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SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions
The Honorable Robert E. Hood, Circuit Court Judge

Appellate Case No. 2022-000218

THE STATE,

Respondent,

v.

MATTHEW SCOTT YOUNG,

Appellant.

FINAL BRIEF OF RESPONDENT

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STATEMENT OF ISSUES ON APPEAL

- I. For Miranda purposes, a person is in custody if their freedom is restrained to a degree associated with formal arrest. When first responders made contact with Young at the scene of a stabbing, he was standing next to co-workers and was not restrained in any way. Young originally denied stabbing the victim, but when he learned his co-worker told the 911 dispatcher Young did it, he admitted it. Was Young in custody when he made this admission?

- II. A statement given in violation of Miranda does not preclude admission of subsequent, post-warning statements if the warnings were "effective." Young made a limited admission to stabbing the victim before warnings, but gave further details after warnings. His formal interview took place more than an hour later, at the police station. Were his subsequent statements admissible?

- III. Was Young improperly sentenced for possession of a weapon during the commission of a violent crime?

STATEMENT OF THE CASE

A Richland County grand jury indicted Appellant Matthew Scott Young for murder and possession of a weapon during the commission of a violent crime. He proceeded to jury trial on February 14–17, 2022, before the Honorable Robert E. Hood, circuit court judge. Young was convicted of manslaughter and sentenced to life without parole. He was also convicted of the weapon charge and sentenced to five years' incarceration. This direct appeal follows.

STATEMENT OF FACTS

On the morning of December 15, 2017, at around 11 a.m., Appellant Matthew Scott Young and two other men were working as landscapers in a neighborhood near Broad River Road. (R.p.140). The three men were working as a team, blowing leaves away from houses into the street. (R.p.140). Young was standing in the street, blowing the pile of leaves down the street to be collected later. (R.p.141-42). The victim, Abdias Pacius, drove through the neighborhood. Young and his coworkers testified he was driving too fast. At trial, Young claimed the car "veered" toward him and struck his leaf blower. (R.p.338). In previous statements to police, Young never claimed the car "veered" toward him. (R. p. 490-92; State's Exhibits # 50 and 63). Young claimed Pacius exited his car, walked towards him in an aggressive manner, pushed him, and "started swinging." (R.p.341). Young previously told police that Pacius had "slapped" him. (R.p.490-92; State's Exhibit # 50 and 63). Young stabbed the victim in the heart with a hunting knife. The knife had a hooked blade, meaning when Young pulled the knife out, it ripped a hole in the victim's heart, causing him to die very quickly. (R.p.306-08).

Young's version of events did not match up with the physical evidence. Officers did not observe any blood by the pile of leaves. (R.p.208-09). The victim's body was located directly next to his car, about 45 feet from the leaves, even though Young claimed he didn't walk towards the victim "at all." (State's Exhibit #63 at 23:05; R.p.249). Police observed a blood trail from the trunk of the car to the driver's side door, but did not see any blood leading to the pile of leaves or any blood

more than "an arm's length away from the car." (R.p.249). Investigators did not notice any significant damage to the leaf blower. (R.p.248).

Following the stabbing, a neighborhood resident called 911. (State's Exhibit #1). She said the victim fell down, but she did not see the stabbing. During the call, she gave the phone to Young. He told the operator that the victim was "bleeding bad" and pretended to check on him, but omitted the fact that he had stabbed him and pretended he didn't know why the victim was bleeding.

Officer Steven Sulser responded to the scene in reference to a stabbing. He observed the Honda parked in the street and the victim laying on the ground in a pool of blood. (R.p.5; State's Exhibit #50). Several residents were standing by, and Young was standing further down the street by the pile of leaves. Sulser asked "who stabbed him?" but Young did not claim responsibility. (State's Exhibit #50). Sulser asked everyone to back up, and told dispatch that there was no suspect on scene. Young and his co-workers left the immediate area and went to a cul-de-sac further down the street. On the way, Young hid his knife by a creek. (State's Exhibit #50).

Sulser spent some time securing the crime scene and talking to residents. He learned from dispatch that a "Scott" and a "Roberto" had called 911. (State's Exhibit #50). Young had identified himself to the operator as "Scott," and his co-worker was named Roberto. (State's Exhibit #1). Another officer learned from a resident that lawn workers had been on scene. This officer went to find them and made contact with Young and his co-workers shortly thereafter. (State's Exhibit

#50). Young testified this officer did not ask him any questions, but got their identifications. (R.p.44). Another officer suggested to Sulser that a lawn care worker may have been the person who stabbed the victim.

Sulser eventually walked to the cul-de-sac, which was approximately several hundred yards away. On the way, a dispatcher told him that according to witnesses, Young "did the stabbing." (State's Exhibit #50). When he arrived, Young and his co-workers were standing next to their landscaping truck. Another officer was present, and Young was standing next to his co-workers with his hands in his pockets. Contrary to Young's assertions, the other officer's car was not blocking the landscaping truck in. (State's Exhibit #50). Officer Sulser approached Young and asked if he was "the one who stabbed him." (R.p.5). Young pretended he didn't know what was going on, claimed he had merely been the person who called 911, asserted he didn't see what happened, and claimed a resident had told him the victim "wobbled" and fell over when he exited his car. (R.p.7; State's Exhibit #50). Sulser explained he had been under the impression that Young told the dispatcher he stabbed the victim in self-defense. (State's Exhibit #50). When Young emphatically denied stabbing the victim, Officer Sulser said "look, man, I'm not saying you did, I'm just telling you why we're making contact with you." (State's Exhibit #50). Young continued to deny stabbing the victim, saying "I was blowing leaves, man."

Sulser went back to his car to find out exactly what had been reported to the 911 operator. (R.p.8). Sulser retrieved the accurate information: that one of

Young's co-workers told the dispatcher that Young stabbed the victim. When he returned, Sulser told the three men that someone had already told the dispatcher that one of them stabbed the victim in self-defense, and that if they knew what was going on, they should not lie. Sulser said: "if it was self-defense, it is what it is." (R.p.8). At that point, Young stated "I'm lying, I did it." (R.p.8; State's Exhibit #50). Officer Sulser placed Young in handcuffs and did not ask him any more questions until after administering Miranda warnings. A separate officer asked Young where he hid the knife, and Young responded that it was by the creek.

Officer Sulser then placed Young in the back of a police cruiser. (R.p.9). Young listened calmly as Sulser advised him of his rights, and told Sulser he was willing to answer questions. Sulser then asked him where he put the knife, and Young answered that it was "right beside the creek." (State's Exhibit #50). Sulser then asked Young what happened. Young responded with his version of events. Young was not under duress and did not appear to be intimidated in any way. Young explained he was blowing leaves in the street when the victim sped by him. Young explained the victim "jumped out the car and started running his mouth," and claimed the victim pushed him. Young claimed the victim slapped him and stated: "I don't know why I grabbed it, I grabbed my knife and I swung, and it stuck him and I didn't mean to, and it's too fucking late and I'm done for life I guess." (State's Exhibit #50).

A while later, an investigator responded to the scene and spoke briefly with Young while he was seated in the cruiser. Officers drove Young to the police station

for an interview. Investigators again advised Young of his Miranda warnings, after which Young again told police a more detailed version of events and answered their questions. (State's Exhibit #63). Young was convicted of manslaughter despite telling a nearly identical story at trial.

ARGUMENT

I. The trial court properly admitted Young's pre-custodial admission that he stabbed the victim.

The trial court properly admitted Young's statement to a responding officer at the crime scene admitting he stabbed the victim. Because the statement was not made in response to custodial interrogation, Miranda warnings were not required. This Court should affirm.

A. Standard of Review.

In criminal cases, the appellate court sits to review errors of law only. State v. Barksdale, 433 S.C. 324, 330, 857 S.E.2d 557, 560 (Ct. App. 2021). The decision to admit or exclude evidence is within the sound discretion of the trial court. Id. “Appellate review of whether a person is in custody is confined to a determination of whether the ruling by the trial [court] is supported by the record.” Id. When it is debatable whether a reasonable person would believe themselves to be in custody when a statement was made, the trial court's ruling should stand. State v. Navy, 386 S.C. 294, 301, 688 S.E.2d 838, 841 (2010).

B. Discussion.

i. Miranda "custody" is a term of art.

The Fifth and Fourteenth Amendments to the Federal Constitution establish an individual right against compelled self-incrimination. U.S. Const. amends. V, XIV. To protect this right, the United States Supreme Court adopted a prophylactic rule requiring police to give warnings before subjecting an individual to "custodial interrogation" advising individuals of their right not to answer potentially incriminating questions, and to an attorney. Miranda v. Arizona, 384 U.S. 436

(1966). In the context of Miranda, "'custody' is a term of art that specifies circumstances that are thought generally to present a serious danger of coercion." Howes v. Fields, 565 U.S. 499, 508–09 (2012). The Miranda court explained the need for procedural safeguards where individuals are confined to "an unfamiliar atmosphere and run through menacing police interrogation procedures." Miranda, 384 U.S. at 457. The Miranda court cited examples such as those present in Escobedo v. State of Illinois, 378 U.S. 478 (1964), a case where a defendant, "handcuffed and standing . . . was questioned for four hours until he confessed." Miranda, 384 U.S. at 440. The court quoted a police manual instructing officers to "rely on an oppressive atmosphere of dogged persistence" and "interrogate for a spell of several hours." Id. at 451.

The Miranda court distinguished these coercive settings, typically occurring at police stations, from other, less controlled environments, such as the scene of a crime. The court explained that warnings are not required for "[g]eneral on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens" because in "such situations the compelling atmosphere inherent in the process of in-custody interrogation is not necessarily present." Id. at 477–78.

Subsequent courts have further explained the meaning of "custodial interrogation" as applied to various contexts. In many cases, courts have found a suspect was not subjected to custodial interrogation, even when questioning took place in an interview room at a police station. For example, in Oregon v. Mathiason, 429 U.S. 492 (1977), a police officer contacted the suspect after a

burglary victim identified him. The officer arranged to meet the suspect at a nearby police station. At the outset of the questioning, the officer stated his belief that the suspect was involved in the burglary but that he was not under arrest. During the 30-minute interview, the suspect admitted his guilt. He was then allowed to leave. The Mathiason Court held that the questioning was not custodial because there was "no indication that the questioning took place in a context where [the suspect's] freedom to depart was restricted in any way." See Yarborough v. Alvarado, 541 U.S. 652, 661 (2004) (discussing Mathiason). This Court recently reached the same conclusion in State v. Daniels, Op. No. 5986 (S.C.Ct.App. filed May 24, 2023) (Davis Adv.Sh. No. 20 at 30) (finding defendant was not in custody when he gave voluntary interview at police station even though police suspected him of a crime).

The general rule is that Miranda warnings are required "only when a suspect 'has been taken into custody or otherwise deprived of his freedom of action in any significant way.'" State v. Barksdale, 433 S.C. 324, 331, 857 S.E.2d 557, 561 (Ct. App. 2021). "A significant deprivation of freedom 'has been interpreted as meaning formal arrest or detention associated with a formal arrest.'" Id. (quoting State v. Easler, 327 S.C. 121, 127, 489 S.E.2d 617, 621 (1997)). Courts consider whether, given all the circumstances, a "reasonable person [would] have felt he or she was not at liberty to terminate the interrogation and leave." Howes, 565 U.S. at 509. Relevant factors include: 1) the location of the questioning; 2) its duration; 3) statements made during the interview; 4) the presence or absence of physical

restraints during the questioning; and 5) the release of the interviewee at the end of the questioning. Id. (citations omitted).

In Berkemer v. McCarty, 468 U.S. 420 (1984), the Supreme Court held a detained motorist was not in custody for constitutional purposes during a traffic stop even though "a traffic stop significantly curtails the 'freedom of action' of the driver and the passengers," and that it is generally "a crime either to ignore a policeman's signal to stop one's car or, once having stopped, to drive away without permission." Berkemer, 468 U.S. at 436. Miranda warnings were not required because "a person detained as a result of a traffic stop is not in Miranda custody because such detention does not 'sufficiently impair [the detained person's] free exercise of his privilege against self-incrimination to require that he be warned of his constitutional rights.'" Id. at 437. Thus, the question remains whether the circumstances of the interaction are of such an inherently coercive nature as to present a serious danger of compulsion. See Miranda; see also State v. Barksdale, 433 S.C. 324, 857 S.E.2d 557 (Ct.App.2021) (discussing Miranda "custodial interrogation" jurisprudence at length as applied to a similar fact pattern).

ii. Young was not subjected to custodial interrogation when he initially admitted he stabbed the victim.

The statements Young complains of were not made in an "incommunicado police-dominated atmosphere." Miranda, 384 U.S. at 456. Police were not questioning him in a "special interrogation room," nor did they interrogate him for a period of hours. Id. at 456. Rather, the interaction happened out in the open and was over in a matter of minutes. Young was essentially at his place of work, a

neighborhood where he worked as a landscaper every week. When approached by Officer Sulser, he was flanked by his co-workers. While one other officer was standing nearby, the rest of the police officers and medical personnel were still hundreds of yards away at the site of the stabbing.

Young was not under arrest, and his freedom of movement was not restricted to a degree associated with formal arrest. When Sulser approached the three landscapers, he was operating on limited information. The trial court correctly noted that Officer Sulser was essentially a first responder, "trying to figure out what happened and who needs to be done what with in really quick fashion." (R.p.70). When he originally arrived, he assumed the person who stabbed the victim had already left the scene. Only after information began to trickle in from the 911 dispatcher and other officers and eyewitnesses at the scene did he gain information that Young may have been the person who stabbed the victim. He approached the landscapers to attempt to find out how they were involved, and Young vehemently denied stabbing the victim. To add to the uncertainty, Young's co-worker, Roberto Perozo, who called 911, remained silent and allowed Young to lie to police. Only after Sulser consulted the dispatch report and confronted Young with information that one of his co-workers had told 911 that Young stabbed the victim did Young admit to the stabbing. Officer Sulser had not decided, and did not have enough information to decide, whether to arrest Young before this happened.

Young testified the first officer who made contact with them told them to "stay right here for a few minutes," and argues this rendered him in custody for

Fifth Amendment purposes. (R.p.40). This assertion is meritless, as this interaction did not render Young in custody any more than it rendered his co-workers or the neighborhood residents in custody. Nearly every civilian at the scene had their freedom of movement restricted in some way, whether by crime scene tape or interactions with a first responder. Surely, not every person in the neighborhood was in custody for Miranda purposes as the police conducted their preliminary investigation. Young and his co-workers were not attempting to leave the neighborhood. They voluntarily chose to wait in the cul-de-sac while police investigated and while they waited for their boss to arrive. Young was standing next to his co-workers by their company truck when police approached him. Young admitted Officer Sulser "didn't treat [him] in any way differently than he treated [his] two coworkers." (R.p.48). This was not an inherently coercive environment. The trial court correctly found that at this point, police were merely "trying to figure out what happened and who needs to be detained and where's what and could there be somebody on the loose." (R.p.74).

This case is similar to State v. Barksdale, 433 S.C. 324, 857 S.E.2d 557 (Ct.App.2021). There, police responded to an automobile accident where first responders were unsure who was driving one of the vehicles. An officer asked Barksdale if he was the driver, and he responded that he was. Barksdale went to retrieve documents from his vehicle. When Barksdale returned, the officer asked whether he had been drinking, and Barksdale admitted that he had. The officer decided to administer field sobriety tests and told another officer not to "let

[Barksdale] walk off." Id., 433 S.C. at 329, 857 S.E.2d at 559. After the tests, the officer asked Barksdale if he could feel the effects of the alcohol, and Barksdale responded that he could. The officer then placed Barksdale under arrest for DUI and administered Miranda warnings.

The trial court suppressed Barksdale's pre-Miranda statements. This Court reversed, holding the trial court abused its discretion by finding Barksdale was in custody when he made his pre-Miranda admissions. Surveying case law, this Court explained that the record did not support the conclusion that Barksdale was "deprived of his freedom in any significant way or detained in such a way as to mimic formal arrest." Id., 433 S.C. at 333, 857 S.E.2d at 562. This Court emphasized that officers "responded to the scene of a traffic accident and questioned Barksdale to investigate the accident's cause." Id., 433 S.C. at 335, 857 S.E.2d at 562. See also State v. Morgan, 282 S.C. 409, 319 S.E.2d 335 (1984); State v. Kerr, 330 S.C. 132, 498 S.E.2d 212 (Ct.App.1998). The Court noted that Barksdale was allowed to "move about the scene," was not cuffed, and the interaction took place on "the side of a public thoroughfare" as opposed to an interrogation room. This Court also noted that the officer "telling other officers not to allow Barksdale to 'walk off' does not support a finding of custody" because this did not "amount to a significant deprivation of Barksdale's freedom of movement that would cause a reasonable person to believe he was in custody." Barksdale, 433 S.C. at 336, 857 S.E.2d at 563. The same reasoning applies in this case.

Miranda was intended to prohibit involuntary confessions derived from "interrogation practices which are likely to exert such pressure upon an individual as to disable him from making a free and rational choice." Miranda, 384 U.S. at 464–65. Young's admission to stabbing the victim was a rational, calculated decision and was not induced by any coercive tactics whatsoever. Young admitted to the stabbing because he realized that, given the fact that his co-worker had already identified him as the culprit, he had no other choice. He admitted to the most basic, irrefutable fact in order to minimize the damage he had already done by lying to police, and to attempt to establish a self-defense claim. Not only were his statements non-custodial, they were plainly voluntary. Based on all of the above, the trial court correctly found Young was not subjected to custodial interrogation when he first admitted to stabbing the victim.

- iii. **Young was not prejudiced by his pre-custodial admission that he stabbed the victim because his co-worker already told police Young was the assailant and this fact was easily provable.**

Even if Young's admission was improperly admitted, it was cumulative and did not result in prejudice. It was inevitable that police would discover Young was the person who stabbed the victim. As discussed above, his co-worker had already identified him as the culprit. Although no neighborhood residents actually saw Young stab the victim, multiple people witnessed him standing near the victim just after the stabbing. Furthermore, Young's statements to the 911 operator implying the victim simply collapsed when he exited his car were obviously false. Young admitted to the stabbing because

it was obvious and he had no other choice, but his limited admission did not cause him to be convicted. See State v. Byers, 392 S.C. 438, 448, 710 S.E.2d 55, 60 (2011) (explaining an error is harmless when it could not reasonably have affected the result of the trial).

iv. Young waived any objection to his statement telling police where he hid the knife because he introduced the statement at trial.

The only post-custodial, pre-warning statement was Young's admission to police that he had discarded the knife. The court excluded this information, and Officer Sulser did not mention it in his direct examination during his testimony. (R.p.113). However, defense counsel elicited the information of cross-examination to show that Young cooperated with police, thus waiving any objection to its admission. (R.p.123). Accordingly, this statement should not factor into this Court's analysis of this issue. This Court should affirm.

II. The trial court Young properly admitted Young's custodial statements.

Because Young's initial admission did not violate Miranda, his subsequent custodial statements were likewise admissible. Even assuming arguendo that Young's initial admission violated Miranda, his subsequent statements were properly admitted because he was given effective Miranda warnings before questioning began and his statements were plainly voluntary. This Court should affirm.

A. Standard of review.

In criminal cases, the appellate court sits to review errors of law only. State v. Barksdale, 433 S.C. 324, 330, 857 S.E.2d 557, 560 (Ct. App. 2021). The decision to admit or exclude evidence is within the sound discretion of the trial court. Id.

B. Discussion.

When considering whether a suspect's post-Miranda statements were improperly obtained as a result of earlier, un-warned statements, courts ask whether, under the circumstances, "the warnings could function 'effectively' as Miranda requires." Missouri v. Seibert, 542 U.S. 600, 611–12 (2004). The analysis is similar to, yet distinct from, the "fruit of the poisonous tree" doctrine announced in Wong Sun v. United States, 371 U.S. 471 (1963). See Seibert, 542 U.S. at 612 n.4 and 623–24.

In Seibert, the United States Supreme Court addressed a police department's policy of obtaining confessions without administering Miranda warnings, only to have a suspect repeat his admission immediately after warnings were given. The

Supreme Court explained that the policy was clearly designed to circumvent Miranda, and held the second statement was a product of the officer's improper pre-warning interrogation such that the warnings could not be considered effective.

The Seibert court gave a list of "relevant facts that bear on whether Miranda warnings delivered midstream could be effective enough to accomplish their object . . ." Seibert, 542 U.S. at 615–16. These factors are: 1) the completeness and detail of the questions and answers in the first round of interrogation; 2) the overlapping content of the two statements; 3) the timing and setting of the first and the second; 4) the continuity of police personnel; and 5) the degree to which the interrogator's questions treated the second round as continuous with the first. Seibert, 542 U.S. at 615–16.

In this case, the trial court correctly recognized that Young's interview process was nothing like Seibert's. First of all, police were not intentionally circumventing Miranda. Officer Sulser, a first-responder, was in the very beginning stages of his investigation when he first made contact with Young, gathering the basic facts and identifying the parties involved. Given Young's co-worker's statement to the 911 dispatcher identifying Young as the person who stabbed the victim, and Sulser's initial (mistaken) belief that Young had already admitted to stabbing the victim in self-defense, Sulser was likely surprised that Young initially denied having anything to do with the stabbing. Given the fact that Young voluntarily remained at the scene, Sulser was justified in assuming he wanted to speak with police. Sulser's cursory questions were not intended to avoid Miranda

warnings by interrogating Young before warnings were given. When Young admitted to the stabbing, Sulser immediately detained and mirandized Young.

As to the "timing and setting" of the original admission, and the "degree to which the interrogator's questions treated the second round as continuous with the first," Young's formal statements were significantly separated from his initial admission. Unlike in Seibert, Young was not induced to give a detailed statement before being warned and then merely given the chance to repeat the statement. After Young made his initial admission, police administered Miranda warnings and placed him in a police cruiser. Officer Sulser explained that Young would have the opportunity to speak with an investigator, and a substantial amount of time passed before an investigator came to speak with Young. While Young's subsequent statements to Sulser at the scene were substantially contemporaneous with his initial admission, he had plentiful time in the car to decide whether to speak with investigators, and even more time on the way to the police station and while waiting in the interview room. His written statement was signed at 1:45 p.m. (State's Exhibit #48). While police were at the scene, there were no officers sitting in the car with Young as he waited to speak with an investigator. Young had a generous amount of time for cool reflection. To the extent Young's post-Miranda statements to Sulser were connected with his initial admission such that warnings were not "effective," these statements are cumulative to his formal statements to investigators, and therefore did not cause prejudice.

As to the "completeness and detail" of Young's original admission, Young's initial admission, that he stabbed the victim, was not at all complete or detailed. It was merely the very basic fact that he was the person that did the stabbing, a fact which Young's co-worker had already revealed and which police would have easily gathered regardless of Young's admission. Police did not begin questioning Young about details of the incident until after warnings were given. Young was not "locked in" to a specific story by virtue of this extremely limited admission. Likewise, there was almost no "overlapping content" between this limited admission and his more extended later statements. It was not a "full confession" as Young alleges. Brief of Appellant at 25.

Underlying all of these factors is the ultimate question of voluntariness. Young's statements to police were plainly voluntary. Young was properly mirandized before being questioned about the details of the incident. See Berkemer, 468 U.S. at 433, n. 20 ("[C]ases in which a defendant can make a colorable argument that a self-incriminating statement was 'compelled' despite the fact that the law enforcement authorities adhered to the dictates of Miranda are rare"). Beyond that, it is plain from the body camera and police station videos that Young was not coerced in any way. See State v. Daniels, Op. No. 5986 (S.C.Ct.App. filed May 24, 2023) (Davis Adv.Sh. No. 20 at 48) ("Significantly, there is no indication that once the interrogation became custodial, Daniels's statements were involuntary or that the conditions under which he made the statements were unconstitutionally coercive."). Quite the opposite, Young eagerly spoke with police

in order to give his side of the story. Young, who had been previously convicted of manslaughter, understood that he did not have to speak with police. This was not the first time he heard Miranda warnings. His statements were not the product of coercion. Rather, Young made a voluntary choice to speak with police to limit the damage his lies had already done, and to attempt to lay the groundwork for a viable defense.

The trial court correctly admitted Young's post-warning statements. This Court should affirm.

III. Young should not have been sentenced for possession of a weapon during the commission of a violent crime.

The State concedes that Young, by statute, should not have been sentenced for possession of a weapon during the commission of a violent crime. The State does not oppose this Court correcting the sentence on direct appeal, even though counsel did not preserve the issue. See State v. Plumer, Op. No. 28152 (S.C.Sup.Ct. filed Apr. 26, 2023) (Davis Adv.Sh. No. 16 at 13).

CONCLUSION

For all the foregoing reasons, it is respectfully submitted that the judgment and conviction of the lower court be affirmed.


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August 23, 2023

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SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions
The Honorable Robert E. Hood, Circuit Court Judge

Appellate Case No. 2022-000218

THE STATE,

Respondent,

v.

MATTHEW SCOTT YOUNG,

Appellant.

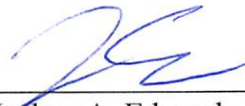
CERTIFICATE OF COUNSEL

The undersigned certifies that this Final Brief of Respondent complies with Rule 211(b), SCACR, and 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.”

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