

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Chester County

Honorable G. D. Morgan, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEWONE DELAWRENCE DIXON,

APPELLANT

APPELLATE CASE NO. 2025-001318

RECORD ON APPEAL

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1 MS. SOPRANO: Can we have Dewone Dixon,
2 please.

3 THE COURT: You are Dewone Dixon?

4 THE DEFENDANT: Dewone Dixon.

5 THE COURT: Dewone Dixon.

6 THE DEFENDANT: Yes, sir.

7 THE CLERK: Raise your right-hand.

8 *Do you swear to tell the truth, the whole*
9 *truth and nothing but the truth, so help*
10 *you God.*

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: The State's recognized.

13 MS. SOPRANO: Thank you, your Honor.

14 This is the State of South Carolina versus
15 Dewone Dixon. I apologize for mispronouncing that. He
16 was on the trial docket for the Chester trial, jury
17 term, for beginning June 23rd. It's my understanding
18 that he's waiving jurisdiction to have this matter heard
19 and plea before you here, in Lancaster County today,
20 your Honor.

21 He is pleading guilty to True Billed
22 Indictment 2024-GS-12-744, which was originally charged
23 as a possession with intent to distribute
24 methamphetamine third or subsequent offense.

25 As I was discussing with defense in working

1 out these negotiations. Defense Attorney Holt did
2 inform me that this should be a second offense, because
3 the second offense conviction on his record was for
4 marijuana. So it does not enhance this charge. So we
5 have agreed to reduce the charge down to possession of
6 meth or cocaine base, second offense.

7 The recommendation from the State is 3 years
8 active. And as part of this plea negotiation, he has
9 signed a gun forfeiture, as well as, the State's
10 agreeing to nolle prose indictment 2024-GS-12-805, which
11 is for possession with intent to distribute schedule 1
12 through 2. As well as, nolle prosing, 2024-GS-12-745
13 which is possession of a firearm or ammunition by a
14 person convicted of possession with intent to
15 distribute.

16 I can provide the facts and criminal history
17 at the appropriate time. He does have 85 days credit
18 according to my calculations.

19 THE COURT: Mr. Dixon, you are here on an
20 indictment for possession with intent to distribute meth
21 which occurred June 17, 2024. However, you're pleading
22 guilty to possession of meth, second offense. Is that
23 your understanding of why you're here?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Counsel, have you advised

1 Mr. Dixon of the elements of this charge and the minimum
2 to maximum range of sentence he faces?

3 MS. HOLT: I have, your Honor.

4 THE COURT: And if he went to trial it's most
5 likely he would be convicted?

6 MS. HOLT: Yes, your Honor.

7 Your Honor, just before we even get too far, I
8 do want to mention that I do have a dispute on the
9 amount of time. While he was being held on the charges
10 of -- this charge that he's pleading to today and also
11 the firearm charge, he was also served with a warrant
12 which had him held for additional time. So my total
13 calculation of the amount of time he did was 229 days,
14 which would be 7 months and 15 days. And I've confirmed
15 that with the jail and his time that he did. It was
16 because they originally told him he was being held on a
17 VOP, but there was no VOP, is my understanding. And he
18 was being held for this other warrant that was served,
19 it was a CI warrant. So it was served while he was
20 being held and detained and he did not get out then
21 until January 31st. So his total amount of time that I
22 got is 229 days.

23 THE COURT: Before we go any further, what's
24 the State's position?

25 MS. SOPRANO: I'm looking in Jail Tracker it

1 looks like he served one day for a VOP back in May of
2 2024. And then he served from June 17th until September
3 10, 2024 on the firearm charge, the PWID 1 through 2
4 charge, and the distrubution of meth charge, that you
5 have you, your Honor. I don't see any other time in
6 here between 2020 and 2024 other than that one day of
7 VOP.

8 MS. HOLT: My understanding is he never got
9 out. So the 9/10, which she's showing as released, he
10 didn't actually get out. He was held until he was
11 served with this other warrant and then got a bond
12 denied. So he did not get out until January 31, 2025.

13 THE COURT: Do your records reflects that?

14 MS. SOPRANO: No, your Honor. Jail Tracker
15 says date release of September 10, 2024.

16 MS. HOLT: At that point my understanding is
17 he went -- he was held at SCDC until he received the
18 distribution warrant -- the distribution meth warrant
19 from the CI buy. So was held at SCDC for the VOP. So
20 he had one day. He got released on bond. He then get's
21 picked up on this charge, on these two charges and then
22 is served these warrants. He's then being held from 6/17
23 to 9/10. During that time he is sent to serve the VOP
24 at Kirkland. And then he's served the distribution meth
25 third. So my understanding was that he had a hold

1 because of that other CI warrant.

2 MS. SOPRANO: Madam probation I don't see.
3 She did tell me that he doesn't not have a VOP anymore.
4 They closed out his file. On Jail Tracker I'm seeing
5 where the distrubution of meth third was on here for
6 that June 17th through September 10th.

7 So I can call the jail if you'd like your
8 Honor and try and figure that out. But according to
9 Jail Tracker -- and I believe probation told me that he
10 was taken off of probation in September of 2024, is that
11 correct?

12 MADAM PROBATION: August of 2024.

13 MS. SOPRANO: August of 2024 he was off of
14 probation.

15 MS. HOLT: Right. And at that point he was
16 transported to SCDC.

17 MS. SOPRANO: If that has something to do with
18 probation, your Honor, I don't know anything about it.

19 THE COURT: Here's where it's important. If
20 they say, "229" and the State's okay with it and we go
21 ahead with the plea, because it does have significant
22 effect as far as his time. If the State goes along with
23 229 or does not.

24 MS. HOLT: Your Honor, may I -- just for a
25 moment.

1 THE COURT: Yes, see if we can...

2 MS. SOPRANO: Can we check with probation and
3 parole?

4 THE COURT: Yes.

5 MS. SOPRANO: It's my understanding that he's
6 not entitled to credit for time he served on a VOP
7 anyway. So I'm not really sure it make as difference
8 one way or another.

9 MS. HOLT: Well, our position, your Honor,
10 would be that the CI warrant was held and he was still
11 under a hold because of that warrant. Because the third
12 warrant was not served immediately when the distribution
13 third and the firearm warrants were served, that he was
14 being held on that. He had a hold. So that's part of
15 the reason why the hang up happened with the VOP.

16 MS. SOPRANO: Your Honor, I can look in the
17 case file for the CI warrant and see exactly when that
18 was served.

19 I didn't realize this was an issue, I
20 apologize, your Honor.

21 THE COURT: It's all right.

22 MS. HOLT: And your Honor, I apologize as
23 well. I did take over this file from Montreo Belton,
24 and even Mr. Belton has that number written down here.
25 So he had the same amount of credit time. I thought

1 everyone knew that. So I apologize that that was not
2 addressed earlier.

3 MS. SOPRANO: Your Honor, in the public index
4 the arrest date on the CI case is June 18, 2024. So a
5 day after he was arrested, June 17th and released
6 September 10th.

7 MS. HOLT: So your Honor, that's what she's
8 showing as well, the he was released on January 31,
9 2025.

10 MS. SOPRANO: Was that for a VOP though,
11 because that time doesn't count, would be the State's
12 position.

13 MS. HOLT: My understanding is that because of
14 that VOP -- that the VOP happened because of that CI
15 buy. That was my understanding is that's what triggered
16 it.

17 THE COURT: Madam probation?

18 MADAM PROBATION: The probation violation was
19 because he didn't complete the domestic violence
20 classes. It had nothing to do with the drug charge. The
21 drug charge is the way he got picked up. When he got
22 picked up the probation warrant was already issued and
23 that was for failing to report, failing to do domestic
24 violence classes. So when he got picked up that's went
25 drug warrants were served.

1 THE COURT: Okay. That make as a little bit of
2 a difference.

3 Mr. Dixon, possession with intent or
4 distribution with intent to distribute meth occurred on
5 June 17, 2024. Pleading guilty, possession of meth,
6 cocaine base second offence.

7 Are you under the influence of any drugs,
8 alcohol, or medication that would keep you from
9 understanding what you're doing?

10 THE DEFENDANT: No, sir.

11 THE COURT: Do you have any mental or physical
12 disability that would keep you from understanding what
13 you're doing?

14 THE DEFENDANT: No, sir.

15 THE COURT: By pleading guilty here today,
16 you're waiving your constitutional rights. Do you
17 understand that?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Those rights include your right to
20 a jury trial. The right to confront your accusers,
21 privilege against self-incrimination, among other
22 rights. You understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Are you waiving those rights here
25 today and pleading guilty freely, voluntarily, and

1 intelligently?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Counsel, have you advised Mr. Dixon
4 of the minimum to maximum range he faces and the
5 elements of the charge?

6 MS. HOLT: Yes, your Honor.

7 THE COURT: And if these did go forward at
8 trial, it's most likely he would be convicted?

9 MS. HOLT: Yes, Your Honor.

10 THE COURT: And you agree with his decision to
11 plead guilty here today?

12 MS. HOLT: I do, your Honor.

13 THE COURT: Let me hear the facts?

14 MS. SOPRANO: Thank you, your Honor. This
15 incident occurred on June 17, 2024. Law enforcement did
16 have an active arrest warrant out for this defendant
17 that you've been alluded to here today. They noticed
18 this defendant at Danny's store in Chester. He was
19 standing by his vehicle and he was known to have those
20 active arrest warrants. Law enforcement approached the
21 defendant and placed him under arrest for those active
22 warrants.

23 The defendant told officers that he had a gun
24 in his waistband. That gun was collected and was signed
25 to forfeit here today as part of this plea.

1 Law enforcement searched Dixon subsequent to
2 arrest. Where, in his left pants pocket, they located a
3 clear plastic bag with approximately 1.8 grams of a
4 crystal-like substance believed to be meth. That
5 substance has been sent to SLED and has actually tested
6 positive for 1.35 grams of methamphetamines.

7 Your Honor, and the State did, in appreciation
8 for the plea here today, has reduced it down to a
9 possession, even though it is above that inference
10 weight. That is the basis for the negotiations. And I
11 can provide Your Honor with a criminal history if your
12 Honor wishes.

13 THE COURT: Mr. Dixon, you heard the solicitor
14 layout the facts, is that what happened?

15 THE DEFENDANT: (No response.)

16 MS. HOLT: Your Honor, if I may have just a
17 moment?

18 THE COURT: Yes.

19 MS. HOLT: Your Honor, my client does agree
20 with the facts. The issue that he's having is, we still
21 have a dispute as to timing on when things were done.
22 And he is, from what I understand and from Mr. Belton's
23 notes as well, was that he was served on that warrant
24 for the VOP related to the domestic violence issue back
25 in, I believe May of 2024. And so that's where the

1 hang-up is coming. He's still concerned about the
2 second warrant, the CI warrant was what was -- his
3 understanding is what was holding him and what delayed
4 him going to SCDS.

5 THE COURT: I'll give you the option to stand
6 down, I haven't accepted a plea yet. If that's an
7 issue, I'll give you that opportunity to stand it down.

8 MS. SOPRANO: Your Honor, I would like to
9 advise the Court that this is on the trial docket for
10 June 23rd. He will likely be the first up on that trial
11 docket, going to trial as a PWID meth, second offense.

12 MS. HOLT: We're going to proceed.

13 THE COURT: Okay. Mr. Dixon, after you've
14 conference with counsel you are willing to proceed, is
15 that correct?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: No one's forced you to come in and
18 plead guilty?

19 THE DEFENDANT: No, sir.

20 THE COURT: No one's promised anything or
21 threatened anything, is that correct?

22 THE DEFENDANT: No, sir.

23 THE COURT: Today, as we sit here today, has
24 anyone threatened you, forced you to do this, or
25 promised anything to come in here and plead guilty?

1 THE DEFENDANT: No, your Honor.

2 THE COURT: Have you had an opportunity to
3 speak with your lawyer?

4 THE DEFENDANT: Uh-huh. Yes, sir.

5 THE COURT: Have you understood everything
6 she's told you?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And are you satisfied with her
9 advice and representation?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: And are you pleading guilty here
12 today because you're guilty?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: I accept your plea. I find the
15 defendant's freely, voluntary, and intelligently plead
16 guilty with the advice of his attorney. He is satisfied
17 with her advice and the State has the facts to support
18 the plea.

19 Yes, ma'am.

20 MS. HOLT: May it please the Court, your
21 Honor. Whether it's 229 days or 89 days, my position is
22 not gonna change. I'm still asking your Honor for time
23 severed and I'll explain why.

24 One, the warrant that we're talking about as
25 the prosecutor stated was 1.35 grams of meth, which is

1 just over the inference level. His previous arrest,
2 which I do not believe the Court has heard yet. The
3 original -- the first event that he had was an attempt
4 charge. It was an attempt to possess charge, it
5 occurred in 2013. He did not plead to that until 2016,
6 which is why it was within the 10 years. And then he
7 had a marijuana charge, which is why -- originally this
8 was charged as a third, but should have been a second.
9 That marijuana charge happened to 2020. He plead to
10 that in 2021. My understand is, that is the extent of
11 his drug record. So 2013 and then a marijuana charge in
12 2020 and because of that, your Honor, I would ask that
13 you give him credit for the time that he is telling me
14 that he is entitled to. But if your Honor finds that 89
15 days is all that you are able to give, I would still say
16 that the State -- we would still ask that the time the
17 State recognizes as -- was it 89 days?

18 MS. SOPRANO: 85.

19 MS. HOLT: 85 days be the time-served sentence
20 under the possession charge.

21 My understanding your Honor, also, is that
22 they could not proceed on the Fentanyl charge because my
23 understanding is that they did not have a video of that
24 encounter. So I would allege that that charge they
25 would not be able to proceed on anyway. So he is

1 pleading today to what, in fact, he did do. And what he
2 and I discussed is what happened here and he understands
3 that.

4 He does have 5 children your Honor, and
5 because of this having been pending for as long as it
6 has, he has been trying to get a job. Prior to this he
7 was work with Alliance Plastic in Rock Hill and he has
8 tried to get back with him. He tells me that, his
9 understanding is that once this get's resolved, he'll be
10 able to go back there. Once he's just got the
11 possession and not this distribution third. Because
12 right now, it's showing as a distribution third, which
13 is not correct. And it should have never been a third,
14 but that's what is showing on his -- whenever anyone
15 does a background check. But he does want to get back
16 to what he was doing with Alliance Plastic in Rock Hill.
17 If he get's a time-served sentence your Honor, he tell
18 me that he's gonna go back. He has spoken to Zack
19 LeCross as recently as this passed week to make sure he
20 can go back there. He's got a 15 year old daughter, a
21 13 year old daughter, a 12 year old daughter, a 10 year
22 old boy, and 8 year old boy. And has told me that he
23 has been trying to provide as best he can for them, but
24 since he's had this pending he's not been able to.

25 He currently lives with his mom and will

1 continue to do so even when he's working.

2 THE COURT: Does the State want an opportunity
3 to respond back? Time-served, that's what the defense
4 wants.

5 MS. SOPRANO: Yes, your Honor, this should be
6 a PWID second offense, not a third or subsequent, I will
7 concede to that. But it is still with intent to
8 distribute because we are over the inference weight for
9 distribution. So I think reducing down to a possession
10 is already a gift of itself. And part of the reason for
11 the State doing that is his fairly minimal drug history.

12 He does have a 2013 possession of marijuana,
13 first. A 2016 possession of unlawful substance. A
14 2021 PWID, schedule 1 to 3 second offense, which was
15 that marijuana, and then 2021 DV second-degree.

16 So I think, your Honor, if this were to move
17 forward with trial, I would be able to move forward on a
18 PWID second offense, which I believe carries more than 3
19 years and the State feels good about the case. And I'm
20 double checking, that would carry 5 to 30 years, the
21 distribution of meth, second offense. So the State
22 feels that the recommendation of 3 years and the
23 reduction down to a possession instead of possession
24 with intent to distribute, is a fair resolution on this
25 case.

1 THE COURT: Tell me about the DV, when was
2 that?

3 MS. SOPRANO: That was a conviction in 2021.

4 THE COURT: And DV what?

5 MS. SOPRANO: It was a second-degree and I
6 believe that that's what the actual violation of
7 probation was, was because he didn't do his domestic
8 violence classes. He was put on probation is my
9 understanding and didn't do the domestic violence
10 classes.

11 THE COURT: And that conviction would be the
12 second in 2021?

13 MS. SOPRANO: That's correct, your Honor.

14 THE COURT: 2024-GS-12-744 he does have a
15 record and the DV second conviction is a significant
16 conviction for the Court. And with that consideration
17 under this indictment, Court will follow the
18 recommendation.

19 The Sentence of the Court will be 3 years in
20 the Department of Corrections. Defendant has credit for
21 85 days and 10 days to appeal. That will be the order
22 of the Court.

23 (End of Transcript of Record.)

24

25

CERTIFICATE OF REPORTER

State of South Carolina)
)
County of Lancaster)

I, Maria L. DiScioscia, Official Court Reporter for the Sixth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of the Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Lancaster, South Carolina, on the 16th day of June, 2025.

I do further certify that I am not related, either by blood or marriage, to any of the parties in this action; and that I am in no way interested in the outcome of this matter.

January 23, 2026.



Maria L. DiScioscia, RPR
Official Court Reporter

Maria L. DiScioscia, RPR
Official Court Reporter

1 MS. SOPRANO: Can we have Dewone Dixon,
2 please.

3 THE COURT: We have a motion to reconsider, is
4 that right?

5 MS. HOLT: Yes, your Honor.

6 May it please the Court, your Honor.

7 First, I'd like to say thank you for hearing
8 this motion. I do have a copy that has been filed with
9 the Clerk of Court and a certified true copy that I'll
10 pass up to your Honor.

11 THE COURT: That would be great.

12 MS. HOLT: May it pleases the Court, your
13 Honor.

14 THE COURT: Yes, ma'am.

15 MS. HOLT: As stated in the motion to
16 reconsider, there's a few things that I'm asking for.
17 And your Honor, in all candor to the court, in digging
18 more yesterday, I found out more information that I did
19 not know, when quite frankly, I did this in the middle
20 of the night after the -- and emailed it to you first
21 thing in the morning.

22 So there are things that I did not know that I
23 found out yesterday that I do want to make the Court
24 aware of. And all of this that I found was all public
25 record, but some of it was not online. So in the motion

1 that I mentioned that he's got denied bond, that is
2 exactly what I found. And your Honor, if I may show you
3 what I was able to find online when I set the motion?

4 THE COURT: Yes.

5 MS. HOLT: This that I'm handing you is the
6 Jail Tracker. It is a public jail tracker and it shows
7 on there what dates -- one, that he was released to SCDC
8 and also, that his bond was denied. As well as, I got
9 commitment there, from the Clerk of Court yesterday when
10 I went to go copy the file.

11 The other thing that I couldn't figure out
12 when I was drafting this motion and did not have the
13 clerks file was, how the solicitor thought that he did
14 bond out. So I got an answer to that question when I
15 pulled the clerks file. So I did not have a copy of
16 this in my file. I did talk to Mr. Belton as well and
17 asked him if he recalled signing this. He said in
18 particular, he did not. But I do want to show it to you
19 and explain the dates that I found.

20 So your Honor, I'm handing to you now the
21 consent bond order that was signed. And your Honor, it
22 says Julia Soprano's name, but I do not believe that's
23 her signature, I believe it was Candice Lively. so I
24 don't think that Ms. Soprano knew about that as well, or
25 at least, it didn't get mentioned in the initial

1 hearing. So I don't know that that was -- 'cause she
2 didn't sign it, it was a different solicitor that signed
3 it.

4 Mr. Belton was also the attorney that signed
5 it for my client. What I want you to take note of was,
6 that it wasn't signed until September 20th. So my
7 client was already at SCDC 10 days when that consent for
8 a bond order was entered. When I printed the index it
9 does mention that bond and I did not realize that,
10 because I only looked at the Jail Tracker. I didn't go
11 to the index the night I wrote this motion. But
12 yesterday, once I found that in the file, the clerks
13 file, I did go back to the index to see what happened
14 here. And if you see on the index that I presented, it
15 shows: "Bond: None posted." So he never made bond and
16 my answer that I got from Mr. Belton was, that he didn't
17 tell my client. So he went to prison 10 days earlier.
18 Mr. Belton signed a consent order. And when my client
19 told me that that bond was denied, I fully believed him.
20 It took me quite a bit of investigation to find out that
21 he didn't have -- that he did in fact, have a bond, but
22 he never knew that. So Mr. Belton said, yes, I don't
23 have any notes whatsoever. I went back through my notes
24 and the last time I spoke to him was before he went to
25 SCDC on September 10th. So he had no knowledge of that

1 September 20th bond.

2 More importantly thought, your Honor, as the
3 index shows, it was never posted. So he should have had
4 a detainer. So he should have gone back to Chester once
5 he was released from SCDC because no bond was ever
6 posted or made. So he had that \$30,000 bond that was
7 consented to that he had no knowledge of, that then
8 should have held him there at SCDC until Chester could
9 come pick him up, but that's not what happened.

10 However, not any fault of my client's, he had
11 no idea that the bond was even there or why he was being
12 released or that anything had happened other than a
13 denied bond. None of that made sense to him. Now, it
14 makes sense to me, but it did not at the time of the
15 plea.

16 And as I had stated on Monday, I never knew
17 that the 229 days was in question. So I thought that
18 was always what he had. And what I conveyed to the
19 Court on Monday, was that when I spoke to Mr. Belton,
20 'cause I took this file over from him, that was what his
21 understanding was as well. So I did not know to
22 research all of this before the plea. So I apologize to
23 the Court. That was my failure, not any failure of the
24 Court. I think that it would have been a different
25 result had we known all this on Monday.

1 I do also want to mention, your Honor, at the
2 end of my motion, I mentioned that prior to -- and
3 again, this was my failure because things happened so
4 quickly I didn't have time to think about it. But prior
5 to giving the 3-year sentence, you had stated to the
6 solicitor that this was generally -- this would be 1.35
7 grams, possession of meth, second, this would generally
8 be a time-served case.

9 THE COURT: I didn't state that. You argued
10 that was. I didn't tell the State that it should be a
11 time-served sentence.

12 MS. HOLT: With all due respect, your Honor, I
13 believe you said to the Court that it was generally,
14 this would be a time-served type of case. That this
15 charge would generally be --

16 THE COURT: I think what I recall is that I
17 just asked, what was the basis for the recommendation.
18 I may be wrong on that and I will stand corrected. But
19 I normally don't give a statement that I think this is
20 what a normal sentence is. That's just not my -- that's
21 just --

22 MS. HOLT: I understand, your Honor.

23 THE COURT: -- not the way I roll, I guess.
24 But I'll stand corrected if the transcript bears it out.
25 But that would be a surprise that I would say that. But

1 assuming I did based on your argument, I'll hear from
2 you.

3 MS. HOLT: My argument, your Honor, would be
4 that after that it was stated that he had -- the record
5 that he had was a 2016 attempt to possess a control
6 substance that he committed in 2013, but was convicted
7 of it in 2016. And then in 2021 that he had a PWID
8 marijuana, which we had already established prior in the
9 plea as that was originally the basis for charging him
10 in the third erogenously. Because he was not a third
11 offense, he was actually a second offense and it would
12 have been -- because it was a marijuana charge, it would
13 have been that they should have charged him as a second
14 here. So that was already stated in the initial part of
15 the plea.

16 What was not initially stated, because I don't
17 believe his record was ever conveyed until right before
18 the sentence was stated, was that he had a domestic
19 violence second-degree charge in 2021. And that that
20 was the charge that he was violated on probation. And
21 that was attached to my motion, your Honor, the 18 month
22 sentence. I had a clearer copy if you would like for me
23 to show that, if I can walk it up to the Court. It just
24 did not copy well into the system. But I have that here
25 for you, your Honor, as well as, I also have an email

1 from Christina Bigelow, the deputy counsel of SCDC, if I
2 may bring this.

3 THE COURT: All right.

4 MS. SOPRANO: I haven't seen that, your Honor.

5 MS. HOLT: So the order states that he had an
6 18-month revocation. It was a partial revocation of the
7 original sentence, but 18 months is what the remainder
8 -- he served the remainder of the 18 months, which would
9 have been a max-out. So I did get an email confirming
10 the dates that he was there and that that was his
11 max-out on the 18 months as the general counsel states
12 in that email.

13 So your Honor, I would ask that if the
14 domestic violence second-degree was the thing that made
15 the difference for you in what would have been
16 potentially a time-served sentence or a 3-year sentence,
17 that you would consider also that he did the max-out
18 possible time. So he did the most amount of prison time
19 he could have on that domestic violence third-degree and
20 maxed that out. So I would just ask, as a matter of
21 fairness, that that also be considered and that you
22 would potentially reconsider my original request for a
23 time-served sentence. Thank you, your Honor.

24 THE COURT: Thank you.

25 Let me hear from the State.

1 MS. SOPRANO: Thank you, your Honor.

2 I've provided -- got copies of documentation
3 here that I'm going to provide to defense. And if I may
4 approach, if you'd like me to mark this as a Court's
5 Exhibit I'd be happy to. Several of those documents
6 that defense just handed up are going to be duplicated
7 in my packet of papers.

8 Your Honor, I also did some more digging since
9 our hearing on Monday. It's my understanding that he
10 was sent to SCDC over a violation of probation on the
11 domestic violence. So you can see that he did have a
12 hold on him from SCDC. I've also provided a copy of the
13 detainer that the jail has given to me and was sent down
14 to SCDC with him in order for him to come back to
15 Chester upon completion of his violation of probation
16 term.

17 It appears to me your Honor, that when he had
18 completed his violation of probation term, SCDC let him
19 out and did not honor that detainer and did not let the
20 Chester County Sheriff's Office or the Chester County
21 Detention Center know that he was being released. So he
22 was never transported back to Chester. So he should
23 have never been out in the first place is the State's
24 argument, your Honor.

25 However, he was sent to SCDC by an order

1 August 28, 2024 for 18 months on the violation of
2 probation. As was argued on Monday by the State your
3 Honor, violation of probation time should not be counted
4 as credit on new charges. I've also provided a complete
5 file, complete copy of the clerks file to your Honor. I
6 believe one of the arguments that defense made on Monday
7 was that he was never severed with the CI warrant until
8 January of 2025 when he was released on the violation of
9 probation.

10 I have the bond paperwork here, your Honor, to
11 show that that is not correct. His bond paperwork,
12 which was signed by him and the judge on June 18, 2024
13 shows all three warrants included in that bond. That
14 bond was denied on June 18th. You can see on the
15 commitment your Honor, where there was no bond.

16 Subsequently to that, there was a motion for
17 bond hearing that was to be held on July 25th. That
18 motion was submitted on July 9, 2024 including all three
19 warrants, showing again, that he had been served all of
20 these warrants at that time. You'll also see a letter
21 from the defendant to the clerks office or maybe to his
22 attorney, I'm not sure your Honor. But asking for his
23 discovery on all three of those warrants that he was
24 charged with. You also see the consent bond order that
25 Ms. Lively signed on my behalf that does have my name

1 incorrect, but I will gloss over that. Ms. Lively,
2 Deputy Solicitor for Chester did sign that consent bond
3 order on September 20, 2024 for a \$30,000 cash surety
4 bond. My assumption -- again, I didn't know about this
5 at the time. My assumption is that was, once the
6 defendant was completed with his violation of probation
7 time, he could then bond out at that time now that there
8 was a bond in place.

9 I did also ask Mr. Belton for clarification,
10 because I was confused about how the defendant got out
11 on September 10th and how there was now a bond order. I
12 did not get a response from him on that. I did send
13 this consent bond order to the detention center,
14 Lieutenant Neil on September 20, 2024. So that was the
15 same date that it was signed. So I'm not sure why that
16 didn't get entered into Jail Tracker on their end.

17 Lieutenant Neil from the detention center did
18 email me back and let me know that he was sent to prison
19 on September 10th. And she let me know that he'll be
20 back whenever he's done there because he still has
21 charges here and a detainer was sent with him. She also
22 attached the sentencing sheet to which he was sent to
23 SCDC for, which is for this violation of probation for
24 the domestic violence, as well as, for the manufacturer
25 or possession of another substance where he was

1 sentenced to 18 months, your Honor. I believe he did
2 have some credit, which is how he got out much quicker
3 than 18 months on that violation of probation, but I'm
4 not hundred percent sure on that, your Honor. I just
5 know that he was in SCDC on that violation of probation
6 and not being held for these charges. He did have a
7 hold. He did have a detainer. But when his time on the
8 violation of probation was up, SCDC released him. So he
9 never bonded out on these charges.

10 The State would argue that all of that
11 violation of probation time -- all that time at SCDC was
12 for the violation of probation, not for these drug
13 charges. So Your Honor, the State's position is that he
14 should not have gotten any credit for that. You can
15 also see the last page that the jail is acknowledging
16 that SCDC did not let them know -- they had no idea he
17 was out already as well.

18 THE COURT: Ms. Holt, any response?

19 MS. HLOT: Yes, your Honor.

20 First, the CI warrant is really not at issue
21 anymore. The biggest issue for me right now as far as
22 the 229 days goes, is that he never made bond. And never
23 have we ever not given someone credit when they don't
24 make bond. If he had just been sitting at the detention
25 center in Chester versus not being at SCDC, and he had

1 not made bond, he would have gotten credit for that
2 time. That's not any fault of his. It's also no fault
3 of his that he wasn't held. He was supposed to have
4 been. As she stated and as it shows here, he had a
5 detainer. I don't know why SCDC let him go, but he
6 should not have been. Then he would have had even more
7 credit. But your Honor, that time counts 'cause he did
8 never make bond.

9 So without him ever making bond and quite
10 frankly, he didn't because he thought he had a denied
11 bond. But he never made bond, so he could not have
12 gotten out anyway. Given that, your Honor, the fact
13 that he did not make bond, he should be entitled to that
14 time.

15 THE COURT: Anything from the State?

16 MS. SOPRANO: The last thing I'll say, your
17 Honor is that, if he had never had this violation of
18 probation and never sent to SCDC on the VOP, he would
19 have known he had a \$30,000 cash surety bond and that's
20 a fairly low bond considering the charges. So the
21 State's argument is that he would have bonded out.

22 THE COURT: Let me -- I'm going to review what
23 y'all have given me. Both of y'all made good arguments,
24 but let me absorb it. I'll let you know my decision
25 later today.

1 MS. SOPRANO: Thank you, your Honor.

2 MS. HOLT: Thank you, your Honor.

3 (End of Transcript of Record.)

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CERTIFICATE OF REPORTER

State of South Carolina)
)
County of Chester)

I, Maria L. DiScioscia, Official Court Reporter for the Sixth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of the Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Chester, South Carolina, on the 18th day of June, 2025.

I do further certify that I am not related, either by blood or marriage, to any of the parties in this action; and that I am in no way interested in the outcome of this matter.

January 23, 2026.



Maria L. DiScioscia, RPR
Official Court Reporter

WITNESSES

S. Canipe (CCSO)

R. Brinkman

ARREST WARRANT NUMBER

2024A1210100427 (DOA 08-18-2024)

ACTION OF GRAND JURY

TRUE BILL

S. Canipe

Foreperson of Grand Jury

Date: *10/22/24*

VERDICT

Foreperson of Petit Jury

Date:

DOCKET NO. 2024-GS-12-00744

The State of South Carolina

County of Chester

COURT OF GENERAL SESSIONS

OCTOBER 2024 TERM

THE STATE

VS.

DEWONE DELAWRENCE DIXON

INDICTMENT FOR

DIST/PWID METH

SC Code: § 44-53-375(B)

CDR Code: 3200

Class: Felony A

✓
CLERK OF COURT
CHESTER CO S.C.

2024 OCT 22 PM 12:56

FILED

STATE OF SOUTH CAROLINA
COUNTY OF CHESTER

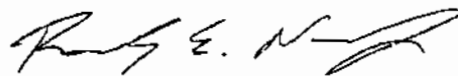
INDICTMENT

At a Court of General Sessions, convened on October 22, 2024, the Grand Jurors of Chester County present upon their oath:

DIST/PWID METH

The defendant, Dewone Delawrence Dixon, did on or about June 17, 2024, in Chester County, distribute, dispense, deliver, purchase, or otherwise aid, abet, attempt, or conspire to distribute, dispense, deliver, or purchase, or possess with the intent to distribute, dispense, deliver, or purchase methamphetamine in violation of the provisions of Section 44-53-370, all in violation of Section 44-53-375(B), *Code of Laws of South Carolina* (1976, as amended).

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



Randy E. Newman, Jr., SOLICITOR

36
STATE OF SOUTH CAROLINA
COUNTY OF CHESTER

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

STATE vs.

Dewone Delawrence Dixon

AKA: Dewon Dixon

RACE: B

SEX: M

SSN: [REDACTED]

DOB: [REDACTED]

) INDICTMENT/CASE#: 2024-GS-12-00744

) AWW#: 2024A1210100427

) Date of Offense: 06/17/2024

) S.C. Code§: 44-53-375(B)

) CDR Code #: 3200

) Range of Offense: J1

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

TO: Poss Meth/Cocaine Base 2nd Offense

Range of Offense Pled: (NMT 5 YEARS &/OR \$7,500)

In violation of § 44-53-375(A) of the S.C. Code of Laws, bearing CDR Code # 3017

☒ NON-VIOLENT

☐ VIOLENT

☐ SERIOUS

☐ MOST SERIOUS

☐ MANDATORY GPS

☐ § 17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☐ As Indicted

☒ Lesser Included Offense

☐ Defendant Waives Presentment to Grand Jury

The plea is: ☐ w/o Rep/Negotiations ☐ Negotiated

☒ Recommendation 3 years active

/s/ Julia Soprano

105542

Solicitor

SC Bar #

/s/ Amber B Holt

103192

Attorney for Defendant

SC Bar #

The Defendant is committed to the ☒ SCDJ ☐ County Detention Center ☐ Home Incarceration Program

for a determinate term of 3 days/months/years/Time Served ☐ YOANTE years and/or shall pay a fine

of \$; provided that upon the service of days/months/years/Time Served and or payment

of \$ plus costs and assessments as applicable*; balance is suspended with probation for months/years

and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDJ

229

(days)

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

SPECIAL CONDITIONS:

☐ PTUP

☐ No Contact with Victim

☐ Domestic Violence Intervention Program

☐ Hold for Inpatient Treatment

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430

☐ SAC/MHC if necessary

☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135

☐ Other:

☐ RESTITUTION See Separate Order (20% per S.C. Code §24-21-490(B))

§14-1-206 (Assessments 107.6%)

§14-1-211 (A)(1) Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-6-1995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforcement Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel. Provisio requires \$500 to be paid to Clerk during probation and shall be collected before any other fees

☒ §17-3-45(B) Unpaid Application Fee to be paid to the Public Defender Fund

Restitution

FINE:

\$100

\$100

\$12

\$25

\$25

\$150

\$41

\$50

\$40/ea

TBD

\$500

\$40

TOTAL

\$

\$

\$

\$ 100

\$

\$

\$

\$ 25

\$ 150

\$

\$

\$

\$ 9.45

\$

\$ 40

\$ 324.45

/s/ Betty Jo Lawson

Clerk of Court/Deputy Clerk

Court Reporter

2773
Judge Code

June 16, 2025

Sentence Date

Presiding Judge

SCCA217B

01/27/2025

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,



Lara M. Caudy
Senior Appellate Defender

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

ATTORNEY FOR APPELLANT

This 16th day of July, 2026.

RECEIVED

Jul 16 2026

SC Court of Appeals