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**Nov 09 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Greenville County  
Honorable Robin B. Stilwell, Circuit Court Judge  
Appellate Case No. 2020-000108

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The State,

Respondent,

vs.

Thomas Charles Felton Jones,

Appellant.

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**MOTION TO CERTIFY APPEAL  
TO SOUTH CAROLINA SUPREME COURT**

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Pursuant to Rule 204(b), SCACR, the State asks this Court to certify the above-entitled appeal for consideration by the South Carolina Supreme Court.<sup>1</sup> The appeal primarily concerns a challenge on state or federal grounds to the constitutionality of a Greenville ordinance and should be considered by the South Carolina Supreme Court pursuant to Section 14-8-200(b)(3) of the South Carolina Code and Rule 203(d)(1)(A)(ii), SCACR.

The underlying appeal arises out of an arrest for interfering with a county law enforcement officer pursuant to Greenville County Ordinance §15-10. Appellant has challenged the constitutionality of the ordinance alleging it is overbroad in violation of the First Amendment and Article I, §2 of the South Carolina Constitution. Additionally, he asserts the ordinance is unconstitutionally vague in violation of the Due Process Clause of the United States Constitution

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<sup>1</sup> Final Briefs of the parties are filed with the South Carolina Court of Appeals and are available through the South Carolina Appellate Case Management System (C-Track). See <https://ctrack.sccourts.org/public/caseView.do?csIID=71492>

and the South Carolina Constitution. See U.S. Const. amend V; S.C. Const. art I, §3. Finally, he maintains the ordinance was unconstitutional as applied to Appellant. Because he has raised significant constitutional claims regarding the Greenville Ordinance, it is proper for consideration of the appeal by the South Carolina Supreme Court.

WHEREFORE, the State asks the Court to certify this appeal for its consideration pursuant to Rule 204(b) based on the constitutional challenges raised; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Senior Assistant Deputy Attorney General



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ATTORNEYS FOR RESPONDENT

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**PROOF OF SERVICE**

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I, Caroline Collins, certify that I have served the Motion to Certify Appeal to the South Carolina Supreme Court on Appellant by emailing a copy to his counsel of record, John Christopher Shipman and Andre Ta Nguyen, at their primary email addresses as provided by the Attorney Information System (AIS).

I further certify that all parties required by Rule to be served have been served.

This 9<sup>th</sup> day of November, 2022.



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CAROLINE COLLINS  
Administrative Coordinator  
Office of Attorney General  
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Columbia, South Carolina 29211  
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## Caroline Collins

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**From:** Caroline Collins  
**Sent:** Wednesday, November 9, 2022 4:56 PM  
**To:** cshipman@greenvillecounty.org; nguyyen@greewoodsc.gov  
**Cc:** William Blicht  
**Subject:** The State v. Thomas Charles Felton Jones (2020-000108)  
**Attachments:** JONES Thomas - Motion to Certify Appeal to South Carolina Supreme Court - 2020-000108 (03151906xD2C78).PDF

Good Afternoon Mr. Shipman and Mr. Nguyen,

Attached please find a Motion to Certify Appeal to the South Carolina Supreme Court in The State v. Thomas Charles Felton Jones (2020-000108). This motion will be submitted to the South Carolina Supreme Court and Court of Appeals today via the AIS One Drive System.

If you will, please reply to confirm receipt of this email.

Thank you!

**CAROLINE COLLINS**, Administrative Coordinator  
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