

**APPEAL FROM COMMON PLEAS REGARDING A CONVICTION IN
MUNICIPAL COURT**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2018-1291

City of Columbia.....Appellant,

v.

Shasha Rawlinson Respondent.

RECORD ON APPEAL

Jessica R. Mangum
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
(803) 737-4242
Attorney for Appellant

Jerry L. Finney
The Finney Law Firm, Inc.
2117 Park Street
Columbia, South Carolina 29201
(803) 254-7408
Attorney for Respondent

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Attorney for Respondent

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STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

City of Columbia,)
)
Respondent,)
)
v.)
)
Shasha Rawlinson,)
)
Appellant.)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT
DOCKET NO. : 2017-CP-40-01699

ORDER

THIS MATTER came before me on April 13, 2018 on a municipal court appeal. The Appellant is represented in this matter by Jerry Leo Finney, Esquire of The Finney Law Firm. The Respondent is represented by Attorney Jessica Magnum of the City of Columbia Attorney's Office.

FACTUAL BACKGROUND

The Appellant was charged with shoplifting and providing false information to police. She requested a jury trial for these charges. Appellant properly requested discovery from the government in accordance with Rule 5 and Brady. However, Appellant was not provided any discovery of any kind. Nevertheless, on or about March 16, 2017, this jury trial was held before the City of Columbia Municipal Court Judge Susan Porter. After the jury was sworn, counsel for the Appellant made a verbal motion to dismiss the case based on the government's failure to comply with the constitutional mandates for discovery, including those set forth in Rule 5 and Brady. In addition to a motion to dismiss, counsel made a motion to suppress any and all evidence sought to be produced that was withheld by the government and not produced in discovery. Further, counsel made a motion for continuance so that he could review any discovery and prepare a defense in this case.

Despite the government's acknowledgment that it had not complied with discovery in this matter. The trial court denied all of the aforementioned motions. At trial, the presented to the Court several evidentiary items, such as videos, witness testimony, etc., which had not been timely produced in discovery, yet were all admitted at trial over Appellant's objections. The Appellant was convicted and sentenced to thirty (30) days of jail. This appeal followed. Consequent to the filing of this appeal, the transcript of the record of the trial was lost or destroyed and is not available to the Court.

STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only." State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Wilson, 345 S.C. 1, 5-6, 545 S.E.2d 827, 829 (2001)).

The admission or exclusion of evidence is left to the sound discretion of the trial court, and the court's decision will not be reversed absent an abuse of discretion. State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Pagan, 369 S.C. 201, 208, 631 S.E.2d 262, 265 (2006)).

An abuse of discretion occurs when the decision of the trial court is based upon an error of law or upon factual findings that are without evidentiary support. *Id.*

LAW/ANALYSIS

There is no genuine dispute that discovery in this case was not provided to the Appellant in accordance with established law, precedent, and constitutional mandate prior to the established trial date for this case. As such, the consideration in this case revolves around the trial court's handling of this discovery issue. Appellant asserts the trial court erred in failing to dismiss this case, that the trial court erred in failing to suppress any and all evidence that had not been timely

produced in discovery, and, failed in refusing to grant a continuance in this matter. The Respondent consents to a remand of this case based on the lack of an underlying transcript.

In Gibson v. State, the South Carolina Supreme Court acknowledged that

Brady is based on a sense of fairness, and a belief that society gains when a defendant is accorded a fair trial. The focus is not on the misconduct of the Prosecutor, but on the fairness of the procedure.” New York v. Jackson, 154 Misc.2d 718, 593 N.Y.S.2d 410, 417 (Sup.Ct.1992). As the Supreme Court explained in Brady, “[t]he principle ... is not punishment of society for misdeeds of a prosecutor but avoidance of an unfair trial to the accused. **Society wins not only when the guilty are convicted but when criminal trials are fair[.]**” Brady, 373 U.S. at 87, 83 S.Ct. at 1197, 10 L.Ed.2d at 218.

334 S.C. 515, 528, 514 S.E.2d 320, 326–27 (1999) (emphasis added). The treatment of the Appellant in this case was not fair. As such, I find that the trial court abused its discretion in not dismissing this action. In Graham v. Babb, Op No 2010-UP-298 (Ct. App. 2010), the South Carolina Court of Appeals affirmed dismissal on the basis of a discovery violation. The Court cited Rule 37 (b)(2)(C), SCRCP, noting “when a party fails to comply with a discovery order, the trial court has the discretion to impose any sanction it deems just, including dismissal of an action.” In State v. Hewins, 409 S.C. 93, 103, 760 S.E. 2d 814, 819 (2014), the Supreme Court of the State of South Carolina noted that an abuse of discretion occurs when the decision of the trial court is based upon an error of law, or upon factual findings that were without evidentiary support. I find and conclude that the trial judge committed an error and abused its discretion. I find and conclude that this case should be dismissed with prejudice.

CONCLUSION

Therefore, it is hereby ordered, decreed, and adjudged that, this case be dismissed with prejudice. Further ordered that the Appellant’s conviction and thirty (30) day sentence imposed in this matter is hereby vacated.

IT IS SO ORDERED.

The Honorable L. Casey Manning
Presiding Judge

Columbia, South Carolina
June _____, 2018



Richland Common Pleas

Case Caption: City Of Columbia VS Shasha Rawlinson

Case Number: 2017CP4001699

Type: Order/Other

So Ordered

s/L. Casey Manning, 2061

Electronically signed on 2018-06-13 11:12:35 page 5 of 5

Certificate of Electronic Notification

Recipients

Jessica Mangum - Notification transmitted on 06-08-2018 10:34:05 AM.

Jerry Finney - Notification transmitted on 06-08-2018 10:34:05 AM.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2017CP4001699

Official File Stamp: 06-08-2018 10:32:03 AM
Court: CIRCUIT COURT
Common Pleas
Richland
Case Caption: City Of Columbia VS Shasha Rawlinson
Event(s):
Order/Order Cover Sheet \$25.00
Document(s) Submitted: Proposed Order/Other
Filed by or on behalf of: Jerry Leo Finney

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Jessica Mangum for City Of Columbia
Jerry Leo Finney for Shasha Rawlinson

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

COUNTY OF Richland

Shasha Rawlinson

Plaintiff(s)

Petitioner

vs.

City of Columbia

Defendant(s)

Submitted By: Atty Jerry Leo Finney
Address: The Finney Law Firm, Inc
2117 Park St
Columbia SC 29201

CIVIL ACTION COVERSHEET

2017CP400 11099

SC Bar #: 64297
Telephone #: 803-254-7408
Fax #: 803-254-1947
Other: _____
E-mail: _____

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint. NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|---|--|---|---|
| <p>Contracts</p> <ul style="list-style-type: none"> <input type="checkbox"/> Constructions (100) <input type="checkbox"/> Debt Collection (110) <input type="checkbox"/> General (130) <input type="checkbox"/> Breach of Contract (140) <input type="checkbox"/> Fraud/Bad Faith (150) <input type="checkbox"/> Failure to Deliver/Warranty (160) <input type="checkbox"/> Employment Discrim (170) <input type="checkbox"/> Employment (180) <input type="checkbox"/> Other (199) | <p>Torts - Professional Malpractice</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dental Malpractice (200) <input type="checkbox"/> Legal Malpractice (210) <input type="checkbox"/> Medical Malpractice (220) Previous Notice of Intent Case # <u>20-NI-</u> <input type="checkbox"/> Notice/File Med Mal (230) <input type="checkbox"/> Other (299) | <p>Torts - Personal Injury</p> <ul style="list-style-type: none"> <input type="checkbox"/> Conversion (310) <input type="checkbox"/> Motor Vehicle Accident (320) <input type="checkbox"/> Premises Liability (330) <input type="checkbox"/> Products Liability (340) <input type="checkbox"/> Personal Injury (350) <input type="checkbox"/> Wrongful Death (360) <input type="checkbox"/> Assault/Battery (370) <input type="checkbox"/> Slander/Label (380) <input type="checkbox"/> Other (399) | <p>Real Property</p> <ul style="list-style-type: none"> <input type="checkbox"/> Claim to Deliver (400) <input type="checkbox"/> Condemnation (410) <input type="checkbox"/> Foreclosure (420) <input type="checkbox"/> Mechanic's Lien (430) <input type="checkbox"/> Partition (440) <input type="checkbox"/> Possession (450) <input type="checkbox"/> Building Code Violation (460) <input type="checkbox"/> Other (499) |
| <p>Inmate Petitions</p> <ul style="list-style-type: none"> <input type="checkbox"/> PCR (500) <input type="checkbox"/> Mandamus (520) <input type="checkbox"/> Habeas Corpus (530) <input type="checkbox"/> Other (599) | <p>Administrative Law/Relief</p> <ul style="list-style-type: none"> <input type="checkbox"/> Reinstate Drv. License (800) <input type="checkbox"/> Judicial Review (810) <input type="checkbox"/> Relief (820) <input type="checkbox"/> Permanent Injunction (830) <input type="checkbox"/> Forfeiture-Petition (840) <input type="checkbox"/> Forfeiture-Consent Order (850) <input type="checkbox"/> Other (899) | <p>Judgments/Settlements</p> <ul style="list-style-type: none"> <input type="checkbox"/> Death Settlement (700) <input type="checkbox"/> Foreign Judgment (710) <input type="checkbox"/> Magistrate's Judgment (720) <input type="checkbox"/> Minor Settlement (730) <input type="checkbox"/> Transcript Judgment (740) <input type="checkbox"/> Lis Pendens (750) <input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760) <input type="checkbox"/> Confession of Judgment (770) <input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780) <input type="checkbox"/> Other (799) | <p>Appeals</p> <ul style="list-style-type: none"> <input type="checkbox"/> Arbitration (900) <input type="checkbox"/> Magistrate-Civil (910) <input type="checkbox"/> Magistrate-Criminal (920) <input checked="" type="checkbox"/> Municipal (930) <input type="checkbox"/> Probate Court (940) <input type="checkbox"/> SCDOT (950) <input type="checkbox"/> Worker's Comp (960) <input type="checkbox"/> Zoning Board (970) <input type="checkbox"/> Public Service Comm. (990) <input type="checkbox"/> Employment Security Comm (991) <input type="checkbox"/> Other (999) |
| <p>Special/Complex /Other.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Environmental (600) <input type="checkbox"/> Automobile Arb. (610) <input type="checkbox"/> Medical (620) <input type="checkbox"/> Other (699) <input type="checkbox"/> Sexual Predator (510) <input type="checkbox"/> Permanent Restraining Order (680) <input type="checkbox"/> Pharmaceuticals (630) <input type="checkbox"/> Unfair Trade Practices (640) <input type="checkbox"/> Out-of State Depositions (650) <input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660) <input type="checkbox"/> Pre-Suit Discovery (670) | | | |

2017 MAR 23
FILED
C.C.P. & C.V.
RICHLAND COUNTY

Submitting Party Signature: _____

Date: 12-13-2017

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

City of Columbia, Respondent)

Ticket Nos. 4102PO384690-91

v.)

NOTICE OF APPEAL

Shasha Rawlinson, Appellant)
_____)

FILED
2017 MAR 23 AM 10:18
JENNIFER L. W. PERDUE
CLERK OF COURT
C.C.P. G.S.

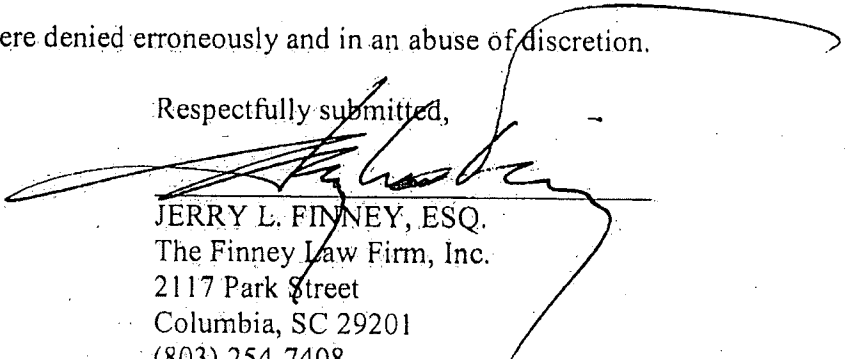
Shasha Rawlinson, appellant, was charged with shoplifting and providing information to police on June 23, 2016. Appellant was tried before and convicted by a municipal court jury on March 16, 2017. Pursuant to S.C. Code § 14-25-95, Appellant appeals from these convictions upon the following grounds:

The municipal court erred and abused its discretion in denying Appellant's motions to dismiss, for mistrial, and for continuance which were made in response to the prosecution's prejudicial discovery violation. Appellant timely filed and served requests for discovery and inspection pursuant to Rule 5, SCRCrimP and *Brady* on July 1, 2016. However, no discovery materials were timely provided within thirty days of the discovery request.

Before the municipal court, counsel for Appellant moved to dismiss the charges, to suppress the videotape, and for a continuance on the basis of the prosecution's discovery violation which prejudiced and denied due process to Appellant and which prevented her attorney from providing informed advice to Appellant. Appellant's motions to dismiss, to suppress, and for continuance were denied erroneously and in an abuse of discretion.

Respectfully submitted,

March 23, 2017



JERRY L. FINNEY, ESQ.
The Finney Law Firm, Inc.
2117 Park Street
Columbia, SC 29201
(803) 254-7408

COUNSEL FOR APPELLANT

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

2017CP4001699

The City of Columbia)
)
vs.)
)
Shasha Rawlinson,)
)
Defendant.)

TRANSCRIPT AND RETURN
ON NOTICE OF APPEAL

2018 MAR -1 PM 2:17
JENNIFER W. McBRIDE
C.C.P. & G.S.
RICHLAND COUNTY
FILED

The following information and any attachments hereto comprise the City of Columbia Municipal Court record which is transmitted to the Circuit Court pursuant to S. C. Code Ann. §18-3-40 (1976 as amended)

Place of Arrest: City of Columbia.

Charged with: Shoplifting, False Information to Law Enforcement

Ticket Number 4102P0384690-91 was issued on June 23, 2016

Trial was before Municipal Court Judge Susan O. Porter on March 16, 2017

Trial was a Jury Trial

Defendant did not waive the taking of testimony in writing. Transcript cannot be produced.

The City was represented by: Jessica R. Mangum, Esquire

The Defendant was represented by: Jerry L. Finney, Esquire.

Sentence: N/A

Sentence was passed on the N/A

Respectfully submitted this 26th day of February, 2018,

Dana D. Turner
Dana D. Turner
Chief Administrative Judge
City of Columbia Municipal Court

2017CP40011699

IN THE COURT OF COMMON PLEAS

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

Ticket Nos. 4102PO384690-91

City of Columbia, Respondent)
v.)

NOTICE OF APPEAL

Shasha Rawlinson, Appellant.)
_____)

RICHLAND COUNTY
FILED
2017 MAR 23 AM 10:18
JEANNET DE W. MCBRIDE
C. CLERK & C.S.

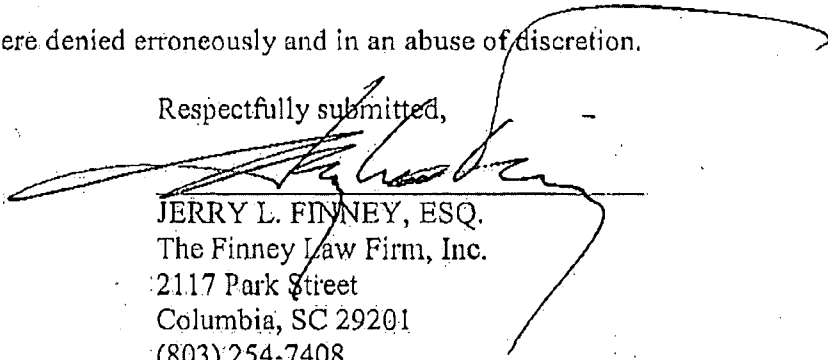
Shasha Rawlinson, appellant, was charged with shoplifting and providing information to police on June 23, 2016. Appellant was tried before and convicted by a municipal court jury on March 16, 2017. Pursuant to S.C. Code § 14-25-95, Appellant appealed from these convictions upon the following grounds:

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Respectfully submitted,

March 23, 2017



JERRY L. FINNEY, ESQ.
The Finney Law Firm, Inc.
2117 Park Street
Columbia, SC 29201
(803) 254-7408
COUNSEL FOR APPELLANT

RECEIVED MAR 23 2017



**CITY OF COLUMBIA
SOUTH CAROLINA**

MUNICIPAL COURT / P.O. BOX 644 / COLUMBIA, S.C. 29202 / 803 / 545-3150 FAX 803 / 733-8433

February 26, 2018

Honorable Jeanette W. McBride
Richland County Clerk of Court
Post Office Box 2766
Columbia, South Carolina 29202

Re: City of Columbia v. Shasha Rawlinson
Ticket Nos.: 4102P0384690-91, Shoplifting, False Information to Law
Enforcement

Dear Mrs. McBride:

Please find attached the Return of Notice of Appeal in the above-referenced case. The Transcript of Record cannot be produced. Your attention to this matter will be greatly appreciated.

Sincerely,

Dana D. Turner
Chief Administrative Judge

DDT/nsa
Attachment as Stated



We Are Columbia

Office of the City Attorney
Post Office Box 667 • Columbia, SC 29202 • (803) 737-4242 • Fax (803) 737-4250

July 11, 2018

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: City of Columbia v. Shasha Rawlinson
C/A File No.: 2017-CP-40-01699

RECEIVED

JUL 11 2018

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing is the Notice of Appeal from Common Pleas Regarding a Conviction in Municipal Court in the above referenced matter. Also enclosed is a copy of my correspondence with the court reporter, in which I requested the transcript from the lower court.

Please let me know if you have any questions or if I can be of any further assistance.

Sincerely,

Jessica R. Mangum
Assistant City Attorney

JRM/gsp
Enclosures as Stated

cc: Jerry Finney, Esquire

ELECTRONICALLY FILED - 2018 Jul 11 2:16 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699

NOTICE OF APPEAL FROM COMMON PLEAS REGARDING A
CONVICTION IN MUNICIPAL COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2017-CP-40-01699

RECEIVED

JUL 11 2018

SC Court of Appeals

The City of Columbia,

Appellant,

v.

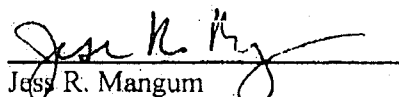
Shasha Rawlinson,

Respondent.

NOTICE OF APPEAL

The City of Columbia appeals the order of the Honorable L. Casey Manning, electronically filed on June 13, 2018, which vacated Shasha Rawlinson's municipal court conviction and dismissed her case with prejudice. Appellant received notice of the order on June 13, 2018.

July 11, 2018



Jess R. Mangum
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
(803) 737-4242
Attorney for Appellant

Other Counsel of Record:
Jerry Finney
The Finney Law Firm, Inc.
2117 Park Street
Columbia, South Carolina 29201
(803) 254-7408
Attorney for Respondent

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 City of Columbia,)
)
 Respondent,)
)
 v.)
)
 Shasha Rawlinson,)
)
 Appellant.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT
 DOCKET NO. : 2017-CP-40-01699

ORDER RECEIVED
 JUL 11 2018
 SC Court of Appeals

THIS MATTER came before me on April 13, 2018 on a municipal court appeal. The Appellant is represented in this matter by Jerry Leo Finney, Esquire of The Finney Law Firm. The Respondent is represented by Attorney Jessica Magnum of the City of Columbia Attorney's Office.

FACTUAL BACKGROUND

The Appellant was charged with shoplifting and providing false information to police. She requested a jury trial for these charges. Appellant properly requested discovery from the government in accordance with Rule 5 and Brady. However, Appellant was not provided any discovery of any kind. Nevertheless, on or about March 16, 2017, this jury trial was held before the City of Columbia Municipal Court Judge Susan Porter. After the jury was sworn, counsel for the Appellant made a verbal motion to dismiss the case based on the government's failure to comply with the constitutional mandates for discovery, including those set forth in Rule 5 and Brady. In addition to a motion to dismiss, counsel made a motion to suppress any and all evidence sought to be produced that was withheld by the government and not produced in discovery. Further, counsel made a motion for continuance so that he could review any discovery and prepare a defense in this case.

ELECTRONICALLY FILED - 2018 Jul 11 2:16 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699
 ELECTRONICALLY FILED - 2018 Jun 13 3:38 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699

Despite the government's acknowledgment that it had not complied with discovery in this matter. The trial court denied all of the aforementioned motions. At trial, the presented to the Court several evidentiary items, such as videos, witness testimony, etc., which had not been timely produced in discovery, yet were all admitted at trial over Appellant's objections. The Appellant was convicted and sentenced to thirty (30) days of jail. This appeal followed. Consequent to the filing of this appeal, the transcript of the record of the trial was lost or destroyed and is not available to the Court.

STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only." State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Wilson, 345 S.C. 1, 5-6, 545 S.E.2d 827, 829 (2001)).

The admission or exclusion of evidence is left to the sound discretion of the trial court, and the court's decision will not be reversed absent an abuse of discretion. State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Pagan, 369 S.C. 201, 208, 631 S.E.2d 262, 265 (2006)).

An abuse of discretion occurs when the decision of the trial court is based upon an error of law or upon factual findings that are without evidentiary support. *Id.*

LAW/ANALYSIS

There is no genuine dispute that discovery in this case was not provided to the Appellant in accordance with established law, precedent, and constitutional mandate prior to the established trial date for this case. As such, the consideration in this case revolves around the trial court's handling of this discovery issue. Appellant asserts the trial court erred in failing to dismiss this case, that the trial court erred in failing to suppress any and all evidence that had not been timely

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Brady is based on a sense of fairness, and a belief that society gains when a defendant is accorded a fair trial. The focus is not on the misconduct of the Prosecutor, but on the fairness of the procedure." New York v. Jackson, 154 Misc.2d 718, 593 N.Y.S.2d 410, 417 (Sup.Ct.1992). As the Supreme Court explained in Brady, "[t]he principle ... is not punishment of society for misdeeds of a prosecutor but avoidance of an unfair trial to the accused. **Society wins not only when the guilty are convicted but when criminal trials are fair[.]**" Brady, 373 U.S. at 87, 83 S.Ct. at 1197, 10 L.Ed.2d at 218.

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CONCLUSION

Therefore, it is hereby ordered, decreed, and adjudged that, this case be dismissed with prejudice. Further ordered that the Appellant's conviction and thirty (30) day sentence imposed in this matter is hereby vacated.

IT IS SO ORDERED.

The Honorable L. Casey Manning
Presiding Judge

Columbia, South Carolina
June _____, 2018

ELECTRONICALLY FILED - 2018 Jul 11 2:16 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699
ELECTRONICALLY FILED - 2018 Jun 13 3:38 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699



Richland Common Pleas

Case Caption: City Of Columbia VS Shasha Rawlinson
Case Number: 2017CP4001699
Type: Order/Other

So Ordered

s/L. Casey Manning, 2061

Electronically signed on: 2018-06-13 11:12:35 page 5 of 5

ELECTRONICALLY FILED - 2018 Jul 11 2:16 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699
ELECTRONICALLY FILED - 2018 Jun 13 3:38 PM - RICHLAND - COMMON PLEAS - CASE#2017CP4001699

State of South Carolina)
County of Richland)

In The Court of Common Pleas
Fifth Judicial Circuit
2017-CP-40-1699

City of Columbia,)
Plaintiff,)
vs.)
Shasha Rawlinson,)
Defendant.)

Transcript of Record

April 13, 2018
Columbia, South Carolina

B E F O R E:

The Honorable L. Casey Manning, Judge

A P P E A R A N C E S:

Jessica R. Mangum, Esquire
Attorney for the Plaintiff

Jerry L. Finney, Esquire
Attorney for the Defendant

Elizabeth B. Harris, CVR-M-CM
Circuit Court Reporter

I N D E X

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<u>Witness/Description</u>	<u>Page No.</u>
Certificate Page.	11

E X H I B I T S

<u>No.</u>	<u>Description</u>	<u>Ev.</u>
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No exhibits introduced.

1 THE COURT: Third case on the docket is *City of*
2 *Columbia vs. Rawlinson*, Jessica Mangum and Jerry Leo
3 Finney. This is a case that's been around forever, right?

4 MS. MANGUM: Yes, Your Honor, and it's my
5 understanding that the audio was not working the day of the
6 jury trial, and the city was not able to file a return.

7 THE COURT: Relax. Let me go take a break.

8 MS. MANGUM: Okay.

9 THE COURT: I'll come back and listen to everything
10 you've got to say.

11 (OFF THE RECORD.)

12 THE COURT: Before I left, Ms. Mangum, you were about
13 to explain something about there's no record or something.
14 I forget.

15 MS. MANGUM: Yes, Your Honor.

16 THE COURT: Why don't you go on ahead.

17 MS. MANGUM: Yes, Your Honor. This started out as a
18 jury trial in municipal court.

19 THE COURT: What was the charge?

20 MS. MANGUM: Shoplifting.

21 THE COURT: Okay.

22 MS. MANGUM: This is Mr. Finney's appeal from the
23 conviction after the conclusion of the jury trial, but it's
24 my understanding that the audio was not working that day,
25 which is the basis for the transcript and the return from

1 the city.

2 THE COURT: So there's no return, no transcript?

3 MS. MANGUM: The city, I believe the city filed a
4 return but was not able to provide a transcript in this
5 case for you to review in terms of the, the errors that Mr.
6 Finney has cited.

7 THE COURT: And what do y'all want me to do?

8 MS. MANGUM: We would be glad to consent to a remand
9 for a new trial. I'm not sure what else there is to do at
10 this point.

11 THE COURT: All right, Mr. Finney.

12 MR. FINNEY: May it please the court, Your Honor? You
13 have wisely zeroed in on their issue as why we are here.
14 Your Honor, I filed this appeal. I'm doing this pro bono
15 because I need to stop some bad behavior from continuing.

16 THE COURT: You need what?

17 MR. FINNEY: I need to stop some bad behavior from
18 continuing. We tried this case and my client was convicted
19 of shoplifting. She was sentenced to thirty days in jail
20 by Judge Porter, a circuit -- I mean, a city court judge.
21 Your Honor, I timely filed this appeal because I submitted
22 at the trial of this case...

23 (A PAUSE.)

24 MR. FINNEY: Your Honor, may I approach?

25 THE COURT: Yes, sir. Ms. Mangum has a copy?

1 MR. FINNEY: Your Honor, she's, she's got copies of
2 this. This is from the city court's file, the municipal
3 court's file. They lost the transcript, Your Honor, but if
4 you flip that document over on the back, you'll see that
5 exhibit number. That's a copy of the actual exhibit that I
6 made part of the record during the trial.

7 THE COURT: You mean the Walmart thing here?

8 MR. FINNEY: Well, all of that.

9 THE COURT: You've got to tell me what you're pointing
10 at because I don't know.

11 MR. FINNEY: Yes. I, I served a Rule 5 and *Brady*
12 motion.

13 THE COURT: I see a *Brady* motion, yes, sir.

14 MR. FINNEY: Yes, sir, on the city before trial. They
15 gave me nothing.

16 THE COURT: Okay.

17 MR. FINNEY: When we started the trial, I made a
18 timely motion to dismiss the case; that was denied. I made
19 a motion to suppress any evidence that they could bring ---

20 THE COURT: And that was denied.

21 MR. FINNEY: That was denied.

22 THE COURT: Okay.

23 MR. FINNEY: I made a motion for a continuance.

24 THE COURT: That was denied.

25 MR. FINNEY: That was denied and, and, Your Honor, if

1 you will look at the notice of intent to appeal that I
2 filed here, it lays out that I preserved all of those
3 motions on the record at the trial.

4 THE COURT: Yes, sir.

5 MR. FINNEY: And I put them in my notice of appeal.

6 THE COURT: Okay.

7 MR. FINNEY: In a timely fashion.

8 THE COURT: So, your position is the case should be
9 dismissed, I guess.

10 MR. FINNEY: Exactly, Your Honor.

11 THE COURT: Because they violated *Brady* and everything
12 else.

13 MR. FINNEY: My ---

14 THE COURT: I'm just guessing. I could be wrong.

15 MR. FINNEY: You're a wise man. My position, Your
16 Honor, is, is that to give them a retrial and a do-order --
17 a do-over is bad behavior continuing. My position is the
18 judge committed an error, that that error was predicated on
19 a abuse of discretion, and I've got plenty of law that I
20 can provide you here today that shows that that was ---

21 THE COURT: You're going to have to show it to me at
22 some point in time. Not right now. Continue arguing, Mr.
23 Finney.

24 MR. FINNEY: All right.

25 THE COURT: I'll get it later.

1 MR. FINNEY: That, that error was an egregious error.
 2 It was predicated on an abuse of discretion. Judge Porter
 3 could have continued the case, knowing that I have an
 4 ethical duty to show my client evidence in a case. She
 5 didn't. She denied that. She could have dismissed the
 6 case. She denied that.

7 THE COURT: She could have continued the case.

8 MR. FINNEY: She could have continued the case. She
 9 could have suppressed the evidence and allowed them to
 10 proceed without it. That was denied, and so that's an
 11 abuse of discretion that is predicated on that error of
 12 law. I've got case law to show you that when a judge
 13 abuses their discretion and it's predicated -- excuse me,
 14 when a judge commits an error and it's predicated on an
 15 abuse of discretion ---

16 THE COURT: What case are you relying on? Something
 17 by Justice Finney?

18 MR. FINNEY: No, sir.

19 THE COURT: I'll let you make your argument. I'll
 20 give Ms. Mangum a chance to respond.

21 MR. FINNEY: Thank you. I'm relying on a case out of
 22 the Court of Appeals, *Graham vs. Babb*. I will cite for the
 23 record that in that case ---

24 THE COURT: The was the Ralph King Anderson one. Go
 25 ahead.

1 MR. FINNEY: I don't know who wrote this opinion. It
2 looks like it's from 2010.

3 THE COURT: Okay.

4 MR. FINNEY: It says when a party fails to comply with
5 a discovery order, the trial court has the discretion to
6 impose any sanction it deems just, including dismissal of
7 the action. It goes on to say that where the state's
8 evidence, you know, if it, if it was excluded, if she
9 excluded it, the case should have been dismissed.

10 An abuse of discretion occurs when the decision of the
11 trial court is based upon an error of law or upon factual
12 findings that are without evidentiary support. That's
13 *State vs. Hewins*, H-e-w-i-n-s. Clearly in this case when
14 she denied all of my motions for the discovery that I made
15 part of the record, that was an error. It was an abuse of
16 discretion. Case should be dismissed, and these -- Rule 5
17 itself, Your Honor, Rule 5 itself says, the South Carolina
18 Rules of Criminal Procedure, Rule 5 provides for disclosure
19 in criminal cases. The rule provides that where a party
20 fails to comply with discovery under the rule, the court
21 may order such party to permit discovery or inspection,
22 grant a continuance, or prohibit a party from the
23 introduction of that evidence. - That's the rule. That's a
24 clear abuse of her discretion. Committed an error.

25 So, to give them a do-over, Your Honor, Your Honor --

1 I made some notes here. I mean, you're creating a
2 situation if you give them a do-over and a retrial that,
3 that, that, that's going to give problems with double
4 jeopardy down the road because they -- well, they've tried
5 -- we've tried the case. They've seen our strategy.
6 Didn't give me discovery. It was properly served on them.
7 In fact, Judge Porter made an order in court.

8 When I, when I, when I admitted that Rule 5 and *Brady*
9 as part of the record, I asked Judge Porter to find that I
10 had properly filed and served Rule 5. She did, but she
11 articulated erroneously that I had a duty to inform the
12 city that they hadn't given me evidence before trial.
13 Well, that, if that's the case, then that's going to create
14 PCR problems because I don't have a duty to inform the
15 city. I did what I was supposed to do. I filed Rule 5 and
16 *Brady*. They didn't give it to me. So, Your Honor I can go
17 on and on but this, this creates double jeopardy issues.
18 It creates PCR issues.

19 I'm asking you to vacate the conviction that was
20 entered against my client. I'm asking you to order that
21 there was error, that it was predicated on an abuse of
22 discretion, and end this case.

23 THE COURT: All right. Thank you, Mr. Finney.

24 MR. FINNEY: Thank you, Your Honor.

25 THE COURT: Ms. Mangum.

1 MS. MANGUM: Yes, Your Honor. Just briefly.
2 Municipal court appeals are governed by statute, and the
3 statutes make it very clear that we're not here on the
4 appellant level for a trial *de novo*, which is essentially
5 what Mr. Finney would be asking you to do today. You'd
6 have to take testimony because you don't have a record to
7 rely on. I think that would be clearly inappropriate. So,
8 I think the only remedy really before the court today is to
9 remand.

10 THE COURT: Thank you both for your presentation.
11 Submit the cases to me in the form of a memo. You submit a
12 case supporting your position in the form of a memo, and
13 I'll make an intelligent and fair decision on behalf of
14 both parties.

15 MS. MANGUM: Thank you, Judge.

16 MR. FINNEY: Thank you, Your Honor.

17 THE COURT: Thank you.

18 --- END OF TRANSCRIPT OF RECORD ---

CERTIFICATE

I, THE UNDERSIGNED ELIZABETH B. HARRIS, CERTIFIED
VERBATIM OFFICIAL COURT REPORTER FOR THE FIFTH
JUDICIAL CIRCUIT OF THE STATE OF SOUTH CAROLINA, DO
HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE
AND COMPLETE TRANSCRIPT OF RECORD OF ALL THE
PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE HEARING
OF THE CAPTIONED CAUSE, RELATIVE TO APPEAL, IN THE
CIRCUIT COURT FOR RICHLAND COUNTY, SOUTH CAROLINA, ON
THE 13TH DAY OF APRIL, 2018.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN,
COUNSEL, NOR INTEREST IN ANY PARTY HERETO.

/s/ELIZABETH B. HARRIS, CVR-M-CM

COLUMBIA, SOUTH CAROLINA

AUGUST 11TH, 2018

Mangum, Jessica R

From: Isabell Jackson <isabelljackson@bellsouth.net>
Sent: Thursday, April 19, 2018 2:13 PM
To: Manning L. Casey Law Clerk (Jonathan Pierce); cmanningj@sccourts.org
Cc: Mangum, Jessica R
Subject: [EXTERNAL] City of Columbia v. Rawlinson - 2017-CP-40-01699 - Proposed Order
Attachments: Rawlinson Appellate Order (FINAL).docx

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Your Honor -

I hope this message finds you well. Attached please find the proposed order in the above matter.

Respectfully,

Isabell S. Jackson
Litigation Paralegal
The Finney Law Firm, Inc.
2117 Park Street
Columbia, South Carolina 29201
T: 803-254-7408
F: 803-254-1941
E: isabelljackson@bellsouth.net

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 City of Columbia,)
)
 Respondent,)
)
 v.)
)
 Shasha Rawlinson,)
)
 Appellant.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT
 DOCKET NO. : 2017-CP-40-01699

ORDER

THIS MATTER came before me on April 13, 2018 on a municipal court appeal. The Appellant is represented in this matter by Jerry Leo Finney, Esquire of The Finney Law Firm. The Respondent is represented by Attorney Jessica Magnum of the City of Columbia Attorney's Office.

FACTUAL BACKGROUND

The Appellant was charged with shoplifting and providing false information to police. However, she requested a jury trial for these charges. Appellant properly requested discovery from the government in accordance with Rule 5 and Brady. However, Appellant was not provided any discovery of any kind. Nevertheless, on or about March 16, 2017, this jury trial was held before the City of Columbia Municipal Court Judge Susan Porter. After the jury was sworn, counsel for the Appellant made a verbal motion to dismiss the case based on the government's absolute failure to comply with the constitutional mandates for discovery, including those set forth in Rule 5 and Brady. In addition to a motion to dismiss, counsel made a motion to suppress any and all evidence sought to be produced that was withheld by the government and not produced in discovery. Further, counsel made a motion for continuance so that he could review any discovery and prepare a defense in this case.

Despite the government's acknowledgment that it had not complied with discovery in this matter, the trial court denied all of the aforementioned motions. As such, despite the government's failure to produce any discovery in this case until after a jury was sworn, the trial court proceeded with the trial of this case. At trial, the presented to the Court several evidentiary items, such as videos, witness testimony, etc., which had not been timely produced in discovery, yet were all admitted at trial over Appellant's objections. The Appellant was convicted and sentenced to thirty (30) days of jail. This appeal followed. Consequent to the filing of this appeal, the transcript of the record of the trial was lost or destroyed and is not available to the Court.

STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only." State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Wilson, 345 S.C. 1, 5-6, 545 S.E.2d 827, 829 (2001)).

The admission or exclusion of evidence is left to the sound discretion of the trial court, and the court's decision will not be reversed absent an abuse of discretion. State v. Hewins, 409 S.C. 93, 102, 760 S.E.2d 814, 819 (2014) (citing State v. Pagan, 369 S.C. 201, 208, 631 S.E.2d 262, 265 (2006)).

An abuse of discretion occurs when the decision of the trial court is based upon an error of law or upon factual findings that are without evidentiary support. *Id.*

LAW/ANALYSIS

There is no genuine dispute that discovery in this case was not provided to the Appellant in accordance with established law, precedent, and constitutional mandate prior to the established trial date for this case. As such, the consideration in this case revolves around the trial court's

handling of this discovery issue. Appellant asserts the trial court erred in failing to dismiss this case, that the trial court erred in failing to suppress any and all evidence that had not been timely produced in discovery, and, at very least, failed in granting a continuance in this matter. The Respondent consents to a remand of this case based on the lack of an underlying transcript.

In Gibson v. State, the South Carolina Supreme Court acknowledged that

Brady is based on a sense of fairness, and a belief that society gains when a defendant is accorded a fair trial. The focus is not on the misconduct of the Prosecutor, but on the fairness of the procedure.” New York v. Jackson, 154 Misc.2d 718, 593 N.Y.S.2d 410, 417 (Sup.Ct.1992). As the Supreme Court explained in Brady, “[t]he principle ... is not punishment of society for misdeeds of a prosecutor but avoidance of an unfair trial to the accused. **Society wins not only when the guilty are convicted but when criminal trials are fair[.]**” Brady, 373 U.S. at 87, 83 S.Ct. at 1197, 10 L.Ed.2d at 218.

334 S.C. 515, 528, 514 S.E.2d 320, 326–27 (1999) (emphasis added). The treatment of the Appellant in this case was not fair. As such, I find that the trial court abused its discretion in not dismissing this action. In Graham v. Babb, Op No 2010-UP-298 (Ct. App. 2010), which is certainly not binding precedent, yet is persuasive all the same; the South Carolina Court of Appeals affirmed dismissal on the basis of a discovery violation. The Court cited Rule 37 (b)(2)(C), SCRPC, notion “when a party fails to comply with a discovery order, the trial court has the discretion to impose any sanction it deems just, including dismissal of an action.” In State v. Hewins, 409 S.C. 93, 103, 760 S.E. 2d 814, 819 (2014), the Supreme Court of the State of South Carolina noted that an abuse of discretion occurs with the decision of the trial court is based upon an error of law upon factual findings that were without evidentiary support. I find and conclude that the trial judge committed an error of law which was predicated on an abuse of discretion, and that these errors resulted in an injustice to the rights of the defendant. Further, I find and conclude that the fundamental unfairness of the process in this case necessitates dismissal of this action.

CONCLUSION

Therefore, it is hereby ordered, decreed, and adjudged, the trial judge committed an error of law that was predicated by an abuse of discretion. The proper remedy for this grave injustice is not remand or re-trial. To grant remand or new-trial would be an injustice and it would open the door to such issues as double jeopardy, PCR issues, and would not serve judiciary economy.

Accordingly, I find and conclude that dismissal is the appropriate remedy, and order that the Appellant's conviction and thirty (30) day sentence imposed in this matter is hereby vacated and this case is dismissed with prejudice.

IT IS SO ORDERED.

The Honorable L. Casey Manning
Presiding Judge

Columbia, South Carolina
April _____, 2018

Mangum, Jessica R

From: Mangum, Jessica R
Sent: Monday, April 23, 2018 3:00 PM
To: 'cmanningj@sccourts.org'; 'cmanninglc@sccourts.org'
Cc: 'jfinney@bellsouth.net'
Subject: City of Columbia v. Shasha Rawlinson (2017-CP-40-01699)
Attachments: Appeal - CoC - Shasha Rawlinson.doc

Judge Manning,

On April 13, you heard Ms. Rawlinson's appeal in the above-referenced matter. Attached is the City's proposed order from that hearing. Please let me know if you need anything else from the City.

Thanks,
Jess



We Are Columbia

Jessica R. Mangum, Assistant City Attorney
City Attorney's Office

Post Office Box 667
Columbia, SC 29202
Phone: 803-737-4242
Fax: 803-737-4250

270: On appeals from municipal court “[t]he appeal must be heard by the Court of Common Pleas upon grounds of exceptions made and upon the papers required under this chapter, without the examination of witnesses in that court.” S.C. Code Ann. § 18-3-70 (Supp. 2008).

DISCUSSION

In her Notice of Appeal, Appellant asserts that her pretrial motions to dismiss, to suppress, and for a continuance due to Rule 5, SCRCrimP and *Brady* violations were erroneously denied. Without a transcript of the proceeding below, this court has no way to meaningfully review these issues on appeal.

When a trial transcript has been lost, a court may remand to have the record reconstructed. *Koon v. State*, 358 S.C. 359, 367, 595 S.E.2d 456, 460 (2004), *overruled by State v. Gentry*, 363 S.C. 93, 610 S.E.2d 494 (2005). However, a new trial is appropriate when the “incomplete nature of the transcript prevents the appellate court from conducting a ‘meaningful appellate review.’” *State v. Ladson*, 373 S.C. 320, 325, 644 S.E.2d 271, 274 (Ct. App. 2007). Here, the transcript is not merely incomplete. It does not exist and is not capable of being produced.

Because it has been a year-plus since the jury trial and because the trial court has been unable to produce even a reconstructed record for this court to review, a new trial is the appropriate remedy. Therefore, this case is **REMANDED FOR A NEW TRIAL**

AND IT IS SO ORDERED.

The Honorable L. Casey Manning
Presiding Judge

April _____, 2018
Columbia, South Carolina

APPEAL FROM COMMON PLEAS REGARDING A CONVICTION IN
MUNICIPAL COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2018-1291

RECEIVED
JAN 02 2019
SC Court of Appeals

City of Columbia.....Appellant,

v.

Shasha Rawlinson..... Respondent.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Respondent's Notice of Appeal from the City of Columbia Municipal Court;
2. City of Columbia Municipal Court's Cover Letter and Return on Notice of Appeal, dated February 26, 2018
3. Transcript of appellate hearing on April 13, 2018;
4. Proposed Order of Respondent, transmitted via email on April 19, 2018;
5. Proposed Order of Appellant, transmitted via email on April 23, 2018;
6. Order Granting Appeal, filed on June 13, 2018;
7. Notice of Appeal with proof of service and attachments; and,
8. Appellant's Designation of Matter to be Included in the Record on Appeal dated January 2, 2019.

I certify that this designation contains no matter which is irrelevant to this appeal.



Jessica R. Mangum
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
803) 737-4242
Attorney for Appellant

January 2, 2019

**APPEAL FORM COMMON PLEAS REGARDING A CONVICTION IN
MUNICIPAL COURT**

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2018-1291

RECEIVED
MAR 04 2019
SC Court of Appeals

City of ColumbiaAppellant,

vs.

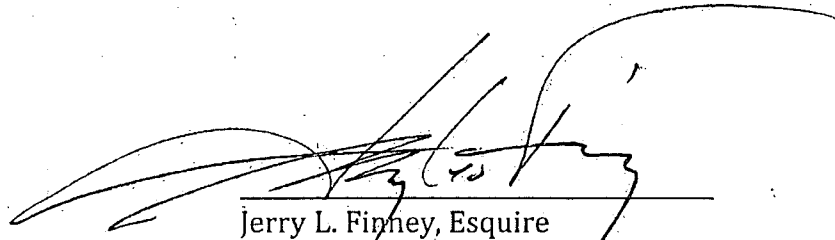
Shasha RawlinsonRespondent.

**DESIGNATION OF MATTER TO BE INCLUDED
IN THE RECORD ON APPEAL**

Respondent hereby proposes the following be included in the Record on Appeal:

- All matters designated by the Appellant
- *Order of the Honorable L. Casey Manning (July 11, 2018)*
- *Transcript (April 13, 2018)*

I hereby certify, pursuant to Rule 209(c), SCRAP, that this designation contains no matter which is irrelevant to this appeal.



Jerry L. Finney, Esquire
THE FINNEY LAW FIRM, INC.
2117 Park St, Columbia, SC 29201
(803) 254-7408
jlfinney@bellsouth.net
ATTORNEY FOR RESPONDENT

March 4, 2019

APPEAL FROM COMMON PLEAS REGARDING A CONVICTION IN
MUNICIPAL COURT

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2018-1291

City of Columbia.....Appellant,


v.

Shasha Rawlinson Respondent.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

April 3, 2019



Jessica R. Mangum, Esquire
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
Tel: (803) 737-4242
Attorney for the Appellant