

The South Carolina Court of Appeals

Timothy Young, Respondent,

v.

State of South Carolina, Petitioner.

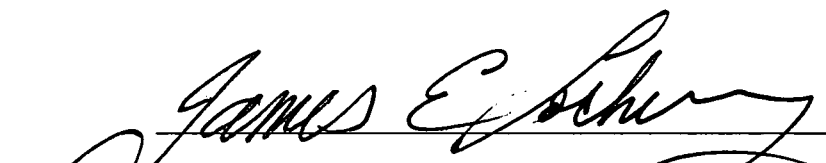
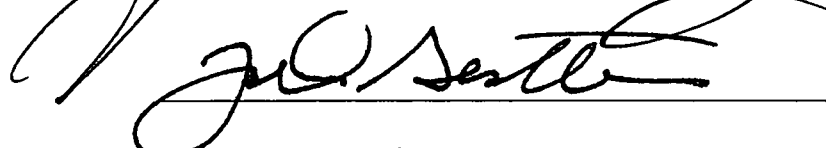

Appellate Case No. 2017-000240

ORDER

The State has filed a petition for a writ of certiorari from an order of the circuit court granting Respondent's application for post-conviction relief. Respondent has filed a motion for bail, requesting this court release him on bond pending a final decision in this matter. The State has filed a return opposing the motion.

We grant Respondent's motion for bond and order that Respondent shall be released from custody upon the following conditions: (1) he will surrender himself to the Sheriff of Horry County immediately upon the issuance of an opinion or the remittitur in this case; (2) he will comply with all orders issued by this Court; (3) he will not depart the State of South Carolina without the permission of the Circuit Court of the Fifteenth Judicial Circuit; (4) he will be of good behavior; (5) he will be monitored by a GPS device at his expense; (6) he will provide his address to the Attorney General's Office and the Horry County Clerk of Court, and he shall not change his address without prior approval by the Chief Administrative Judge of General Sessions of the Fifteenth Judicial Circuit or his designee; (7) he will not have any contact, directly or indirectly, with the minor child, any member of her family, or any prosecution witnesses without prior approval by the Chief Administrative Judge of General Sessions of the Fifteenth Judicial Circuit or his designee; (8) he will surrender any current passport to the Horry County Clerk of Court or, if he does not have a passport, he will provide a statement under oath indicating he does not have a passport at the bond hearing, and he will be prohibited from applying for a passport; (9) he will not be alone with any person under the age of eighteen; and (10) he will not be employed by or enter a daycare facility, an educational facility, or any other facility with minor children.

We further order that Respondent shall not be released until (1) he appears before the Circuit Court of the Fifteenth Judicial Circuit to acknowledge the conditions of the bond and (2) he and a good and sufficient surety have signed a recognizance in the amount of \$150,000.00, witnessed by a circuit judge of the Fifteenth Judicial Circuit, which shall be forfeited to the State upon the failure of Respondent to comply with the terms of this order. The form of the bond and the surety thereon shall be approved by a circuit judge with jurisdiction within the Fifteenth Judicial Circuit of South Carolina. The recognizance shall be filed with the Clerk of Court of Horry County. Deposit of a cash percentage in lieu of bond pursuant to section 17-15-15 of the South Carolina Code (2014) shall not be permitted. Any alleged violations of this bond order shall be heard by a circuit judge with jurisdiction within the Fifteenth Judicial Circuit of South Carolina. The judge is empowered to order the arrest of Respondent upon allegations of a violation of the terms and to impose sanctions as he or she deems appropriate upon a finding of a violation of the terms of this bond.


C.J.

J.

J.

Columbia, South Carolina

cc: David B. Tarr, Esquire
Johnny Ellis James, Jr., Esquire
Timothy Young, 345620
The Honorable Paul M. Burch
The Honorable Benjamin H. Culbertson
The Honorable Renee Elvis

FILED
June 28, 2018