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|--------------------------|---|----------------------------|
| STATE OF SOUTH CAROLINA  | ) | SIXTEENTH JUDICIAL CIRCUIT |
|                          | ) |                            |
| COUNTY OF YORK           | ) | COURT OF GENERAL SESSIONS  |
|                          | ) |                            |
| STATE OF SOUTH CAROLINA, | ) | 2009-GS-46-2695            |
|                          | ) | 2009-GS-46-2696            |
| Prosecution,             | ) |                            |
| vs.                      | ) |                            |
|                          | ) |                            |
| TAYLOR DURDEN,           | ) |                            |
|                          | ) |                            |
| Defendant.               | ) |                            |
|                          | ) |                            |

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**Pre-Trial Order**

On this the 7<sup>th</sup> day of January, 2010, the above-captioned matter came before the undersigned judge for pretrial conference. The parties, appearing through their counsel, indicated their agreement to, and approval of, the terms of this Order, and requested that it be made the Order of this Court. The terms of this order, accordingly, shall not be altered, except upon a showing of good cause.

**I. Statement of Case**

The State charged Defendant, Taylor Durden, with one count of Manslaughter in violation of South Carolina Code Annotated § 16-3-50 and Hazing in violation of South Carolina Code Annotated § 16-3-510, alleging that on August 29, 2009, Defendant unlawfully caused the death of Jessica Bateson, during the commission of a felony, to-wit: the death occurred during hazing, contrary to the laws of the State of South Carolina, and the good order, peace and dignity thereof. Upon arraignment, Taylor Durden pled not guilty to all charges.

**II. Stipulations of the Parties**

The parties have entered into the following stipulations, which shall not be contradicted or challenged:

1. The death of Jessica Bateson occurred on August 29, 2009.
2. Defendant was over the age of 21 as of August 29, 2009.
3. Tammy Canes is deceased.
4. Colt Bateson is not available for trial due to armed services deployment.

5. The family medical history is not in dispute.
6. All exhibits listed are authentic and accurate in all respects.
7. The chain of custody for evidence is not in dispute.
8. The signatures on the witness statements and all other documents are authentic.
9. All witnesses who were questioned by law enforcement were properly advised of their Miranda rights. The search of the Epsilon Sigma Epsilon house was conducted with consent of the chapter president, and therefore was proper and in accordance with the law.
10. The transcript of the 911 phone call is admissible as a substitute for the actual recording and accurately reflects the contents of the recording. The caller's voice on the recording is identified as Alex Richards.
11. Exhibits 6 and 8 fairly and accurately reflect the scene, view, or geography they purport to depict.
12. Exhibit 7 is a true and accurate photograph of evidence recovered from 313 Senate Street, Tega Cay, York County, South Carolina by Sgt. Knight.
13. Exhibits 1, 2, 3, 4, 5, 11, and 13 are kept in the ordinary course of business or as part of the ordinary conduct of an organization or enterprise where it was part of the ordinary business of that organization, business or enterprise, to compile the data or information. The information was made for the purpose of recording the occurrence of an event, act, condition, opinion or diagnosis that takes place in the ordinary course of the business or enterprise, entry in the record or the compiling of the data was made at or near the time when the event took place, and the recording of the event was made by someone who has personal knowledge of it.
14. The following words shall be pronounced as indicated below. (These same words can be typed into the following Web site and can be heard in their exact pronunciation. [www.thefreedictionary.com](http://www.thefreedictionary.com) )

- a. Chi ..... kī
- b. Epsilon ..... ěp-sə-lŏn
- c. Hyperthyroidism ..... hī-pər-thī-roi-dīz-əm
- d. Hyponatremia ..... hī-pŏ-nə-trē-mē-ə
- e. Si ..... sī
- f. Sigma ..... sĭg-mə
- g. Thyroid..... thī-roid