STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
JUN 23 2016
SC Court of Appeals

APPEAL FROM OCONEE COUNTY
R. LAWTON McINTOSH, Circuit Court Judge

Appellate Case No. 2015-000981

THE STATE .....RESPONDENT

v.

TERESA ANNETTE DAVIS.....APPELLANT.

INITIAL BRIEF OF RESPONDENT

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General
S.C. Bar No. 68571

MARY FRANCES JOWERS
Assistant Deputy Attorney General
S.C. Bar No. 68413

Post Office Box 11549
Columbia, SC 29211-1549
(803) 734-3996

CHRISTINA T. ADAMS
Solicitor, Tenth Judicial Circuit

P.O. Box 8002
Anderson, South Carolina 29622
(843) 260-4046

ATTORNEYS FOR RESPONDENT

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES

Cases:

Statutes:

Other Authority:

STATEMENT OF ISSUES ON APPEAL

I. The trial court did not err in denying Davis' Motion to Sever her Charges.

II. The trial court did not err in denying Davis' Motions for Directed Verdict.

STATEMENT OF THE CASE

Theresa Davis (Davis) was indicted by the Oconee County Grand Jury for first degree burglary and possession with intent to distribute methamphetamine second offense. (Tr. 3)

Davis was represented at trial by Russell W. Patrick and W. Wilson Burr. (Tr. 1) Following a trial by jury, Davis was found guilty on both charges. (Tr. 224) She was sentenced by the Honorable R. Lawton McIntosh to an aggregate eighteen years imprisonment. (Tr. 229) Davis timely filed a notice of intent to appeal her conviction and sentence, and she subsequently submitted a Brief. This Brief of Respondent follows.

STATEMENT OF FACTS

On Monday, February 10, 2014, Douglas Paul (Paul) drove by his mother's home in Oconee County. His mother had dementia, and about 6 months earlier she had transitioned to a skilled nursing facility. She and her family were hoping that being there would improve her health so she could move back home. All of her possessions remained in the home, including her bed, furniture, and other items from her 37 years in the home. (Tr. 73-75)

Paul drove by the home about 8:00 a.m., and he saw a strange car in the driveway. He had most recently driven by on Saturday, February 8. (Tr. 77) He got out of his vehicle and looked in the car, and there was nobody in the car. He noticed that a door to the house was open that should not have been. (Tr. 78) He thought something was wrong, so he called his wife and asked her to bring the key to the house as well as his handgun. She did so. (Tr. 77-78) He decided to go in the house through the front door. Upon doing so, he heard noise upstairs. He shouted out, "I know somebody is here. You know, whoever you are, you need to answer me[,]" and he warned that he had a gun. After he called out, he explained that "it just went crazy up there" with noise and commotion, so he left the house and called the police. (Tr. 79-80)

The Oconee County Sheriff's Office responded. Officer George Mayer, IV, (Mayer) was the first officer to arrive. Paul's wife told Mayer she saw a man go down the road whom she thought may have been involved, and Mayer went down the road after him. (Tr. 80-81) More officers came to the scene. Paul and his wife went inside the house with the officers, and they noticed a number of items had been moved. There were also several doors that had been opened.

Boxes of jewelry were pulled out of the closet. At the top of the stairs, a pot and other items were out of place. (Tr. 83-84, 128) Paul also noticed that a window on the second floor that was open, and the window had previously been locked: to open the window, a person would have to open the storm window and push the catches. (Tr. 84-85)

Mayer located and identified the man Paul's wife had seen, Ted Davis (Ted). Mayer placed Ted in investigative detention in the rear of the law enforcement vehicle. (Tr. 107-108) Mayer noticed Ted fidgeting around in the vehicle, and Mayer opened the door. At that time he found what appeared to be methamphetamine sprinkled in the backseat where Ted was sitting, along with a meth pipe. (Tr. 108) Mayer also discovered gloves in Ted's boots. Ted was placed under arrest and taken to the Oconee County Detention Center. (Tr. 108)

Officer William M. Freestate, II, (Freestate) of the Oconee County Sheriff's Department was called to the scene because he worked property crimes. (Tr. 114-115) Freestate called a wrecker service to remove the vehicle, as Paul did not want it on the property. (Tr. 118-119) Freestate completed an inventory of the vehicle, which is the policy when a vehicle is towed. While completing the inventory, he found a small plaid bag that was next to a purse on the front passenger seat. Inside the bag were two bags with a crystal-like substance. There was also a spoon, money, several baggies, a digital scale, and a lot of tissue paper. (Tr. 126-127) Freestate explained that the small baggies were for "distribution purposes" and that a person would "cut up and put narcotics in [the baggies]." These were next to the identification. (Tr. 126-127, 134)

Once the purse and other items were discovered in the vehicle, the officers believed that someone else either was or had been present on the scene. (Tr. 129) Additional officers arrived to help look for the other person. (Tr. 129) Officers Scott McCreary (McCreary) and Jason Kilpatrick (Kilpatrick) went around to the back of the home to look around. (Tr. 158) McCreary was informed about the open window; after examining the scene, he decided that a person could not have jumped off the roof so he began to look at the roof. Once he examined the roof, he realized someone was on the roof. Someone was crouching near the chimney. (Tr. 130, 159)

Freestate saw her and yelled "Hey, get down from there." (Tr. 130) The officers used a ladder and were able to get the individual down from the roof. The individual on the roof was the defendant, Teresa Davis (Davis). While Davis was coming down, a glass pipe came sliding down the roof. (Tr. 130) At that time, she was placed in investigative detention and read her *Miranda* rights. Freestate asked her what she was doing on the roof, and she said she was dropping her friend off. She said she was scared and afraid, and that is why she remained on the roof. Freestate pointed out that he and the other officers were in police clothing and easily identifiable as law enforcement who were there to help. He stated that "[s]he didn't really have any good – any kind of answer" for why she remained on the roof for so long. (Tr. 131-132, 138-139) The officers had been there for hours, and she had remained on the roof during the entire time. (Tr. 131)

When Freestate asked her about the narcotics and the crystal-like substance found in the vehicle, she stated, "That's mine. My brother doesn't do that." At that time, Officer Freestate placed her under arrest for possession with intent to distribute methamphetamine. She then stated, "No, those aren't mine." Officer Patrick Merck then pointed out to her that "You just said they were yours." And after he said that, she stopped talking. When she was patted down, the officers discovered gloves and a flashlight in her pockets. (Tr. 132-133)

Meredith Lanford, a forensic chemist at Anderson-Oconee Regional Forensics Laboratory, was qualified as an expert in the area of forensic chemistry. (Tr. 141-143) She examined the substance from the vehicle found on the scene. There were two different bags. One bag contained 4.61 grams of methamphetamine, and the other bag contained 2.63 grams of methamphetamine. (Tr. 146-147)

ARGUMENT

I. The trial court did not err in denying Davis' Motion to Sever her Charges.

The trial court properly denied Davis' Motion to Sever her Charges. Davis was indicted for first degree burglary and possession with intent to distribute methamphetamine, second offense. Prior to trial, she moved to sever the charges. (Tr. 3-4) The trial court denied her Motion. (Tr. 6)

A. Standard of Review

A motion for severance is addressed to the sound discretion of the trial court. *State v. Tucker*, 324 S.C. 155, 478 S.E.2d 260 (1996); *McCrary v. State*, 249 S.C. 14, 152 S.E.2d 235 (1967); *State v. Carter*, 324 S.C. 383, 478 S.E.2d 86 (Ct. App. 1996); *State v. Anderson*, 318 S.C. 395, 458 S.E.2d 56 (Ct. App. 1995). The court's ruling will not be disturbed on appeal absent an abuse of that discretion. *Tucker*, 324 S.C. at 164, 478 S.E.2d at 265; *State v. Prince*, 316 S.C. 57, 447 S.E.2d 177 (1993); *State v. Deal*, 319 S.C. 49, 459 S.E.2d 93 (Ct. App. 1995); *see also State v. Harris*, 351 S.C. 643, 572 S.E.2d 267 (2002) (stating a motion for severance is addressed to the trial court and should not be disturbed unless abuse of discretion is shown). An abuse of discretion occurs when a trial court's decision is unsupported by the evidence or controlled by an error of law. *State v. Walker*, 366 S.C. 643, 623 S.E.2d 122 (Ct. App. 2005).

B. Law/Analysis

Criminal charges can be tried together where they (1) arise out of a single chain of circumstances, (2) are proved by the same evidence, (3) are of the same

general nature, and (4) no real right of the defendant has been prejudiced. *State v. Tucker*, 324 S.C. 155, 478 S.E.2d 260 (1996). Where the offenses charged in separate indictments are of the same general nature involving connected transactions closely related in kind, place and character, the trial judge has the discretionary power to order the indictments tried together if the defendant's substantive rights would not be prejudiced. *State v. Cutro*, 365 S.C. 366, 618 S.E.2d 890 (2005); *State v. Smith*, 322 S.C. 107, 470 S.E.2d 364 (1996). *See also State v. Sullivan*, 277 S.C. 35, 282 S.E.2d 838 (1981) (where offenses charged in separate indictments are of same general nature, involving connected transactions closely related in kind, place and character, the trial judge has authority, in his discretion, to order indictments tried together over the objection of the defendant absent a showing that the defendant's substantive rights were violated); *McCrary v. State*, 249 S.C. 14, 152 S.E.2d 235 (1967) (stating "[t]he two offenses were of the same general nature, involving connected transactions closely related in time, place and character; and the trial judge had power, in his discretion, to order them tried together over objection by the defendant in the absence of a showing that the latter's substantive rights would have been thereby prejudiced.").

In the present case, the charges arise out of a single chain of circumstances and are closely related in kind, place and character. Davis was found on the roof of the home that is the subject of the burglary, and the drugs were found in the vehicle located on the property at the time of the burglary. The officers who responded to the burglary discovered the drugs as they were inventorying the

vehicle; meanwhile, Davis remained in hiding on the roof of the home that she burgalized. (Tr. 126-130)

Both charges in the present case are proved by the same evidence. The charges all arise out of a single chain of circumstances, occurring the same morning, during the same event, at the same place, and with the same responding officers. While there is some individual evidence that is specific to each crime, much of the evidence produced at trial pertained to both the charges, including the information about the home, the vehicle in the driveway, and the fact that Davis remained on the roof for so long while the officers were investigating. Thus, the separate offenses are proved by the same evidence. In *State v. Caldwell*, 378 S.C. 268, 662 S.E.2d 474 (Ct. Ap. 2008), the Court explained that when there is some additional evidence from separate victims, that is not fatal to the joinder of charges. In *Caldwell*, as in the present case, the charges arose out of a single chain of circumstances, occurred on the same afternoon, during the same event, and at the same place.

The charges here are of the same general nature. Offenses are considered to be of the same general nature where they are interconnected. *State v. Simmons*, 352 S.C. 342, 573 S.E.2d 856 (Ct. App. 2002). Conversely, offenses which are of the same nature, but which do not arise out of a single chain of circumstances and are not provable by the same evidence, may not properly be tried together. *Id.* In the present case, the charges arise out of a single chain of circumstances as described above. They are interconnected in that they involve the same

underlying facts, the same evidence, and the evidence is all part of the same chain of circumstances.

In addition, no right of the defendant has been prejudiced. Without evidence of both charges, the jury would not have received an accurate portrayal of the events and circumstances that occurred. The evidence of methamphetamine in the vehicle was necessary for a full presentation of the case without fragmentation, just as drug evidence was necessary for a full presentation in *State v. Rice*, 368 S.C. 610, 629 S.E.2d 393 (Ct. App. 2006). The Court in *Rice* explained as follows:

> One of the accepted bases for the admissibility of evidence of other crimes arises when such evidence furnishes part of the context of the crime or is necessary to a full presentation of the case, or is so intimately connected with and explanatory of the crime charged against the defendant and is so much a part of the setting of the case and its environment that its proof is appropriate in order to complete the story of the crime on trial by proving its immediate context or the res gestae or the uncharged offense is so linked together in point of time and circumstances with the crime charged that one cannot be fully shown without proving the other . . . [and is thus] part of the res gestae of the crime charged. And where evidence is admissible to provide this full presentation of the offense, [t]here is no reason to fragmentize the event under inquiry by suppressing parts of the res gestae.

(quoting *State v. Adams*, 322 S.C. 114, 470 S.E.2d 366 (1996), *reversed on other grounds, State v. Giles*, 407 S.C. 14, 754 S.E.2d 261 (2014)).

Similarly in the present case, the evidence of methamphetamine in the vehicles gives context to the burglary, and the presence of Davis on the roof was relevant to show the complete story regarding the burglary and Davis remaining on the roof for several hours. Therefore, she was not prejudiced by the Court's denial of her Motion to Sever.

II. The trial court did not err in denying Davis' Motions for Directed Verdict.

At the conclusion of the evidence, Davis moved for a directed verdict on both of her charges. The trial court denied the Motions as to both charges. (Tr. 166-67, 177)

A. Standard of Review

In criminal cases, an appellate court sits to review errors of law only. *State v. Baccus*, 367 S.C. 41, 625 S.E.2d 216 (2006); *State v. Wood*, 362 S.C. 520, 608 S.E.2d 435 (Ct. App. 2004). Thus, an appellate court is bound by the trial court's factual findings unless they are clearly erroneous. *State v. Quattlebaum*, 338 S.C. 441, 527 S.E.2d 105 (2000); *State v. Patterson*, 367 S.C. 219, 625 S.E.2d 239 (Ct. App. 2006). The appellate court does not re-evaluate the facts based on its own view of the preponderance of the evidence but simply determines whether the trial judge's ruling is supported by any evidence. *State v. Wilson*, 345 S.C. 1, 545 S.E.2d 827 (2001); *State v. Mattison*, 352 S.C. 577, 575 S.E.2d 852 (Ct. App. 2003).

When considering a motion for directed verdict, the trial court is concerned with the existence of evidence, not its weight. *State v. Walker*, 349 S.C. 49, 562 S.E.2d 313 (2002). In reviewing the denial of a motion for a directed verdict, the reviewing court must view the evidence in the light most favorable to the State. *Id.* Ultimately, the question is whether, in view of the evidence in the light most favorable to the State, a rational trier of fact could find all the elements beyond a reasonable doubt. *State v. Robinson*, 310 S.C. 535, 426 S.E.2d 317

(1992) (finding any rational trier of fact could have found all the elements of the crime beyond a reasonable doubt in affirming the denial of a motion for directed verdict and citing *Jackson v. Virginia*, 443 U.S. 307 (1979)). The task of the trial court is to simply determine "whether the evidence presented is sufficient to allow a reasonable juror to find the defendant guilty beyond a reasonable doubt." *State v. Bennett*, 415 S.C. 232, 781 S.E.2d 352 (2016). The reviewing court should affirm if in viewing the evidence in the light most favorable to the State, "the evidence could induce a reasonable juror to find [the defendant] guilty." *See State v. Pearson*, 415 S.C. 463, 783 S.E.2d 802 (2016).

"The appellate court may reverse the trial judge's denial of a motion for a directed verdict only if there is no evidence to support the judge's ruling." *State v. Zeigler*, 364 S.C. 94, 610 S.E.2d 859 (Ct. App. 2005) (citing *State v. Gaster*, 349 S.C. 545, 564 S.E.2d 87 (2002)). On appeal, the appellate court is limited to determining whether the trial judge abused his discretion. *State v. Reed*, 332 S.C. 35, 503 S.E.2d 747 (1998); *State v. Walker*, 366 S.C. 643, 623 S.E.2d 122 (Ct. App. 2005). "An abuse of discretion occurs when the trial court's ruling is based on an error of law or, when grounded in factual conclusions, is without evidentiary support." *State v. Jennings*, 394 S.C. 473, 716 S.E.2d 91 (2011).

B. The trial court did not abuse its discretion in denying Davis' Motion for Directed Verdict on the Possession with Intent to Distribute Charge.

There is evidence to support the trial court's denial of a directed verdict on the possession with intent to distribute charge, and the court did not err.

Davis contends that there was not sufficient evidence to show that she had control over the methamphetamine found in the vehicle. However, there was sufficient evidence to show control, and the trial court correctly denied the motion for directed verdict.

Actual possession occurs when the drugs are found to be in the actual physical custody of the person charged with possession. *State v. Stanley*, 365 S.C. 24, 615 S.E.2d 455 (Ct. App. 2005) (citing *State v. Ballenger*, 322 S.C. 196, 470 S.E.2d 851 (1996); *State v. Hudson*, 277 S.C. 200, 284 S.E.2d 773 (1981)). In order to prove constructive possession, the State must show the defendant had dominion and control, or the right to exercise dominion and control, over either the drugs or the premises upon which the drugs are found. *Ballenger* at 199, 470 S.E.2d at 854. Such possession can be established by circumstantial or direct evidence or a combination of the two. *State v. Brown*, 267 S.C. 311, 227 S.E.2d 674 (1976). Possession requires more than mere presence. *State v. Muhammed*, 338 S.C. 22, 524 S.E.2d 637 (Ct. App. 1999). The State must show the defendant had dominion or control over the thing allegedly possessed or had the right to exercise dominion or control over it. *Id.*

In *Stanley*, the Court found that there was substantial circumstantial evidence reasonably tending to prove the defendant's guilt where the arresting officer found a large bag containing more than ten grams of crack cocaine on the ground beneath the defendant, there was $4,220 in cash in the defendant's pockets, and plastic bags and scales on the passenger's side floorboard of the vehicle that the defendant had been sitting in the passenger seat.

In the present case, there is sufficient evidence to support the trial court's ruling. Davis herself told Officer Freestate the drugs were hers. She stated as following regarding the drugs: "That's mine. My brother doesn't do that." (Tr. 132) Although she changed her story once she was placed under arrest, this evidence in and of itself is sufficient to support the judge's ruling. In addition to her statements which were direct evidence of possession, the drugs were found in a bag right next to her purse with her South Carolina driver's license, lip balm, paperwork, and other things, all sitting there together. This provides further evidence that the drugs were hers. (Tr. 125) In addition, McCreary testified that as a narcotics officers, in the narcotics world, "[a]ll the little baggies, distribution of some sort. In the narcotics field." (Tr. 161) Thus in his opinion the evidence indicates an intent to distribute. Because there is evidence to support the trial court's ruling, the decision should be affirmed.

C. The trial court did not abuse its discretion in denying Davis' Motion for Directed Verdict on the burglary charge.

There is evidence to support the trial court's denial of a directed verdict on the burglary charge, and the court did not err. S.C. Code Ann. § 16-11-311(A)(2) explains that "A person is guilty of burglary in the first degree if the person enters a dwelling without consent and with intent to commit a crime in the dwelling, and . . . (2) the burglary is committed by a person with a prior record of two or more convictions for burglary or housebreaking or a combination of both[.]" The parties stipulated that Davis had two prior convictions for burglary, so she met this element. (Tr. 163-165)

Davis argues that the home was not a "dwelling" for purposes of the burglary statute and therefore the court should have granted a directed verdict on the burglary charge. Davis contends that the home was not a dwelling because the owner was in skilled nursing care and the home was for sale at the time of the incident. However, these arguments are without merit, and the home remained a dwelling for purposes of the statute while the homeowner was in skilled care and the home was for sale.[1]

Davis relies on State v. *Ferebee*, 273 S.C. 403, 257 S.E.2d 154 (1979) to support her position. However, this case is distinguished from the present case. In *Ferebee*, the Defendant was found guilty of burglary. He appealed, arguing that the unoccupied apartment he entered did not constitute a "dwelling house" as defined by the burglary statute. The appellate court noted that resolution of the appeal was governed by the pivotal question of whether the apartment was being used as a dwelling house at the time of the alleged offense. At the relevant time, the apartment had been abandoned by the former tenants. The apartment was partially furnished and was for rent. The Court found that the apartment was not a dwelling because there was no occupant or inhabitant against whom the offense

---

[1] Davis asks this Court to take judicial notice of three facts: (1) that the house was placed on the market; (2) that the house was subsequently sold; and (3) that the homeowner never resided at the residence once she was placed in nursing home. These three facts are already in the record, and therefore there is no need to take judicial notice of them. Paul testified that the house "was on the market just because we weren't sure what was going to happen. And, you know, sometimes it can take a while to get interest in houses, so we went ahead and got a real estate agent and we did put the house on the market." (Tr. 76) Paul testified that the house was sold "a couple few months after this incident." (Tr. 97) Paul also testified that they were hoping his mother would get better and move back home but "that's not how it turned out." (Tr. 75)

could have been committed. The former tenant had permanently abandoned the premises without the intention of returning, and there was no regular or irregular occupancy of the apartment by any person during the period in question. *Id.* at 406, 257 S.E.2d at 155. This case is distinguished from the present case for several reasons. First, the apartment in *Ferebee* was abandoned. In the present case, the owner moved to a skilled nursing facility, but she did not abandon her home. In fact, her possessions from over 37 years of living in the home remained there. (Tr. 74) In addition, the intention was for her to move back in. Paul, her son, stated as follows: "So when we got her into Clemson Downs and they could finally get her taking medication, we were kind of hoping it was going to help her and her memory would get better and possibly maybe she could move home." (Tr. 75) When asked whether the family hoped she would come back, Paul stated, "[w]e were hoping that would be the case, yes." (Tr. 75) The fact that she died before returning does not change the nature of the home, and it was a dwelling at the time of the incident.

State v. Evans, 376 S.C. 421, 656 S.E.2d 782 (Ct. App. 2008) is closer to the present case. In *Evans*, the issue before the Court was whether the trial court erred in denying appellant's motion for directed verdict on a first-degree burglary charge because the building did not meet the statutory definition of a dwelling. The family had been "living in [the home] off and on, going up there as a secondary house . . . until about three years [prior to the incident]." Because of the wife's medical condition and the treatments she received, they were unable to live there or spend significant amounts of time at the home anymore. In finding

that there was sufficient evidence of the family's intent to return to the property for it to be considered a dwelling, the Court noted that the family visited the home about once every two weeks or month, the utilities were all on in the home, and it was "ready to be lived in." The only reason the family had not been staying overnight in the home the last three years was the wife's current medical condition prevented them from doing so. *Id.* at 425, 656 S.E.2d at 784. The Court cited William Shepard McAninch & W. Gaston Fairey, *The Criminal Law of South Carolina* 445 (4th ed. 2002) which states "[A] person could have more than a single dwelling house, any of which might be the object of a burglary despite the occupant's absence for extended periods of time, so long as he had an intention to return. Consequently, a vacation cottage would qualify as a dwelling house even though the owner had not been there in months." Similarly in the present case, the owner was away for a while due to a medical situation, but her possessions remained in the home and there is no evidence she abandoned her intent to return home. In addition, family members continued to check on the residence on a regular basis, just as in *Evans*.

Other courts have held that a residential structure was a dwelling house for purposes of the burglary statute when the occupant was confined to a hospital or nursing home. *See Mains v. State*, 375 So.2d 1299 (Ala. App. 1979) (affirming a conviction of second-degree burglary, pursuant to a statute defining that crime as including entering "any uninhabited dwelling house," holding that the jury could reasonably conclude that the victim's premises constituted a dwelling house within the meaning of the statute where the victim had been in a nursing home for

some two years but intended to return to her house and reside therein when her condition improved); *People v. Meredith*, 95 Cal. Rptr. 3d 297 (Cal. App. 4th 2009) (burglary victim's alleged removal from life support, while he was being treated for dementia and age-related physical problems in a skilled nursing facility, did not cause him to cease to use his house as a dwelling for purposes of burglary statute, and thus did not preclude the burglary of the house from being first degree burglary, even if victim would in all likelihood not be able to return to his house); *Course v State*, 469 So.2d 80 (Miss. 1985) (for purposes of burglary prosecution, victim's house retained its status as dwelling during her forced stay in a nursing home, where all of victim's personal possessions remained in the house, victim continued to receive mail there, and it was victim's intention to return to house when her health permitted).

In the present case, the fact that the home was for sale does not change its character from a dwelling, as the relevant question is what was the status of the home on the day of the alleged burglary. Individuals and families often live in homes while they are for sale, and the sale itself does not change the nature of the home. Further, the fact that the home was sold after the incident is irrelevant to the home's status on the date of the incident. Moreover, the fact that the owner was ultimately unable to return to the home does not change its character, either. The relevant question is what was the owner's intent, and not whether she was ultimately able to return to the residence.

CONCLUSION

For all of the foregoing reasons, the State respectfully requests that the judgment, convictions, and sentence of the trial court be affirmed.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

MARY FRANCES JOWERS
Assistant Deputy Attorney General

CHRISTINA T. ADAMS
Solicitor, Tenth Judicial Circuit

BY: Mary Frances Jowers
Mary Frances Jowers
S.C. Bar No. 68413

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211-1549
(803) 734-3996

ATTORNEYS FOR RESPONDENT

Columbia, South Carolina
June 23, 2016