

1 PROCEEDINGS

2 THE COURT: So this is what case, Madam Clerk?

3 CLERK: This is Shannon, excuse me, *Sheena Paige versus*
4 *Newberry Animal Control*. It's Case 2024-CP-3600502.

5 THE COURT: Okay, great. We've got ma'am, you're here.
6 Your name, I'm sorry.

7 MS. WINTERS: That's okay. Joanie Winters from Newberry
8 County.

9 THE COURT: Okay. Yes, ma'am. And you are?

10 MS. PAIGE: Sheena Paige.

11 THE COURT: Okay, great. All right. All right, so this
12 is a case I think that was originally tried in Magistrate's
13 Court, appealed in front of Judge, I think, Addy here. Judge
14 Addy, then I've looked at both of these. Judge Addy
15 indicated on June 20th that came before in June of '24. And
16 he ordered, let's see, if I'm reviewing the Magistrate's case
17 file, the ordinance and issue, and having considered the
18 arguments presented by the parties, The Court finds the
19 Magistrate's fine \$250.00 for not keeping the dog's rabies
20 vaccination -- vaccination current is affirmed, or the case
21 is remanded to The Magistrate so that The Magistrate may
22 explain in detail how restitution was calculated pursuant the
23 Newberry County Animal Control Ordinance. That's your
24 understanding of what Judge Addy's order was, ma'am?

25 MS. PAIGE: Yes.

1 THE COURT: And so, looking -- I guess it has been
2 remanded to the Magistrate who made a finding and now you
3 disagree with that finding? That's what you're feeling
4 today?

5 MS. PAIGE: Yes, sir.

6 THE COURT: Okay. I'm happy to hear from you. Yes,
7 ma'am.

8 MS. PAIGE: Okay. Would it be okay if I read what I'm
9 gonna say or ---

10 THE COURT: Sure. Sure, as long as you speak up and
11 read slowly because I want to will make sure my court
12 reporter gets everything okay.

13 MS. PAIGE: Yes, ma'am or sir, sorry. Good morning or
14 afternoon, Your Honor.

15 THE COURT: Sure.

16 MS. PAIGE: I appreciate being able to present this to
17 The Court today. So I would like to explain why I'm here
18 today. So I'm here today in this courtroom before you, with
19 the charging agency, Newberry County Animal Control, and
20 their attorney -- or their attorney, Attorney Joan Winters.
21 And I want to explain why you should not -- why you should
22 not honor their motion for dismissal. Animal Control was
23 contacted by me to pick up my dog from my yard as I
24 mistakenly left Whiskey out the previous night before leaving
25 to go out of state to pick up family members, to bring them

1 back to South Carolina for an aunt's funeral who died several
2 -- several days before Christmas, and who was being buried
3 several days after Christmas.

4 Animal Control nor the police department received any
5 calls about my dog being loose in the road, or in anyone's
6 yard, or being aggressive. No calls were made about this at
7 all. I made contact with Animal Control around 10 to 11 a.m.
8 the following morning. Whiskey was never at large per Animal
9 Control. This was -- this was a statement that Katrina
10 (indiscernible) made at trial on 4/4/2024. Her exact words
11 were, "We are not in court today for dog at large. We are
12 here today because of a quarantine fee.". If there was no
13 mention at all at that moment that we were in court over an
14 animal bite or inoculation.

15 The rabies section -- rabies section of the Newberry
16 County Animal Control Ordinance states that the following
17 reasons call for fees, boarding, time limits for quarantine,
18 and proof of rabies vaccination. And those reasons are
19 animal bite, which provides \$50.00 for the first ten days of
20 quarantine at the animal shelter, and \$5.00 each additional
21 day. And then the second one is animal at large. There's a
22 first offense, second offense, and third offense. And each
23 offense comes with its own financial penalties. Respectively
24 -- respectfully, I was charged a \$100.00 quarantine fee,
25 which I refused to pay because that fee, and name, and amount

1 was not relevant to me or my dog.

2 Once I refused or challenged the fee, then I was
3 threatened with tickets, fines, and court dates. And they
4 decided to unilaterally hold my dog without my permission. I
5 agreed to pay what they told me was a \$25.00 pickup fee. And
6 they, Animal Control, rejected that payment at the time it
7 was offered. A sheriff deputy was called by Animal Control
8 to (indiscernible), and I was issued the two criminal
9 tickets, animal bite and inoculation, and was not allowed to
10 take my dog home for 100 days. To be clear, my dog was
11 quarantined for ten days under the animal bite charge, and
12 they kept my dog an additional 90 days without my consent.

13 I believe this was a form of retaliation for me
14 challenging them on the unlawful fee that they imposed on me
15 in order to retrieve my dog after the ten day quarantine.
16 There is -- I want The Court to understand that there is no
17 such thing as a quarantine fee, not from The State, DHEC, not
18 from Animal Control's Ordinances, or Newberry City
19 Ordinances. The error that I found in law was during the
20 moment the Magistrate Judge Barry Koon charged me with
21 restitution at the request of Animal Control director, Leslie
22 Glass, and Katrina (indiscernible).

23 Both advised the judge that he had to remove the \$100.00
24 quarantine fee from a list they had with some additional
25 calculations on it. And their reasoning was they were not

1 allowed to charge the fee. Additionally, the judge
2 acknowledged that he had no law that he could use to process
3 or calculate fees for the quarantine fee. Judge Koon also
4 had nothing he could use to justify the restitution as a
5 whole because the jury stated that there was no dog bite.
6 And if Your Honor watches the body camera footage, you will
7 see the same thing.

8 If Animal Control and their counsel wanted to uphold the
9 inoculation or the restitution, they would have needed to
10 appeal the jury's not guilty verdict and retry the animal
11 bite because both the restitution and the inoculation was a
12 direct result of the animal bite charge. Magistrate Judge
13 Koon advised the jury that they have two cases to decide.
14 This is an additional error involved. There was only one
15 case with two charges. This statement alone inferred that
16 the independent inoculation and restitution should be proven
17 without the dog bite.

18 I truly have much respect for Magistrate Judge Koon as
19 well as Circuit Court Judge Addy. My issue stands that each
20 judge was following the direction of the Animal Control
21 Agency instead of simply following the laws that the Animal
22 Control Agency are governed by. If Animal Control did not
23 want to follow the rules they are governed by, then the
24 judges should have explained to them that they must. I feel
25 like the judges were misled by the agency as well. Just like

1 with the call -- there was a quarantine order from DHEC
2 advising the Animal Control Agency to return the dog to the
3 owner and allow ten days for the owner to get into compliance
4 with inoculation or re-inoculating the dog and providing
5 proof of that to DHEC ten days later.

6 The dog was never released to me after the ten days, so
7 I was automatically charged with inoculation and not being in
8 compliance. I'm also asking The Court to review all
9 evidence, court transcripts, body camera footage, ticket
10 dates, why the tickets were issued, when the tickets were
11 issued, why my dog was held for 100 days in the Animal
12 Control Ordinances, and reverse the inoculation guilty
13 verdict and reverse the restitution in full so that we can
14 move forward. I have learned a lesson from this.

15 One, to ensure that my dogs are secure before I leave
16 the home at all times. And two, that I don't have confidence
17 in this agency to support me when I need help, which was what
18 the call was. They received my dog in their possession
19 because I called to ask for help. So I think, Your Honor, I
20 have from the very beginning been accountable for me leaving
21 my dog out accidentally. I have four German Shepherds, and I
22 did not realize that one was out. I have had to advocate for
23 my dog in this entire situation and myself. I simply
24 challenged them with the quarantine fee because I knew it did
25 not exist, because I had already spoken to DHEC, and they

1 said that there were no fees unless I was out of compliance
2 with their order.

3 When I got finally got my dog back after the 100 days, I
4 did take my dog to get him inoculated within ten days of
5 receiving him back, so I didn't have an opportunity to get
6 into compliance. So I received the inoculation charge. The
7 date on the quarantine order gives me until 1/18 -- gave me
8 until 1/18 in 2024, to send them confirmation that the dog
9 had been vaccinated. I didn't receive my dog back until
10 April 4th of 2024, and it does say that if I'm out of
11 compliance that I would receive a ticket up to \$500.00. So
12 they kept the dog so that I was out of compliance. So I
13 received the inoculation ticket.

14 There was never a dog bite. I have video here with me.
15 And the jury saw the video, the entire video. So I just
16 wanted The Court to be aware that had -- none of this would
17 have occurred. I didn't receive tickets until after I
18 challenged them on a law that on its -- on a fine, that --
19 that's nowhere. There are no documents for DHEC. So they, I
20 believe they were misrepresenting a fee, and the fact that
21 they called it a quarantine fee implied that, to me that it
22 was coming from The State.

23 And I want to thank Your Honor for your -- for the time.
24 I also want to state that Ms. Winters, Attorney Winters was
25 not the counsel for Animal Control in Magistrate Court. And

1 she then explained -- she advised me that the case was over
2 with, so I had no clue whether or not she would be counsel
3 again with any new case. So I served her -- I served Animal
4 Control, and that was the charging agency. I wasn't sure who
5 they would get next to represent them, if anyone at all. And
6 I've tried to represent myself and respect the courts,
7 policies, and procedures by representing myself in a pro se
8 manner.

9 I wasn't qualified to receive a public defender because
10 I'm a working person and I didn't meet the financial
11 threshold or whatever presented. So thank you, Your Honor.
12 I've concluded my case, my statement.

13 THE COURT: Counsel, yes, ma'am.

14 MS. WINTERS: Your Honor, may it please The Court, thank
15 you. Just to clarify a few things, Your Honor. The history
16 of this matter is a little more in depth than Ms. Paige said
17 to you. So January the 10th, '24 she was cited for several -
18 - several violations of county ordinances, not state, not
19 DHEC, by Animal Control officers. One such violation was for
20 a dog bite and failure to innocuous, as she stated. On March
21 the 6th of '24, it was a pre-trial hearing.

22 The Magistrate offered compromise for settlement, but
23 neither party was interested. So early on in March of last
24 year, there was an attempt to settle this. On April the 4th,
25 '24, there was a jury trial, and as Ms. Paige stated the dog

1 bite was dismissed, but she was found guilty on failure to
2 inoculate. There was a restitution fee and a fine for
3 failure to inoculate, a county ordinance fine. She is
4 correct to say that I was not involved with the magistrate
5 jury trial, but I have been county attorney now for four
6 years, so I was -- I don't go to every trial. Animal
7 Control's quite adept at doing that. After that hearing,
8 Ms. Paige -- she appealed on April 15, 2024.

9 Judge Addy heard the appeal on June 6th, and this is
10 very important in our position. He upheld the magistrate
11 ruling. He gaveled hearing closed. He was sitting right
12 where you are. He gaveled the hearing closed, and Ms. Paige
13 continued to argue with him. I was on my way out of the
14 courtroom, and I sort of heard her arguing with him, and he
15 was responsive. And so I re-engaged, because I felt like
16 there would be, perhaps ex-parte, or whatever going on, not
17 because of Judge Addy. And so I re-engaged at that point,
18 because at that point, after they went back and forth, the
19 judge added tried to explain that his ruling actually saved
20 her money.

21 And during this -- this repartee, that was after the
22 hearing was -- was ruled closed. That's when Judge Addy
23 said, I'm remanding this back to Magistrate's Court for an
24 explanation of the calculation of the fine, nothing more. On
25 August 14th, we were in front of Judge Koon for the remand

1 hearing. Ms. Paige again attempted to argue her case, just
2 as she's done this afternoon. Judge Koon cut her off and
3 said the only thing he's been ordered to do is to listen to
4 or to, excuse me, to explain restitution and now how it was
5 calculated, and nothing more. Two days later, Ms. Paige
6 filed another appeal, claiming that the Magistrate was to
7 correct how he came up with the restitution (indiscernible).

8 You'll see Judge Addy's form for it. It does not say
9 that. It says explanation. February the 13th, '24, excuse
10 me, '25 Judge Addy was to hear the appeal that Ms. Paige
11 filed again, and he was going to do it virtually, but for
12 some reason, it just didn't get into the electronic record.
13 And so he -- he continued the hearing. We filed a motion on
14 March the 6th for dismissal based on a number of different
15 doctrines and rules of civil -- civil procedure. And then
16 here we are today, almost a month later. I would argue -- if
17 Your Honor gives me a moment to argue our motion. We'll do
18 that when you're ready.

19 But some of the things that Ms. Paige said is just
20 absolutely not true. She didn't realize the dog was out. If
21 Your Honor is charged with the obligation to review the
22 evidence, you'll hear that there is a telephone call to 911
23 from her saying that her dog was out. She did realize her
24 dog was out. She mentioned DHEC. She called DHEC. DHEC
25 said there was no fine. DHEC doesn't set the fines for The

1 County. The County does. We have our own separate
2 ordinances. And the fact that I told Ms. Paige that this was
3 over, I never said it was over. What I said was I would talk
4 to The County to see if there was something they would do.
5 And I said to her, what is your biggest concern? She said,
6 my biggest concern is having that ticket because I've never
7 had a criminal offense.

8 I said, I will see if they are willing to drop the
9 ticket. The day that we were to come in front of Judge Addy,
10 I came up to Ms. Paige and said that I've gotten The County
11 to agree to drop that ticket. And she said, forget it.
12 We're going to court. You can't do this to me at the last
13 minute. Your Honor knows that lots of things are settled on
14 the courthouse steps. We tried to make this better for Ms.
15 Paige. And at this point, we really want -- would ask This
16 Court that you dismiss this on a number of bases.

17 THE COURT: Okay. I mean, go ahead, whatever you want
18 to tell me about. I'll give you an opportunity to respond.

19 MS. WINTERS: Okay, thank you, Your Honor. So I gave
20 you the history. Our first argument is service of process.
21 It hasn't been proper from the beginning. South Carolina
22 Rules of Civil Procedure 81 and Rule 5(a) require service on
23 a known legal counsel. That hasn't been done. Ms. Paige has
24 noted that I've been involved despite the fact I wasn't
25 involved with the Magistrate jury trial, I was there after.

1 South Carolina Rules of Civil Procedure 4(d)(6), requires any
2 political subdivision, state created government organization,
3 they have to be served by their chief executive officer. The
4 chief executive officer would be the county administrator or
5 his designee, which would be me.

6 The original summons and complaint was mailed to Animal
7 Control by U.S. mail. That's not proper service. So service
8 hasn't been proper from the beginning, and we would actually
9 dismiss based on that we did from the summons and complaint.

10 THE COURT: When you say from the beginning, the
11 beginning of what?

12 MS. WINTERS: From the beginning of the initial summons
13 and complaint.

14 THE COURT: I'm assuming Judge Addy heard the same
15 argument.

16 MS. WINTERS: He did, Your Honor. And it's been in my
17 answer since April of last year.

18 THE COURT: He would have -- go ahead.

19 MS. WINTERS: Yeah. We would argue *res judicata*. As
20 Your Honor knows, this is where a right an issue and
21 something that's been directly determined by a court of
22 competent jurisdiction cannot be disputed in a subsequent
23 action. The elements include identity of parties, identity
24 of subject matter, adjudication of the issue. We have all
25 three. I've cited several different case laws in my

1 memorandum, but we believe res judicata bars subsequent
2 actions this -- litigants are barred from raising any issues
3 which were adjudicated in a form suit, or any issues that
4 might have been raised.

5 So if you forgot, you don't get to bring that back
6 again. We believe we meet the elements required for res
7 judicata. Same party, same subject, subject matter,
8 existence of adjudication. It's all there. Again, Judge
9 Addy signed that form for ending the matter, and nowhere in
10 there did he order the Magistrate Court to correct anything,
11 only to explain the calculation. And so we would say it
12 should be dismissed under res judicata, 12(b)(6). We also,
13 we believe, have the doctrine of collateral estoppel, claim
14 preclusion under res judicata. This is issue conclusion,
15 determination of an issue by a prior court conclusive in
16 subsequent suits based on different cause of action involving
17 a party to the prior litigation.

18 This bars litigation of specific factual issues that
19 have been conclusively determined in prior action provided
20 that the parties involved are the same or in privy. And so
21 we believe we fall under the doctrine of collateral estoppel,
22 failure to name proper party. The Plaintiff keeps talking
23 about the charging agency, and presumably she means Newberry
24 Animal Control. Newberry Animal Control is not a proper
25 party. They're a department of a political subdivision in

1 the state of South Carolina. And so under 12(b)(5), we
2 believe we have the wrong party named. And then, of course,
3 the stop gap on 12(b)(6), matters have to be dismissed when a
4 complaint fails to state facts sufficiently to constitute a
5 positive.

6 You are correct, Your Honor. These facts -- Ms. Paige
7 has argued this to every judge that we've been in front of
8 thus far. And all we see on these appeals is a regurgitation
9 of previous arguments. There's no element of a claim that's
10 new. There's no even element of a claim -- a claim that's
11 pled. We see rhetorical statements and lots of questions.
12 We argued this in our 4/25/2024, answer that should be
13 dismissed under 12(b)(6) and Rule 56 for summary judgment,
14 since there was no genuine issue of material fact that it
15 exists for adjudication. So Your Honor, we would -- we would
16 submit that all roads lead to dismissal. Stop the bleeding
17 of the taxpayer money. It's almost a year. Actually, it's
18 over a year, and now we're seeing repercussions from all of
19 this, where Ms. Paige is going on Facebook and calling county
20 employees crooks and losers.

21 These are people that get up every morning and go to --
22 or for The County serving the people of The County, and they
23 don't deserve that. She's also had ex-parte email
24 communication with my county counsel talking about this
25 litigation in length. And so she's mentioned on Facebook,

1 and that doesn't bother me, Your Honor. People talk about me
2 on Facebook all the time, but she's -- she's put on there
3 that I have pursued this matter. I am just doing my job.
4 Every time she appeals, I have to respond. I would rather go
5 back to doing something else than responding to what we
6 consider to be these frivolous appeals. And so we would ask
7 you, Your Honor, if you would dismiss this with prejudice.

8 THE COURT: All right. I'm happy to hear from you in
9 the response. Yes, ma'am.

10 MS. PAIGE: Yes, sir. Thank you. I actually have --
11 have some -- one section to read that I didn't, but I have a
12 few things to address.

13 THE COURT: Sure.

14 MS. PAIGE: So once the animal bite charge received the
15 not guilty verdict. In my opinion, the magistrate judge then
16 had no authority to avoid and enforce the inoculation or
17 restitution charges as they were a direct result of the
18 animal bite charge, which is why Attorney Winters and The
19 Courts have been scrambling to try to explain the fees
20 because the fees were directly connected to the animal bite.
21 The animal bite and the animal at large are the only two
22 charges that come with fees. Once the animal bite is gone,
23 there was nothing to hold them to or attach them to. So yes,
24 she's right.

25 I've been saying the same thing to everyone, and during

1 her -- to speak to Ms. Winters during the appeal with Circuit
2 Court Judge Addy, he turned to Animal Control agents and
3 Ms. Winters and said, you guys, Paige is right. Those were
4 his words. And went further into detail on why I was right.
5 However, he chose to remand the case back to court than
6 reduce the fine. Because I believe that he realized that
7 it's possible that the Magistrate Court as well had no
8 authority to move forward on the inoculation or the
9 restitution once the animal bite charge was removed from this
10 case.

11 The only instances where proof of rabies is required per
12 the Animal Control Ordinance is when there is an animal at
13 large or an animal bite. Once there is an animal bite, DHEC
14 gets involved, and they then have jurisdiction. So yes, the
15 Animal Control absolutely has their own ordinances, and DHEC
16 has nothing to do with that, except when there's an animal
17 bite. Their jurisdiction takes over. So I understand that
18 the magic -- I believe that the Magistrate Court was misled
19 by Animal Control the first time.

20 But when this case was remanded back to him, that was
21 the time that he, in my opinion, should have reviewed all of
22 the laws and facts of the case. He would have more than had
23 enough evidence that supported a reversal of both the
24 inoculation charge and the restitution as they both fell
25 under the animal bite charge. If myself, or Attorney Winters

1 is unsure of what Judge Addy meant by explaining full end
2 quote, maybe Your Honor can ask him to explain to provide
3 testimony as to what he meant, instead of us assuming.
4 Surely a judge would not need to process a remand order for
5 an explanation of fees as the attorney or Animal Control
6 should have been able to provide the explanation since they
7 are the ones requesting the fees and collecting the fees,
8 which I had to pay in order to get my dog back.

9 I am respectfully asking The Court to deny the dismissal
10 motion in its entirety, as Attorney Winters clearly is -- is
11 -- I'm almost speechless because I can't -- I can't
12 understand how they want us to be accountable, us as in
13 regular people, and the agency won't say we made a mistake.
14 Okay. And let me tell you, Ms. Winters never came to me and
15 said that The County was willing to drop everything. That
16 never happened. I don't know how to rephrase that, but that
17 never happened. I would have never moved forward. What
18 reason would I have to move forward if she or The County
19 agreed to drop these charges? So that never happened. I
20 also have an email from Attorney Winters. If Your Honor
21 wants me to take a recess and get that email that of her
22 stating to me that the case is over. Per at Judge Addy.
23 Those were her exact words. And the remand, I just, I mean,
24 I believe that Judge Addy was trying to be fair when he sent
25 it back to The Court to just have them review it.

1 But the fact that there's Attorney -- Attorney Winters
2 appears to be using the Judge's words or lack of detail to
3 justify this entire case being thrown out is -- is
4 disheartening and it's confusing. But -- and I never called
5 anyone crooks on the internet. What I did was ---

6 THE COURT: I'm -- I'm not concerned. What happened on
7 the internet has no bearing.

8 MS. PAIGE: Well, she mentioned it.

9 THE COURT: Well, and I understand. I want to tell you
10 I'm not taking any consideration as to what somebody may or
11 may not have put on the internet, or how someone may or may
12 not have read it, because at this point, it doesn't have
13 anything to do with this case.

14 MS. PAIGE: Okay.

15 THE COURT: Go ahead. What else do you want to tell me?

16 MS. PAIGE: Your Honor, I just want to say that I know
17 that the average person would have given up by now. I get
18 that. I do understand that. I understand that the average
19 person would have just taken the fees. This is really, truly
20 not just about fees. This is about me trying to understand -
21 - try to understand -- trying to understand -- try to
22 understand where the line is in the sand, where we have to
23 follow the rules and they don't. This case could have
24 resulted in my dog being put down. And it's like they don't
25 understand that that's a problem.

1 That's a problem for you to do something to cause the
2 death of either another human or an animal because you don't
3 want to say that you were wrong. That's a problem. And I
4 don't -- I'm sorry. I do not want to live somewhere that
5 operates like that. So I am absolutely an advocate for if
6 it's my turn to sacrifice and do whatever to say you
7 shouldn't do this, then I'm willing to do that because we
8 don't get anywhere with people not holding our government
9 officials, our politicians, our leaders, our religious people
10 -- we don't get anywhere with allowing lawlessness from them.

11 All I asked them was to review the -- or the charge of
12 the quarantine fee, and they refused to do that. Instead,
13 they retaliated. It's almost like extortion, like you do
14 what we say or else. And that's exactly how that played out
15 in my mind. They wouldn't give me my dog back. They had no
16 order from The State to say, keep your dog. And even if it's
17 this was a matter of a collection, like they wanted me to pay
18 the \$100.00 and they say you owe this to us. Well, they have
19 a process for that I would imagine also for people who owe
20 them money, and they have to collect from them. But to keep
21 my dog for 100 days until I pay them what they demand was
22 just something that -- and now it's -- it's circumvent --
23 trying to circumvent everything the law because Judge Addy
24 said, explain and not correct. It's like, so where does it
25 end? So yes, sir, that's all I have. I just -- I don't have

1 anything else, but I just want to respond to her.

2 THE COURT: Well, Ms. Paige, let me ask you a couple of
3 things. You've got Whiskey back.

4 MS. PAIGE: Yes, after I paid them.

5 THE COURT: Yeah, but hold on. I'm gonna get to that in
6 the next question. Don't worry.

7 MS. PAIGE: Okay.

8 THE COURT: You got a Whiskey back?

9 MS. PAIGE: Yes.

10 THE COURT: And I take it that you got Whiskey
11 inoculated?

12 MS. PAIGE: Yes. And within ten days.

13 THE COURT: Yes, ma'am.

14 MS. PAIGE: Yes.

15 THE COURT: And so you also had to pay to who, and how
16 much did you have to pay to get Whiskey back?

17 MS. PAIGE: I had to pay \$250.00 to The Court and
18 \$505.00 to Animal Control directly. So a total of \$755.00 to
19 get my dog released back to me on that day we had court.

20 THE COURT: Well, Ms. Paige, a couple of things.
21 Certainly, ma'am, I can tell you there's nothing ordinary
22 about you. Back about ordinary folks, they're ordinary
23 citizens you said. And used the word ordinary probably three
24 times, four times. And there's nothing ordinary about you.
25 And I will also tell you that there is, you know, I can only

1 imagine the frustration that has arisen all because you
2 reached out for help. Because that's what the call was. It
3 was a call for help and -- and so what happened was
4 certainly, as this slowly unraveled, ended up being -- at
5 least from your -- from your perspective ---

6 MS. PAIGE: Yes.

7 THE COURT: --- anything but help, okay? I'm not saying
8 they didn't help. I'm saying from your perspective,
9 Ms. Paige. I understand that. I see where you're coming
10 from. I see why you made a call. I see why you reached out.
11 I see why you feel the way you feel. Okay. I want you to
12 know that. Because I finished early this morning, Ms. Paige.
13 And so believe me, I'm very familiar with both files in this
14 matter. He's my law clerk. He's very familiar both files in
15 this matter because I've read everything in them.

16 (Indiscernible) But what I will tell you is that one of the
17 things that -- that, another thing that you indicated was
18 frustrating, was -- was what's transpired or some of what's
19 transpired since Judge Addy's order.

20 And when I look at Judge Addy's order, I was reading
21 from Judge Addy's order. And what I will tell you with this,
22 it is rule 101, that one circuit court judge, me, cannot
23 overrule another circuit court judge. I cannot. But I will
24 tell you I'm not going to drive up here from Waltherboro,
25 which is where I came from this morning, and sit here in

1 Judge Addy's court room, or it's the people's court room, but
2 his chambers -- he's here and he's in this circuit, and
3 disagree with him about what his order says. Any more than
4 he would be down there. That's not making his order wrong.
5 I'm just telling you I don't have the authority to do that.
6 There are statutory law and case law that prohibits me from
7 doing that.

8 So when I look at what Judge Addy said, first of all, in
9 regard to The State's argument or The County's arguments
10 about process, the res judicata, or collateral estoppel, all
11 of the issues that The State brings up. What I will say is
12 I'm confident that those matters were argued before Judge
13 Addy and that he heard those matters. And quite frankly,
14 while the order is vague as to those matters, he clearly
15 didn't put any weight on them because if he had, he'd have
16 mentioned them -- he mentioned all the things that State
17 raised, because if he felt that they had any merit, he could
18 have kicked that case -- could have kicked the case out on
19 what someone called technicalities -- it's not technical, but
20 he didn't do that.

21 And so to that extent, I'm really not, as it relates to
22 a lot of the arguments that The State raised, I think those
23 were raised before Judge Addy so that's -- I'm just not gonna
24 put a lot of weight on those because I think that his rulings
25 and what he's got in the order and what he doesn't have in

1 the order made -- it's clear to me that he could put a lot of
2 weight on that. And perhaps because also this is a
3 Magistrate Court case. This is coming up, and the rules as
4 it relates to evidence, and the rules as it relates to things
5 of that nature are to be somewhat relaxed, particularly when
6 a non-lawyer is involved. So I'm not going to put a lot -- I
7 appreciate your arguments, and I think your arguments are
8 absolutely appropriate that were made and needed to be made
9 for the record.

10 I just can't -- I'm not going to put a lot of weight on
11 that, but clearly he found that the Magistrate's fine for not
12 more. The Court found that the Magistrate's \$250.00 fine for
13 not keeping the dog rabies vaccination current is affirmed.
14 So he affirmed that decision and that fine. And when a
15 judge, when a circuit judge, (indiscernible) when she -- when
16 he or she affirms an action they are upholding that action,
17 right or wrong -- right or wrong, he has upheld that
18 decision. And to my knowledge -- and to my knowledge as I
19 read it, I can't -- there's nothing I can touch as it relates
20 to that the same way that he was down in Colleton County this
21 morning, and he read that and I affirmed something, I know
22 that he would not touch that either or any other circuit
23 court judge, that we just can't do that.

24 Now, so as it relates to that, I think that is -- that
25 is already been affirmed. And so what he did was, it says

1 the case is remanded to the Magistrate so that the Magistrate
2 may explain in detail how the restitution was calculated
3 pursuant to the Newberry County Animal Ordinance Control.
4 And then Judge Addy also did check the boxes X that says this
5 order X ends the case. So to me, the only issue is the issue
6 about the Magistrate and whether the Magistrate explained in
7 detail, how he, I guess it was a he, well, how he calculated
8 this matter. And what I would say is that in looking at
9 this, I believe that -- I believe that while it does say that
10 it's remanded for the sole purpose and that it ends the case,
11 I believe that I do have some authority and jurisdiction as
12 it relates to the Magistrate's explanation.

13 The Magistrate may explain in detail. So I think what
14 I've got to do, I think -- I think what any reasonable judge
15 would -- would believe that means, is that did the Magistrate
16 review, and did he come up with, and did he explain in detail
17 how the restitution was calculated pursuant to the Newberry
18 Animal Control Ordinance. And I think that the issue there
19 is, you know -- I think it's fair for a judge to look at it
20 because he could come back with some just completely off the
21 wall, fanciful type of decision. I think he did. But that's
22 the only thing that I think I've got an opportunity to look
23 at and to consider.

24 Does it appear that there was some logic for some reason
25 and sufficient detail in the -- in the judge's decision as to

1 the -- how he explained detail -- how he explained the
2 restitution (indiscernible). But I think that's the issue
3 for me. That's the issue that I think is outstanding. And
4 so what I'm going to do is I'm going to take that under
5 advisement, and I want to issue an order. I'm going to
6 basically indicate what's transpired, that the fact that I
7 don't have any jurisdiction as it relates to the finding of
8 the Magistrate as it relates to the fine, because Judge
9 Addy's already done that. But I'm going to render some
10 conclusions as it relates to the Magistrate's explanation in
11 detail as to how restitution was calculated, and make a
12 decision as to whether I think that that was sufficiently
13 calculated or sufficiently detailed, and if so, then I think
14 I'm in a position to affirm the decision.

15 If not, I may modify this matter and bring it to a
16 conclusion. So that's what I'm going to do. I'll have a
17 decision before the end of the week, and I'll have that file
18 here at the courthouse. All right. And then we have a good
19 email for you, ma'am?

20 MS. PAIGE: Yes, sir. (Indiscernible)

21 CLERK: Yes, I'm pretty sure you have it in your
22 paperwork.

23 THE COURT: That'd be super. Thank you very much.
24
25

(THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED.)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

CERTIFICATE OF TRANSCRIBER

I, Pam Gray, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Circuit Court for Newberry County, South Carolina, on the 31st day of March, 2025.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

November 5, 2025

Pam Gray

Pam Gray
Certified Transcriber

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)
Sheena Paige,)
Plaintiff,)
vs.)
Newberry County Animal Shelter)
Defendant.)

IN THE COURT OF COMMON PLEAS

Civil Case No.: 2024-CP-36-00502

Appeal of Case No.: 2024-CP-36-00217

DEFENDANTS' MOTION FOR

DISMISSAL WITH PREJUDICE

PLEASE TAKE NOTICE that Defendant Newberry County Animal Shelter does hereby move through the undersigned attorney, and pursuant to SCRCF Nos. 12(b)(2) and 12(b)(4), 12(b)(5) and 56(b) for an Order dismissing it in this action. This Motion is based on pleadings in this case, including without limitation, Plaintiff's Complaint and subsequent pleadings, the applicable statutory and common law, a memorandum in support of this motion, which is being filed concurrently, and any other supporting materials that may be served on counsel prior to the date of any hearing. For all the foregoing reasons, Defendant requests that this matter be dismissed with prejudice.

Respectfully submitted this 6th day, March 2024, at Newberry, South Carolina.

S/ Joan Elizabeth Winters
Joan Elizabeth Winters
WINTERS LAW FIRM
105 Main Street
Chester, South Carolina 29706
803-581-8190
803-581-8243 facsimile
ATTORNEY FOR DEFENDANT

SHEENA PAIGE

NEWBERRY ANIMAL CONTROL

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: COURT	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

THIS MATTER CAME BEFORE THE COURT on February 13, 2025 for a WebEx hearing. Due to issues with the Court's ability to review the file, this matter is continued for an in-person hearing at the next term of CP court.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

<u>s/ Frank R. Addy, Jr.</u>	<u>2159</u>	<u>Feb. 13, 2025</u>
Circuit Court Judge	Judge Code	Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Pro Se
ATTORNEY(S) FOR THE PLAINTIFF(S)

Joanie Winers, Esq.
ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: WebEx only. Contact Court Administration at 803-734-1800 to request a transcript of these proceedings.

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Newberry Common Pleas

Case Caption: Sheena Paige VS Newberry County Animal Control
Case Number: 2024CP3600502
Type: Order/Form 4

So Ordered

S/ Frank R. Addy, Jr.

SHEENA PAIGE

MAGISTRATE COURT NEWBERRY
COUNTY and NEWBERRY COUNTY
ANIMAL CONTROL

APPELLANT(S)

RESPONDENT(S)

Submitted by: COURT

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order attached) Statement of Judgment by the Court:

THIS MATTER CAME BEFORE THE COURT on June 6, 2024 on appeal from a jury trial in the Magistrate’s Court. The Appellant was found guilty of violating an inoculation ordinance and not guilty of violating a dog bite ordinance. Following the trial, the Magistrate imposed a sentence of a \$250 fine plus \$505 restitution to the Newberry County Animal Shelter. After the court’s oral ruling at the hearing, Appellant filed a motion for reconsideration, which the Court has reviewed prior to issuing this ruling.

Upon reviewing the Magistrate’s case file, the ordinance in issue, and having considered the arguments presented by the parties, the Court finds that the Magistrate’s \$250 fine for not keeping the dog’s rabies vaccination current is affirmed. However, the case is remanded to the magistrate so that the magistrate may explain in detail how the restitution was calculated pursuant to the Newberry County Animal Control Ordinance.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

<i>s/ Frank R. Addy, Jr.</i>	2159	July 1, 2024
Circuit Court Judge	Judge Code	Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE APPELLANT(S)

ATTORNEY(S) FOR THE RESPONDENT(S)

CLERK OF COURT

Court Reporter: Tara Scott

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.



Newberry Common Pleas

Case Caption: Sheena Paige VS Magistrate Court Newberry County , defendant, et al
Case Number: 2024CP3600217
Type: Order/Form 4

So Ordered

S/ Frank R. Addy, Jr.

Electronically signed on 2024-07-01 12:06:16 page 3 of 3

FORM 3
NOTICE OF APPEAL FROM COMMON PLEAS REGARDING A
CONVICTION IN MAGISTRATES OR MUNICIPAL COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Robert Bonds, Circuit Court Judge and

Frank R Addy Jr Circuit Court Judge

Case No. 2024-CP-36-00217

Case No. 2024-CP-36-00502

The State, Newberry County
Animal Control

Respondent,

v.

Sheena Paige

Appellant.

NOTICE OF APPEAL

Sheena Paige appeals the order of the Judge Robert Bonds & Frank Addy Jr dated April 1st 2025 & July 1st 2024 respectively, which affirmed the conviction and restitution after Remand in magistrate's court. Appellant received written notice of the orders on April 4th 2025 & July 8th 2024, respectively. These cases are related. Criminal Charges were Animal Bite and Inoculation – Restitution of \$505 was demanded in court after Criminal trial ended for the above charges to get the dog back. Inoculation – Guilty, Dog Bite – Not Guilty – Total Charged \$755 (\$250 Inoculation & \$505 Restitution).

April 14, 2025

Sheena Paige
2008 Charles Street
Newberry, South Carolina 29108
(803) 269-3037
Pro Se

Other Counsel of Record:
Joanie Winters
Winters Law Firm
105 Main Street
Chester, South Carolina 29706
(803) 581-8190
Attorney for Respondent

peopleplanetandpeace@gmail.com

RECEIVED
APR 14 2025
SC Court of Appeals

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Robert Bonds, Circuit Court Judge and

Frank R Addy Jr Circuit Court Judge

Case No. 2024-CP-36-00217
Case No. 2024-CP-36-00502

RECEIVED

APR 14 2025

SC Court of Appeals

The State, Newberry County Animal Control Respondent,

v.

Sheena Paige

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Newberry County Animal Control by depositing a copy of it in the United States Mail & Certified Mail, on April 14, 2025, addressed to their attorney of record, Joanie Winters of Winters Law Firm, 105 Main Street, Chester, South Carolina 29706.

April 14, 2025

Sheena Paige
2008 Charles Street
Newberry, South Carolina 29108
(803) 269-3037
Pro Se



Newberry Common Pleas

Case Caption: Sheena Paige VS Magistrate Court Newberry County , defendant, et al
Case Number: 2024CP3600217
Type: Order/Form 4

So Ordered

S/ Frank R. Addy, Jr.

SHEENA PAIGE

MAGISTRATE COURT NEWBERRY
COUNTY and NEWBERRY COUNTY
ANIMAL CONTROL

APPELLANT(S)

RESPONDENT(S)

Submitted by: COURT	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order attached) Statement of Judgment by the Court:

THIS MATTER CAME BEFORE THE COURT on June 6, 2024 on appeal from a jury trial in the Magistrate's Court. The Appellant was found guilty of violating an inoculation ordinance and not guilty of violating a dog bite ordinance. Following the trial, the Magistrate imposed a sentence of a \$250 fine plus \$505 restitution to the Newberry County Animal Shelter. After the court's oral ruling at the hearing, Appellant filed a motion for reconsideration, which the Court has reviewed prior to issuing this ruling.

Upon reviewing the Magistrate's case file, the ordinance in issue, and having considered the arguments presented by the parties, the Court finds that the Magistrate's \$250 fine for not keeping the dog's rabies vaccination current is affirmed. However, the case is remanded to the magistrate so that the magistrate may explain in detail how the restitution was calculated pursuant to the Newberry County Animal Control Ordinance.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

ELECTRONICALLY FILED - 2024 Jul 01 12:09 PM - NEWBERRY - COMMON PLEAS - CASE#2024CP3600217

RECEIVED

APR 14 2025

SC Court of Appeals

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order.

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

s/ Frank R. Addy, Jr.
Circuit Court Judge

2159
Judge Code

July 1, 2024
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

Pro Se

Jonnie Winters, Esq.

ATTORNEY(S) FOR THE APPELLANT(S)

ATTORNEY(S) FOR THE RESPONDENT(S)

CLERK OF COURT

Court Reporter: Tara Scott

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRPC.

ELECTRONICALLY FILED - 2024 Jul 01 12:09 PM - NEWBERRY - COMMON PLEAS - CASE#2024CP3600217



Newberry Common Pleas

Case Caption: Sheena Paige VS Newberry County Animal Control

Case Number: 2024CP3600502

Type: Order/Electronic Form 4

So Ordered

s/ Robert Bonds, 2770

STATE OF SOUTH CAROLINA
COUNTY OF Newberry
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2024CP3600502

Sheena Paige
PLAINTIFF(S)

Newberry County Animal Control
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):** Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court upon an Appeal from a Magistrate Court's Order explaining the amount of restitution that Appellant owes to the Appellee on March 31, 2025. After careful consideration, the Magistrate Court's Order is AFFIRMED, and this case is dismissed.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/01/2025.

Sheena Paige for Sheena Paige
Sheena Paige for Sheena Paige

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2025 Apr 01 9:59 AM - NEWBERRY - COMMON PLEAS - CASE#2024CP3600502

RECEIVED

APR 14 2025

SC Court of Appeals

2025 APR 01 09:59 AM
NEWBERRY COUNTY CLERK'S OFFICE
1000 N. MAIN ST.
NEWBERRY, GA 30064

ELECTRONICALLY FILED - 2025 Apr 01 9:59 AM - NEWBERRY - COMMON PLEAS - CASE#2024CP3600502

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

VERDICT

IN THE CASE OF:

NC00511-ANIMAL BITE

STATE

VS.

PAIGE, SHEENA

WE, THE JURY, IN THE ABOVE ENTITLED
CASE, FIND THE DEFENDANT NOT Guilty
GUILTY/NOT GUILTY

DATE: 4-4-24

Chad Leroy
SIGNATURE

2024 APR 04 09:15 AM
379.15 25 240.02

RECEIVED

May 05 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

SHEENA PAIGE

CASE NO: 2025-000744

Petitioner,

VS.

NEWBERRY COUNTY

ANIMAL CONTROL

Respondents.

PETITION FOR WRIT OF MANDAMUS

COMES NOW Sheena Paige, Petitioner, pro se, pursuant to Rule 243, South Carolina Appellate Court Rules (SCACR), and respectfully petitions this Honorable Court for a Writ of Mandamus to compel the Newberry County Magistrate Court, Court of Common Pleas 8th Circuit and Newberry County Animal Control to perform their clear, ministerial duties as set forth below. This extraordinary relief is necessary to remedy a miscarriage of justice in Case No. 2024CP3600502 and Case No. 2024CP3600217, where Respondents & Courts failed to act on evidence that charges against Petitioner should have been dismissed, causing ongoing harm and financial hardship.

I. INTRODUCTION

1. Petitioner seeks a Writ of Mandamus to compel the Newberry County Magistrate Court or Court of Common Pleas 8th District to hold a hearing and dismiss charges and restitution imposed against me, based on a statement by Newberry County Animal Control's counsel (Jounie Winters) that her client, specifically the County Administrator instructed her to drop all charges. Alternatively, Petitioner requests that Animal Control be compelled to clarify and effectuate its intent to dismiss the case.
2. This petition arises from a series of procedural irregularities and misrepresentations in the lower courts, culminating in an affirmed restitution order that Petitioner alleges is unlawful. The failure to dismiss charges, despite the expressed intent from the Respondents per their Counsel, constitutes a clear dereliction of duty, leaving Petitioner without an adequate remedy at law due to financial constraints and an imminent appellate deadline of May 8, 2025.
3. Petitioner faces severe financial hardship, having paid \$755 to retrieve my dog and unable to afford ongoing legal costs. This Court's intervention is urgently needed to prevent further injustice and ensure Respondents fulfill their legal obligations.

II. JURISDICTION

4. This Court has original jurisdiction to issue a Writ of Mandamus under Article V, Section 5 of the South Carolina Constitution and Rule 243, SCACR, which authorizes the Court of Appeals to grant extraordinary writs to compel lower courts or public officials to perform ministerial duties.

5. The Newberry County Magistrate Court, Court of Common Pleas 8th Circuit and Newberry County Animal Control, as lower courts and public entity, respectively, are subject to this Court's supervisory authority in this original proceeding.

III. STATEMENT OF FACTS

6. On **December 27, 2023**, Petitioner's German Shepherd, Whisky, was accidentally left outside my fenced yard and was picked up by Newberry County Animal Control at Petitioner's request for a \$25 fee. A Newberry police officer (Smith) reported a provoked scratch during the pickup (recorded on the officers body camera), but was later mischaracterized as a "non-provoked dog bite" by an Animal Control staff member (Bouknight) – also recorded by the officers body camera.
7. On **January 10, 2024**, Animal Control issued two tickets to Petitioner:
 - a) Inoculation (Ordinance No. 3610113011), for failure to provide "proof" of current rabies vaccination.
 - b) Animal Bite (Ordinance No. 3610196032), alleging a bite on the officer, which Petitioner disputes, as the officer confirmed it was a provoked scratch.
8. The South Carolina Department of Health and Environmental Control (DHEC) imposed a 10-day quarantine, which could have occurred at Petitioner's home at no cost. Animal Control refused to return Whisky, citing they were "not a transport service," and detained him for 100 days, demanding a \$100 quarantine fee and \$25 pickup fee.
9. The \$100 fee was later admitted to be unlawful, as Newberry County Ordinance No. 10-32-05 specifies a maximum of a \$50 "boarding fee" for the 10 days at the Animal Shelter and

makes no mention in the 17 page county ordinance of a Quarantine "fee" or a "\$100 Quarantine fee". Animal Control also issued the Inoculation ticket prematurely, as DHEC allowed until January 18, 2024, to provide vaccination proof.

10. On **April 4, 2024**, a jury trial in the Newberry County Magistrate Court resulted in:

- a) Guilty verdict on the Inoculation charge, with a \$250 fine.
- b) Not Guilty verdict on the Animal Bite charge.

11. An order for \$505 in restitution for 100 days of boarding, which Petitioner alleges was improperly based on an uncharged "Animal Running at Large" offense.

12. Petitioner appealed to the Newberry County Court of Common Pleas on April 15, 2024, arguing:

- a) The Inoculation ticket was premature under DHEC's order.
- b) The \$100 quarantine fee violated county ordinances.
- c) The \$505 restitution was unlawful, as it relied on an uncharged offense.
- d) Animal Control lacked authority to detain Whisky beyond DHEC's 10-day quarantine. To the petitioner this bordered on a hostage and ransom scenario or flat-out extortion.

13. The Common Pleas Court remanded the case to the Magistrate Court for an explanation of the restitution. The Magistrate's response to the remand cited an "Animal Running at Large" ordinance, which Petitioner contends was inapplicable, as Whisky was on my property when

the police officer arrived and when Animal Control picked him up (without incident from my yard).

14. On **March 31, 2025**, a second Common Pleas judge affirmed the Magistrate's order without addressing Petitioner's arguments, issuing a final judgment on **April 1, 2025**.
15. On **March 31st 2025**, during a Common Pleas hearing, counsel for Newberry County Animal Control stated in open court that her client had instructed her to drop all charges against Petitioner. Counsel claimed Petitioner refused to consent, which Petitioner denies, asserting no such conversation occurred.
16. Despite this statement, the Inoculation charge and \$505 restitution were not dismissed, and Animal Control's counsel continued to pursue the case, potentially misrepresenting facts to the court.
17. Petitioner has since faced significant financial strain, having paid \$755 to retrieve Whisky on April 4th 2024 (\$250 fine + \$505 restitution). I cannot afford additional legal costs, including a \$250 fee associated with this appeal, exacerbating the harm caused by Respondents' inaction.
18. The failure to dismiss charges, despite respondents instruction to their counsel, combined with unlawful fees and detention, has caused Petitioner irreparable harm, necessitating this extraordinary writ.

IV. LEGAL GROUNDS FOR RELIEF

19. A Writ of Mandamus is warranted when: (1) the petitioner has a clear right to relief; (2) the respondent has a clear, ministerial duty to act; (3) no other adequate remedy exists; and (4)

the petitioner will suffer irreparable harm absent relief. *Ex parte Antonelli*, 355 S.C. 346, 585 S.E.2d 289 (2003).

20. Petitioner has a clear right to a fair judicial process, including dismissal of charges when the prosecuting agency (Animal Control/County Administrator) instructs its counsel to drop them. The failure to act violates due process under Article I, Section 3 of the South Carolina Constitution.
21. The Magistrate Court and Court of Common Pleas 8th Circuit has a ministerial duty to ensure justice and prevent abuse of process by investigating counsel's statement that Animal Control/Newberry County Administrator sought to dismiss charges. Failing to address potential misrepresentation neglects this duty. *Porter v. Jedziniak*, 334 S.C. 16, 512 S.E.2d 497 (1999) (mandamus to compel court action on ignored motion).
22. Newberry County Animal Control has a duty to comply with its ordinances and DHEC orders. By imposing a \$100 quarantine fee (contrary to the maximum \$50 boarding fee for 10 days of being quarantined specified in Ordinance No. 10-32-05), issuing a premature inoculation ticket, and detaining Whisky unlawfully, Animal Control failed to perform ministerial obligations under South Carolina Code § 47-5-200 and county law.
23. No Adequate Remedy: Petitioner lacks an adequate remedy at law due to financial hardship, which prevents me from pursuing related legal actions fully. The lower courts' failure to address the dismissal instruction cannot be remedied without this Court's intervention, as ongoing litigation perpetuates the harm.
24. Irreparable Harm: Petitioner faces irreparable harm from the \$250 fine, \$505 restitution, and continued expenses related to litigation, compounded by financial strain and emotional

distress over this entire matter about my dog, Whisky when this was originally a call for help and ultimately turned into a regret for reaching out to the charging agency for help on December 27th 2023.

25. The premature Inoculation ticket violates South Carolina Code § 47-5-200, which allows 10 days post-quarantine to vaccinate. Animal Control's ticketing on January 10, 2024, before the January 18, 2024, deadline, creates a duty to dismiss the charge.

V. ARGUMENT

26. The Court of Common Pleas 8th Circuit failure to address Animal Control's counsel's statement on March 31st 2025 that her client instructed her to drop all charges constitutes a ministerial failure to ensure a fair proceeding. Courts have a duty to prevent misrepresentation and abuse of process, particularly when a prosecuting agency expresses intent to dismiss. By affirming the restitution without inquiry, the court neglected its obligation to uphold justice.
27. Animal Control's imposition of a \$100 quarantine fee, later admitted to be unlawful (Ordinance No. 10-32-05 specifies a max \$50 boarding fee for 10 days), and detention of Petitioner's dog for 90 days beyond DHEC's 10-day quarantine violated statutory and ordinance-based duties. This misconduct, coupled with the failure to dismiss charges, supports mandamus to compel corrective action.
28. Petitioner's payment of \$755 to retrieve my dog and the requesting of a \$250 appellate fee, underscores the need for extraordinary relief. Dismissing my appeal for non-payment would perpetuate the injustice caused by Respondents' inaction.

29. The opposing counsel's claim that Petitioner refused to consent to dismissal, which Petitioner denies, raises concerns of misrepresentation. While counsel is not directly subject to mandamus, the court's failure to investigate this statement is a ministerial error redressable by this Court.

30. The cumulative effect of these errors—unlawful fees, premature charges, unauthorized detention, and failure to dismiss—demonstrates a pattern of procedural unfairness that only a writ can remedy, given the time-sensitive nature of Petitioner's appeal.

VI. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Honorable Court:

1. Issue a Writ of Mandamus compelling the Newberry County Magistrate Court or Court of Common Pleas 8th circuit to:
 - a) Hold a hearing to determine why charges and restitution were not dismissed, given Respondents instruction to their counsel.
 - b) Dismiss the Inoculation charge and \$505 restitution if warranted by the evidence.
2. Alternatively, compel Newberry County Animal Control to clarify its position on dropping charges and take necessary actions to effectuate dismissal in accordance with their instructions to counsel.
3. Waive the filing fee for this petition, pursuant to Rule 213, SCACR, due to Petitioner's financial hardship, as evidenced by my inability to pay the \$250 appellate fee and prior payment of \$755 in restitution and this case was filed as Criminal in both lower courts. The remedy for the tickets were a fine or jail time.

4. Grant such other and further relief as the Court deems just and proper.

Petitioner certifies that the facts stated herein are true to the best of my knowledge, based on court proceedings, documents, and my personal recollection. This petition is filed in good faith and not for purposes of delay or harassment.

Dated: May 5, 2025

Respectfully submitted.

By: 

Sheena Paige, Pro Se
2008 Charles Street
Newberry, SC 29108
Telephone: (803) 269-3037
Email:
Peopleplanetandpeace@gmail.com

RECEIVED

May 05 2025

**PROOF OF SERVICE FOR A PETITION FOR A
WRIT OF MANDAMUS**

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Robert Bonds, Circuit Court Judge and

Frank R Addy Jr Circuit Court Judge

Case No. 2024-CP-36-00217

Case No. 2024-CP-36-00502

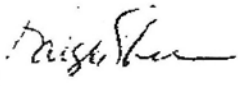
Newberry County Animal Control Respondent.

Sheena Paige Appellant.

PROOF OF SERVICE

I certify that I have served this Petition for Writ of Mandamus on Newberry County Animal Control by depositing a copy of it in the United States Mail & Certified Mail, on May 5th, 2025, addressed to their attorney of record, Joanie Winters of Winters Law Firm, 105 Main Street, Chester, South Carolina 29706.

May 05, 2025


Sheena Paige
2008 Charles Street
Newberry, South Carolina 29108
(803) 269-3037
Pro Se
Email: Peopleplanetandpeace@gmail.com



**NEWBERRY COUNTY CENTRAL COURT
MAGISTRATE OFFICE
833 MAIN STREET
NEWBERRY, S.C. 29108
(803)-321-2144**



RETURN OF CRIMINAL APPEAL

April 22, 2024

2024-CP3600217

In reference to The State v. Sheena Paige, the Court held a jury trial on April 4, 2024 at approximately 11:30 a.m. at the courtroom located at 833 Main St. Newberry, S.C. 29108.

Sheena Paige was charged with: 1-) NC-00510-Inoculation & 2-) NC-00511-Animal Bite

The following parties were present at jury trial:

- K. Bouknight, Newberry County Animal Control
- Sheena Paige, Defendant

The following parties testified:

The State:

- Sgt. Christopher Smith, NPD
- Lori Hoback, DHEC
- Leslie Glass-Newberry County Animal Control
- Jose Jiminez-Newberry County Animal Control

The Defense:

- Debra Metts
- Sheena Paige

After jury deliberation, the jury find the defendant:

- 1-) NC-00510-Inoculation-Guilty
- 2-) NC-00511-Animal Bite-Not guilty

The court imposed the following sentence:

\$250 fine plus \$505.00 restitution to the Newberry County Animal Shelter

The hearing was recorded electronically and the Court has provided a flash drive with the hearing and the file.

Respectfully submitted this 22nd. Day of April, 2024

Barry S. Koon
Newberry County Magistrate

FILED
 NEWBERRY COUNTY
 2024 APR 23 AM 11:32
 ELIZABETH H. PERRY
 CLERK OF COURT

2024CP3600 217

Notice of Appeal

April 15, 2024

COPY

Charge:

3610113011 – Ordinance / Inoculation

Charge Date: 1/10/2024.

Disposition Date: 4/04/2024.

Charging Agency → Newberry County Magistrate Court / Newberry County Animal Control

Paige, Sheena

2008 Charles Street

Newberry, SC 29108

Phone: (803) 269-3037 or (803) 537-6600

Fax: (803) 274-5656

Email: Peopleplanetandpeace@gmail.com

FILED
NEWBERRY COUNTY
2024 APR 15 PM 5:00
ELIZABETH FOLK
CLERK OF COURT

ERROR OF LAW:

The defendant Sheena Paige was found NOT GUILTY on April 4, 2024, for a Dog Bite Charged against her on January 10th, 2024, Charge 3610196032 (Ordinance / Animal Bite Notification).

FILED
NEWBERRY COUNTY
2024 APR 23 AM 11:22
ELIZABETH FOLK
CLERK OF COURT

The Inoculation verification "charge" was as a direct result of the dog bite "accusation". So any charges against the defendant directly related to the dog bite should have been dismissed by the judge.

As a result of the Dog Bite accusation the Department of Health (DEHEC) automatically requires the animal be quarantined and proof of current rabies vaccination be provided. The DEHEC does not charge a fee to the pet owner for the 10-day mandatory quarantine period. The DHEC does not restrict the quarantine period to a certain location, I the defendant requested animal control to place my dog in a secured, safe, monitored, enclosed/gated area in my backyard and they refused, their exact words to me was "we are not a pet transport service". As the quarantine fee imposed to the pet owner is a fee associated directly with the Newberry County Animal Control department and they had the discretion to return my dog to quarantine at home which would not have imposed a hefty

fee to the pet owner, this appeared to be a conflict of interest and their interest was to obtain a \$100.00 fee as well as a \$25 pick-up fee from the defendant for the 10 days instead of honoring the request of the dog owner.

The Operations Director of Newberry County Animal Control confirmed twice in court that the defendant was in court because she refused to pay the \$100.00 quarantine fee they requested in order to get the dog back. Leslie Glass the Director of Animal Control confirmed in court that the quarantine fee she mandated be paid prior to recovering the dog was \$100. The defendant challenged the quarantine fee however Animal Control decided to instead impose two charges. Of the two charges "Dog Bite and Inoculation", the Dog Bite is the only charge in which the charging agency could recover the quarantine fee if applicable.

As the jury verdict yielded a "not guilty" verdict for the dog bite the quarantine fee should have been null and the court should have advised the charging agency as such.

Additionally, the court confirmed as well as the charging agency that by law the \$100 quarantine fee which was being demanded from the defendant was "unlawful" as the Newberry County Ordinance No. 10-32-05 filed on October 18 2005, Article 3 #3 Page 5 states that the pet owner shall pay \$50.00 for the 10 day quarantine.

Because The Newberry County Animal Control agents were ignorant to the laws that their agency is governed by; that was no excuse for them violating the defendants' rights by way of unlawfully detaining her dog for an additional 90 days outside of the 10 day requirement by DHEC in which case they were acting within their scope of authority.

On March 6, 2024, a pretrial was held and the defendant offered the charging agency a \$65 no contest to settle the case presented to avoid a trial by jury -- with a dismissal of the charges. The charging agency rejected the offer and a jury trial was set. According to the billed charges presented to the court at the conclusion of the jury trial, the pickup fee for the dog was \$15 not \$25 and the quarantine fee for 10 days should have been a \$50 boarding fee, the "no contest" amount that was offered and rejected was the fair and correct amount prior to the jury's "not guilty" verdict for the Dog Bite; however Newberry County Animal Control rejected the offer and the judge did not enforce my offer. Animal control went forward with the trial anyway even with the knowledge that they were charging an unlawful fee by description and amount and they never disclosed during the trial that the fee was NEVER supposed be \$100 for a 10 day quarantine. They went forward with the knowledge that there is NO QUANTINE FEE at all -- there is a "Bording Fee" that Animal Control imposes on the dog owner as well as an associated boarding fees. The charging of the fee was deceptive in nature as it would appear that the Quarantine Fee was a State

mandated fee which it was not and this was confirmed by witness testimony from the DEHEC representative (the states witness).

I was charged by the court \$250 for the Inoculation charge, and I was charged \$505 for the restitution for the dog detainment which includes the 10 day quarantine period. The judge actually charged the defendant for the restitution of an 'Animal Running At Large' (Newberry County Ordinance No 10-32-05, Article 3 #2 Page 4); which was never a charge as the dog was not running at large when the police officer arrived nor was he running at large when Animal control arrived, he was in his own yard which is where he was caged from.

Article 3, #2 Page 4

Dog Running At Large

1st day = \$10

99 Days = \$5 per day

Total 100 days = \$505

Article 3, #3 Page 5

Dog Bite

1st 10 days = \$50

90 Days = \$450

Total 100 Days = \$500

According to 2022 South Carolina Code of Laws Title 47 – Animals, Livestock and Poultry, Chapter 5 Rabies Control – Section 47-5-200, Violation Penalty –

A penalty is imposed is a person “refuses” to comply...

Animal Control received the Order from the DEHEC that clearly states Failure to comply with the provisions of the Rabies Control Act including failure to comply with this quarantine notice constitutes a misdemeanor punishable by a fine up to \$500 or imprisonment up to 30 days for each offense.

At no time was the defendant given an opportunity to comply with the quarantine order as the pet (Whisky) was detained by Animal Control because the defendant objected to the fee they imposed because of the amount, because of the type of fee they stated it was and because the DEHEC had no restrictions to the pet being quarantined (at no charge) at the home of the pet owner.

On the quarantine order by the DHEC its says the following:

10 – Day Quarantine – If proof of current vaccination against rabies cannot be verified by the end of quarantine, the pet must receive a rabies vaccination within 10 days after the end of quarantine. The date on the quarantine order provided a date of January 18 2024. Because the dog was detained by the Animal Control agency the defendant was unable to comply with the order as she did not have access to the pet.

In conclusion, the defendant is requesting the appellate court reverse the lower courts decision to mandate the defendant pay \$505 to the charging agency for all of the errors listed above and vacate the jury's verdict of guilty on the Inoculation charge.

Ray Shaw

4/15/2024

Newberry
TO: Magistrate Court (Judge Koon) ~ ~ 4/5/2024

Re: Requesting

COPY

(Fish Ave) Full recording of Court Case from 4/4/2024
(None) Copies of all documents provided in the case from the state

+ Copies of recordings

Contract
Only if needed
903-324-1010
591-5111
(502) 414-1111
i-Dog 710
903-445-0115
495
505 total
Charges + Final disposition
→ 911 calls heard in Court
→ Video from officer's body cam

Itemized list for \$505 fee charged
for Animal Control
Itemized list of \$250 fee charged

File
0 → 500
Court order - 250

FILED
NEWBERRY COUNTY
CLERK OF COURT
2024 APR 23 AM 11:32
ELIZABETH P. FORD

Thank you
Sheena Paige Pause
2008 Charles Street
Newberry SC 29108

Email: People Planet and Peace@gmail.com
(803) 269-3037

Criminal Jury Trial

COPY

1. Today is: Day, Date, and Time

Judge presiding: Bailey S. Hill

Call case # for trial: (ticket # or warrant #) NC0510 + NC0511

State vs Defendant's name: Sheena Page

Charged with 1) Indecent - 2) Sexual Battery

Attorney is (if applicable) None

Officer is K. Bouknight ACD

2. Is the State ready?

3. Is the Defendant ready?

Do you understand the charge against you? (If no read elements)

How do you plead to the charge of _____?

4. (Roll Call) (already performed by court clerk) if the number of potential jurors is under 18, address with both parties the issue that both sides have the right for 6 strikes each.

5. Voir dire

1. Are you related by blood or marriage to either party?
2. Have you any special interest in this action?
3. Have You Discussed this action with anyone, or has it been discussed in your presence?
4. Have you formed or expressed an opinion as to the outcome of this action?
5. Do you hold any bias or prejudice, for or against either party to this action?
6. Do you know of any reason why you could not give a fair and impartial trial to any of the parties to this action?

If a juror should answer "yes" to one or more of these questions, the magistrate should examine the juror carefully to see if he should be disqualified. The magistrate should ask that juror this question "can you be fair and just to both parties?" If it appears that disqualification is necessary, the magistrate should summon other prospective jurors.

FILED
NEWCASTLE COUNTY
2016 APR 23 AM 11:03
ELIZABETH P. FOLEY
CLERK OF COURT

6. Disqualifications (speak privately) (14-07-0810) & (14-07-0820)

Persons who are not a citizen of the United States cannot serve on a jury.

Persons who cannot read, write, speak, or understand the English language cannot serve on a jury.

Persons who have less than a sixth-grade education or its equivalent cannot serve on a jury.

Persons who have been convicted in a state or federal court of a crime that carries a sentence of more than one year of imprisonment and who have not been pardoned or given amnesty for that conviction cannot serve on a jury.

Persons who are a constable, a commissioned law enforcement officer, or a county officer, or anyone who is employed within the walls of a courthouse are disqualified to serve as a juror.

7. Exemptions (14-07-0840)

If you are over the age of sixty-five years you are exempt from serving as a juror, but it is your constitution right to serve as a juror if you wish.

8. Excuses (14-07-0840)

If you are a woman with legal custody of children under the age of seven years and you cannot provide adequate care while serving as a juror, you may be excused.

If you are a person whose services are so essential to the operation of a business, you may be excused.

If you are the primary caretaker of a person sixty-five years of age or older or a severely disabled person, who cannot care for himself or cannot be left unattended, you may be excused.

9. **Postponement** (22-02-0085) & (14-07-0845)

A student or school employee may request a postponement to a date that does not conflict with the school term.

10. Each juror is to stand and give their **name and occupation**.

Note: Please give time enough for both parties to make notes

11. Strike list to seat 6 jurors and up to 4 alternates

(both parties must agree on record to less than 6 strikes)

(Max of 6 strikes on primary) (Max of 4 strikes on 4 alternates)

12. **Draw jurors** (each juror will stand, give name and occupation)

13. Are there any motions to be made before we release the jury pool?

Note: (mainly a Batson issue)

14. Release all jurors that were not seated

15. Jurors that are chosen and jury pool members that are not chosen are compensated by a check of \$10 dollars plus mileage.

16. Swear in Jurors

PLEASE STAND AND RAISE YOUR RIGHT HAND

Do you and each of you, solemnly swear or affirm that you will well and truly try the issues between the State of South Carolina and the Defendant in the case at bar, and give a true verdict according to the law and evidence presented, so help you God?

17. Pick a Foreman or Forewoman

18. Jurors **cannot** take notes in Magistrate Court

19. Bench Conferences (both parties approach on the side of the bench, if the discussion is lengthy, jury should be released to jury room.

20. Introductory Remarks:

The State and the Defendant will make an opening statement of the case as they see it, the State making its statement first, and the defendant following. This opening statement is purely a matter of choice, and no conclusion should be drawn by (jury) if one party or both prefer not to make an opening statement. The opening statement is not evidence, but merely a statement by the party as to how they the case.

After the opportunity for making the opening statement ends, the State will present its case in chief, in which the State offers witnesses or whatever other forms of evidence it deems necessary to prove its case. When the State rests its presentation, the defendant then will present his case, if he chooses.

The parties will make their closing arguments which are merely their summations of the case.

21. Swear in officer
22. Officer gives opening statements
23. Swear in defendant
(If not represented by an attorney)
24. Defendant gives opening statements
25. State or prosecution's case in chief:

Gives testimony and makes statements
Calls witnesses (crossed examined by defense)
Presents evidence

26. Defense (Cross Exam)
27. State rests its case in chief

Read this if the defendant is not represented by an attorney:

You have the right not to give testimony if you so choose. If you give up that right, you may make statements-ask the officer questions-call witnesses-present evidence. If you give testimony, you will give the state the right to ask you questions.
(this called a Colloque)

28. Defense's case in chief:

Give testimony and make statements
Call witnesses (crossed examined by state)
Present evidence
29. State (cross exam)
30. Defendant rests its case in chief
31. Defendant's (closing arguments)
Note: State goes first if the defense did not present a case and defense will close last.
32. State or Prosecution (closing arguments)

33. Instructions to the Jury or Charging the Jury

Ladies and gentlemen of the jury, you have listened to the proceedings and the evidence in this case and now it is my duty to instruct you as to the law which applies to the facts in this case. The laws of the State of South Carolina do not permit me to comment on the facts in the case. You, as jurors, are the sole judges of the facts in the case; however, it is my duty to give the law and you must accept and apply the law as I give it to you and be guided thereby in your consideration and in your deliberation upon the evidence in the case.

Not only are you the sole judges of facts in this case, but you, as a jury, are the sole judges of the effect and value of the evidence in the case, as well as the credibility of all the witnesses who have testified in the case. It is for you to determine which witness or witnesses are recalling and truthfully relating what transpired at the time of the alleged commission of the crime.

To weigh the evidence, you must consider the credibility of the witness. You will apply the test of truthfulness, which you are accustomed to applying in your daily lives. You may consider the manner of testifying; the appearance of the witness upon the witness stand; the reasonableness of the testimony; the opportunity the witness had to see or hear; accuracy of memory; intelligence, interest and bias, if any; together with all the facts and circumstances surrounding the testimony.

There are two types of evidence which are generally presented during a trial-direct evidence and circumstantial evidence. Direct evidence directly proves the existence of a fact and does not require deduction. Circumstantial evidence is proof of a chain of facts and circumstances indicating the existence of a fact.

Crimes may be proven by circumstantial evidence. The law makes no distinction between the weight or value to be given to either direct or circumstantial evidence, however, to the extent the State relies on circumstantial evidence, all of the circumstances must be consistent with each other, and when taken together, point conclusively to the guilt of the accused beyond a reasonable doubt. If these circumstances merely portray the defendant's behavior as suspicious, the proof has failed.

34. The defendant is charged by the State of South Carolina with _____

READ THE ELEMENTS OF THE CHARGE

35. **Final instructions to the jury**

Presumption of Innocence

The law does not require any defendant to prove his or her innocence of a crime. On the contrary, the law requires the State to establish a defendant's guilt by legal evidence and beyond a reasonable doubt. The law presumes the defendant to be innocent of the charge made against him until his guilt has been proven beyond a reasonable doubt. The burden of overcoming this presumption of innocence is placed upon the State and rests upon the State throughout the trial until the State has satisfied you by evidence of the defendant's guilt beyond a reasonable doubt.

Reasonable Doubt

What is a reasonable doubt? A reasonable doubt is the kind of doubt that would cause a reasonable person to hesitate to act.

The State has the burden of proving the defendant guilty beyond a reasonable doubt. This burden rests with the State regardless of whether the State relies on direct evidence, circumstantial evidence, or some combination of the two.

36. **Verdict**

Your verdict in this case will be one of two forms. If from the evidence and the law, you find that the defendant is not guilty, you will write "Not Guilty" on the back of the verdict sheet and the foreman will sign his name. If on the other hand, you find that the defendant is guilty, based upon the evidence and the law which you have heard, you will write "Guilty" on the back of the verdict sheet and the foreman will sign his name. Your verdict must be unanimous. It must be guilty or not guilty.

37. Submit case to jury:

The Court has an order from the Chief Justice: The use of a computer, cell phone, or other electronic device with communication capabilities while deliberating is prohibited.

**38. Retire jury to the jury room to render verdict in writing.
(Give exhibits of evidence and verdict form to jury foreman)**

If a question should arise during the course of the jury's deliberation, the magistrate should find out with certainty from the foreman or forewoman the nature of the question. If the question is of a factual matter, the magistrate should respond that their recollection and interpretation are of factual matters and they are the finders of the fact, nothing further. If any question is about a video that was displayed and entered in as evidence, the jury will have the opportunity to have the video played with no comment from the state or defendant. If the question is not relevant to the issues to be determined, the magistrate should instruct the jury to ignore it and continue its deliberations.

**39. Jury renders verdict:
Judge asks foreman if this was a unanimous decision.**

40. Any Motions before sentencing

41. Judge pronounces sentence:

Fine \$

Days in jail

42. Appeal has to be made within 10 days, if a motion for a new trial is requested and denied, the appeal time is extended to 30 days

S.T. de Strike

STATE - /

COPY

Defendant - III /

FORWARD
MR. TERRY

- Request witnesses

FILED
NEWPORT COUNTY
2011 APR 23 PM 4:33
ELIZABETH HOLLI
CLERK OF COURT

1-17
J. M. S. S. S.

~~STATE~~
~~ST. GRAY~~

- 2000 Block of Charles St

- Tried / grab cell / Day Snapper

(Cross)

- Day not long friend

- 911 call - Neighbor

2010 Charles St.

Sheva Day - 911 call - Not friend

2008 Charles St

11 hour - Day

Bayard Control / well up - Yes
Don't want Day BITE

① Smith Carried

② Lori Hock, DTR

Quarter - 10 days

Loss
Spoke w/ Ms. Page
Quarter @ Annual State
Prog - 2008 Check it

C. State Bite

1-10-24

Jan - 21

Feb - 29

Mar - 31

April 4

95 days

12-29-24

Dec - 4

Jan - 31

Feb 29

Mar - 31

April 4

99 days

③ Keslie Miss. quarters

- Day bite - offscreen

- Quarter for \$100

Loss

- Day bite off?

④ Jose Jimenez

- Day Bite + Now proof of bites

- Inspected total log

Jose (continued) (1 year)

- Aggressive - Bark
- Chatter w/ accident - yes
- Dog bites her hand - ~~no~~

Stacy

Defen

① Robert (1 year)
2005 Check 5/11

- Saw dog out
 - 30-40 Minute Sit with Address
 - Other House, gate unlocked
 - Neighbour 20 years
 - No dog bite: - no public
- Cross

② Shane's dog

- Dog found off lead
- 4 years old
- She lost out accidentally
- owned dog 5 months
- she contacted Animal Care

CALLS - Page - Continued

- Traverse NOT to take shells
- Doc's protective NOT aggressive
- Don't why she is here
- Lived in Command 20 years
- They want me to summit today
- Approve for RA
- NOT going to summit, Uchiyama
- Can you put the ball in your hand?
NO, NOT INDEPENDENT

Doc's Name?

- Fee involved? Amount of cost
- ATCC NO fee - But shells
- offer to pay day off fee?
- help fee 25 / Retard
- Andon see bible and video

Cross

- Dec 28 - Quantities
 - pick up fee
 - Refund to Cognate
- Retard

ATCC

Closing

Whistle

- Mrs. Pass

- Mrs. Bucklett

- NOT COMET on Robner sheet

July 205

Vand. 9

- Aunt bike - NOT Bill

- Woodrat - Bill

Sentiment

#15

~~#10
495
+ 505~~

+ ~~500~~ Fine
~~250~~ | 30 days

D-5
J-31
F-29
M-31
A-4
~~29~~ 100

FILED
NEWBERRY COUNTY
APR 23 AM 11:33
CLERK OF COURT

OP

COPY

VERDICT

IN THE CASE OF:

NC00511-ANIMAL BITE

STATE

VS.

PAIGE, SHEENA

FILED
NEWSPRING COUNTY
APR 23 AM 11:03
ELIZABETH F. FOLLI
CLERK OF COURT

WE, THE JURY, IN THE ABOVE ENTITLED
CASE, FIND THE DEFENDANT NOT Guilty
GUILTY/NOT GUILTY

DATE: 4-4-24

Chada Levy
SIGNATURE

COPY

VERDICT

IN THE CASE OF:

NC00510-INOCULATION

STATE

VS.

PAIGE, SHEENA

FILED
NEWBERY COUNTY
2024 APR 23 AM 11:03
ELIZABETH FOLK
CLERK OF COURT

WE, THE JURY, IN THE ABOVE ENTITLED
CASE, FIND THE DEFENDANT Guilty
GUILTY/NOT GUILTY

DATE: 4-4-24

Charles Leroy
SIGNATURE

Newberry County Animal Care and Control
 DOG ID#: 29928
 Name: Whisky

COPY

Dec, 2023	Jan-24	Feb-24	Mar-24	Apr-24
Per Day	Per Day	Per Day	Per Day	Per Day
27 \$ 15.00	1 Q	1 \$ 5.00	1 \$ 5.00	
28 Q	2 Q	2 \$ 5.00	2 \$ 5.00	1 \$ 5.00
29 Q	3 Q	3 \$ 5.00	3 \$ 5.00	2 \$ 5.00
30 Q	4 Q	4 \$ 5.00	4 \$ 5.00	3 \$ 5.00
31 Q	5 Q	5 \$ 5.00	5 \$ 5.00	4 \$ 5.00
	6 Q	6 \$ 5.00	6 \$ 5.00	
	7 Q	7 \$ 5.00	7 \$ 5.00	
	8 Q	8 \$ 5.00	8 \$ 5.00	
	9 \$ 5.00	9 \$ 5.00	9 \$ 5.00	
	10 \$ 5.00	10 \$ 5.00	10 \$ 5.00	
	11 \$ 5.00	11 \$ 5.00	11 \$ 5.00	
	12 \$ 5.00	12 \$ 5.00	12 \$ 5.00	
	13 \$ 5.00	13 \$ 5.00	13 \$ 5.00	
	14 \$ 5.00	14 \$ 5.00	14 \$ 5.00	
	15 \$ 5.00	15 \$ 5.00	15 \$ 5.00	
	16 \$ 5.00	16 \$ 5.00	16 \$ 5.00	
	17 \$ 5.00	17 \$ 5.00	17 \$ 5.00	
	18 \$ 5.00	18 \$ 5.00	18 \$ 5.00	
	19 \$ 5.00	19 \$ 5.00	19 \$ 5.00	
	20 \$ 5.00	20 \$ 5.00	20 \$ 5.00	
	21 \$ 5.00	21 \$ 5.00	21 \$ 5.00	
	22 \$ 5.00	22 \$ 5.00	22 \$ 5.00	
	23 \$ 5.00	23 \$ 5.00	23 \$ 5.00	
	24 \$ 5.00	24 \$ 5.00	24 \$ 5.00	
	25 \$ 5.00	25 \$ 5.00	25 \$ 5.00	
	26 \$ 5.00	26 \$ 5.00	26 \$ 5.00	
	27 \$ 5.00	27 \$ 5.00	27 \$ 5.00	
	28 \$ 5.00	28 \$ 5.00	28 \$ 5.00	
	29 \$ 5.00	29 \$ 5.00	29 \$ 5.00	
	30 \$ 5.00		30 \$ 5.00	
	31 \$ 5.00		31 \$ 5.00	

FILED
 NEWBERRY COUNTY
 7/26/2023 AM 11:33
 ELIZABETH F. FOLLM
 CLERK OF COURT

Total: \$ 15.00 Total: \$ 115.00 Total: \$ 145.00 Total: \$ 155.00 Total: \$ 20.00

Total: \$ 450.00

first day fee of \$15 . After first day the charge is \$5 per day

Quarantine Fee: \$50
 Pick up Fee: \$ 25.00

Total: \$ 525.00

COPY
CRUELTY TO ANIMALS

INOCULATION AGAINST RABIES. Shall mean the injection (whether subcutaneous or intramuscular) of an antirabic vaccine as approved by the Department of Health and Environmental Control and by the United States Department of Agriculture, Veterinary Biologics Division (S.C. Code § 47-5-20 (3)).

NUISANCE. Any animal shall be considered a **NUISANCE** that disturbs the rights of or threatens the safety of any member of the public, or interferes with their utilization and enjoyment of their property. This is not limited to but shall include animals at large, animals that make loud noises, and animals that constitute a threat to other domestic pets or livestock.

OWNER. The person having custody of or control over an animal. The resident or property owner wherein an animal is found shall be presumed the owner of the said animal(s) if they harbor the animal(s) in their custody and provide care for it, or if they allow or encourage it to remain on their premises.

RESTRAINT. Shall mean any animal that is on the premises of its owner or guardian or is accompanied by its owner or guardian and is under the physical control of the owner by a leash or a similar restraining device.
(Ord. 10-32-05, passed 10-5-2005)

§ 96.003 EXCEPTIONS.

Notwithstanding any other provision in this chapter, this chapter shall have no application to fowl, accepted animal husbandry practices of farm operations and the training of animals, the practice of veterinary medicine, agricultural practices, forestry and silvicultural practices, wildlife management practices or activity authorized by Title 50 of the 1976 S.C. Code of Laws, as amended.
(Ord. 10-32-05, passed 10-5-2005)

§ 96.015 ANIMAL CRUELTY.

It shall be unlawful for any person to unjustifiably cause physical pain, suffering, or death to any animal, whether by any act, omission, or neglect, such acts constituting cruelty to animals.
(Ord. 10-32-05, passed 10-5-2005)

§ 96.016 PROHIBITED ACTS OF CRUELTY.

Prohibited acts of cruelty under the subchapter include:

(A) Overloading, overdriving, overriding, torturing or tormenting, mutilating or disfiguring any animal, including but not limited to all beasts of burden (horses, donkeys, mules, cattle, goats, swine, and sheep.)

(B) Driving or working an animal that is unfit for labor.

(C) Failing to provide proper veterinary attention to an animal that is maimed, diseased, disabled, or infirm in any manner.

(D) Leaving an animal confined or unconfined in any place, no matter what time of day, without proper shelter, food, or water or in an unsafe environment. This can include, but is not limited to, leaving a pet in a vehicle without adequate ventilation or in excessive heat or cold, leaving them chained or tied up with no access to shelter, food, or water, or leaving them in a kennel without access to shelter, food or water.

(E) Encouraging animals to fight, attack, or harm each other. This can include but is not limited to dog fighting of any kind, rat baiting, bear fighting, cock fighting and the pitting of any animal or reptile against another animal(s) or reptile(s), including rats, bears, cats, wildcats, lions, tigers, bulls, goats, foxes, opossums, raccoons, swine, snakes, alligators, and the like.

(Ord. 10-32-05, passed 10-5-2005)

NEWSPRINT
COMMUNICATIONS
COURT
CLERK
ELIZABETH
MAY 10 2005

Sheena Paige

§ 96.017 DEFINITIONS.

For purposes of this chapter the following terms are defined as follows:

FOOD. Nutrition in an amount and quality necessary to sustain flesh in adult animals or permit normal growth in younger animals which have not reached maturity.

SHELTER. An enclosure having at least 3 sides, a roof, and a dry floor so as to protect the animal from the elements.

WATER. Adequate water available to the animal in a clean container or dish of some kind; a 24-hour supply of clean water for that particular animal is adequate under this chapter.
(Ord. 10-32-05, passed 10-5-2005)

RABIES CONTROL**§ 96.030 INOCULATION.**

It shall be unlawful for any dog, cat, or ferret within the County of Newberry over 4 months of age to not be inoculated against rabies (S.C. Code §§ 47-5-50(A) and 47-5-60.) According to the S.C. Rabies Control Act, proof of vaccination will be based on the presentation of rabies vaccination certificate signed by a licensed veterinarian. This vaccination must be repeated annually, unless a longer life for the vaccine is specified by the licensed veterinarian on the signed certificate. The certificate must include the pet owner's name, address, and phone number, along with the pet's name, breed, age, gender, color, and the manufacturer and serial number of the vaccine, and a number to match a metal tag issued to the pet owner by the licensed veterinarian. The pet owner should be able to readily present the certificate for inspection to an Officer or Representative of Newberry County Animal Care and Control.
(Ord. 10-32-05, passed 10-5-2005)

§ 96.031 IMPOUNDMENT, PROOF OF VACCINATION IF FOUND RUNNING AT LARGE.

In the event that an animal is found running at large, it may be impounded by Newberry County Animal Care and Control, and taken to the Animal Shelter. If the owner of the animal is known, they will be notified of the impoundment and will be required to show proof of a current rabies inoculation to regain custody of their pet. They will also be required to pay a redemption fee of \$10 for the first day of impoundment, and a \$5 boarding fee for each additional day of impoundment to regain their pet. They will also be required to have their pet micro-chipped (S.C. Code § 47-3-55, (E)) for a fee of \$15 to the shelter and a \$5 registration fee to Home Again. If the rabies vaccine is not current (violation of S.C. Code § 47-5-60), the owner will be required to take their pet immediately upon leaving the shelter to a licensed veterinarian for a rabies inoculation, and will also pay a redemption fee of \$10 for the first day of impoundment, and a \$5 boarding fee for each additional day of impoundment to regain their pet. The owner must also elect to have the pet micro-chipped for \$20.
(Ord. 10-32-05, passed 10-5-2005)

§ 96.032 ANIMAL BITE, NOTIFICATION.

In the event of an animal bite, the Department of Health and Environmental Control will be notified immediately. The victim should receive immediate medical attention to determine the severity of the bite. The animal will be placed into a quarantine hold, whether current on Rabies inoculation or not, for a period of not less than 10 days, depending on vaccine history, for observation. DHEC and Newberry County Animal Care and Control will determine the location of the quarantine, whether on the premises of the owner, at a veterinarian's office, or at the animal shelter. The owner of the animal will pay a boarding fee of \$50 for the first 10 days and \$5 for each additional day if the animal is housed at the animal

shelter. If the animal is suspected of possibly being rabid, it may be euthanized immediately so that it can be tested for rabies, per DHEC.

(Ord. 10-32-05, passed 10-5-2005)

ANIMALS AT LARGE

§ 96.045 UNLAWFUL.

It shall be unlawful for any pet owner to let their animal run at large off of their property or premises.

(Ord. 10-32-05, passed 10-5-2005)

§ 96.046 CONFINED OR RESTRAINED.

All animals must remain confined or restrained within the boundaries of the property of their owner or guardian, for the safety of the general public and the pet, except when taken off of the premises, in which case the animal must be under proper restraint at all times.

(Ord. 10-32-05, passed 10-5-2005)

§ 96.047 ANIMALS FOUND RUNNING AT LARGE TO BE IMPOUNDED.

Any animals found running at large may be impounded by a representative of Newberry County Animal Care and Control and will be housed at the animal shelter. Any animal which is not positively identifiable and which is found running at large will be considered a stray animal, and the shelter will hold that animal for at least 5 days so that the owner can redeem the pet. If the owner of the animal is positively identifiable, then the procedure required S.C. Code § 47-3-540, as amended, will be followed with regard to notification of the owner by registered mail and the impoundment period. An owner must produce positive proof of ownership and a current rabies inoculation and must pay for all reasonable costs of mailing and the established fees for impoundment and care to regain custody of the pet.

(Ord. 10-32-05, passed 10-5-2005)

§ 96.048 FEES.

(A) First offense.

(1) For a first offense, the owner of the animal will also be required to pay a redemption fee of \$10 for the first day of impoundment, and a \$5 boarding fee for each additional day of impoundment to regain their pet.

(2) Per S.C. Code § 47-3-55(E), each animal redeemed must be implanted with a microchip. This will be done at a cost of \$15 to the shelter for reimbursement for the microchip, and a \$5 registration fee to the Home Again to register the animal.

(B) Second offense. On the second offense, the initial impoundment fee increases to \$25, plus \$5 for each additional day for boarding.

(C) Third offense. The third offense will require an initial fee of \$50, plus \$5 for each additional day of boarding.

(Ord. 10-32-05, passed 10-5-2005)

§ 96.049 DISPOSITION OF ANIMAL AT END OF FIVE-DAY HOLDING PERIOD.

(A) Euthanization. Newberry County Animal Care and Control is authorized to humanely euthanize a stray animal before the end of the 5-day holding period if health conditions exist which cause the animal to needlessly suffer. The same applies if the temperament of the animal makes it unsafe to house because of the hazard posed to employees and visitors at Newberry County Animal Care and Control.

(B) Adoption. If the animal is generally healthy and has a good disposition, at the end of the 5-day holding period it may be deemed to be abandoned and may be placed for adoption into a new home, provided, however, the rightful owner, if he or she can prove ownership, may redeem the animal at any time before an adoption is final. If not adopted in a reasonable time, the animal may be humanely euthanized.

SECTION 47-5-60. Inoculation of pets; certificates and tags.

A pet owner must have his pet inoculated against rabies at a frequency to provide continuous protection of the pet from rabies using a vaccine approved by the department and licensed by the United States Department of Agriculture. The rabies inoculation for pets must be administered by a licensed veterinarian or someone under a licensed veterinarian's direct supervision, as defined in Section 40-69-20. Evidence of rabies inoculation is a certificate signed by a licensed veterinarian. The rabies vaccination certificate forms may be provided by the licensed veterinarian or by the department or its designee. The veterinarian may stamp or write his name and address on the certificate. The certificate must include information recommended by the National Association of State Public Health Veterinarians. The licensed veterinarian administering or supervising the administration of the vaccine shall provide one copy of the certificate to the owner of the pet and must retain one copy in his files for not less than three years. With the issuance of the certificate, the licensed veterinarian shall furnish a serially numbered metal license tag bearing the same number and year as the certificate with the name and telephone number of the veterinarian, veterinary hospital, or practice. The metal license tag at all times must be attached to a collar or harness worn by the pet for which the certificate and tag have been issued. Annually before February first, the veterinarian shall report to the department the number of animals inoculated against rabies during the preceding year. The department, in conjunction with licensed veterinarians, shall promote annual rabies clinics. The fee for rabies inoculation at these clinics may not exceed ten dollars, including the cost of the vaccine, and this charge must be paid by the pet owner. Fees collected by veterinarians at these clinics are their compensation.

HISTORY: 1962 Code Section 6-125; 1952 Code Section 6-125; 1950 (46) 2406; 1969 (56) 803; 1992 Act No. 517, Section 1, eff September 2, 1992; 2002 Act No. 343, Section 1, eff July 3, 2002; 2010 Act No. 173, Section 1, eff upon approval (became law without the Governor's signature on May 20, 2010).

SECTION 47-5-80. Notice to health department of animal affected or suspected of being affected by rabies.

A pet owner or any other person shall notify the county health department if:

- (1) a pet or other animal is affected by rabies;
- (2) a pet or other animal is suspected of having rabies; or
- (3) a pet has been attacked or bitten by a domesticated or wild animal known or suspected of being affected by rabies.

This notice must include the location where the pet or other animal was last seen or where it may possibly be found, or both.

HISTORY: 1962 Code Section 6-127; 1952 Code Section 6-127; 1950 (46) 2406; 1969 (56) 803; 2002 Act No. 343, Section 1, eff July 3, 2002.

SECTION 47-5-90. Reports of animal bites to health department.

Every physician after his first professional attendance upon a person bitten by a pet or other animal, by the end of the next working day, shall report the bite to the county health department and the name, age, sex, weight, address, and telephone number of the person bitten. If no physician attends to the bite, it is the responsibility of the bitten adult or the parent or guardian of a bitten minor child to report the bite by the end of the next working day to the county health department.

HISTORY: 1962 Code Section 6-128; 1952 Code Section 6-128; 1950 (46) 2406; 1969 (56) 803; 2002 Act No. 343, Section 1, eff July 3, 2002.

SECTION 47-5-100. Quarantine, examination, and destruction of biting or attacking dog, cat, or ferret.

The county health department shall serve notice upon the owner of a dog, cat, or ferret which has attacked or bitten a person to quarantine the animal at the expense of the owner upon his premises or at an animal shelter or other place designated in the notice for at least ten days after the animal has attacked or bitten a person. The licensed veterinarian, the rabies control officer, or his assistants must be permitted by the owner of the pet or other animal

which has attacked or bitten a person to examine the animal at any time, and daily if desired, within the ten-day period of quarantine to determine if the animal shows symptoms of rabies. No person may obstruct or interfere with the rabies control officer or his assistants in making the examination. The removal of the head of an animal suspected of having rabies must be performed by a licensed veterinarian, but the county health department may provide for the removal of the head if there is no veterinarian practicing within the county where the suspected animal is located or if no veterinarian located within the county will remove the head. The department shall serve notice upon the owner of an animal other than a dog, cat, or ferret when the department has knowledge that the animal has attacked or bitten a person. The notice must instruct the owner to have the animal immediately euthanized and have the brain submitted for rabies examination or to have the animal quarantined under conditions specified by the department. The owner shall comply immediately with the instructions in the notice.

HISTORY: 1962 Code Section 6-129; 1952 Code Section 6-129; 1950 (46) 2406; 1969 (56) 803; 1971 (57) 301; 1988 Act No. 547, eff May 17, 1988; 1990 Act No. 553, Section 1, eff June 6, 1990; 2002 Act No. 343, Section 1, eff July 3, 2002.

COPY

- 1) Can review all evidence on the dog bite
- 2) Any more evidence to review.

FILED
NEWBERRY COUNTY
2024 APR 23 AM 11:33
ELIZABETH A. FOLP
CLERK OF COURT

NC00510

Paige, Sheena Laquel
11:30:00AM

Addit. Parties:

Event Comments: None

11/27/75

\$0.00

Newberry Codes
Enforcement /
Bouknight, Katrina

361113011
Ordinance / Occupation

01/10/24 \$500.00

None

NC00511

Paige, Sheena Laquel
11:30:00AM

Addit. Parties:

Event Comments: SCHEDULE PRE-TRIAL PER JUDGE KOON

11/27/75

\$0.00

Newberry Codes
Enforcement /
Bouknight, Katrina

361019032 -
Ordinance / Annual bic. notification

01/10/24 \$500.00

None

Disp Code/Date:

W. J. [Signature]

COPY

ELIZABETH C. FULLI
CLERK OF COURT
NEWBERRY COUNTY
361113011
01/10/24

[Large Signature]

SUBPOENA

COPY

South Carolina Summary Court State of South Carolina Vs. Sheena Laquel Paige	County Of Newberry Case Number: NC00510 NC00511
--	---

TO: LARI HOBACK (DHEC)

YOU ARE HEREBY COMMANDED to appear in the above named court at the place, date, and time specified below to testify in the above-entitled case.

Place: Central Court Of Newberry 833 Main Street Newberry, SC, 29108 Phone: (803) 321-2144 Fax: (803) 321-2172	Courtroom: Date and Time: April 4, 2024 at 11:30 AM
---	--

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

Summary Court Judge or Clerk of the Summary Court: 	Date: 03/18/2024
Subpoena requested by: Judge Barry S. Koon, Magistrate	Requesting Parties Address: LARI HOBACK P O BOX 156 STATE PARK, SC 29147
This Subpoena is based upon application of the: <input checked="" type="checkbox"/> State / Plaintiff <input type="checkbox"/> Defendant	

FILED
 NEWBERRY COUNTY
 2024 APR 23 AM 11:34
 ELIZABETH A. FOSTER
 CLERK OF COURT

Proof of Service

Date: 3-18-2024	Place: PO Box 156 State Park, SC 29147
Served on (Print Name): Jessica Osborne	Manner of Service: Certified mail
Served by (Print Name):	Title: Criminal Disposition clerk

Declaration of Server

I certify that the foregoing information contained in the Proof of Service is true and correct.

Signature of Server:	Executed on:
Address of Server:	

SUBPOENA

COPY

South Carolina Summary Court	County Of Newberry
State of South Carolina Vs. Sheena Laquel Paige	Case Number: NC00510 NC00511

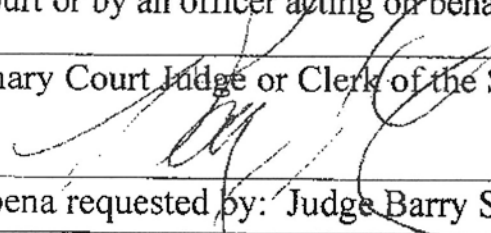
TO: **LARI HOBACK (DHEC)**

YOU ARE HEREBY COMMANDED to appear in the above named court at the place, date, and time specified below to testify in the above-entitled case.

Place: Central Court Of Newberry 833 Main Street Newberry, SC, 29108 Phone: (803) 321-2144 Fax: (803) 321-2172	Courtroom: Date and Time: April 4, 2024 at 11:30 AM
--	--

This subpoena shall remain in effect until you are granted leave to depart the court or by an officer acting on behalf of the court.

FILED
 NEWBERRY COUNTY
 2024 APR 23 AM 11:34
 ELIZABETH P. POLK
 CLERK OF COURT

Summary Court Judge or Clerk of the Summary Court: 	Date: 03/18/2024
Subpoena requested by: Judge Barry S. Koon, Magistrate	Requesting Parties Address: LARI HOBACK P O BOX 156 STATE PARK, SC 29147
This Subpoena is based upon application of the: <input checked="" type="checkbox"/> State / Plaintiff <input type="checkbox"/> Defendant	

Proof of Service

Date:	Place:
Served on (Print Name):	Manner of Service:
Served by (Print Name):	Title:

Declaration of Server

I certify that the foregoing information contained in the Proof of Service is true and correct.

Signature of Server:	Executed on:
Address of Server:	

SUBPOENA

COPY

South Carolina Summary Court State of South Carolina Vs. Sheena Laquel Paige	County Of Newberry Case Number: NC00510 NC00511
--	---

TO: LARI HOBACK (DHEC)

YOU ARE HEREBY COMMANDED to appear in the above named court at the place, date, and time specified below to testify in the above-entitled case.

Place: Central Court Of Newberry 833 Main Street Newberry, SC, 29108 Phone: (803) 321-2144 Fax: (803) 321-2172	Courtroom: Date and Time: April 4, 2024 at 11:30 AM
--	--

This subpoena shall remain in effect until you are granted leave to depart the court or by an officer acting on behalf of the court.

FILED
 NEWBERRY COUNTY
 APR 18 2024
 ELIZABETH A. TOLIN
 CLERK OF COURT

Summary Court Judge or Clerk of the Summary Court: 	Date: 03/18/2024
Subpoena requested by: Judge Barry S. Koon, Magistrate	Requesting Parties Address: LARI HOBACK P O BOX 156 STATE PARK, SC 29147
This Subpoena is based upon application of the: <input checked="" type="checkbox"/> State / Plaintiff <input type="checkbox"/> Defendant	

Proof of Service

Date:	Place:
Served on (Print Name):	Manner of Service:
Served by (Print Name):	Title:

Declaration of Server

I certify that the foregoing information contained in the Proof of Service is true and correct.

Signature of Server:	Executed on:
Address of Server:	

NEWBERRY PUBLIC DEFENDER

COPY

February 6, 2024

Newberry County Magistrate Court
833 Main Street
Newberry, SC 29108

Re: Sheena Laquel Paige
Newberry Ordinance NC00510 and NC00511

FILED
NEWBERRY COUNTY
2024 FEB 23 AM 11:24
ELIZABETH T. FOLP
CLERK OF COURT

Dear Sirs:

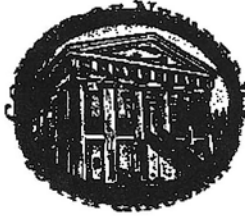
This office has reviewed the application of the above-identified person. Based on our review, this applicant does not meet the financial qualifications for the appointment of an attorney from the Newberry County Public Defender's Office. If the Court determines that this individual is in fact indigent, or finds further indications that we should accept representation in this matter, please let us know.

If the applicant disagrees with this finding, you may certainly advise her to contact this office and we will explain our reasoning, and or the applicant's further options.

If you have any questions or concerns, you may contact our office at (803) 321-1435 or (803) 915-9798 or by email at cverner@8thcircuitpublicdefender.org. Thank you.

s/Charles Verner

Charles Verner
Newberry County Public Defender



NEWBERRY COUNTY CENTRAL COURT

833 MAIN STREET
NEWBERRY, SOUTH CAROLINA 29108
Telephone: (803) 321-2144 · Facsimile: (803) 321-2172

defendant requested
a letter stating she
did not need to come
to court today
2-21-24.

COPY

February 21, 2024

MS. Sheena Paige:

You were initially scheduled to appear in court on 02/21/2024 at 2:00 pm. Your cases have been postponed until further notice as Judge Koon is consulting with the Solicitors office regarding you being appointed a public defender.

Once I know more, I will let you know.

If you have any questions or concerns, please let me know.

Thank you,

Jessica Osborne

Jessica Osborne
Criminal Disposition Clerk
Newberry County Magistrate Court
josborne@newberrycounty.gov

FILED
NEWBERRY COUNTY
2024 FEB 23 AM 11:34
ELIZABETH FOLN
CLERK OF COURT

NEWBERRY PUBLIC DEFENDER

February 6, 2024

Newberry County Magistrate Court
833 Main Street
Newberry, SC 29108

Re: Sheena Laquel Paige
Newberry Ordinance NC00510 and NC00511

COPY

Dear Sirs:

This office has reviewed the application of the above-identified person. Based on our review, this applicant does not meet the financial qualifications for the appointment of an attorney from the Newberry County Public Defender's Office. If the Court determines that this individual is in fact indigent, or finds further indications that we should accept representation in this matter, please let us know.

If the applicant disagrees with this finding, you may certainly advise her to contact this office and we will explain our reasoning, and or the applicant's further options.

If you have any questions or concerns, you may contact our office at (803) 321-1435 or (803) 915-9798 or by email at cverner@8thcircuitpublicdefender.org. Thank you.

s/Charles Verner

Charles Verner
Newberry County Public Defender

FILED
NEWBERRY COUNTY
2024 FEB 23 11:11:55
ELIZABETH H. FOLK
CLERK OF COURT

Phone: 803-202-2044

Address: 2008 Charles St.

Newberry, SC 29108

\$40.00 Fee

State of South Carolina

Magistrate Court

vs.

of

sneena Laquel Paige

Newberry County

Case(s): NC00510 (ordinance - inoculation)
NC00511 (ordinance - Animal bite)

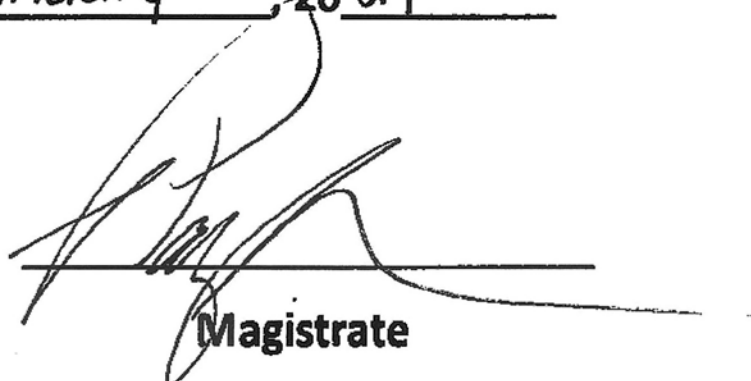
ORDER OF APPOINTMENT

The above-named person is entitled to court-appointed counsel
(Public Defender)

Therefore, it is ordered that the Public Defender be appointed as
counsel for the above-named person.

IT IS SO ORDERED

31 day of January, 2024



Magistrate

3. List by name, age, and relationship to you any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support.

Name	Age	Relationship	Amount of Support

4. Have you received within the past twelve months any money from any of the following sources:

- a. Business, profession, or form of self-employment? Yes No
- b. Rent payments, interest, or dividends? Yes No
- c. Pensions, annuities, or life insurance payments? Yes No
- d. Gifts or inheritances? Yes No
- e. Any other sources? Yes No

If the answer to any of the above is "yes", describe each source of money and state the amount received from each during the past twelve months.

Source of Money	Amount

5. Do you own cash, or do you have any money in a checking or savings account?
 Yes No

If the answer is "yes", state the total amount of the cash owned: \$ 100.00

6. Do you own any real estate, stocks, bonds, notes, or other valuable property (excluding ordinary household furnishings and clothing)?
 Yes No

If the answer is "yes", describe the property and state the appropriate value of the items owned.

7. What kind of motor vehicle do you own? Range Rover
 Is it paid for? Yes No
 If not, what are the payments? \$ 700.00

8. How much do you owe (on liens, mortgages, or other encumbrances or debts)?
mortgage- \$550.00; BB&T- \$10,000.00;

3. List by name, age, and relationship to you any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support.

Name	Age	Relationship	Amount of Support
N/A		N/A	N/A

4. Have you received within the past twelve months any money from any of the following sources:

- a. Business, profession, or form of self-employment? Yes No
- b. Rent payments, interest, or dividends? Yes No
- c. Pensions, annuities, or life insurance payments? Yes No
- d. Gifts or inheritances? Yes No
- e. Any other sources? Yes No

If the answer to any of the above is "yes", describe each source of money and state the amount received from each during the past twelve months.

Source of Money	Amount
N/A	N/A

5. Do you own cash, or do you have any money in a checking or savings account?
 Yes No

If the answer is "yes", state the total amount of the cash owned: \$100.00 (estimation)

6. Do you own any real estate, stocks, bonds, notes, or other valuable property (excluding ordinary household furnishings and clothing)?
 Yes No

If the answer is "yes", describe the property and state the appropriate value of the items owned.

pays mortgage on house - \$550.00/month; owns 3 other vehicles (she states they are paid for)

7. What kind of motor vehicle do you own? Range Rover
 Is it paid for? Yes No
 If not, what are the payments? \$700.00

8. How much do you owe (on liens, mortgages, or other encumbrances or debts)?
mortgage - \$550.00/month; BB&T - \$10,000.00

I do solemnly swear that the account by me delivered into this court with my application for counsel does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I or any person in trust for me have or at the time of my possession had, or am, or was, in any respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand the appointment of counsel creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the cost of representation less the amount paid to appointed counsel, the public defender office and/or the Commission on Indigent Defense. I understand that such a claim shall be filed in the office of the Clerk of Court in the county where I, my child, or ward are assigned counsel, but that the filing of a claim shall not constitute a lien against my real or personal property, unless, in the discretion of the court, part of all of such claim is reduced to judgement by appropriate order of the court after serving me with at least thirty (30) days' notice that judgement will be entered.

I understand that pursuant to §17-3-30(b), I am required to pay a non-refundable \$40.00 application fee to the Clerk of Court for public defender services or other appointed counsel.

I am financially unable to employ counsel and request that counsel be assigned to represent me. I understand that I am entitled to at least thirty (30) days' notice before a claim against me may be reduced to judgement, and I do hereby waive the right to such notice.

This 31 day of January, 2024

Daiya Sheena
Defendant or Parent/Guardian of Defendant if Applicable

Subscribed and sworn to before me this
31 day of January, 2024
Jessica Osborne (L.S)
Notary Public for South Carolina
My Commission Expires: 8-4-2031

.....
The applicant's request for court-appointed counsel is hereby granted/ denied.

Dated: _____
_____, South Carolina

Judge/Clerk of Deputy Clerk

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY

COPY

Sheena Paige
2008 Charles St
Newberry, SC 29108-3108


JURY TRIAL SCHEDULED SUMMARY COURT SUMMONS

You are hereby summoned to be and appear in the

Central Court Of Newberry
833 Main Street
Newberry, SC

on **April 4, 2024 at 11:30 AM**, to serve as a defendant/defense counsel/witness in the Jury Trial of State vs. **Sheena Laquel Paige**, Case Number: **NC00510**, Charge: **Ordinance / Inoculation**; **NC00511**, Charge: **Animal Bite**.

Failure to appear by the defendant, without leave of the Court, may subject the defendant to trial in absentia.



Jessica Osborne

Central Court Of Newberry
833 Main Street
Newberry, SC 29108
Phone: (803) 321-2144
Fax: (803) 321-2172

March 8, 2024

FILED
NEWBERRY COUNTY
2024 APR 23 AM 11:36
ELIZABETH P. JOY
CLERK OF COURT

**STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY**

**Katrina Bouknight
240 Public Works Drive
Newberry, SC 29108**

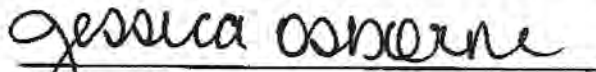
JURY TRIAL SCHEDULED SUMMARY COURT SUMMONS

You are hereby summoned to be and appear in the

**Central Court Of Newberry
833 Main Street
Newberry, SC**

on **April 4, 2024 at 11:30 AM**, to serve as a defendant/defense counsel/witness in the Jury Trial of State vs. **Sheena Laquel Paige**, Case Number: **NC00510**, Charge: **Ordinance / Inoculation; NC00511**, Charge: **Animal Bite**.

Failure to appear by the defendant, without leave of the Court, may subject the defendant to trial in absentia.


Jessica Osborne

**Central Court Of Newberry
833 Main Street
Newberry, SC 29108
Phone: (803) 321-2144
Fax: (803) 321-2172**

March 8, 2024

**STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY**

**Christian Smith
1507 Nance Street
Newberry, SC 29108-3108**

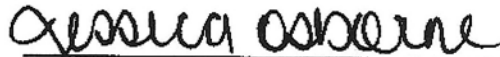
JURY TRIAL SCHEDULED SUMMARY COURT SUMMONS

You are hereby summoned to be and appear in the

**Central Court Of Newberry
833 Main Street
Newberry, SC**

on **April 4, 2024 at 11:30 AM**, to serve as a defendant/defense counsel/witness in the Jury Trial of State vs. **Sheena Laquel Paige**, Case Number: **NC00510**, Charge: **Ordinance / Inoculation; NC00511**, Charge: **Animal Bite**.

Failure to appear by the defendant, without leave of the Court, may subject the defendant to trial in absentia.



Jessica Osborne

**Central Court Of Newberry
833 Main Street
Newberry, SC 29108
Phone: (803) 321-2144
Fax: (803) 321-2172**

March 8, 2024

**STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY**

**Sheena L. Paige
2008 Charles Street
Newberry, SC 29108**

PRE-TRIAL HEARING SUMMARY COURT SUMMONS

**STATE VS. Sheena L. Paige
CASE #(S) NC00510-NC00511
AGENCY/OFFICER Newberry County Animal Control/Katrina Bouknight
CHARGE Animal Bite/Inoculation**

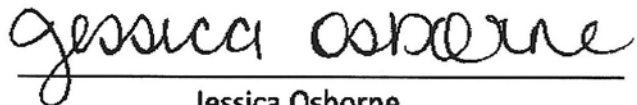
Please be advised that a hearing has been scheduled to be heard on **03/06/2024 at 11:30 AM** in the above referenced cases.

You are hereby summoned to appear on the above date in the

**Central Court of Newberry
833 Main Street
Newberry, SC 29108**

Please notify any witnesses you may have of the change in trial date.

**HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN
SUCH CASES MADE AND PROVIDED.**



**Jessica Osborne
Criminal Disposition Clerk**

**Central Court of Newberry
833 Main Street
Newberry, SC 29108
Phone: (803) 321-2144
Fax: (803) 321-2172**

February 23, 2024

**STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY**

Katrina Bouknight
240 Public Works Drive
Newberry, SC 29108

PRE-TRIAL HEARING SUMMARY COURT SUMMONS

STATE VS. Sheena L. Paige
CASE #(S) NC00510-NC00511
AGENCY/OFFICER Newberry County Animal Control/Katrina Bouknight
CHARGE Animal Bite/Inoculation

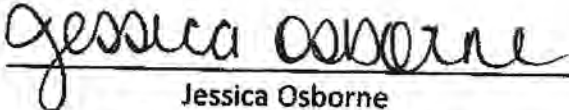
Please be advised that a hearing has been scheduled to be heard on **03/06/2024 at 11:30 AM** in the above referenced cases.

You are hereby summoned to appear on the above date in the

Central Court of Newberry
833 Main Street
Newberry, SC 29108

Please notify any witnesses you may have of the change in trial date.

HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN SUCH CASES MADE AND PROVIDED.



Jessica Osborne
Criminal Disposition Clerk

Central Court of Newberry
833 Main Street
Newberry, SC 29108
Phone: (803) 321-2144
Fax: (803) 321-2172

February 23, 2024

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Sheena Paige
 2008 Charles St.
 Newberry, SC 29111

1. Article Addressed to:
 Lori Hoback
 PO BOX 156
 State Park, SC 29147



A. Signature: *[Signature]* Agent Addressee

B. Received by (Printed Name): Cody Benton C. Date of Delivery: 3/20/24

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Restricted Delivery

2. Article Number (Transfer from service label):
 7005 1820 0001 634

2. Article Number (Transfer from service label):
 7005 1820 0001 6345 1241

PS Form 3811, July 2020 PSN 7530-02-000- PS Form 3811, July 2020 PSN 7530-02-000-9063 Domestic Return Receipt

- Domestic Return Receipt
- 7) ___ # of Reschedule Requests from Attorney/Defendant
 - 8) ___ Plea Agreements between Attorney/Officer
 - 9) ___ Ticket Rewrites from Officer
 - 10) All Rescheduled Court Date Letters
 - 11) ___ Discoveries, Brady Motions, and Rule 5 requests from Attorney
 - 12) ___ Conditional Discharge, PTI, AEP, or TEP Program Agreements
 - 13) ___ Certificate of Programs Defendant completes

ELIZABETH
 CLERK OF
 NEWBERRY
 FILE
 JUN 23

RESCHEDULED CASES:

- 1) 1-31-24 (original court date)
- 2) ~~2-21-24 (pre-trial hearing)~~
- 3) 3-6-24 (pre-trial hearing)

HEAT 54E9 1000 028T 500L 123H

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Sheena Paige
 Street, Apt. No., or PO Box No.: 2008 Charles Street
 City, State, ZIP+4: Newberry, SC 29108

PS Form 3800, June 2007 See Reverse for Instructions

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Lori Hoback (OHEC)
 Street, Apt. No., or PO Box No.: PO BOX 156
 City, State, ZIP+4: State Park, SC 29147

PS Form 3800, June 2007

HEAT 54E9 1000 028T 500L 123H

Kahn



COPY

NEWBERRY COUNTY CENTRAL COURT
833 MAIN STREET
NEWBERRY, SOUTH CAROLINA 29108
Telephone: (803) 321-2144 Fax: (803) 321-2172

1-31-24

DEMAND FOR A JURY TRIAL

Name: Sheena Paige
Address: 2008 Charles Street
Newberry SC 29108
Phone #: 803 200-2044

FILED
NEWBERRY COUNTY
2024 APR 23 AM 11:37
ELIZABETH POLI
CLERK OF COURT

Email: peopleplanetandPeace@gmail.com

Ticket Number: NC00510 Charge: _____
Ticket Number: NC00511 Charge: _____
Ticket Number: _____ Charge: _____
Ticket Number: _____ Charge: _____
Ticket Number: _____ Charge: _____
Ticket Number: _____ Charge: _____

My Attorney is: Public Def Funder
Phone Number: 803

Signature: Paige

Date: 1/31/2024

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

IN THE COURT OF COMMON PLEAS

Sheena Paige,)
Appellant,)

V)

Newberry County Magistrate, and)
Newberry County Animal Control,)
Respondents.)
_____)

Case No: 2024-CP-36-0217
TRANSCRIPT OF RECORD

June 6, 2024
Newberry, South Carolina

BEFORE:

The Honorable Frank R. Addy, Jr., Judge

APPEARANCES:

ATTORNEY FOR APPELLANT:

Appellant Sheena Paige appeared Pro Se

ATTORNEY FOR DEFENDANT:

Joanie Winters, ESQUIRE

Tara T. Scott, CVR
Official Court Reporter

INDEX

<u>WITNESS</u>	<u>PAGE NO.</u>
Hearing.....	3
Certificate of Court Reporter.....	26

(NO EXHIBITS INTRODUCED DURING THIS HEARING)

1 THE COURT: The next case up is 2024-CP-36-217, Sheena
2 Paige v Magistrate Court of Newberry County and Newberry
3 Animal Control. This is an appeal from a conviction whereby
4 I think Ms. Paige was acquitted of allowing her dog to bite
5 somebody, but did get convicted of not getting the dog
6 shots, and there was a requirement that she pay \$505.00,
7 which she has an issue with, because she tried to get him
8 back, but they wouldn't give it to her because she didn't
9 pay the quarantine fee. The Plaintiff is seeking reversal
10 of the conviction. And you're Ms. Paige, ma'am?

11 MS. PAIGE: I am.

12 THE COURT: Ms. Paige, I'm Frank Addy. I'm the Circuit
13 Judge here assigned today. Understand, Ms. Paige, I'm not
14 allowed to retry the case. I can only address any issues
15 that the magistrate in the lower court may have -- any
16 errors that the magistrate in the lower court may have
17 committed. I can only address legal issues. I really can't
18 retry the case.

19 MS. PAIGE: I understand.

20 THE COURT: And from what I understand about the file,
21 it sounds like there was a dog bite, they had an issue
22 because maybe you didn't get the dog its rabies shot, and
23 then they had to keep the dog, I guess, in quarantine for a
24 period of time to make sure it wasn't rabid, and ultimately
25 you did get the dog back. Is that how it all played out?

1 MS. PAIGE: Mostly.

2 THE COURT: Let me hear your side of things as far as
3 what the magistrate did wrong, okay?

4 MS. PAIGE: Sure. Can I sit here or do you need me to
5 stand up?

6 THE COURT: You may want to, if you could, just stand
7 and speak a little bit more loudly so I can hear you a bit
8 better, if you could, Ms. Paige.

9 MS. PAIGE: Okay. Good morning to the Court.

10 THE COURT: Morning.

11 MS. PAIGE: So, after they took -- I guess, I do need
12 to make a correction. I didn't allow my dog to bite anyone.
13 So, and this was an alleged dog bite. This dog bite was
14 never confirmed or proven in court. So, I had a funeral. I
15 had a death in the family, so I had to go pick up family
16 from out of town. The evening before I left, I usually let
17 my dogs, kind of, run around and play with each other before
18 I leave. I didn't realize one of the dogs was on my porch.
19 It was dark. I didn't realize he was out.

20 So, the next morning, I received a call from my
21 neighbor, Debra Metts, who informed me that the dog was in
22 the yard and she didn't think I was home. So, I immediately
23 looked. I have cameras at my home. I immediately looked at
24 the cameras. I saw the dog was in my yard. And this dog --
25 I have five German Shepherds. This one, his name is

1 Whiskey. He was a dog that was given to me in the summer of
2 last year from a family who no longer wanted him. So, I
3 wasn't one hundred percent familiar with the dog. He was a
4 little over a year when I got him.

5 So, I contacted Animal Control. I'm no stranger to
6 Animal Control. I've contacted them many times to regulate
7 loose dogs in our community. I advised them that I have a
8 dog loose. I wasn't sure how he got loose at the time, but
9 I did inform them that I didn't know that he was so
10 friendly. So, just to give them a heads up. I never said
11 that he bit anyone or was aggressive, just that he's a large
12 breed dog and he was young, so I wasn't real sure about his
13 history. So, I just wanted to give them a warning, just in
14 case. And I don't necessarily raise my dogs to be friendly.
15 That's how people break into your house. But I don't have
16 aggressive or vicious dogs. I don't breed dogs that way.

17 So, I informed Animal Control and they advised me they
18 would get out and go capture the dog, which is what I had
19 asked because I told them that my gates were locked. I had
20 two gates and both were locked for the safety of the dogs,
21 as well as the community. So, I didn't have an accidental
22 gate open while I was out of town. They went to -- they
23 confirmed that they were going to pick the dog up and that I
24 could recover the dog when I got back. I thanked them and I
25 also contacted the city police. I live in the city limits.

1 Just to give them a heads up if they got any calls about the
2 dog being loose. But I informed them that Animal Control
3 has already been contacted.

4 The officer, Officer Smith, arrived prior to Animal
5 Control. He was outside of my home. My dog, when he
6 arrived, was on my property. He stayed on my property the
7 entire time. The officer attempted to lure him into his
8 vehicle with snacks. I've trained my dogs not to take
9 snacks from people. So, the dog wasn't compliant. At some
10 point, the officer tried to grab the dog and he didn't like
11 that. And those were the words that came out of the
12 officer's mouth. And he also informed my neighbor. My
13 neighbor was on my property.

14 I also own the home next door to me, adjacent to me. I
15 didn't realize that one of those gates were unlocked. My
16 neighbor did confirm that one of the gates were unlocked.
17 My home is dog friendly. So, there was already water and
18 food and shelter in the backyard. My neighbor informed the
19 officer that if he wanted, that she could open the gate and
20 allow the dog to go in that backyard. He said no. His
21 reasoning was that I said that I wanted the dog picked up.
22 She informed him that if I knew that there was a gate that
23 was open, I would probably prefer the dog to be in my yard.
24 He still refused to contact me. No one contacted me to tell
25 me that there was an alternative option to taking the dog.

1 The officer continuously tried to lure the dog off the
2 property and into his car. And occasionally, the dog
3 stepped off the property to investigate the officer and his
4 vehicle. He was never aggressive. He never attacked the
5 officer. Nothing. The entire time, we have a lot of foot
6 traffic in my area. The dog never tried to attack anyone.
7 There were professionals in the area, garbage trash pick up,
8 et cetera. The dog never did anything.

9 THE COURT: Let me pause you just for a moment.

10 MS. PAIGE: Yes.

11 THE COURT: If I may, this was apparently taken to a
12 jury trial.

13 MS. PAIGE: Yes.

14 THE COURT: The jury, again, found you not guilty of
15 anything involving a dog bite.

16 MS. PAIGE: Yes.

17 THE COURT: But that you were guilty of not getting
18 your dog the rabies vaccine.

19 MS. PAIGE: Correct.

20 THE COURT: Okay. And I understand from your appeal
21 that you're saying, okay, the calculation that Judge Koon
22 used is inaccurate because you should have only been charged
23 \$50 instead of \$100. I don't know, quite honestly, ma'am,
24 that I'm going to be in a position to simply say, okay, the
25 court committed some error, because you were acquitted of

1 the big one. You were acquitted of letting your dog -- or
2 your dog biting somebody. Okay, that's my understanding.
3 But you still have an obligation as a pet owner, under a
4 local ordinance, to make sure that they get the rabies
5 vaccine. And so, that's what the jury convicted you of.
6 So, it now seems to be a matter of, at least in my mind, was
7 the fine, according to the law, and the other \$505, you
8 know, was the \$250 fine appropriate? Was the other \$505
9 something that the magistrate could order, or was he
10 prohibited from ordering that full sum? Okay?

11 So, I think that's really where we are. It's not a
12 question of was there some error in the judge sending the
13 question of, okay, did the dog not get its shots, There was
14 no error in him sending that to the jury. The jury found
15 against you on that, so that's a finding of fact, okay? And
16 I'm not hearing that you're disputing that, that you're
17 taking issue with that. So, talk to me -- I'm sorry?

18 MS. PAIGE: I'm sorry. I actually am.

19 THE COURT: Okay.

20 MS. PAIGE: The inoculation was part of the dog bite
21 was proven that the dog had rabies or had its current shots.

22 THE COURT: Right.

23 MS. PAIGE: The procedure was to contact the Department
24 of Health. The Department of Health ordered -- sent through
25 an order to the animal control to keep the dog for 10 days.

1 The 10 days that the dog was supposed to be kept, when I
2 came to pick the dog up after the 10 days, and my dog was
3 held for 100 days. When I came on day 10 to pick the dog
4 up, there was an issue about a quarantine fee of \$100.

5 THE COURT: And I'm with you on that.

6 MS. PAIGE: Okay.

7 THE COURT: But there's no -- let me make sure I'm
8 clear. There's no dispute that the dog didn't get his
9 rabies shot, right?

10 MS. PAIGE: The dispute is that on the -- according to
11 the DHEC, if the Department -- if the animal control is
12 unable to confirm current shots, that I have to be given 10
13 days to get those shots. And they put a date for me to get
14 those shots, and I was unable to meet that date because they
15 kept my dog for 100 days. So, therefore, I was fined for
16 not having gotten my dog shots when I was never given the
17 opportunity to give him shots. The owner of the dog
18 previously stated that the dog had its shots. The whole
19 time I tried to get that information from the previous
20 owner, so I wasn't able to confirm. So, I never addressed
21 it in court, because I wasn't sure.

22 So, I never had proof of it, but the Department of
23 Health gave me 10 days before I was fined or charged with
24 not having the dog inoculated. It was January 18th that
25 they gave me on the order that animal control had. So, I

1 received that fine, and because I didn't have access to the
2 dog. And they kept the dog because I questioned the \$100
3 quarantine fee, which was never a fine, which was never a
4 fee that should have been imposed on me.

5 THE COURT: It was a \$50 fee, according to your
6 complaint.

7 MS. PAIGE: Right, and I was willing to pay. I even
8 offered them \$65 as a way to resolve this in front of the
9 Judge, which they rejected.

10 THE COURT: Let me -- y'all speak to that, because it
11 looks like the ordinance does limit it to \$50. Am I wrong?
12 Apparently the judge -- I mean, she's got a point. If
13 animal control was demanding \$100, and the only amount that
14 they could get back was \$50, then she's got a point.

15 MS. GLASS: So, in our new book, they changed the
16 amount for quarantine. The old amount was \$50. They
17 changed it to \$100. It was never actually changed in the
18 ordinance. So, when we went to court, we wrote out an
19 ongoing list of how much she would owe under the \$100
20 quarantine fee and under the \$50 one. It ended up being
21 dropped to the \$50 one, but because the dog was kept at the
22 shelter for so long, that's where the fees racked up because
23 we charge per day for having to keep the animal at the
24 shelter. Whether the dog was current on rabies vaccination
25 or not, we had no proof of that. Once the dog bites

1 somebody or --

2 THE COURT: Right, y'all did the right thing. I'm with
3 you.

4 MS. GLASS: Saying the dog didn't bite anybody. It is
5 a law that you have to have current rabies vaccination on
6 your animals all the time, not just if it bites somebody.

7 THE COURT: What's your name, please?

8 MS. GLASS: My name?

9 THE COURT: Yes, just for the record.

10 MS. PRICE: Leslie Glass.

11 THE COURT: Sorry?

12 MS. GLASS: Leslie Glass.

13 THE COURT: Ms. Glass, okay.

14 MS. WINTERS: Your Honor, if I can add to that. Joanie
15 Winters for Newberry County. The County, when they passed
16 the budget in July, they publish fees in their budget.
17 Unfortunately, they did that for animal control, but it
18 didn't translate into the actual animal control ordinance.
19 So, that's a flaw in the system, no doubt. We will submit
20 that, but that's how that happened. And that's why we did
21 both numbers, because we knew that it wasn't published in
22 the current ordinance. It's in the budget.

23 THE COURT: So, break down the fine for me, because if
24 -- and here's the other thing, okay? If the actual fee was
25 \$50, even though it was published in the operating manual to

1 be \$100, then she only owes \$50. And so, if she refuses to
2 pay \$100 because she knows she only owes \$50, she shouldn't
3 be responsible for the additional charges for keeping the
4 dog, is the way I look at it. I mean, if she came up there
5 and said, hey, look, the ordinance -- I'm not paying \$100
6 because the ordinance says \$50.

7 MS. GLASS: She originally only offered to pay \$25 when
8 she came to the animal shelter. She was only offering to
9 pay \$25 for the pickup fee, not the quarantine fee. She
10 said I'm not giving you any more than \$25. And at that
11 point, we were not going to settle for that.

12 THE COURT: How did the Magistrate break that down, the
13 \$505? Do y'all have any information on that? Because
14 that's the one thing I did not see in the return.

15 MS. GLASS: So, we had a breakdown like this. This is
16 -- the judge kept the one for the \$50 one. This is the one
17 we did for the \$100 one. The judge kept the \$50 one,
18 because that's the one that he used that he went by that she
19 paid. Each day the dog is at the shelter, it's \$5 per day.

20 MS. WINTER: The only difference on this one, Your
21 Honor, is the \$100 versus \$50.

22 MS. GLASS: So, if she would have been made to pay \$100
23 per day, it would have -- or \$10 per day, it would have
24 added up to \$1,020. So, it was reduced to the \$50, plus the
25 \$5 per day, to total the \$500 and whatever she had to pay.

1 So, she did not have to pay the \$100 and the \$10 per day.

2 THE COURT: But y'all have to quarantine it for ten
3 days, right, by law?

4 MS. GLASS: Yes. And we did not have an option of
5 putting the dog back on her property because once the dog
6 had bitten someone, she was not home. So, we're not going
7 to allow this dog to be at home with the possibility of
8 getting out again.

9 THE COURT: Right. I mean, that makes sense. I'm with
10 you on that. So, you kept the dog longer than the 10 days,
11 because basically she refused to come in and pay what?

12 MS. GLASS: The \$50 quarantine fee. And then -- so,
13 once we get a case like this, when we write tickets, if
14 there's any kind of beef between us and the owner of the
15 dog, we normally let the judge or the jury decide the dog's
16 fate. So, at that point in time, we didn't know if we were
17 going to keep the dog and the dog be disposed of, or it go
18 back to her. So, we normally always keep the dog until it
19 goes to court. And unfortunately, it is up to the owner,
20 because it was the owner's responsibility to abide by the
21 law.

22 THE COURT: I get you on that.

23 MS. PAIGE: May I?

24 THE COURT: Yes, go ahead, please, Ms. Paige.

25 MS. PAIGE: Yes, Your Honor. That's not correct. The

1 \$50 never came out of the mouth of Animal Control. It was
2 always \$100. In court, in the magistrate court, that was
3 confirmed again from Animal Control that I was in court
4 because I refused to pay the \$100. If they had allowed me
5 to get my dog -- I even offered when we had pre-trial, \$65.
6 Because the \$25 that they requested from me for the pickup
7 fee was actually incorrect as well. It was not \$25. It was
8 \$15. So, I offered to pay the \$50 and the \$15, which
9 totaled \$65, in pre-trial for the 10 days that the dog was
10 quarantined. Which I absolutely had no problem with,
11 because I had no idea what happened at the time that the dog
12 was with them. And this incident occurred outside of my --
13 this incident occurred off of my property when the officer -
14 - So, I didn't know. And I even called 9-1-1 back and
15 thanked them, both Animal Control and the officer, for
16 peacefully getting my dog.

17 So, I offered them \$65, which was what they should have
18 been given, based off their alleged dog bite and their
19 procedure that they had to follow. I offered them that.
20 And so this -- her statement is untrue. I didn't refuse to
21 pay. I refused to pay the \$100. And because of it, they
22 kept my dog for an additional 90 days. And the inoculation,
23 I would have had an opportunity to comply with DHEC had they
24 given me my dog back. That's on the order. It says if I
25 don't comply, then I'm fined \$500.

1 THE COURT: Well, I mean, once -- here's how that plays
2 out. Okay, you couldn't get the dog back because you
3 couldn't provide proof that the dog had been inoculated for
4 rabies. So, they had to keep the dog for 10 days just to
5 make sure.

6 MS. PAIGE: Yes. Yes.

7 THE COURT: And so, as far as that's concerned, I
8 genuinely agree that, first, you were acquitted of the dog
9 bite thing. You were found guilty of not having given your
10 dog the rabies vaccine. The \$250 fine on that, I don't know
11 that I can do anything about that. I'm assuming that's
12 within the law. Okay, so if he chose to fine you \$250, and
13 if that's what the law says you can be fined, then he fines
14 you that, and that's water under the bridge. Can you speak
15 to the \$505? I'm looking at the magistrate's return, and I
16 cannot honestly determine. I mean, you've got that there
17 with the \$100 fee, but ---

18 MS. WINTER: This is half of what this is, Your Honor,
19 and I'll tell you...

20 MS. PAIGE: Your Honor, can you see the order from
21 DHEC? Because I would have never gotten the inoculation
22 citation had they given me the dog back, because I was
23 allowed 10 days per DHEC to get the dog inoculated if I was
24 unable to provide proof of it at the time of pickup.

25 THE COURT: Well, it's not 10 days to get the dog

1 inoculated. They have to keep the dog for 10 days to make
2 sure he doesn't come down with rabies.

3 MS. PAIGE: No, no, no. I'm saying after the 10 days.
4 The dog was in their care from December 28th, and I would
5 have picked the dog up on January 8th. The DHEC gave me
6 until the 18th to get the dog inoculated to be in compliance
7 with the inoculation. So, that's where my issue is, that I
8 would have never been charged for the inoculation had I been
9 given the dog back, because I had an additional 10 days
10 after the dog pickup to get the shots and be in compliance.

11 MS. WINTER: Your Honor, if I may?

12 THE COURT: Sure.

13 MS. WINTER: Your Honor, I feel like we're sort of far
14 afield for the reason we're here. As Your Honor knows,
15 juries are the finders of fact. Judges are the finders of
16 law. Ms. Paige filed for appeal based on error of law, not
17 error of fact, and I don't think we're addressing that.

18 THE COURT: Well, the only issue that I've got is the
19 manner in which we'll say damages were calculated. Okay?
20 If this was a criminal charge, the judge is ordering
21 restitution. That can be reviewed de novo because it's the
22 judge's call, so I can reverse or affirm based upon my view
23 of the evidence, and that's why I'm not going to overturn
24 the conviction for failing to get the dog inoculated. She
25 was acquitted by the jury of the dog bite issue, so that's

1 res judicata on those questions.

2 The problem that I'm having is figuring out exactly how
3 the Judge calculated the \$505 that he ordered in
4 restitution, and also whether that was appropriate. That
5 question hinges on whether she was quoted \$50 or \$100 when
6 she came to pick the dog up. If she was quoted \$100, and
7 that seems very likely that that's what she would be quoted
8 if the manual that you're operating under says \$100. So,
9 I'm thinking that she was quoted \$100 if that's what's
10 published in the manual, even if the ordinance says it was
11 \$50. If that's the case, then yeah, maybe she's right to
12 refuse to pay \$100 for something that she only owes \$50 on.

13 Assuming that there's another \$5 per day to keep the
14 dog, she's responsible for the \$5 per day for that
15 inoculation period. But she shouldn't be responsible for
16 anything beyond that, because she was initially quoted the
17 wrong fee. That's the way I'm looking at it. And that's
18 simply fair. She refused to pay. It got taken to court.
19 It's not like she should be responsible for interest when
20 she was told that the wrong amount due was what she owed.
21 You shouldn't be charged interest. If payment is demanded
22 for \$5,000, and in fact it's only \$2,000, and then she
23 doesn't get charged interest, obviously, if she's refusing
24 to pay a sum that she doesn't owe.

25 I think she's responsible for the \$50 fee. I think

1 she's responsible for \$5 a day for the 10 days. So, the
2 amount of restitution that should have been ordered should
3 have been \$100. So, she should have been required to pay
4 the \$250 fine and the \$100 in restitution, because it
5 appears to me that there doesn't seem to be any dispute that
6 she had to have been quoted the \$100 when she came to get
7 the dog. Or I can remand this back to the magistrate and
8 let him decide it. Or we can just let this be over and done
9 with.

10 All right. I'm reducing the total restitution owed by
11 Ms. Paige to \$100. That's what she'll have to pay to the
12 animal shelter, plus the fine of \$250 that has to be paid to
13 the City. That's my decision. You all have a good day.
14 Thank you.

15 (WHEREUPON, the parties begin to leave the courtroom.)

16 MS. PAIGE: I'm sorry. So, you just said that I have
17 to pay \$100 for the what?

18 THE COURT: For the restitution

19 MS. PAIGE: And what is the calculation for the \$100.
20 I'm sorry.

21 THE COURT: \$5.00 a day for ten days, plus the \$50 fee
22 that you should have paid. Their quote should have been a
23 \$50 fee.

24 MS. PAIGE: Right, the \$50 fee was for the boarding for
25 the ten days.

1 THE COURT: No.

2 MS. GLASS: The quarantine, Your Honor.

3 THE COURT: No, that was for the quarantine fee.

4 MS. PAIGE: There is no quarantine fee. There's a
5 boarding fee.

6 THE COURT: The quarantine fee. The \$5.00 is for
7 boarding. It's \$5.00 per day.

8 MS. PAIGE: So, I'm sorry. I just didn't understand
9 what you were saying when you mentioned the \$100.

10 THE COURT: The quarantine fee, by ordinance, is \$50.

11 MS. PAIGE: Right.

12 THE COURT: And then there is \$5.00 a day for each day
13 that the dog is there.

14 MS. GLASS: For boarding.

15 THE COURT: The quarantine fee does not encompass the
16 \$5.00 per day.

17 MS. PAIGE: Yes, it does.

18 THE COURT: It's a one time fee.

19 MS. PAIGE: Yes, it does. That's what this is.

20 THE COURT: It does?

21 MS. PAIGE: Yes.

22 MS. GLASS: The quarantine fee is \$50. The boarding fee
23 per day is \$5.00.

24 THE COURT: Right.

25 MS. PAIGE: Right.

1 THE COURT: So, it's like a -

2 MS. PAIGE: There is no quarantine fee. That was what
3 this whole issue was about, Your Honor. There's no such
4 thing, and DHEC even got on the stand and stated that they
5 don't issue a quarantine fee.

6 THE COURT: They did though.

7 MS. PAIGE: They don't.

8 THE COURT: I just saved you \$405.

9 MS. PAIGE: I understand that.

10 THE COURT: We're done, okay?

11 MS. PAIGE: I just wanted to bring it to your attention
12 that there is no quarantine fee. The only thing they were
13 owed is \$50.

14 THE COURT: By ordinance there is. It is -

15 MS. PAIGE: Could you tell me what that is?

16 THE COURT: --- \$100 instead of \$505. Okay, ma'am.

17 MS. PAIGE: Okay, Your Honor.

18 THE COURT: The ordinance is \$50 and then \$5.00 a day.

19 That's the way I'm ---

20 MS. PAIGE: It is not. That's not the way it is stated.
21 Would you like to see it?

22 THE COURT: If you want to take it to the Court of
23 Appeals, that's fine. That's what I'm looking at here on -

24 MS. PAIGE: Okay, how soon ---

25 THE COURT: --- my computer.

1 MS. PAIGE: --- how soon before we have the -- I'm
2 asking you to reconsider, because that's not what this is.
3 This doesn't -- there's no \$50 quarantine fee and then \$5.00
4 a day. The quarantine fee -- there is no quarantine fee.
5 There's no reference to a quarantine fee. The proper
6 definition is boarding fee. And they're the only ones who
7 institute the boarding fee, which is \$5.00 a day. It says it
8 right here after quarantine. After the dog is quarantined,
9 the owner of the animal will pay a boarding fee of \$50 after
10 quarantine. It doesn't say you will pay a quarantine fee of
11 \$50, and then a \$50 boarding fee. Can I give this to you,
12 please?

13 THE COURT: If you want to hand that up.

14 MS. PAIGE: Thank you. I'm sorry. I just -- I want
15 this to be fair.

16 (WHEREUPON, Plaintiff hands up documentation to the
17 Court.)

18 MS. WINTER: Your Honor, I'm not sure what Ms. Paige
19 handed up to you.

20 THE COURT: She is looking at page 5. I'm looking right
21 here at the top, and it says, "And will also pay a
22 redemption fee of \$10 for the first day and a \$5.00 boarding
23 fee for each additional day of impoundment to regain their
24 pet. The owner must also elect to have the pet micro-
25 chipped."

1 MS. PAIGE: You're looking at the wrong ordinance.

2 THE COURT: I'm looking at the second paragraph ---

3 MS. PAIGE: You're looking at "dog at large". Mine was
4 dog bite.

5 MS. WINTER: This dog was running at large, Your Honor.

6 MS. PAIGE: It was not. It was on my property.

7 MS. WINTER: They didn't ticket for that.

8 MS. PAIGE: He was on my property.

9 THE COURT: Under subsection 2 of the (reading)"found
10 running at large may be impounded." So, you've got two
11 things going on here. You've got the sub-paragraph three.

12 MS. PAIGE: Yes.

13 THE COURT: \$50 for the first ten days and \$5.00 for
14 each additional day the animal is housed.

15 MS. PAIGE: Right. The only quarantine is the time
16 period. So, it's quarantine, period. Not quarantine fee.
17 The ten days was for me to pay after the ten days of
18 quarantine.

19 THE COURT: I think she's right. Sub-paragraph 3 seems
20 to be the one that controls the \$50. I'll do a Form IV. It
21 will be \$50 owed in restitution, not the \$100.

22 MS. WINTER: Your Honor, can you help me understand
23 what we're doing here.

24 MS. PAIGE: Thank you, Your Honor, for being fair.

25 THE COURT: I'm looking at sub-paragraph 3 that says ---

1 MS. WINTER: Of what? I don't know what statute or
2 ordinance you're looking at.

3 THE COURT: Article 3, sub-section 3.

4 MS. WINTER: So, animal bite?

5 THE COURT: "In the event of an animal bite, DHEC is
6 notified," blah, blah, blah.

7 MS. WINTER: Right.

8 THE COURT: "Placed in quarantine hold whether current
9 on rabies or not, for a period of not less than ten days,"
10 blah, blah, blah.

11 MS. WINTER: Right.

12 THE COURT: "The owner of the animal will pay a boarding
13 fee of \$50 for the first ten days, \$5.00 for each additional
14 day the animal is housed at the animal shelter".

15 MS. WINTER: Okay, but Ms. Paige contends that is was an
16 alleged animal bite, not a true animal bite. But there was
17 an animal running at large, which would be 96.031.

18 MS. PAIGE: Your Honor, if you look at the video, the
19 dog wasn't running at large. He was on my property the
20 entire time, with the exception of the officer luring him
21 off the property with snacks.

22 MS. WINTER: Again, a finding of fact, Your Honor.

23 MS. PAIGE: Unless you would like to play a video that
24 I never received a copy of.

25 THE COURT: I've changed my mind. I'm remanding this

1 back to Judge Koon so that he can explain how he reached the
2 restitution of \$505, and y'all can take it up with him.

3 MS. WINTER: Thank you, Your Honor.

4 MS. PAIGE: The entire case?

5 THE COURT: I am affirming the conviction. I am
6 affirming the fine, but I am remanding only on the issue of
7 how Judge Koon calculated the \$505 restitution, and you can
8 take that argument up with him. If he relied on subsection
9 2, you're going to owe a different amount. If he relied on
10 subsection 3, you are going to owe the \$50.

11 MS. PAIGE: Right. Well, I wasn't charged for a dog at
12 large, because the dog was never at large.

13 THE COURT: I understand, and Judge Koon will explain
14 that. I will see y'all later.

15 MS. PAIGE: Okay, and the non-reversal of the -- your
16 decision to affirm the inoculation, even though, according
17 to DHEC, I had ten days to get the dog in compliance with
18 the inoculation. Are you still going to...

19 THE COURT: I am affirming everything except for the
20 \$505 restitution, because I cannot figure out how that was
21 calculated. So, he can explain that in the lower court.
22 But the fine and the conviction, those stand.

23 MS. PAIGE: Okay, and how long before I get this in
24 writing?

25 THE COURT: The Clerk will mail you a copy of the Form

1 IV that my clerk is going to prepare here shortly, and then
2 Judge Koon will be in touch.

3 MS. PAIGE: Okay, thank you so much.

4 ***END OF REQUESTED TRANSCRIPT OF RECORD)***

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Certificate of Reporter

I, the undersigned, Tara T. Scott, CVR, Official Court Reporter for the Eighth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the trial/hearing of the captioned case, relative to appeal, in the Court of Common Pleas for Newberry County, South Carolina, on the 6th day of June, 2024.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

Tara T. Scott, CVR

Official Court Reporter

July 10, 2025