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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM
SPARTANBURG COUNTY

The Honorable J. Mark Hayes, II
Circuit Court Judge

Appellate Case No. 2023-001934
Case No. 2019-CP-42-01605

Stephanie Irene Greene, # 359489

Petitioner,

v.

State of South Carolina

Respondent.

MOTION FOR BAIL PENDING APPELLATE REVIEW

Pursuant to Rule 243(k), Petitioner Stephanie Irene Greene (“Petitioner” or “Ms. Greene”) hereby moves this Court to issue an order releasing her on bond pending her appeal of the lower court’s decision finding that although trial counsel rendered ineffective assistance of counsel, Ms. Greene suffered no prejudice and thus her application of postconviction relief was denied. Grounds for this motion are set forth below.

I. PROCEDURAL HISTORY

The underlying criminal matter concerned the death of Ms. Greene's infant daughter ("L.G."). On June 23, 2011, the State issued an arrest warrant charging Ms. Greene with homicide by child abuse, unlawful conduct toward a child, and involuntary manslaughter.

Ms. Greene was indicted on September 15, 2011, and remained at her home in Campobello, SC until her arrest. She was released on bond and remained on bond through the trial of her case. The matter was tried in Spartanburg, SC from March 27, 2014 – April 4, 2014. At the conclusion of the trial, the jury issued a verdict of guilty on the above charges. The Honorable J. Derham Cole sentenced Ms. Greene to twenty years for the homicide by child abuse charge and to five years concurrent for the charges of involuntary manslaughter and unlawful conduct towards a child. Ms. Greene was taken into custody.

Ms. Greene appealed and the matter was *sua sponte* transferred to the Supreme Court. On May 23, 2018 (after two oral arguments) the Court affirmed the homicide by child abuse and the unlawful conduct towards a child convictions and sentences. However, the Court vacated the involuntary manslaughter conviction and sentence, finding that Ms. Greene could not be found guilty of both homicide by child abuse and involuntary manslaughter without running afoul of double jeopardy.

The U.S. Supreme Court denied Ms. Greene's petition for a writ of certiorari.

Ms. Greene timely filed a petition for postconviction relief. An evidentiary hearing was held on September 19 and 20, 2022 before the Honorable J. Mark Hayes, II. On May 8, 2023, Judge Hayes issued an Order finding that Ms. Greene's trial counsel rendered ineffective assistance of counsel for failing to pursue and present an alternate cause of death for L.G. which Ms. Greene successfully established at PCR (that L.G. died from renal failure). Nevertheless,

Judge Hayes found that Ms. Greene suffered no prejudice from the ineffective assistance of counsel. Therefore, the court denied the PCR application and dismissed it with prejudice.

On December 18, 2023, Ms. Greene filed a notice of appeal of the PCR court's order. Ms. Greene timely filed her Petition for a Writ of Certiorari on January 30, 2024. That petition remains pending before this Court.

Ms. Greene has been incarcerated since April 4, 2014. If this Court reverses and remands this case, she will have served well over ten years. She will have completed the full five-year sentence on the conviction of unlawful conduct towards a child and over half of the twenty-year sentence on the conviction of homicide by child abuse.

II. LEGAL STANDARD

Pursuant to SCACR 243(k), “[a] post-conviction relief applicant may be admitted to bail after the service of the notice of appeal by either the applicant or the State.”

In determining whether to “exercise the discretionary authority to admit an applicant to bail,” SCACR 243(k) instructs courts to consider the following factors:

the probability the applicant will prevail on appellate review and the nature of the relief he or she will receive; the seriousness of the criminal offense committed; the danger the applicant may pose to the community if he or she is released; the likelihood that the applicant may flee if released; and the character and circumstances of the applicant.

Rule 243(k) provides that in cases where the sentence originally imposed exceeded imprisonment for ten years, “the petition for bail shall be made to the Supreme Court.” *Holmes v. State*, 344 S.C. 41, 41, 543 S.E.2d 537 (2001) (citing Rule 227, SCACR which was renumbered to Rule 243 effective April 29, 2009).

III. ARGUMENT

Application of the factors outlined in SCACR 243(k) weigh in favor of granting Ms. Greene's request for bond pending appeal.

A. **The failure of the PCR Court to find prejudice despite its finding that trial counsel was ineffective indicates a greater probability that Ms. Greene will prevail on appellate review.**

As noted above and discussed more fully in the Petition for a Writ of Certiorari, the PCR Court found that Ms. Greene's trial counsel rendered ineffective assistance. The State's theory of the case was that Ms. Greene consumed prescription morphine while breastfeeding, which caused transmission of a lethal level of the drug through her breast milk and ultimately led to her daughter's death from morphine poisoning. Trial counsel did not rebut the State's evidence and testimony that a lethal level of morphine could be explained solely from breastfeeding. Moreover, trial counsel failed to investigate, develop, or present any testimony or evidence (expert or otherwise) that would provide an alternative cause for L.G.'s death.

At PCR, Ms. Greene introduced expert testimony establishing that the morphine concentration measured in L.G. could not have been explained due to breastfeeding alone. (Pet. for Certiorari p. 4.) Instead, to a reasonable degree of medical certainty, L.G. suffered acute renal failure and this was the cause of her death. (*Id.* at 4-6.) The PCR Court agreed that trial counsel's performance was deficient because of his failure to investigate and present this alternative cause/theory.¹ (Order of Dismissal pp. 8-9; A. 1830-31.)

The PCR Court nevertheless found that Ms. Greene suffered no prejudice from this deficient performance. As more fully detailed in the Petition for a Writ of Certiorari, Ms. Greene

¹ In her Petition, Ms. Greene raises several other grounds regarding trial counsel's deficient performance and those arguments are incorporated by reference herein. The alternative cause ground is the most critical to this motion for bond since Ms. Greene *already prevailed* on that portion of her claim for postconviction relief.

respectfully contends that the PCR Court erred by reaching this conclusion (among other reasons, all of which are incorporated by reference herein as well). There is a reasonable probability that Ms. Greene will prevail in her appeal of this finding.

i. The PCR Court’s finding of ineffective assistance of counsel indicates a greater probability Ms. Greene will prevail on appellate review.

First, as argued in the Petition, the PCR Court erred in holding that although trial counsel was ineffective for failing to investigate, develop, and offer an alternative theory of causation (renal failure), Ms. Greene suffered no prejudice because presentation of the alternative theory would not have changed the outcome of the trial. (Pet. for Certiorari pp. 9-17.)

The experts for Ms. Greene testified at the PCR hearing to a reasonable medical degree of certainty that the cause of death was renal failure. (*Id.* at 4-6.) Trial counsel testified that if this alternative cause of death were presented at the underlying trial, it would have changed the outcome. (*Id.* at 7.) Even more striking was the PCR Court’s acknowledgment that Ms. Greene’s expert testimony regarding renal failure established a highly persuasive alternative theory as to the cause of death and that the experts “established, among other things, the child would not have died but for renal failure.” (*Id.* at 12.)

The State’s sole theory of causation – that the morphine level in L.G. was explained solely by Ms. Greene’s breastfeeding – was not supported by any testimony to a reasonable degree of medical certainty at the underlying trial. At the evidentiary hearing, the PCR Court explained that the State needed to present its own expert witness to properly rebut the testimony supporting the renal failure theory; however, the State failed to present any witnesses at all. (*Id.* at 13.) Therefore, the State’s trial theory stood undefended against the testimony by Ms. Greene’s PCR experts.

The PCR Court nevertheless held that there was not a reasonable probability that development and presentation of the alternative cause of renal failure would have changed the

outcome of trial, and therefore, Ms. Greene suffered no prejudice. (Order of Dismissal, at 7; A. 1829.) As the certiorari briefing detailed, this was error. At the underlying trial, the jury heard extensive testimony that morphine was dangerous for Ms. Greene to consume while breastfeeding and that it could transmit at a lethal level from her breastfeeding (which Ms. Greene's own expert could not rule out as possible). Trial counsel offered no answer to the question of "if not because of the morphine consumption while breastfeeding, then what happened?" Ms. Greene provided that explanation at PCR.

As the evidence and testimony established at PCR, there is no scientific support for the theory that a lethal level of morphine could pass from mother to child solely as a result of breastfeeding.² Rather, there had to be some other contributing factor such as renal failure which inhibited excretion of morphine and its metabolites. Here, as both of Ms. Greene's experts testified at PCR, *the evidence supported to a reasonable degree of medical certainty that L.G. suffered from renal failure and this was the cause of her death.* As Ms. Greene has consistently maintained, if presented at the underlying trial, this evidence and testimony would have demonstrated that her actions did not manifest a mental state of "extreme indifference" because L.G.'s death was not a reasonably foreseeable result of her conduct. There is a high likelihood that the jury would have found this evidence and testimony very persuasive just as the PCR court did, and it could have changed the verdict.

In making its prejudice finding, the PCR Court glossed over the impact that this evidence and testimony would have had on the underlying trial. If presented, the jury would have heard that the explanation of the morphine level was that L.G. was suffering from renal failure (which itself

² As Dr. Scialli detailed, L.G. would have had to consume many *gallons* of breast milk in a 24-hour period for the expected morphine transmission to reach the level measured on the toxicology report.

was caused from dehydration), not Ms. Greene’s consumption of morphine or her breastfeeding. If trial counsel had utilized the evidence and testimony presented by Ms. Greene at PCR, the jury would have learned that Ms. Greene was consuming a drug that is: (1) safe for use while breastfeeding and can be administered directly to infants in normal circumstances, (2) does not pass in a lethal level through breast milk, and that (3) L.G. was suffering from renal failure, which could cause substances to build up in her system in a way that would not occur under normal circumstances. (Pet. for Certiorari at 10-11.) It would not have been reasonably foreseeable to Ms. Greene that her daughter was suffering from renal failure, and thus Ms. Greene took no conscious action to place her child at risk. If trial counsel had presented the alternative theory of renal failure, it would have entirely negated the element of intent. It is difficult to see how this would not have had an impact on the jury’s consideration of whether Ms. Greene engaged in “deliberate actions” manifesting an *extreme indifference* to L.G. as required under the homicide by child abuse statute.

As argued in the petition, the PCR Court erred by finding that Ms. Greene suffered no prejudice. (*Id.* at 14 (citing *Ryals v. State*, 439 S.C. 230, 886 S.E.2d 239 (Ct. App. 2023)).) Unless the evidence in the underlying action is “conclusive,” it does not foreclose a finding of prejudice. The Court in *Ryals* explained that for evidence to be sufficiently “overwhelming” to preclude a finding of prejudice, it must include something conclusive, such as a “confession, DNA evidence demonstrating guilt, or a combination of physical and corroborating evidence so strong that the *Strickland* standard of ‘a reasonable probability . . . the factfinder would have had a reasonable doubt’ cannot possibly be met.” (*Id.* (quoting *Smalls v. State*, 422 S.C. 174, 189, 810 S.E.2d 836, 844 (2018); *Strickland v. Washington*, 466 U.S. 668 (1984)).) The evidence here was far from “conclusive,” as demonstrated by what Ms. Greene established at PCR. The PCR Court’s statements regarding the persuasiveness of the evidence further supports this conclusion.

Therefore, the PCR Court erred in failing to find that the although the jury would have found the evidence and testimony regarding the theory of causation highly persuasive as the PCR Court did, it would not have changed the verdict. Given the gravity of the error, finding prejudice was necessary in this case and the reviewing court is likely to find that the failure to do so was an abuse of discretion requiring reversal and remand.

ii. The nature of Ms. Greene’s request for relief that this case be reversed and remanded is in line with S.C. Code Ann. § 17-27-80 and other PCR appeals and weighs in favor of Ms. Greene’s release.

Ms. Greene’s petition for writ of certiorari requests that the reviewing court grant relief in the form of reversing and remanding her case for a new trial. The nature of this request for relief is reasonable as it is in line with the S.C. Uniform Post-Conviction Relief Act which provides:

If the court finds in favor of the applicant, it shall enter an appropriate order with respect to the conviction or sentence in the former proceedings, and any supplementary orders as to rearraignment, retrial, custody, bail, discharge, correction of sentence or other matters that may be necessary and proper.

S.C. Code Ann. § 17-27-80. The nature of this requested relief is also in line with relief granted in other South Carolina PCR cases. *See Smalls v. State*, 422 S.C. 174, 196, 810 S.E.2d 836, 847 (2018) (reversing and remanding to court of general sessions for a new trial); *see also, Ryals v. State*, 439 S.C. 230, 238, 886 S.E.2d 239, 243 (Ct. App. 2023) (reversing and remanding decision of PCR court). Therefore, Ms. Greene’s reasonable request for relief in the form of reversing and remanding her case for a new trial weighs in favor of Ms. Greene’s release.

B. The nature of the criminal offenses is serious but should not weigh against Ms. Greene’s release.

While the charges of homicide by child abuse and unlawful conduct toward a child are inherently serious charges, Ms. Greene has maintained her innocence. As argued in the petition, two experts testified on her behalf at the PCR hearing directly rebutting the State’s theory of

causation. The PCR experts put forth an alternative cause (renal failure) to a reasonable degree of medical certainty and testified that there was no scientific support for the theory that a lethal level of morphine can pass solely from breastfeeding. The PCR Court found this was persuasive and that the State had failed to rebut the alternative theory.

As the testimony at PCR demonstrated, where a child is suffering from renal failure, it can cause an inability to excrete substances, and to a reasonable degree of medical certainty, this was L.G.'s cause of death. (Pet. for Certiorari at 10.) Furthermore, morphine is generally safe and effective for breastfeeding mothers and is often prescribed directly to newborns where appropriate. (*Id.* at 11.) The evidence and testimony demonstrated that Ms. Greene did not engage in "deliberate actions" manifesting a mental state of "extreme indifference", as required under the statute for the more serious offense of homicide by child abuse because L.G.'s death was not a reasonably foreseeable result of her conduct. (*Id.* at 6, 11.) Instead, renal failure occurred – a very abnormal circumstance that Ms. Greene would have had no reason to suspect and a condition that could have caused L.G.'s death regardless of whether Ms. Greene was taking morphine while breastfeeding. (*Id.* at 11.)

Thus, while the nature of the crimes at issue here is very serious, there was no overwhelming evidence of Ms. Greene's guilt, and there is substantial evidence that she lacked the requisite *mens rea* for these criminal offenses. As such, the seriousness of the criminal offenses should not weigh against her release on bond.

C. Ms. Greene would not pose a danger to the community if she is released.

Given Ms. Greene's history prior to her conviction and her behavior while incarcerated, she would not pose a threat to the community if she is released.

Prior to Ms. Greene's convictions in this case, she had not been arrested or convicted of a violent crime as classified under S.C. Code Ann. § 16-1-60. As noted above, Ms. Greene was released pretrial on bond. Despite the seriousness of the charges against her, Ms. Greene complied with the conditions of her bond and resided at her home in Campobello, SC.

For over ten years, Ms. Greene has shown good behavior. She has only received one disciplinary sanction during her confinement (at the very beginning of her incarceration in 2014), and she has not received any since then. Ms. Greene has held several jobs while incarcerated, including her current position as a librarian/bookmobile operator. Ms. Greene has earned work credits in food service aid and horticulture and earned six certificates. She has also taken part in character-based programs which are given to inmates who display good behavior and/or leadership skills. She has also served as a mentor and teacher during her incarceration.

Ms. Greene's daughter, sister, aunt, uncle, and friend have all provided letters offering their support and noted they will help however they can while she is out on bond. (*See* Letters of Support, attached as **Exhibit A.**) Ms. Greene's parents are deceased. However, they would have also offered their strong support as well if they were still living. Her father stood by her at every step of her case, and testified as a witness for the defense in her criminal trial. He was also in attendance for the entirety of the PCR evidentiary hearing. As Ms. Greene's daughter noted in her letter, none of her family, which would be the "victims" of the crimes, view themselves as such, and the family never wanted her to see Ms. Greene in prison or be found guilty of any crime. Ms. Greene's record and family support demonstrate that she would not pose a threat to the community if she is released.

D. Ms. Greene is unlikely to flee if she is released.

Ms. Greene is unlikely to flee if she is released as evidenced by her prior bond release, her desire to stay close to her family, and her health.

As noted above, Ms. Greene was released pretrial on bond. Despite the charges against her, Ms. Greene appeared for trial and posed no risk of flight.

Ms. Greene and her husband served as primary caregivers to her children. Since her conviction, her husband has passed away and her children are grown. She is very close with her daughter, Dr. Tori Odhiambo, who lives and works in Evans, GA (which borders South Carolina). Dr. Odhiambo is employed as a dentist at Riverwood Dental Care. She has submitted a letter of support and assured the Court that she would assist her mother with complying with any and all terms of bond.

Ms. Greene suffers from fibromyalgia and also suffered a heart attack while incarcerated. She experiences pain, fatigue, and other symptoms and needs continued medical care and treatment. Therefore, given her prior bond release, her desire to stay close to her family, and her health, Ms. Greene does not pose a flight risk.

E. The character and circumstances of Ms. Greene support her release.

Ms. Greene's character and circumstances as described above support granting her release on bond. As previously noted, prior to Ms. Greene's convictions in this case, she had not been arrested or convicted of a violent crime, and during her incarceration has shown good behavior and has largely been a model inmate.

IV. CONCLUSION

For the foregoing reasons, Petitioner Stephanie Greene respectfully requests that the Court order her release pending this appeal upon the posting of a reasonable bond.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH, LLP

By: /s/ Blake T. Williams

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Columbia, South Carolina

September 24, 2024

EXHIBIT A

(Letters of Support)

To Whom It May Concern,

I am writing to ask you to please grant my mom, Stephanie Greene's, appeal bond so that she can be returned home to her family where she belongs. She has served over ten years in prison without any disciplinary issues and has been a mentor and teacher in the time. Also during that time, she has lost her husband, father, sister, and grandmother. No one in the family who could be considered her "victims" ever wanted to see her in prison or considered her to be guilty of any crime. Her children and family need her at home. She has a strong support system and people who are willing to help her comply with any and all terms of her bond. Thank you for your consideration of this petition. I pray that you will grant it as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Tori Odhiambo, DMD". The signature is written in a cursive style with a large, stylized initial 'T'.

Tori Odhiambo, DMD

Blake Williams

From: TracyMcConathy <thavko@juno.com>
Sent: Tuesday, June 18, 2024 8:42 PM
To: Blake Williams
Subject: In Support of Appeal Bond for Stephanie Greene

Unfamiliar Sender Notification

You have not previously or recently corresponded with this sender. Use caution if corresponding to this email, following any instructions, clicking links or attachments.

To Whom It May Concern,

I am writing on behalf of my sister, Stephanie Greene in support of her appeal bond. I ask you to grant her appeal bond and consent to her release on time served. I do not understand what good could possibly come from her continued incarceration. The State of SC is spending over \$25,000/year to keep her behind bars when every member of our family is begging you to let her come home. Typically, it's the "victim's family" that requests the convicted to remain incarcerated. As Lexi's aunt, I can speak for the "victim's family" when I say that no one wants to see her remain in prison. In the 10+ years since she was convicted, we have lost our sister Kimberly, our father Homer, and my brother-in-law Randy (Stephanie's husband). Her 17 year old son has not had a mother or a father for 7 years now. Stephanie's continued incarceration has left her son parentless and serves no purpose. She is not a threat to society and is suffering from poor health as evidenced by her recent heart attack at the age of 49. We need her home to be a mother, daughter and sister again.

What I don't understand in all the court documents I've read is how the State could get away with such a botched investigation and the fact that the court doesn't seem to care about all of the facts presented since the original trial. Stephanie's lawyer was grossly inadequate in her defense. Would the jury have found her guilty, beyond reasonable doubt, if they had heard the expert testimony to contradict the State's theory of "there's always a first time for everything" and "the morphine had to get into her system somehow"? Are you aware that when Stephanie's PCR counsel asked for independent testing on blood, tissue samples and slides, the state had "lost and/or destroyed the evidence"? Isn't evidence in a homicide supposed to be held in perpetuity? Are you aware that there was breast milk pumped in her refrigerator that the State could have easily tested? Or the fact that they didn't test Lexi's stomach contents? Or the fact the Lexi had an upper respiratory infection days before and that Stephanie had called the doctor's office for guidance? Or the fact that she was supplementing her breastmilk with formula because Lexi wasn't feeding well? Why was none of this information shared with the jury?

I am a nurse, not a lawyer. I cannot believe all this information was omitted and the jury never heard how the State based their conclusions on no medical facts. Please consider my plea and those of our family as we ask for Stephanie's release.

Sincerely,
Tracy McConathy
719-221-8742

27 Jun 2024
89 Woodgrove Road
Burnley BB113EJ
United Kingdom

Blake Williams
c/o Nelson Mullins
PO Box 11070
Columbia, SC, 29211

Dear Mr. Williams,

I am writing on behalf of my niece, Stephanie Greene, South Carolina Department of Corrections Inmate ID359489.

Stephanie's dad was my older brother, Homer. He died of cancer April a year ago. He was an alcoholic during her formative years, but by the grace of God with the help of AA lived the last 20+ years of his life alcohol-free. Her mother is bipolar. Being the eldest child this environment had a profound effect on her mental well being. Given this background she was especially prone to addiction.

Stephanie became morphine dependent as she was being treated following an horrific traffic accident. Her car hydroplaned on her way home from an evening shift as a nurse, she was extracted from the wreckage by the emergency workers, much of her body was broken, bones shattered and she lost an unborn child. She miraculously survived but was in critical condition with injuries ranging from a cracked skull to shattered pelvis and also suffered the loss of her unborn child. Her treatment led to morphine dependence. The medical solution was to cover the pain with habit-forming drugs.

In 1987 my wife and I lost a 2 year old son due to things going wrong during surgery to remove a cancerous brain tumor. It was by far the most painful experience of our lives. We cannot imagine the suffering of losing a child and being blamed for it (as Stephanie has been), it would cause inexpressible heartache. Yet Stephanie has not only suffered this but for some reason hers has been designated a 'violent crime' which has put her in a different category of the law limiting her options. She is lumped in with the truly violent criminals.

She has now been in prison for many years for breast feeding her infant daughter while on morphine. My wife has breast fed our five children. She assures me that no woman who has ever chosen to breastfeed has done so with the intent to harm their child. In fact the very opposite is true. Women who are able to breastfeed do so to give their babies every possible advantage.

In 2017 she also suffered the losses of her sister and husband. In 2013 she lost her dad. She has 2 young adult sons that are troubled and in need of a parent. How much more must she and they be punished?

Since her incarceration (probably as a result) Stephanie has been diagnosed with heart failure, a leaking heart valve and hypertension. She is receiving very limited treatment for her heart condition and health care in general. In the outside world she would be not only be receiving proper health care but also mental health support.

Please do whatever you can to send her home to her family.

Arthur F. Havko
Major USAF, Retired

arthavko@aol.com

Theresa Testa
129 Sherwood Dr
Monaca, PA 15061
ttesta129@comcast.net

June 25,2024

To Whom it may concern:

I am writing in support of my niece Stephanie Greene. She was convicted and sentenced to 20 years for the death of her infant daughter due to nursing with morphine in her system. There were doctors that testified that her baby had a prior condition that could have caused the death. Also the medical experts are in agreement that to have a fatal amount of morphine in the breast milk would have meant the amount initially in Stephanie's system would have killed her several times over. She was denied the eligibility of parole because she was classified as a violent offender. While she may have been an addict - she was not violent. Nursing a child is the opposite of violent behavior. Since she has been incarcerated her sister, her husband, her father and her grandmother have passed away. After her father's (my brother) death she suffered a minor heart attack in prison. Her mother had to move to another state near her son and enter an assisted living facility. Her son had to move to Colorado to live with Stephanie's sister until he graduated high school and now is living on his own back in South Carolina. Stephanie has already served many years of her unfathomable sentence and has missed and lost so many important people in her life. While in prison she has helped many illiterate inmates file petitions and other legal documents. There are still many of us in her extended family that love her very much and pray every day that wisdom and justice will prevail in granting her a release from prison that she so much deserves. We pray for a miracle. Please be that miracle.

Sincerely,
Theresa Testa

June 16, 2024

Nelson Mullins
Attn: Blake Williams
P.O. Box 11070
Columbia, SC 29211

Dear Mr. Williams,

I am writing to you on behalf of my friend Stephanie Greene (SCDC#359489). As you know, since you have been attempting to assist in getting her released for a while, she was sentenced to 20 years in prison for the death of her infant daughter due to the ingestion of morphine while breastfeeding. I have been corresponding with Stephanie for all of the time that she has been in prison. She is hardly a threat to society and has, in my opinion, more than paid the price for any part she played in the death of her daughter.

During the time Stephanie has been imprisoned she has lost her husband, a younger sister and just recently her father due to cancer. Her mother has been dependent on her dad to care for her for the past few years. Stephanie's 17 year old son and the rest of her family could really use her help at this time. In my opinion, there is no valid reason to make Stephanie remain imprisoned for even one day more.

Thank you.



Marilyn McGuire
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phinork@comcast.net


Ms. Marilyn J. McGuire
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Nelson Mullins
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Sep 24 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2023-001934
Case No. 2019-CP-42-01605

Stephanie Irene Greene, # 359489 Petitioner,
v.
State of South Carolina Respondent.

PROOF OF SERVICE

I, the undersigned Administrative Assistant, of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Stephanie Irene Greene, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified, pursuant to the Supreme Court Order 2022-05-06-04, a copy of that electronic email is attached to this certificate.

Pleading(s): Motion for Bail Pending Appellate Review

Served:

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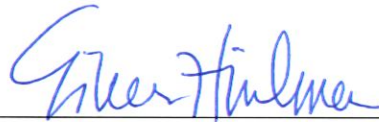
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Obstetricians and Gynecologists, Time Served, and
Pregnancy Justice*



Eileen Hindman
Administrative Assistant

Dated: September 24, 2024