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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Charles J. McCutchen, Circuit Court Judge

Case No. 2024-CP-46-04598

Kera Rose Selzer and Dustin Stephen Selzer, Respondents

v.

James Stephen Patton, Appellant.

NOTICE OF APPEAL

James Stephen Patton appeals the order of the Honorable Charles J. McCutchen dated March 12, 2025. Appellant received written notice of entry of this order [judgment] on March 13, 2025, such order attached hereto and made a part hereof.

The grounds of appeal are:

1. The Court erred in finding that the Respondents had met their burden of proof by a preponderance of evidence.
2. The Appellate Court erred in finding that the Magistrate did not abuse his discretion in finding that the Appellant's actions toward the Respondents constituted Harassment in the First Degree, as defined in Section 16-3-1700(A), South Carolina Code of Laws.
3. The Court erred in finding that the Appellant had committed a "Pattern of Intentional, Substantial AND Unreasonable Intrusion into the Private Life of the Respondents that served no Legitimate Purpose." Appellant testified to an inherent right to use of Public Space and other Legitimate Purposes.

4. The Court erred in failing to apply established Open View (Open Fields) doctrine precedent in this case that provides No Reasonable Expectation of Privacy on Private property when easily and openly visible from Public Spaces. Absent a "Reasonable" expectation of Privacy, there is no "Unreasonable Intrusion into the Private Life of a targeted person" as required by the South Carolina Code of Laws for Harassment in the First Degree.

Respectfully submitted,

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Appellant

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April 11, 2025.