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**Jun 17 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Beaufort County

Honorable Bentley Price, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

CHANNON T. PRESTON,

APPELLANT

APPELLATE CASE NO. 2022-001474

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RECORD ON APPEAL

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1 a lot of people that have a beef with Corey  
2 Singleton. Steven Glover had even been warned  
3 about Corey Singleton. You can't trust him. You  
4 don't need to hang him. He's bad knew.

5 But instead, they want you to think that  
6 suddenly my client woke up today, or on the day of  
7 the incident, and thought, forget that Steven  
8 Glover guy. Instead of waiting and going to work  
9 and earning some money today and hanging out with  
10 my best friend, I am, instead, going to get up and  
11 I am going to go kill my best friend's cousin, a  
12 guy that I think of as family for a little bit of  
13 money and some weed. Why not? Sure. Let's do  
14 that. I'm going to get Xavier to go with me. How  
15 does that make any sense? Who just wakes up and  
16 thinks, you know what, either I'm going to go to  
17 work this afternoon, I've been working, got a job,  
18 uh, I just want to go kill someone and rob them.  
19 That's not what happened. It doesn't add up.

20 You got a statement from my client. I  
21 *just want to get some weed. I just wanted to get*  
22 *some weed.* I don't know what happened. We got  
23 some weed. They started shooting. I didn't shoot  
24 a gun. I never fired a gun. I don't know what  
25 went down or how it went down. Just wanted to get

1       some weed. Didn't fire a gun.

2               The State's case just doesn't add up.  
3       What the State's wants you to believe and what --  
4       the proof they have to support their statement  
5       just isn't consistent with common sense and real  
6       world realities, because all of this evidence they  
7       presented to you, this over 100 pieces of evidence  
8       that they made sure you knew about, none of it  
9       gives you the information that you need to be  
10      firmly convinced beyond a reasonable doubt that my  
11      client killed Steven Glover and tried to kill  
12      Corey Singleton.

13              They can't put a gun that matches their  
14      evidence in my client's hands that day. They  
15      don't have DNA at that scene that matches my  
16      client. They don't have GPS, cell phone records,  
17      text messages, call logs, location information  
18      that would assist you in being firmly convinced  
19      that their timeline is what they say it is, that  
20      this event happened the exact way Corey Singleton  
21      told you it did -- or told them it did, because he  
22      didn't tell you anything. No.

23              The State also wants you to believe that  
24      by Channon Preston's statement of even saying, *I*  
25      *just wanted to get some weed, I never fired a gun,*

1       that even if you believe that, that's enough to  
2       find him guilty of these charges. But that is  
3       simply not true. That is not the law.

4               The judge has already instructed you on  
5       the law, and you're going to get a copy of the  
6       instruction that the judge gave you back in your  
7       room. But, if you call, the judge specifically  
8       talked to you about mere presence and told you  
9       that merely being present at the scene where a  
10      crime has occurred is not enough to find a person  
11      guilty of committing that crime. Merely being  
12      associated with someone who committed a crime is  
13      not enough to find a person guilty of committing  
14      that crime.

15             The judge is the finder of the law. The  
16      judge is one that instructs you on the law, not  
17      the State. And when the judge sends his  
18      instructions back to you, you will see that merely  
19      being present is not enough to convict someone of  
20      murder, it's not enough to convict of attempted  
21      murder, and it's not enough to convict someone of  
22      possession of a weapon during the commission of a  
23      violent crime.

24             The State has failed to meet its burden  
25      of proof on the charges against my client.

1                   On Monday I talked to you about the  
2 different elements and how reach and every element  
3 had to be proved on each and every charge beyond a  
4 reasonable doubt, and the judge has instructed you  
5 on the same. And I told you on Monday, there is  
6 no doubt that Steven Glover was killed. No doubt  
7 about that. But that's not what they have to  
8 prove. That's not just what they have to prove.

9                   They have to show that my client killed  
10 Steven Glover with malice aforethought. They have  
11 to prove that my client attempted to kill Corey  
12 Singleton and specifically intended to kill Corey  
13 Singleton with malice aforethought.

14                   We also talked to you about reasonable  
15 doubt and prove beyond a reasonable doubt. Well,  
16 let's talk about this incident and potential  
17 reasonable doubt. Let's discuss the possibilities  
18 of how this could have occurred. You got Corey  
19 Singleton's statement of how it occurred, the one  
20 law enforcement wants you to believe, the one the  
21 State wants you to believe.

22                   But there are also a number of other  
23 possibilities as to how Steven Glover was shot and  
24 killed. There's a possibility that Corey  
25 Singleton shot and killed Steven Glover. He was a

1 drug addict. He was acting agitated one minute  
2 and completely calm the next. We know, and the  
3 picture show, that, at some point, Mr. Glover had  
4 some white pills that were found near his hands.  
5 Some of them were strewn out on the ground. Maybe  
6 today was the day when Mr. Singleton, who may or  
7 may not have a job, we don't know -- I mean, we  
8 didn't get to get that information either -- maybe  
9 he doesn't have a job. Maybe he's not able to go  
10 out and buy his drugs and he needs it today, and  
11 so he ends up trying to get it from Mr. Glover.  
12 He won't give them to him, and so he kills him  
13 over it. Tries to take the drugs.

14 After he does that, then here comes the  
15 white van for the second time. Oops, he's caught.  
16 So when that white van drives up, what did he do?  
17 Well, now he's going to point the gun and start  
18 shooting at them. But what -- you know, at one  
19 point, he at least admits to law enforcement, my  
20 gun started jamming. The State wants to stay,  
21 well, damn, he was lucky to get away alive. His  
22 gun was jamming. And my client drove up in the  
23 white van and possibly just caught him after  
24 killing Steven Glover. The only way that he could  
25 get away with that is to now kill them as well, so

1 he starts shooting at them. At that point, even  
2 Investigator Duncan has to say, oh, yeah, they  
3 have a right to shoot back. They have a right to  
4 defend themselves and others. He was really lucky  
5 that my client is alive today.

6           There's also the possibility that this --  
7 an unknown third party, one of these people that  
8 had a beef with Corey Singleton, was angry with  
9 them for prior incidents, decided that they were  
10 going to come and ambush and murder Corey  
11 Singleton. But in the process of doing that, they  
12 accidentally killed Mr. Glover, and that Corey  
13 Singleton is firing weapons and that's how those  
14 shell casings got there. Because, again, you  
15 heard from Chad Smith that some of the shell  
16 casings that were found didn't match any of the  
17 guns that were recovered. So we don't know if --  
18 because, again, we don't have an accurate  
19 timeline. We don't know when things occurred.  
20 We're just taking Corey Singleton's word. So  
21 there could have been other people shooting there  
22 that day. We just don't know. That's reasonable  
23 doubt. Those other possibilities, other possible  
24 ways and explanations that could explain the  
25 evidence that you've seen, the videos that you've

1       been shown.

2                   We talk about Corey Singleton and the  
3       intent to kill, and the State wants to show you  
4       the clip where you hear Mr. Preston saying, *Why*  
5       *ain't you get him?* And Xavier saying, *I'm out,*  
6       *I'm out.* And then saying, well, that's proof that  
7       they came there and intended to kill. That's  
8       specific intent. That's malicious. They were  
9       trying to kill them. He was mad that he didn't  
10      kill him. Hey, okay.

11                   Or is it what they drove up, they saw  
12      Steven Glover laying on the ground and they got  
13      out of van and they went to check on Mr. Singleton  
14      (sic). And as they're coming out to check on Mr.  
15      Singleton -- I'm sorry -- Mr. Glover, Mr.  
16      Singleton comes out and realizes, oh, crap, these  
17      two people have just come up and I got a dead body  
18      in my yard that I haven't disposed of yet.

19                   So he pulls out his gun, starts shooting  
20      them, and my client runs around the back of the  
21      Nissan over to the passenger side of the vehicle  
22      while Mr. Polite runs and takes cover at the  
23      driver's side.

24                   Well, again, the State wants you to  
25      believe Corey's statement. When that second car

1 comes up, or the car comes up the second time,  
2 Channon Preston is driving. Xavier is in the  
3 passenger seat. We see in the video, they're  
4 there, Xavier is on the driver's side. Well, how  
5 does he get on the driver's shot? Now he's being  
6 shot at and runs and hides.

7 The other, Channon runs around the back  
8 of the car because Xavier has gotten in the car  
9 first, he's able to grab a firearm and fire in  
10 self-defense and the defense of my client who's  
11 still scrambling to get around the car. And once  
12 my client finally gets around the car, he stands  
13 up and pulls a firearm to also defend himself.  
14 But at that point, Mr. Singleton has already run  
15 off because his gun is jammed. He can't -- the  
16 shots have stopped firing. We don't hear any  
17 shots. None of these videos show anybody actually  
18 shooting.

19 What does my client say? My client is  
20 adamant. I never fired a gun. Never seen him  
21 fire gun.

22 Investigator Duncan wants to talk about,  
23 I was trying to give him a lifeline, trying to  
24 talk to him about self-defense. He didn't fire a  
25 gun, so he's not acting in self-defense. He's

1 merely present. He pulls a firearm to try to  
2 protect himself, but, by that point, the threat is  
3 gone for a moment. But he doesn't know if he's  
4 coming back. Obviously, he knows Corey Singleton.  
5 Corey Singleton is now saying he knows that it's  
6 my client that came up on the house, that found a  
7 dead body in his yard, so my client will now be  
8 afraid of what Corey Singleton might do to him.

9 *Why didn't you get him? He's trying to*  
10 *kill us? Why didn't you get him? He's trying to*  
11 *kiss us, why didn't you get him? I ran out, I ran*  
12 *out. It seems like a reasonable explanation.*  
13 *Seems like a possibility. It's reasonable doubt.*

14 You don't know what happened. Law  
15 enforcement doesn't know what happened. They're  
16 just going based on the word of a guy who has just  
17 much to lose, who could just as easily be sitting  
18 at that table charged with murder, charged with  
19 two counts of attempted murder, and charged with  
20 possession of a weapon during the commission of a  
21 violent crime.

22 If you believe any of these other  
23 scenarios that I just presented to you, or any  
24 other scenarios that you can think of are  
25 possible, not even probable, but possible, then

1 that's reasonable doubt and you must give my  
2 client the benefit of that doubt and find him not  
3 guilty.

4 As jurors you're tasked with doing  
5 justice. That's what your service as a juror is;  
6 it is to do justice. And justice in South  
7 Carolina is very specific. In South Carolina, the  
8 law does not require you to find a person  
9 innocent, because the State of South Carolina  
10 presumes every person innocent until and unless  
11 the State can prove to a jury beyond a reasonable  
12 doubt that they are guilty of the crimes they are  
13 charged with.

14 In finding somebody not guilty, the law  
15 doesn't state that you are saying that they are  
16 innocent, that they are pure, that they are  
17 without any defects. What the State of South  
18 Carolina says is, by finding somebody not guilty,  
19 you are simply stating that the State has failed  
20 to meet its burden of proof in proving the  
21 elements of the crimes they have charged the  
22 person with beyond a reasonable doubt.

23 And that beyond a reasonable doubt  
24 standard is a very high standard. It has to be,  
25 because that is the standard that holds law

1 enforcement accountable for doing complete  
2 investigations, for doing thorough investigations,  
3 for making sure that, if you're going to take away  
4 somebody's freedom, you got to be doggone sure  
5 that they've done what they claim they have done.  
6 You got to be firmly convinced.

7           Because if not firmly convinced, if you  
8 think that there other things that could have  
9 happened, then you have to resolve that doubt in  
10 favor of the defendant. You have to find him not  
11 guilty. That is your sworn duty as jurors and  
12 that is what justice is. It is holding the State  
13 to the highest of standards in trying to take away  
14 the freedom of another person.

15           So when you go back to your jury room and  
16 you consider the testimony that you've heard, the  
17 evidence that's been presented, and the testimony  
18 that you didn't hear, and the evidence that was  
19 not presented to you, and you think of other ways  
20 that this could have gone down, and you apply the  
21 law as the judge has given it to you, and do your  
22 duty as jurors, I am convinced and positive that  
23 you will come to the same conclusion that I have,  
24 and that you will find that there is a multitude  
25 of reasonable doubt throughout this case.

1                   And based on that, you will have no  
2 choice but to find my client not guilty of murder,  
3 not guilty of attempted murder, and not guilty of  
4 possession of a weapon during the commission of a  
5 violent offense.

6                   THE COURT: All right. Ladies and  
7 gentlemen of the jury, what I am going to do now,  
8 Mr. Foreman, I am going to charge you with your  
9 duties, as I indicated at the beginning of the  
10 trial that I will tell you at the end.

11                   It is your duty to preside over the  
12 deliberations in this case. What I mean by that  
13 is this: This is going to have to be a unanimous  
14 decision. All right? All 12 members have to  
15 agree. So if someone needs to use the restroom,  
16 if an emergency comes up, or they need to use the  
17 phone for some reason, I ask you to stop all  
18 deliberations. All right? By its very nature,  
19 some are going to participate more than others.  
20 That's just the way it normally works. Some  
21 people are more active and vocal in participating  
22 and some are less, but it doesn't really matter.  
23 That's not of your concern. Your concern is,  
24 everybody has the opportunity to participate. All  
25 right?

1           All right. Once you-all have come up  
2 with a verdict, I would ask that you sign the  
3 verdict form. This is it. The verdict form  
4 simply just states, The State of South Carolina  
5 vs. Channon Preston, as to the charge of murder on  
6 November 18, 2020, we, the jury, unanimously find  
7 the defendant, Channon Preston, not guilty or  
8 guilty, same as the other two charges. And we  
9 just put those in no particular order. All right?

10           Once you have a verdict, you simply just  
11 knock on the door, give it to t he bailiffs,  
12 they'll bring it out, and I will bring you out.  
13 All right?

14           Also, if you have any questions or any  
15 juror has any questions, it's your role and  
16 responsibility to write those questions down, and  
17 all you simply need to do is just sign and date  
18 it. All right? I tell everybody you may have  
19 questions and I will answer every single one of  
20 your questions. I do not promise you will like my  
21 answer. All right? But I will answer it. So if  
22 you have one, please, feel free to write it down,  
23 bring it to my attention, I'll bring you out and I  
24 will answer your question. All right?

25           So if you'll go ahead and -- in a couple

1 minutes, I'll ask you to go to the deliberation  
2 room, but don't begin your deliberation because we  
3 haven't sent any of the evidence back and so you  
4 don't have any of the evidence.

5 And so we have an opportunity to make  
6 sure we have all the evidence, I will have the  
7 bailiffs bring it back and they will bring back  
8 the charge form that I read from previously, the  
9 verdict form, which I just went over with you, and  
10 all the evidence and I will tell you to begin your  
11 deliberations.

12 All right. Take a break.

13 (Jury exits the courtroom at 3:06 p.m.)

14 THE BAILIFF: Jury is clear, Your  
15 Honor.

16 THE COURT: All right. Anything from the  
17 State?

18 MS. JONES: No, Your Honor.

19 THE COURT: Anything from the defense?

20 MS. CORNWELL: No, Your Honor.

21 THE COURT: All right. If you-all please  
22 get together briefly, make sure we have all the  
23 evidence. I think Sharon did an excellent job in  
24 getting it in order this morning. But you-all  
25 send it back ASAP.

1                   And, Rick, here is the verdict form and  
2                   the charge. Thank you.

3                                   (Off the record.)

4                                   (Deliberations start at 3:10 p.m.)

5                                   (Question from jury at 3:47 p.m.)

6                   THE COURT: May we, the jury, see the  
7                   video from the Blink camera? Of course they  
8                   can.

9                                   So bring them out.

10                   THE BAILIFF: Jury is entering the  
11                   courtroom, Your Honor.

12                                   (Jury enters it the courtroom at 3:48.)

13                   THE COURT: All right.

14                   THE BAILIFF: Jury is seated, Your  
15                   Honor.

16                   THE COURT: All right.

17                                   All right. Ladies and gentlemen,  
18                   obviously the answer to your question is yes.  
19                   It's a very, very short clip.

20                                   How long did it last, a couple seconds?

21                   MS. JONES: Probably about 12 seconds  
22                   total.

23                   THE COURT: I'm going to let you-all to  
24                   watch it three times. If you need any more time  
25                   after that, you need to let me know. Okay?

1                   Go ahead and play it.

2                                 (Video played.)

3                   THE COURT: All right. Did everyone have  
4 sufficient and ample opportunity to see the video?  
5 You want to see it one more time?

6                   FOREMAN: Am I allowed to ask a question?

7                   THE COURT: Unfortunately, no. You have  
8 to put it in writing.

9                   Hold on. I have to see what the question  
10 is first.

11                   If you-all want to keep playing it while  
12 he's doing it -- does the question have to do with  
13 playing the video again?

14                   FOREMAN: Yes.

15                   THE COURT: You have to sign it and date  
16 it. Today is the 12th.

17                   You can sign that one and pass it up.  
18 Hand it to me.

19                   That's it. So I can play it as many  
20 times as you need, but that is the way the video  
21 was presented.

22                   This will be number 2, Miss Sharon.

23                   All right. Would like me to play it again?

24 All right.

25                                 (Video played.)

1 THE COURT: All right. Anyone? All  
2 right. Hit it again. Keep going.

3 (Video played.)

4 Just keep going until they say stop.

5 All right. Stop it, please.

6 All right. For the record, jury note  
7 number 2 said, May we see the video slow and  
8 enlarged? My answer is no, the way it was  
9 presented at trial is the way you must consider  
10 it.

11 Number 3 was, are the email files in  
12 order in this video. My only instruction to you  
13 is that you can only consider the evidence that  
14 was presented to you at trial. All right?

15 And the third one -- I haven't discussed it  
16 with them. All right.

17 (Bench conference off the record.)

18 THE COURT: All right. Number 4, can you  
19 pause the video when the gun is pulled out?

20 Okay, give it a whirl.

21 (Video played.)

22 THE COURT: All right. You want to go  
23 forward, or do you want to stop there?

24 Here's what I'm going to do, if you-all  
25 want to be able to examine this further, you have

1 every right to have this in the jury deliberation  
2 room. It's evidence. I have to have a third  
3 party in there to ensure that you don't get off of  
4 this and go looking for other things. I't not  
5 that I don't trust you. It's just the rules. So  
6 if you-all want to deliberate over the video, I'd  
7 ask you to return to the jury room. I'll have  
8 somebody come back that can start and stop this.  
9 I'm going to have probably one of the clerks who  
10 are unassociated with the case. They'll come back  
11 there and they're just going to hang. And  
12 whenever you-all are done, they're going to bring  
13 me back the monitor. Okay? So if you-all retire,  
14 I'll bring it right back.

15 FOREMAN: Thanks.

16 THE COURT: If you-all will just -- where  
17 did Rick go? Rick, will you take the computer  
18 back there for them? I'm going let the clerk go  
19 in there and make sure they don't go anywhere but  
20 on the video.

21 THE BAILIFF: Which clerk?

22 THE CLERK: Jennifer is going.

23 THE COURT: Everybody okay with that?

24 MS. CORNWELL: Yes, Your Honor.

25 THE COURT: From the State?

1 MS. JONES: Yes, sir.

2 THE COURT: Okay.

3 (Deliberations resume the 4:11 p.m.)

4 THE BAILIFF: All rise. Court is now in  
5 session.

6 THE COURT: Bring them out.

7 THE BAILIFF: Jury is entering the  
8 courtroom, Your Honor.

9 (Jury enters the courtroom at 4:35 p.m.)

10 THE COURT: Thank you very much.

11 All right. I understand you have a  
12 verdict; is that correct?

13 FOREMAN: We do.

14 THE COURT: Is the verdict unanimous?

15 FOREMAN: It is.

16 THE COURT: All right. Pass it to the  
17 bailiff, please.

18 Thank you.

19 All right. State of South Carolina vs.

20 Channon Talon Preston, indictments number

21 2020-GS-07-2183, 2184, and 2311, as to the charge of

22 murder on November 18th, 2020, we, the jury,

23 unanimously find the defendant, Channon Talon Preston,

24 guilty. As to the charge of attempted murder on

25 November 18, 2020, we, the jury, unanimously find the

1 defendant, Channon Talon Preston, guilty. As to the  
2 of possession of a weapon during the commission of a  
3 violent crime on November 18, 2020, we, the jury,  
4 unanimously find the defendant, Channon Talon Preston,  
5 guilty.

6 Would everyone please stand.

7 If this your verdict and still your  
8 verdict, please be seated. Let the reflect all  
9 jurors as seated.

10 All right. Ladies and gentlemen, thank you  
11 so very.

12 Is the State ready to proceed forward with  
13 sentencing?

14 MS. JONES: Your Honor, if we could have  
15 a couple minutes to print out the sentencing  
16 sheet, we just need to go downstairs and get them.

17 THE COURT: You don't need to worry about  
18 those. Does he need -- do we need to deal with  
19 that, meaning for his transport, or anything  
20 today?

21 MS. JONES: I don't think so.

22 THE COURT: Then are you-all ready to  
23 proceed forward for the purposes of the  
24 sentencing? I can fill out sentencing sheets  
25 later.

1 have done here this week. Obviously, this was a  
2 dispute that needed 12 members of the jury.

3 That's why we have the best system in the world.

4 All right. And you've done your duty and you've  
5 done it efficiently. I thank you for that.

6 All right. Mr. Preston, if you'll stand.

7 All right. Mr. Preston, I'm going to take  
8 several things into consideration. One, you don't  
9 have any prior record, and so this is your first time  
10 being in trouble.

11 Number 2, I find that life sentences don't  
12 really incentivise anybody that's in prison to do the  
13 right thing. Meaning, what would stop him from just  
14 killing everybody in there because you already got a  
15 life sentence and you're going to die and your last  
16 breath will be in prison. So I want to somewhat  
17 incentivise a young man to try to do exactly what your  
18 lawyer is saying which is to take this opportunity --  
19 I mean, the steps toward minimum. I have to give you  
20 30 years. But I want you to have some incentive to do  
21 the right things so when you do get out, you are a  
22 productive member of society and so I'm going to  
23 submit you to the state department of corrections for  
24 a term of 37 years.

25 All right. Good luck to you.

1 MS. CORNWELL: Thank you, Your Honor.

2 THE COURT: All right. If you-all just  
3 please adjourn for a moment. If you go back  
4 there, I come back there and release you a little  
5 more little informally.

6 You-all just take him.

7 (Trial concluded at 5:05 p.m.)

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WITNESSES

Beaufort County Sheriff's Office

*[Handwritten signature]*

DOCKET NO. 2020GS0702183

The State of South Carolina  
County of Beaufort

After being fully advised as to my <sup>523</sup>  
legal rights, I hereby waive  
presentation to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

November Term 2021

I  
hereby appear in my own proper  
person and plead guilty to the within  
indictment or to

ARREST WARRANT NUMBER

2020A0710200594

THE STATE

vs.

CHANNON TALON PRESTON

ACTION OF GRAND JURY

**True Bill**

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

Defendant

Foreperson of Grand Jury

Date: NOV 04 2021

VERDICT

*Guilty*

Witness:

Foreperson of Petit Jury

Date: INDICT 10/12/22

C.C.C. PLS. and G.S.

STATE OF SOUTH CAROLINA     )  
  )  
COUNTY OF BEAUFORT         )

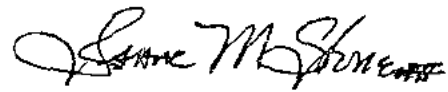
INDICTMENT  
2020GS0702183

At a Court of General Sessions, convened on November 4, 2021, the Grand Jurors of Beaufort County present upon their oath:

**Murder**

That in Beaufort County, South Carolina, on or about November 18, 2020, the Defendant, CHANNON TALON PRESTON, did, with malice aforethought, kill Steven Glover and Steven Glover did die as a proximate result of CHANNON TALON PRESTON's actions, to wit: The Defendant did fire a gun towards the Victim and the Victim did die as a result of gunshot wounds, all in violation of Section 16-3-10, et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



---

Solicitor

James M. Stone

WITNESSES

Beaufort County Sheriff's Office

*[Handwritten signature]*

DOCKET NO. 2020GS0702184

The State of South Carolina  
County of Beaufort

After being fully advised as to <sup>525</sup>~~25~~  
legal rights, I hereby waive  
presentation to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

November Term 2021

I \_\_\_\_\_  
hereby appear in my own proper  
person and plead guilty to the within  
indictment or to

ARREST WARRANT NUMBER

2020A0710200595

THE STATE

vs.

CHANNON TALON PRESTON

ACTION OF GRAND JURY

True Bill

Indictment For

Possession of Weapon During  
Violent Crime

SC Code: 16-23-490

CDR Code: 0549

Defendant

Foreperson of Grand Jury

Date: NOV 04 2021

Witness:

VERDICT

Guilty

C.C.C. PLS. and G.S.

Foreperson of Petit Jury

Date: 10/22/22  
INDICT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

INDICTMENT

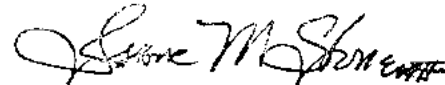
2020GS0702184

At a Court of General Sessions, convened on November 4, 2021, the Grand Jurors of Beaufort County present upon their oath:

**Possession of Weapon During Violent Crime**

That in Beaufort County, South Carolina, on or about November 18, 2020, the Defendant, CHANNON TALON PRESTON, did possess a firearm, visibly displayed what appeared to be a firearm during the commission of a violent crime, to wit: Murder and/or Attempted Murder and CHANNON TALON PRESTON was convicted of committing or attempting to commit a violent crime as defined in Section 16-1-60, all in violation of Section 16-23-490, et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



\_\_\_\_\_  
Solicitor

WITNESSES

Beaufort County Sheriff's Office

*[Handwritten signature]*

DOCKET NO. 2020GS0702311

The State of South Carolina  
County of Beaufort

After being fully advised as to <sup>527</sup> my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

November Term 2021

I \_\_\_\_\_  
hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

2020A0710400354

THE STATE

vs.

CHANNON TALON PRESTON

ACTION OF GRAND JURY

True Bill

Indictment For

Attempted Murder

SC Code: 16-3-29

CDR Code: 3410

Defendant

Foreperson of Grand Jury

Date: NOV 04 2021

VERDICT

Guilty

Witness:

Foreperson of Petit Jury

Date: 10/12/22  
INDICT

C.C.C. PLS. and G.S.

528

STATE OF SOUTH CAROLINA     )  
  )  
COUNTY OF BEAUFORT            )

INDICTMENT

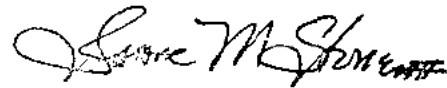
2020GS0702311

At a Court of General Sessions, convened on November 4, 2021, the Grand Jurors of Beaufort County present upon their oath:

**Attempted Murder**

That in Beaufort County, South Carolina, on or about November 18, 2020, the Defendant, CHANNON TALON PRESTON, did, with intent to kill and with malice aforethought, attempt to willfully kill Cory Singleton, to wit: by shooting at Cory Singleton, all in violation of Section 16-3-29, et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



---

**Solicitor**

STATE CHANNON TALON PRESTON

INDICTMENT/CASE#: 2020GS0702183

STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT )

STATE )  
VS. )

INDICTMENT/CASE#: 2020GS0702183

CHANNON TALON PRESTON )

A/W#: 2020A0710200594

AKA: CJ; Glizzy )

Date of Offense: 11/18/2020

Race: Black Sex: Male Age: \_\_\_\_\_ )

S.C. Code §: 16-3-10

DOB: [REDACTED] )  
[REDACTED] POINT RD, ST HELENA ISLAN, )  
SC 29920 )

CDR Code #: 0116

City, State, Zip: \_\_\_\_\_ )

**SENTENCE SHEET**

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_ )

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Murder

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Mage. Tony 100353  
Solicitor SC Bar # \_\_\_\_\_ Defendant

[Signature] 76577  
Attorney for Defendant SC Bar # \_\_\_\_\_

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 37 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$\_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years/Time Served and or payment of \$\_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. \_\_\_\_\_ days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after \_\_\_\_\_ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

RESTITUTION:     Deferred     Def. Waives Hearing     Ordered

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$	_____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$	_____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$	_____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	_____
§56-5-2995 (DUI Assessment)	\$12	\$	_____
§56-1-286 (DUI Breath Test)	\$25	\$	_____
§14-1-212 (Law Enforce. Funding)	\$25	\$	25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$	_____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$	_____
§50-21-114 (BUI Breath Test Fee)	\$50	\$	_____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	_____
3% to County (if paid in installments)	TBD	\$	3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$	_____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$	40.00
<b>TOTAL</b>		\$	168.75

Clerk of Court/Deputy Clerk: Sharon Hardison  
Court Reporter: \_\_\_\_\_

Presiding Judge: \_\_\_\_\_  
Judge Code: 2766  
Sentence Date: 10/12/22

STATE CHANNON TALON PRESTON

INDICTMENT/CASE#: 2020GS0702184

STATE OF SOUTH CAROLINA )

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT )

STATE )  
VS. )

INDICTMENT/CASE#: 2020GS0702184

CHANNON TALON PRESTON )

A/W#: 2020A0710200595

AKA: CJ; Glizzy )

Date of Offense: 11/18/2020

Race: Black Sex: Male Age: \_\_\_\_\_ )

S.C. Code §: 16-23-490

DOB: [REDACTED] SS#: [REDACTED] )  
[REDACTED] ISLAN, )  
[REDACTED] SC 29920 )

CDR Code #: 0549

City, State, Zip: \_\_\_\_\_ )

SENTENCE SHEET

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_ )

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Possession of a weapon during the commission of a violent crime

In violation of § 16-23-490 of the S.C. Code of Laws, bearing CDR Code # 0549

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

May C. Day 100353  
Solicitor SC Bar # Defendant

[Signature] 76577  
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 5 days/months/years Time Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years/Time Served and or payment of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: 2020 - G.S. 07 - 2183

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. \_\_\_\_\_ days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after \_\_\_\_\_ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling       Completion of GED       Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp       No Contact with Victim       Domestic Violence Intervention Program
- Mental Health Counseling       May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430       Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

RESTITUTION:     Deferred     Def. Waives Hearing     Ordered

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:			\$ _____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning	_____
§14-1-206 (Assessments 107.5%)			\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100		\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100		\$ _____
§56-5-2995 (DUI Assessment)	\$12		\$ _____
§56-1-286 (DUI Breath Test)	\$25		\$ _____
§14-1-212 (Law Enforce. Funding)	\$25		\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150		\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41		\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50		\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea		\$ _____
3% to County (if paid in installments)	TBD		\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500		\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD		\$ _____
<b>TOTAL</b>			<b>\$ 1287.5</b>

Clerk of Court/Deputy Clerk: Sharon Harwood  
Court Reporter: \_\_\_\_\_

Presiding Judge: \_\_\_\_\_  
Judge Code: 2766  
Sentence Date: 10/12/22

STATE CHANNON TALON PRESTON

INDICTMENT/CASE#: 2020GS0702311

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

INDICTMENT/CASE#: 2020GS0702311

VS.

CHANNON TALON PRESTON

A/W#: 2020A0710400354

AKA: CJ; Glizzy

Date of Offense: 11/18/2020

Race: Black Sex: Male Age: \_\_\_\_\_

S.C. Code §: 16-3-29

DOB: [REDACTED] SS#: [REDACTED] ISLAN, SC 29920

CDR Code #: 3410

City, State, Zip: \_\_\_\_\_

SENTENCE SHEET

DL#\* \_\_\_\_\_ SID# \_\_\_\_\_

\*CDL Yes  No  CMV Yes  No  Hazmat Yes  No

In disposition of the above indictment comes now the Defendant who was  CONVICTED OF or  PLEADS

TO: Attempted Murder

In violation of § 16-3-29 of the S.C. Code of Laws, bearing CDR Code # 3410

NON-VIOLENT  VIOLENT  SERIOUS  MOST SERIOUS  Mandatory GPS  § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury. \_\_\_\_\_ (def.'s initials)

The plea is:  Without Negotiations or Recommendation,  Negotiated Sentence,  Recommendation by the State.

ATTEST:

Mary C. Long 100353  
Solicitor SC Bar # Defendant

[Signature] 76577  
Attorney for Defendant SC Bar #

WHEREFORE, the Defendant is committed to the  State Department of Correction  County Detention Center,

for a determinate term of 30 days/months/years/Time Served  Youthful Offender Act not to exceed \_\_\_\_\_ years

and/or to pay a fine of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years/Time Served and or payment

of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with **probation** for \_\_\_\_\_

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

CONCURRENT or  CONSECUTIVE to sentence on: 2020GS.07.2183

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. \_\_\_\_\_ days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after \_\_\_\_\_ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling
- Completion of GED
- Random Drug/Alcohol Testing
- Attend Voc. Rehab. Or Job Corp
- No Contact with Victim
- Domestic Violence Intervention Program
- Mental Health Counseling
- May serve W/E beginning: \_\_\_\_\_
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Public Service Employment \_\_\_\_\_ days/hours
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: \_\_\_\_\_

RESTITUTION:  Deferred  Def. Waives Hearing  Ordered

Total \$ \_\_\_\_\_ plus 20% fee: \_\_\_\_\_ \$ \_\_\_\_\_

Payment Terms: \_\_\_\_\_  Set by SCDPPPS

Recipient: \_\_\_\_\_

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$ _____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
<b>TOTAL</b>		<b>\$ 128.75</b>

Clerk of Court/Deputy Clerk:  
Court Reporter:

*Channon Talon Preston*  
*Stacy Talon Preston*

Presiding Judge:  
Judge Code:  
Sentence Date:

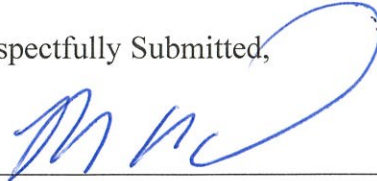
*Ben Taylor*  
*2766*  
*10 18 22*  
*12 B.P.*

## CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

**RECEIVED****Jun 17 2024****SC Court of Appeals**

Respectfully Submitted,



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Robert M. Dudek  
Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 17th day of June, 2024.

**RECEIVED**

**Jun 17 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Beaufort County

Honorable Bentley Price, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

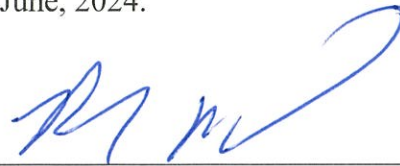
CHANNON T. PRESTON,

APPELLANT

APPELLATE CASE NO. 2022-001474

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

I certify that a copy of the Record on Appeal in the above-referenced case has been served upon Melody J. Brown, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of June, 2024.



\_\_\_\_\_  
Robert M. Dudek  
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ATTORNEY FOR APPELLANT