

**RECEIVED**

**Mar 19 2026**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Chesterfield County

Honorable Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

MICHAEL STOGNER,

APPELLANT

APPELLATE CASE NO 2025-002202

---

RECORD ON APPEAL

---

WANDA H. CARTER  
Chief Appellate Defender

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Attorney General

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Division of Appellate Defense  
PO Box 11589  
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ATTORNEY FOR APPELLANT

ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA \* GENERAL SESSIONS  
 COUNTY OF CHESTERFIELD \* TRANSCRIPT OF RECORD

-----X  
 STATE OF SOUTH CAROLINA, \*  
 \*  
 Plaintiff, \*  
 \*  
 vs. \* Case No. 2025-GS-13-1149  
 \*  
 MICHAEL MAURICE STOGNER, \*  
 \*  
 Defendant. \*  
 -----X

October 22, 2025

B E F O R E:

The Honorable Brian M. Gibbons, Presiding Judge

A P P E A R A N C E S:

Mary T. Johnson-Lee, Esq.  
Assistant Solicitor for the State

Richard Logan Wallace, Esq.  
Attorney for the Defendant

Recorded by: DCRP Court Monitor Sommer Turner

Court Reporter: Bobbi Fisher, RPR  
SC Official Court Reporter III

## I N D E X

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## E X H I B I T S

(None.)

COURT REPORTER/TRANSCRIBER LEGEND

Dash (--)	Indicates an interruption in speech
Ellipses (...)	Indicates trailing off in speech
(ph)	Indicates phonetic word
[sic]	Indicates the word is written as said
(Indiscernible)	Indicates word(s) is not known due to poor audio recording quality

1 P R O C E E D I N G S

2 (The following proceedings started at 1:51 PM:)

3 MS. JOHNSON-LEE: Your Honor, we're before you on the  
4 State versus Michael Maurice Stogner, 2025-GS-13-1149. The  
5 indictment is for violation of a permanent domestic violence  
6 restraining order. He's pleading guilty as indicated. The  
7 recommendation is time served, 102 days. There is a  
8 corresponding domestic violence being dismissed as a result of  
9 the plea, and he also has a probation violation with  
10 Agent Funderburk.

11 THE COURT: All right. Mr. Wallace, is that your  
12 understanding of the plea?

13 MR. WALLACE: Yes, sir, Your Honor.

14 THE COURT: Do you agree with your client's decision to  
15 plead?

16 MR. WALLACE: Yes, sir.

17 THE COURT: And of course he understands that this would  
18 be in addition to potential other violations, this would be a  
19 violation of his probation?

20 MR. WALLACE: He does, Your Honor.

21 THE COURT: And he's got three years hanging over him on  
22 that probation.

23 MR. WALLACE: Yes, sir.

24 THE COURT: All right. Got it.

25 Mr. Stogner, do you swear to tell me the truth, sir?

1 THE DEFENDANT: Yes, sir.

2 MICHAEL MAURICE STOGNER,

3 after having been duly sworn, was examined and testified  
4 to as follows?

5 THE COURT: Understand why you're here?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Do you understand what you're charged with?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: The violation of a domestic violence  
10 restraining order carries up to --

11 What's that carry, Madam Solicitor?

12 MS. JOHNSON-LEE: Up to --

13 THE COURT: Is it one year?

14 MS. JOHNSON-LEE: No, sir.

15 THE COURT: Five years? Three years?

16 MS. JOHNSON-LEE: It is up to three years on the first  
17 offense.

18 THE COURT: That's what I thought.

19 All right. How do you plead to this charge?

20 THE DEFENDANT: Guilty.

21 THE COURT: Has anybody forced you to plead guilty?

22 THE DEFENDANT: No, sir.

23 THE COURT: Has anybody promised you anything else?

24 THE DEFENDANT: No, sir.

25 THE COURT: Are you satisfied with your lawyer?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Do you understand you're giving up all your  
3 jury trial rights?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Is this what you want to do?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: All right. Listen to what the State says you  
8 did.

9 MS. JOHNSON-LEE: Yes, Your Honor. The incident occurred  
10 on July 13th, 2025, here in Chesterfield County when the  
11 victim, Allison Brumbles, reported to law enforcement that the  
12 defendant had run up on her and she felt the tip of his nose.

13 Now, she went straight to her mother's. Her mother  
14 reported that Allison's nose had been bleeding when she got  
15 there. Allison is now trying to recant. I have spoken to her  
16 at length. But what --

17 THE COURT: Really? You mean a victim of domestic  
18 violence is trying to recant or say she don't want her baby to  
19 go to jail?

20 MS. JOHNSON-LEE: That's correct, Your Honor.

21 THE COURT: Okay.

22 MS. JOHNSON-LEE: But in any case --

23 THE COURT: I've never heard that -- heard of that  
24 before.

25 MS. JOHNSON-LEE: Yes, sir. But I did speak at length

1 with her back on September 25th when this case was originally  
2 set for today, and she is aware of the plea today-

3 THE COURT: All right.

4 MS. JOHNSON-LEE: -and what the State's recommendation  
5 is.

6 THE COURT: All right. Got it.

7 All right, Mr. Stogner. You hear what the State says you  
8 did?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Is that what happened?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: All right. I'm looking at -- you were under  
13 a permanent restraining order. It looks like, Mr. Wallace,  
14 that was dated June the 5th, so...

15 And this incident happened on July 12th. So it was just  
16 right after he had been in front of Judge Doby is when this  
17 happened. Is that correct?

18 MS. JOHNSON-LEE: That's correct, Your Honor.

19 THE COURT: All right. Got it.

20 All right. I do find there's a substantial factual basis  
21 for your plea. You're satisfied with competent counsel. The  
22 plea is knowingly made; therefore, accepted.

23 Mr. Probation?

24 AGENT FUNDERBURK: Your Honor, he was placed on probation  
25 back in March of this year for domestic violence second

1 degree. Our basis of our charge was the new violation of  
2 restraining orders or no offensive contact, Your Honor,  
3 pending a new domestic violence arrest due to the fact that  
4 the victim had which appeared to have been a bloody nose at  
5 the time of his arrest. We had no other violations.

6 THE COURT: All right. Well, because he's been in  
7 custody since then. He didn't have a chance to do anything.  
8 Okay.

9 All right. Do you agree that that's how you violated  
10 this probation?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: All right. I do find this is a willful  
13 violation of your terms and conditions of your probation.

14 Mr. Wallace, let me hear from you.

15 MR. WALLACE: Thank you, Your Honor.

16 I think the main reason why we're here today with  
17 Mr. Stogner is because, as of last week, he had -- he's been  
18 in the hospital for the last week and a half, literally until  
19 this morning, because he was -- he had a lot of problems with  
20 internal hemorrhaging. They found a fist-sized cyst on his  
21 pancreas, which he has to go to the hospital for in the next  
22 three days, Your Honor, to actually try to get operated on.

23 My understanding is that his situation has been so  
24 severe, number one, as you can see, he has to sit down. He's  
25 been told he can't eat too much at any one time because too

1 much -- if he eats too much, it's internal pressure -- if it  
2 puts any pressure on that cyst and it ruptures, he's a goner,  
3 Your Honor, frankly.

4 Your Honor, all of these charges have come about because  
5 he's been around Ms. Brumbles. Frankly, part of the problem  
6 has been that -- not that it's anybody's fault, but while he's  
7 been on probation in Chesterfield, he's had to stay with  
8 Ms. Brumbles because that's his place to stay in Chesterfield.

9 I have had a long conversation with him about, if he gets  
10 out today, he needs to take his butt to live with his brother  
11 in North Carolina -- in Hamlet, North Carolina and not be  
12 around this woman anymore.

13 Your Honor, he was employed as a --

14 THE COURT: Who is Mr. Gainey?

15 MS. JOHNSON-LEE: Weldon Gainey is the investigator for  
16 domestic violence cases with the Sheriff's Office. Weldon  
17 Gainey?

18 THE COURT: Yeah. Because Ms. Brumbles says something,  
19 it concerns me that Mr. Gainey has involved himself in this.

20 MS. JOHNSON-LEE: She called 911 but then she's upset  
21 that they charged.

22 THE COURT: She called 911. She got a bloody nose  
23 because he charged at her, hit her in the nose or -- with his  
24 head and caused her to have a bloody nose. And then she  
25 called 911 for law enforcement, and then now it's law

1 enforcement's fault.

2 MS. JOHNSON-LEE: Yes, sir.

3 THE COURT: Okay. Got it. Understood.

4 MR. WALLACE: And Your Honor --

5 THE COURT: What else do you want to tell me?

6 MR. WALLACE: Just to be clear, my understanding is that  
7 -- or if I recall correctly -- and Madam Solicitor, correct me  
8 -- that all the prior charges were DV3. I don't think they  
9 involved any actual physical violence. I think it was just  
10 arguing that got to the level of DV3, if I'm recalling  
11 correctly.

12 Correct me if I'm wrong.

13 MS. JOHNSON-LEE: I don't recall. But Agent Funderburk,  
14 if he has anything in his file there.

15 MR. WALLACE: So I don't think there's really been any  
16 history of violence, and frankly, Mr. Stogner's record,  
17 excluding his interactions with Ms. Brumbles, is a single  
18 receiving stolen goods charge that's, I want to say, four or  
19 five years old.

20 MS. JOHNSON-LEE: And I can verify that, Your Honor. It  
21 was very surprising that, at his age -- he was born in 1979 --  
22 that he had not had any real criminal history until he got  
23 involved with this victim. And I don't want to disparage the  
24 victim because there is no disparaging the victim, but this is  
25 the third defendant with that same victim.

1 THE COURT: Oh, okay. Understood.

2 Mr. Stogner, anything else you want to tell me before I  
3 impose your sentence?

4 THE DEFENDANT: No, sir.

5 THE COURT: All right. On Indictment 25-GS-13-1149, the  
6 sentence of the Court is two years in the South Carolina  
7 Department of Corrections, giving you credit for the 102 days  
8 you served. I'm going to revoke your probation in full,  
9 terminate that. It will run concurrent to this charge.

10 Good luck to you. They can get you well while you're in  
11 prison. Good luck to you.

12 No victim contact.

13 MS. JOHNSON-LEE: Thank you, Your Honor.

14 THE COURT: Thank you.

15 (The hearing concluded at 1:59 PM.)  
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# Certificate of Transcriber

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CASE NAME: State v. Michael Stogner

DATE OF HEARING: 2025-GS-13-1149

RECORDING METHOD: DCRP Court Monitor

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I, Bobbi Fisher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that I was not present for the live proceeding; and that said proceedings were transcribed to the best of my ability from the audio and/or video recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case; and I have no interest, financial or otherwise, in its outcome.

*Bobbi Fisher*

/s/ Bobbi Fisher \_\_\_\_\_

Bobbi Fisher, SC Official Court Reporter III, RPR

Transcript Prepared: 11/15/25

NOTE: PURSUANT TO RULE 607(h)(1)(B), SCACR, "A COURT REPORTER SHALL RECEIVE THE FEE OF \$1.00 PER PAGE FOR FURNISHING A COPY OF A PREVIOUSLY PREPARED TRANSCRIPT." ALL REQUESTS FOR COPIES OF THE ATTACHED TRANSCRIPT (FORM 800) FROM OPPOSING PARTY OR NON-PARTIES MUST BE SENT TO THIS REPORTER AT BFISHER@SCCOURTS.ORG.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

A True Copy Attest

*Christy F. Gaddy*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

2025 OCT 29 A 10:41

APPEAL FROM CHESTERFIELD COUNTY  
Court of General Sessions

Christy F. Gaddy  
CLERK OF COURT  
CHESTERFIELD COUNTY, S.C.

Brian M. Gibbons, Circuit Court Judge

Case No. 2025A1310100713

**RECEIVED**

**Oct 29 2025**

**SC Court of Appeals**

The State,

Respondent,

v.

Michael Stogner,

Appellant.

NOTICE OF APPEAL

Michael Stogner appeals his conviction, probation revocation, and sentence in this case. The sentence was imposed by the Honorable Brian M. Gibbons on October 22, 2025.

Grounds for said appeal are as follows: As an officer of the Court I am not aware of an appellate issue preserved for appeal. I file this Notice of Appeal at my client's request.

October 29, 2025

*Richard Logan Wallace*

Richard Logan Wallace, Bar # 107038

Chesterfield County Public Defender

101 West Main Street, Suite B

Chesterfield, SC 29709

843.623.2286

Attorney for Appellant

Other Counsel of Record:

Mary Thomas Johnson-Lee  
Assistant Solicitor, Fourth Judicial Circuit  
207 West Main Street  
Chesterfield, SC 29709  
843.479.6516

WITNESSES

Chesterfield County Sheriff

Weldon Gainey - Chesterfield County Sheriff

*[Handwritten Signature]*

*[Handwritten Mark]*

Law Enforcement Case #: 25-1943

65347

ARREST WARRANT NUMBER

2025A1310100713

Date of Arrest: 07-14-2025

ACTION OF GRAND JURY

*True Bill*

*[Handwritten Signature]*

Foreperson of Grand Jury

Date: *10-16-25*

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2025GS1301149

The State of South Carolina

County of Chesterfield

CHESTERFIELD COUNTY

October Term 2025

THE STATE

vs.

Michael Maurice Stogner

Indictment For

Violation of Permanent Domestic  
Violence Restraining Order

SG Code: §16-3-1910(O)

CDR Code: 3819

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness  
C.C.C. PLS. and G.S

2025 OCT 16 P 1:53  
Christy E. Caddy  
CLERK OF COURT  
CHESTERFIELD COUNTY, S.C.



COUNTY OF Chesterfield

) INDICTMENT/CASE#: 2025GS1301149

STATE

) AW#: 2025A1310100713

VS.

) Date of Offense: 07/12/2025

Michael Maurice Stogner

) S.C. Code §: 16-3-1910(O)

AKA: SSN: [REDACTED]

) CDR Code #: 3819

RACE: White SEX: Male DOB: [REDACTED] 1979

) Range of Offense: \_\_\_\_\_

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

TO: Violation of Permanent Domestic Violence Restraining Order

Range of Offense Pled: \_\_\_\_\_

In violation of § 16-3-1910(O) of the S.C. Code of Laws, bearing CDR Code # 3819

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

The charge is:  As indicted,  Lesser Included Offense,  Defendant Waives Presentment to Grand Jury.

The plea is:  w/o Rec/Negotiations  Negotiated \_\_\_\_\_  Recommendation T/S 102 days

Mary Johnson-Lee 65347 Richard Logan Wallace 107038  
Solicitor SC Bar # Attorney For Defendant SC Bar #

The Defendant is committed to the  SCDC  County Detention Center  Home Incarceration Program for a determinate term of 2 days/months/years/Time Served  YOA NTE \_\_\_\_\_ years and/or shall pay a fine

of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years/Time Served and or payment

of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_ months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run  CONCURRENT or  CONSECUTIVE to sentence on: \_\_\_\_\_

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

102 days/month  To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- PTUP
- No Contact with Victim  Domestic Violence Intervention Program  Hold for Inpatient Treatment
- Sex Offender Registry pursuant to S.C. Code § 23-3-430  SAC/MHC if necessary
- Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- Other: \_\_\_\_\_

	Restitution	\$
<input type="checkbox"/> RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B) )	FINE:	\$
§14-1-206 (Assessments 107.5%)		\$
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$ 3.75
<input type="checkbox"/> Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees	\$500	\$
<input type="checkbox"/> § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund	TBD	\$
	TOTAL	\$ 128.75

Fine/Costs and Assessments are to be paid to the Clerk of Court within \_\_\_\_\_ days/months.

DCRP Court Reporter

2108 10/22/25 Judge Code. Sentence Date

Richard Wallace Presiding Judge

2025A1310100713

STATE OF SOUTH CAROLINA

County/  Municipality of

Chesterfield

THE STATE

25-1943

against

Michael Maurice Stogner

Address: Lc Sellers Lane

Chesterfield, SC 29709-

Phone: SSN:

Sex: M Race: W Height: 6 1 Weight: 248

DL State: DL #:

DOB: 1979 Agency ORI #: SC0130000

Prosecuting Agency: Chesterfield County Sheriff

Prosecuting Officer: Weldon C Gainey, III - S00003

Offense: Domestic / Violation of permanent restraining order (felony underlying conviction)

Offense Code: 3818

Code/Ordinance Sec: 16-03-1910

This warrant is CERTIFIED FOR SERVICE in the

County/  Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to defendant

on 7/14/2025

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions  
200 West Main  
P O Box 529  
Chesterfield, SC 29709

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

County/  Municipality of

Chesterfield

Personally appeared before me the affiant Weldon C Gainey, III

being duly sworn deposes and says that defendant Michael Maurice Stogner

did within this county and state on or about 7/13/2025 violate the criminal laws of the

State of South Carolina (or ordinance of  County/  Municipality of Chesterfield )

in the following particulars:

DESCRIPTION OF OFFENSE: Domestic / Violation of permanent restraining order (felony underlying conviction)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

REPORT 25-1943. That on July 12, 2025, one Michael Maurice Stogner did violate a permanent restraining order order being charged with domestic violence with victim Allison Brumbles in a direct violation of the court order barring further acts of abuse to the victim. This occurred at LC Sellers Road in the Chesterfield area of Chesterfield County.

Signature of Affiant

Weldon C Gainey III

STATE OF SOUTH CAROLINA

County/  Municipality of

Chesterfield

Affiant's Address 203 Watson St.

Chesterfield, SC 29709-

Affiant's Telephone

Christy E. Gainey  
CLERK OF COURT  
CHESTERFIELD COUNTY, S.C.

JUL 14 4:42

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 7/13/2025 defendant Michael Maurice Stogner

did violate the criminal laws of the State of South Carolina (or ordinance of

County/  Municipality of Chesterfield ) as set forth below.

DESCRIPTION OF OFFENSE: Domestic / Violation of permanent restraining order (felony underlying conviction)

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 7/14/2025

Signature of Issuing Judge

John A. Davis

Judge Code: 7227

(L.S.)

Judge's Address 115 Green Street

Chesterfield, SC 29709-

Judge's Telephone (843)623-9009

Issuing Court:  Magistrate  Municipal  Circuit

ORIGINAL

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BAIL set by

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Type and Amount: SB \$50,000  
Name of Surety: \_\_\_\_\_

**PRELIMINARY HEARING held by**

Judge \_\_\_\_\_  
on \_\_\_\_\_  
Defendant Attorney: \_\_\_\_\_  
Decision: \_\_\_\_\_

**DISPOSITION before**

Judge \_\_\_\_\_  
on \_\_\_\_\_  
by \_\_\_\_\_  
(indicate jury trial, bench trial, plea, nol. pros., etc.)  
Disposition: \_\_\_\_\_  
Sentence: \_\_\_\_\_

**JURORS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WITNESSES**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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**CODEFENDANTS**

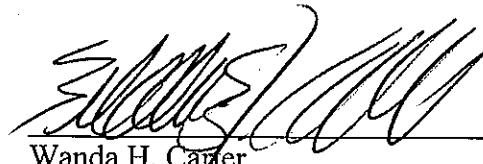
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\_\_\_\_\_



CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,



Wanda H. Carter  
Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 19<sup>th</sup> day of March, 2026.