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Aug 11 2026

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

August 11, 2026

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Sylecia McIntyre v. State – Appellate Case No. 2026-001598

Dear Ms. Kitchings:

The above-referenced matter is currently pending before this Court after the appellant, Sylecia McIntyre, filed a pro se “Emergency Motion for Supersedeas and Stay” on July 21, 2026. Through that motion, Ms. McIntyre asks this Court to issue an order pursuant to Rule 245 of the South Carolina Appellate Court Rules staying execution of the \$647 fine imposed after she was convicted of driving under suspension in the Spartanburg County Magistrate Court in April of 2026 along with “any contempt or incarceration threatened” while her accompanying petition for a writ of certiorari remains pending.

On August 10, 2026, this Court asked the State to file a return to McIntyre’s motion within ten days. Please accept this letter in lieu of a formal return to the pro se motion by the State.

Initially, before addressing the substance of Ms. McIntyre’s motion, the State would note Ms. McIntyre appears to have incorrectly filed a petition for a writ of certiorari pursuant to Rule 242 of the South Carolina Appellate Court Rules in an apparent attempt to further appeal her magistrate court convictions after those convictions were recently affirmed by a circuit court judge following an earlier appeal to the court of common pleas. Respectfully, the appropriate procedure to appeal the circuit court judge’s ruling is the one set out in Rule 203 of our state’s appellate court rules, and timely service of a notice of appeal pursuant to that procedure is fundamentally necessary for proper appellate jurisdiction to exist in Ms. McIntyre’s case. See, e.g., 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.”).

Meanwhile, as to the merits of the pro se motion, Ms. McIntyre is currently seeking for this Court to stay the collection of the \$647 fine that was imposed after she was convicted of her magistrate court charges. However, as reflected in both the enclosed uniform traffic tickets and

the receipt from the Spartanburg County Magistrate Court, Ms. McIntyre has now paid the \$647 fine as of July 23, 2026, which was a date falling two days *after* she filed her pro se motion seeking the stay. Accordingly, Ms. McIntyre's request for a stay related to the payment of the \$647 fine has now been rendered moot by her subsequent payment of that fine. See State v. Green, 337 S.C. 67, 71, 522 S.E.2d 602, 604 (Ct. App. 1999) ("When judgment on an issue can have no practical effect upon an existing case or controversy, the issue is moot.").

Accordingly, because McIntyre's request for relief is now moot, the State respectfully asks this Court to deny Ms. McIntyre's pro se motion and decline to grant a stay that could no longer have any practical effect. Thank you very much, and, if you should have any questions or concerns or if a more formal return is desired, please do not hesitate to contact me.

Sincerely,



Mark R. Farthing
Senior Assistant Deputy Attorney General
S.C. Bar Number 76901

MRF/

Enclosures

cc: Sylecia McIntyre, Pro Se Appellant

VOID ☐
NOTES

Form 9-438 Rev 03/2017											
UNIFORM TRAFFIC TICKET											
STATE OF SOUTH CAROLINA											
VERSUS											
FIRST NAME SYLECIA			MIDDLE NAME			LAST NAME MCINTYRE					
STREET											
CITY											
STATE											
ZIP CODE											
DL STATE SC		DRIVER'S LICENSE NO.				NONE ☐		CLASS D		CDL ☐ YES ☒ NO	
RACE B		SEX F		BIRTH DATE		HGT. 60		WGT. 140		HAIR BLK	
EYES BRO		VEH. LIC. NO.		STATE SC		MAKE OF VEH TOYT		YEAR 2002		16 PSGR. VEH. HAZ. MT.	
VEHICLE OWNER FIRST NAME SYLECIA		MIDDLE NAME				LAST NAME MCINTYRE					
OWNER STREET		CITY				STATE		ZIP CODE			
YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT											
NAME OF TRIAL COURT SPARTANBURG MAGISTRATE REGION #3 42104						STREET 112 FOSTER ST					
DATE OF TRIAL 02/12/2026		TIME OF TRIAL 1800		CITY COWPENS		STATE SC		ZIP CODE 29330			
VIOLATION SECTION NO. 56-01-0460(A)(1)(a)						VIOLATION - COURT APPEARANCE REQUIRED YES NO					
DATE OF VIOLATION 01/06/2026						TIME OF VIOL. 0300		SC POINTS 0		B.A. LEVEL	
VIOLATION LOCATION SC						9 BOILING SPRINGS RD				COUNTY 42-SPARTANBURG	
LAT 35.04009				LONG -81.97544				CITY SPARTANBURG			
NAME AND RANK OF ARRESTING OFFICER J. Stewart / OFC						SCCJA OFFICER NUMBER 9524-3493					
BAIL DEPOSITED AMOUNT				DATE OF ARREST 01/06/2026		BOND AMOUNT REQUESTED					
DATE BAIL REC'D.				BY							
CASE BEFORE: MAGISTRATE ☒ MUN. COURT ☐ CIRCUIT COURT ☐ FAMILY COURT ☐ FEDERAL COURT ☐											
NAME OF THE TRIAL COURT IF DIFFERENT FROM ABOVE:											
TRIAL BY: TRIAL JUDGE ☐ JURY ☒ DEFENDANT: DID NOT APPEAR ☐ APPEARED ☒											
DISPOSITION DATE 4-14-20		DISPOSITION: NOLLE PROSSED ☐ GUILTY ☒ FORFEITED BOND ☐ NOT GUILTY ☐				PLED: NOLO CONTENDERE ☐ DETERMINED BAC: ☐					
CHARGE CONVICTED OF SAME AS ORIGINAL						SC POINTS					
JAIL		SUSPEND		FINE		AMT. COLLECTED		AMT. SUSPENDED		COMMITTED TO	
Vehicle Searched NO											
CERTIFIED CORRECT						DATE		Arrest as Result of Collision NO			
Electronic Copy - Trial Officer / Driver's Record						TICKET # 20262881000361					
											

CITY/COUNTY OF: SPARTANBURG

INCIDENT NO.:

AGENCY/TROOP: SPARTANBURG COUNTY SO

RB
647.50

647.50
30 days

Jury
Trial
Guilty
647.50
30 Days
6/3/26

Brett Given ✓

VOID ☐
NOTES

UNIFORM TRAFFIC TICKET											
STATE OF SOUTH CAROLINA											
VERSUS											
FIRST NAME SYLECIA			MIDDLE NAME			LAST NAME MCINTYRE					
STREET [REDACTED] Box 219											
CITY [REDACTED]			STATE [REDACTED]			ZIP CODE [REDACTED]					
DL STATE SC		DRIVER'S LICENSE NO. [REDACTED]				NONE ☐ CLASS D ☐ YES ☒ NO		CDL YES ☐ NO ☒			
RACE B		SEX F		BIRTH DATE [REDACTED]		HGT. 60		WGT. 140		HAIR BLK EYES BRO	
VEH. LIC. NO. [REDACTED]		STATE SC		MAKE OF VEH TOYT		YEAR 2002		14 PAS. VEH. ☐ AUTO ☐ BICYCLER ☐ COMB. ☐ OTHER ☐			
VEHICLE OWNER FIRST NAME SYLECIA				MIDDLE NAME				LAST NAME MCINTYRE			
OWNER STREET [REDACTED]				CITY [REDACTED]				STATE [REDACTED]		ZIP CODE [REDACTED]	
YOU ARE SUMMONED TO APPEAR BEFORE THE TRIAL COURT											
NAME OF TRIAL COURT SPARTANBURG MAGISTRATE REGION #3 42104				STREET 112 FOSTER ST							
DATE OF TRIAL 02/12/2026		TIME OF TRIAL 1800		CITY COWPENS		STATE SC		ZIP CODE 29330			
VIOLATION SECTION NO. 56-05-2150				VIOLATION - COURT APPEARANCE REQUIRED YES NO FAILURE TO GIVE SIGNAL OR IMPROPER SIGNAL							
DATE OF VIOLATION 01/06/2026				TIME OF VIOL. 0300		SC POINTS 0		B.A. LEVEL			
VIOLATION LOCATION SC				9 BOILING SPRINGS RD				COUNTY 42-SPARTANBURG			
LAT 35.04009				LONG -81.97544				CITY SPARTANBURG			
NAME AND RANK OF ARRESTING OFFICER J. Stewart / OFC								SCCJA OFFICER NUMBER 9524-3493			
BAIL DEPOSITED AMOUNT				DATE OF ARREST 01/06/2026		BOND AMOUNT REQUESTED					
DATE BAIL REC'D.				BY							
CASE BEFORE: MAGISTRATE ☒ MUN. COURT ☐ CIRCUIT COURT ☐ FAMILY COURT ☐ FEDERAL COURT ☐											
NAME OF THE TRIAL COURT IF DIFFERENT FROM ABOVE:											
TRIAL BY: TRIAL JUDGE ☐ JURY ☒ DEFENDANT: DID NOT APPEAR ☐ APPEARED ☒											
DISPOSITION DATE 4-14-26		DISPOSITION: NOLLE PROSSED ☐ GUILTY ☒ FORFEITED BOND ☐ NOT GUILTY ☐ DETERMINED BAC: ☐									
CHARGE CONVICTED OF				SAME AS ORIGINAL ☒				SC POINTS			
JAIL		SUSPEND		FINE		AMT. COLLECTED		AMT. SUSPENDED		COMMITTED TO	
										Vehicle Searched NO	
CERTIFIED CORRECT [Signature]								DATE 4-14-26		Arrest as Result of Collision NO	
Electronic Copy - Trial Officer / Driver's Record											
TICKET # 20262581000362											

CITY/COUNTY OF: SPARTANBURG

INCIDENT NO.:

AGENCY/ROOM: SPARTANBURG COUNTY SO

Date Time
In Trial
Jury Trial
Requested
KMS

447.50

Paid

\$25.00

Jury Trial

Guilty

\$25.00

Facts Given

Bond Court
Judge : Richard W. Gregory
950 California Avenue
Spartanburg, SC 29303
Phone:(864) 596-3424 Fax:(864) 596-3622

Received From: Johnson, Gossett Sp

Date: 7/23/2026

Receipt #: 391945

Clerk: c42sruffin

Paying for: McIntyre, Sylecia

Transaction Type: BP Spartan Mac

Reference #:

Payment Type: Cash \$647.50

Comment:

Total Paid: \$647.50

Total Received: \$647.50

Change Due: \$0.00

You may check the status of your Spartanburg case at:

<http://www.sccourts.org/caseSearch/>

Case #	Caption	Previous Balance	Amount Paid	Balance Due
20262581000361	The State of South Carolina VS Sylecia McIntyre	\$647.50	\$647.50	\$0.00



Total Cases: 1	\$647.50	\$647.50	\$0.00
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