

The South Carolina Court of Appeals

Sylecia McIntyre, Appellant,

v.

The State of South Carolina, Respondent.

Appellate Case No. 2026-001598

ORDER

On July 21, 2026, Appellant filed an "emergency motion for supersedeas and stay" pursuant to Rule 245 of the South Carolina Appellate Court Rules, asking this court to stay her sentence—a \$647 fine—for her criminal conviction. On August 11, 2026, the State filed a letter in lieu of a return, arguing Appellant's motion is moot because she paid the fine. On August 13, 2026, Appellant filed a reply, arguing she continues to suffer consequences as a result of the conviction. We construe Appellant's motion as a motion to stay pursuant to Rule 246(a) of the South Carolina Appellate Court Rules. *See* Rule 246(a), SCACR ("The service of a notice of appeal by a criminal defendant shall operate as a stay of the execution of the sentence until the appeal is finally disposed of; provided, however, a sentence of confinement shall not be stayed until the defendant has posted bail under S.C. Code Ann. 18-1-80 and -90 (1985)."). After careful consideration of the filings, we deny Appellant's motion to stay as moot. *See Byrd v. Irmo High Sch.*, 321 S.C. 426, 431, 468 S.E.2d 861, 864 (1996) ("This Court will not pass on moot and academic questions or make an adjudication where there remains no actual controversy.").



J.

FOR THE COURT

Columbia, South Carolina

FILED
Aug 14 2026

cc:

Sylecia McIntyre

Daniel H. H. Cude, Esquire

Alan McCrory Wilson, Esquire

Mark Reynolds Farthing, Esquire