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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Orangeburg County
Edgar Dickson, Jr., Circuit Court Judge

SHIREEN NICOLE SIMMONS,

Appellant,

vs.

THE STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2019-001149

INITIAL BRIEF OF RESPONDENT

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III.B. The municipal court did not abuse its discretion for not continuing trial since Simmons did not request a continuance, and she failed to show she was prejudiced.

IV. Simmons failed to show any errors individually or collectively, so a new trial would not be warranted on the theory of cumulative error.

STATEMENT OF THE CASE

Judge Barney M. Houser presided over the trial on October 10, 2017, in the Orangeburg Municipal Court. Appellant Simmons represented herself at trial. The city prosecutor amended the charge to a violation of S.C. Code § 56-5-970A(1) and at its conclusion, the jury found Appellant Simmons guilty. Municipal Court Return (Return), pp. 1-2. Judge Houser imposed a fine. Simmons retained counsel, who filed a motion for new trial on October 19, 2017. The motion for new trial was denied on November 2, 2017.

Simmons appealed the conviction on November 13, 2017. The Municipal Court filed its return on December 11, 2017. Simmons counsel claims to have not received the return but when discovering it, filed a motion to strike the return on February 15, 2018. This motion and other arguments were heard by the Honorable Judge Edgar Dickson on June 1, 2018. Presumably, Simmons had the opportunity to review the Municipal Court's Return by this time. Judge Dickson affirmed the conviction. Simmons filed a motion to alter or amend. This was denied by Judge Dickson by order dated July 2, 2019.

STATEMENT OF FACTS

Simmons failed to provide the circuit court with a transcript of the trial even though she claims a court reporter was present. The prosecutor indicated his view that a court reporter was not present. Regardless, the facts are limited to those outlined by the Municipal Court in its return, summarized below.

Officer Williford responded to the scene of a car accident at an intersection on US 301 in the City of Orangeburg on March 26, 2017 at 11:28 pm. A Chevy SUV was overturned on its roof. Trechaun Belton was the driver of that vehicle. Officer Williford determined Belton travelled south on US 301 and made a left turn. The Municipal Court recounts Officer Williford "determined Mr. Belton was already established in the intersection and Ms. Simmons was travelling North on 301 and approached the intersection at such a high rate of speed Belton was unable to clear the intersection before Ms. Simmons struck his vehicle flipping it three times. Simmons failed to yield to a vehicle already established in the intersection." Return p. 1.

Belton testified he was turning left from US 301, the light was green and he observed no oncoming traffic when he entered the intersection. His car was struck and flipped three times, settling on its roof. Simmons testified the light was green when she entered the intersection, but the return offers no further detail on her testimony. The return recounts that she attempted to show a photograph on her cell phone without introducing the photograph into evidence. Return p. 2.

STANDARD OF REVIEW

"In criminal cases, the appellate court sits to review errors of law only. State v. Wilson, 345 S.C. 1, 5-6, 545 S.E.2d 827, 829 (2001). Questions of law are reviewed *de novo*. See Catabwa Indian Nation v. State, 407 S.C. 526, 536, 756 S.E.2d 900, 906 (2014). Issues of whether the court of common pleas reviews criminal convictions appealed from municipal court, and whether the municipal court or the defendant should pay for the transcript constitutes questions of law.

Other matters are generally reviewed under an abuse of discretion standard. A trial court abuses its power of discretion when it commits an error of law or when there has been a factual conclusion without any evidentiary support. State v. Price, 368 S.C. 494, 498, 629 S.E.2d 363, 365 (2006). "It is a well established rule of law that the trial judge has broad discretion concerning the admission of evidence. That discretion will not be overturned on appeal unless clearly abused." State v. Quillien, 263 S.C. 87, 91, 207 S.E.2d 814, 816 (1974). The denial of a continuance is also reviewed on this standard. State v. Williams, 321 S.C. 455, 469 S.E.2d 49 (1996).

Some of Simmons' arguments are premised on facts contrary to those stated by the municipal court. Generally, an appellate court is bound by the trial court's factual findings unless clearly erroneous. Wilson, 345 S.C. at 5, 545 S.E.2d at 829. The appellate court does not take its own view of the preponderance of evidence, but instead must determine if the trial court's ruling is supported by any evidence. Id.

ARGUMENT

I. Appellant received due process by being provided judicial review of her conviction in circuit court as provided for by the state constitution and statute.

Simmons complains her appeal should have been heard in general sessions, not common pleas. Under the South Carolina Constitution, Art. V. §11: "The Circuit Court shall be a general trial court with original jurisdiction in civil and criminal cases, except those cases in which exclusive jurisdiction shall be given to inferior courts and shall have such appellate jurisdiction as provided by law." Under S.C. Code § 14-25-95: "Any party shall have the right to appeal from the sentence or judgment of the municipal court to the Court of Common Pleas of the county in which the trial is held."

Simmons complains she "has no ability to effectively appeal from the Municipal Court" and "she has lost the ability to appeal her conviction" so she "has been denied due process of law." Presumably, Simmons is complaining she was deprived of procedural due process. However, she did enjoy a review by way of appeal in circuit court; therefore, she was not denied procedural due process. "Procedural due process requirements are not technical; no particular form of procedure is necessary." Vora v. Lexington Med'l Ctr., 354 S.C. 590, 582 S.E.2d 413 (2003).

"Procedural due process requires notice, the opportunity to be heard in a meaningful way, and judicial review." Blanton v. Slathos, 351 S.C. 534, 541, 570 S.E.2d 565, 568 (Ct. App. 2003). Because Simmons received judicial review, Simmons received due process when her appeal was heard by a common pleas judge.

IIA. Because the record fails to show a reporter was present at trial, the circuit court did not err in affirming the conviction on the basis that no transcript was attached to the municipal court's return. Further, Simmons would have been required to pay for the transcript and the municipal court would not because it is not a party under S.C. Code Section 14-25-195. Moreover, Simmons failed to request a continuance from the circuit court to order the transcript to supplement the record.

Simmons complains the municipal court should have paid for and attached a transcript of the trial, although there is no evidence in the record that a reporter was present for the trial. Simmons was required to pay for the transcript and never made his argument to the municipal judge.

Under S.C. Code § 14-25-105, the municipal court is required to make a return to the Court of Common Pleas. "When the testimony has been taken by a reporter **as provided herein,** the return shall include the reporter's transcript of the testimony." Id. (emphasis added). Under S.C. Code § 14-25-195:

> **Any party** shall have the right to have the testimony given at a jury trial in any municipal court taken stenographically or mechanically by a reporter; provided, that nothing herein shall operate to prevent any such party from mechanically recording the proceedings himself. The requesting party shall pay the charges of such reporter for taking and transcribing if such testimony is recorded by a municipal court reporter.

(Emphasis added).

"[T]he statute must be read as a whole and sections which are part of the same general statutory law must be construed together and each one given effect." S.C. State Ports Authority v. Jasper County, 368 S.C. 388, 398, 629 S.E.2d 624, 629 (2006). Therefore, the court should not concentrate on isolated phrases in the statute. Id. Instead, the statute should be read as a whole and

in a manner consonant and in harmony with its purpose. State v. Sweat, 379 S.C. 367, 376, 665 S.E.2d 645, 650 (Ct. App. 2008), aff'd, 386 S.C. 339, 688 S.E.2d 569 (2010).

When a statute's language is plain and unambiguous, and conveys a clear and definite meaning, the rules of statutory interpretation are not needed and the court should not impose another meaning. State v. Gaines, 380 S.C. 23, 667 S.E.2d 728 (2008). Black's Law Dictionary defines "party" as: "One by or against whom a lawsuit is brought; anyone who both is directly interested in a lawsuit and has a right to control the proceedings, make a defense, or appeal from an adverse judgment; . . ." Black's Law Dictionary (11th ed. 2019). The municipal court is not a party or litigant and does not have a direct interest in the litigation.

Therefore, the municipal court is required to attach the transcript of testimony if taken by a reporter as "provided herein," in other words as provided for under section 14-25-195. Section 14-25-195 allows a party, or litigant, to request a court reporter but the party is responsible for the cost of paying the court reporter to: (1) take the testimony and (2) transcribe the testimony. Accordingly, Simmons was required to pay the costs as the appealing party, not the municipal court, which is not a party.

Judge Dickson, who heard the appeal in circuit court, found that Simmons failed to show that the issue was raised below and refrained from reviewing the issue in denying Simmons' motion to alter or amend. Appellant has the burden of presenting an adequate record that is sufficiently complete so that the appellate court is able to review the lower court's actions. State v. Knighton, 334 S.C. 125, 136, 512 S.E.2d 117, 123 (Ct. App. 1999). In order for an issue to properly be preserved for appellate review, the issue must be: (1) raised to and ruled upon by the trial court; (2)

raised by the appellant; (3) raised in a timely manner; and (4) raised to the trial court with sufficient specificity. State v. Rogers, 361 S.C. 178, 183, 603 S.E.2d 910, 912-913 (Ct. App. 2004).

In the instant case, the record does not reflect that Simmons made any objection directly to the municipal court judge regarding the preparation of the transcript and requirement that Simmons pay for it. Further, other than opposing counsel's assertions, the record fails to show that Simmons requested a court reporter or requested the transcript. Bowers v. Bowers, 304 S.C. 65, 68, 403 S.E.2d 127, 129 (Ct. App. 1991) ("Arguments of counsel are . . . not evidence."); Shinn v. Kreul, 311 S.C. 94, 102, 427 S.E.2d 695, 700 (Ct. App. 1993) ("A court cannot consider facts appearing only in argument of counsel."). The record further fails to indicate that the municipal judge had a transcript of the hearing to attach to the return and as shown above, it was Simmons' responsibility to ensure the transcript was prepared and it was Simmons' responsibility to pay for the transcript. Note Simmons also failed to ask the circuit court judge for an order compelling the magistrate to pay for the transcript or for a continuance to order and pay for the transcript herself. Accordingly, Judge Dickson did not err in affirming the conviction and sentence or providing any other relief for this claim.

II.B. Appellant was properly convicted of violating section 56-5-970A(1) for failing to yield to a vehicle and Appellant's argument is conclusory and without citation to supporting authority.

Simmons complains she was ticketed for violation of S.C. Code § 56-5-950. According to the municipal court's return, "At the call of the case the City amended the charge to SC Code section 56-5-970A(1)." Municipal Court Return (Return) p. 1. The record does not indicate Simmons objected to amendment of the charge.

Under section 56-5-970A(1):

> Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within in the intersection or an adjacent crosswalk at the time such signal is exhibited.

The Municipal Court explained evidence was presented that the other vehicle was making a left turn and was "already established in the intersection" when Simmons approached the intersection at a high rate of speed and collided with the other vehicle causing it to overturn. Return pp. 1-2. The Municipal court further explains that at the close of evidence, "The Court charged the Jury with Code Section 56-5-970A(1)" and the jury found Simmons guilty. Return p. 2. Therefore, there is no discrepancy and evidence was sufficient to convict Simmons of the traffic charge. State v. Bennett, 415 S.C. 232, 781 S.E.2d 352 (2016) (The task of the trial court is to simply determine "whether the evidence presented is sufficient to allow a reasonable juror to find the defendant guilty beyond a reasonable doubt."); State v. Pearson, 415 S.C. 463, 474, 783 S.E.2d 802, 808 (2016) (The reviewing court should affirm if in viewing the evidence in the light most favorable to the State, "the evidence could induce a reasonable juror to find [the defendant] guilty.").

Simmons makes a conclusory argument that the alleged discrepancy is "reversible error," but cites no authority to support the proposition. Respondent is unsure of the legal theory Simmons is advancing. Glasscock, Inc. v. U.S. Fid. & Guar. Co., 348 S.C. 76, 81, 557 S.E.2d 689, 691 (Ct. App. 2001) ("[S]hort, conclusory statements made without supporting authority are deemed abandoned on appeal and therefore not presented for review."); Herron v. Century BMW, 395 S.C. 461, 466, 719 S.E.2d 640, 643 (2011) (requiring "every ground of appeal ought to be so distinctly stated that the reviewing court may at once see the point which it is called upon to decide without having to 'grope in the dark'") (citation and internal quotation marks omitted).

Because Simmons was prosecuted and convicted for a violation SC Code § 56-5-970A(1), the conviction should be affirmed.

II.C. Because Simmons obtained the municipal court's return and had at least three months to review the return before oral argument, the court of common Pleas did not err in affirming the conviction despite Simmons' claim she was not served with the municipal court return.

Simmons complains she never received a mailed copy of the municipal court's return but admits finding the return posted on the on-line public index. Simmons relies on Rule 5, SCRCP and Rule 262(b), SCACR to allege error on the grounds of the municipal judge's alleged failure to mail the return to Simmons.

Under Rule 101, SCACR, section II – the Rules of Appellate Practice, governs the practice and procedure of appeals in the Supreme Court and Court of Appeals only. So it appears, Rule 262, SCACR, does not apply in circuit court. On the other hand, under Rule 81, SCRCP, the rules of civil procedure applies to "every trial court of civil jurisdiction within this state .... In any case where no provision is made by statute or these Rules, the procedure shall be according to the practice as it has heretofore existed in the courts of this State."

Because Simmons had the opportunity to review the municipal judge's return and even file a motion to strike the return on February 15, 2018 – more than three months before oral argument – Simmons was not prejudiced by the lack of a mailing. Simmons fails to explain how she was prejudiced by the alleged error. "It is a rule of practically universal application in appellate procedure that an accused cannot avail himself of error as a ground for reversal where the error has not been prejudicial to him." State v. Hariott, 210 S.C. 290, 298, 42 S.E.2d 385, 388 (1947). Simmons merely seeks a windfall for an alleged error by the municipal court that did not affect his ability to prosecute his appeal. Accordingly, the Court of Common Pleas did not err.

III. A. The municipal court did not err in preventing Appellant from showing the jury a picture on her cell phone because she did not have a digital or paper copy to introduce into evidence. Further, the record is insufficient to review the proposed error or show that Appellant provided sufficient authentication to "admit" the photograph on her cell phone into evidence.

Simmons complains she was not allowed to "introduce" photographs of the intersection where the traffic accident occurred. In the Municipal Court's return, the Municipal Court explained:

> Ms. Simmons testified her light was green when she entered the intersection. She attempted to approach the jury without permission with her cell phone. The City objected. Ms. Simmons said she wanted to show a picture of her green traffic light. The City had submitted a GIS photo of the intersection into evidence which was displayed on the courtroom flat screen. I advised Ms. Simmons she would either have to have a presented photo of the intersection or in a video format that could be displayed on the courtroom monitor. She was unable to produce either. I also found there already was a good photo of the intersection in evidence that showed the complete intersection and location of all traffic control devices.

Return p. 2.

Simmons argues the photograph on her cell phone would prove the light was green when she traversed the intersection and would show a sign warning that oncoming traffic may have an extended green light. Simmons failed to provide a transcript of the proceeding and it is unclear how she came to have a photograph of the traffic light contemporaneous with the traffic accident. The record is devoid of foundation or authentication for the alleged picture. Simmons' counsel filed a motion for new trial attaching a photograph he claims was the same photograph Simmons tried to show the jury. There is no foundation in the record to explain that this is the same item Simmons

attempted to show the jury. Obviously, Simmons' counsel would need to rely on Simmons to substantiate that the photograph was the photograph she attempted to show the jury, and yet Simmons' counsel failed to at least submit an affidavit from Simmons to substantiate the attachment. See generally Williamsburg Rural Water & Sewer Co., Inc. v. Williamsburg County Water & Sewer Auth., 367 S.C. 566, 571, 627 S.E.2d 690, 693 (2006) ("Nothing in the appellate court rules permits a party to unilaterally add after-created evidence to the record.").

Further, Simmons fails to cite any authority in support of her claim that the municipal court erred. Glasscock, Inc. v. U.S. Fid. & Guar. Co., 348 S.C. 76, 81, 557 S.E.2d 689, 691 (Ct. App. 2001) ("[S]hort, conclusory statements made without supporting authority are deemed abandoned on appeal and therefore not presented for review."). This is a critical shortcoming because Simmons does not provide any authority that supports the proposition that a party may show a photograph or other document on their personal cell phone to the jury without submitting a copy into evidence. Therefore, it is left unexplained how the municipal court erred in its ruling.

Moreover, Simmons failed to provide a transcript of the trial for the circuit court and this Court to review. Therefore, the record is insufficient to determine if Simmons was prejudiced by the alleged error. Appellant has the burden of presenting an adequate record that is sufficiently complete so that the appellate court is able to review the lower court's actions. State v. Knighton, 334 S.C. 125, 136, 512 S.E.2d 117, 123 (Ct. App. 1999).

The absence of a transcript also means that the record is insufficient to show if Simmons provided any foundation to support that the photograph on her phone was what it purported to be, a contemporaneous picture of the intersection as she was driving through it. Rule 901(a), SCRE ("The

requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.").

Based on the limited record, the trial court did not abuse its discretion. Trial judges have considerable discretion in ruling on the admission or exclusion of evidence, and an appellate court will not reverse a trial judge's ruling on evidentiary matters absent a clear abuse of that discretion resulting in prejudice to the defendant. State v. Gaster, 349 S.C. 545, 557, 564 S.E.2d 87, 93 (2002); see State v. Torres, 390 S.C. 618, 625, 703 S.E.2d 226, 230 (2010) ("The appellate court reviews a trial judge's ruling on admissibility of evidence pursuant to an abuse of discretion standard and gives great deference to the trial court." (emphasis added)). "[T]o warrant reversal based on admission or exclusion of evidence, the appellant must prove both the error of the ruling and the resulting prejudice . . . ." State v. Gault, 375 S.C. 570, 574, 654 S.E.2d 98, 100 (Ct. App. 2007).

Finally, in the instant case, Simmons did not have a material or digital copy of the photograph on her phone to admit into evidence. This would have precluded the prosecution from being able to utilize the exhibit and the jury from being able to examine and consider it at length during deliberations. The absence of something to admit as an exhibit also prevented accurate future review of the photograph. Therefore, the municipal court, in its discretion, may require a permanent exhibit rather than allowing Simmons to merely flash a picture to the jury. See Clark v. Cantrell, 339 S.C. 369, 383, 529 S.E.2d 528, 535 (2000) (noting although demonstrative evidence may be used "to explain and illustrate a witness's testimony, it also may be admissible as an exhibit for the jury to examine and consider during deliberations."); Rule 106, SCRE ("When a writing, or recorded statement, or part thereof is introduced by a party, an adverse party may require the introduction at

that time of any other part of any other writing or recorded statement which ought in fairness to be considered contemporaneously with it."); Rule 611, SCRE ("The court shall exercise reasonable control over the mode and order of . . . presenting evidence so as to (1) make . . . presentation effective for the ascertainment of the truth, ..."); see generally Rule 612, SCRE (providing that if a witness uses a writing to refresh memory for purposes of testifying, the adverse party may, if in the interests of justice, be allowed to introduce the writing or portions of it that relate to the testimony).

In the instant case, whether the light was green when Simmons traversed the intersection and collided with the other vehicle is not determinative of Simmons' guilt because the prosecution's evidence was that Simmons violated section 56-5-970A(1) by not yielding the right-of-way to another vehicle lawfully within in the intersection notwithstanding whether the light was green at the time. Therefore, any error is harmless. State v. Reeves, 301 S.C. 191, 194, 391 S.E.2d 241, 243 (1990) (Error is harmless when it could not reasonably have affected the result of the trial).

III. B. The municipal court did not abuse its discretion for not continuing trial since Simmons did not request a continuance, and she failed to show she was prejudiced.

Simmons claims she was not provided adequate notice of trial, did not have sufficient opportunity to retain counsel, and needed a continuance. Simmons claims the municipal court abused its discretion in denying an alleged motion for continuance, but acknowledges that the municipal court found she did not request a continuance in its return. Simmons argues "the Municipal Court did not order the transcript, as it was required to, to confirm this fact." The municipal court is not required to order a transcript, assuming a court reporter was even present at trial.

As argued above, the municipal court was not required to order and pay for the transcript. Instead, it was incumbent on Simmons to provide an adequate record for review. Assertions not supported by the record cannot appropriately be embodied in an appellate brief pursuant to our appellate court rules. See Williamsburg Rural Water & Sewer Co., Inc. v. Williamsburg County Water & Sewer Auth., 367 S.C. 566, 571, 627 S.E.2d 690, 693 (2006) ("Nothing in the appellate court rules permits a party to unilaterally add after-created evidence to the record."). Further, Simmons bears the burden of presenting an adequate record that is sufficiently complete so that the appellate court is able to review the lower court's actions. State v. Knighton, 334 S.C. 125, 136, 512 S.E.2d 117, 123 (Ct. App. 1999).

A trial court's denial of a motion for continuance is left to the sound discretion of the trial court and will not be disturbed absent an abuse of that discretion resulting in prejudice to the defendant. State v. Williams, 321 S.C. 455, 469 S.E.2d 49 (1996). Reversals from the denial of a

defendant's motion for continuance are as "rare as the proverbial hens' teeth." State v. Mansfield, 343 S.C. 66, 538 S.E.2d 257 (Ct. App. 2000).

The Municipal Court advises in its return, "The Court advised the Defendant of the procedural aspects of the trial and jury selection. She stated she understood and had no questions for the Court. She did not request a continuance or advise the Court she wished to seek legal counsel." Return p. 1. Based on the record, Simmons did not request a continuance; therefore, the issue is not preserved for review. State v. Silver, 314 S.C. 483, 486, 431 S.E.2d 250, 251 (1993) (noting the ground asserted on appeal must be supported by the objection raised at trial).

The entirety of Simmons' argument on this matter is a single paragraph, devoid of legal authority. See State v. Colf, 332 S.C. 313, 332, 504 S.E.2d 360, 364 (Ct. App. 1998) (finding a conclusory two-paragraph argument citing no authority other than an evidentiary rule was deemed abandoned on appeal) *affirmed as modified* State v. Colf, 337 S.C. 622, 627, 525 S.E.2d 246, 248 (2000). Therefore, the issue is too conclusory for this Court to review.

IV. Simmons failed to show any errors individually or collectively, so a new trial would not be warranted on the theory of cumulative error.

Simmons argues this Court should reverse based on cumulative error. However, there is little to relation between the various alleged errors that would create a compound effect. For instance, whether the municipal court failed to mail a copy of its return does not compound any alleged prejudicial effect from the municipal court failing to let the jury view photographs on Simmons' phone, which is the only evidentiary issue presented on appeal. Further, the State would submit that Simmons failed to show any errors individually or collectively that prevented Simmons from having a fair trial.

The South Carolina State Supreme Court has made clear that an petitioner "must demonstrate more than error in order to qualify for reversal on [the cumulative error doctrine]. Instead, the errors must adversely affect his right to a fair trial." State v. Johnson, 334 S.C. 78, 93, 512 S.E.2d 795 (1999) (finding reversal under cumulative error doctrine not warranted) (citations omitted). "As we have stressed on more than one occasion, the Constitution entitles a criminal defendant to a fair trial, not a perfect one." Id., *quoting* State v. Mitchell, 330 S.C. 189, 199-200, 498 S.E.2d 642, 647-48 (1998) (finding reversal on cumulative error doctrine not warranted).

The issues at trial did not appear complex as recounted by the Municipal Court in its return. Simmons failed to offer a sufficient record to undermine that assessment. Instead the record reflects that Simmons was provided ample opportunity to prepare for trial, hire an attorney, present a defense and relay her version of events. She had her opportunity for a fair trial and review of that trial that is only undermined by her misunderstanding that she was required to provide a sufficient record for

review.

CONCLUSION

For all of the foregoing reasons, the judgment and conviction of the lower court should be affirmed.

Respectfully submitted,

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January 24, 2020

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Orangeburg County
The Honorable Edgar Dickson, Jr., Circuit Court Judge

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SHIREEN NICOLE SIMMONS, Appellant,

v.

THE STATE, Respondent.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the within Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, Mr. Jason Scott Luck, Esquire, Garrett Law Offices, 1075 E. Montague Avenue, North Charleston, SC 29405.

I further certify that all parties required by Rule to be served have been served.
This 24th day of January, 2020.

Anne Mueller

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