

cc - Mun Court

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

IN THE COURT OF COMMON PLEAS  
CIVIL ACTION NO. 17-CP-10-06358

Mark Lynn WORTMAN,  
Appellant )

ORDER FOR REMAND TO MUNICIPAL  
COURT FOR TRIAL BY JURY

-versus- )

City of North Charleston,  
Respondent )

FILED  
2018 JUL 18 PM 4:18  
CLERK OF COURT

This matter came before me on the 30<sup>th</sup> day of March, 2018, for a hearing regarding the appeal of the denial of a motion to enforce a plea agreement and the denial of a motion for dismissal by the Judge Samuel Coleman in the Municipal Court of North Charleston on August 10, 2017. This was the only issue brought by appeal.

FINDINGS OF FACT

- 1. The language in the emails submitted by Appellant is not clear and unambiguous that would support an outright dismissal of a DUI.

CONCLUSIONS OF LAW

- 1. The ruling of the trial Judge in regards to the denial of the Appellant's motion for enforcement of a plea agreement and denial of the Appellant's motion for dismissal was correct and is AFFIRMED.

**RECEIVED**

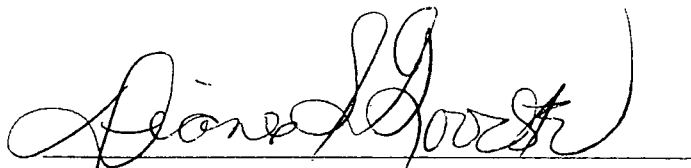
AUG 23 2018

SC Court of Appeals

**NOW, therefore, it is hereby Ordered, Adjudged and Decreed that:**

This case be REMANDED to the Municipal Court of North Charleston for a TRIAL BY JURY, as requested by the Appellant.

**It is so Ordered!**



Hon. Diane S. Goodstein

Judge of the Court of Common Pleas

This 14 day of July, 2018.