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Nov 17 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Motion to Suppress Wiretap Evidence in Jasper County General Sessions Court

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THE STATE,

PLAINTIFF,

V.

MARK ELLIOTT MARTIN, JR.,

DEFENDANT

INDICTMENT NO. 2021GS2700673, 2021GS2700675

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MOTION TO SUPPRESS RECORDED ORAL COMMUNICATION PURSUANT TO THE  
SOUTH CAROLINA HOMELAND SECURITY ACT, SOUTH CAROLINA CODE  
SECTIONS 17-30-10 ET SEQ.

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The undersigned counsel respectfully moves to suppress recorded Ring camera videos containing private communications between the Defendant, Mark Martin, and his co-defendant, Darrin Transou, as a violation of the South Carolina Homeland Security Act, South Carolina Code Sections 17-30-10 et seq. This Honorable Court has original subject matter jurisdiction under the Act.

**Background**

On or about June 17, 2021, the Defendant participated in a conversation with co-defendant Darrin Transou at the home of a third party, Ms. Angela Eaton, at 206 Columbia Avenue, Hardeeville, South Carolina. The conversation regarding drug distribution was recorded on Ms. Eaton's Ring camera placed in her dining room. Subsequent to the conversation, a search warrant was executed at the home and a quantity of illegal narcotics were located. The following day, the homeowner told law

enforcement in an interview that her Ring camera recorded the Defendant with the drugs located in her house. Jasper County Sheriff's Office investigators subsequently sent a search warrant to Ring LLC, attached as Motion Exhibit A, and received the subject recordings of the drug distribution conversation. No application authorizing interception was initiated or submitted by the Chief of SLED, pursuant to South Carolina Code Section 17-30-70. The Jasper County Sheriff's Office search warrant lists the Ring customer account holder as "Angela Eaton" with two listed camera locations in Hardeeville, SC. Additionally, in the State's pending pretrial motion to admit the Ring camera evidence, attached as Motion Exhibit B, the State acknowledges that the recorded conversation did not involve the Ring camera owner, stating:

The footage depicts Defendant, Mark Elliot Martin, Jr., inside the residence handling, and packaging narcotics and negotiating drug sales with co-defendant Darrin Transou. The clips include both video and audio . . . [t]he videos show Martin retrieving plastic bags of narcotics from a backpack, portioning quantities into smaller containers presumably belonging to Transou, and discussing pricing and prior trafficking activity.

Notably in the videos and the State's summary of the same, Angela Eaton is not listed as a party to the conversation. Although she enters and leaves the recording multiple times, she is not recorded participating the conversation described as between the Defendant and Darrin Transou.

## **Legal Analysis**

### **I. VIOLATION OF SOUTH CAROLINA HOMELAND SECURITY ACT.**

The State alleges that the Ring camera recordings at issue capture a conversation between two alleged co-conspirators, the Defendant and a co-defendant inside a private residence. The State seeks to admit video and *audio* recordings of a conversation in which the Defendant and co-defendant engage in a conversation about drug sales. There is no evidence offered that either of the speakers were aware

they were being recorded by a Ring device owned by the non-participating homeowner.. Because the interception violates the South Carolina Homeland Security Act / Electronic Surveillance Act, S.C. Code Ann. § 17-30-10 et seq., the recording is illegal, statutorily inadmissible, and must be suppressed under § 17-30-70. No rule of evidence—including the co-conspirator/statements against interests hearsay exceptions—can override a legislatively mandated exclusion.

A. THE THRESHOLD ISSUE IS LEGALITY OF THE INTERCEPTION.

Under § 17-30-70(A):

“Whenever any wire, oral, or electronic communication has been **unlawfully intercepted**, no part of the contents... **may be received in evidence in any trial, hearing, or other proceeding.**” (Emphasis added). Therefore, the statutory bar applies before any hearsay analysis, the bar is mandatory, not discretionary, as hearsay exceptions cannot override statutory suppression. A Ring camera’s electronic recording of an oral conversation is an “Interception” under § 17-30-20(4).

The Act defines “intercept” as the aural acquisition of an oral communication through any electronic device. A Ring camera records sound via a microphone, converts it to a digital signal, transmits it across the internet, and stores it on Amazon servers. It is precisely the type of device the statute covers. Additionally, there is no “security camera exception”; the statute is technology-neutral.

B. THE HOMEOWNER/RING CAMERA SUBSCRIBER IS NOT A “PARTY TO THE CONVERSATION” AND THUS CANNOT PROVIDE CONSENT UNDER SC CODE § 17-30-30.

South Carolina is a one-party consent jurisdiction, but only if the consenting party is a participant in the conversation. Section 17-30-30 states that it is unlawful to intercept an oral communication when “none of the parties to the communication has given prior consent.”

In this case, as noted by the State, the homeowner/Ring camera subscriber, Angela Eaton, (1) was not present during all parts of the offered recorded conversations and (2) did not participate/ did not speak. South Carolina law does **not** generally recognize vicarious consent for adult-to-adult conversations. *See State v. Whitner*, 399 S.C. 547, 732 S.E.2d 861 (S.C. 2012)(analyzing limited application of vicarious consent).

C. THE SPEAKERS HAD A REASONABLE EXPECTATION OF PRIVACY IN THEIR “ORAL COMMUNICATION”.

Section 17-30-20(2) defines “oral communication” as: “any oral communication uttered by a person exhibiting an expectation that the communication is not subject to interception under circumstances justifying that expectation.” A private indoor conversation inside a home—*the most protected environment in Fourth Amendment and wiretap jurisprudence*—easily qualifies. Thus, the Ring device intercepted an “oral communication” within the meaning of the Act.

D. ADMISSION WOULD VIOLATE § 17-30-70'S MANDATORY SUPPRESSION RULE.

17-30-70 provides that the recording “may not be received into evidence,” the contents *must be* suppressed on motion, and derivative evidence may also be suppressed.

### **Conclusion**

Because the Ring camera recording of the private communication between the Defendant and his co-defendant, Darrin Transou, without at least one-party consent, was an electronic recording of an oral communication, the recording constitutes an unlawful interception, and violates South Carolina Code § 17-30-30. There is no evidence that the participants consented to the recording. The

homeowner's potential consent to the recording is legally ineffective as vicarious consent to the recording. No statutory exception applies, and § 17-30-70 mandates exclusion.

WHEREFORE, the State's Motion to Pre-Admit the Ring audio must be denied, and the recording must be suppressed in its entirety.

Respectfully submitted,

/s Jeffrey S. Stephens  
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Beaufort, SC 29901-2450  
(843) 379-2660  
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Attorney for Appellant

November 17, 2025

**STATE OF SOUTH CAROLINA**

**JASPER COUNTY**

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**SEARCH WARRANT**

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Ring account for 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina 29927

Internal case number (**CRIM1136448**)

Case: 21-01091

Date: 07/22/2021

Officer:

Det. Michaud J.W.



STATE OF SOUTH CAROLINA )  
 )  
JASPER COUNTY )  
 )

SEARCH WARRANT

Form Approved by  
SC Attorney General  
Section 19-13-160  
March 15, 1978

TO ANY BONDED LAW ENFORCEMENT OFFICER OF THIS STATE OR COUNTY JASPER COUNTY:

It is appearing from the attached affidavit that there are reasonable grounds to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises:

DESCRIPTION OF PREMISES (PERSON OR THING)  
TO BE SEARCHED

SEE ATTACHED EXHIBIT C

Now, therefore, you are hereby authorized to search the subject premises for the property described below, and to seize such property if found:

DESCRIPTION OF PROPERTY

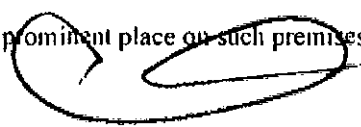
SEE ATTACHED EXHIBIT B

This Search Warrant shall not be valid for more than ten days from the date of issuance.

A written inventory of all property seized pursuant to this Search Warrant shall be made to Magistrate within ten days from the date of this warrant, such inventory to be signed by the officer executing this warrant, and a copy of such inventory shall be furnished to the person whose premises are searched if demand for such copy is made.

A copy of this Search Warrant shall be delivered to the person in charge of the premises searched at the time of such search if practicable, and, if not, to such person as soon thereafter as is practicable; in the event the identity of the person in charge is not known or if such person cannot be found after reasonable diligence in attempting to locate the person, a copy shall be attached to a prominent place on such premises.

Jasper County, South Carolina

  
\_\_\_\_\_  
Signature of Judge

Dated: 7/22, 2021

**STATE OF SOUTH CAROLINA**

**JASPER COUNTY**

**EXHIBIT A**

**SEARCH WARRANT AFFIDAVIT:**

Personally, appeared before, Detective Walker Michaud, who being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of section 17-13-140, 1976 Code of Law of South Carolina, as amended, is located on the following premises in this Municipality and County.

I have been employed as a certified South Carolina Law Enforcement Officer since 2005. I have participated in and conducted numerous criminal and narcotics investigations for the past eleven (11) years. My investigative experience and training include but is not limited to violent crimes, homicides, prostitution, sex trafficking, drug diversion and drug and narcotics offenses and firearms violations. Numerous investigations that resulted in arrests and seizures of drugs, narcotics, and firearms of which were related to drug activities or violent crime. I am currently assigned as a Detective with the Hardeeville Police Department.

I have attended several law enforcement schools related to the enforcement of controlled substances and other aspects of criminal investigations to include Narcotic Undercover Techniques and Operations training and Narcotics Commander School. I have participated in and conducted numerous pharmaceutical drug diversion investigations. I have participated in and conducted multiple prostitution related investigations. I have worked numerous hours with more tenured Agents and Investigators and participated in and supervised the preparation and execution of criminal and drug related search warrants throughout both Beaufort and Jasper County in the State of South Carolina.

The information provided herein is based upon my own investigation, as well as the investigations of various law enforcement officers with the Hardeeville Police Department and assisting agencies, whose results have been provided to me.

**Reason for Affiant's Belief That The  
Property Sought Is within the Subject Premises/Property**

- 1). Beginning in the month of March 2021 Detectives with the Hardeeville Police Department began an investigation into allegations of suspected drug and narcotic distribution involving multiple subjects in the Hardeeville, South Carolina area. Detectives obtained specific information that the residence located at 206 Columbia Avenue, Hardeeville, South Carolina was being utilized to distribute and store large quantities of Methamphetamine and Heroin. Detectives with the Hardeeville Police Department have prior knowledge of a female subject by the name of Angela Christina Eaton (Edenfield) DOB: 04/03/1986 and her boyfriend Darin Terrell Transou DOB: 11/01/1985 residing at 206 Columbia Avenue and having previous drug related incidents involving Methamphetamine and other illegal drugs.
- 2). During the month of March, 2021 Detectives obtained an anonymous complaint of drug activity at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina. The complainant advised Detectives that Angela Eaton and her boyfriend Darin Transou were in possession of ounces of Methamphetamine and Heroin at the residence located at 206 Columbia Avenue. Additionally, the complainant stated Eaton and Transou were providing illegal drugs to a female subject by the name of Savannah West DOB: 03/25/2002 who frequents 206 Columbia Avenue, Hardeeville, South Carolina.
- 3). During the course of this investigation Detectives with the Hardeeville Police Department confirmed that Angela Eaton DOB: 04/03/1986 listed an address of 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina. Additionally, Detectives confirmed that Eaton was in a relationship with Darin Terrell Transou DOB: 11/01/1985. Detectives with the Hardeeville Police Department and the Jasper County Sheriff's Office conducted surveillance on the aforementioned location. While conducting surveillance of the location Detectives observed both Eaton and Transou coming and going from the residence in a black in color 2002 Tahoe bearing South Carolina registration of (RAA-340) which is registered to Darin Transou with an alternate listed address.
- 4). During the month of April 2021 Detectives with the Hardeeville Police Department and the Jasper County Sheriff's Office conducted surveillance of the residence located at 206 Columbia Avenue, Hardeeville, South Carolina. During surveillance efforts Detectives noted multiple vehicle and pedestrian traffic coming and going from the residence for short periods of time which is consistent with the distribution of illegal drugs. Multiple subjects coming and going from the residence were identified and have prior involvement in the sale and distribution or possession of illegal drugs or narcotics.
- 5). On 03/31/2021 Detectives observed a black in color Dodge Dakota leaving the residence of 206 Columbia Avenue. Detectives conducted a traffic stop on the suspect vehicle. While making contact with the driver and sole occupant he was identified as Jeffery Bazzle DOB: 02/14/1993. Bazzle was subsequently found to be in possession of a glass Methamphetamine pipe and a quantity of suspected Methamphetamine. During this traffic stop Bazzle confirmed he resided at 206 Columbia Avenue and stated the vehicle he was driving belonged to Angela Eaton. Savannah West who identified herself as Bazzle's girlfriend responded to the scene of the traffic stop to assist Bazzle. The suspected Methamphetamine tested positive during a NIK reagent test and was submitted for further examination.

6). On 04/14/2021, Officers with the Jasper County Sheriff's Office conducted a lawful traffic stop on a vehicle that had been observed at the residence located at 206 Columbia Avenue. During the course of the traffic stop contact was made with Savannah West the driver of the suspect vehicle. During a search of the suspect vehicle Detectives located a glass pipe commonly used to smoke Methamphetamine. West denied knowledge of the suspected Methamphetamine pipe that was intentionally concealed within a fountain drink inside the vehicle.

7). During the month of May 2021 members of the Hardeeville Police Department and the Jasper County Sheriff's Office conducted a separate investigation involving allegations of suspected juvenile prostitution or sex trafficking in the Hardeeville, South Carolina area. During the course of this investigation a juvenile victim was identified. Detectives obtained digital correspondence between the juvenile victim and Eaton in which Eaton agrees to facilitate or distribute suspected illegal drugs or narcotics to the juvenile. Eaton also provides the aforementioned address during the correspondence. This correspondence occurred during the month of April 2021.

8). During the month of May 2021 Detectives with the Hardeeville Police Department obtained information from a confidential informant that a male subject named Jeffery Bazzle was distributing quantities of illegal drugs in the Hardeeville, Jasper County, South Carolina area. Detectives were familiar with Bazzle due to previous drug related interactions. The confidential informant positively identified Bazzle as the subject in which he/she had previously purchased quantities of illegal drugs from specifically Methamphetamine in the recent past.

9). During the month of May 2021 Detectives with the Hardeeville Police Department and the Jasper County Sheriff's Office conducted a controlled purchase of a quantity of suspected illegal drugs from Bazzle at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina. A confidential and reliable informant working under the direction and control of the Hardeeville Police Department conducted the controlled purchase of suspected illegal drugs from Bazzle. Bazzle retrieved the suspected illegal drugs from within the aforementioned residence and distributed it to the confidential and reliable informant during the controlled purchase. The transaction was monitored by Detectives with the Hardeeville Police Department and the Jasper County Sheriff's Office. The suspected illegal drugs gave a positive indication during a NIK reagent test. Bazzle was positively identified as the suspect who distributed the suspected illegal drugs during this controlled purchase.

10). During the month of May 2021 Detectives with the Hardeeville Police Department the Jasper County Sheriff's Office and the South Carolina Law Enforcement Division conducted a controlled purchase of a quantity of suspected illegal drugs from Bazzle in the Hardeeville, Jasper County, South Carolina area. During the course of this controlled purchase Bazzle was positively identified by Detectives and Agents as the subject who sold suspected illegal drugs during this controlled purchase. The suspected illegal drug gave a positive indication during a NIK reagent field test.

11). During the month of June 2021 Detectives with the Hardeeville Police Department and the Jasper County Sheriff's Office conducted a controlled purchase of a quantity of suspected illegal drugs from a subject known to as Detectives Quinton Travis Taylor JR DOB: 10/25/2000 at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina. A confidential and reliable informant working under the direction and control of Detectives met with Taylor at the aforementioned residence in order to complete the transactions. During the course of the controlled purchase Taylor who is a known associate of the primary resident exited the residence and completed the transaction of suspected illegal drugs with the confidential and reliable informant. This transaction was monitored by Detectives. Additionally, Taylor

was positively identified by both the confidential and reliable informant and Detectives as the subject who distributed the quantity of suspected illegal drugs during this controlled purchase. A white female suspected to be Eaton was observed on the property during the course of the controlled purchase. The suspected illegal drug gave a positive indication during a NIK reagent field test. This controlled purchase occurred within the past seventy-two (72) hours at the residence located at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina.

12). Detectives suspect Eaton and Transou have been allowing co-conspirators or associates of theirs to utilize the residence located at 206 Columbia Avenue, Hardeeville, South Carolina to continue ongoing criminal activity involving the sale distribution and storage of Methamphetamine and other illegal drugs or narcotics. Additionally, Detectives have obtained information from reliable sources that Eaton and Transou are a source of supply for other subjects distributing illegal drugs and narcotics to include Bazzle in the Hardeeville, South Carolina area. Eaton and Transou have also been observed utilizing multiple vehicles during the course of this investigation. The registration from Transou's black in color Tahoe (RAA-340) has been observed displayed on a green in color Volkswagen sedan parked at the residence during the course of a controlled purchase.

13). Bazzle's criminal history that reflects the following arrests or convictions. Arrest for Possession of Methamphetamine on 10/12/2020.

Eaton has a criminal history that reflects the following arrests or convictions. Conviction for simple possession of marijuana 12/02/2009. Criminal Domestic Violence 1<sup>st</sup> conviction 10/05/2009. Conviction assault and battery 3<sup>rd</sup> degree, 2017. Arrest for Possession with the Intent to Distribute Methamphetamine 10/26/2018. Arrest for Possession with the Intent to Distribute Methamphetamine 12/11/2018. Arrest for Possession with Intent to Distribute Cocaine and Possession of Methamphetamine 12/04/2020.

Transou has a criminal history that reflects the following arrests or convictions. Conviction Assault with a Dangerous weapon 11/18/2009. Conviction Criminal Domestic Violence 07/06/2016.

Taylor has a criminal history that reflects the following arrests or convictions. Arrest Unlawful Carry of a Weapon 07/18/2018. Arrest Possession with the Intent to Distribute a Controlled Substance 07/18/2018. Arrest Pointing and Presenting a Firearm at a Person 02/18/2020.

14). On 06/11/2021 a search warrant was obtained for the listed residence located at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina 29927. On 06/17/2021 Detectives executed a search warrant at the aforementioned residence making contact with Jeffery Bazzle, Savannah West, William Eaton and Angela Eaton. During the course of this investigation more than 300 grams of suspected Methamphetamine, more than 60 grams of suspected Heroin, more than 5 gram of Crack Cocaine, suspected Marijuana and a stolen handgun were located within the residence to include within a safe located in Angela Eaton's bedroom. Angela Eaton was found to have the keys to the safe and subsequently charges with multiple related drug and narcotics offenses for the substances located within her bedroom. Post Miranda and during the course of interviews with Angela Eaton she initially stated the substances located in her bedroom belonged to Jeffery Bazzle. Later Angela Eaton stated a subject she knows as "Mark" a light skinned black male brought the large quantities of suspected Methamphetamine and Heroin to her residence and left them there and she didn't want to "put that stuff in there anyways" meaning her safe. Angela Eaton indicated this allegation should be captured on her surveillance camera within her residence or Ring camera. Detectives had observed a Ring camera in the living room area within Eaton's residence facing her bedroom on a shelf. Additionally, during a follow up interview of Savannah West, she also stated a light skinned black male who she only knows as "Mark" had dropped off a large quantity of Methamphetamine and Heroin to Angela Eaton approximately two hours prior to

Officers arrival on 06/17/2021. Detectives submitted a preservation request to Ring's legal department on 06/21/2021 for any devices located at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina for content on the incident date from 0800 hours to 1800 hours. Detectives obtained a preservation response confirmation for the information requested from Ring LER Team. Ring internal case number (CRIM1136448).

15). During the month of July 2021 Detectives with the Hardeeville Police Department received information from an anonymous source who advised Detectives that a subject known as "Mark Martin" had dropped off the suspected large quantities of drugs and narcotics to 206 Columbia Avenue a couple of hours before the search warrant to Angela Eaton. Detectives have prior knowledge of a Mark Martin fitting the descriptions provided being involved in the distribution of illegal drugs and narcotics. Based on the information provided by Angela Eaton and witnesses Detectives believe that obtaining the video footage that may be maintained by Ring due to it being a cloud or offsite storage server could further this investigation and identify other suspects in this case or sources of supply of illegal drugs and narcotics and illicit firearms.

It is also the affiant's belief that there is presently concealed within the Ring server related to Angela Eaton's account with internal case number (CRIM1136448), information which constitute evidence of violations of sections 44-53-370 and 44-53-375 and 16-23-0020 of the South Carolina Code of Laws, 1976 as amended.

A **search warrant** is requested for the Ring account belonging to at 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina, 29927 to secure evidence of the outlined offenses to further this investigation.

Affiant



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Signature of Judge



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(L.S.)

**STATE OF SOUTH CAROLINA  
JASPER COUNTY**

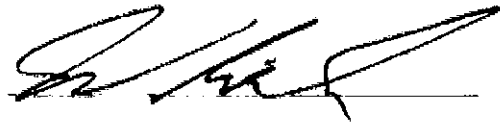
**EXHIBIT B**

**DESCRIPTION OF PROPERTY SOUGHT**

Any and all records and account detail information related to Angela Eaton's Ring account for the address of 206 Columbia Avenue, Hardeeville Jasper County, South Carolina. Possible telephone # (843) 949-0720 associated with account. Ring internal case number (CRIM1136448).

Any audio and video evidence obtained during the date and time of 06/17/2021 from 0800 hours to 06/17/2021 at 1750 hours.

Affiant



Signature of Judge

 (L.S.)

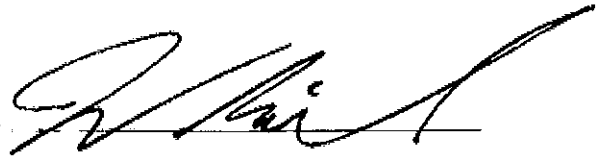
**STATE OF SOUTH CAROLINA  
JASPER COUNTY**

**EXHIBIT C**

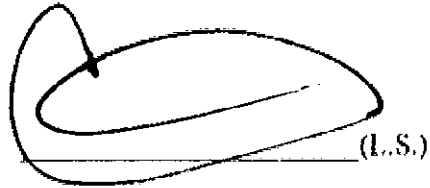
**DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)  
TO BE SEARCHED**

The location or base of operations for Ring LLC is located at 1523 26<sup>th</sup> Street, Santa Monica, CA 90404. The account Ring account belonging to Angela Eaton or the address of 206 Columbia Avenue, Hardeeville, Jasper County, South Carolina 29927. Related to Ring internal case number (CRIM1136448).

Affiant



Signature of Judge



(L.S.)

7/20/2021

Mail - Joseph Michaud - Outlook

Andrew Maisano <amaisano@hardeevillesc.gov>

To: Joseph Michaud <jwmichaud@hardeevillesc.gov>

Outlook for IOS

From: amazon-case-tracker-communications@amazon.com <amazon-case-tracker-communications@amazon.com>

Sent: Monday, June 21, 2021 12:42:26 PM

To: Andrew Maisano <amaisano@hardeevillesc.gov>

Subject: CRIM1136448 - 206 Columbia Ave, Hardeeville, SC 29927

Law Enforcement Guidelines. Ring will notify customers of law enforcement requests seeking the production of content data, unless it is legally prohibited from doing so or has clear indication of illegal conduct in connection with the use of Ring products or services. Such notification may be made as soon as three days after receipt of the request.

[subpoenas@ring.com](mailto:subpoenas@ring.com)

Ring LER Team

<https://outlook.office.com/mail/AAQkADZmMDK3YjklWQ3MmYUNDE1ZS1iMmMzLWVhYjQ0MTQyNjUxNWwGADkIs0s%2B1e9C-SkVR7wmyoc%3D>

RETURN

I received the attached Search Warrant on 07/22/2021, and have executed it as follows:

On 7/23/21, at 1353 o'clock PM, I searched (the person) described in the warrant and (the premises)

I left a copy of the warrant with In Evidence / Attached to report.

Together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

Video from Ring device ID: 55805880 from 6/17/2021. Attached account information.

Multiple horizontal lines for listing inventory items.

This inventory was made in the presence of Cpl. Maisano

AND

I swear that the inventory is a true and detailed account of all the property taken by me on the warrant.

Sworn to and subscribed before me this \_\_\_ day of \_\_\_, 2021.

Signature of Judge

(Signature of Officer Executing Warrant)

**ACCOUNT INFORMATION**

Created At 11/29/2020 9:27:32 PM  
Full Name Angela Eaton  
User ID 40544553  
Primary Email angelacedenfield@gmail.com  
Phone Number 8439490720  
Credit Card Type Visa  
Credit Card Number 4691

**DEVICE INFORMATION**

DEVICE ID 55805880  
MAC ID 54e019336e3f  
Kind Type Stickup cam mini  
Description Edenfield  
Location 500 Toomerville Loop, Hardeeville, SC, 29927

DEVICE ID -  
MAC ID -  
Kind Type -  
Description -  
Location 206 Columbia St, Hardeeville, 29927

7/26/2021

Mai - Joseph Michaud - Outlook

amazon-case-tracker-communications@amazon.com <amazon-case-tracker-communications@amazon.com >

To: Joseph Michaud <jwmichaud@hardeevillesc.gov>

STATE OF SOUTH CAROLINA	)	IN THE COURT OF GENERAL SESSIONS
	)	
COUNTY OF JASPER	)	INDICTMENT NO: 2021GS2700673,
	)	2021GS2700674, 2021GS2700675,
STATE OF SOUTH CAROLINA	)	
	)	
vs.	)	
	)	
MARK ELLIOTT MARTIN, JR.	)	
<u>Defendant</u>	)	

**STATE’S MOTION IN LIMINE TO ADMIT RING CAMERA EVIDENCE**

The State of South Carolina, by and through the undersigned Assistant Solicitor, respectfully moves this Court for an order permitting the admission of Ring security-camera video footage obtained pursuant to a valid search warrant, as relevant, properly authenticated, and admissible evidence under the South Carolina Rules of Evidence.

**I. Factual Background**

On July 22, 2021, law enforcement obtained a judicially authorized search warrant directed to Ring LLC seeking video footage from the Ring account associated with 206 Colombia Ave, Hardeeville, SC 29927, for June 17, 2021, between 0800 and 1750 hours—the date and time frame of the residential search warrant executed at the same property.

Pursuant to that warrant, Ring electronically provided law enforcement with a series of short video clips recorded on June 17, 2021, within the specified window. Lieutenant Michaud, the case agent, received these files directly from Ring and preserved them in their original digital format.

The footage depicts Defendant, Mark Elliott Martin Jr., inside the residence handling, and packaging narcotics and negotiating drug sales with co-defendant Darrin Transou. The clips include both video and audio; subtitles have been added for clarity, but the unaltered recordings will be offered as the official exhibits. The videos show Martin retrieving plastic bags of narcotics from a backpack, portioning quantities into smaller containers presumably belonging to Transou, and discussing pricing and prior trafficking activity. During the search executed later that day, law enforcement recovered the same containers—bearing DNA from both Martin and Transou—either inside or in the vicinity of a safe in the residence.

Although the clips themselves do not display visible timestamps, Ring produced companion metadata showing that all videos were recorded on June 17 between approximately 12:00 p.m. and 6:00 p.m. Several individuals depicted in the videos were present when the warrant was executed and were wearing the same clothing as seen in the footage.

The State intends to use the Ring footage so that the jury may determine the defendant's identity, possession, and control of the narcotics and to corroborate the physical and testimonial evidence recovered during the investigation. Lieutenant Michaud will testify to how the footage was lawfully obtained, preserved, and maintained, and will authenticate it as a fair and accurate depiction of what it purports to show.

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## **II. Legal Argument**

### **A. The Footage Is Relevant and Highly Probative (Rules 401–403, SCRE).**

Under Rule 401, evidence is relevant if it has any tendency to make a fact of consequence more or less probable. The Ring footage directly depicts the defendant engaging in the charged conduct—handling and distributing narcotics—and is therefore highly probative of guilt. Its probative value substantially outweighs any risk of unfair prejudice under Rule 403, as it accurately portrays the defendant's own actions during the relevant time frame and was obtained lawfully.

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### **B. The Footage Is Properly Authenticated (Rule 901, SCRE).**

Rule 901(a) requires only “evidence sufficient to support a finding that the matter in question is what its proponent claims.” Lieutenant Michaud will authenticate the recordings by testifying that:

1. He executed the search warrant directed to Ring and received the videos directly from Ring's compliance portal.
2. The videos were transmitted and preserved in their original format without alteration.
3. The interior, clothing, and furnishings visible in the video correspond to the residence as observed during the search.
4. Individuals shown in the videos—including the defendant—were present and wearing the same clothing when the warrant was executed.

South Carolina courts have recognized that testimony explaining how digital images or videos are obtained and verified can satisfy Rule 901's authentication requirement. *State v. Mitchell*, 399 S.C. 410, 731 S.E.2d 889 (Ct. App. 2012) (holding digital photographs

downloaded from a motion-activated deer camera were properly authenticated under Rules 901 and 1001).

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### **C. The Audio and Video Portions Are Not Hearsay and Do Not Violate the Confrontation Clause.**

The visual portions of the Ring recordings constitute non-assertive conduct, not “statements” by a declarant, and therefore fall outside Rule 801(c), SCRE. The audio portions include the defendant’s own statements, admissible as party admissions under Rule 801(d)(2)(A), SCRE. Any remarks by co-defendant Darrin Transou or other non-testifying individuals are introduced solely to provide necessary context to the defendant’s admissible statements and to make those statements intelligible to the jury. They are not offered for the truth of any matter asserted and therefore are not hearsay under Rule 801(c). See also Rule 105, SCRE (limiting instructions).

Because the recorded conversations are spontaneous, non-testimonial exchanges between participants engaged in the charged conduct—not formal confessions or statements made to law enforcement—the *Bruton* line of cases is inapplicable. *Bruton v. United States*, 391 U.S. 123 (1968), and its progeny address only testimonial confessions by a non-testifying co-defendant that directly implicate another defendant. Whether tried jointly or separately, the contextual remarks remain admissible for the limited, non-hearsay purpose described above, subject to a Rule 105 limiting instruction.

Machine-generated video data and associated metadata—such as timestamps, filenames, and other information automatically produced by the Ring system—are not hearsay because they are not statements made by a person. Rule 801(c), SCRE, applies only to statements of a “declarant,” meaning a human speaker. Automatically generated data created without human input or assertion fall outside that definition. See *United States v. Khorozian*, 333 F.3d 498, 506 (3d Cir. 2003) (fax-machine header not hearsay); *United States v. Hamilton*, 413 F.3d 1138, 1142 (10th Cir. 2005) (computer-generated Internet headers not hearsay); *United States v. Lizarraga-Tirado*, 789 F.3d 1107, 1110 (9th Cir. 2015) (Google Earth “tack” automatically generated from GPS coordinates not hearsay). The Ring system’s timestamps and metadata are analogous—automatically created contemporaneously with each recording and not through any human assertion.

Because neither the defendant’s recorded conduct nor the system-generated data constitute testimonial statements, the Ring recordings do not implicate the Confrontation Clause. See *Crawford v. Washington*, 541 U.S. 36 (2004) (Clause applies only to testimonial statements made for the purpose of prosecution).

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### **D. The Evidence Satisfies the Best-Evidence Rule (Rules 1001–1002, SCRE).**

The State will introduce the original electronic files provided by Ring. Under Rule 1001(3), SCRE, if data are stored in a computer or similar device, “any output readable by sight, shown to reflect the data accurately, is an ‘original.’” *Mitchell*, 399 S.C. at 421–22. Because the videos remain in their native format and have not been altered, Rule 1002’s best-evidence requirement is met. The subtitled version is offered solely as a demonstrative aid for the jury’s convenience.

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### **III. Conclusion**

For the foregoing reasons, the State respectfully moves this Court for an order permitting the admission of the Ring camera video footage obtained pursuant to the July 22, 2021 warrant. The State further requests that the Court rule, prior to trial, that the footage is relevant, properly authenticated, non-hearsay, compliant with the Confrontation Clause, and admissible under the South Carolina Rules of Evidence.

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Respectfully submitted,

**Marshall Frodsham**  
Assistant Solicitor  
Fourteenth Judicial Circuit

**RECEIVED**

**Nov 17 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Motion to Suppress Wiretap Evidence in Jasper County General Sessions Court

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THE STATE,

PLAINTIFF,

V.

MARK ELLIOTT MARTIN, JR.,

DEFENDANT

INDICTMENT NO. 2021GS2700673, 2021GS2700675

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CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies that a true copy of the Motion to Suppress and Motion Exhibits A and B, in the above-referenced case, have been served upon the trial attorney of record, Assistant Solicitor Marshall Frodsham, by electronic mail to his AIS e-mail address, [mfrodsham@scsolicitor14.org](mailto:mfrodsham@scsolicitor14.org), this 17th day of November, 2025.

/s Jeffrey S. Stephens

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