

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

) IN THE COURT OF GENERAL SESSIONS
) THE FIRST JUDICIAL CIRCUIT
)

STATE OF SOUTH CAROLINA
Plaintiff,

) **Warrant/Indictment Nos.:**
) 2024GS18-0937; 2024GS18-1911
) Burglary (violent) - Second
) Degree; Resisting / Resisting
) Arrest; Oppose Or Resist Law
) Enforcement Officer Serving
) Process Or Making Arr

v.

)
)
)
)
)
)
)

RULE 203(B) EXPLANATION RECEIVED

MATTHEW PAUL LANGER,
Defendant.

FEB 19 2025
SC Court of Appeals

Pursuant to Rule 203(B) (iv), the issue to be raised on Appeal is whether the Trial Court erred when it issued a Permanent Restraining Order naming Appellant's minor children, who are not victims in the case, against the Appellant after he plead guilty.

This issue was raised when the State provided the Court with a proposed Permanent Restraining Order naming not only the victim in the case, but also naming Appellant's minor children. The Court concerned itself with the issue of jurisdiction and whether the Family Court would be the appropriate venue for such an Order to be issued. The State argued the minor children may be considered victims in the case pursuant to SC Code Section 16-3-1510, and as such, the Court had discretion to issue the Permanent Restraining Order. Counsel for Appellant argued the children were not victims in the case pursuant to SC Code Section 16-3-1510, and the Family Court has exclusive jurisdiction to determine actions for termination of parental rights

pursuant to SC Code Section 63-3-530(A)(4). Counsel for Appellant argued the issuance of a Permanent Restraining Order would in effect terminate Appellant's parental rights which falls within the exclusive jurisdiction of the Family Court; and an appropriate course of action for the Court would be the issuance of a Temporary Restraining Order for the minor children allowing them to petition the Family Court for a Permanent Restraining Order. After considering arguments from the State and counsel for Appellant, the Court issued the Permanent Restraining Order naming Appellant's minor children.

The undersigned consulted with the Appellant about his right to appeal, and after consultation, the undersigned has filed the instant appeal at the request of the Appellant pursuant to the Sixth Amendment.

Respectfully submitted,

By: Jamie L. Menarde Jr
Jamie L. Menarde
Assistant Public Defender
1452 Boone Hill Road, Suite B
Summerville, SC 29483
Attorney for Defendant
(843) 821-9800

Summerville, South Carolina
This 6th day of February, 2025

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

FILED-RECORDED *JW*
02-05-2025
Cheryl Graham
Clerk of Court
Dorchester County

IN THE COURT OF GENERAL SESSIONS
THE FIRST JUDICIAL CIRCUIT

CASE No.: 2024-GS-18-00937

JULIE LANGER
COMPLAINANT(S)

PERMANENT RESTRAINING ORDER

vs.

MATTHEW PAUL LANGER
RESPONDENT(S)

RECEIVED

FEB 19 2025

SC Court of Appeals

RESPONDENT IDENTIFIERS

SEX *	RACE *	DOB*	HEIGHT
M	M		6'5
WEIGHT	HAIR	EYES	STATE
240	BROWN	BLUE	SC

And/or on behalf of minor family member(s) or other protected persons: (List name)
Langer
Langer, Jr.

Relationship to Complainant: EX HUSBAND

Respondent's Address

*Indicates required information for entry into NCIC

CAUTION:

Weapon Involved

Weapon Present on Respondent's Property

Access to weapons

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter.
Respondent has been provided with reasonable notice and opportunity to be heard.
Additional findings of this order are as set forth below.

THE COURT HEREBY ORDERS:

- That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.
- That the above named Respondent be restrained from any contact with the Protected Person as set forth on the attached pages.

The terms of the this order shall be effective until February 5 , 2125 .

WARNINGS TO RESPONDENT:

This order shall be enforced in any county of South Carolina and by the courts of any state, District of Columbia, any U. S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

State and federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922).

Only the Court can change this order.

For Additional Information Call:

Sheriff

Clerk of Court

Phone Number

Phone Number

The Court held a hearing on February 5, 2025. After hearing the evidence, and examining the supporting documentation, the Court has determined that the Complainant has/ has not proved by a preponderance of evidence the need for issuance of a Permanent Restraining Order.

The Court makes the following finding of fact: (Check all that apply)

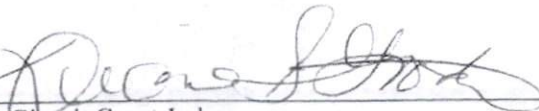
- 1. The Complainant resides in Dorchester County, SC (State).
- 2. The Respondent lives at (Street Address) which is in County, SC (State).
- 3. The Respondent is employed at N/A which is located at N/A.
- 4. The Respondent is a nonresident of this state or cannot be found.
- 5. The Respondent:
 - was convicted of a criminal offense (as defined in SC Code Ann. § 16-3-1900(3)) for which the victim was the subject of the crime.
 - was convicted of a criminal offense (as defined in SC Code Ann. § 16-3-1900(3)) for which the witness assisted the prosecuting entity/agency.
- 6. The conviction took place on this date February 5, 2025 in the General Session court. The prosecuting entity/agency was the First Circuit Solicitor's Office.
The qualifying conviction was: Burglary 2nd Violent.
- 7. A restraining order has expired, is set to expire, or is not available and the common pleas court is not in session for the complainant to obtain a permanent restraining order.

IT IS THEREFORE ORDERED THAT (Check all that apply):

- A. The Respondent is restrained, prohibited and forbidden from abusing, threatening to abuse, or molesting the Complainant or members of Complainant's family.
- B. The Respondent is restrained, prohibited and forbidden from entering or attempting to enter the Complainant's place of residence, employment, or education.
- C. The Respondent is restrained, prohibited and forbidden from communicating or attempting to communicate with the Complainant or members of the Complainant's family in any way that would violate Section 16-3-1910.
- D. Federal Firearms Prohibition, pursuant to 18 U.S.C § 922.
 - 1. Does this Order protect an intimate partner, a child of an intimate partner, or a child of the respondent? YES NO
 - 2. Did the person restrained have actual notice and an opportunity to participate in the hearing? YES NO
 - 3. Does the Order find the restrained person a credible threat or explicitly prohibit the use, attempted use, or threatened use of physical force? YES NO
- E. A copy of this Order shall be served on the following law enforcement agencies: Dorchester County Sheriff's Office.

AND IT IS SO ORDERED.

Entered at 3:11 AM on PM on 2-5-2025



Circuit Court Judge

VIOLATION OF THIS ORDER IS A FELONY CRIMINAL OFFENSE PUNISHABLE BY UP TO FIVE YEARS IN PRISON.

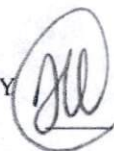
TO LAW ENFORCEMENT OFFICERS:

Pursuant to S.C. Code Ann. § 16-3-1910, notwithstanding any other provision of law, the terms of this Order are enforceable throughout this State. Law enforcement officers shall arrest a respondent who acts in violation of this Order after service and notice of the Order have been provided. A respondent who is in violation of a permanent restraining order is guilty of a felony, if the underlying conviction that was the basis for the permanent restraining order was a felony and, upon conviction, must be imprisoned not more than five years. If the underlying conviction that was the basis for the permanent restraining order was a misdemeanor, a respondent who is in violation of an permanent restraining order is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than three years, or both.

COPY GIVEN TO COMPLAINANT BY

 (initials)

COPY GIVEN TO RESPONDENT BY

 (initials)

↑ 15 yrs
cap 2 yr active
STATE OF SOUTH CAROLINA

Alford

IN THE COURT OF GENERAL SESSIONS

Dorchester

RECEIVED

STATE

VS.

INDICTMENT/CASE#: 2024GS18-00937

FEB 19 2025

Matthew Paul Langer

A/W#: 2024A1820500558

AKA:

Date of Offense: 05/06/2024

Race: White Sex: Male Age: 37

S.C. Code §: 16-11-311(A)(3)

DOB: SS#: CDR Code #: 0079

Address:

City, State, Zip:

DL#* SID#

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Burglary - 2nd degree, violent

In violation of § 16-11-311(A)(3) of the S.C. Code of Laws, bearing CDR Code # 0086

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. XML (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:

Amy Saukas 105849 SC Bar # Langer, Matthew Paul Defendant Jamie Lynne Menarde 105813 SC Bar # Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Correction County Detention Center,

for a determinate term of 10 days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$ ___; provided that upon the service of 2 days/months/years/Time Served and or payment of \$ ___ plus costs and assessments as applicable*; the balance is suspended with probation for 3

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: 2-5-2025

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. 276 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

PTUP after _____ months/years

And Other Terms Listed Below:

- Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp *if needed*
- Mental Health Counseling
- Completion of GED
- No Contact with Victim
- May serve W/E beginning: _____
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program

Sex Offender Registry pursuant to S.C. Code § 23-3-430 Public Service Employment _____ days/hours

Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Other: *Within 72 hours of release from SCDC report to probation and as soon as bed space is available in a long term treatment facility report to intake treatment to be successfully completed. Must be present for entire period of treatment and exempt from PPD. **ATTORNEY FEE at \$200 twice per week.***

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total \$ _____ plus 20% fee: \$ _____

Payment Terms: _____ Set by SCDPPPS

Recipient: _____

*Fine:		\$	_____
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$	_____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$	_____
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$	100
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$	_____
§56-5-2995 (DUI Assessment)	\$12	\$	_____
§56-1-286 (DUI Breath Test)	\$25	\$	_____
§14-1-212 (Law Enforce. Funding)	\$25	\$	25
§14-1-213 (Drug Court Surcharge)	\$150	\$	_____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$	_____
§50-21-114 (BUI Breath Test Fee)	\$50	\$	_____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$	_____
3% to County (if paid in installments)	TBD	\$	18.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$	500
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$	_____
	TOTAL	\$	1043.75

Clerk of Court/Deputy Clerk: _____
Court Reporter: _____

Cheryl Graham

Presiding Judge: _____
Judge Code: 2112
Sentence Date: 2-5-2025

T 1 yr

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

Dorchester

RECEIVED
FEB 19 2025
SC Court of Appeals

STATE

VS.

INDICTMENT/CASE#: 2024GS1801911

Matthew Paul Langer

A/W#: 20242690313635

AKA: _____ Date of Offense: 05/06/2024

Race: White Sex: Male Age: 37 S.C. Code §: 16-9-320(A)

DOB: _____ SS#: _____ CDR Code #: 0326

Address: _____

City, State, Zip: _____

DL#* _____ SID# _____

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the above indictment comes now the Defendant who was CONVICTED OF or PLEADS

TO: Resisting Law Enforcement Officer

In violation of § 16-9-320(A) of the S.C. Code of Laws, bearing CDR Code # 0326

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury. x/M/L (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Amy Saukas 105849 SC Bar # Langer, Matthew Paul 105813 SC Bar #
Assistant Solicitor Defendant Attorney for Defendant

WHEREFORE, the Defendant is committed to the Department of Correction County Detention Center,

for a determinate term of 1 days/months/years/Time Served Youthful Offender Act not to exceed ___ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run CONCURRENT or CONSECUTIVE to sentence on: 2-5-2025

The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDOC. 276 days/months

To include time spent on monitored house arrest prior to trial and sentencing.

The Defendant Shall be Released from County Detention Center.

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PTUP after _____ months/years

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- Substance Abuse Counseling
- Attend Voc. Rehab. Or Job Corp
- Mental Health Counseling
- Sex Offender Registry pursuant to S.C. Code § 23-3-430
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.
- Other: _____
- Completion of GED
- No Contact with Victim
- May serve W/E beginning: _____
- Public Service Employment _____ days/hours
- Random Drug/Alcohol Testing
- Domestic Violence Intervention Program

RESTITUTION: Deferred Def. Waives Hearing Ordered

Total \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ Set by SCDPPS

Recipient: _____

*Fine:		\$
Fine may be pd. in equal consecutive weekly/monthly pmts. of	\$ _____	Beginning _____
§14-1-206 (Assessments 107.5%)		\$ _____
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§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§56-1-286 (DUI Breath Test)	\$25	\$ _____
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25
§14-1-213 (Drug Court Surcharge)	\$150	\$ _____
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$ _____
§50-21-114 (BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	TBD	\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$ _____
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$ _____
TOTAL		\$ 128.75

Clerk of Court/Deputy Clerk:
Court Reporter:

[Signature]

Presiding Judge:
Judge Code:
Sentence Date:

[Signature]
2-5-2025