

STATE OF SOUTH CAROLINA	)	IN THE COURT OF APPEALS
	)	APPELLATE CASE NUMBER: 2024-002198
	)	
VS.	)	
	)	INDICTMENT NUMBER: 2024GS0702145
	)	
HARVEY JAMES PREJEAN,	)	
	)	AFFIDAVIT OF PHILIP LITTLE
Defendant.	)	REGARDING THE GUILTY PLEA IN
	)	THIS MATTER

NOW COME, Courtney Gibbes, who being duly sworn, does hereby attest to the following facts in the above-captioned matter:


1. I was appointed by the Court to handle the above referenced matters for Harvey James Prejean. This appeal is part of a guilty plea on December 18, 2024, in Beaufort County, South Carolina before the Honorable Judge Carmen Mullen.
2. I am an Assistant Public Defender for the Fourteenth Circuit Public Defender's Office and a licensed attorney with the South Carolina Bar.
3. I am filing this appeal upon the request of my client, Harvey James Prejean.
4. I am not aware of any reviewable appellate issues as a result of this plea. However, at the request of appellant, I am filing this appeal.
5. I further certify that a copy of this affidavit has been served via U.S. Mail on Mr. Harvey James Prejean at the following address along with other parties listed below:

Meghan Estenson, Esq.  
 14th Circuit Solicitor's Office  
 Post Office Box 1880  
 Bluffton, South Carolina 29910

Robert Michael Dudek, Esquire  
 Post Office Box 11589  
 Columbia, SC 29211

Alan Wilson, Esq.  
 Attorney General  
 Post Office Box 11549  
 Columbia, SC 29211

Mr. Harvey James Prejean  
 144 Middlefield Circle  
 Seabrook, SC 29940

Signed:   
 Philip Little, Assistant Public Defender  
 14th Circuit Public Defender's Office  
 Post Office Box 525  
 Beaufort, South Carolina 29901  
 SC Bar No. 101791

**RECEIVED**

January 9, 2025

JAN 14 2025  
 SC Court of Appeals

0-3 years

STATE HARVEY JAMES PREJEAN

INDICTMENT/CASE#: 2024GS0702145

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF BEAUFORT

STATE

INDICTMENT/CASE#: 2024GS0702145

VS.

HARVEY JAMES PREJEAN

A/W#: 20240180121165(1)

AKA:

Date of Offense: 11/30/2024

Race: Sex: Age:

S.C. Code §: 16-25-20(C)(4)(a)

DOB: SS#: Address: City of Bft, SC 29902

CDR Code #: 3812

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: Domestic Violence - 2nd Degree

In violation of § 16-25-20(C)(4) (a) of the S.C. Code of Laws, bearing CDR Code # 3812

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

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

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

ATTEST:

Solicitor SC Bar # Defendant Attorney for Defendant SC Bar #

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

for a determinate term of 3 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 18 days/months/years/Time Served and or payment

of \$: plus costs and assessments as applicable\*: the balance is suspended with probation for 18

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. 18 days/months

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

The Defendant Shall be Released from County Detention Center.

RECEIVED

JAN 14 2025

SC Court of Appeals

STATE

HARVEY JAMES PREJEAN

INDICTMENT/CASE#: 2024GS0702145

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 Completion of Batterer's Treatment 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: X Batterer's Treatment
- 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: Waive supervision fees for 6 months only.

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
§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
§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	\$ 18.75
<input checked="" 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	\$ 500
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund		TBD	\$
<b>TOTAL</b>			\$ 643.75

Clerk of Court/Deputy Clerk: Rachelle B. Bialkley  
Court Reporter: Cathy Yang

Presiding Judge: \_\_\_\_\_  
Judge Code: 2142  
Sentence Date: 12/18/24

**WITNESSES**

Beaufort Police Department

DOCKET NO. 2024GS0702145


The State of South Carolina  
County of Beaufort

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

COURT OF GENERAL SESSIONS

Term not yet known

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

**ARREST WARRANT NUMBER**

20240180121165

THE STATE

vs.

HARVEY JAMES PREJEAN

**ACTION OF GRAND JURY**

Indictment For  
Domestic Violence - 2nd Degree

SC Code: 16-25-20(C)(4)(a)

CDR Code: 3812

Defendant

Foreperson of Grand Jury

Date:

Witness:

**VERDICT**

Foreperson of Petit Jury

Date:

INDICT

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

**RECEIVED**

JAN 14 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

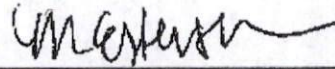
INDICTMENT  
2024GS0702145

At a Court of General Sessions, convened on {NOT ENTERED}, the Grand Jurors of Beaufort County present upon their oath:

**Domestic Violence - 2nd Degree**

That in Beaufort County, South Carolina, on or about November 30, 2024, the Defendant, HARVEY JAMES PREJEAN, did, while in the process of committing domestic violence in the third degree, offer or attempt to cause physical harm or injury to [REDACTED] a household member of HARVEY JAMES PREJEAN, with apparent present ability under circumstances which reasonably created fear of imminent peril, and the offense was committed in the presence of, or while being perceived by, a minor, all in violation of Section 16-25-20(C)(4)(a), 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

2024 DEC -2 AM 9:41

UNIFORM TRAFFIC TICKET											
STATE OF SOUTH CAROLINA											
VERSUS											
FIRST NAME HARVEY			MIDDLE NAME JAMES			LAST NAME TRICIA			SEX F		
STREET ████████████████████											
CITY BEAUFORT						STATE SC		ZIP CODE 29902			
DRIVER'S LICENSING											
CLASS		SEX		EYES		HAIR		WEIGHT		HEIGHT	
B		M		B		B		150		5'00"	
VEHICLE (OWNER FIRST NAME) MIDDLE NAME LAST NAME											
OWNER'S ADDRESS CITY STATE ZIP CODE											
<b>YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT</b>											
NAME OF TRIAL COURT			STREET			CITY			STATE		
BEAUFORT MAGISTRATE			104 RIBAUT ROAD			BEAUFORT			SC 29910		
DATE OF TRIAL			CITY			STATE			ZIP CODE		
01/17/2025			BEAUFORT			SC			29910		
VIOLATION SECTION NO.			VIOLATION - COURT APPEARANCE REG. REG.			CLASS			NO.		
16-24-107.3(1)			LUMP-SUM FINE; TOLLENCE; AND ESCAPE			B			0530		
DATE OF VIOLATION			MILE OF TRAVEL			SECTION			TRAFFIC		
11/30/2024			0530			SC 29910			07		
VIOLATION LOCATION											
1800 O'CONNELL ST BEAUFORT 07											
TAX			DING			CITY			STATE		
32.44322			-80.6821			BEAUFORT			SC		
NAME AND RANK OF ARRESTING OFFICER			S.C.A. IDENTIFICATION NUMBER			CITY			STATE		
CLEMENTONI ANDREW			PTL-2			6770-0110			SC		
BAIL DEPOSITED			DATE OF ARREST			BOND AMOUNT REQUESTED			CITY		
743L			11/30/2024			BSC			SC		
PRESENT THIS SUMMONS TO THE TRIAL COURT SHOWN ABOVE											
BE SURE YOU UNDERSTAND FROM THE ARRESTING OFFICER THE EXACT TIME AND BEFORE WHOM YOU ARE TO APPEAR. IF THIS TICKET IS WRITTEN FOR A TRAFFIC VIOLATION AND YOU FORFEIT BAIL, PLEAD GUILTY OR NOLO CONTENDERE, OR ARE CONVICTED AFTER A TRIAL, THIS VIOLATION WILL BE PLACED AGAINST YOUR DRIVING RECORD, OR FORWARDED TO YOUR HOME STATE FOR ITS STATE VIOLATOR WILL BE ASSESSED BY YOUR HOME STATE LICENSING AUTHORITY AND MAY BE HELD FROM STATE TO STATE. FAILURE TO COMPLY WITH THE TERMS OF THIS SUMMONS MAY RESULT IN THE SUSPENSION OF YOUR DRIVER'S LICENSE BY YOUR HOME STATE. YOU ARE REQUIRED BY LAW TO APPEAR IN COURT FOR CERTAIN OFFENSES.											
SEE IMPORTANT INFORMATION ON THE REVERSE SIDE OF THIS TICKET											
VIOLATOR'S COPY						TICKET # 20240180121166					

**RECEIVED**

JAN 14 2025

SC Court of Appeals