

The South Carolina Court of Appeals

The State, Respondent,

v.

Heather Elizabeth Sims, Appellant.

Appellate Case No. 2016-001385

ORDER

Appellant has petitioned for bail and an appeal bond following this court's reversal of her conviction for voluntary manslaughter. After reviewing Appellant's petition, the State's return, and the factors outlined in *Nichols v. Patterson*, 202 S.C. 352, 356, 25 S.E.2d 155, 156 (1943), the petition for an appeal bond is granted.

IT IS ORDERED that Appellant shall be released from custody upon the following conditions: (1) she will surrender herself to the Sheriff of Horry County upon order issued by this court or the South Carolina Supreme Court; (2) she will comply with all orders issued by this court or the South Carolina Supreme Court; (3) she will surrender all passports; (4) she will not depart the State of South Carolina without the permission of this court or the South Carolina Supreme Court; (5) she will be of good behavior; and (6) she shall keep her counsel informed of her current contact information, including her telephone number and place of residence, during the pendency of her case.

IT IS FURTHER ORDERED that Appellant shall not be released until she and a good and sufficient surety have signed a recognizance in the amount of \$50,000,¹ 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 the circuit court judge. The recognizance shall be filed with the Clerk of Court of Horry County.

¹ The amount of Appellant's appeal bond is equal to the bond ordered by the circuit court prior to trial.

IT IS SO ORDERED.

James E. Leary C.J.

John D. Seatter J.

Stephanie P. McNeill J.

Columbia, South Carolina

cc:

Blake A. Hewitt, Esquire
L. Morgan Martin, Esquire
Benjamin Alexander Hyman, Esquire
Alan McCrory Wilson, Esquire
William Frederick Schumacher, IV, Esquire
Jimmy A. Richardson, II, Esquire
The Honorable J. Cordell Maddox, Jr.
South Carolina Department of Corrections

FILED

May 14, 2019