

The South Carolina Court of Appeals

The State, Respondent,

v.

Carles Brandon Scruggs, Appellant.

Appellate Case No. 2025-001295


ORDER

On June 26, 2025, Appellant filed a notice of appeal from his convictions and concurrent sentences for unlawful possession of a sawed-off shotgun and multiple counts of possession of a firearm or ammunition by a person convicted of a violent offense. As part of the sentence, the trial judge issued a permanent restraining order prohibiting Appellant from having any contact with a neighbor. On December 10, 2025, the trial court heard Appellant's motion for an appeal bond. The trial court expressed its willingness to grant an appeal bond if Appellant could identify a place where he could reside that was not close to the neighbor from whom he was restrained. When Appellant was unable to do so, the trial court denied Appellant's motion for bond.

On January 14, 2026, Appellant filed a motion for bail pending his appeal. The State filed a return. On February 3, 2026, this court denied the motion. On March 12, 2026, Appellant filed a motion to suspend house arrest, explaining he was scheduled to be released from the South Carolina Department of Corrections (SCDC) on April 4, 2026, when he would begin his term of house arrest. On March 17, 2026, the State filed a return, opposing Appellant's motion.

After careful consideration of the filings, we first determine Appellant's motion to suspend house arrest is not a request for reconsideration of our February 3, 2026 order because Appellant's release from SCDC changes the nature of the request. Nevertheless, we deny Appellant's motion. *See* Rule 246(a), SCACR (explaining "a sentence of confinement shall not be stayed until the defendant has posted bail" under the relevant statutory provisions); S.C. Code Ann. § 18-1-80 (2014)

("Pending such appeal the defendant shall still remain in confinement until he give bail in such sum and with such sureties as to the court shall seem proper."); S.C. Code Ann. § 18-1-90 (2014) ("Bail may be allowed to the defendant in all cases in which the appeal is from the trial, conviction, or sentence for a criminal offense."); *Nicholas v. Patterson*, 202 S.C. 352, 356, 25 S.E.2d 155, 156 (1943) (explaining that in considering a motion for bail pending appeal, the court should examine "the existence of the probability of a reversal, the enormity of the charge, the danger that if freed the accused will commit a crime of like character, the probability of a forfeiture of the bail and escape, the character and reputation of the accused and his surrounding circumstances, such as his recent convictions, if any, of other or similar offenses, as well as his personal attitude toward society and government").



J.

FOR THE COURT

Columbia, South Carolina

cc:

Clarence Rauch Wise, Esquire
Alan McCrory Wilson, Esquire
Brian Hollis Gibbs, Esquire

FILED
Apr 13 2026