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**Sep 29 2022**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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APPEAL FROM GEORGETOWN COUNTY  
COURT OF COMMON PLEAS  
THE HONORABLE BENJAMIN H. CULBERTSON  
CIRCUIT COURT JUDGE

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APPELLATE CASE NO. 2022-000948  
CIVIL ACTION NO. 2021-CP-22-00158

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Carlos Dennison,

**APPELLANT,**

versus

Georgetown City Police Department,  
Officers Shephard Ban, Steven Church,  
John Gregory, Judge Robert O'Donnell, and  
Mayor Brendon Barbor,

**RESPONDENTS.**

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**RESPONDENTS' RETURN TO  
APPELLANT'S MOTION FOR APPEAL BOND**

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Appellant Carlos Dennison has filed a Motion for an Appeal Bond in the above-referenced appeal to be released from prison on his personal recognizance. Such an appeal bond, however, is not authorized in a civil suit such as this one which Appellant has brought pursuant to the South Carolina Tort Claims Act. The bond sought by Appellant is only authorized in cases in which the appeal is from the trial, conviction, or sentence for a criminal offense. S.C. CODE ANN. § 18-1-90; Rule 246, SCACR. Additionally, a post-conviction relief applicant may be admitted to bail after the service of a notice of appeal by either the applicant or the State pursuant to Rule 243(k), SCACR, but again, Appellant's

case and appeal against the Respondents is not a case or appeal under the Post-Conviction Relief Act.

Accordingly, the Respondents submit that Appellant is not entitled to an appeal bond to be released from prison on his personal recognizance in an appeal from the grant of a summary judgment in favor of the Respondents on the claims Appellant raised in his civil complaint.

Respectfully submitted,

/s Carmen V. Ganjehsani

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**ATTORNEYS FOR RESPONDENTS**

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**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of Richardson Plowden & Robinson, P.A., for Respondents, do hereby certify that I have this date served the foregoing Return to Motion for Appeal Bond, dated September 29, 2022, by causing the same to be deposited in a United States Postal Service mailbox, postage prepaid, addressed to the party as indicated below:

Carlos A. Dennison (#00295321)  
MacDougall Correctional Institution (ME/MI)  
Region 1  
1516 Old Gilliard Road  
Ridgeville, SC 29472  
**Appellant *Pro Se***

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

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**ATTORNEYS FOR RESPONDENTS**

Dated: September 29, 2022.