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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Calhoun County
Honorable Heath P. Taylor, Circuit Court Judge
Appellate Case No. 2025-002564

THE STATE,

Respondent,

vs.

SHANEEKA MONET STROMAN,

Appellant.

INITIAL BRIEF OF RESPONDENT

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STATEMENT OF ISSUES ON APPEAL

I.

“Did the trial court err in failing to acknowledge Appellant’s argument?”

II.

“Did the trial court err by disregarding questions from the jury?”

COUNTER-STATEMENT OF ISSUES ON APPEAL

Can Stroman’s current appeal of her two magistrate court convictions possibly be successful when Stroman has not raised any issues challenging the ruling of the circuit court judge dismissing her earlier appeal at the circuit court level based on her failure to prosecute it, which means that unappealed ruling has now become the law of the case regardless of whether it was right or wrong?

STATEMENT OF THE CASE

In February of 2024, Appellant Shaneeka Stroman was arrested by the Calhoun County Sheriff's Office and charged with malicious injury to or trespass upon real property along with second-degree harassment. Prior to Stroman's trial on those two charges, Stroman submitted a pro se motion seeking the dismissal of the criminal case against her. Through a written order issued on July 26, 2024, the Honorable Jeffrey P. Bloom, Chief Magistrate Judge for the Calhoun County Magistrate Court, denied Stroman's pre-trial dismissal motion. Following the issuance of that order, Stroman filed a notice of appeal with both the Court of Appeals and the Calhoun County Court of Common Pleas attempting to appeal the magistrate judge's denial of her dismissal motion.

On December 2, 2024, the Honorable Maite Murphy, circuit court judge, issued an order dismissing Stroman's appeal without prejudice as an improper interlocutory appeal and remanding the matter to the Calhoun County Magistrate Court for trial.¹ Four days later, Stroman filed a notice of appeal with the Court of Appeals as part of an apparent attempt to appeal Judge Murphy's order.

On appeal to the Court of Appeals, Stroman filed a pro se brief, and the State filed a motion to dismiss on the basis the appeal was improperly interlocutory.² On April 8, 2025, the Court of Appeals issued an order granting the State's motion and dismissing Stroman's appeal as

¹ The records from the circuit court appellate proceedings in connection to Stroman's earlier improper interlocutory appeal are presently available through the Calhoun County Public Index. Records for Shaneeka Stroman, Calhoun County First Judicial Circuit Public Index, <https://publicindex.sccourts.org/calhoun/publicindex/>.

² The records from the appellate proceedings in the Court of Appeals in connection to Stroman's earlier improper interlocutory appeal are presently available through the South Carolina Appellate Court Public Index. Appellate Records for State v. Shaneeka Stroman, South Carolina Appellate Court Public Index, <https://ctrack.sccourts.org/public/caseView.do?csIID=82135>.

an improper interlocutory one. Following that, Stroman submitted a document entitled “Petition for a Writ of Certiorari,” and the Court of Appeals elected to construe that document as a petition for rehearing. On June 5, 2025, the Court of Appeals denied Stroman’s petition for rehearing.

Stroman then filed a petition for a writ of certiorari in the Supreme Court along with a number of other filings.³ The Supreme Court denied Stroman’s petition, and remittitur was issued on August 15, 2025.

Following the issuance of the remittitur, a jury trial was commenced on September 22, 2025,⁴ in the Calhoun County Magistrate Court with Chief Magistrate Judge Bloom presiding. At the conclusion of the one-day trial, the jury convicted Stroman as charged. After the verdict, Chief Magistrate Judge Bloom sentenced Stroman to consecutive terms of imprisonment of thirty days for her convictions. Stroman then timely filed another notice of appeal with the Calhoun County Court of Common Pleas.^{5 6}

³ The records from the appellate proceedings in the Supreme Court in connection to Stroman’s earlier improper interlocutory appeal are presently available through the South Carolina Appellate Court Public Index. Appellate Records for State v. Shaneeka Stroman, South Carolina Appellate Court Public Index, <https://ctrack.sccourts.org/public/caseView.do?csIID=83552>.

⁴ Jury qualification and selection occurred on September 19, 2025. (Return, p. 3).

⁵ The records from the most-recent circuit court appellate proceedings in Stroman’s case are presently available through the Calhoun County Public Index. Records for Shaneeka Monet Stroman, Calhoun County First Judicial Circuit Public Index, <https://publicindex.sccourts.org/calhoun/publicindex/>.

⁶ Significantly, the proof of service submitted after Stroman’s notice of appeal was filed solely indicated it was served on the magistrate judge. (Circuit Court Notice of Appeal; Circuit Court Notice of Appeal Proof of Service). Accordingly, it does not appear to have been served—timely or otherwise—upon the State as required by South Carolina law. See S.C. Code Ann. § 18-3-30(A) (“The appellant, within ten days after sentence, shall file notice of appeal with the clerk of circuit court and shall serve notice of appeal upon the magistrate who tried the case *and upon the designated agent for the prosecuting agency or attorney who prosecuted the charge*, stating the grounds upon which the appeal is founded.” (emphasis added)); see also State v. Adler, 278 S.C. 66, 67, 292 S.E.2d 185, 186 (1982) (recognizing a circuit court only obtains

On appeal, the Honorable Heath P. Taylor, circuit court judge, summarily dismissed Stroman’s appeal through an order filed on December 11, 2025. Thereafter, on December 18, 2025, Stroman submitted an apparent ex parte motion entitled “Motion to Reopen and Reconsider,” and, on the same date, Judge Taylor issued an order summarily denying that motion. Stroman then timely *filed* another notice of appeal with the Court of Appeals.^{7 8}

appellate jurisdiction over an appeal from magistrate court “after proper filing of notice” and instructing “[a]ll appeals must be prosecuted as prescribed by statute”).

⁷ The records associated with Stroman’s current appeal are presently available through the South Carolina Appellate Court Public Index. Appellate Records for State v. Shaneeka Monet Stroman, South Carolina Appellate Court Public Index, <https://ctrack.sccourts.org/public/caseView.do?csIID=85064>.

⁸ Notably, Stroman’s most-recent notice of appeal, which is dated December 26, 2025, was *not* accompanied by a proof of service. Appellate Records for State v. Shaneeka Monet Stroman, South Carolina Appellate Court Public Index, <https://ctrack.sccourts.org/public/caseView.do?csIID=85064>. Based on that, the Court of Appeals sent a deficiency letter to Stroman alerting her she was required to submit proof her notice of appeal was properly served. Id. Following that, Stroman submitted a proof of service indicating she served her notice of appeal upon the State on January 6, 2026, by delivering it to the “CALHOUN County circuit court.” Id. In response, the Court of Appeals again sent Stroman a deficiency letter alerting her the proof of service she provided did not identify the name of counsel for the State that was purportedly served with the notice of appeal. Id. Subsequent to that, Stroman submitted a revised proof of service dated January 21, 2026. Id. In that revised filing, Stroman claimed she served her notice of appeal—which was originally dated December 26, 2025—on the State by mailing it to Attorney General Alan Wilson on December 18, 2025, which was eight days *before* the original notice of appeal itself was dated. Id.

STATEMENT OF FACTS

In the detailed return he submitted after Stroman appealed her convictions to the Calhoun County Court of Common Pleas, the magistrate judge provided the following general summary of the details of the criminal behavior that gave rise to Stroman's charges:

[Stroman] and her partner Samuel Brown located a temporarily vacant home at [a particular address in St. Matthews, South Carolina]. The elderly homeowner, Carol Fischer, had been admitted to the hospital and later to a medical rehabilitation facility. Her adult daughter, Emily Fischer-Bunker, had her mother's Power of Attorney because Fischer eventually suffered from dementia and was no longer able to live alone at home. [Stroman] and Brown occupied the home, changed the electrical utility account into [Stroman's] name, posted "No Trespass" signs, and other conduct to assert their claim to the premises. [Stroman] filed a civil case, pro se, in the Court of Common Pleas in Calhoun County against Fischer, the Town of St. Matthews, and others. The Calhoun County Sheriff Office after its investigation sought and were issued arrest warrants for Malicious Injury or Trespass to Real Property and Harassment-2nd degree.

(Return, p. 1). Ultimately, based on that conduct, a jury of her peers convicted Stroman as charged of one count of malicious injury to or trespass upon real property and one count of second-degree harassment, and she was sentenced to an aggregate sixty-day term of imprisonment. (Return, pp. 1-3).

Shortly after the trial concluded, Stroman initiated an appeal of her convictions to the Calhoun County Court of Common Pleas. (Circuit Court Notice of Appeal; Circuit Court Notice of Appeal Proof of Service). Notably, the notice of appeal itself was dated September 22, 2025; the proof of service was dated September 23, 2025; and Stroman represented in that proof of service her notice of appeal had *solely* been served on the magistrate judge on September 24, 2025. (Circuit Court Notice of Appeal; Circuit Court Notice of Appeal Proof of Service). Meanwhile, Stroman never submitted anything actually establishing she served her notice of

appeal on the State as required for appellate jurisdiction to exist. Records for Shaneeka Monet Stroman, Calhoun County First Judicial Circuit Public Index, <https://publicindex.sccourts.org/calhoun/publicindex/>.

After the appeal was initiated, the magistrate judge submitted a return, and the matter appears to have been placed on the roster to be heard during the term of court beginning on December 8, 2025, in a manner consistent with South Carolina law.⁹ *Id.*; *see* S.C. Code Ann. § 18-3-60 (“The clerk of court, upon receipt of the case, shall place it upon the motion calendar of the court of common pleas.”). Ultimately though, the circuit court judge—acting in an appellate capacity—summarily dismissed Stroman’s appeal through an order filed on December 11, 2025, for “Failure to Prosecute.”¹⁰ (Order of Dismissal).

Seven days later, Stroman submitted an apparent *ex parte*¹¹ motion seeking to “reopen her case” and requesting a change of venue. (Reconsideration Motion and Coversheet). As support for that request, Stroman claimed she was not properly notified, never received an emergency hearing she claimed to have requested, was incarcerated “during the notice of appeal,” was unable to prepare her case, and purportedly did not receive a fair hearing. (Reconsideration Motion and Coversheet). On the same date, the circuit court judge denied Stroman’s motion. (Order Denying Reconsideration).

⁹ Importantly, in the absence of a showing to the contrary, it must be assumed both a case was properly set and called in accordance with the applicable rules and the parties either knew or could have reasonably ascertained the case would have been reached at its scheduled time. *Small v. Mungo*, 254 S.C. 438, 443, 175 S.E.2d 802, 804 (1970).

¹⁰ Significantly, courts in South Carolina have the “inherent power” to dismiss a matter for failure to prosecute. *Small*, 254 S.C. at 442, 175 S.E.2d at 803.

¹¹ No proof of service was included with the motion to establish it was served on the State, and Stroman left the portion of the motion coversheet identifying opposing counsel entirely blank. (Reconsideration Motion and Coversheet).

STANDARD OF REVIEW

In criminal appeals from magistrate court, the circuit court does not conduct a de novo review and is limited to reviewing for preserved errors raised to it by appropriate objections. City of Landrum v. Sarratt, 352 S.C. 139, 141, 572 S.E.2d 476, 477 (Ct. App. 2002); see S.C. Code Ann. § 18-3-70 (“The appeal must be heard by the Court of Common Pleas upon the grounds of exceptions made and upon the papers required under this chapter, without the examination of witnesses in that court. And the court may either confirm the sentence appealed from, reverse or modify it, or grant a new trial, as to the court may seem meet and conformable to law.”). Meanwhile, an appellate court reviewing a criminal appeal from the circuit court may review for errors of law only. City of Aiken v. Koontz, 368 S.C. 542, 546, 629 S.E.2d 686, 688 (Ct. App. 2006). Thus, an appellate court’s scope of review in such appeals is “limited to correcting the circuit court’s order for errors of law.” State v. Johnson, 396 S.C. 424, 428, 721 S.E.2d 786, 788 (Ct. App. 2012); see Rogers v. State, 358 S.C. 266, 269, 594 S.E.2d 278, 279 (Ct. App. 2004) (“Brandon clearly misconstrues our standard of review, for in criminal appeals we sit to review errors of law only.”).

ARGUMENT

Pursuant to the law-of-the-case doctrine, Stroman’s current appeal of her two magistrate court convictions cannot possibly be successful because Stroman has not raised any issues challenging the ruling of the circuit court judge dismissing her earlier appeal at the circuit court level based on her failure to prosecute it, which means that unappealed ruling has now become the law of the case regardless of whether it was right or wrong. As a result, Stroman’s convictions should be affirmed.

On appeal to this Court, Stroman has identified two issues in her appellate brief that involve undeveloped¹² allegations of some sort of error on the *trial* judge’s part. Meanwhile, Stroman has not raised or identified any issues in her appellate brief alleging the circuit court judge erred by dismissing her appeal at the circuit court level based on her failure to prosecute it. Assuming appellate jurisdiction has ever existed in Stroman’s case¹³ and notwithstanding any

¹² In the argument section of her brief, Stroman included two single-sentence statements: (1) “BECAUSE RESPONDENT INTERVENED INTO STROMANS STATUTORY RIGHTS THEY SHOULD BE HELD ACCOUNTABLE”; and (2) “BECAUSE FRAUD MUST BE PROVED BY CLEAR AND CONVINCING EVIDENCE, THE TRIAL COURT ERRED WHEN IT CHARGED THE JURY THAT THE RESPONDENT MUST PROVE FRAUD BY A PREPONDERANCE OF THE EVIDENCE.” (App. Br.). Aside from those conclusory assertions, Stroman included no supporting arguments or citations to any authority of any kind. (App. Br.). Instead of doing so, Stroman included parentheticals in their place stating: “Set out discussion and citations of authority.” (App. Br.). Under such circumstances, Stroman’s appellate issues have been abandoned on appeal due to the conclusory and unsupported manner in which they have been raised and presented. See Rule 208(b)(1)(E), SCACR (“At the head of each part [of the argument section of the brief], the particular issue to be addressed shall be set forth in distinctive type, *followed by discussion and citations of authority.*” (emphasis added)); Glasscock, Inc. v. U.S. Fid. & Guar. Co., 348 S.C. 76, 81, 557 S.E.2d 689, 691-692 (Ct. App. 2001) (holding an argument raised on appeal in a conclusory fashion without citation to authority was abandoned for appellate purposes and noting “South Carolina law clearly states that short, conclusory statements made without supporting authority are deemed abandoned on appeal and therefore not presented for review”); see also Henning v. Kaye, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992) (“[T]he South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.”).

¹³ Again, nothing was ever presented establishing Stroman’s initial notice of appeal was ever served on the State at the circuit court level as necessary for appellate jurisdiction to exist, and the information she has provided to this Court regarding her most-recent notice of appeal claims

other problems with Stroman’s latest appeal, her failure to challenge the ruling of the circuit court judge dismissing her earlier appeal at the circuit court level means that ruling—whether right or wrong—has become the law of the case. Accordingly, Stroman’s appeal of her magistrate court convictions cannot be successful as a matter of law since she failed to appeal the dispositive ruling of the lower court. Stroman’s convictions should be affirmed.

Pursuant to the law-of-the-case doctrine, a lower court’s ruling—right or wrong—becomes the law of the case if not appealed. State v. Black, 400 S.C. 10, 28, 732 S.E.2d 880, 890 (2012); see State v. Childers, 373 S.C. 367, 377 n. 5, 645 S.E.2d 233, 238 n. 5 (2007) (“An unchallenged ruling *by the Court of Appeals*, even if erroneous, is the law of the case on certiorari.” (emphasis added)). Significantly, “should the appealing party fail to raise all of the grounds upon which a lower court’s decision was based, those unappealed findings—whether correct or not—become the law of the case.” Dreher v. S.C. Dep’t of Health & Env’t Control, 412 S.C. 244, 250, 772 S.E.2d 505, 508 (2015).

Here, as previously explained, Stroman has identified two issues to this Court through her appellate brief alleging error on the part of the trial judge but elected *not* to challenge the ruling of the circuit court judge dismissing her appeal at the circuit court level based on her failure to prosecute it. Critically, because Stroman did not challenge the only basis upon which the circuit court judge actually ruled in her case, that unappealed ruling—regardless of whether it was right or wrong—has now become the law of the case. See S.C. Dep’t of Soc. Servs. v. M.R.C.L., 393

it was served on the State several days before it even existed. See, e.g., Elam v. South Carolina Dep’t of Transp., 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004) (“The requirement of service of the notice of appeal is jurisdictional, *i.e.*, if a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to ‘rescue’ the delinquent party by extending or ignoring the deadline for service of the notice.”); White v. State, 263 S.C. 110, 119, 208 S.E.2d 35, 39 (1974) (“[I]t is well settled that in the absence of a notice of appeal having been given and *timely served* [the appellate court] has no jurisdiction over such an appeal.” (emphasis added)).

S.C. 387, 393, 712 S.E.2d 452, 456 (2011) (recognizing rulings of the Court of Appeals that are not challenged on certiorari are the law of the case regardless of whether they are right or wrong). Therefore, to the extent the circuit court judge found the dismissal of the appeal was warranted in Stroman's case, his ruling in that regard must be treated as correct due to Stroman's failure to appeal it. Cf. Moseley v. All Things Possible, Inc., 395 S.C. 492, 495 n. 4, 719 S.E.2d 656, 658 n. 4 (2011) ("In its opinion, the court of appeals found the facts did not warrant relief against Hampton. That finding is the law of the case, for the Moseleys did not seek certiorari on that issue."). As a result, the merits of the issues Stroman has now raised cannot properly be reached on appeal since the circuit court judge's dismissal of the appeal for failure to prosecute has become the law of the case. Cf. Sheppard v. State, 357 S.C. 646, 662, 594 S.E.2d 462, 471 (2004) ("[T]he trial court ruled the statement was admissible under Rule 803(3), SCRE. Because [Sheppard] does not appeal the trial court's ruling that the statement is a Rule 803(3) exception to the hearsay rule, that ruling is the law of the case. Accordingly, the trial court did not err by admitting Lynch's testimony." (citation and footnote omitted)). Stroman's convictions should be affirmed.

CONCLUSION

For all the foregoing reasons, it is respectfully submitted the judgment and conviction of the lower court be affirmed.

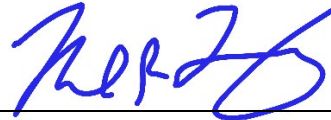
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