



Law Office of
BRIAN McDANIEL, LLC

bmcDaniel@attorneymcdaniel.com

RECEIVED

MAY 8 2012

S.C. SUPREME COURT

VIA US MAIL

May 4, 2012

S.C. Court Administration
1015 Sumter St., Suite 200,
Columbia SC 29201-3739

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

Robin S. Hild
Post Office Box 9
Walhalla, South Carolina 29691

RE: The State, Respondent v Anthony Clark Odom, Appellant,
Case No.: 2010-GS-37-364A

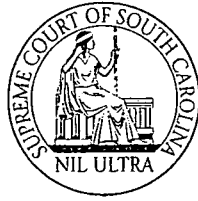
Dear The Honorable Clerk Shearouse, Court Administration and Ms. Hild:

Pursuant to Appellate Court Rule 207 (a)(5) this letter is to notify the Office of Court Administration, the clerk of the appellate court and the court reporter that the Appellant has not received the transcript within the 60 day period nor has he received notification of an extension within 10 days thereafter.

Respectfully Submitted,

Brian McDaniel,
Attorney for the Appellant

William Blich Jr., Esquire Asst. Attorney General, PO Box 11549, Columbia, SC 29211



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

April 5, 2012

Brian D. McDaniel, Esquire
Law Office Of Brian McDaniel, LLC
P.O. Box 2085
Beaufort, SC 29901

Re: The State v. Odom, Anthony Clark

Dear Counsel:

The following Order has been endorsed on your Motion for Bond and Stay Pending Disposition of Appeal in the above entitled case on appeal.

“Motion denied.

s/ Costa M. Pleicones J.
For the Court

April 5, 2012.”

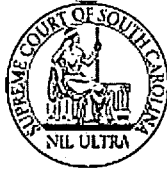
By copy of this letter we are advising opposing counsel of the action of the Court in this matter.

Very truly yours,

CLERK

The State v. Odom, Anthony Clark
Page Two
April 5, 2012

cc: Assistant Attorney General William M. Blich, Jr.



The Supreme Court of South Carolina

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CASE (
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RECEIVED

APR 4 2012

S.C. SUPREME COURT

Notice

Upon request and for good cause shown, Robin Hild, Court Reporter, is hereby granted an extension up to and including May 06, 2012 to prepare and deliver the Transcript of Record in the above case.

Desiree Allen
Court Services Manager
South Carolina Court Administration

Columbia, South Carolina
04/02/2012

cc: Division of Appellate Defense
Office of Attorney General
Robin Hild

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

FEB 10 2012

S.C. SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.

Anthony Clark Odom.....Appellant,

**APPELLANT'S REPLY TO RESPONDENT'S LATE RESPONSE TO MOTION
FOR BOND AND STAY
PENDING DISPOSITION OF APPEAL**

In reply now comes, Appellant in this matter, Anthony C. Odom, by and through his counsel of record Brian D. McDaniel, Esquire of the Law Office of Brian McDaniel, LLC, Beaufort, South Carolina. The Appellant (Odom) pursuant to Rule 240(f), SCACR does hereby offer in reply to the Response of Respondent (State) as follows:

Odom requests that this Court allow the provisions of Rule 240(e), SCACR to apply, and that the State be deemed to have consented to the requested relief due to failing to timely file a return. Although the Court has in its power the authority to excuse the late filing of a Return, the

reason given should be taken into account. In this case, miscommunication between attorneys should not amount to excusable neglect and would not in most cases in the State be allowed as an excuse for attorney negligence See, Stearns v. Glenwood Falls., 373 S.C. 331 (Ct.App. 2007).

Additionally, because this case has received a great deal of attention from the Office of the Attorney General this current appeal and motion should come as no surprise. Further, litigation between Odom and State, has been ongoing for several years and the State is without reasonable excuse to support lengthening the time allow by Rule 240(e), SCACR in this instance.

REPLY TO RETURN

In the State's Factual Background portion of its Response it misstates or mischaracterizes the record and relies upon improper fear mongering.

First and foremost the State's referral to the May 6th chat in Oconee, as a means to oppose the motion and paint Odom as dangerous and vile is improper since the Appellant was found not guilty on charges related to the Oconee chat. The State attached these May 6, chats as the bulk of its' Exhibit A while failing to inform this Court that Odom was not guilty of the charges (see attached indictment). Indeed, the May 6th chat is the majority of the State's Exhibit A, and it is not proper to be used in reply to the current motion or any manner to attack the Appellant. In addition, Odom has not been convicted of the Spartanburg charges, also referenced by the State, and he is presumed innocent of those charges. Again to attempt to use these charges to support the State position is highly improper and not relevant to this County of Oconee Appeal.

Furthermore, this Court needs to be aware that numerous misleading and unsupported assertions are made by the State. For instance, Odom never owned a Black Ford Mustang or had access to one at any relevant time. In fact, there has never been a charge against Odom of

Attempted Criminal Sexual Conduct in any Odom matter. Odom is not alleged to have ever set foot out of his home in the County of Aiken, State of South Carolina to go meet any of the alleged "personas". That no concrete meeting was ever made, in any chat in which Odom is alleged to have been involved. And that all the alleged chats began in an adult chat room, where you must represent yourself via contract as an adult before entering (Yahoo Term of Service, page 2, attached to this Reply).

Additionally, because no pre-trial hearings were heard in the Oconee case of substance, to the extent that the State's claim to the contrary in its' Response may create an impression that issue preservation did not occur, it is denied. In fact, Odom's trial counsel refused to do motions of substance pre-trial, due to fear that if he were successful the State would appeal. In the Response the State attempts to scare and appeal to passions to obtain its ends.

Other facts the State relies upon also do not reasonably support their opposition to the current motion. For instance, the fact that Odom was a Former Assistant Solicitor and attorney at the time of the charges does not make him more subject to the law than anyone else. Nor does his chosen profession make him any more or less dangerous, guilty, innocent, or otherwise,. Odom is a human being like any other before this Court and the law. All it shows is that Odom should understand his role in the system and requirements placed upon him, with which he has complied.

The State makes great issue about the restrictions placed upon Odom. It should be noted that in their own exhibits it shows Odom has had access to the internet and travel since 2006, and Mr. Odom has at no time violated or abused this access. Additionally, Dr. Donna Swartz-Watts testified at trial under oath Odom does not suffer from any parafillia.

The State's argument about the Sex Offender Registry is without merit. It is within this Courts discretion to stay the requirement. An offense of S.C. Code §16-15-342, allows registry only within the discretion of the trial court when the State submits the solicitation of a violent crime provision (see attached indictments). As such, it had to be ordered by the lower court and was not an automatic result of conviction S.C. Code § 23-3-430 (21)(a)(b).

As to the merits of the appeal, the Appellant strongly contends that the probability of reversal is good in this case as previously argued. In reply Odom would point out this case is an appeal from a jury trial, and not one from a plea of guilty. It should also be pointed out that the challenged statute is a young statute, having only existed since 2004. Many questions about the limits and application of S.C. Code §16-15-342 have not been tested. As seen in Odom's Notice of Appeal many unresolved questions are being presented to this Court, for the first time.

CONCLUSION

Based upon Appellant's motion and Reply he respectfully asks that the Court grant the relief requested in his motion.

February 3, 2012


BRIAN MCDANIEL
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Post Office Box 2085
Beaufort, South Carolina 29901
PHONE (803) 379-5117
FAX (803) 379-5118
bmcdaniel@attorneymcdaniel.com

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF OCONEE)

INDICTMENT

CRIMINAL SOLICITATION OF A MINOR

At a Court of General Sessions, convened on April 12, 2010, the Grand Jurors of Oconee County present upon their oath:

That Anthony C. Odom, on or about May 6, 2006, did willfully and knowingly commit the crime of criminal solicitation of a minor. To wit: Anthony C. Odom, a person eighteen years of age or older, did knowingly contact and communicate with a person located in Oconee County that he reasonably believed to be under the age of eighteen, for the purpose of or with the intent of persuading, inducing, enticing, or coercing the person to engage or participate in a sexual activity as defined in Section 16-15-375(5), or a violent crime as defined in Section 16-1-60, or with the intent to perform a sexual activity in the presence of the person reasonably believed to be under the age of eighteen. This is in direct violation of Section 16-15-0342, of the South Carolina Code of Laws (1976), as amended.

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

OFFICE OF THE ATTORNEY GENERAL


HENRY McMASTER (MBW)
ATTORNEY GENERAL

DOCKET NO. 2010-GS-37-

363A

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

WITNESSES

Sgt. Gordon Hopkins, WPD

[Handwritten signature]

The State of South Carolina

County of Oconee

Defendant

COURT OF GENERAL SESSIONS

APRIL TERM 2010

I hereby appear in my own proper person and plead guilty to the within indictment or to

ARREST WARRANT NUMBER

Direct Presentment

THE STATE

vs.

**ANTHONY C. ODOM
D.O.B. 6/22/1973**

Defendant

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

William Langley
Foreperson of Grand Jury

Date: APR 22 2010

VERDICT

True Bill

Indictment for

**CRIMINAL SOLICITATION
OF A MINOR**

SC Code: 16-15-0342
CDR Code: 2999

Foreperson of Petit Jury
Date:

2010 APR 12 P 3:17

FILED OGDONEE, SC
BEVERLY H. WHITEFIELD
CLERK OF COURT

[Handwritten initials]

DOCKET NO. 2010-GS-37-

364A

The State of South Carolina

County of Oconee

COURT OF GENERAL SESSIONS

APRIL TERM 2010

THE STATE

vs.

ANTHONY C. ODOM
D.O.B. 6/22/1973

Indictment for

CRIMINAL SOLICITATION
OF A MINOR

SC Code: 16-15-0342
CDR Code: 2999

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

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.

FILED OCONEE, SC
BEVERLY H. WHITFIELD
CLERK OF COURT
2010 APR 12 P 3:17

RW

WITNESSES

Sgt. Gordon Hopkins, WPD

[Signature]

ARREST WARRANT NUMBER

Direct Presentment

ACTION OF GRAND JURY

William Douglas
Foreperson of Grand Jury

Date: APR 12 2010

VERDICT

True Bill

Foreperson of Petit Jury

Date:

Yahoo! Terms of Service Page 2 of
access and view such areas.

3. YOUR REGISTRATION OBLIGATIONS

In consideration of your use of the Service, you represent that you are of legal age to form a binding contract and are not a person barred from receiving services under the laws of the United States or other applicable jurisdiction. You also agree to: (a) provide true, accurate, current and complete information about yourself as prompted by the Service's registration form (the "Registration Data") and (b) maintain and promptly update the Registration Data to keep it true, accurate, current and complete. If you provide any information that is untrue, inaccurate, not current or incomplete, or Yahoo! has reasonable grounds to suspect that such information is untrue, inaccurate, not current or incomplete, Yahoo! has the right to suspend or terminate your account and refuse any and all current or future use of the Service (or any portion thereof). Yahoo! is concerned about the safety and privacy of all its users, particularly children. For this reason, parents of children under the age of 13 who wish to allow their children access to the Service must create a Yahoo! Family Account. When you create a Yahoo! Family Account and add your child to the account, you certify that you are at least 18 years old and that you are the legal guardian of the child/children listed on the Yahoo! Family Account. By adding a child to your Yahoo! Family Account, you also give your child permission to access many areas of the Service, including, email, message boards and instant messaging (among others). Please remember that the Service is designed to appeal to a broad audience. Accordingly, as the legal guardian, it is your responsibility to determine whether any of the Service areas and/or Content (as defined in Section 6 below) are appropriate for your child.

4. YAHOO! PRIVACY POLICY

Registration Data and certain other information about you is subject to our Privacy Policy. For more information, see our full privacy policy at <http://privacy.yahoo.com/>, or if you came from Yahoo!igans!, then see our Yahoo!igans! privacy policy at <http://www.yahoo!igans.com/docs/privacy/>. You understand that through your use of the Service you consent to the collection and use (as set forth in the Privacy Policy) of this information, including the transfer of this information to the United States and/or other countries for storage, processing and use by Yahoo! and its affiliates.

5. MEMBER ACCOUNT, PASSWORD AND SECURITY

You will receive a password and account designation upon completing the Service's registration process. You are responsible for maintaining the confidentiality of the password and account and are fully responsible for all activities that occur under your password or account. You agree to (a) —immediately notify Yahoo! of any unauthorized use of your password or

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

FEB 10 2012

S.C. SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

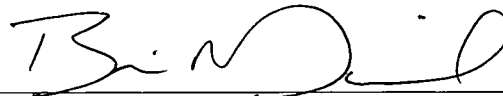
v.

Anthony Clark Odom.....Appellant,

PROOF OF SERVICE

I certify that I have served the **APPELLANT'S REPLY TO RESPONDENT'S LATE RESPONSE TO MOTION FOR BOND AND STAY PENDING DISPOSITION OF APPEAL** on The Office of the South Carolina Attorney General by depositing a copy of it in the United States Mail, postage prepaid, on February 6, 2012, addressed to it's attorneys of record, Megan Wines, Esquire, P.O. Box 11549, Columbia, SC, 29211 and William M. Blicht, Jr., Esquire, P.O. Box 11549, Columbia, SC 29211.

February 6, 2012



Brian McDaniel, Esq.
Post Office Box 2085
Beaufort, South Carolina 29901
Phone (843) 379-5117
Attorney for Appellant

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Oconee County
Hon. R. Lawton McIntosh, Circuit Court Judge

RECEIVED

JAN 31 2012

S.C. Supreme Court

The State,

Respondent,

v.

Anthony Clark Odom,

Appellant.

**RETURN OUT OF TIME TO APPELLANT'S
PETITION FOR BAIL AND APPEAL BOND**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

Appellant has moved pursuant to Rule 246, SCACR, to admit him to bail and stay application of his criminal sentence and probation pending his appeal. Respondent asks this Court to accept this Return out of time. The Return was not timely served and filed due to miscommunication among attorneys involved. Respondent does not believe Appellant would be prejudiced by any delay in serving and filing this Return. Further, Respondent asks this Court to exercise its discretion and deny Appellant's motion, especially in light of the highly appropriate restrictions place on Appellant during the pendency of his probation and the very serious nature of his offense.

FACTUAL BACKGROUND

Appellant began chatting with a person he believed to be a 13-year-old girl on May 4-5, 2006. He immediately began asking her what she looked like including, asking for her bra size. Roughly an hour into the chats, he begins describing the sexual positions and actions he would like to take with the 13-year-old. The chats continue of a sexual nature with Appellant asking numerous times whether the 13-year-old girl wanted to have sex with him. The first day of chatting ends with Appellant asking the girl to masturbate and again talking about wanting to have sex with her. (Exhibit A, Chats pages 1-6).

The Chats continued on May 6. The chats begin with Appellant talking about meeting with the 13-year-old girl to have sex in his mustang, and the chat continues talking about when the girl would be able to sneak out and how long she would be able to be out with Appellant. (Exhibit A, chats pages 7-10). At one point, Appellant indicates he knows the seriousness of his actions: "u know I could go to jail lol." (Exhibit A, Chats page 10). Even after, Appellant continues grooming the person he believes to be a 13-year-old girl and continues indicating what he would like to do sexually with her and to her. (Exhibit A, Chats pages 10-15).

Fortunately, the minor victim was a persona created by an officer with the South Carolina Internet Crimes Against Children Task Force and not an actual 13-year-old girl, though it is clear from the chats Appellant believed he was chatting with a minor. These chats follow other chats with a different persona created by another officer in Spartanburg County. Those chats lasted significantly longer beginning in March 2006 and continued until May 4, 2006, when Appellant moved on to the Oconee girl. The

underlying facts of the Spartanburg chats are already familiar to this Court. See State v. Odom, 382 S.C. 144, 676 S.E.2d 124 (2009).

The State indicted Appellant for violation of section 16-15-342 of the South Carolina Code originally in Spartanburg County and after an appeal to this Court was tried, resulting in a hung jury and a mistrial, in 2010. The State also indicted Appellant on two charges of criminal solicitation of a minor under section 16-15-342 in Oconee County. After several days of motions hearings, the trial commenced in November 2011. The jury found Appellant guilty on one count of criminal solicitation of a minor and acquitted him on the other count.

On November 10, 2011, the trial court sentenced Appellant to seven years in prison, suspended on service of five years probation. Additionally, Appellant must register on the Sex Offender Registry pursuant to section 23-3-430(C)(21) of the South Carolina Code. Finally, the court placed some very important restrictions on Appellant during his term of probation. The court required 1) no internet use; 2) no home computer; 3) Appellant shall not be alone with unrelated minors (under 18); 4) Appellant shall not frequent places frequented by minors if alone; 5) Appellant shall undergo psychiatric and/or psychological treatment for sexual disorder; and 6) Appellant shall adhere to prescription drug regimen. (Exhibit B, Sentencing Sheet).

APPEAL BOND

Appellant moves this Court pursuant to Rule 246(a), SCACR, for bond pending disposition of his appeal. Appellant has not proceeded before the circuit court in order to obtain bond, which under sections 18-1-80 and 18-1-90 is the typical procedure. The State takes no position on whether this Court should remand to the circuit court for

consideration of Appellant's motion and leaves it in the Court's discretion to rule on the motion.

Pursuant to State v. Gibbs, 353 S.C. 226, 577 S.E.2d 454 (2003), Appellant must seek and file an appeal bond to be released from the conditions of his probation during the pendency of his appeal. The factors to be considered in admitting a person to bail pending appeal include the probability of reversal, the nature of the crime, the possibility of escape, and the character and circumstances of the appellant. In re Michael H., 360 S.C. 540, 553, 602 S.E.2d 729, 736 (2004); Nichols v. Patterson, 202 S.C. 352, 25 S.E.2d 155 (1943). As far back as 1884, the South Carolina Supreme Court recognized the power of the court to admit someone to bail, even after a conviction. See State v. Satterwhite, 20 S.C. 536 (1884). The Court also extolled: "it is a power to be exercised with due discretion, and after conviction with extreme caution." Id. at 540 (emphasis added); see also, Nichols, 25 S.E.2d at 155.

Probability of Reversal

Appellant's Notice of Appeal (Exhibit C) raises numerous issues mostly stemming from the various motions hearings held pre-trial. Assuming the issues presented in the Notice of Appeal are the issues raised by Appellant in his Brief, the State submits the probability of reversal based on the issues raised is low and should be of limited consideration by the court in determining whether to release Appellant on bond.

The many motions were seriously considered at multiple motions hearings by the trial court. The motions were thoroughly argued with both sides presenting memoranda on many of the issues for the court's consideration. While Appellant has raised serious challenges, including several constitutional challenges, the State submits the probability of reversal is very low as the presumption is in favor of the constitutionality of the statute

and Appellant has failed to provide this Court with any basis to reverse the trial court's rulings. (See Exhibit D, State's Objection to Defendant's Motion for New Trial).

Accordingly, the State submits Appellant's arguments on appeal are without merit and this Court should not give much weight, if any, to this factor in deciding whether to allow Appellant out of incarceration during the pendency of this appeal.

Nature of the Crime

The State submits the nature of the crime weighs very heavily in favor of this Court denying Appellant's Petition for Bail and Appeal Bond. He is convicted of criminal solicitation of a minor for attempting to engage a girl he believed to be 13 years old in sex. He carried on very graphic chats indicating what he intended to do to the child and began the preparation for meeting with the child to carry out those acts. While the State is certainly thankful the 13-year-old girl was actually the persona of an undercover officer, this does not diminish Appellant's actions or intentions. Appellant could have just as easily carried on the same conversation with an actual 13-year-old girl.

The restrictions placed on Appellant during his probation correlate with the nature and seriousness of the crime he committed. The restrictions from use of the internet and from having a computer stem from his use of the two as the device to carry out the crime. The State submits the fact he communicated with two different undercover officers indicates a serious need to prevent Appellant's access to chat rooms and the internet. Further, his desire and willingness to meet a 13-year-old girl for sex justifies the restriction on his contact with unrelated minors and the restriction on his ability to frequent locations where minors congregate without a chaperone. Certainly there is a need for treatment and Appellant in his motion indicates he has complied with the

requirement for treatment. The State submits he should be required to continue that treatment during the pendency of this appeal.

Accordingly, the nature of the offense and the risk to children in his target group are simply too great for Appellant to be returned to the community without restriction during the pendency of this appeal. The restrictions in place are not unreasonable given the nature of the offense, and are for the benefit of both Appellant and the children in the community where Appellant resides. The safety of the children who could be contacted or otherwise engaged by Appellant should be paramount and the restrictions of his probation help to ensure their safety and his success.

To the extent the motion may be read as seeking to remove Appellant from the Sex Offender Registry or stay his registration requirement, the State submits that it is collateral of the sentence and not subject to the stay or an appeal bond. See Williams v. State, 378 S.C. 511, 516, 662 S.E.2d 615, 618 (Ct. App. 2008) (finding the consequence of registering as a sexual offender pursuant to the Act is regulatory in nature and is imposed to promote public safety, and that registration on the sexual offender registry is a collateral consequence of sentencing); see also, State v. Walls, 348 S.C. 26, 31, 558 S.E.2d 524, 526 (2002) (finding the act non-punitive and intended to protect the public from those sex offenders who may re-offend and to aid law enforcement in solving sex crimes). The registry's purpose would be severely frustrated if Appellant is allowed off during the pendency of the appeal, and the State strenuously argues this Court should deny the motion to the extent it could be read to impact his registration requirement.

Likelihood of Escape

Respondent concedes Appellant has ties to the community. The possible impact on children of his return to this community without restriction should greatly outweigh

any other factor. Further, it is true Appellant has not previously attempted to escape or missed any court hearings, and Appellant does not now face immediate incarceration. The State submits, however, the probation restrictions put in place by the trial court's order significantly limit his ability to interact with or engage children, while still allowing him the appropriate leeway to adequately function in society.

Finally, Appellant relies on the fact he was out on bond prior to trial. While out on bail, however, he had many of the same restrictions he now has during probation including no contact with minors and restricted use of the internet. (See Exhibit E, Bail Proceeding Form). As a result, this Court should continue the same restrictions during the pendency of the appeal by allowing Appellant's probation to stand and denying his motion for an appeal bond.

Character of Appellant

Respondent concedes Appellant's past is not dotted with numerous prior convictions. Appellant's background, however, indicates a lack of respect for authority and the law, which he once upheld.

Appellant is a former Assistant Solicitor with the Aiken County Solicitor's Office. Appellant indicated in the chats he knew he could get in trouble for his actions and that he could go to jail if caught. Appellant, however, continued having graphic sexual discussions with a girl he believed to be 13 years old. Further, Appellant sought to meet the girl to actually engage in sexual relations with the minor knowing full well the consequences of his actions. Appellant's actions belie his claim of respect for the law and the judicial system.

WHEREFORE, Respondent prays the Court deny Appellant's Motion for Bond and Stay; in the event the Court determines Appellant should be released on appeal bond,

the State submits significant restrictions, such as those already in place during his probation, should be instituted including no contact with minors, continued treatment, no internet or computer usage, and other conditions similar to those required for sex offenders released on probation; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

BY:



William M. Blitch, Jr.
Assistant Attorney General

ATTORNEYS FOR RESPONDENT

January 31, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Oconee County
Hon. R. Lawton McIntosh, Circuit Court Judge

The State,

Respondent,

v.

Anthony Clark Odom,

Appellant.

PROOF OF SERVICE

I, Ellen R. DuBois, certify that I have served Respondent's Return to Appellant's Motion for Appeal Bond and Stay on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Brian McDaniel, Esquire
Post Office Box 2085
Beaufort, South Carolina 29901

I further certify that all parties required by Rule to be served have been served.

This 31st day of January, 2012.



ELLEN R. DuBOIS
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

EXHIBIT A

danger6552000 (5/4/2006 11:20:16 PM): Hi would you like to chat?
a_upstategurl93 (5/4/2006 11:20:34 PM): hi
danger6552000 (5/4/2006 11:20:40 PM): how r u
a_upstategurl93 (5/4/2006 11:20:45 PM): bored u
danger6552000 (5/4/2006 11:21:28 PM): same lol
a_upstategurl93 (5/4/2006 11:21:41 PM): lol
danger6552000 (5/4/2006 11:21:53 PM): asl
a_upstategurl93 (5/4/2006 11:21:59 PM): 13 f oconee u?
danger6552000 (5/4/2006 11:22:07 PM): wow
danger6552000 (5/4/2006 11:22:19 PM): 40 m Columbia lol
a_upstategurl93 (5/4/2006 11:22:37 PM): wow u r far away huh
danger6552000 (5/4/2006 11:23:09 PM): lol what about my age
a_upstategurl93 (5/4/2006 11:23:27 PM): i dont kno what bout it.lol
danger6552000 (5/4/2006 11:23:35 PM): is it ok
a_upstategurl93 (5/4/2006 11:23:53 PM): if its ok wit you. your the one that is
40 not me!! lol
danger6552000 (5/4/2006 11:24:15 PM): lol
danger6552000 (5/4/2006 11:24:19 PM): what ya lok like
a_upstategurl93 (5/4/2006 11:24:33 PM): a girl wit brown hair kina skinny u?
danger6552000 (5/4/2006 11:24:49 PM): body?
a_upstategurl93 (5/4/2006 11:24:58 PM): yes i have one
danger6552000 (5/4/2006 11:25:04 PM): ass bra?
a_upstategurl93 (5/4/2006 11:25:35 PM): oh..lol 36b and some.lol
danger6552000 (5/4/2006 11:25:56 PM): sounds nice
danger6552000 (5/4/2006 11:25:58 PM): bf
a_upstategurl93 (5/4/2006 11:26:06 PM): naww jus norm i guess.lol
a_upstategurl93 (5/4/2006 11:26:20 PM): no my mom say i cant date til im 16 and
my last one was a jerk
danger6552000 (5/4/2006 11:26:42 PM): ask me anything
a_upstategurl93 (5/4/2006 11:27:15 PM): like?
a_upstategurl93 (5/4/2006 11:27:21 PM): what u look like
danger6552000 (5/4/2006 11:27:38 PM): 5.11 green eyes brown hair 180 in very
good shape
a_upstategurl93 (5/4/2006 11:27:55 PM): nice
danger6552000 (5/4/2006 11:28:02 PM): ty
danger6552000 (5/4/2006 11:28:10 PM): whatya like in a guy
a_upstategurl93 (5/4/2006 11:28:58 PM): they hav to be nice
danger6552000 (5/4/2006 11:29:08 PM): ok and
a_upstategurl93 (5/4/2006 11:29:50 PM): hmm i dont kno kewl.lol
a_upstategurl93 (5/4/2006 11:29:54 PM):
danger6552000 (5/4/2006 11:30:07 PM): like older guys
a_upstategurl93 (5/4/2006 11:30:31 PM): i like everyl
danger6552000 (5/4/2006 11:30:44 PM): ok
danger6552000 (5/4/2006 11:30:48 PM): so what ya have on
a_upstategurl93 (5/4/2006 11:31:02 PM): clothes silly
danger6552000 (5/4/2006 11:31:13 PM): like
a_upstategurl93 (5/4/2006 11:31:18 PM): shirt and pants.lol
danger6552000 (5/4/2006 11:31:26 PM): under
a_upstategurl93 (5/4/2006 11:31:54 PM): yea
danger6552000 (5/4/2006 11:32:06 PM): like
a_upstategurl93 (5/4/2006 11:32:18 PM): underwear.lol
danger6552000 (5/4/2006 11:32:35 PM): what ya thinking
a_upstategurl93 (5/4/2006 11:32:46 PM): i dont kno. jus bored
a_upstategurl93 (5/4/2006 11:33:02 PM): brb
danger6552000 (5/4/2006 11:33:04 PM): what ya like to do
danger6552000 (5/4/2006 11:33:08 PM): k

danger6552000 (5/4/2006 11:40:13 PM): hello
a_upstategurl93 (5/5/2006 12:02:05 AM): hello
danger6552000 (5/5/2006 12:02:10 AM): hey
a_upstategurl93 (5/5/2006 12:03:02 AM): sry was lookn at sumthin on tv.lol
danger6552000 (5/5/2006 12:03:22 AM): np
danger6552000 (5/5/2006 12:03:24 AM): missed ua
a_upstategurl93 (5/5/2006 12:03:57 AM): sry
danger6552000 (5/5/2006 12:04:31 AM): so virgin
a_upstategurl93 (5/5/2006 12:05:17 AM): lol iv done stuf
danger6552000 (5/5/2006 12:05:47 AM): like
a_upstategurl93 (5/5/2006 12:05:57 AM): stuf.lol
a_upstategurl93 (5/5/2006 12:06:06 AM): i promise not to talk bout it
danger6552000 (5/5/2006 12:06:34 AM): tell me
a_upstategurl93 (5/5/2006 12:06:43 AM): i dont brake promises
danger6552000 (5/5/2006 12:07:02 AM): u can tell me
danger6552000 (5/5/2006 12:07:05 AM): please
a_upstategurl93 (5/5/2006 12:08:03 AM): no u woudnt want me to tell if i promise
u i woudnt
danger6552000 (5/5/2006 12:08:27 AM): well I want to know what u did not who
with
a_upstategurl93 (5/5/2006 12:09:42 AM): well i had to promise not to say
anything bout it
danger6552000 (5/5/2006 12:10:12 AM): u can tell me what
a_upstategurl93 (5/5/2006 12:10:22 AM): jus norm stuf
danger6552000 (5/5/2006 12:10:33 AM): like
a_upstategurl93 (5/5/2006 12:10:40 AM): jus stuf.lol
a_upstategurl93 (5/5/2006 12:10:52 AM): im very good at keepn secrets and
promises tyvm.lol
danger6552000 (5/5/2006 12:11:11 AM): lol well that is good
danger6552000 (5/5/2006 12:11:16 AM): but u can say what u ddi
a_upstategurl93 (5/5/2006 12:12:09 AM): nope.lol
danger6552000 (5/5/2006 12:12:43 AM): suck cock?
a_upstategurl93 (5/5/2006 12:12:57 AM): no that seems gross
danger6552000 (5/5/2006 12:13:11 AM): been eatten
a_upstategurl93 (5/5/2006 12:13:20 AM): no that seems gross 2.lol
danger6552000 (5/5/2006 12:13:48 AM): ok jacked a guy off
a_upstategurl93 (5/5/2006 12:13:54 AM):
danger6552000 (5/5/2006 12:14:07 AM): u have
a_upstategurl93 (5/5/2006 12:14:16 AM):
danger6552000 (5/5/2006 12:14:31 AM): luck guy
danger6552000 (5/5/2006 12:14:40 AM): like it
a_upstategurl93 (5/5/2006 12:14:50 AM): ok i gues
danger6552000 (5/5/2006 12:15:19 AM): kiss
a_upstategurl93 (5/5/2006 12:15:38 AM): well duh.lol
danger6552000 (5/5/2006 12:15:44 AM): lol
danger6552000 (5/5/2006 12:15:50 AM): be fingered?
a_upstategurl93 (5/5/2006 12:15:59 AM):
danger6552000 (5/5/2006 12:16:21 AM): did u like it
a_upstategurl93 (5/5/2006 12:16:54 AM):
danger6552000 (5/5/2006 12:17:26 AM): nice
danger6552000 (5/5/2006 12:17:31 AM): have u had sex
a_upstategurl93 (5/5/2006 12:17:42 AM):
danger6552000 (5/5/2006 12:17:56 AM): that a yes
a_upstategurl93 (5/5/2006 12:18:19 AM): lol
a_upstategurl93 (5/5/2006 12:18:34 AM): u prety good
danger6552000 (5/5/2006 12:18:47 AM): what ya mean
a_upstategurl93 (5/5/2006 12:19:30 AM): ur a good gesser

danger6552000 (5/5/2006 12:20:28 AM): want to feel me inside u thrusting deep ur legs tight together and tight to my chest as I move ur body my head running along the walls of ur pussy as I move ur legs left and right making u twsits around me as we fuck

a_upstategurl93 (5/5/2006 12:21:07 AM): wow

danger6552000 (5/5/2006 12:21:17 AM): u like

a_upstategurl93 (5/5/2006 12:21:24 AM): lol

a_upstategurl93 (5/5/2006 12:21:29 AM):

danger6552000 (5/5/2006 12:21:43 AM): I take that as yes

a_upstategurl93 (5/5/2006 12:22:06 AM): lol

danger6552000 (5/5/2006 12:22:13 AM): what ya thinking

a_upstategurl93 (5/5/2006 12:22:21 AM): nuthin

danger6552000 (5/5/2006 12:22:35 AM): did that turn u on any

a_upstategurl93 (5/5/2006 12:22:45 AM): jus words.lol

danger6552000 (5/5/2006 12:22:55 AM): i see

danger6552000 (5/5/2006 12:23:00 AM): so any questions for me

a_upstategurl93 (5/5/2006 12:23:34 AM): i dont kno. u drive a fast car?

danger6552000 (5/5/2006 12:23:40 AM): yes

a_upstategurl93 (5/5/2006 12:24:09 AM): kewl. i like fast cars like mustangs and stuff

danger6552000 (5/5/2006 12:24:37 AM): have a mustang

a_upstategurl93 (5/5/2006 12:24:58 AM): realy?

danger6552000 (5/5/2006 12:25:11 AM): yes

a_upstategurl93 (5/5/2006 12:25:15 AM): is it red?

danger6552000 (5/5/2006 12:25:15 AM): 2006

danger6552000 (5/5/2006 12:25:18 AM): no

danger6552000 (5/5/2006 12:25:23 AM): black

a_upstategurl93 (5/5/2006 12:25:35 AM): oh wow. them r sooo kewl

a_upstategurl93 (5/5/2006 12:25:45 AM): i want one when i can drive

danger6552000 (5/5/2006 12:26:08 AM): cool

a_upstategurl93 (5/5/2006 12:26:23 AM): drivin fast is fun

danger6552000 (5/5/2006 12:27:11 AM): can be

danger6552000 (5/5/2006 12:27:14 AM): so what else ya like

a_upstategurl93 (5/5/2006 12:27:30 AM): i dont kno. nuthin else round here to try.lol

danger6552000 (5/5/2006 12:28:01 AM): u can try me hehe

a_upstategurl93 (5/5/2006 12:28:11 AM): lol u far away.lol

danger6552000 (5/5/2006 12:28:27 AM): lol well would u want to

a_upstategurl93 (5/5/2006 12:28:37 AM): i dont kno. r u a cereal killer

danger6552000 (5/5/2006 12:28:54 AM): well I do eat corn flakes lol

a_upstategurl93 (5/5/2006 12:29:00 AM): oh.lol ur silly

a_upstategurl93 (5/5/2006 12:29:11 AM): my mom say ppl on here try to hurt you

danger6552000 (5/5/2006 12:29:18 AM): some do

a_upstategurl93 (5/5/2006 12:29:37 AM): u?

danger6552000 (5/5/2006 12:29:55 AM): no I would not

a_upstategurl93 (5/5/2006 12:30:21 AM): thats good. i dont wana b hurt

danger6552000 (5/5/2006 12:30:40 AM): but I am alot older lol I doubt ur parnets woudl approve

a_upstategurl93 (5/5/2006 12:30:52 AM): lol no my mom prob not.

danger6552000 (5/5/2006 12:31:23 AM): oh well

a_upstategurl93 (5/5/2006 12:31:58 AM): lol that why my last bf left. he got mad caus i had to keep snekn out and one time i couldnt get out so he start bein a jerk

danger6552000 (5/5/2006 12:32:35 AM): well that is wrong

a_upstategurl93 (5/5/2006 12:32:48 AM): wrong?

danger6552000 (5/5/2006 12:33:13 AM): he should understand

a_upstategurl93 (5/5/2006 12:33:26 AM): yea i thoght he did but not

danger6552000 (5/5/2006 12:33:37 AM): how old was he
a_upstategurl93 (5/5/2006 12:33:45 AM): i cant say
a_upstategurl93 (5/5/2006 12:34:16 AM):
danger6552000 (5/5/2006 12:34:19 AM): y
a_upstategurl93 (5/5/2006 12:34:34 AM): caus he said i coudnt
danger6552000 (5/5/2006 12:34:52 AM): lol over 18
a_upstategurl93 (5/5/2006 12:34:59 AM): lol
danger6552000 (5/5/2006 12:35:48 AM): well would u want another
a_upstategurl93 (5/5/2006 12:36:08 AM): i dont kno prob b nervos
danger6552000 (5/5/2006 12:36:17 AM): y
a_upstategurl93 (5/5/2006 12:36:40 AM): i dont kno. jus caus.lol
danger6552000 (5/5/2006 12:37:16 AM): so what do u want to know about me
a_upstategurl93 (5/5/2006 12:37:38 AM): hmmm i dont kno. lol
danger6552000 (5/5/2006 12:37:50 AM): u intrested in me
a_upstategurl93 (5/5/2006 12:38:02 AM): yea
danger6552000 (5/5/2006 12:38:22 AM): as
a_upstategurl93 (5/5/2006 12:38:38 AM): as?
danger6552000 (5/5/2006 12:38:47 AM): as a bf?
a_upstategurl93 (5/5/2006 12:39:03 AM): hmmm that mite b kewl. as long as u not
a jerk
danger6552000 (5/5/2006 12:39:29 AM): well I am not
a_upstategurl93 (5/5/2006 12:39:45 AM): u dont seem like one
danger6552000 (5/5/2006 12:39:50 AM): but we have to be very careful lol
a_upstategurl93 (5/5/2006 12:39:59 AM): ?
danger6552000 (5/5/2006 12:40:31 AM): I could get in trubble lol
a_upstategurl93 (5/5/2006 12:40:42 AM): oh. i dont want u get in troble
danger6552000 (5/5/2006 12:40:58 AM): nor do I lol
a_upstategurl93 (5/5/2006 12:41:01 AM): lol
a_upstategurl93 (5/5/2006 12:41:09 AM): u so far away
danger6552000 (5/5/2006 12:41:19 AM): so lol
a_upstategurl93 (5/5/2006 12:41:53 AM): lol
danger6552000 (5/5/2006 12:42:26 AM): what ya thinking
a_upstategurl93 (5/5/2006 12:42:53 AM): i dont kno. how borin it is round
here.lol
danger6552000 (5/5/2006 12:43:07 AM): well fuck me lol
a_upstategurl93 (5/5/2006 12:43:27 AM): lol how
danger6552000 (5/5/2006 12:43:45 AM): do u want to
a_upstategurl93 (5/5/2006 12:44:12 AM): i dont kno kina nervos
danger6552000 (5/5/2006 12:44:20 AM): y
a_upstategurl93 (5/5/2006 12:44:47 AM): caus i jus get buterflies meetn new
ppl.lol
danger6552000 (5/5/2006 12:45:14 AM): ok well are u thinking u might want to
a_upstategurl93 (5/5/2006 12:45:25 AM): hmm u do seem nice
danger6552000 (5/5/2006 12:45:43 AM): so do u
a_upstategurl93 (5/5/2006 12:45:56 AM): ok
danger6552000 (5/5/2006 12:46:18 AM): are u sexually intrested in me
a_upstategurl93 (5/5/2006 12:46:27 AM):
danger6552000 (5/5/2006 12:47:03 AM): that yes
a_upstategurl93 (5/5/2006 12:47:17 AM): yea
danger6552000 (5/5/2006 12:48:04 AM): want to feel me inside u from behind my
hands on ur hips pulling u back on me hard as I slap into ur ass my coc in u
deep as I reach under ur and tease ur clit with my fingers
a_upstategurl93 (5/5/2006 12:48:22 AM): wow
danger6552000 (5/5/2006 12:48:33 AM): what is it honey
a_upstategurl93 (5/5/2006 12:48:47 AM): sounds kewl
danger6552000 (5/5/2006 12:48:59 AM): want to do it
a_upstategurl93 (5/5/2006 12:49:02 AM): ok

danger6552000 (5/5/2006 12:49:34 AM): so u want to
a_upstategurl93 (5/5/2006 12:49:48 AM): if u want to. i try but i kno i b
nervos.lol
danger6552000 (5/5/2006 12:50:15 AM): its up to u
a_upstategurl93 (5/5/2006 12:51:11 AM): hmmm. i jus dont wana get hurt or in
trouble
danger6552000 (5/5/2006 12:51:28 AM): me neither
danger6552000 (5/5/2006 12:51:38 AM): but u do think u want to
a_upstategurl93 (5/5/2006 12:52:07 AM): yea
danger6552000 (5/5/2006 12:52:21 AM): cum in u?
a_upstategurl93 (5/5/2006 12:52:34 AM): i dont wana be pg
danger6552000 (5/5/2006 12:52:46 AM): ok
danger6552000 (5/5/2006 12:53:06 AM): condom
a_upstategurl93 (5/5/2006 12:53:19 AM): yea
danger6552000 (5/5/2006 12:53:58 AM): ok
danger6552000 (5/5/2006 12:54:03 AM): anal?
a_upstategurl93 (5/5/2006 12:54:22 AM): that mite hurt
danger6552000 (5/5/2006 12:54:37 AM): try and see
a_upstategurl93 (5/5/2006 12:55:05 AM): hmm i think it woud hurt
danger6552000 (5/5/2006 12:55:21 AM): depends on how relaxed and turned on u are
a_upstategurl93 (5/5/2006 12:55:43 AM): oh
danger6552000 (5/5/2006 12:57:08 AM): what ya think of me
a_upstategurl93 (5/5/2006 12:57:27 AM): i think ur real nice and kewl
danger6552000 (5/5/2006 12:57:48 AM): ty
danger6552000 (5/5/2006 12:57:54 AM): so want to fuck me hehe
a_upstategurl93 (5/5/2006 12:57:59 AM):
danger6552000 (5/5/2006 12:59:16 AM): would u ride me
a_upstategurl93 (5/5/2006 12:59:25 AM): ride u?
danger6552000 (5/5/2006 12:59:52 AM): yes stradle me as u took me iinside u and
move back and forth
a_upstategurl93 (5/5/2006 1:00:05 AM): oh
danger6552000 (5/5/2006 1:00:23 AM): would u
a_upstategurl93 (5/5/2006 1:00:37 AM): ok
danger6552000 (5/5/2006 1:00:57 AM): what would u want to do the most
a_upstategurl93 (5/5/2006 1:01:10 AM): i dont kno. i like to try new stuf
danger6552000 (5/5/2006 1:01:21 AM): ok
Roge Wilson (5/5/2006 1:02:09 AM): what ya thinking about
a_upstategurl93 (5/5/2006 1:02:30 AM): nuthin what i can do round here.lol
Roge Wilson (5/5/2006 1:02:53 AM): well fuck me hehe
a_upstategurl93 (5/5/2006 1:03:06 AM): lol that a long walk.
Roge Wilson (5/5/2006 1:03:37 AM): I am sure we could work it out lol
a_upstategurl93 (5/5/2006 1:04:05 AM): lol. it woud take like 100 days to walk
from here to columbia.lol
Roge Wilson (5/5/2006 1:04:31 AM): well start now when u get here u will ne
legal lol
a_upstategurl93 (5/5/2006 1:04:41 AM): lol
Roge Wilson (5/5/2006 1:05:10 AM): what do u want to do with me
a_upstategurl93 (5/5/2006 1:05:36 AM): i dont kno w/e u want
Roge Wilson (5/5/2006 1:05:50 AM): well that is up to u
a_upstategurl93 (5/5/2006 1:06:02 AM): well i gues have to c if the time
comes.lol
Roge Wilson (5/5/2006 1:06:30 AM): well I hope so ū r turning me on
a_upstategurl93 (5/5/2006 1:06:52 AM):
Roge Wilson (5/5/2006 1:07:08 AM): u should cum for me
a_upstategurl93 (5/5/2006 1:07:15 AM): huh?
Roge Wilson (5/5/2006 1:07:25 AM): do u masturbate
a_upstategurl93 (5/5/2006 1:07:32 AM):

Roge Wilson (5/5/2006 1:07:48 AM): u should right now as we talk
a_upstategurl93 (5/5/2006 1:08:06 AM): i dont do that its gross
Roge Wilson (5/5/2006 1:08:17 AM): have u tired
a_upstategurl93 (5/5/2006 1:08:26 AM): yea and i didnt like it
Roge Wilson (5/5/2006 1:08:36 AM): how did u do it
a_upstategurl93 (5/5/2006 1:08:47 AM): huh?
Roge Wilson (5/5/2006 1:08:56 AM): when u tried it what did u do
a_upstategurl93 (5/5/2006 1:09:01 AM): jus norm
Roge Wilson (5/5/2006 1:09:27 AM): try once more
Roge Wilson (5/5/2006 1:09:31 AM): let me help u hehe
a_upstategurl93 (5/5/2006 1:09:42 AM): no im not doin that
Roge Wilson (5/5/2006 1:10:04 AM): ok want me to hhe
a_upstategurl93 (5/5/2006 1:10:19 AM): lol im more real.
Roge Wilson (5/5/2006 1:10:40 AM): well is that an invite
a_upstategurl93 (5/5/2006 1:10:49 AM):
a_upstategurl93 (5/5/2006 1:10:53 AM): lol
Roge Wilson (5/5/2006 1:11:14 AM): I would lov being inside u
a_upstategurl93 (5/5/2006 1:11:27 AM): reaky
a_upstategurl93 (5/5/2006 1:11:29 AM): realy
Roge Wilson (5/5/2006 1:11:46 AM): oh god yes
Roge Wilson (5/5/2006 1:11:53 AM): I am thinking how good it would feel now
a_upstategurl93 (5/5/2006 1:12:09 AM):
Roge Wilson (5/5/2006 1:12:27 AM): kissing u as we fucked
a_upstategurl93 (5/5/2006 1:12:53 AM):
Roge Wilson (5/5/2006 1:13:08 AM): what ya think of it
a_upstategurl93 (5/5/2006 1:13:22 AM): sounds kewl
Roge Wilson (5/5/2006 1:13:56 AM): ok what else ya want to know
a_upstategurl93 (5/5/2006 1:14:24 AM): hmm. when ur birthday?
Roge Wilson (5/5/2006 1:14:42 AM): august 18 y
a_upstategurl93 (5/5/2006 1:15:14 AM): kewl
a_upstategurl93 (5/5/2006 1:15:18 AM): i jus wondern
a_upstategurl93 (5/5/2006 1:15:19 AM): lol
Roge Wilson (5/5/2006 1:15:28 AM): yours
a_upstategurl93 (5/5/2006 1:15:31 AM): i coudnt think nuthin else to ask.lol
a_upstategurl93 (5/5/2006 1:15:43 AM): mine is feb 15
Roge Wilson (5/5/2006 1:16:01 AM): col
Roge Wilson (5/5/2006 1:16:23 AM): what do u want us to do
a_upstategurl93 (5/5/2006 1:16:42 AM): i dont kno w/e u want
Roge Wilson (5/5/2006 1:16:54 AM): u sure
a_upstategurl93 (5/5/2006 1:17:29 AM): yea
Roge Wilson (5/5/2006 1:17:38 AM): ok
Roge Wilson (5/5/2006 1:17:50 AM): well I am going to bed talk agian soon kiss
night for now
a_upstategurl93 (5/5/2006 1:17:59 AM): ok nitenite.
a_upstategurl93 (5/5/2006 1:18:03 AM):

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Roge Wilson (5/6/2006 12:03:30 AM): hey
a_upstategurl93 (5/6/2006 12:03:34 AM): hiya
Roge Wilson (5/6/2006 12:03:39 AM): how r u
a_upstategurl93 (5/6/2006 12:03:46 AM): ok i gues jus bored u?
Roge Wilson (5/6/2006 12:03:55 AM): good
Roge Wilson (5/6/2006 12:03:58 AM): I missed u
a_upstategurl93 (5/6/2006 12:04:14 AM): aww ur sweet. miss ya 2
Roge Wilson (5/6/2006 12:04:29 AM): think of me any
a_upstategurl93 (5/6/2006 12:04:39 AM): was wondern if ya was on
Roge Wilson (5/6/2006 12:04:55 AM): why is that
a_upstategurl93 (5/6/2006 12:05:19 AM): jus wondern.lol
Roge Wilson (5/6/2006 12:05:40 AM): what ya have on
a_upstategurl93 (5/6/2006 12:06:17 AM): clothes
a_upstategurl93 (5/6/2006 12:06:25 AM): brb
Roge Wilson (5/6/2006 12:06:42 AM): k
a_upstategurl93 (5/6/2006 12:09:58 AM): back
Roge Wilson (5/6/2006 12:10:05 AM): wb
a_upstategurl93 (5/6/2006 12:10:13 AM): ty
Roge Wilson (5/6/2006 12:10:15 AM): so what ya have on
a_upstategurl93 (5/6/2006 12:10:29 AM): shirt and pants
Roge Wilson (5/6/2006 12:10:48 AM): under
a_upstategurl93 (5/6/2006 12:11:05 AM): underwear
Roge Wilson (5/6/2006 12:11:30 AM): so any questions for me
a_upstategurl93 (5/6/2006 12:11:50 AM): idk. hmmm u work? lol
Roge Wilson (5/6/2006 12:11:56 AM): yes
a_upstategurl93 (5/6/2006 12:12:03 AM): kewl u prob rich.lol
Roge Wilson (5/6/2006 12:12:10 AM): i DO OK
a_upstategurl93 (5/6/2006 12:12:27 AM): lol i wish i work
Roge Wilson (5/6/2006 12:12:31 AM): y
a_upstategurl93 (5/6/2006 12:12:38 AM): so i can have money.lol
Roge Wilson (5/6/2006 12:13:03 AM): lol
Roge Wilson (5/6/2006 12:13:09 AM): so think anything sexual about me
a_upstategurl93 (5/6/2006 12:13:11 AM): so i can my mustang.lol
a_upstategurl93 (5/6/2006 12:13:43 AM): idk. never met u.lol
Roge Wilson (5/6/2006 12:14:03 AM): want to
a_upstategurl93 (5/6/2006 12:14:11 AM): that mite b kewl
Roge Wilson (5/6/2006 12:14:34 AM): when
a_upstategurl93 (5/6/2006 12:14:50 AM): idk when u want 2
Roge Wilson (5/6/2006 12:15:02 AM): ur in greenville
a_upstategurl93 (5/6/2006 12:15:06 AM): oconee
a_upstategurl93 (5/6/2006 12:15:15 AM): i live in a litle town westminster
Roge Wilson (5/6/2006 12:15:32 AM): ok
Roge Wilson (5/6/2006 12:15:38 AM): so do u want me to
a_upstategurl93 (5/6/2006 12:15:46 AM): i think it b kewl
a_upstategurl93 (5/6/2006 12:15:54 AM): u seem sooo nice
a_upstategurl93 (5/6/2006 12:16:14 AM): and u have a mustang which is even more kewl!
Roge Wilson (5/6/2006 12:16:22 AM): want to fuck in it hehe
a_upstategurl93 (5/6/2006 12:16:38 AM): hmm. u let me drive it in the parkin lot?
Roge Wilson (5/6/2006 12:17:03 AM): yes
a_upstategurl93 (5/6/2006 12:17:06 AM): ok deal
Roge Wilson (5/6/2006 12:17:26 AM): u can dirve sitting in my lap with my cock deep inside u

a_upstategurl93 (5/6/2006 12:17:45 AM): wow. that sounds weird.lol
Roge Wilson (5/6/2006 12:17:59 AM): want to do it
a_upstategurl93 (5/6/2006 12:18:10 AM): hmm. u promise u not hurt me
Roge Wilson (5/6/2006 12:18:19 AM): yes
a_upstategurl93 (5/6/2006 12:18:30 AM): my mom say that ppl on here just try to hurt u
Roge Wilson (5/6/2006 12:18:45 AM): some do
Roge Wilson (5/6/2006 12:18:47 AM): I wont
a_upstategurl93 (5/6/2006 12:18:52 AM): u promise
Roge Wilson (5/6/2006 12:19:07 AM): yes I do
a_upstategurl93 (5/6/2006 12:19:13 AM): ok
Roge Wilson (5/6/2006 12:19:29 AM): do u want to fuck me
a_upstategurl93 (5/6/2006 12:19:44 AM): told u if u let me drive ur car in the parkin lot!
a_upstategurl93 (5/6/2006 12:19:45 AM): lol
Roge Wilson (5/6/2006 12:19:59 AM): lol well would u if I id dnot
a_upstategurl93 (5/6/2006 12:20:21 AM): hmm. well i still think it b fun to drive.lol
a_upstategurl93 (5/6/2006 12:20:39 AM): my mom lets me drive in the parkin lot at the old winn dixie
Roge Wilson (5/6/2006 12:20:58 AM): I will let u drive down the road ehe
a_upstategurl93 (5/6/2006 12:21:10 AM): that woud b SO kewl
a_upstategurl93 (5/6/2006 12:21:23 AM): i can drive good
Roge Wilson (5/6/2006 12:21:30 AM): as u did u could jack me off hehe
a_upstategurl93 (5/6/2006 12:21:37 AM): lol ok
Roge Wilson (5/6/2006 12:22:01 AM): have me cum all over ur hand
a_upstategurl93 (5/6/2006 12:22:08 AM): ewwww. lol
Roge Wilson (5/6/2006 12:22:20 AM): u lik eit
a_upstategurl93 (5/6/2006 12:22:26 AM): realy
Roge Wilson (5/6/2006 12:22:42 AM): u will like turing me on
a_upstategurl93 (5/6/2006 12:22:57 AM): oh ok. u prob kno beter than me..lol
Roge Wilson (5/6/2006 12:23:25 AM): what do u want to do
a_upstategurl93 (5/6/2006 12:23:32 AM): anything fun
a_upstategurl93 (5/6/2006 12:23:37 AM): im sooo bored here
Roge Wilson (5/6/2006 12:24:05 AM): I want to cum inside u
a_upstategurl93 (5/6/2006 12:24:13 AM): i dont wana b pg
a_upstategurl93 (5/6/2006 12:24:35 AM): i was pose to snek out wit my frend tonite but she change her mind.
Roge Wilson (5/6/2006 12:24:50 AM): u like to
a_upstategurl93 (5/6/2006 12:24:58 AM): like to?
Roge Wilson (5/6/2006 12:25:15 AM): snake out
Roge Wilson (5/6/2006 12:25:18 AM): sneak
a_upstategurl93 (5/6/2006 12:25:38 AM): yea i like it.lol do it lots.lol
Roge Wilson (5/6/2006 12:25:51 AM): want to tomarrow
a_upstategurl93 (5/6/2006 12:25:59 AM): when?
Roge Wilson (5/6/2006 12:26:06 AM): when is good
a_upstategurl93 (5/6/2006 12:26:20 AM): hmm. norm i have to wait to my mom go to sleep
Roge Wilson (5/6/2006 12:26:36 AM): ok well want to meet at like 12
a_upstategurl93 (5/6/2006 12:26:52 AM): hmmm. u realy woud come?
Roge Wilson (5/6/2006 12:27:10 AM): if u want
a_upstategurl93 (5/6/2006 12:27:18 AM): i can
Roge Wilson (5/6/2006 12:27:29 AM): that a yes
a_upstategurl93 (5/6/2006 12:27:32 AM): yes
Roge Wilson (5/6/2006 12:27:48 AM): ok so are u ready to
a_upstategurl93 (5/6/2006 12:27:54 AM): yea

a_upstategurl93 (5/6/2006 12:28:19 AM): i dont think u will realy come tho. i prob snek out and u not come.lol
Roge Wilson (5/6/2006 12:28:31 AM): y would I not
a_upstategurl93 (5/6/2006 12:28:43 AM): idk. caus u so far away
Roge Wilson (5/6/2006 12:29:02 AM): I will do alot for a sexy woman
a_upstategurl93 (5/6/2006 12:29:09 AM): awww. ur so nice.
a_upstategurl93 (5/6/2006 12:29:22 AM): u not even ask me my name tho.lol
Roge Wilson (5/6/2006 12:29:31 AM): Jennifer
a_upstategurl93 (5/6/2006 12:29:35 AM): how u kno that?
Roge Wilson (5/6/2006 12:29:42 AM): its on ur im
a_upstategurl93 (5/6/2006 12:29:53 AM): oh. duh. i shoud be a blond.lol
a_upstategurl93 (5/6/2006 12:30:01 AM): what is ur name?
Roge Wilson (5/6/2006 12:30:09 AM): Casron
a_upstategurl93 (5/6/2006 12:30:19 AM): carson?
a_upstategurl93 (5/6/2006 12:30:34 AM): or casron?
Roge Wilson (5/6/2006 12:30:49 AM): Carson lol
Roge Wilson (5/6/2006 12:30:51 AM): its late
a_upstategurl93 (5/6/2006 12:31:05 AM): kewl. nice to meet u! i think ur super nice, carson!
Roge Wilson (5/6/2006 12:31:11 AM): really
a_upstategurl93 (5/6/2006 12:31:14 AM): yea
a_upstategurl93 (5/6/2006 12:31:20 AM): u make me smile
a_upstategurl93 (5/6/2006 12:31:26 AM):
Roge Wilson (5/6/2006 12:31:32 AM): I will make u do even more hehe
a_upstategurl93 (5/6/2006 12:31:37 AM): lol
a_upstategurl93 (5/6/2006 12:31:50 AM): so u bring ur mustang when u come?
Roge Wilson (5/6/2006 12:31:56 AM): sure
a_upstategurl93 (5/6/2006 12:32:01 AM): kewl
Roge Wilson (5/6/2006 12:32:35 AM): but I am serious I want to cum in u
a_upstategurl93 (5/6/2006 12:32:45 AM): i jus dont wana b pg
Roge Wilson (5/6/2006 12:33:05 AM): u want
a_upstategurl93 (5/6/2006 12:33:11 AM): u sure
a_upstategurl93 (5/6/2006 12:33:25 AM): my mom say u get pg doin it
Roge Wilson (5/6/2006 12:33:46 AM): u can but only about a 20 percent chance
a_upstategurl93 (5/6/2006 12:33:54 AM): oh thats not alot
Roge Wilson (5/6/2006 12:34:11 AM): nope
a_upstategurl93 (5/6/2006 12:34:18 AM): ok
Roge Wilson (5/6/2006 12:34:41 AM): what ya thinking
a_upstategurl93 (5/6/2006 12:35:03 AM): how kewl it b if u did come
Roge Wilson (5/6/2006 12:35:19 AM): why is that
a_upstategurl93 (5/6/2006 12:35:32 AM): caus u seem so nice and like u kno how to hav fun
Roge Wilson (5/6/2006 12:35:45 AM): ty
a_upstategurl93 (5/6/2006 12:35:49 AM): yw
Roge Wilson (5/6/2006 12:35:54 AM): well r u sure u want to fuck a 40 year old lol
a_upstategurl93 (5/6/2006 12:36:03 AM): do u look 40?
a_upstategurl93 (5/6/2006 12:36:05 AM): lol
a_upstategurl93 (5/6/2006 12:36:16 AM): and u sure u want to with a 13 year old! lol
Roge Wilson (5/6/2006 12:36:29 AM): no i dont
Roge Wilson (5/6/2006 12:36:38 AM): I asked 1st
a_upstategurl93 (5/6/2006 12:36:46 AM): well thats kewl. wish u had a pic or cam so i coud c u!
a_upstategurl93 (5/6/2006 12:36:55 AM): im ok wit it
Roge Wilson (5/6/2006 12:37:04 AM): wow
Roge Wilson (5/6/2006 12:37:10 AM): wish u did to

a_upstategurl93 (5/6/2006 12:37:20 AM): i showed u my pic.lol
Roge Wilson (5/6/2006 12:37:34 AM): dont rememeber
Roge Wilson (5/6/2006 12:37:41 AM): show me again
a_upstategurl93 (5/6/2006 12:38:27 AM): remember?
Roge Wilson (5/6/2006 12:38:44 AM): u never did show me
Roge Wilson (5/6/2006 12:38:48 AM): god ur hot as hell
a_upstategurl93 (5/6/2006 12:38:55 AM): lol naww jus norm
Roge Wilson (5/6/2006 12:39:05 AM): hell no hot
Roge Wilson (5/6/2006 12:39:08 AM): more?
a_upstategurl93 (5/6/2006 12:39:36 AM): no i jus have that one. i had to snek
it.lol my frend say she try to get her mom cam again sumtime
Roge Wilson (5/6/2006 12:39:55 AM): well i am hard
a_upstategurl93 (5/6/2006 12:40:05 AM): lol. im not that pretty
Roge Wilson (5/6/2006 12:40:10 AM): yes u r
a_upstategurl93 (5/6/2006 12:40:20 AM): aww u prob tell all tha girls that
Roge Wilson (5/6/2006 12:40:28 AM): no i dont
a_upstategurl93 (5/6/2006 12:40:38 AM): u ever meet anyl on here b4?
Roge Wilson (5/6/2006 12:40:45 AM): to be honest no
a_upstategurl93 (5/6/2006 12:41:00 AM): oh. u talk to lot of other girls?
Roge Wilson (5/6/2006 12:41:12 AM): not really
a_upstategurl93 (5/6/2006 12:41:31 AM): thats kewl. i dont realy talk many ppl
either. most guys on here jerks
Roge Wilson (5/6/2006 12:42:18 AM): so why are u intrested in me...I was worried
u would look too young hehe but wow u are so sexy
a_upstategurl93 (5/6/2006 12:42:36 AM): lol. well tyvm
a_upstategurl93 (5/6/2006 12:42:40 AM): u have a pic?
Roge Wilson (5/6/2006 12:42:52 AM): welcome
Roge Wilson (5/6/2006 12:42:54 AM): no I dont
a_upstategurl93 (5/6/2006 12:43:02 AM):
Roge Wilson (5/6/2006 12:43:06 AM): 5.11 green eyes graish hair 180 in very good
shape
a_upstategurl93 (5/6/2006 12:43:16 AM): nice
a_upstategurl93 (5/6/2006 12:43:22 AM): u taller than me.lol
Roge Wilson (5/6/2006 12:43:34 AM): how tall
a_upstategurl93 (5/6/2006 12:43:46 AM): 5 feet and 3 inches
Roge Wilson (5/6/2006 12:43:53 AM): nice
a_upstategurl93 (5/6/2006 12:44:15 AM): ty
Roge Wilson (5/6/2006 12:44:25 AM): I wish I was with u now
a_upstategurl93 (5/6/2006 12:44:32 AM): lol sry.
Roge Wilson (5/6/2006 12:45:01 AM): so why are u willing to do all this with me
a_upstategurl93 (5/6/2006 12:45:06 AM): idk
a_upstategurl93 (5/6/2006 12:45:15 AM): i was wonderen the same thing.lol
a_upstategurl93 (5/6/2006 12:45:46 AM): i think caus u jus seem so nice and fun
and talk to me like im a person not like the other guys on here.
Roge Wilson (5/6/2006 12:46:06 AM): well u are a perosn
Roge Wilson (5/6/2006 12:46:09 AM): and I like u alot
a_upstategurl93 (5/6/2006 12:46:17 AM): aww ty and i like u alot 2
Roge Wilson (5/6/2006 12:46:18 AM): and I am suprised I am so intrested in u
a_upstategurl93 (5/6/2006 12:46:25 AM): realy
Roge Wilson (5/6/2006 12:46:36 AM): yes
Roge Wilson (5/6/2006 12:46:47 AM): there is alot of age difference lol
a_upstategurl93 (5/6/2006 12:47:02 AM): lol yea like 27 years.lol
Roge Wilson (5/6/2006 12:47:16 AM): and I am sure ur mom would not like it
a_upstategurl93 (5/6/2006 12:47:47 AM): no i woudnt b able tell her.lol
Roge Wilson (5/6/2006 12:48:03 AM): u know I could go to jail lol
a_upstategurl93 (5/6/2006 12:48:09 AM): oh?
a_upstategurl93 (5/6/2006 12:48:14 AM): i dont want u go2 jail!

a_upstategurl93 (5/6/2006 12:48:21 AM):
Roge Wilson (5/6/2006 12:48:36 AM): why sad
a_upstategurl93 (5/6/2006 12:48:52 AM): caus i dont want u get in troble
Roge Wilson (5/6/2006 12:49:02 AM): me neither lol
a_upstategurl93 (5/6/2006 12:49:17 AM): hmmm.
Roge Wilson (5/6/2006 12:49:29 AM): what ya thinkg
a_upstategurl93 (5/6/2006 12:49:53 AM): thinkin i dont want u b in troble
Roge Wilson (5/6/2006 12:50:27 AM): what ya want to do
a_upstategurl93 (5/6/2006 12:50:45 AM): idk..
a_upstategurl93 (5/6/2006 12:50:48 AM): its up to u
Roge Wilson (5/6/2006 12:51:31 AM): what do u want to do tell me
a_upstategurl93 (5/6/2006 12:51:56 AM): idk what 2 say.lol idk what 2 do.lol
Roge Wilson (5/6/2006 12:52:18 AM): how do u feel
a_upstategurl93 (5/6/2006 12:52:40 AM): i feel sad and happy at same time.lol
Roge Wilson (5/6/2006 12:52:53 AM): why
a_upstategurl93 (5/6/2006 12:53:55 AM): well happy u make me smile but sad caus
i dont want u in troble or to go 2 jail
Roge Wilson (5/6/2006 12:54:19 AM): well do u want to see me
a_upstategurl93 (5/6/2006 12:54:43 AM): yea but i dont want u in troble
Roge Wilson (5/6/2006 12:55:16 AM): u telling
a_upstategurl93 (5/6/2006 12:55:23 AM): telling who?
Roge Wilson (5/6/2006 12:55:35 AM): anyone about me
a_upstategurl93 (5/6/2006 12:55:39 AM): no
a_upstategurl93 (5/6/2006 12:55:44 AM): u telling?
Roge Wilson (5/6/2006 12:55:49 AM): lol what ya think
a_upstategurl93 (5/6/2006 12:55:56 AM): no
a_upstategurl93 (5/6/2006 12:55:57 AM): lol
Roge Wilson (5/6/2006 12:56:13 AM): well if no one knows no one cares hehe
a_upstategurl93 (5/6/2006 12:56:24 AM): lol that make sense.lol
Roge Wilson (5/6/2006 12:56:51 AM): I can not believe I am have this converstion
lol
a_upstategurl93 (5/6/2006 12:57:03 AM): lol me either
Roge Wilson (5/6/2006 12:57:28 AM): we should nto be doing this
a_upstategurl93 (5/6/2006 12:57:39 AM): ok. we dont have to.
Roge Wilson (5/6/2006 12:58:04 AM): how do u feel about it
a_upstategurl93 (5/6/2006 12:58:28 AM): hmm well i think ur realy nice and i
dont want u in troble
Roge Wilson (5/6/2006 12:58:46 AM): ok
Roge Wilson (5/6/2006 12:58:58 AM): well what do u want to dowith me
a_upstategurl93 (5/6/2006 12:59:16 AM): idk. w/e is fun.lol
Roge Wilson (5/6/2006 12:59:29 AM): ok lol
Roge Wilson (5/6/2006 12:59:37 AM): so do u think we should be bad
a_upstategurl93 (5/6/2006 12:59:37 AM): u say i can drive.lol
a_upstategurl93 (5/6/2006 12:59:45 AM): be bad?
Roge Wilson (5/6/2006 1:00:02 AM): yes what we are doing is very naugty
a_upstategurl93 (5/6/2006 1:00:16 AM): oh. lol kewl tho?
Roge Wilson (5/6/2006 1:00:47 AM): well I am rock hard, whats does that tell u
a_upstategurl93 (5/6/2006 1:00:54 AM): lol
a_upstategurl93 (5/6/2006 1:01:25 AM): u sure u wana drive here
a_upstategurl93 (5/6/2006 1:01:30 AM): seems far to me
Roge Wilson (5/6/2006 1:01:40 AM): not to far to have u
a_upstategurl93 (5/6/2006 1:01:50 AM): u so sweet
a_upstategurl93 (5/6/2006 1:01:57 AM): how long it take u
Roge Wilson (5/6/2006 1:02:11 AM): 3/4 hours
a_upstategurl93 (5/6/2006 1:02:23 AM): 3 or 4 hours?
Roge Wilson (5/6/2006 1:02:42 AM): yes
a_upstategurl93 (5/6/2006 1:02:45 AM):

a_upstategurl93 (5/6/2006 1:02:47 AM): WOW
a_upstategurl93 (5/6/2006 1:03:21 AM): it only take me and my mom like alittle of
2 hours to goto columbia
Roge Wilson (5/6/2006 1:03:37 AM): I am on he far side
a_upstategurl93 (5/6/2006 1:03:42 AM): oh
a_upstategurl93 (5/6/2006 1:04:01 AM): i dont kno nuthin down there. we jus went
to c my moms frend
a_upstategurl93 (5/6/2006 1:04:15 AM): she lives by a mall
Roge Wilson (5/6/2006 1:04:20 AM): cool
Roge Wilson (5/6/2006 1:04:22 AM): which one
a_upstategurl93 (5/6/2006 1:04:50 AM): idk. it was kina big. it was near a
toysrus
Roge Wilson (5/6/2006 1:05:02 AM): ok columbia
a_upstategurl93 (5/6/2006 1:05:11 AM): yea it was in colubia
a_upstategurl93 (5/6/2006 1:05:20 AM): idk how many malls r there.lol
Roge Wilson (5/6/2006 1:05:24 AM): 4
a_upstategurl93 (5/6/2006 1:05:30 AM): WOW
a_upstategurl93 (5/6/2006 1:05:34 AM): i love 2 shop.lol
Roge Wilson (5/6/2006 1:05:41 AM): haha
a_upstategurl93 (5/6/2006 1:05:49 AM): well look neways caus i dont never have
\$\$
a_upstategurl93 (5/6/2006 1:05:50 AM): lol
Roge Wilson (5/6/2006 1:06:00 AM): lol
Roge Wilson (5/6/2006 1:06:18 AM): how long would we have together
a_upstategurl93 (5/6/2006 1:06:33 AM): hmm. u say u come sat nite?
Roge Wilson (5/6/2006 1:06:47 AM): that is the idea
a_upstategurl93 (5/6/2006 1:07:18 AM): hmm i prob have to b home by like 7 in
the mornin less i tell my mom i stayn over amys
Roge Wilson (5/6/2006 1:07:48 AM): lol we could get in alot of trubble in the
time
a_upstategurl93 (5/6/2006 1:07:56 AM): lol
a_upstategurl93 (5/6/2006 1:08:22 AM): b like a adventre
Roge Wilson (5/6/2006 1:08:50 AM): wel hangin out with someone my age would be
one lol
a_upstategurl93 (5/6/2006 1:09:16 AM): lol
Roge Wilson (5/6/2006 1:09:39 AM): what ya thinking
a_upstategurl93 (5/6/2006 1:09:55 AM): if u realy goin to come.lol
Roge Wilson (5/6/2006 1:10:30 AM): oh I will cum more then once hehe
a_upstategurl93 (5/6/2006 1:10:40 AM): lol i hear u talkn.lol
Roge Wilson (5/6/2006 1:11:19 AM): be honset so u want me to, if I do what do u
want to do and why
a_upstategurl93 (5/6/2006 1:12:13 AM): hmmm honest yea if u want to, w/e u think
is fun, and cause ur so super nice! now u?
a_upstategurl93 (5/6/2006 1:12:14 AM): lol
Roge Wilson (5/6/2006 1:12:32 AM): now me what
a_upstategurl93 (5/6/2006 1:13:13 AM): i was wondern what if u want to, what u
wana do and why.lol
Roge Wilson (5/6/2006 1:14:22 AM): i want to, I think your nice sweet and very
sexy, I want to kiss u hold u be inside u make u cum,,,b/c I am very attractied
to u want u to feel good and I really like u, but the age scares me and how fast
we are moving lol
a_upstategurl93 (5/6/2006 1:15:04 AM): ur soooooooooo sweet!! and im sry we can
slow down.
Roge Wilson (5/6/2006 1:15:33 AM): we dont have to that is up to u
a_upstategurl93 (5/6/2006 1:15:54 AM): hmmm i am siked!! but only if u want to
Roge Wilson (5/6/2006 1:16:05 AM): lol why
a_upstategurl93 (5/6/2006 1:16:14 AM): caus ur so kewl! lol

Roge Wilson (5/6/2006 1:16:26 AM): how so
a_upstategurl93 (5/6/2006 1:16:49 AM): caus u jus talk so kewl and ur so nice and sweet
Roge Wilson (5/6/2006 1:17:03 AM): ty
Roge Wilson (5/6/2006 1:17:07 AM): so how do u feel about me
a_upstategurl93 (5/6/2006 1:17:09 AM): its true
a_upstategurl93 (5/6/2006 1:17:18 AM): i like u alot
Roge Wilson (5/6/2006 1:17:48 AM): so u know I am married lol that ok?
a_upstategurl93 (5/6/2006 1:18:00 AM): ur married?
Roge Wilson (5/6/2006 1:18:17 AM): yes
a_upstategurl93 (5/6/2006 1:18:27 AM): u not happy wit her?
Roge Wilson (5/6/2006 1:18:54 AM): yes I am, but I like u and wont say no hehe
a_upstategurl93 (5/6/2006 1:19:28 AM): lol. well i dont want u mess up wit ur wife, she woud b mad at u and me
Roge Wilson (5/6/2006 1:19:44 AM): she wont know lol
a_upstategurl93 (5/6/2006 1:20:12 AM): oh that true.lol i woud hope not she mite tell my mom and i woud b sooo in troble
Roge Wilson (5/6/2006 1:20:25 AM): so would I LOL
a_upstategurl93 (5/6/2006 1:20:30 AM): lol
Roge Wilson (5/6/2006 1:20:45 AM): so do u want to stop or keep going
a_upstategurl93 (5/6/2006 1:21:27 AM): hmmm..
a_upstategurl93 (5/6/2006 1:21:32 AM): what u think
Roge Wilson (5/6/2006 1:21:50 AM): u have the facts lol it is up to u honey
a_upstategurl93 (5/6/2006 1:21:55 AM): im ok
a_upstategurl93 (5/6/2006 1:22:05 AM):
a_upstategurl93 (5/6/2006 1:22:20 AM): idk why but im ok. lol
Roge Wilson (5/6/2006 1:22:33 AM): wow
Roge Wilson (5/6/2006 1:22:36 AM): ok
a_upstategurl93 (5/6/2006 1:22:44 AM): ?
Roge Wilson (5/6/2006 1:22:52 AM): so u want to keep going
a_upstategurl93 (5/6/2006 1:23:16 AM): if u want. i jus dont want nobody in troble
Roge Wilson (5/6/2006 1:23:25 AM): well nor do I
Roge Wilson (5/6/2006 1:23:33 AM): I want u to do it bc u want to
Roge Wilson (5/6/2006 1:23:36 AM): so do u want to
a_upstategurl93 (5/6/2006 1:23:45 AM): ok yea
Roge Wilson (5/6/2006 1:23:59 AM): wow
Roge Wilson (5/6/2006 1:24:04 AM): so hot
a_upstategurl93 (5/6/2006 1:24:25 AM):
Roge Wilson (5/6/2006 1:24:33 AM): will u be my gf?
a_upstategurl93 (5/6/2006 1:24:43 AM): how u have a gf if u married
Roge Wilson (5/6/2006 1:25:05 AM): you say yes lol
a_upstategurl93 (5/6/2006 1:25:26 AM): lol ok yes
a_upstategurl93 (5/6/2006 1:25:48 AM): ur like the nicest person here!
Roge Wilson (5/6/2006 1:25:54 AM): aww ty
Roge Wilson (5/6/2006 1:26:04 AM): ur not so bad urself
a_upstategurl93 (5/6/2006 1:26:10 AM): aww ty..
Roge Wilson (5/6/2006 1:26:42 AM): anything u want to ask me
a_upstategurl93 (5/6/2006 1:27:22 AM): hmmm.. u ever ben wit sumone my age b4?
Roge Wilson (5/6/2006 1:27:34 AM): no I have not
a_upstategurl93 (5/6/2006 1:27:41 AM): why now?
a_upstategurl93 (5/6/2006 1:27:42 AM): lol
Roge Wilson (5/6/2006 1:27:52 AM): good question
Roge Wilson (5/6/2006 1:28:01 AM): I am asking it to myseld
Roge Wilson (5/6/2006 1:28:04 AM): self
a_upstategurl93 (5/6/2006 1:28:12 AM): lol
a_upstategurl93 (5/6/2006 1:28:23 AM): sry i shoudnt ask u that

a_upstategurl93 (5/6/2006 1:28:27 AM): im so nose y sumtimes
Roge Wilson (5/6/2006 1:28:32 AM): ask me anyting
Roge Wilson (5/6/2006 1:28:35 AM): its fine
Roge Wilson (5/6/2006 1:28:56 AM): it b/c ur hot and are so nice and sweet
a_upstategurl93 (5/6/2006 1:28:57 AM): i get bein nose y from my mom.lol
a_upstategurl93 (5/6/2006 1:29:06 AM): aww ty..
Roge Wilson (5/6/2006 1:29:11 AM): I have never been attracted to someone ur age before
a_upstategurl93 (5/6/2006 1:29:32 AM): awww.
Roge Wilson (5/6/2006 1:30:00 AM): its scary lol
Roge Wilson (5/6/2006 1:30:09 AM): but its also exciting and taboo
a_upstategurl93 (5/6/2006 1:30:15 AM): taboo?
Roge Wilson (5/6/2006 1:30:32 AM): not socially acceptable lol
a_upstategurl93 (5/6/2006 1:30:43 AM): oh. lol
Roge Wilson (5/6/2006 1:31:00 AM): people in general would not like the idea of us fucking lol
a_upstategurl93 (5/6/2006 1:31:08 AM): oh realy.lol
Roge Wilson (5/6/2006 1:31:24 AM): lol u think they would
a_upstategurl93 (5/6/2006 1:31:36 AM): no prob not.lol
Roge Wilson (5/6/2006 1:32:02 AM): have u with someone m y age
a_upstategurl93 (5/6/2006 1:32:27 AM): well..... not xactly ur age.....
Roge Wilson (5/6/2006 1:32:36 AM): how old
a_upstategurl93 (5/6/2006 1:32:59 AM): lol i promise not talk bout it.. sry
Roge Wilson (5/6/2006 1:33:12 AM): well over 20
a_upstategurl93 (5/6/2006 1:33:22 AM):
a_upstategurl93 (5/6/2006 1:33:24 AM): lol
Roge Wilson (5/6/2006 1:33:30 AM): over 30
a_upstategurl93 (5/6/2006 1:33:35 AM):
a_upstategurl93 (5/6/2006 1:33:39 AM): lol
a_upstategurl93 (5/6/2006 1:33:46 AM): i dont want u think bad of me
Roge Wilson (5/6/2006 1:33:53 AM): u been fucking a teacher or neighbor lol
Roge Wilson (5/6/2006 1:33:55 AM): I dont
a_upstategurl93 (5/6/2006 1:34:09 AM): lol i cant talk bout it, i promised.lol
Roge Wilson (5/6/2006 1:34:23 AM): well I think u can be open with me
Roge Wilson (5/6/2006 1:34:27 AM): lol
Roge Wilson (5/6/2006 1:34:40 AM): is it still going on?
a_upstategurl93 (5/6/2006 1:34:40 AM): lol yea but i woud never brake a promise
a_upstategurl93 (5/6/2006 1:34:46 AM): and no
Roge Wilson (5/6/2006 1:35:00 AM): ok
Roge Wilson (5/6/2006 1:35:12 AM): did u met online
a_upstategurl93 (5/6/2006 1:35:33 AM):
a_upstategurl93 (5/6/2006 1:35:38 AM): lol
Roge Wilson (5/6/2006 1:35:49 AM): so u have done this before
a_upstategurl93 (5/6/2006 1:36:11 AM): well.....
a_upstategurl93 (5/6/2006 1:36:15 AM): sry
Roge Wilson (5/6/2006 1:36:26 AM): sorry what
a_upstategurl93 (5/6/2006 1:36:35 AM): i dont want u think bad of me
Roge Wilson (5/6/2006 1:36:42 AM): honey i dont
Roge Wilson (5/6/2006 1:37:03 AM): lol I am married and I have asked u to be my gf and to fuck me lol I am no saint
a_upstategurl93 (5/6/2006 1:37:13 AM): lol well true
Roge Wilson (5/6/2006 1:37:53 AM): so why me?
a_upstategurl93 (5/6/2006 1:38:26 AM): idk. i was wondern the same thing.
a_upstategurl93 (5/6/2006 1:38:36 AM): lol. gues caus u so nice
Roge Wilson (5/6/2006 1:38:49 AM): lol

a_upstategurl93 (5/6/2006 1:39:07 AM): and u dont try make me do that stoopd
cyber sex stuff like all the other guys
Roge Wilson (5/6/2006 1:39:28 AM): i want u to do what u awant
a_upstategurl93 (5/6/2006 1:39:52 AM): i kno and thats prob why u so nice
Roge Wilson (5/6/2006 1:40:23 AM): what ya thnking about now
a_upstategurl93 (5/6/2006 1:40:48 AM): idk jus sittin here smiling.lol
Roge Wilson (5/6/2006 1:41:06 AM): why are u happy
a_upstategurl93 (5/6/2006 1:41:17 AM): caus u make me happy!! lol
Roge Wilson (5/6/2006 1:41:37 AM): well i am glad u mean alot to me
Roge Wilson (5/6/2006 1:41:45 AM): and I want to help make u feel good
a_upstategurl93 (5/6/2006 1:41:56 AM): awww..
a_upstategurl93 (5/6/2006 1:42:08 AM): brb gota potty
Roge Wilson (5/6/2006 1:42:19 AM): k
a_upstategurl93 (5/6/2006 1:46:03 AM): back.
a_upstategurl93 (5/6/2006 1:46:21 AM): i beter be gettn to bed tho. i like talkn
u so much i didnt kno it was almost 2
Roge Wilson (5/6/2006 1:46:38 AM): ok
Roge Wilson (5/6/2006 1:46:40 AM): I missed u
Roge Wilson (5/6/2006 1:46:43 AM): thinking of me
a_upstategurl93 (5/6/2006 1:46:47 AM): of corse
a_upstategurl93 (5/6/2006 1:46:55 AM): u still wantn to come
Roge Wilson (5/6/2006 1:47:03 AM): can u make me hehe
a_upstategurl93 (5/6/2006 1:47:09 AM): lol idk
Roge Wilson (5/6/2006 1:47:28 AM): yes but tomarrow to too fast
a_upstategurl93 (5/6/2006 1:47:38 AM): ok. well i ttysl then.
Roge Wilson (5/6/2006 1:47:59 AM): kiss and hug sleep well and think of me i
will of u
a_upstategurl93 (5/6/2006 1:48:08 AM): ok.. nitenite
Roge Wilson (5/6/2006 1:48:14 AM): can u stay till 2
a_upstategurl93 (5/6/2006 1:48:38 AM): i beter be off im kina tired and my mom
getn me up at like 6.lol
Roge Wilson (5/6/2006 1:48:46 AM): lol ok
Roge Wilson (5/6/2006 1:48:51 AM): kiss night
a_upstategurl93 (5/6/2006 1:48:54 AM):
a_upstategurl93 (5/6/2006 1:48:55 AM): nite

EXHIBIT B

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Oconee

STATE

Anthony Clark Odum vs

INDICTMENT/CASE#: 2010-GS-37-104A

AW#: DP

AKA:

Race:

Sex: m

Age:

DOB: 06-22-73

SS#:

Address:

City, State, Zip: Wiken, S.C. 29701

DL#

SID#

*CDL Yes No CMV Yes No Hazmat Yes No

Date of Offense: 5/4/2010

S.C. Code §: 16-15-34.2

CDR Code #: 2999

SENTENCE SHEET

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO:

In violation of § 16-15-34.2 of the S.C. Code of Laws, bearing CDR Code # 2999

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS (CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury, (def.'s initials)

The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State

ATTEST:

Solicitor ASW SC Bar # 71716 Defendant Attorney for Defendant [Signature] SC Bar # 002769

WHEREFORE, the Defendant is committed to the State Department of Corrections County Detention Center, for a determinate term of 7 days/months/years or under the Youthful Offender Act not to exceed 5 years and/or to pay a fine of \$ 100.00; provided that upon the service of 7 days/months/years and or payment of \$ 100.00; plus costs and assessments as applicable; the balance is suspended with probation for 5 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

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 the State Department of Corrections.
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

PTUP _____ days/hours Public Service Employment

Total \$ _____ plus 20% fee \$ _____

Obtain GED

Payment Terms: _____

Attend Voc. Rehab. Or Job Corp _____

Set by SCDPPPS

May serve WE beginning _____

Recipient: _____

Substance Abuse Counseling

*Fine:	\$	
§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)	\$	\$
TOTAL	\$	\$ 133.00

Random Drug/Alcohol Testing
Fine may be pd. in equal consecutive weekly/monthly pmts. of \$ _____ Beginning \$ _____ Paid to Public Defender Fund

- NO internet use, NO home computer. Other- Shall not be alone with ungelated minors (under 18); shall not frequent places frequented by minors of alone; Shall undergo psych. eval. and/or ps. /biological treatment for sexual disorder and shall Appointed PD or appointed other counsel. §47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk [Signature]
Court Reporter: [Signature]

Presiding Judge [Signature]
Judge Code: 2999
Sentence Date: 11-10-11

Adhere to presumption Drug Reg. ma.
Sex offer der Registrar
- MAY transfer Probation to Wiken County

EXHIBIT C

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.

Anthony Clark Odom.....Appellant,

NOTICE OF APPEAL

Anthony Clark Odom appeals his conviction and sentence in this case. The sentence was imposed by the Honorable R. Lawton McIntosh on November 10, 2011. In addition, Appellant Odom appeals the following and believes jurisdiction is proper in this Court under Rule 203(d)(1)(A)(ii), SCACR: Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violations of the 1st Amendment of the US and Article 1, Section 2 of the South Carolina Constitutions and the courts construction of S.C. Code Section 16-15-342, Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violation of the one subject requirement for bills under the South Carolina Constitution "Log Rolling", Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violation of Equal Protection under both the US and SC Constitutions, Denial of Appellant's motion to dismiss the case due to vindictive prosecution, Denial of Appellant's motion to dismiss due to violations of U.S. v. Franks and S.C. v. Missouri concerning the issuance of "D Orders" under the U.S Patriot Act and Search Warrant, Denial of Appellants motion to dismiss due to Pre-Indictment Delay, Denial of Appellant's motion to dismiss due to failure of the State to obtain "D Orders" for the case appealed, Denial of Appellant's motion to exclude Bad Act evidence and the courts denial to allow appellant to present evidence as to "official capacity" for chats admitted under this rule, Denial of Appellant's motion to not take Judicial Notice of an element of the crime charged, Denial of Appellant's motion for Directed Verdict, Denial of Appellants motion to not charge to jury to disregard facts in evidence after being allowed to start deliberations, judicial comments on the facts of the case, and judicial participation in the trial of the matter, Denial of appellants motion to dismiss due to the doctrine

of estoppel by contract, Disallowance of the use of information related to the arrest of Mark Patterson and striking questioning of such from the record, and Denial of Appellant's timely filed motion for New trial, notice of such order was received on January 9, 2012 and the order was filed on January 6, 2012. Both the order denying New Trial and the Sentencing Order are attached hereto.

January 13, 2012



BRIAN MCDANIEL
2015 Boundary St., Suite 216
Post Office Box 2085
Beaufort, South Carolina 29901
PHONE (803) 379-5117
FAX (803) 379-5118

Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
(803)734-3724

EXHIBIT D

STATE OF SOUTH CAROLINA }
COUNTY OF OCONEE }

IN THE COURT OF GENERAL SESSIONS
TENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA,
vs.
ANTHONY C. ODOM,
Defendant

**STATE'S OBJECTION TO THE
DEFENDANT'S MOTION FOR NEW
TRIAL**

2010-GS-37-363
2010-GS-37-364

NOW COMES the State of South Carolina by and through the undersigned Assistant Attorney General objecting to the motion by the defendant for new trial and in support thereof states as follows.

A. Prosecutorial Vindictiveness

The defendant is not entitled to a new trial based upon prosecutorial vindictiveness. As the court noted, prosecutors are afforded much discretion. The State had probable cause to believe the defendant committed the crimes charged in Oconee County and had a need to protect the public. Even if the defendant's assertion is accurate it does not rise to prosecutorial vindictiveness.¹ See State v. Fletcher 322 S.C. 256, 261-2, 471 S.E.2d 702, 705 (South Carolina recognizes "[i]n our system, so long as the prosecutor has probable cause to believe that the accused committed an offense defined by statute, the decision whether or not to prosecute, and what charge to file or bring before a grand jury, generally rests entirely in his discretion.") (citation omitted); see also United States v. Wilson 262 F.3d 305 (4TH Cir 1981) ("[a] prosecutor

¹ A hearing on this matter was held on June 27, 2011 in front of the Honorable Alexander Macaulay (the hearing at which counsel for the defendant, James B. Huff, Esquire, testified). The Court reviewed the legal memoranda submitted by the parties and the transcript of the June 27 hearing, and also heard brief oral argument in September. Argument was heard again during the course of the trial. The State presented oral argument, as well as a legal memorandum and did not believe it proper or necessary to cross examine defense counsel or to repeat full argument. The State disputes additional evidence was presented relevant to the motion and, further, maintains the defendant's presentation of the facts is incomplete and/or out of context. Prior counsel for the State did not indicate charges would *never* be brought in Oconee County, and present counsel for the State never commented on the issue, and even if such statements were made the prosecution is entitled to change strategy.

should remain free before trial to exercise that broad discretion entrusted to him to determine the extent of the societal interest in prosecution,” while decisions to prosecute must not be made in retaliation against defendants for exercising their legal rights, “courts must nonetheless be cautious not to intrude unduly in the broad discretion given to prosecutors in making charging decisions. A prosecutor’s charging decision is presumptively lawful.”)(citations omitted)²

B. Admission of 404(B) “Lyle” Evidence

The Court properly admitted the Spartanburg chats under Rule 404(B), SCRE, and State v. Lyle, 125 S.C. 406, 118 S.E. 803 (1925) as evidence of common scheme or plan, identity, or intent. By its nature such evidence is highly probative and was not unduly prejudicial. As in State v. Gaines 380 S.C. 23, 29, 667 S.E.2d 728, 731 (2008), the prior bad act evidence was properly admitted.

C. Official Capacity

The Court did not err regarding the “official capacity defense.” The defendant was afforded every opportunity to explore and present such a defense as it related to the Oconee charges and Mark Patterson’s investigation. The State was prohibited from presenting any information concerning the Spartanburg investigation. As such, it is implicit the defendant not be permitted to inquire of Detective McGraw, or present evidence, relating to his being on duty or official capacity as that relates to the investigation. To do so, would invite the trial with in a trial the court sought to avoid. The time to address such issues was during the Lyle hearing.

D. Bond and Oath

The Court was correct in not charging to the jury that a bond is required for a municipal officer to be a licensed law enforcement officer. Bond is not an element of the crime and

² “[A] change in the charging decision made after an initial trial is completed is much more likely to be improperly motivated than a pre-trial decision.” Id. at 316 (quoting Godwin at 381, 102 S. Ct. 2485).

whether Mark Patterson was a bonded law enforcement officer at the time is a question of law. This issue was presented by the defendant as a basis for dismissal and properly denied by the court. The State does not recall the defendant requesting a jury charge prior to deliberation concerning bond. As such, it was improper for the jury to consider bond in determining guilt and the court did not err by instructing the jury not to consider the issue.³

Chief Scott Bannister testified Westminster Police Department officers must be bonded and under oath, and Mark Patterson was acting in his official capacity when conducting investigations and testimony was presented that bond would not be in the individual name of the officer. Accordingly, the testimony offered and/or elicited by the defendant is not dispositive of whether Officer Paterson was bonded as no testimony was offered or presented concerning the bond of the municipality or department. It was not error to disallow testimony from the Clerk of Court that a bond is not on file. Further, the defendant's reliance on State v. Boswell, 707 S.E.2d 265 (2011) is misplaced.

E. Defendant's Age

The Court was correct in taking Judicial Notice of the defendant's age pursuant to SCRE, Rule 201. The State submitted a certified copy of the defendant's DMV record, which is accurate and not reasonably disputed. That the defendant's age is an element of the crime is of no consequence, and under Rule 201, judicial notice may be taken at any time during the trial.

³ Upon receiving questions from the jury on bond, the court conducted research and determined its instruction to the jury proper.

CONCLUSION

The State renews and incorporated all prior motions, objections, and arguments and submits the defendant's arguments for new trial are without merit. As such, the defendant's Motion for New Trial should be denied.

Respectfully submitted,

ALAN WILSON
ATTORNEY GENERAL

By: _____
Megan Burleson Wines
Assistant Attorney General

Columbia, South Carolina

November 23, 2011

EXHIBIT E

BAIL PROCEEDING
FORM II

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

RECEIVED
CLERK OF COURT
2010 APR 29 PM 3:50
BERNARD OCONEE, S.C.
CLERK OF COURT

Anthony C. Odom
NAME OF DEFENDANT

Offense Charged:

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- The release of the defendant on recognizance will not reasonably assure his appearance as required.
- The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: _____

[Considerations: Nature and circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows:

CASH IN LIEU OF BOND

The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of 25,000 as release to be obtained by payment to the court of 10 % (not to exceed 10%) of the full amount of the bond, deposits 2500 to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the State.

APPEARANCE RECOGNIZANCE WITH SURETY

The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of _____

3. That the defendant shall appear at (check one):

- the term of _____ COURT OF GENERAL SESSIONS beginning on notice to counsel at _____ o'clock, _____ at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.
- the session of _____ MAGISTRATE COURT beginning on _____ at _____ o'clock, _____ at _____ If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

INITIALS OF DEFENDANT: ACO

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

[Signature]
SIGNATURE OF JUDGE

4/29/10
A TRUE COPY
APR 29 2010
CLERK OF COURT

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

ACO I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

325 EAST HEDGE RD
ADDRESS
Aiken SC 29801
CITY/STATE/ZIP
249-15-6441
SOCIAL SECURITY NUMBER
803-292-7027
TELEPHONE
DRIVER'S LICENSE OR ID NUMBER

SIGNATURE OF DEFENDANT
DATE
James B Huff, POB 6488, North Augusta, SC 2986
ATTORNEY REPRESENTING ACCUSED (IF KNOWN) (803) 218-3889

SPECIAL CONDITIONS OF RELEASE

a. [X] Placement in custody. The defendant is placed in the custody of: Barbara Odum
NAME OF PERSON OR ORGANIZATION
325 E. Hedge Rd
ADDRESS
Aiken / SC
CITY/STATE
29801
ZIP
803-292-7027
TELEPHONE

who agrees (1) to supervise the defendant as set forth by the court, (2) to use every effort to assure the appearance of the defendant at all scheduled hearings before the court, and (3) to notify the court immediately in the event the defendant violates any conditions of his release or disappears.

SIGNATURE OF CUSTODIAN (IF APPROVED)
DATE
Barbara Odum
4-29-10

b. [X] Restrictions on Travel, Association or Residence. The defendant will comply with each of the following conditions: shall not travel beyond 200 miles of the State of South Carolina except for work purposes, if travel is required for work, shall notify counsel and counsel will notify the Attorney General.
c. [] Part-time Release. The defendant will be released from custody from TIME o'clock, AM/PM to TIME o'clock, AM/PM on DATE(S) on condition that he return to the custody of NAME OF PERSON OR ORGANIZATION as designated. LOCATION

d. [X] Other Conditions. The defendant will comply with the following other conditions of release: *see below

APPEARANCE RECOGNIZANCE WITH SURETY

On the 29 day of April, 2010, personally appeared before the undersigned judge the surety named below who acknowledged himself indebted to the State of South Carolina, in the sum of 2500.00, such sum to be levied on his real and personal property for the use of the State, should named defendant fail in performing the conditions of this Order.

The surety, being duly sworn, says that he is a resident and free holder within the State and is worth the sum acknowledged and underwritten herein, over all his debts and liabilities, and exclusive of property exempt from execution.

X Anthony Odum
NAME OF SURETY BONDSMAN
803-292-7022
TELEPHONE
325 E. Hedge Rd
ADDRESS OF SURETY BONDSMAN
Aiken, SC 29801
CITY/STATE/ZIP
NAME OF INSURANCE COMPANY
ADDRESS OF INSURANCE COMPANY
CITY/STATE/ZIP

X [Signature]
SIGNATURE OF SURETY BONDSMAN
Beverly H. Whitefield
CLERK OF COURT
2000 APR 29
FILED
DORNEE S. FIELD
CLERK OF COURT
4-29-2010
DATE

* NO unsupervised contact with minors and NO use of the internet except for work related purposes.

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
JAN 28 2012
S.C. SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.

Anthony Clark Odom.....Appellant,

**APPELLANT'S MOTION FOR BOND AND STAY
PENDING DISPOSITION OF APPEAL**

Now Comes the Appellant in this matter, Anthony C. Odom, by and through his counsel of record Brian D. McDaniel, Esquire of the Law Office of Brian McDaniel, LLC, of Beaufort, South Carolina. The Appellant (Odom) pursuant to Rule 246(a), SCACR does request of this Court an order of Stay of his sentence and Bond. The grounds for this motion are as follows:

1. Odom recently received as sentence on indictment number 2010-GS-37-364A of seven (7) years confinement, which was suspended to five (5) years probation. The allowance of probation evidences Odom's ability to be in the community and a determination that he is a low risk to reoffend. Additionally, the circumstances set forth below in this motion

demonstrate Odom's record of compliance with the Court and his strong ties to the State of South Carolina. Under State v. Gibbs, 353 S.C. 226, 577 S.E.2d 454 (2003), although Odom is not actively confined a bond must be issued for the sentence to be stayed.

2. Odom's conviction proceeds from conduct alleged to have occurred in May 2006. Odom was arrested and placed on bond in May 2006 on another charge under S.C. Code 16-15-342, upon which no conviction has occurred. This other charge allegedly occurred in the County of Spartanburg, State of South Carolina. Since being placed on this first bond in 2006, Odom has not violated bond.
3. Odom has been called to answer for trial on four separate occasions and has never failed to be present. On each of these occasions a jury was selected, although twice the jury was not sworn.
4. On the two occasions in which a jury was sworn and the case was submitted for deliberations, the first was in the County of Spartanburg in 2010 and ended in a deadlocked jury resulting in a mistrial, and the second was in Oconee County in 2011, and resulted in the conviction on one charge from which the current appeal is taken, and a non guilty verdict on the companion charge. Both County of Oconee, State of South Carolina charges were based upon S.C. Code 16-15-342. This trial ended on November 10, 2011.
5. Odom was ordered to report to the Office of Probation by the trial judge after the Veterans Day Holiday of his own volition. Mr. Odom has complied with this order. Subsequently, Mr. Odom's probation has been transferred to the County of Aiken, State of South Carolina and Odom has complied with all other requirements to date, including registering as a sex offender with the Aiken County Sheriff's Office, attending counseling sessions, and providing a DNA sample.

6. Odom has been a licensed attorney in the State of South Carolina since 2001, although that license has been suspended.
7. Odom is a life long resident of South Carolina, with strong ties to the State, living with his wife in Aiken County for the past eleven (11) years. In fact Mr. Odom owns his home with his wife in Aiken County, and his wife has been gainfully employed with the County of Aiken, State of South Carolina since 2002.
8. Other than minor traffic offenses and the matters which are on appeal or referenced above in this motion, Odom has no other criminal record or arrests.
9. Odom has shown a serious respect for the legal justice system and has complied with the requirements placed upon him. In fact, during the pendency of the referenced criminal action, and as allowed under his bond, Odom has worked out of state on several occasions with previous employers and he has never failed to return as directed.
10. There are substantial and serious issues on appeal in this matter with a probability of reversal, see attached Motion for New Trial and Notice of Appeal which are incorporated by reference into this motion.

Considering the forgoing Odom respectfully requests that a personal recognizance bond be allowed during the pendency of this appeal to Stay his sentence with standard conditions that Odom not leave the State without approval of the Court, and that he maintain good behavior.

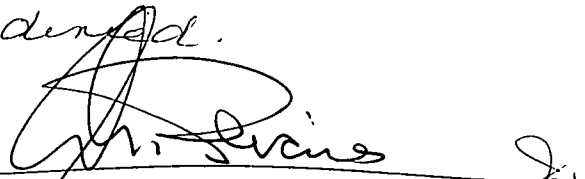
January 17, 2012



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Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
(803)734-3724

Motion denied.



For the Court

April 5, 2012

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

SOUTH CAROLINA
Plaintiff

VS

ANTHONY C. ODOM
Defendant

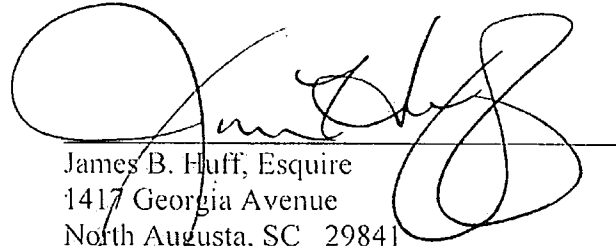
IN THE GENERAL SESSIONS COURT

TENTH JUDICIAL CIRCUIT

**NOTICE OF MOTION &
MOTION FOR NEW TRIAL**

CASE NO: 2010-GS-3700-364A

PLEASE TAKE NOTICE that the Defendant, does hereby move before the Honorable R. Lawton McIntosh, for an Order granting a New Trial in the above listed case which was heard November 7 through November 10, 2011. A verdict and sentence in the matter was imposed on November 10, 2011. The basis for Defendant's motion is set forth in the attached Memorandum of Law.



James B. Huff, Esquire
1417 Georgia Avenue
North Augusta, SC 29841
803-278-2889
803-442-4422 (FAX)
Email: jhuff@hufflaw.org

November 17, 2011

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

SOUTH CAROLINA
Plaintiff

VS

ANTHONY C. ODOM
Defendant

IN THE GENERAL SESSIONS COURT

TENTH JUDICIAL CIRCUIT

**MEMORANDUM IN SUPPORT OF
MOTION FOR NEW TRIAL**

CASE NO: 2010-GS-3700-364A

The Defendant is entitled to a new trial on the following basis:

A. Prosecutorial Vindictiveness

The Court erred in denying Defendant's Motion to Dismiss based upon Prosecutorial Vindictiveness.

At a pre-trial hearing held in Walhalla on June 27, 2011, the Court received evidence by way of sworn testimony and evidentiary documents from attorney James B. Huff indicating the indictment of the Defendant in Oconee County was based upon Prosecutorial Vindictiveness. The Attorney General offered no cross examination of witness Huff, nor entered any evidence in the record to contradict the testimony and exhibits regarding Prosecutorial Vindictiveness. Additionally, in comments made to the Court immediately after the testimony was closed, the Attorney General admitted she called attorney Huff, that she was angry when she spoke to Mr. Huff, and that she stated that she would indict in Oconee County.

In renewing the Motion during the November trial, Mr. Odom presented additional evidence of prosecutorial vindictiveness by way of the Attorney General's office threatening the process server Mr. Odom used in serving subpoenas upon the Assistant Attorney Generals in this case for a related civil case. Further, when queried by this Court on November 10, 2011, as to the issue of Prosecutorial Vindictiveness, the Attorney General made further statements which supported Defendant's claim.

B. Admission of 404(B) “Lyle” Evidence

The Court erred in allowing the State to admit evidence of the Spartanburg chats under the theory of *State v. Lyle* and SCRCrimP 404(B) and 403.

The potential prejudice of the Spartanburg chats clearly outweighed any probative value. The differences in the chats, the lack of a photo, the sheer number of the Spartanburg chats, their duration over time, the specific nature of the “masturbation” chat and of discussions of “meetings” should have required exclusion from trial evidence in this case.

C. Official Capacity

The Court erred in limiting Defendant’s right to present a defense regarding “official capacity”.

The Court refused to allow the defense to cross-examine Officer McGraw (Lyle Evidence) regarding his time sheets and whether or not he was “off duty” and not acting in his “official capacity”.

On Monday, November 7, 2011, the Court inquired of the Attorney General if the officer is not acting in his official capacity, is that a defense to this case? The Attorney General stated that if the officer was not acting in his official capacity it is a defense. The Court then inquired that if the topic of conversations regarded sex and the conversation was with a 16 year old, can a person 16 years of age or older consent to the conversation without it being a crime. The Attorney General stated, “Yes”. On Tuesday, November 8, during the cross-examination of Officer Patterson, the witness admitted that if he was not on duty and acting in his “official capacity”, that there would be no crime.

The State then called Officer McGraw regarding the “Spartanburg chats”. The Court asked the State whether or not Officer McGraw was “on duty” acting in his “official capacity” during the first four Spartanburg chats. The State responded by stating that during the first four chats “we freely admit he was not on duty”. Based upon the officer not being on duty, the Court

ruled that the first four chats between Officer McGraw and the Defendant would be excluded from evidence. The Court then ruled that the remaining chats were relevant, admissible and did not violate Rule 403. The Court further ruled that it was not going to allow the State to go through each line of each chat during its examination of Investigator McGraw.

The Defendant informed the Court that as to the remaining Spartanburg chats, the Defendant had Officer McGraw's time sheets, which would reflect that many of the other chats were conducted when Officer McGraw was also off duty and not acting in his official capacity. The Court stated that the defense would not be allowed to cross-examine Officer McGraw regarding this issue as to the remaining chats.

Further, the Defendant had under subpoena and listed on its Witness List Mr. Dan Johnson, who was a major with the Spartanburg Sheriff's Department at the time of the chats. Mr. Johnson had appeared at the prior Spartanburg trial and through his statements the State and the Defense reached a stipulation that the normal working hours of a criminal investigation division investigator with the Spartanburg County Sheriff's Department was 8:30 a.m. to 5:00 p.m. In the case at bar, the Defendant proffered the time records of Officer McGraw as a court exhibit.

The Court allowed the State to introduce all of the remaining Spartanburg chats dated March 21 through May 4, 2006. McGraw specifically testified regarding chats dated March 21 and 23, April 1, 21 and 29, and May 1 and 4. If the Defendant would have been allowed to cross-examine Officer McGraw, he would have elicited that McGraw was off duty on ten of the remaining chats.

Further, the State elicited oral testimony from Officer McGraw as to the contents of chats where Officer McGraw was clearly off duty or on weekends when he did not request to get paid

for the time of these alleged chats, in particular those chats occurring on March 23, April 1, April 29, May 1 and May 4. Out of a total of seven chats where the State elicited testimony from Officer McGraw, over half occurred beyond his scheduled work hours. Further, his pay records reflect that he did not work on any weekends and that the chats on April 1 and April 29 were Saturdays.

As admitted by the State and testified to by the State's witness, if the officer was not on duty he could not be acting in his official capacity. As such, the Court erred in denying the Defendant an opportunity to cross-examine the State's witness, Officer McGraw, as to official capacity or being off duty and in not excluding the other "Lyle" admitted chats on the same basis that the Court excluded the first four chats.

D. Bond and Oath

The Court erred in not charging the jury on the requirement that a municipal officer have a bond and oath in order to be a licensed law enforcement officer and by specifically instructing the jury not to discuss this issue in its deliberations.

During the course of the trial, a State's witness, Chief Scott Bannister testified that in order to be a law enforcement officer Mr. Patterson would have to have a bond and oath. Additionally, Mr. Patterson admitted the same. On Wednesday, November 9, the Westminster Municipal Clerk, Jennifer Adams, testified that there was no bond for Mr. Patterson found in his file that was kept at the Westminster's Clerk's office. On Thursday, November 10, *in sur reply*, the Defendant informed the Court it was calling the Oconee County Clerk of Court, the Honorable Beverly Whitfield, as to the issue of whether or not Officer Patterson had a bond on file with the county Clerk of Court's office. The Court refused to allow the Defendant to call this witness and present her testimony, but allowed the Defendant to proffer in the record what her testimony would be, that being that Officer Patterson had no bond on file in her office.

The jury began their deliberations on Thursday, November 10, at approximately 4:25 p.m. At approximately 4:50 p.m. the jury returned with a question and asked the Court, "If an officer is not bonded are they considered a police officer?" The Defendant requested the Court inform the jury that it had given the jury all the law in its charge and to continue its deliberations. Over Defendant's objection the Court stated to the jury that it did not charge the jury regarding bond and that bond was not a proposition that the jury may consider in their deliberations. At approximately 7:05 p.m. the jury again sent the Court a question, stating that they wished to review the cross-examination of Patterson and Chief of Police Bannister regarding the requirement to be bonded and the officer acting in official capacity. The Court, again over Defendant's objection, reprimanded the jury as to discussing the topic of having a bond as it relates to an officer's official capacity. The Defendant is informed and believes that the issue of bond and oath were properly before the jury, having received evidence of the same from witnesses called by both the State and Defense. The Court erred in failing to charge the jury on this issue, and by specifically instructing them that they could not discuss it in their deliberations.

The Defendant had provided to the Court authority on this issue as reflected in *State v. Boswell*, 707 S.E.2d 265 (2011) where the State Supreme Court referenced the requirements of a municipal police officer of having a bond. In footnote 7, the Court discussed that a municipal police officer transferred to another jurisdiction under a mutual aid agreement pursuant to §23-20-50. The Court stated "the bond for any police officer transferred shall include coverage for his activity in the municipality or county to which he is transferred in the same manner and to the same extent *provided by bonds of regularly employed officers of that municipality or county*". (Emphasis added) The Defendant also cited to the court §61-6-4510, §22-9-20 and §22-9-30.

As the jury had received evidence regarding this issue from both State and Defense witnesses and the court overruled the State's objection to Defense Counsel's closing argument discussing this matter, it was a violation of Due Process and an improper comment on the facts for the court to instruct the jury to, in essence, disregard the testimony and not discuss it in their deliberations.

E. Defendant's Age

The Court erred in taking judicial notice of the Defendant's age pursuant to SCRE 201.

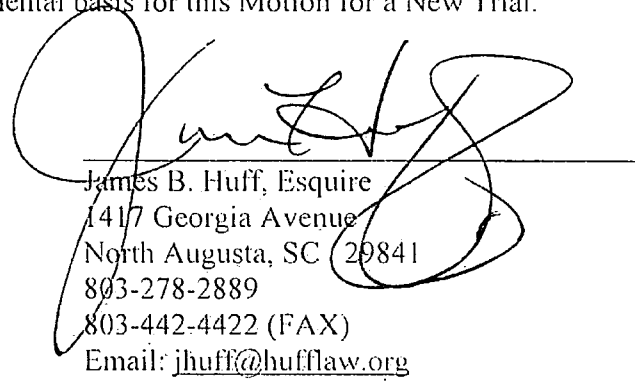
One element of the statutory offense of criminal solicitation of a minor requires that the State prove beyond a reasonable doubt that the accused is over the age of 18. The Defendant objected to the court taking Judicial Notice and contends that although the court has the power in appropriate circumstances to take judicial notice of some facts, it may not take judicial notice of an actual element of the criminal offense which the State is required to prove beyond a reasonable doubt. In this case, the court received a reported copy of the South Carolina Department of Motor Vehicles driving record to prove that the Defendant was over the age 18. The records of this agency are often times incorrect and inaccurate. See *Rakestraw v. South Carolina Dept of Highway and Public Transportation*, 473 SE2d 890 (Ct.App)(1996), *Jones v. City of Columbia*, 389 SE2d 662 (1990). As such, the records are subject to dispute. Further, taking Judicial Notice of an element of a criminal charge removes the State's burden of proof in the matter.

Additionally, the court stated that it took judicial notice of the document pursuant to §19-5-40. This was error. Section 19-5-40 pertains only to documents which reflect a certification from a records custodian that the "original of such instrument or record has been lost or destroyed". No such records custodian appeared at the trial nor was any representation made to

the Court that the original had been lost or destroyed. The State was required pursuant to a Motion for Discovery under SCRCrimP 5 to have provided the Defendant with a copy of this proposed document within 30 days of the filing of his Rule 5 Motion on April 29, 2010.

CONCLUSION

The Defendant incorporates herein by reference thereto all motions and objections made by the Defendant during the trial as a supplemental basis for this Motion for a New Trial.



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1417 Georgia Avenue
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803-442-4422 (FAX)
Email: jhuff@hufflaw.org

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.


Anthony Clark Odom.....Appellant,

NOTICE OF APPEAL

Anthony Clark Odom appeals his conviction and sentence in this case. The sentence was imposed by the Honorable R. Lawton McIntosh on November 10, 2011. In addition, Appellant Odom appeals the following and believes jurisdiction is proper in this Court under Rule 203(d)(1)(A)(ii), SCACR: Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violations of the 1st Amendment of the US and Article 1, Section 2 of the South Carolina Constitutions and the courts construction of S.C. Code Section 16-15-342, Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violation of the one subject requirement for bills under the South Carolina Constitution "Log Rolling", Denial of Appellant's motion to declare S.C. Code Section 16-15-342 unconstitutional due to violation of Equal Protection under both the US and SC Constitutions, Denial of Appellant's motion to dismiss the case due to vindictive prosecution, Denial of Appellant's motion to dismiss due to violations of U.S. v. Franks and S.C. v. Missouri concerning the issuance of "D Orders" under the U.S Patriot Act and Search Warrant, Denial of Appellants motion to dismiss due to Pre-Indictment Delay, Denial of Appellant's motion to dismiss due to failure of the State to obtain "D Orders" for the case appealed, Denial of Appellant's motion to exclude Bad Act evidence and the courts denial to allow appellant to present evidence as to "official capacity" for chats admitted under this rule, Denial of Appellant's motion to not take Judicial Notice of an element of the crime charged, Denial of Appellant's motion for Directed Verdict, Denial of Appellants motion to not charge to jury to disregard facts in evidence after being allowed to start deliberations, judicial comments on the facts of the case, and judicial participation in the trial of the matter, Denial of appellants motion to dismiss due to the doctrine

of estoppel by contract, Disallowance of the use of information related to the arrest of Mark Patterson and striking questioning of such from the record, and Denial of Appellant's timely filed motion for New trial, notice of such order was received on January 9, 2012 and the order was filed on January 6, 2012. Both the order denying New Trial and the Sentencing Order are attached hereto.

January 13, 2012



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FAX (803) 379-5118

Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
(803)734-3724

IN THE COURT OF GENERAL SESSIONS

STATE OF SOUTH CAROLINA

COUNTY OF Oconee

STATE

vs. Anthony Clark Odum

AKA: _____
Race: W Sex: M Age: _____

DOB: 06-12-73 SS#: _____

Address: F. Hedge Rd.
City, State, Zip: Wiken, S.C. 29701

DL# _____ SID# _____
*CDL Yes No CMV Yes No Hazmat Yes No

INDICTMENT/CASE#: 2010-GS-37-304A

AW#: DP
Date of Offense: 5/4/2010

S.C. Code §: 16-15-342

CDR Code #: 2999

SENTENCE SHEET

CONVICTED OF or PLEADS

In disposition of the said indictment comes now the Defendant who was
TO: Criminal Solicitor of a minor

In violation of § 16-15-342 of the S.C. Code of Laws, bearing CDR Code # 2999
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS §17-25-45
(CSC w/minor 1st or Lewd Act)

The charge is: As indicted, Lesser Included Offense, Defendant Waives Presentation to Grand Jury, (def.'s initials)
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State

ATTEST: _____ 71716 Defendant _____ 002769
Solicitor AS AL SC Bar # _____ Attorney for Defendant
 State Department of Corrections County Detention Center, SC Bar #

WHEREFORE, the Defendant is committed to the _____ State Department of Corrections _____ County Detention Center, _____ years
for a determinate term of _____ days/months/years or under the Youthful Offender Act not to exceed _____ years
and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and or payment
of \$ _____; plus costs and assessments as applicable; the balance is suspended with probation for _____
months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are
incorporated by reference.

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 the State
Department of Corrections.
 The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
PTUP _____
_____ days/hours Public Service Employment

Total: \$ _____ plus 20% fee: _____ \$ _____
Payment Terms: _____
 Set by SCDPPPS

Recipient: _____
May serve W/E beginning _____
Substance Abuse Counseling

*Fine:	\$	
§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$	100.00
§14-1-211 (A)(2)(DUI Surcharge)	\$	
§56-5-2995 (DUI Assessment)	\$	
§56-1-286 (DUI Breath Test)	\$	
Proviso 47.9 (Public Def/Prob)	\$	25.00
§14-1-212 (Law Enforce. Funding)	\$	
§14-1-213 (Drug Court Surcharge)	\$	
§50-21-114 (BUI Breath Test Fee)	\$	
§56-5-2942(J) (Vehicle Assessment)	\$	5.00
Proviso 90.5 (SCCJA Surcharge)	\$	
3% to County (if paid in installments)	\$	3.90
TOTAL	\$	133.90

Clerk of Court/Deputy Clerk _____
Court Reporter: Robin Hild

Presiding Judge _____
Judge Code: 2155
Sentence Date: 11-10-11
Adhere to prescription Drug Reg. ma.
Sex offender Registar
- MAY Transfer Probation
TO Aiken County

FILED OCONEE, SC
BEVERLY M. WHITFIELD
CLERK OF COURT
2012 JAN 6 AM 10 42

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

IN THE COURT OF COMMON PLEAS

COPY

The State of South Carolina,
Plaintiff,)

-vs-)

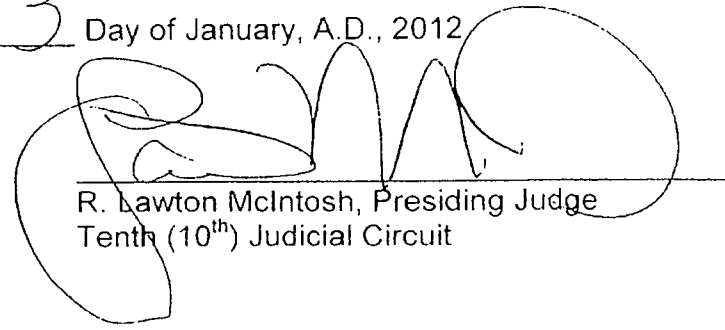
Anthony C. Odom,
Defendant.)

ORDER
CA No. 2010-GS-37-363A 2010-GS-37-364A

THIS MATTER IS BEFORE THE Court pursuant to Defendant, Anthony C. Odom's Motion for a new trial, timely filed November 21, 2011. The Defendant was tried before a jury and convicted of Criminal Solicitation of a Minor on November 10, 2011 in Oconee. He was represented by James B. Huff, Esquire, and Andy Johnston, Esquire. The State was represented by Megan B. Wines, Assistant Attorney General for the office of the South Carolina Attorney General.

After careful consideration, the Defendant's Motion for a New Trial is denied without oral argument.

IT IS SO ORDERED This 3 Day of January, A.D., 2012


R. Lawton McIntosh, Presiding Judge
Tenth (10th) Judicial Circuit

Anderson, South Carolina.

A TRUE COPY
JAN - 6 2012
COURT - OCONEE COUNTY

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

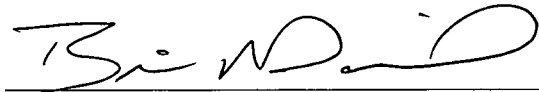
v.

Anthony Clark Odom.....Appellant,

PROOF OF SERVICE

I certify that I have served the **Appellant's Motion for Bond and Stay** on The Office of the South Carolina Attorney General by depositing a copy of it in the United States Mail, postage prepaid, on January 17, 2012, addressed to its attorney of record, Megan Wines, Esquire, P.O. Box 11549, Columbia, SC 29211

January 17, 2012



Brian McDaniel, Esq.
Post Office Box 2085
Beaufort, South Carolina 29901
Phone (843) 379-5117
Fax (843) 379-5118
bmcdaniel@attorneymcdaniel.com
Attorney for Appellant

RECEIVED

JAN 28 2012

S.C. SUPREME COURT

Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
Attorney for the Respondent



Law Office of
BRIAN McDANIEL, LLC

bmcdaniel@attorneymcdaniel.com

VIA US MAIL

February 6, 2012

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

**RE: The State, Respondent v Anthony Clark Odom, Appellant,
Case No.: 2010-GS-37-364A;
APPELLANT'S REPLY TO RESPONDENT'S LATE RESPONSE TO MOTION
FOR BOND AND STAY PENDING DISPOSITION OF APPEAL.**

Dear Mr. Shearouse:

Enclosed for filing are the original and six (6) copies of the APPELLANT'S REPLY TO RESPONDENT'S LATE RESPONSE TO MOTION FOR BOND AND STAY PENDING DISPOSITION OF APPEAL, as well as, Proof of service in the above referenced case. I have also enclosed an additional copy of the submitted documents and a return envelope with the request that you return a clocked copy to my office.

Please let me know if there is any problem with the proposed filing or if any additional documents are needed.

Sincerely,

Brian McDaniel, Esq.
Attorney for Appellant

RECEIVED

FEB 10 2012

S.C. SUPREME COURT

**CC: Megan Wines, Esquire, Office of the Attorney General for SC
P.O. Box 11549, Columbia, SC 29211, Attorney for the Respondent;
William M. Blitch, Jr., Esquire, Office of the Attorney General for
SC, P.O. Box 11549, Columbia, SC 29211, Attorney for the
Respondents.**



Law Office of
BRIAN McDANIEL, LLC

bmcdaniel@attorneymcdaniel.com

VIA US MAIL

January 17, 2012

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RECEIVED

JAN 28 2012

S.G. SUPREME COURT

RE: The State, Respondent v Anthony Clark Odom, Appellant,
Case No.: 2010-GS-37-364A
Filing Notice of Appeal

Dear Mr. Shearouse:

Enclosed for filing are the original and six (6) copies of the Appellant's Motion for Bond and Stay and Proof of service in the above referenced case. Also attached, as referenced in the enclosed Motion for Stay and Bond, are the documents provided in support thereof, including the Appellant's previously filed Motion for New Trial and Notice of Appeal in this case. I have also enclosed an additional copy of the submitted documents and a return envelope with the request that you return a clocked copy to my office.

This appeal is being filed with the Supreme Court under Rule 203(d)(1)(A)(ii), SCACR.

Please let me know if there is any problem with the proposed filing or if any additional documents are needed.

Sincerely,

Brian McDaniel, Esq.
Attorney for Appellant

CC: Megan Wines, Esquire, Office of the Attorney General for SC
P.O. Box 11549, Columbia, SC 29211, Attorney for the Respondent

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

JAN 17 2012

S.C. SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.

Anthony Clark Odom.....Appellant,

NOTICE OF APPEAL

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of estoppel by contract, Disallowance of the use of information related to the arrest of Mark Patterson and striking questioning of such from the record, and Denial of Appellant's timely filed motion for New trial, notice of such order was received on January 9, 2012 and the order was filed on January 6, 2012. Both the order denying New Trial and the Sentencing Order are attached hereto.

January 13, 2012



BRIAN MCDANIEL

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Other Counsel of Record:

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Office of the Attorney General for South Carolina

P.O. Box 11549

Columbia, SC 29211

(803)734-3724

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM OCONEE COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Indictment No. 2010-GS-37-364A

The State.....Respondent,

v.

Anthony Clark Odom.....Appellant,

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on The Office of the South Carolina Attorney General by depositing a copy of it in the United States Mail, postage prepaid, on January 13 2012, addressed to it's attorney of record, Megan Wines, Esquire, P.O. Box 11549, Columbia, SC 29211

January 13, 2012



Brian McDaniel, Esq.
Post Office Box 2085
Beaufort, South Carolina 29901
Phone (843) 379-5117
Attorney for Appellant

Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
(803)734-3724

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF

Oconee

STATE

INDICTMENT/CASE#: 2010-GS-37-304A

AKA:

Anthony Clark Odom

AW#: DP

Date of Offense: 5/4/2010

Race: W

Sex: M

Age:

S.C. Code §: 16-15-342

DOB: 06-22-73

SS#:

CDR Code #: 2999

Address: F. Hedge Rd.

City, State, Zip: Aiken, S.C. 29801

SENTENCE SHEET

DL#

SID#

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was

CONVICTED OF or PLEADS

TO:

Criminal Solicitation of a Minor

In violation of §

16-15-342

of the S.C. Code of Laws, bearing CDR Code #

2999

NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS MANDATORY GPS \$17-25-45

The charge is:

As indicted,

Lesser Included Offense,

Defendant Waives Presentation to Grand Jury.

(def.'s initials)

The plea is:

Without Negotiations or Recommendation,

Negotiated Sentence,

Recommendation by the State.

ATTEST:

Mega B. White

71716

Solicitor

SC Bar #

Defendant

Attorney for Defendant

SC Bar #

WHEREFORE, the Defendant is committed to the State Department of Corrections for a determinate term of days/months/years or under the Youthful Offender Act not to exceed years and/or to pay a fine of \$; provided that upon the service of days/months/years and or payment of \$ plus costs and assessments as applicable; the balance is suspended with probation for months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

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 the State Department of Corrections.

The Defendant is to be placed on Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered

PTUP

Total: \$ plus 20% fee: \$

days/hours Public Service Employment

Payment Terms:

Obtain GED

Set by SCDPPPS

Attend Voc. Rehab. Or Job Corp.

Recipient:

May serve W/E beginning

Substance Abuse Counseling

*Fine:

§14-1-206 (Assessments 107.5%)	\$	
§14-1-211 (A)(1)(Conv. Surcharge)	\$100	\$ 100.00
§14-1-211 (A)(2)(DUI: Surcharge)	\$100	\$
§56-5-2995 (DUI Assessment)	\$12	\$
§56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§14-1-213 (Drug Court Surcharge)	\$150	\$
§50-21-114 (BUI Breath Test Fee)	\$50	\$
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
Proviso 90.5 (SCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$
TOTAL		\$ 3.90
		\$ 133.90

Random Drug/Alcohol Testing

Fine may be pd. in equal consecutive weekly/monthly

pmts. of \$ Beginning

\$ Paid to Public Defender Fund

- NO internet use; No Home Computer

Other- Shall not be alone with unrelated

minors (under 18); shall not frequent places

frequented by minors of alone. Shall

under psychiatric and/or psychological

treatment for sexual disorder and shall

Appointed PD or appointed other counsel.

§47.12 requires \$500 be paid to Clerk

during probation.

Presiding Judge

Judge Code: 2455

Sentence Date: 11-10-11

Clerk of Court/Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Adhere to prescription Drug Reg: ma
Sex offense Reg: stau
- MAY Transfer Probation
to Aiken County

FILED OCONEE, SC
BEVERLY H. WHITFIELD
CLERK OF COURT
2012 JAN 06 AM 10 42

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

IN THE COURT OF COMMON PLEAS

COPY

The State of South Carolina,
Plaintiff,

-vs-

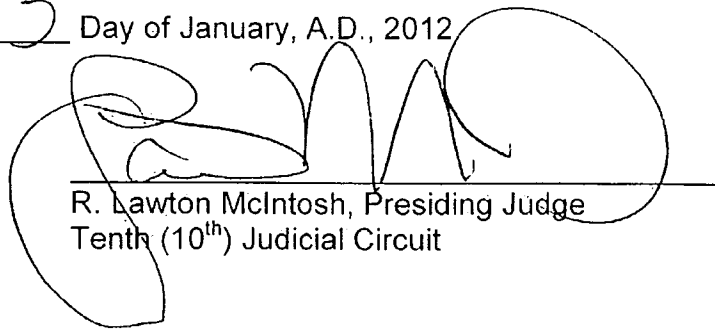
Anthony C. Odom,
Defendant.

ORDER
CA No. 2010-GS-37-363A 2010-GS-37-364A

THIS MATTER IS BEFORE THE Court pursuant to Defendant, Anthony C. Odom's Motion for a new trial, timely filed November 21, 2011. The Defendant was tried before a jury and convicted of Criminal Solicitation of a Minor on November 10, 2011 in Oconee. He was represented by James B. Huff, Esquire, and Andy Johnston, Esquire. The State was represented by Megan B. Wines, Assistant Attorney General for the office of the South Carolina Attorney General.

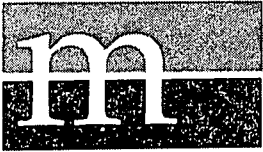
After careful consideration, the Defendant's Motion for a New Trial is denied without oral argument.

IT IS SO ORDERED This 3 Day of January, A.D., 2012


R. Lawton McIntosh, Presiding Judge
Tenth (10th) Judicial Circuit

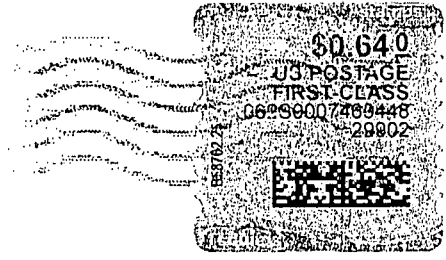
Anderson, South Carolina.

A TRUE COPY
JAN - 6 2012
CLERK OF COURT - OCONEE COUNTY



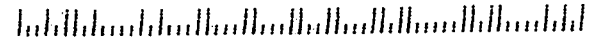
LAW OFFICE OF BRIAN MCDANIEL, LLC
Post Office Box 2085
Beaufort, South Carolina 29901

POSTAGE WILL BE PAID BY ADDRESSEE



**The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211**

2921131330 8035



Sup Ct
per Dan



Law Office of
BRIAN McDANIEL, LLC

bmcdaniel@attorneymcdaniel.com

VIA US MAIL

January 13, 2012

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RE: The State, Respondent v Anthony Clark Odom, Appellant,
Case No.: 2010-GS-37-364A
Filing Notice of Appeal

Dear Mr. Shearouse:

Enclosed for filing is a Notice of Appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the Order denying Defendant's Motion for a New Trial and the Sentence Sheet which are to be challenged on appeal.

This appeal is being filed with the Supreme Court under Rule 203(d)(1)(A)(ii), SCACR.

Sincerely,

Brian McDaniel, Esq.
Post Office Box 2085
Beaufort, South Carolina 29901
Phone (843) 379-5117
bmcdaniel@attorneymcdaniel.com
Attorney for Appellant

RECEIVED

JAN 17 2012

S.C. SUPREME COURT

Other Counsel of Record:
Megan Wines, Esquire
Office of the Attorney General for South Carolina
P.O. Box 11549
Columbia, SC 29211
Attorney for the Respondent
(803)734-3724