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SC Court of Appeals

**FORM 13
BRIEF OF APPELLANT***

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Christopher D. Taylor, Circuit Court

Judge

Case No. 2025-CP4300178

State of South Carolina

Respondent,

v.

Damien Akanno,

Appellant.

[DA] BRIEF OF APPELLANT

TABLE OF CONTENTS

Table of Authoritiesii

Statement of Issues on Appeal..... 1

Statement of the Case..... 1

Standard of Review..... 1

Facts 1

Arguments

1. BECAUSE RESPONDENT DID NOT PROVE VIOLATION OF THE LAW OF WHICH THEY CONVICTED APPELLANT ON 2

2. BECAUSE VIOLATION MUST BE PROVEN AND OR EVIDENCE OR VICTIM TO CONVICT APPELLANT ON SUCH CHARGES 2

Conclusion..... 2

TABLE OF AUTHORITIES*

CASES

THERE ARE NO CURRENTLY PUBLISHED APPELLATE CASES OM THIS MATTER IN SOUTH CAROLINA, THIS WILL BE THE FIRST.

STATUTES

S.C. Code Ann. § 56-5-3310 (2025) EPAMD..... 2

OTHER AUTHORITIES

E-BIKES ARE LEGALLY TREATED AS TRADITIONAL BICYCLES RATHER THAN

MOTOR VEHICLES.....2

R

2

STATEMENT OF ISSUES ON APPEAL

1. THE TRIAL COURT ERR IN FAILING TO FIND OUT THAT THE E-BIKE IS ONLY 750 WATTS WHICH IS SHOWN IN BOLD ON THE ELECTRIC MOTOR ON THE BIKE AND THAT IT ONLY GOES 15 TO 19 MPH AS WELL AS IT BE CLASSIFEID AND PROTECTED UNDER THE EPAMD LAW WHICH IS SC CODE 56-5-3310
2. THE TRIAL COURT AND JUDGE ERR IN CHARGING THE JURY WHITH THE ACTUAL LAW AND MAKING SURE THE UNDERSTOOD THE STATUE AND RULE AND THE REQUIREMENTS TO MEET THAT LAW

STATEMENT OF THE CASE

On JAN 31, 2025, THE STATE BROUGHT UP CHARGES AND ACCUSED APPELLANT OF VIOLATION OF SC 56-1-10(29)

ON THAT SAME DATE THE JURY FOUND APPELLANT GUILTY OF THAT VIOLATION BECAUSE THE EBIKE DIDNT HAVE TRADITIONAL PEDALS.

STANDARD OF REVIEW

THE COURT OVER LOOKED THAT THE E-BIKE HAND PEDALS AND THAT IF THEY DID NOT WANT TO ACCEOT THE PEDALS THAT THE THEN E-BIKE THEN BECAME A EPAMD UNDER SC CODE

FACTS

THE E-BIKE ONLY GOES 15-19 MPHS DEPENDING ON WEIGHT OD RIDER. THE ELETRIC MOTOR IS ONLY 750 WATTS. WHEN YOU LOOK UP THE MOTOR FOR REPLACEMENT, IT SAY THE SAME THING. THE STATE DIDNT ARGUE ANYTHING ABOUT THE MOTOR OR SPEED THEY ONLY ARGUED THE PEDALS IN WHICH I TOLD THEM IT IS A EPAMD WHICH IS IN SC CODE 56-5-3310 (2025)

ARGUMENTS

- I. THIS EPAMD DEVICE MEETS ALL REQUIREMENTS UNDER SC LAW

- II. I PRESENTED ALL EVIDENCE SHOWING THE SPEED THE ELETRIC MOTOR
THE PLACE OF PURCHASE AND OTHE E-BIKES THAT YOU CAN RENT
DOWN AT THE BEACH AND RIDE THAT ARE THE SAME AS MINES.

CONCLUSION

For the reasons stated, this Court should reverse the judgment of the circuit court.

Respectfully submitted,

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May 17, 2026
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