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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of General Sessions

Diane Goodstein, Circuit Court Judge

Case No.

The State,Respondent.

v.

Matthew Langer,Appellant.

FILED-REC'D
2025 FEB 11 AM 10:29
GRANT L. GRAHAM
CLERK OF COURT
DORCHESTER COUNTY
COPY

NOTICE OF APPEAL

Matthew Paul Langer, appeals a portion of his sentence, to wit the inclusion of his minor children on a Permanent Restraining Order in this case. The sentence was imposed and the Order was signed by the Honorable Diane Goodstein, on February 5, 2025. This appeal is filed at the request of Defendant Matthew Langer. The issue to be addressed on appeal is the unlawful issuance of a Permanent Restraining Order naming Appellant's minor children in violation of SC Code Sections 63-3-530(A)(4) and 16-3-1910 where the minor children do not meet the definition of victims under SC Code Section 16-3-1510.

February 06, 2025

Jamie L. Menarde /r

Jamie L. Menarde
1452 Boone Hill Rd, Suite B
Summerville, SC 29483
(843) 821-9800
Attorney for Defendant

Other Counsel of Record:

Amy Saukas
Assistant Solicitor
101 Ridge Street, Second Floor
St. George, SC 29477
(843) 871-2640

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Case No.

The State,Respondent.

v.

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FILED-RECEIVED
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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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PROOF OF SERVICE

PERSONALLY APPEARED before me, Jamie L. Menarde, who first being duly sworn, deposed and says:

That on the 6th day of February, 2025, she personally served a copy of the Notice of Appeal on Amy Saukas, Assistant Solicitor, via first class, postage paid wrapper, properly addressed, in a post office or official depository under the exclusive care and custody of the United States Postal Service to 101 Ridge Street, Second Floor, St. George, South Carolina 29477.

Jamie L. Menarde /r

Jamie L. Menarde
1452 Boone Hill Rd.
Suite B
Summerville, SC 29483
(843) 821-9800
Attorney for Defendant

SWORN to before me this
6th day of February, 2025.

[Signature]
My commission expires: 3/11/2024
Notary Public for South Carolina



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**
)
)

MATTHEW PAUL LANGER,
Defendant.

FILED-REC
2025 FEB 11 AM 11:01
CHEVYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY
COPY

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 /r
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

Office of the Public Defender

First Judicial Circuit

1452 B Boone Hill Road
Summerville, SC 29483
(843) 821-9800
FAX (843) 871-0523



Courthouse, 151 Docket Street, Room 110
PO Box 1112
Orangeburg, SC 29116-1112
(803) 536-4858
FAX (803) 536-9986

Please respond to Summerville Office

February 06, 2025

Cheryl Graham
Dorchester County Clerk of Court
5200 East Jim Bilton Blvd.
St George, South Carolina 29477

FILED-RECORDED
2025 FEB 11 AM 11:49
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

RE: State of South Carolina v. Matthew Paul Langer
Indictment No.: 2024GS18-0937; 2024GS18-1911

Dear Clerk:

Enclosed please find a copy of the Notice of Appeal and Proof of Service in the above referenced matter.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

Jamie L. Menarde
Assistant Public Defender

JLM/lr

Enclosures
cc: Client