

The South Carolina Court of Appeals

The State, Respondent,

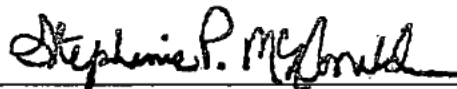
v.

Terry Shaimek Tyler, Appellant.

Appellate Case No. 2021-001316

ORDER

On November 13, 2023, Respondent filed its designation of matter, which included apartment complex surveillance recordings, a responding officer's body camera footage, and photographs of victim's injuries. On December 12, 2023, Appellant moved to strike these designated matters because they were not entered as exhibits in the lower court and are not in the custody of the York County Clerk of Court. Appellant further asserts these matters are not relevant to the issues of on appeal and four of the five videos are not viewable. Respondent filed a return, arguing the designated matters were properly designated because although they were not marked as exhibits or entered into evidence, the items "were presented to, discussed with, and considered by the plea judge." The transcript of Appellant's guilty plea confirms the designated matters were presented to the circuit court. Respondent further notes the videos are playable through VLC Media Player and the items have been authenticated by an affidavit from an assistant solicitor who was present when the items were presented. After careful consideration, we deny the motion to strike.



FOR THE COURT

Columbia, South Carolina

cc:

Alan McCrory Wilson, Esquire
Jessica M Saxon, Esquire
Mark Reynolds Farthing, Esquire

FILED
Feb 09 2024
