



## The South Carolina Court of Appeals

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September 30, 2026

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Re: The State v. James B. Curry  
Appellate Case No. 2024-002075

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

  
CLERK

cc: James B. Curry, #186737  
Alan McCrory Wilson, Esquire  
Randy E. Newman, Jr., Esquire  
The Honorable Donald B. Hocker

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

The State, Respondent,

v.

James B. Curry, Appellant.

Appellate Case No. 2024-002075

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Appeal From Chester County  
Donald B. Hocker, Circuit Court Judge

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Unpublished Opinion No. 2026-UP-444  
Submitted September 1, 2026 – Filed September 30, 2026

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**AFFIRMED**

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Appellate Defender Jessica M. Saxon, of Columbia, for  
Appellant.

Attorney General Alan McCrory Wilson and  
Senior Assistant Deputy Attorney General Mark  
Reynolds Farthing, both of Columbia; and Solicitor  
Randy E. Newman, Jr., of Lancaster, all for Respondent.

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**PER CURIAM:** James B. Curry appeals the trial court's contempt finding relating to his posttrial conduct.<sup>1</sup> On appeal, Curry argues the trial court abused its discretion by holding him in contempt of court because (1) the contempt sanction violated his Sixth Amendment rights and held him in contempt for perpetuity and (2) the prior orders that he allegedly violated were based upon the Inmate Litigation Act (ILA),<sup>2</sup> which is inapplicable to criminal actions. We affirm pursuant to Rule 220(b), SCACR.

1. We hold Curry's argument that the contempt sanction violated his Sixth Amendment right to a jury trial and held him in contempt for perpetuity is not preserved for appellate review because Curry failed to raise this issue to the trial court or obtain a ruling. *See State v. Dunbar*, 356 S.C. 138, 142, 587 S.E.2d 691, 693 (2003) (per curiam) ("[F]or an issue to be preserved for appellate review, it must have been raised to and ruled upon by the trial [court]."); *State v. Stahlnecker*, 386 S.C. 609, 617, 690 S.E.2d 565, 570 (2010) ("A party need not use the exact name of a legal doctrine in order for the issue to be preserved, but it must be clear the argument has been presented on that ground."); *Rhoad v. State*, 372 S.C. 100, 108, 641 S.E.2d 35, 38-39 (Ct. App. 2007) (holding the question of whether the appellant was entitled to a jury trial was not preserved for appellate review because the appellant failed to request a jury trial and failed to object to imposition of the contempt sentences).

2. We hold the circuit court did not abuse its discretion by determining Curry was in contempt because the prior orders were not based on the ILA. *See State v. Bevilacqua*, 316 S.C. 122, 129, 447 S.E.2d 213, 217 (Ct. App. 1994) (per curiam) ("A determination of contempt ordinarily resides in the sound discretion of the trial [court]."); S.C. Code Ann. § 14-5-320 (2017) ("The circuit court may punish by fine or imprisonment, at the discretion of the court, all contempts of authority in any cause or hearing before the same."); *Miller v. Miller*, 375 S.C. 443, 455, 652 S.E.2d 754, 760 (Ct. App. 2007) ("[C]ourts have the inherent power to punish for offenses that are calculated to obstruct, degrade, and undermine the administration of justice." (quoting *Brandt v. Gooding*, 368 S.C. 618, 628, 630 S.E.2d 259, 264 (2006))).

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<sup>1</sup> The order on appeal found Curry in civil contempt. However, the order also stated that the three consecutive five-month sentences would be imposed only if Curry filed anything, except by an attorney on his behalf, either before or after his current sentence ended.

<sup>2</sup> S.C. Code Ann. §§ 24-27-100 to -500 (2025).

**AFFIRMED.**<sup>3</sup>

**THOMAS, KONDUROS, and CURTIS, JJ., concur.**

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<sup>3</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.