



The Supreme Court of South Carolina

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May 19, 2017

The Honorable Jeanette W. McBride
Clerk of Court, Richland County
PO Box 2766
Columbia SC 29202-2766

REMITTITUR

Re: The City of Columbia v. Johnnie L. Clark and Harriet Clark
Lower Court Case No. 2014-CP-40-05599
Appellate Case No. 2016-000999

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

CLERK

cc:

Henry Pickett Wall, Esquire
Jessica Mangum, Esquire

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

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

The City of Columbia, Respondent,

v.

Johnnie L. Clark and Harriet Clark, Appellants.

Appellate Case No. 2016-000999

Appeal from Richland County
Steven D. Dennis, Municipal Court Judge
Diane Schafer Goodstein, Circuit Court Judge

Memorandum Opinion No. 2017-MO-008
Heard March 1, 2017 – Filed May 3, 2017

AFFIRMED

Henry Pickett Wall, of Bruner Powell Wall & Mullins,
LLC, of Columbia, for Appellants.

Jessica Mangum, of Office of the Columbia City
Attorney, of Columbia, for Respondent.

PER CURIAM: In municipal court, Johnnie L. Clark and Harriet Clark were found guilty of violating subsection 8-67(c) of the Code of Ordinances of the City of Columbia. The Clarks appealed and the circuit court affirmed the municipal court. The Clarks now appeal the circuit court's order directly to this Court pursuant to Rule 203(d)(1)(A)(ii) of the South Carolina Appellate Court Rules, claiming their First Amendment, U.S. CONST. amd. I, rights to free speech and free

exercise of religion were violated when the municipal court did not apply the standard provided in the South Carolina Religious Freedom Act, S.C. Code Ann. §§ 1-32-10 to -60 (2005). We affirm the municipal court's ruling pursuant to Rule 220(b)(1) of the South Carolina Appellate Court Rules because the Clarks' argument that the municipal court erred in applying the incorrect legal standard is not preserved for our review. *See State v. Williams*, 386 S.C. 503, 516 n.8, 690 S.E.2d 62, 68 n.8 (2010) (stating to preserve an issue at trial for appellate review, the issue must be: (1) raised to and ruled upon by the trial court; (2) raised by the appellant; (3) raised in a timely manner; and (4) raised to the trial court with sufficient specificity).

AFFIRMED.

BEATTY, C.J., KITTREDGE, HEARN, FEW and JAMES, JJ., concur.