ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County

Honorable Perry H. Gravely, Circuit Court Judge

RECEIVED

JUL 21 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KALVIN ROPEL BROWN,

APPELLANT

APPELLATE CASE NO 2016-000529

FINAL BRIEF OF APPELLANT

TAYLOR D GILLIAM
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

TABLE OF CONTENTS

TABLE OF CONTENTS i

TABLE OF AUTHORITIES ii

STATEMENT OF ISSUE ON APPEAL 1

STATEMENT OF THE CASE 2

ARGUMENT 3

CONCLUSION 14

TABLE OF AUTHORITIES

Cases

Arizona v. Johnson, 555 U.S. 323, 129 S.Ct. 781, 172 L.Ed.2d 694 (2009) 9, 11

Berkemer v. McCarty, 468 U.S. 420, 104 S.Ct. 3138, 82 L.Ed.2d 317 (1984) 8

Davis v. State, 947 S.W.2d 240 (Tex.Crim.App.1997) 9

Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999) 8, 11

Florida v. Royer, 460 U.S. 491, 103 S.Ct. 1319, 75 L.Ed.2d 229 (1983) 8, 11

Illinois v. Caballes, 543 U.S. 405, 125 S. Ct. 834, 160 L. Ed. 2d 842 (2005) 8, 11

Illinois v. Gates, 462 U.S. 213, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983) 13

Knowles v. Iowa, 525 U.S. 113, 117, 119 S.Ct. 484, 142 L.Ed.2d 492 (1998) 8

Ornelas v. U.S., 517 U.S. 690, 116 S.Ct. 1657 (1996) 13

People v. Redinger, 906 P.2d 81 (Colo.1995) 9

Reid v. Georgia, 448 U.S. 438, 100 S.Ct. 2752, 65 L.Ed.2d 890 (1980) 7

State v. Pichardo, 367 S.C. 84, 623 S.E.2d 840 (Ct. App. 2005) 9, 11

State v. Provet, 405 S.C. 101, 747 S.E.2d 453 (2013) 10, 11

State v. Williams, 351 S.C. 591, 571 S.E.2d 703 (Ct. App. 2002) 7, 11

State v. Woodruff, 344 S.C. 537, 544 S.E.2d 290 (Ct.App.2001) 7

Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1968) 7, 8

U.S. v. Foster, 634 F.3d 243 (4th Cir. 2011) 12

United States v. Arvizu, 534 U.S. 266, 122 S.Ct. 744, 151 L.Ed.2d 740 (2002) 7

United States v. Beck, 140 F.3d 1129 (8th Cir.1998) 9

United States v. Cortez, 449 U.S. 411, 101 S.Ct. 690, 66 L.Ed.2d 621 (1981) 13

United States v. Jacobsen, 466 U.S. 109, 104 S.Ct. 1652, 80 L.Ed.2d 85 (1984). 8

United States v. Jones, 234 F.3d 234 (5th Cir.2000) 9, 10

United States v. Mendenhall, 446 U.S. 544, 100 S.Ct. 1870, 64 L.Ed.2d 497 (1980) 7

United States v. Mesa, 62 F.3d 159 (6th Cir.1995) 9

United States v. Sprinkle, 106 F.3d 613 (4th Cir.1997) 7

United States v. Sullivan, 138 F.3d 126 (4th Cir.1998) 10, 11

Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769, 135 L.Ed.2d 89 (1996) 7

Constitutional Provisions

U.S. Const. amend IV .... passim

STATEMENT OF ISSUE ON APPEAL

Whether the trial judge erred in denying Appellant's motion to suppress evidence found as the result of an unreasonably and immeasurably delayed traffic stop where law enforcement could have issued a ticket for following too closely and concluded the stop but instead continued to investigate without reasonable suspicion in violation of the Fourth Amendment of the United States Constitution?

STATEMENT OF THE CASE

A York County Grand Jury indicted Appellant at the August 20, 2015 term of court for trafficking in heroin, fourteen grams or more but less than twenty-eight grams. R. 263 – 264. His case was called to trial on February 24, 2016 before the Honorable Perry H. Gravely. Assistant Solicitors Marina Hamilton and Leslie Robinson appeared on behalf of the State, and Willie Bradley and Patrick Sharpe represented Appellant. R. 1.

At the conclusion of the bench trial, Judge Gravely found Appellant guilty as indicted. R. 260, ll. 9 – 16. He sentenced Appellant to twenty-five years' imprisonment and ordered a fine of two hundred thousand dollars. R. 262, ll. 7 – 13.

This appeal follows.

ARGUMENT

The trial judge erred in denying Appellant's motion to suppress evidence found as the result of an unreasonably and immeasurably delayed traffic stop where law enforcement could have issued a ticket for following too closely and concluded the stop but instead continued to investigate without probable cause in violation of the 4th Amendment of the United States Constitution.

Relevant facts

On February 18, 2015, Officer William Gibson, a deputy sheriff with the York County Sheriff's Office pulled over a car in which Appellant was a passenger for allegedly following too closely, although he never issued a ticket for that charge. R. 39, ll. 17 – 24; R. 42, l. 17 – R. 43, l. 21. Gibson approached the passenger side of the car and spoke with both occupants. R. 43, l. 22 – R. 44, l. 13. Because the driver could not produce any identification, Gibson asked her to get out of the car. R. 44, ll. 17 – 21. Due to the cold weather, Gibson invited the driver, later identified as Monique Trappier, to get into his patrol car. R. 166, ll. 10 – 24.

While Gibson and Trappier were in his car, Gibson began questioning her about the duration and destination of the trip. R. 45, ll. 4 – 10. Following that line of questioning, Gibson spoke with Appellant. R. 45, ll. 15 – 24. According to Gibson, Appellant stated that he and Trappier were headed to Morganton, North Carolina. R. 46, ll. 2 – 3. Gibson began asking additional questions "based on [his] observations" about luggage. R. 46, ll. 6 – 10. The contents of the trunk of the car were not seen or discussed, but Gibson concluded that Appellant and Trappier did not have any luggage. Gibson testified that the presence of "a rental car [and] air freshener," coupled with the fact that Appellant and Trappier may have been traveling one-way

"painted the picture of criminal activity." R. 46, ll. 10 – 12. Additionally, Gibson "drew the conclusion that there was criminal activity present" because of the alleged discrepancy between the number of years that Appellant and Trappier had said they knew each other. R. 46, 12 – 17.

Gibson asked Appellant for consent to search the car, and Appellant denied consent. R. 46, ll. 18 – 22. Gibson asked Appellant to step out of the car, and Gibson searched the vehicle with his drug K-9. R. 47, ll. 6 – 15. The dog "gave a positive alert" R. 47, ll. 6 – 15; R. 52, l. 5 – R. 54, l. 12. Gibson searched the interior of the car and found a few jackets, one of which contained a powdery substance later determined to be sixteen and a half grams of heroin. R. 54, l. 13 – R. 56, l. 14; R. 57, l. 19 – R. 58, l. 3. Gibson was not able to determine Trappier's identity until he transported her to the Rock Hill Police Department. R. 45, ll. 11 – 14.

Appellant moved to suppress any evidence found as a result of the traffic stop due to the unreasonable delay and extension beyond the original purpose of the stop. R. 6, ll. 3 – 11; R. 7, l. 1 – R. 21, l. 19. Judge Gravely denied Appellant's pre-trial motion and offered to allow Appellant to renew the motion. R. 24, ll. 10 – 22. After the State rested, Appellant renewed all objections and pretrial motions, to include the motion to suppress evidence obtained as a result of the traffic stop. R. 145, ll. 13 – 15. Those motions were denied. R. 146, l. 16 – R. 146, l. 9. Following the denial, Appellant moved for a directed verdict. R. 146, ll. 12 – 15.

On cross-examination, Gibson admitted that although he had no knowledge regarding the distance between the cities of Asheville and Morganton in North Carolina, he utilized that alleged inconsistency to develop reasonable suspicion that another crime was being committed. R. 71, l. 2 – R. 72, l. 21. Furthermore, the initial statement that the pair was going to Morganton, North Carolina, was made by Appellant in the presence of Trappier. R. 103, ll. 3 – 8. He

admitted that they could have been twenty miles apart. R. 73, ll. 15 – 25. His testimony was summarized by defense counsel:

> Q: Okay. So I've got to take my point up. You said that that was the thing that made you suspicious, that they gave two different places that they were going to. But you weren't even certain whether or not those two places were anywhere near each other or not; is that correct?
>
> A: Correct.

R. 74, ll. 1 – 8.

Gibson stated that the second indicator of suspicious activity was the lack of luggage. R. 74, ll. 13 – 16. However, this pretextual reason was likewise called into question during cross examination:

> Q: You just testified about the luggage and about whether or not they may have had - - you know, you would have found - - at least they should have taken a toothbrush with them, at this particular time when you're making this determination, though, you hadn't searched the vehicle yet; is that correct?
>
> A: No, sir.
>
> Q: Okay. So how would you know whether or not they had a toothbrush in the back of a coat pocket or anything like that?
>
> A: I wouldn't have.
>
> Q: So at that particular time you did not know whether or not they had any necessary supplies to stay overnight; is that correct?
>
> A: Correct.
>
> Q: And you did not know what was in the trunk at that time, either; is that correct?
>
> A: Correct.

R. 77, ll. 3 – 22.

Gibson defended his suspicions and characterized them as justified:

Q: And you said the reason you were suspicious was because the itineraries were different and a second thing we're talking about now is that they didn't have luggage or at least a toothbrush or necessities that would show an overnight trip?

A: Correct.

Q: And my question to you is you hadn't searched the vehicle yet, front or [trunk], so you did not know whether or not they had those things at that point; is that correct?

A: Correct.

Q: So is it fair to say at that point that maybe your suspicions were not justified?

A: No, they were justified.

Q: And they were justified because of the travel itineraries that was different, which you were not certain the vicinity and, secondly, whether or not they had anything, any luggage or any type of things they need for an overnight stay. And you're saying you didn't even check the vehicle for that. So both of those suspicions there, you still feel that they were actually justified?

A: Correct.

R. 78, l. 17 – R. 79, l. 17.

Gibson confessed that part of his duties that day were to be looking out for signs of illegal drugs. R. 84, ll. 16 – 20; R. 96, ll. 13 – 22. He also admitted that the charge of following too closely to vehicles does not indicate that a vehicle may contain contraband. R. 96, l. 23 – R. 97, l. 1. That said, Gibson never cited Trappier, the driver, for following too closely. R. 102, ll. 3 – 5.

Discussion

"Temporary detention of individuals during the stop of an automobile by the police, even if only for a brief period and for a limited purpose, constitutes a 'seizure' of 'persons' within the meaning of [the Fourth Amendment]." Whren v. United States, 517 U.S. 806, 809–10, 116 S.Ct.

1769, 135 L.Ed.2d 89 (1996). Thus, an automobile stop is "subject to the constitutional imperative that it not be 'unreasonable' under the circumstances." Id. at 810, 116 S.Ct. 1769. Where probable cause exists to believe that a traffic violation has occurred, the decision to stop the automobile is reasonable per se. Id. See also State v. Williams, 351 S.C. 591, 597–98, 571 S.E.2d 703, 707 (Ct. App. 2002).

The Fourth Amendment guarantees "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. Const. amend IV; see State v. Woodruff, 344 S.C. 537, 544 S.E.2d 290 (Ct.App.2001). Thus, the Fourth Amendment protects against unreasonable searches and seizures, including seizures that involve only a brief detention. United States v. Mendenhall, 446 U.S. 544, 100 S.Ct. 1870, 64 L.Ed.2d 497 (1980). An officer is permitted to make an investigative detention or stop only if supported "by a reasonable and articulable suspicion that the person seized is engaged in criminal activity." Reid v. Georgia, 448 U.S. 438, 440, 100 S.Ct. 2752, 65 L.Ed.2d 890 (1980). "And in justifying the particular intrusion the police officer must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion." Terry v. Ohio, 392 U.S. 1, 21, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1968). Thus, a court must look to the totality of the circumstances in determining whether the officer had a particularized and objective basis for suspecting criminal activity. United States v. Arvizu, 534 U.S. 266, 273, 122 S.Ct. 744, 151 L.Ed.2d 740 (2002). "While such a detention does not require probable cause, it does require something more than an "inchoate and unparticularized suspicion or hunch.' " United States v. Sprinkle, 106 F.3d 613, 617 (4th Cir.1997) (quoting Terry, 392 U.S. at 27, 88 S.Ct. 1868).

It is nevertheless clear that a seizure that is lawful at its inception can violate the Fourth Amendment if its manner of execution unreasonably infringes interests protected by the Constitution. United States v. Jacobsen, 466 U.S. 109, 124, 104 S.Ct. 1652, 80 L.Ed.2d 85 (1984). A seizure that is justified solely by the interest in issuing a warning ticket to the driver can become unlawful if it is prolonged beyond the time reasonably required to complete that mission. Illinois v. Caballes, 543 U.S. 405, 407, 125 S. Ct. 834, 837, 160 L. Ed. 2d 842 (2005). The traffic stop involved in Appellant's case became unlawful when Gibson sought to develop a reasonable suspicion of criminal activity through prolonged questioning. (Dashcam video). In fact, he stated at trial that he "always suspected that there was criminal activity present" even though the reasons he provided did not hold up under cross-examination. He did not have an articulable suspicion; rather, he clung to a hunch and continued to investigate.

"A routine traffic stop is a relatively brief encounter and 'is more analogous to a so-called Terry stop ... than to a formal arrest.' " Knowles v. Iowa, 525 U.S. 113, 117, 119 S.Ct. 484, 142 L.Ed.2d 492 (1998) (quoting Berkemer v. McCarty, 468 U.S. 420, 439, 104 S.Ct. 3138, 82 L.Ed.2d 317 (1984)). Illinois v. Caballes, 543 U.S. 405, 420, 125 S. Ct. 834, 844, 160 L. Ed. 2d 842 (2005).

An investigative detention must be temporary and last no longer than is necessary to effectuate the purpose of the stop and the scope of the detention must be carefully tailored to its underlying justification. Florida v. Royer, 460 U.S. 491, 103 S.Ct. 1319, 75 L.Ed.2d 229 (1983). The officer's purpose in an ordinary traffic stop is to enforce the laws of the roadway, and ordinarily to investigate the manner of driving with the intent to issue a citation or warning. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999). Once the purpose of that stop has been fulfilled, the continued detention of the car and the occupants amounts to a second detention. Id.;

see also United States v. Jones, 234 F.3d 234, 241 (5th Cir.2000) ("The basis for the stop was essentially completed when the dispatcher notified the officers about the defendants' clean records, three minutes before the officers sought consent to search the vehicle. Accordingly, the officers should have ended the detention and allowed the defendants to leave. And the failure to release the defendants violated the Fourth Amendment."); United States v. Mesa, 62 F.3d 159, 162 (6th Cir.1995) ("Once the purposes of the initial traffic stop were completed, there is no doubt that the officer could not further detain the vehicle or its occupants unless something that occurred during the traffic stop generated the necessary reasonable suspicion to justify a further detention."); United States v. Beck, 140 F.3d 1129, 1136 (8th Cir.1998) ("Because the purposes of [the officer's] initial traffic stop of Beck had been completed ... [the officer] could not subsequently detain Beck unless events that transpired during the traffic stop gave rise to reasonable suspicion to justify [the officer's] renewed detention of Beck."); People v. Redinger, 906 P.2d 81, 85–86 (Colo.1995) ("When, as here, the purpose for which the investigatory stop was instituted has been accomplished and no other reasonable suspicion exists to support further investigation, there is no justification for continued detention and interrogation of citizens."); Davis v. State, 947 S.W.2d 240, 243 (Tex.Crim.App.1997) ("[O]nce the reason for the stop has been satisfied, the stop may not be used as a 'fishing expedition for unrelated criminal activity.' ") (citations omitted). State v. Pichardo, 367 S.C. 84, 98–99, 623 S.E.2d 840, 848 (Ct. App. 2005).

A traffic stop supported by reasonable suspicion of a traffic violation remains valid until the purpose of the traffic stop has been completed. Arizona v. Johnson, 555 U.S. 323, 333, 129 S.Ct. 781, 172 L.Ed.2d 694 (2009). The officer may not extend the duration of a traffic stop in order to question the motorist on unrelated matters unless he possesses reasonable suspicion that

warrants an additional seizure of the motorist. See United States v. Sullivan, 138 F.3d 126, 131 (4th Cir.1998). The officer cannot avoid this rule by employing dilatory tactics. See United States v. Jones, 234 F.3d 234 (5th Cir.2000) (driver's Fourth Amendment rights violated when, after dispatcher reported no problems and officer had completed warning citation except for obtaining the driver's signature, officer deliberately delayed completing the stop for several more minutes until canine search unit arrived). State v. Provet, 405 S.C. 101, 108, 747 S.E.2d 453, 457 (2013).

Like the officer in State v. Jones, Officer Gibson went on a "fishing expedition" and prolonged his detention for the purpose of performing a search. 364 S.C. 51, 610 S.E.2d 846 (Ct. App. 2005). In Jones, the defendant asserted that "the questioning of the passengers and the extended conversation the officer had with him about where they had been and what they were doing was merely a 'ruse' so he could eventually search the car." Id. at 55, 610 S.E.2d at 848. Jones maintained "anything this officer did with [him] pursuant to this stop after a reasonable period of time had expired for him to issue him the summons ... [was] unreasonable" and was therefore an illegal detention. Id. Similarly, Officer Gibson stated that the incongruent destinations gave him pause yet he was unaware of the close vicinity between Morganton and Asheville. Additionally, although he testified that the lack of luggage and additional clothing led him to believe that criminal activity was present, **by his own admission** he had not yet searched the trunk of the car. Therefore, his two main reasons for becoming suspicious of Appellant and Trappier were manufactured and unverified. The traffic stop ceased being lawful when Gibson went on a "fishing expedition" and continued questioning Appellant and Trappier when he could have cited and/or arrested Trappier and allowed Appellant, who had a valid driver's license, to drive away.

Upon a lawful traffic stop, an officer "may order the driver to exit the vehicle ... [,] request a driver's license and vehicle registration, run a computer check, and issue a citation." State v. Pichardo, 367 S.C. 84, 98, 623 S.E.2d 840, 847 (Ct.App.2005) (citations omitted). However, a lawful traffic stop "can become unlawful if it is prolonged beyond the time reasonably required to complete [its] mission." Illinois v. Caballes, 543 U.S. 405, 407, 125 S.Ct. 834, 160 L.Ed.2d 842 (2005); see also Pichardo, at 98, 623 S.E.2d at 848 ("Once the purpose of that stop has been fulfilled, the continued detention of the car and the occupants amounts to a second detention."). The extension of a lawful traffic stop is permitted if (1) the encounter becomes consensual or (2) the officer has a reasonable, articulable suspicion of other illegal activity. Pichardo, 367 S.C. at 99, 623 S.E.2d at 848. The proper inquiry is not whether an officer "unreasonably" extended the duration of the traffic stop with his off-topic questions but whether he "measurably" extended it. Arizona v. Johnson, 555 U.S. 323, 129 S.Ct. 781, 172 L.Ed.2d 694 (2009). This is a temporal inquiry, not a reasonableness inquiry. State v. Provet, 405 S.C. 101, 111, 747 S.E.2d 453, 458 (2013).

"Any further *detention* for questioning is beyond the scope of the [] stop and therefore illegal unless the officer has a reasonable suspicion of a serious crime." United States v. Sullivan, 138 F.3d 126, 131 (4th Cir.1998) (emphasis added); see Florida v. Royer, 460 U.S. 491, 500, 103 S.Ct. 1319, 75 L.Ed.2d 229 (1983) (plurality opinion) ("[A]n investigative detention must be temporary and last no longer than is necessary to effectuate the purpose of the stop."); Ferris v. State, 355 Md. 356, 735 A.2d 491, 499 (1999) ("Once the purpose of [the] stop has been fulfilled, the continued detention of the car and the occupants amounts to a second detention."). State v. Williams, 351 S.C. 591, 598, 571 S.E.2d 703, 707 (Ct. App. 2002).

Officer Gibson, who claimed that he always knew that criminal activity was present, was unable to provide sufficient and articulable reasons to justify his use of the drug K-9. R. 126, ll. 1 – 12. Rather, as a member of the Drug Enforcement Unit, he repeatedly peppered Appellant and Trappier with irrelevant questions in an attempt to confirm his hunch. After being denied consent to search the vehicle by Appellant, he decided to deploy the K-9. The drugs located should have been suppressed, because Gibson's actions violated Appellant's Fourth Amendment rights—namely, Gibson went on a "fishing expedition" rather than ticketing Trappier for the underlying offense.

Gibson admitted under cross-examination that he had no knowledge of the distance between the two destinations listed by Appellant and Trappier. As defense counsel articulated, a non-South Carolinian may not know that York County and Rock Hill are in the same vicinity, just as Morganton and Asheville are. However, Gibson was determined to develop reasonable suspicion, his lack of awareness of North Carolina cities notwithstanding.

Similarly, his conclusion that the occupants of the car did not have any luggage in plain view and were therefore lying about their plans was not supported by facts, as Gibson admitted that he did not check the trunk or underneath the clothing in the back seat. As a result, this conclusion did not add to his reasonable suspicion determination but rather left him in the realm of an unarticulable hunch.

The State should not use "whatever facts are present, no matter how innocent, as indicia of suspicious activity." U.S. v. Foster, 634 F.3d 243, 248 (4th Cir. 2011). Rather, it must "be able to either articulate why a particular behavior is suspicious or logically demonstrate, given the surrounding circumstances, that the behavior is likely to be indicative of some more sinister activity than may appear at first glance." Id. See Ornelas v. U.S., 517 U.S. 690, 695,

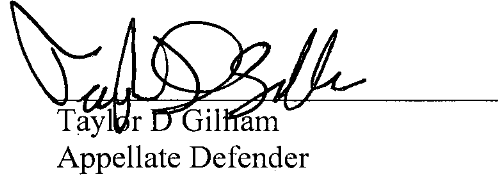
116 S.Ct. 1657 (1996) (defining reasonable suspicion as a "commonsense, nontechnical conception[ ] that deal[s] with 'the factual and practical considerations of everyday life' " (quoting Illinois v. Gates, 462 U.S. 213, 231, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983)); United States v. Cortez, 449 U.S. 411, 417, 101 S.Ct. 690, 66 L.Ed.2d 621 (1981)) ("[I]nvestigatory stop must be justified by some objective manifestation that the person stopped is, or is about to be, engaged in criminal activity.").

There was nothing exceptional about Appellant's actions in the car, and Officer Gibson's interactions with Appellant and Trappier failed to add any certainty to his instinctive concerns. Gibson did not see any suspicious items pass between the hands of Trappier and Appellant. Neither occupant fled. Appellant's innocent actions of stating a different North Carolina city as a destination and not storing luggage in the plain view of the officer cannot be relied upon to validate the search and subsequent seizure of Officer Gibson. The State "cannot rely upon post hoc rationalizations to validate those seizures that happen to turn up contraband." United States v. Martinez-Fuerte, 428 U.S. 543, 565, 96 S.Ct. 3074, 49 L.Ed.2d 1116 (1976).

In fact, Gibson's statement that he "always suspected that there was criminal activity present" belied his stated reason for searching the vehicle with his K-9. The drugs seized as a result of the unconstitutional continuation of the traffic stop should have been suppressed.

CONCLUSION

For the reasons listed above, Appellant requests this Court reverse his conviction based upon the trial court's error in admitting the evidence seized as a result of the immeasurably and unconstitutionally extended traffic stop.



Taylor D Gilliam
Appellate Defender

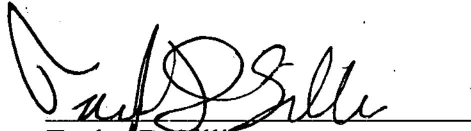
ATTORNEY FOR APPELLANT

This 21st day of July, 2017.

CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Final Brief complies with Rule 211(b), SCACR, and the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

July 21, 2017



Taylor D Gilliam
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

RECEIVED
JUL 21 2017
SC Court of Appeals