

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Deandrea Benjamin, Circuit Court Judge

Case Nos. Indictment Numbers: 2013-GS-40-07535,
2013-GS-40-07537, and 2013-GS-40-07538

The State,.....Respondent,

v.

Cheo D. Green,.....Appellant.

NOTICE OF APPEAL

Cheo Green appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Deandrea Benjamin on January 14, 2016.

2013-GS-40-07535 – Murder- 45 years concurrent, credit for time served for 1, 171 days,

2013-GS-40-07537- Carjacking/ Take or attempt a vehicle by force from person, great bodily injury- 25 years concurrent, credit for time served for 1,171 days,

2013-GS-40-07538-Possession of a Weapon During the Commission of a Violent Crime- 5 years concurrent, credit for time served for 1,171 days

January 22, 2016



Nicole L. Singletary
The Law Offices of Nicole L. Singletary
4511 North Main Street
Columbia, S.C. 29203
(803) 201-8933
Attorney for Appellant

RECEIVED
JAN 22 2016
SC Court of Appeals

Other Counsel of Record:

Assistant Solicitor Margaret Bodman
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, South Carolina 29201
Attorney for Respondent

RECEIVED
JAN 22 2016
SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Deandrea Benjamin, Circuit Court Judge

Case Nos. Indictment Numbers: 2013-GS-40-07535,
2013-GS-40-07537, and 2013-GS-40-07538

The State,.....Respondent,

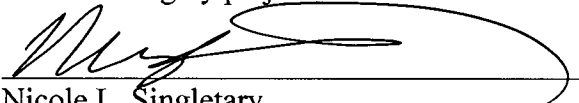
v.

Cheo D. Green,.....Appellant.

**STATEMENT OF BASIS FOR APPEAL FROM
CONVICTION BASED ON IMPROPERLY ADMITTED TESTIMONY AND
IMPROPER JURY CHARGE**

The Defendant's constitutional rights were violated when the trial court allowed for City of Columbia Inv. Van Houten to testify to cell tower pinging evidence which was not based on any testimony that was elicited at trial and based on the fact that Inv. Van Houten was not a fact witness. The testimony violated my client's right to a fair trial, highly prejudicial in nature, misleading and confusing to the jury, and his Sixth Amendment right to confront witnesses. Additionally, Defendant's rights were violated when the Prosecution was allowed to charge the jury with the charge of Hand of One, Hand of All. The prosecution did not in their case and chief present any testimony which was consistent with the alternate theory of Hand of One, Hand of All and therefore violated my client's constitutional rights to a fair trial and was highly prejudicial.

January 22, 2016



Nicole L. Singletary
The Law Offices of Nicole L. Singletary
4511 North Main Street
Columbia, S.C. 29203
(803) 201-8933
Attorney for Appellant

Other Counsel of Record:

Assistant Solicitor Margaret Bodman
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, South Carolina 29201
Attorney for Respondent

RECEIVED

STATE OF SOUTH CAROLINA
In The Court of Appeals

JAN 22 2016

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Deandrea Benjamin, Circuit Court Judge

Case Nos. Indictment Numbers: 2013-GS-40-07535,
2013-GS-40-07537, and 2013-GS-40-07538

The State,.....Respondent,

v.

Cheo D. Green,.....Appellant.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Notice of Intent to Appeal in the above-referenced case has been served upon opposing counsel by delivering same this date to her office at the Office of the Solicitor, Fifth Judicial Circuit, Richland County Judicial Center, 1701 Main Street, Columbia, South Carolina 29201.

January 22, 2016



Nicole L. Singletary
The Law Offices of Nicole L. Singletary
4511 North Main Street
Columbia, S.C. 29203
(803) 201-8933
Attorney for Appellant

Other Counsel of Record:
Assistant Solicitor Margaret Bodman
Office of the Solicitor, Fifth Judicial Circuit
Richland County Judicial Center
1701 Main Street
Columbia, South Carolina 29201
Attorney for Respondent