

**RECEIVED**

**Nov 26 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Horry County

Honorable George M. McFaddin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

JESSIE SALCEDO BUENO,

APPELLANT

APPELLATE CASE NO. 2025-000341

---

RECORD ON APPEAL

---

JESSICA M. SAXON  
Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

MARK FARTHING  
Senior Assistant Deputy Attorney General  
1000 Assembly Street, Room 519  
Columbia, SC 29201  
(803)734-4117

ATTORNEY FOR APPELLANT

JIMMY A. RICHARDSON, II  
Solicitor, Fifteenth Judicial Circuit  
PO Box 1276  
Conway, SC 29528  
(843) 915-8608

ATTORNEYS FOR RESPONDENT

**INDEX**

|   |    |
|---|----|
| INDEX.....  | i  |
| <b>TRIAL TRANSCRIPT DATED FEBRUARY 10 AND 11, 2025</b> .....  | 1  |
| DEFENSE MOTION FOR THE DEFENDANT TO REMAIN ON BOND DURING THE<br>PENDING OF TRIAL BY MR. PINKERTON..... | 18 |
| RESPONSE BY MR. BEAMER.....   | 19 |
| COURT DEFERS RULING.....  | 19 |
| COLLOQUY WITH DEFENDANT REGARDING PRESENCE.....   | 19 |
| CHARGE CONFERENCE.....  | 21 |
| OPENING STATEMENT BY MR. BEAMER.....  | 28 |
| OPENING STATEMENT BY MR. PINKERTON.....   | 32 |
| <b>TESTIMONY</b>  |    |
| DYLAN OATES   |    |
| Direct Examination by Mr. Beamer.....   | 34 |
| Cross-Examination by Mr. Pinkerton.....   | 48 |
| CORY DULINA   |    |
| Direct Examination by Mr. Beamer.....   | 53 |
| Cross-Examination by Mr. Pinkerton.....   | 61 |
| Redirect Examination by Mr. Beamer.....   | 69 |
| Recross-Examination by Mr. Pinkerton.....   | 71 |
| JARED SOUCY   |    |
| Direct Examination by Mr. Beamer.....   | 73 |
| Cross-Examination by Mr. Pinkerton.....   | 79 |
| CHRISTOPHER DREW EDWARDS  |    |
| Direct Examination by Mr. Beamer.....   | 82 |
| Cross-Examination by Mr. Pinkerton.....   | 91 |
| Redirect Examination by Mr. Beamer.....   | 94 |
| Recross-Examination by Mr. Pinkerton.....   | 95 |
| TAYLOR SINGLETON  |    |
| Direct Examination by Mr. Holford.....  | 98 |



MERRELL HAWKINS  
 Direct Examination by Mr. Hawkins .....100  
 Cross-Examination by Mr. Pinkerton .....103

LAUREN PORZIO-HEARD  
 Direct Examination by Mr. Holford.....104  
 Cross-Examination by Mr. Pinkerton .....106

BRITTNEE LOONEY  
 Direct Examination by Mr. Holford.....107  
*Voir Dire* Examination by Mr. Pinkerton .....113  
 Continued Direct Examination by Mr. Holford.....113

DEFENSE OBJECTION TO STATE’S EXHIBITS NOS. 14N, O, P, Q, R, AND S BY  
 MR. PINKERTON.....121

RESPONSE BY MR. HOLFORD .....122

COURT’S RULING FINDING STATE’S EXHIBITS NOS. 14N, O, P, Q, R, AND S  
 ADMISSIBLE.....123

DEFENSE RENEWS OBJECTION TO STATE’S EXHIBITS NOS. 14N, O, P, Q, R,  
 AND S.....124

COURT RENEWS RULING FINDING THE EXHIBITS ADMISSIBLE .....124

**TESTIMONY**

BRITNEE LOONEY  
 Continued Direct Examination by Mr. Holford .....124  
 Cross-Examination by Mr. Pinkerton .....126  
 Redirect Examination by Mr. Holford.....128

STATE RESTS .....128

DEFENSE MOTION FOR A DIRECTED VERDICT BY MR. PINKERTON.....129

RESPONSE BY MR. BEAMER .....129

COURT’S RULING DENYING DEFENSE MOTION FOR DIRECTED VERDICT.....131

DEFENSE RENEWAL OF ALL PRIOR MOTIONS AND OBJECTIONS.....131

COURT RENEWS ALL PRIOR RULINGS.....131

TESTIMONY COLLOQUY WITH DEFENDANT .....132



DEFENSE RESTS .....133

CLOSING ARGUMENT BY MR. HOLFORD.....134

CLOSING ARGUMENT BY MR. PINKERTON .....140

CHARGE ON THE LAW .....145

VERDICT .....157

POLLING OF THE JURY.....158

SENTENCING .....166

DEFENSE MOTION FOR DELAYED REPORTING OF THE DEFENDANT .....167

RESPONSE BY MR. BEAMER.....167

COURT’S RULING DENYING MOTION TO ALLOW DELAYED REPORTING .....167

INDICTMENT.....171

CERTIFICATE OF COUNSEL .....173



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

COURT OF GENERAL SESSIONS  
2023GS2600340

STATE OF SOUTH CAROLINA,  
PLAINTIFF(S),

VS.

TRANSCRIPT OF RECORD

JESSIE SALCEDO BUENO,  
DEFENDANT(S).

FEBRUARY 10 AND 11, 2025  
CONWAY, SOUTH CAROLINA

B E F O R E:

THE HONORABLE GEORGE M. MCFADDIN, JR., JUDGE

A P P E A R A N C E S:

DAVID BEAMER, ESQUIRE  
JOSHUA D. HOLFORD, ESQUIRE  
Attorneys for the Plaintiff

CLAY PINKERTON, ESQUIRE  
Attorney for the Defendant

BRENDA L. JONES, CVR-CM  
Circuit Court Reporter

INDEX

(SW) - Denotes State's Witness  
 (DW) - Denotes Defense Witness  
 (IC) - Denotes In Camera

|                                       | <u>PAGE</u> |
|---------------------------------------|-------------|
| <u>Monday, February 10, 2025</u>      |             |
| Jury Voir Dire                        | 7           |
| Jury Selection                        | 11          |
| Motion                                | 18          |
| <u>Tuesday, February 11, 2025</u>     |             |
| Jury Instructions                     | 22          |
| Opening Statement by Mr. Beamer       | 28          |
| Opening Statement by Mr. Pinkerton    | 32          |
| <u>(SW) DYLAN OATES:</u>              |             |
| Direct Examination by Mr. Beamer      | 34          |
| Cross-Examination by Mr. Pinkerton    | 48          |
| <u>(SW) CORY DULINA:</u>              |             |
| Direct Examination by Mr. Beamer      | 53          |
| Cross-Examination by Mr. Pinkerton    | 61          |
| Redirect Examination by Mr. Beamer    | 70          |
| Recross-Examination by Mr. Pinkerton  | 72          |
| <u>(SW) JARED SOUCY:</u>              |             |
| Direct Examination by Mr. Beamer      | 73          |
| Cross-Examination by Mr. Pinkerton    | 79          |
| <u>(SW) CHRISTOPHER DREW EDWARDS:</u> |             |
| Direct Examination by Mr. Beamer      | 82          |
| Cross-Examination by Mr. Pinkerton    | 91          |
| Redirect Examination by Mr. Beamer    | 94          |
| Recross-Examination by Mr. Pinkerton  | 95          |
| Bench Conference held off the record  | 96          |
| <u>(SW) TAYLOR SINGLETON:</u>         |             |
| Direct Examination by Mr. Holford     | 98          |

INDEX

(SW) - Denotes State's Witness  
 (DW) - Denotes Defense Witness  
 (IC) - Denotes In Camera

|    |                                     |     |
|----|-------------------------------------|-----|
| 1  |                                     |     |
| 2  |                                     |     |
| 3  |                                     |     |
| 4  |                                     |     |
| 5  | <u>(SW) MERRILL HAWKINS:</u>        |     |
| 6  | Direct Examination by Mr. Holford   | 100 |
| 7  | Cross-Examination by Mr. Pinkerton  | 103 |
| 8  | <u>(SW) LAUREN PORZIO-HEARD:</u>    |     |
| 9  | Direct Examination by Mr. Holford   | 104 |
| 10 | Cross-Examination by Mr. Pinkerton  | 106 |
| 11 | <u>(SW) BRITNEE LOONEY:</u>         |     |
| 12 | Direct Examination by Mr. Holford   | 107 |
| 13 | Motion                              | 121 |
| 14 | Cross-Examination by Mr. Pinkerton  | 126 |
| 15 | Redirect Examination by Mr. Holford | 128 |
| 16 | State Rests                         | 128 |
| 17 | Motion                              | 129 |
| 18 | Defendant's Advisement of Rights    | 132 |
| 19 | Defense Rests                       | 132 |
| 20 | Closing Arguments by Mr. Holford    | 134 |
| 21 | Closing Arguments by Mr. Pinkerton  | 140 |
| 22 | Charge on the Law                   | 146 |
| 23 | Verdict                             | 157 |
| 24 | Sentencing                          | 166 |
| 25 | Certificate of Reporter             | 170 |

|                    |                                      | <u>EXHIBITS</u> |            |
|--------------------|--------------------------------------|-----------------|------------|
| <u>NO.</u>         | <u>DESCRIPTION</u>                   | <u>ID</u>       | <u>EVD</u> |
| (State's Exhibits) |                                      |                 |            |
| 1                  | 1 Chain of Custody Document          | 5               | 47         |
| 2                  | 2 Photo                              | 5               | 40         |
| 3                  | 3 Photo                              | 5               | 56         |
| 4                  | 4 Photo                              | 5               | 77         |
| 5                  | 5 Photo                              | 5               | 77         |
| 6                  | 6 Photo                              | 5               | 77         |
| 7                  | 7 Photo                              | 5               | 86         |
| 8                  | 8 Photo                              | 5               | 86         |
| 9                  | 9 Photo                              | 5               | 86         |
| 10                 | 10 Photo                             | 5               | 86         |
| 11                 | 11 Photo                             | 5               | 86         |
| 12                 | 12 Photo                             | 5               | 86         |
| 13                 | 13 Chain of Custody Document         | 5               | 90         |
| 14                 | 14 Shipping Box containing Narcotics | 5               | 84         |
| 15                 | A Marijuana                          | 45              | 118        |
| 16                 | B Marijuana                          | 45              | 118        |
| 17                 | C Marijuana                          | 45              | 118        |
| 18                 | D Marijuana                          | 45              | 118        |
| 19                 | E Marijuana                          | 45              | 118        |
| 20                 | F Marijuana                          | 45              | 118        |
| 21                 | G Marijuana                          | 45              | 118        |
| 22                 | H Marijuana                          | 45              | 118        |
| 23                 | I Marijuana                          | 45              | 118        |
| 24                 | J Marijuana                          | 45              | 118        |
| 25                 | K Marijuana                          | 45              | 118        |
|                    | L SLED 1.2 (Marijuana)               | 45              | N/A        |
|                    | M SLED 1.2 (Marijuana)               | 45              | N/A        |
|                    | N Marijuana                          | 45              | 124        |
|                    | O Marijuana                          | 45              | 124        |
|                    | P Marijuana                          | 45              | 124        |
|                    | Q Marijuana                          | 45              | 124        |
|                    | R Marijuana                          | 45              | 124        |
|                    | S Marijuana                          | 45              | 124        |
|                    | T Jars from SLED 1.2                 | 45              | N/A        |
| 15                 | Vest                                 | 5               | N/A        |
| 16                 | Chain of Custody Document            | 5               | 108        |
| 17                 | Drug Analysis                        | 5               | 114        |

P R O C E E D I N G S

Monday, February 10, 2025

(WHEREUPON, the jury entered the courtroom and proceedings commenced at 12:52 PM; State's Exhibits 1 through 17 are marked for identification.)

THE COURT: Folks, my name is George McFaddin, and I hail from eastern Sumter County near Black River Swamp. If you go to -- if you go to Columbia or Sumter from here, and you cross I-95, and I live in that area there.

I would ask for your patience with me. I have not tried a criminal trial since October of last year. Don't do it every day, don't do it every week. So be generous with your patience when I stumble.

I'm going to -- I'll ask the solicitor, sir, if you would just tell us what we have here. And then we'll start the process of qualifying -- or shall I say picking a jury for this trial.

MR. BEAMER: Thank you, Your Honor.

This is the State of South Carolina, County of Horry versus Jessie Salcedo Bueno for you on true bill indictment 2023GS2600340. It's an indictment for trafficking in marijuana of more

1 than ten pounds but less than 100 pounds.

2 THE COURT: Gentlemen, State and defendant, I  
3 generally go 12 and 2. Is that suitable when we  
4 get to that point?

5 MR. PINKERTON: Yes, Your Honor.

6 MR. BEAMER: Yes, Your Honor.

7 THE COURT: All right.

8 To the clerk, they have been sworn, right?

9 THE CLERK: They were downstairs, but I can  
10 go ahead and do that.

11 THE COURT: If you would, please.

12 (WHEREUPON, the jury panel is sworn in.)

13 THE COURT: Would you like to read the  
14 indictment so they can know --

15 MR. BEAMER: Yes, Your Honor.

16 THE COURT: -- something about this?

17 MR. BEAMER: Your Honor, this is true  
18 indictment 2023GS2600340, trafficking in marijuana  
19 of more than 10 pounds but less than 100 pounds.  
20 The indictment reads:

21 "That Jessie Salcedo Bueno did, in Horry  
22 County, on or about September 23rd, 2022,  
23 knowingly sell, manufacture, cultivate, deliver,  
24 purchase, or bring into the state, or aid, abet,  
25 attempt, or conspire to sell, manufacture,

1 cultivate, deliver, purchase, or bring into the  
2 state, or was knowingly in actual or constructive  
3 possession, or knowingly attempted to become in  
4 actual and/or constructive possession of a  
5 quantity of marijuana in the amount of 10 pounds  
6 but more -- or less than 100 pounds. Marijuana  
7 being a controlled substance under 44-53-110,  
8 South Carolina Code of Laws, 1976, as amended, and  
9 a violation of Section 44-53-0370(e)(1)(a), South  
10 Carolina Code of Laws, 1976, as amended, his --  
11 he's in dignity of the State and contrary to the  
12 statute as such case may in provide."

13 JURY VOIR DIRE

14 THE COURT: Okay. Mr. Pinkerton, would you  
15 ask your client to stand and face the jurors,  
16 because that's relevant to a question I will ask?

17 MR. PINKERTON: Yes, Your Honor. Turn and  
18 face the jury.

19 THE COURT: All right. You may be seated,  
20 sir.

21 I have some questions to ask you now, members  
22 of the jury panel here. And after that, we will  
23 choose a jury.

24 First question, is any member of this jury  
25 panel here today related by blood or marriage to

1 Jessie Salcedo Bueno? If so, please stand.

2 Does any member of the panel here today have  
3 a close personal or social relationship with  
4 Jessie Salcedo Bueno? Please stand.

5 The following is going to be or is a list of  
6 possible witnesses in this trial. I will read  
7 those names:

8 Detective Brian Church;  
9 Lieutenant Cory Dulina;  
10 Detective Drew Edwards;  
11 Chad Piontka;  
12 Mark Bonner;  
13 Greg Dewitt;  
14 Merrell Hawkins;  
15 Lauren Porzio-Heard;  
16 Taylor Singleton;  
17 Detective Jared Soucy;  
18 Brittnee Looney;  
19 Dylan Oates; and  
20 Madison Willis.

21 Is any member of the panel here today related  
22 by blood or marriage to any of those names I just  
23 listed, or have a close personal or social  
24 relationship with any of those people listed,  
25 please stand.

1           I'll ask the attorneys to please introduce  
2 yourselves to the jury.

3           MR. BEAMER: Good afternoon. My name is  
4 David Beamer. I'm an assistant solicitor for the  
5 Fifteenth Judicial Circuit here in Horry County.

6           MR. HOLFORD: My name is Joshua Holford. I'm  
7 a senior assistant solicitor here in Horry County,  
8 and I have been for 11 of the last 12 years.

9           MR. PINKERTON: Good afternoon. I'm Clay  
10 Pinkerton. I'm an attorney here in Horry County.

11           THE COURT: Is any member of the panel  
12 related by blood or marriage or have a close  
13 personal or social relationship with any of these  
14 lawyers involved, please stand.

15           Have any of you have ever been represented by  
16 these lawyers, please stand.

17           Has any member of this panel already formed  
18 an opinion about any issue or matter involved in  
19 this case described by the reading of the  
20 indictment earlier? Please stand.

21           Is any member of the panel today aware of any  
22 bias or prejudice toward either the State or the  
23 defendant in this case? Please stand.

24           Is any member of the panel here a member of  
25 or a contributing person to any group which has

1 its primary concern with the promotion of law  
2 enforcement or victims' rights? These groups  
3 would include, but not be limited to, MADD, SADD,  
4 or CAVE. If so, please stand.

5 Now, does any member of the jury panel know  
6 of any reason whatsoever why he or she should not  
7 be chosen to serve as a juror in this case, with  
8 emphasis being on your ability to be fair and  
9 impartial to both the State and the defendant? If  
10 you have any reason why you cannot serve, please  
11 stand.

12 To the lawyers, I ask, do you have any  
13 additional questions?

14 MR. BEAMER: Nothing further, Your Honor.

15 THE COURT: Mr. Pinkerton?

16 MR. PINKERTON: No, Your Honor.

17 THE COURT: Any exceptions?

18 MR. BEAMER: No, Your Honor.

19 THE COURT: Mr. Pinkerton?

20 MR. PINKERTON: No, Your Honor.

21 THE COURT: All right. We shall begin  
22 with -- how many strikes on this one?

23 MR. HOLFORD: Five and five, Your Honor.

24 THE COURT: Five and five. Okay.

25 All right. I'm ready.

JURY SELECTION

1  
2 THE CLERK: When I call your name and your  
3 juror number, please come to the front of the  
4 courtroom, turn and face the back of the  
5 courtroom. Bring all your belongings with you.  
6 Juror Number 370, Laura Simcock.  
7 What say the State?  
8 MR. BEAMER: Please present this juror.  
9 THE CLERK: Defense?  
10 MR. PINKERTON: Please excuse this juror.  
11 THE CLERK: You are excused from this  
12 particular case.  
13 Juror Number 145, Ambyr Gore.  
14 THE COURT: Wait. Hold on. Is somebody  
15 leaving? Wait. Wait. She needs to come back in.  
16 Ma'am, if you'll come back and have a seat with  
17 us. There's a reason for it; nothing bad, okay?  
18 Just don't leave us yet.  
19 THE CLERK: If you're not picked, just have a  
20 seat where you were.  
21 MS. SIMCOCK: Okay.  
22 What say the State?  
23 MR. BEAMER: Please present this juror.  
24 THE CLERK: Defense?  
25 MR. PINKERTON: Please seat this juror.

1 THE CLERK: Please be seated in the jury box.  
2 Juror Number 51, Jeffrey Bryant.  
3 What say the State?  
4 MR. BEAMER: Please seat this juror.  
5 THE CLERK: Defense?  
6 MR. PINKERTON: Please excuse this juror.  
7 THE CLERK: You're excused from this  
8 particular case.  
9 Juror Number 305, Shawanna Owens.  
10 What say the State?  
11 MR. BEAMER: Please excuse this juror.  
12 THE CLERK: You're excused from this  
13 particular case.  
14 Juror Number 339, Aaron Richard.  
15 What say the State?  
16 MR. BEAMER: Please present this juror.  
17 THE CLERK: Defense?  
18 MR. PINKERTON: Please seat this juror.  
19 THE CLERK: Please be seated in the jury box.  
20 Juror Number 238, Lorah Lewis.  
21 What say the State?  
22 MR. BEAMER: Please present this juror.  
23 THE CLERK: Defense?  
24 MR. PINKERTON: Please excuse this juror.  
25 THE CLERK: You're excused from this

1 particular case.  
2 Juror Number 269 -- no, 296 [sic], sorry.  
3 Kelly Stledger.  
4 What say the State?  
5 MR. BEAMER: Madam Clerk, what juror number  
6 was that?  
7 THE CLERK: 396.  
8 MR. BEAMER: Please excuse this juror.  
9 THE CLERK: You're excused from this  
10 particular case.  
11 Juror Number 18, John Barnett.  
12 What say the State?  
13 MR. BEAMER: Please present this juror.  
14 THE CLERK: Defense?  
15 MR. PINKERTON: Please excuse this juror.  
16 THE CLERK: You're excused from this  
17 particular case.  
18 Juror Number 48, Shawntae Brown.  
19 What say the State?  
20 MR. BEAMER: Please present this juror.  
21 THE CLERK: Defense?  
22 MR. PINKERTON: Please seat this juror.  
23 THE CLERK: Please be seated in the jury box.  
24 Juror Number 77, Kathy Cole.  
25 What say the State?

1 MR. BEAMER: Please present this juror.

2 THE CLERK: Defense?

3 MR. PINKERTON: Please seat this juror.

4 THE CLERK: Please be seated in the jury box.

5 Juror Number 455, Elissa Woodall.

6 What say the State?

7 MR. BEAMER: Please present this juror.

8 THE CLERK: Defense?

9 MR. PINKERTON: Please seat this juror.

10 THE CLERK: Please be seated in the jury box.

11 Juror Number 65, Penny Causey.

12 What say the State?

13 MR. BEAMER: Please present this juror.

14 THE CLERK: Defense?

15 MR. PINKERTON: Please excuse this juror.

16 THE CLERK: You're excused from this

17 particular case.

18 Juror Number 413, Cliff Todd.

19 What say the State?

20 MR. BEAMER: Please present this juror.

21 THE CLERK: Defense?

22 MR. PINKERTON: Please seat this juror.

23 THE CLERK: Please be seated in the jury box.

24 Juror Number 373, David Small.

25 What say the State?

1 MR. BEAMER: Please excuse this juror.  
2 THE CLERK: You're excused from this  
3 particular case.  
4 Juror Number 80, Janelle Conover.  
5 What say the State?  
6 MR. BEAMER: Please present this juror.  
7 THE CLERK: Defense?  
8 MR. PINKERTON: Please seat this juror.  
9 THE CLERK: Please be seated in the jury box.  
10 Juror Number 287, Wendy Myers.  
11 What say the State?  
12 MR. BEAMER: Please present this juror.  
13 THE CLERK: Defense?  
14 MR. PINKERTON: Please seat this juror.  
15 THE CLERK: Please be seated in the jury box.  
16 Juror Number 456, Michele Woodward.  
17 What say the State?  
18 MR. BEAMER: Please present this juror.  
19 THE CLERK: Defense?  
20 MR. PINKERTON: Please seat this juror.  
21 THE CLERK: Please be seated in the jury box.  
22 Juror Number 153, Stacy Guariglia.  
23 What say the State?  
24 MR. BEAMER: Please present this juror.  
25 THE CLERK: Defense?

1 MR. PINKERTON: Which juror number was this  
2 again?  
3 THE CLERK: 153.  
4 MR. PINKERTON: Yeah, please present this  
5 juror -- or seat this juror.  
6 THE CLERK: Please be seated in the jury box.  
7 Juror Number 215, Walter King.  
8 What say the State?  
9 MR. BEAMER: Please excuse this juror.  
10 THE CLERK: You're excused from this  
11 particular case.  
12 Juror Number 314, Danielle Perritt.  
13 What say the State?  
14 MR. BEAMER: Please present this juror.  
15 THE CLERK: Defense?  
16 MR. PINKERTON: Please seat this juror.  
17 THE CLERK: Please be seated in the jury box.  
18 Juror Number 171, Jodey Hennigan.  
19 What say the State?  
20 MR. BEAMER: Please present this juror.  
21 THE CLERK: Defense?  
22 MR. PINKERTON: Please seat this juror.  
23 THE CLERK: Please be seated in the jury box.  
24 Juror Number 385, Paula Spivey.  
25 What say the State?

1 MR. BEAMER: Please present this juror.

2 THE CLERK: Defense?

3 MR. PINKERTON: Please seat this juror.

4 THE CLERK: Please be seated in the jury box.

5 Juror Number 324, Lisa Powell.

6 What say the State?

7 MR. BEAMER: Please present this juror.

8 THE CLERK: Defense?

9 MR. PINKERTON: Please seat this juror.

10 THE CLERK: Please be seated in the jury box.

11 THE COURT: May I speak to the lawyers and  
12 the clerk, please?

13 (WHEREUPON, a bench conference was held  
14 off the record.)

15 After being aided by the solicitor and the  
16 defense, to the -- to you jurors who have been  
17 chosen for this trial, I am instructed to ask you  
18 to return to your jury room -- and you'll be shown  
19 that in just a minute -- no later than 10 o'clock  
20 in the morning so that we can start this trial.

21 Now, you've heard a little about this case.  
22 But do not, among yourselves or with any other  
23 person, discuss this case with anyone, make any  
24 attempts to do any research, or have any contact  
25 with anyone else about this, and do not begin any

1 deliberations in this case.

2 Anything further you wish for me to instruct  
3 the jury, gentlemen?

4 MR. PINKERTON: Nothing further, Your Honor.

5 MR. BEAMER: No, Your Honor.

6 THE COURT: I'll ask the court now -- the  
7 clerk to show you where you need to report in the  
8 morning at 10 o'clock.

9 (WHEREUPON, the jury exited the  
10 courtroom at 1:10 PM.)

11 For those of you who remain with us, I am  
12 instructed by the attorneys and the clerk's office  
13 to tell you to report to the jury assembly room  
14 downstairs. Is that right? Y'all call it that?

15 THE CLERK: The jury pool room.

16 THE COURT: Jury pool room at 2:30 p.m.  
17 today. Thank you for your patience.

18 (WHEREUPON, the jury pool exited the  
19 courtroom at 1:11 PM.)

20 Mr. Pinkerton?

21 MR. PINKERTON: Yes, Your Honor. I just have  
22 one brief motion, Your Honor.

23 THE COURT: Yes, sir.

24 MR. PINKERTON: My client has shown up here  
25 to every court date. He's not missed a single

1 court date. I'd ask that he would be allowed to  
2 remain out on bond.

3 THE COURT: And the solicitor's position?

4 MR. BEAMER: Your Honor, since the jury has  
5 not been sworn yet, I believe his bond is still  
6 active. We have no objection to him being allowed  
7 to return in the morning. I would just clarify  
8 that, once the jury is sworn in, bond would be  
9 extinguished at that time.

10 THE COURT: Yes, sir.

11 MR. BEAMER: We don't expect this trial to  
12 last longer than tomorrow, but in case it would,  
13 we would request that he be taken into custody  
14 once the jury is sworn.

15 THE COURT: Suit you, Mr. Pinkerton?

16 MR. PINKERTON: Your Honor, I would like to  
17 revisit the matter, if that is the case.

18 THE COURT: I figured you would. We'll do  
19 that tomorrow if we have to.

20 MR. PINKERTON: Thank you, sir.

21 THE COURT: And Mr. Bueno, I'm sure your  
22 client's -- your lawyer's told you, make sure  
23 you're here tomorrow.

24 THE DEFENDANT: Absolutely.

25 THE COURT: All right. You don't want to be

1           tried in your absence, because that will happen.  
2           Do you understand?

3           THE DEFENDANT: I do.

4           THE COURT: All right. Anything else,  
5           gentlemen?

6           MR. PINKERTON: No, Your Honor.

7           MR. BEAMER: I would just like to say for the  
8           record that the State had no objection or  
9           exceptions to the jury panel or the jury  
10          selection.

11          THE COURT: Okay.

12          MR. PINKERTON: Neither did defense.

13          THE COURT: Thanks for reminding me.

14          All right, gentlemen. I'll see y'all at  
15          1000 hours in the morning.

16          MR. BEAMER: Thank you, Your Honor.

17          MR. PINKERTON: Thank you, Your Honor.

18          (WHEREUPON, Court adjourned at 1:16 PM.)

19          Tuesday, February 11, 2025

20          (WHEREUPON, Proceedings began at 10:27  
21          AM.)

22          THE COURT: All right. I think we have  
23          everybody here. Ma'am, I understand the jurors  
24          are here now; is that right? All of them here?

25          MR. PINKERTON: Your Honor, one thing before

1 we do bring in the jury. I would ask that all  
2 witnesses be sequestered.

3 MR. BEAMER: Your Honor, we just ask that our  
4 lead investigator be allowed to be in the  
5 courtroom.

6 MR. PINKERTON: We're fine with that, Your  
7 Honor.

8 THE COURT: Okay. That's good.

9 All right. Anything before we bring the jury  
10 in, folks?

11 MR. BEAMER: Nothing. Your Honor, we just  
12 have the proposed jury charges that you requested.  
13 I don't know when you would like those.

14 THE COURT: You can hand them up at any time.  
15 And then, when we get to that point, we'll stop  
16 and talk about those.

17 MR. BEAMER: Your Honor, may I approach?

18 THE COURT: Yes, sir.

19 Just so you know, I have my preliminary  
20 charge that I read to them. I'm sure you've heard  
21 it a thousand times. It comes straight from court  
22 administration. Did y'all want to look at it?  
23 You're certainly welcome to.

24 MR. BEAMER: No, Your Honor. In fact, the  
25 State was just going to request -- we had that

1 first list is just things we would like Your Honor  
2 to give your standard charges on. And then, we  
3 just have a specific proposed charge regarding the  
4 trafficking charge. Defense counsel has also  
5 provided a proposed charge regarding the  
6 trafficking, as well.

7 THE COURT: That's exactly what I've got  
8 anyway. But I like to have your help.

9 So would you bring them in, sir? Or -- I'm  
10 sorry, you, sir. Different courthouse.

11 (WHEREUPON, the jury entered the  
12 courtroom at 10:31 AM.)

13 All here, ma'am?

14 THE CLERK: Yes, sir.

15 THE COURT: To the jury -- well, let me slow  
16 down a minute.

17 Madam Clerk, would you please swear this  
18 jury?

19 THE CLERK: Please stand and raise your right  
20 hand.

21 (WHEREUPON, the jury is duly sworn.)

22 THE CLERK: Thank you. You may be seated.

23 JURY INSTRUCTIONS

24 THE COURT: As you are aware, members of the  
25 jury, we are about to start the case of State of

1 South Carolina versus Jessie Salcedo Bueno.

2 What I will now tell you is intended to serve  
3 as an introduction to the trial of this case.

4 These remarks that I am making to you now are not  
5 a charge on the law in this case. The Court will  
6 instruct you on the law at the end of the trial  
7 before you retire to consider and decide the case.

8 Before the trial begins, I want to explain  
9 the procedure we will follow.

10 You have been selected as fair and impartial  
11 jurors whose purpose is to find and determine the  
12 facts. You are the sole judge of the facts. If  
13 at any time I make any comment regarding the  
14 facts, you must disregard what I say. You are to  
15 determine the facts from the testimony you hear  
16 and any other evidence that is presented. You  
17 should not be influenced by any opinions or  
18 statements you may have heard outside the  
19 courtroom.

20 It is especially important that you perform  
21 your duty of determining the facts diligently and  
22 conscientiously because ordinarily, there's no way  
23 to correct an erroneous determination of the facts  
24 by a jury. When you comply with your oath to  
25 impartially determine the facts of the case, you

1 will have fulfilled your duty as jurors, and no  
2 one will have the right to criticize your verdict.

3 On the other hand, the same law that makes  
4 you the judges of the facts makes me the judge of  
5 the law. The law, as given by this Court is the  
6 only law you may consider. You must accept and  
7 follow it, even though you may disagree with it.  
8 I cannot tell you what the facts are, and you  
9 cannot disagree with the Court about what the law  
10 is or should be. Your job is to take the law as  
11 the Court gives it to you and apply it to the  
12 facts as you find them from the testimony of the  
13 witnesses and any other evidence presented. After  
14 doing that, you will render your verdict, a true  
15 and just verdict, under the oath you just took as  
16 jurors.

17 Until the Court advises you to begin  
18 deliberations, you must not discuss this case with  
19 anyone, including fellow jurors, friends, family  
20 members, and anyone involved in this case. This  
21 includes discussions face to face, by telephone,  
22 email, text, or any other method of communication.  
23 You may not use a computer, cellular phone, or any  
24 other electronic device with communication  
25 capabilities at any time while in the courtroom or

1 during your deliberations. And you must not use  
2 any of these devices at any time to determine or  
3 find any information about a party, a witness, an  
4 attorney, or a court officer, news accounts about  
5 this case, research any topics raised or any  
6 topics you think might be helpful in deciding this  
7 case, or any testimony presented by any witness.

8 During the trial, do not read, listen to, or  
9 watch any news reports, if any, about this case.  
10 This includes anything that may be in the  
11 newspapers or on the Internet, radio, or  
12 television. You must not consider anything you  
13 may have read or heard about this case outside the  
14 courtroom, whether before or during the trial.

15 After this case is submitted to you, you must  
16 discuss it only in the jury room with your fellow  
17 jurors. The attorneys and parties in this case  
18 are not allowed to talk to you about anything  
19 about this case at all, at any time. If you see  
20 anyone involved in this case and they do not even  
21 say hello to you, they are not being unfriendly;  
22 they are just following these instructions.

23 It is important that you keep an open mind  
24 and not decide any issue in this case until all of  
25 the evidence has been presented, the parties have

1 made their closing arguments, and the Court has  
2 instructed you on the law in this case.

3         Shortly, the attorney for the State will make  
4 what's called an opening statement, in which the  
5 attorney will explain to you the issues in the  
6 case, or at least what the attorney thinks the  
7 issues are in this case. The attorney for the  
8 defendant will then make an opening statement.  
9 What the attorneys tell you during their opening  
10 statements is not evidence in this case. It is  
11 only their contention as to what the issues are.  
12 The evidence in this case will be presented to you  
13 by the testimony of sworn witnesses from the  
14 witness stand or by exhibits that might be  
15 introduced into evidence.

16         From time to time during this trial, I may  
17 send you from the jury -- from the courtroom so  
18 that I can discuss legal matters, law matters,  
19 with the attorneys. Because we must remain  
20 separate, you will be sent out and I will remain  
21 in here.

22         In determining what the true facts are in  
23 this case, you must decide whether or not the  
24 testimony of a witness or the witnesses is  
25 believable. It will be the Court's responsibility

1 to rule as a matter of law as to whether certain  
2 testimony is admissible at all or not. But once  
3 the testimony is admitted, whether or not you  
4 believe it is solely for you to determine.

5 In deciding whether to believe a witness, you  
6 have the right to consider whether the witness has  
7 an interest in the result of the trial, whether  
8 the witness is prejudiced toward either party, the  
9 opportunity for the witness to have seen the  
10 matters and things about which the witness may  
11 testify, and the way the witness acts on the  
12 witness stand.

13 You have the right to consider anything that  
14 is in the record that will help you evaluate the  
15 testimony of the witnesses. That means that it is  
16 your duty to pay close attention to these  
17 witnesses, to observe the witnesses, to listen to  
18 them, and to pay close attention to the lawyers,  
19 the attorneys, and to the Court. Don't let your  
20 thoughts wander. Pay strict attention to the  
21 testimony so that, at the end of the trial, you  
22 will be able to determine what the true facts are,  
23 apply the law to those facts, and render a true  
24 and just verdict.

25 Any exceptions, gentlemen?

1 MR. BEAMER: No, your Honor.

2 MR. PINKERTON: No, Your Honor.

3 THE COURT: All right. And prosecution?

4 MR. BEAMER: Thank you, Your Honor. May it  
5 please the Court.

6 OPENING STATEMENTS

7 MR. BEAMER: On September 23rd, 2022, an  
8 agent with South Carolina Law Enforcement Division  
9 was operating at the FedEx facility located at  
10 1600 Stockholder Avenue in Myrtle Beach, here in  
11 Horry County.

12 His job was to look for packages that showed  
13 signs of illegal narcotics distribution, and on  
14 that day, he saw them. He saw a package that  
15 exhibited multiple factors: excessively taped,  
16 heavy, come from a known delivery address from out  
17 of state that's known as a narcotics distributor,  
18 suspicious lack of return address, a number of  
19 other factors that he'll tell you about.

20 He, based on that, deployed his K-9, which he  
21 is certified to use, who then alerted to the  
22 presence of narcotics in that box. He obtained a  
23 search warrant, and in that box, he found roughly  
24 17 pounds of a green, leafy substance consistent  
25 with marijuana.

1           That agent then contacted Horry County  
2 police, or their narcotics and street crimes  
3 division, and turned the case over to them. They  
4 then developed a plan for what's called a  
5 controlled delivery, which is where they take that  
6 box and its contents and deliver it to the address  
7 that it was originally going to, to see if the  
8 person at that address is going to accept it.

9           So they formulated that plan, they got a  
10 search warrant ready in advance, and they  
11 delivered that package in an undercover capacity.  
12 On that day, they delivered it to [REDACTED] Edgewood  
13 Circle, the address of the defendant, Jessie  
14 Bueno.

15           Mr. Bueno accepted that package. And after  
16 they gave him enough time that a reasonable person  
17 would realize they had either received a package  
18 that they didn't request or they opened the  
19 package and find it contains, you know,  
20 contraband, would alert the authorities.

21           He didn't do that. Instead, the marijuana  
22 that was found in that box ends up in his attic.  
23 They execute the search warrant, Mr. Bueno was  
24 taken into custody, and they find the seven -- 16  
25 individual packages of marijuana hidden in the

1 insulation of his attic.

2 Ladies and gentlemen of the jury, my name is  
3 David Beamer. Along with my co-counsel, Josh  
4 Holford, we represent the State in this matter.  
5 It is our duty to prove to you beyond a reasonable  
6 doubt that the defendant, Jessie Bueno, is guilty  
7 of the crime of trafficking in marijuana. And  
8 that's a duty that we welcome.

9 And you'll notice I say beyond a reasonable  
10 doubt. And I want to be clear on what that means.  
11 It's not beyond any doubt; it's beyond a  
12 reasonable doubt. It's exactly what it sounds  
13 like. It's a doubt that would cause a reasonable  
14 person to take pause. Or another way of thinking  
15 about it is, we have to leave you firmly convinced  
16 of the defendant's guilt.

17 Let's talk about what trafficking entails,  
18 because I'm sure you probably have some sort of  
19 image of what drug trafficking is in your mind.  
20 In this case -- and the judge is going to instruct  
21 you on the law of trafficking. There are numerous  
22 ways one can traffic. Particular to this case are  
23 two ways, and it can be any one of them, both, or  
24 a combination thereof. But in this case, pay  
25 close attention to the law regarding conspiracy to

1 bring more than 10 pounds of marijuana into the  
2 state, as well as being in actual or constructive  
3 possession of more than 10 pounds of marijuana.

4 Actual possession is exactly what it sounds  
5 like. I am currently in actual possession of this  
6 notepad.

7 Constructive possession is a little more  
8 complicated, but not much more so. It's the  
9 ability to exercise dominion and control over an  
10 object. I'm no longer in actual possession of  
11 that notepad, but I still have control over it.  
12 It's still mine. I'm in constructive possession  
13 of that notepad.

14 The way you can think of it is, if you  
15 possess a TV in your house, just because you came  
16 here today doesn't mean it stops being your TV  
17 just because you're not holding it in your hands.  
18 You're in constructive possession of that TV.

19 Now, ladies and gentlemen of the jury, today  
20 you're going to hear from a number of witnesses  
21 and see some pieces of evidence that will go to  
22 show you that the defendant is guilty of this  
23 crime. You'll hear from the SLED agent who  
24 initially found the box at the FedEx facility.  
25 He'll tell you about his training and experience,

1 about how the K-9 alerted to the box, and what was  
2 found in that box.

3 We'll hear from officers with Horry County PD  
4 about how they formulated the plan to do the  
5 controlled delivery, the execution of that search  
6 warrant, where the narcotics were found in the  
7 house, pending taking into custody.

8 We'll hear from some witnesses that are part  
9 of the chain of custody to show that the evidence  
10 wasn't tampered with anywhere along the line.

11 And finally, you'll hear from the chemist  
12 with the South Carolina Law Enforcement Division  
13 who tested the substance to confirm that it was,  
14 in fact, marijuana of an illegal THC value.

15 Ladies and gentlemen of the jury, once you  
16 understand that this is not just a case of simple  
17 possession, this isn't someone that had this for  
18 personal use or medical use. We're talking about  
19 17 pounds of marijuana. The kind of amounts that  
20 end up in our community. And we expect at the end  
21 of the day, after you've heard all of the  
22 evidence, you will return a verdict of guilty.

23 Thank you.

24 THE COURT: Mr. Pinkerton?

25 MR. PINKERTON: Thank you all for being here

1 today.

2 Now, the State has now laid out what they aim  
3 to prove at trial. Now, I'm not going to get up  
4 here at any point and claim that this box does not  
5 contain marijuana. We absolutely agree, it does.  
6 But, as you heard the State say, they have to  
7 prove actual or constructive possession of that  
8 box of marijuana. They have to prove my client,  
9 Jessie Bueno, was the recipient of that box and  
10 that he was in actual or constructive possession,  
11 which we believe they cannot.

12 You will hear testimony that the box was  
13 delivered to a house. You will also hear  
14 testimony that the box was not addressed to my  
15 client, that someone else was actually the owner  
16 of the house, and you will hear testimony that, in  
17 addition to my client being in the house, there  
18 was another individual in the house who was not  
19 charged. My question, why was he not charged?  
20 How do we not know that marijuana was not intended  
21 for him?

22 And as the State clearly said, they've got to  
23 prove their case beyond a reasonable doubt. I  
24 don't believe they can. As in, there's another  
25 person in that house, and they don't even bother



1 A Doing well. How are you, sir?

2 Q Thank you for being here. Can you tell us who  
3 you're employed with?

4 A I am employed by the South Carolina State Law  
5 Enforcement Division. And I am on vice special  
6 operations team I, which is interdiction/canine.

7 Q Okay. And how long have you been with SLED?

8 A Since May of 2020.

9 Q Okay. Can you tell us about your law enforcement  
10 experience.

11 A Yes. I have been employed with -- as a State law  
12 enforcement agent for almost 14 years now. I  
13 started April 18th, 2011 with the Department of  
14 Natural Resources. I worked there for nine years,  
15 one month, and then I swapped over to the South  
16 Carolina Law Enforcement Division, into narcotics,  
17 and I've been there since.

18 Q And can you just give us a brief overview of your  
19 training and experience in that field?

20 A Yes. I have taken multiple classes related to the  
21 interdiction, whether it be hotel, motel, freight,  
22 parcel. I'm certified through the South Carolina  
23 Criminal Justice Academy. I obtained a  
24 bachelor's degree from Clemson University in 2009.  
25 And I've just continued, you know, throughout the

1 years, keeping up with different trends, more  
2 related to parcel interdiction more than anything  
3 else, as of right now.

4 Q Are you a certified K-9 handler?

5 A I am. I am certified since 2022.

6 Q Tell us a little bit about that, the training  
7 process of that.

8 A Yes. So in February of 2022, I was selected to  
9 become one of the interdiction K-9 handlers for  
10 SLED. And I went to Astro Kennels in Greenville,  
11 South Carolina, where I was partnered with my K-9,  
12 Rex, and we completed a six -- no, excuse me --  
13 five-week course, but it was a mandated 160 hours  
14 that I had to completed with the K-9, and then we  
15 were certified in narcotic detection.

16 Q You've mentioned the word "interdiction" a few  
17 times regarding postal and hotels. Can you tell  
18 us a little bit about what postal interdiction is?

19 A Yes. So mainly, what we go in -- we go into,  
20 like, UPS and FedEx throughout the week multiple  
21 times. We go in, and what we're looking for is  
22 different indicators on parcel boxes coming down  
23 the belt before they make it to the truck that may  
24 or may not contain, you know, an illegal  
25 substance, whether it be money that someone's

1 shipping that's tied to a fraud case, or  
2 narcotics. And that's what we're normally  
3 through -- looking for as it comes down the belt.  
4 And if we do find something like that, we go into  
5 a process where we -- I end up deploying my K-9,  
6 and if he alerts to said box, I will apply for a  
7 search warrant. We get the search warrant, and we  
8 get the box open to see what we got.

9 Q What sort of indicators do you look for on those  
10 packages that would suggest narcotics  
11 distribution?

12 A Sir, I start it in a pyramid fashion. I start by  
13 looking at the box as it hits the belt. When it  
14 comes down the belt, I'm looking for something  
15 that has excessively taped seams, you know, that  
16 may have -- every single seam on it is taped,  
17 where there's no odor -- or they would think no  
18 odor would make it outside of the box. As it gets  
19 to me, I put my hands on it. Sometimes I shake  
20 it, sometimes I roll it up and down. I sniff  
21 myself, just to see if anything kind of is  
22 emanating from the box because sometimes you can  
23 smell different things.

24 After -- after I do all that, my hands-on  
25 test, I look at the actual label. When I look at

1 the label, I start looking at where it's coming  
2 from. Is it coming from a source state or city,  
3 whether it be California, Arizona, Nevada, Utah,  
4 Washington? All those different states are what  
5 we consider source states that may -- may ship  
6 illegal narcotics, to include marijuana, to our  
7 state.

8 After looking at where it's coming from, I  
9 look at where it's going to. When I look at the  
10 label, I look at the name on it, and then I run it  
11 through different law enforcement databases to see  
12 if that name is actually associated with that  
13 address. If it's not, it -- there's different  
14 things triggering there because you wouldn't have  
15 a fake name on a box coming to you or a false,  
16 incomplete -- however you want to state it.

17 I then look at the phone numbers on the box.  
18 Do the phone numbers match up with the names? If  
19 they don't match up, that just furthers my  
20 investigation, where I get to the point of  
21 deploying my K-9. After X, Y, and Z doesn't -- or  
22 X and Y don't add up, I go to Z. I deploy my K-9,  
23 and if he gives a positive alert, I then go to the  
24 magistrate to draw up a search warrant.

25 Q I want to draw your attention to the day of

1 September 23rd, 2022. Were you working in that  
2 capacity on that day?

3 A Yes, I was.

4 Q What sort of shipping facility were you at?

5 A I was at the FedEx facility at 1600 Stockholder --  
6 I think it's Avenue -- in Myrtle Beach.

7 Q And that's here in Horry County?

8 A That's here in Horry County.

9 Q And did you notice any suspicious packages that  
10 day?

11 A I did. I actually pulled a box that was addressed  
12 to a Conway address. And when I -- upon pulling  
13 it, I went through the exact same process.

14 Q Agent Oates, I've handed you what's been marked  
15 for identification purposes as State's Exhibit 2.  
16 Can you tell us if you recognize that?

17 A This would be the way bill or the label that I  
18 pulled on the box the day of.

19 Q Is it a fair and accurate representation of what  
20 you saw that day?

21 A It is.

22 MR. BEAMER: At this time, the State would  
23 move to enter State's Exhibit 2 into evidence.

24 MR. PINKERTON: No objection on that, Your  
25 Honor.

1 THE COURT: Without objection, yes.

2 (WHEREUPON, State's Exhibit No. 2 was  
3 admitted into evidence.)

4 Q (MR. BEAMER) I'm going to display this for the  
5 jury and ask you some questions about it.

6 A Okay.

7 Q So this is the shipping label that was on the box  
8 you noticed?

9 A That's correct.

10 Q What about this label -- what sort of indicators  
11 are -- were on it that gave you pause?

12 A May I stand up?

13 Q Yeah, absolutely.

14 A Like I said, I normally start here. That's coming  
15 from a source state of Washington. I look at  
16 where it's coming from; that is a third-party  
17 shipping company with no return name. You don't  
18 know who it's going back to; it just has a  
19 third-party shipping company name.

20 I run this phone number; it does come back to  
21 that Ship Shop. But as I go down, I find a one  
22 name, a one-liner, which is kind of what we call  
23 an incomplete name. I look at the address;  
24 there's no phone number that it's going to here,  
25 on this specific example. That's normally another

1 indicator. If you pay a lot of money -- it's  
2 22 pounds, it's a priority overnight -- that's  
3 another thing we look at, is quick shipping. It's  
4 normally a quick overturn. As these boxes come  
5 in, they want them the least time in transition as  
6 possible.

7 22 pounds at priority overnight, you're  
8 looking at more than \$100 of shipping. If that  
9 was me, I'd have my personal phone number on  
10 there, knowing, you know, if my box went missing,  
11 they could contact me.

12 The other part of this is, when I read the  
13 name, this name was not associated with this  
14 address when I ran it through the law enforcement  
15 databases, as well as the South Carolina  
16 Department of Motor Vehicles. That -- that name  
17 did not come back. And that's kind of where I was  
18 at -- and on top of seeing the box myself, the  
19 excessively-taped seams, where it was coming from.  
20 That's when I decided to run my K-9.

21 Q Thank you.

22 MR. BEAMER: Permission to publish State's 2  
23 to the jury?

24 THE COURT: Yes, sir.

25 Q (MR. BEAMER) So now I'm going to show you what has

1           previously been marked for identification purposes  
2           as State's Exhibit 14. I'll set that there, and  
3           if you need to come down from the stand, please  
4           do.

5                     Do you recognize that?

6   A        I do.

7   Q        What is that?

8   A        That is the parcel box that I interdicted that day  
9            at the FedEx facility.

10   Q       And apart from it now being marked as evidence,  
11           does it appear to be in similar condition to what  
12           you found it in?

13   A        Yes, minus, obviously, the label or way bill  
14           that's been torn off of it.

15   Q        If I can ask you to step down from the stand for a  
16           minute, we're going to open this box.

17                     Is the tape you're cutting through right now,  
18           is that evidence tape from SLED?

19   A        Yes.

20   Q        If you could pull out the contents of that box and  
21           tell us if you recognize what's in there?

22   A        This would be green plant material that I find  
23           consistent to be with marijuana.

24                     Would you like me to remove all contents?

25   Q        Yes, please. Thank you, sir. I know that was a

1 lot.

2 Can you briefly describe the contents of all  
3 of that for the jury?

4 A So basically -- and you'll see some of these still  
5 remain in the packaging that we found the day of,  
6 but it's vacuum-sealed bags -- that's a common  
7 technique used. And we see like a -- kind of a  
8 dryer sheet deal sometimes we -we see packed in  
9 these. It -it's a common technique used to  
10 conceal the odor of marijuana. I don't know if  
11 y'all can smell it from there, but I can smell it  
12 right here. It's really, really, really strong.

13 And this is just basically how it was broken  
14 down. Each bag, as they took it out, I'm sure it  
15 was tested by our SLED -SLED lab. So that's all  
16 the contents, and some of this is stuff that -- I  
17 apologize.

18 Q That's all right.

19 A Some of this was -- obviously, still contains the  
20 package materials removed from the -- this is how  
21 it was brought back from the lab and put into the  
22 original -- original box.

23 Q So the contents and the packaging material, is  
24 that what you found that day?

25 A Yeah. Yes. So these -- this would be indicative

1 of what we find daily, with the exception of --  
2 this was wrapped into a -- like, a white envelope;  
3 another version of trying to conceal the odor or  
4 contain the odor.

5 Q Thank you. You can return to the stand.

6 MR. BEAMER: At this time, the State would  
7 move to have these pieces marked and entered into  
8 evidence as State's 14A through  
9 14-whichever-letter-is-necessary; we have 16  
10 pieces.

11 THE COURT: Mr. Pinkerton?

12 MR. PINKERTON: Your Honor, we would object  
13 to being moved into evidence until the chemist  
14 testifies.

15 THE COURT: State?

16 MR. BEAMER: Your Honor, if -- we'll withdraw  
17 that. We'll enter it under the chemist.

18 THE COURT: All right, sir.

19 MR. BEAMER: But we would move at least to  
20 have them marked as 14A through --

21 THE COURT: Yes, sir.

22 MR. BEAMER: -- whatever for identification  
23 purposes.

24 MR. PINKERTON: No objection to that, Your  
25 Honor.

1 THE COURT: We'll do that.

2 (WHEREUPON, State's Exhibit Nos. 14A  
3 through 14T were marked for  
4 identification.)

5 Q (MR. BEAMER) While we're marking that, I'm afraid  
6 I jumped ahead a little bit.

7 You talked about indicators you saw on the  
8 package that gave rise. Did you deploy your K-9  
9 on the package at that time?

10 A So I normally -- the process I normally do is wait  
11 until the end of the -- what we call the sort,  
12 after they have went through all of that. And I  
13 will deploy my K-9 through a parcel array, in  
14 which I'll let him run it freely on his own. He  
15 will be on a lead most of the time, just because  
16 there's other people present, but I deploy it and  
17 I just -- I'm what I call posting out. I sit  
18 still, I don't present anything. And I pick  
19 boxes -- it's five -- it's a five-parcel array of  
20 boxes that are similar in shape and size. And I  
21 let him do the work on his own. So there's no  
22 direction from me; I just let him go. I give him  
23 his command, and upon -- if he gives me an alert,  
24 then that's the box that I will apply for a search  
25 warrant for.

1 Q And did your K-9 alert on this box?

2 A It alerted on the box present today.

3 Q And did you apply for a search warrant?

4 A I did.

5 Q And then, once you opened that box, then you found  
6 the contents here?

7 A That's correct. I found 17 sealed packages of  
8 green plan material consistent with marijuana.

9 Q Did you get a rough estimate of the weight of the  
10 total?

11 A Roughly 17 bags, approximately. Each packege was  
12 roughly a pound.

13 Q What did you do from that point?

14 A I contacted Sergeant -- or now, Lieutenant Dulina,  
15 but Sergeant Dulina at the time of the Horry  
16 County Police Department narcotics division and  
17 asked him if they were interested in the box.  
18 Sergeant Dulina called me back and said they were,  
19 if I could meet them at their office. And then,  
20 it was then transferred to Investigator Drew  
21 Edwards, who is in the courtroom today.

22 Q I'm handing you what's been identified -- or has  
23 been labeled for identification purposes as  
24 State's Exhibit 1. Can you tell me what that is?

25 A Yes. This is my chain of custody where I seized

1 this, the specific parcel we have in question  
2 today, from the FedEx hub and where I transferred  
3 it to Horry County PD investigator Drew Edwards  
4 the date and time in question.

5 Q What's the purpose of that document?

6 A That's just to keep up with exactly who had their  
7 hands on the actual evidence of this case. So it  
8 started with me, and then I make sure that -- so  
9 nothing disappears. It's manufactured; it shows  
10 exactly what I took and exactly who I gave it to.

11 Q And do you regularly keep such documents in the  
12 course of your business?

13 A Yes. This is a -- this is a practice that we use  
14 every single day.

15 MR. BEAMER: The State would move to enter  
16 State's Exhibit 1 into evidence and publish to the  
17 jury.

18 MR. PINKERTON: No objection, Your Honor.

19 THE COURT: Without objection, yes.

20 (WHEREUPON, State's Exhibit No. 1 was  
21 admitted into evidence.)

22 Q (MR. BEAMER) Agent Oates, did you have any further  
23 involvement in this case?

24 A I was present for the -- the actual search warrant  
25 as it was being executed, but that was -- that was

1 the -- that was it. I didn't collect any more  
2 evidence. I kind of stopped with that. But I  
3 maintained presence just because I did the  
4 original interdiction with the parcel.

5 MR. BEAMER: Thank you. Please answer any  
6 questions defense counsel may have.

7 THE WITNESS: Yes.

8 **CROSS EXAMINATION**

9 BY MR. PINKERTON:

10 Q Thank you, Agent Oates.

11 A Yes, sir.

12 Q What was the name of your drug dog again?

13 A Rex.

14 Q Rex? Okay. How long have you handled Rex?

15 A Since February of 2022.

16 Q Is he certified as a drug dog?

17 A He is a trained and certified narcotics detection  
18 K-9. He's single purpose.

19 Q Who certifies them?

20 A He was certified at Astro Kennels through a  
21 NAPWDA, which is North American Police Work Dog  
22 Association, master trainer.

23 Q Now, where is Astro Kennels?

24 A Greenville, South Carolina.

25 Q Greenville? Okay. In the normal course of your

1 business, how many false positives has he had --  
2 she had?

3 A I don't -- I don't make a habit of running him  
4 unless I'm pretty confident, so I'm not -- he has  
5 misses. So --

6 Q He does have misses?

7 A He does have misses. And they're documented in  
8 his training reports.

9 Q But you don't know off the top of your head?

10 A No.

11 Q Okay. Now, you said this was addressed to  
12 321 Edgewood Circle?

13 A The -- what was on the label on the box, that's  
14 correct.

15 Q Did you bother running who lived at that address?

16 A Yes.

17 Q Okay. Did you run any previous owners of that  
18 address?

19 A Previous -- I ran it through a law enforcement  
20 database and then I checked on DMV, and I came  
21 back with nothing with that --

22 Q The name?

23 A -- impartial -- or partial name, excuse me.

24 Q But would it have shown previous owners, previous  
25 tenants, that sort of thing?

- 1 A Yes, it does.
- 2 Q Okay. In your line of work, have you ever seen a  
3 package sent to a house that was intended to be  
4 swept off the porch before the owners get there?  
5 Like a porch pirate?
- 6 A I mean, that -- that could happen at any time.  
7 Like, that's happened to me.
- 8 Q It could happen? Okay.
- 9 A Yeah, it could happen.
- 10 Q So it could have been sent to that house with the  
11 intention of someone else taking it off the porch  
12 before the owners got there?
- 13 A Anything is possible, that's correct.
- 14 Q Did you investigate who actually sent the package?
- 15 A No -- based off the label. I mean, you -- you got  
16 to see the same label I did. I got Yakima Ship  
17 Shop, so that's very, very limited as to who  
18 actually sent -- which is a common thing that we  
19 look at, where they just use the third-party  
20 shipper name to conceal the identity of the actual  
21 shipper.
- 22 Q But there is an address with it, correct?
- 23 A That's correct.
- 24 Q Okay.
- 25 A It comes back to Yakima Ship Shop.

1 Q Okay. Did you investigate who owns that?

2 A No.

3 Q Why not?

4 A Because it's not here in South Carolina.

5 Q Did you pass it on to Washington authorities?

6 A No.

7 Q Why not?

8 A Because I'm here in South Carolina, I'm not a  
9 federal agent.

10 Q Well, you would think they'd want to know that.

11 A So, we have done on different occasions, but not  
12 for this specific box.

13 Q So without investigating who owns this Yakima Ship  
14 Shop, you wouldn't know who they actually intended  
15 to send it to, then, would you?

16 A We can only go with what the label says, which is  
17 where it was addressed to.

18 Q Okay. Not Jessie Bueno?

19 A All I can go off is what the label says and who  
20 it's going to -- or who resides there.

21 Q And just one or two more questions, sir.

22 A Yeah, absolutely.

23 Q As far as chain of custody, did you hand this over  
24 to Drew Edwards yourself?

25 A Yes.

1 Q Or did someone else pick it up for him?

2 A No. I took it straight to Horry County PD, where  
3 it was transferred to Drew Edwards.

4 Q Did you personally hand it to him?

5 A Yes.

6 Q Okay. Thank you.

7 MR. PINKERTON: No further questions.

8 THE COURT: State?

9 MR. BEAMER: No redirect, Your Honor. I'd  
10 just ask that this witness be allowed to step down  
11 and be excused from the subpoena.

12 THE COURT: Any objection?

13 MR. PINKERTON: No objection, Your Honor.

14 THE COURT: Have a good day, sir. Thank you.

15 THE WITNESS: Thank you.

16 MR. BEAMER: Your Honor, the State would next  
17 call Lieutenant Cory Dulina.

18 THE CLERK: Please raise your right hand and  
19 place your left hand on the Bible.

20 WHEREUPON,

21 CORY DULINA,

22 after having been duly sworn, testified as follows:

23 THE CLERK: Please state your name and spell  
24 it for the Court.

25 THE WITNESS: My name is Cory Dulina, C-O-R-Y

1 D-U-L-I-N-A.

2 **DIRECT EXAMINATION**

3 BY MR. BEAMER:

4 Q Good morning, Lieutenant.

5 A Good morning.

6 Q Can you tell the jury who you're employed with?

7 A Yes, sir. So my name is Cory Dulina. I'm a  
8 lieutenant for the Horry County Police Department.  
9 I'm currently assigned to the narcotics unit,  
10 which includes narcotics division, the gang unit  
11 and the street crimes unit.

12 Q And how long have you been with Horry County and,  
13 specifically, with the street crime and gang unit?

14 A Been with Horry County since 2012. Previously,  
15 during the time frame in 2022, I was a sergeant in  
16 narcotics.

17 Q And did you have any prior law enforcement  
18 experience before joining Horry County?

19 A No, sir.

20 Q Can you tell us a little bit about your training  
21 and experience in the field?

22 A Sure. Over the years, especially during my time  
23 in narcotics, I've attended numerous trainings  
24 that involved drug trafficking investigations,  
25 interviews, gang training, and worked -- and

1           assisted in many cases.

2   Q       Okay. And you said briefly you were employed as a  
3           sergeant at the time of September 23rd, 2022?

4   A       Yes, sir.

5   Q       Okay. How did you come to be involved in this  
6           case?

7   A       On September 23rd, 2022, I was called by Special  
8           Agent Dylan Oates with the South Carolina Law  
9           Enforcement Division. He had informed me that he  
10          had a package from a parcel company to where he  
11          got a search warrant, and the box had contained  
12          marijuana.

13   Q       Okay. And what did you do with that information?

14   A       Yeah, so pretty standard for -- for us. We vet  
15          those cases and, of course, in coordinating with  
16          the agent that had seized the package, there are  
17          cases where we would set up a controlled delivery  
18          to deliver the box of illegal narcotics to the  
19          recipient address and try -try to catch the person  
20          that ordered it.

21   Q       Okay. Can you tell us a little bit more about the  
22          controlled delivery process?

23   A       Sure. So, of course, each case is different, but  
24          it's pretty standard, of course. Upon being  
25          notified, do your background research on the

1 residence, you immediately launch surveillance,  
2 put agents in place to get eyes on the residence  
3 where the package is intended on going.

4 From there, you know, we set up a -- we  
5 assign a case agent. They do as much  
6 investigative background on the -- the parcel, the  
7 name, the address, that they can. And then, we  
8 assemble a team in an undercover capacity, which  
9 in this case was myself, to deliver the box to the  
10 residence.

11 Q Who was the case agent that was assigned to his?

12 A Detective Drew Edwards.

13 Q And so, you said you, yourself had an undercover  
14 role in this operation?

15 A I did.

16 Q Well, what was that role?

17 A So, in an undercover capacity, I delivered the  
18 box, obviously, as a parcel delivery person.

19 Q Lieutenant, I'm handing you what's been previously  
20 marked as State's Exhibit 3 for identification  
21 purposes.

22 A Yes, sir.

23 Q Can you tell us what that is?

24 A That is the residence of [REDACTED] Edgewood Circle in  
25 the Conway section of Horry County. And that is

1 the address that was on the box, to which I  
2 delivered to the residence, that contained  
3 17 pounds of marijuana.

4 Q Is that a fair and accurate copy of what you saw  
5 that day?

6 A It sure is.

7 MR. BEAMER: The State would move to enter  
8 State's Exhibit 3 into evidence, please.

9 MR. PINKERTON: No objection.

10 THE COURT: Without objection.

11 MR. BEAMER: Thank you, Your Honor. If I may  
12 publish to the jury?

13 (WHEREUPON, State's Exhibit No. 3 was  
14 admitted into evidence.)

15 Q (MR. BEAMER) So this is the residence you  
16 delivered that package to?

17 A Correct. That's the front.

18 Q Is that the door you delivered it to?

19 A It is not.

20 Q Why is that?

21 A So as stated earlier, when we put surveillance in  
22 place. The surveillance detectives, they reported  
23 that they had seen activity at the rear of the  
24 residence. Where in this case, the defendant,  
25 Jessie Bueno, had actually come out the back door.

1 And, of course, in our line of work, we would like  
2 to use the door that is commonly used by the  
3 residents inside.

4 Q I'm showing you what's previously been entered  
5 into evidence as State's Exhibit 14. Is this the  
6 box you delivered that day?

7 A It is.

8 Q Does it still seem to be in relatively the same  
9 condition you delivered it?

10 A Yes, with the exception of the shipping label that  
11 was ripped off after delivery.

12 Q Okay.

13 So once you delivered the package to that  
14 other door, what did you do from that point?

15 A So upon pulling into the driveway of the  
16 residence, I obviously exited the vehicle, grabbed  
17 that box right there, and I set it outside the  
18 back door, backed out of the driveway, and I left.

19 And, you know, on any package delivery or  
20 parcel delivery that we've worked, it's always  
21 important for us to give a grace period of time  
22 once that package is received by someone. And we  
23 do that to try to allow the person to, maybe,  
24 contact 911 and say hey, I received a box that  
25 contains illegal drugs; it's not my box. To where

1 law enforcement would go out and they would seize  
2 those drugs. That time frame is 15 minutes, give  
3 or take, which, in our line of work is kind of a  
4 long time. So once the package was received, the  
5 drone team reported within less than a minute upon  
6 delivering the box, Jessie Bueno exited that rear  
7 door, picked the box up, and walked back inside  
8 the residence.

9 So from that time is when -- I believe it was  
10 Lieutenant Bonner at the time; he started the  
11 time. 15 minutes elapsed, and then we moved to  
12 execute the search warrant.

13 Q And were you part of the team that executed that  
14 search warrant?

15 A I was.

16 Q Were you able to apprehend Mr. Bueno during the  
17 course of that?

18 A After an extended period of time. We initially --  
19 so the search was a knock and announce, which is  
20 we surround a residence, announce our presence --  
21 Horry County Police, search warrant -- multiple  
22 times, over and over. It's very repetitive. And  
23 we do that to let the occupants know we are the  
24 police and we have a search warrant for the  
25 residence, and order them to come outside.

1           For nearly ten minutes, we couldn't make  
2 contact with anybody inside. We didn't get a  
3 response. And the rear door, which is where I  
4 delivered the box, we attempted to make entry  
5 through that door; however, for tactical reasons,  
6 safety reasons on our end, we chose to move to the  
7 front because it was a very small room, two doors.  
8 It's really not the -- ideal for us for safety.

9           We came around the front of the residence,  
10 went to that door. Same thing, knocking and  
11 announcing, knocking and announcing. We ended up  
12 breaching or forcing entry into that door. And  
13 immediately inside this door was several dogs,  
14 several large dogs. So obviously, we could not  
15 enter through that door.

16           From that point, we moved to this bigger  
17 window in the front. And all that broken glass,  
18 that's from us. And at that point in time, we  
19 encountered another male that was inside. It was  
20 not Mr. Bueno, but he was seated on the couch. We  
21 ordered that guy to exit through the rear of the  
22 residence, to which he did, and he was detained.

23           From that point, asked if anybody else was  
24 inside, he did say that Jessie Bueno was inside.  
25 We continued announcing the search warrant,

1 "Jessie Bueno, we know you're inside. Come on  
2 outside," or words to that effect, to which he --  
3 he did not comply. And he was taken into custody  
4 and removed by -- from the residence by force.

5 Q When you took him into custody, what sort of state  
6 was he in?

7 A He was very argumentative, but more descriptive,  
8 he was extremely sweaty and he had some kind of  
9 fibers, like insulation or something, all over  
10 his -- he was wearing a black tank top, or  
11 wife-beater, I guess is what they call them. But  
12 all over that was kind of like this -- these  
13 little fibers.

14 Q How about the other individual that was in the  
15 house? Was he in a similar state?

16 A No. No, he was not sweaty at all. I didn't  
17 notice any fibers or anything on him. And once we  
18 got him outside, he was very compliant.

19 Q Do you know in the course of the search warrant,  
20 were the suspected narcotics eventually found?

21 A Say that one more time?

22 Q In the course of the search warrant, were the  
23 narcotics that were delivered found?

24 A Yes.

25 Q Do you know where they were found?

1 A In the attic.

2 Q Did you have any further involvement with this  
3 case?

4 A No, sir.

5 MR. BEAMER: I have no further questions. If  
6 you'd just answer any questions the defense  
7 counsel may have.

8 THE WITNESS: Sure.

9 **CROSS EXAMINATION**

10 BY MR. PINKERTON:

11 Q Thanks for being here.

12 You said you actually delivered the package  
13 to the house?

14 A I did.

15 Q Okay. What kind of vehicle were you driving?

16 A I was driving a white Ford Econoline.

17 Q So typical what a -- like, a FedEx or Amazon or  
18 UPS would drive?

19 A Sure.

20 Q Let me direct you to State's Exhibit 3. Was the  
21 house in that state when you arrived?

22 A No, sir.

23 Q That was only after the search warrant was  
24 executed?

25 A The window being broken is -- is -- is from us.

1 Q Okay. Who broke the window?  
2 A I don't recall right off.  
3 Q Do you know how the window was broken.  
4 A Some sort of tool that we carry. I'm not sure,  
5 you know.  
6 Q That's fine. You're not the one who did it.  
7 You said you investigate addresses when you  
8 do these deliveries. How long did you investigate  
9 this address before you delivered the package?  
10 A So any -- any parcel -- I don't know the exact  
11 timing from when Special Agent Oates intercepted  
12 this box, but it is a several-hour period.  
13 Because mainly, on our end, there's a lot of  
14 coordination that we need to put in place, get the  
15 surveillance teams assigned, get them on location.  
16 And, of course, as a supervisor, there's a lot of  
17 paperwork and approval process that needs to be  
18 approved from all levels of command, all the way  
19 up to the deputy chief. So it's a several-hour  
20 process.  
21 Q What -- what does a surveillance detail -- what  
22 all do you use to surveil a house? Like, what  
23 kind of team do you use?  
24 A Well, there are detectives within the narcotics  
25 division. But there's various methods that we

1 use. You know, we can -- if we're in a position  
2 where we can sit outside the house and what we  
3 call put eyes on the target residence, that's  
4 obviously the best. Binoculars are an option. We  
5 utilize drones quite a bit.

6 Q Were drones utilized in this?

7 A I believe they were, yeah.

8 Q I might have asked this already, but how long was  
9 this house surveilled before you actually  
10 delivered the package?

11 A Couldn't give you an exact time, but I would say  
12 an extended period of time.

13 Q One hour? Two hours? Three hours? Four hours?

14 A I would say anywhere between one and two.

15 Q One and two?

16 A Somewhere in there.

17 Q Had anybody come and gone from the house during  
18 that time period?

19 A Not that I remember. The only activity, I  
20 believe, that was reported was Jessie Bueno coming  
21 out of the back door and going back inside the  
22 residence.

23 Q You said there was another individual at the home,  
24 correct?

25 A Correct.

1 Q Okay. Did you question him?

2 A Just briefly, myself. I just asked, you know, who  
3 else was in the residence, for safety reasons.

4 Q Okay. Did you question him whose package it was?

5 A I did not.

6 Q You did not? Did you question if he knew what was  
7 in the package?

8 A I did not.

9 Q Did you question why he was in that residence to  
10 begin with?

11 A Not at the -- no sir, I did not. Perhaps the lead  
12 detective did.

13 Q But did you detain him?

14 A I don't believe I -- I don't remember if I'm  
15 exactly the one who put handcuffs on him, but I  
16 was there when he exited the residence.

17 Q But you're saying he was handcuffed?

18 A Yes, he was, yes.

19 Q Was he ever a suspect in this?

20 A No.

21 Q Why not?

22 A Well, actually, let me correct myself. I would  
23 imagine -- I think that's a better question for  
24 the lead detective because, of course, everybody's  
25 a suspect until, you know, they complete their

- 1 investigation.
- 2 Q So you're saying you didn't consider him a suspect
- 3 at that time for whatever reason?
- 4 A I -I think it's safe to say that, yeah.
- 5 Q Okay. But he was in the house with the package?
- 6 A He was, and -- but he also was not the individual
- 7 that obtained the box. Jessie Bueno was the one
- 8 that walked out the door, took the box, walked it
- 9 back inside.
- 10 Q Just because you pick up a package for your
- 11 friend, does that mean you're the owner of the
- 12 package? I mean, I would want someone to pick up
- 13 a package off my back porch so it doesn't get
- 14 rained on or caught by a porch pirate or whatever.
- 15 Does that mean it was Mr. Bueno's package just
- 16 because he picked it up?
- 17 A I think the circumstances are a little bit
- 18 different, but I see what you're trying to say.
- 19 Q Could he have not asked Mr. Bueno to get the
- 20 package for him, is what I'm asking?
- 21 A He could have.
- 22 Q He could have. Okay. When Mr. Bueno was
- 23 detained, was he tased?
- 24 A He was.
- 25 Q How many times?

1 A A complete circuit, a Taser one cycle.

2 Q Okay.

3 A Yeah.

4 Q You weren't the one that tased him, though,  
5 correct?

6 A I was.

7 Q Oh, you were the one that tased him?

8 A I was.

9 Q All right. Well, what was his -- how was he  
10 standing when you tased him? Did he have his  
11 hands up? Was he on a cell phone?

12 A So I'll take you back to the back door. So when  
13 we -- as the supervisor, the continued evaluation  
14 of safety, security was the best way to mitigate  
15 risk; that's always on my mind. Not only to  
16 protect myself, my guys, my team, but to also  
17 protect the suspect or the person that we're  
18 trying to apprehend.

19 And in this scenario, like I said, more than  
20 ten minutes, right around that time frame, we  
21 didn't receive any response from anyone inside the  
22 home, so we had to escalate. You know, it is a  
23 search warrant, so we are coming aside. It's not  
24 a request, you know, it's -- a search warrant is  
25 signed off by a judge to enter that residence,

1 mainly because there's 17 pounds of marijuana that  
2 we delivered that was accepted and is now in the  
3 residence.

4 So the team that was at the back door, I  
5 believe it was Detective Johnson, Detective  
6 Rogers. And I overheard them screaming, "show us  
7 your hands," "come on outside," "search  
8 warrant", or words to that effect. And as time  
9 elapsed, I remember hearing someone screaming,  
10 refusing to come out. And at the time, I walked  
11 in through the back door because I was the only  
12 one with a less lethal option, like a Taser. And  
13 when I first saw Mr. Bueno, he was -- there's --  
14 when you look in the back door, there's a wall  
15 that leads into the living room. And so he was  
16 peering out, half of his body was exposed, and  
17 then he would go back. And he was just going back  
18 and forth, yelling. Didn't know if he was armed,  
19 we were not in the best position, so to mitigate  
20 risk, to protect not only him, but to protect us,  
21 he was tased.

22 Q Now, he was on the cell phone, correct, when he  
23 was tased?

24 A At one point in time, he had a cell phone in his  
25 hand.

1 Q In his hand? Not a weapon?

2 A No.

3 Q You never saw a weapon, did you?

4 A No.

5 Q Okay. Was his other hand up in the air?

6 A He was -- I mean, he was moving around, screaming,  
7 so safe to say at some point, his hand was up.

8 Q But you didn't find any weapons on him, correct?

9 A We did not.

10 Q Did you find any weapons in the house?

11 A I don't think we did.

12 Q No weapons in the house?

13 A But at the time he was tased -- now, looking back  
14 on it, these are a lot of facts that we know now.  
15 But at the time, we didn't know. We couldn't.

16 Q Were there four -- were there four large dogs in  
17 the house?

18 A There were large dogs. The number four sounds  
19 accurate.

20 Q But there were large dogs in the house?

21 A There was.

22 Q Okay. When he was tased, he went to the ground,  
23 didn't he?

24 A He did.

25 Q Okay. You said you saw fibers on him, correct?

1 A Correct.

2 Q Could that also not come from a short-haired dog  
3 coat? From being rolling on the ground after  
4 being tased? Could that not have been dog hair?

5 A I -- well, no -- no, sir. I --

6 Q I'm just asking if that could have been dog hair.

7 A I have four dogs, and I actually just took some  
8 dog hair off this morning. And dog hair and  
9 fibers from insulation is -- is very different.

10 MR. PINKERTON: The Court's indulgence?

11 THE COURT: Yes, sir.

12 Q (MR. PINKERTON) One further question.

13 A Yes, sir.

14 Q You said he was only tased with one circuit. But  
15 you deployed the Taser twice, correct?

16 A Yes.

17 Q Okay.

18 A Yes.

19 Q Thank you.

20 MR. PINKERTON: No further questions, Your  
21 Honor.

22 THE COURT: Okay. Redirect, sir?

23 MR. BEAMER: Briefly, Your Honor.

24 THE COURT: Yes, sir.

25 **REDIRECT EXAMINATION**

1 BY MR. BEAMER:

2 Q Defense counsel brought up the other individual  
3 that was in the house and the fact that he was  
4 detained. Would that be normal in the course of  
5 the execution of a search warrant?

6 A Completely normal. All occupants are detained.

7 Q For officer safety?

8 A Correct.

9 Q And additionally, you talked about Mr. Bueno being  
10 tased. At the time that occurred, were you  
11 enabled to clearly see both of his hands?

12 A Absolutely not. There was periods of time that I  
13 was only able to see one arm and half of his body  
14 because he would peer behind a wall while yelling  
15 at us. And then he would come out and he would go  
16 back and forth. And for us, in for our line of  
17 work, that -- that's a very dangerous, tense  
18 situation there.

19 We -- we don't know at the time if -- if he  
20 or she has a gun and they intend on grabbing that  
21 gun and just start shooting at law enforcement.  
22 That's why his noncompliance, his behavior and how  
23 aggressive he was, and his threat and the threat  
24 that he posed to us and -- and my guys, that's why  
25 I made the decision, a calculated decision, to

1 utilize the Taser to mitigate any further worse  
2 scenarios from ever occurring and also keep him  
3 safe and get him into custody.

4 Q You said he was non-compliant with the search  
5 warrant. From the time you began execution of the  
6 search warrant to the time your Taser deployed,  
7 can you give us a rough idea of how long a period  
8 that was?

9 A Guess somewhere between 10 and 15 minutes,  
10 somewhere in there.

11 Q So he spent 10 to 15 minutes refusing to come out  
12 of the house --

13 A Yes.

14 Q -- and you did not have a clear line of sight on  
15 him during that whole period --

16 A Correct.

17 Q -- at that point?

18 A That's correct.

19 Q Thank you.

20 MR. BEAMER: I have no further questions.

21 THE COURT: Sir?

22 MR. PINKERTON: I just have one further  
23 question as far as his redirect.

24 **RE-CROSS EXAMINATION**

25

1 BY MR. PINKERTON:

2 Q Had you shown him the search warrant at that  
3 point?

4 A No, sir. I mean, that's -- well, let me ask, at  
5 what point?

6 Q At the point he was tased and non-compliant, and  
7 you were going into the house. Had he seen a copy  
8 of the search warrant?

9 A No, sir. By law, we're not required to show --  
10 that's a very tense time for law enforcement. I  
11 mean, you're -- you're entering a residence that  
12 you don't know the occupants, you don't know what  
13 their intentions are, you don't know whether  
14 they're armed. And in my experience, people who  
15 traffic in narcotics, they could be very dangerous  
16 people.

17 And so, the law is designed that way to where  
18 we don't have to show the search warrant prior to  
19 us making the entry. We leave a copy of the  
20 search warrant. And on its face, when we execute  
21 search warrants, they are -- they are valid.

22 Q Thank you.

23 MR. PINKERTON: No further questions, Your  
24 Honor.

25 THE COURT: State?

1 MR. BEAMER: Nothing further, Your Honor. I  
2 just ask that the witness be allowed to step down  
3 and be excused from his subpoena.

4 THE COURT: Mr. Pinkerton?

5 MR. PINKERTON: No objection, Your Honor.

6 THE COURT: Thank you, sir. Have a good day.

7 THE WITNESS: Thank you, Judge.

8 MR. BEAMER: Your Honor, the State would next  
9 call Detective Jared Soucy to the stand.

10 THE CLERK: Please raise your right hand and  
11 place your left hand on the Bible.

12 WHEREUPON,

13 JARED SOUCY,

14 after having been duly sworn, testified as follows:

15 THE CLERK: Please state your name and spell  
16 it for the Court.

17 THE WITNESS: First name is Jared, J-A-R-E-D,  
18 last name is Soucy, S-O-U-C-Y.

19 **DIRECT EXAMINATION**

20 BY MR. BEAMER:

21 Q Good morning, Detective.

22 A Good morning.

23 Q Can you tell us who you're employed with?

24 A Horry County Police Department.

25 Q And what's your position there?

1 A I am a narcotics detective and a DEA TFO.

2 Q What's a TFO.

3 A The DEA -- it's a task force officer for the DEA.  
4 So the DEA uses local jurisdictions to expand  
5 their footprint in certain areas, so kind of like  
6 a -- they can give you authority from the DEA to  
7 go out and prosecute cases and cases on the  
8 federal level.

9 Q And how long have you been employed with Horry  
10 County?

11 A Going on 14 years.

12 Q Did you have any prior law enforcement experience  
13 before that?

14 A No.

15 Q Okay. And can you tell us a little bit about your  
16 training and experience in the law enforcement  
17 field?

18 A Yes. So I graduated from the University of South  
19 Carolina with a bachelor's of psychology. I  
20 started working in corrections for approximately  
21 two years and transferred over to law -- or to the  
22 law enforcement side of it and been there ever  
23 since. I have worked as a special victims  
24 detective, homicide detective. I've worked on  
25 several federal cases. So over the past three,

1 four years, I've been in narcotics and working  
2 narcotics cases.

3 Q And you were employed with the Horry County Police  
4 on the day of September place on the day of  
5 September 23rd, 2022?

6 A Yes, sir.

7 Q Were you involved in this investigation?

8 A I was.

9 Q What was your role in the investigation?

10 A We were tasked to do pre-surveillance on the  
11 location. So me and another detective went out  
12 before the operation began, and we flew a drone  
13 over the target location to do pre-surveillance  
14 until the package was delivered.

15 Q And what did you see in the course of that  
16 surveillance?

17 A We observed the house, we observed occupants  
18 coming outside the rear of the house prior to the  
19 package delivery, and also observed a vehicle pull  
20 up to the location.

21 Q Did you observe someone take the package inside  
22 once it was delivered?

23 A Yes. Once the package was delivered, we observed  
24 on the drone footage somebody did come outside the  
25 house and retrieve the package.

1 Q Were you able to identify who that person was?

2 A Yes.

3 Q And who was that?

4 A The defendant.

5 Q Can you -- for the record --

6 A Jessie Bueno.

7 Q Okay. Is that person in the courtroom today?

8 A He is.

9 Q Okay. Could you point him out?

10 A He is sitting over here.

11 MR. BEAMER: Let the record reflect that he  
12 has identified the defendant sitting at the table.

13 Q (MR. BEAMER) Did you have any further involvement,  
14 like with the execution of the search warrant?  
15 Anything beyond surveillance?

16 A So after -- after the package was accepted and  
17 the -- our narcotics unit made contact with the  
18 house, we packed the drone up. And me and the  
19 other detective drove to the target location and  
20 began to assist with the search of the residence.

21 My specific area that I searched was in the  
22 attic of the residence.

23 Q Okay. And what did you find in the course of that  
24 search?

25 A So during that search, I observed what appeared to

1 be insulation that kind of looked as if it had  
2 been manipulated. And through further  
3 investigation and pulling back the insulation, I  
4 observed the packages of marijuana hidden  
5 underneath the attic insulation.

6 Q I'm showing you what's been previously marked as  
7 State's Exhibits 4, 5, and 6 for identification  
8 purposes. Can you please tell us if you recognize  
9 those?

10 A Yes, these are the packages of marijuana that  
11 were -- that I located when I pulled back the  
12 insulation in the attic.

13 Q Do they appear to be fair and accurate copies of  
14 what you saw that day?

15 A Yes. And they are consistent with what was  
16 delivered to the residence.

17 MR. BEAMER: The State would now move  
18 Exhibits 4, 5, and 6 into evidence.

19 MR. PINKERTON: No objection, Your Honor.

20 THE COURT: Without, thank you.

21 (WHEREUPON, State's Exhibit Nos. 4, 5,  
22 and 6 were admitted into evidence.)

23 MR. BEAMER: Permit -- publish to the jury?

24 THE COURT: Yes, sir.

25 Q (MR. BEAMER) I think you've probably answered a

1 couple of these already, but just for  
2 clarification's sake, these white packages here  
3 are what you found hidden under the insulation?  
4 A Yes, sir.  
5 Q And those are the packages that were delivered in  
6 the box to the house?  
7 A They are.  
8 Q And they contained marijuana?  
9 A They did.  
10 Q And this is another picture of what was found  
11 there?  
12 A Yes, sir.  
13 Q Did you find anything else in the attic? Any  
14 other packaging or anything like that?  
15 A No, sir, not that I recall.  
16 Q Okay. Did you have any further involvement with  
17 this investigation?  
18 A No, sir. That would -- that would be about all I  
19 did that day.  
20 Q One last question. How many packages did you find  
21 up in the attic?  
22 A If I can recall -- I don't know the specific  
23 number; I do know that we were missing one  
24 package, and one package might have been found  
25 downstairs. But I honestly can't recall the exact

1 number.

2 Q Okay.

3 MR. BEAMER: No further questions for you.  
4 Just please answer any questions defense may have.

5 **CROSS-EXAMINATION**

6 BY MR. PINKERTON:

7 Q So you were leading the team with respect to  
8 surveillance on the house previous to the package  
9 being delivered?

10 A Yeah, it was me and another detective.

11 Q Okay. Who was the other detective?

12 A Detective Brian Church.

13 Q Okay. You said you utilized a drone?

14 A Yes, sir.

15 Q Would that footage have been recorded?

16 A Not typically.

17 Q Not typically? You said you saw people coming in  
18 and out of the rear of the house. How many  
19 people?

20 A I think we -- I saw one individual come up in a  
21 car; it might have been a female. And then,  
22 one -- one person out the back door.

23 Q Who was the person coming out of the back door?

24 A I don't recall.

25 Q Did they get in the car with the female?

1 A I -- I honestly can't recall.

2 Q Did the female enter the residence?

3 A I don't recall.

4 Q So you don't know if she entered the residence or  
5 not?

6 A That's correct.

7 Q No idea who she is?

8 A No, sir.

9 Q No idea who the person who came out that back door  
10 was?

11 A During that?

12 Q During the surveillance?

13 A The surveillance?

14 Q Yes.

15 A I did -- the only person I saw was the defendant  
16 come out the back door that I could positively  
17 identify.

18 Q Okay.

19 A When he accepted the package.

20 Q All right. And you searched the attic, correct?

21 A Yes, sir.

22 Q Okay. Had you seen the packages of marijuana  
23 previous to them being delivered to the house?

24 A I had.

25 Q Personally?

1 A Yes.

2 Q Okay. Pictures, or actually in the box?

3 A The box was actually brought back to our  
4 department.

5 Q Your department? Okay. Were you there when Mr.  
6 Bueno was tased?

7 A I was not.

8 Q You were not?

9 A No, sir.

10 MR. PINKERTON: No further questions, Your  
11 Honor.

12 THE COURT: Redirect, sir?

13 MR. BEAMER: No redirect, Your Honor. I just  
14 ask that this witness be allowed to step down and  
15 be excused from his subpoena.

16 THE COURT: What say you, Mr. Pinkerton?

17 MR. PINKERTON: No objection, Your Honor.

18 THE COURT: Have a good day. Thank you.

19 MR. BEAMER: Your Honor, the State would next  
20 call Detective Drew Edwards.

21 THE CLERK: Please raise your right hand and  
22 place your left hand on the Bible.

23 WHEREUPON,

24 CHRISTOPHER DREW EDWARDS,

25 after having been duly sworn, testified as follows:

1 THE CLERK: Please state your name and spell  
2 it for the Court.

3 THE WITNESS: My name is Christopher Drew  
4 Edwards, D-R-E-W E-D-W-A-R-D-S.

5 **DIRECT EXAMINATION**

6 BY MR. BEAMER:

7 Q Good afternoon, Detective. Can you tell us who  
8 you're employed with?

9 A The Horry County Police Department.

10 Q And what's your role there?

11 A I'm currently assigned to the gang unit in the  
12 narcotics division.

13 Q Can you tell us about your law enforcement  
14 background, your training and experience?

15 A Yes, sir. I got in 2006. I was on patrol for six  
16 years. From 2012 to 2015, I was on the street  
17 crimes unit doing drug interdiction at the street  
18 level. I was promoted to corporal, where I was  
19 until 2019. I've been transferred to our  
20 investigations division, where I was a special  
21 victims detective for about three months. I was  
22 then promoted into the homicide unit, where I was  
23 until 2021, before coming to the narcotics unit.

24 Q And so, you were employed with the Horry County  
25 narcotics unit on September 23rd, 2022?

1 A I was.

2 Q What was your involvement with this case?

3 A I was on call that week. So after Agent Oakes  
4 contacted my supervisor, I was assigned the case.

5 Q Okay. Once Agent Oakes contacted y'all and you  
6 were assigned the case, what sort of plan did  
7 y'all formulate?

8 A We planned to do a controlled delivery at the  
9 residence on the -- where the package was being  
10 shipped to.

11 Q Did you obtain a search warrant for that  
12 residence?

13 A I did.

14 Q Okay. What was the purpose of that search  
15 warrant?

16 A So any time we do a package delivery, we don't  
17 ever really know how they're going to go. But we  
18 get an anticipatory search warrant for the  
19 intended location on the label in anticipation  
20 that the package does go inside, we can execute  
21 the search warrant.

22 Q I'm showing you what's been previously marked for  
23 identification purposes as State's Exhibit 14. Do  
24 you recognize this object?

25 A I do.

1 Q Can you tell us what that is?

2 A That's the box the marijuana was shipped in.

3 Q Did you have first-hand experience with the box in  
4 the course of this investigation?

5 A I did.

6 Q Does it appear to be in -- in similar condition as  
7 to what it was at that time?

8 A Besides all the evidence labeling we put on it,  
9 yeah.

10 Q All right.

11 MR. BEAMER: At this time, the State would  
12 move Exhibit 14 into evidence.

13 MR. PINKERTON: No objection, Your Honor.

14 THE COURT: Without, thank you.

15 (WHEREUPON, State's Exhibit No. 14 was  
16 admitted into evidence.)

17 Q (MR. BEAMER) If you need to, step down to see it.  
18 But here on the table are State's Exhibits 14A  
19 through -- A through T. Do you recognize those  
20 items?

21 A I do.

22 Q What are they?

23 A That was the contents of the box as I received it.

24 Q And again, you had first-hand knowledge of those  
25 contents prior to delivery?

1 A I did.

2 Q Once the delivery occurred, what was your role  
3 beyond that point?

4 A I was -- I was the case agent. I took photographs  
5 and took note of where everything was found.

6 Q Okay. I'm showing you what has been previously  
7 market for identification purposes as State's  
8 Exhibits 7 through 12. Please tell us if you  
9 recognize those items.

10 A I do.

11 Q And what are those items?

12 A Exhibit 7 is the box that we delivered to the --  
13 to the residence in the attic, with the label  
14 ripped off.

15 Exhibit 8 is how the marijuana was packaged  
16 in the box. It had, like, white, like soft  
17 shipping envelopes wrapped around the heat-sealed  
18 packaging.

19 9 was similar packaging to what we delivered  
20 that was found in the house.

21 10 is some cigar blunt, like, smoked ones. I  
22 believe that's a package of mushrooms, Soul 7  
23 mushrooms.

24 11 is U.S. currency.

25 And 12 is another box that was found in the

1 residence that had been sent from the same shipper  
2 as the box we delivered, with a similar name of Ed  
3 Miriam, I believe, on this one. And it had been  
4 sent July 3rd, 2022, a few months before this one.

5 Q Are those fair and accurate copies of what you saw  
6 that day?

7 A It is.

8 MR. BEAMER: At this time, the State would  
9 move to have Exhibits 7 through 12 entered into  
10 evidence.

11 MR. PINKERTON: Your Honor, may I view those  
12 first?

13 THE COURT: Yes, sir.

14 MR. PINKERTON: No objection, Your Honor.

15 THE COURT: All right, without objection.

16 (WHEREUPON, State's Exhibit Nos. 7  
17 through 12 were admitted into evidence.)

18 MR. BEAMER: I apologize to the Court. I  
19 didn't mean to slight Mr. Pinkerton there.

20 THE COURT: We know that.

21 Q (MR. BEAMER) Mr. Holford is going to have these  
22 images displayed for the jury. I'm just going to  
23 ask you a few questions about each of those, if  
24 that's all right.

25 A Yes, sir.

1 Q If you need to step down from the stand to get a  
2 better, view, please do so.

3 So you said this was the box that was  
4 delivered that day?

5 A Yes, sir.

6 Q And where was that found?

7 A It was found in the attic.

8 Q Okay. It looks like the label had been ripped off  
9 of it at that point?

10 A It has how we found it.

11 Q Okay.

12 MR. BEAMER: Go to the next picture, please.

13 Q (MR. BEAMER) And again, what was this?

14 A So that's how the marijuana was in the box when  
15 Agent Oates intercepted it. That's how it was  
16 packaged.

17 Q All right. How many bags originally were brought  
18 to y'all?

19 A Seventeen.

20 Q Okay. Were you able to recover all of those?

21 A No. We only recovered 16.

22 Q All right.

23 MR. BEAMER: Can we have the next picture,  
24 please.

25 Q (MR. BEAMER) What are we looking at there?

- 1 A That was packaging that we found that was  
2 consistent with the packaging that we delivered  
3 that was already in the house.
- 4 Q Okay. Where in the house was that located?
- 5 A I believe that was in the living room.
- 6 Q All right.
- 7 MR. BEAMER: Can we have the next picture,  
8 please.
- 9 Q (MR. BEAMER) And what are we looking at here?
- 10 A It's a -- well, it's a smoker's tray. The bag  
11 underneath the blue smoker's tray contained  
12 mushroom material and just a bunch of random  
13 stuff.
- 14 Q Would it be fair to call that drug paraphernalia,  
15 drug residue?
- 16 A Yes, sir.
- 17 MR. BEAMER: Go to the next picture, please.
- 18 Q (MR. BEAMER) What are we looking at here?
- 19 A U.S. currency.
- 20 Q In your experience as a narcotics detective, is it  
21 common for large amounts of U.S. currency to be  
22 found with such large amounts of drugs?
- 23 A It is.
- 24 Q What does that typically indicate to you?
- 25 A The sale or trafficking of narcotics.

1 MR. BEAMER: Okay. Next picture, please.

2 Q (MR. BEAMER) And what are looking at here?

3 A This is a box that was in the living room. It has  
4 the same shipper, a similar name to the package we  
5 delivered except they added a first name on this  
6 one. And it was July 22nd, so just two months  
7 before -- almost to the day, two months before the  
8 package we delivered.

9 Q So there was another package sent to this address  
10 from the same shipper a couple months before,  
11 using a similar fictitious name?

12 A Yes, sir.

13 Q All right. Thank you.

14 Did you collect all of the evidence in this  
15 case?

16 A I did.

17 Q Okay. And did you create a chain of custody  
18 document to record all that?

19 A I did.

20 MR. PINKERTON: No objection.

21 Q (MR. BEAMER) I'm showing you what's been  
22 previously marked as State's Exhibit 13 for  
23 identification purposes. Can you please tell us  
24 what that document is?

25 A It's an Horry County Police Department evidence

1 record, our copy of it.

2 Q Is it a fair and accurate copy of the document  
3 that you generated?

4 A Yes, sir.

5 MR. BEAMER: At this time, the State would  
6 move Exhibit 13 into evidence.

7 MR. PINKERTON: No objection, Your Honor.

8 THE COURT: Without, thank you.

9 (WHEREUPON, State's Exhibit No. 13 was  
10 admitted into evidence.)

11 Q (MR. BEAMER) What is the purpose of that document?

12 A It's for chain of custody, to show everybody  
13 that's had possession or control over something.

14 Q Okay. And did you sign at, effectively, the  
15 beginning of this chain?

16 A I did.

17 MR. BEAMER: Permission to publish to the  
18 jury?

19 THE COURT: Yes, sir.

20 Q (MR. BEAMER) In the course of your investigation,  
21 did you determine if this residence was the  
22 residence of the defendant?

23 A I did.

24 Q And how did you come to that determination?

25 A We used several law enforcement databases. One of

1 the databases we actually use had shown that Jesse  
2 Bueno was -- had association to that address, as  
3 well as addresses to Yakima, Washington. This is  
4 where he moved here from.

5 Q Did you find any mail in the house that suggested  
6 it was his residence?

7 A We found a piece of mail to his -- I think it was  
8 his girlfriend, Sarah Moran.

9 Q Do you know if he was living with that girlfriend?

10 A That's what my understanding is.

11 Q Did you have any further involvement with this  
12 case?

13 A No, sir.

14 MR. BEAMER: No further questions. If you'll  
15 just answer any questions the defense may have.

16 THE WITNESS: Yes, sir.

17 THE COURT: Sir?

18 **CROSS-EXAMINATION**

19 BY MR. PINKERTON:

20 Q How many officers were involved in the search of  
21 this house?

22 A I'd say roughly ten.

23 Q Ten? Okay.

24 There was money found, correct?

25 A Yes, sir.

1 Q I'm going to show you what's been -- State's  
2 evidence 11.  
3 A Yes, sir.  
4 Q All right. What is that?  
5 A It's U.S. currency.  
6 Q About how much was it?  
7 A I don't recall off the top of my head.  
8 Q Was it seized?  
9 A I believe it was.  
10 Q You believe it was?  
11 A Yes, sir.  
12 Q Would you have it in your evidence log?  
13 A We do a money denomination sheet and a seizure  
14 packet. And that's sent over to an attorney at  
15 the solicitor's office who handles all that.  
16 Q Okay. So that should be turned over to evidence,  
17 then defense, correct, if it was seized? There  
18 should be a record of that?  
19 A There would be a record of it, yeah.  
20 Q Okay. I'll get that back from you.  
21 A Yes, sir.  
22 Q All right. And you said you ran some kind of  
23 database to show my client's association with the  
24 house. What database would that be?  
25 A That one in particular is TLO.

- 1 Q Okay. How does that work?
- 2 A It's based off -- it pulls data from a lot of  
3 different places. Usually, if you get a bill in  
4 your name, could be a cell phone bill, power bill,  
5 different things like that.
- 6 Q Did you verify there were any bills in my client's  
7 name at that house?
- 8 A No.
- 9 Q You did not? Okay.
- 10 And you said you didn't find any mail to my  
11 client at that house, did you?
- 12 A No, sir.
- 13 Q Okay. So you're using some unknown database to  
14 just pull stuff randomly off the Internet, I would  
15 guess --
- 16 A It's --
- 17 Q -- associated with that house?
- 18 A It's basically Experian. Most people are familiar  
19 with that; it's like a credit bureau-type thing.  
20 That's where the information comes from.
- 21 Q Well, they all have information from somewhere,  
22 but you said you didn't find anything else  
23 associated with my client with that house, no  
24 bills, no mail.
- 25 A We had -- the house is actually in Conway City's

1 jurisdiction. And through a phone call for  
2 service, we had also seen that he'd been there.

3 Q All right. But the only mail found was to his  
4 girlfriend, correct?

5 A I believe one of his friends also had a piece of  
6 mail there.

7 Q Oh, a friend had a piece of mail there, too?

8 A Yeah.

9 Q Do you know what friend?

10 A Eric Alston.

11 Q Eric Alston? Okay.

12 MR. PINKERTON: No further questions, Your  
13 Honor.

14 THE COURT: Any redirect, sir?

15 MR. BEAMER: Briefly, Your Honor.

16 **REDIRECT EXAMINATION**

17 BY MR. BEAMER:

18 Q Defense counsel pointed out that mail for the  
19 girlfriend and the other individual was found at  
20 the residence. Why were they not considered  
21 suspects in this case?

22 A Eric wasn't on scene, and Sarah wasn't there,  
23 either. They weren't considered suspects because  
24 he had taken custody of it and hid it.

25 But there was other evidence to show he

1 stayed there. He had his men's clothing in a  
2 shared bedroom, the master bedroom.

3 MR. BEAMER: No further questions.

4 MR. PINKERTON: Briefly, for what Mr. Beamer  
5 just asked.

6 **RECROSS-EXAMINATION**

7 BY MR. PINKERTON:

8 Q All right. So you said Eric and his girlfriend  
9 were not suspects just because they weren't there?

10 A They weren't.

11 Q If Mr. Bueno had not been there, would he have  
12 been a suspect?

13 A I would have known. Frequently, we deliver  
14 packages and they're not accepted, and we just go  
15 pick them back up.

16 Q So he only became a suspect because he was at the  
17 house when y'all delivered the package?

18 A And he accepted it and hid it.

19 Q Would it not be uncommon for -- you know, let's  
20 say you've got two people in the house. I ask my  
21 friend, hey, go pick up the package off the front  
22 door; UPS just delivered something. Would that  
23 not be uncommon so porch pirates don't get it?  
24 Let's say I'm not at home. I ask my friend to go  
25 pick up the package off the front door so no one

1 steals it. Would that not be uncommon?

2 A It -it does happen. We do controlled deliveries,  
3 sometimes we do a lot, sometimes we don't. We  
4 just did one a few weeks ago where we delivered to  
5 three houses in Horry County and one in  
6 Georgetown. The one house on 65, they didn't come  
7 out and take the package. The one I had on  
8 Burcale Road, they did accept the package.

9 Q Well, that wasn't my question. My question was,  
10 how do you know someone -- like his girlfriend or  
11 this Eric person -- didn't ask him to go pick up  
12 the package because they weren't there? Would  
13 that be possible?

14 A It -- it could have been.

15 Q Could have been? Okay. Thank you.

16 MR. PINKERTON: No further questions.

17 THE COURT: State?

18 MR. BEAMER: Nothing further, Your Honor. I  
19 would ask that this witness be allowed to step  
20 down and be excused from his subpoena.

21 MR. PINKERTON: No objection.

22 THE COURT: You may go, sir. Thank you for  
23 your time.

24 Can I talk to y'all, please?

25 (WHEREUPON a bench conference was held

1 off the record.)

2 Members of the jury, we have been here since  
3 10:30. It's time for what I like to call a  
4 comfort break.

5 So would you return to your jury room? Do  
6 not discuss this case. Do not deliberate this  
7 case yet. And you will be summoned shortly.  
8 Thank you.

9 (WHEREUPON, the jury left the courtroom  
10 at 11:58 a.m. and Court was in recess.)

11 (WHEREUPON, the jury entered the  
12 courtroom at 12:22 p.m.)

13 THE COURT: Proceed, sir.

14 MR. HOLFORD: Your Honor, the State calls  
15 Taylor Singleton.

16 THE CLERK: Please raise your right hand and  
17 place your left hand on the Bible.

18 WHEREUPON,

19 TAYLOR SINGLETON,  
20 after having been duly sworn, testified as follows:

21 THE CLERK: Please state your name and spell  
22 it for the Court.

23 THE WITNESS: Taylor Singleton, T-A-Y-L-O-R  
24 S-I-N-G-L-E-T-O-N.

25 **DIRECT EXAMINATION**

- 1 BY MR. HOLFORD:
- 2 Q Ms. Singleton, can you tell the jury where you're  
3 currently employed?
- 4 A With the Horry County Police Department.
- 5 Q And how long have you been with the police  
6 department?
- 7 A Three years.
- 8 Q Back in 2023, in September -- or 2022, in what  
9 capacity were you employed?
- 10 A I worked for the evidence department.
- 11 Q And have you seen Horry County Police Department  
12 evidence records before?
- 13 A Yes.
- 14 Q And what was part of your duties back there with  
15 the evidence department?
- 16 A I was an evidence technician. I would collect all  
17 the evidence, package it, and prepare it for --  
18 for court or trial or whatever. Anything they  
19 needed.
- 20 Q If you ever received suspected drug evidence,  
21 would you ever open the package itself or tamper  
22 with the evidence at all?
- 23 A No.
- 24 Q Would it remain in the package, sealed?
- 25 A Yes.

1 Q I'm going to show you what's been entered as  
2 State's Exhibit 13 already. Are you familiar with  
3 what State's 13 is?

4 A Yes.

5 Q And is this an evidence record that is regularly  
6 kept in the course of business at Horry County?

7 A It is.

8 Q And can you tell the jury who the evidence was  
9 submitted to in this case?

10 A Who it was submitted to? It was submitted by Drew  
11 Edwards to evidence, and then I received it.

12 Q You received it?

13 A I received it, yep.

14 Q And did you have any further dealings with this  
15 case?

16 A No.

17 MR. HOLFORD: No further questions, Your  
18 Honor.

19 THE COURT: Mr. Pinkerton?

20 MR. PINKERTON: No questions, Your Honor.

21 MR. HOLFORD: Your Honor, I'd ask that the  
22 witness be excused.

23 THE COURT: All right. Ma'am, you may be  
24 excused.

25 THE WITNESS: Thank you.

1 THE COURT: Thank you.

2 MR. HOLFORD: Your Honor, the State calls  
3 Merrell Hawkins to the stand.

4 THE COURT: All right, sir.

5 THE CLERK: Please raise your right hand and  
6 place your left right hand on the Bible.

7 WHEREUPON,

8 MERRELL HAWKINS,

9 after having been duly sworn, testified as follows:

10 THE CLERK: Please state your name and spell  
11 it for the Court.

12 THE WITNESS: Merrell Hawkins, M-E-R-R-E-L-L  
13 H-A-W-K-I-N-S.

14 **DIRECT EXAMINATION**

15 BY MR. HOLFORD:

16 Q Ms. Hawkins, can you tell the jury where you're  
17 employed?

18 A I work for the Horry County Police Department in  
19 the property and evidence unit.

20 Q And how long have you been in the property and  
21 evidence unit?

22 A Five and a half years.

23 Q Back in September of 2022, was that still your  
24 duty?

25 A Yes, sir.

- 1 Q And in this case, I'm going to show you what's  
2 been entered as State's Exhibit 13. There's a top  
3 page and then a second page.
- 4 A Uh-huh.
- 5 Q Do you mind glancing at that? Are you familiar  
6 with that document is?
- 7 A I am, yes, sir.
- 8 Q Is that an evidence record that's regularly kept  
9 by your department?
- 10 A It is. It's actually a continued chain of  
11 custody.
- 12 Q Okay. So the continued chain of custody on the  
13 second page of that chain of custody, what is  
14 that -- explain to the jury what that's saying.
- 15 A So the evidence comes into our unit, and it gets  
16 checked in and we secure it. And then, at some  
17 point, if we're requested to transfer it for  
18 testing or for some other purpose, we then sign it  
19 over to someone else. In this case, I was signing  
20 it over to someone else to transport it to SLED.
- 21 Q So from the time it is received by the person into  
22 evidence until the time where you signed it out to  
23 someone else, can you tell the jury about the  
24 security in which the evidence is kept?
- 25 A The evidence is kept in a secure facility. In

1           this particular case, it would have been stored in  
2           our warehouse because of the size of it, which is  
3           behind locked, key-carded doors and a locked gate.

4   Q       And when you prepare that evidence, do you then  
5           check to see if it had been tampered with or  
6           opened or manipulated in any way?

7   A       Absolutely.

8   Q       And in this case, did you notice any tampering or  
9           manipulation of the evidence?

10  A       No.

11  Q       And who did you turn it over to?

12  A       I turned it over to one of our crime scene  
13           personnel, Lauren Porzio Heard.

14  Q       And did you have any further involvement in this  
15           case?

16  A       About a week later, she brought it back from SLED.  
17           It came back after it had been tested and was  
18           placed back into our storage facility.

19  Q       And then, after it was stored, did you then sign  
20           it out for it to be brought to court, as well?

21  A       I did.

22  Q       Okay.

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

25           THE COURT: Sir?

1 MR. PINKERTON: Just one brief question,  
2 ma'am.

3 THE WITNESS: Yes, sir.

4 **CROSS-EXAMINATION**

5 BY MR. PINKERTON:

6 Q You said it was stored in a secure facility. Who  
7 all would have access to that facility?

8 A Only the evidence personnel, which is my  
9 supervisor, myself, and we generally have two  
10 administrative assistants.

11 Q So about four people?

12 A About four people, yes, sir.

13 Q What kind of security protocols do you have to get  
14 in to that facility?

15 A It's a key card system, where each time you enter  
16 the facility, you have to swipe a key card, and it  
17 records your name, date, and time.

18 Q Okay. Thank you.

19 MR. PINKERTON: No further questions.

20 THE COURT: State?

21 MR. HOLFORD: I would ask that this witness  
22 be excused, Your Honor.

23 MR. PINKERTON: No objection, Your Honor.

24 THE COURT: Have a good day, ma'am. Thank  
25 you.

1 THE WITNESS: Thank you.

2 MR. HOLFORD: Sorry. Your Honor, the State  
3 calls Lauren Porzio-Heard.

4 THE CLERK: Please raise your right hand and  
5 place your left right hand on the Bible.

6 WHEREUPON,

7 LAUREN PORZIO-HEARD,  
8 after having been duly sworn, testified as follows:

9 THE CLERK: Please state your name and spell  
10 it for the Court.

11 THE WITNESS: Lauren, L-A-U-R-E-N, Porzio,  
12 P-O-R-Z-I-O, Heard, H-E-A-R-D.

13 **DIRECT EXAMINATION**

14 BY MR. HOLFORD:

15 Q Officer Porzio-Heard, where are you currently  
16 employed?

17 A I am currently employed at the Horry County Police  
18 Department.

19 Q And how long have you been with the police  
20 department?

21 A Just shy of two years.

22 Q Back in September of 2022, where you employed  
23 there at that time?

24 A In 2022, no. Not yet.

25 Q Okay.

- 1 A I started March of 2023.
- 2 Q That is right.
- 3 A Yeah.
- 4 Q All right. So in September of 2023, were you  
5 employed with the Horry County Police Department?
- 6 A Yes, sir. Yes.
- 7 Q And at that time, did you have an occasion to take  
8 evidence from the police department and transport  
9 it to SLED?
- 10 A Yes.
- 11 Q I'm going to show you what's been entered as  
12 State's 13. And flip to page 2 and 3.
- 13 Are you familiar with what that second and  
14 third page are showing?
- 15 A Yes.
- 16 Q Do you see your name on there?
- 17 A Yes, I do.
- 18 Q And on that chain of custody, what is it saying  
19 that you did in this case?
- 20 A So what it's saying is that I received this item,  
21 I transported it to SLED, and I dropped it off at  
22 the SLED facility.
- 23 Q And did you sign it over to SLED at that time?
- 24 A Yes.
- 25 Q And did you eventually return that evidence after



1 THE COURT: All right. Have a good day.  
2 Thank you.

3 THE WITNESS: Thank you. You, too.

4 MR. HOLFORD: Your Honor, the State calls  
5 Agent Brittnee Looney.

6 THE CLERK: Please raise your right hand and  
7 place your left hand on the Bible.

8 WHEREUPON,

9 BRITTNEE LOONEY,  
10 after having been duly sworn, testified as follows:

11 THE CLERK: Please state your name and spell  
12 it for the Court.

13 THE WITNESS: Brittnee Looney. Brittnee,  
14 B-R-I-T-T-N-E-E, and Looney is L-O-O-N-E-Y.

15 **DIRECT EXAMINATION**

16 BY MR. HOLFORD:

17 Q Ms. Looney, where are you currently employed?

18 A I work for the South Carolina Law Enforcement  
19 Division, commonly known as SLED, in the drug  
20 analysis department.

21 Q And how long have you been in the drug analysis  
22 department at SLED?

23 A Almost nine years.

24 Q Okay. So back in September of 2023, were you  
25 employed in that capacity?

1 A Yes, sir, I was.

2 Q I'm going to hand you what's been marked as  
3 State's Exhibits 16 and 17, at this point for  
4 identification. Are you familiar, first, with  
5 what State's 16 is?

6 A Yes, sir.

7 Q And how are you familiar with what State's 16 is?

8 A This is a copy of our chain of custody. So I'm  
9 used to seeing this in our system.

10 Q Are chains of custody at SLED kept in the ordinary  
11 course of business?

12 A Yes, sir, on every case.

13 Q And does it have an identifying number, a SLED lab  
14 number that associates it with a case?

15 A Yes, sir.

16 Q And does State's 16 relate to this case that we're  
17 here today?

18 A Yes, sir, it does.

19 MR. HOLFORD: Your Honor, at this time, the  
20 State would seek to introduce State's 16 into  
21 evidence.

22 MR. PINKERTON: No objection, Your Honor.

23 THE COURT: Without.

24 (WHEREUPON, State's Exhibit No. 16 was  
25 admitted into evidence.)

1 MR. HOLFORD: Permission to publish?

2 THE COURT: Yes, sir.

3 Q (MR. HOLFORD) If we're looking here at State's 16,  
4 this number up here, can you tell the jury what  
5 that is?

6 A It's L23-15554.

7 Q And why is that significant?

8 A So that is the U five number in this case. So  
9 every case that comes into SLED gets a unique SLED  
10 lab number as it comes in from our evidence  
11 control department.

12 Q And does this chain of custody say who from the  
13 police department submitted it to you? To the  
14 lab?

15 A Yes, sir, it does.

16 Q And in this case, is it Lauren Porzio-Heard?

17 A Yes, sir.

18 Q Okay. Now, let me ask you about this. There's an  
19 item of chain of custody, a forensic technician on  
20 September 14th, 2023 is a Madison Willis. Who is  
21 that?

22 A So she's one of our evidence technicians that  
23 works downstairs. So she would have been the one  
24 to pull it from the evidence lockers. Yes,  
25 because it was submitted in the -- that's what it

1 says, placed into the evidence submission locker.

2 So Lauren would have put it into the evidence  
3 submission lockers. And then Madison pulled it  
4 out, and she would have been the one to log it  
5 into our system.

6 Q The person who logs it in, Madison Willis, does  
7 she test the -- test the items in any way?

8 A No, she is just one of our evidence technicians  
9 downstairs. So her job is only to take in  
10 evidence and to give evidence back to the  
11 agencies.

12 Q Does she open the packaging or manipulate it in  
13 any way?

14 A No, sir.

15 Q And the next person on the list is -- is that you,  
16 the forensic scientist?

17 A Yes, it is.

18 Q Now, when you receive it, do you make sure that  
19 the evidence is sealed or intact, and came in the  
20 same manner in which it was dropped off at SLED?

21 A Yes. Before I open up a case, that's part of my  
22 check before I start working it. So I will make  
23 sure that it's sealed up and properly sealed. If  
24 it's not, I will take pictures of it and document  
25 it on my worksheet.

1 Q And in this case, was the evidence suspected  
2 marijuana submitted to properly sealed?

3 A It was.

4 Q There are some people after here on the -- on the  
5 list, but is that after it's already been tested?

6 A It is, yes, sir. So I have to bring the evidence  
7 back downstairs so then they can give it back to  
8 the agency.

9 Q And then they return it back to the police  
10 department?

11 A That's correct.

12 Q And did you, in fact, in this case, did you test  
13 any suspected narcotic?

14 A I did.

15 Q And can you tell the jury what the suspected  
16 narcotics were?

17 A So I had 17 heat-sealed pouches containing  
18 packaging containing plant material. And I found  
19 marijuana in 11 of those items.

20 Q Okay. Tell the jury a little bit about how do you  
21 test for marijuana?

22 A So the first thing I do is, I would -- obviously,  
23 like I said, make sure everything is sealed  
24 properly, and then I will start cutting open  
25 packages one at a time, and I'll take a net weight

1 of it. And then we do an indicative test.

2 So in this case, we look for three hairs on  
3 the cannabis plant. And so, we look under the  
4 microscope, and if those are positive, we'll  
5 continue on and confirm how much delta-9 THC is  
6 present in it. And so, from that, you can tell  
7 whether or not it's marijuana.

8 Q And I think I skipped over this, but what kind of  
9 training or expertise do you have in testing  
10 marijuana, specifically?

11 A So I have a bachelor's of science from Wofford  
12 College in math and chemistry. I went through  
13 extensive in-house training under a senior drug  
14 chemist. I attended basic legal and law training  
15 from the South Carolina Criminal Justice Academy.  
16 And I attended the forensic chemist seminar put on  
17 by the Drug Enforcement Administration.

18 Q Have you testified in court before?

19 A Yes, sir.

20 Q And have you been recognized as an expert in South  
21 Carolina courts before?

22 A I have.

23 MR. HOLFORD: Your Honor, at this time, the  
24 State would tender Brittnee Looney as an expert in  
25 drug analysis.

1 THE COURT: Mr. Pinkerton?

2 MR. PINKERTON: One question briefly, Your  
3 Honor.

4 **VOIR DIRE EXAMINATION**

5 BY MR. PINKERTON:

6 Q How long have you been doing this again? .

7 A Almost nine years.

8 Q Nine years? And you've been testing marijuana all  
9 nine years?

10 A No, I have not.

11 Q How long you been doing the marijuana testing?

12 A I started officially doing it -- I switched over  
13 in February of 2022, so three years.

14 Q Okay.

15 MR. PINKERTON: No objection, Your Honor.

16 THE COURT: I find she is being an expert  
17 based on experience, education, and prior service  
18 as an expert.

19 **CONTINUING DIRECT EXAMINATION**

20 Q (MR. HOLFORD) Now, I've handed you what's been  
21 marked as State's 17 for ID. Are you familiar  
22 with what State's 17 is?

23 A It appears to be a copy of my report.

24 Q And does it appear to be a true and accurate copy  
25 of the report?

1 A Yes, sir.

2 Q And the item numbers match up to the lab numbers?

3 A Yes, sir.

4 MR. HOLFORD: Your Honor, at this time, the  
5 State would seek to introduce State's 17 into  
6 evidence.

7 THE COURT: Mr. Pinkerton?

8 MR. PINKERTON: No objection, Your Honor.

9 THE COURT: Without. Thank you.

10 (WHEREUPON, State's Exhibit No. 17 was  
11 admitted into evidence.)

12 MR. HOLFORD: Permission to publish?

13 THE COURT: Yes, sir.

14 Q (MR. HOLFORD) If we're looking at this document,  
15 can you tell the jury -- we have drug analysis THC  
16 on it --

17 A Quantification.

18 Q Thank you.

19 A Yes, sir.

20 Q And you have the SLED lab number and an incident  
21 date of 9-23-2022. And then, do you also have a  
22 testing date?

23 A So the date up top, September 20th, 2023 was  
24 when this was peer reviewed, and so that is our  
25 official date. So everything is a hundred percent

1 peer reviewed in our department. And so, that is  
2 that day, then, that the report gets time-stamped,  
3 of when that was peer reviewed.

4 Q Now, let me ask you this. We have delta-9 THC dry  
5 weight greater than 1 percent. Can you tell the  
6 jury why that's important?

7 A So back a couple years ago, they passed the hemp  
8 bill in South Carolina. And so, now we have to  
9 show whether something is hemp versus marijuana.  
10 And so, in that bill, the -- the factor that  
11 distinguishes between the two of them -- because  
12 you can't just look at them and tell -- is how  
13 much delta-9 THC is present in there. And so, if  
14 it's greater than 0.3 percent, then it's  
15 considered marijuana in this state. If it is  
16 0.3 percent or less, it's considered hemp.

17 Q Okay. And this is saying it's greater than  
18 1 percent?

19 A Correct.

20 Q And the threshold is zero --

21 A Point three.

22 Q Point three. Okay.

23 Now, you said that you initially observed the  
24 evidence and you looked at some of the fibers, I  
25 believe?

1 A The hairs on it, yes, sir.

2 Q The hairs on it. And then, afterwards, how do you  
3 determine that the THC is greater than 1 percent?

4 A So we run it on the instrumentation. And so, on  
5 that, we do a quantitative method on it to find  
6 out much is there.

7 Q Can you tell the jury about what those instruments  
8 are and how they work?

9 A So we use a gas chromatogram mass spectrometer, or  
10 a GCMS. And so, the first part of it is basically  
11 like a hot oven, and it's got a column inside of  
12 it. And so, on there, we'll insert or we'll  
13 inject a sample from our extraction. And it will  
14 go around and it gets separated out into its  
15 compounds.

16 And so, from there, we use retention time, so  
17 the time it comes out on the instrument to  
18 compared to standards that we know. And so,  
19 that's where we can say hey, delta-9 THC is, in  
20 fact, present.

21 And then, we can use that, then, as well, to  
22 figure out much is actually present there and --  
23 yeah.

24 Q Okay. So it's more scientific than it used to be,  
25 just looking at it and saying this appears to be

1 marijuana?

2 A Yes, it is.

3 MR. HOLFORD: Your Honor, I would ask that  
4 the witness be able to come down and observe the  
5 evidence as it lays, instead of moving it back and  
6 forth?

7 MR. PINKERTON: No objection, Your Honor.

8 THE COURT: By all means, ma'am.

9 Q (MR. HOLFORD) Do you mind coming down here while I  
10 ask you a couple questions?

11 We have premarked State's Exhibit 14A, B, C,  
12 D, E, F, G, H, I, J, and K. I believe that's 11  
13 bags. Can you go through those first of A through  
14 K, and how are you able to determine if this is  
15 the marijuana that you tested?

16 A That what is -- that what is in here is what I  
17 tested?

18 Q Correct.

19 A Okay. So I can see -- all the bags will have the  
20 lab number on it and then the item number and then  
21 my initials. And the R down here is just a  
22 re-pack. So I can't shove it all back into the  
23 original packaging, so this -- this ziplock bag is  
24 something I added to keep all the evidence  
25 separate.

1 Q Okay. And so, are 14A through K, are those all  
2 items that you tested in this case?

3 A Yes.

4 Q Okay. And I believe you said you received 17  
5 packages and tested 11?

6 A Yes.

7 Q And A through K, I think I counted that's -- is  
8 that 11.

9 A Yes.

10 MR. HOLFORD: Your Honor, at this time, the  
11 State would seek to introduce State's 14A, 14B, C,  
12 D, E, F, G, H, I, J, and K into evidence.

13 MR. PINKERTON: The Court's indulgence one  
14 second?

15 THE COURT: Yes, sir.

16 MR. PINKERTON: No objection, Your Honor.

17 THE COURT: Thank you, sir.

18 (WHEREUPON, State's Exhibit Nos. 14A  
19 through 14K were admitted into  
20 evidence.)

21 Q (MR. HOLFORD) And if you need to refer to your  
22 report, of the -- these 11 that you tested, what  
23 was your determination?

24 A They all came back as marijuana.

25 Q Okay. And do you weigh it at that point?

1 A So when I open up a bag, the first thing I would  
2 do is take in that weight. So I would take it  
3 all, like, out of all the packaging. So usually  
4 I'll just tear this ziploc bag it's going to go  
5 into, put it on the scale, and then I'll dump the  
6 marijuana into there -- or the plant material --  
7 and take a net weight of it. And then, from  
8 there, I will look at the hairs and carry out --  
9 so each bag goes one at a time until I'm done with  
10 that one, then the rest of them stay sealed. I'll  
11 seal up each one at a time and put them away so  
12 none of them get cross-contaminated.

13 Q Okay. And if we look at State's 17, there's a  
14 total net weight. Can you tell the jury what that  
15 is?

16 A 4869 grams.

17 Q And how many ounces is that?

18 A 171.87.

19 Q How many ounces in a pound?

20 A It's sixteen.

21 Q So at 171.87 -- would it be fair to say to that  
22 that's 10.74 pounds?

23 A It would be, yes. So the reason you'll see the  
24 maximum attainable statutory threshold has been  
25 met for the substance and why I only tested 11 out

1 of the 17 is because in South Carolina, we have a  
2 threshold. We have to hit 10 pounds to show  
3 trafficking at the first level, and then the next  
4 threshold we have is 100. So, I don't have  
5 100 pounds, and so, once I show that 10 pounds has  
6 been met, then I don't have to test any more  
7 beyond that.

8 Q All right. So let me ask you, then, about 14N, O,  
9 P, Q, R, and S, these packages that still appear  
10 to be heat sealed. Are those items you received  
11 in this case?

12 A Yes. And I can see, again, the lab number, the  
13 item number, and my initials.

14 Q And again, after you had tested the first 11 and  
15 you met the 10 pounds, you can see here you're  
16 never going to get to over a hundred?

17 A Correct. I have a gross weight that had been  
18 recorded at that point on my worksheet to show  
19 that I will not be over the next threshold. And,  
20 my review partner would see that, as well. We  
21 just don't have that on the actual report  
22 anywhere; we take that part off.

23 Q But this -- these are still -- 14N, O, P, Q, R,  
24 and S -- are all items that you received in the  
25 lab and that you noted with the lab number and

1 item 1.1?

2 A Correct.

3 MR. HOLFORD: Your Honor, at this time, the  
4 State would seek to introduce 14N, O, P, Q, R, and  
5 S into evidence.

6 MR. PINKERTON: Your Honor, I would object to  
7 that.

8 THE COURT: Grounds?

9 MR. PINKERTON: We probably need to do this  
10 outside the presence of the jury.

11 THE COURT: Okay.

12 I'll ask the jury to return to your room for  
13 a short period of time while I deal with a legal  
14 matter. Do not discuss, do not deliberate,  
15 please.

16 (WHEREUPON, the jury exited the  
17 courtroom at 12:49 PM.)

18 Yes, sir.

19 MR. PINKERTON: Thank you, Your Honor.

20 The reason I want to this outside the  
21 presence of the jury, those items were not tested  
22 by SLED. I understand why she said she did not  
23 test them, but we have no way of knowing they  
24 actually are marijuana because we don't have the  
25 THC threshold on them, Your Honor. They're just

1           trying to bolster their case at this point. And  
2           they've already said they've proven they've gotten  
3           10 pounds. And I don't want the jury to have that  
4           into evidence just to bolster their case when it's  
5           not been tested and we don't know what it actually  
6           is.

7           THE COURT: And you, sir?

8           MR. HOLFORD: Your Honor, what's important in  
9           this case is that agents have already testified  
10          that there were 17 packages seized, that there  
11          were 17 packages in the box, that there were  
12          17 packages submitted to SLED. Just because the  
13          remaining six packages have not been tested does  
14          not change the fact that 11 of them were tested.

15          Your Honor, the State is not submitting these  
16          six into evidence saying that they are marijuana  
17          definitively, because that hasn't been testified  
18          to. We are submitting them to say that they are  
19          consistent with what's already tested positive for  
20          marijuana, what was shipped, received, seized, and  
21          turned over to SLED, and then, packaged in the  
22          same manner and sent back to the Horry County  
23          Police Department.

24          MR. PINKERTON: And Your Honor, I just  
25          believe it's dangerous to let the jury infer that

1 that's marijuana when it's not been tested.

2 MR. HOLFORD: I don't think that they have to  
3 infer that it's marijuana. I think they have to  
4 infer that these were packages that were shipped,  
5 received, and seized in this case.

6 THE COURT: Well, Mr. Pinkerton, I'm going  
7 to, respectfully, overrule your motion. It's not  
8 being submitted -- correct me if I'm wrong, now --  
9 that it was marijuana, but it was found. It was  
10 in the big box. It was found in the attic. And  
11 I'm going to allow it in, sir.

12 MR. PINKERTON: Yes, Your Honor.

13 MR. HOLFORD: Thank you.

14 THE COURT: And they can give that N through  
15 S whatever weight they wish to.

16 All right. Anything else? We need to bring  
17 them back in, then?

18 MR. HOLFORD: I don't believe so, Your Honor.

19 THE COURT: Okay.

20 Will you bring them back in, sir?

21 (WHEREUPON, the jury entered the  
22 courtroom at 12:54 PM.)

23 Sir?

24 MR. HOLFORD: Your Honor, again, the State  
25 would request that 14N, O, P, Q, R, and S be

1 entered into evidence.

2 THE COURT: Anything further with that?

3 MR. PINKERTON: I would just renew my  
4 objection.

5 THE COURT: Yes, sir. Motions are  
6 respectfully overruled, and they're in evidence,  
7 sir.

8 MR. HOLFORD: Thank you, Your Honor.

9 (WHEREUPON, State's Exhibit Nos. 14N  
10 through 14S were admitted into  
11 evidence.)

12 **CONTINUED DIRECT EXAMINATION**

13 BY MR. HOLFORD:

14 Q Now, Ms. Looney, we see item 1 is a box; is that  
15 correct?

16 A Correct.

17 Q Is that how it all comes to you?

18 A Yes.

19 Q And then, do you, in fact, do items 1.1, 1.2, 1.3?

20 A I do.

21 Q All 17 of the packages have now been entered into  
22 evidence, were those items 1.1?

23 A They were.

24 Q Now, you also have a 1.2. I'm going to show you  
25 what's been premarked as 14L, 14M, and 14T. Are

1           you able to identify what these packages relate  
2           to?

3    A       Yes.  These are item 1.2.

4    Q       Okay.  Each one of those is item 1.2?

5    A       Yeah, all together, this whole thing is just drug  
6           evidence, which is item 1.2.

7    Q       So you received it.  Now, on our report, what does  
8           it say?

9    A       It says, "No analysis performed."

10   Q       Okay.  So you did not do an analysis on item 1.2?

11   A       I did not.

12           MR. PINKERTON:  Your Honor, we would object  
13           at this point.

14           MR. HOLFORD:  Your Honor, the State's not  
15           offering them in evidence.

16           THE COURT:  Okay.  Do you still need to be  
17           heard?

18           MR. PINKERTON:  Your Honor, if the State's  
19           not offering them in evidence, then no objection.

20           THE COURT:  Okay.  Thank you, sir.

21   Q       (MR. HOLFORD) And then, you returned those items,  
22           even though they hadn't been analyzed?

23   A       Correct.

24   Q       Okay.  So what's on the table here is what you've  
25           analyzed, and then, also, once you met a maximum

1 threshold, stopped testing.

2 A That is correct.

3 Q What is your expert opinion in this case as to the  
4 weight and the contents?

5 A So when I tested, I found marijuana in 11 tested.  
6 And the total weight was 4864 -- 69, excuse  
7 me, grams.

8 Q And again, that was over the 10-pound threshold?

9 A That's correct.

10 MR. HOLFORD: Your Honor, the State has no  
11 further questions.

12 THE COURT: Mr. Pinkerton?

13 MR. PINKERTON: Yes, Your Honor. Thank you.

14 **CROSS-EXAMINATION**

15 BY MR. PINKERTON:

16 Q In your time there at SLED testing marijuana, have  
17 you ever had, like, CBD submitted to you and the  
18 police think it's marijuana?

19 A We've had something that would come back as hemp,  
20 yes. I've had stuff that tested positive for  
21 hemp.

22 Q About how often was that?

23 A In the early days, probably like a lot of the 2020  
24 cases, because we've had a backlog, so it's -- it  
25 was more often 2020 and 2021 cases that we saw

1 stuff coming back as hemp. On -- I -- I mean,  
2 maybe a handful of times. I do about 25 to 30  
3 cases each week. I mean, so in those early days,  
4 it might be, maybe, like, five that might come  
5 back.

6 Q Okay. What kind of test did you do on the  
7 marijuana again?

8 A So I do a microscopic at first. So I look  
9 underneath the microscope for all the -- for the  
10 three hairs. And then I do a confirmatory test,  
11 which is using the GCMS.

12 Q Are there other ways to test for marijuana?

13 A We use a GCMS to do the quantitation for it. We  
14 tried, at first, to use an LCMS, so there could be  
15 somewhere else that uses an LCMS. But in this  
16 state here, we have one of our chemists that came  
17 up with the method that we use, and he uses the  
18 GCMS, is what he used. And he's passed that out  
19 the rest of the state.

20 So as far as I know, in South Carolina, I  
21 think just the GCMS is used.

22 Q So your own chemist actually came up with how you  
23 test?

24 A He used method development, yes, sir.

25 Q Okay. But created in-house, basically?

1 A It was.

2 Q Okay. Do other states use this test?

3 A Yes, they do.

4 Q Okay.

5 MR. PINKERTON: No further questions, Your  
6 Honor.

7 THE COURT: Yes, sir. State?

8 **REDIRECT EXAMINATION**

9 BY MR. HOLFORD:

10 Q Is the test you use with the GCMS reliable?

11 A Yes, sir.

12 MR. HOLFORD: No further questions.

13 THE COURT: Mr. Pinkerton?

14 MR. PINKERTON: No, Your Honor.

15 THE COURT: May she --

16 MR. HOLFORD: Your Honor, the State would ask  
17 that she be excused from her subpoena.

18 MR. PINKERTON: No objection, Your Honor.

19 THE COURT: Have a good day, ma'am. Thank  
20 you so much.

21 THE WITNESS: Thank you.

22 MR. HOLFORD: Your Honor, at this time the  
23 State rests.

24 THE COURT: All right, sir.

25 To the jury, I will ask you, please, to

1 return to your room while I take up some matters  
2 with the lawyers.

3 No discussions about this case, no  
4 deliberations, and no verdict, please. Thank you.

5 (WHEREUPON, the jury exited the  
6 courtroom at 12:59 PM.)

7 I assume you have some motions?

8 MR. PINKERTON: Yes, Your Honor.

9 At this point, I would move for a directed  
10 verdict, Your Honor.

11 The State has not proven that my client was  
12 in actual or constructive possession of this  
13 marijuana. As you've heard officers testify,  
14 other people lived in this house, there were other  
15 people in this house that weren't charged. Even  
16 the lead detective stated that my client was  
17 charged just because he was in that house, Your  
18 Honor. Just because he went and got a package of  
19 the front -- or the back porch of this house does  
20 not mean he was actually the one in possession of  
21 this marijuana.

22 THE COURT: State, sir?

23 MR. BEAMER: Your Honor, the State  
24 respectfully disagrees. We believe enough  
25 evidence has been shown that we're at the point

1           that this is a question for the jury.

2           As far as the elements of trafficking go,  
3 officers testified that Mr. Bueno was the one who  
4 took possession of the package, brought it into  
5 the house. So at that point, he was already in  
6 actual possession. And he was in constructive  
7 possession because we've established that this was  
8 his residence and that the drugs were found up in  
9 the attic and there's evidence to indicate that he  
10 was the one that put them in the attic. So he was  
11 both in actual and constructive possession of the  
12 narcotics.

13           Additionally, based on the evidence of the  
14 shipping address being his residence in this case  
15 as well as the previous box that was found in the  
16 house, sent in a similar method from the same  
17 address, it indicates a potential conspiracy to  
18 bring drugs into the state. So there's  
19 trafficking by that way, as well.

20           As the SLED agent stated, the drugs did, in  
21 fact, test positive for marijuana and had a weight  
22 over 10 pounds, so we've met the trafficking  
23 threshold. We believe that the State has proven  
24 enough for this to be a question for the jury and  
25 tnt a directed verdict is not appropriate.

1 THE COURT: Yes, sir.

2 Mr. Pinkerton, with great respect for you --  
3 we work together a lot -- I deny your motion. I  
4 find there's enough evidence for it to go to the  
5 jury, to be a question of fact for the jury. So I  
6 respectfully deny that motion.

7 MR. PINKERTON: And, Your Honor, at this  
8 time, I would just renew all previous objections.

9 THE COURT: Yes, sir. And my rulings would  
10 remain the same.

11 Now, do you need some time to talk to your  
12 client?

13 MR. PINKERTON: I would, yes, sir.

14 THE COURT: Sure. Sure. Then we'll take a  
15 break and I'll leave the room. I'll just leave --

16 Will somebody come get me when you're ready  
17 so we can move to where we go next, okay?

18 MR. PINKERTON: Yes, Your Honor.

19 (WHEREUPON, a recess was taken.)

20 THE COURT: I was putting the proposed  
21 charges together so we can look at them shortly.

22 So, Mr. Pinkerton, what have you decided?  
23 What has your client decided?

24 MR. PINKERTON: We're not testifying, Your  
25 Honor. We have no witnesses.

1 THE COURT: Mr. Bueno, would you stand before  
2 me, please, sir?

3 Mr. Bueno, to be sure -- not that I doubt  
4 your attorney; I don't. But I want to ask you  
5 this: This is your day in court. It is my  
6 understanding now that you do not wish to testify?

7 THE DEFENDANT: Correct.

8 THE COURT: Is anybody making you not  
9 testify?

10 THE DEFENDANT: No.

11 THE COURT: Have you discussed this with your  
12 attorney, sir?

13 THE DEFENDANT: I have.

14 THE COURT: Is this what you wish to do?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you need further time to think  
17 about this?

18 THE DEFENDANT: I don't.

19 THE COURT: Have any questions about this?

20 THE DEFENDANT: No.

21 THE COURT: Mr. Pinkerton, anything else,  
22 sir?

23 MR. PINKERTON: No, Your Honor.

24 THE COURT: All right. You may be seated.  
25 Thank you, Mr. Bueno.

1 THE DEFENDANT: Thank you.

2 THE COURT: I have put the charges together.  
3 And, ma'am, the delivery of nutrition, about where  
4 -- when -- where do we stand with that; do you  
5 know? Not precisely, but.

6 THE CLERK: I want to say 1:25.

7 BAILIFF: I think, like, ten or 15 minutes.

8 THE COURT: Okay. Gentlemen, might I  
9 suggest, then, that we -- we go look at these  
10 charges, and maybe we can have that ready?

11 MR. PINKERTON: Yes, sir.

12 MR. BEAMER: Yes, Your Honor.

13 THE COURT: If that's all right with y'all.  
14 Okay. I'll met you. Come on back.

15 (WHEREUPON, a recess was taken.)

16 (WHEREUPON, the jury entered the  
17 courtroom at 2:21 PM.)

18 THE COURT: Members of the jury, first of  
19 all, the defendant has rested.

20 Secondly, the foreperson will be and is  
21 Janelle Conover. Would you raise your hand?  
22 Okay. More about that later, ma'am, but nothing  
23 to fret about.

24 Ladies and gentlemen of this jury, the  
25 parties have presented their evidence in this

1 case. It is now time for the lawyers, the  
2 prosecution and defense, to make their closing  
3 arguments.

4 Arguments of the lawyers are not evidence in  
5 this case. Their statements and arguments are  
6 meant to help you understand the evidence and  
7 apply the law to the evidence. You should  
8 disregard any remarks or statement or argument  
9 which is not supported by the evidence presented  
10 during the trial or the law that I will explain to  
11 you after their arguments.

12 Yes, sir?

13 MR. HOLFORD: May it please the Court?

14 THE COURT: Yes, sir.

15 CLOSING ARGUMENTS

16 MR. HOLFORD: Ladies and gentlemen, you've  
17 heard throughout the course of this trial from the  
18 witnesses, you've seen the evidence. And at this  
19 point, we can stop saying suspected marijuana.  
20 This is, in fact, marijuana. It's been tested as  
21 such, it's three times the legal limit of THC, and  
22 we know that it weighs over 10 pounds.

23 As you'll see from these exhibits that we  
24 presented -- if I can go through some of them and  
25 show you -- why, then, does it belong to the

1 defendant, Jessie Bueno?

2 You heard testimony that a package was  
3 interdicted at the FedEx. It's actually from this  
4 box itself; this is the actual box. It had this  
5 label on it when it was interdicted. It's coming  
6 from an address in Washington with no return  
7 address, a place that police say is typical of a  
8 shipment of illegal narcotics.

9 So he runs a dog; the dog alerts. He opens  
10 the package. It is, in fact, what they believe at  
11 that point to be marijuana. It's what's on this  
12 table right here, 17 bags full. Now, they're in  
13 white packaging at that time, but it's 17 bags of  
14 vacuum-sealed marijuana.

15 So what's he do? He gives it over to Horry  
16 County Police Department. They deliver it by  
17 themselves to the door. They'd seen the defendant  
18 coming in and out of that residence; they knew  
19 that to be a place where he resided. They're  
20 watching as they deliver the box of marijuana. He  
21 picks it up and takes it inside.

22 They give him some time, because what a  
23 reasonable person who's not involved in the  
24 trafficking of marijuana would do is say, I just  
25 got this package. It's full of marijuana. It's

1 not mine. I don't know whose it is, but it's not  
2 mine.

3 That's not what happens in this case. The  
4 defendant takes this marijuana, and he opens up  
5 the box. How do we know it's opened? Because  
6 when officers do a search warrant inside the  
7 house, here it is. There's that box, stashed up  
8 in the attic, with the label ripped off.

9 Now, where did they find the contents of  
10 what's in that bag? Shoved inside insulation in  
11 the attic. Is this an accidental -- man, someone  
12 shipped something to me that wasn't mine? No.  
13 This is trying to conceal illegal narcotics in a  
14 residence, trying to conceal it from law  
15 enforcement.

16 There's also similar packaging elsewhere in  
17 the house. There's money indicative of drug  
18 sales. There's paraphernalia indicative of the  
19 use. There's another box in that house with a  
20 similar shipping label and a similar name to the  
21 same address.

22 Now, why do we talk about that? Because this  
23 box was not accidentally delivered to that  
24 location. It came from the same place as before,  
25 it was addressed to a similar name as before, and

1           it's still in the home. But what officers find  
2 when they execute the search warrant is all of  
3 this marijuana.

4           Now, the chemist testified that she opened  
5 11 bags and tested, and can say for certain that  
6 these 11 bags, this is all marijuana. These, she  
7 didn't test. You see, once you reach a threshold  
8 of over 10 pounds, the law has differentiation.  
9 Over 10 pounds is trafficking. To get to the next  
10 level, you have to have over 100. Well, this  
11 clearly isn't over 100, so she stops testing at  
12 that point.

13           So we don't know if these other six are  
14 actually marijuana or not. And I'm not submitting  
15 to you that they are, in fact, marijuana. But  
16 these are the packages that were in the box with  
17 these 11 bags of marijuana.

18           What's that prove? Beyond a reasonable  
19 doubt, there's marijuana. Beyond a reasonable  
20 doubt, it's over 10 pounds.

21           Now, how do we show beyond a reasonable doubt  
22 that it's the defendant's? It's his girlfriend's  
23 house; it could be hers, says the defense.  
24 There's another guy sitting on the couch; it could  
25 be his, says the defense.

1           But what did you hear about the testimony?  
2           You heard the defendant's the one that came to  
3           pick the box up. The defendant's the one who has  
4           insulation-like fibers on himself. The defendant  
5           is the one who is sweaty.

6           They watched this go down over a drone. When  
7           they come and execute the search warrant, they're  
8           calling out for probably 10 minutes, come out of  
9           the house, come out of the house, come out of the  
10          house. You know the type of person who doesn't  
11          come out of the house? The one who knows he's got  
12          over 10 pounds of marijuana in there. The one who  
13          knows just 15 minutes prior, before the police  
14          were knocking on the door, he picked up a package  
15          that he had shipped to himself of marijuana.

16          Now, we can prove to you trafficking in  
17          multiple ways. The ways that we can prove that  
18          are: he conspired to have it delivered to the  
19          State of South Carolina. And that's why the  
20          shipping label is important; it comes from  
21          Washington, comes into the state. He conspired to  
22          have it delivered here and accepted by him.

23          The other way we can show it is actual or  
24          constructive possession. And again, constructive  
25          possession is the possession of dominion and

1 control.

2 Now, what you could also hear is multiple  
3 people could have possession; they could have  
4 dominion or control. My wife and I both have  
5 possession of the television that is in our house.  
6 One person could have possession. Just because  
7 someone's present in this courtroom right here, we  
8 are not all in possession of that marijuana. You  
9 don't have dominion or control; you cannot  
10 exercise the right to remove it, to sell it.

11 But the defendant did. The defendant had  
12 dominion or control over that marijuana. He even  
13 had actual possession when he took the package off  
14 the porch and then he placed it in the attic. His  
15 actions when law enforcement arrived at the scene  
16 are consistent with someone who's involved in the  
17 illegal trafficking of narcotics: dancing back and  
18 forth, furtive movements, not complying.

19 And I know the defense is going to talk about  
20 this second guy who's in the house. Well, why  
21 wasn't he charged? Because the police actually do  
22 a good job. The police don't just go into a house  
23 and arrest everyone who's there. Because just  
24 because you're present in the house doesn't mean  
25 you have dominion or control over the illegal

1           narcotics. The other guy they don't arrest?  
2           Wasn't his marijuana. They did an investigation.  
3           Whose house is it? Who picked up the package?  
4           Who looks like they just stored it in the attic  
5           where it was found? Whose marijuana is it? It's  
6           the defendant's.

7           I find it interesting that the defense  
8           attorney's argument is, let's arrest everybody.  
9           That doesn't make sense to me. What the police  
10          did was an investigation, and they only arrested  
11          the person who possessed the marijuana. They  
12          don't arrest everyone who's coming to and from the  
13          house. They don't arrest the girlfriend. They  
14          don't need to, because it's not the girlfriend's.  
15          It's not the guy who's on the couch. It's the  
16          defendant's. And I submit to you that we've  
17          proved beyond a reasonable doubt the defendant  
18          trafficked marijuana.

19          Thank you.

20          THE COURT: Mr. Pinkerton?

21          MR. PINKERTON: Ladies and gentlemen, thank  
22          you for being here. I know it's been a long day.  
23          Thank you for your patience.

24          When you're back there deliberating, I please  
25          ask y'all to keep open minds.

1           Now, in this case, the prosecution, these two  
2 gentlemen sitting here, bear the burden of proof  
3 to prove my client guilty. It is all on them. He  
4 does not have to prove his innocence.

5           Now, let's discuss what these officers  
6 testified to in the courtroom today. Start off  
7 with Agent Oates; he got a K-9 hit on a package at  
8 FedEx. However, that package was not addressed to  
9 my client.

10           Let's go to Officer Dulina -- or Lieutenant  
11 Dulina, I apologize. He's the person who  
12 delivered the package to the address in a plain,  
13 white van all sneaky like. He testified he didn't  
14 know the exact amount of time they'd investigated  
15 the house before they delivered the package.  
16 Could have been 15 minutes, could have been five  
17 hours; he doesn't know. You would think he would  
18 know that.

19           And he also testified there was another  
20 individual in the home. The prosecution would  
21 have you believe, law enforcement would have you  
22 believe, he had nothing to do with this because he  
23 was not the person, they're claiming, who took the  
24 package off the back porch. However, that proves  
25 nothing. It proves nothing because I could ask

1           somebody to get a package off my back porch, take  
2           it inside. Doesn't mean it's theirs.

3           He testified my client was covered in some  
4           unknown fiber. But that's key; it's unknown.  
5           They didn't bother to do any testing on the fiber  
6           to see if it matches insulation. You'd think  
7           they'd want to do that, especially considering  
8           where they say the packages were hidden.

9           And he goes back -- you've seen a bunch of  
10          photographs. Well, why didn't they have any  
11          photographs of my client bringing the package  
12          indoors? You'd think that would be key. They  
13          just wanted you to believe their word.

14          And as far as being tased, he had his hands  
15          up. There were dogs in the house. He wanted to  
16          get them put up because that was a terrifying  
17          situation. He had guns all on him. However,  
18          officers decide to tase him for no reason.  
19          Because by the way, there were no weapons on my  
20          client or any found in the house.

21          Let's go back to the lack of police  
22          investigation. You would think if they're trying  
23          to prove that that box belonged to my client, he  
24          was the one that un-packaged it, he's the one that  
25          hid all these up in the fiber insulation, you'd

1 think they would fingerprint the box. Do they?  
2 No. The other individual's fingerprints could  
3 very well be on that box right now. They could be  
4 on these packages of marijuana right now. We  
5 don't know because they didn't bother testing  
6 them.

7 They also didn't bother searching my client's  
8 cell phone. If he's some big drug kingpin trying  
9 to coordinate, you know, packages of marijuana  
10 from Washington, you would think there'd be  
11 evidence of him communicating with people in  
12 Washington on his cell phone, email, whatnot.  
13 They didn't bother doing that. Didn't bother  
14 doing that for the other individual, either.

15 Now, let's go back to Detective Soucy. He's  
16 the one that did the pre-surveillance of the  
17 house. You know, using drones, whatnot. He said  
18 he saw individuals leaving the house. Who were  
19 they? We don't know. And he saw a female in a  
20 car pull up to the house. He even stated he  
21 didn't remember if she went into the house or not.  
22 Why didn't they bother investigating that?

23 Detective Edwards, Lead Detective Edwards.  
24 He stated that they used some kind of database to  
25 prove my client was a resident of the house, but

1 he couldn't explain how that worked. It was  
2 pulled by Experian and other sources. But they  
3 don't have any mail of my client at that house.  
4 They don't have any packages with my client's name  
5 on it in that house. Nothing proving my client  
6 actually lived there. What they do have is  
7 evidence of other people living in the house,  
8 especially mail to a guy named Eric. Who is Eric?  
9 We don't know because they did not bother to  
10 investigate him.

11 And even if my client -- even if you do  
12 believe my client did carry the package in the  
13 house, it does not mean it was his. Doesn't mean  
14 he opened it, doesn't mean he hid the marijuana in  
15 the attic.

16 Now, they have to prove their case beyond a  
17 reasonable doubt. Now, what does that mean? They  
18 have to prove in y'all's minds that there is no  
19 other explanation of whose marijuana this was.  
20 Now, we've already shown, there's someone else in  
21 that house. It absolutely could have been their  
22 marijuana. And I submit to you that it is not Mr.  
23 Bueno's marijuana, it is this other individual's  
24 marijuana. The fact there are two people in the  
25 house should create reasonable doubt in your mind.

1 It might not have been his marijuana.

2 When you're back there deliberating, please  
3 keep an open mind. Don't let anybody bully you  
4 into a verdict against my client. And we ask that  
5 you come back with a verdict of not guilty.

6 Thank you.

7 THE COURT: To the jury, I tell you that I  
8 have more to read to you. And this is when the  
9 Court gives you the law to apply to the facts --  
10 to the testimony, I'm sorry. The testimony.

11 During this trial, you and I have and had  
12 certain duties to perform. As the trial judge, it  
13 is my responsibility to preside over the trial of  
14 the case. I also have the duty to rule on the  
15 admissibility of evidence offered during the  
16 trial.

17 You are to consider only the evidence before  
18 you. If there was any testimony ordered stricken  
19 from the record during this trial, you must  
20 disregard that testimony. You are to consider  
21 only the testimony which has been presented from  
22 the witness stand, any exhibits which have been  
23 made a part of the record in this case, and any  
24 stipulations of counsel.

25 I have the additional duty to charge you the

1 law applicable to this case. It is your duty as  
2 jurors to accept and apply the law as I state it  
3 to you. If you think you have any idea as to what  
4 the law is or what it should be, and it does not  
5 agree with what I tell you the law is, you must  
6 forget that idea because you are sworn to accept  
7 the law and apply the law as I state it to you.

8 CHARGE ON THE LAW

9 In every case tried in the court before a  
10 jury, the jury becomes the sole and exclusive  
11 judge of the facts. The trial judge cannot  
12 comment on or make any statement about the facts  
13 in a case. Since you are the sole judges of the  
14 facts, do not think, by anything I have said  
15 during this trial, that I have any opinion about  
16 the facts in this case. The law does not allow me  
17 to have an opinion about the facts.

18 You have heard all of the testimony and  
19 evidence in this case. The indictment charges the  
20 defendant --

21 May I ask one of you to tell me the charge?  
22 I don't have the indictment here. Please. Here  
23 it is. Please -- please excuse me of that.

24 I remind you that the indictment charges the  
25 defendant with trafficking in marijuana. And I

1 remind you further that the fact that the  
2 defendant was arrested, charged, and indicted in  
3 this case is not evidence in this case and cannot  
4 be considered by you as evidence of guilt in this  
5 case, nor does it create any presumption or  
6 inference of guilt. This document is simply the  
7 formal, written instrument which contains the  
8 charge made against the defendant. It is the  
9 formal document by which this case is brought into  
10 this Court.

11 Any person who knowingly sells, manufactures,  
12 cultivates, delivers, purchases, or brings into  
13 this state, or who provides financial assistance  
14 or otherwise aids, abets, attempts, or conspires  
15 to sell, manufacture, cultivate, deliver,  
16 purchase, or bring into this state, or who is  
17 knowingly in actual or constructive possession, or  
18 who knowingly attempts to become in actual or  
19 constructive possession of ten pounds or more of  
20 marijuana is guilty of trafficking in marijuana.

21 Possession means the ability to exercise  
22 dominion and control over an item.

23 The defendant has pled not guilty to the  
24 indictment, and that plea puts the burden on the  
25 State to prove the defendant guilty. A person

1 charged with committing a criminal offense in  
2 South Carolina is never required to prove himself  
3 innocent.

4 I charge you that it is an important rule of  
5 law that the defendant in a criminal trial, no  
6 matter what the seriousness of the charge may be,  
7 will always be presumed to be innocent of the  
8 crime for which the indictment was issued unless  
9 guilt has been proven by evidence satisfying you  
10 of that guilt beyond a reasonable doubt. This  
11 presumption of innocence does not end when you  
12 begin your deliberations, but it accompanies the  
13 defendant throughout the entire trial until you  
14 reach a verdict of guilt based on evidence  
15 satisfying you of that guilt beyond a reasonable  
16 doubt.

17 The presumption of innocence is like a robe  
18 of righteousness placed about the shoulders of the  
19 defendant, which remains with the defendant until  
20 it has been stripped from the defendant by  
21 evidence satisfying you of the defendant's guilt  
22 beyond a reasonable doubt.

23 The presumption of innocence is not mere  
24 legal theory. It is not just a legal phrase. It  
25 is a substantial right to which every defendant is

1 entitled unless you, the jury, are satisfied from  
2 the evidence of the defendant's guilt beyond a  
3 reasonable doubt.

4 Proof beyond a reasonable doubt can be  
5 described as proof that leaves you firmly  
6 convinced of the defendant's guilt. There are  
7 very few things in the world that we know with  
8 absolute certainty, and in criminal cases, the law  
9 does not require proof that overcomes every  
10 possible doubt.

11 If, based on your consideration of the  
12 evidence, you are firmly convinced that the  
13 defendant is guilty of the crime charged, you must  
14 find him guilty. If, on the other hand, you think  
15 there's a real possibility that the defendant is  
16 not guilty, you must give him the benefit of the  
17 doubt and find him not guilty.

18 There are two types of evidence which are  
19 generally presented during a trial: direct  
20 evidence and circumstantial evidence. Direct  
21 evidence is the testimony of a person who claims  
22 to have actual knowledge of a fact, such as an  
23 eyewitness. It is evidence which immediately  
24 establishes the main fact to be proved.  
25 Circumstantial evidence is a proof of a chain of

1 facts and circumstances indicating the existence  
2 of a fact. It is evidence which immediately  
3 establishes collateral facts from which the main  
4 fact may be inferred. Circumstantial evidence is  
5 based on inference and not on personal knowledge  
6 or observation.

7 The law makes absolutely no distinction  
8 between the weight or value to be given to either  
9 direct or circumstantial evidence, nor is a  
10 greater degree of certainty required of  
11 circumstantial evidence than of direct evidence.

12 You should weigh all of the evidence in the  
13 case. After weighing all of the evidence, if you  
14 are not convinced of the guilt of the defendant  
15 beyond a reasonable doubt, you must find the  
16 defendant not guilty.

17 You must determine the credibility of  
18 witnesses who have testified. Credibility simply  
19 means believability. It becomes your duty as  
20 jurors to analyze and to evaluate the evidence and  
21 determine which evidence convinces you of its  
22 truth.

23 In determining the believability of witnesses  
24 who have testified, you may believe one witness  
25 over several witnesses or several witnesses over

1 one witness. You may believe a part of the  
2 testimony of a witness and reject the remaining  
3 part of that witness's testimony.

4 You may believe the testimony of a witness in  
5 its entirety or reject the testimony of a witness  
6 in its entirety. You may consider whether any  
7 witness has exhibited to you any interest, bias,  
8 prejudice, or other motive in this case. You may  
9 also consider the appearance and manner of a  
10 witness while on the witness stand.

11 The rules of evidence ordinarily do not  
12 permit witnesses to testify to opinions or  
13 conclusions. An exception to this rule exists for  
14 witnesses we call expert witnesses. A witness  
15 who, by education and experience, has become  
16 expert in some art, science, or profession may  
17 give an opinion as to the subject the witness  
18 claims to be an expert in, and may also give the  
19 reasons for that opinion.

20 You should consider any expert opinion given  
21 by a witness and, like any other evidence, give it  
22 the weight you think it deserves. If you decide  
23 that an expert witness's opinion is not based on  
24 sufficient education and experience, or if you  
25 decide that the reasons given in support of the

1 opinion are not sound, or that the opinion is  
2 outweighed by other evidence, you may disregard  
3 the opinion entirely.

4 An expert witness's testimony is to be given  
5 no greater weight than that of other witnesses  
6 simply because the witness is an expert, and you  
7 do not have to accept an expert's opinion, even  
8 though it is uncontradicted.

9 I instruct you and emphasize that the fact  
10 that the defendant did not testify is not a factor  
11 to be considered by you in any way in your  
12 deliberation and in your consideration of the  
13 question of the guilt or innocence of the  
14 defendant. It must not be considered by you in  
15 any manner whatsoever.

16 A defendant has the Constitutional right to  
17 remain silent, and the assertion of this right  
18 must not be considered by you in your  
19 deliberations. I repeat, under your oath, you are  
20 to draw no conclusion whatsoever from the fact  
21 that the defendant in this case did not testify.  
22 The fact that this defendant did not testify  
23 should not even be discussed in the jury room.

24 The burden of proof is on the State. The  
25 defendant is not required to prove his innocence.

1 The burden of proof remains on the State to prove  
2 guilt beyond a reasonable doubt.

3 There are two possible verdicts which you may  
4 find in this case. There is no significance  
5 whatsoever in the order in which those verdicts  
6 are stated on this verdict form; it is simply that  
7 one must come before the other.

8 All 12 of you must agree on the verdict.  
9 Your verdict cannot be based on sympathy, passion,  
10 prejudice, emotion, or any other consideration not  
11 in evidence in this case.

12 The foreperson will sign the verdict form  
13 when the jury has reached a unanimous verdict.  
14 Knock on the door and give the verdict form to the  
15 bailiff or the deputy, who will bring it to the  
16 Court for review.

17 I have in my hand here a verdict form  
18 reviewed by myself and the attorneys. It is in  
19 this case, State of South Carolina versus Jessie  
20 Salcedo Bueno, says: We, the jury, unanimously  
21 find the defendant, Jessie Salcedo Bueno, on  
22 Indictment 2023GS2600340 for the offense of  
23 trafficking marijuana, ten pounds or more but less  
24 than 100 pounds, either guilty or not guilty. And  
25 signed by the foreperson.



1 courtroom at 2:50 PM.)

2 Any exceptions, gentlemen?

3 MR. BEAMER: None from the State, Your Honor.

4 THE COURT: Mr. Pinkerton?

5 MR. PINKERTON: No, Your Honor.

6 THE COURT: All right. Would y'all make sure  
7 that we are packaged here to give them the  
8 evidence?

9 MR. BEAMER: Your Honor, do you want the  
10 marijuana actually going back there?

11 THE COURT: Personally, I -- I don't know why  
12 it needs to go back there; they've seen it. It's  
13 pretty obvious. It's right there. But I'll defer  
14 to y'all.

15 MR. BEAMER: Could we potentially send the  
16 box back and the other exhibits, and just have  
17 14A, B, C, D, E, F, G, H, I, J, K, N, O, P, Q, R,  
18 and S stay on the table? I believe that's what's  
19 been entered into evidence.

20 THE COURT: Yes, sir.

21 MR. BEAMER: Just for the record, 15, 14L,  
22 14M, and 14T were not entered into evidence, and  
23 so, obviously, would not go back.

24 THE COURT: Mr. Pinkerton, what's your  
25 thoughts about all that going back?

1 MR. PINKERTON: I'm in agreement it needs to  
2 stay out here. They've seen it.

3 THE COURT: If they send a question out that  
4 they want to see it closer, we'll deal with that  
5 then.

6 MR. BEAMER: 1 through 14, 16, and 17 is  
7 going back.

8 THE COURT: Okay.

9 All right. Here's the verdict form, sir.  
10 Did y'all see this? Want to see it again?

11 MR. BEAMER: Yes, Your Honor.

12 THE COURT: All right. Gentlemen, any  
13 objection to him telling them to begin  
14 deliberations?

15 MR. BEAMER: No objection, Your Honor.

16 THE COURT: And number two, if they have a  
17 question, the foreperson to write it down and send  
18 it with you.

19 BAILIFF: Yes, sir.

20 THE COURT: And they may begin, sir. Thank  
21 you.

22 MR. BEAMER: Your Honor, at this time, we'd  
23 just ask that the defendant not leave the  
24 courthouse.

25 THE COURT: Yes, sir. Remain in the

1 courthouse.

2 MR. PINKERTON: Yeah, we're just going in  
3 this side room right here.

4 THE COURT: That's fine. I understand.

5 (WHEREUPON, a recess was taken, and the  
6 jury began deliberating.)

7 (WHEREUPON, the jury entered the  
8 courtroom at 3:52 PM.)

9 THE COURT: I understand that the jury has  
10 reached a verdict; is this correct?

11 JURY FOREPERSON: Yes.

12 THE COURT: Would you please give the verdict  
13 form to the bailiff.

14 Madam Clerk, would you publish the verdict.

15 VERDICT

16 THE CLERK: Case No. 2023-GS-26-00340, State  
17 of South Carolina, County of Horry versus Jessie  
18 Salcedo Bueno: We, the jury, unanimously find the  
19 defendant, Jessie Salcedo Bueno, guilty on  
20 Indictment No. 2023G2600340 for the offense of  
21 trafficking in marijuana, ten pounds or more but  
22 less than 100 pounds. Signed, Foreperson, Janelle  
23 Conover.

24 Ladies and gentlemen, if you would please  
25 stand. If you agree this is the verdict you

1 reached in your deliberation room, please raise  
2 your right hand.

3 (WHEREUPON, all jurors raised their  
4 right hands.)

5 THE CLERK: Thank you. You may be seated.

6 THE COURT: Mr. Pinkerton, I take it you wish  
7 to poll the jury?

8 MR. PINKERTON: Yes, Your Honor.

9 THE CLERK: Juror Number 80, is this your  
10 verdict?

11 JUROR NO. 80: Yes.

12 THE CLERK: Juror Number 145, is this your  
13 verdict?

14 JUROR NO. 145: Yes.

15 THE CLERK: Juror Number 339, is this your  
16 verdict?

17 JUROR NO. 339: Yes.

18 THE CLERK: Juror Number 48, is this your  
19 verdict?

20 JUROR NO. 48: Yes.

21 THE CLERK: Juror Number 77, is this your  
22 verdict?

23 JUROR NO. 77: Yes.

24 THE CLERK: Juror Number 455, is this your  
25 verdict?

1 JUROR NO. 455: Yes.

2 THE CLERK: Juror Number 413, is this your  
3 verdict?

4 JUROR NO. 413: Yes.

5 THE CLERK: Juror Number 287 is this your  
6 verdict?

7 JUROR NO. 287: Yes.

8 THE CLERK: Juror Number 256 -- I mean 456,  
9 is this your verdict?

10 JUROR NO. 456: Yes.

11 THE CLERK: Juror Number 153, is this your  
12 verdict?

13 JUROR NO. 153: Yes.

14 THE CLERK: Juror Number 314, is this your  
15 verdict?

16 JUROR NO. 314: Yes.

17 THE CLERK: Juror Number 171, is this your  
18 verdict?

19 JUROR NO. 171: Yes, it is.

20 THE COURT: All right. Members of the jury,  
21 you may leave now or may stay; whatever you wish.

22 We are ready to proceed with sentencing now  
23 that the defendant has now been convicted of the  
24 offense of trafficking in marijuana. I find that  
25 a serious offense.

1 State?

2 MR. BEAMER: Your Honor, this offense is a  
3 mandatory minimum of one year and a mandatory --  
4 or a maximum of ten years, being considered a  
5 violent and serious offense.

6 As far as defendant's prior record, out of  
7 Washington State, in 2002, he was convicted of  
8 receiving stolen goods; in 2004, possession of  
9 less than 40 grams of marijuana; in 2005,  
10 convicted of domestic violence and violation of a  
11 court order, as well as domestic kidnapping; in  
12 2012, two counts of possession of paraphernalia;  
13 in 2021, an assault stemming from a domestic  
14 violence. As well as in Texas, 2015, possession  
15 of less than 2 ounces of marijuana.

16 At this time, the State would request a  
17 sentence commensurate with the seriousness of this  
18 charge, ideally within the range of perhaps three  
19 years. But we leave that in the Court's  
20 discretion.

21 THE COURT: Yes, sir. Mr. Pinkerton?

22 MR. PINKERTON: Yes, Your Honor.

23 Mr. Bueno has now lived in Horry County for  
24 eight years. He did move here out of state to be  
25 with his girlfriend, who has been sitting in the

1 courtroom with us in the back, all day long, Your  
2 Honor.

3 He works as a handyman. He does painting,  
4 carpentry, landscaping, and that sort of stuff.  
5 He's done that his whole life, Your Honor.

6 He's a high school graduate. He does have  
7 two children, age 16 and 13, that live out of  
8 state with their mother. They are both in school  
9 at this time.

10 He does help out in the community with  
11 several nonprofit organizations. Your Honor, he  
12 had a rough upbringing. He was raised by a single  
13 mother. He started working at the age of 16 to  
14 support his five younger brothers. Basically, he  
15 had to start working at a very young age to  
16 support his family because his mother was  
17 struggling to help support them.

18 Your Honor, this has put his life on hold.  
19 We understand there will be a sentencing here  
20 today. We would respectfully ask that you follow  
21 the lower end of the sentencing and sentence him  
22 to one year in prison, Your Honor.

23 His girlfriend would like to speak, if you'll  
24 hear from her.

25 THE COURT: Yes, sir, be glad to hear.

1           MR. PINKERTON: Would you like her to step up  
2 here?

3           THE COURT: Please, yeah.

4           Your name?

5           MS. MORAN: My name is Sarah Moran.

6           THE COURT: All right, Ms. Moran. Go ahead.

7           MS. MORAN: I have known Jessie for  
8 over 20 years. And in that time, he has showed me  
9 what it means to be loyal, hard working,  
10 dedicated, having perseverance, and many other  
11 attributes that I don't find in a lot of men or  
12 people nowadays. He's smart. He's faithful. He  
13 continues to try to better himself on a daily  
14 basis.

15           Considering the things that he was taught at  
16 a young age and the things that he knows now, he  
17 has come quite a long ways. He has faults; we all  
18 have faults. But from my experience with him, his  
19 positive outlook, his consistency outweighs any of  
20 the negative attributes that people might think  
21 that he has.

22           He's fiercely protective of me, my heart, our  
23 love, our relationship. My life would be  
24 completely altered if he was not part of it, not  
25 for the better. I say that hoping that you'll

1 take that into consideration.

2 I understand that there is sentencing  
3 guidelines, but the less, the better for me, for  
4 us, for the life that we have tried to  
5 continuously create. He's the person that I  
6 strive to be better for.

7 THE COURT: Yes, ma'am. Thank you.

8 Has he served any time on this charge?

9 MR. BEAMER: Your Honor, I believe he served  
10 one day at time of arrest.

11 THE COURT: All right. Do you have a  
12 sentencing sheet?

13 Mr. Pinkerton, does he wish to say anything?

14 MR. PINKERTON: No, Your Honor.

15 THE COURT: All right.

16 MR. PINKERTON: Your Honor, my -- my client  
17 would like to address the Court, if he may.

18 THE COURT: Certainly. Yes, sir, Mr. Bueno?

19 THE DEFENDANT: First, I'd like to apologize  
20 for everything that was said in this courtroom and  
21 everything that was told to the jury.

22 I, as a person, I don't feel that I should be  
23 here. But it is what it is. I have to deal with  
24 the cards that got dealt to me.

25 I respect the decision of the Court. I have

1 always done my best to follow a straight line,  
2 especially since I was in control of my life after  
3 the age of 16, 17 years old. I followed that line  
4 and I've continued to over 20-some years. And  
5 I've bettered myself throughout all the obstacles  
6 I've had, whether it's negative, positive,  
7 neutral, family, friends, foe. I've done my best  
8 to keep myself calm, cool, and collected to better  
9 my life and the woman you heard from.

10 I have kids that now I'm not going to be able  
11 to talk to, be with, hear from, or anything for  
12 however long you guys give me. I'm at you guys'  
13 mercy simply because this is the situation that it  
14 is. I cannot make it any better. I leave it to  
15 the Court to make it better, to fix it, and now I  
16 have to deal with it. It's -- it's hurtful and  
17 it's -- it's hurtful to me to have to go through  
18 this, but here we are.

19 So thank you for you guys' time. I  
20 appreciate all of you guys' time. But please take  
21 into consideration that I am a human being.  
22 Assumptions can be made against anybody, and it  
23 doesn't make them right; it doesn't make them  
24 true. It's -- that's just life.

25 So I would hope that my -- if you notice the

1 dates that the prosecutors stated, they are over  
2 20-some years ago. I have, like I said, I've been  
3 put in situations that I had no control over, that  
4 I've had to deal with. And here we are with  
5 another one.

6 I'm not going to argue with anybody. I'm not  
7 going to try to do anything, get mad, crazy. I'm  
8 not a little kid no more. We've all grown from  
9 that little -- you know, our attitudes and our  
10 anger and all that drama growing up.

11 As an adult, I've had control of my life, and  
12 that's not who I am no more. A lot of years have  
13 gone by since I've had actual problems in my life,  
14 not situations that I got thrown into, but actual  
15 problems that I caused in my life. It's been a  
16 long time. And a mishap with a disagreement from  
17 a few years ago, that was the worst thing that  
18 I've had in, I don't know, 18, 20 years.

19 So I would just hope that I'd be -- you'd  
20 have lenient on me. That's all.

21 THE COURT: Thank you.

22 MR. BEAMER: Your Honor, may I approach?

23 THE COURT: Yes, sir.

24 MR. BEAMER: Your Honor, I'm handing up to  
25 you the sentencing sheet, as well as the

1 acknowledgement signed by the defendant and his  
2 defense counsel that he will be now prohibited by  
3 state and federal law from possessing a firearm.

4 THE COURT: Do you understand, Mr. Bueno,  
5 about the firearms?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Did you read this?

8 THE DEFENDANT: I know -- I know I'm not able

9 --

10 THE COURT: Have him read it, Mr. Pinkerton.

11 MR. PINKERTON: Yes, sir.

12 THE COURT: Please.

13 MR. PINKERTON: May I approach, Your Honor?

14 THE COURT: Yes, sir.

15 Mr. Bueno, did you read it, sir?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Just want to make sure.

18 SENTENCING

19 I have considered the information offered by  
20 the State and the defendant. The jury has found  
21 you guilty, Mr. Bueno. I don't sentence you today  
22 for those past episodes or past crimes or  
23 convictions. I don't do that.

24 The State has already, in its request, shown  
25 mercy here. And I'm going to adopt the

1 recommendation of the State for a three-year  
2 straight sentence, credit for one day of time  
3 served.

4 You could have faced up to ten years,  
5 Mr. Bueno. I didn't go that route.

6 And that is the sentence of the Court. And I  
7 do wish you well in your future, Mr. Bueno.

8 MR. PINKERTON: Yes, Your Honor.

9 THE COURT: I'll hand this to the clerk.

10 MR. PINKERTON: Your Honor, would you  
11 consider a delayed reporting for a week so he can  
12 get his affairs in order?

13 THE COURT: Let me hear from the State.

14 MR. BEAMER: Your Honor, the State would be  
15 opposed to a delayed report. I think risk of  
16 flight is a serious concern, given that he's now  
17 facing an active sentence.

18 THE COURT: Mr. Pinkerton, I'm not going to  
19 grant that, but then, I don't ever grant that.

20 MR. PINKERTON: Yes, Your Honor.

21 THE COURT: I never have in seven years in  
22 common pleas -- or circuit court, I've never done  
23 that.

24 MR. PINKERTON: Yes, Your Honor. Thank you.

25 MR. BEAMER: Thank you, Your Honor.

1 THE COURT: I'll ask the jury if you'd please  
2 go into your room.

3 (WHEREUPON, the jury exited the  
4 courtroom at 4:06 PM.)

5 Can you ask Mr. Pinkerton to step in here,  
6 please?

7 MR. PINKERTON: Yes, Your Honor?

8 THE COURT: Gentlemen, anything for the  
9 record?

10 MR. BEAMER: Nothing else further from the  
11 State, Your Honor. I would state that we take no  
12 exception with the verdict or the sentence.

13 THE COURT: Mr. Pinkerton?

14 MR. PINKERTON: No, Your Honor.

15 THE COURT: Let me tell you both, you were a  
16 pleasure to work with. This job, like your job,  
17 is not easy. And like you, I have to pay a lot of  
18 attention during trials to try to make reasonably  
19 correct rulings. When I've got lawyers working  
20 with me in a courtroom like the two of you, who  
21 get along with each other but you do your jobs and  
22 you do them well for either side, for your  
23 clients, and you're not fighting and scratching at  
24 each other like too many lawyers do sometimes, it  
25 makes my job a whole lot easier.

1           So I'll leave here and wanted to tell you it  
2 was a pleasure working with both of you. It  
3 really was.

4           MR. BEAMER: Thank you, Your Honor.

5           MR. PINKERTON: Thank you, Your Honor.

6           THE COURT: And perhaps we can see each other  
7 again soon.

8           MR. BEAMER: Yes, sir.

9           MR. PINKERTON: Yes, sir.

10          THE COURT: Thank y'all.

11                   (WHEREUPON, Court concluded at  
12                   approximately 4:11 PM.)  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

I, BRENDA L. JONES, Official Court Reporter for the 15th Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Horry County, South Carolina, on the 10th and 11th day of February, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

June 3, 2025

*Brenda Jones*

\_\_\_\_\_  
Brenda L. Jones, CVR-CM  
Court Reporter

STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF HORRY                )

INDICTMENT

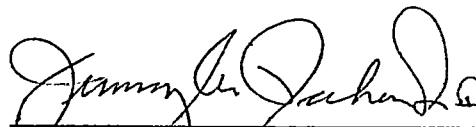
At a Court of General Sessions, convened on January 25, 2023, the Grand Jurors of Horry County present upon their oath:

TRAFFICKING IN MARIJUANA

CDR: 2360 44-53-0370(e)(1)(a)

That Jessie Salcedo Bueno did in Horry County on or about September 23, 2022, knowingly, sell, manufacture, cultivate, deliver, purchase or bring into this state, or aid, abet, attempt or conspire to sell, manufacture, cultivate, deliver, purchase or bring into this state, or was knowingly in actual or constructive possession, or knowingly attempted to become in actual and/or constructive possession of a quantity of Marijuana in the amount of ten pounds or more but less than one hundred pounds, Marijuana being a controlled substance under 44-53-110, et. seq., S. C. Code of Laws, 1976, as amended, and in violation of Section 44-53-0370(e)(1)(a), S. C. Code of Laws, 1976, as amended.

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



JIMMY A. RICHARDSON, II  
 FIFTEENTH CIRCUIT SOLICITOR

**WITNESSES**

Christopher D Edwards Horry County Police  
Department

*Ryan Seipt*

DOCKET NO. 2023GS2600340

C

**The State of South Carolina**  
**County of Horry**

David P. Caraker, Jr.  
22H04814

FILED  
HORRY COUNTY

172

2023 JAN 25 P 4: 02

RENEE N. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

DATE RECEIVED FROM  
GRAND JURY

**COURT OF GENERAL SESSIONS**

**January, 2023 TERM**

**ARREST WARRANT NUMBER**

2022A2610202144

CDR: 2360 44-53-0370(e)(1)(a)1

DOA: 9/24/2022

**THE STATE**

**vs.**

Jessie Salcedo Bueno  
B/ M



**ATTORNEY: Clay Pinkerton**

**ACTION OF GRAND JURY**

**TRUE BILL**

Foreperson of Grand Jury  
Date:

JAN 25 2023

**VERDICT**

**Indictment for**

TRAFFICKING IN MARIJUANA

**Jimmy A. Richardson, II, Solicitor**

**ORIGINAL**

Foreperson of Petit Jury  
Date:

**CERTIFICATE OF COUNSEL FOR APPELLANT**

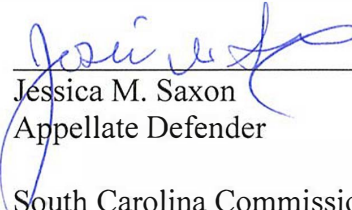
Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised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

Respectfully Submitted,

**RECEIVED**

**Nov 26 2025**

**SC Court of Appeals**



Jessica M. Saxon  
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 26th day of November, 2025.