

VOLUME II of II

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Honorable DeAndrea G. Benjamin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LATISHA RASHIONE TODD,

APPELLANT

APPELLATE CASE NO 2018-000348

RECORD ON APPEAL

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Presentence Investigation

Facts Continued:

RCSD Case Summary relates the following:

RCSD Investigator Joe Clarke was called by RCSD Deputy Amanda Jordan of the RCSD CAT Team on July 7, 2016. Deputy Jordan reported a situation involving animal cruelty. The location in question was [REDACTED] Scarsdale Drive, Columbia, SC. Deputy Jordan told Investigator Clarke that the lease holder of the residence was Latisha Todd. Deputy Jordan advised Investigator Clarke that a community meeting was held on 6/28/16 and that multiple residents informed RCSD that the family living at the address had moved out. However, other nearby residents stated that they observed the subject and, sometimes, subject's sister, "park down the street and walk to the home's mailbox to retrieve mail." Other residents who wished to remain anonymous reported hearing dogs barking inside the home. These people stated that the barking had faded then stopped over the week of June 20-24, 2016.

Prompted by RCSD and the community, the property management company went to the home to address broken windows at the front of the home. Roger Williamson, a maintenance technician for the company detected a "strong smell of decomposition emanating from the home." He contacted his management office to report the smell. The decision was made to enter the home on the chance that there was a deceased person inside. Williamson discovered four (4) deceased dogs, three (3) in a back bedroom and one (1) shut off in a bathroom. The A/C was off and there was no sign of the dogs having food or water. Williamson took pictures and removed himself from the house. He stated that he saw maggots covering the bathroom floor and the home was infested with fleas and roaches. He reported that he saw "recent evidence of bug bombs being used in the house."

RCSD and animal control were notified by Williamson, however, animal control informed him that since the dogs were inside a residence that could not respond. If he, Williamson, bagged the dogs and left them on the back porch, animal control would remove them. Williamson secured the home and left it as it was. He was then confronted by a male who "admonished him for entering the home." Williamson identified himself and gave the reason for his being there. The man stated that he was a family member and that he would clean up and take care of the dogs. Subsequently, over the 4th of July, 2016 weekend, Latisha Todd called and left a voice-mail to the realty company demanding that no one be allowed to enter the house without her permission. On July 5, 2016, Latisha Todd showed up at the realty office and stated that she would take full responsibility and agreed to clean the house and yard.

On July 7, 2016 RCSD CAT (Community Action Team) was dispatched once again to the property. Deputy Jordan smelled a strong smell of decomposition emanating from the residence. She then called Investigator Clarke at this time.

WITNESSES

(S) Joseph Clarke
- Richland County Sheriff

DOCKET NO. 2017GS4000428

The State of South Carolina

County of

Richland

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2017

72

Defendant

ARREST WARRANT NUMBER

2016A4010600401

THE STATE
vs.

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

Latisha Rashione Todd

TRUE BILL

Foreperson of Grand Jury

Date: **FEB 15 2017** *M. H. Hardy*

VERDICT

Indictment for
ANIMALS / ILL TREATMENT OF ANIMALS
IN GENERAL, TORTURE

SC Code: 47-01-0040(B)

CDR Code: 2804

Foreperson of Petit Jury

Date:

WITNESSES

(S) Joseph Clarke
- Richland County Sheriff

DOCKET NO. 2017GS4000431

The State of South Carolina

County of

Richland

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2017

72

ARREST WARRANT NUMBER

2016A4010600402

Defendant

THE STATE
vs.

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

Latisha Rashione Todd

TRUE BILL

Foreperson of Grand Jury
Date: FEB 15 2017



VERDICT

Indictment for
ANIMALS / ILL TREATMENT OF ANIMALS
IN GENERAL, TORTURE

SC Code: 47-01-0040(B)
CDR Code: 2804

Foreperson of Petit Jury
Date:

WITNESSES

(S) Joseph Clarke
- Richland County Sheriff

DOCKET NO. 2017GS4000432

The State of South Carolina

County of

Richland

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2017

72

ARREST WARRANT NUMBER

2016A4010600403

THE STATE

vs.

Defendant

Witness:

C.C.C. PLS. AND G.S.

ACTION OF GRAND JURY

Latisha Rashione Todd

TRUE BILL

Foreperson of Grand Jury
Date: **FEB 13 2017**



VERDICT

Indictment for
ANIMALS / ILL TREATMENT OF ANIMALS
IN GENERAL, TORTURE

SC Code: 47-01-0040(B)
CDR Code: 2804

Foreperson of Petit Jury
Date:

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on February 15, 2017,
the Grand Jurors of Richland County present upon their oath:

ILL TREATMENT OF ANIMALS

That LATISHA RASHIONE TODD, in Richland County, South Carolina, on,
about, or during the months of June and July of 2016, did torture, torment,
needlessly mutilate, cruelly kill, or inflict excessive or repeated
unnecessary pain or suffering upon an animal; to wit: her dog named
"Panda"; or by omission or commission caused these acts to be done, in
violation of §47-01-40(B) of the South Carolina Code of Laws (1976, as
amended).

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.



DAN JOHNSON, SOLICITOR

WITNESSES

(S) Joseph Clarke
- Richland County Sheriff

DOCKET NO. 2017GS4000433

The State of South Carolina

County of

Richland

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

ARREST WARRANT NUMBER

2016A4010600404

COURT OF GENERAL SESSIONS

FEBRUARY TERM 2017

72

THE STATE

vs.

Latisha Rashione Todd

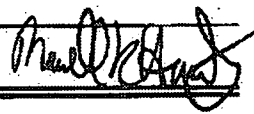
ACTION OF GRAND JURY

TRUE BILL

Foreperson

Date:

FEB 15 2017



VERDICT

Indictment for
ANIMALS / ILL TREATMENT OF ANIMALS
IN GENERAL, TORTURE

SC Code: 47-01-0040(B)

CDR Code: 2804

Foreperson of Petit Jury

Date:

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

INDICTMENT

At a Court of General Sessions, convened on February 15, 2017,
the Grand Jurors of Richland County present upon their oath:

ILL TREATMENT OF ANIMALS

That LATISHA RASHIONE TODD, in Richland County, South Carolina, on,
about, or during the months of June and July of 2016, did torture, torment,
needlessly mutilate, cruelly kill, or inflict excessive or repeated
unnecessary pain or suffering upon an animal; to wit: her dog named
"Midnight"; or by omission or commission caused these acts to be done, in
violation of §47-01-40(B) of the South Carolina Code of Laws (1976, as
amended).

Against the peace and dignity of the State, and contrary to the
statute in such case made and provided.



DAN JOHNSON, SOLICITOR

510 STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Richland
STATE VS. Latisha Rashione Todd

INDICTMENT/CASE#: 2017GS4000428
A/W#: 2016A4010600401
Date of Offense: 7/3/2016
S.C. Code § : 47-01-0040(B)
CDR Code #: 2804

AKA:
Race: BLACK Sex: F Age: 35
DOB: 982 SS#
Address:
City, State, Zip: Columbia, SC 29203
DL#: SID#

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was TO: Animals / Ill treatment of animals in general, torture

CONVICTED OF or PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC §17-25-45 w/minor 1st or Lewd Act)

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Berry Joseph SC Bar# 101676 Defendant Attorney for Defendant SC Bar# 7866

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ 30; provided that upon the service of 30 days/months/years and/or payment
of \$ plus costs and assessments as applicable*; the balance is suspended with probation for 2

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ca, 3% to County (if paid in installments) \$

TOTAL \$

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

Clerk of Court/ Deputy Clerk: Jennette McBride
Court Reporter: McLundy
SCCA/217 (07/2016)

Presiding Judge: [Signature]
Judge Code:
Sentence Date: 2-20-18

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

511

COUNTY OF Richland
STATE VS.
Latisha Rashione Todd
AKA:
Race: BLACK Sex: F Age: 35
DOB: 1982 SS#:
Address:
City, State, Zip: Columbia, SC 29203
DL#: SID#:

INDICTMENT/CASE#: 2017GS4000431
A/W#: 2016A4010600402
Date of Offense: 7/3/2016
S.C. Code § : 47-01-0040(B)
CDR Code #: 2804

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Animals / Ill treatment of animals in general, torture

CONVICTED OF or PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804.
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC) §17-25-45
w/minor 1st or Lewd Act

The charge is: Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST:
Joseph SC Bar# 101676 Defendant
Attorney for Defendant SC Bar# 7866

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 5 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of 30 days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 2

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Probation) \$50, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$

Other: MH Counseling

Appointed PD or appointed other counsel,
Proviso 61.6 requires \$500 be paid to Clerk
during probation and shall be collected before
any other fees.

TOTAL \$

Clerk of Court/ Deputy Clerk: Janette McBride
Court Reporter: McLarty

Presiding Judge: 2/6/18
Judge Code:
Sentence Date: 2-20-18

COUNTY OF Richland
STATE VS.
Latisha Rashione Todd
AKA:
Race: BLACK Sex: F Age: 35
DOB: 1982 SS#:
Address:
City, State, Zip: Columbia, SC 29203
DL#: SID#:

INDICTMENT/CASE#: 2017GS4000432
A/W#: 2016A4010600403
Date of Offense: 7/3/2016
S.C. Code § : 47-01-0040(B)
CDR Code #: 2804

SENTENCE SHEET

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Animals / Ill treatment of animals in general, torture

CONVICTED OF or PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

ATTEST: Berry, Joseph SC Bar# 10676 Defendant Attorney for Defendant 74886 SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of 0 days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$; provided that upon the service of 30 days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for 2

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 10 days

The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic
Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. of Job Corp.
may serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments).

Other: MH Counseling, Anger Management

Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

TOTAL \$
Clerk of Court/ Deputy Clerk: Jeannette McBratton
Court Reporter: Melinda
SCCA/217 (07/2016)

Presiding Judge:
Judge Code: 2161
Sentence Date: 2-20-18

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS 513

COUNTY OF Richland
STATE VS.

Latisha Rashione Todd

AKA:

Race: BLACK Sex: F Age: 35

DOB: -1982 SS#: [REDACTED]

Address: [REDACTED]

City, State, Zip: Columbia, SC 29203

DL#: [REDACTED] SID#: [REDACTED]

*CDL Yes [] No [] CMV Yes [] No [] Hazmat Yes [] No []

In disposition of the said indictment comes now the Defendant who was TO: Animals / Ill treatment of animals in general, torture

INDICTMENT/CASE#: 2017GS4000433
A/W#: 2016A4010600404
Date of Offense: 7/3/2016
S.C. Code § : 47-01-0040(B)
CDR Code #: 2804

SENTENCE SHEET

[X] CONVICTED OF or [] PLEADS

in violation of § 47-01-0040(B) of the S.C. Code of Laws, bearing CDR Code # 2804
[] NON-VIOLENT [] VIOLENT [] SERIOUS [] MOST SERIOUS [] Mandatory GPS(CSC w/minor 1st or Lewd Act) [] §17-25-45

The charge is: [X] As Indicted, [] Lesser Included Offense, [] Defendant Waives Presentment to Grand Jury. (defendant's initials)
The plea is: [X] Without Negotiations or Recommendation, [] Negotiated Sentence, [X] Recommendation by the State.

ATTEST: [Signature] 101676 SC Bar# Defendant [Signature] Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the [X] State Department of Corrections, [] County Detention Center,
for a determinate term of 5 days/months/years of [] under the Youthful Offender Act not to exceed [] years
and/or to pay a fine of \$ [] ; provided that upon the service of 30 days/months/years and/or payment
of \$ [] ; plus costs and assessments as applicable*; the balance is suspended with probation for 2

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

[X] CONCURRENT or [] CONSECUTIVE to sentence on:
[X] The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.

[] The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.
Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

[] RESTITUTION: [] Deferred [] Def. Waives Hearing [] Ordered
Total: \$ [] plus 20% fee: \$ []
Payment Terms: []
[] Set by SCDPPPS []

Recipient: []

Table with 2 columns: Description and Amount. Includes items like § 14-1-206 (Assessments 107.5 %), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 61.6 (Public Def/Probation) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114 (BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, 3% to County (if paid in installments) \$

TOTAL \$ []

PTUP []
[] days/hours Public Service Employment
Obtain GED []
Attend Voc. Rehab. or Job Corp. []
May serve W/E beginning []
Substance Abuse Counseling []
Random Drug/Alcohol testing []
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ [] beginning []
\$ [] paid to Public Defender Fund
Other: []

[] Appointed PD or appointed other counsel, Proviso 61.6 requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

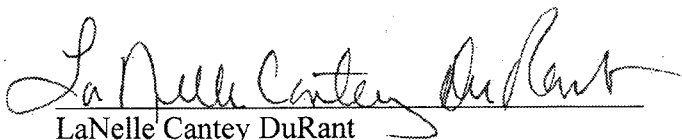
Clerk of Court/ Deputy Clerk: [Signature]
Court Reporter: [Signature]
SCCA/217 (07/2016)

Presiding Judge: [Signature]
Judge Code: 2101
Sentence Date: 2-20-18

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with 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."

Respectfully Submitted,



LaNelle Cantey DuRant
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S.C. 29211-1589

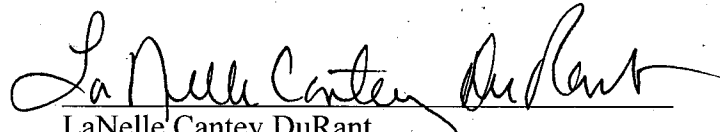
ATTORNEY FOR APPELLANT

This 14th day of May, 2019.

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with 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."

Respectfully Submitted,


LaNelle Cantey DuRant
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Columbia, S.C. 29211-1589

ATTORNEY FOR APPELLANT

This 14th day of May, 2019.

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