ask you what we're looking at as we go.

25 A. Okay.

1 Q. This is State's 14.

2 A. This would have been in the living room area. The
3 victim would have been further down on the floor here but
4 these are a hammer and other tools.

5 THE COURT: Any objection to 14?

6 MR. CASTO: No, sir.

7 THE COURT: 14 is in.

8 BY MS. MAYES:

9 Q. Was the hammer itself taken as evidence?

10 A. Yes. It was.

11 Q. Why was that done?

12 A. Precautionary measure.

13 Q. Having worked the scene, observed these items
14 individually with the naked eye, did there appear to be any
15 blood on the hammer?

16 A. None.

17 Q. Did you find anything at the scene that appeared to
18 be the weapon used to beat or assault Mr. Hydrick?

19 A. I didn't. No, ma'am.

20 Q. All right. You took various items from the scene
21 just for precautionary measures?

22 A. Yes, ma'am.

23 Q. In addition to the hammer, what else did you take
24 for precautionary measures?

25 A. There was an alcohol bottle that was empty that was

1 taken as a precautionary measure as well.

2 Q. Just to clarify, when you say alcohol bottle, what
3 type of alcohol?

4 A. Rubbing alcohol.

5 Q. Rubbing alcohol. Okay. We'll talk about that in a
6 moment. Let's go back to the kitchen. What are we looking at
7 here in State's 16?

8 A. This was the top drawer in the kitchen cabinet in
9 front of the refrigerator.

10 Q. And who opened that drawer?

11 A. I did.

12 Q. For what purpose?

13 A. To search.

14 THE COURT: Any objection to 16?

15 MR. CASTO: No, sir.

16 THE COURT: 16 is in.

17 BY MS. MAYES:

18 Q. Did you see obvious signs of blood in that drawer?

19 A. No, ma'am.

20 Q. Just briefly take a look at 41. You mentioned a
21 rubbing alcohol bottle. Why was that taken in this case?

22 A. Proximity to the victim.

23 Q. Okay. How is that rubbing alcohol bottle
24 processed?

25 A. Standard black powder.

1 Q. Were you able to obtain any latent prints from
2 that?

3 A. None.

4 THE COURT: I need to ask y'all a question.

5 MS. MAYES: Yes, sir.

6 (Side bar off the record.)

7 THE COURT: All right. Folks, sometimes with
8 witnesses it's lengthy. This is one of them. It's
9 12:30. I'm gonna give y'all lunch. Be back in the jury
10 room before 2:00. We'll try to start back at 2:00. Be
11 back at five minutes to two. We'll start back at two.
12 That's an hour and 20 minutes. A longer break. Don't
13 discuss the case. Leave your note pads on your seat.
14 Don't discuss the case.

15 (Whereupon, the jury was released for lunch at 12:30
16 p.m.)

17 THE COURT: Investigator Morris, you can't discuss
18 your testimony during the break. Defense counsel will be
19 allowed to ask you what you talked about if you did.

20 THE WITNESS: Yes, sir.

21 THE COURT: Stand at ease until before 2:00.

22 (Lunch recess.)

23 BAILIFF: All rise.

24 THE COURT: Please be seated. All right. If it
25 suits y'all, thus far we have an exhibit list, Whitney

1 THE COURT: All right. Continuing with the
2 testimony of Deputy Morris. Ms. Mayes.

3 BY MS. MAYES:

4 Q. Detective Morris, you were last going through some
5 of the photographs that were at the scene. We stopped with
6 the discussion about the photographs in the area of the living
7 room and the kitchen. Did you do an entire walk through of
8 that residence?

9 A. Yes, ma'am.

10 Q. I'm going to show you some photographs and ask you
11 whether or not you also reviewed these areas, one being a
12 bedroom, State's Exhibit 38, 39 and 40, and another being the
13 area on top of the fridge, 32, 33, 34 and 35.

14 A. I did.

15 Q. Who took these photos?

16 A. I did.

17 Q. Are they fair and accurate representations of the
18 scene as you recall it?

19 A. They are.

20 MS. MAYES: At this time, Your Honor, these photos
21 would be offered in evidence as well.

22 THE COURT: 32, 33, 34, 35, 36 and 37?

23 MS. MAYES: Correct.

24 THE COURT: Any objection to those six? If you want
25 to see them.

1 MR. CASTO: Just briefly. I believe she did show
2 them to me but I wanted to make sure.

3 MS. MAYES: (Proffering.)

4 MR. CASTO: No objection, Your Honor, and we have
5 seen those.

6 THE COURT: All right. What numbers, Ms. Mayes?

7 MS. MAYES: 32, 33, 34 and 35, 38, 39 and 40.

8 THE COURT: All right. So 32, 33, 34, 35, 38, 39
9 and 40 all admitted without objection.

10 BY MS. MAYES:

11 Q. Now, Investigator Morris, step down please one more
12 time.

13 A. (Witness complies.)

14 Q. Tell us what we're looking at here in State's 38 and
15 then where that room would be in relation to the diagram that
16 you have prepared?

17 A. This is the bedroom. If you were coming in from the
18 front door, the bedroom is to the right side of where the body
19 was located. In this diagram it would be this bedroom here
20 (indicating.)

21 Q. All right. The bedroom on the right side of the
22 diagram?

23 A. Yes, ma'am.

24 Q. Now, did there appear to be any evidence of blood
25 transfer in this room?

1 A. There was one spot right here on the corner of the
2 bed.

3 Q. All right. And just to clarify, was there any
4 evidence of blood spatter in this room?

5 A. No, ma'am.

6 Q. All the blood spatter that you observed was
7 contained to what area?

8 A. The living room area around the body and around the
9 couch.

10 Q. That area that you showed us previously with the
11 blood spatter both on the vacuum, on the floor and then at the
12 top of the couch?

13 A. On the couch.

14 MR. CASTO: Objection to leading.

15 THE COURT: Sustained.

16 BY MS. MAYES:

17 Q. What areas had you observed that blood spatter you
18 indicated was contained in the living room?

19 A. One was in the area where the vacuum cleaner was
20 around the body. The other was on the couch on the right arm
21 rest and then above it on the blinds behind it.

22 Q. And then the only approximate area, if you can show
23 us where on this photograph, the only approximate area of
24 blood that you observed?

25 A. The only blood I observed was this transfer on this

1 corner.

2 Q. All right. That's 39. What is this?

3 A. This would be the items on the bed in that same
4 bedroom that appeared to have been rummaged through.

5 Q. Finally State's 40.

6 A. Again, this is in that same bedroom. To the right
7 here is a small bathroom. These appear to be shotgun casings
8 with shotgun shells.

9 Q. Can you show us where on the diagram you observed
10 those shotgun shells?

11 A. They were right in here.

12 Q. All right. And how many boxes of ammunition for
13 long guns do you recall seeing on the scene?

14 A. Three.

15 Q. Did you actually find any long guns in that
16 residence?

17 A. No, ma'am.

18 Q. Shotgun?

19 A. No, ma'am.

20 Q. Rifle with a scope?

21 A. No, ma'am.

22 Q. Any gun whatsoever recovered from that residence?

23 A. No, ma'am.

24 Q. Now, we have seen previously photographs of the
25 victim that involves this case. Were you able to search the

1 residence as to whether or not there may be any duct tape in
2 that residence?

3 A. Yes.

4 Q. What, if anything, did you discover?

5 A. On top of the refrigerator in a brown basket, a
6 basket, weave type basket was a roll of duct tape.

7 Q. This is State's 32.

8 A. Top of the refrigerator. This is the basket I was
9 talking about up here.

10 Q. Just to clarify, is this the same refrigerator that
11 we previously saw with blood stain inside of it?

12 A. Yes, ma'am. In the kitchen.

13 Q. State's 33.

14 A. Same basket. Duct tape was located in the basket.

15 Q. Who do we see in State's 34?

16 A. Ma'am?

17 Q. Whose hand is that in State's 34?

18 A. That's mine.

19 Q. All right. And what are we looking at here?

20 A. A piece of paper that was covering the duct tape
21 when it was originally - the basket was originally taken off
22 the refrigerator. My name is on the piece of paper.

23 Q. State's 35.

24 A. Again, that is the same roll of duct tape on the
25 basket with what we believe were blood droplets on the

1 inside.

2 Q. This particular item being that roll of duct tape,
3 how was it preserved for potential analysis by the State Law
4 Enforcement Division?

5 A. We bagged it up and sealed it and sent off.

6 Q. You see in the photograph you're wearing gloves.
7 When it's bagged, how is it properly sealed to preserve any
8 potential evidence that may be present?

9 A. With evidence tape.

10 Q. And once it's sealed, does anyone else have access
11 to that evidence other than yourself?

12 A. Once it's transferred to SLED, SLED would have
13 access.

14 Q. All right. But once you sealed it how is it
15 preserved between the time that you seal it until when it
16 arrives at the State Law Enforcement Division?

17 A. It's taken from the scene and placed in the evidence
18 room, a secured evidence room and locked inside with my access
19 only.

20 Q. Can you tell us whether or not that's protocol for
21 all of the other evidence items that were taken in this
22 particular case?

23 A. It is.

24 Q. All right. And I want to ask you now if we can go
25 through those for purposes of identification. Let's start

1 with that roll of duct tape.

2 MS. MAYES: And, Your Honor, at this time we would
3 request permission to break the seals of any evidence
4 that --

5 THE COURT: Is it easier as you break the seal to
6 mark it at that point? Do you want to mark the container
7 or the actual item?

8 MS. MAYES: The container.

9 THE COURT: Okay. So as you pick them up let's mark
10 the container, identify it and then you can remove it and
11 display it. Any objection to handling it that way, Mr.
12 Casto?

13 MR. CASTO: No, sir, Your Honor.

14 THE COURT: All right.

15 BY MS. MAYES:

16 Q. And if you could go ahead and break that seal and
17 take out the exhibit and if you could demonstrate what, if
18 anything, is different about the way it appears today as
19 opposed to when it was originally photographed by you there at
20 the crime scene?

21 A. There's a section of the duct tape cut out by SLED
22 with some writing on it and it appears it's also been
23 chemically treated on the inside.

24 Q. All right. From the time that you sealed it there
25 at the crime scene to the point that it arrived at SLED for

1 analysis would it have been tampered with in any way?

2 A. No.

3 MS. MAYES: Your Honor, this would be for evidence
4 at this time.

5 THE COURT: Is that 48?

6 MS. MAYES: 50, Your Honor.

7 THE COURT: All right.

8 (Whereupon, State's Exhibit #50 marked for
9 identification.)

10 MS. MAYES: That would be 50, Your Honor, in
11 evidence.

12 THE COURT: Any objection?

13 MR. CASTO: Your Honor, may we approach?

14 THE COURT: Sure.

15 (Side bar off the record.)

16 THE COURT: All right. We'll take a little more
17 testimony with regard to this evidence. I'm going to ask
18 y'all to step in the jury room. I'll have y'all back out
19 here in just a few minutes. Don't discuss the case yet.

20 (Whereupon, the jury entered the jury room at 2:22
21 p.m.)

22 THE COURT: All right. We had a lawyers' conference
23 in the main courtroom because I was standing where I
24 could see the television monitor. The duct tape has been
25 marked as exhibit 50 for identification purposes. The

1 in. That's State's 50. All right. Anybody need a quick
2 break before I bring the jury back in? No response. All
3 right. Bring in the jury please.

4 (Whereupon, the jury entered the courtroom at 2:50
5 p.m.)

6 THE COURT: For the record, State's 50, the roll of
7 duct tape is admitted subject to objection by defense. I
8 find sufficient chain is presented by the State and
9 proper foundation is sufficient. The roll of duct tape
10 is in in its package.

11 DIRECT EXAMINATION CONTINUED

12 BY MS. MAYES:

13 Q. Now, on 50, Investigator Morris, which is the roll
14 of duct tape, how do you go about documenting what is seen and
15 when and by whom?

16 A. On the bag itself is the information we're required
17 to fill out which being the agency which is the Sheriff's
18 Office. The item number is taken. The case number. It has
19 on here date and time of collection which we fill out, a.m.,
20 p.m., and collected by whom and what the description of the
21 evidence itself is.

22 Q. And the evidence seal that you mentioned or the tape
23 used for the evidence seal, how do you go about monitoring
24 that and how would it indicate if any tampering had
25 occurred?

1 A. This tape is put -- The bag is folded over on itself
2 one time and then layers of evidence tape are placed over it.
3 This evidence tape is, for lack of a better word, very flimsy
4 so if you were to try to adjust this too much, it's gonna rip
5 and once that evidence tape is ripped, that shows me that
6 somebody has tampered with it.

7 Q. All right. Has there ever been any indication of
8 tampering with the evidence seal on this bag or any other
9 items of evidence in this case?

10 A. No, ma'am.

11 Q. All right. Now, we saw previously on display two
12 ceramic jars in the kitchen area of the home. Can you show us
13 where they are in this photograph and whether or not they are
14 preserved in evidence?

15 A. Yes, ma'am. Two. You see one here on the screen,
16 that being item number 5, this item.

17 Q. And it was collected by you for what purpose?

18 A. It had blood transfer on it.

19 Q. All right. And throughout this time are you also
20 making observations as to whether any latent prints can be
21 recovered?

22 A. Yes.

23 Q. What, if anything, did you observe in that regard?

24 A. There were none.

25 Q. Okay. When we talk about this particular item of

1 evidence, was it sealed and packaged the same way that you
2 mentioned previously with the other items?

3 A. Yes.

4 MS. MAYES: We'll mark the outside of that bag.
5 That's 51, I believe, for evidence.

6 THE COURT: That's 51.

7 (Whereupon, State's Exhibit #51 and #52 marked for
8 identification.)

9 BY MS. MAYES:

10 Q. All right. Let's also address this item.

11 A. Secondary ceramic container depicted in that same
12 picture with the wooden top.

13 MS. MAYES: This will be 51 and 52 but if we package
14 them together they would be 51.

15 THE COURT: Separate bags or one bag?

16 MS. MAYES: Sir?

17 THE COURT: Are they in separate bags?

18 MS. MAYES: Yes, sir.

19 THE COURT: So the ceramic top is 51 and the ceramic
20 jar with the blue top that's smaller, is that 52?

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

22 THE COURT: Okay. And the same foundation applies
23 to those two.

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

25 THE COURT: We'll admit those subject to the same

1 foundation argument presented earlier in camera.

2 Objection noted for the record.

3 MR. CASTO: Thank you, Your Honor.

4 BY MS. MAYES:

5 Q. All right. Also in this particular photograph which
6 is State's 17 we see an item of clothing. What is that item
7 and can you tell us whether or not it was collected?

8 A. Yes. A pair of shorts found on the kitchen counter
9 and they were collected.

10 Q. All right. So this item would be the same item that
11 is located on the kitchen cabinet, correct?

12 A. Yes, ma'am.

13 Q. And on this particular item did you observe what
14 appeared to be blood or possible blood?

15 A. I did.

16 Q. Where was it located? Where do you recall seeing
17 those stains along those shorts?

18 A. They were inside around these areas here.

19 Q. If you could hold that up so we can visualize it.

20 A. (Witness complies.) Inside of the shorts there was
21 blood at the time and around the pocket area.

22 Q. All right. And you may package those and again
23 those are the same shorts that we're seeing there on the
24 kitchen counter in that photograph?

25 A. Yes, ma'am.

1 Q. And can you tell us whether or not the outside of
2 this packaging also bears the same marking showing the time
3 they were collected?

4 A. It does. My handwriting.

5 Q. Would it have been properly sealed?

6 A. Yes, ma'am.

7 Q. Who actually brought this evidence to the State Law
8 Enforcement Division for analysis?

9 A. I did.

10 MS. MAYES: This would be State's 53 for evidence,
11 Your Honor.

12 THE COURT: 53, same chain established, admitted
13 subject to the objection.

14 (Whereupon, State's Exhibit #53 marked for
15 identification and admitted.)

16 BY MS. MAYES:

17 Q. Now, earlier we saw blood from various areas inside
18 the home. How did you go about collecting any blood samples
19 from those areas and if so, for what purpose?

20 A. They were swabbed with swabs and sealed in their own
21 envelopes.

22 Q. What areas specifically did you swab?

23 A. I would have to refer to the notes.

24 Q. Okay.

25 A. Swab from the blood from the top of the

1 refrigerator.

2 Q. Let me stop you right there. Blood from the top of
3 the refrigerator was swabbed by you?

4 A. Yes, ma'am.

5 Q. And how would those swabs have been packaged?

6 A. In their own individual bags.

7 Q. All right. And can you locate that bag?

8 A. Yes, ma'am. (Witness complies.)

9 Q. All right. And I see several bags in that package.
10 That package is pre-marked State's 43. Can you tell us
11 whether or not each bag contains a swab and was individually
12 sealed?

13 A. It was.

14 Q. All right. So in addition to the top of the fridge,
15 what other areas of the home were swabbed by yourself?

16 THE COURT: Before you answer that, Ms. Mayes, the
17 swabs small bags, there are several, four, five, maybe
18 six, all came from one clear bag which has been
19 pre-marked as State's exhibit 43 for identification
20 purposes?

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

22 THE COURT: So the individual smaller bags can be
23 introduced as like 43A, B, C, et cetera for
24 clarification.

25 MS. MAYES: Yes, sir.

1 BY MS. MAYES:

2 Q. All right. So this would be 43A, the first swab
3 collected. So what we request is that if you could mark A, B,
4 C, D as we go through just there at the bottom of the bag.

5 A. (Witness complies.)

6 Q. And on the outside of the swabs do you note where
7 the swab came from?

8 A. I do.

9 Q. Okay. And take us through each of those as you have
10 noted where the swabs came from.

11 A. A swab from on top of the refrigerator in the
12 picture item number 8 taken 10/11/14, 14:28 hours.

13 MS. MAYES: That's for identification only at this
14 time, Your Honor.

15 THE COURT: Yes, ma'am.

16 BY THE WITNESS:

17 Q. From B it's blood from the front of the refrigerator
18 also taken 10/11/14 at 15:31 hours by me. The next swab would
19 have been blood from the light switch taken 10/11/14 at 15:33
20 hours by me. Blood swab from the room behind the kitchen
21 wall.

22 BY MS. MAYES:

23 Q. Is that what we're looking at here in State's
24 Exhibit 20?

25 A. It is. Item B, there's blood from outside the front

1 door handle, front doorknob.

2 Q. State's 25. Can you tell us whether or not you
3 recognize what specifically is in that photo?

4 A. Right here.

5 Q. And all of these swabs, Investigator Morris, were
6 collected by you?

7 A. Yes, ma'am.

8 Q. And then after being sealed would have gone where?

9 A. To SLED. Went to Edgefield County Sheriff's Office
10 evidence room, then to SLED.

11 Q. Who took them to SLED?

12 A. I did.

13 MS. MAYES: Your Honor, this would be State's 43
14 with A, B, C, D, E for identification only at this
15 time.

16 THE COURT: State's 43 which is five parts for
17 identification.

18 (Whereupon, State's Exhibit #43A, B, C, D, and E
19 marked for identification.)

20 BY MS. MAYES:

21 Q. Was there also a rubbing alcohol bottle that was
22 collected in this case?

23 A. Yes, ma'am.

24 Q. Was it maintained as evidence?

25 A. Yes, ma'am.

1 Q. Is that what's depicted in State's 44?

2 A. Yes, ma'am.

3 Q. And that's pre-marked as State's Exhibit 44?

4 A. Yes, ma'am.

5 Q. The packaging indicates the time which it was
6 collected?

7 A. Yes, ma'am. 10/11/14, 15:06 hours.

8 Q. And by whom?

9 A. By myself.

10 Q. All right. Why does it look different than it does
11 in the photograph where it appears white?

12 A. Because it has been processed.

13 Q. Tell us what you mean by that?

14 A. Using standard black powder and fingerprint powder
15 to process for fingerprints.

16 Q. Upon applying the black powder and using latent
17 print brush were you able to obtain any latent prints from the
18 rubbing alcohol bottle?

19 A. No, ma'am.

20 MS. MAYES: This would be State's 44 for evidence.

21 THE COURT: Same chain, same objection, same ruling.
22 It's admitted subject to objection. Proper foundation
23 and chain.

24 (Whereupon, State's Exhibit #44 marked for
25 identification and admitted.)

1 BY MS. MAYES:

2 Q. Now, that piece of duct tape that was found near the
3 victim, how was it collected?

4 A. By me.

5 Q. Where did it go and for what purpose?

6 A. Went to SLED for processing.

7 Q. Would that include SLED's latent print department?

8 A. I believe them or DNA.

9 Q. All right. Tell us why it is packaged that way, if
10 you know?

11 A. Say again please.

12 Q. If you can please explain the packaging on that?

13 A. Why it's in here?

14 Q. Yes.

15 A. So it doesn't adhere to the bag and get evidence off
16 of the bag.

17 THE COURT: Is it marked as an exhibit?

18 MS. MAYES: It is not, Your Honor. We would mark it
19 for identification at this time.

20 THE COURT: That would be what?

21 MS. MAYES: 54.

22 THE COURT: State's 54.

23 (Whereupon, State's Exhibit #54 marked for
24 identification.)

25 BY MS. MAYES:

1 Q. And who packaged it in the container?

2 A. I did.

3 Q. Can you tell us whether or not that's standard
4 protocol?

5 A. With that container?

6 Q. Or any container that was protected from
7 contamination?

8 A. Yes, ma'am.

9 Q. And that item went to the State Law Enforcement
10 Division?

11 A. Yes, ma'am.

12 MS. MAYES: This is 54 for identification only at
13 this time, Your Honor, being the piece of duct tape found
14 next to the victim.

15 THE COURT: Exhibit 54 marked for identification,
16 the duct tape in the container.

17 BY MS. MAYES:

18 Q. The duct tape that was on the wrists of Mr. Hydrick
19 you testified previously that that was actually cut by someone
20 other than you?

21 A. At autopsy. Yes, ma'am.

22 Q. Were you present for that?

23 A. I was.

24 Q. You were present for the autopsy?

25 A. I was.

1 Q. Who is the person who actually cut that item to
2 preserve it for evidence?

3 A. It would have been Dr. Ross's staff.

4 Q. You were present when that occurred?

5 A. Yes, ma'am.

6 Q. Once it's cut, who does it go to and take us through
7 that process?

8 A. Once it's removed from the victim, they were given
9 to me and I transported it to SLED for processing.

10 Q. How, if at all, did you package it prior to
11 transporting it to the State Law Enforcement division?

12 A. It was packaged by again one of her technicians and
13 in a brown bag and sent to SLED.

14 Q. And you were present for that entire process?

15 A. I am.

16 Q. And you're watching it?

17 A. I am.

18 Q. During an autopsy are the physician and any other
19 persons participating in the autopsy wearing gloves?

20 A. They are as well as gowns and masks.

21 Q. Once that item was packaged in your presence, where
22 did you take it next?

23 A. SLED.

24 Q. And what type of analysis did you request on that
25 duct tape that came off of Mr. Hydrick's wrists?

1 A. Fingerprints and DNA.

2 Q. Now, in addition to that coming from Mr. Hydrick at
3 autopsy, can you tell us whether or not it's routine to
4 collect biohazardous material?

5 A. Yes.

6 Q. And biohazardous materials are packaged in what way
7 and housed in what way?

8 A. They're separated from any other evidence to keep it
9 from contamination.

10 Q. Does that include blood?

11 A. Yes.

12 Q. Does that include body tissues?

13 A. Yes.

14 Q. Can you tell us whether or not portions of body
15 tissues including brain and liver were collected in this case
16 from Mr. Hydrick?

17 A. Yes.

18 Q. Were you present for that collection?

19 A. Yes.

20 Q. Is that routine?

21 A. Yes.

22 Q. Was a blood sample also obtained from Mr. Hydrick at
23 autopsy?

24 A. Yes. It was.

25 Q. Are those items sealed in your presence?

1 A. Yes.

2 Q. Was there ever any evidence of tampering with those
3 items prior to you seeing them sealed?

4 A. No, ma'am.

5 Q. Where did you take them next?

6 A. To SLED.

7 Q. Were they taken to SLED with the duct tape from the
8 wrists and sent to SLED?

9 A. Yes.

10 Q. And that was the same day as autopsy?

11 A. Yes.

12 Q. Did any of those items ever leave your presence or
13 your custody --

14 A. No.

15 Q. -- prior to submission to the State Law Enforcement
16 Division?

17 A. Correct.

18 Q. What are we looking at with these particular items
19 if you can identify them for the purposes of identification
20 only at this time?

21 A. They would be the findings by the investigators.

22 Q. As they are packaged now what agency was involved in
23 that packaging?

24 A. SLED did this.

25 MS. MAYES: For identification only at this time,

1 Your Honor, would be the yellow envelope containing the
2 duct tape from the victim's wrists. This would be 55 for
3 identification only at this time.

4 THE COURT: State's 55 for ID purposes, the duct
5 tape strips put in plastic and in the manila envelope.

6 (Whereupon, State's Exhibit #55 marked for
7 identification.)

8 BY MS. MAYES:

9 Q. Now, for identification only at this time,
10 Investigator Morris, can you tell us whether or not a firearm
11 was ever in the custody of the Sheriff's Department in this
12 particular case?

13 A. Yes.

14 Q. All right. And how is that packaged?

15 A. It's in a gun box.

16 Q. For purposes of identification only at this time if
17 you can retrieve that item?

18 A. (Witness complies.)

19 Q. There is yellow tape on this item from which
20 agency?

21 A. SLED.

22 Q. All right. And if you could tell us what, if any,
23 markings you recognize from your agency?

24 A. The box itself was used for storing firearms, a case
25 number, the victim's name and a description of the item

1 itself.

2 Q. And if you could check that item and tell us whether
3 or not you have submitted this particular item to the State
4 Law Enforcement Division for analysis?

5 A. It was. That's SLED's packaging here.

6 MS. MAYES: We're gonna mark this as 56 for
7 identification at this time.

8 THE COURT: What item is State's Exhibit 50? What
9 are those items? Did he identify them yet?

10 MS. MAYES: Yes, Your Honor.

11 THE COURT: I heard him identify State's Exhibit 50
12 for identification. What's this?

13 MS. MAYES: 56 was identified, Your Honor, as a
14 firearm.

15 THE COURT: Okay. There you go. I didn't hear
16 firearm. That's what I missed.

17 (Whereupon, State's Exhibit #56 marked for
18 identification.)

19 BY MS. MAYES:

20 Q. And I'm gonna show you this item and ask you whether
21 or not you recognize it?

22 A. Yes.

23 Q. How so?

24 A. It was turned over to me by Investigator Ireland.

25 Q. So you received this item from Investigator Ireland.

1 What relation does this box have to item 56?

2 A. The firearm from this box was placed in this box and
3 sent to SLED.

4 Q. So it arrived to you in this packaging?

5 A. Yes.

6 Q. And was placed in this package for the purpose of
7 going to the State Law Enforcement Division?

8 A. Yes.

9 Q. Who did that packaging?

10 A. I did.

11 Q. Prior to going to the State Law Enforcement
12 Division, would it have been tampered with in any way?

13 A. No, ma'am.

14 Q. Did you ever see any evidence of tampering after you
15 packaged it and submitted it to the State Law Enforcement
16 Division?

17 A. No, ma'am.

18 Q. Or upon its arrival?

19 A. No, ma'am.

20 Q. Now, the biohazardous materials that you mentioned
21 in this case, do you ordinarily bring them to court for court
22 purposes?

23 A. No, ma'am.

24 Q. Why or why not?

25 A. There's no court storage up here for it.

1 Q. Okay. And that is evidence that you collected at
2 autopsy?

3 A. Yes. It was retrieved by the pathologist and I
4 retrieved it from them.

5 Q. I'll ask you to refer to your notes and just clarify
6 what items you did recover and on what date?

7 A. I do not have that in my packet.

8 Q. I'll show you a document and ask you whether or not
9 you recognize it (proffering)?

10 A. I do.

11 Q. All right. Who submits all items to the State Law
12 Enforcement Division for the Edgefield County Sheriff's
13 Department?

14 A. I do.

15 Q. When they are logged into SLED, are they given an
16 item number?

17 A. They are.

18 Q. Can you tell us whether or not they remained tracked
19 from the time you logged them in until the time they returned
20 to you?

21 A. That's correct.

22 Q. Are they assigned a lab number?

23 A. They are.

24 Q. What's the SLED lab number in this particular
25 case?

1 A. L14-13152.

2 Q. Can you tell us what, if any, items 2.1 and 3.1
3 would be at the State Law Enforcement Division?

4 A. Brain and liver.

5 Q. From whom?

6 A. Johnny Hydrick.

7 Q. Who submitted those items?

8 A. I did.

9 Q. Are those the same items you previously referred to
10 as coming from autopsy?

11 A. Yes.

12 Q. Is there anyone else that would have obtained those
13 items and submitted them to the State Law Enforcement Division
14 other than yourself, Investigator Morris?

15 A. No, ma'am.

16 Q. Any blood submitted by autopsy would have been
17 submitted by who?

18 A. Me.

19 Q. From the victim?

20 A. Yes, ma'am.

21 Q. Now, you talked about items that are recovered from
22 the scene so let me ask you this: At any point in time did
23 you recover a wallet of Johnny Hydrick?

24 A. No, ma'am.

25 Q. All right. At any point in time did you recover any

1 long guns or handguns from the residence of Johnny Hydrick?

2 A. No, ma'am.

3 Q. Did you recover any cash from the residence or
4 discover any cash during the course of your property
5 processing?

6 A. There was some change laying around but none was
7 collected.

8 Q. Any dollars bills?

9 A. No, ma'am.

10 Q. Did you at any point in time discover a full
11 prescription bottle or a partially full prescription bottle
12 for oxycontin?

13 A. No, ma'am.

14 Q. So none of those items were found at the residence
15 of Johnny Hydrick?

16 A. No, ma'am.

17 Q. Any other processing of those items such as the duct
18 tape that was collected at autopsy and at the scene would have
19 been done by what agency?

20 A. State Law Enforcement Division.

21 Q. Ultimately do you know if a van was processed in
22 this case?

23 A. Yes. There was.

24 Q. Okay. Who did that processing?

25 A. That would have been SLED.

1 Q. All right. Did you have any contact with those
2 items other than receiving them back from SLED?

3 A. No, ma'am. Yes, ma'am.

4 Q. How so?

5 A. They were resubmitted for a second go around for DNA
6 testing. I apologize.

7 Q. Upon resubmission prior to receiving them back from
8 SLED and then ultimately being resubmitted to SLED, did anyone
9 else have access to them other than yourself in the evidence
10 room or any other qualified person in the evidence room?

11 A. Nobody but me and SLED.

12 Q. If they had been tampered with in any way, how would
13 you know?

14 A. The bag would have been torn open or cut.

15 Q. And ultimately a phone of Johnny Hydrick was
16 recovered in this case?

17 A. Yes, ma'am.

18 Q. That's the phone shown here in the corner of that
19 photograph?

20 A. Yes, ma'am.

21 Q. All right. And who collected that item and packaged
22 that item?

23 A. I did.

24 Q. Who would that phone have gone to and for what
25 purpose after you collected it at the scene?

1 A. To SLED computer crimes.

2 Q. Would it have been maintained there at the Sheriff's
3 Department until the time that it was taken for phone
4 extraction?

5 A. Yes.

6 MS. MAYES: Nothing further.

7 THE COURT: Any cross, Mr. Casto?

8 MR. CASTO: Yes, sir, Your Honor.

9 THE COURT: Go ahead.

10 CROSS EXAMINATION

11 BY MR. CASTO:

12 Q. Hi, Investigator Morris. How are you?

13 A. Yes, sir.

14 Q. I wanted to ask you some questions just to bring out
15 some things that you talked about. You testified through
16 lunch. To get a running start here, you arrived shortly after
17 Johnny's body was found, right?

18 A. Yes, sir.

19 Q. I mean, in fairness to you you arrived about an hour
20 after the first deputy arrived?

21 A. Give or take. I can't give you the exact time.

22 Q. Approximately.

23 A. Yes, sir.

24 Q. And just to kind of re-center our focus here, that
25 was on October 11th, 2014, right?

1 A. Yes, sir.

2 Q. And from there you begin the process of what we have
3 heard about which is called crime scene investigation; is that
4 right?

5 A. Yes, sir.

6 Q. And it's really the collection of various items that
7 could lead to any potential clues, leads, that kind of thing,
8 right?

9 A. Yes, sir.

10 Q. For lack of a better term, right?

11 A. Yes, sir.

12 Q. And certain evidence would help you learn what, if
13 anything, happened in a particular case, right?

14 A. It can.

15 Q. Okay. And if we can, rather than going through
16 every single thing, I want to speak with you about some of the
17 items that were collected in this case. The first thing that
18 you noticed was you went through the front door of the
19 residence, right?

20 A. Yes, sir.

21 Q. And the door I believe you testified that there was
22 no obvious sign of forced entry, right?

23 A. Yes, sir.

24 Q. And you walk into the front room where Johnny is
25 found?

1 A. Yes, sir.

2 Q. And throughout that afternoon I believe that's when
3 you collected numerous items?

4 A. Yes, sir.

5 Q. Now, one of the things that we saw in the pictures,
6 it's pulled up, is pictures of what you described as
7 handprints --

8 A. Okay.

9 Q. -- on either side of the legs. If you would join me
10 down here, I'll show you the picture I'm referring to.

11 A. (Witness complies.) Yes, sir.

12 Q. This picture here you have already spoken about it.
13 Do you recognize that?

14 A. Yes, sir.

15 Q. What are the red marks and splotches here? What is
16 that or what does that appear to you - what does that look
17 like?

18 A. That's what I said earlier handprints on his
19 knees.

20 Q. And a hand print?

21 A. Yes, sir. In this area.

22 Q. And right above the knee, right?

23 A. Yes, sir.

24 Q. And essentially what you have got is a situation
25 where, if I can, the fingers are kind of pointing in this

1 direction?

2 A. Yes, sir.

3 Q. Is that fair to say?

4 A. Yes, sir.

5 Q. And then on the other leg this photo we have seen it
6 before the fingers are pointing towards the ceiling if you
7 will --

8 A. Yes, sir.

9 Q. -- of this courtroom?

10 A. Yes, sir.

11 Q. In other words, you have handprints that kind of do
12 this motion here (indicating), is that fair to say?

13 A. Yes, sir.

14 Q. Both of the handprints appear above each of the
15 knees; is that right?

16 A. Yes, sir.

17 Q. Have your seat again.

18 A. (Witness complies.)

19 Q. Now, you took these pictures, right?

20 A. Sir?

21 Q. You took these pictures of the handprints?

22 A. Yes, sir.

23 Q. I don't believe, and correct me if I'm wrong, they
24 were not measured by you or any other officer; is that
25 right?

1 A. No, sir.

2 Q. Okay. Was there any swabs of the handprints on
3 these legs taken by you or any other officer?

4 A. No, sir.

5 Q. And turning our attention to the duct tape, we
6 talked about two different locations where the duct tape was
7 found. We had some bound around the wrists, right?

8 A. Yes, sir.

9 Q. We also had a separate piece, right?

10 A. Yes, sir.

11 Q. You understand what I'm referring to --

12 A. Yes, sir.

13 Q. -- when I say it like that?

14 A. Yes, sir.

15 Q. And the separate piece of duct tape was collected,
16 that was by Johnny Hydrick's body, was collected and placed
17 into a bag?

18 A. Yes, sir.

19 Q. And eventually that was sent to SLED to be tested?

20 A. Yes, sir.

21 Q. When something is sent to SLED, you have a decision
22 as far as what tests you can choose to have SLED perform on
23 that item; is that right?

24 A. Correct, sir. Yes, sir.

25 Q. And I believe that piece of duct tape, the duct

1 tape, the separate piece of duct tape was selected for a
2 fingerprint test; is that right?

3 A. I believe so.

4 Q. Okay. And there were no fingerprints on that item
5 that came back to Billy; is that correct?

6 A. That's correct, sir.

7 Q. And it was also submitted for a DNA test; is that
8 right?

9 A. Yes, sir.

10 Q. And there was no DNA that came back to Billy; is
11 that right?

12 A. That is correct, sir.

13 Q. While I'm thinking about it and while this picture
14 is still on the screen just so it's clear, there was some
15 questions about a van and then it jumped to Johnny Hydrick's
16 cell phone. Would you join me down here again?

17 A. Yes, sir. (Witness complies.)

18 Q. Just to be clear, Johnny Hydrick's cell phone was
19 found right here. That's what's depicted in this picture,
20 right?

21 A. Yes, sir.

22 Q. It wasn't found in the van, was it?

23 A. No, sir.

24 Q. All right. I just wanted to bring that out and make
25 sure. You can take your seat again. I think that will be the

1 last time.

2 A. (Witness complies.)

3 Q. We talked about the ceramic jars that were found; is
4 that right?

5 A. Yes, sir.

6 Q. There were two of those?

7 A. Yes, sir.

8 Q. They were located in Johnny's kitchen area?

9 A. Yes, sir. On the counter top.

10 Q. And to you they had the appearance of blood on
11 them?

12 A. Yes, sir.

13 Q. They were collected by you, right?

14 A. Yes, sir.

15 Q. They were sent to SLED and then the test chosen for
16 them was DNA?

17 A. Yes, sir.

18 Q. There was no DNA found on the ceramic jars that came
19 back to Billy?

20 A. That is correct, sir.

21 Q. The other items that we went through just now
22 included swabs taken from the kitchen counter of Johnny's
23 house?

24 A. Yes, sir.

25 Q. We described those as transfers?

1 A. Yes, sir.

2 Q. Rather than splatter?

3 A. Yes, sir. Spatter.

4 Q. Blood transfers specifically, right?

5 A. Yes, sir.

6 Q. And with that we talked about the roll of duct tape
7 found on Johnny Hydrick's refrigerator, right?

8 A. Yes, sir.

9 Q. And the swabs and samples collected from Billy's
10 van, right?

11 A. Yes, sir.

12 Q. But those, now, just to be clear, those were not
13 collected by you; is that right?

14 A. Which ones, sir?

15 Q. The first set of swabs from Billy's van.

16 A. No, sir. SLED done that.

17 Q. That's what I thought. I just wanted to be clear on
18 that point.

19 A. Yes, sir.

20 Q. And swabs were collected from the numerous transfers
21 on the walls?

22 A. Yes, sir.

23 Q. From the appliances, specifically the refrigerator
24 area?

25 A. Yes, sir.

1 Q. And blood transfers were found in, is it fair to say
2 that blood transfers and splatter were found in multiple areas
3 of that home?

4 A. That is correct, sir. .

5 Q. It's likely that the blood transfers were
6 transferred by someone's hands; is that right?

7 A. I can't say that one hundred percent but it's a
8 likelihood.

9 Q. Or it's possible?

10 A. It's possible.

11 Q. Okay. And it's also possible that splatter transfer
12 could also end up on the perpetrator's clothing; is that
13 right?

14 A. It's possible. Yes, sir.

15 Q. Given that there was splatter found on the vacuum
16 cleaner, right?

17 A. Yes, sir.

18 Q. There was splatter that was found on the couch?

19 A. Yes.

20 Q. There was transfer on the walls of the home?

21 A. Yes, sir.

22 Q. And even all the way up on the blinds if I'm not
23 mistaken; is that right?

24 A. That's correct, sir.

25 Q. Jumping back in with the collection of all of those

1 swabs from all of those locations, none of those items
2 contained Billy's DNA, did it?

3 A. No, sir.

4 Q. There were a few things and there's a choice that
5 you make with regard to, okay, what is sent to SLED and what's
6 not sent to SLED?

7 A. Yes, sir.

8 Q. There was a clear rubbing alcohol bottle that was
9 found, right?

10 A. Yes, sir.

11 Q. And that was, it was found specifically just to
12 bring it out a little bit, it was found by Johnny Hydrick's
13 head if I'm not mistaken?

14 A. Just above it. Yes, sir.

15 Q. And it was not sent to SLED --

16 A. No, sir.

17 Q. -- in this case?

18 A. No, sir.

19 Q. And there were no fingerprints found on this
20 bottle?

21 A. No, sir.

22 Q. And today it's not known whether there's DNA on the
23 bottle because it wasn't sent to SLED?

24 A. Correct, sir.

25 Q. In DNA, you don't have to have blood to find DNA; is

1 that right?

2 A. Yes, sir.

3 Q. And just to understand, if I touch this, it's
4 possible that skin cells sloughed off onto this podium; is
5 that right?

6 A. Epithelial cells. Yes, sir.

7 Q. Potentially that could contain DNA?

8 A. Potentially. Yes, sir.

9 Q. And that can be tested to see if it's a certain
10 individual's DNA?

11 A. Yes, sir.

12 Q. We talked about those tools that were found kind of
13 by the window in the case. Specifically what I'm talking
14 about is a hammer?

15 A. Yes, sir.

16 Q. And it had a blue handle?

17 A. Yes, sir.

18 Q. This was also collected by law enforcement; is that
19 right?

20 A. Yes, sir.

21 Q. But it was not sent to SLED?

22 A. No, sir.

23 Q. It was DNA tested?

24 A. No, sir.

25 Q. I believe that at some point it was tested to detect

1 for the presence of blood?

2 A. Yes, sir.

3 Q. And that was done at the Sheriff's Office?

4 A. Yes, sir.

5 Q. And total transparency, no blood was found?

6 A. No, sir.

7 Q. But it was not sent to SLED to check for DNA?

8 A. No, sir.

9 Q. A lot of times and in most cases at a microscopic
10 level you can't see DNA; is that right?

11 A. Correct, sir.

12 Q. And to date the hammer just to be clear only got
13 a test for the presence of blood; is that right?

14 A. Yes, sir.

15 Q. I don't believe it was fingerprinted?

16 A. No, sir.

17 Q. I don't believe, and it wasn't sent to SLED,
18 right?

19 A. No, sir.

20 Q. There was also a blanket that we had seen in the
21 pictures and that was kind of a brown blanket draped across
22 Johnny Hydrick's kind of chest area?

23 A. Yes, sir.

24 Q. And the way that Johnny Hydrick was found the
25 blanket was kind of, is it fair to say the blanket was kind of

1 draped across his upper torso chest area, head area, that area
2 of his body?

3 A. Fair to say. Yes, sir.

4 Q. And we know that Johnny's hands were bound at the
5 wrist?

6 A. Yes, sir.

7 Q. We had talked about that. And it's not likely that
8 Johnny was the one that put the blanket over the top of
9 himself?

10 A. That's correct, sir.

11 Q. And the blanket was collected by law enforcement.

12 A. Yes, sir.

13 Q. But I don't believe the blanket was sent to SLED; is
14 that right?

15 A. No, sir. It was not, sir.

16 Q. And to date we don't know if this blanket contains
17 DNA evidence relevant to the case?

18 A. No, sir.

19 Q. We don't know if there are any fibers or hair found
20 on the blanket that could be relevant to this case, right?

21 A. No, sir.

22 Q. Additionally there was a baseball bat that was
23 located in Johnny's home?

24 A. Yes, sir.

25 Q. And the baseball bat was not recovered by law

1 enforcement that day.

2 A. Correct, sir.

3 Q. And this is the same bat that Jessica Reeder used to
4 strike Johnny with; is that right?

5 A. I'm unfamiliar.

6 Q. Okay. You don't have any knowledge of that?

7 A. No, sir. I know about the bat. I do not know what
8 you're talking about with Jessica Reeder.

9 Q. In other words, you know about the bat?

10 A. Yes, sir.

11 Q. But the bat was not collected by law enforcement
12 that day?

13 A. That's correct, sir.

14 Q. And I believe that eventually earlier this month the
15 bat was brought to the Sheriff's Department; is that right?

16 A. Yes, sir.

17 Q. And I believe it was Richard Hydrick, Johnny
18 Hydrick's brother that had the bat; is that right?

19 A. That's who I retrieved it from.

20 Q. In other words, you retrieved it from Richard
21 Hydrick Johnny's brother?

22 A. That is correct, sir.

23 Q. This bat was tested for the presence of blood,
24 correct?

25 A. That is correct, sir.

1 Q. No blood was found?

2 A. None, sir.

3 Q. But this bat it wasn't then forwarded onto SLED at
4 any time?

5 A. No, sir.

6 Q. And we don't know whether there's any DNA on that
7 item that could be relevant to this case?

8 A. No, sir.

9 Q. Okay. We had talked about one item. When you
10 looked in the home, you had the chance to observe a slot
11 machine; is that right?

12 A. Sir?

13 Q. Do you recall seeing a slot machine in the home at
14 all when you went through everything?

15 A. No, sir.

16 Q. Okay. To your knowledge a slot machine was not
17 collected by law enforcement since you don't have any
18 knowledge of the slot machine?

19 A. No, sir.

20 Q. Okay. Now, we know that you had worked several
21 other scenes besides this case, right? You already testified
22 to that.

23 A. Yes, sir.

24 Q. And you have been to scenes before where you don't
25 get any prints, right?

1 A. That is correct, sir.

2 Q. We know that Johnny Hydrick actually lived in this
3 home, right?

4 A. Yes, sir.

5 Q. But we don't have any prints from his home in this
6 case that you were able to find or collect?

7 A. That is correct, sir.

8 Q. We know that Richard Hydrick is the one that
9 discovered Johnny's body, right?

10 A. Yes, sir.

11 Q. And in order to do so he had to go in through the
12 front door that was originally closed, right?

13 A. Yes, sir.

14 Q. And in order to do so he would have had to touch the
15 knob and go inside to the living room, right?

16 A. Yes, sir.

17 Q. And we don't have any fingerprints that were
18 collected from the doorknob?

19 A. There were none there.

20 Q. Okay. There were items collected in this case,
21 well, collected but there were items in Johnny's house where
22 in prior cases you probably have been able to pull prints off
23 of such as counter tops?

24 A. Yes, sir.

25 Q. Doorknobs?

1 A. Yes, sir.

2 Q. But in this case you didn't, you weren't able to
3 collect prints; is that right?

4 A. No, sir.

5 Q. There was the gun that was referenced and that was a
6 .32 caliber Titan Tiger gun that was collected by Aiken County
7 and ultimately received by the Edgefield County Sheriff's
8 Office, right?

9 A. I have a .38 caliber.

10 Q. I'm sorry. I said .32. I misspoke. It's a .38.
11 You're right. .38 caliber --

12 A. Yes, sir.

13 Q. -- gun and, this item it was sent to SLED and it's my
14 understanding that SLED didn't do any tests on that item when
15 it first went; is that right?

16 A. I couldn't tell you off the top of my head. I would
17 have to see the reports.

18 Q. In other words, let me ask you this: Do you have
19 any memory that that item needed to be resubmitted to SLED?

20 A. Yes, sir.

21 Q. Do you recall -- Well, it was sent to SLED and the
22 proper tests weren't done on it at first?

23 A. Again, I can't tell you what tests were done
24 originally.

25 Q. But all you know is that, yes, that item needed to

1 be resubmitted?

2 A. Yes, sir.

3 Q. Okay. And to the best of your knowledge Billy's DNA
4 was not on the .38 caliber gun that was submitted?

5 A. That is correct, sir.

6 Q. We have talked about this earlier. Once evidence is
7 logged into the Sheriff's Office evidence room, there's a
8 policy to do that, right?

9 A. Yes, sir.

10 Q. That depending on what the evidence is it's likely
11 placed in a bag but ultimately it's in the location, it's in
12 the evidence room?

13 A. Yes, sir.

14 Q. And at some point that evidence is entered into a
15 log, right?

16 A. Yes, sir.

17 Q. And really what that is is it's a record of what the
18 evidence is, right?

19 A. Yes, sir.

20 Q. Who brought it there?

21 A. Correct, sir.

22 Q. The date and time --

23 A. Correct, sir.

24 Q. -- that they turned it in?

25 A. Correct, sir.

1 Q. And this was stored in something called a PMI; is
2 that right?

3 A. That's the name of the program.

4 Q. Okay. For lack of a better term that's the name of
5 the computer program that would keep track of all of this?

6 A. Yes, sir.

7 Q. A lot of these items were collected in 2014; is that
8 right?

9 A. Correct, sir.

10 Q. The PMI system eventually crashed as best you can
11 tell some time in 2015, right?

12 A. Yes, sir.

13 Q. Therefore we're without records with regard to who
14 brought these items in and what time and place in the PMI?

15 A. Correct, sir.

16 Q. And these attempts were made to try and retrieve
17 that information --

18 A. Yes, sir.

19 Q. -- from the PMI but those attempts were
20 unsuccessful?

21 A. The hard drive was fried.

22 Q. Okay. And Billy's fingerprints are not found on any
23 of the items; is that right?

24 A. That's right, sir.

25 Q. Billy's DNA is not found on any of the items; is

1 that correct?

2 A. That is correct, sir.

3 MR. CASTO: No further questions.

4 THE COURT: All right.

5 REDIRECT EXAMINATION

6 BY MS. MAYES:

7 Q. In follow up to that question by Mr. Casto, was the
8 DNA of any person other than Johnny Hydrick found from
9 evidence at that scene?

10 A. No, ma'am.

11 Q. And why is it that you wear gloves at a crime scene,
12 Investigator Morris?

13 A. So my DNA does not contaminate anything else.

14 Q. So if you're wearing gloves, that prevents you from
15 leaving your DNA behind?

16 MR. CASTO: Objection to leading.

17 MS. MAYES: I can rephrase that.

18 THE COURT: Sustained.

19 BY MS. MAYES:

20 Q. Those gloves prevent you from what?

21 A. Again, leaving my DNA or transferring my
22 fingerprints onto items that could throw off any kind of a
23 positive match later on.

24 Q. Mr. Casto was asking you about recovering latent
25 prints at other scenes but not this one. How do gloves affect

1 your ability to recover latent prints?

2 MR. CASTO: Objection. Speculation.

3 MS. MAYES: I can lay a foundation.

4 THE COURT: I don't believe he's been qualified as
5 an expert so try to lay a foundation.

6 MS. MAYES: Yes, sir, Your Honor.

7 BY MS. MAYES:

8 Q. Is this basic training and knowledge that you have
9 even as a lay person?

10 A. Yes, ma'am.

11 Q. All right. Do you have to be a CSI expert to know
12 that wearing gloves prevents leaving a fingerprint?

13 MR. CASTO: Objection. This calls for opinion
14 testimony, Judge.

15 THE COURT: I think it's within a lay person's
16 observation that gloves prevent transfer of fingerprints
17 so I'm gonna allow it.

18 MR. CASTO: Yes, sir.

19 BY MS. MAYES:

20 Q. You can answer the question.

21 A. Can you repeat it again please?

22 Q. Yes. As a lay person even prior to receiving CSI
23 experience, does wearing gloves prevent fingerprints from
24 being left behind?

25 A. They can. Yes, ma'am.

1 Q. Now, in addition to the items that you have already
2 addressed, Mr. Casto was asking you specifically about a bat.

3 A. Yes, ma'am.

4 Q. Would you have had the opportunity to reserve or to
5 review that bat at the scene?

6 A. Yes, ma'am.

7 Q. Was there ever any indication to you that a bat was
8 involved in this crime? Do you have any reason to believe
9 that that bat was used as a weapon on Johnny Hydrick?

10 A. At that time, no.

11 Q. All right. Did you have an opportunity to look at
12 it there at the scene?

13 A. I did.

14 Q. Was there any evidence of blood on that item?

15 A. No, ma'am.

16 Q. He also asked about a hammer. Was there any reason
17 to believe that a hammer would have been used as a weapon in
18 this case?

19 A. At that time I wouldn't have known. That's why it
20 was taken.

21 Q. All right. So the hammer that you mentioned taking
22 into evidence, did you do a naked eye inspection for the
23 presence of blood?

24 A. Yes, ma'am.

25 Q. Was there ever any indication of blood on that

1 hammer --

2 A. No, ma'am.

3 Q. -- be it transfer blood, spatter blood or blood of
4 any type?

5 A. Not that I could see.

6 Q. Or any of those items at the scene that potentially
7 could be a weapon?

8 A. None were seen.

9 Q. But you mentioned that you took the hammer in an
10 abundance of caution?

11 A. That proximity to the body. Yes.

12 Q. Now, the alcohol bottle, did you have any reason to
13 believe that it was involved in the actual crime itself?

14 A. No, ma'am.

15 Q. I'm going to show you a photograph which is for
16 identification only at this time which is State's 5 and ask
17 you to take a look at that.

18 A. Yes, ma'am.

19 Q. The alcohol bottle that was present at this scene,
20 was there anything above it or around it?

21 A. Some electronic equipment just to the left of it.

22 Q. All right. Why is that significant?

23 A. I believe that the bottle fell off of the top of
24 that electrical equipment.

25 Q. Do you have any reason to believe that the bottle

1 itself was used as a weapon?

2 A. No, ma'am.

3 Q. Or that it would have been handled in any way other
4 than falling off or around during the course of a struggle?

5 A. That's correct.

6 MR. CASTO: Objection to leading.

7 THE COURT: Rephrase.

8 BY MS. MAYES:

9 Q. Do you have any reason to believe that that was
10 directly involved in the crime itself or handled for any
11 reason?

12 A. No, ma'am.

13 Q. Now, Mr. Casto, was asking you about the blanket.
14 Do you consider SLED's submission policy and things of that
15 nature when submitting items to the State Law Enforcement
16 Division?

17 A. Yes, ma'am.

18 Q. How do common household items differ from a known
19 item such as the duct tape that bound Johnny Hydrick's wrists,
20 the duct tape that bound his wrists, can you tell us whether
21 or not you would consider that directly related to the
22 crime?

23 A. Yes.

24 Q. How may a common household item be different?

25 A. In this particular case the blanket being a common

1 household item it could have been used by anybody staying at
2 the household, visiting, somebody living there. There's just
3 too many possible contributors to do DNA and other trace
4 evidence on it.

5 Q. Why is that a factor where SLED submission
6 guidelines are concerned? Are you provided with those
7 guidelines?

8 A. I have those guidelines at the office on my
9 computer.

10 Q. Do you follow those guidelines in your submission?

11 A. As best I can. If there's a question, I have to
12 call SLED.

13 Q. Okay. Now, do you know or have a listing of all
14 household guests for Johnny Hydrick over the course of the
15 past several years?

16 A. Me? No, ma'am.

17 Q. Do you know or have a listing of all the relatives
18 that may have been inside the home?

19 A. No, ma'am.

20 Q. Do you have a means to pin or narrow down exactly
21 how many people may have handled that blanket prior to this
22 homicide?

23 A. No, ma'am.

24 Q. Are all of those factors, can you tell us whether or
25 not those are all factors for consideration when submitting

1 items to SLED?

2 A. They are.

3 Q. Ultimately the bat that Mr. Casto was asking you
4 about, was it processed?

5 A. Yes.

6 Q. When was it processed?

7 A. I can't give you the exact date. I don't have it in
8 front of me.

9 Q. Has it been within the last year?

10 A. Yes, ma'am.

11 Q. Going back to when it was present at the crime
12 scene, did you have an opportunity to review it then?

13 A. Yes.

14 Q. Was there any indication that it was involved in the
15 crime?

16 A. No, ma'am.

17 Q. Did the results of your analysis change that in any
18 way?

19 A. No, ma'am.

20 Q. How so? What type of analysis was done?

21 A. I used Blue Star to see if there was any kind of
22 blood attached to the object. There was no chemical reaction.
23 There was no blood there.

24 MS. MAYES: Thank you. Nothing further.

25 MR. CASTO: Just briefly, Your Honor.

1 RECROSS EXAMINATION

2 BY MR. CASTO:

3 Q. You had said you didn't believe the alcohol bottle
4 -- Let's be clear. That was a rubbing alcohol bottle,
5 right?

6 A. Yes, sir.

7 Q. We don't believe that was directly tied in with this
8 crime directly, do we?

9 A. No, sir.

10 Q. Ultimately that was still tested for fingerprints,
11 right?

12 A. Yes, sir.

13 Q. The hammer was not tested for fingerprints?

14 A. No, sir.

15 Q. The bat was not tested for fingerprints?

16 A. No, sir.

17 Q. Both of those items were not tested for DNA; is that
18 right?

19 A. That's correct, sir.

20 Q. The hammer, was it brought to the autopsy?

21 A. Sir?

22 Q. Do you recall if the hammer was one of those items
23 brought to the autopsy?

24 A. No, sir.

25 Q. It was not?

1 A. No, sir.

2 Q. With regard to common household items, the ceramic
3 jars that were collected, would they be considered common
4 household items?

5 A. They could be. Yes, sir.

6 Q. And ultimately they were collected in this case?

7 A. Yes, sir.

8 MR. CASTO: No further questions, Your Honor.

9 THE COURT: Okay. You may step down.

10 MS. MAYES: That's for identification, Your Honor,
11 so we will leave it there.

12 THE COURT: Okay. Y'all ready for a break? Step
13 into the jury room. Don't discuss the case. We'll get
14 you back out here shortly and we'll finish for the day.

15 (Whereupon, the jury entered the jury room at 4:00
16 p.m.)

17 (Short break.)

18 BAILIFF: All rise.

19 THE COURT: Be seated.

20 (Whereupon, the jury entered the courtroom at 4:15
21 p.m.)

22 THE COURT: All right. Call your next witness.

23 MR. MCNAIR: Your Honor, the State calls Dennis
24 Amerson.

25 Thereupon,

1 DENNIS LAMAR AMERSON

2 after having been first duly sworn, testified as follows,

3 THE CLERK: Please have a seat. Once you're seated,
4 state your full name spelling your last please.

5 THE WITNESS: Dennis Lamar Amerson, A-m-e-r-s-o-n.

6 DIRECT EXAMINATION

7 BY MR. MCNAIR:

8 Q. Mr. Amerson, where are you currently living?

9 A. Augusta, Georgia.

10 Q. Is that where you're from?

11 A. Yes, sir.

12 Q. Where do you work?

13 A. J and M Golf Cart in Evans.

14 Q. What do you do for J and M?

15 A. Prep motors and prep golf carts so they can rebuild
16 them and refurbish them.

17 Q. How long have you been doing that?

18 A. Probably about three months now.

19 Q. Are you married now?

20 A. Yes, sir.

21 Q. Do you have children?

22 A. Yes, sir. I got four.

23 Q. Do they live with you?

24 A. Yes, sir.

25 Q. All right. Now, is it fair to say that your life

1 has not always been as stable as it is now?

2 A. No, sir. It hasn't.

3 Q. Have been addicted to meth before?

4 A. Yes, sir. I have.

5 Q. All right. Were you actually charged and convicted
6 of distributing meth back in April 2014?

7 A. Yes, sir. I was.

8 Q. Now, since that time what efforts have you
9 undertaken to get clean?

10 A. I come back over --

11 MR. CASTO: Objection. Relevance.

12 THE COURT: I'm going to allow a little bit of
13 latitude on this. Go ahead.

14 MR. MCNAIR: It's just background, Your Honor.

15 THE COURT: I understand. Go ahead.

16 BY THE WITNESS:

17 A. I got caught distributing meth amphetamine over here
18 in Edgefield County and they released me onto probation and
19 they got, and I didn't get my DNA sample so they violated me
20 and I come to court and they offered me seven months in prison
21 or a two year rehab and I had already done five months in
22 Edgefield so I chose to go on and do the two year rehab in
23 South Carolina, it's called South Carolina STRONG. It's in
24 Charleston and I completed the two years and I also signed up
25 for a third year because I didn't want to come back out

1 here.

2 BY MR. MCNAIR:

3 Q. So you spent three years in S.C. STRONG --

4 A. Yes, sir.

5 Q. -- for rehab?

6 A. Yes, sir.

7 Q. And you have been clean since that time?

8 A. Yes, sir.

9 Q. All right. Now, back in November of 2014 where were
10 you staying at that time?

11 A. In Augusta.

12 Q. Weren't you incarcerated in the Edgefield County
13 Detention Center?

14 A. Yes, sir.

15 Q. Was that for the probation violation that you just
16 testified to?

17 A. Yes, sir.

18 Q. All right. And during your stay at Edgefield County
19 Detention Center, did you meet the defendant Mr. Sellers?

20 A. Yes, sir.

21 MR. CASTO: Objection to leading.

22 THE COURT: Sustained to leading. Go ahead.

23 BY MR. MCNAIR:

24 Q. Do you know Billy Sellers?

25 A. Not until I met him in Edgefield County Jail.

1 Q. Okay. I guess were you able to communicate with
2 Mr. Sellers?

3 A. Only when we was on 23 hour lockdown we got to come
4 out for like an hour rec. We had rec time together.

5 Q. So y'all weren't in the same cell?

6 A. No, sir. In 23 hour lockdown normally you're by
7 yourself and you're not in a room with nobody.

8 Q. All right. So when would you have the opportunity
9 to see him?

10 A. When we got to come out for our hour rec, to take
11 showers or use the phone, whatever we had to do.

12 Q. So an hour each day you would get out and you would
13 go to rec and see Mr. Sellers?

14 A. Yes, sir.

15 Q. Did y'all begin talking about things?

16 A. Yes, sir.

17 Q. Did y'all begin or did he begin talking to you about
18 his case?

19 A. Yes, sir.

20 Q. Can you tell the jury what he told you about his
21 case?

22 A. He was telling me, showing me pictures of his kids
23 and stuff and was like telling me where that he was gonna get
24 called up and that he was worried that they were gonna find
25 stuff in his van to convict him of the charges because he had

1. told me that he was being convicted of murder.

2. Q. Stop right there. Let's back up. So you said you
3. started - he was showing you pictures of his kids?

4. A. Yes, sir.

5. Q. All right. What, if anything, did he say about
6. that?

7. A. Huh?

8. Q. What, if anything, did he say about that?

9. A. He says he hopes his wife don't find out that he had
10. done it.

11. Q. For what reason?

12. A. That she wouldn't have nothing to do with him.

13. Q. Okay. Now, did he ever tell you what he had done?

14. A. He told -- I asked him what he was charged with and
15. he told me they were charging him with convicted murder and
16. that he had, that they charged him with it and he had begin to
17. tell me a little bit about how he thought that was going.

18. Q. Did you ask him anything about what he had done?

19. A. Yeah. I asked him what he had done and he said that
20. him and some of his friends were scrapping metal across from
21. where, I guess, the, I don't know, the victim, yeah, was
22. murdered at.

23. Q. Okay. Did he ever tell you the victim's name?

24. A. No, sir.

25. Q. Did he tell you where the victim lived?

1 A. No, sir. I don't quite - not no address or nothing
2 like that. He just told me where they was scrapping and stuff
3 at.

4 Q. Did he tell you how many people he was scrapping
5 with?

6 A. Him and two of his friends.

7 Q. Do you know when that happened in relation to when
8 the murder happened?

9 A. No, sir. I think the same day he said.

10 Q. Okay. Now, did the murder happen right after that
11 or was it later in the day or did he say?

12 A. Later.

13 Q. Later in the day. Okay. Did he say anything about
14 how they did the murder?

15 A. He said that the dude was tied up and I think beat.
16 I think that's what it was.

17 Q. He said he was tied up and beat?

18 A. Yes, sir.

19 Q. Did he say anything about what was taken?

20 A. Uhm, a slot machine, uhm, pills, and some change or
21 something like that, I think.

22 Q. Do you know did he ever say what happened to those
23 items?

24 A. That they had got rid of them.

25 Q. Now, you mentioned, I think, his van earlier. What

1 did he say about his van?

2 A. Oh, yeah. That he hoped that they didn't find
3 nothing in the van to incriminate him.

4 Q. Did he appear to be worried about that?

5 A. Yes, sir. Like I said, he told me everything. He
6 was worried that he didn't want his wife to find out.

7 Q. Now, do you know how -- Did Mr. Sellers ever tell
8 you how he actually got to the victim's house?

9 A. No, sir. It was in the van, I guess, when they was
10 scrapping. He never actually told me that they took the van
11 to the man's house or anything.

12 Q. But based on your conversation with him you
13 understood him to be saying they were in his van?

14 A. Yes, sir.

15 MR. CASTO: Objection to leading.

16 THE COURT: Sustained as to leading.

17 BY MR. MCNAIR:

18 Q. Did he ever tell you that they were in his van?

19 A. Who?

20 Q. Mr. Sellers.

21 A. Yeah.

22 Q. Now, did Mr. Sellers ever tell you anything about
23 who may have told on him?

24 A. Some, he said some drug dealer had got caught I
25 think in Aiken or somewhere like that and he had told on him

1 to try to get hisself out of trouble.

2 Q. Did he say anything more about the drug dealer and
3 what he may have known about the murder?

4 A. No, sir.

5 Q. But just that's who he believes told on him?

6 A. Mm-hmm.

7 Q. Now, when he's talking to you about all this stuff,
8 is he talking about it in terms of that's what the police are
9 saying he did or that's what he did?

10 A. He's -- I took it as what he did because like I
11 said, I - I didn't have no way of knowing all of that stuff.
12 You know what I mean?

13 Q. So when he told you the victim was tied up and beat
14 --

15 MR. CASTO: Objection to the leading.

16 MR. MCNAIR: He's testified to that.

17 THE COURT: Be careful on the leading. Sustained.

18 BY MR. MCNAIR:

19 Q. When he told you about what happened or what they
20 did to the victim, it was your understanding that he was the
21 one that did it?

22 A. Yes, sir.

23 MR. CASTO: Objection to the leading.

24 THE COURT: I think that was asked and answered
25 also. Sustained as to leading.

1 BY MR. MCNAIR:

2 Q. All right. Well, after having this conversation
3 with Mr. Sellers, what did you do?

4 A. I went and, uhm, wrote a grievance or something I
5 think it was because like I said I never been in trouble. I
6 don't know what it's really called. I think it was a
7 grievance or whatever to talk to I think it was Detective
8 Ireland.

9 Q. Do you think that was the same day that you had
10 initially spoken to Mr. Sellers?

11 A. Yes, sir.

12 (Whereupon, State's Exhibit #57 marked for
13 identification.)

14 BY MR. MCNAIR:

15 Q. All right. I'm going to show you what's been
16 premarked as State's Exhibit 57. Do you recognize that?

17 A. Yes, sir.

18 Q. Is that the grievance form you were just referring
19 to?

20 A. Yes, sir.

21 MR. MCNAIR: Your Honor, we would offer State's 57
22 into evidence at this time.

23 THE COURT: Any objection to 57?

24 MR. CASTO: There is no objection to that. We have
25 seen it.

1 THE COURT: All right. It's in.

2 BY MR. MCNAIR:

3 Q. The date of that is November 8th, 2014; is that
4 correct?

5 A. Yes, sir.

6 Q. All right. Now, is that the date that you believe
7 you had that conversation with Mr. Sellers that same day?

8 A. Yes, sir.

9 Q. Now, at the time that you were talking to Mr.
10 Sellers, did he have a copy of what's known as discovery?

11 A. No, sir. Because like I said, it was probably the
12 day or the day before that he had got in.

13 Q. So you never saw a police report regarding this
14 case?

15 A. No, sir.

16 Q. Did you ever see a news report regarding this
17 case?

18 A. No, sir. Edgefield County Detention Center don't
19 allow you to watch the news.

20 Q. Okay. Do you know Phillip Griffin?

21 A. No, sir.

22 Q. Do you know Wesley Omar Brown?

23 A. No, sir.

24 Q. Do you know Travis Murray?

25 A. No, sir.

1 Q. Jessica Reeder?

2 A. No, sir.

3 Q. Shawn Nicholson?

4 A. No, sir.

5 Q. Hakim Talib?

6 A. No, sir.

7 Q. A guy by the name Gee?

8 A. No, sir.

9 Q. Are you even familiar with Edgefield?

10 A. I had to actually get the investigator to send me
11 the address on to remember how to get back to the courthouse.
12 When they released me from Edgefield County Jail, they had to
13 take me back to the Graves Gas Plus up there because I didn't
14 know how to get back out of here.

15 Q. All right.

16 A. Like I said, when I got busted with meth
17 amphetamine, I was called from Augusta, Georgia over here and
18 got popped by a CI.

19 Q. Was that the first time you had ever actually been
20 to Edgefield?

21 A. Yes, sir.

22 Q. Now, tell the jury why you decided to come forward
23 with this information.

24 A. Like I said, I look at drug dealing and murder two
25 different things. You know what I'm saying? I'm not sitting

1 and telling on nobody selling drugs, but somebody that's out
2 here taking somebody's life for nothing, yeah, I am, because
3 like I said, I probably could have got out of trouble with
4 meth amphetamine if I had called somebody else over here and
5 set them up but I didn't. You know what I mean?

6 Q. Murder is different?

7 A. Yeah. Murder is totally different.

8 Q. And do you have any pending charges right now?

9 A. No, sir.

10 Q. Did you want to be here today?

11 A. No, sir.

12 Q. Why is that?

13 A. Huh?

14 Q. Why is that?

15 A. Because like I said, I just didn't. When I went to
16 the rehab in South Carolina STRONG, they told you the best
17 part of recovery as an addict is to leave all of your past in
18 your past and this was my past so I wanted to leave it all
19 there and then like I said, an investigator come and met with
20 me I guess with the defense and like I told him, I said I
21 didn't even want to go there because I don't. I mean, that's
22 my past. I just didn't want to bring none of that back up
23 because like I said, I've got a new wife. Ain't never been
24 around none of this. Like I said, I didn't want her saying
25 like, whoa, what kind of stuff are you in? Like my new job.

1 It's been so hard to find a job now that I'm a felon and then
2 I got all this coming up in me. Like I said, I'm willing to
3 help but...

4 Q. Have we promised you anything to be here today?

5 A. No, sir.

6 MR. McNAIR: Thank you, Mr. Amerson. Please answer
7 any questions the defense has.

8 THE WITNESS: Yes, sir.

9 CROSS EXAMINATION

10 BY MR. CASTO:

11 Q. Hi, Mr. Amerson. How are you?

12 A. Good. And you?

13 Q. Good. To begin with, you agree that you have been
14 convicted of distribution of meth back in 2014, correct?

15 A. Yes, sir.

16 Q. Correct?

17 A. Yes, sir.

18 Q. And back on November 8th of 2014 you gave an audio
19 recorded statement to Investigator Ireland?

20 A. Yes, sir.

21 Q. During that statement you said and you basically
22 just said it on direct that what Billy said to you is what he
23 said that he did not what he was accused of doing, right?

24 A. What now? Repeat it.

25 Q. You said that what Billy told you was what he said

1 he actually did not merely what he was accused of --

2 A. Yes, sir.

3 Q. -- is that right?

4 A. Yes, sir.

5 Q. And that's what you just said on direct; is that
6 correct?

7 A. Yes, sir.

8 Q. And you're sure that no jailer or other law
9 enforcement employee talked to you about finding out
10 information on Billy in those days?

11 A. I think there was the second --

12 MR. McNAIR: Your Honor, objection to this subject
13 to our pretrial motions that we dealt with.

14 MR. CASTO: May we approach?

15 THE COURT: Yes.

16 (Side bar off the record.)

17 BY MR. CASTO:

18 Q. And let's pick up where we left off, Mr. Amerson.
19 You said that what Billy told you was what he said that he did
20 not what he was accused of doing, right?

21 A. Yes, sir.

22 Q. And you said on direct that Billy confesses to you
23 and says that they took pills, money and a slot machine; is
24 that right?

25 A. Yes, sir.

1 Q. Would you be surprised to learn that a slot machine
2 was recovered at the crime scene?

3 A. I - I'm just saying -- Like I said, I didn't --
4 How would I even know about a slot machine? You know what I'm
5 mean? Or pills or anything else? That's what I'm saying.
6 And didn't even have no way in a discovery packet or no other
7 way. You know what I mean? Use your head.

8 Q. You just testified that one of the things that Billy
9 told you was that he took a slot machine, right?

10 A. He might not have took it. He might have done
11 whatever he wanted to with it. I know he mentioned a slot
12 machine. You know, this has been almost five, six years
13 ago.

14 Q. Well, I'm asking you about what you just said on
15 direct, right?

16 A. Yeah. But you know what I'm asking you, too, is
17 that I didn't have no way or nothing, no information about
18 none of this so how did I come up anywhere with a slot
19 machine, the man taped up with duct tape, right?

20 Q. Respectfully, I'm asking you about the answer to
21 your question that you gave just a few minutes ago.

22 A. Well, answer mine. How I would get the information
23 anyway?

24 THE COURT: Wait. Wait. Wait. Here is the way it
25 works. He asks the questions, you give him answers.

1 You're not allowed to ask him questions.

2 THE WITNESS: Yes, sir. I --

3 THE COURT: Now wait a minute. This a court rule.
4 Don't talk over somebody because this man in front of me
5 is taking everything down. He can't take down two
6 conversations. That's why I'm fussing. Let him finish
7 and then he'll let you finish.

8 THE WITNESS: Yes, sir. I apologize.

9 THE COURT: Okay.

10 BY MR. CASTO:

11 Q. And you just said on direct that Billy told you that
12 he took a slot machine; is that right?

13 A. Yeah.

14 Q. Okay. And would it surprise you to learn that a
15 slot machine was recovered at the crime scene?

16 A. No. It wouldn't.

17 Q. Okay. And ultimately what you are saying is that
18 Billy in his confession does not even know the facts of his
19 own case, right?

20 A. Yeah. I didn't either. How would I know?

21 MR. McNAIR: Objection. Mischaracterization of the
22 evidence, Your Honor.

23 THE COURT: Let him answer it.

24 BY THE WITNESS:

25 A. What now, sir?

1 BY MR. CASTO:

2 Q. What you're saying is that Billy doesn't even know
3 the facts of his own case, right?

4 A. Right. Whatever. Yes, sir.

5 Q. You said that Billy told you that they broke in,
6 right?

7 A. Yes, sir.

8 Q. And would it surprise you to learn there was no sign
9 of forced entry?

10 A. Because he said he knew the guy. If you still knock
11 on somebody's door and they open the door and you still go in
12 anyway, guess what that is? That's still breaking in no
13 matter what. You know what I mean?

14 Q. Okay. You use the term breaking in.

15 A. That's just where I come from. That's still
16 breaking in. If you knock on somebody's door and you go in
17 without the man telling you to come on in, that's still
18 breaking in.

19 Q. When you use that term, it just didn't mean breaking
20 in?

21 A. No. It didn't.

22 Q. Okay. You said that Billy was worried about things
23 found in his van, right?

24 A. Yes, sir.

25 Q. Would you be surprised that nothing was found in his

1 van?

2 A. No. No, sir. I'm just saying he was worried.
3 Anybody that's worried about something being found in the van
4 has got something to hide.

5 Q. Okay. And Billy like most inmates had paperwork
6 with him, right?

7 A. No. Trust me, I sat in Edgefield County Jail and
8 waited almost a month and a half for my discovery packet for
9 my drugs and Billy told me this like not even two, almost
10 three days after he got arrested so he wouldn't even probably
11 received his discovery packet by then.

12 Q. Okay. My question originally was Billy had
13 paperwork with him like most inmates do, right?

14 A. Yeah.

15 Q. And it's your testimony today that -- Well, were you
16 aware that Billy had search warrant paperwork with him?

17 A. No, sir.

18 Q. Didn't know that at all?

19 A. No, sir.

20 Q. Okay. And based on our interaction today in this
21 courtroom what was it about you specifically that made him
22 feel that he could trust you?

23 A. Because we're both sitting in there talking about
24 doing meth together.

25 Q. Okay.

1 A. You know what? You bond.

2 Q. And it's your testimony --

3 A. And you talk to anybody in jail, anybody in jail
4 just talks to each other about -- You know what I mean? --
5 about what's going on out in the streets.

6 Q. Okay. And it's your testimony that he tells you all
7 of this just because you're just somebody else, right?

8 A. Yes, sir.

9 Q. You were in jail - you said on direct that you were
10 in jail at the time for a probation violation --

11 A. Yes, sir.

12 Q. -- is that right?

13 A. Yes, sir.

14 Q. And specifically with regard to a probation
15 violation you had 10 years of time hanging over your head?

16 A. Yes, sir.

17 Q. And what that means is is that the 10 years never
18 comes into play?

19 A. It was five years as a matter of fact..

20 Q. Okay. It was -- You had a term of prison years
21 hanging over your head, right?

22 A. Oh, no. I had seven months really.

23 Q. But originally when you were sentenced you had --

24 A. Five years.

25 Q. -- several years hanging over your head?

1 A. Yes, sir.

2 Q. All right. And it was the sentence that you were
3 given was 10 years suspended to five years of probation
4 earlier in 2014, right?

5 A. Mm-hmm.

6 Q. And 10 years of prison time never comes into play
7 provided you do what you should do on probation?

8 A. Yes, sir.

9 Q. But you were in jail on a probation violation?

10 A. Because I did not get a phone call to come back over
11 to get my DNA. That was all.

12 Q. What I'm asking is you were in jail on just a
13 probation violation, right?

14 A. Yes, sir.

15 Q. And you were hoping that you didn't get the 10 years
16 in prison, right?

17 A. Yeah.

18 Q. And you didn't want to go to prison, right?

19 A. Yes, sir.

20 Q. Like most folks prison is a dangerous place that
21 no one wants to go to?

22 A. Yes, sir.

23 Q. And in prison you're not free, right?

24 A. You're not free in rehab.

25 Q. Okay. But in prison you can't see your friends?

1 A. I see my friends in rehab, my mom.

2 Q. In rehab, right. But you didn't go to prison, did
3 you?

4 A. I went to rehab.

5 Q. That's right. In other words, you didn't go to
6 prison?

7 A. I was offered prison. I was offered seven months in
8 prison or two year rehab. Guess what I chose? Two year
9 rehab.

10 Q. The bottom line is this: You were hoping that you
11 did not go to prison when you eventually went before a judge,
12 right?

13 A. Yes, sir.

14 Q. And you were hoping that he would be lenient
15 with you, right?

16 A. Yes, sir.

17 Q. Ultimately the judge that you went in front of, he
18 did not send you to prison?

19 A. Yes, sir.

20 Q. And the judge that sentenced you knew that you had
21 communicated to law enforcement, didn't he?

22 A. Yes, sir. You know how you know that? Because you
23 was my Public Defender. You was my Public Defender.

24 MR. CASTO: Objection. Non responsive.

25 BY THE WITNESS:

1 A. No, no. Listen, he was my Public Defender first and
2 you come in here --

3 THE COURT: Wait. Wait a minute. Wait a minute.

4 BY THE WITNESS:

5 A. And I told you that so I can, I walked out.

6 THE COURT: Hey, look here, when I say wait a
7 minute, that means shut up. You don't keep on yapping.
8 He's gonna ask the questions. When I say wait a minute,
9 then you hush. Do you understand?

10 THE WITNESS: Yes, sir.

11 THE COURT: All right. You know what I can do?

12 THE WITNESS: Yes, sir.

13 THE COURT: All right. We're on the same page now?

14 THE WITNESS: Yes, sir.

15 THE COURT: All right. Y'all disregard all that
16 other.

17 MR. MCNAIR: Judge, can I approach real quick?

18 THE COURT: Yes.

19 (Side bar off the record.)

20 THE COURT: Folks, regarding the last response to
21 the question by the witness, strike that from the record.
22 Y'all don't have to consider that response. I have asked
23 Mr. Casto to resume his questioning but get finished so
24 we can be done, all right?

25 BY MR. CASTO:

1 Q. Eventually you had made, based on your conversation
2 with law enforcement where you testified on direct, you
3 ultimately put in for a transfer; is that right?

4 A. Yes, sir.

5 Q. And that's what you wanted?

6 A. Yes, sir.

7 Q. And because of meeting with law enforcement you
8 ultimately got what you wanted and you were transferred to
9 Aiken jail?

10 A. Yes, sir. Because of in the hallway where you were
11 at 29 hour lockdown, whatever it is, people see if you get
12 handcuffed and you're going out to talk to an investigator and
13 you go back into rec hall with them, you're liable to get
14 jumped on because they know what you was going to do. That's
15 why I asked to be switched to Aiken.

16 MR. CASTO: No further questions.

17 THE COURT: Any redirect, Solicitor?

18 MR. MCNAIR: Real quick.

19 REDIRECT EXAMINATION

20 BY MR. MCNAIR:

21 Q. You were not in the same cell with Mr. Sellers; is
22 that correct?

23 A. No, sir.

24 Q. He didn't bring his paperwork out to the rec room?

25 A. No, sir. Just pictures of his kids.

1 MR. McNAIR: Thank you.

2 THE COURT: We done with him?

3 MR. CASTO: Yes, sir.

4 THE COURT: May he be excused?

5 MR. McNAIR: Yes, sir.

6 THE WITNESS: I can go?

7 THE COURT: You're free to go. Yes, sir.

8 THE WITNESS: Out that door?

9 THE COURT: That's good.

10 THE WITNESS: Thank you, sir.

11 THE COURT: Call your next witness.

12 MS. MAYES: The State calls Phillip Griffin.

13 THE COURT: Ms. Mckie will be the foreperson.

14 Thereupon,

15 PHILLIP GRIFFIN

16 after having been first duly sworn, testified as follows,

17 THE CLERK: Please have a seat. Once you're seated,
18 state your full name spelling your last please.

19 THE WITNESS: Phillip Jeremy Griffin,
20 G-r-i-f-f-i-n.

21 DIRECT EXAMINATION

22 BY MS. MAYES:

23 Q. Good afternoon, Mr. Griffin. I see you're in a jump
24 suit. Can you tell us a little bit about yourself? Where are
25 you currently incarcerated?

1 A. At Burruss Correctional Facility in Georgia,
2 Forsyth.

3 Q. Okay. We need for you to pull the microphone a
4 little bit closer to you.

5 A. (Witness complies.)

6 Q. Again, the name of the facility where you are
7 incarcerated?

8 A. Burruss CTC Training Facility in Forsyth,
9 Georgia.

10 Q. All right. And what charges are you currently in
11 on?

12 A. Burglary first, possession of a firearm by a
13 convicted felon, possession of a firearm during the commission
14 of a crime, meth amphetamine with intent to distribute.

15 Q. How long have you been incarcerated there in
16 Georgia?

17 A. A little bit over a year and a half.

18 Q. Prior to your incarceration in Georgia, did you have
19 charges here in Edgefield County?

20 A. Yes, ma'am.

21 Q. What were those charges here in Edgefield?

22 A. Burglary second and grand larceny.

23 Q. All right. Do you remember the date that you were
24 arrested or the approximate date that you were arrested on the
25 Edgefield County charges?

1 A. November 21st, 2014.

2 Q. All right. So in November of 2014 you had charges
3 here in Edgefield and as you stated you now are incarcerated
4 in Georgia also for burglary, theft and drug related
5 charges?

6 A. Yes, ma'am.

7 Q. And a gun?

8 A. Yes.

9 Q. Have you ever had an addiction?

10 A. Yes, ma'am.

11 Q. What were you addicted to?

12 A. Meth amphetamine.

13 Q. Do you consider yourself still to be an addict?

14 A. That's something I'll always fight with.

15 Q. And you have been in Georgia since what date?

16 A. February 21st, 2016.

17 Q. Okay. The charges that you mentioned --

18 A. Or 2017. I'm sorry.

19 Q. The burglary and grand larceny here in Edgefield,
20 the burglary that you are currently incarcerated on to what
21 extent are those crimes related to your meth amphetamine
22 addiction?

23 A. One hundred percent.

24 MR. CASTO: Objection. Relevance.

25 THE COURT: Wait a minute. Wait a minute. Say that

1 question one more time.

2 MS. MAYES: Yes, sir.

3 THE COURT: What is it?

4 MS. MAYES: The charges that he's currently in on
5 how, if at all, are they related to his meth amphetamine
6 addiction.

7 THE COURT: I'll allow it.

8 BY THE WITNESS:

9 Q. One hundred percent. At the time you're on meth you
10 just don't care what you do. You try to support your habit.

11 BY MS. MAYES:

12 Q. Going back to your charges here in Edgefield, you
13 mentioned burglary and grand larceny. Ultimately what did you
14 do on those charges?

15 A. You talking time wise?

16 Q. Did you request a trial or did you plead guilty?

17 A. Oh, I pled out. I did an open plea.

18 Q. When you say an open plea, that was done here in
19 this courthouse in Edgefield?

20 A. Yes, ma'am.

21 Q. That was to what charges?

22 A. Burglary second violent and grand larceny.

23 Q. All right. When you say open plea, were you facing
24 the maximum sentence on those charges?

25 A. Yes, ma'am.

1 Q. And you pled on January 14th of what year?

2 A. 2015.

3 Q. All right. So facing the maximum sentence on all
4 those charges you pled anyway?

5 A. Yes, ma'am.

6 Q. Did you get any consideration or promises for the
7 fact that you had communicated to law enforcement information
8 you had regarding Billy Sellers?

9 A. No, ma'am.

10 Q. What do you mean by that?

11 A. I just went in. I wasn't promised anything. I went
12 to court and I did an open plea just to get my charges done
13 with.

14 Q. Okay. Did you have a co-defendant in your case?

15 A. Yes, ma'am.

16 Q. Who was that co-defendant?

17 A. Danny Jordan.

18 Q. Can you tell us what type of sentence you and he
19 both received in relation to the burglary and grand larceny?

20 MR. CASTO: Objection. Relevance.

21 MS. MAYES: We'll revisit -- Yes, sir, Your Honor?

22 THE COURT: We're getting a little bit far afield on
23 that. He has pending charges so we can go forward.

24 BY MS. MAYES:

25 Q. Okay. And ultimately when you were here in

1 Edgefield County, I know you mentioned previously that your
2 arrest date would be November of 2014, take us through that.
3 You were - what was the place that you were charged with
4 burglarizing.

5 A. A tire shop on Highway 25.

6 MR. CASTO: Objection. Facts about the charge?

7 THE COURT: What was he charged with in 2014? We'll
8 go from there. He was taken into custody. Perhaps
9 that's a good starting point.

10 THE WITNESS: I was charged in 2014 --

11 THE COURT: Let her ask the questions so we're clear
12 on the record, okay?

13 BY MS. MAYES:

14 Q. Mr. Griffin, you're familiar enough with your case,
15 that burglary here in Edgefield that you know the date of your
16 arrest?

17 A. November 21st.

18 Q. Of 2014?

19 A. 2014.

20 Q. And when you were brought into the detention center,
21 who were you housed with first?

22 A. Billy Sellers.

23 Q. And had you ever met Billy Sellers beforehand?

24 A. No, ma'am.

25 Q. And speaking of Edgefield County, have you ever

1 lived in Edgefield County?

2 A. No, ma'am.

3 Q. What area of the CSRA were you from?

4 A. Augusta.

5 Q. What, if anything, was your connection to
6 Edgefield?

7 A. My friend worked at right there in Edgefield.

8 Q. When you say friend, who are you referring to?

9 A. My co-defendant..

10 Q. Co-defendant in your burglary case?

11 A. Yes.

12 Q. He was from Edgefield?

13 A. Yes.

14 Q. And so meeting Mr. Sellers for the first time you
15 become cellmates?

16 A. Yes.

17 Q. While you were in a cell, how do you go about
18 conversing? What do you do during the course of the day?

19 A. Sit around, lay around all day. Maybe read a book.
20 We was locked down 23 hours a day.

21 Q. All right. During the course of that time that you
22 are locked down what starts occurring between you and
23 Mr. Sellers?

24 A. Uhm, we start talking about each other's charges.

25 Q. Did you talk about your charges for burglary?

1 A. Yes.

2 Q. Does he talk about his charges?

3 A. Yes.

4 Q. And initially what did he tell you in relation to
5 his murder charge?

6 A. Uhm, that it wasn't him at first and at first it
7 wasn't him and then that kind of changed towards the end.

8 Q. All right. Okay. When you say that kind of
9 changed, how did it change?

10 A. His story would changed a little bit and he kind of
11 started putting himself involved in the case.

12 Q. All right. And I need you to pull the microphone up
13 just a little bit closer. When you first started
14 communicating with him and y'all were having a conversation,
15 what, if anything, did he indicate about his van?

16 A. Uhm, that he let somebody borrow it and that he was
17 kind of worried about if there was blood inside of it and
18 stuff like that. He asked questions about DNA. Uhm --

19 Q. When you say he asked questions about DNA, who was
20 he asking those questions to?

21 A. He was asking me.

22 Q. All right. And what did you tell him in response?

23 A. Uhm, the questions were like, uhm, can they tell if
24 there's different blood or can they tell what's maybe animal
25 blood, human blood. I said yeah, they can test it and

1 separate all of it.

2 Q. And you informed him that DNA could be identified?

3 A. Yes.

4 Q. And separated?

5 A. Yes.

6 Q. And after that conversation, what, if anything, did
7 he say to you about the victim and his van?

8 A. He told me that if there was any blood, we got on
9 the subject about if blood could be found and he said if there
10 was any blood, uhm, it was from a time when the guy Johnny
11 fell down his steps and kind of broke his nose, broke his nose
12 and he went to go help him up and he said if there was any
13 blood like on the passenger side, that's what that would be
14 from because he tried to help him in the van. He was going to
15 take him to the hospital and the guy Johnny was like no. No.
16 I'll be fine.

17 Q. Did he tell you when he alleged that that happened
18 that the victim had been in his van?

19 A. That was like around like September.

20 Q. Of that same year 2014?

21 A. Same year. Yeah.

22 Q. Now, prior to you telling him that DNA could be or
23 blood could be separated out, had he ever mentioned anything
24 to you before about the victim fell and broke his nose and
25 then got in his van?

1 A. No.

2 Q. And after this first story or reference back to this
3 time period when he's talking about this, did he ever mention
4 to you clothes that he had worn on the incident date?

5 A. Uhm, yes. It was a pair of blue jeans, black work
6 boots and a white T-shirt.

7 Q. Did he say what he did with the T-shirt?

8 A. He said that he threw it away because even if he was
9 going to bleach it, that the stains wouldn't come out.

10 Q. So he told you that he threw his shirt away instead
11 of bleaching it?

12 A. Yes.

13 Q. And how, if at all, did it change in the course of
14 your conversations with him from this first story that he told
15 you?

16 A. It changed a lot after that.

17 Q. How so?

18 A. Uhm, it got to the point to where he told me that he
19 actually went out there to commit a robbery and like put his
20 self in it. You know what I'm saying? Came in and told me
21 that he kind of got into a fight with his old lady and just
22 get away from the house and him and a friend went by Walmart,
23 then they left and drove down Highway 19 to go to the guy's
24 house and they was going to pull a lick or rob him.

25 Q. All right. I'm going to stop you right there and

1 kind of go through it in a little bit more detail. But what
2 were the actual words that Billy Sellers used when he told you
3 about what he had done?

4 A. They was gonna pull a lick.

5 Q. All right. And what did you understand that term to
6 mean, pull a lick?

7 A. They were going to rob him or steal.

8 Q. And did he tell you why he was going to pull a lick
9 on Johnny Hydrick?

10 A. Yeah. They were going to, he just got his
11 prescriptions filled and he was gonna go get his pills. If he
12 had any money, he wanted it, too.

13 Q. So it was for pills and money?

14 A. Yeah.

15 Q. When he told you this, did he tell you a name of
16 anybody else that was with him?

17 A. A guy named Gee.

18 Q. Had you ever met a Gee or heard of a Gee?

19 A. No, ma'am.

20 Q. You got that information from whom?

21 A. Billy.

22 Q. Just to clarify, do you know Johnny Hydrick? Have
23 you ever met Johnny Hydrick?

24 A. No.

25 Q. Had you ever heard the name Johnny Hydrick prior to

1 being in a cell with Billy Sellers?

2 A. No, ma'am.

3 Q. Did you ever know he had a prescription for pills?

4 A. No, ma'am.

5 Q. Did he tell you anything else about how he went
6 about accomplishing this in terms of the crime scene itself,
7 where he parked, what he was in or any other details?

8 A. They were in his van and they drove down 19 and went
9 close to his house, like an abandoned lot about a hundred, 150
10 yards away from where Johnny lived and that's where they
11 parked and they went to his house. They parked there. They
12 went to his house and they taped him up and was asking him
13 where the pills were and they were pistol whipping him until
14 he told them where the pills were.

15 Q. All right. So once you learned this information
16 that he was charged with murder and he tells you that the
17 victim was pistol whipped for his pills and for his money,
18 what did you do with that information, Mr. Griffin?

19 A. I wrote a request to speak with Mr. -- I forget the
20 guy's first name, or I mean the guy's name. Then I asked to
21 speak with Mr. Ireland. Doran. The person's name was Doran.
22 I wrote a request to Doran.

23 Q. What happened after you wrote a request to speak to
24 the investigator?

25 A. He spoke with me and did an audio recording.

1 Q. I'm going to show you some documents and ask you
2 whether or not you recognize them (proffering.)

3 A. Yes, ma'am.

4 Q. Whose handwriting is that?

5 A. That's mine.

6 Q. What is the date of that request form?

7 A. December 5th, 2014.

8 Q. And the date of this next request form?

9 A. December 8th, 2014.

10 Q. Who wrote this?

11 A. I did.

12 Q. And the date of the next request form?

13 A. 2014. 12/2014.

14 Q. December 14th, 2014?

15 A. Yes, ma'am.

16 Q. Whose handwriting is this in?

17 A. That's mine.

18 Q. (Indicating)?

19 A. 12/17/2014. That's mine also.

20 Q. The very first request form that you sent on
21 12/5/2014, did you indicate to law enforcement in that very
22 first request that it was about a murder investigation?

23 A. Yes, ma'am.

24 Q. What made you, if anything, reach out to law
25 enforcement on your cellmate, Mr. Griffin?

1 A. Really out of just kind of humanity. Uhm, if
2 something like that happened to one of my family members, I
3 would want help, too. You know what I'm saying?

4 Q. And you were aware that this was, in fact, a murder.
5 Did Mr. Sellers say anything to you about that, about the fact
6 that it was a murder?

7 A. At first he was surprised that it was a murder.

8 Q. What do you mean by that?

9 A. Because he said when he left, the guy was still
10 alive.

11 Q. Okay. And would you have had any way of knowing
12 that information, Mr. Griffin, other than from Mr. Sellers
13 himself?

14 A. No.

15 Q. December 5th, 2014, did he have any what's termed
16 discovery materials but copies of evidence or reports in this
17 case?

18 A. No, ma'am.

19 Q. Did you ever see him with any items like that in his
20 cell?

21 A. Never.

22 Q. All the information you got on this crime came from
23 whom?

24 A. Billy Sellers.

25 Q. Did he say what happened after Johnny was pistol

1 whipped for the pills?

2 A. No. He didn't tell me. I mean, they got pills, if
3 that's what you mean. Yeah.

4 Q. Okay. And I know you mentioned 19 but what, if
5 anything, did he say about Highway 19 in relation to his
6 case?

7 A. That's the way they took when they left Walmart to
8 go to the guy's house. They drove straight down 19.

9 Q. All right. And when you say they left Walmart, did
10 he ever indicate, I know you talked a little bit about the
11 fact that he had an old a lady in your terms. What do you
12 understand that to be?

13 A. His girlfriend.

14 Q. Okay. And what area or county did you understand
15 him to reside in prior to the murder charge and his
16 incarceration?

17 A. Aiken.

18 Q. Okay. And so going back to the statement about his
19 old lady, what, if anything, did he say to you in that
20 regard?

21 A. That he caused an argument with her, to basically
22 leave the house because he wanted to go do meth and he didn't
23 want her to know so he would cause an argument because he
24 wanted to leave so he could be able to do meth.

25 Q. Did he ever say where he went after an argument with

1 his old lady as he put it?

2 A. His friend Shawn.

3 Q. Have you ever met Shawn or did you even know that he
4 had a friend named Shawn?

5 A. No, ma'am.

6 Q. Did he indicate where Shawn lived in relation to
7 him, if at all?

8 A. Where he lived? Across the street.

9 Q. And what else did he say about that night after he
10 went to Shawn's house?

11 A. Uhm, the first time he said that Gee borrowed his
12 van.

13 Q. All right. So he mentioned this person again that
14 he calls Gee?

15 A. Yes.

16 Q. And he says this person that he refers to as Gee
17 borrowed his van?

18 A. Yes. And that he brought it back around two,
19 threeish in the morning.

20 Q. All right. Then after that, what eventually did he
21 tell you?

22 A. Uhm, that it was actually he did go with Gee, they
23 went to the Walmart and they drove down 19 to go out to Johnny
24 Hydrick's house.

25 Q. And did he ever indicate what conversations took

1 place inside Johnny Hydrick's house during the course of this
2 lick as he put it?

3 A. Uhm, the only thing that I know is that he just
4 wanted to know where the pills were.

5 Q. All right. When you say he wanted to know where the
6 pills were, who are you referring to?

7 A. Billy.

8 Q. And can you tell us whether or not that's your
9 understanding Billy actually was asking that during the course
10 of this lick?

11 A. Yes.

12 Q. Now, other than telling you about this person that
13 he called Gee, did he give you any more information about Gee
14 as to who Gee was or where Gee was?

15 A. Gee was his weed man and, uhm, I don't remember
16 where he said he lived but then he also mentioned another name
17 Jersey lived in, I think Shallow Heights is the name of the
18 place up on 19.

19 Q. So he mentioned a person named Gee and he also
20 mentioned a person named Jersey?

21 A. Yes.

22 Q. What, if anything, did he say about Jersey?

23 A. That was Gee's cousin.

24 Q. But he mentioned that he knew a Jersey that was
25 Gee's cousin?

1 A. Mm-hmm.

2 Q. Have you ever heard of Jersey before?

3 A. No, ma'am.

4 Q. So all of these characters that you have mentioned,
5 Gee, Jersey, Shawn, do you have any personal connection to any
6 of these people, Mr. Griffin?

7 A. None.

8 Q. After that information came to you, what did you do
9 with it? I'm referring now to this new information where he
10 has talked about the lick and being there and asking where the
11 pills were and the victim being pistol whipped?

12 A. I asked to speak to Mr. Ireland.

13 Q. In looking at those documents in front of you, can
14 you tell us how long, if at all, you waited to provide the new
15 information?

16 A. Uhm, I think from the 8th until I spoke with him. I
17 don't remember what day it was that I spoke with him.

18 Q. Okay. So as of the 8th you went ahead and contacted
19 him again that you had new information first on December 5th
20 and then later with the new information on December 8th or you
21 sent him a note --

22 A. Yes.

23 Q. -- letting him know that you had information?

24 A. I sent him a note. Yes.

25 Q. And then ultimately he comes to you and talks to you

1 --

2 A. Mm-hmm.

3 Q. -- a second time. Do you know whether or not that
4 was also in December, Mr. Griffin?

5 A. Yes. It was December.

6 Q. All right. So the information that you relayed
7 about Billy doing the lick on Johnny Hydrick for pills and
8 money, did you make this officer aware of that in December
9 2014?

10 A. Yes, ma'am.

11 Q. Were you promised anything in exchange for that?

12 A. No, ma'am.

13 Q. And how did you feel about continuing to be in the
14 same cell with Billy Sellers after you knew this information
15 and had conveyed it to law enforcement?

16 A. That was the last request that I sent on the 17th I
17 believe it was because I was trying to get out of the room
18 with him.

19 Q. Why?

20 A. Because I knew he was about to come up for his
21 preliminary hearing and I didn't know if there was gonna be
22 anything about me talking to the officers so I don't want to
23 be in same room with him.

24 Q. How do you feel in general about being a snitch or a
25 narc or any of those terms?

1 A. It's totally against me. I don't believe in it at
2 all. I actually have family members that are disowning me
3 because of this.

4 Q. Disowning you because of this?

5 A. Yes. Because I'm talking.

6 Q. And you're testifying anyway?

7 A. Yes.

8 MS. MAYES: Nothing further.

9 CROSS EXAMINATION

10 BY MR. CASTO:

11 Q. Hi, Mr. Griffin. How are you?

12 A. Fine. How about yourself.

13 Q. Good. Today you said that Billy talked about going
14 down Highway 19; is that right?

15 A. Yes.

16 Q. And it's your testimony that back in 2014 you had a
17 conversation with Detective Ireland, right?

18 A. Yes.

19 Q. And it was recorded?

20 A. Yes.

21 Q. And he talked to you?

22 A. Yes.

23 Q. You talked to him?

24 A. Yes.

25 Q. And during that conversation, it's your testimony

1 that you said what Billy told you that day; is that right?

2 A. Yes.

3 Q. There you don't mention anything about Billy driving
4 down Highway 19, do you?

5 A. I thought I did.

6 Q. In the audio recording would it surprise you to
7 learn there is no mention of Highway 19 between you and
8 Detective Ireland?

9 A. Okay.

10 Q. You said that Billy told you about the clothing the
11 night that this happened, right?

12 A. Yes.

13 Q. For whatever reason with you he went into specifics,
14 right?

15 A. I don't remember what we were talking about but,
16 yeah, he told me what he was wearing that night.

17 Q. Well, specifically he said he was wearing a white
18 T-shirt, right?

19 A. Yes.

20 Q. And blue jeans, right?

21 A. Yes.

22 Q. And steal toed work boots, right?

23 A. Black boots.

24 Q. Steal toe black boots?

25 A. Yes. Okay.

1 Q. Would it surprise you to learn that there was no DNA
2 evidence found on any of those clothing items on
3 Mr.. Sellers?

4 A. I'm just going by what he told me.

5 Q. Okay. You say that Billy was also worried about his
6 van being tested by law enforcement too, right?

7 A. Yes.

8 Q. You said on direct, we have got some story about
9 Johnny's been injured. He fell and broke his nose, that kind
10 of thing. But would you be surprised to learn that none of
11 Johnny's blood or DNA was found in Billy's van?

12 A. Again, I'm just going on what I was told.

13 Q. Billy, as you said on direct, was worried about
14 other evidence in the case too, correct?

15 A. Uhm, what do you mean by that?

16 Q. Specifically Billy was also worried about his
17 computer as well, right?

18 A. Yes.

19 Q. And would you be surprised to learn that nothing
20 having to do with this case was found on his computer?

21 A. Like I said, I was going by what I was told.

22 Q. Okay. You told us when you talked to, I don't think
23 it was brought up in direct today, but when you spoke with
24 Detective Ireland during that recorded interview, you said
25 that Billy was worried about the home security system that he

1 had at his house, right?

2 A. Yes.

3 Q. And would it surprise you to learn that nothing
4 having to do with this case was found on the home security
5 system?

6 A. Again, that's something that I was told by him.

7 Q. In essence Billy was worried about DNA in your case,
8 right?

9 A. What do you mean in my case?

10 Q. I'm sorry. In this conversation with you Billy was
11 worried about DNA, is that your testimony?

12 A. Yes, sir.

13 Q. And would it surprise you to learn that no DNA
14 tracing Billy to the crime scene was found?

15 A. Again, this is what I was told.

16 Q. And Johnny Hydrick's DNA was not found on anything
17 belonging to Billy including his clothes. Would you be
18 surprised to learn that too?

19 A. Again, it's what I was told.

20 Q. You told us Billy was worried about his -- You told
21 Detective Ireland that Billy was worried about his cell phone,
22 right?

23 A. I believe, yes. About like Internet search here and
24 stuff like that.

25 Q. And would it surprise you to learn that Billy's

1 phone was never located in and around the crime scene where
2 Johnny was killed?

3 A. Again, I'm just going off of what I was told.

4 Q. Okay. I believe that you were arrested on November
5 21st, 2014; is that correct?

6 A. Yes, sir.

7 Q. And when was it that you were placed in a cell with
8 Billy?

9 A. November 21st. I believe that night.

10 Q. And this request was made to speak with law
11 enforcement on December 5th if I'm not mistaken; is that
12 right?

13 A. Yes.

14 Q. And in those 15 days Billy decides to confide in you
15 about all of this?

16 A. We both talked about our cases.

17 Q. And y'all both talked about your cases and that, and
18 you also had the ability to speak with other inmates too
19 besides Billy while you're in jail, right?

20 A. When we were - when we were in that cell together,
21 it's a locked down cell. We're locked down 23 and one and we
22 get out for an hour in the morning and we might have went out
23 with a couple of other inmates but we really don't have access
24 to a lot of inmates.

25 Q. But when you would go out, you would be with a

1 couple other inmates, right?

2 A. Yes.

3 Q. Ultimately then you could have conversations with a
4 couple other inmates at that time; is that right?

5 A. It's possible.

6 Q. It's only when you were in that locked down
7 situation that you had these restrictions imposed on you,
8 right?

9 A. Yes.

10 Q. But you weren't on lockdown the whole time; is that
11 correct?

12 A. No.

13 Q. You told Detective Ireland during that statement
14 that Billy had stolen a slot machine from Johnny's house; is
15 that correct?

16 A. I was told that there was a slot machine and a gun
17 by Billy found at his house and that he was saying that the
18 investigators planted those items.

19 Q. Would you be surprised to learn that a slot machine
20 was never taken from Johnny Hydrick's home?

21 A. I'm going off of what Billy told me.

22 Q. In other words, a lot of the things that you have
23 said you said that that is what Billy told you, right?

24 A. Yes.

25 Q. In that regard Billy is mistaken about the facts of

1 his own case, right?

2 A. This is just stuff he told me.

3 Q. Okay. One thing that you said that Billy said was
4 Gee had Billy's van and Billy was at Shawn's house; is that
5 right?

6 A. The first time. Yes.

7 Q. And ultimately that's why Billy was late getting
8 home; is that right?

9 A. Yes.

10 Q. But you didn't know in those days that Shawn's house
11 is directly across the street from Billy's house, did you?

12 A. Billy told me he lived across the street.

13 Q. But then how is it that Billy is late getting home
14 because he doesn't have a van when he lives across the
15 street?

16 A. Because he didn't want to go home without his van.

17 Q. I'm sorry?

18 A. Because he didn't want to go home without his van.

19 Q. And so he couldn't have walked home at any time
20 without his van?

21 A. I - I don't know. I mean, he's pretty capable as a
22 human walking across the street. You know what I'm saying?

23 Q. Okay. Now, going over the charges that you had when
24 you were placed in jail on November 21st, 2014, you were
25 looking at several charges, right?

1 A. Yes, sir.

2 Q. You had already mentioned that you were looking at
3 burglary in the second degree, the violent offense, right?

4 A. Yes.

5 Q. You are aware that that was a felony and it carried
6 zero to 15 years, right?

7 A. Yes.

8 Q. You are aware that as the name of the charge says
9 it's a violent offense?

10 A. Yes.

11 Q. In other words, what that means is that you would
12 have to serve more time before you were at least up for
13 parole?

14 A. 85 percent.

15 Q. Well, it would affect your parole date, right?

16 A. Yes.

17 Q. And it would make it longer, right?

18 A. Yes.

19 Q. And it can also affect what prison that you end up
20 at, right?

21 A. Yes.

22 Q. And you were also charged with grand larceny where
23 the value of the things taken was more than \$2000.00 but less
24 than \$10,000.00?

25 A. Yes, sir.

1 Q. That's also a felony?

2 A. Yes, sir.

3 Q. It carries up to five years in prison?

4 A. Yes, sir.

5 Q. It's also what is labeled as a property offense?

6 A. Yes, sir.

7 Q. And if a person is convicted for three or more
8 property offenses, then the penalties can get higher, right?

9 A. I guess. I didn't know that.

10 Q. You didn't know that?

11 A. No, sir.

12 Q. Okay. One of the offenses or one of the charges
13 that you also had at the time was possession with intent to
14 distribute meth amphetamine, a second drug offense, right?

15 A. Yes, sir.

16 Q. And that is also a felony?

17 A. Yes, sir.

18 Q. You were looking at anywhere from five to 30 years
19 on that charge, right?

20 A. Yes, sir. I guess.

21 Q. And/or up to a \$50,000.00 fine?

22 A. Yes, sir.

23 Q. It is what's called a serious offense, right?

24 A. Yes, sir.

25 Q. And by serious offense, what I mean is is your

1 understanding of that is it was, it's a strike?

2 A. Yes, sir.

3 Q. Kind of like baseball, three strikes and the State
4 could seek life without parole?

5 A. Yes, sir.

6 Q. In other words, three strikes and you're out?

7 A. Yes, sir.

8 Q. And that was a strike, right?

9 A. Yes, sir.

10 Q. And that was what is regarded as a no parole
11 offense, right?

12 A. I didn't know that.

13 Q. Okay. Didn't know that. But basically when you get
14 drug convictions, you would face higher penalties the next
15 time, right?

16 A. I don't know that.

17 Q. Okay. What you did know about everything is that
18 you didn't want to go to prison, right?

19 A. I mean, nobody wants to go to prison.

20 Q. You're like most folks. You don't want to go to
21 prison, do you?

22 A. No.

23 Q. After all, bad things go on, right?

24 A. Mm-hmm.

25 Q. There are fights, right?

1 A. Mm-hmm.

2 Q. Dangerous folks in prison, right?

3 A. Everywhere.

4 Q. You could be there for several years. In your case
5 you could have been there for decades, right?

6 A. Yes, sir.

7 Q. And the same prosecuting office that you're
8 testifying for today was the one that prosecuted you then,
9 right?

10 A. I don't - I don't remember.

11 Q. Well, in other words, you're hear in the Edgefield
12 County Courthouse, right?

13 A. Yes. Yes.

14 Q. When you stood before the judge in those days, you
15 were in the Edgefield County Courthouse, right?

16 A. Yes.

17 Q. You were hoping that the Solicitor's Office wouldn't
18 punish you too much; is that right?

19 A. For my charges? I mean, I think that's what
20 everybody hopes for.

21 Q. Right. You were like most folks. You hope that
22 they took it easy on you, right?

23 A. Yes.

24 Q. And that was why you spoke with law enforcement
25 about Billy, right?

1 A. No.

2 Q. Okay. That had nothing to do with that at all; is
3 that right?

4 A. No.

5 Q. All right. All totaled up you were looking at 30
6 years on the meth charge, right?

7 A. Mm-hmm.

8 Q. You were looking up to 15 years on the burglary
9 charge, right?

10 A. Mm-hmm.

11 Q. You were looking at up to five years on the grand
12 larceny charge?

13 A. Mm-hmm.

14 Q. And all of that totaled up to 50 years?

15 A. Yes, sir.

16 Q. All added together, right?

17 A. Yes, sir.

18 Q. The State eventually, the Solicitor's Office
19 eventually dropped the meth charge, right?

20 A. Dropped the meth charge and the marijuana charge.

21 Q. There was a 30 day marijuana charge in there I
22 didn't mention, right?

23 A. Yes. They dropped them on both me and my
24 co-defendant.

25 Q. Okay. Out of four charges they dropped two of them,

1 right?

2 A. They came to us and told us if you will go to court
3 for these two charges, we'll drop these two.

4 Q. So yes, they did drop those charges, right?

5 A. Yes, sir.

6 Q. Okay. In other words, your testimony is that you
7 pled to a grand larceny charge and you pled to a burglary
8 charge?

9 A. Yes.

10 Q. And you received a sentence of 18 months in prison
11 followed by three years of probation?

12 A. Five years suspended to 18 months followed by three
13 years probation.

14 Q. Yes. In other words, five years but you only did 18
15 months of actual prison time?

16 A. I actually did, I believe, 11 months.

17 Q. Okay. With good time and that it was less than
18 that, right?

19 A. Yes.

20 Q. But out of the 50 years, my point is out of the 50
21 years you only did 18 months; is that correct? And actually
22 even less than that.

23 A. Yes, sir.

24 Q. And the judge that sentenced you in your case knew
25 that you had helped in this case; is that right?

1 A. Not to my knowledge.

2 Q. Your testimony is that you're standing before the
3 judge and he had no earthly idea that you had helped law
4 enforcement in this case?

5 A. Not to my knowledge. I didn't tell the judge.

6 Q. Okay. And when you're standing in front of the
7 judge, you hope that he doesn't throw you in prison for all 50
8 of those years, right?

9 A. I think me and my co-defendant was hoping for the
10 same thing.

11 Q. Well, and again, my question is you're hoping you
12 don't go to prison for 50 years, right?

13 A. Yes, sir.

14 Q. And you want to put your best foot forward, right?

15 A. Yes, sir.

16 Q. You want the judge to think well of you, right?

17 A. I guess you could say that.

18 Q. Because you don't want him to throw the book at you
19 and send you to prison for 50 years?

20 A. That would be anybody's intention.

21 Q. And you're telling us that the judge, you weren't
22 sure if the judge knew you had cooperated with law enforcement
23 on that day; is that right?

24 A. I have no clue about that. To my knowledge, no, he
25 did not know.

1 Q. All right. And one thing that is interesting you
2 are in jail now in Georgia?

3 A. Yes, sir.

4 Q. And you are facing four charges there; is that
5 right?

6 A. Yeah. Yeah. That's what I was charged with.

7 Q. Okay. Burglary in the first degree, right?

8 A. Yes, sir.

9 Q. Possession with intent to distribute meth, right?

10 A. Yes, sir.

11 Q. There were two gun charges. One was felon in
12 possession, right?

13 A. Yes.

14 Q. The other one is what?

15 A. During the commission of a crime.

16 Q. All right. And you're in jail for those things now
17 and you had said earlier on the record that you didn't like
18 the idea of being a snitch, right?

19 A. Yes, sir.

20 Q. And ultimately what happened back, and that's a term
21 that folks use but what happened back there the play that you
22 ran back then was when you were in trouble, you talked to law
23 enforcement, right?

24 A. Mm-hmm.

25 Q. And you're in trouble again today because you're

1 incarcerated and you're in a jump suit and you're held in jail
2 in Georgia, right?

3 A. Okay. Yes..

4 Q. Is that right?

5 A. Yes. I am doing a prison sentence in Georgia.

6 Q. And ultimately what you are doing is testifying for
7 the State today; is that right?

8 A. Yes.

9 Q. Okay. And but, and in other words, you hope you
10 don't go to prison for a long time, right?

11 A. I'm already in prison. I have already been
12 sentenced.

13 Q. And ultimately you're here and you're testifying for
14 the State today?

15 A. I'll answer that again. Yes.

16 MR. CASTO: That's all I have.

17 THE COURT: Redirect?

18 MS. MAYES: Yes, sir, Your Honor.

19 REDIRECT EXAMINATION

20 BY MS. MAYES:

21 Q. I want to start by asking you about these sentencing
22 sheets from your case right here in Edgefield County back on
23 that burglary charge and grand larceny charge. Do you
24 recognize your signature on these forms?

25 A. Yes.

1 Q. Once you agreed to plea guilty?

2 A. Yes, ma'am.

3 Q. You agreed to plead guilty to burglary second
4 violent?

5 A. Yes.

6 Q. And you agreed to plead guilty to grand larceny?

7 A. Yes.

8 Q. And does it say whether or not you had any
9 negotiations or recommendations in that case?

10 A. No.

11 Q. And you reviewed this form when you pled guilty?

12 A. Yes.

13 Q. Were there any recommendations made for you, Mr.
14 Griffin?

15 A. No, ma'am.

16 MS. MAYES: Mark this for ID at this time, Your
17 Honor. I know Mr. Reel is on the witness list so we'll
18 mark them for ID at this time or we'll go ahead and offer
19 them at this time. I believe he has identified them.

20 (Whereupon, State's Exhibits #58 and #59 marked for
21 identification.)

22 BY MS. MAYES:

23 Q. Okay. So right here, for example, on this plea
24 sheet for burglary second degree --

25 MR. CASTO: Objection. Can we approach?

1 THE COURT: Sure.

2 (Side bar off the record.)

3 BY MS. MAYES:

4 Q. So briefly, Mr. Griffin, where we see this document
5 in evidence 59 being an indication as to whether or not any
6 negotiations or recommendations were made it's marked without
7 negotiations or recommendations, correct?

8 A. Yes.

9 Q. And Mr. Casto is asking you specifically about a
10 drug charge that was dismissed. Did you have a co-defendant
11 on the burglary, the grand larceny and also a co-defendant
12 with the drug charges?

13 A. Yes, ma'am.

14 Q. Did the co-defendant help out law enforcement by
15 providing information about the murder that Billy Sellers
16 talked about?

17 MR. CASTO: Objection, based upon --

18 THE COURT: Now we're getting irrelevant.

19 BY THE WITNESS:

20 A. Not to my knowledge.

21 THE COURT: Answer her questions on his charges. We
22 don't get into any co-defendants and any other charges
23 resolved that day. Keep it simple. And for the record
24 58 and 59 are properly identified and marked for
25 identification and admitted over defense's objection as

1 to relevance. They are in evidence.

2 BY MS. MAYES:

3 Q. All right. And in your particular case Mr. Casto
4 was asking you about all these different items and what the
5 ultimate outcome may have been. But how did you learn that he
6 had a computer and a van?

7 A. Billy told me.

8 Q. How did you learn that a slot machine was
9 involved?

10 A. Billy told me.

11 Q. Mr. Casto was asking you about whether or not you
12 told law enforcement that he had come down 19?

13 A. Yes.

14 Q. All right. And he was asking you specifically about
15 your recorded conversation with law enforcement, right?

16 A. Yes.

17 Q. I'm going to show you a document and ask you whether
18 or not you recognize it?

19 A. Yes.

20 Q. Do you know and have you had the opportunity to
21 review transcript from that audio recording that you did with
22 Investigator Ireland back on December 15th, 2014?

23 A. Yes. I have looked over them.

24 Q. All right. And what exactly did you answer or
25 mention regarding Highway 19?

1 A. It says, uhm, not exactly. He just --

2 THE COURT: Wait a minute. He can't read from
3 that.

4 MS. MAYES: Your Honor --

5 THE COURT: He can answer questions but he can't
6 read from it.

7 MS. MAYES: All right.

8 THE COURT: Rephrase your question.

9 BY MS. MAYES:

10 Q. All right. Did you tell him about Highway 19?

11 A. Yes.

12 Q. Did you tell him whether or not Billy had taken
13 Highway 19 to Trenton?

14 A. I did tell the investigator that.

15 Q. And you have heard that audio yourself?

16 A. Yes.

17 Q. And you have reviewed the transcript?

18 A. Yes.

19 Q. Any doubt in your mind you told him that?

20 MS. FULLWOOD: Objection, Your Honor.

21 THE COURT: Leading. Leading.

22 MS. MAYES: Nothing further.

23 THE COURT: Okay. Any recross?

24 MR. CASTO: Very briefly.

25 RECROSS EXAMINATION

1 BY MR. CASTO:

2 Q. The items that you mentioned, the clothing, the
3 computer, cell phone, things of that nature, you had spoke
4 about on direct; is that right?

5 A. What do you mean?

6 Q. You had mentioned those things when you testified on
7 direct; is that right?

8 A. Yes.

9 Q. Ultimately Billy like most inmates had paperwork
10 with him, right?

11 A. No.

12 Q. Your testimony is that Billy was one of the few
13 inmates that didn't have any paperwork with regard to his case
14 at all?

15 A. He didn't have -- All of this took place before his
16 preliminary because I remember that's why I wanted to get out
17 of his room was because I didn't want him to get his discovery
18 and me being in a room with him where he had information about
19 me talking to the investigators.

20 Q. And you're sure that it's not coincidence that all
21 those same items were mentioned on the search warrant that he
22 had, right?

23 A. I didn't know nothing about that.

24 MR. CASTO: No further questions.

25 THE COURT: All right. Mr. Griffin, you're free to

1 can't read your faces and know if we're okay. It's
2 tough. I need sunglasses. All right. Bring them in.

3 (Whereupon, the jury entered the courtroom at 9:15
4 a.m.)

5 THE COURT: Call your witness.

6 MR. MCNAIR: Your Honor, the State calls Ashley
7 Myers.

8 Thereupon,

9 ASHLEY MYERS

10 after having been first duly sworn, testified as follows,

11 THE CLERK: Please have a seat. Once you're seated,
12 state your full name spelling your last please.

13 THE WITNESS: Ashley Noelle Myers, M-y-e-r-s.

14 DIRECT EXAMINATION

15 BY MR. MCNAIR:

16 Q. Ms. Myers, tell the jury how you knew Johnny
17 Hydrick?

18 A. He was my brother. Legally he was my brother but he
19 was my uncle, too.

20 Q. Your mom was his sister?

21 A. Yes, sir.

22 Q. Okay. Now, prior to his murder, did you have
23 occasion to stay with him at Windy Ridge Road?

24 A. Yes, sir.

25 Q. In relation to when his murder was when did you stay

1 with him?

2 A. Probably a year before.

3 Q. How long did you stay there?

4 A. It was on and off. I can't exactly remember how
5 many, like how long at one point.

6 Q. All right. Are you generally familiar with his
7 house and how he kept things and what he had at his house?

8 A. Yes, sir. Everything. Yes, sir.

9 Q. Where did Mr. Hydrick normally sleep?

10 A. He slept on his couch in his living room.

11 Q. Was that pretty much every night?

12 A. Yes, sir.

13 Q. Are you familiar with whether or not he had any guns
14 in his house?

15 A. Yes, sir.

16 Q. What types of guns did he have?

17 A. He had three shotguns, a pistol and a rifle with a
18 scope.

19 Q. Okay. Do you know where he kept those guns?

20 A. Yes, sir.

21 Q. Where was that?

22 A. He kept one in every room but the pistol he kept
23 with him at all times.

24 Q. Do you know what type of pistol that was?

25 A. It was -- I mean, I don't know the name of it but I

1 know it if I seen it.

2 (Whereupon, State's Exhibit #56 marked for
3 identification.)

4 BY MS. MAYES:

5 Q. All right. Let me show you what's been marked as
6 State's 56. Do you recognize that?

7 A. Yes, sir.

8 Q. What is that?

9 A. That's my uncle Johnny's gun.

10 Q. Is that the gun you just testified he kept with him
11 on the couch?

12 A. Yes, sir. He slept with it. Everywhere he went,
13 that went.

14 Q. Where did he keep it on the couch?

15 A. Either up under the cushion where his head was or up
16 under the couch itself. It was within hands reach.

17 Q. Step down for one second.

18 A. Sure. (Witness complies.)

19 Q. Let me show you State's Exhibit 9. Come down to the
20 TV screen. Do you recognize that?

21 A. That's his couch he slept on.

22 Q. All right. Thank you. Take your seat?

23 A. (Witness complies.)

24 Q. That couch was in the living room of his house?

25 A. Yes, sir.

1 Q. Now, while you were staying with Johnny would he
2 normally lock his doors?

3 A. No, sir. He lived out in the country so there was
4 no need to. He felt safe.

5 Q. So did he normally keep his doors unlocked?

6 A. Yes, sir.

7 Q. Even at night?

8 A. Yes, sir.

9 Q. Now, are you aware of whether or not Johnny has
10 what's been referred to as slot machines?

11 A. Yes, sir.

12 Q. How many did he have?

13 A. He had two that I knew of.

14 Q. Can you kind of describe what they looked like?

15 A. They were just like little, looked like little toy
16 slot machines.

17 Q. Things you put on a table top or a counter?

18 A. Yes, sir.

19 Q. When was the last time you were in his house?

20 A. It was about a year prior.

21 Q. It was?

22 A. Yes, sir.

23 Q. When you were there the last time, did you see the
24 slot machines in his house?

25 A. Yes, sir.

1 Q. All right. Do you know whether or not Johnny had a
2 wallet?

3 A. Yes, sir. He had a wallet.

4 Q. Do you know where he normally kept that?

5 A. In his back pocket.

6 Q. In his pants?

7 A. Yes, sir.

8 MR. MCNAIR: That's all the questions I have at this
9 time. Please answer any questions Mr. Casto has.

10 THE WITNESS: Okay.

11 CROSS EXAMINATION

12 BY MR. CASTO:

13 Q. Good morning, Ms. Myers. How are you?

14 A. I'm good. How are you?

15 Q. Good. Your testimony on direct was that you stayed
16 with Johnny Hydrick on and off throughout the year; is that
17 right?

18 A. Yes, sir.

19 Q. And that's how you knew about these items, right?

20 A. Uhm, not really. I mean, I would go visit him and
21 stuff like that. But yes. That's how I knew about it. Yes,
22 sir.

23 Q. That's what I'm saying. In other words, you knew
24 about these items because you were there. You were in the
25 house, right?

1 A. Yes, sir.

2 Q. Okay. And you knew about there was a pistol that he
3 kept underneath the couch, right?

4 A. It's either underneath the couch or underneath the
5 cushion.

6 Q. Okay. And he had, where we're talking about where
7 that couch was, we're talking about the living room area,
8 right?

9 A. Yes, sir.

10 Q. Johnny, one of the other guns you mentioned Johnny
11 also had I believe a sawed off shotgun in his house, right?

12 A. Yes, sir.

13 Q. And there were some other guns there as well?

14 A. Yes, sir.

15 Q. And he had a gun in every room in the house is what
16 you said --

17 A. Pretty much. Yes, sir.

18 Q. -- right? And one of the things that you know that
19 Johnny had was a slot machine, right?

20 A. Yes, sir. Two.

21 Q. The last time you were in his house was a year prior
22 to Johnny's death, right?

23 A. Yes, sir.

24 MR. CASTO: No further questions.

25 MR. McNAIR: Nothing further, Your Honor.

1 THE COURT: You may step down.

2 THE WITNESS: Thank you.

3 MS. MAYES: The State calls David Smith.

4 Thereupon,

5 DAVID SMITH

6 after having been first duly sworn, testified as follows,

7 THE CLERK: Please have a seat. Once you're seated,
8 state your full name spelling your last please.

9 THE WITNESS: David Smith, S-m-i-t-h.

10 DIRECT EXAMINATION

11 BY MS. MAYES:

12 Q. All right. Good morning. Tell us a little bit
13 about yourself. Where are you employed and in what
14 capacity?

15 A. Currently I'm the pharmacy manager at CVS Pharmacy
16 7318 here in Edgefield. I have been in that position since
17 July of 2016. Prior to that I worked for CVS over in the
18 Saluda area.

19 Q. Okay. And you mentioned the Edgefield CVS. Where
20 exactly in Edgefield County is that located?

21 A. That is located at the intersection of Columbia Road
22 and Star Road, Apple Square Shopping Plaza and shopping center
23 there across from Bi-Lo.

24 Q. Okay. Now, tell us a little bit about your
25 education and background that led you to become a

1 pharmacist?

2 A. I graduated from pharmacy school in December of
3 1976. I have spent the last 42 years either in retail,
4 hospital, or industry working in pharmacy for that length of
5 time. I have been employed with CVS since July of 2006
6 serving as a pharmacist over the Saluda store, then became
7 pharmacy manager at the Saluda store, then on retirement here
8 in Edgefield since we live in Edgefield transferred to the
9 Edgefield store in July of '16.

10 Q. All right. Where did you obtain your degree in
11 pharmacology?

12 A. Graduated from the University of South Carolina in
13 December of 1976.

14 Q. All right. Is there any type of board or
15 certification involved in becoming a pharmacist?

16 A. I passed the board of pharmacy and actually the
17 National Pharmacy Consumer Board exam in April of '77 and
18 became a pharmacist. At that time I worked as a pharmacist in
19 the states of North Carolina and South Carolina.

20 MS. FULLWOOD: Your Honor, we will stipulate
21 Mr. Smith is an expert in the field of pharmacy.

22 MS. MAYES: Pharmacology, Your Honor.

23 THE COURT: Pharmacology. He's a licensed
24 pharmacist?

25 THE WITNESS: Yes.

1 THE COURT: Okay. What that means, folks, an expert
2 qualified in certain field with expertise can offer
3 opinions in that field because they are trained,
4 education, experience. He is so qualified as a
5 pharmacist licensed in South Carolina as well as
6 pharmacology.

7 BY MS. MAYES:

8 Q. All right. Now, take us through the process of
9 filling prescriptions. How is that done and how are records
10 maintained there at the Edgefield CVS?

11 A. The prescriptions are either presented to us
12 personally by the customer, called in or faxed in or sent over
13 through electronic means. At the time that they are sent over
14 the prescriptions are entered in the computer system by one of
15 our technicians or one of the pharmacists, whoever is
16 available at that time. The prescriptions are, labels are
17 printed, the product is pulled from the shelf, filled and then
18 presented to the pharmacist for verification. In the process
19 of filling a prescription the labels have a bar code on the
20 label, printed on them. That bar code is scanned. Each
21 bottle or each stock bottle on the shelf has a bar code that's
22 unique to that product. That product is scanned as well. If
23 they match, then we proceed with that. If not, then we find
24 out if we perhaps pulled the wrong drug or we entered the
25 wrong drug or what necessary steps need to be made to correct

1 it at that time. The pharmacist then scans the product, has
2 an image of the prescription that was entered up on this
3 screen, he scans the bar code that's on the prescription label
4 and an image of the drug comes up. You pour that into a
5 visual verification tray, you look at the product, make sure
6 it matches the description on the screen, put it back in the
7 bottle, and then you credential it off and say yes, you did
8 check that and everything is checked off, then it's ready to
9 be sold to the patient.

10 Q. Who is the pharmacy manager there at that
11 location?

12 A. I'm the pharmacy manager and have been in that role
13 since July '16.

14 Q. As pharmacy manager can you tell us whether or not
15 prescriptions that are submitted to CVS to be filed are
16 maintained in the ordinary course of business?

17 A. The prescriptions that are filled are scanned into
18 the computer system so we have an electronic data record of
19 them. Also, any prescriptions that are brought over and
20 actually presented to us or called into us we make what is
21 called a hard copy where we have a physical prescription.
22 Those prescriptions are scanned in. They're in the system and
23 those are maintained in numerical sequence. Currently at the
24 store we have the previous ten years worth of records. We
25 have ten years worth of prescriptions that we can pull from at

1 that time.

2 Q. And these prescriptions are maintained in the
3 ordinary course of your business activity there at the
4 pharmacy?

5 A. Yes. State and federal law requires retention for
6 a certain period of time. CVS has a retention period that
7 seems to be a little bit longer than that. We maintain our
8 records for ten years. Federal law and state law currently
9 are at three years.

10 Q. As the manager of the pharmacy are you the custodian
11 of records for the prescriptions that are maintained and
12 filled there at that CVS?

13 A. I'm responsible for all activities in the pharmacy
14 including custodian of records.

15 Q. All right. Can you tell us whether or not you
16 received a subpoena regarding a prescription for Johnny
17 Hydrick in October of 2014?

18 A. We received a subpoena for a very specific
19 prescription and the way that we handle this is that because
20 of the date on it, it was in 2014, we do not have access to
21 the actual patient profile on our computer system. We
22 maintain that, we have that available to us at store level for
23 two years. When we need records that are older than that,
24 they are prescription records, patient profile is what we call
25 them where they list all the prescriptions. We have to notify

1 our privacy office and legal department in Woonsocket, Rhode
2 Island which we did at that time. The subpoena also listed a
3 specific prescription request by prescription number which
4 they have retained through the State database and we were able
5 to locate and provide a copy of that to the Solicitor's Office
6 when they asked for that by that subpoena.

7 Q. I'm going to show you a document and ask you whether
8 or not you recognize it?

9 A. That is a copy of the prescription that we found
10 correlating to the prescription number of N0411474 which was
11 filled on October 6th of 2014.

12 Q. As custodian of records can you tell us whether or
13 not that is a true and accurate copy of the prescription that
14 you located for Johnny Hydrick in October of 2014?

15 A. Yes. That is a copy of the prescription. I made
16 that copy myself and then returned the original prescription
17 back to the file where it was located at when we found it.

18 MS. MAYES: Your Honor, at this time the copy of the
19 prescription as well as the bar code on the back --

20 BY THE WITNESS:

21 A. This is what we call a back tag which tells us the
22 prescription number, the patient, the patient's address, the
23 product by name, the product manufacturer, also the quantity
24 we dispensed, the refills remaining. In this case there were
25 none. It also provides us with a unique national drug code or

1 NDC number which matches only one product out there at this
2 time and is used for billing purposes and for product
3 identification, shows us the direction to the prescriber and
4 also tells us the time and date that it was filled and the
5 pharmacist that verified it as well as the technician that
6 entered the data into the computer.

7 MS. MAYES: All right. Your Honor, at this time
8 both documents would be offered as evidence.

9 MS. FULLWOOD: Your Honor, I would like a side bar
10 on this.

11 THE COURT: Sure. Let's mark them as State's
12 Exhibit 60, one document for identification purposes
13 right now.

14 (Whereupon, State's Exhibit #60 marked for
15 identification.)

16 MS. FULLWOOD: Your Honor, can we approach?

17 THE COURT: Sure.

18 (Side bar off the record.)

19 THE COURT: All right. I want to put y'all in the
20 jury room. Remember I told you there was a lot of
21 documents and whatnot. Just to give you an idea, we're
22 trying to match up what's out there. They told me Monday
23 morning they had CD's with a lot of paper copies scanned,
24 67 CD's. A lot of stuff out there and I'm trying to make
25 certain both sides have this. Y'all step in the jury

1 room while they look for it. It will take them a minute.
2 Shouldn't be a problem. Don't discuss the case. Have
3 you back in here in a minute.

4 (Whereupon, the jury entered the jury room at 9:34
5 a.m.)

6 THE COURT: Are you looking for it?

7 MS. MAYES: Yes, Your Honor. I will probably have
8 to step out of the courtroom.

9 THE COURT: That's all right. Go do what you've got
10 to do to put your hands on it.

11 MS. FULLWOOD: Well, it looks like we got it but we
12 must have overlooked it together.

13 THE COURT: Okay. 67 CD's of information is a lot
14 and I think, I hope y'all didn't have any issue with the
15 way I explained to the jury. I wanted to make sure both
16 sides have it so I think that was a fair and equitable
17 way of saying there's a lot of stuff out there. Y'all
18 want to make certain everybody is on the same page.

19 MS. FULLWOOD: That one was just an email almost 900
20 pages.

21 THE COURT: The exchange of discovery has changed so
22 much since I was first licensed to practice law.

23 MS. MAYES: With the phones, Your Honor, with the
24 phones.

25 THE COURT: I know. It's amazing what information

1 is out there.

2 MS. FULLWOOD: Too much.

3 THE COURT: All right. Ready to move on?

4 MS. MAYES: Yes.

5 THE COURT: Can't wait to tell you, the juror, the
6 gentleman sitting in the back, tall guy, paying
7 attention, taking good notes, he walked by right here and
8 said see you at two. I said I hope not.

9 MS. FULLWOOD: Okay. We can go.

10 (Whereupon, the jury entered the courtroom at 9:38
11 a.m.)

12 THE COURT: Just so y'all know, when you get ready
13 to try a big case, any case, the parties are required to
14 exchange information they have and they have to give
15 everything they have got. Sometimes when a case this big
16 with so many documents might take so many people to help
17 keep things organized and so that's kind of the purpose
18 of that last break is to make certain everybody had a
19 copy of what they were supposed to receive and what's
20 coming to the jury so it's not trial by ambush. It's an
21 exchange. It's called discovery. Under our criminal
22 rules each side has to give what they are going to
23 utilize at trial. So that's kind of what I'm trying to
24 marshal and manage and the lawyers are doing a fairly
25 good job of it. But if they don't know, sometimes we

1 have to help them find it. So we'll move on. Ms.
2 Mayes.

3 MS. MAYES: Yes, sir, Your Honor.

4 BY MS. MAYES:

5 Q. You had identified what is State's 60 as the
6 prescription that you located for Johnny Hydrick and provided
7 pursuant to that subpoena?

8 A. Yes, ma'am.

9 Q. What is the date on that prescription?

10 A. The prescription was written on 10/3 of '14. We
11 filled the prescription on 10/6 of '14 per the instructions
12 that were on the prescription. The doctor said this
13 prescription was not to be filled before October 6th of that
14 year.

15 Q. And if you could repeat that last part.

16 A. The prescription was filled on October 6th. The
17 prescription, a lot of times with pain medications physicians
18 will include a do not fill date or do not fill before date and
19 in this case he had put on it do not fill until 10/6 on the
20 prescription.

21 MS. MAYES: All right. Do not fill until 10/6/2014.
22 Your Honor, the State has offered that as evidence at
23 this point.

24 MS. FULLWOOD: No objection.

25 THE COURT: State's 60 is admitted without

1 objection.

2 BY MS. MAYES:

3 Q. And then does the information that you have there as
4 pharmacy manager, does it allow you to determine if that
5 prescription was, in fact, filled up by the - I'm sorry,
6 retrieved by the patient?

7 A. I don't have that information available to me at
8 store level at this time. We could locate, we do have manual
9 records. Back in 2014 we have not switched to electronic
10 signatures and we could have pulled a log that lists each
11 prescription that's picked up. This being a controlled
12 substance the State does require that we obtain positive ID
13 from the person picking it up. It doesn't necessarily have to
14 be the patient picking it up but someone, whoever picked it up
15 at that time over the age of 18 has to provide positive ID.
16 By that state issued ID. CWP, driver's license, ID card,
17 passport, military ID are the five that are acceptable at this
18 time.

19 Q. All right. So the information shows that the
20 prescription was filled on the 6th. Now, what happens once
21 it's filled?

22 A. Once it's filled and verified out for federal
23 regulations dispensing pharmacist has to sign the prescription
24 on the face of it and put the date that he filled it so that
25 we know that this prescription was filled by the pharmacist on

1 duty that day, his license number and the date that he
2 actually filled the prescription. That has to be done for
3 each prescription that we have that is a narcotic.

4 Q. I'm gonna ask you to step down, if you can.

5 A. (Witness complies.)

6 Q. So we see there at the bottom a notation, the do not
7 fill. Is that what you were referring to previously?

8 A. Yes. This notation right here.

9 Q. Okay. And then what is the handwritten notation as
10 to 10/6/14?

11 A. Okay. This is the signature of Terry Knie who is
12 the dispensing pharmacist who is employed with CVS. This is
13 his state license number 5150 and the date that he dispensed
14 the product.

15 Q. All right. Now, where is the name of the pill or
16 the prescription on this document?

17 A. On this one it's right here. It says oxycodone
18 tablets, 20 milligrams tablets, one tablet oral, four times a
19 day as needed for pain. Oxycodone. Do not fill until October
20 6th. Dispense number 120 tablets and with zero refills.

21 Q. All right. And that's oxycodone, 20 milligram
22 tablets?

23 A. Correct.

24 Q. And how many tablets were in that prescription?

25 A. 120.

1 Q. Now, as a pharmacist and an expert in pharmacology
2 how do you go about identifying certain pills, what they look
3 like, how you know that what you are pulling to put in the
4 pill bottle is, in fact, the correct medication?

5 A. We do it through two ways. One, we have the name of
6 the drug which certainly is oxycodone 20 milligram tablets.
7 We also use the national drug code or NDC number which is
8 printed on the back tag, and I'll show them where that is.

9 Q. Okay.

10 A. This is what we refer to as a back tag. It is
11 printed out at the time the prescription is entered into the
12 CVS system and it has a several parts. This is the bar code
13 that prints on the back tag. That's identical to a bar code
14 that prints on a receipt which identifies that as prescription
15 number and NDC number before we dispense. This tells us the
16 patient, the address, phone number that we have on record,
17 date of birth, what the drug is, manufacturer of the drug
18 which in this case is KB Tech, the number of refills and this
19 is the national drug code and is says 10702. That is the
20 manufacturer ID. There's only one manufacturer that uses that
21 number. That manufacturer is assigned code 0057 to identify
22 the drug. That is the only drug that he makes with that
23 number on it and the 01 tells me we dispensed it out of a
24 bottle of a hundred.

25 Q. Okay. Now, specific as to the manufacturer of

1 pills, do manufacturers note them or identify them by
2 imprint?

3 A. They do it a variety of ways. This manufacturer
4 does imprint a K for the first name of the manufacturer as
5 well as the number or last two numbers of his identification
6 number.

7 Q. I'm gonna ask you to step down and show us. Do you
8 have access actually or a way to identify pills yourself?

9 A. When we look at pills or someone brings in pills, we
10 have multiple databases that we can look it up. It's called
11 fill identification databases. One that we use is Online
12 Storage from a company called Clinical Pharmacology. There
13 are several. Anybody can log into a computer and look at it
14 online. The one that we used this morning to pull up as to
15 what the drugs were from a database called drugs.com. You put
16 in the imprint that's on the back which in this case is K57
17 and it pulls up the one drug that was made with that number on
18 it.

19 Q. All right. And if you could please show us, I'll
20 allow you to draw a diagram and show us what that imprint
21 looks like.

22 A. It would be - it would describe a tablet. In this
23 case it said it was a round type narcotic. That means it was
24 a round tablet and it was shaped, it was curved on both sides
25 something similar to a football shape but not pointed. So it

1 would be a round tablet. It's scored. It has a K above the
2 score and a 57 below the score and in this case it also tells
3 you the color and in this it was a light brown. Excuse my
4 writing.

5 Q. Okay. And so if you could show us again where that
6 manufacturer's notation is for this particular pill?

7 A. This would tell us right here that it's made by KB
8 Tech and this is the number right here. Again, you can take
9 that number, type it into any search engine you want to find,
10 say NDC number and it will pull up a picture of that drug and
11 only one drug.

12 Q. Okay. And regarding the imprint that you testified
13 to, the K57, is there any other manufacturer that produces
14 that imprint other than this drug?

15 A. Not on a gray tablet that is by context like that.

16 MS. MAYES: Nothing further, Your Honor.

17 MS. FULLWOOD: No questions, Your Honor.

18 THE COURT: You may step down.

19 MR. McNAIR: Your Honor, the State calls Justin
20 Reed.

21 Thereupon,

22 JUSTIN ALLEN REED

23 after having been first duly sworn, testified as follows,

24 THE CLERK: Please have a seat. Once you're seated,
25 state your full name spelling your last please.

1 THE WITNESS: My name is Justin Allen Reed,
2 R-e-e-d.

3 DIRECT EXAMINATION

4 BY MR. MCNAIR:

5 Q. Mr. Reed, where do you work?

6 A. I work for Coastal Recycle and Scrap Partners,
7 LLC.

8 Q. What type of business is that?

9 A. It's a metal recycling feeder yard.

10 Q. How long have you been there?

11 A. A year and a half.

12 Q. What's your current position there?

13 A. Manager.

14 Q. All right. Where is Coastal Recycling located?

15 A. 1 [REDACTED] Edgefield Highway.

16 Q. Right off the Edgefield Highway; is that correct?

17 A. Yes, sir.

18 Q. Now, I guess when somebody brings in metal, do y'all
19 create a record to reflect that transaction?

20 A. Absolutely.

21 Q. Is that a record that y'all keep in the ordinary
22 course of business?

23 A. Yes, sir.

24 Q. That's made at the time somebody brings in something
25 to sell, correct?

1 A. Yes, sir.

2 Q. Your position as manager there, do you have access
3 to those records?

4 A. Yes, sir.

5 Q. Were you subpoenaed to produce some Coastal records,
6 reports here today?

7 A. Yes, sir.

8 (Whereupon, State's Exhibits #61, #62, #63 marked
9 for identification.)

10 BY MR. MCNAIR:

11 Q. I'll show you State's 61, 62, and 63. Take a look
12 at those and tell me if you can identify them?

13 A. Yes, sir. Every one of them is from our records.

14 Q. All right. And those records that you have
15 previously provided to us, correct?

16 A. Yes, sir.

17 Q. And these are records that are keep in the ordinary
18 course of business?

19 A. Yes, sir.

20 MR. MCNAIR: Your Honor, we would offer 61 through
21 63 at this time into evidence.

22 MS. FULLWOOD: No objection, Your Honor.

23 THE COURT: All right. Without objection.

24 BY MR. MCNAIR:

25 Q. Mr. Reed, step down for a second.

1 A. All right (Witness complies.)

2 Q. I'll show you what's marked as State's 61. When
3 somebody brings in something to sell to Coastal, is this a
4 form that they have to fill out?

5 A. It was one that was filled out. Yes, sir. If our
6 computer system is not up and running absolutely this is what
7 you fill out.

8 Q. Who actually fills out this form?

9 A. Either the manager or the person in the scale house
10 at the time.

11 Q. All right. And then that information was provided
12 by who?

13 A. The person that is selling the items to us.

14 Q. So what does the document reflect?

15 A. It's basically saying that William Sellers is the
16 one who provided his license and told us the information in a
17 red van with that license plate number.

18 Q. All right. And that was on October 7th, 2014?

19 A. Yes, sir.

20 Q. He would have been required to sign the bottom of
21 that document?

22 A. Yes, sir.

23 Q. All right. And State's 62, that is also dated
24 October 7th, 2014, correct?

25 A. Yes, sir.

1 Q. Does that go with the document we just saw? Is that
2 the payment for whatever he brought in?

3 A. Absolutely.

4 Q. All right. So he got \$28.80?

5 A. Correct.

6 Q. State's 63, that's the same thing we saw in 61,
7 correct?

8 A. Yes, sir.

9 Q. That information would have been provided by
10 whoever, by Mr. Sellers who brought the metal in that day,
11 correct?

12 A. Yes, sir.

13 Q. The date on that is October 8th, 2014?

14 A. Yes, sir.

15 Q. The vehicle is described as a red Windstar,
16 correct?

17 A. Yes, sir.

18 Q. Again, he signed the bottom of that, correct?

19 A. Yes, sir.

20 Q. All right. Thank you, sir. You can have a seat.

21 A. All right. (Witness complies.)

22 Q. Now, what type of metal does Coastal accept?

23 A. Ferrous and non ferrous items so that basically is
24 iron and non iron metals so copper, brass, aluminum, lead.
25 Most things you can identify. Even unidentifiable metals we

1 have a piece of equipment that can identify it.

2 Q. Would y'all take items such as weapons?

3 A. Very rarely but if it's metal and it's broken down,
4 non functional, usually yes.

5 Q. But if somebody brought in like a fully functioning
6 firearm, y'all would not accept that, correct?

7 A. Oh, no. Absolutely not.

8 (Whereupon, State's Exhibit #64 marked for
9 identification.)

10 BY MR. MCNAIR:

11 Q. I'm going to show you what's marked as State's 64.
12 Do you recognize that?

13 A. Absolutely. Yes, sir.

14 Q. Does that fairly and accurately represent Coastal
15 Recycling back in 2014?

16 A. Yes, sir. That's the entire property plot.

17 MR. MCNAIR: Your Honor, we offer State's 64 into
18 evidence at this time.

19 MS. FULLWOOD: No objection.

20 MR. CASTO: Without objection.

21 THE COURT: Okay. State's 64 is in.

22 BY MR. MCNAIR:

23 Q. Mr. Reed, will you step down one more time for me.
24 This will be the last time.

25 A. All right. (Witness complies.)

1 Q. Will you just show the jury where Coastal Recycling
2 is on this map?

3 A. Okay. Here's our driveway coming in in the front
4 gate here. Our property comes around here, behind here, then
5 up and around here, all the way across, all the way down to
6 this corner here and straight up across here.

7 Q. So it's literally right off of Edgefield Highway; is
8 that correct?

9 A. Yes, sir.

10 Q. What is this right here reflected on this map?

11 A. That is a cell phone tower.

12 Q. Now, do y'all have a fence around this property?

13 A. Yes, sir.

14 Q. Is there any way -- I guess that fence is locked
15 after hours?

16 A. We have no access to this part. But yes, our fence
17 is locked and electrified at night.

18 Q. Now, are there ways or areas that you could
19 potentially get through the fence?

20 A. Absolutely.

21 Q. Where would that be on this map?

22 A. There is a spot right here where somebody has cut
23 out part of the fence and the fence is still electrified but
24 as of recent history I found that there was a weak spot there
25 and that has recently been corrected.

1 Q. What is this pile right here?

2 A. That, I believe, would be cars. We had cars up here
3 but now we keep them down here instead.

4 Q. Now, is there a road that goes along this side of
5 Coastal Recycling?

6 A. Yes, sir. You can actually see the cars going by
7 right through here.

8 MR. McNAIR: I think that's all the questions I
9 have. Thank you.

10 THE WITNESS: All right.

11 MR. McNAIR: No further questions, Your Honor.

12 CROSS EXAMINATION

13 BY MS. FULLWOOD:

14 Q. So basically what you're telling us is that William
15 Sellers brought metal to your business on October 7th and 8th
16 of 2014?

17 A. Yes, ma'am.

18 MS. FULLWOOD: All right. No further questions.

19 THE COURT: All right. You may step down. Call
20 your next witness.

21 MS. MAYES: The State calls Karen Scalf.

22 Thereupon,

23 KAREN SCALF MARENO

24 after having been first duly sworn, testified as follows,

25 THE CLERK: Please have a seat. Once you're seated,

1 state your full name spelling your last please.

2 THE WITNESS: Karen Mareno, M-a-r-e-n-o.

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q. Good morning, Ms. Scalf. Where do you currently
6 reside?

7 A. At [REDACTED] Old Camp Pond Road.

8 Q. What county is that in?

9 A. Aiken.

10 Q. I'm gonna need you to speak up a little bit and
11 maybe pull that microphone down a little bit closer to you.

12 A. Okay.

13 Q. Now, I want to take you back to October of 2014.
14 Where were you living at that time?

15 A. At, in the trailer park at Metts Park Circle.

16 Q. All right. You say Metts Park Circle. What road is
17 Metts Park Circle off of in Aiken County?

18 A. Columbia Highway North.

19 Q. Is that also known as Number 1?

20 A. Yes.

21 Q. Would that be the highway by exit 22?

22 A. Yes, ma'am.

23 Q. Now, who else lived in that trailer park that you
24 were familiar with?

25 A. Jessica and Travis and then Davin Black and Troy

1 Black.

2 Q. Okay. I'm going to ask you, you mentioned the name
3 Jessica. Who is Jessica?

4 A. Travis' girlfriend.

5 Q. And what is her full name, if you know?

6 A. Jessica Reeder.

7 Q. What is Travis' full name, if you know?

8 A. Travis Murray.

9 Q. Now, I want to take you back to October 2014. Were
10 you living in the mobile home park at that time?

11 A. Yes, ma'am.

12 Q. How close did Travis and Jessica live near you?

13 A. Not too far from me. To that back door.

14 Q. In another mobile home there in the park?

15 A. Yes, ma'am.

16 Q. Can you tell us whether they were also residing
17 there in October of 2014?

18 A. Yes, ma'am. They were.

19 Q. About how long had they been living there in the
20 mobile home park in October?

21 A. Maybe a month or two months.

22 Q. And you understood their relationship to be what?

23 A. It was pretty good. Between Jessica and Travis it
24 was real good.

25 Q. Okay. Now, did there come a time that you met the

1 victim in this case Johnny Hydrick?

2 A. Yes, ma'am.

3 Q. And when did you meet him?

4 A. Around August.

5 Q. And you met him through who?

6 A. Jessica Reeder.

7 Q. Did you ever have occasion to go to the home of
8 Johnny Hydrick?

9 A. Yes, ma'am.

10 Q. When were you last there in relation to his
11 murder?

12 A. Around the 7th or the 8th of October.

13 Q. All right. So the 7th or 8th of October you were
14 actually in the home of Johnny Hydrick?

15 A. Yes, ma'am.

16 Q. And who else was with you?

17 A. Jessica Reeder.

18 Q. Now, why is it that you went over to Johnny's?

19 A. Jessica wanted to go and buy pills from Johnny and
20 to get money from Johnny.

21 Q. Did Jessica have transportation of her own?

22 A. No, ma'am.

23 Q. You also mentioned Travis, her boyfriend?

24 A. Yes, ma'am.

25 Q. Did he have transportation of his own?

1 A. Not with hisself. No.

2 Q. When you say not with hisself, what transportation
3 did you witness Travis Murray having?

4 A. Between Billy and Allen Murray.

5 Q. When you say Billy, you're referring to who?

6 A. I just know his last name as Sellers. I don't know

7 --

8 Q. That would be the defendant in this case Billy
9 Sellers?

10 A. Yes, ma'am.

11 Q. What transportation did you see him provide to
12 Travis Murray?

13 A. He was driving a van when he picked up Travis.

14 Q. Did you see that on one occasion or more than one
15 occasion?

16 A. I seen him twice at least.

17 Q. And to your knowledge did Travis or Jessica, either
18 one of them have a vehicle of their own?

19 A. No, ma'am.

20 Q. So when you took Jessica over to Johnny's house --

21 A. Yes, ma'am.

22 Q. -- what, if anything, did you see him provide to
23 her?

24 A. Only pills and money.

25 Q. And the money was obtained how?

1 A. He went to Billy's at the gas station off of 19 and
2 he went into the store and came back out and gave her cash.

3 Q. So Billy's is the name of a store on Highway 19?

4 A. Yes, ma'am.

5 Q. Do you know whether or not you were present for
6 that?

7 A. I was in my car. He went inside.

8 Q. You were, in fact, driving?

9 A. Yes, ma'am.

10 Q. And what did -- you can't say what anyone said --
11 but what did the relationship appear to be, on good terms or
12 bad terms between Jessica and Johnny?

13 A. They were very good.

14 Q. And did you see him provide her with anything other
15 than the pills and the money?

16 A. No, ma'am.

17 Q. What about earlier in that week?

18 A. Just I think he gave her food at one point during
19 that week, too, or the week before that he gave her food.

20 Q. And you were present for that as well?

21 A. Yes, ma'am.

22 Q. The money that he obtained to give to Jessica, I
23 know you said he went to Billy's but how did he access the
24 money?

25 A. I don't know if he used his credit card or if he got

1 change from his money he had.

2 Q. Okay. Do you know whether or not the wallet was on
3 his person at the time?

4 A. Yes. It was.

5 Q. Now, has there ever been an occasion where you made
6 a phone call to the defendant in this case Billy Sellers?

7 A. No, ma'am.

8 Q. And so if your phone number shows up on the phone of
9 Billy Sellers, do you know how it got there?

10 A. Either Jessica or Travis.

11 Q. Okay. What do you mean by that?

12 A. I would allow Jessica to use my phone.

13 Q. All right. Do you recall whether or not on October
14 9th Jessica had borrowed your phone for any reason?

15 A. I don't remember that morning if she did or not.

16 Q. All right. Now, as you were preparing to leave that
17 last visit that you had at Johnny's house, did anything seem
18 unusual or did it seem ordinary?

19 A. It was ordinary.

20 Q. Can you tell us the phone number that you had on
21 October 9th of 2014?

22 A. I really can't.

23 Q. And you feel that you did not personally make a call
24 to Billy Sellers?

25 A. I have never made a call to Billy.

1 Q. And do you know who, if anyone, had the phone number
2 of 803-552- [REDACTED] ?

3 A. I believe that was mine.

4 Q. And that would have been in October of 2014?

5 A. I believe so.

6 MS. MAYES: Nothing further.

7 CROSS EXAMINATION

8 BY MR. CASTO:

9 Q. Hi, Ms. Scalf. How are you?

10 A. I'm good.

11 Q. Good. You lived in close proximity to Travis Murray
12 and Jessica Reeder at the time this happened, right?

13 A. Yes, sir.

14 Q. And really what we're talking about is back in
15 October of 2014, right?

16 A. Yes, sir.

17 Q. And you know that as you testified on direct that
18 Jessica Reeder would go see Johnny, right?

19 A. Yes, sir.

20 Q. And their relationship was very good --

21 A. Yes, sir.

22 Q. -- right? And there were times that she would go
23 over there quite often; is that right?

24 A. Yes, sir.

25 Q. And Johnny would give her, as you testified, he

1 would give her money?

2 A. Yes, sir.

3 Q. And you saw it happen at least on one occasion,
4 right?

5 A. Yes, sir.

6 Q. And he would also give her pills, right?

7 A. Yes, sir.

8 Q. And, if you know, what kind of pills were they?

9 A. I have no clue.

10 Q. Okay. Do you know if they were over the counter or
11 prescribed?

12 A. They were prescribed to Johnny.

13 Q. And Johnny would give her these pills; is that
14 right?

15 A. Yes, sir.

16 Q. And particularly Jessica would go over to Johnny's
17 house when Travis was not around; is that right?

18 A. Yes, sir.

19 Q. And Travis in those days had a job where he worked
20 out of town quite often, right?

21 A. Yes, sir.

22 Q. And it's known that Travis did not like Jessica
23 going over to Johnny's house; is that right?

24 A. Yes, sir.

25 Q. That would cause problems in that relationship for

1 them, right?

2 A. Yes, sir.

3 Q. Jealousy issues, right?

4 A. Yes, sir.

5 Q. It would make Travis upset, right?

6 A. Yes, sir.

7 Q. And, in fact, Jessica was over at Johnny's house I
8 think that you said it was either -- Well, the last time that
9 you were over there at Johnny's house with Jessica, what was
10 the date that you felt that was?

11 A. October the 7th or the 8th.

12 Q. Okay. And that was the week that Johnny died,
13 right?

14 A. Yes, sir.

15 MR. CASTO: Thank you. Nothing further.

16 MS. MAYES: Nothing further, Your Honor.

17 THE COURT: You may step down.

18 MS. MAYES: The State calls the next witness, Your
19 Honor, would be Carlos Colindres.

20 (Side bar off the record.)

21 THE COURT: This witness coming in may be a little
22 bit lengthier so this is a good time to take a break.
23 Step into the jury room and we'll have you back out here
24 in a couple of minutes.

25 (Whereupon, the jury entered the jury room at 10:11

1 MR. CASTO: Thank you, Judge.

2 MS. MAYES: For the record, the list of items
3 recovered during the search warrant were previously
4 provided pursuant to discovery including the guns and the
5 drugs, basically all of the items taken into evidence.

6 MR. CASTO: We have that list. I believe it was
7 just two or three pages of what have you but...

8 THE COURT: You study it. I'll come back in a
9 minute. If you want to continue to make an argument,
10 I'll give you a little bit of time.

11 MR. CASTO: Thank you, Judge.

12 (Short break.)

13 THE COURT: Back on the record. How are you doing?

14 MR. CASTO: I think we're ready to go forward now,
15 Judge. Thank for the recess.

16 THE COURT: All right. He says he's ready.

17 (Whereupon, the jury entered the courtroom at 10:55
18 a.m.)

19 THE COURT: All right. Ms. Mayes.

20 MS. MAYES: The State call Detective Carlos
21 Colindres.

22 Thereupon,

23 CARLOS COLINDRES

24 after having been first duly sworn, testified as follows,

25 THE CLERK: Please have a seat. Once you're seated,

1 state your full name spelling your last please.

2 THE WITNESS: Detective Carlos Colindres.

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q. Good morning, detective. Where are you employed and
6 in what capacity?

7 A. I work for Aiken Department of Public Safety. I'm a
8 narcotics detective and a member of the ATF task force.

9 Q. How long have you worked in that capacity as a
10 detective for the Aiken Department of Public Safety?

11 A. Almost five years.

12 Q. I want to take you back to October of 2014. Were
13 you working as a detective with the narcotics division in
14 Aiken Public Safety at that time?

15 A. Yes. I was.

16 Q. And specifically did you have the opportunity to
17 execute a search warrant in the vicinity of Crosland Park in
18 Aiken County?

19 A. Yes, ma'am.

20 Q. And what was the address that you have been
21 subpoenaed for in this particular case?

22 A. [REDACTED] Alfred Street.

23 Q. All right. And what neighborhood or area of Aiken
24 County is that address on Alfred Street?

25 A. That's in Crosland Park.

1 Q. Now, who is the person who was residing at that
2 residence who was the subject of this narcotic search
3 warrant?

4 A. We had Mr. Hakim Talib and a Shameka Watkins.

5 Q. Just to clarify, what gender are those parties?

6 A. Mr. Talib is male and Ms. Watkins is a female.

7 Q. Did you have at that point in time probable cause to
8 believe that -- Did you have probable cause to believe that
9 drugs were being disseminated from that location?

10 A. Yes.

11 Q. And what particular type of drug were you searching
12 for?

13 A. Marijuana.

14 Q. And can you tell us whether or not the Aiken
15 Department of Public Safety had received information regarding
16 drug activity from that home?

17 A. Yes. An anonymous tip.

18 Q. Were you part of that search warrant?

19 A. Yes. I was.

20 Q. What date was that search warrant executed there?

21 A. October 22nd, 2014.

22 Q. I'll go ahead and mark that on our calendar.
23 October 22nd. And that's the search warrant Aiken DPS
24 narcotics at the home of Hakim Talib?

25 A. Yes.

1 Q. Again, that's going to be Alfred Street in Aiken
2 County?

3 A. Yes.

4 Q. Now, during the course of that search warrant, can
5 you tell us, detective, whether or not any firearms were
6 recovered?

7 A. Yes. Two firearms were recovered.

8 Q. What type of firearms were those?

9 A. They were both revolvers.

10 Q. Do you have any specific reference as to the make or
11 model or type of revolvers that were recovered?

12 A. Yes. Let me pull it up here. The type, a Titan
13 Tiger .38 caliber revolver and Taurus .38 caliber revolver.

14 Q. I'm going to refer you specifically to the Titan
15 Tiger.

16 A. Yes, ma'am.

17 Q. First, I'm gonna give you what is State's Exhibit 56
18 and give you also a pair of gloves but I'm also going to show
19 you an item and ask you whether or not you recognize it and if
20 so, how?

21 A. Yes. These are bullets that were, I believe they
22 were actually in the revolver, one of the revolvers.

23 Q. All right. And how is the outside of the box noted
24 and can you tell us whether or not you recognize any of the
25 notations on the outside of the box?

1 A. Yes. In these boxes that we submitted to evidence
2 there are blanks where we put in the case number, item number
3 from the search warrant and my name is on there and then the
4 item that is actually inside the box which this one would be
5 the Titan Tiger .38 revolver and I have the serial number as
6 well.

7 Q. Why is your name listed on there?

8 A. I'm the officer that seized the item and I'm the one
9 that actually put it into evidence.

10 Q. And you recognize this handwriting as your own?

11 A. Yes.

12 Q. And also the packaging for this firearm?

13 A. Yes.

14 MS. MAYES: Your Honor, at this time the State would
15 offer the box that contains the Titan Tiger revolver that
16 has been identified by Detective Colindres.

17 THE COURT: You're offering the box?

18 MS. MAYES: Yes, sir.

19 MR. CASTO: We object to this item being moved into
20 evidence at this time due to foundation, Your Honor.

21 THE COURT: All right.

22 MS. MAYES: Beg the Court's indulgence.

23 BY MS. MAYES:

24 Q. All right. Let's back up here. You actually made
25 those notations yourself?

1 A. Yes. I believe so. Yes.

2 Q. What's the date of the notation that the firearm was
3 seized?

4 A. The 22nd of October 2014.

5 Q. All right. Now, once it was seized, what did you do
6 with this item?

7 A. I placed it into the evidence locker.

8 Q. Can you tell us whether or not that's done in the
9 ordinary course of business there at the Aiken Department of
10 Public Safety?

11 A. Yes.

12 Q. In other words, once you put it in the box, how is
13 it properly maintained to make sure that it's not tampered
14 with in any way?

15 A. We put it in a locker and we lock the locker and our
16 evidence custodian will actually put it in a shelf with all
17 the other evidence from this case.

18 Q. To your knowledge, did it remain in that location
19 until it was retrieved by Detective Ireland with the Edgefield
20 County Sheriff's Department?

21 A. Yes.

22 Q. Is there, was there ever any reason that you took it
23 out of evidence after placing it there?

24 A. No.

25 Q. Okay. Are you aware that Investigator Ireland with

1 the Edgefield County Sheriff's Department did retrieve that
2 item at a later date?

3 A. Yes.

4 Q. Now, there's a serial number affiliated with this
5 firearm?

6 A. Yes.

7 Q. Did you note that specifically on the outside of the
8 box?

9 A. Yes. I did.

10 MS. MAYES: We would mark this for evidence at this
11 point in time, Your Honor. I believe it will be 65.

12 (Whereupon, State's Exhibit #65 marked for
13 identification.)

14 THE COURT: Marked as State's 65. Now, that's just
15 the box?

16 MS. MAYES: Yes.

17 THE COURT: Okay. Any objection to the box?

18 MR. CASTO: No. No objection at this point now that
19 foundation has been laid.

20 THE COURT: Okay. Without objection 65 is
21 entered.

22 BY MS. MAYES:

23 Q. All right. Detective, I'm going to ask you to step
24 down?

25 A. (Witness complies.)

1 Q. If you could, show the jury where the name of the
2 weapon and the serial number is noted?

3 A. The name of it, description of the item I have Titan
4 Tiger .38 caliber revolver, then we put the serial number and
5 that's N, as in November, 031319, then the location where it
6 was, where this item was found at 11:26 hours.

7 MS. MAYES: The next item, Your Honor, is State's
8 Exhibit 56. It is sealed at this time and we'll need the
9 assistance of Investigator Morris.

10 BY MS. MAYES:

11 Q. I'll have you take a look at what is currently
12 State's 56 and ask you whether you recognize that item and if
13 so, how?

14 A. Yes. This is one of the firearms that we
15 recovered.

16 Q. Specifically can you tell us which firearm that
17 is?

18 MS. MAYES: Your Honor, if he may have permission to
19 handle the firearm.

20 THE COURT: Sure.

21 BY THE WITNESS:

22 A. It's a Titan Tiger .38 caliber revolver.

23 BY MS. MAYES:

24 Q. All right. Does it note a serial number?

25 A. Yes. Let me find it. N, as in November, 031319.

1 Q. Same serial number that's noted here on the outside
2 of State's 65? Same serial number?

3 A. Yes.

4 Q. So with a situation where you have noted the serial
5 number and the make and model of the firearm, are serial
6 numbers unique to firearms? I know you said you're on the ATF
7 Task Force.

8 A. Yes. They are.

9 Q. If you could explain a little bit about that, how
10 they go about identifying a weapon as unique?

11 A. Every weapon will have its own unique serial number
12 so when you enter it into NCIC to do a check on it, you will
13 get the make, model, caliber and serial number.

14 Q. With that stated, is this the same weapon that was
15 seized by you from that residence on Alfred Street on October
16 22nd, 2014?

17 A. Yes.

18 Q. And after you seized this weapon and turned it into
19 the evidence room, whose custody did it go to?

20 A. It went into evidence in our evidence facility.

21 Q. All right. And ultimately are you aware of which
22 detective retrieved it from the Edgefield County Sheriff's
23 Department from your DPS evidence room?

24 A. Yes. Investigator Ireland.

25 MS. MAYES: Your Honor, at this time we would offer

3 MR. CASTO: We just renew our objection from in
4 camera yesterday with regard to this item and the other
5 objections at this time and the objection is made
6 specifically with regard to the problems with the chain.

7 THE COURT: Okay. 56 will be admitted subject to
8 objections by defense. You can make a record if you need
9 to with regard to the basis but the chain of custody is
10 proper as noted.

11 MR. CASTO: Yes, sir.

12 BY MS. MAYES:

13 Q. Now, as a result of that search warrant, can you
14 tell us whether or not there was, in fact, evidence of
15 marijuana trade at that residence on Alfred Street?

16 A. Yes.

17 Q. Was Hakim Talib arrested?

18 A. Yes.

19 Q. For distribution of marijuana?

20 A. For possession with intent to distribute
21 marijuana.

22 Q. Possession with intent to distribute marijuana?

23 A. Yes.

24 MS. MAYES: Nothing further.

25 CROSS EXAMINATION

1 BY MR. CASTO:

2 Q. There's a lot of stuff up there. Officer, how are
3 you?

4 A. Yes. I'm good.

5 Q. Just to understand where this fits into our
6 timeline, what we said was that this search warrant was
7 executed by yourself on October 22nd, 2014 --

8 A. Yes.

9 Q. -- right? And the residence that you went into on
10 that date was that of Mr. Hakim Talib?

11 A. Yes, sir.

12 Q. And he lived there with I believe his girlfriend
13 Shameka Watkins, right?

14 A. Yes.

15 Q. With regard to the two guns that you found, you also
16 found marijuana at the residence, right?

17 A. Yes.

18 Q. You also found crack cocaine at the residence,
19 right?

20 A. Well, it turned out to be negative for crack
21 cocaine. It was some other substance.

22 Q. Okay. Found a substance in a bag?

23 A. Yes.

24 Q. It was tested, right?

25 A. Yes. It was tested.

1 Q. Not crack?

2 A. Not crack.

3 Q. But you found marijuana, right?

4 A. Yes.

5 Q. You also found digital scales there too?

6 A. Yes.

7 Q. I believe there were multiple cell phones recovered
8 from that residence as well?

9 A. Yes.

10 Q. There was even an item that looked like a
11 walkie-talkie?

12 A. A police scanner.

13 Q. You found a police scanner there?

14 A. Yes.

15 Q. That's the item with the antenna that I'm speaking
16 of, right?

17 A. Yes, sir.

18 Q. I want to speak to you about the two guns that you
19 said that you found. One was just referred to, the first one
20 as the Taurus, okay? That was located in a shoe box I
21 believe?

22 A. Yes. A Nike shoe box.

23 Q. Yes. Orange on the front. That one, right?

24 A. Yes. Yes.

25 Q. And inside that same shoe box was also kind of a

1 cell phone with a broken up screen; is that right?

2 A. Yes. I just don't remember what kind but yes.

3 Q. A cell phone. You know it was that?

4 A. Yes.

5 Q. And then shifting gears with regard to what we have
6 called the Titan Tiger?

7 A. Yes.

8 Q. Which is what you just testified to. That was found
9 in a black, like a backpack, right?

10 A. Yes.

11 Q. And it was found with other items inside that same
12 backpack, right?

13 A. Yes.

14 Q. These other items included multiple driver's
15 licenses and identifications, right, from other individuals?

16 A. Yes.

17 Q. And the folks depicted in these ID's were Caucasian
18 males?

19 A. Yes.

20 Q. And a couple different Caucasian males?

21 A. Yes. I believe it was two different.

22 Q. Okay. And both appeared to be around middle age; is
23 that right?

24 A. Yes.

25 Q. Then some other what appeared to be a family

1 photograph?

2 A. Like a very old one, a black and white. One that
3 was black and white.

4 Q. There was a black and white photograph found along
5 with that, correct?

6 A. Yes.

7 Q. And there were folks that were -- Well, specifically
8 there was not a Scotty Dalefields detained at the residence
9 that night?

10 A. No. There was not.

11 Q. And that was one of the ID cards of a Caucasian male
12 that you had found that night?

13 A. Yes.

14 Q. And there was not a Robert Andy Brown detained at
15 the residence that night?

16 A. No.

17 Q. And his driver's license was found at the residence
18 that night?

19 A. Yes. I believe so. That was an older gentleman I
20 believe.

21 Q. Yes, sir. And it was found in the black backpack
22 along with this gun?

23 A. Yes.

24 Q. And being specific the Titan Tiger, right?

25 A. Yes.

1 Q. And along with those items you also found a business
2 card from a scrap metal place in Trenton also, right?

3 A. Yes.

4 Q. And that was also in that black backpack, correct?

5 A. It was.

6 Q. And you don't know if these individuals that I have
7 just mentioned, whether they - you don't know anything about
8 them, do you?

9 A. Nothing.

10 Q. You don't know if they were involved or victims of a
11 crime at all, do you?

12 A. No.

13 Q. In addition to Hakim Talib there was Shameka Watkins
14 that was also detained?

15 A. Yes.

16 Q. There was another adult detained as well?

17 A. An adult female. Yes.

18 Q. Yes. And all three of those individuals are African
19 American; is that correct?

20 A. Yes.

21 Q. There were two juveniles detained --

22 A. Yes.

23 Q. -- inside the residence?

24 A. Inside the residence. And there were some waiting.

25 Q. And I didn't want to lead to confusion. There were

1 two outside the residence, too, right?

2 A. Yes.

3 Q. And I believe that none of the individuals spoke
4 about how these items got there, did they?

5 A. Nobody did. No.

6 Q. Okay. With regard to anything found in that house,
7 right?

8 A. Mr. Talib just admitted that the marijuana was
9 his.

10 Q. Okay. One last question. There was also a wallet
11 found in that black backpack that I didn't ask you about?

12 A. Yes. There was a wallet and that's where the ID's,
13 some of them had fallen out and some were still within the
14 wallet.

15 MR. CASTO: That was my question. Thank you. No
16 further questions.

17 THE COURT: Anything else?

18 MS. MAYES: Nothing further, Your Honor.

19 THE COURT: All right. You may step down.

20 MS. MAYES: We would ask that the detective be
21 released back to Aiken County.

22 THE COURT: Certainly.

23 MS. MAYES: The State calls Hakim Talib.

24 Thereupon,

25 HAKIM TALIB

1 after having been first duly sworn, testified as follows,

2 THE CLERK: Please have a seat. Once you're seated,
3 state your full name spelling your last please.

4 THE WITNESS: Hakim Talib, T-a-l-i-b.

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q. Mr. Talib, did you receive a subpoena for an
8 appearance in court today?

9 A. Yes, ma'am.

10 Q. All right. I'm going to move the microphone a
11 little bit closer to you. Can you tell us a little bit about
12 yourself right now in 2018? Where do you currently reside?

13 A. Right now I stay in Aiken, South Carolina. I stay
14 with my parents right now because, you know, me and my
15 girlfriend we're not together right now because of my past so
16 now that we're not together I'm working and stuff like that
17 finally.

18 Q. I'll follow up and ask you a few more questions
19 about that. How old are you?

20 A. 29.

21 Q. What is your current employment?

22 A. Right now I work at Carlyle.

23 Q. What type of work is that?

24 A. With the tires. Me personally I check the tires
25 before they go out to John Deere.

1 Q. You mentioned your girl. Who was your girl in
2 2014?

3 A. Shameka Watkins.

4 Q. All right. And how close were y'all?

5 A. Very close. That was my girlfriend, you know? Yes,
6 ma'am. Like we did everything together, you know? We stayed
7 together. She got kids. She got two kids so I take care of
8 them as they are mine, of course. It's our relationship.

9 Q. In 2014 where were you residing?

10 A. In Crosland Park [REDACTED] 6 Alfred Street.

11 Q. Now, whose house actually was that or who had that
12 house?

13 A. Shameka Watkins.

14 Q. And so once you and Shameka's relationship got
15 serious, did you move into that house?

16 A. Yes, ma'am.

17 Q. And her children were there as well?

18 A. Correct.

19 Q. Now, in 2014 what were you doing? Were you working
20 at Carlyle then?

21 A. No, ma'am.

22 Q. What were you doing?

23 A. Actually that's when I actually kind of got in
24 trouble because I was selling marijuana and stuff but yeah.

25 Q. All right. When you say you got in trouble, were

1 you actually arrested?

2 A. Yes, ma'am.

3 Q. And do you remember the approximate date of your
4 arrest?

5 A. It was like sometime in October.

6 Q. All right. Can you tell us whether or not a search
7 warrant was executed at Shameka's house where you were
8 staying?

9 A. Yes, ma'am. It was.

10 Q. Can you tell us whether or not that would be the
11 same search warrant that was executed on October the 22nd,
12 2014?

13 A. That sounds all right. Yep.

14 Q. Okay. So how long had you been selling weed out of
15 Shameka's house?

16 A. Since I got there. Yes, ma'am.

17 Q. Longer than a month?

18 A. Yes, ma'am. Longer than a month. Approximately I
19 would say be about between three to four months, something
20 like that.

21 Q. Was that the only thing you were doing at the time
22 that you were there?

23 A. That's how I survived. Yes, ma'am. Period.

24 Q. During the course of your activity selling marijuana
25 at that residence, how, if at all, did you become acquainted

1 with the defendant in this case Billy Sellers?

2 A. From, you know, the neighborhood. Like to be honest
3 with you, I sold marijuana to the whole neighborhood to be
4 honest with you pretty much so somebody introduced me to Billy
5 or introduced Billy to me to buy marijuana.

6 Q. What type of vehicle did he have back then?

7 A. He drove a van. Yeah.

8 Q. When you say he drove a van, if he would buy
9 marijuana from you -- Where would you always sell marijuana
10 from? Let me backtrack.

11 A. At my house.

12 Q. Always from the house --

13 A. Yes, ma'am.

14 Q. -- on Alfred. And can you tell us whether or not
15 Billy, the defendant in this case, Billy Sellers ever came to
16 Alfred Street for that purpose?

17 A. Yes, ma'am.

18 Q. And what do you remember him driving to get there?

19 A. He drove his little red work van. Work van.

20 Q. Now, at this point in time if Billy Sellers the
21 defendant in this case wanted to contact you about marijuana,
22 how old he go about doing that?

23 A. Cell phone pretty much most of the time.

24 Q. All right.

25 A. Mm-hmm.

1 Q. And did you have a nickname that people in that area
2 knew you by?

3 A. To be honest with you, yes. Jersey.

4 Q. All right. So the name Jersey was your name? That
5 was your nickname?

6 A. Correct.

7 Q. And I want to take you specifically to the time
8 period early October 2014 up and through October 9th of 2014.

9 A. Okay.

10 Q. Had you been selling marijuana to Billy Sellers
11 prior to that date?

12 A. Yes, ma'am.

13 Q. And did he have the occasion to sometimes contact
14 you by telephone as a result?

15 A. Yes, ma'am.

16 Q. When I say telephone, you know, what type of phone
17 are we talking about?

18 A. My cell phone I believe. Okay. Yes.

19 Q. So he had your number in his phone?

20 A. Correct.

21 Q. And I'll show you a document for identification
22 only.

23 A. That's my number and my name.

24 Q. All right.

25 A. Yes, ma'am.

1 Q. The number 803-761[REDACTED]. How do you recognize that
2 number?

3 A. That's my cell phone number.

4 Q. All right. And do you recall getting a phone call
5 on October 9th, 2014 at approximately 7:56 p.m. that was one
6 minute and 5 seconds from the defendant Billy Sellers?

7 A. Yes. I do. But I don't think I seen him that day
8 because I think I was in Atlanta. On the 9th you're talking,
9 right?

10 Q. Right.

11 A. I believe me and my girlfriend went to Atlanta
12 because my birthday is [REDACTED] [REDACTED]. That weekend right there
13 we didn't have funds yet. We waited for her. I sold a little
14 marijuana or whatever. But she had a job so, of course, and
15 we put this money together and went out of town.

16 Q. So the phone call -- Let me ask you this: When
17 Billy would contact you, what was he normally wanting?

18 A. Marijuana all the time. But sometimes he just call
19 me for the guy Gee. Yeah. Somebody that he was working
20 with.

21 Q. I want to ask you a little bit more about that. So
22 sometimes he made a call to you and it would be for
23 marijuana?

24 A. Yes. Most of the time for marijuana.

25 Q. Then you said at least on one other occasion he

1 contacted you about a guy named Gee?

2 A. Correct. Yes.

3 Q. And was he looking for Gee?

4 A. Uhm, yes, ma'am. Every now and then he would call
5 and ask where was Gee for the simple fact he had to go to
6 work. Me personally I didn't. I'm at home.

7 Q. So the call is one minute and five seconds.

8 A. Okay.

9 Q. Other than him looking for marijuana or Gee, does
10 that phone call stand out in your memory at all for any other
11 reason?

12 A. We don't hang out.

13 Q. Okay. When you say we don't hang out, what was the
14 basis of your relationship or acquaintanceship with Billy
15 Sellers?

16 A. Money. Some kind of money, period. He either wants
17 weed or him and Gee I guess going to work so either way I
18 guess him making money.

19 Q. So after that phone call that's one minute and five
20 seconds at 7:56 p.m. on October 9th, I want to move forward to
21 later in October.

22 A. Okay.

23 Q. Did Billy still, prior to you being arrested, did
24 Billy still maintain that relationship or that
25 acquaintanceship where he came to you to purchase marijuana?

1 A. That's after I got busted you said?

2 Q. Before?

3 A. Oh, before. Yes.

4 Q. So we're talking about after you would have received
5 that phone call on the 9th moving up to the 22nd?

6 A. To the 22nd?

7 Q. Yes. I'm talking about that time period --

8 A. Oh, yes, ma'am. Yes, ma'am.

9 Q. -- that time frame.

10 A. Definitely. Yes.

11 Q. Can you tell us whether or not Billy ever approached
12 you about buying anything?

13 A. About me buying something?

14 Q. Right.

15 A. Oh, yeah. A shotgun, pills, and a .38.

16 Q. So I want to take you through each one of those.
17 Where were you when he approached you about the shotgun?

18 A. I was at the same place every single time at my
19 house. I was always home.

20 Q. The house on Alfred?

21 A. Place of business. The wrong business but yeah.

22 Q. When he came to you about the shotgun, do you
23 remember whether or not anyone was with him?

24 A. Yeah. A guy Shawn was in the front seat but he
25 never got out of the car or nothing. Yeah. Shawn.

1 Q. When you say Shawn, do you know Shawn from a
2 particular neighborhood as well?

3 A. Crosland Park.

4 Q. So Shawn also lives in Crosland Park?

5 A. I don't know where he stay now but at that time,
6 yes.

7 Q. What was Billy driving?

8 A. The work van. His red work van.

9 Q. So Shawn was in that van?

10 A. Yes.

11 Q. Okay. Other than Billy driving the van and seeing
12 Shawn in the passenger seat, did you see anyone else in the
13 van?

14 A. No, ma'am.

15 Q. All right. And what exactly did Billy say to you
16 and what was it that he was trying to sell?

17 A. He came one time. The first time he came with some
18 pills and a shotgun but I don't want no shotgun. I ain't
19 interested in no shotgun. I can't flip no shotgun like that.
20 I don't want no big giant gun. I don't need no big gun.

21 Q. I want to ask you about that. Did he show you or
22 indicate to you where the shotgun was?

23 A. Yes, ma'am.

24 Q. Where was that?

25 A. In the back of his van.

1 Q. Okay. And when you say you weren't interested in
2 shotguns -- I'll back up a little bit and ask you some more
3 about the marijuana trade.

4 A. Okay.

5 Q. When you're selling marijuana in general, how much
6 does, how much does a one ounce bag go for?

7 A. An ounce, to be honest, the price probably changed.
8 Now back then a ounce probably about \$95.00, something like
9 that.

10 Q. All right. Do you always take cash or sometimes are
11 other things exchanged in addition to cash?

12 A. I'll take whatever. Like I said, an ounce, since
13 you say an ounce, say somebody had give you the right weight,
14 an ounce is worth \$95.00. Say somebody come to me with just
15 say something they paid for, something that's worth \$300.00.
16 I give you an ounce, I'll try to sell the item and me
17 personally maybe I get a hundred dollars for it 'cause I flip
18 it. That's what I'm interested in.

19 Q. When you say you flip, tell me what you mean by that
20 by flipping?

21 A. Just business. Car salesmen. Anybody. Whatever.
22 They buy, they get it cheaper or whatever, sell it higher.
23 That's the type of business I was in. I was just in the wrong
24 thing as far as marijuana and then buying guns, the wrong
25 thing.

1 Q. Is a shotgun, a long gun something you can flip
2 easily, take and exchange for cash if you were to give him
3 weed and take the shotgun? Is that something you can get rid
4 of easily?

5 A. Ma'am, I would be stuck with that shotgun forever.

6 Q. Why do you say that? What is it about a shotgun?

7 A. Probably nobody would buy it on the streets. You
8 got to think about it. People still now to this day I'm sure
9 people walking around out there with guns and you don't know
10 'cause they go in a pocket, hip. Nobody walking around with a
11 shotgun like that, you know, so...

12 Q. So what kind of gun or firearm is it that you can
13 use or take in exchange for cash that you can flip easy?

14 A. Any kind of handgun. Just a handgun. Yes, ma'am.

15 Q. So when he approached you about the shotgun, did you
16 buy the shotgun?

17 A. No, ma'am.

18 Q. He mentioned pills. Did he tell you what kind of
19 pills he had?

20 A. Yes. Roxie 30's or something. I just heard of them
21 before but I heard of them. I don't want it. No. I don't
22 want it.

23 Q. When he used the word roxies --

24 A. Mm-hmm.

25 Q. -- in the drug trade what do you understand roxies

1 to be?

2 A. A pill. Like, you know, a little pill. Uh-huh.

3 Q. Were you interested in buying the pills?

4 A. No, ma'am.

5 Q. What kind of drug were you interested in selling?

6 A. Probably -- All I sold was weed.

7 Q. Your clients at the time in that trade came to you
8 for what type of narcotic?

9 A. Marijuana.

10 Q. Okay. So did you take either one of those, the
11 shotgun or the roxies from Mr. Sellers?

12 A. No, ma'am.

13 Q. Now, after that time did he approach you on any
14 other occasion?

15 A. Yes, ma'am. He came back probably about two days
16 later or something.

17 Q. At this time what was he driving when he came?

18 A. Still in his van.

19 Q. Was anyone with him at this time?

20 A. No, ma'am.

21 Q. What was he wanting from you?

22 A. Some weed. Marijuana.

23 Q. What, if anything, did he buy the weed with?

24 A. That day with the .38 pistol.

25 Q. Anything else?

1 A. No, ma'am.

2 Q. Did you give him something?

3 A. Yes. Yes, ma'am. Like that was the trade for the
4 .38 pistol, gave him what, a quarter ounce of marijuana. A
5 quarter ounce of marijuana and \$30.00.

6 Q. Okay.

7 A. Mm-hmm.

8 Q. So the \$30.00 went from who to who?

9 A. The \$30.00 went from me to him.

10 Q. All right. And you said he gave you a .38?

11 A. Yes, ma'am.

12 Q. And again, you're at your house on Alfred Street?

13 A. Correct.

14 Q. How, if at all, did Shameka feel about you having
15 guns in the house?

16 A. That was just another argument that day to be honest
17 with you because when I walked back in the house to put it up,
18 again we just got back into it again.

19 Q. Are you and, did you and Shameka stay together after
20 that search warrant after you got busted?

21 A. For a little bit but, you know, like that search
22 warrant and she just didn't like what I was doing so, you
23 know, that stopped that but then I'm glad. That's when I
24 changed and start working so...

25 Q. So ultimately your relationship with Shameka, were

1 you able to keep that intake?

2 A. Yes, ma'am. I started actually talking with Shameka
3 because of that job so I'm working now and all of that.

4 Q. Were you able to keep your relationship together in
5 terms of whatever way it was before?

6 A. No, ma'am. Not as far as relationship with
7 relationship.

8 Q. Did she agree with your lifestyle?

9 A. No, ma'am. That's what she say. No, ma'am.

10 Q. So the .38 that you got from Billy --

11 A. Mm-hmm.

12 Q. -- what do you remember doing with it?

13 A. I got it from Billy but then, and I just put it up
14 inside the house or whatever. To be honest, I thought that
15 somebody stole it because I thought it was missing. I thought
16 that .38 was gone.

17 Q. I'm going to show you an item that is State's 65.
18 Detective Colindres with the Aiken Department of Public
19 Safety, do you remember the narcotic officers being there at
20 the house on October 22nd?

21 A. Yes, ma'am.

22 Q. Do you remember what items ultimately they seized
23 from your house?

24 A. Yes, ma'am.

25 Q. What were those items that you recall? Do you

1 remember whether or not firearms were taken?

2 A. Yes, ma'am. It was.

3 Q. How many firearms?

4 A. Two. Two.

5 Q. Do you recognize what is State's 56?

6 A. Well, I recognize this gun. Yes.

7 Q. Who did you receive that gun from, Mr. Talib?

8 A. Billy Sellers. I bought it from him, the one right
9 there for \$30.00 and the weed.

10 Q. Now, after you got busted on the 22nd, you were
11 actually placed under arrest?

12 A. Yes, ma'am.

13 Q. And about how long was it until you made bond?

14 A. About two days I believe. Yeah. About two days.

15 Q. After you made bond two days later, where did you go
16 back to?

17 A. I went back to Crosland.

18 Q. So you went back to the same house on Alfred
19 Street?

20 A. Yes, ma'am.

21 Q. Now, do you remember at any point in time after you
22 got arrested and went back to Alfred Street whether Billy
23 Sellers ever came by again?

24 A. Yes. He tried to come by and buy some more weed.

25 Q. All right. At this point in time once you get

1 busted, how do you explain to people that --

2 A. I'm done. I'm good. Like I'm just not doing this
3 no more. That's pretty much like a couple people kept coming,
4 kept coming. I tell my girl we got to move. Yeah. We got to
5 move. Trust me.

6 Q. Okay. So when he came back by after the bust, what
7 did you explain to him?

8 A. Oh, I just told him like yo, I ain't got no more
9 weed. I ain't got nothing. I'm just like I'm done. I'm
10 broke. Because a lot of people kept coming, irritating.
11 People still knocking on the door. Stuff like that. I don't
12 even pick up the phone. Don't call me. Leave me alone.

13 Q. People were still trying to buy from you?

14 A. Yes, ma'am.

15 Q. Did you explain to Mr. Sellers, do you remember
16 whether or not you explained to him that you had been
17 busted?

18 A. Yes. I did tell him I got busted.

19 Q. By law enforcement.

20 A. Yes, ma'am.

21 Q. And that items had been seized from the home?

22 A. Correct. Everything.

23 Q. Moving back before the bust, when you mentioned that
24 Billy came by in the van and attempted to sell the shotgun and
25 the roxies the first time before you ended up buying the .38,

1 do you remember where he had the shotgun?

2 A. The shotgun was like in the back of the van.

3 Q. Do you remember what all was back there?

4 A. Like work stuff really.

5 Q. Did he actually show you that gun?

6 A. The shotgun?

7 Q. Yes.

8 A. Yes, ma'am.

9 Q. How did he go about showing it to you?

10 A. He unwrapped it. You know, he went to the trunk,
11 whatever, popped the van, unwrapped it but I was already not
12 interested before I even seen it.

13 Q. When you say unwrapped it, what do you mean by
14 that?

15 A. He had like a cover or something over it.

16 MS. MAYES: Okay. Nothing further.

17 CROSS EXAMINATION

18 BY MR. CASTO:

19 Q. Hi, Mr. Talib. How are you?

20 A. All right. Yourself?

21 Q. Good. You told us today that you got that gun from
22 Billy; is that right?

23 A. Yes, sir.

24 Q. And ultimately back on January 22nd of 2015 you had
25 the opportunity to speak with Detective Ireland about this; is

1 that right?

2 A. Correct.

3 Q. And you spoke with him, right?

4 A. Correct.

5 Q. He spoke with you, right?

6 A. Yes.

7 Q. And he wanted you to tell the truth about what
8 happened?

9 A. Okay.

10 Q. Well, I'm asking.

11 A. Oh, yes, sir.

12 Q. Okay. And you didn't want to write a written
13 statement at that time; is that right?

14 A. Correct.

15 Q. And there during that interview you told Detective
16 Ireland that you did not get the gun from Billy, right?

17 A. Yes. Yes. There was a reason why because I had two
18 guns. I had my own pistol also but they say a black .38. I
19 had a black .38. Now, what Billy had was a rusty I thought
20 silver at first and I still claim silver.

21 Q. Again, my question is you said that you did not get
22 the gun from Billy, right?

23 A. Correct. Yes, sir.

24 Q. You, in fact, said that you got the gun from a guy
25 named Sam, right?

1 A. Yes, sir.

2 Q. Okay. And you had not one but two guns in your home
3 but you for whatever reason just did not want this shotgun
4 that you're telling us about today?

5 A. Okay. Right.

6 Q. Right?

7 A. Yes.

8 Q. Now, at your home or you described it in those days
9 as a place of business, right?

10 A. At that time, yes, sir. Crazy.

11 Q. The wrong type of business, right?

12 A. Yes, sir. Definitely.

13 Q. And you had that gun and it was found in your home
14 in a backpack, right?

15 A. I'm not sure if it was in the backpack. When the
16 police raided my house, I thought that gun was stolen, gone,
17 lost. So many people coming in and out of my house because of
18 what I was doing, I thought that gun was gone, stolen
19 personally.

20 Q. But how exactly, would you describe to us how
21 exactly you would lose a gun?

22 A. Because like too many people come in and out of my
23 house. I didn't even think it was lost. I thought it was
24 stolen. There's a difference between stolen and lost, of
25 course.

1 Q. All right. And ultimately -- You were there when
2 your house was searched, right?

3 A. Yes, sir. I was.

4 Q. And in addition to the gun that was found they also
5 seized multiple ID cards from other individuals, right?

6 A. Yes, sir.

7 Q. Okay. And these are middle aged individuals,
8 right?

9 A. Yes, sir.

10 Q. And you're not sure where those came from, are
11 you?

12 A. They said I believe there was two of them. One of
13 them I don't know but the other guy, I forgot his name, the
14 bald headed one, we used to do business or whatever, so he
15 owed me a couple dollars and the only way that he was gonna
16 get his ID back, he had to get his ID to cash his check so he
17 had to come there with his check and we would go and that's
18 how I would get my money. But the other person I honestly
19 can't explain that one.

20 Q. Okay. In other words, you don't know the one person
21 at all, right?

22 A. Correct.

23 Q. And the other person somehow or another you were
24 also in the check cashing business. Too?

25 A. No, sir. I was not in the check cashing business.

1 They owed me money from marijuana so it would be pretty much
2 like this. Hey, can I borrow 20 of marijuana? Here you go.
3 Here's my ID. I cash my check Friday and I can't cash my
4 check until I come and get my ID from you so he gives me a
5 little bit.

6 Q. Well --

7 A. You know you can't cash a check without an ID.
8 Well, I got his ID.

9 Q. But you just testified that he would turn his ID
10 into you?

11 A. Yeah. He gives me his ID to me for marijuana, now
12 you owe me, I'll just say \$30.00, and you got to cash your
13 check. The only way you can cash your check is with what?
14 ID. So he come to me and now we go and I have the ID right
15 now and so that's how that works. That's how they get their
16 money to give to me and I guess pay their bills and family,
17 whatever else they have to do.

18 Q. Okay. And back during your interview on January
19 22nd with Investigator Ireland you told him several things,
20 right?

21 A. Correct.

22 Q. You told him that Billy didn't ask you to be part of
23 a murder, right?

24 A. Correct.

25 Q. And you knew what the basis of that conversation

1 was, right?

2 A. Yes, sir. But just to phrase it, he never asked me
3 to be no part of a murder, period.

4 Q. Okay.

5 A. Yeah. To rephrase that.

6 Q. Okay. One thing I forgot to ask you was there was
7 also a wallet found in that same backpack; is that right?

8 A. I'm not sure. Probably was. I'm really not sure.

9 Q. Okay. And you also had one of these individual's
10 Social Security cards?

11 A. That could be one that I found in the wallet.
12 Remember I just told you about two ID's? People find wallets
13 all the time. It was probably one I found. But the other one
14 I'm telling you what it was. The other guy owed me money.
15 But now you're saying it's an ID that came in a wallet, yeah.
16 Probably like that.

17 Q. And you were fortunate enough to find the wallet and
18 ultimately stored it along with your gun, right?

19 A. Yeah. Just put stuff together because I usually, if
20 you notice, not having your name in this bookbag and stuff
21 it's really not being used.

22 Q. One of the business cards you also had was to a
23 scrap metal place as well, right?

24 A. Mm-hmm.

25 Q. Okay. And you admitted that in and around this time

1 that you sold drugs; is that right?

2 A. Yes, sir.

3 Q. And when you speak with Investigator Ireland on
4 January 22nd, 2015 --

5 A. Mm-hmm.

6 Q. -- your charges were still pending at that time,
7 right?

8 A. Yes, sir.

9 Q. It wasn't until, I think, some time in 2016 that you
10 eventually went to court on those charges?

11 A. Correct.

12 Q. And the only difference between you and somebody
13 that's in jail with pending charges is that you were able to
14 pay your bond, right?

15 A. Mm-hmm.

16 Q. Is that right?

17 A. Yes.

18 Q. And you paid your bond two days after you got
19 arrested?

20 A. Okay. Yes.

21 Q. Is that right?

22 A. Yes.

23 Q. Okay. I thought that's what you had testified to on
24 direct, right?

25 A. Say that again.

1 Q. I'll rephrase it. In other words, once you got
2 arrested back in October --

3 A. Right.

4 Q. -- you paid your bond and you bonded out of jail two
5 days later?

6 A. Yes, sir.

7 Q. That was the only difference between you and
8 somebody else in jail is that you paid your bond to get out?

9 A. Okay. Yes, sir.

10 Q. But your charges were still pending, right?

11 A. Correct. Yes, sir.

12 Q. Okay. And specifically you were charged with two
13 things. I think it was possession with intent to distribute
14 marijuana, right?

15 A. Correct.

16 Q. And you know that's a felony?

17 A. Yes, sir.

18 Q. It carries zero to five years in prison?

19 A. Correct.

20 Q. It's also a drug offense, right?

21 A. Okay. Okay. I'm listening. You teaching me
22 personally.

23 Q. In other words, you knew it was a drug charge?

24 A. Oh, yes, sir. Yes, sir. Yes. Yes.

25 Q. The way drug charges work, you knew that if you got

1 another drug charge down the line that you would face higher
2 punishment, right?

3 A. Correct.

4 Q. Okay. And you were also charged with distribution
5 of marijuana within proximity of a school, park or playground,
6 right?

7 A. Yes, sir.

8 Q. And that is a felony as well?

9 A. Correct, sir.

10 Q. You were looking at zero to 10 years and/or a
11 possible fine?

12 A. Correct.

13 Q. And it's also a strike; is that right?

14 A. I believe so. I believe so.

15 Q. Okay. Strikes kind of work, you know, like
16 baseball, three strikes --

17 A. You're right.

18 Q. -- and they can seek life without parole, right?

19 A. Yes, sir.

20 Q. And this was one of those strikes, right?

21 A. Correct.

22 Q. Okay. I think coming with that you also had a
23 possession of a controlled substance charge in addition to
24 those, right?

25 A. Yeah. All the strike stuff I was never thinking

1 about. But yeah. Right. You putting that in my head.

2 Right.

3 Q. Okay. And that was, basically that was a pill
4 charge that carries up to six months in prison --

5 A. Okay.

6 Q. -- right?

7 A. I believe so.

8 Q. Okay. And you were arrested, just so I understand,
9 on October 22nd, 2014 and that was the same date that your
10 house was searched, right?

11 A. Yes, sir.

12 Q. You're talking with Investigator Ireland jumping
13 ahead to January 22nd, 2015 where he's asking you questions
14 about a murder case, right?

15 A. Yes, sir.

16 Q. And you don't want to go, like anyone else, you
17 don't want to go to prison on those charges that you faced,
18 right?

19 A. Yes, sir. To be honest, when Mr. Ireland started
20 talking to me about that, I didn't really - You know, I got to
21 obey the rules. I didn't even want to talk about that because
22 I had nothing to do with it like to that point right now but I
23 got to be here so I'm here.

24 Q. Okay. And you're saying that you were obeying the
25 rules when you were at your house or your place of business,

1 right?

2 A. Yes, sir. When he needed to speak to me, whatever,
3 that's obeying the rules.

4 Q. I'm talking about back when you were selling
5 marijuana.

6 A. No, sir. I was not obeying the rules then. I
7 clearly stated at the beginning I was doing dumb stuff, place
8 of business.

9 Q. And specifically Investigator Ireland on January
10 22nd is asking you questions about Billy Sellers, right?

11 A. Yes, sir.

12 Q. And you don't want to go to prison on those charges
13 is what you just testified to?

14 A. Definitely.

15 Q. And doing a little math you were looking up to 10
16 years in prison on one of the charges, right?

17 A. Okay.

18 Q. Is that right?

19 A. Yes, sir.

20 Q. And the other charge you were looking at up to five
21 years in prison on that charge, too, right?

22 A. Correct.

23 Q. And the pill charge carried up to six months?

24 A. But at the time, you know how the law really work
25 honestly, say all those years add up and all that, that's my

1 first time getting in trouble and I was never on probation
2 before and nothing like that so that really didn't scare me.
3 I mean, you know, I know a lot of people from being on the
4 streets, oh, you gonna be all right. You gonna be on
5 probation. All this. I was worried but at the time all these
6 people telling me that, okay, cool. Let's see. So it was
7 like no worries if that's what you thinking.

8 Q. In other words, you were looking at zero to 10 on
9 the one charge and zero to five on the other charge, right?

10 A. Okay. Yes, sir.

11 Q. Both of these added up together would have been 15
12 years?

13 A. Yeah. But like I'm saying, I wasn't really harming
14 nothing or doing anything so that didn't really scare me is
15 what I'm trying to tell you if that's what you getting to, you
16 know.

17 Q. Okay. In other words, it's your testimony the fact
18 that you could have gone to prison for 15 years --

19 A. I would not -- I guarantee I wouldn't have went to
20 prison 15 years. I wasn't doing no harm. First time getting
21 in trouble. You know how the system really works. It's
22 levels to it. Probation. You gonna just send me straight
23 there for marijuana when -- It just doesn't add up. Come on.
24 Your question again?

25 Q. And it's your testimony that you were not afraid of

1 going to prison for 15 years?

2 A. Yes. I am.

3 Q. Okay.

4 A. 15 years. Yes.

5 Q. Okay.

6 A. I was not afraid of the outcome for what you are
7 talking about.

8 Q. Okay. And flash forward four days later after you
9 spoke with Investigator Ireland on January 22nd, four days
10 later on January 27th you call Investigator Ireland, right?

11 A. Yes, sir.

12 Q. He didn't call you, he called him?

13 A. Right.

14 Q. Right?

15 A. Mm-hmm.

16 Q. And it's at that point is when you told Investigator
17 Ireland that Billy sold you that gun?

18 A. Right.

19 Q. And this is the same gun that wasn't supposed to be
20 at your house because you thought it had been lost or
21 stolen?

22 A. Stolen. Correct.

23 Q. Okay. I want to flash forward again to May 12th,
24 2016. That was the same date that you were interviewed again
25 by Investigator Ireland, right?

1 A. Yes, sir.

2 Q. This interview took place at the Edgefield County
3 Sheriff's Office, right?

4 A. Yes, sir. I believe so. Yes.

5 Q. And you were asked more questions about the gun that
6 was found at your house?

7 A. Correct.

8 Q. Specifically the Titan Tiger that was found at your
9 house?

10 A. Mm-hmm.

11 Q. By that time it was known that it had Johnny
12 Hydrick's DNA on that gun, right?

13 A. Oh, yes.

14 Q. And again you tell Ireland even a year later in 2016
15 that you thought that you had lost that gun, right?

16 A. Yes.

17 Q. And you thought that it had been stolen --

18 A. Correct.

19 Q. -- right?

20 A. Mm-hmm.

21 Q. And then in that interview you also tell
22 Investigator Ireland about Gee, right?

23 A. Yes, sir.

24 Q. And specifically Gee, this sounds silly, but Gee,
25 there's enough evidence that Gee is a real person, right?

1 A. Yes, sir.

2 Q. And you tell Investigator Ireland during that
3 interview that you don't know Gee's full name?

4 A. No, sir. That was just - the way me and him was
5 introduced, period. Me and Jersey, dumb gang. Remember I
6 told you back then I was doing some crazy stuff, Jersey being
7 a gang member come down here selling drugs and all that. But
8 the thing is I'm glad I'm just out of that. I'm working and
9 stuff like that. I'm 30 years old I guess at that time I
10 guess they call those little periods. It's gone.

11 Q. Just so I'm clear on what you said, in those days
12 you were in a gang? Is that what you just told us?

13 A. Yes, sir. More like a neighborhood gang. Yes,
14 sir.

15 Q. Okay. Not a national one but just a local one?

16 A. No, sir.

17 Q. Okay. Not the Bloods, Crips?

18 A. No, sir. Just a neighborhood gang.

19 Q. Okay. And you told -- Well, it was believed at one
20 time that it was thought that you and Gee were cousins,
21 right?

22 A. Yes, sir. I believe so. But no, we're not
23 cousins.

24 Q. Okay. And you have the nickname Jersey, right?

25 A. Yes, sir.

1 Q. And that's because you are from --

2 A. New Jersey.

3 Q. -- New Jersey. Specifically form the Camden area,
4 right?

5 A. Yes, sir.

6 Q. And one thing that you did tell Investigator Ireland
7 is that Gee had gotten in trouble with the law the day before
8 you did; is that right?

9 A. I believe so. Yes, sir.

10 Q. And the day that you got arrested was October 22nd
11 so the day before would have been October 21st, right?

12 A. Yes, sir.

13 Q. And you know a lot about Gee but you still don't
14 know his full name, right?

15 A. That was actually the same thing when they presented
16 me with the whole case. Billy Sellers, at first I didn't know
17 who I thought he was but then, you know, they showed me a
18 picture, oh, okay, this guy. He buy weed from me. I don't
19 know him like that. So I'm not from here but one thing I have
20 noticed here, oh, you from where? Who your people? What's
21 your last name. In Jersey we don't do that.

22 Q. Well, the thing is during that interview in May of
23 2016 you said that you and Gee used to be on the same
24 basketball team in school in Camden, New Jersey but you're
25 telling us that you didn't know his full name?

1 A. He tried out.

2 Q. Okay.

3 A. And then beside that in school he dropped out so
4 therefore I'm there all the time while he's in the street,
5 well, I don't want to communicate with this guy too much.

6 Q. You --

7 A. And -- I'm sorry. Go ahead.

8 Q. You and Gee are both from New Jersey?

9 A. Both from New Jersey.

10 Q. Both from Camden?

11 A. Yes, sir.

12 Q. Went to the same school?

13 A. For, yeah, probably about two years.

14 Q. Tried out for the same basketball team?

15 A. Yes, sir. Well, actually to be honest with you, it
16 sound crazy but I didn't really have to try out. I sat there
17 and watched everybody try out. It was football season so I
18 ain't have to do that in and out of the gym. I'm already on
19 the team.

20 Q. And even though you had all those interactions with
21 Gee you don't know his full name?

22 A. Exactly. That's the same with Billy Sellers was.

23 Q. You both ended up together in the Aiken, South
24 Carolina area?

25 A. Yes, sir. Because like I say, I was -- I'm a good

1 friend now. I'm a friend that's gonna do the right thing with
2 all of my friends. Say he want to do right. Well, I'm the
3 one that most of them will call. Hey, yo, what up? Da, da,
4 da. What you doing? Da, da, da. And I'm trying to get it
5 right, man. Stay straight. Trying to get out of trouble.
6 Trying to do that. All right. Yeah. Let's see what's going
7 on. And yet if I can afford something or they got their
8 tickets or however, all right, great. Let's see if you got
9 any space. That's how that works.

10 Q. A good friend that just didn't know his name,
11 right?

12 A. Pretty much. 'Cause I can't even say a good friend.
13 Like I said, from the streets. I'm not -- I ain't really
14 found no good friends on the streets. I found all my good
15 friends on my jobs now. They teach me a lot as far as my
16 music and everything. I'm actually making money off of it and
17 I been doing that since the streets so all the good people
18 really doing what I'm doing now at work.

19 Q. Okay. And flashing forward to April 11th, 2016
20 you went to court in Aiken County and pled guilty, right?

21 A. Yes, sir.

22 Q. You pled guilty to distribution of marijuana within
23 proximity of a school, park or playground, right?

24 A. Yes, sir.

25 Q. We agreed that you faced up to 10 years in prison

1 on, right?

2 A. Yes, sir. No. We agreed that I would be scared
3 that it was 15 years.

4 Q. In other words, what I'm asking you is we agreed you
5 were facing up to 10 years?

6 A. Yes, sir.

7 Q. You pled guilty to possession of a controlled
8 substance, right?

9 A. Correct.

10 Q. Or you could have received additional amount --

11 A. Six months.

12 Q. -- in prison up to six months, yes, sir.

13 A. Yes, sir.

14 Q. But your possession with intent to distribute
15 marijuana charge was dismissed by the prosecutors, right?

16 A. Okay.

17 Q. Is that correct?

18 A. I'm not sure. To be honest I just followed through
19 the system. Just like I told you I'm doing now, I'm just
20 following through the system.

21 Q. In other words, you didn't plead guilty to the
22 possession of marijuana or possession with intent?

23 A. I had to plead guilty because I'm on probation,
24 right? That case right there is so old, it's just more like,
25 all right, we're gonna give you probation, okay? I'm thankful

1 I'm not going to jail. Let's do it. It's more like that. I
2 don't know what's going on.

3 Q. In other words, you pled guilty to the proximity
4 charge; is that right?

5 A. I guess.

6 Q. Okay. In other words, you pled guilty to the one
7 that carried up to 10 years what you just told us?

8 A. Okay.

9 Q. Is that right?

10 A. All right. Yes. That's right.

11 Q. Okay. And prior to you being sentenced, you wanted
12 the judge to think well of you, right?

13 A. Mm-hmm. Yes.

14 Q. Because you didn't want him to give you up to 10
15 years in prison, right?

16 A. Okay. Correct. Yes, sir.

17 Q. And you didn't want him or her to punish you too
18 much, did you?

19 A. That's why I had to go to work and become a working
20 man.

21 Q. Okay. And the judge knew that you had spoken with
22 Investigator Ireland on this case?

23 A. I'm not sure. I don't know.

24 Q. Okay. To reset the scene, you pled guilty, you're
25 standing in front of the judge, right?

1 A. Okay.

2 Q. A judge that with the stroke of a pen filling out
3 your sentence sheet could give you prison time?

4 A. Yes, sir.

5 Q. And your testimony today is you're not sure if he
6 knew whether you had spoken to Ireland or not, Investigator
7 Ireland?

8 A. I never spoke to the judge so honestly --

9 Q. Well, the judge asked you questions at that time,
10 right?

11 A. Oh, you talking about speaking to a judge in front
12 of me. Yeah. I think it was that. But this was a whole
13 other case and a whole other day in Aiken.

14 Q. Okay. But your testimony today which you just
15 testified to is you're not sure whether he knew that you had
16 spoken with law enforcement about this case, right?

17 A. Oh, yeah. No. I didn't know.

18 Q. Okay. And as the outcome as you told us before you
19 received probation --

20 A. Yes, sir.

21 Q. -- on your charge, right?

22 A. Correct.

23 Q. And you did not go to prison, did you?

24 A. No, sir. I didn't.

25 Q. All right. You had traded other items for marijuana

1 in those days as well, right?

2 A. Yes, sir.

3 Q. And you had traded for marijuana. You also
4 exchanged other guns and things of that nature, too, right?

5 A. To be specific, yes, sir. I have other guns and
6 stuff, right.

7 Q. Do you remember the make and model of all those
8 other weapons?

9 A. Uh, not really. No. Because some of them I just be
10 like literally like the middle man. Hey, yeah. You say
11 you want to get on here? Yeah. Yeah. You want to be on
12 here? Oh, yeah. He outside. Just tell him this the price.
13 This price right here. Just bring me back a hundred dollars
14 like that. Boom. Yeah. Sometimes it work like that.

15 Q. Okay. But you don't specifically remember all the
16 makes and models of the guns that you traded over the years?

17 A. The years? No.

18 Q. Okay.

19 A. But it wasn't - it was really not many guns. I get
20 more electronic than guns.

21 Q. Okay. And you know an individual with the street
22 name Head?

23 A. Who?

24 Q. An individual with the street name Head?

25 A. Head?

1 Q. (Lawyer nodding head.)

2 A. Head. Back in the day I did but I don't know if he
3 around now or what's going on. I don't know where Head at
4 now.

5 MR. CASTO: Okay. No further questions.

6 REDIRECT EXAMINATION

7 BY MS. MAYES:

8 Q. All right. So he's asking you about ultimately on
9 your charge where you were busted were you worried about
10 getting a 15 year sentence. Were you?

11 A. At the time? No, ma'am.

12 Q. Why is that?

13 A. Because like I say, shoot, I never even got
14 probation yet. I never been to prison yet. I never - this my
15 first time in court down there, simple as that.

16 Q. From what you know of the marijuana trade was
17 possession with intent to distribute marijuana is probation an
18 ordinary sentence?

19 A. Yes. Yes, ma'am.

20 MR. CASTO: Objection. Leading.

21 THE COURT: Sustained as to leading.

22 BY MS. MAYES:

23 Q. Can you tell us what you understand an ordinary
24 sentence to be?

25 A. For the marijuana?

1 Q. Yes.

2 A. Me, personally for marijuana, I don't know. I'm not
3 sure. But what, probably about five years. I'm guessing.
4 Something like that. But like it's something that me
5 personally I was into making money. I could have picked up
6 anything from the crack to anything. I picked up weed because
7 I was smoking it at that time and shoot to be honest with you,
8 it sound crazy, but shoot even if it's illegal over there,
9 I'll sell it. Can't get in much trouble.

10 Q. So when we talk about marijuana as opposed to other
11 drugs, what did you expect your sentence to be?

12 A. What did I really expect my sentence to be? After
13 talking to people and all that, because at first like I told
14 you it my first time. First time you pretty much are scared.
15 I was pretty much worried. I'm not gonna say scared.

16 Q. This was your first time being charged?

17 A. Yes, ma'am, with any kind of thing like this so, you
18 know, I'm asking people all around, oh, man, you all right.
19 Stop crying. You gonna get probation. Man, you all right.
20 I'm just like, oh, dang, everybody saying this so all right.

21 Q. All right. So understanding that, did you plead
22 guilty?

23 A. Yes, ma'am.

24 Q. All right. And Mr. Casto was asking you about
25 whether you got any promises or consideration. Do you

1 remember ever having anyone from the Edgefield County
2 Sheriff's Department there for your plea?

3 A. No. Oh, that's what he was saying about Aiken. I
4 was wondering why he was saying that. No. I never seen him
5 until this happened. I was wondering why he was asking me was
6 this man there.

7 Q. Okay.

8 A. Yeah.

9 Q. So you pled guilty without promises or any
10 considerations?

11 A. I pled guilty from promises from the people in the
12 streets I'm gonna get probation.

13 Q. Now, tell us, if you can, and I'll be brief, but
14 tell us, if you can, on follow up to what Mr. Casto was asking
15 you about specifically about taking ID's for checks,
16 electronics, things of that nature in exchange for the
17 marijuana that you were dealing?

18 A. At that time I actually remember finding a wallet so
19 I know that's one of the things he's talking about. Besides
20 that one of the wallets -- Actually I can tell you what this
21 guy looked like. It's a white guy with like a goatee, like a
22 grayish goatee whatever and a bald head. That's the one that
23 I was talking about. I forgot his name now because I'm not
24 doing that stuff no more but at the time he owed me some money
25 from, you know, I gave him marijuana so he gave me his check.

1 I mean he gave me his ID. Say he had to cash his check
2 whatever, say Thursday, I get my check Thursday. I got to
3 cash my check. I got to come get my ID to get it so he owed
4 me \$30.00 or whatever, with a check in his hand, the ID in my
5 hand. Here's your ID and we hop in the car and we go and cash
6 the man check and get back in the car, give me my whatever, my
7 \$30.00 or whatever, drop me back on off to the house and he
8 continue his day.

9 Q. Okay. And is that usual or unusual in the drug
10 trade?

11 A. To be honest with you, I don't know how unusual it
12 is for other people but it was one person that showed me that
13 so I was like that's pretty, that's nice.

14 Q. All right. So that worked in that particular
15 situation?

16 A. Yes, ma'am. He had to get his ID to cash his
17 check.

18 Q. Now, moving forward to January of 2015, you're
19 busted in October of 2014. You testified that Billy later
20 comes by, still wants to buy weed. You explain you have been
21 busted. You have been arrested. Did you ever prior to
22 January 2015, did you ever have any contact with this
23 detective or any detective in the homicide investigation
24 concerning Johnny Hydrick?

25 A. You said January '15?

1 Q. January 2015.

2 A. '15. I'm not sure of the dates to be honest. I'm
3 not sure of the dates.

4 Q. Okay. Prior to this officer coming to interview
5 you, did you have any other contact with law enforcement?

6 A. Oh, no, ma'am. Uh-uh.

7 Q. That's just to clarify.

8 A. Okay.

9 Q. So prior to your contact with this officer, you had
10 never spoken about it to anyone?

11 A. No, ma'am. You're talking about this situation,
12 right?

13 Q. Right.

14 A. Oh, yeah. I didn't know about it.

15 Q. Okay. Now, one of the questions that Mr. Casto
16 asked you is whether or not or about the conversation you
17 first had with the officer where you mentioned the name Sam.
18 Tell us what guns were taken from your residence and then
19 which ones affiliated with Sam?

20 A. I had a Taurus. .38 Taurus. That's the gun to be
21 honest with you when we first started speaking, period, when I
22 spoke to Mr. Ireland, period, that's the one I thought he was
23 talking about. Because the other gun, like I told you, I'm
24 just trying to sell it, flip this gun, you know? So like it's
25 not even in my head as far as, oh, my gun. But then once, you

1 know, we spoke, and I told my girlfriend that, you know, we
2 got to talking, well, yeah, I thought I had my gun in here,
3 this and da, da, da. Oh, well, talking about it. Well, it
4 could have been my other gun, da, da, da. What he did with
5 that. Oh, Mr. Ireland, I did buy a gun from da, da, da, da,
6 and that's how all that all started.

7 Q. All right. So the guns that you were describing,
8 what type of guns were they? Automatics? Revolvers? That's
9 what I'm asking.

10 A. Oh, they were revolvers.

11 Q. Okay. So both were revolvers?

12 A. Yes, ma'am.

13 Q. Both being handguns?

14 A. Yes, ma'am.

15 Q. Which one of those did you buy from Sam?

16 A. The all black one. The black one that I thought you
17 guys were talking about.

18 Q. Okay. And so when the officer first approaches you
19 about a gun that was seized from your residence, did you tell
20 him about the gun that you bought from Sam?

21 A. Yes. That's the only gun, you know, that's the only
22 gun that's in my head, my gun.

23 Q. All right. And then later did you clarify the
24 second gun and where you had obtained that?

25 A. Yep. That's after me and Shameka talk about,

1 talking about somebody took my gun, da, da, da. That's when
2 she was asking me what happened with the other one. Yes.
3 Mr. Ireland, da, da, da. Yeah.

4 Q. All right. Is that the same gun that you previously
5 identified in this case?

6 A. Yes, ma'am. It definitely is. Looks like it.

7 Q. One of the things that Mr. Casto was asking you
8 about was the shotgun as well. Did you report to the officer
9 that Billy had approached you about the shotgun?

10 A. Uh, I believe I did.

11 Q. All right. And in addition to telling him about
12 that did you have any other information as to where the gun
13 had come from prior to Billy giving it to you?

14 A. No, ma'am.

15 Q. Is that something that you asked questions about
16 when you're taking guns?

17 A. Only if anybody here go to Walmart and start asking
18 questions exactly. Nobody start asking questions. Who do?

19 Q. And why is that?

20 A. You can afford it, you want it, you get it. That's
21 pretty much what everybody here doing.

22 Q. Now, Mr. Casto was asking you about Gee.

23 A. Yeah.

24 Q. Gee is someone that you testified that you knew?

25 A. Yes, ma'am.

1 Q. And can you tell us whether or not that's the same
2 Gee that you previously stated that Billy Sellers called you
3 asking about?

4 A. Yes, ma'am. That's the same Gee because I believe
5 -- Well, I know for a fact they used to work together. That's
6 the same Gee.

7 Q. All right. And when you say they used to work
8 together, do you know how frequently Billy would spend time
9 with Gee?

10 A. I can't exactly put anything on that. All I'm
11 saying is I'm guessing they worked Monday through Fridays or
12 something. I don't know. I'm just guessing.

13 Q. All right. And the last time that Billy called you
14 looking for Gee, do you know whether or not he found Gee on
15 that occasion?

16 A. No, ma'am. I don't.

17 MS. MAYES: Nothing further.

18 THE COURT: Recross.

19 RECROSS EXAMINATION

20 BY MR. CASTO:

21 Q. You had mentioned a guy named Sam, right?

22 A. Yes.

23 Q. You don't recall what Sam's last name was, do you?

24 A. Uh, no. Not at all. I actually knew Sam, uhm, did
25 a trade like -- Where were we at? No. I just didn't know the

1 guy, period. It just somebody, you know, I met him through
2 somebody. Just like if you knew somebody selling a gun, then
3 boom, that way.

4 MR. CASTO: No further questions.

5 THE COURT: You may step down. Is the next witness
6 the phone guy?

7 MS. MAYES: Should be fairly brief.

8 THE COURT: He'll be brief. Y'all do one more
9 witness before lunch, okay? All right. Go ahead and get
10 him.

11 MR. MCNAIR: The State calls Shameka Watkins.

12 Thereupon,

13 SHAMEKA WATKINS

14 after having been first duly sworn, testified as follows,

15 THE CLERK: Please have a seat. Once you're seated,
16 state your full name spelling your last please.

17 THE WITNESS: Shameka Terrell Watkins,
18 W-a-t-k-i-n-s.

19 DIRECT EXAMINATION

20 BY MR. MCNAIR:

21 Q. Ms. Watkins, where are you from originally?

22 A. Aiken.

23 Q. Do you have any children?

24 A. Yes. I do.

25 Q. How many?

- 1 A. I have two.
- 2 Q. Are you currently working?
- 3 A. Yes.
- 4 Q. Where are you working?
- 5 A. Hitchcock Place.
- 6 Q. What is that?
- 7 A. It's assisted living.
- 8 Q. How long have you been there?
- 9 A. Four years.
- 10 Q. Now, back in October of 2014 where were you
- 11 living?
- 12 A. [REDACTED] Alfred Street.
- 13 Q. Who was living there with you?
- 14 A. Hakim Talib and my two kids.
- 15 Q. Does Hakim Talib have a nickname?
- 16 A. Yes.
- 17 Q. What's that?
- 18 A. Jersey.
- 19 Q. So you lived there with him and your two kids,
- 20 correct?
- 21 A. Yes.
- 22 Q. Were y'all in a relationship at that time?
- 23 A. Yes.
- 24 Q. Are you still in a relationship?
- 25 A. No.

1 Q. Now, during the time that you were living with him
2 there on Alfred Street, how was he making a living?

3 A. He was selling marijuana.

4 Q. Did he help you pay bills there?

5 A. Yes.

6 Q. Was he making pretty good money doing that?

7 A. He did okay.

8 Q. And where would he sell the marijuana?

9 A. At of my house.

10 Q. Out of your house?

11 A. In and out.

12 Q. Now, during the time that you were living with
13 Talib, did you meet a guy named Billy Sellers?

14 A. Yes.

15 Q. How did you meet him?

16 A. From him coming to buy marijuana.

17 Q. Would he come to your house?

18 A. Yes.

19 Q. How often would he come by?

20 A. A couple times probably throughout the week.

21 Q. Had he been in your house before?

22 A. Yes. More than likely.

23 Q. Now, when Talib would sell him marijuana, would he
24 typically sell it to him inside this house or would he go
25 outside?

1 A. Go outside.

2 Q. Do you know what type of vehicle Mr. Sellers
3 drove?

4 A. Yes.

5 Q. What was it?

6 A. A van.

7 Q. Do you remember what color it was?

8 A. Red.

9 Q. Now, where would Mr. Sellers typically park when he
10 would come by your house?

11 A. Usually on the side like right in front of the house
12 like where my mailbox would be at.

13 Q. Is your house far off the street or close to the
14 street?

15 A. It's close to the street.

16 Q. When he would come by, would Talib typically go
17 outside to do the deal?

18 A. Yes.

19 Q. Now, do you recall a time in October of 2014 when he
20 came by your house?

21 A. Mm-hmm.

22 Q. What do you recall about that?

23 A. I remember Hakim going outside to serve him. When
24 he came back inside, he came back inside with a gun.

25 Q. Okay. Now, where were you when you saw Mr. Sellers

- 1 pull up?
- 2 A. I was inside the house.
- 3 Q. Looking out the window?
- 4 A. Yes.
- 5 Q. What type of vehicle was he in?
- 6 A. He was in a red van.
- 7 Q. Was anybody else in the vehicle?
- 8 A. I didn't see anybody else in the vehicle.
- 9 Q. You saw Mr. Sellers in the vehicle?
- 10 A. Mm-hmm.
- 11 Q. And Talib left the house and went outside to the
- 12 van?
- 13 A. Yes.
- 14 Q. What did Talib have in his hands when he left the
- 15 house?
- 16 A. Marijuana.
- 17 Q. When he came back in, what did he have in his
- 18 hands?
- 19 A. A gun.
- 20 Q. What was your reaction to seeing that gun?
- 21 A. I fussed.
- 22 Q. You were upset about that?
- 23 A. Yes.
- 24 Q. Why was that?
- 25 A. Because I had two small kids in the house.

1 MR. McNAIR: That's all the questions I have.

2 Answer any questions Mr. Casto may have.

3 THE WITNESS: Mm-hmm.

4 CROSS EXAMINATION

5 BY MR. CASTO:

6 Q. Good day, Ms. Watkins. How are you?

7 A. Hi.

8 Q. Back in 2015 you were in a relationship with Hakim,
9 right?

10 A. Mm-hmm.

11 Q. Still in contact with him, right?

12 A. Mm-hmm.

13 Q. Still care about him, right?

14 A. Yes.

15 Q. At that time, not today but at that time he was your
16 boyfriend, right?

17 A. Yeah.

18 Q. The first time that you spoke with anybody about
19 this was actually last week; is that right?

20 A. Correct.

21 Q. That was on August 24th, 2018?

22 A. Yeah. That sounds about right.

23 Q. It was about 11:45 p.m.; is that right?

24 A. I'm not sure about that.

25 Q. It was at night though, right?

1 A. No. I'm not sure about that.

2 Q. Okay. This was last week?

3 A. When I talked to someone? Yes. It was last week.

4 Q. Okay. And it was also nighttime when you said back
5 in 2014 it was nighttime when this vehicle pulls up; is that
6 right?

7 A. No. I didn't say that.

8 Q. Well, when this vehicle pulls up back in October of
9 2014, it was nighttime when you saw this vehicle; is that
10 right?

11 A. It was evening.

12 Q. Evening. Okay.

13 A. Yes.

14 Q. But you were in the house as I understand it,
15 right?

16 A. Mm-hmm.

17 Q. And you didn't go outside, right?

18 A. No. I didn't.

19 Q. Hakim went outside?

20 A. Mm-hmm.

21 Q. Specifically you didn't see who all was in the van,
22 right?

23 A. No. I didn't.

24 Q. And you weren't aware that Billy would loan his van
25 out at times, right?

1 A. No.

2 Q. Okay. And specifically you didn't actually see
3 anyone hand Hakim anything, you only know what he had when he
4 came back in, right?

5 A. Yes. But I only seen one person out there and it
6 was Billy.

7 Q. But you only know what Hakim had when he came back
8 in the house, right?

9 A. And I know what he went out with. Yes.

10 Q. Okay. Now, back in 2014 you know what Hakim did for
11 money in those days, right?

12 A. Mm-hmm.

13 Q. Is that a yes?

14 A. Yes.

15 Q. And he sold drugs?

16 A. Mm-hmm.

17 Q. Specifically marijuana?

18 A. (Witness nodding head.)

19 Q. Is that right?

20 A. Yes.

21 Q. You did not report that to law enforcement at that
22 time, right?

23 A. No. I didn't.

24 Q. Eventually he was arrested for selling marijuana in
25 his house and you know about that, right?

1 A. Mm-hmm.

2 Q. Only too well because you were there at the time the
3 search warrant was served, right?

4 A. Mm-hmm.

5 Q. And you didn't make any statements to law
6 enforcement on that evening, did you?

7 A. On the evening that he was arrested I was arrested
8 also.

9 Q. Right. But you didn't make any statements to law
10 enforcement that evening, did you?

11 A. Mmm-mmm.

12 Q. Okay. And Hakim's house was searched and there were
13 two guns found in that home; is that right?

14 A. Yes.

15 Q. Okay. And you're not aware about any of his guns
16 being lost, are you?

17 A. No.

18 Q. You're not aware of any of his guns being stolen,
19 are you?

20 A. No. I don't. I don't do guns so I don't.

21 Q. You weren't there when Hakim Talib talked to
22 Investigator Ireland on January 22nd, 2015, right?

23 A. Right. I wasn't.

24 Q. You were not there for that conversation?

25 A. Mmm-mmm.

1 MR. CASTO: No further questions.

2 THE COURT: Any redirect?

3 MR. McNAIR: Very briefly.

4 REDIRECT EXAMINATION

5 BY MR. McNAIR:

6 Q. Ms. Watkins, did anybody ever even try to talk to
7 you about this case before last week?

8 A. No.

9 Q. That's the first time that anybody even asked you
10 about this case, correct?

11 A. Yes.

12 MR. McNAIR: All right. Thank you.

13 THE COURT: Step down. All right. This is a good
14 time to take a lunch break. 2:00 a good time?

15 MR. CASTO: Yes, sir.

16 THE COURT: All right, folks. Take a lunch break.
17 Take your note pads back or leave them in your chairs.
18 Be back in the jury room by 2:00 and we'll get started
19 then. Don't discuss the case. Enjoy your lunch. Stand
20 down until 2:00.

21 (Lunch break.)

22 BAILIFF: All rise.

23 THE COURT: Be seated.

24 (Whereupon, the jury entered the courtroom at 2:10
25 p.m.)

1 THE COURT: Ready to call your witness?

2 MS. MAYES: The State calls Agent Tiffany Hezel.

3 Thereupon,

4 TIFFANY HEZEL EDWARDS

5 after having been first duly sworn, testified as follows,

6 THE CLERK: Please have a seat. Once you're seated,
7 state your full name spelling your last please.

8 THE WITNESS: Tiffany Hezel, H-e-z-e-l, Edwards.

9 DIRECT EXAMINATION

10 BY MS. MAYES:

11 Q. Good afternoon. Could you tell us a little bit
12 about yourself, Agent Hezel. Where are you employed and in
13 what capacity?

14 A. I am currently employed with the South Carolina Law
15 Enforcement Division which is commonly referred to as SLED. I
16 am at the present time working with the Special Victims Unit
17 in the Child Fatality Division. Prior to that I worked in the
18 Crime Scene Unit and the latent print department.

19 Q. How long have you been an agent with the State Law
20 Enforcement Division?

21 A. I began employment in June of 2011.

22 Q. Tell us a little bit about the type of work that you
23 have done through the course of your career.

24 A. Since being employed with SLED I have worked in the
25 crime scene unit during which time I responded to crime scenes

1 throughout the entire State of South Carolina assisting local
2 agencies with the processing of those scenes, documenting and
3 collecting of evidence and transporting that evidence back to
4 the laboratory where it was then logged in and forwarded to
5 the respective discipline for further testing. Within the
6 latent print capacity, I processed for and collected latent
7 prints evidence and then performed comparisons with those
8 latent prints to known fingerprints to potentially identify
9 the origin of those prints.

10 Q. All right. Tell us how you became involved in this
11 case which is a homicide investigation in Edgefield County.

12 A. I was contacted in November of 2014 by a Sergeant
13 Ireland with the Edgefield County Sheriff's Office who was
14 requesting assistance in processing a vehicle that was related
15 to a homicide that their local jurisdiction had been
16 investigating.

17 Q. All right. What was the first step in going about
18 that processing?

19 A. When we were initially requested, the first thing
20 that we asked for was that a search warrant be obtained for
21 the vehicle that would allow us for lawful entry into it and
22 processing of it and Sergeant Ireland advised that he would
23 obtain a search warrant that day. Myself and partner at the
24 time responded the following morning which would have been
25 November 21st, 2014 to process the vehicle which was located

1 at the Edgefield County Sheriff's Office impound lot in a
2 secured area.

3 Q. All right. When you say that it was located in a
4 secure area, do you have that information with you as to where
5 it was actually located?

6 A. We responded to [REDACTED] Railroad Street in Edgefield,
7 South Carolina, and the impound lot had to be unlocked with a
8 key by Sergeant Ireland for us to obtain access to the vehicle
9 that we were to process.

10 Q. All right. And then do you have the date in which
11 you would have actually processed the van?

12 A. It would have been November 21st of 2014.

13 Q. This would be the van belonging to the defendant in
14 this case William Billy Sellers?

15 A. I was informed that it was a red van. I don't
16 recall that we were advised who it belonged to at the time.

17 Q. All right. What happened next?

18 A. The morning of the 21st of November my partner and I
19 responded to the impound lot. We met with Sergeant Ireland
20 who provided us access to the impound lot and to the van. My
21 partner and I then began to document the vehicle after
22 reviewing the search warrant with photographs on the exterior.
23 We then documented the entire interior of the vehicle with
24 photographs. At the same time we were performing a visual
25 examination for any possible blood evidence that might be

1 present within the vehicle. The search warrant only requested
2 that we look for possible blood evidence so that was the only
3 physical evidence that we were looking for during our capacity
4 of processing the vehicle. The visual examination for blood
5 evidence was negative meaning we did not see any red in color
6 substance consistent with blood with the naked eye. We then
7 therefore processed the interior and exterior of the vehicle
8 with a presumptive blood testing chemical known as LCV.

9 Q. I'll ask you a little more about that. You have
10 talked about your professional background and training but can
11 you tell us a little bit more about your educational
12 background and training that led you to do your CSI work,
13 crime scene investigative work?

14 A. I have a Bachelor's of Science degree from the
15 University of Wisconsin in Platteville. I have a Master's in
16 forensic science from the University of Central Oklahoma. I
17 am a certified diplomat with the American Board of Medical
18 Legal Death Investigators. I'm a certified crime scene
19 analyst with the International Association for Identification,
20 and in total I have 11 years of death investigation in its
21 capacity with scene work.

22 Q. Have you testified previously in the field of crime
23 scene investigation?

24 A. Yes. I have.

25 Q. Can you tell us whether your educational training

1 and experience includes blood identification work?

2 A. Yes. It does. As part of working in crime scene we
3 are trained to work with various presumptive blood chemicals
4 that will react in the presence of suspected blood.

5 Q. And have you testified previously to your work as a
6 CSI agent?

7 A. Yes, ma'am. I have.

8 Q. Have you testified in the capacity of an expert
9 witness?

10 A. Yes, ma'am. I have.

11 Q. Is it possible for you to estimate how many such
12 times you have testified previously as an expert?

13 A. Approximately 10.

14 MS. MAYES: Your Honor, at this time the State
15 offers Tiffany Hezel as an expert in the field of crime
16 scene investigation.

17 THE COURT: Any voir dire?

18 MS. FULLWOOD: No, Your Honor.

19 THE COURT: All right. It's like the other expert.
20 Because of her experience, specialized training and
21 education she will be qualified as an expert in the field
22 of crime scene investigation. She can offer what she saw
23 as well her opinions in that specialized field.

24 BY MS. MAYES:

25 Q. Now, you mentioned that you did not observe anything

1 with the naked eye. What type of processing will allow you to
2 potentially recover blood or DNA evidence that can't be seen
3 with the naked eye?

4 A. I'm sorry. That can or cannot be seen?

5 Q. Cannot be seen.

6 A. Okay. When you cannot see any biological evidence
7 such as blood or semen or dried saliva with the unaided eye we
8 have to go to using different chemicals that are gonna kind of
9 enhance what might be there. In this case the interior of the
10 vehicle was a light tan color so the chemical that we chose to
11 use was LCV which is leuco crystal violet, just a big long
12 fancy name. We call it LCV. What this chemical does is it
13 reacts with the presence of heme which in the blood is the
14 hemoglobin which broken down even simpler is the iron
15 component in the red blood cells so this chemical in turn is
16 gonna react with the presence of that iron in suspected blood.
17 So we then processed the exterior door panels and the entire
18 interior to include items on the floorboard with this
19 chemical. The chemical is applied by spraying it out of a
20 squirt bottle into a fine mist over a large surface area.

21 Q. Was that done in this case regarding this van?

22 A. Yes, ma'am. It was.

23 Q. I'm going to show you some photographs and ask you
24 whether or not you can identify them.

25 MS. FULLWOOD: Your Honor, we have no objection to

1 these photographs.

2 THE COURT: What are the numbers?

3 MS. MAYES: Yes, sir, Your Honor. 66 through 76.

4 (Whereupon, State's Exhibits #66 through #76 marked
5 for identification and admitted.)

6 THE COURT: State's 66 through 76 in without
7 objection.

8 BY MS. MAYES:

9 Q. And if you can just take a look at these as we go,
10 Agent, photos 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76?

11 A. Yes, ma'am. Those are a fair and accurate
12 representation of the van as it was that day when we arrived
13 and following our processing with the chemical LCV.

14 Q. Now, do you have a way to document or note exactly
15 which areas of the van were processed?

16 A. We documented within our notes that we processed the
17 interior door panels as well as the exterior door panels and
18 all of the passenger compartments to include the floorboards
19 as well as the miscellaneous items that were on the rear
20 floorboard of the vehicle.

21 Q. Can you tell us whether or not the photographs would
22 have been taken contemporaneously with the processing of the
23 van?

24 A. The photographs would have been taken initially as
25 the van was prior to us doing anything. Then afterwards we

1 would then photograph the areas that reacted with the chemical
2 where there was a color change with both mid range and close
3 up meaning from where we're standing and then zoomed in a
4 little closer so you can see how large the area was that had
5 reacted and then we then would have taken overall photos again
6 showing areas that were now processed that kind of had a
7 liquid presence on them which is now that chemical that was
8 misted with the squirt bottle.

9 Q. I'll start here with the overhead photograph of
10 State's Exhibit 66. If you can, agent, look through these
11 photographs and tell us if you can identify any that show
12 evidence of post processing after you have sprayed what you
13 term to be the LCV?

14 A. These three are pictures of the interior of the
15 vehicle are going to document some of the color changes.
16 There was also an additional color change on the side of the
17 seat that I'm not seeing in my close up photograph of but this
18 picture will demonstrate the location it was in.

19 Q. I'm gonna ask you to step down and if you can show
20 us those areas on the overhead.

21 A. (Witness complies.) So the first area here is the
22 interior driver's side door and it's a little hard to see but
23 right kind of above the arm rest here there's a purple
24 discoloration and that is going to be a presumptive positive
25 for the presence of blood. The LCV will react with that

1 hemoglobin that's present in the blood, that heme component
2 and we will have a rapid color change so we go from seeing
3 nothing with the unaided eye to seeing a color change of a
4 deep bluish purple coloring in contrasts with the light
5 background so the picture is a little easier to see, not on
6 the monitor but it's right there above the door rest. It's a
7 very small area that has a purple discoloration as compared to
8 the background.

9 Q. Okay.

10 A. The next two photographs are going to be from the
11 driver floorboard. There were three areas of this floor mat
12 that had a similar discoloration change. The first area is
13 near the driver's side as you're laying over with your feet
14 upon the floor. Right here at the edge of the corner of the
15 floor mat there is a small area of blue purple discoloration
16 as well. The other area is gonna be to the side of the floor
17 mat and then moving up a little further on the floor mat
18 you're gonna have another discoloration just a little further
19 up. Again the discoloration areas are very small but it's a
20 rapid color change that gave us the presence of possible blood
21 evidence being there.

22 Q. All right. And just to clarify, you are observing
23 all of this with the naked eye?

24 A. Yes, ma'am.

25 Q. How close are you to these color changes that you

1 are observing?

2 A. As close as I am to this photograph. We spray it
3 and we are looking for that instantaneous, that rapid color
4 change so if you imagine a glass of water and you're applying
5 a drop of blue food coloring, you're gonna see that color
6 change instantly. That's how quick we need that reaction to
7 happen for the possible presence of blood evidence. When we
8 were done completing processing on this car and it sat for a
9 day or two, the entire inside is gonna turn purple because the
10 chemical continues to oxidize everything but it's the rapid
11 reaction that gives us the presumptive positive for blood.

12 Q. So you're seeing a normal tan color and then the
13 rapid change?

14 A. Yes, ma'am.

15 Q. All right. And the next photograph, for the record
16 I'll state that you have identified 73 and 74 just a moment
17 ago.

18 A. And this is State's exhibit 78. There was a very
19 small area again with that blue purple color change right on
20 the plastic portion of the seat above kind of the adjuster
21 level so we're not on the leather fabric material of the seat,
22 we're just underneath on the plastic corner, we had a very
23 small area of the blue purple color change as well.

24 Q. All right. Now, when you observed this change, what
25 is the next step?

1 A. Once we observe this color change, what we want to
2 do is we want to swab those areas as suspected blood evidence.
3 So in this case my partner and I swabbed the area there on the
4 seat on two sterile swabs. We swabbed the area on the
5 interior of the driver's door with two separate sterile swabs
6 and now the three areas that were on the floorboard, we
7 swabbed all three areas together because they're from the same
8 area in the vehicle on two sterile swabs. So once we
9 completed processing this vehicle, we had three sets of swabs
10 with possible blood evidence that reacted positively with LCV.
11 It's important to note that there were no other areas within
12 the vehicle that showed this reaction. It was only in the
13 front driver's compartment on those three locations.

14 Q. All right. Thank you. You may return to your seat.

15 A. (Witness complies.)

16 Q. All of your LCV positive reactions were in the area
17 of the front driver's seat?

18 A. Yes, ma'am.

19 Q. And other areas of the van were checked?

20 A. Yes, ma'am. We processed the interior compartments
21 of all the passenger areas of the van to include items that
22 were on the back floorboard. There were a lot of
23 miscellaneous items within this van and none of those showed
24 that rapid color as those three areas had.

25 Q. You mentioned swabs that were collected. Which

1 agent executing the search warrant was actually responsible
2 for the collection of those swabs after you observed that
3 rapid color change?

4 A. Myself and my partner were both working together in
5 the presence of each other the entire time so either one of
6 our initials are likely to be on the envelope.

7 Q. Okay. I'm gonna ask you to take a look at that.

8 A. Okay. These are the three sets of swabs collected
9 on November 24. Or I'm sorry. November 21st, 2014 with the
10 time of which they were collected and my initials as the
11 collecting agent. Again, it shows the location from which
12 they were collected and the notation of LCV positive meaning
13 we had that positive presumptive to the chemical when it was
14 applied and we do that so that when it's forwarded to DNA,
15 they know that we had a presumptive positive.

16 Q. All right. And once you collect the swabs, how do
17 you go about preserving the integrity for chain of custody
18 purposes?

19 A. Once the swabs are collected they're allowed to air
20 dry within the back of our crime scene vehicle while we finish
21 processing everything else. Once they're dried they're then
22 placed, the stem of them is broken off and the envelopes are
23 sealed with crime scene tape, that is then dated and initialed
24 by the collecting agent and they are then transported back to
25 the laboratory sealed. Once they are back to the laboratory

1 they are logged in to our electronic database, assigned a
2 specific case number and a specific item number. They are
3 then packaged in a heat sealed envelope and they are taken
4 down to our evidence control area where they were then kind of
5 scanned and set in holding until DNA analysis could take place
6 and that agent could come take possession.

7 Q. All right. And once you have sealed them, what is
8 the protocol in terms of anyone else unsealing them other than
9 the DNA analyst?

10 A. No one else should unseal them unless it's the next
11 analyst to conduct any sort of testing. If no further testing
12 is deemed to be possible, they will be returned to the local
13 agency still sealed with my initials.

14 MS. MAYES: At this time, Your Honor, we would mark
15 for identification the swabs collected by Agent Hezel and
16 these are all three individual packages are packaged in
17 one SLED plastic bag.

18 (Whereupon, State's Exhibit #77 marked for
19 identification.)

20 BY MS. MAYES:

21 Q. Now, agent, do you also have with you a copy of a
22 certified SLED chain of custody?

23 A. Yes, ma'am. I do.

24 Q. Is that something that you're familiar with in the
25 process of collecting evidence and submitting evidence?

1 A. Yes, ma'am. The certified chain documents, every
2 item that is submitted in relation to this specific case from
3 the time it was submitted to the laboratory it then tracks the
4 movement of that item throughout the laboratory and the
5 different analysts that may be performing a test on it. The
6 bar code system, so just like you go to the grocery store and
7 it scans your groceries, we scan the evidence so it places it
8 into the actual tester's custody and then it can be scanned
9 back into like a storage custodian locker or such. So this
10 document, all movement and tracking of the evidence from the
11 time it comes into our laboratory until the time it's returned
12 to local agency.

13 Q. Can you tell us whether or not a SLED certified
14 chain of custody such as that is maintained in the ordinary
15 course of business?

16 A. Yes. It is. This is standard for every case.

17 MS. MAYES: For identification at this time, Your
18 Honor, is the SLED chain of custody and this will be
19 State's 78.

20 (Whereupon, State's Exhibit #78 marked for
21 identification.)

22 THE COURT: State's 78 for identification marked.

23 BY MS. MAYES:

24 Q. Now, you mentioned that LCV was positive. If you
25 can explain further. When you say it's positive for blood,

1 what is the next step in the process?

2 A. So once we have areas that give us a positive
3 reaction such as the three color change areas that we
4 discussed just moments ago and we swab those and we collect
5 these, the next step would be to submit those swabs to the DNA
6 analysis department so that they can specifically do further
7 confirmatory tests on our presumptive.

8 Q. All right. Do you know in this particular case if
9 those swabs did in fact go to a DNA analyst?

10 A. Yes. They did.

11 Q. Who was that analyst?

12 A. It was Paul Meeh.

13 Q. Now, as a CSI agent and investigator when you have
14 blood, does that necessarily mean that you can recover a DNA
15 profile?

16 A. Not always. No.

17 Q. And what type of factors may affect the ultimate
18 ability to recover DNA from blood or other bodily fluids?

19 A. Unlike television where they can get a DNA profile
20 or fingerprints off of everything and anything in 45 minutes
21 with commercial breaks, the real world unfortunately is things
22 break down so just like I puddle of water is going to absorb
23 into the environment and leave no trace behind. Any
24 biological fluid that's left in a confined space for any
25 length of time where it's exposed to heat, stale air, it's

1 gonna break down. So in this specific case we have possible
2 blood evidence that's in a sealed vehicle for at least a month
3 so although it is winter in South Carolina you're going to
4 have heat and it's basically just gonna do its biological
5 process of breaking down. Other things that can contribute to
6 possibly degrading a biological specimen are applying any kind
7 of cleaning agent such as bleach or any other harsh chemical
8 that is then gonna possibly breakdown a sample even further.

9 Q. So I want to ask you a little bit more about that.
10 How does a cleaning agent affect your ability to recover --

11 MS. FULLWOOD: Your Honor. I object. That assumes
12 facts not in evidence. There's been no mention of any
13 finding of bleach or any other cleaning agents.

14 MS. MAYES: I can rephrase that, Your Honor.

15 THE COURT: Sustained as to the characterization so
16 rephrase it.

17 BY MS. MAYES:

18 Q. When you're working a scene, is it possible to know
19 what factors pre-dated the recovery or your attempt to recover
20 evidence?

21 A. No. It is not. When we go in to process a vehicle,
22 we process it as it is. We really don't take into account all
23 the hearsay of what might have happened. We are looking for
24 evidence that we can find, that we can physically show to be
25 there. In this case we have three areas that responded with a

1 presumptive positive. What may have occurred over the time
2 frame which it was naturally breaking down or what may have
3 been applied on the front end prior to us ever going to the
4 vehicle to process it may play a role in the outcome of the
5 results but at the time that we are processing it and we get a
6 presumptive positive such as this case, we're gonna take that
7 at face value of it being presumptive for blood.

8 MS. MAYES: Nothing further, Your Honor.

9 MS. FULLWOOD: No questions, Your Honor.

10 THE COURT: All right. You may step down, Ms.
11 Hezel.

12 MR. MCNAIR: The State calls Tom Darnell.

13 MS. MAYES: Your honor, if Agent Hezel may be
14 excused.

15 MR. CASTO: Yes, Your Honor.

16 THE COURT: You're excused.

17 Thereupon,

18 THOMAS EDWARD DARNELL

19 after having been first duly sworn, testified as follows,

20 THE CLERK: Please have a seat. Once you're seated,
21 state your full name spelling your last please.

22 THE WITNESS: Thomas Edward Darnell, D-a-r-n-e-l-l.

23 DIRECT EXAMINATION

24 BY MR. MCNAIR:

25 Q. Agent Darnell, where are you employed?

1 A. I work at SLED in the forensic laboratory in
2 Columbia.

3 Q. Are you still full-time or are you part-time these
4 days?

5 A. It's actually part-time but it seems like it's
6 full-time.

7 Q. How long have you been in SLED?

8 A. I started there in 1990 and actually retired in 2009
9 and I returned back to the laboratory in 2012.

10 Q. What do you do for SLED?

11 A. I am a latent print examiner whereby I process
12 evidence that comes into the laboratory to determine if I can
13 develop any latent prints or fingerprints on the evidence that
14 comes in.

15 Q. I know this is a ridiculous question but over the
16 course of your career how many latent print examinations do
17 you think you have performed?

18 A. Probably thousands. Probably several thousand over
19 the years.

20 Q. How many times have you been qualified as an expert
21 in latent print examinations?

22 A. I have testified or been qualified as an expert
23 probably 150 or so times all over the state, some out of
24 state, mostly state courts and also some federal courts. Most
25 often I do testify for the State. I have had several

1 occasions where I have testified for the defense as well.

2 MR. MCNAIR: Your Honor, at this time we would offer
3 Agent Darnell as an expert in latent print examinations.

4 THE COURT: Any voir dire?

5 MS. FULLWOOD: No, Your Honor.

6 THE COURT: Mr. Darnell is qualified as an expert in
7 latent print examination and identification.

8 BY MR. MCNAIR:

9 Q. Agent Darnell, will you explain to the jury in
10 general what a latent print is?

11 A. Basically a latent print is a -- Let me back up.
12 The word latent means hidden or invisible. A latent print is
13 what we sometimes refer to as a chance print or chance
14 impression whereby when you touch something, there's a chance
15 you might leave a fingerprint. You might leave that pattern
16 that's on your fingers. You might leave that impression. It
17 may actually transfer to the surface. Quite often these
18 prints have to be developed through a chemical processing of
19 some sort to be able to develop it to be able to enhance it to
20 be able to see it so basically a latent print is a chance
21 print whenever you touch a surface.

22 Q. How is it possible for somebody to actually leave a
23 latent print?

24 A. When you touch a surface, basically what you are
25 leaving behind is moisture or perspiration or sweat, if you

1 want to call it that, because we all have tiny pores in our
2 skin and on our fingers we have tiny pores that are constantly
3 exuding perspiration and whenever you touch something, that
4 perspiration may transfer to a surface, skin cells could
5 actually transfer as well and that's what you leave behind
6 whenever you touch a surface and sometimes you can touch
7 something and actually not leave a print.

8 Q. All right. Give some examples of that. For
9 instance, if somebody is wearing gloves, would you expect them
10 to leave a latent print?

11 A. I would not expect there to be prints behind if
12 somebody had some sort of gloves on their hands. That would
13 certainly interfere with being able to leave prints. We all
14 watch television where they get prints every time. In the
15 real forensic world it just does not happen. It depends on
16 your perspiration, how you're perspiring. It depends on how
17 you touch something and it depends on how long you touch
18 something. It depends on weather. There are a lot of factors
19 that come into play that determine whether or not you leave a
20 print behind.

21 Q. Is it easier to get prints off of certain surfaces
22 other than others?

23 A. Yes, sir. Ideally you would like to have a nice
24 clean smooth surface such as glass or something like a metal
25 can or something like that, something nice and smooth versus

1 something rough and corrugated. You would tend not to leave
2 much of a print on something like that, you know. But if it's
3 smooth and it's relatively clean and if it's out of the
4 weather. If it's out in the weather it gets hot, especially
5 this time of year it gets hot outside and the heat will
6 actually vaporize the mixture.

7 Q. Now, in your career have you had occasion to obtain
8 prints off of something like duct tape?

9 A. Yes, sir. I have.

10 Q. Please describe to the jury a little bit about your
11 experience in obtaining prints off of tape or duct tape?

12 A. I have processed quite a bit of tape in my career.
13 In fact, when I retired I actually went overseas and worked
14 over in Afghanistan and did a lot of processing of tape over
15 there for the military. We developed prints on tape almost
16 every day. Something that we did quite a bit of. And state
17 side I've had the occasion to process duct tape. I've had the
18 occasion to process electrical tape. And getting prints on
19 tape happens quite often. Seems like my experience has been
20 that getting prints on the adhesive side of the tape seems to
21 be the most logical place to get prints even though I have
22 developed prints on the non adhesive side as well.

23 Q. All right. So that's a substance or a surface that
24 you have easily obtained prints off in the past in the course
25 of your career?

1 A. Yes, sir. That's been my experience. Yes, sir.

2 Q. All right. Let's go through the things that you
3 actually analyzed in this case.

4 MR. MCNAIR: Your Honor, there are several items
5 within each bag. I don't know the best way maybe to mark
6 that is. You want us to mark it 55A, B, C, D, E?

7 THE COURT: How many are in there?

8 MR. MCNAIR: This is State's 55 and four items.

9 THE COURT: Just A, B, C, D. So 55A, B, C, D, sub
10 parts.

11 (Whereupon, State's Exhibits #55A, B, C, D, marked
12 for identification.)

13 BY MR. MCNAIR:

14 Q. Agent, I'll show you what's marked for
15 identification as 55A, B and C. Tell me whether or not you
16 can identify this?

17 A. Yes. I can.

18 Q. All right. Do you recall who you received that item
19 from and on what date?

20 A. I received this on October the 14th of 2014 from our
21 evidence control department at SLED.

22 Q. How was it packaged when you received it?

23 A. When I received it, it was not in this plastic that
24 you have before you here today. It was inside of a paper
25 bag.

1 Q. Okay. Was that paper bag sealed?

2 A. Yes. It was.

3 Q. Explain how it was when you received it.

4 A. The tape came in in sections. In other words, it
5 was sort of stuck together and it was sort of wadded up and it
6 was inside the sealed paper bag. That bag was actually inside
7 of a sealed envelope so it was sort of double sealed if you
8 will. It was, like I said, it was wadded up so I had to, in
9 order to process it, I had to, as I processed it I was able to
10 separate the tape and that's why it appears as it does in this
11 plastic.

12 Q. All right. So it I guess came to you as one piece
13 and then you separated it out into those individual bags?

14 A. Yes. It actually came in two pieces because I think
15 in the - I think the way it came in it indicated it was gray
16 duct tape that had been removed from the victim's wrists so it
17 was, I would say that this was, I've got two bags so one came
18 from one wrist and one from the other wrist.

19 Q. Would you just go through - let's start with 55A.
20 Can you explain what, if any, analysis you did on this item?

21 A. Okay. 55A, well, actually all three of these
22 together came in as my item 4. They're listed here as 55A,
23 55B and 55C, but they all came into me as one item so what I
24 did was the request was for me to process these for latent
25 prints and also to collect any DNA evidence that might be on

1 the item so I swabbed the outside of the tape, the non
2 adhesive side of the tape trying to obtain DNA that might be
3 present and then once I did that then I started separating the
4 tape into pieces so that I could process all areas of the tape
5 and the only way to do that was to separate it and pull it
6 apart and then once I did that I was able to apply certain
7 chemicals to the tape on the non adhesive side as well as on
8 the adhesive side.

9 Q. So you swabbed the items and then you attempted to
10 obtain fingerprints from those items?

11 A. Yes, sir. I actually did the same for all three
12 55A, B, and C.

13 Q. Were you able to obtain any fingerprints off of that
14 tape?

15 A. Uhm, I actually was able to get one print off the
16 non adhesive side of the tape.

17 Q. All right. Which item number was that in your
18 report?

19 A. My item number is the print was designated as item
20 4.3.

21 Q. What exhibit number would that be?

22 A. That would be exhibit 55C.

23 Q. Whose print were you able to obtain off of that
24 tape?

25 A. The print belonged to a Mr. Johnny Freeman

1 Hydrick.

2 Q. The victim in this case?

3 A. Yes, sir.

4 Q. All right. And were you able to obtain any prints
5 off of any of this other tape?

6 A. No, sir.

7 Q. After you processed this, what did you do?

8 A. After I processed it, once I got it all dried out
9 and so forth I put it in all this plastic here, then I sealed
10 it up and then the tape was transferred back downstairs to our
11 evidence control department in order for the local department
12 to pick it up for transport back to their agency.

13 MR. MCNAIR: Your Honor, we offer State's 55A, B,
14 and into evidence at this time.

15 MS. FULLWOOD: No objection.

16 THE COURT: 55A, 55B, 55C entered without objection.

17 BY MR. MCNAIR:

18 Q. Okay. And where was the print of Mr. Hydrick
19 actually obtained from on the tape?

20 A. It was actually on the non adhesive side of the
21 type.

22 Q. On the outside of the tape?

23 A. Yes, sir. On the outside or the non sticky side.
24 Actually the print that I -- Actually I was able to observe it
25 before I even processed it because it appeared to be in

1 suspected blood so I was able to actually visualize it before
2 I compared it and so I was able to apply a chemical to it to
3 where I could enhance it to make it look even better but it
4 was on the non sticky side of the tape.

5 Q. And it appeared to be in blood?

6 A. Yes, sir. It did. And it was actually his palm
7 print. It was his right palm.

8 (Whereupon, State's Exhibit #79 marked for
9 identification.)

10 BY MR. MCNAIR:

11 Q. I'll show you what's marked as State's ID 79. Can
12 you identify this?

13 A. Yes. I can.

14 Q. What is that?

15 A. This is a heat sealed plastic bag that contains the
16 various swabs that I collected, the DNA swabs that I took from
17 the tape. They are referred to as my item 4.1, 4.2 and 9.1.

18 Q. 4.1 and 4.2 were the swabs that you took from the
19 duct tape that we just talked about?

20 A. Yes, sir.

21 Q. What is the other swab number?

22 A. The other swab number, my item number is 9.1 and 9.1
23 is actually a swab of some suspected blood from the duct tape
24 piece.

25 Q. Okay. That would be another duct tape piece,

1 correct?

2 A. Yes, sir.

3 Q. Not from the one we just talked about?

4 A. Right.

5 Q. I'll show you what's in evidence as State's 50.

6 Take a look at that.

7 A. State's 50 is actually the, it's a roll of duct
8 tape.

9 Q. Did you do any analysis on that roll of duct tape?

10 A. I did. I processed the roll of duct tape. I
11 processed the outside of the tape roll and also the inside of
12 the tape roll in an attempt to develop fingerprints.

13 Q. Were you able to obtain any fingerprints off of the
14 roll of duct tape?

15 A. I developed a partial print from the outside of the
16 roll of tape. It was determined to be of no value for our
17 purposes.

18 Q. What does that mean? You just can't tell whose
19 fingerprint it is?

20 A. Can't tell whose it is. It was of no value. It
21 could be anyone.

22 Q. Okay. I meant to show you this. This has been
23 marked as State's Exhibit 54.

24 A. State's 54 is my item number 9. It's marked item 9
25 on the outer can and has my initials on it. It does have some

1 blood, some dried blood on it. It came in as two pieces of
2 gray duct tape indicated as being from the living room floor
3 near the victim.

4 Q. All right. Who did you receive that from and when
5 did you receive that item?

6 A. This one came in at the same time as my item 4
7 which would have been on October the 14th of 2014 is when I
8 got it.

9 Q. Was it in a sealed container when you received it?

10 A. It was inside this tin can, little paint can, little
11 sterile paint can that we use sometimes to package evidence
12 inside of this bag and it was all sealed up with tape and
13 initials.

14 Q. All right. What type of analysis did you perform on
15 that item?

16 A. I, outside of swabbing the suspected blood from the
17 tape, I attempted to process it for prints. The result was
18 that there were no fingerprint evidence that was observed.

19 Q. And the swab 9.1 that you just testified to was
20 obtained from this item?

21 A. That is correct.

22 MR. MCNAIR: Your Honor, we would offer State's 54
23 into evidence at this time and State's 79 which are all
24 the swabs.

25 MS. FULLWOOD: No objection, Your Honor.

1 THE COURT: State's 54 is the duct tape in without
2 objection. 79 is the swabs from the duct tape.

3 MR. McNAIR: Yes, sir.

4 THE COURT: Fair enough. They are in.

5 BY MR. McNAIR:

6 Q. Agent Darnell, if you would step down here for one
7 second.

8 A. (Witness complies.)

9 Q. I'm going to show you State's Exhibit 20. Now, is
10 this something that you have previously looked at and
11 examined?

12 A. Yes. I have.

13 Q. Have you looked at it in a digital format as well?

14 A. I have.

15 Q. Based on your experience can you describe to the
16 jury what this appears to be to you?

17 MS. FULLWOOD: Your Honor, this is an expert in
18 latent prints not crime scene or blood smear spatter
19 interpretation.

20 THE COURT: Can you tie them together? I mean, I'm
21 not sure I understood the pertinent -- I can't see the
22 exhibit. It's okay.

23 MR. McNAIR: Judge, there's testimony on the record
24 this appeared to be a handprint on the wall.

25 THE COURT: Okay. If he can identify it, he

1 analyzed it, that's within latent print from what I
2 understand.

3 BY MR. MCNAIR:

4 Q. Based on your experience and training, what does
5 that appear to be to you?

6 A. Based on all my years I would say that's probably a
7 handprint, the upper left corner being a little finger coming
8 from left to right, little finger to right of the left ring to
9 left middle, left index and flat of the thumb area here down
10 at the bottom of the picture.

11 Q. All right. Does that appear to be a left hand?

12 A. Yes, sir.

13 Q. All right. Now, I guess what stands out to you
14 about that picture, do you see any evidence of ridge detail?

15 A. Well, when I was asked to look at this photograph, I
16 do not see any signs of what I would call friction ridge skin.
17 Friction ridge skin has a lot of different shapes, different
18 formations. I just don't see it in these pictures that I'm
19 having to look at here. I have actually examined this at my
20 desk and was able to determine that. I just don't see any
21 signs of any friction ridge detail or fingerprint evidence
22 revealed.

23 Q. What do you see evidence of?

24 A. When I look at the photograph closer, I see what in
25 my opinion look to be some sort of, could be some sort of a

1 fabric impression.

2 MS. FULLWOOD: Your Honor, I object. This is
3 outside the scope of his expertise. He deals in latent
4 prints and ridge detail.

5 THE COURT: This is about ridge detail.

6 THE COURT: If it's about ridge detail, I'll allow
7 it. But if it was handed to him to examine -- Come over
8 here real quick.

9 (Side bar off the record.)

10 BY MR. MCNAIR:

11 Q. Agent Darnell, how does somebody leave ridge
12 detail?

13 A. You leave ridge detail when your hand, when your
14 bare hand comes in contact with a surface and the ridge detail
15 that would be left can be left in several ways. One way would
16 be for the perspiration as I have previously talked about,
17 that perspiration would transfer to the surface or you could
18 actually have a substance on your hand and transfer that
19 substance to the surface such as blood, such as grease, such
20 as dirt. You could transfer that pattern to the surface once
21 you have touched something.

22 Q. But in order to leave ridge detail you would expect
23 it to be a bare hand, correct?

24 MS. FULLWOOD: Objection to leading.

25 THE COURT: Sustained as to leading.

1 BY MR. MCNAIR:

2 Q. Would it be possible for someone to leave ridge
3 detail if they were wearing something like a glove?

4 MS. FULLWOOD: Objection, Your Honor. He's trying
5 to get the expert to testify to something speculative.

6 THE COURT: It's speculation. Rephrase your
7 question one more time.

8 BY MR. MCNAIR:

9 Q. All right. You previously testified that in order
10 to leave ridge detail, you would have to touch something with
11 your bare hand, correct?

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

13 Q. All right. Do you see any evidence of ridge detail
14 on this picture, State's 20?

15 A. No, sir. I don't.

16 Q. All right. Thank you. You can have a seat.

17 A. (Witness complies.)

18 Q. State's 55D, I have neglected to show you that. Can
19 you identify that?

20 A. Yes. I can.

21 Q. What is that?

22 A. This is a portion of tape that I actually cut off of
23 the roll of tape where I developed partial fingerprint that
24 was determined to be of no value but I had to get it off of
25 the - I had to get it photographed to be able to see it so I

1 had to cut it off is why I cut it off.

2 MR. McNAIR: Your Honor, we would offer State's 55D
3 at this time.

4 MS. FULLWOOD: No objection.

5 THE COURT: 55D without objection.

6 MR. McNAIR: No further questions. Thank you.

7 CROSS EXAMINATION

8 BY MS. FULLWOOD:

9 Q. Agent Darnell, I only have one or two, okay? You
10 did a report in connection with the work you did in this case,
11 correct?

12 A. Yes, ma'am.

13 Q. And in that report in describing what in this case
14 is 55B in your report 4.2 you described that you swabbed some
15 suspected blood fluid from item 4 and it says near visible
16 ridge detail. When you said visible ridge detail, are you
17 talking about the palm print of Mr. Hydrick that you have
18 already testified to or a different area of visible ridge
19 detail?

20 A. I'm actually referring to the area that was
21 determined to be the palm print of Mr. Hydrick.

22 Q. Okay. So on these pieces of duct tape that you
23 examined there was one palm print of Mr. Hydrick, correct?

24 A. Yes, ma'am.

25 Q. And then a partial print that was unsuitable to

1 analyze; is that right?

2 A. Right. And that one came off the roll of the actual
3 tape roll.

4 Q. Correct.

5 A. Right.

6 MS. FULLWOOD: Thank you, sir. No further
7 questions.

8 MR. McNAIR: No further questions, Your Honor.

9 THE COURT: Okay. You may step down.

10 MS. MAYES: The State calls Dr. Janice Ross.
11 Thereupon,

12 JANICE ROSS, M.D.

13 after having been first duly sworn, testified as follows,

14 THE CLERK: Please have a seat. Once you're seated,
15 state your full name spelling your last please.

16 THE WITNESS: Janice Edwards Ross, R-o-s-s.

17 DIRECT EXAMINATION

18 BY MS. MAYES:

19 Q. Good afternoon, Dr. Ross.

20 A. Good afternoon.

21 Q. Can you tell us a little bit about yourself? Where
22 are you employed and in what capacity?

23 A. I'm a forensic pathologist with Newberry Pathology
24 Associates in Newberry, South Carolina.

25 Q. How long have you been working in the field of

1 pathology?

2 A. 42 years.

3 Q. Tell us in general what is meant by the term
4 pathology and what are autopsy?

5 A. First of all, a pathologist is a doctor so I have
6 been through four years at the University of South Carolina
7 and four years of medical school and more than four years of
8 training in pathology. Pathology means the study of disease
9 and we learn how to identify diseases by looking through the
10 microscope and using the laboratory work to diagnose different
11 types of diseases. We learn how to do an autopsy to find
12 cause of death. I did further training in the medical
13 examiner's office to become a forensic pathologist. Forensic
14 autopsy is more detailed with the identification of patterns
15 of injury, documentation of those and getting specimens for
16 purposes of the court of law. An autopsy is done in a morgue.
17 We do it at the Newberry County Memorial Hospital morgue.
18 It's an external and internal examination of a person.

19 Q. All right. Now, Dr. Ross, how many autopsies have
20 you conducted during your career? Is it possible to even
21 estimate?

22 A. About 12,000.

23 Q. Can you tell us how many of those approximately
24 would have been homicide cases?

25 A. Probably 10 percent.

1 Q. Have you testified previously as an expert in the
2 field of forensic pathology in homicide cases?

3 A. Yes.

4 Q. And that includes cause of death?

5 A. Yes.

6 Q. And manner of death?

7 A. Yes.

8 Q. Is it possible to estimate how many times you have
9 testified in the State of South Carolina in criminal courts
10 regarding homicide?

11 A. 200 times.

12 Q. When you talk about the field of forensic pathology,
13 how many of those years in your career have been spent
14 specifically in the field of forensic pathology determining
15 the cause of death?

16 A. I have done autopsies for coroners for 42 years. I
17 became board-certified in 1985.

18 MS. MAYES: Your Honor, at this time the State would
19 offer Dr. Janice Ross as an expert in the field of
20 forensic pathology.

21 THE COURT: Any voir dire?

22 MS. FULLWOOD: No, sir.

23 THE COURT: Dr. Ross is qualified in the field of
24 forensic pathology. She can offer opinions in that
25 field.

1 BY MS. MAYES:

2 Q. So Dr. Ross, I'll start by asking you about an
3 autopsy that was conducted in this case. Can you tell us
4 whether or not you performed the autopsy of an adult male by
5 the name of Johnny Hydrick?

6 A. I did. Yes.

7 Q. What was the date of that autopsy?

8 A. October 13, 2014.

9 Q. Now, when you first begin the autopsy, take us
10 through the process of looking at the body, its condition,
11 things of that nature before you even get underway with
12 conducting any type of internal examination.

13 A. The patient is brought to us in a body bag and we
14 open that up and photograph externally the clothed body. We
15 take samples or we write down what is present, what kind of
16 clothing and then we photograph externally the external body
17 before we do an internal examination.

18 Q. Looking at your report, Dr. Ross, what, if anything,
19 did you note that was unusual about the way that Johnny
20 Hydrick arrived there for autopsy?

21 A. He was in the process of decomposing and he also had
22 his wrists tightly bound together with duct tape. He had on
23 a, I guess it was an ankle monitor on his left ankle and he
24 had on a pair of black underwear.

25 Q. I'm gonna show you what is State's 41. When you

1 have the situation arise were there may be potential forensic
2 evidence such as duct tape, what steps do you take to secure
3 that evidence?

4 A. First of all, we make sure we don't contaminate it
5 with our own fingers or anything else, any contaminated
6 instruments, for instance. In this case the tape was so tight
7 we had to cut it at one point after we took pictures of it
8 using gloves and a clean scissors and we put it inside a paper
9 bag to send to SLED for analysis.

10 Q. All right. So when you say that the tape was so
11 tight, what, if anything, looking at that photograph that is
12 projected, State's 41, what, if anything, do you recall about
13 exactly how tightly that tape was bound?

14 A. As I noted the wrists were abutting each other, just
15 against each other.

16 Q. Ordinarily if you have something, some type of
17 binding on a victim of a homicide that arrives to you, how do
18 you ordinarily attempt to get that tape off or that binding?

19 A. If it's loose enough, we just take it off in total
20 and might have to mark where it crossed. But for instance, a
21 noose. But if it's loose enough, we'll take it off and
22 maintain it in whole.

23 Q. So if it had been loose enough, you would slide it
24 off that way and maintain it as it originally was found?

25 A. Correct.

1 Q. And what was different in this situation?

2 A. It was too tight to get off, plus it was tape so it
3 was sort of glued together adherent together.

4 Q. With it being too tight to remove you cut it
5 yourself?

6 A. Yes.

7 Q. All right. And then after it was cut I believe you
8 testified that you then packaged it?

9 A. Correct.

10 THE COURT: I need a quick break. Jury, step in the
11 jury room and take a quick break. Y'all step in the jury
12 room and we'll have you right back out here.

13 (Whereupon, the jury entered the jury room at 3:15
14 p.m.)

15 THE COURT: All right. We need a couple minutes.
16 This young lady here is upset and emotional, showing
17 emotion and it's very distracting to the Court and to the
18 witness and to the jury. She needs to leave and get
19 herself together. That's why I took a break. She's
20 very, very disturbed. I understand it's emotional. I'm
21 not criticizing her for that but I think it's best that
22 she sit outside because she must be kin to the victim. I
23 don't think that's fair to her or the trial so we'll take
24 a couple minutes break.

25 (Short break.)

1 BAILIFF: All rise.

2 THE COURT: Y'all be seated. Ready to continue on?

3 MS. MAYES: Yes, sir, Your Honor.

4 THE COURT: Okay. Get the jury.

5 (Whereupon, the jury entered the courtroom at 3:25
6 p.m.)

7 THE COURT: All right. Ms. Mayes, continue on.

8 MS. MAYES: Yes, sir, Your Honor.

9 BY MS. MAYES:

10 Q. Dr. Ross, we had discussed the tape on the wrists
11 which is depicted in item 41 that you looked at previously and
12 again was that tape loose enough for you to remove manually?

13 A. No.

14 Q. Now, in addition to those observations, what
15 ultimately did you determine about the source or mechanism --
16 Let me rephrase that -- about the type of injury that he had
17 sustained?

18 A. He had multiple blunt force injuries including
19 lacerations of the head. Blunt force injury is being hit by
20 something blunt as opposed to something sharp or falling and
21 hitting something. But the blunt force injuries mostly were,
22 there was some linear ones and some that were just not
23 patterned at all. He had a linear laceration above the left
24 eyebrow.

25 Q. I'm going to ask you to slow down, that way I can

1 note each injury that you observed that you would quantify as
2 a blunt force type of injury to the head. -

3 A. Okay. A laceration above the left eyebrow.

4 Q. Okay.

5 A. And multiple small lacerations over the nose.

6 Q. And I know you said multiple. Is it possible to
7 estimate how many of those were present?

8 A. Three. Three. And underneath you could palpate a
9 fracture of the nose.

10 Q. All right. So approximately three individual
11 lacerations to the nose area?

12 A. Yes. And there were two short up and down vertical
13 lacerations at the edge, the inside edge of the left
14 eyebrow.

15 Q. Two of those?

16 A. Yes. And then on the left side of the head above
17 the left ear were lacerations which basically formed the shape
18 of a number 4 which could represent three different hits.

19 Q. And what if anything else?

20 A. Bruising of the eyes, eyelids and the eye, the
21 conjunctiva, the white part of the eye.

22 Q. That would be eyelids and the eye?

23 A. Correct.

24 Q. You mentioned the inside of the eye. What, if
25 anything, did you observe about the white area inside the

1 eye?

2 A. The white parts of the eye called the conjunctiva
3 were bruised also.

4 Q. Now, did you note any type, in addition to the
5 lacerations and bruising that indicated blunt force injury,
6 did you note any fractures to Mr. Hydrick?

7 A. Just the nose.

8 Q. What type of force is necessary to create a fracture
9 of the nose?

10 A. A significant force. Part of the nose, the septum
11 is cartilage but the bridge of the nose is bone and is fairly
12 thick.

13 Q. And so this constellation of injuries here with the
14 multiple blows to the face and as you noted to the left side
15 of the head, how, if at all, does that affect a person?

16 A. It would cause like an unconsciousness, a
17 concussion. You have heard football players being hit in the
18 head that go unconscious for a few seconds. But with severe
19 head injury like this the brain inside the head would go back
20 and forth and cause some swelling of the brain.

21 Q. All right. Ultimately were you able to determine
22 the cause of death for Mr. Hydrick?

23 A. We call it closed head injury. Closed head injury
24 meaning that there was no skull fracture but there was a lot
25 of injury to the head and due to a beating.

1 Q. So the cause of death would be the closed head
2 injury due to the beating?

3 A. Correct.

4 Q. And how did you classify his manner of death?

5 A. A homicide.

6 Q. Now, when you say that this constellation of
7 injuries could result in unconsciousness, how long would it
8 take a person to become unconscious having sustained these
9 injuries?

10 A. It could be seconds.

11 Q. And then once as you noted the injuries have
12 occurred and there is swelling of the brain, how long does it
13 take ultimately for death to occur?

14 A. A few minutes.

15 Q. You mentioned that you did note that decomposition
16 had started. What do you mean by that?

17 A. After death there are certain changes in the body.
18 The skin color is changed, greenish, and skin slippage. The
19 surface of the skin can even slip off. There's bloating and
20 some malodor.

21 Q. Why does decomposition occur?

22 A. There's no circulation going to the organs and the
23 skin to keep them alive and there's a process called autolysis
24 where there's a breakdown of tissue.

25 Q. All right. And ultimately, Dr. Ross, were you able

1 to determine what type of weapon or instrument is used to
2 create a blunt force injury or is it possible to even identify
3 such a mechanism?

4 A. The only thing I can say, most of these were linear
5 so it could be the edge of an instrument or a rod or something
6 with a straight edge.

7 Q. Now, I believe originally at the initial stages of
8 your autopsy had you observed a hammer?

9 A. The investigator who came to the morgue brought in a
10 claw hammer. One side is the hammer, the other side is the
11 claw where you take nails out and we measured, we put the claw
12 part up against this laceration on the side of the head and it
13 didn't quite match.

14 Q. Okay. Let me show you what is State's Exhibit 56
15 being a revolver made of steel or metal. Can you tell us
16 whether an object such as that can be utilized to produce
17 blunt force injury?

18 A. It can be. Yes.

19 Q. In addition to the removal of the duct tape and
20 submission of that to an investigator to take to the State Law
21 Enforcement Division for analysis, what other types of bodily
22 tissues or fluids were collected during autopsy for later
23 analysis?

24 A. We didn't have any blood because with decomposition
25 you have dehydration also so there was no blood. We had liver

1 tissue and brain tissue, some gastric fluid.

2 Q. All right. Can you tell us whether or not those
3 type of bodily tissues are sometimes collected by yourself at
4 autopsy for the purpose of later analysis at the State Law
5 Enforcement Division?

6 A. Yes. It is.

7 Q. When they are collected during the course of the
8 autopsy, who seals them? Who seals those bodily tissues?

9 A. I put them in containers and seal them and I sign
10 them and give them to the investigator present to take to
11 SLED.

12 Q. Now, biohazardous items of evidence such as that or
13 bio specimens, are they maintained in the ordinary course of
14 just sitting in an evidence room?

15 A. No. They go right from the morgue with the person
16 who came to the autopsy.

17 Q. Okay. All right. In this case you would have
18 sealed those bodily specimens yourself prior to giving them to
19 the investigator?

20 A. Well, either myself or I oversee it. Yes.

21 Q. When you say oversee it, you're present to observe
22 those items being sealed?

23 A. Yes.

24 Q. And to ensure that they are, in fact, coming from
25 that same body where you are conducting your autopsy?

1 A. Yes.

2 Q. Is it possible, Dr. Ross, having looked at this
3 multitude of injuries how many separate blows would have been
4 inflicted on Mr. Hydrick?

5 A. Not exactly. But there could be as many as seven.
6 Then you have the bruises to the eyes so that's another one or
7 two.

8 MS. MAYES: Thank you, Dr. Ross. Nothing further at
9 this time, Your Honor.

10 CROSS EXAMINATION

11 BY MS. FULLWOOD:

12 Q. Hi, Dr. Ross.

13 A. Hi.

14 Q. Dr. Ross, you spoke about taking tissue samples to
15 be delivered to SLED, correct?

16 A. Yes.

17 Q. And a lot of times in autopsy SLED conducts
18 toxicology profiles, don't they?

19 A. Yes.

20 Q. On the tissues?

21 A. Yes.

22 Q. All right. And the toxicology profile shows what
23 kind of drugs or alcohol the deceased had in them at the time
24 of death?

25 A. Yes.

1 Q. All right. And you received the toxicology report
2 in this case, didn't you?

3 A. Yes. I did.

4 Q. And in this case Mr. Hydrick had some alcohol in his
5 system, correct?

6 A. Yes.

7 Q. And can you tell us how much?

8 A. It was .047 and maybe .01 of that is maybe due to
9 decomposition.

10 Q. Pardon me?

11 A. About .01 of that may be from decomposition.

12 Q. It was .04 but you think the decomposition
13 attributes for --

14 A. A slight amount.

15 Q. So about .03?

16 A. Correct.

17 Q. All right. And he also had oxycodone and
18 oxymorphone in his system, correct?

19 A. Yes. He did.

20 Q. All right. And is that something you would expect
21 in somebody who is on long term medications of that sort?

22 A. It could be. Yeah. They're opiates so they're pain
23 killers so yes.

24 Q. Right. But in general that's a relatively high
25 amount, is it not?

1 A. Well, when you're dealing with tissue quantitation
2 amounts in tissue, there's no way to know exactly what that
3 means. It means that he did have that on board but the amount
4 of it is hard to say. If you could correlate it with blood
5 sample, if you had a blood sample and could tell how much was
6 in the blood, I would be able to express an opinion on that.

7 Q. So without a blood sample you are unable to give us
8 an opinion on that?

9 A. That's correct. I can say it was there, definitely
10 there but how much, what it meant as far as the way he
11 responded with that medication I couldn't tell you.

12 Q. Now, Ms. Mayes was asking you about what could have
13 inflicted some of these injuries.

14 A. Yes.

15 Q. Could a fist inflict some of these injuries?

16 A. Some of them. Yes.

17 Q. All right. Now, when people die from brain injury,
18 it's not uncommon for you to see that they also have fractures
19 of the skull; is that right?

20 A. That is correct.

21 Q. And in this case he didn't have any skull fractures,
22 did he?

23 A. No. He did not.

24 Q. And it's also not uncommon in death from blunt force
25 injury to the brain for there to be subdural hematomas on the

1 brain? In other words, bruises on the brain itself,
2 correct?

3 A. Correct.

4 Q. And he did not have any of those, did he?

5 A. No. He did not.

6 Q. Now, you have spoken a couple of times about the
7 decomposition that you noted --

8 A. Yes.

9 Q. -- that was present. And it was your information
10 that he died on the 11th, correct, or on the 10th?

11 A. I believe that's what the --

12 Q. On the 10th?

13 A. Well, the coroner gave me the date of the 9th.

14 Q. The 9th.

15 A. I'm sorry. He was -- I'm not sure. The coroner
16 said the 9th he was injured and he died on the 10th. I don't
17 know how he came to that conclusion.

18 Q. Okay. So the coroner said he died on the 10th?

19 A. Correct.

20 Q. And then is it your understanding his body was found
21 and sort of taken to the morgue in the condition where he
22 could be preserved on the 11th?

23 A. Yes.

24 Q. Is that your understanding?

25 A. Yes. I believe so.

1 Q. All right. And then on the 13th two days later you
2 performed your autopsy?

3 A. Correct.

4 Q. Judging from his condition do you think it would be
5 fair to say that the environment he was in from the time of
6 death until his discovery was more likely to be a warm
7 environment rather than a cool one?

8 A. Yes.

9 MS. FULLWOOD: Thank you. I have no further
10 questions.

11 REDIRECT EXAMINATION

12 BY MS. MAYES:

13 Q. And just to follow up, you mentioned that the
14 autopsy was conducted on the 13th?

15 A. Correct.

16 Q. And that you had received some background
17 information from the coroner?

18 A. Yes.

19 Q. Is that routine?

20 A. Yes.

21 Q. And at this point in time do you know if they had
22 retrieved the records from his ankle monitor or anything of
23 that nature?

24 A. No. No. I do not.

25 Q. So were you included in any discussions about that

1 after the fact?

2 A. No. I was not.

3 Q. And, Dr. Ross, if 1:43 a.m. on the 10th would be the
4 time of death and you did your autopsy October 13th, 2014 can
5 you tell us whether or not your observations would be
6 consistent with that time frame?

7 A. Could be depending on the temperature and
8 environment.

9 Q. Can you explain that a little bit more, how all the
10 different factors that may come into play with the level of
11 decomposition?

12 A. Sure. It's very difficult to, no matter what the
13 television says, it's difficult to say how long a person has
14 been dead and how long it takes for these types of
15 decomposition changes to occur. It depends on the temperature
16 and the environment. It depends on whether the person had a
17 fever to begin with. It depends on the -- Well, mostly the
18 temperature.

19 Q. All right. And so when it comes to determining an
20 actual time of death trying to put a number on it, is that
21 something you're able to do in a case like this?

22 A. No. It's mostly circumstantial, when he was last
23 seen, when he was last talked to, mail in the mailbox, that
24 kind of thing.

25 Q. All right. And the unconsciousness that you spoke

1 of that results from these injuries, can you tell us whether
2 or not that type of unconsciousness would result in a lack of
3 movement?

4 A. It would. Yes.

5 Q. Now, one thing that Ms. Fullwood was asking you
6 about was whether some of the injuries could be consistent
7 with a fist.

8 A. Yes.

9 Q. What, if anything, indicates to you as a forensic
10 pathologist that an object or instrument was also used?

11 A. The linear lacerations would be from a rod shaped or
12 a long type of instrument. The bruises on the eyes could be
13 from a fist.

14 MS. MAYES: Thank you. Nothing further.

15 MS. FULLWOOD: No recross.

16 THE COURT: Thank you, Dr. Ross. Step down. Thank
17 you for coming.

18 MS. MAYES: May she be excused, Your Honor?

19 THE COURT: Oh, sure.

20 MS. MAYES: The State calls Courtney Thompson.

21 Thereupon,

22 COURTNEY THOMPSON

23 after having been first duly sworn, testified as follows,

24 THE CLERK: Please have a seat. Once you're seated,
25 state your full name spelling your last please.

1 THE WITNESS: My name is Courtney Thompson,
2 T-h-o-m-p-s-o-n.

3 DIRECT EXAMINATION

4 BY MS. MAYES:

5 Q. All right. Agent Thompson, where are you employed
6 and in what capacity?

7 A. I work for the South Carolina Law Enforcement
8 Division also referred to as SLED. I'm a forensic serologist
9 in the DNA case work department.

10 Q. How long have you been a serologist at the State Law
11 Enforcement Division?

12 A. I have been working there for about five and a half
13 years.

14 Q. And tell us a little bit about the field of serology
15 and your educational background and training that led you to
16 become a serologist there in the state crime lab?

17 A. My education, I have a Bachelor's Degree in forensic
18 science from Southwestern University. I have also completed
19 Master's level course work through the University of Florida
20 in biological evidence and serology. In order to become a
21 certified independent serologist at SLED I had to go through a
22 rigorous training program where a DNA analyst trained me in
23 all the evidence handling and testing procedures that we do
24 through, how to maintain the integrity of evidence, the chain
25 of custody, report writing and also courtroom testimony. I

1 had to go through a series of tests to prove that I was
2 competent to perform case work on my own. That included a
3 mock case. I had to go through a mock trial as well as a
4 written and oral exam all prior to being allowed to touch any
5 evidence by myself or do any type of case work on my own.

6 The field of forensic serology is encompassing the,
7 I would say analysis of different types of body fluids. The
8 reason why we look at these body fluids is because they are
9 good sources of DNA. The most common body fluids that we look
10 at in our department is blood, semen and saliva. In addition
11 to searching items of evidence for bodily fluids I also will
12 process items of evidence for different types of DNA that
13 could be left behind on items such as clothing, weapons,
14 pretty much anything that would be larger than a swab it would
15 come to me and I will try and process that evidence to try to
16 attempt to recover DNA from the individual interest. And then
17 once I'm done I prepare the samples for a DNA analyst and
18 issue a report on my findings.

19 Q. All right. And, Agent Thompson, during the course
20 of your five years in forensic serology have you had the
21 opportunity to testify previously as an expert in the field of
22 forensic serology?

23 A. Yes. I have.

24 Q. Is it possible to estimate how many times?

25 A. I would say that I have testified approximately 15

1 times.

2 Q. As an expert?

3 A. Yes. As an expert.

4 MS. MAYES: Your Honor, at this time the State would
5 offer Agent Courtney Thompson as an expert in the field
6 of forensic serology.

7 THE COURT: Voir dire?

8 MS. FULLWOOD: No, Your Honor.

9 THE COURT: All right. Ms. Thompson is qualified as
10 an expert in the field of forensic serology.

11 BY MS. MAYES:

12 Q. Now, Agent Thompson, what in general is the study of
13 serology?

14 A. Serology is the examination of bodily fluids in a
15 forensic setting.

16 Q. Did you have an opportunity to process certain items
17 of evidence in this case, the lab number, L14-13152?

18 A. Yes. I did.

19 Q. All right. I want to start with your initial work
20 in this case. Did you generate a report dated January of
21 2015?

22 A. Yes. I issued a report January 19th of 2015.

23 Q. Do you have that report with you today?

24 A. Yes. I do.

25 Q. I'm going to start by asking you what items came in

1 for you to process there in the serology department on that
2 date?

3 A. The items that I processed for this report was item
4 5 which was a white and pink ceramic jar, item 6 a wooden and
5 ceramic jar, a pair of boots, a pair of jeans, another pair of
6 jeans and a knife.

7 Q. All right. So as it pertained to the ceramic jars
8 you said there were two of those?

9 A. That is correct.

10 Q. We have here what is State's 17 but tell us what
11 work you did with those two jars.

12 A. The jars were submitted for blood testing and so on
13 both sets of jars I collected swabs off of them that tested
14 presumptively positive for the presence of blood and they were
15 forwarded onto the DNA section for further analysis.

16 Q. So you are determining whether or not it's blood and
17 then somebody else determines whether or not DNA is found; is
18 that correct?

19 A. That's correct.

20 Q. And so from the swabs that you took from both of
21 these ceramic jars can you tell us whether or not they were
22 positive for blood?

23 A. Yes. Both of my results for each sets of swabs
24 indicates that the presumptive testing for blood was
25 positive.

1 Q. All right. And what's next? I want to refer you
2 specifically to your report dated July of 2015.

3 A. My report issued July 19th of 2015 was item 19 which
4 was a gun and then two sets of swabs that I collected from the
5 gun.

6 Q. And you collected the swabs from the gun yourself?

7 A. Yes. I did.

8 Q. Why did you do that?

9 A. The gun was submitted for evidence processing that
10 was needed and the first set of swabs that I collected was
11 from essentially the, a lot of parts of the handgun are metal
12 and so I swabbed the metal parts of the handgun and it tested
13 positive presumptively for blood so I forwarded that onto the
14 DNA section and then I took a set of swabs from the grip of
15 the gun which is where someone would have held it for possible
16 touch DNA as well.

17 Q. I will show you what's in evidence as State's 56 and
18 ask you whether or not you recognize that item and if so,
19 how?

20 A. I can recognize this item because the packaging has
21 the unique SLED lab number that it's identified with whenever
22 it's submitted to the lab as well as its corresponding item
23 number and then every time an item of evidence comes to us
24 after it has been through its processes, I seal it back up to
25 maintain the integrity of the evidence and I will initial and

1 date the date that I worked on the item so my initials and the
2 date is on the seal that I created and I then recognize my
3 handwriting on the weapon itself.

4 Q. Take your time and put on the appropriate wear and
5 I'm gonna ask you to show us specifically where on that gun
6 you collected your swab.

7 A. Item 19.1, the first set of swabs I collected is
8 from this entire metal area of this gun and then item 19.2 are
9 swabs that I collected from the grip area or like the handle
10 of the gun.

11 Q. There are markings and a silver pin on the weapon.
12 Who made those markings?

13 A. I made those markings.

14 Q. And so everywhere where it says 19.1, that was the
15 area that you swabbed that's known as 19.1?

16 A. That's correct.

17 Q. You said that's the metal area along the barrel?

18 A. Yes.

19 Q. Can you tell us whether or not you were able to
20 visualize any blood from the naked eye?

21 A. Yes. I did visualize blood and which led me to test
22 the set of swabs that I collected in order to make sure that I
23 was sending forward something that had tested positive
24 presumptively for blood and would be something that would need
25 to move forward for DNA analysis.

1 Q. When you say that you could visualize blood, what
2 area do you recall in which you were able to visualize
3 blood?

4 A. From what I recall whenever I first examined the gun
5 the area that was most clearly visible which led me to test it
6 for blood was on the barrel area where the rounds would be
7 placed kind of in this area where there is actually like a pin
8 marking right here.

9 Q. Okay. Now, once you conduct your processing by
10 taking your swab 19.1, and then you also took 19.2 from the
11 grip, what's the next step where those swabs are concerned?

12 A. After the swabs have been collected, they are
13 packaged by myself into a set of envelopes to keep them safe
14 and secure and then they are placed into what we call a heat
15 sealed pouch. This heat sealed pouch has been sealed by
16 myself and then the swabs went back to the evidence control
17 department where they awaited pick up by the DNA analyst.

18 Q. Does anyone else unseal those swabs or process those
19 swabs prior to the DNA analyst?

20 A. No. No one would have handled them.

21 Q. In this particular case who was that DNA analyst?

22 A. The DNA analyst on this case is Paul Meeh.

23 Q. You mentioned that you had visualized blood. Do you
24 do a presumptive test there in the serology department to get
25 a determination as to whether it's blood?

1 A. That's correct.

2 Q. What were the results of your testing?

3 A. For the swabs that were taken from the metal area of
4 the gun the presumptive test for blood was positive.

5 Q. Now we're going to move forward. Did you conduct
6 any other testing? Or I'm gonna back track real quick. I'm
7 sorry. The date that you actually collected these swabs that
8 you visualized blood and then did your test which was positive
9 for blood, what was that date, Agent Thompson?

10 A. The actual date of collection was March 19th,
11 2015.

12 Q. March 19th of 2014?

13 A. '15.

14 Q. Okay. March 19th, 2015 is when you collected those
15 swabs, did your presumptive positive testing for blood and
16 then sealed them?

17 A. Yes. That's correct.

18 Q. Now, moving forward to 2018 --

19 MS. MAYES: Your Honor, if I could have a permission
20 for Detective Morris to come forward to assist in this
21 evidence? This would be the shorts.

22 THE COURT: Okay.

23 BY MS. MAYES:

24 Q. I'm going to ask you, Agent Thompson, whether or not
25 you recognize this item and if so, how?

1 A. I recognize this item because it has the SLED lab
2 number and the item number and my initials in the waistband of
3 the shorts.

4 Q. All right. And did you process that item as well?

5 A. Yes. I did process this item.

6 Q. What ultimately did you determine about whether or
7 not swabs should be collected and did you do any type of blood
8 testing?

9 A. I did take two cuttings from this pair of shorts,
10 one from the interior front left pocket of the shorts and then
11 one from the exterior rear left leg of the shorts. Both of
12 these cuttings were positive presumptively for the presence of
13 blood.

14 Q. All right. If you could tell us one more time now
15 where those cuttings were from on the shorts?

16 A. 25.1 is from the interior front left pocket of the
17 shorts.

18 Q. Okay.

19 A. Right there. And then the second cutting 25.2 is
20 from the exterior rear right leg of the shorts which is right
21 here.

22 Q. Rear right leg?

23 A. Yes.

24 Q. All right. You said that both of those were
25 positive for blood?

1 A. Yes. They tested presumptively positive for
2 blood.

3 Q. How did you go about packaging those swabs and
4 maintaining them for purposes of DNA analysis?

5 A. The cuttings were packaged similar to how the swabs
6 would be here, put into individual small envelopes, then they
7 were put into a heat sealed pouch and returned to evidence
8 control and then awaited pick up from the DNA analyst.

9 Q. All right.

10 A. If I may make one correction. I reviewed the chain
11 of custody and I actually gave these cuttings directly to the
12 DNA analyst. I would just like to clarify that.

13 Q. When you say you gave them directly to the DNA
14 analyst, who is that analyst?

15 A. Paul Meeh.

16 Q. I'm going to show you an unmarked item and once
17 again ask you whether or not you recognize this item?

18 A. Uhm, let me push these down so I can see. I can
19 recognize the items inside the heat sealed pouch because I
20 have written the case number and item number on the envelopes
21 and then --

22 Q. Do you need us to unseal that?

23 A. It would be easier to show the original packaging,
24 but I sealed each of the envelopes individually with my
25 initials and the date as well which can be visualized through

1 the heated sealed pouch. Yes. I recognize this as my
2 original heat sealed pouch that I created for the items and it
3 has my name and the initials on the seal to show that I sealed
4 the item myself and then each of the envelopes themselves have
5 my handwriting on the back that has my initials and the date
6 the item was collected.

7 Q. All right. And these specific items are which swabs
8 that you collected?

9 A. This is item 19.1 and 19.2.

10 MR. McNAIR: And at this time, Your Honor, this will
11 be State's Exhibit 80 for identification.

12 (Whereupon, State's Exhibit #80 marked for
13 identification.)

14 BY MS. MAYES:

15 Q. I'm going to show you this unmarked item and ask if
16 you can retrieve the swabs that you took from the ceramic
17 jars?

18 A. Yes. Here is item 5.1 and 6.1.

19 Q. And those are the two swabs that you previously
20 mentioned from the ceramic jars that have been, that you
21 testified were presumptively positive for blood?

22 A. That's correct.

23 MS. MAYES: Your Honor, these would be for
24 identification. State's 81 and 82, Your Honor.

25 (Whereupon, State's Exhibits #81 and #82 marked for

1 identification.)

2 BY MS. MAYES:

3 Q. Now, having handed you another unmarked item, can
4 you tell us whether or not you recognize any processing that
5 you did on that item?

6 A. Yes. I do recognize this. These are both of the
7 cuttings that I took off of item 25 which is a pair of
8 shorts.

9 Q. The 25.1 and 25.2?

10 A. That is correct.

11 MS. MAYES: Your Honor, we would mark these as one
12 exhibit for identification at this time.

13 (Whereupon, State's Exhibit #83 marked for
14 identification.)

15 BY MS. MAYES:

16 Q. Now, in this particular case when tissue or our body
17 samples come in from an autopsy, are involved in that in any
18 way or do they go directly to the DNA analyst?

19 A. No. Typically no tissues or anything like that come
20 down to the serology department.

21 Q. All right. And what other type of processing, if
22 any, did you attempt in this case, Agent Thompson, regarding
23 duct tape?

24 A. The duct tape, in reference to, I believe, item 8
25 which is a roll of duct tape, a request was placed on that

1 item to swab it for possible touch DNA but it had already gone
2 to the latent prints department and had been through some
3 chemical processes which do not allow us to try and swab
4 anything behind it because the chemical processes interfere
5 with DNA collection.

6 Q. That dealt with duct tape that had been analyzed by
7 your latent print department for latent prints?

8 A. That's correct. The duct tape did not come in for
9 an examination request for DNA of any type. It was requested
10 after the item had already been processed by the latent prints
11 department.

12 Q. And can you tell us if you recall which item of duct
13 tape that was?

14 A. I believe it's item 8 which I think is listed as a,
15 I think duct tape from the top of the refrigerator, I believe.
16 Yes. Item 8.

17 Q. All right. And that item you observed yourself?

18 A. No. I did not observe it myself. I referred to the
19 latent print analyst on this particular case Tom Darnell and
20 he is who advised me that collection would not be able to be
21 performed just due to the processing he had already performed
22 on the item.

23 Q. In an attempt to get latent prints?

24 A. Yes.

25 MS. MAYES: Nothing further, Your Honor.

1 CROSS EXAMINATION

2 BY MS. FULLWOOD:

3 Q. I only have a couple of questions for you, Agent
4 Thompson. You first swabbed the gun on March the 19th of
5 2015?

6 A. Yes.

7 Q. And that was the metal area and the grip?

8 A. Yes. Two separate sets of swabs.

9 Q. All right. And then was it resubmitted in July of
10 that year for additional swabs?

11 A. The gun?

12 Q. Yes.

13 A. I'll refer to the chain of custody.

14 Q. I'm referring to your report dated July 19th of
15 2015.

16 A. As far as I recall that was the only time that the
17 gun was here for processing. I processed it in March, on
18 March 19th of 2015 and that is the corresponding report from
19 July.

20 Q. So you swabbed it in March but didn't do your report
21 until July?

22 A. That's correct.

23 Q. Why is that?

24 A. After a report is written, it has to go through a
25 peer review process just to ensure the accuracy and

1 correctness of our results. It goes through two stages of
2 review and because of that we are dependent on the reviewers
3 in that process to go through the report very carefully and so
4 sometimes it's actually not uncommon to see reports issued
5 several months after initial analysis is performed just
6 because sometimes the review process can take a while.

7 Q. So is it your testimony that your presumptive
8 testing for blood was forwarded to the DNA section in March or
9 July?

10 A. Well, the testing was done and completed in March
11 and then referring to the chain of custody I'm going to look
12 at those actual items and they did not stay in my custody
13 until July. I sent them back to the evidence control
14 department where they awaited pick up from the DNA analyst so
15 I performed the analysis, the swabbing on the 19th and then a
16 few days later on the 23rd I returned them back to evidence
17 control so the report was issued several months after but the
18 testing had been completed.

19 Q. Okay. It had been sent to DNA in March?

20 A. It was sent back to the evidence control
21 department.

22 Q. Evidence control.

23 A. Mm-hmm. That's where all the evidence needs to sit
24 and wait in a secured storage area until the DNA analyst is
25 ready to pick up the items of evidence for analysis.

1 Q. So that's where you put the swabs?

2 A. Yes. That's where I took them.

3 Q. On your evidence sheet from the 19th you made the
4 comment gun cleared by CMS 3/19/15. What's CMS?

5 A. CMS stands for a analyst in the firearms department.
6 The reason why that note is on the worksheet is because in
7 order for the safety of the serologists in that department all
8 firearms are examined by us in the room with them for safety
9 to ensure that we won't have any sort of accident happen while
10 we're processing the gun because they require a lot of
11 handling and so they're trying to keep us safe. When they do
12 clear a weapon, they wear gloves, they wear the proper PPE or
13 personal protective equipment that we wear while we're
14 processing to ensure that there's no contamination of the item
15 at all and that the evidence on the item is preserved.

16 Q. You also indicated that touch DNA swabs collected
17 from the grip due to unclear information about location that
18 item 19 was recovered from. What do you mean by that?

19 A. Based off of the information that I had at the time
20 available to me from the submitters that had given the gun,
21 brought it to SLED for analysis, I wasn't sure if touch
22 processing was going to be actually required at the time
23 because it could be useful to know later if someone was
24 holding the grip of the gun and then if, you know, the blood
25 that was found on the gun corresponded to a person of

1 interest. We like to conserve and preserve any potential DNA
2 that is present. So I did that out of an abundance of caution
3 because many times after an item has passed through my hands I
4 won't see it again. So I really collected the swabs out of an
5 abundance of caution and to preserve any potential DNA that
6 was there.

7 Q. That's because you were provided with unclear
8 information?

9 A. Well, at the time I wasn't exactly sure where the
10 gun was recovered from and its relevance which is not
11 necessarily always an uncommon thing to happen but
12 nevertheless we want to make sure that we preserve any
13 potential evidence that might be there should it be needed
14 later.

15 Q. But in your report you described it as unclear
16 information, correct? I'm sorry. Not report. Your evidence
17 worksheet dated March 19th?

18 A. That's correct. That is what I noted on the
19 worksheet.

20 Q. Wasn't this gun sent back to the submitting agency
21 without testing originally?

22 A. I'll refer you to the chain of custody to check on
23 that. Item 19 was submitted to the lab on February 17th, 2015
24 where it was then put in evidence processing firearms intake
25 storage which is just the location that firearms need to be

1 held in until an evidence processing serologist can find them
2 and get them and then it was taken into my custody on March
3 16th of 2015 so it appears that when it was submitted, I
4 processed it. I processed it when it was here. It was not
5 resubmitted as far as I can tell from the chain of custody.

6 Q. Have you looked at the entire chain or just where it
7 stops with you putting it into your evidence place?

8 A. The chain of custody indicates that it was then
9 after I was done with it I returned to an evidence control
10 technician who placed it on a return shelf and then she
11 returned it to the agency on April 15th of 2015. It doesn't
12 appear that it was ever submitted to SLED again.

13 Q. Okay. Are you positive you have the complete chain
14 on that item?

15 A. Yes, ma'am.

16 MS. FULLWOOD: Okay. No further questions.

17 REDIRECT EXAMINATION

18 BY MS. MAYES:

19 Q. Just to clarify, despite you not having the full
20 background on that, did you, in fact, swab the handle of or
21 grip of that gun for potential DNA?

22 A. Yes. That's why I processed it.

23 MS. MAYES: Nothing further, Your Honor.

24 THE COURT: You may step down.

25 MS. MAYES: The State calls Agent Paul Meeh.

1 Thereupon,

2 PAUL MEEH

3 after having been first duly sworn, testified as follows,

4 THE CLERK: Please have a seat. Once you're seated,
5 state your full name spelling your last please.

6 THE WITNESS: My name is Paul Meeh, M-e-e-h.

7 DIRECT EXAMINATION

8 BY MS. MAYES:

9 Q. Good afternoon, Agent Meeh.

10 A. Good afternoon.

11 Q. Tell us a little bit about yourself and we'll make
12 this as brief as possible. Give us your information regarding
13 your educational background and training.

14 A. Sure. So I got my biology degree in 2001 from the
15 University of South Carolina, and then I got my Master's from
16 the medical school in the same in biology which was actually
17 biomedical science there, and that was in molecular biology.
18 I did three years of Ph.D. work there, but I got hired away by
19 SLED. I never did finish my Ph.D. and that was in about 2004
20 I guess. Around in there. 2007. Excuse me. I have been
21 there ever since.

22 Q. What type of work do you do at the State Law
23 Enforcement Division?

24 A. I'm a forensic scientist in the DNA department.

25 Q. When you say that you're a forensic scientist in the

1 DNA department, do you actually analyze DNA there?

2 A. I do. Yes.

3 Q. Do you develop DNA profiles for the purpose of
4 identification?

5 A. Correct.

6 Q. How long have you worked as a DNA analyst at the
7 State Crime Lab?

8 A. Almost 11 years now. It's more than 10. I did a
9 year and a half of training under an analyst there when I got
10 there so that was in 2007 so my personal would be about nine
11 and a half years of me working independently as a DNA
12 analyst.

13 Q. As a DNA analyst how many times have you testified
14 in a criminal court in the State of South Carolina regarding
15 your findings as a DNA analyst?

16 A. I would say about 35 to 40 times. A good many. I
17 can't give you an exact number but probably close to 40 times
18 now.

19 Q. Agent Meeh, in addition to offering testimony
20 regarding DNA analysis, does that include statistical
21 calculations associated with identification of DNA profiles?

22 A. Yes. It does. I have required classes in
23 statistics and outside training for statistics as well.

24 Q. You have given testimony in both in regards as an
25 expert?

1 A. Yes. I have.

2 MS. MAYES: Your Honor, at this time the State would
3 offer Agent Paul Meeh as an expert in the field of DNA
4 analysis and statistical calculations.

5 THE COURT: Any voir dire?

6 MS. FULLWOOD: No, Your Honor.

7 THE COURT: Mr. Meeh is qualified as an expert in
8 the field of DNA analysis as well statistical profile.

9 BY MS. MAYES:

10 Q. All right. Agent Meeh, I want to take you through
11 some of these items that were submitted to you in this case.
12 But first I want to ask you as a DNA analyst, who actually
13 unseals swabs that were collected by serology?

14 A. That were collected by serology? I would. They
15 would be sealed and sent to me in a container. You have
16 probably seen some of the containers. They're just sealed
17 with a heat sealed pouch like this. You can see my initials
18 on this one and that's how they would come to me but they
19 would only have a single set of initials on them.

20 Q. So you were the one to actually unseal those items
21 whether they were sealed at a crime scene or whether they're
22 sealed there by your serologist?

23 A. Correct. And I would not work on those, if they
24 were unsealed, I wouldn't work on them if something were wrong
25 or incorrect.

1 Q. Is that pursuant to SLED policy and protocol?

2 A. Yes. That is correct.

3 Q. I want to start, Agent Meeh, by asking you about
4 items submitted for DNA analysis to you. I'm gonna refer you
5 to a report dated July 7th of 2015.

6 A. Got it.

7 Q. First of all, when you are talking about a crime
8 scene such as a homicide, is it important to have a DNA
9 profile on the victim himself being Johnny Hydrick?

10 A. Yes. Of course. Part of my job is to identify
11 whether things match to someone else. You have to have a DNA
12 standard from anyone that you're gonna attempt to match to
13 it.

14 Q. Who in this case actually developed a DNA profile
15 from the victim Johnny Hydrick?

16 A. I did.

17 Q. What body tissues did you develop a DNA profile
18 from?

19 A. From brain and from liver.

20 Q. Were those items unsealed prior to arrival to you
21 for purposes of developing a DNA profile?

22 A. No. They were sealed when I received them.

23 Q. Were you able to successfully develop a DNA profile
24 for Johnny Hydrick?

25 A. Yes. I was.

1 Q. What is it, tell us in general about DNA or
2 deoxyribonucleic acid that is unique to each individual?

3 A. Well, you get half of it from your mother and half
4 of it from your father and as those passing downs are taking
5 place over the years we have had slight mutations. We measure
6 a simple thing in the genome that's just a small repeat. All
7 we measure is the length. It's really quite simple of what we
8 do with it. It's really powerful in that no two people are
9 alike. No two DNA profiles are alike. No two DNA profiles in
10 the entire existence of the world, all of the people that have
11 ever existed except for identical twins, they have the same
12 DNA, but your DNA is very specific to you.

13 Q. So referring you to that report dated July 7th,
14 2015, did you receive any swabs that had been originally
15 collected by your serologist Courtney Thompson from ceramic
16 jars?

17 A. From ceramic jars, that would be my 6.1. Yes. I
18 did receive a swab from her.

19 Q. I'm going to show you what is State's Exhibit 81.

20 A. Correct. Yes. I received this.

21 Q. And also 82?

22 A. Yes. Correct. Sorry I missed that one. 5.1.

23 Q. Did you conduct analysis on these items?

24 A. I did. Yes.

25 MS. MAYES: Your Honor, at this time the State would

1 offer 82 and 81 as evidence being the swabs from the
2 ceramic jars.

3 MS. FULLWOOD: No objection.

4 THE COURT: No objection to the swabs. 81 and 82
5 are in.

6 BY MS. MAYES:

7 Q. Were you able to determine, Agent Meeh, whose blood
8 was presented on those ceramic jars?

9 A. Yes. I was. It matched Johnny Hydrick.

10 Q. Were you able to develop any other DNA profiles from
11 those swabs other than Johnny Hydrick himself?

12 A. No. Not from those two items.

13 Q. Next I'm going to ask you about 4.1 and 4.2, the
14 swabs from the duct tape.

15 A. Yes.

16 Q. I'll hand you a bunch of items and let you take it
17 from there.

18 A. Yes. You can see my initials here where I cut this
19 open and sealed it after I tested it and this has 4.1 and 4.2
20 in it. I think those are the two you asked about.

21 MS. MAYES: That is State's 79. Your Honor, I
22 believe this item is already in evidence.

23 THE COURT: It is.

24 BY MS. MAYES:

25 Q. All right. Where the swabs from the duct tape are

1 concerned what, if any, type of test did you do?

2 A. I did a presumptive test for blood which is just a
3 quick test to see if it could be blood. That was positive in
4 both examples for 4.1 and for 4.2 and then I also DNA tested
5 it and it matched Johnny Hydrick.

6 Q. So the blood on the duct tape is that of Mr.
7 Hydrick. Were you able to develop any other DNA profile from
8 those swabs from the duct tape other than the DNA profile of
9 Johnny Hydrick?

10 A. No. I was not.

11 Q. And do you have in your notes specifically where
12 those swabs had come from on the duct tape?

13 A. I do. It looks like item 4.1 was a swab from the
14 non adhesive side of item 4 duct tape prior to separation and
15 item 4.2 was a swab from the duct tape near some visible ridge
16 detail.

17 Q. And to clarify, is this the same duct tape that was,
18 had come from the autopsy of Mr. Hydrick?

19 A. I would assume so. I would have to check the chain
20 of custody to confirm that but that's what I believe them to
21 be. Yes.

22 Q. Okay. Yes?

23 A. Yes. That's correct.

24 Q. Now, in addition to that duct tape did you conduct
25 analysis on swabs from any other duct tape? Specifically I'm

1 gonna refer you to 9.1.

2 A. Yes. --Item 9.1 is a swab. My description is just
3 swabs from item 9 duct tape.

4 Q. Okay.

5 A. My results, I also tested that for blood and it
6 matched Johnny Hydrick.

7 Q. Were you able to develop a DNA profile on any other
8 individual other than Johnny Hydrick?

9 A. No. I was not.

10 Q. I'm gonna ask you to take a look at 41. Agent Meeh,
11 when we have an item such as duct tape that's been wrapped
12 tightly on a person's hands used with strength, how, if at
13 all, or ordinarily would you expect to get DNA, touch DNA from
14 an item like that when a person is handling it?

15 A. You could possibly. Any time you touch anything you
16 leave touch DNA. If you're handling a pen, like if you own a
17 pen, I could probably tell that's your pen. But in this
18 example there's a lot of blood from the victim and that would
19 kind of cover up a lot of the DNA that someone else would have
20 left there. If I'm touching this glove, I may be able to tell
21 if my touch DNA is on this glove but if someone else bleeds on
22 it, it's gonna hide it. I would never be able to tell if two
23 people were there. It would hide me touching it.

24 Q. And what, if any, other factors may affect your
25 ability to recover DNA as a DNA analyst?

1 A. Well, if they never left it. If the perpetrator of
2 the crime was wearing gloves, they would never leave any DNA
3 for me to find anyway.

4 Q. So gloves would act as a barrier where DNA is
5 concerned?

6 A. Correct. That's how we work with it, too. We wear
7 gloves that are very similar to this. Any time we work with
8 items that are inside these pouches we wear gloves just like
9 this to protect the items themselves from our DNA. I don't
10 want my DNA to get in there either.

11 Q. In addition to the swabs from the duct tape, did you
12 also have the opportunity to analyze swabs taken from a van?

13 A. Yes. I actually tried two times on one of them but
14 I had three swabs from what I believe to be a van, items 15,
15 16, and 17.

16 Q. All right. What type of testing was conducted in
17 that regard to develop a DNA profile?

18 A. Well, for those I didn't presumptively test them for
19 blood the first go around because they had already been tested
20 with a substance called LCV prior to my handling of them but
21 then I did try to develop DNA profiles from items 15, 16, and
22 17. I didn't get anything. I got a partial DNA profile from
23 item 17 but it was insufficient for interpretation.

24 Q. All right. What does that mean, insufficient for
25 interpretation?

1 A. That means we get just a little bit of DNA but it's
2 not enough to tell anything about. It's not enough for me to
3 try to match it up to someone.

4 Q. And what item numbers are those being the swabs from
5 the van?

6 A. 15, 16, 17.

7 Q. I'm going to show you what is marked right now as
8 State's 77 for identification and ask you whether or not you
9 recognize that item?

10 A. Yes. I do. Again, you can see my initials on the
11 item. It's got 15 through 17 inside of it.

12 Q. All right. How many swabs total were there for
13 analysis?

14 A. Three. Oh, do you mean -- I would have to look in
15 my case file to see if there were -- I think there were only
16 one of each of these I'm pretty sure without digging into the
17 evidence worksheet but I think it was only one of each because
18 they were reported to be small spots.

19 Q. Okay. Now, of the three swabs that you analyzed
20 were you able to develop a DNA profile that you could actually
21 identify?

22 A. No. I was not.

23 Q. Now, were you able to see a partial DNA profile on
24 one of the swabs?

25 A. I was. On item 17 I got a very slight partial

1 regular DNA profile. I tried a different kit later on which
2 is called Yfiler plus. It measures only male DNA which is the
3 Y chromosome and it's much more sensitive than the normal DNA
4 amplification and I still couldn't get anything to compare.
5 There just wasn't enough DNA.

6 Q. You would call that insufficient?

7 A. Yes.

8 Q. For identification?

9 A. Correct. Or interpretation.

10 Q. So what is it, if anything, about that that would
11 indicate that there was, in fact, DNA present on that
12 particular swab?

13 A. Item 17 I think was from a seat and you would in
14 normal everyday analysis expect to get DNA from a driver's
15 seat. I would expect to get my profile, maybe my wife's from
16 my own driver's seat and in this example I just didn't get any
17 DNA at all and that could have been several different factors
18 that could have caused that.

19 Q. What are some of the factors that may play a role in
20 your inability to develop a DNA profile even on swabs that
21 have presumptively tested positive for blood?

22 A. On that example the test itself could have degraded
23 the DNA. LCV is known to degrade DNA. Cleaners. Clorox. If
24 someone keeps a clean car which I don't but if someone does,
25 that can degrade DNA in a car. The heating and cooling of a

1 car definitely. Heat is terrible on DNA. It's really bad for
2 it. Makes it go away quickly.

3 Q. So heat, temperature. What about sunlight?

4 A. Definitely. Sunlight is terrible for DNA. The UV
5 rays just degrade it very quickly.

6 Q. All right. So here three swabs were positive for
7 blood, presumptively positive for blood.

8 MS. FULLWOOD: Your Honor, I object to testimonial
9 type statements without a question.

10 MS. MAYES: That was in the form of a question. I
11 just didn't get to finish it. I apologize.

12 THE COURT: Finish the question then.

13 BY MS..MAYES:

14 Q. So with three swabs presumptively positive for blood
15 but the inability to develop a DNA profile, do you have an
16 opinion as to whether or not that indicates some type of
17 degrading or degradation?

18 A. Not really. It could have been many things. My
19 opinion is that it could have been any of a number of things
20 to cause those positive tests. It could have been blood. It
21 could have been animal blood. It could have been any of a
22 number of things. It also could have been human blood that
23 degraded. That's a possibility. I have no way to know based
24 on my testing at all.

25 Q. When you talk about the degrading, I believe you

1 mentioned previously cleaning, sunlight and heat are all --

2 MS. FULLWOOD: Your Honor, I'm gonna object. This
3 has been asked and answered. We have been beating on it
4 for too long.

5 THE COURT: Let her ask it one more time.

6 BY THE WITNESS:

7 A. Yes. Those factors. I'm sorry. Those factors all
8 could have played into it definitely.

9 BY MS. MAYES:

10 Q. All right. Now, moving on, Agent Meeh, I want to
11 refer you to various swabs collected from the crime scene
12 itself and submitted to your agency by Investigator Curtis
13 Morris of the Edgefield County Sheriff's Department.
14 Referring you to your report dated August 3rd, 2017.

15 A. I have it.

16 Q. Tell us what swabs you analyzed?

17 A. Item 20 is the swab from the top of a refrigerator.
18 Item 21 is a swab from the front of the refrigerator. Item 22
19 is a swab from a light switch. Item 23 is a swab from a room
20 behind the kitchen on wall.

21 Q. A wall?

22 A. Correct.

23 Q. How many were from the refrigerator you stated?

24 A. I'm sorry. I'll go back over them. Item 20 is a
25 swab from the top of the refrigerator. Item 21 also a swab

1 from the front of the refrigerator. 22 was a swab from a
2 light switch. 23 was the room behind the kitchen on wall.
3 And 24 is from a front outside door handle.

4 MS. MAYES: And I don't have that item for evidence
5 number in front of me, Your Honor, but this is the item
6 that contains multiple components A, B, C, D and E.

7 THE COURT: That's 55?

8 MS. MAYES: 43, Your Honor.

9 THE CLERK: 43A through E are in.

10 BY MS. MAYES:

11 Q. This is 43. As we go through these were you able to
12 identify a full DNA profile?

13 A. From some of them I was.

14 Q. Which ones would that be? This is 43. First I'm
15 gonna ask you if you recognize that and can identify those
16 swabs?

17 A. Yes. These are, you can see my initials and the
18 dates are correct on this one.

19 Q. All right. And they would have been sealed prior to
20 arriving to you?

21 A. Yes. They would have.

22 Q. All right.

23 A. A full single DNA profile?

24 MS. MAYES: First, let me say, Your Honor, at this
25 time 43 would be offered as evidence with the individual

1 components.

2 THE COURT: I thought it was already in? I thought
3 it was already in, Ms. Mayes?

4 BY MS. MAYES:

5 Q. All right. Let's start with the light switch, Agent
6 Meeh.

7 A. Okay. That was a partial DNA profile. First of all
8 it was tested for blood. Blood was identified on this item
9 22. The partial, I got a partial DNA profile that matched
10 Johnny Hydrick and the probability of randomly selecting an
11 unrelated individual having a DNA profile matching this item
12 was approximately one in 750 million.

13 Q. Next let's talk about the swab that came from the
14 wall.

15 A. Okay. It was tested for blood. Blood was
16 identified on the item. The DNA profile matched Johnny
17 Hydrick and the probability of randomly selecting an unrelated
18 individual was one in 11 quintillion.

19 Q. Now, let's talk about the swabs from the top of the
20 refrigerator and the other swabs from the refrigerator.

21 A. Okay. Item 20 is a swab from the top of the
22 refrigerator. Blood was identified on that item. The DNA
23 profile was a mixture of at least two individuals on that
24 item, on item 20. A partial DNA profile was developed from
25 the major contributor and that just means that somebody gave

1 more DNA then the other person so you have a major contributor
2 that you have a lot of DNA and a minor contributor that didn't
3 give too much DNA. The DNA profile, the major contributor
4 matched Johnny Hydrick. The partial DNA profile, the minor
5 contributor I couldn't say anything about it. I didn't
6 develop enough to reference that person.

7 Q. Okay. And the next one.

8 A. Item 21 is from the front of the refrigerator.
9 Blood was identified on that item. It was a mixture of at
10 least two individuals. The DNA profile of the major
11 contributor was also from Johnny Hydrick and the partial DNA
12 profile of the minor contributor was insufficient for
13 interpretation again.

14 Q. Now, when we talk about common household items like
15 a refrigerator or a kitchen counter or a couch, can you tell
16 us whether or not you would expect to have a mixture?

17 A. Well, yeah. It depends on how many people live in
18 the house. I definitely would expect to have a mixture of
19 DNA. If I just swabbed a refrigerator handle, it would be a
20 mixture nine times out ten I would guess. If I were swabbing
21 a kitchen counter, it would be a mixture nine times out of ten
22 I would guess. I mean, nobody can clean well enough to get
23 DNA off of every surface in your house and things like that.
24 Even when you wash clothes together, you're mixing DNA in
25 there, too.

1 Q. Can DNA be aged? Can you determine when the
2 profiles were left or the partial profiles were left?

3 A. No. No. It can't. Not at this point.

4 Q. So if I come to your house and go into your
5 refrigerator, is it possible to recover DNA six months
6 later?

7 A. Yes.

8 Q. Now, moving on, you mentioned the front door handle.

9 A. Yes. That's item 24.

10 Q. All right. What were the results of that
11 analysis?

12 A. Blood was identified on that item.

13 Q. Whose blood was on the door handle?

14 A. Johnny Hydrick's.

15 Q. Were you able to develop a DNA profile for any other
16 individual?

17 A. I did not. It was not a mixture.

18 Q. Now, I want to ask you about shorts and whether you
19 had the opportunity to examine cuttings and perform analysis
20 on any shorts in this case?

21 A. I did. Items 25.1 are my items 25.1 and 25.2.

22 Q. And those were the cuttings that were made by the
23 serologist Courtney Thompson that we just heard from a few
24 moments ago?

25 A. Correct.

1 Q. Where the shorts are concerned, those cuttings, do
2 you have that item in front of you?

3 A. I'm not sure. It's in my report.

4 Q. I'll ask you to take a look at this and whether or
5 not you recognize it?

6 A. Yes. These are the swabs that I used or cuttings
7 that I used, excuse me, 25.1 and 25.2.

8 MS. MAYES: Your Honor, we would offer them as
9 evidence at this time.

10 MS. FULLWOOD: No objection.

11 THE COURT: What was the number?

12 MS. MAYES: These were packaged together, Your
13 Honor, as evidence item 83.

14 THE COURT: 83 is in without objection.

15 BY MS. MAYES:

16 Q. What were the results of that analysis?

17 A. Item 25.1 is a cutting from the interior front left
18 pocket area of shorts. The DNA profile matched the DNA
19 profile of Johnny Hydrick. Item 25.2 was a cutting from the
20 exterior rear right leg of shorts. I didn't get any DNA
21 profile from that cutting.

22 Q. All right. 25.1 you stated that it matched the DNA
23 of Johnny Hydrick?

24 A. Yes.

25 Q. Were you able to do any testing to determine if that

1 was, in fact, blood present on the shorts?

2 A. I didn't test it any further for blood. Courtney
3 had already tested it presumptively for blood. She used
4 phenolphthalein as far as I knew.

5 Q. Okay. So once she does the initial test and
6 determines that it's positive for blood, you're only looking
7 for the DNA profile?

8 A. Correct. Given the amount of DNA that we got from
9 this in my opinion I would say it's blood on the shorts.

10 Q. Okay. You identified that as the blood of Johnny
11 Hydrick?

12 A. Yes.

13 Q. Finally, moving onto State's Exhibit 80, this being
14 items 19.1 and 19.2 and ask you whether or not you recognize
15 these items?

16 THE COURT: What's the evidence number?

17 MS. MAYES: 80.

18 BY THE WITNESS:

19 A. Yes. I do recognize them.

20 BY MS. MAYES:

21 Q. And what type of analysis did you do on those
22 items?

23 A. I did DNA analysis on these items. Item 19.1 was a
24 swab.

25 Q. Let me ask you first about 19.2.

1 A. Sorry.

2 Q. 19.2 being a swab from the gun, that was for DNA
3 analysis?

4 A. I'm sorry. Could you repeat that?

5 Q. You were attempting to get DNA from 19.2?

6 A. Yes. Both I was.

7 Q. All right. Were you able to develop any DNA profile
8 from 19.2?

9 A. I did. It was a partial DNA profile and it was a
10 mixture of at least two individuals but the major contributor
11 matched the DNA profile of Johnny Hydrick. Again, he was the
12 major contributor. And the minor contributor was due to low
13 levels of DNA, the partial DNA profile of the minor
14 contributor was possible mixtures so it was insufficient for
15 interpretation. So again, it was covered up. I couldn't see
16 the lesser of two contributors.

17 Q. All right. Now, where 19.1 is concerned, 19.1 being
18 identified as blood, what description do you have for 19.1?

19 A. My description of 19.1 is swabs from .38 caliber
20 Titan Tiger with serial number, N031315. My results from that
21 item, it was a DNA profile, full DNA profile that matched the
22 DNA profile of Johnny Hydrick.

23 Q. 19.2 being previously identified as blood on this
24 gun was a DNA match to Johnny Hydrick?

25 A. That was 19.1. I think, if I may refer back to

1 those two items, 19.1 says blood was, this is according to
2 Courtney, she's indicating to me that there's blood on this.
3 She sent that little box that's checked on this envelope for
4 my testing and 19.2 just says any DNA. So I don't know if
5 19.2 was tested for blood or not.

6 Q. All right. But 19.1 was?

7 A. Yes. It was.

8 Q. And both of those swabs contained the DNA of Johnny
9 Hydrick?

10 A. Correct.

11 MS. MAYES: Nothing further.

12 CROSS EXAMINATION

13 BY MS. FULLWOOD:

14 Q. Hi, Agent Meeh. How are you?

15 A. Well. How are you?

16 Q. Fine. Thank you. I think I only have just a few
17 questions for you hopefully due to the hour. First of all
18 referring to your July 7th, 2015 report.

19 A. I have it.

20 Q. One of the items you received was item 12.1 which
21 was labeled cutting from the blue jeans 33 by 32 collected
22 from Billy Sellers, correct?

23 A. Yes, ma'am.

24 Q. And you developed a partial DNA profile on that
25 item, correct?

1 A. Yes, ma'am.

2 Q. But you were able to exclude Johnny Hydrick as
3 contributing to that DNA?

4 A. That's correct.

5 Q. It wasn't his DNA?

6 A. Correct.

7 Q. Now, in that report also at the end you mentioned
8 the swabs 19.1 and 19.2 which are the swabs from that
9 handgun?

10 A. Yes, ma'am.

11 Q. But you returned them, I guess, to evidence without
12 testing. Why was that?

13 A. That's correct. In this case I'm not exactly sure
14 why. At SLED we get so many items per case. Like if we have
15 a homicide like this, we may get a hundred items that are
16 submitted. In this particular example I can't tell you why I
17 returned these without analysis. I think it was because they
18 were submitted with a touch DNA request which would be
19 different than a blood DNA request and blood was found on this
20 gun so I would have known that the blood was going to hide the
21 subject's DNA probably and then just sent it back without
22 testing. Now, they were returned and I tested them in the
23 future in this case and I did find blood on the 19.1 that
24 matched Johnny Hydrick and 19.2 that matched Johnny Hydrick.

25 Q. You retested in 2016 when they sent those swabs back

1 to you, right?

2 A. Yes, ma'am.

3 Q. Okay. And so Johnny Hydrick's DNA was not on
4 clothing described as that of Billy Sellers; is that
5 correct?

6 A. On item 12.1, that's correct.

7 Q. And Johnny Hydrick's DNA was not in the swabs that
8 came from the interior of the car, were they?

9 A. Correct.

10 Q. There's nothing from him in those swabs, correct?

11 A. Correct.

12 Q. My capably colleague has pointed out one more thing
13 to me. Also on the 7th of July 2015 they submitted to you an
14 item that you have numbered as 11.1 which are swabs from brown
15 survivor boots, right?

16 A. Yes, ma'am.

17 Q. And you did develop a DNA profile from that?

18 A. Yes.

19 Q. But it was not the profile of Johnny Hydrick?

20 A. Correct.

21 MS. FULLWOOD: No further questions.

22 REDIRECT EXAMINATION

23 BY MS. MAYES:

24 Q. Do you have any background information as to where
25 those items had even come from?

1 A. No. I do not.

2 MS. MAYES: Thank you. Nothing further.

3 THE COURT: Step down. Are we to the long witness?

4 MS. MAYES: Yes.

5 THE COURT: All right. This is a good time to break
6 because people are tired, some more tired than others.
7 All right. We're done for the day. Put your note pads
8 in the jury room and we'll start back at 9:00 in the
9 morning. Y'all get a good nights sleep.

10 (Whereupon, the jury was released for the evening at
11 5:00 p.m.)

12 THE COURT: All right. I want to start back in the
13 morning at 9:00.

14 MS. MAYES: Yes, sir, Your Honor.

15 THE COURT: See you in the morning.

16 MS. MAYES: I do want to just state the State does
17 have concerns about one juror who was clearly sleeping
18 during the last two segments being serology and DNA,
19 critical aspects of this case and it's not unusual to see
20 a juror nod off or close their eyes. The concern here
21 was that there was a juror who was asleep.

22 THE COURT: I was watching him moving around. I'm
23 going to try to deal with him in the morning. I'm not
24 certain we can ascertain whether he was asleep or whether
25 he just had his head covered up and looked asleep but

1 WESLEY OMAR BROWN

2 after having been first duly sworn, testified as follows,

3 THE CLERK: Please have a seat. Once you're seated,
4 state your full name spelling your last please.

5 THE WITNESS: Wesley Omar Brown, B-r-o-w-n.

6 DIRECT EXAMINATION

7 BY MR. MCNAIR:

8 Q. Mr. Brown, where are you from?

9 A. Johnston.

10 Q. Is that where you are currently living?

11 A. Yes, sir.

12 Q. Do you have a job?

13 A. No, sir.

14 Q. What are you doing for a living these days?

15 A. Just buying and selling, trade old cars, motors, you
16 know.

17 Q. Have you always done that?

18 A. Yes. Since I've been out.

19 Q. Have you sold drugs in the past?

20 A. Yes, sir.

21 Q. You have been convicted of trafficking marijuana in
22 the past, correct?

23 A. Trafficking crack.

24 Q. Trafficking crack?

25 A. Yes, sir.

1 Q. Do you have any pending charges?

2 A. Yes, sir.

3 Q. What are those?

4 A. Possession with intent to distribute marijuana and
5 PWID in a school zone, distribution of marijuana.

6 Q. All right. And failure to stop, too; is that
7 right?

8 A. Yes. Failure to stop for blue light.

9 Q. When were you arrested on those charges?

10 A. January 2015. January 17th, 2015.

11 Q. Now, did you sit in jail for a while before you
12 bonded out on those charges?

13 A. Yes, sir.

14 Q. Who was your cellmate when you first got to the
15 detention center?

16 A. Billy Sellers.

17 Q. Is that the defendant who is in the courtroom
18 today?

19 A. Yes, sir.

20 Q. Now, when you first got into the cell with
21 Mr. Sellers, what did y'all talk about?

22 A. You know, well, a lot of people who never been to
23 jail, when you go, you basically introduce yourself and talk
24 about, you know, how you gonna move around in the room or
25 whatever, basically accommodate yourself basically like, you

1 know, just getting to know him. General conversation. My
2 name, you know.

3 Q. Where you are from and who you know?

4 A. Yes, sir.

5 Q. Did y'all know anybody in common?

6 A. Yes, sir.

7 Q. Who was that?

8 A. He mentioned, he asked me did I know a guy named
9 Bald Head. I know him by his nickname. His name's Shawn
10 Nicholson. He's a close relative to my kin. I been knowing
11 him all my life.

12 Q. Are you close to Shawn Nicholson?

13 A. Yes.

14 Q. What, if anything, did Mr. Sellers say about Shawn
15 Nicholson?

16 A. Said he was a close friend of his.

17 Q. Did he say anything about Mr. Shawn Nicholson's
18 involvement in his case?

19 A. Well, yeah. He said that Shawn, he was playing a
20 game with Shawn that night.

21 Q. Speak up a little bit.

22 A. He said he was playing a game with Shawn that
23 night.

24 Q. Playing a game with Shawn that night?

25 A. Yeah.

1 Q. Did he mention anything about an alibi?

2 A. He said Shawn was his alibi for these charges they
3 was, you know, laying on him. After we started talking a
4 little more he told me that.

5 Q. Okay. Was that conversation the first night when
6 you got into the cell?

7 A. It was early the next morning.

8 Q. All right. Well, I guess as you were in the cell
9 with him, did y'all start talking more about his case?

10 A. Yes.

11 Q. What did he start telling you?

12 A. Well, first he asked me what I was locked up for and
13 I didn't get a chance to tell him. He said I couldn't been
14 locked up for something for worse than what he locked up for
15 and I asked him what he was locked up for. He said murder. I
16 told him I didn't know nothing about that. I didn't want no
17 part. You know, I told him I was locked up for marijuana and
18 that was it. Then he was telling me that Shawn was his alibi
19 for the murder charge and saying that he didn't do it, you
20 know, or whatever.

21 Q. Okay. Just explain to the jury how your
22 conversation with him transpired and what he told you
23 throughout the time y'all were together.

24 A. After we talked about Shawn and I told him how close
25 me and Shawn was, I guess he feel like, you know, I was

1 somebody he could, you know, talk to or whatever. He told me
2 that Shawn was his alibi and that, you know, he just went to
3 talking about, you know, all kind of small stuff about it
4 saying that a guy named Jersey was the reason why he was
5 locked up. Said Jersey got caught with some stuff, some drugs
6 or something, got busted in Aiken and told on him. The
7 conversation went from I went to bond hearing the next
8 morning. The conversation went from after I came back from
9 bond hearing and I told him what my bond was, it was a high
10 bond and I didn't think I was gonna get out of jail, he said
11 he could help me get out of jail if I could help him and at
12 first I didn't know how I could help him because I know he had
13 a murder charge and I had a weed charge so I didn't know, you
14 know, what it was and he started explaining to me how that he
15 can have - he can, you know - I can go tell investigator.
16 He'll tell me what to go tell the investigator but it was
17 gonna benefit him and it will help me get out of jail. He
18 said he had done it before with somebody else or somebody in
19 the sense of the word.

20 Q. And so what did he want you to do?

21 A. He wanted me to go to the investigator and basically
22 tell the investigator that Jersey was the one who killed this
23 guy.

24 Q. So he wanted you to go to law enforcement and tell
25 them that you knew that Jersey had done the murder?

1 A. Yes. He wanted me to say that I had met Jersey
2 before and that I had sold him some drugs which I never did.

3 Q. Do you even know Jersey?

4 A. No. I don't know him. So he wanted me to say that
5 I met Jersey and sold him some drugs and he tried to sell me
6 some guns and Jersey was supposed to tell me that, you know,
7 the guns came from the guy that got killed and all of this
8 stuff. He wanted me to tell the investigator that Jersey gave
9 me all the information about the murder.

10 Q. Okay. So to back up, when he found out that you
11 knew Shawn Nicholson, what was his reaction to that?

12 A. I mean, I guess he lightened up a little bit. Like
13 I guess he felt like he could trust me a little more.

14 Q. Did you feel like he felt comfortable talking to you
15 more at that point?

16 A. Yes. Yes, sir.

17 Q. And you testified that he said that a guy who sold
18 him drugs in Aiken had told on him?

19 A. Yeah.

20 Q. And was it your understanding that that was
21 Jersey?

22 A. Yes, sir.

23 Q. I guess after that he wanted you to go to the police
24 and say that Jersey was the one who did the murder?

25 A. Yes, sir.

1 Q. Now, did he ever give you any information to give to
2 the police?

3 A. After he told me what he wanted me to do, I
4 considered it and I told him that I could do it, you know, but
5 I wanted to know something about it, you know. You know, like
6 I don't know -- You know, I don't want to go in there and I'm
7 already don't know what I'm doing and I don't want to go in
8 there and me tell a lie on somebody, you know, that didn't
9 really have nothing to do with it. I don't know the guy so I
10 could have been tearing a life apart, you know, for a lie.
11 So, you know, we talked a little bit more about it. He told
12 me, he tell me what to say but I fell asleep. When I woke up,
13 he gave me a piece of paper that he had done wrote down what
14 he wanted me to say. He basically wrote down detail, you
15 know, a little details and showed me basically how to outline
16 my statement to the police.

17 Q. All right. And did you read that letter?

18 A. Yes.

19 Q. And what did you tell him?

20 A. If I was gonna do it, I needed a little bit more
21 detail.

22 Q. You told him you needed more details?

23 A. Yeah. Because it weren't enough.

24 Q. What was his reaction to you asking for more
25 details?

1 A. At first he didn't want to tell me, you know. I
2 don't know why he didn't want to get too deep into it. He
3 might have knew what I didn't know, you know. But he didn't
4 want to get too deep into details until I kept pressing him.
5 I tell him I can't go up here and say something about a murder
6 and I ain't got no details until, you know, he had, he told me
7 he did it. I'm quite sure he told me how he did it. He was
8 like he did it with a .38.

9 Q. Say again.

10 A. He said they did it with a .38.

11 Q. He said they did it with a .38?

12 A. Yes. That's what he said, they did it with a .38.

13 Q. All right. And I guess how did you - what did you
14 understand him to mean by that?

15 A. I asked myself who? Because you said they. I said
16 who? And he got frustrated at first. Like, man, what you -
17 like why you want to know? I said I need to know because I'm
18 going up here to help you. He said we did it with a .38.

19 Q. We did it with a .38?

20 A. Yes.

21 Q. Referring to himself?

22 A. Yes.

23 Q. And some other person?

24 A. Yes. I don't know who that could be.

25 Q. All right. He never told you who else he did it

1 with?

2 A. No, sir.

3 Q. But he just wanted you to pin it on Jersey?

4 A. Yes, sir.

5 Q. Did he ever tell you anything about who the victim
6 was?

7 A. Say he was a old white guy. I couldn't remember his
8 name because I wasn't in that long with him but said it was a
9 old white guy. Said he was a meth head.

10 Q. Did he say anything about what they had stolen?

11 A. He said a shotgun was missing and he said they took
12 some pills but I never got no more. I don't recall nothing
13 else being said but I know some pills and, yeah, it was
14 pills.

15 Q. Okay. You already testified that he said they used
16 a .38?

17 A. Yes, sir. Not to shoot him but to beat him with it.
18 They beat him with a .38.

19 Q. Beat him with a .38?

20 A. Yes, sir.

21 (Whereupon, State's Exhibit #84 marked for
22 identification.)

23 BY MR. MCNAIR:

24 Q. I'm gonna show you what's been marked as State's
25 Exhibit 84. Can you tell me whether or not you recognize

1 that?

2 A. Yes, sir.

3 Q. What is that?

4 A. That's the letter he wrote for me to take.

5 Q. And that letter is in his handwriting?

6 A. Yes, sir.

7 Q. And the bottom portion of that letter, whose
8 handwriting is that?

9 A. Mine.

10 MR. MCNAIR: Your Honor, we would offer State's 84
11 at this point.

12 MS. FULLWOOD: No objection.

13 THE COURT: State's 84 without objection.

14 BY MR. MCNAIR:

15 Q. Mr. Brown, what I will do is ask you to read that
16 letter into the record so the jury can hear what it says.

17 A. You want me to go --

18 Q. Go ahead and start.

19 A. Sometime in the middle of October I went to serve
20 some reefer to a guy named Jersey, a/k/a Hakim Talib. After I
21 served him, he began to ask me if I was interested in buying a
22 shotgun, a .38 revolver or some pain pills. He said he had
23 beat some dude's ass who owe him some money. Beat him
24 unconscious with a .38 he was trying to sell so he took the
25 guy's shotgun and pills as payment. Told me that had it been

1 him he'd have given everything that he had to avoid a beating
2 like that. Jersey said he had his cousin handle it like pros,
3 that there was no way it would come back on them. I said I
4 didn't need anything like that. A couple of weeks later I was
5 visiting a friend who told me Jersey got busted with a pound
6 of reefer and some gun. I went to his house off Alfred Street
7 and he told me that he was gonna get probation he thought
8 because he told the police about the guy he beat who ended up
9 dying and set up a white boy he used to sell reefer to.
10 Jersey said he found out from the white boy dude named Billy
11 that he was questioned by the Edgefield police about the death
12 of his pill guy so Jersey had his cousin who was serving the
13 white guy at the time start putting certain information in the
14 white boy's phone but didn't say what. It said that the white
15 boy was a duck and trusted anyone. He said he was a meth head,
16 and was an easy fall guy. Jersey then asked if I could get
17 him right with some reefer and I said I'll see what I could
18 do. I'll see what was up.

19 Q. All right. And where it says written by Wesley Omar
20 Brown, who wrote that?

21 A. Me.

22 Q. At the bottom there.

23 A. I did. You want me to read it?

24 Q. Right here.

25 A. Oh, yeah.

1 Q. No. This signature.

2 A. Oh, the signature. It says written by Wesley Omar
3 Brown.

4 Q. All right. And then what's written beneath that,
5 that's what you wrote you said?

6 A. Yes, sir.

7 Q. Okay. So he's wanting you to write this letter like
8 you had talked to Jersey and this is what Jersey had told
9 you?

10 A. Yes, sir.

11 Q. But you had never met Jersey in your life?

12 A. No, sir.

13 Q. And he mentioned something about a guy named Gee had
14 put incriminating evidence on his phone?

15 A. Yes. He said he was Jersey's brother was using his
16 phone and while he was using his phone, he was putting text
17 messages or something in his phone, I mean, I guess to make it
18 look like he did it.

19 Q. All right. And the way that's written it indicates
20 that he had put that information on his phone after the fact,
21 after the murder?

22 A. Yes. After the murder.

23 Q. So Gee got his phone after the murder and put
24 incriminating information on his phone?

25 A. Yes, sir.

1 Q. Okay. Let's go ahead and read the last part that
2 you actually wrote in your handwriting, too.

3 A. All right. Okay. Billy Sellers on January 18th or
4 19th wrote this report for me and asked for Wesley Brown to
5 make investigators think that a guy named Jersey told me that
6 he beat Johnny Hydrick unconscious which led to him dying. He
7 wanted me to put it in my own handwriting to clear his name.

8 Q. All right. Now, what did you decide to do when you
9 got that letter?

10 A. At first I was going to do what he asked me to do.

11 Q. What changed your mind?

12 A. I don't know the guy Jersey. I don't know if he got
13 a family. I don't know if he got kids or, you know, I don't
14 know what his circumstance is. I just couldn't get in there
15 and tell no lie. It's a murder charge. This is a lie. I
16 couldn't tell no lie on him like that. I don't know him. I
17 still don't know him so I couldn't do that.

18 Q. Did you ultimately turn that letter over to the
19 police?

20 A. Yes, sir.

21 Q. Who did you give that letter to?

22 A. Investigator Ireland.

23 Q. How long were you in the cell with Mr. Sellers after
24 that?

25 A. They moved me that day.

1 Q. They moved you that day?

2 A. Yes, sir.

3 Q. So that was the end of your conversation about that
4 with him?

5 A. Yes, sir.

6 Q. Now, have you ever discussed this case with Shawn
7 Nicholson?

8 A. No, sir.

9 Q. Did Mr. Sellers have what's known as discovery or
10 his police report in the cell when you were in there with
11 him?

12 A. If he did, I didn't see it.

13 Q. Do you know a guy named Gee?

14 A. No, sir.

15 Q. Do you know a Travis Murray?

16 A. No, sir.

17 Q. Do you know a Jessica Reeder?

18 A. No, sir.

19 Q. Do you know a Joey Lowe?

20 A. No, sir.

21 Q. Did you know Billy Sellers prior to this?

22 A. No, sir.

23 Q. And I think you previously testified to this but you
24 didn't even get arrested until January 18th of 2015; is that
25 correct?

1 A. The 17th, yeah. That night or late Saturday
2 night.

3 Q. That would have been --

4 A. 17th.

5 Q. January 17th?

6 A. Yes.

7 Q. 2015. Okay. All right. And has anybody promised
8 you anything for testifying here today in relation to your
9 pending charges?

10 A. No, sir.

11 MR. MCNAIR: That's all the questions I have.
12 Please answer any questions that Mr. Casto has or Ms.
13 Fullwood.

14 CROSS EXAMINATION

15 BY MS. FULLWOOD:

16 Q. Good morning, Mr. Brown.

17 A. Good morning.

18 Q. How are you this morning?

19 A. All right. And you?

20 Q. Good. Mr. Brown, do you have any nickname, street
21 name you go by sometimes?

22 A. I mean, yeah. Some people call me Big Head.

23 Q. What do they call you?

24 A. Big Head.

25 Q. Big Head?

1 A. Big Head. Like H-e-a-d.

2 Q. So they call you Big Head?

3 A. Yes, ma'am.

4 Q. Okay. Okay. So do you know a guy named Hakim
5 Talib?

6 A. No, ma'am.

7 Q. You don't. Okay. Now, Mr. Brown, on January the
8 17th of 2015 you were arrested on nine charges, weren't you?

9 A. Yes, ma'am.

10 Q. And all of those charges are still pending against
11 you, aren't they?

12 A. Yes, ma'am.

13 Q. Two of those charges are for distribution of
14 marijuana third offense, right?

15 A. Yes, ma'am.

16 Q. And another charge you got that day was for
17 possession of marijuana with intent to distribute third
18 offense, correct?

19 A. Yes, ma'am.

20 Q. And you know, don't you, that if you're convicted of
21 these charges, each of those charges carries at least five
22 years in prison and you could get up to 20 years in prison for
23 each charge?

24 A. Yes, ma'am.

25 Q. So on your marijuana charges alone you're looking at

1 least 15 years in prison and up to 60 years, right?

2 A. Yes, ma'am.

3 Q. Another charge you got that day was for distribution
4 of crack cocaine second offense, correct?

5 A. Yes, ma'am.

6 Q. And if you are convicted of that charge, you would
7 have to get at least five years in prison but possibly could
8 get up to 30 years in prison, right?

9 A. Yes, ma'am.

10 Q. You were also charged with four counts of
11 distribution, sale or possession with intent to distribute
12 marijuana and crack cocaine within proximity of a school;
13 isn't that right?

14 A. Yes, ma'am.

15 Q. And don't you know that each of those charges
16 carries up to 10 years in prison, correct?

17 A. Yes, ma'am.

18 Q. And do you know that each of those charges is a
19 strike under our two strike/three strike laws?

20 A. Yes, ma'am.

21 Q. All right. And then finally on that day you were
22 charged with unlawful carrying of a pistol?

23 A. Yes, ma'am.

24 Q. And is it fair to say that's probably the least of
25 your legal worries from that day?

1 A. Yes, ma'am.

2 Q. Because it only carries up to a year in jail,
3 right?

4 A. Yes, ma'am.

5 Q. So from the charges you got on January 17th of 2015
6 what you're looking at is a prison sentence of at least 20
7 years in prison and you could get up to 121 years in prison;
8 is that right?

9 A. Yes, ma'am.

10 Q. Okay. And your bond on those charges was more than
11 \$400,000.00, wasn't it?

12 A. Yes, ma'am.

13 Q. And that bond was set January 18th?

14 A. Yes.

15 Q. Okay. And then that's when you were booked into the
16 detention center and placed in a cell --

17 A. Yes.

18 Q. -- with Mr. Sellers?

19 A. Yes, ma'am.

20 Q. Now, you were very upset about that, weren't you?

21 A. Yeah.

22 Q. And you called your family and explained how upset
23 you were?

24 A. Yes, ma'am. No. I didn't get a chance to call my
25 family. They didn't know at the time.

1 Q. Well, you know now that telephone calls are all
2 recorded at the jail, correct?

3 A. Okay. Yes, ma'am.

4 Q. All right. Because they tell you that before the
5 call starts?

6 A. Yes, ma'am.

7 Q. And on January 18th at 10:05 in the morning you
8 talked to a woman on the phone and the telephone number was
9 803-275-██████?

10 A. Yes, ma'am.

11 Q. Is that your mom?

12 A. Yes, ma'am.

13 Q. Okay. And you told her at that time that you could
14 not do the time for that arrest, didn't you?

15 A. Okay. I don't recall but if you say I said it.

16 Q. Does that sound like something you might have
17 said?

18 A. Could have possibly. Yes, ma'am.

19 Q. Didn't you also tell her that you would do anything
20 by any means necessary to get this mess taken care of without
21 you having to go to prison?

22 A. If you say I said it, I said it. I probably did.

23 Q. Probably did?

24 A. Yes, ma'am.

25 Q. You also told her that it was unacceptable for you

1 to be in prison when your child turned 18 years old?

2 A. Yes, ma'am.

3 Q. All right. And you also told your mama I already
4 got a little lick in here, didn't you?

5 A. I could have.

6 Q. What you meant by that was that Billy Sellers was
7 your little lick, right?

8 A. I don't recall that.

9 Q. Well, what's a little lick?

10 A. I mean, I could have said it. I'm saying it's been
11 three years ago. I could have said it.

12 Q. So you told your mama you were already planning to
13 set up your roommate, correct?

14 A. No. I didn't.

15 Q. You deny that on January 18th, 2015 at 10:05 you
16 told your mom on the telephone that you already got a little
17 lick in here?

18 A. If I did say that, it was because he already had
19 told me or we already discussed what he wanted me to do and I
20 already made my mind up that I wasn't gonna do it the way that
21 he wanted me to do it. That would be the only way that I
22 would tell my mom something like that because other than that
23 I didn't know anything about him. I didn't even know what he
24 was locked up for. He gave me all that information. It's not
25 like I went in there and I picked him for his information. He

1 gave me all the information. He wanted me to do that for him.
2 I didn't ask him to do that for me. I asked me to do that for
3 him.

4 Q. You were looking for anything necessary to get you
5 out of jail, weren't you?

6 A. No, ma'am. When I was in the room with him, he came
7 to me. I didn't get a bond until the next day. I mean, you
8 making it seem as though I came to him, like I just saw him,
9 somebody weak. He asked me to do it.

10 Q. Well, you told your mama that you would do anything
11 necessary --

12 A. He asked me to do that.

13 Q. -- didn't you?

14 A. He asked me to do that.

15 Q. Well, let me ask you about that. The next day on
16 January 19 at 3:58 in the afternoon you called the phone
17 number 803-481-██████ and talked to a man?

18 A. 481?

19 Q. 481-██████

20 A. I don't know anybody with that number. 481-██████.

21 No.

22 Q. 481-██████.

23 A. No, ma'am.

24 Q. You deny that? Do you deny telling that man that
25 you were gonna use your roommate to get out of jail?

1 A. I may have.

2 Q. Okay. Do you deny telling that man that you were
3 going to write a statement on Billy?

4 A. I may have.

5 Q. All right. And do you deny telling that man that
6 you didn't give and F about anything?

7 A. I may have. I probably didn't care at the time.

8 Q. All right. Then on that same day but later on at
9 9:34 in the evening you called the number 803-275-████ and
10 also talked to a man. Does that phone number give you any
11 information about who you might have been talking to?

12 A. That's my mama number.

13 Q. That's your mama's number?

14 A. Yes.

15 Q. So you were talking to a man at your mama's house?

16 A. If you say. It been three years ago. I don't even
17 remember who all I called at the time.

18 Q. You made about 75 calls from the jail, didn't you?

19 A. Okay.

20 Q. Okay. I understand. You told that man you had
21 already talked to the police. Do you admit or deny that?

22 A. Uhm, I mean, it been a while ago. I'm not gonna say
23 I didn't.

24 Q. Okay. And do you admit or deny you told that man
25 you expected to get your bond reduced as a result?

1 A. No. I don't.

2 Q. You deny you said that?

3 A. I don't recall that. I'm not saying I didn't say it
4 but...

5 Q. And did you complain to that man, do you remember,
6 or admit or deny that you complained to that man that the last
7 time you cooperated with the police they had disappointed you?
8 They hadn't come through for you?

9 A. Yes. I could have possibly said that. Yeah.

10 Q. When was that, the last time you cooperated with the
11 police?

12 A. 2005.

13 Q. What was that about?

14 A. About drugs.

15 Q. Say what?

16 A. Drugs.

17 Q. Who did you cooperate against?

18 A. I don't know the name.

19 Q. You gave a statement on somebody you don't know
20 their name?

21 A. I can't recall his name now. You know, people go by
22 street names, stuff like that.

23 Q. Is that somebody you were in jail with?

24 A. No, ma'am.

25 Q. Was it a co-defendant?

1 A. No, ma'am.

2 Q. If it wasn't somebody you were in jail with or
3 somebody you did a crime with --

4 A. Somebody that sells drugs.

5 Q. Somebody that sells drugs?

6 A. Yes, ma'am.

7 Q. Okay. So, well, do you understand why it might seem
8 that from day one your goal was to use Billy to help
9 yourself?

10 A. I can understand where you're going with it.

11 Q. All right. Well, that's what you were gonna do,
12 right?

13 A. How could I if I don't know anything about it?

14 Q. Well, you had already given a statement on him.

15 A. How could I know anything about it if he didn't tell
16 me?

17 Q. Well, you talked to Detective Ireland on the 20th.

18 A. Okay.

19 Q. And do you remember talking to Detective Ireland?

20 A. Yes.

21 Q. Okay. And so that happened in the morning,
22 correct?

23 A. Yes, ma'am.

24 Q. All right. And by 1:43 in the afternoon you were
25 calling people to talk about it. You called 803-480-9[REDACTED].

1 Whose number is that?

2 A. That's my brother.

3 Q. Your brother?

4 A. Yeah.

5 Q. You talked to a man. I guess it was your brother.

6 A. Yes, ma'am.

7 Q. And didn't you say to your brother, let me tell you
8 what I did. It sounded like he already knew what you had done
9 about talking to Ireland?

10 A. You say it sound like he already knew what I did?

11 Q. He said that he already knew. That you were
12 surprised.

13 A. I don't know how he would have knew it.

14 Q. Didn't you tell your brother that the police told
15 you that your information was excellent?

16 A. He probably -- Yes, ma'am.

17 Q. Okay.. And didn't you tell your brother that you
18 could not believe the police gave you a murder?

19 A. Gave me a murder?

20 Q. Mm-hmm.

21 A. No. I ain't say that.

22 Q. You deny saying that?

23 A. Say he gave me a murder?

24 Q. Mm-hmm.

25 A. What you mean by that? I don't --

1 Q. Put you in a cell with somebody charged with
2 murder?

3 A. Oh, now, I don't know.

4 Q. You said they gave me a murder.

5 A. Oh, okay. Yeah. I mean, if they - if I'm saying in
6 a sense that I can't believe they put me in a cell with him
7 and he told me what he told me, then, yeah, it could have been
8 took in that context but they didn't give me a murder.

9 Q. You hit the jackpot with that, didn't you?

10 A. No.

11 Q. No? Okay. Well, didn't you brag to your brother
12 that you thought it was enough for you to walk away from all
13 of your charges?

14 A. Yes.

15 Q. All right. And then at 3:35 on the same day you
16 called 803-430-3[REDACTED].

17 A. All right.

18 Q. Whose number is that?

19 A. That's my girl.

20 Q. Your girl. Okay. And by then you were bragging,
21 weren't you, because you told your girl that what you told
22 Detective Ireland was supposed to be enough for me to walk.
23 Do you remember saying that to her?

24 A. Yes, ma'am. I probably did say that. Yes, ma'am.

25 Q. You were mad. And you said that you thought the

1 information that you gave Detective Ireland should go for my
2 sentence?

3 A. Yeah.

4 Q. And you told your girlfriend it's supposed to be for
5 my testimony?

6 A. I would have said that. Yeah. I feel like that.
7 But they told me they couldn't give me anything for it. What
8 I did was on my own. That was after I did -- They didn't
9 promise me anything. Nobody promised me nothing.

10 Q. Well, why did you tell your girl then it was
11 supposed to get me off of everything?

12 A. Because if my experience with the law I have seen
13 people testify for less and have greater charges and they go
14 home. That's why I said it.

15 Q. Well, two hours, approximately two hours earlier you
16 were bragging to your brother that you were gonna walk and
17 gave this excellent information and this is gonna count for
18 everything and then two hours later you're complaining to your
19 girl and you're mad because you thought they were gonna
20 dismiss all your charges and that just didn't happen at all?

21 A. So that speaks for itself. They didn't do me no
22 favors.

23 Q. So all you were gonna get is a bond reduction,
24 right?

25 A. They didn't offer me that. I got a bond reduction I

1 figure because I cooperated with law enforcement and signed
2 over my vehicle in the case.

3 Q. Say what now?

4 A. I thought I got a bond reduction for my vehicle. I
5 signed over my vehicle that I was arrested in. That's what,
6 from my understanding that's the paperwork that I got.

7 Q. Well, six days later you went back before Judge
8 Carpenter who set that \$400,000.00 bond, right?

9 A. Yes, ma'am.

10 Q. And on that day it got reduced to about \$100,000.00;
11 is that right?

12 A. Yes, ma'am.

13 Q. And you were able to bail out of jail?

14 A. Yes, ma'am.

15 Q. Okay. On June the 21st of 2016 you were arrested
16 for failure to stop for a blue light?

17 A. Yes, ma'am.

18 Q. And that bond was set at \$20,000.00, right?

19 A. Yes, ma'am.

20 Q. But the very next month the Solicitor's Office moved
21 to revoke your bond because you had been charged with a crime
22 while you were out on bail for a bunch of crimes, right?

23 A. Yes, ma'am.

24 Q. And Judge Hayes revoked your bond on all your
25 charges on July 13th of 2016, correct?

1 A. Yes, ma'am.

2 Q. And that meant you had to go back to jail and you
3 couldn't get out until all of your charges were taken care
4 of?

5 A. Yes, ma'am.

6 Q. So while you were in jail that time you became an
7 informant in the case of the State versus a man named Craig
8 Gant, didn't you?

9 A. No, ma'am.

10 Q. You deny that you had given the police information
11 in that case?

12 A. I'm not denying it but it didn't happen at that
13 time.

14 Q. When did it happen then?

15 A. Just here recently.

16 Q. How recently?

17 A. March of 2018.

18 Q. March?

19 A. Yeah.

20 Q. Okay. Okay. Well, in any event your attorney
21 petitioned the court to reinstitute your bond sometime last
22 year, right?

23 A. This year. Well, last year. Yes, ma'am.

24 Q. 2017?

25 A. Mm-hmm.

1 Q. Okay. And, in fact, in July of 2017 Judge Keesley
2 reset your bond on all 10 of these charges to \$20,000.00,
3 right?

4 A. Yes, ma'am.

5 Q. And one of the reasons he did that is because you
6 were a cooperating witness in this case, correct?

7 A. I guess. If that's what he said.

8 Q. Well, have you read the order?

9 A. No, ma'am.

10 Q. You haven't. Okay. Unfortunately -- Well, you
11 bailed out?

12 A. Yes, ma'am.

13 Q. But then unfortunately you were arrested for a third
14 set of charges on March 6th of this year?

15 A. Yes, ma'am.

16 Q. All right. And at that time you were charged with
17 failure to stop for a blue light, possession with intent to
18 distribute marijuana within proximity of a school and
19 possession of marijuana with intent to distribute, right?

20 A. Yes, ma'am.

21 Q. But this time you kind of caught a break because the
22 marijuana charge was charged as a first offense rather than a
23 third offense, right?

24 A. Yes, ma'am. I don't know how they charged me.

25 Q. Yeah. So, well, that means on that marijuana

1 charge, the newest one for this year your maximum exposure is
2 five years in prison rather than a mandatory five up to 30
3 years, right?

4 A. Yes, ma'am. That's the sentencing on it.

5 Q. Okay. And on the failure to stop for a blue light
6 you're facing 90 days to three years for that, right?

7 A. Yes, ma'am. I guess, if that's the law.

8 Q. Well, you have a lawyer, right?

9 A. Yes, ma'am.

10 Q. And your lawyer has told you these things.

11 A. Yes, ma'am. We never got to the details of all like
12 you doing it.

13 Q. Okay. Now, when you got arrested this third time,
14 didn't the magistrate deny you bond?

15 A. Yes, ma'am.

16 Q. All right. So you went to Circuit Court to get your
17 bond set on March 22nd, right?

18 A. Yes, ma'am.

19 Q. And the Circuit Court set your bond then at
20 \$100,000.00 and again that was for everything?

21 A. Yes, ma'am.

22 Q. All right. And this time, and you made that bond?

23 A. Yes, ma'am.

24 Q. And this time the Solicitor's Office didn't try to
25 revoke your other two bonds, right?

1 A. No, ma'am.

2 Q. Like they did the second time you were arrested?

3 A. Yes, ma'am.

4 Q. All right. So since January of 2015 you have
5 managed to accumulate 13 criminal charges in this Circuit
6 Court, correct?

7 A. Yes, ma'am.

8 Q. And each time acting as a jailhouse informant has
9 helped you get a bond low enough that you can make the bond,
10 correct?

11 A. If that's how you put it.

12 Q. Well, you said that the Gant man situation is what
13 helped you with your newest bond, right? That came from you,
14 right?

15 A. If that's what you say. Yes, ma'am.

16 Q. And there's still the chance for you that testifying
17 against people will finally be enough to get everything off
18 you, right?

19 A. It doesn't -- Like I say, I didn't ask these people
20 for this information. Like this isn't, you know, it's
21 different if you seeking people out to get information from
22 them and use it towards your benefit but because he tried to
23 use it towards his benefit and it didn't work out the way he
24 planned it to work out, now you gonna turn around on me like
25 I'm supposed to be the bad guy.

1 Q. Well, aren't you hoping to get something from all of
2 this?

3 A. They explained to me that they couldn't promise me
4 anything so I could still go to prison.

5 Q. But you hope you don't, don't you?

6 A. I hope I don't. Yes, ma'am.

7 Q. So you're hoping that doing this testimony, doing
8 this testifying will help you not go to prison, don't you?

9 A. I would have done it regardless. I would have done
10 it regardless.

11 Q. You would have done it regardless?

12 A. Yes, ma'am.

13 Q. Okay. Because you're a good citizen, is that it?

14 A. Yes, ma'am. I'm a good person.

15 Q. Okay. Now, since -- Let me -- You testified earlier
16 that Mr. Sellers didn't have his discovery or anything about
17 his case in his cell when you were --

18 A. I said I didn't see it. He didn't show it to me.

19 Q. He did have a search warrant in there, didn't he,
20 that set out the details of the crime?

21 A. He didn't show me any paperwork.

22 Q. Didn't show you anything?

23 A. No, ma'am.

24 Q. Okay. Now, since you have had all these charges but
25 you're out on bail, every month or so you have to come up to

1 this courtroom for an appearance, right?

2 A. Yes, ma'am.

3 Q. And that's where people charged with crimes come to
4 show that they are still here and trying to take care of their
5 charges, right?

6 A. Yes, ma'am.

7 Q. And, in fact, you last went to an appearance on
8 August the 20th right here in this courtroom, right?

9 A. Yes, ma'am.

10 Q. And Billy was here, too, right?

11 A. Yes, ma'am.

12 Q. And you threatened Billy while you were in the
13 courthouse here, didn't you, on that day?

14 A. No. I didn't.

15 Q. Didn't you tell him that you were gonna mess him up
16 or F him up?

17 A. No. I didn't.

18 Q. You deny that?

19 A. Yes. I do.

20 Q. All right. So you're just here because you have a
21 sense of civic duty? You're not doing anything to try to help
22 yourself? That's what you want us to believe?

23 A. Yeah. Initially I wanted to help myself. But once
24 they told me they couldn't promise me anything, I still had to
25 tell the truth so I got to tell the truth. That's what

1 happened.

2 MS. FULLWOOD: No further questions.

3 REDIRECT EXAMINATION

4 BY MR. MCNAIR:

5 Q. Mr. Brown, all those statements that Ms. Fullwood
6 asked you about, you never told anybody that you would make
7 something up to help yourself, did you?

8 A. No, sir. I didn't.

9 Q. And you didn't force Billy Sellers to write that
10 letter, did you?

11 A. No, sir.

12 Q. You didn't hold his hand?

13 A. No, sir.

14 Q. That's his handwriting, those are his words; is that
15 correct?

16 A. Yes, sir.

17 Q. Now, what did you mean when you said it didn't turn
18 out the way that Billy planned for it to turn out?

19 A. He was expecting me to go and once I explained to
20 them what he told me to say that they was gonna have to drop
21 the charges on him and charge Jersey.

22 Q. And that was his idea, correct?

23 A. Yes, sir.

24 Q. And he presented that to you in a way that he said
25 that --

1 MS. FULLWOOD: Objection to leading, Your Honor.

2 THE COURT: Sustained as to leading.

3 BY MR. MCNAIR:

4 Q. You previously testified that he said that he could
5 help you out, correct?

6 A. Yes, sir.

7 Q. What did he mean by that?

8 A. He was telling me that I could get out. You know,
9 basically, he told me that they would let me out of jail for
10 free if I gave them good enough information and that's why he
11 said he would write it. He said if I do that, they would let
12 me out of jail. He had tried it before or something.

13 Q. So he wanted you to lie, didn't he?

14 A. Yes, sir.

15 MR. MCNAIR: No further questions.

16 THE COURT: Anything else?

17 MS. FULLWOOD: Nothing else, Your Honor.

18 THE COURT: You may step down.

19 MR. MCNAIR: Your Honor, the State calls Charles

20 Reel.

21 Thereupon,

22 CHARLES REEL

23 after having been first duly sworn, testified as follows,

24 THE WITNESS: Charles Reel, R-e-e-l.

25 DIRECT EXAMINATION

1 BY MR. MCNAIR:

2 Q. Mr. Reel, have you ever sat in that seat?

3 A. Yes.

4 Q. And what is your position here in Edgefield
5 County?

6 A. I'm the elected Clerk of Court for Edgefield
7 County.

8 Q. As the Clerk of Court you maintain legal files and
9 documents and things of that nature?

10 A. Yes, sir.

11 Q. All right. Do you have a file associated with this
12 case for Billy Sellers?

13 A. Yes, sir.

14 (Whereupon, State's Exhibit #85, #86, #87 marked
15 identification.)

16 BY MR. MCNAIR:

17 Q. So when people file things associated with any case,
18 a criminal case, do you maintain those records down in the
19 Clerk's Office?

20 A. Yes, sir. We accept a record, we clock it in with a
21 time dated stamp that also shows Edgefield County Clerk of
22 Court's Office, we enters it into the CMS, court management
23 system computer and then place it in a file.

24 Q. All right. These types of records are kept in the
25 ordinary course of business, correct?

1 A. Yes, sir.

2 Q. As the Clerk of Court you have access to those
3 records and you're familiar with they're kept and maintained,
4 correct?

5 A. Yes, sir.

6 Q. All right. I'll show you what's marked as State's
7 Exhibit 85, 86, and 87 and tell me whether or not you can
8 identify those documents?

9 A. Yes, sir. These are letters from Mr. William
10 Sellers to the former Clerk of Court Shirley Newby. These are
11 copies because we keep the originals in the file and we cannot
12 release the original without court order but these a certified
13 copies.

14 Q. But those were filed with your office and kept in
15 the file pertaining to this case with Mr. Sellers, correct?

16 A. Yes, sir.

17 MR. MCNAIR: Your Honor, we would offer State's 85
18 into evidence and State's 86 and 87 which are marked for
19 court ID purposes.

20 MR. CASTO: No objection, Your Honor.

21 THE COURT: All right. One more time. Hold up.
22 You're not done yet. Do you have questions?

23 MS. FULLWOOD: We're gonna pass up on grilling him
24 this morning.

25 THE COURT: No more questions, Mr. Reel. You may

1 step down.

2 THE WITNESS: Thank you, sir.

3 THE COURT: So 85 is admitted, and 86 and 87 are for
4 identification purposes at this time?

5 MR. McNAIR: Yes, sir.

6 THE COURT: Very well.

7 MR. McNAIR: Your Honor, the State calls Gaile
8 Heath.

9 Thereupon,

10 BRENDA GAILE HEATH

11 after having been first duly sworn, testified as follows,

12 THE CLERK: Please have a seat. Once you're seated,
13 state your full name spelling your last please.

14 THE WITNESS: Brenda Gaile Heath, H-e-a-t-h.

15 DIRECT EXAMINATION

16 BY MR. McNAIR:

17 Q. Ms. Heath, where are you employed?

18 A. I'm employed at the South Carolina Law Enforcement
19 Division commonly known as SLED.

20 Q. What department of SLED do you work in?

21 A. I'm employed in the question document department.

22 Q. In fact, are you head over that department?

23 A. Technically kind of sort of. I'm like retired and
24 we're grooming someone to take my place.

25 Q. Okay. Now, is what you do commonly referred to as a

1 handwriting expert?

2 A. That is correct.

3 Q. How long have you been doing that?

4 A. 34 years about two weeks ago.

5 Q. Can you briefly describe your education and training
6 you have in that regard?

7 A. I have two undergraduate degrees from the University
8 of South Carolina and I have completed the Secret Service
9 School on question document examination and the FBI school on
10 question document examination and I have attended training and
11 educational seminars over the last 34 years in the field of
12 question documents.

13 Q. Can you even estimate how many question document
14 examinations you have done in your career?

15 A. Probably hundreds of thousands.

16 Q. How many times have you been qualified as an
17 expert?

18 A. 195.

19 MR. MCNAIR: Your Honor, at this time we would offer
20 Ms. Heath as an expert in question documents.

21 THE COURT: Any voir dire?

22 MS. FULLWOOD: Just a little bit.

23 VOIR DIRE EXAMINATION

24 BY MS. FULLWOOD:

25 Q. Ms. Heath, what are your two degrees from USC in?

1 A. Secondary education and history.

2 Q. All right. The Secret Service School you went to,
3 how long is that curriculum?

4 A. Two weeks long.

5 Q. And the FBI school?

6 A. I was also two weeks.

7 MS. FULLWOOD: No further questions, Your Honor.

8 THE COURT: All right. Ms. Heath is qualified as a
9 document examiner handwriting identification. She can
10 offer opinions in that field.

11 (Whereupon, State's Exhibit 88 marked for
12 identification.)

13 DIRECT EXAMINATION CONTINUED

14 BY MR. MCNAIR:

15 Q. Were several documents submitted to you in regards
16 to this case?

17 A. Yes, sir. There were.

18 Q. And I'm gonna show you what's been marked at State's
19 Exhibit 84. Was that document submitted to you for
20 analysis?

21 A. Yes, sir. It contains my item number, my case
22 number and my initials.

23 Q. How was that document submitted to you?

24 A. Through probably the -- Let's see. It came from the
25 Edgefield County Sheriff's Department.

1 Q. How did you label that document in your report?

2 A. Uhm, it is listed as a question document.

3 Q. That would be a question document?

4 A. Yes, sir.

5 Q. I'm gonna show you State's 85, 86, and 87. Tell me
6 whether or not you recognize those?

7 A. Yes, sir. They contain again my item number, my
8 case number and my initials.

9 Q. Were those documents used in your analysis as
10 well?

11 A. Yes, sir. They were.

12 Q. How were they labeled in your report?

13 A. That were submitted as known writings of William
14 Sellers.

15 Q. Okay. And the last thing is State's 88.

16 A. It contains my case number, my item number and my
17 initials.

18 Q. All right. Did you compare these known standards?
19 How was this one labeled?

20 A. It was submitted as a known writing of William
21 Sellers.

22 Q. Did you compare all these known standards of
23 Mr. Sellers to the question document in State's Exhibit 84?

24 A. Yes, sir. I did.

25 Q. Did you prepare an exhibit that blows those up to

1 show more clearly what you did?

2 A. Yes, sir. I did.

3 Q. Do you have that with you today?

4 A. Yes, sir. It's here. May I step down, Your Honor?

5 THE COURT: You may.

6 (Whereupon, State's Exhibits #89 and #90 marked for
7 identification.)

8 BY MR. MCNAIR:

9 Q. I'll show you State's 89 and State's 90. Do you
10 recognize these documents?

11 A. Yes, sir. I do.

12 Q. All right. And those are the documents you prepared
13 in connection with this case?

14 A. Yes, sir.

15 MR. MCNAIR: Your Honor, we would offer State's 89
16 and 90 into evidence at this time.

17 THE COURT: Any objection to those two exhibits?

18 MS. FULLWOOD: No, Your Honor.

19 THE COURT: Okay. 89 and 90. Or is it 88 and 89?

20 MR. MCNAIR: It is 89 and 90, Your Honor.

21 THE COURT: It's hard to hear. 88, is that in?

22 MR. MCNAIR: That's just for ID, Your Honor. 88 is
23 for ID only.

24 THE COURT: 89 is the big exhibit, and 90, both of
25 those are without objection?

1 MS. FULLWOOD: That's right, Your Honor.

2 THE COURT: 89 and 90 without objection.

3 BY MR. MCNAIR:

4 Q. Can you please step down?

5 A. (Witness complies.)

6 Q. Could you explain to the jury what 89 shows?

7 A. This is a photographic enlargement of the question
8 document and this is a photographic enlargement of one of the
9 known writings that I received from Mr. William Sellers.

10 Q. And you compared these two documents?

11 A. Yes, sir. I did.

12 Q. All right. And State's 90, what does this
13 demonstrate?

14 A. Okay. These are just photographic enlargements. I
15 picked out certain words on the question document and I tried
16 to find like words or similar words on the known documents and
17 then I went, I usually go letter by letter, word by word
18 placement on the line to look to see and try to figure out
19 people's handwriting habits and in this particular one I
20 noticed that the "a" construction went up, down and you can
21 see the little loop in it here where they make the cross bar
22 over across the "a". It's not as easy to see this because
23 these were actually a photocopy so that's why they're not as
24 clear as these writings at all because this was a photocopy so
25 when we photographed it, it didn't turn out as well. But

1 again we have the thin loop going across the "a", back down
2 and making a circle around to cross over and cap off the
3 finishing stroke of the "a".

4 Q. Okay. So all these words came from the question
5 document?

6 A. From the question document.

7 Q. All these words came from the known document that
8 was written by Mr. Sellers?

9 A. That is correct.

10 Q. Okay.

11 A. And so I went down to the next word. Now, I was
12 looking at the "b" formation. We had a single stroke down and
13 then kind of like a three stroke and we had that in the word
14 "bar" over here. The word "with" I compared to the "with" we
15 found. You can see how the "w" is kind off put. It's not
16 sitting exactly on a line. It's kind of off put and it curves
17 up and inward when they terminate the stroke on it. The word
18 "guy" the, "g", they make a "c" and they kind of have a 7
19 formation and again over here in the word "gram" they make a
20 "c" and kind of a 7 formation to finish out the "g". Where
21 it's textbook usually you would make a "g" come on around and
22 bring the stroke up as one continuous movement, this
23 particular writer uses two strokes to make the "g" formation.
24 The "d" formation, the starting of the "d" back behind the
25 staff we have the starting of the "d" back behind the staff in

1 those two words. Jersey, the top of the "J" coming further
2 over to the "e", we have the top of the "J" coming over the
3 "u" on this one so it actually goes over almost a complete
4 letter form using that amount of space and all to form the
5 "J". On the word "pavement" down here, the "m" formation we
6 have an initial stroke on the "n" and then capping it around
7 and the same thing here, we have the initial stroke starting a
8 little stroke downward and then going upward to form the "n".
9 And the word everything, the writer consistently put the "n"
10 and the "g" where they touched. You have the "n" and the "g"
11 touching in the word hearing and you've got it touching in the
12 word "everything" over here. So the "n" formation leaning in
13 to the "g" formation and again you have the same "g" formation
14 of the "c" and the 7, the "c" stroke and the 7. In this I was
15 looking at the height ratio from the "t" and the "i" and it
16 just barely, it's kind of connecting them just barely with his
17 pen when he goes to make the "i" formation there. In this
18 word I was looking at the "e" in this particular one even
19 though I looked at each and every word but the "e"s you have
20 kind of an "l" formation that then has two extra strokes and
21 we have that in this one which is more obvious because there's
22 a good bit of space left before they put the cap on the top of
23 the "e" on this one. And the word "Edgefield" and all, I was
24 looking at the height ratio of all of the letters and all and
25 the "i" drops down below the "f" in "Edgefield" in the

1 question and it drops down below the "f" if the known writing
2 of the word "Edgefield" as well. So I looked at each and
3 every word on the question document, compared it back to the
4 known standards I had and came up with my opinion that
5 Mr. William Sellers wrote all the question entries on the
6 question document based on the standards that I have of his.

7 Q. So basically your analysis, the author of the
8 question document which is exhibit number 84 is William
9 Sellers, correct?

10 A. That is correct.

11 Q. Thank you, ma'am. Please have your seat.

12 A. (Witness complies.)

13 Q. I'm gonna show you State's 86 and 87. You
14 previously testified that these were also documents that you
15 relied on in your examination and analysis?

16 A. That is correct.

17 MR. MCNAIR: Your Honor, we would offer 86 and 87 at
18 this time as well.

19 MS. FULLWOOD: No objection.

20 THE COURT: No objection to 86 and 87, they're in.

21 BY MR. MCNAIR:

22 Q. What are the dates on these two documents?

23 A. State's Exhibit 87 is dated December 29th, 2014, and
24 State's Exhibit 86 is dated September 3rd, 2015.

25 Q. All right. And with State's 84 there's also writing

1 at the bottom of this letter. Did you also analyze that
2 writing?

3 A. State's 84. Yeah. The writing on the bottom of
4 State's 84. Yes, sir.

5 Q. And were you able to determine who the author of
6 that writing was?

7 A. I determined that the author of that was probably
8 Wesley Omar Brown.

9 MR. McNAIR: Ms. Heath, that's all the questions I
10 have. Thank you.

11 CROSS EXAMINATION

12 BY MS. FULLWOOD:

13 Q. Ms. Heath, did you have standards from Wesley Omar
14 Brown?

15 A. The writing on the bottom of State's Exhibit 84 was
16 given to me as a writing attributed to Wesley Omar Brown and I
17 compared it back to the first two pages of, this is item 30.3
18 so I compared that back to 30.1 and 30.2 and said that they
19 were probably of common authorship.

20 Q. I see. So you had something else he had written?

21 A. That is correct.

22 Q. Or that had been attributed to him?

23 A. Attributed to him. Yes, ma'am.

24 Q. So it wasn't like you got -- What do you call them?

25 -- exemplars where you know that a person --

1 A. That is correct. I did not have exemplars. It was
2 just attributed as his writing.

3 MS. FULLWOOD: Okay. Thank you, ma'am.

4 MR. McNAIR: Nothing further.

5 THE COURT: You may step down. This is a good time
6 to take a break. Step into the jury room. Don't talk
7 about the case. We'll have you back out here.

8 (Whereupon, the jury entered the jury room at 10:15
9 a.m.)

10 (Short break.)

11 BAILIFF: All rise.

12 THE COURT: Be seated.

13 (Whereupon, State's Exhibit #96 marked for
14 identification.)

15 (Whereupon, the jury entered the courtroom at 10:45
16 a.m.)

17 THE COURT: All right. We took a longer break. I
18 told y'all about the telephone records and cell phones
19 and all of that and I kind of compare notes so hopefully
20 that will alleviate having to take a break later and
21 maybe get through to lunch. Also, there's a state
22 trooper coming in here in a little bit. He's coming to
23 eat lunch with my law clerk who's his daughter so he's
24 not here for the trial. He's just coming here to watch
25 until we eat lunch so just to let y'all know. Call your

1 next witness.

2 MS. MAYES: The State calls Investigator Phil
3 Ireland.

4 Thereupon,

5 PHILLIP CRENSHAW IRELAND

6 after having been first duly sworn, testified as follows,

7 THE CLERK: Please have a seat. Once you're seated,
8 state your full name spelling your last please.

9 THE WITNESS: My name is Phillip Crenshaw Ireland,
10 I-r-e-l-a-n-d.

11 DIRECT EXAMINATION

12 BY MS. MAYES:

13 Q. Good morning, Investigator Ireland.

14 A. Good morning.

15 Q. Tell us a little bit about yourself, your law
16 enforcement experience and what your current responsibilities
17 are with the Edgefield County Sheriff's Department.

18 A. I'm an investigator with Edgefield County. I have
19 been there for around 24 years. Been an investigator for
20 around 14 years.

21 Q. All right. Tell us what type of major crimes you
22 work?

23 A. Basically in Edgefield County we work everything
24 from petty larceny basically to murder.

25 Q. Can you tell us what your involvement was in this

1 particular case regarding the murder of Johnny Hydrick?

2 A. I was the investigator that was on-call and went to
3 the scene that day.

4 Q. All right. And how many investigators were involved
5 out there at the scene on that initial day?

6 A. Two. At least two. Three.

7 Q. Who were those investigators?

8 A. Investigator Doran and our forensics investigator
9 Curtis Morris.

10 Q. All right. Now, how long were you actually at the
11 scene of the Johnny Hydrick residence?

12 A. A good while. Several hours.

13 Q. All right. Did you have an opportunity to be inside
14 the residence and make observations there?

15 A. I went in for a short while.

16 Q. All right. And then ultimately did you have an
17 opportunity to speak with any other individuals who are
18 potential witnesses or who were potential suspects in this
19 case?

20 A. At the scene, yes, I did speak with Richard
21 Hydrick.

22 Q. The brother of Johnny Hydrick?

23 A. Correct.

24 Q. Okay. And ultimately did you learn whether or not
25 Johnny Hydrick had a female acquaintance?

1 A. I did.

2 Q. What is the name of that person?

3 A. Jessica Reeder.

4 Q. All right. And during the course of your
5 investigation did you learn whether or not Jessica Reeder had
6 a boyfriend?

7 A. I did.

8 Q. What is the name of that individual?

9 A. Travis Murray.

10 Q. All right. And then during the course of your
11 investigation did you determine whether or not Travis Murray
12 had any close acquaintance, close co-workers, anything of that
13 nature?

14 A. Did Travis have close --

15 Q. Acquaintances, co-workers, things of that nature?

16 A. He did.

17 Q. All right. And how is it that you developed the
18 name Billy Sellers also named William Sellers the defendant in
19 this case?

20 A. I was told.

21 Q. You can't say what anybody else said to you.

22 A. Okay. I learned through my investigation that -- I
23 learned through my investigation about Billy Sellers.

24 Q. All right. It's your understanding that he was a
25 co-worker of whom?

1 A. He was a co-worker of Travis.

2 Q. Did you learn whether or not he provided
3 transportation for any of those individuals?

4 A. He did. He provided work everyday for Travis.

5 Q. Did you determine whether or not he was a close
6 friend or associate of any of those individuals?

7 A. Billy was close -- We're talking about Billy. Billy
8 was close with Travis, yes.

9 Q. All right. Speaking of Travis Murray?

10 A. Correct.

11 Q. Now, when did you first make contact with the
12 defendant in this case Billy Sellers?

13 A. I believe it was around October 16th.

14 Q. I'm gonna ask you to go ahead and refer to your
15 notes. Where did you make contact with him at?

16 A. At his home.

17 Q. All right. And where was that?

18 A. At ■0 Vincent Drive.

19 Q. All right. Tell us a little bit more about that ■0
20 Vincent Drive or Vincent Avenue. That's located in what
21 county?

22 A. It's located in Aiken County.

23 Q. All right. Tell us about your initial contact with
24 him, for what purpose and what was the extent of that contact
25 with Billy Sellers?

1 A. Okay. Uhm, I went to ■0 Vincent Drive in Aiken to
2 speak with Billy. What he advised me is that he and Travis
3 and Shawn Nicholson had always scrapped metal together and he
4 stated that they had gone to a place across the street from
5 the victim to scrap metal either on the 7th or the 8th.

6 Q. All right. I'm gonna stop you right there.

7 A. Okay.

8 Q. Now, at this point in time is he in custody?

9 A. No, ma'am.

10 Q. Was he under arrest?

11 A. No, ma'am.

12 Q. You were actually at his home?

13 A. Correct.

14 Q. Was he speaking with you freely and voluntarily at
15 this point in time?

16 A. He was.

17 Q. Did you promise him anything in exchange for making
18 a statement?

19 A. No, ma'am.

20 Q. Did you threaten him in any way to obtain a
21 statement?

22 A. No, ma'am.

23 Q. You said the date of his statement was 10/16/2014?

24 A. Yes, ma'am.

25 Q. He stated that he, Travis and Shawn were scrapping

1 metal and where was the location he said they had bean
2 scrapping metal?

3 A. The address they were at was [REDACTED] Windy Ridge Road
4 which is across the street.

5 Q. When you say across the street, have you been to
6 that location?

7 A. I have.

8 Q. How close in distance is that to the victim in this
9 case Johnny Hydrick?

10 A. Well, from property line to property line it
11 wouldn't be but about 30, 40 yards.

12 Q. All right. And he stated that he had been there on
13 what date or dates?

14 A. He thought he had been there on the 7th or 8th of
15 October.

16 Q. 2014?

17 A. Correct.

18 Q. So it's either going to be two days before the
19 murder or the day before the murder?

20 A. Yes, ma'am.

21 Q. According to his statement?

22 A. Yes, ma'am.

23 Q. And please continue as to anything else he said in
24 that regard.

25 A. He basically said that they went there and they took

1 an air conditioning unit from an abandoned house and said they
2 were there about 30 minutes. He said that he did know
3 Johnny.

4 Q. Go back though and continue on as to any other
5 statements he made about the metal that was taken from the
6 abandoned house. Did he say what was done with that?

7 A. Yeah. They took it to Coastal that same day is what
8 he said.

9 Q. That would be to Coastal Recycling that we heard
10 from earlier in this trial?

11 A. Correct.

12 Q. And he stated he had gone to Coastal Recycling on
13 the same day?

14 A. Yes.

15 Q. And then what, if anything, else did he say to you
16 about scrapping?

17 A. He basically said that they scrapped in the morning
18 before work to get extra money.

19 Q. All right. When he said they, he's referring to
20 who?

21 A. Him and Shawn and Travis.

22 Q. All right. And just to clarify, Travis is who --

23 A. Travis Murray.

24 Q. -- in the context of your conversation? Travis
25 Murray.

1 A. Correct.

2 Q. All right. And Shawn is who?

3 A. He's known as Big Chris. Shawn Nicholson.

4 Q. All right. Now, at this particular point in time do
5 you know who he was working for or trying to do some work
6 for?

7 A. Uhm, at this time?

8 Q. On October 8th or 9th of 2014?

9 A. Okay. He was trying to get to work for a mill. He
10 was trying to go to work there.

11 Q. Are you familiar with the name of a mill
12 Labuschagne?

13 A. Labuschagne.

14 Q. Now, moving on, what, if anything, did he say about
15 how long they were there?

16 A. They were there for about 30 minutes.

17 Q. All right. And what, if anything, did he say about
18 whether he knew Johnny meaning Johnny Hydrick?

19 A. Well, he said he knew Johnny and that he would buy
20 pills from him mostly on the weekend.

21 Q. So Billy said he knew Johnny and he would buy pills
22 from him?

23 A. Yes, ma'am.

24 Q. Now, this particular area that you testified that
25 you have been to that location, describe it to us further if

1 you could in terms of the general area across from Johnny
2 Hydrick's house and he mentioned an abandoned house where they
3 were scrapping. Can you tell us whether or not you observed
4 that area?

5 A. I did. I went to that location and, uhm, it is a
6 very wooded area, lots of brush and trees. It's on a dirt
7 road. It's out in the country.

8 Q. All right. I'm gonna show you some photographs and
9 ask you whether or not you recognize them?

10 MS. MAYES: Your Honor, if the witness could have
11 permission to step down.

12 THE COURT: Absolutely.

13 BY MS. MAYES:

14 Q. Now, take us through what we're actually looking at
15 here in terms of Edgefield County. What area is this?

16 A. This is the Trenton area.

17 Q. I need you to keep your voice up a little bit
18 louder. Where would the home of Johnny Hydrick be on this
19 aerial map?

20 A. Right here.

21 Q. And you've been to this location. Did you observe
22 the abandoned house that he referred to when he said they were
23 scrapping?

24 A. I did.

25 Q. All right. And where did you locate an abandoned

1 house?

2 A. Right here. These are all abandoned.

3 Q. And have you actually stood in that area or that
4 location?

5 A. I did go to that area.

6 Q. Okay. From that location can you tell us whether or
7 not the residence of Johnny Hydrick is visible?

8 A. It is visible in this area up here.

9 Q. All right. Well, what else is significant about
10 this area over here on the opposite side of Mr. Hydrick's home
11 in terms of any locations to park that would be isolated?

12 A. You could park anywhere up through here and not be
13 seen.

14 (Whereupon, State's Exhibit #91 and #92 marked for
15 identification.)

16 BY MS. MAYES:

17 Q. All right. I'm gonna show you these items and ask
18 you whether or not you recognize them. They are State's
19 Exhibit 91 and State's Exhibit 92.

20 A. I do.

21 Q. Who took these photographs?

22 A. I did.

23 Q. What area or where were you when you took these
24 photographs?

25 A. I was in this area here.

1 Q. Are they a fair and accurate representation of how
2 you observed it in October 2014?

3 A. They are.

4 MR. McNAIR: Your Honor, this would be State's 91
5 and 92 for evidence.

6 MR. CASTO: No objection.

7 THE COURT: 91 and 92 are in without objection.

8 BY MS. MAYES:

9 Q. If you need to refer back to your notes, Officer
10 Ireland, please do so. But on what date did you go out there
11 to observe this area after speaking with Billy Sellers?

12 A. I'm gonna refer to my notes real quick.

13 Q. Okay.

14 A. What date did I go out there?

15 Q. Yes.

16 A. It was soon after I interviewed him.

17 Q. Soon after your interview with Mr. Sellers when he
18 provided this information?

19 A. Correct.

20 Q. All right. I'm gonna ask you to look now at the
21 overhead and tell us exactly what we're looking at in this
22 area here?

23 A. Okay. That's the houses that would actually be
24 behind. I took a picture like how the abandoned houses would
25 be behind.

1 Q. All right. Did you observe any evidence of tire
2 tracks in the area?

3 A. I did. I did. These tire tracks right there you
4 can see.

5 Q. What, if anything, made the tire tracks visible?

6 A. Just that the grass had been pushed down by tires
7 and I could tell because the other grass is so high.

8 Q. Take a look at State's 92 and I ask you what we're
9 looking at here?

10 A. That's a picture looking out toward the roadway
11 where Mr. Hydrick's home is on the other side of that road.

12 Q. If you can refer to the photograph, there's a road
13 in between the trees?

14 A. Correct.

15 Q. Having been to that location can you tell us whether
16 or not there are areas to park around the home of Johnny
17 Hydrick that would be isolated?

18 A. Several.

19 Q. Thank you. You may return to your seat, sir.

20 A. (Witness complies.)

21 Q. Now, when did you next speak with Mr. Sellers
22 again?

23 A. It would be October 30th of 2014.

24 Q. What else is significant about October 30th, 2014?
25 What action was taken by yourself and law enforcement on that

1 date?

2 A. I executed a search warrant on Mr. Sellers' home.

3 Q. All right. Now, when you say you executed a search
4 warrant on his home, you mentioned before an address on
5 Vincent Avenue in Aiken County?

6 A. Correct. [REDACTED] Vincent Avenue.

7 Q. All right. And we've heard previous testimony in
8 this case about a van. Can you tell us who originally
9 obtained the search warrant for that van? Were you involved
10 in that process?

11 A. Yes.

12 Q. Okay. Now, about the search of his home, did you
13 have anything specific that you were looking for in terms of
14 clothing?

15 A. Yes, ma'am. I was looking for possible stained
16 clothing.

17 Q. Did you have specific knowledge as to whether there
18 would even be stained clothing there?

19 A. No.

20 Q. So that search warrant was executed on 10/20, so
21 we're talking approximately 21 days after the murder?

22 A. Yes.

23 Q. 20 days after the murder. During the course of that
24 execution of that search warrant, did you determine whether or
25 not Mr. Sellers had a phone?