

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Jan 14 2026

SC Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of General Sessions
Honorable R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2025-001295
Case Nos 22-GS-04-1524, 1525, 1794, 2053

The State, Respondent,

v.

Carles Brandon Scruggs, Appellant

Motion for Appeal Bond

Pursuant to Rule 246 (a) of the South Carolina Appellate Court Rules and South Carolina Code § 18-1-80, Carles Brandon Scruggs hereby moves this Court to set an appeal bond in this matter. This Motion is based upon the following facts:

1. In case № 22-GS-04-1794, Carles Brandon Scruggs was convicted of a violation of South Carolina Code § 16-23-0230 for the alleged possession of a sawed off shotgun. He was sentenced to 10 years suspended to 18 months in the South Carolina Department of Corrections and 42 months in the home incarceration program. He is currently serving the 18 months in the South Carolina Department of Corrections.

2. As to this charge, Mr. Scruggs is as a matter of law not guilty as the weapon he

possessed is not illegal under code section for which he was convicted. The testimony at the trial shows this firearm, a picture of which is attached as exhibit A, was legally purchased by Christy Anne Bryant as she testified at the trial. Her testimony on this issue is set forth in Exhibit B consisting of pages 42, at line 13 to 43 at line 10. Further, during the bond hearing defense counsel introduced the Firearms Trace Summary, issued by the Department of Justice. This document is attached as exhibit C. This document shows the weapon was sold to Ms. Bryant on March 5, 2020 by Pack Arms, LLC, a registered firearms dealer bearing license № 15704706. As the weapon was not an illegal sawed off shot gun at the time of the sale, and no evidence in this trial showed the weapon had been modified in any manner, the weapon remained legal when it was seized by the officer in this case. In addition, defense counsel, at the bond hearing, introduced pictures of similar type weapons being sold by a firearm dealer through the internet. As this weapon as a matter of law is not a sawed-off shotgun, then as a matter of law this conviction cannot stand. The jury had no issue to decide as to the legality of this weapon.

3. As explained by Ms. Bryant at the trial, the definition of a sawed-off shot gun excludes a weapon which is not designed to be fired from the shoulder. This provision is set forth in South Carolina Code § 16-23-210 (b), (c), and (e). As the weapon in question was never designed to be fired from the shoulder, it does not qualify as an illegal weapon under South Carolina law.

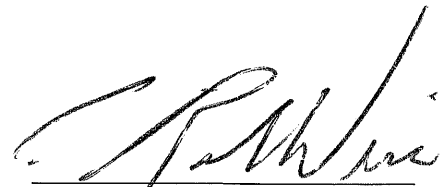
4. The other charges involved various firearms. The theory of the state was that as Mr. Scruggs stayed in the home where the firearms were stored in locked safes, he had access to the weapons and therefore he constructively possessed them. On those charge he received a sentence of five years suspend to 18 months in the department of corrections and five years probation. In

the event the possession of a firearm by a person convicted of a violent crime is upheld, Mr. Scruggs will be able to finish the few months left on his sentence if this court grants him an appeal bond. In the event the convictions are reversed, the state will not be able to give back to Mr. Scruggs the time he has served. Mr. Scruggs was released either a \$5,000 surety bond or on a \$5,000 personal recognizance bond for the pending charges. He did not violate the terms of his bond and appeared in court for this trial.

5. At the bond hearing, the trial judge was willing to release Mr. Scruggs if he would agree not to live in the vicinity of Ms. Poole, the neighbor who was living next door to house belonging to the father of Mr. Scruggs. Mr. Scruggs was unable to obtain such housing as his mother lives in the area. Further, he was employed making repairs on small engines and the place he worked was at his father's house.

For the foregoing reasons, Carles Brandon Scruggs prays that this court grant him a bond pending the appeal in this matter.

January 14, 2026



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Rauchwise@gmail.com
S.C. Bar No 6188

Attorney for
Carles B. Scruggs

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EXHIBIT A

EVIDENCE



ANDERSON COUNTY SHERIFF'S OFFICE
CHAIN OF CUSTODY

CASE # 2022-04193
SUBMITTED BY: 508 Shaw, Kevin
DATE COLLECTED: 04/05/2022
REC'D TIME: 14:00

ANDERSON COUNTY SHERIFF'S OFFICE
SNI: R1944794

ANDERSON COUNTY SHERIFF'S OFFICE
CHAIN OF CUSTODY

Chain of Custody for Item with Barcode # 1221572 related to Case # 2022-04193
Officer: Craig Holtzback Long Guns 10
Evidence Intake

FI
Warrant 374
Carnt Owe

Michael Campbell

NOTES:
Located by Detective M. Campbell

Printed from EvidenceOnQ 08/01/2022

NOTES:
Located by Detective M. Campbell

Printed from EvidenceOnQ 08/05/2025

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EXHIBIT B

1 firearm that was supposed to be returned to you?

2 A Yes, ma'am.

3 Q And would you publish the serial number that's
4 written on that court order?

5 A It's the UGB146.

6 Q Your testimony is that that was your Glock?

7 A Yes, ma'am.

8 Q That's your Glock?

9 A Yes, ma'am. I purchased it from a private
10 seller, yes, ma'am. And I actually called the
11 sheriff's office and ran the numbers before I
12 purchased it.

13 Q Okay. And that really short barrel -- that short
14 Remington firearm, there's a picture here somewhere,
15 it looks almost like a 12-gauge sawed-off shotgun.

16 A It's a 12-gauge firearm. I purchased it
17 through Pack Arms, the FFL.

18 Q That's your firearm?

19 A Yes, ma'am.

20 Q Even if it's classified as a sawed-off shotgun,
21 it's your firearm.

22 A It's not classified as a sawed off shogun. I
23 purchased it from the FFL.

24 Q Why is it not classified as a sawed-off shotgun?

25 A Because it's had a stock put on it where it

1 could be fired from the shoulder.

2 Q Okay. How long is the barrel?

3 A It's tactical. I really don't know. I
4 purchased it from the FFL and it's never had the
5 stock handle removed. Now, if the handle were
6 removed and a stock was put on it to be fired from
7 the shoulder, and then say I went to put the
8 original handle back on it, that would still be
9 considered a sawed-off shotgun. But it's never
10 had that grip removed.

11 Q What makes it a saw off shotgun?

12 A The barrel being sawed off.

13 Q Okay.

14 A The barrel has not been sawed off.

15 Q Was the length of statutory --

16 MR. HARBIN: Objection; asked and
17 answered, and also just facts not known to her.
18 She's asking, essentially, what law is.

19 THE COURT: If she knows, she knows. If
20 she doesn't, she can just say she doesn't know.

21 BY MS. FERGUSON:

22 Q Again, what is the length that makes it a
23 sawed-off shotgun?

24 MR. HARBIN: Objection. It's the same
25 question.

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EXHIBIT C

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER

Phone:(800) 788-7133 Fax:(800) 578-7223

Print Date: February 27, 2023



FIREARMS TRACE SUMMARY

Trace Number: T20220206790 Request Date: April 26, 2022 Completion Date: May 18, 2022

THOMAS KURTZ
GREENVILLE FIELD OFFICE
301 NORTH MAIN STE 1802
GREENVILLE, SC 29601
PHONE: (864) 282-2937 Ext:
FAX (864) 282-2958

Badge No:
Investigation No:

FIREARM INFORMATION

Manufacturer: REMINGTON ARMS
COMPANY, INC...

Model: 870

Caliber: 12

Serial Number: RF94479A

Type: SHOTGUN

Country: UNITED STATES

Importer:

Obliterated:

Identifying Marks:

MARK:

Gang Name:

RECOVERY INFORMATION

Recovery Date: 04/06/2022

Time to Crime: 762 days

607 JACKSON ST
ANDERSON, SC 29625

Possessor: CARLES SCRUGGS

DOB: 11/16/1983

POB: UNITED STATES

PURCHASER INFORMATION

Purchase Date: 03/03/2020

CHRISTY ANNE BRYANT
2804 SUNSET FOREST RD
ANDERSON, SC 29626

DOB:

POB: ANDERSON, SC UNITED STATES

Race: WHITE

Height: 5 ft 5 in

Sex: Female

Weight: 130 lbs

ID 1: SC DRIVER'S LICENSE-090588025

ID 2: SOCIAL SECURITY-1133

Contact the local ATF office for additional information.

DEALER INFORMATION

FFL: 15704706

PACK ARMS LLC
101 CONTROL DRIVE
ANDERSON, SC 29625

Phone: (864) 332-9486
Ext:

Ship-To-Date: 02/29/2020

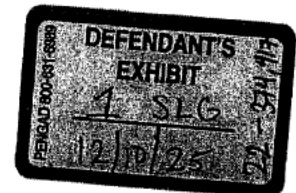
ADMINISTRATIVE INFORMATION

SUMMARY OF RESULTS

THIS FIREARM WAS TRACED TO A PURCHASER. FOR ANY QUESTIONS, PLEASE CONTACT ATF NATIONAL TRACING CENTER, FIREARMS TRACING BRANCH AT 1-800-788-7133.

Additional Remarks:

25 DEC 10 PM 4:16:32
Anderson, SC DCC, CP/BS



The information in this report must be validated prior to use in any criminal proceedings.

Trace: T20220206790
FOR OFFICIAL USE ONLY

Page 1 of 1

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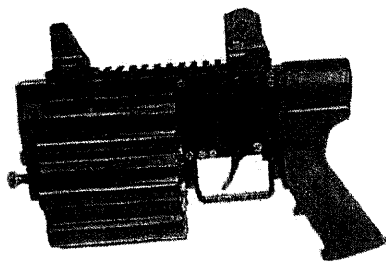
41

Home / Diablo 12 Gauge Pistol

Diablo 12 Gauge Pistol

Showing 1–12 of 27 results

Default sorting

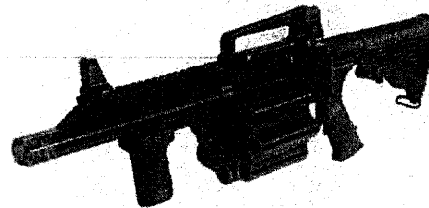


ROTO 12 Compact Shotgun -No FFL Required-

\$689.00

As low as \$123.34/mo with **credova**.

[Learn More](#)

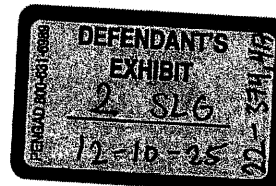


ROTO 12 CS "Chain Saw" Shotgun -No FFL Required-

\$785.00

As low as \$140.52/mo with **credova**.

[Learn More](#)



25 DEC 10 PM 4:16:58
Anderson, SC 0001 CP/08

ROTO 12 shotgun AR/AK Under Barrel Mount -No FFL Required-

\$597.00

Four Payments of \$149.25 with

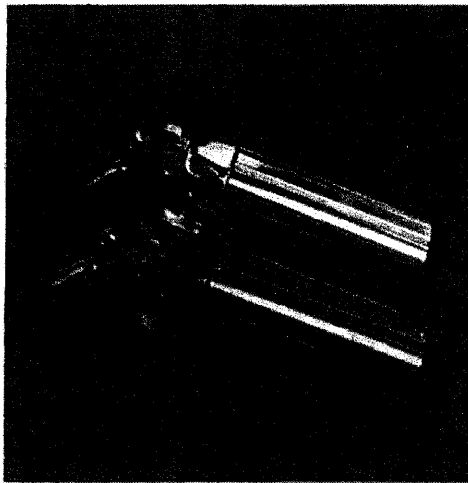
credova. [Learn More](#)

Solid Walnut Grip and Handguard Set

\$259.00

Four Payments of \$64.75 with

credova. [Learn More](#)



Diablo 12 Gauge Pistols, Collectors Set, Nickel and Blued Finish with Rosewood Finish Grips, 6 inch barrel. -No FFL Required-

\$1,174.00

As low as \$144.38/mo with **credova.**

[Learn More](#)

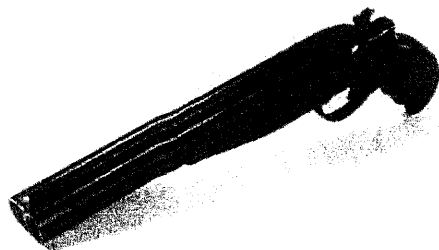


AR Tactical SHOTGUN PISTOL, 12 gauge double barrel -No FFL Required-

\$717.00 - \$887.00

As low as \$128.35/mo with **credova.**

[Learn More](#)



Desperado 11 inch barrel, 12 gauge double barrel shotgun pistol -No FFL Required-

\$757.00



Desperado DLX 11 inch barrel, Nickel Finish, our finest Heirloom Quality Pistol 12 gauge double barrel shotgun

As low as \$135.51/mo with **credova**.

[Learn More](#)

\$1,187.00

As low as \$145.98/mo with **credova**.

[Learn More](#)



Desperado 8 inch barrel, 12 gauge double barrel shotgun pistol -No FFL Required-

\$717.00

As low as \$128.35/mo with **credova**.

[Learn More](#)

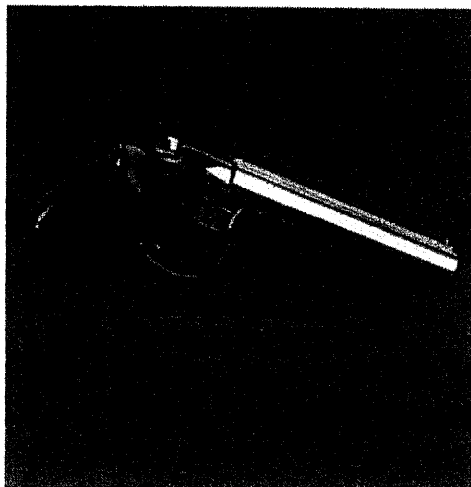


Diablo Break Open, 6 inch barrel, 12 Gauge Pistol, Brass & Blue — LIMITED EDITION -No FFL Required-

\$647.00

As low as \$115.83/mo with **credova**.

[Learn More](#)



Diablo 12 Gauge Pistol Nickel, 6 inch barrel with Rosewood Finish Grips -No FFL Required-

\$687.00

As low as \$122.98/mo with **credova**.

[Learn More](#)



Diablo 12 Gauge Pistol, 6 inch barrel, Nickel with Black Finish Grips -No FFL Required-

\$629.00

As low as \$112.61/mo with **credova**.

[Learn More](#)

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The State Appellant

vs.

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CERTIFICATE OF SERVICE

I, Sandy Traynham, hereby Certify that I am the Secretary for Attorney for the Appellant in the above entitled case. That on January 14, 2026, I did send via e-mail, a copy of the Bond Motion to Alan McCrory Wilson agwilson@scag.gov and Mark Reynolds Farthing at mfarthing@scag.gov.

January 14, 2026

/s/ Sandy Traynham
Sandy Traynham
Secretary

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S.C. Bar No. 6188

Attorney for Appellant