

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

Demetrius Mack, Respondent,

v.

Leon Lott, in his Official Capacity as Sheriff of Richland  
County, Petitioner.

Appellate Case No. 2014-002229

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**ON WRIT OF CERTIORARI TO THE COURT OF APPEALS**

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Appeal from Richland County  
DeAndrea G. Benjamin, Circuit Court Judge

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Opinion No. 27597  
Heard November 17, 2015 – Filed December 9, 2015

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**DEPUBLISH THE OPINION OF THE COURT OF  
APPEALS AND DISMISS CERTIORARI AS  
IMPROVIDENTLY GRANTED**

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Robert D. Garfield and Andrew F. Lindemann, both of  
Davidson & Lindemann, P.A., of Columbia, for  
Petitioner.

Joshua Snow Kendrick and Christopher S. Leonard, both  
of Kendrick & Leonard, P.C., of Columbia, and Neal  
Michael Lourie, of Lourie Law Firm, L.L.C., of  
Columbia, for Respondent.

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**PER CURIAM:** We granted a writ of certiorari to review the Court of Appeals' decision in *Mack v. Lott*, 410 S.C. 28, 762 S.E.2d 719 (Ct. App. 2014). We now dismiss the writ as improvidently granted since both parties and the trial court agree that the proper standard for determining probable cause is an objective standard; that is, whether the facts known to the arresting officer at the time of the arrest, viewed from the standpoint of an objectively reasonable police officer, amount to probable cause. Because the Court of Appeals' language on this issue is arguably unclear, for the benefit of the bench and bar, we direct the Court of Appeals to depublish its opinion.

Accordingly, we

**DEPUBLISH THE OPINION OF THE COURT OF APPEALS AND  
DISMISS CERTIORARI AS IMPROVIDENTLY GRANTED.**

**PLEICONES, Acting Chief Justice, BEATTY, KITTREDGE, HEARN, JJ.,  
and Acting Justice James E. Moore, concur.**