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THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA :
 :
 vs. :
 :
 TIMOTHY Da'SHAUN TAYLOR : 2:16 CR 480

Detention Hearing in the above matter held Monday,
August 15, 2016, before the Honorable Mary Gordon Baker,
Courtroom VI, United States Courthouse, 85 Broad Street,
Charleston, South Carolina, 29401.

APPEARANCES:

WINSTON HOLLIDAY, ESQ., Office of the U.S.
Attorney, Charleston, SC, appeared for the
Government.

DAVID F. AYLOR, ESQ., 24 Broad Street,
Charleston, SC, appeared for defendant.

MARK A. PEPPER, ESQ., 1637 Savannah Highway,
Charleston, SC, appeared for defendant.

REPORTED BY DEBRA LEE POTOCKI, RMR, RDR, CRR
Official Court Reporter for the U.S. District Court
P.O. Box 835
Charleston, SC 29402
843/723-2208

1 MR. HOLLIDAY: Your Honor, this is United States
2 versus Timothy Da'Shaun Taylor, Case No. 2:16-480.

3 Your Honor, we're here for Mr. Taylor's detention hearing.
4 Government's ready to proceed whenever you are.

5 THE COURT: Y'all proceeding by witness or by
6 proffer?

7 MR. HOLLIDAY: I am prepared to call a witness today.

8 Just to give a little bit of context, Your Honor, we are
9 moving for detention. We believe the presumption applies
10 under 18 U.S.C. 3142(e)(3)(B). He is charged with a 924
11 offense in the indictment. So that's the primary basis for
12 our moving for detention. And I'll be glad to call Agent
13 Munoz of the FBI to go into detail on that, if you like.

14 THE COURT: One quick question before we get started.
15 And, Mr. Aylor, I'll get to what you want to do in a second.
16 But I did have a question. I'm looking at his criminal
17 history and I see a robbery he's already been convicted of,
18 the date of arrest was 9/24/11. My question is, is it the
19 same as any of these counts?

20 MR. HOLLIDAY: It is, Your Honor.

21 THE COURT: Is it one robbery or more than one? I
22 can't tell the difference between counts one and two, other
23 than the date.

24 MR. HOLLIDAY: Your Honor, it's one robbery, and
25 the -- for your information, and we sought a petite waiver,

1 because the sentence at the state level was 18 months
2 probation, and received the waiver obviously at that point.
3 And Agent Munoz, I'm sure, will get into the details some on
4 the robbery that took place over in Mt. Pleasant.

5 THE COURT: I just wanted to make that clarified
6 before we even get started; it's helpful.

7 Mr. Aylor, do you want him to proceed with a witness
8 instead of proffer?

9 MR. AYLOR: Yes, that would be fine.

10 THE COURT: And you've got your client present and --

11 MR. PEPER: Attorney Mark Peper, Judge.

12 THE COURT: Nice to see you. And Mr. Taylor. All
13 right. Thank you. Let the Government call its first witness
14 then.

15 MR. HOLLIDAY: Your Honor, thank you, Government
16 calls Agent Gerrick Munoz.

17 THE COURT: Come forward and be sworn, Agent Munoz.

18 THE CLERK: State your name for the record.

19 A. Gerrick Munoz.

20 GERRICK MUNOZ, a witness called by the Government, first
21 having been duly sworn, testified as follows:

22 DIRECT EXAMINATION

23 BY MR. HOLLIDAY:

24 Q. Agent Munoz, before we begin, just for purposes of the
25 record, you're with the FBI, is that right?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. Yes, sir, I've been with the FBI for 18 years now.

2 Q. And do you have a specific section that you work, a
3 specific type of crime that you work on?

4 A. Yes, sir, I work on violent crimes.

5 Q. Okay. And have you been involved in the investigation of
6 Timothy Da'Shaun Taylor?

7 A. Yes, sir, I have.

8 Q. And he actually goes by Da'Shaun, is that correct?

9 A. Goes by both, but mostly Da'Shaun.

10 Q. We're going to get a little bit into the context of your
11 investigation and how the counts in the indictment came up,
12 but first of all, we're actually going to address the counts
13 that are in the indictment.

14 A. Yes, sir.

15 Q. If you would, please, tell Judge Baker the background of
16 what happened in August and September of 2011 that led to this
17 robbery of the McDonald's over in Mt. Pleasant.

18 A. Okay. According to our evidence, Mr. Taylor actually
19 coordinated the robbery, got some information from someone
20 that used to work at the McDonald's there, and coordinated the
21 robbery with two other friends and did execute that robbery on
22 the 3rd of September 2011.

23 They went early in the morning. During the robbery
24 Mr. Taylor was the get-away driver. The other two subjects
25 went in, the store manager was actually shot twice during the

GERRICK MUNOZ - DIRECT EXAMINATION

1 robbery, and then came back out and Mr. Taylor drove him away.

2 Q. And this wasn't a spur-of-the-moment decision to rob this
3 McDonald, was it?

4 A. No, this was a planned out robbery. This wasn't something
5 they said, hey, let's go rob a McDonald's today, this was
6 something that was planned out, based on information that
7 Mr. Taylor had.

8 Q. Was it actually the case that they had gone through that
9 McDonald's the day before, intending, in fact, to commit the
10 robbery at that time, and then there was a change of plans?

11 A. That is correct.

12 Q. And why was there a change of plans?

13 A. There was too many people around, they wanted it to where
14 it wasn't so many people. They also wanted to be able to get
15 the manager in the morning so they could have a better chance
16 of getting into the safe.

17 Q. Okay. And then it was the morning the next day that they
18 actually came back?

19 A. Yes, sir.

20 Q. Was it about 6:00 in the morning or earlier than that?

21 A. I think it was a little bit earlier.

22 Q. And initially when the manager -- And Mr. Taylor knew that
23 they were taking guns in, is that correct?

24 A. Correct.

25 Q. And then the manager initially refused to open the safe to

GERRICK MUNOZ - DIRECT EXAMINATION

1 give the two co-conspirators money, is that right?

2 A. According to their testimony, that's what we heard, yes.

3 Q. And then it turns out that he was actually shot twice, as
4 you mentioned already?

5 A. Correct.

6 THE COURT: Did he survive?

7 A. He did survive.

8 THE COURT: Any permanent injuries?

9 A. I mean, some aches and pains, but nothing that's
10 debilitating at this point.

11 BY MR. HOLLIDAY:

12 Q. He was shot in the leg and where else? I don't recall the
13 other place, do you?

14 A. Both -- I thought one was in the abdomen, one was in the
15 leg, but I could be mistaken on that.

16 Q. And then you're aware also, as part of your investigation,
17 that he was charged previously in the state level with this.

18 A. Yes, sir.

19 Q. And do you recall the sentence that he received at the
20 state level?

21 A. Eighteen months probation.

22 Q. And then there was a feeling of the FBI and U.S.
23 Attorney's office that the 18 months probationary sentence did
24 not reflect the severity of the crime?

25 A. Did not even come close to it, in our opinion.

GERRICK MUNOZ - DIRECT EXAMINATION

1 Q. And you're aware as well, through AUSA May, that a petite
2 policy waiver was sought through the Department of Justice,
3 and here we are today, having obtained a federal indictment of
4 Mr. Taylor for those actions.

5 A. Yes, sir.

6 Q. Now, you mentioned that you're part of the violent crimes
7 section of the FBI, but that was not your primary focus
8 involving Mr. Taylor, investigating this McDonald's case that
9 took place in 2011, is that correct?

10 A. These correct.

11 Q. Give Judge Baker, please, the context in which the
12 previous charge came to your attention.

13 A. Okay. Mr. Taylor, who is also one of the main subjects in
14 an ongoing investigation for kidnapping --

15 MR. AYLOR: Objection.

16 A. -- and --

17 THE COURT: He's objecting. Hold on.

18 MR. AYLOR: What is the relevance of this? We're
19 here for these charges, that's what bond is based off of. Any
20 rumors or anything else, if he's going to be indicted for
21 that, arrested for that, we'd be happy to come back for that
22 bond, but that's not the bond we're here for.

23 THE COURT: Mr. Holliday, what's the relevance, when
24 he hasn't been charged, and being a subject is not even being
25 a target. I'm not sure if you're going to go into the

GERRICK MUNOZ - DIRECT EXAMINATION

1 evidence behind it to show he's a danger to the community, is
2 it 404(b), what are you trying to do?

3 MR. HOLLIDAY: It does support the fact that he is a
4 danger to the community, Your Honor.

5 THE COURT: Well, not just the fact he's a target.
6 You would have to then get into his witnesses on that, you're
7 going to have to get into what evidence they have of that.

8 MR. HOLLIDAY: Be glad to do that.

9 THE COURT: Mr. Aylor, I'm going to let you cross on
10 it, but I mean, it's kind of like 404(b) evidence in a
11 detention hearing, of other acts. And a detention hearing, of
12 course, has a wide swath of hearsay that can be allowed, but I
13 can also give little weight to hearsay. So I'm going to let
14 him go into it, but he's going to have to go into detail. And
15 that opens the agent up to total cross-examination on anything
16 to do with the investigation.

17 MR. HOLLIDAY: Thank you, Your Honor.

18 THE COURT: And y'all need to slow down a little bit
19 for me, too.

20 MR. HOLLIDAY: Gladly.

21 THE COURT: He's subject or target; go back to that.

22 BY MR. HOLLIDAY:

23 Q. Is he a subject or target of your other investigation?

24 A. He's a target of another ongoing investigation now
25 involving, again, kidnapping, human trafficking and murder.

GERRICK MUNOZ - DIRECT EXAMINATION

1 Q. And where did this kidnapping, human trafficking and
2 murder take place?

3 A. It was in McClellanville.

4 Q. And as far as establishing evidence of what happened in
5 McClellanville on these three potential charges, have you
6 talked to people? What's the basis of your investigation at
7 this point?

8 A. We've had several people have come up and give us
9 testimony, outlining Mr. Taylor's involvement in this
10 particular case.

11 Q. Okay. And if you would, what was Mr. Taylor's involvement
12 in this case, and the primary investigation, that's how I'm
13 going to refer to the abduction and murder, is the primary
14 investigation.

15 A. Direct involvement as far as actually -- according to some
16 testimony that we have, actually being the person to actually
17 kidnap the individual.

18 Q. Okay.

19 THE COURT: Y'all need to go into what individual;
20 you haven't given me any context.

21 MR. HOLLIDAY: Thank you, Your Honor.

22 BY MR. HOLLIDAY:

23 Q. And who is the individual who was abducted?

24 A. The individual was Brittane Drexel.

25 Q. And where was she abducted from?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. She was abducted from Myrtle Beach, South Carolina.

2 Q. And then once -- and as far as the abduction itself goes,
3 is there evidence that Da'Shaun Taylor was involved in the
4 abduction?

5 A. We do have witness testimony, yes.

6 Q. And what did that witness testimony indicate to you or
7 what did it tell you?

8 A. Of his direct involvement with actually being with her --

9 THE COURT: I'd like to know also if these witnesses
10 saw it happen or heard it happen or what the basis is. We're
11 getting into hearsay, hearsay, hearsay.

12 MR. HOLLIDAY: Absolutely, Your Honor.

13 BY MR. HOLLIDAY:

14 Q. As far as the first witness that you spoke to regarding
15 the abduction, was that witness an eyewitness, or somebody who
16 the facts had been related to?

17 A. Yes, sir, this person was an eyewitness.

18 Q. And what did that person see?

19 A. Okay. They actually saw Mr. Taylor with Brittane Drexel,
20 at the point where she was actually being sexually abused.

21 Q. Okay. And did that take -- well, where was that taking
22 place?

23 A. In McClellanville.

24 Q. Was it at a house, an apartment, vacant lot, an
25 automobile, where was that?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. It was at something -- a stash house that they had, it
2 wasn't somebody's permanent residence, but people did stay
3 there regularly.

4 THE COURT: What kind of stash house are you talking
5 about?

6 A. As far as this was a place they would go and hang out.
7 Not like a country club hang out for individuals, but this is
8 a place where they would typically go and, you know, just hang
9 out and get away from their families.

10 THE COURT: You didn't mean stash house as in drugs.
11 That's how the term of art is used in my mind.

12 A. There was some drug use in there that we know of, but
13 that's not something that we're charging at this point.

14 BY MR. HOLLIDAY:

15 Q. And as far as the witness is aware, he actually saw
16 Brittane Drexel at the house?

17 A. Yes, this was actually an eyewitness, yes.

18 Q. And was there a sexual assault that was taking place when
19 he went through the house?

20 A. Yes. And he actually -- I think I just stated that he
21 actually saw Mr. Taylor, you know, sexually abusing Brittane
22 Drexel at the time that he came into the house with a couple
23 other gentlemen.

24 Q. And was Mr. Taylor the only one who was engaged in that
25 activity?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. He was not. There were others there.

2 Q. And did this witness -- how did events play out from
3 there? Let me put it this way. Why was that individual at
4 the house in the first place?

5 A. He was there for some financial -- he was actually
6 there -- say financial, but he was there to give money to
7 Mr. Taylor's father.

8 Q. And his father, what's his name?

9 A. His father's name is Shaun Taylor.

10 MR. HOLLIDAY: Your Honor, so the father is Shaun
11 Taylor and the son is Da'Shaun Taylor, for purposes of
12 clarity.

13 BY MR. HOLLIDAY:

14 Q. And in the context of that financial transaction taking
15 place between the witness and Shaun Taylor, what transpired --
16 Was that in the house or outside the house?

17 A. The witness that we have and -- said that he was with the
18 father just outside the house, but he passed through the house
19 to get to the other side. That's when he saw Da'Shaun Taylor
20 and the others with Brittane Drexel.

21 During the course of their conversation, Brittane Drexel
22 ran out of the room. She was then described as pistol whipped
23 and brought back into the house. At that point the father,
24 Shaun Taylor, goes back into the house, and actually he hears
25 two shots fired. And he is assuming at that point that the

GERRICK MUNOZ - DIRECT EXAMINATION

1 father had actually shot the daughter -- or shot Brittane
2 Drexel. And then Brittane Drexel was then wrapped up and
3 taken away from the house.

4 Q. And again, that's all events that this particular witness
5 saw?

6 A. Yes, sir, this is eyewitness testimony.

7 Q. Have you made efforts to corroborate this version of
8 events?

9 A. Absolutely, sir. We've been, you know, of course we had
10 our press conference back in April, we have been getting, you
11 know, tidbits of information from the community. But we also
12 have other testimony that's coming in, secondhand information
13 that is corroborating the story.

14 Q. Okay. Let's get into the secondhand information a little
15 bit.

16 MR. HOLLIDAY: And again, this, Your Honor, would not
17 be direct eyewitness testimony, as we talk about in the next
18 few witnesses.

19 Q. But going into the next one, where did the next
20 conversation take place?

21 A. Okay. This happened recently here up at Georgetown
22 penitentiary, where we interviewed a prisoner, and there are
23 several more in line, that has put Mr. Taylor, again, directly
24 with Brittane Drexel.

25 THE COURT: In what respect; put him with her.

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. He was the one that actually picked her up from Myrtle
2 Beach.

3 THE COURT: No, no, I'm saying -- So you've got an
4 inmate at the Georgetown jail, or -- you said penitentiary,
5 I'm not sure --

6 A. I said penitentiary, I'm sorry, Georgetown detention
7 center.

8 THE COURT: And there's an inmate who witnessed
9 something or who heard about something?

10 A. He got it from somebody who saw it. So secondhand
11 information.

12 THE COURT: All right.

13 BY MR. HOLLIDAY:

14 Q. Okay. And if you would, relate to the judge what that
15 person related to investigators about what was seen.

16 A. He said that Da'Shaun Taylor actually picked her up from
17 Myrtle Beach, brought her back down to McClellanville, showed
18 her off, introduced her to some other friends that were there.
19 And they ended up, you know, from what we understand, without
20 getting too much into it and going through all the testimony,
21 they ended up tricking her out with some of their friends,
22 offering her to them, and getting a human trafficking
23 situation. And then when it became a problem and there was
24 actually some press that came out with her disappearance, that
25 she was murdered and disposed of.

GERRICK MUNOZ - DIRECT EXAMINATION

1 THE COURT: Was she ever found? Y'all better get to
2 that, too.

3 BY MR. HOLLIDAY:

4 Q. Was her body ever found?

5 A. Miss Drexel was never found. Not yet.

6 Q. Based on -- well, did any witnesses tell you -- and I also
7 want you to tell the judge the basis for how they might have
8 known -- did any witnesses tell you what happened to
9 Miss Drexel's body?

10 A. Yes, several witnesses have told us that Miss Drexel's
11 body was placed into a pit, or a gator pit, to have her body
12 disposed of. Eaten by the gators.

13 THE COURT: Has there ever been any identification of
14 that location?

15 A. We've had several different people show us some locations
16 that they thought it was, but there are numerous locations
17 where alligators are known to congregate in the area up there,
18 so it could be any one of 30 to 40 different places.

19 THE COURT: So these are witnesses not who saw it,
20 but just who heard the body --

21 A. That is correct.

22 BY MR. HOLLIDAY:

23 Q. And then finally, as recently within the past two weeks,
24 you've been able to speak to another witness or person who
25 also has information regarding this, is that correct?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. That's what we were talking about up in Georgetown, yes.
2 That's the one you're referring to, correct?

3 Q. Yes.

4 A. Yes.

5 Q. All right. Is there anything else the judge needs to
6 know? I know you stated at a certain level, as far as the
7 investigation goes, have we omitted any witness that you'd
8 like to inform the judge about regarding the circumstances
9 here?

10 A. Again, everything that we've got right now is still
11 secondhand information. But we are working on, again, we have
12 some witnesses that are about to come forward that we believe
13 have direct testimony, firsthand information as far as what
14 they actually witnessed and saw, that is going to put
15 Mr. Taylor directly involved in that situation with
16 Miss Drexel. And again, we feel that he is definitely a
17 threat to the community; that's why we're here and that's why
18 I'm testifying.

19 Q. And you say everything that we've had is secondhand, but
20 the first witness we discussed, witnessed the events that led
21 to her death, is that correct?

22 A. Yes. I meant everything since that point.

23 THE COURT: Has anyone been charged with this crime?

24 BY MR. HOLLIDAY:

25 Q. Is it fair to say this is an ongoing investigation?

GERRICK MUNOZ - DIRECT EXAMINATION

1 A. Yes, sir.

2 Q. And no one has been charged as of yet?

3 A. No, sir.

4 MR. HOLLIDAY: Your Honor, that's all the questions I
5 have for Agent Munoz. Please answer any questions the judge
6 has or opposing counsel.

7 A. Yes, sir, thank you.

8 THE COURT: Mr. Aylor?

9 CROSS-EXAMINATION

10 BY MR. AYLOR:

11 Q. Good morning. Let's start on this 2011 investigation
12 regarding the McDonald's, the case we're here for today, Agent
13 Munoz.

14 A. Yes, sir.

15 Q. When did you get involved in that investigation?

16 A. I believe that's May. May of this year.

17 Q. So May of 2016 is when you got involved in the McDonald's
18 case, the case we're here for today?

19 A. That's when it was -- when I became aware of the
20 investigation, yes, sir.

21 Q. Okay. And the incident date was, I believe, September of
22 2011? Correct?

23 A. That is correct, sir.

24 Q. And is that the point the FBI got involved, the Federal
25 Government got involved, May of 2016?

GERRICK MUNOZ - CROSS-EXAMINATION

1 A. There were some inquiries, I think, before. But as far as
2 the direct involvement in the investigation, yes, that's my
3 understanding, sir.

4 Q. And who handled the investigation prior to May of 2016?

5 A. That was the Mt. Pleasant police department.

6 Q. Okay. And you said that -- I believe you said that
7 Mr. Taylor was convicted and received 18 months probation?

8 A. That was my understanding.

9 Q. That's actually incorrect; he received a suspended YOA
10 sentence. Do you know what a YOA sentence is?

11 A. Youthful offender.

12 Q. Correct. And he was actually on probation for two years,
13 and you can get up to one to six years.

14 A. Okay.

15 Q. He was 18 years old at the time; were you aware of that?

16 A. Yes, sir.

17 Q. Were you also aware that he was directly involved in
18 cooperating with the Mt. Pleasant police department throughout
19 the entire investigation that they performed in and around
20 2011, when it actually occurred, and thereafter, all the way
21 up until the prosecution of everyone else involved in the
22 case?

23 A. Yes, that's my understanding.

24 Q. Okay. You didn't mention that before; I didn't know if
25 you were aware of it.

GERRICK MUNOZ - CROSS-EXAMINATION

1 And being a veteran in law enforcement, you're aware of
2 when people are involved in cases and help and cooperate with
3 law enforcement, sometimes they receive reduced sentences; you
4 say that's accurate?

5 A. Oh, yes, sir.

6 Q. So does that maybe add a little light as to why he
7 received the YOA sentence, considering his age and his
8 cooperation and participation with the investigation?

9 A. I don't -- it definitely explains why he did get that
10 little bit of -- or I should say extremely reduced sentence.

11 Q. And you said you've been with the FBI, was it 18 years?

12 A. Yes, sir.

13 Q. How many other cases have you personally been involved in,
14 have you done this before, have you been involved where you,
15 five years later, or roughly five years later, that you, as an
16 FBI agent, where your agency has come back and start
17 investigating a case that was not only investigated by a local
18 agency, but every individual that was believed to be a part of
19 it, was actually convicted in the case. How many times have
20 you done this before?

21 A. In my earlier, when I first got in the FBI, worked
22 historical fugitive cases. So a lot of things would come up.
23 So as far as historical cases, I've worked numerous historical
24 cases in the past.

25 Q. How many --

GERRICK MUNOZ - CROSS-EXAMINATION

1 A. As far as relating a case exactly like this one --

2 Q. Yeah.

3 A. -- to what we're coming back in, no.

4 Q. So the answer is none?

5 A. None that I've worked.

6 Q. Okay. So this is somewhat a unique situation?

7 A. I wouldn't call it unique. I would say it's different,
8 but -- I wouldn't say it's unique to go back and charge
9 someone federally for something they've already been charged
10 in the state.

11 Q. Is this unique for you where you're going back and looking
12 at a case that was investigated, every individual involved in
13 it was convicted of the crimes involved in it, and then five
14 years later you, as an agent, are then getting back involved
15 in it and then you're federally charging someone?

16 A. Is it unique to work -- I don't understand --

17 Q. You personally.

18 A. There's several questions that you're saying in there.
19 But as far as is it a unique case, no. It's a case. It's an
20 investigation, it's a criminal investigation.

21 Q. But --

22 A. Is it one I've worked before?

23 Q. Yeah.

24 A. As far as exactly like this, no, but just about all my
25 cases, sir, are different than the ones before that.

GERRICK MUNOZ - CROSS-EXAMINATION

1 Q. Okay. Moving forward. In regards to the Drexel case,
2 when did Miss Drexel go missing?

3 A. I know it was seven years ago. I'm sorry, I don't have
4 the exact date in my head, but I know it was seven years ago.
5 I think it was seven years ago in -- what was it, April?

6 Q. So roughly around seven years ago. And she went missing
7 from the Myrtle Beach area?

8 A. That is correct, sir.

9 Q. And how many different agencies are you aware of have been
10 investigating or have investigated her disappearance, would
11 have believed to have been, I guess, since then, death?

12 A. I don't know the exact number. I can tell you there's at
13 least four agencies that are looking at it right now. But
14 again, you know, I was -- I've only been involved since all of
15 last year.

16 Q. So you've been involved less than a year, but is it fair
17 to say that multiple agencies have been involved in this
18 investigation over the last seven years?

19 A. Yes, sir. Absolutely.

20 Q. And it's been in the national news.

21 A. Very much so.

22 Q. This isn't something that just came up, it's not something
23 that was being ignored at any point?

24 A. No, sir. No.

25 Q. There's been a lot of eyes on this case.

GERRICK MUNOZ - CROSS-EXAMINATION

1 A. Yes, this is the first time that the FBI has actually
2 gotten directly involved in it. We've had some, we've helped
3 with some witness testimony in the past, but up until this
4 year, this is the first time that the FBI became directly
5 involved as a lead agency on it. And that just happened this
6 year.

7 Q. So y'all took over, FBI took over as lead agency in fall
8 of 2015?

9 A. Again, I became aware of the case, but as far as the FBI
10 announcing directly coming over, that was this summer.

11 Q. Okay.

12 THE COURT: The lead agency this summer? Involved
13 since the fall of 2015?

14 A. I became aware of the case, I should say. Again --

15 THE COURT: I mean was the Charleston office involved
16 at all before that?

17 A. No, the Myrtle Beach office helped with Myrtle Beach
18 police department, is my understanding. I mean, as far as
19 what I'm aware of, you know.

20 BY MR. AYLOR:

21 Q. And I know that obviously Mr. Taylor has not been charged
22 by the FBI or anyone. Has anyone, to your knowledge, been
23 charged by any agency on any level for anything related to
24 Brittane Drexel?

25 A. No, sir.

GERRICK MUNOZ - CROSS-EXAMINATION

1 Q. And let's go to these witnesses. You said there was one
2 witness that -- there is one eyewitness, you claimed. Who is
3 that?

4 A. Last name is Brown.

5 Q. Tequan Brown?

6 A. Yes, sir.

7 Q. Where is Tequan Brown residing?

8 A. He's currently in prison.

9 THE COURT: Is this the person we're talking about,
10 witness one, the eyewitness?

11 A. Yes, ma'am.

12 Q. What is he in prison for?

13 A. I'd have to look at the charges, because again, I'm not
14 the lead case agent on this, so, again, some of the
15 information that I have --

16 Q. Is he in prison for violent crimes?

17 A. Yes, he is.

18 Q. Sentenced to over 25 years in prison?

19 A. Yes, that's my understanding.

20 Q. And he's the eyewitness?

21 A. Yes.

22 Q. Correct? The one that puts -- allegedly puts Mr. Taylor,
23 I believe you said, in some sort of sexual scenario at a stash
24 house?

25 A. Yes, sir, that's the way he told it.

GERRICK MUNOZ - CROSS-EXAMINATION

1 Q. And this was before he was convicted of violent crimes and
2 put to prison for two and a half decades?

3 A. I'm not sure --

4 THE COURT: When was -- I am curious about when the
5 statement was made.

6 A. He's given multiple statements.

7 THE COURT: Since when though? I mean, this is a
8 seven-year-old crime.

9 A. I'm not sure, I'm sorry, ma'am, I don't know exactly when
10 his first statement was. Again, I just came to the -- again,
11 I just came to the Charleston area in the last year, so I'm
12 just now getting involved in the case within the last several
13 months.

14 Q. And his statement obviously hasn't been corroborated by
15 anyone because there's not been anybody to corroborate it at
16 this point, correct?

17 A. That is correct.

18 Q. Outside of him, the other witness, using that term
19 extremely loosely, is a person who is in the Georgetown
20 detention center who has not been an eyewitness to anything,
21 but talked to someone who said they were an eyewitness,
22 correct?

23 A. That is correct.

24 Q. And is it also correct that there's -- the alleged stash
25 house, has that been -- has that been -- was that determined

GERRICK MUNOZ - CROSS-EXAMINATION

1 where that was?

2 A. It was in McClellanville.

3 THE COURT: Was it searched at some point?

4 A. Yes, ma'am, it was searched. I believe it was last year,
5 but I don't know the exact time.

6 THE COURT: So basically it was a cold case that
7 just -- I'm trying to figure out what happened for six years
8 and then all of a sudden y'all get involved.

9 A. It was a cold case, once again, that the FBI is again
10 starting to take some time to get involved in.

11 Q. But, Agent Munoz, isn't it fair to say this case has never
12 been stopped being worked on?

13 A. That is correct. Now Myrtle Beach P.D. --

14 Q. Georgetown, Charleston County, everybody has continuously
15 been working on this case; just the FBI wasn't working on it.

16 A. Correct.

17 Q. So the investigation continued, it wasn't a file put away.

18 A. No, no, no. Again, this is something that's been ongoing,
19 yes.

20 Q. And as far as this gator pit, there's, you said, I
21 believe, 30 to 40 locations that you think it potentially
22 could be?

23 A. That's what's been described to us by some of the local
24 people there, that there could be up to 30 to 40 different
25 locations.

GERRICK MUNOZ - CROSS-EXAMINATION

1 MR. AYLOR: Beg the Court's indulgence, Your Honor.

2 BY MR. AYLOR:

3 Q. Are you the only case agent involved in the McDonald's
4 case?

5 A. No, sir.

6 Q. How many agents are involved?

7 A. Well, the lead case agent is from Myrtle Beach. And
8 again, we have -- there's two of us here in Charleston that
9 have been assisting with that.

10 Q. You've been assisting in this case?

11 A. Assisting in the McDonald's case.

12 Q. And --

13 A. I say assisting, I mean -- well, yes, we're working on it
14 directly.

15 Q. And how many individuals from this McDonald's incident
16 from 2011 have been indicted?

17 A. Mr. Taylor.

18 Q. He's the only one?

19 A. At this time, yes.

20 THE COURT: Federally, you mean?

21 A. Correct.

22 THE COURT: All three were charged in the state
23 crime, correct?

24 A. That is correct.

25 BY MR. AYLOR:

GERRICK MUNOZ - CROSS-EXAMINATION

1 Q. And all three were convicted in State Court, correct?

2 A. Yes, sir.

3 Q. But Mr. Taylor was the only one that's been indicted
4 federally, correct?

5 A. At this time, yes, sir.

6 Q. Is Mr. Taylor the only one of the three that you believe,
7 or that the Federal Government believes may or is a part of
8 the Brittane Drexel case?

9 A. That's all we have, yes, sir, right. The answer is yes.

10 MR. AYLOR: Thanks. No further questions.

11 THE COURT: Is it fair to say, since y'all did not
12 indict this case until this summer, that the real reason --
13 and you may not know the answer, maybe Mr. Holliday does --
14 the reason he's charged and y'all sought the petite policy
15 waiver is because he's a suspect in that other case?

16 MR. HOLLIDAY: There's two reasons, Your Honor. That
17 would be one. The other one is that -- what Agent Munoz was
18 not asked -- the sentences for the other --

19 THE COURT: I'm going to let you redirect, too, so
20 I'm sorry.

21 MR. HOLLIDAY: Very brief.

22 THE COURT: Go ahead. Answer my question first and
23 then you can redirect; how about that.

24 MR. HOLLIDAY: Of course, you have the McDonald's
25 case, but then you also have that he's a target in this

GERRICK MUNOZ - REDIRECT EXAMINATION

1 abduction and murder of Brittane Drexel. But --

2 THE COURT: But did not choose to indict him
3 federally at the time he got the state sentence. It's years
4 after that. And so --

5 MR. HOLLIDAY: Yes.

6 THE COURT: -- I'm thinking he came to your attention
7 because he's a suspect in this other case.

8 MR. HOLLIDAY: That's exactly right.

9 THE COURT: I'll let you redirect. Thank you.

10 REDIRECT EXAMINATION

11 BY MR. HOLLIDAY:

12 Q. There were two other defendants at the state level, is
13 that right?

14 A. Yes, sir.

15 Q. Their sentences were substantially more than Mr. Taylor's
16 sentence, is that correct?

17 A. Yes, sir.

18 Q. There was no reason to charge him federally, because the
19 interest in vindicating that crime, or having somebody
20 penalized for that crime by the other two, had been met at the
21 state level; fair to say?

22 A. Yes.

23 MR. HOLLIDAY: I have no further questions, Your
24 Honor.

25 THE COURT: Mr. Aylor?

REXCROSS-EXAMINATION

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BY MR. AYLOR:

Q. Agent Munoz, you also agree that those two other co-defendants had different charges, including attempted murder, that Mr. Taylor didn't have, related to that.

A. Yes.

MR. AYLOR: Thank you.

THE COURT: Anything further from Agent Munoz?

MR. HOLLIDAY: No, Your Honor.

THE COURT: Thank you. You may step down.

Anything further from the Government?

MR. HOLLIDAY: No.

THE COURT: Mr. Aylor, I see a large presence of family in the audience. I didn't know if you wanted to put up any evidence and/or anyone wanted to speak on his behalf.

MR. AYLOR: At the appropriate time I think at least one of the family members on his behalf would like to speak.

THE COURT: Because I can tell you this is -- they all come from Georgetown, I take it, so they've come some distance. I'm going to want more information before I rule on this issue.

I want to know -- I'll tell you how I look at it legally. And then I know you have a higher burden with the presumption, so I'm going to let you make whatever presentation you want to make, I want to let you make it today, so maybe we don't have

1 to bring everyone back, all right? If they don't want to come
2 back.

3 But I basically look at this as you have one witness, all
4 right? Those other witnesses, double hearsay, triple hearsay,
5 that's very little weight, if any, given to that. But of
6 course I am concerned by this witness who was an alleged
7 eyewitness. And I think because we basically got one witness
8 to determine this guy's a danger to the community or not, and
9 also this crime is seven years old, I want to know when he
10 came forward, I want to know how many statements he's given, I
11 want to know if he's been previously reliable, I want to know
12 if he's looking for a sentence reduction because of this, I
13 want to know a lot about that person. But -- which is why I
14 won't be able to rule today. But, Mr. Aylor, I want you to be
15 able to make your full presentation evidentially or in
16 mitigation, so that we don't have to do that a second time.

17 MR. AYLOR: Yes, ma'am.

18 THE COURT: And I'm going to let you argue, too. So
19 now whoever you'd like to call and/or just speak on his
20 behalf.

21 MR. AYLOR: Okay.

22 THE COURT: And if you want to give me his background
23 and all that, all your information, how you rebut the
24 presumption on the McDonald's case, even if we didn't have the
25 witness in the other.

1 MR. AYLOR: Thank you, Your Honor. Briefly.

2 THE COURT: Sure.

3 MR. AYLOR: Your Honor, would you like to hear from
4 the family first?

5 THE COURT: Sure. Whichever way you prefer.

6 MR. PEPER: May it please the Court, Mark Peper.

7 Judge, let me just, if I could, introduce everybody in the
8 courtroom to you, and his mother, so we can give you a brief
9 presentation. Judge, here on the left to the right, we have a
10 couple church members, a congregation, Joyce Brown, Pamela
11 Jenkins; his sister, Shawnless Taylor; his girlfriend's
12 sister, Inez Weston; his girlfriend's mother, Ruzetta Weston;
13 his girlfriend, Shon Weston. Also here in the courtroom are
14 family and friends Terry Bennett, Yolanda Mazyck. And then
15 lastly, Judge, his mother, the Reverend Joanne Taylor, would
16 like to address Your Honor.

17 THE COURT: Please come forward to the podium,
18 Miss Taylor, if you would. And I want to thank the family and
19 friends for being here, it's a show of great support for him,
20 it's very important for Mr. Taylor, and I want you to know the
21 Court appreciates it, too, and will consider the fact of his
22 family support in making my decision.

23 Yes, ma'am.

24 MS. TAYLOR: Good morning, Your Honor.

25 THE COURT: Good morning.

1 MS. TAYLOR: I just want to say on behalf of my son,
2 Timothy, that I feel that he's already, you know, served his
3 time for what he done. He's a great kid.

4 And I want to say that at the time of this alleged
5 abduction, he was 16 years old. I was never a mother that
6 would let my kids run loosely, and definitely not with the
7 father, you know, out to do things. I kept great hold on him.
8 I am a pastor of a church. They were in church, they had a
9 strict bedtime, I knew every place that they went. Myrtle
10 Beach would not be a place that he would go at the age of 16.

11 So I just, you know, I ask for your fairness, I ask for,
12 you know, the correct justice in this case. And know that he
13 is not a flight risk. I mean, I taught them good values, I
14 instill in them what few things that have happened, they have
15 exemplified overall what I've taught them. He is not, you
16 know, a flight risk or anything.

17 THE COURT: What change have you noticed in him since
18 the robbery conviction?

19 MS. TAYLOR: He has two kids, one of which -- which
20 lives with us, his oldest son. He's a active father, he takes
21 him places, does things with him. He has a daughter that
22 loves him dearly. He has her all the time. She doesn't
23 permanently live with us, but he has them all the time.

24 And my mother-in-law fell sick in January of this year,
25 and she's bedridden. And he's moved up there and waits on

1 her. My father-in-law works, we work, and he's there taking
2 care of her during the day, during the night.

3 So then when he can, he works, you know. When nobody is
4 there to keep her, he stays and keeps her. He's maturing, you
5 know. I've noticed great change. He doesn't hang out with
6 the same people. That was an incident that I can't explain
7 why he got into, but that's not something that he grew up
8 doing or would do normally, you know. So he --

9 THE COURT: Yes, ma'am. Thank you very much. I
10 really do appreciate it. All right.

11 MR. PEPER: That's all from the family, Judge, thank
12 you.

13 THE COURT: Thank you very much. Mr. Aylor -- Well,
14 does the Government want to go first? They really, even
15 though there's a presumption case, they bear some burden.

16 MR. HOLLIDAY: Your Honor, as I mentioned before, our
17 primary argument is based on the federal charges, the 924(c),
18 and the presumption does apply. We think that use of firearms
19 in that case, the fact that the firearms were discharged,
20 somebody actually suffered an injury. And Mr. Taylor's role
21 in planning and carrying out that activity, it wasn't a
22 spur-of-the moment thing, he was definitely involved in that.

23 That's the primary argument for why he should be detained.
24 We gave you the other information to give you context as to
25 why the FBI would be involved in a case that took place back

1 in 2011. But it does -- and that's why we went into the
2 Drexel abduction and murder. But we do think there is some
3 evidence, as with any investigation, there's a beginning and
4 then there's an end. We're at the beginning. But there is
5 credible information that the FBI is following up on that at
6 least provides some basis for believing that Mr. Taylor is a
7 danger to the community. That's not our primary argument, but
8 it is material. It's not something to be set to the side.

9 THE COURT: Because other than the 2011 conviction,
10 and information about an event that took place before that,
11 what evidence is there that since he's been on the YOA
12 suspended sentence, that he did two years successfully, what
13 evidence is there that since that time he's a danger to the
14 community?

15 MR. HOLLIDAY: Your Honor, he's not an angel. And I
16 know if you look at the presentence report --

17 THE COURT: I see two charges that are dismissed, and
18 I normally do not -- I'm not going to consider the two charges
19 that are dismissed. I don't know what the drug charge is,
20 magistrate court. And then what do we know about the CDV?

21 MR. HOLLIDAY: Well, it's been -- that's what we
22 know.

23 THE COURT: That's another thing I'd like to know,
24 while you're getting the other information, if we could get
25 the incident report from the CDV and update the status for

1 that. The Court does not take lightly instances of criminal
2 domestic violence, even at the -- I'm not sure which level
3 this is.

4 MR. HOLLIDAY: Your Honor, there's been a number of
5 different adjudications of these charges, and obviously when
6 the charge is nol prosed, that's the decision that was made.

7 THE COURT: One was a not guilty, so --

8 MR. HOLLIDAY: Right.

9 THE COURT: For driving under suspension.

10 MR. HOLLIDAY: But I do bring that up because it does
11 show that it's not like nothing has been going on since 2011.
12 He's been in and out of the attention of law enforcement, to
13 the extent that there is a pending charge now, based on
14 domestic violence. So that's the only reason I bring that up.
15 But it wouldn't be correct to say that just this is out of the
16 blue for a guy that's basically kept his nose clean since
17 2011.

18 But again, we will provide you with the information that
19 you asked for, of course. But our primary argument does go
20 back to the federal indictment and the presumption that does
21 apply.

22 THE COURT: Thank you. Mr. Aylor?

23 MR. AYLOR: Thank you, Your Honor. This is kind of a
24 unique argument, so I don't really know where to start on it.

25 THE COURT: It's a unique case, so I understand why

1 it would be a unique argument.

2 MR. AYLOR: I think I'll just start with the oldest
3 case, the Drexel case. I mean, first of all, you're talking
4 about somebody that would have been 16 years old at the time
5 this would have happened. This investigation, while Agent
6 Munoz and the FBI, it's still unclear as to exactly when they
7 were involved, this case -- and Your Honor may not be familiar
8 with it -- but it has been just constantly investigated, from
9 Charleston County, Georgetown County, City of Myrtle Beach.
10 This is not a cold case in the least bit. It has been -- the
11 family's involved, there's billboards everywhere. There's one
12 thing you want to know about what would be some incentive,
13 there's money out there for information related to it. You go
14 back to your computer, Google it, you can't find enough
15 information about this case. So it is not something that's
16 been swept under the rug and then the FBI got it and started
17 poking around and found this.

18 So in regards to this eyewitness coming forward, which I
19 know at a minimum has been this spring, and then all of a
20 sudden the FBI's somehow concerned about this five-and-a-half-
21 year-old case from the state, where they indict Mr. Taylor on,
22 it's clearly nothing but a squeeze job. And I think they're
23 more or less admitting that.

24 As far as that investigation --

25 THE COURT: I don't think they used that expression,

1 but that's all right.

2 MR. AYLOR: -- he cooperated fully and helped convict
3 the other two individuals who had criminal records. He was 18
4 years old, he was the driver, he wasn't inside. Everything
5 that happened came out in open court, it was handled by the
6 Solicitor's office, there was a judge involved in the approval
7 of his plea and everything that came from it. It's very
8 similar to hundreds of other cases that have gone through the
9 Solicitor's office before that and since then. And everything
10 was taken in at the time and considered that.

11 So to say that there was an imbalance in sentencing, it
12 had nothing to do with that beyond what his record was, the
13 cooperation he had, and also the actions and the backgrounds
14 and the criminal histories of the other two co-defendants
15 related to that case.

16 This goes right back to Drexel, and the fact that there's
17 other individuals that they believe are involved, that they
18 obviously haven't been able to get to. If there was enough
19 information, then there would already be charges against
20 Mr. Taylor, we wouldn't even be having this. You know, it
21 would just be useless to have him, because if he had the
22 charges related to Miss Drexel, we wouldn't be here. He
23 doesn't, because there's clearly nowhere close to enough
24 information. There's a guy sitting in prison for two and a
25 half decades minimum, unless there is enough information here,

1 that of course he would get a reduction in sentence if he
2 breaks open a seven-and-a-half-year-old case.

3 In regards to Mr. Taylor's record, there's a -- at 18
4 years old, yes, he paid a \$237 fine for some sort of traffic
5 ticket in magistrate court. He had his YOA which he completed
6 successfully with no at all violations. Then four years later
7 he had a simple possession of marijuana, that's what that case
8 is in 2015. So that's what that ticket is. Assault and
9 battery was nol prosed, dismissed. Driving under suspension
10 was not guilty. And the current domestic violence, he thought
11 was already dismissed. My understanding that that -- there
12 was already a statement for a drop charge for him. He didn't
13 even know it was still pending when we were going over it.

14 THE COURT: Do you know anything about the details of
15 it? Because I'll tell you, the Court over time has taken very
16 seriously CDVs. There's always statements to drop because of
17 various reasons, but I've already asked -- I'm not going to
18 ask y'all, I'll ask the Government to provide me with the
19 incident report for that. I understand you think it's worked
20 out.

21 MR. AYLOR: It was my understanding, yeah. I didn't
22 represent him on that; I can get you more information from it.

23 THE COURT: I'll let you both.

24 MR. AYLOR: We can submit that for him as well.

25 So, you know, it's where he would go, he would go back to

1 the same community with his family. His grandmother is
2 bedridden, that's where he would be, taking care of her. He's
3 never left the area. He's literally been in the
4 McClellanville Santee Georgetown County area his entire life.

5 Yes, at 18 years old he made a terrible mistake, and he
6 served his time for that mistake. He did everything he could
7 to right the wrong, he served his time. And since then he's
8 had what I would call very minor skirmishes with the law.
9 Beyond that, he's done nothing but try to work and take care
10 of his family, which isn't the easiest thing to do in his
11 physical condition.

12 THE COURT: What's that?

13 MR. AYLOR: He has one arm.

14 THE COURT: All right, I'm sorry, I didn't see. And
15 was that from childhood?

16 MR. AYLOR: Yes, he had a childhood accident at four
17 years old, and his arm was amputated.

18 And, you know, this isn't somebody that's out on the
19 street. While, granted, he does have a couple skirmishes,
20 this isn't somebody you see with a bunch of, you know,
21 convictions for dealing drugs and making money off the street.
22 He's not a violent person, he's not someone who is going to go
23 out there and have any type of situation where that's going to
24 be an issue.

25 He sat in jail now for almost, what, about five weeks,

1 right there at it. And, you know, to even try to explain to
2 him and his family why he's back in jail for a crime he
3 already served his time on, it's hard for us to understand,
4 much less people that are not in the legal field. But that's
5 good that they're here today, I think they have a little bit
6 of a clearer picture.

7 If they want to charge him for Brittane Drexel's
8 kidnapping, murder, rape, that's fine, he'll come to court.
9 But he shouldn't have to be punished for something he's
10 already done, simply because some jailhouse rat has come up
11 with a story because he has nothing else to live for because
12 he's in prison for violent crimes. You know, you can't sit
13 here and one side of your mouth sit here and talk about how
14 terrible he is and he shouldn't even be out on bond, when he's
15 already been convicted, admitted a crime, because you've got a
16 guy in jail who is a violent criminal telling you a story.
17 And that should be the reason that this innocent person has to
18 sit in jail till he gets proven innocent? Again, that's not
19 the way the system should work.

20 At a minimum, he should be able to be out while waiting
21 for them to finish their investigation. Because the bottom
22 line is he shouldn't have to sit there while they continue,
23 and sit behind bars while they continue to go down this road
24 of their investigation. And if they come up with something,
25 then that's fine, but he shouldn't be punished for it on the

1 front end on a seven-year-old case. And that's really what
2 they're asking for, Your Honor. They're bringing back a
3 five-and-a-half-year-old conviction that he already went
4 through, to hold him, to see if -- to squeeze him, to see what
5 they can do, because they don't have enough beyond a jailhouse
6 rat and a guy in the Georgetown jail who heard a story. You
7 just heard testimony about a guy in jail who heard a story.
8 And that's a source right now? That's not fair. That's not
9 fair to my client. And that's not the way the bail system
10 should work.

11 THE COURT: All right. Can you tell me something
12 about -- his employment history is thin. I don't know if
13 that's because of his physical condition, or what is his work?

14 MR. AYLOR: He works at Palmetto Store, which is a
15 convenience store right there on Highway 17 in McClellanville.
16 And we've already confirmed that he can work there when he
17 gets back out. That's where he was working at the time he was
18 picked up. He also does some side work in mechanics with his
19 father.

20 THE COURT: All right.

21 MR. AYLOR: Your Honor, for whatever it's worth,
22 obviously if there's some sort of concern as far as -- and I
23 don't know how it would be -- that he would be some sort of
24 flight risk, you know, we're okay with electronic monitoring,
25 anything like that, that he can be around his family. We just

1 want him out of jail. We don't know how long this is going to
2 last, you know, as to where this McDonald's case is going to
3 go and what happens with that. Again, this is a unique
4 situation. So that, in and of itself, is secondary. And we
5 don't know where that's going to go. And we just feel like,
6 you know, he should be able to have the right to be with his
7 family during that time.

8 THE COURT: What is the family's financial condition,
9 should there be a secured bond set?

10 MR. AYLOR: Obviously if the bond is anything
11 substantial, it would be no different than denying his bond
12 altogether.

13 THE COURT: I'm looking for some information about
14 what they could afford, if I end up considering that.

15 MR. AYLOR: I think if there was a reasonable bond
16 set, that the family could put it together.

17 THE COURT: All right. As I said, you understand
18 that I can't totally ignore the information about this ongoing
19 investigation, but I do want to know more information about
20 their -- their really only -- only admissible witness, for
21 instance, the others wouldn't even be admissible in a trial.
22 And then I'll make my decision at that time.

23 If there's anything further either one of you want to put
24 forth in writing, you're welcome to. But I wanted to get -- I
25 wanted his mom to speak so that she wouldn't have to come

1 back, if necessary. But I will, of course, rule on the record
2 with the defendant present, once I get this further
3 information about that and about the CDV.

4 Anything further you want to -- either side want to put on
5 record at this time?

6 MR. AYLOR: Nothing further from the defense, Your
7 Honor.

8 THE COURT: All right.

9 MR. HOLLIDAY: Only one thing that I heard, Your
10 Honor, that I -- well, that I want to point out. The idea
11 that he's innocent, that he's been proven innocent, I don't
12 know what he was referring to. He wasn't proven innocent of
13 the McDonald's robbery. And this is an investigation, so
14 there haven't been any charges brought up for him to have been
15 proven one way another. So I don't know what that reference
16 was for, but he hasn't been proven innocent of anything.

17 MR. AYLOR: There's not even charges to be brought.
18 The Drexel investigation is the reason allegedly that he can't
19 be let out of jail.

20 THE COURT: Well, of course the Government's position
21 is that the primary reason is the nature of this crime. But I
22 understand the arguments on both sides. It's also an older
23 crime, the Government did not choose to indict it until now.
24 If he was such a danger to the community just on the basis of
25 the robbery itself, then they could have brought this case at

1 least two years ago. So I mean, I understand the arguments
2 both ways on that. All right?

3 Thank you very much. Do you have any idea how long it
4 will take you? I don't want to sit on this for a long time.
5 To get the information about the primary witness on the Drexel
6 case.

7 MR. HOLLIDAY: I don't think it will take very long
8 at all, Your Honor, but I know I have some conflicts. I'd ask
9 for a week.

10 THE COURT: Is that all right with you, Mr. Aylor?
11 Well, why don't we go ahead and set a hearing for next Monday,
12 if we can.

13 MR. AYLOR: I don't know why it would take a week to
14 get all the information on one person.

15 THE COURT: He just can't be here, I think. I think
16 he can get the information to me, he's saying he can't be back
17 in court this week.

18 We're going to set this for 2:00 o'clock on Monday, the
19 22nd. And if you get the information to me ahead of time,
20 that would be great, and just copy -- if you e-mail it to us,
21 just to Mr. Aylor as well, and my ECF box. You're both
22 retained?

23 MR. PEPPER: Yes.

24 THE COURT: Mr. Peper, Mr. Aylor and to me. Thank
25 y'all very much.

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(Court adjourned at 11:55 a.m.)

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REPORTER'S CERTIFICATION

I, Debra L. Potocki, RMR, RDR, CRR, Official Court Reporter for the United States District Court for the District of South Carolina, hereby certify that the foregoing is a true and correct transcript of the stenographically recorded above proceedings.

S/Debra L. Potocki

Debra L. Potocki, RMR, RDR, CRR