

STATE OF SOUTH CAROLINA**
COUNTY OF NEWBERRY

IN THE COURT OF COMMON PLEAS
EIGHTH JUDICIAL CIRCUIT

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Oct 01 2026

SC Court of Appeals

The State of South Carolina, Respondent,

v.

Sheena Paige, Appellant.

Case No.: 2026-CP-36-00158

MOTION FOR CLARIFICATION AND FOR EXPRESS RULING ON OMITTED ISSUES

COMES NOW the Appellant, Sheena Paige, appearing pro se, and respectfully moves this Honorable Court for clarification and for an express ruling on issues presented in Appellant's Motion for Reconsideration that are not expressly resolved in the Court's Order denying that motion.

This Motion is filed out of respect for the Court and for the purpose of ensuring that the record accurately reflects the Court's consideration of issues previously presented. Appellant respectfully submits that clarification of these matters will assist in creating a complete record regarding the issues raised in the Motion for Reconsideration.

This Motion is respectfully submitted for the limited purpose of requesting clarification and an express ruling on issues previously presented to the Court. Appellant is not requesting that the Court reweigh witness credibility or reconsider matters already decided. Rather, Appellant respectfully requests that the Court expressly address issues specifically raised

in the Motion for Reconsideration so that the record reflects the Court's consideration of those matters.

I. Body-Worn Camera Recording

In its Order affirming Appellant's convictions, the Court relied upon the body-worn camera recording in its analysis of the resisting arrest conviction.

However, Appellant's Motion for Reconsideration specifically identified, by timestamp, portions of that same body-worn camera recording that Appellant contends directly relate to the essential elements of the failure-to-leave conviction.

Specifically, Appellant argued that the recording reflects that the female employee informed the responding officer that she had not spoken with Appellant and that the recording does not depict any communication from that employee directing Appellant to leave the premises prior to Appellant's arrest. Appellant further argued that the recording reflects that the only directive for Appellant to leave occurred after the responding officer instructed an unidentified male employee to communicate that directive. These portions of the recording were identified by timestamp in Appellant's Motion for Reconsideration.

The Order denying reconsideration does not expressly address these arguments or indicate whether the Court considered the identified portions of the body-worn camera recording in relation to the failure-to-leave conviction.

Accordingly, Appellant respectfully requests clarification as to whether the Court considered the portions of the body-worn camera recording identified in the Motion for Reconsideration and respectfully requests an express ruling regarding Appellant's argument that those portions of the recording bear directly upon an essential element of the failure-to-leave conviction.

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II. Unidentified Material Witness

Appellant also raised the issue that the only individual who communicated an instruction directing Appellant to leave the premises was an unidentified male employee who did so after being instructed by the responding law enforcement officer, as reflected in the body-worn camera recording.

Throughout the proceedings before the Magistrate Court and on appeal, Appellant repeatedly requested the identity of this individual because he possessed material information concerning the events giving rise to the failure-to-leave charge. His identity was never disclosed, he did not testify, and Appellant was therefore unable to investigate, interview, or seek his testimony through compulsory process.

Because this individual was the only person shown on the body-worn camera recording communicating an instruction for Appellant to leave the premises, Appellant respectfully submits that his identity and potential testimony were material to the defense and directly relevant to an essential element of the charged offense.

The Order denying reconsideration does not expressly indicate whether the Court considered this issue or the significance of the unidentified witness as presented in Appellant's Motion for Reconsideration.

Accordingly, Appellant respectfully requests an express ruling on this issue.

III. Request for Clarification

Because these issues were specifically presented in Appellant's Motion for Reconsideration and supported by citations to the record, including the body-worn camera recording and the corresponding timestamps, Appellant respectfully requests that this Court expressly rule upon those issues so that the record accurately reflects the Court's consideration of the arguments and evidence presented. Appellant further submits that such clarification will promote a complete and accurate record for any further proceedings that may become necessary.

WHEREFORE, Appellant respectfully requests that this Honorable Court enter an Order expressly addressing the issues identified herein, clarifying the basis for its ruling as to those matters, and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,



7/10/2026

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Date: July 10th 2026

State of South Carolina, County of Newberry
In the Court of Common Pleas, Eighth Judicial Circuit

Sheena Paige,
Appellant,
vs.
State of South Carolina,
Respondent.

Case No. 2026-CP-36-00158

**Order Denying Appellant's
Motion to Reconsider**

On June 25, 2026, Appellant timely filed and served a Motion to Reconsider the Order Affirming Appellant's convictions for violating two municipal ordinances. This Motion is disposed of without the necessity of a hearing and decided based on the record and Respondent's detailed motion. Rule 59(f). SCRCP; *Pollard v. City of Florence*, 314 S.C. 397, 402, 444 S.E.2d 534, 536 (Ct. App. 1994). For the reasons stated herein, Appellant's Motion to Reconsider is **denied**.

In criminal cases, the appellate court sits to review errors of law only. *State v. Wilson*, 345 S.C. 1, 545 S.E.2d 827 (2001); *State v. Wood*, 362 S.C. 520, 608 S.E.2d 435 (Ct. App. 2004); *State v. Mattison*, 352 S.C. 577, 575 S.E.2d 852 (Ct. App. 2003). This Court is bound by the trial court's factual findings unless they are clearly erroneous. *State v. Quattlebaum*, 338 S.C. 441, 527 S.E.2d 105 (2000). The appellate court merely determines if the trial judge's ruling is supported by any evidence. *Mattison*, 352 S.C. at 583, 575 S.E.2d at 855.

"Appellant respectfully requests that the Court reconsider its factual finding that the Walmart employee later attempted to tell Appellant to leave the premises and reconsider the conclusions derived from that finding." (Motion to Reconsider, p. 6). This court did not make a factual finding the "Walmart employee later attempted to tell

Appellant to leave the premises.” The court summarized the record and the employee’s testimony at trial.¹

Appellant makes the same factual argument in her motion to reconsider that she made in her appeal. The trial court believed the state’s witnesses, and Appellant now asks this court to believe her instead. To do what Appellant wants would require this court to weigh the factual evidence, which it cannot do. Moreover, this court can only reverse factual findings of a lower court if there is no evidence to support the factual findings or the factual findings were clearly erroneous. *State v. Quattlebaum*, 338 S.C. 441, 527 S.E.2d 105 (2000); *State v. Mattison*, 352 S.C. 577, 575 S.E.2d 852 (Ct. App. 2003).

To convict one of violating Newberry Municipal Code section 11-15, the state must prove the accused was on notice to leave the premises and refused to do so. In the audio recording of the trial from 27:48 through 30:48, the Walmart employee testified she attempted to tell Appellant to move to a different space and then later to leave the parking lot. There is also evidence from the officer’s testimony and body camera video evidencing his attempts to notify Appellant to leave the premises.

The trial court’s factual finding is supported by evidence and is not clearly erroneous. *State v. Quattlebaum*, 338 S.C. 441, 527 S.E.2d 105 (2000); *State v. Mattison*, 352 S.C. 577, 575 S.E.2d 852 (Ct. App. 2003). Therefore, this court is bound by the factual findings of the lower court. There is no legal basis on which it can grant the relief Appellant seeks.

Appellant’s Motion to Reconsider is **denied**. It is so ordered.

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¹ The summary of the record is on page four of the court’s order. “As to the failure to leave premises on request, the record evidences the Walmart employee attempted to tell Appellant to move her car to a different space, and then later to leave the premises, but Appellant ignored her. Appellant cannot cite lack of notice when Appellant purposefully ignored the employee’s communication. [In other words, Appellant cannot come to this court and make new factual arguments that conflict with the trial court’s factual findings.] Thereafter, the police officer told Appellant to leave after she ignored the employee’s initial request.”



Newberry Common Pleas

Case Caption: Sheena Paige VS State Of South Carolina

Case Number: 2026CP3600158

Type: Order/Other

It is so ordered.

s/ Jane H. Merrill

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY

IN THE COURT OF COMMON PLEAS
EIGHTH JUDICIAL CIRCUIT

Sheena Paige, Appellant,

v.

State of South Carolina, Respondent.

Case No. 2026-CP-36-00158

MOTION FOR RECONSIDERATION

Appellant, proceeding pro se, respectfully moves this Court to reconsider portions of its Order filed June 24, 2026, affirming Appellant's convictions for Failure to Leave Premises of Another on Request and Resisting a City Officer.

This motion is directed to a specific factual finding contained in the Court's Order that Appellant respectfully submits is inconsistent with the evidence presented at trial, including the body-camera recording admitted into evidence.

I. FACTUAL FINDING AT ISSUE

The Order states that:

"The Walmart employee attempted to tell Appellant to move her car to a different space, and then later to leave the premises, but Appellant ignored her."

Appellant respectfully submits that the body-camera recording does not support this finding.

II. BODY-CAMERA EVIDENCE

According to the body-camera recording played during trial, the officer asked the Walmart employee whether Walmart wanted Appellant to vacate the premises.

The Walmart employee responded:

"No, I want her out of the spot. Just move out of the spot."

The employee further explained that she wanted the vehicle moved to an actual parking space.

The recording also reflects the employee repeatedly stating that Appellant would not roll down the vehicle window and that the employee was unable to communicate directly with Appellant.

Appellant respectfully submits that the recording does not show the employee instructing Appellant to leave the premises, nor does it show the employee communicating such a request directly to Appellant.

MEMBER CP/SS COURT
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III. ORIGIN OF THE REQUEST TO LEAVE THE PREMISES

Appellant further submits that the body-camera recording reflects that the officer—not the Walmart employee—first informed Appellant that Walmart wanted Appellant to vacate the premises.

The recording reflects that after the Walmart employee stated that she wanted Appellant moved from the parking location rather than removed from the property, the officer nevertheless informed Appellant that Walmart wanted Appellant to leave the premises.

The officer subsequently requested that a male Walmart employee tell Appellant to leave the premises.

The male employee then instructed Appellant to leave.

Appellant respectfully submits that the evidence reflects a distinction between the Walmart employee's request that the vehicle be moved and the later demand that Appellant vacate the premises.

IV. TOWING DISCUSSION REFLECTED IN THE RECORD

Appellant further notes that after the Walmart employee stated that she wanted Appellant moved from the parking location, the officer discussed towing the vehicle as a possible solution.

The officer indicated that a tow truck could be called and discussed whether a tow company would tow an occupied vehicle.

Appellant respectfully submits that this discussion is consistent with a parking-location dispute and is inconsistent with the conclusion that the Walmart employee had already requested that Appellant leave the premises.

V. POST-ARREST TRESPASS DISCUSSION

Appellant further notes that after Appellant had already been arrested and removed from the scene, the officer asked the Walmart employee whether she wanted Appellant trespassed.

Appellant respectfully submits that the timing of this discussion is relevant because the body-camera recording reflects that the trespass issue was discussed after the arrest rather than before.

VI. IDENTITY OF THE MALE WALMART EMPLOYEE

Appellant further notes that the only Walmart employee who directly communicated a demand that Appellant leave the premises was a male employee who was asked by the officer to tell Appellant to leave.

Appellant has repeatedly requested the identity of this employee from law enforcement, Walmart, and through court proceedings. Appellant also requested during the appeal proceedings that the identity of this individual be obtained and made part of the record.

To date, Appellant has not been provided with the identity of this employee.

This issue is relevant because Appellant contends that the female Walmart employee did not instruct Appellant to leave the premises and, according to the body-camera recording, stated that she wanted only that Appellant move the vehicle from the disputed parking location.

The male employee appears to be the only Walmart representative who directly communicated a demand that Appellant leave the premises, and his identity may be relevant to the factual issues addressed in the Court's Order.

VII. CHRONOLOGY REFLECTED IN THE RECORD

Appellant respectfully submits that the body-camera recording reflects the following sequence:

1. Walmart's complaint concerned Appellant's parking location. **[approximately 0:00:48-0:01:30]**
2. The officer asked whether Walmart wanted Appellant to vacate the premises. **[approximately 0:01:39 – 0:01:51]**
3. The Walmart employee responded that she wanted Appellant moved from the parking spot rather than removed from the property. **[approximately 0:01:40 – 0:01:51]**
4. The employee stated that she was unable to communicate directly with Appellant because Appellant would not roll down the vehicle window. **[approximately 0:00:47 – 0:00:49] & [approximately 0:02:15 – 0:02:20]**
5. The officer discussed towing the vehicle as a possible solution. **[approximately 0:02:25 – 0:02:34]**
6. The officer subsequently informed Appellant that Walmart wanted Appellant to leave the premises. **[approximately 0:06:22 – 0:06:35] & [approximately 0:07:15 – 0:07:35]**

7. The officer requested that a male Walmart employee tell Appellant to leave the premises. [approximately 0:07:48 – 0:07:52]

8. The male employee then instructed Appellant to leave. [approximately 0:07:48 – 0:07:52]

9. Appellant was arrested. [approximately 0:12:00 – 0:17:00]

10. After the arrest, the officer asked the Walmart employee whether she wanted Appellant trespass. [approximately 0:33:58 – 0:36:33]

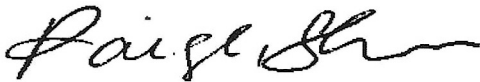
Appellant respectfully submits that this chronology is inconsistent with the finding that the female Walmart employee later attempted to tell Appellant to leave the premises.

VIII. REQUEST FOR RELIEF

WHEREFORE, Appellant respectfully requests that the Court reconsider its factual finding that the Walmart employee later attempted to tell Appellant to leave the premises and reconsider the conclusions derived from that finding.

Appellant further requests such other and further relief as the Court deems just and proper.

Respectfully submitted,



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Date: 06/25/2026

COPY

State of South Carolina, County of Newberry
In the Court of Common Pleas, Eighth Judicial Circuit

Sheena Paige,
Appellant,
vs.
State of South Carolina,
Respondent.

Case No. 2026-CP-36-00158

Order regarding Appellant's
Motion for Clarification and for
Express Ruling on Omitted Issues

Procedural History

In its June 24, 2026 order, the court affirmed Appellant's convictions for two municipal ordinances, failure to leave premises of another on request and resisting a city officer, and reversed Appellant's conviction for Misuse of 911. On June 25, 2026, Appellant timely filed and served a motion to reconsider the order. The court issued its order denying Appellant's motion to reconsider July 1, 2026. Thereafter, on July 10, 2026, Appellant filed a "Motion for Clarification and for Express Ruling on Omitted Issues." Before the court ruled on this motion, Appellant filed an appeal with the South Carolina Court of Appeals July 16, 2026. Because an appeal was pending, the court declined to rule on the motion. On September 15, 2026, the Court of Appeals issued an order remanding the case to the circuit court for the limited purpose of ruling on the motion for clarification.

The motion for clarification is disposed of without the necessity of a hearing and decided based on the record and Appellant's detailed motion. Rule 59(f). SCRCP; *Pollard v. City of Florence*, 314 S.C. 397, 402, 444 S.E.2d 534, 536 (Ct. App. 1994). The court considered all evidence before it, including the audio recording of the hearing and the body camera video.

I. Body Worn Camera Recording

Appellant cites the following timestamps from the body worn camera in her motion to reconsider. The quoted language comes from Appellant's Motion to Reconsider filed June 25, 2026.

"1. Walmart's complaint concerned Appellant's parking location. [approximately 0:00:48 – 0:01:30]"

This accurately states what is on the video.

"2. The officer asked whether Walmart wanted Appellant to vacate the premises. [approximately 0:01:39 – 0:01:51]"

This accurately states what is on the video.

"3. The Walmart employee responded that she wanted Appellant moved from the parking sport rather than removed from the property. [approximately 0:01:40 – 0:01:51]"

The court finds the employee states that she "just wants her out of this spot" and that she "just asked her to move her vehicle to an actual parking spot."

"4. The employee stated that she was unable to communicate directly with Appellant because Appellant would not roll down the vehicle window. [approximately 0:00:47 – 0:00:49] & [approximately 0:02:15 – 0:02:20]"

This accurately states what is on the video. The same employee also states Appellant's sunroof was open when she refused to roll her window down. (Body Camera Video, 1:19 timestamp).

"5. The officer discussed towing the vehicle as a possible solution. [approximately 0:02:25– 0:02:34]"

This accurately states what is on the video.

"6. The officer subsequently informed Appellant that Walmart wanted Appellant to leave the premises. [approximately 0:06:22 – 0:06:35] & [approximately 0:07:15 – 0:07:35]"

This accurately states what is on the video but excludes the exact quote. The officer says, "Ms. Paige, you have to – you have to vacate the premises. Walmart wants you to vacate the premises." (Body Camera Video, beginning 6:22 timestamp).

"7. The officer requested that a Walmart employee tell Appellant to leave the premises. [approximately 0:07:48 – 0:07:52]"

This accurately states what is on the video. Before the officer directs Appellant to leave the premises and warns her she will be charged with failure to leave the premises after request if she does not leave the premises. (Body Camera Video, beginning 7:34 timestamp).

"8. The male employee then instructed Appellant to leave. [approximately 0:07:48 – 0:07:52]"

This accurately states what is on the video.

"9. Appellant was arrested. [approximately 0:12:00 – 0:17:00]"

This accurately states what is on the video.

"10. After the arrest, the officer asked the Walmart employee whether she wanted Appellant trespassed. [approximately 0:33:58 – 0:36:33]"

This accurately states what is on the video.

II. Unidentified Material Witness

Appellant argues "the only individual who communicated an instruction directing Appellant to leave the premises was an unidentified male employee who did so after being instructed by the responding law enforcement officer, as reflected in the body-worn camera."

The court finds other evidence contradicts Appellant's assertion. In the audio recording of the trial from 27:48 through 30:48, the female Walmart employee testified she told Appellant to move to a different space and then later to leave the parking lot. There is also evidence from the officer's testimony and body camera video evidencing he notified Appellant to leave the premises. "A police officer may, without a warrant,

arrest a person who commits trespass after notice—or any misdemeanor—in the officer's presence.” *Jackson v. City of Abbeville*, 366 S.C. 662, 666, 623 S.E.2d 656, 658 (Ct. App. 2005).

The municipal court found Appellant guilty of failure to leave premises of another on request. To reach this conclusion, the municipal court found credible evidence that Appellant had notice to leave the premises and refused to.

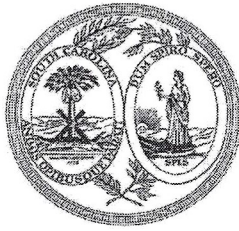
This Court is bound by the trial court's factual findings unless they are clearly erroneous. *State v. Quattlebaum*, 338 S.C. 441, 527 S.E.2d 105 (2000). The appellate court merely determines if the trial judge's ruling is supported by any evidence. *State v. Mattison*, 352 S.C. 577, 583, 575 S.E.2d 852, 855 (Ct. App. 2003). The lower court's ruling is supported by evidence in the record, even if Appellant presented contrary evidence. The municipal court heard the testimony, reviewed the evidence, and concluded Appellant was on notice to leave the premises and failed to do so upon request. Evidence in the record supports this finding.

III. Motion for Clarification

The court clarifies and confirms it thoroughly reviewed the record, including the body camera video. There is evidence in the record that supports the trial court's findings and verdicts.

Appellant's motion to reconsider remains **denied**. It is so ordered.

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Newberry Common Pleas

Case Caption: Sheena Paige VS State Of South Carolina
Case Number: 2026CP3600158
Type: Order/Other

It is so ordered.

s/ Jane H. Merrill