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Jul 15 2026

**SC Court of Appeals
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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
The Honorable R.K. Griffin, Circuit Court Judge

Case No: 2026-GS-38-0957

The State Respondent

vs.

Lindsay Leann Rush..... Appellant

EXPLANATION OF APPEAL

Lindsay Rush appeals Her guilty plea and sentence in the aforementioned cases. Ms. Rush called my office and expressed her desire to appeal her sentence. As her attorney, it is my duty to carry out her request.

July 15, 2026



Office of the Public Defender, 1st Circuit
R. Douglas Mellard
Deputy Public Attorney
Brittany R. Schelper
Assistant Public Attorney
P.O. Box 1112
Orangeburg, SC 29116-1112
(803)536-5682
Attorney for Appellant

Office of the Solicitor, 1st Circuit
Theodore Lupton
Assistant Solicitor
P.O. Box 1525
Orangeburg, SC 29115
(803) 533-6252
Attorney for Respondent

ATTEST: TRUE COPY
Winnifred B. Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

County of Orangeburg

State

VS.

Lindsay Leann Rush

AKA:

RACE: White SEX: Female

DOB: [REDACTED] 12:00:00 AM

In disposition of the above indictment comes now the Defendant who was ☐ CONVICTED OF or ☒ PLEADSTO: Burglary 3rd Degree 1st offenseRange of Offense Pled: 0-5yIn violation of § 16-11-313(A) of the S.C. Code of Laws, bearing CDR Code # 0427☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45(CSC w/minor 1st or CSC w/minor 3rd)The charge is: ☐ As indicted, ☐ Lesser Included Offense, ☒

Defendant Waives Presentment to Grand Jury.

The plea is: ☒ w/o Rec/Negotiations ☐ Negotiated☒ Recommendation No Contact, Drug Treatment

Solicitor Theodore N. Lupton

SC Bar #
9517Attorney for Defendant Brittany
Rebecca SchelperSC Bar #
106428The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
or a determinate term of 3 days/months/years Time Served ☐ YOA NTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for 2
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 SCDC21 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 See Separate Order (20% per S.C. Code § 24-21-490 (B))

§ 14-1-206 (Assessments 107.5%)

§ 14-1-211 (A)(1)(Conv. Surcharge)

§ 14-1-211 (A)(2)(DUI Surcharge)

§ 56-5-2995 (DUI Assessment)

§ 56-1-286 (DUI Breath Test)

§ 14-1-212 (Law Enforce. Funding)

§ 14-1-213 (Drug Court Surcharge)

§ 34-11-70(b) and (c), and 34-11-90(c) and (d) (Admin Fraud Check Court Costs)

§ 50-21-114 (BUI Breath Test Fee)

§ 56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Clerk of Court/Deputy Clerk

Johnay Shaw
Court Reporter

Judge Code

Sentence Date

Presiding Judge

TOTAL

SCCA217B
01/27/2025

) INDICTMENT/CASE#: 2026GS3800957

) AW#: 2026A3810700401

) Date of Offense: 04/24/2026

) S.C. Code §: 16-11-313(A)

) CDR Code #: 0427

) Range of Offense: 0-5y

ATTEST: TRUE

Winnifia B. Clark

CLERK OF COURT
ORANGEBURG COUNTY

General Sessions Tracking Sheet
Indictment # 0000GS38

958

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Jul 22 2026

SC Court of Appeals

Name: Rush, Lindsay Leann

AKA:

Addr:

Warrant/Ticket #: 2026A3810700402

Date of Arrest: 04/25/2026

Date of Offense: 04/24/2026

Date Rcv by Clerk 05/06/2026

Magistrate: Clerk Of Court C P, G S, And Family Court

Counts: Code: 0124/Tools / Possession, making implements capable of being used in crime

SSN#

Sex: F Race: W

DOB:

DL#

Indictment # 0000GS38

ATTEST: TRUE COP:

Winnif B. Clark

CLERK OF COURT
ORANGEBURG COUNTY

Disposition Information

1. Transmitted to SOL & SCCA:

2. Disp Received by Clerk:

3. Date of Disposition: 7-7-26

- Disposition
- 1. Guilty plea
 - 2. Trial -- guilty
 - 3. Trial -- not guilty
 - ☒ 4. Dism/Not Pros/Pros Ended
 - 5. Judicial Commitment
 - 6. Judicial Dismissal
 - 7. Remanded
 - 8. Dismissed at Prelim
 - 8. No Bill
 - 9. Failure to Appear
 - 10. Other

Explain:

Explain:

Explain:

Explain:

Explain:

P G O C

Judge:

Defense Atty:

Counts: Code:

Sentence:

Court Reporter:

Solicitor:

[Signature]

ARREST WARRANT
2026A3810700401
STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Orangeburg
THE STATE 2026-00002742
against
Lindsay Leann Rush
Address: [REDACTED]
Phone: [REDACTED] SSN: [REDACTED]
Sex: F Race: W Height: 5 Weight: 105
DL State: SC DL #: [REDACTED]
DOB: [REDACTED] Agency OR #: SC0380000
Prosecuting Agency: Orangeburg County Sheriff
Prosecuting Officer: Mary E Tanner - S01035
Offense: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense
Offense Code: 0427
Code/Ordinance Sec.: 16-11-0313
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 Lindsay Leann Rush
on 04-24-2026
Donald L. Flork
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:
General Sessions
151 Docket Street
P. O. Box 9000
Orangeburg, SC 29116

ORIGINAL

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA)
☒ County/ ☐ Municipality of)
Orangeburg)

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

AFFIDAVIT

Personally appeared before me the affiant Mary E Tanner who
being duly sworn deposes and says that defendant Lindsay Leann Rush
did within this county and state on or about 4/24/2026 violate the criminal laws of the
State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Orangeburg)
in the following particulars:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

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:

ON APRIL 24, 2026, WHILE AT THE ADDRESS OF 4306 STILLWATER RD ORANGEBURG, SC 29118, ONE LINDSAY
LEANN RUSH VIOLATED SOUTH CAROLINA CODE OF LAWS 16-11-0313 BURGLARY 3RD DEGREE. THIS INCIDENT
OCCURRED WITHIN THE COUNTY OF ORANGEBURG, SOUTH CAROLINA. THE DEFENDANT ENTERED THE
VICTIM'S CAMPER WITHOUT THE VICTIM'S KNOWLEDGE OR CONSENT. THE PROPERTY ALONG WITH
THE CAMPER IS POSTED WITH NO TRESPASSING SIGNS. THE DEFENDANT WAS IN POSSESSION OF
SCREWDRIVERS AND CUTTING TOOLS UPON ARREST.

Signature of Affiant

STATE OF SOUTH CAROLINA
☒ County/ ☐ Municipality of
Orangeburg

Affiant's Address Post Office Box 9000
Orangeburg, SC 29116-
Affiant's Telephone

ATTEST: TRUE

Winnifia B. Clark

CLERK OF COURT
ORANGEBURG COUNTY

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 4/24/2026 defendant Lindsay Leann Rush
did violate the criminal laws of the State of South Carolina (or ordinance of
☒ County/ ☐ Municipality of Orangeburg) as set forth below:

DESCRIPTION OF OFFENSE: Burglary / Burglary (After June 20, 1985) - Third degree - 1st offense

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 4/24/2026

Dennis Gary Doremus II
Signature of Issuing Judge (L.S.)

Judge Code: 7436

Judge's Address Post Office Box 9000
Orangeburg, SC 29116-
Judge's Telephone (803)247-2011

Issuing Court ☒ Magistrate ☐ Municipal ☐ Circuit

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APR 24 2026
WARRANT DIVISION

RECEIVED
Jul 22 2026

SC Court of Appeals

ARREST WARRANT

2026A3810700402

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

146201

THE STATE

2026-00002742

against

Lindsay Leann Rush

Address:

Phone: [REDACTED] SSN [REDACTED]

Sex: F Race: W Height: 5 Weight: 105

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] Agency Ord #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: Mary E Tanner - S01035

Offense: Tools / Possession, making implements capable of being used in crime

Offense Code: 0124

Code/Ordinance Sec: 16-11-0020

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 Lindsay Leann Rush

on 04-24-2026

Donald L. Aiken
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
151 Docket Street
P. O. Box 9000
Orangeburg, SC 29116

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

AFFIDAVIT

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

Personally appeared before me the affiant Mary E Tanner who

being duly sworn deposes and says that defendant Lindsay Leann Rush

did within this county and state on or about 4/24/2026

violate the criminal laws of the

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Orangeburg

in the following particulars:

DESCRIPTION OF OFFENSE: Tools / Possession, making implements capable of being used in crime

Jul 22 2026

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:

ON APRIL 24 2026 WHILE AT THE ADDRESS OF 4306 STILLWATER RD ORANGEBURG, SC 29118, ONE LINDSAY LEANN RUSH VIOLATED SOUTH CAROLINA CODE OF LAWS 16-11-0020 POSSESSION, MAKING IMPLEMENTS CAPABLE OF BEING USED IN CRIME. THIS INCIDENT OCCURRED WITHIN THE COUNTY OF ORANGEBURG, SOUTH CAROLINA. THE DEFENDANT ENTERED THE VICTIMS CAMPER WITHOUT THE VICTIMS KNOWLEDGE OR CONSENT. THE PROPERTY ALONG WITH THE CAMPER IS POSTED WITH NO TRESPASSING SIGNS. THE DEFENDANT WAS IN POSSESSION OF SCREWDRIVERS AND CUTTING TOOLS UPON ARREST.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Orangeburg

Affiant's Address Post Office Box 9000

Orangeburg, SC 29116-

Affiant's Telephone

ATTEST: TRUE CO

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 4/24/2026

defendant Lindsay Leann Rush

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

☒ County/ ☐ Municipality of Orangeburg

) as set forth below

DESCRIPTION OF OFFENSE: Tools / Possession, making implements capable of being used in crime

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 4/24/2026

[Signature] (L.S.)
Signature of Issuing Judge

Dennis Gary Doremus II

Judge Code: 7436

Judge's Address Post Office Box 9000

Orangeburg, SC 29116-

Judge's Telephone (803)247-2011

Issuing Court:

☒ Magistrate☐ Municipal☐ Circuit

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SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)
)
)
)

INDICTMENT FOR
2026GS3800957
Burglary - Third Degree
§16-11-313(A)

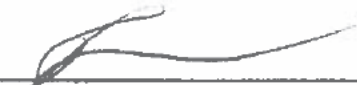
At a Court of General Sessions, convened on , the Grand Jurors of Orangeburg County present upon their oath:

Burglary - Third Degree

That in Orangeburg County, South Carolina, on or about April 24, 2026, the Defendant, Lindsay Leann Rush, did enter a building without consent and with the intent to commit a crime, all in violation of Section 16-11-313(A), et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

ATTEST: TRUE CO
Winnifia B. Clark
CLERK OF COURT
ORANGEBURG COUNTY S


Theodore N. Lupton, Assistant Solicitor

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Jul 15 2026

SC Court of Appeals

WITNESSES

Orangeburg County Sheriff's Office

Mary Tanner - Orangeburg County Sheriff's Office

Law Enforcement Case #: 2026-00002742

ARREST WARRANT NUMBER

2026A3810700401

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2026GS3800957

The State of South Carolina

County of Orangeburg

COURT OF GENERAL SESSIONS

THE STATE

vs.

Lindsay Leann Rush

Indictment For

Burglary - Third Degree

SC Code: §16-11-313(A)

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

X Lindsay Rush

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

ATTEST: TRUE CO
Winnie B. Clark
CLERK OF COURT
ORANGEBURG COUNTY

JAIL W/I SCDC

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

) IN THE COURT OF GENERAL SESSIONS

) FIRST JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

ORDER OF APPOINTMENT OF LEGAL

COUNSEL FOR INDIGENT DEFENDANT

VS.

Lindsay Rush

Defendant.

Age: 41

Birthdate: [REDACTED]

Race/Sex: W/F

Date of Arrest: 4/15/26

Address

Address/Friend or Relative

Orangeburg, SC

29118

City

Zip

City

State Zip

Telephone

Email

Offense: 0407 - Burglary

Magistrate: _____

Warrant No. 2026A3810700401

Bond: \$ _____

Type: Signature Recog Property Bondsman: _____

Offense: 0124 - Tools

Magistrate: _____

Warrant No. 2026A3810700402

Bond: \$ _____

Type: Signature Recog Property Bondsman: _____

Offense: _____

Magistrate: _____

Warrant No.: _____

Bond: \$ _____

Type: Signature Recog Property Bondsman: _____

The defendant contends that he is indigent and in need of services of an attorney as contemplated by law.

THEREFORE, Brittany Schelper, Attorney at Law, is appointed as counsel for the defendant.

This 29 day of April, 2026
at _____ (am - pm)

White - Clerk of Court

Green - Attorney

Canary - Criminal Justice Coordinator

Pink - Solicitor

Goldenrod - Defendant

ATTEST: TRUE CO

Winnifred B. Clark

CLERK OF COURT

ORANGEBURG COUNTY

Rhea Murphy
Criminal Justice Coordinator