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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari from Richland County
Clifton Newman, Circuit Court Judge
Appellate Case No. 2019-001925

Stewart Randall Ard, #217645,.....Respondent,

v.

State of South Carolina,Petitioner.

RETURN TO PETITION FOR APPEAL BOND

The State of South Carolina respectfully submits the following return to the petition for appeal bond, served on January 21, 2020:

1. Petitioner Stewart Randall Ard is currently incarcerated with the South Carolina Department of Corrections for a term of life without parole pursuant to section 17-25-45 of the South Carolina Code of Laws for attempted murder. Ard has three previous convictions for armed robbery; two in Lexington County (1994-GS-32-2745) and one in Aiken County (1995-GS-02-1089).¹ Ard is also serving concurrent sentences of three years for one count of second-degree assault and battery, ninety days for carrying a concealed weapon, and thirty days for third-degree assault and battery. Additionally, Ard

¹ Ard also has previous convictions for unlawful carrying of a pistol (1993-GS-02-1165), four counts of criminal conspiracy and three counts second-degree burglary (1994-GS-32-2745), two counts of second-degree burglary (non-violent) (1995-GS-02-1091, -1092), two counts of assault and battery of a high and aggravated nature (1998-GS-29-684), as well as assault and battery of a high and aggravated nature, which was a lesser-included of the original charge for assault and battery with intent to kill (2004-GS-02-0585).

is incarcerated on a consecutive three-year sentence for a second count of second-degree assault and battery.

2. Following his convictions, Ard appealed, and David Alexander, of the South Carolina Commission on Indigent Defense – Appellate Defense Division, perfected the appeal pursuant to Anders v. California, 386 U.S. 738 (1967). The South Carolina Court of Appeals dismissed Ard’s appeal after consideration of his *pro se* brief and a review of the record. State v. Ard, Op. No. 2016-UP-243 (S.C. Ct. App., filed June 1, 2016). The remittitur issued on June 17, 2016.
3. On October 19, 2016, Ard, through counsel, filed an application for post-conviction relief (2016-CP-40-6225) alleging ineffective assistance of counsel based on the following allegations:
 - a. Mr. Ard was denied the right to effective assistance of counsel—guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution and by Article 1, §§ 3 and 14 of the South Carolina Constitution—during his jury trial:
 1. Trial counsel did not understand that attempted murder is a specific intent crime. S.C. Code Ann. § 16-3-29; State v. Sutton, 340 S.C. 393, 397, 532 S.E.2d 283, 285 (2000) (“Attempted murder would require the specific intent to kill and conduct towards that end.”). In South Carolina, attempt crimes are specific intent crimes. E.g. State v. Thompson, 374 S.C. 257, 262, 647 S.E.2d 702, 705 (Ct. App. 2007) (“A person is guilty of attempted armed robbery if the person has a specific intent to commit armed robbery.”); State v. Nesbitt, 346 S.C. 226, 231, 550 S.E.2d 864, 866 (Ct. App. 2001) (“Attempt crimes are generally ones of specific intent such that the act constituting the attempt must be done with the intent to commit that particular crime.”) (citing Sutton, *supra*). Mr. Ard was prejudiced because trial counsel’s misunderstanding of the law influenced numerous acts and omissions during his jury trial.
 2. Trial counsel did not object to the trial court judge instructing the jurors, “A specific intent to kill is not an element of attempted murder, but there must be a general intent to commit serious bodily injury.” Tr. 416, line 25 - 417, line 3. Mr. Ard was prejudiced because (1) this instruction deleted the specific intent requirement of attempted murder, (2) reduced attempted murder to the statutory offenses of assault and battery of a high and aggravated nature (“ABHAN”) or first-degree assault and battery, S.C. Code Ann. § 16-3-

600(B), and (3) prevented the jurors from considering lesser included offenses of ABHAN and first-degree assault and battery.

3. Trial counsel failed to object to the prosecutor arguing that attempted murder is a general intent crime and that the trial judge would instruct the jurors that specific intent is not an element of attempted murder. Tr. 374, line 5 - 377, line 2.
4. Trial counsel failed to call witnesses that would have provided valuable testimony about the facts and circumstances of the underlying incident. Mr. Ard was prejudiced because these witnesses would have provided valuable information about Mr. Ard's state of mind, particularly as it related to the requirement that the prosecution prove specific intent to convict of attempted murder.
5. Trial counsel advised Mr. Ard not to testify. Mr. Ard was prejudiced because his testimony would have provided valuable information about his state of mind, particularly as it related to the requirement that the prosecution prove specific intent to convict of attempted murder.
6. Trial counsel advised Mr. Ard not to call character witnesses. Mr. Ard was prejudiced because these witnesses would have provided valuable information about Mr. Ard's state of mind, particularly as it related to the requirement that the prosecution prove specific intent to convict of attempted murder.
7. Trial counsel failed to investigate, discover, and present evidence of video surveillance of the incident location from an angle different from the angle shown by the prosecution. In the alternative, trial counsel failed to call witnesses that had viewed video surveillance of the incident location from an angle different from the angle shown by the prosecution. Mr. Ard was prejudiced because the alternate angle was exculpatory evidence.
8. Trial counsel failed to object to Courtney Walker testifying about saying a prayer for Jesse Patterson, the alleged victim of attempted murder. Mr. Ard was prejudiced because this testimony was not relevant, lacked any probative value, and highly prejudicial.
9. Trial counsel failed to object to numerous witnesses—not qualified as to provide an expert opinion—testifying about Jesse Patterson, the alleged victim of attempted murder, having a collapsed lung. Mr. Ard was prejudiced because this testimony unfairly portrayed the injuries as more aggravated than they really were.
10. Trial counsel failed to properly preserve for appeal the State presenting evidence that Mr. Ard had been to prison before and did not want to go back. Trial counsel failed to object to Scott Fleming testifying that Mr. Ard

statement, “Well, I’ve been to jail. I don’t want to go back.” And Mr. Flemings response, “I said, ‘Well, I don’t want you to go back either.’” Tr. 256, lines 18-20. When the witnesses repeated this testimony, trial counsel also failed to preserve the mistrial motion. Tr. 268, line 4 - 272, line 3.

11. Trial counsel failed to object to the prosecutor’s closing argument asking the jurors to render a verdict that speaks the truth. Tr. 369, lines 6-9.
 12. Trial counsel failed to object to the trial judge entering the jury room during deliberations, tr. 438, line 2 - 439, line 13, which is structural error requiring a new trial. E.g., State v. Elmore, 279 S.C. 417, 308 S.E.2d 781 (1991).
- b. Mr. Ard was denied the right to effective assistance of counsel—guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution and by Article 1, §§ 3 and 14 of the South Carolina Constitution—during his appeal.
1. In the alternative to 11(a)(10), appellate counsel failed to appeal the trial court denying the motion for a mistrial after witness Scott Fleming testified that Mr. Ard had been to prison and did not want to go back. Tr. 268, line 4 - 272, line 3.
 2. Appellate counsel failed to appeal the trial court denying the motion to exclude the sentence of life without the possibility of parole based on arbitrary use of prosecutorial discretion. Tr. 448, line 24 - 452, line 4.

The State served its return to the application on July 12, 2017, requesting an evidentiary hearing. An evidentiary hearing into the matter was convened on December 13, 2017, at the Richland County Courthouse before the Honorable Clifton Newman. Upson was present at the hearing and represented by E. Charles Grose, Jr., Esquire. Jessica E. Kinard, Esquire, formerly of the South Carolina Attorney General’s Office, represented the State. PCR counsel withdrew allegations (a)(5), (a)(6), and (a)(7) at the beginning of the evidentiary hearing and conceded allegation (a)(4) in the proposed order submitted on Ard’s behalf. Judge Newman granted relief as to the attempted murder conviction, finding trial counsel was ineffective for failing to object to the trial court instructing the jurors, “A specific intent to kill is not an element of attempted murder, but there must be a general intent to commit serious bodily injury.” The State filed a timely motion to

reconsider, alter, or amend pursuant to Rule 59(e), SCRCR, which was denied by written order filed November 5, 2019.

4. The State filed a timely Notice of Appeal and received the motion hearing transcript on January 31, 2020. The State will submit its Petition for Writ of Certiorari and Appendix in accordance with Rule 243, SCACR.
5. On January 21, 2020, Ard served a petition for appeal bond requesting this Court issue an order releasing him on bond pending the filing of the State's Petition for Writ of Certiorari and a decision as to the ultimate outcome in this case. In support of his motion for appeal bond, Ard asserts there is a substantial likelihood he will prevail on appellate review.
6. As an initial matter, the State asserts Ard should be precluded from release on bond pending appeal because the sentence of imprisonment Ard received is in excess of ten years. See S.C. Code Ann. Section 18-1-90 (Supp. 2011) (“[B]ail is not allowed when the defendant has been sentenced to death, life imprisonment, or imprisonment for more than ten years.”). Ard was sentenced to life imprisonment pursuant to section 17-25-45 of the South Carolina Code of Laws. As a result, granting Ard's request for bond would be inappropriate.
7. However, should this Court consider Ard's request, pursuant to State v. Whitener, 225 S.C. 244, 81 S.E.2d 784 (1945), the State asks this Court to exercise its discretion to deny Ard's motion. The South Carolina Appellate Court Rules provide that an applicant's release on bond pending appeal from a post-conviction relief order shall be exercised with caution and only in *exceptional circumstances*. Rule 243(k), SCACR. In deciding whether to exercise the discretionary authority to admit an applicant to bail, the following

factors are considered: the probability the applicant will prevail on appellate review and the nature of the relief he or she will receive; the seriousness of the criminal offense committed; the danger the applicant may pose to the community if he or she is released; the likelihood that the applicant may flee if released; and the character and circumstances of the applicant. Id. The State submits this case does not present the requisite circumstances to warrant Ard's release on bond pending appeal. For the reasons set forth below, the State opposes this motion and requests that this Court deny Ard's motion for appeal bond pending appeal to the Supreme Court.

8. The State asserts Ard's request for release on bond pending appeal should be denied because it is unlikely he will prevail on appeal. The State submits the post-conviction relief court's grant of relief is predicated on errors of law and is not supported by probative evidence. Specifically, the State asserts the trial court's finding trial counsel was deficient was an error of law because, at the time of Ard's trial, South Carolina law was unclear as to the level of intent required for attempted murder, especially given the conflicting language of the statute, as noted by this Court in its analysis in King v. State, 422 S.C. 47, 62, 810 S.E.2d 18, 25-26 (2017), aff'g as modified State v. King, 412 S.C. 403, 772 S.E.2d 189 (Ct. App. 2015) ("While we are convinced this is the correct interpretation, we also acknowledge the ambiguity created by the language in section 16-3-29. . . ."). The State further asserts there was overwhelming evidence of malice and intent to kill such that the general-intent instruction was harmless error, and Ard was not prejudiced by it.
9. Ard's request should also be denied based upon the likelihood that Ard may flee if released. Because Ard is sentenced to life imprisonment, he would have a much greater

incentive to flee while out on bond. Notably, Ard's petition does not contain any information regarding where or with whom Ard would reside should he be released on bond. Even if Ard were to prevail on appeal, the affirmation of the grant of his PCR application would only entitle him to a new trial, not an acquittal. Therefore, facing a maximum sentence of life imprisonment, Ard would have both the motive and opportunity to flee if released on bond.

10. The State further asserts Ard's extensive criminal history indicates he is not of sufficient character and reputation to warrant this Court granting bond.
11. Finally, the State asks this Court to consider the impact granting bond would have on the victims of Ard's crime. Ard's request is not based on an argument of factual innocence, but rather on a legal issue regarding whether the trial court gave the correct jury instruction. The victims of Ard's violent behavior strongly oppose his request for bond. See Attachments 1 and 2.
12. Based upon all the foregoing, the State prays this Court deny Ard's request for release on bond pending appeal.
13. Should this Court determine this is the exceptional case that would permit Ard's release on bond, the State requests that the Court impose conditions on his release. Specifically, due to the seriousness of his convictions and the risk that he will flee if released, the State requests that, at a minimum, Ard be placed on the following special conditions in addition to the usual and ordinary conditions of release: home detention pursuant to the county home detention program to include GPS monitoring at Ard's expense; and no change of address without prior court approval. Furthermore, the State requests that Ard

be prohibited from applying for a passport and must be required to surrender any current passport to the Richland County Clerk of Court.

WHEREFORE, the State requests Ard's petition for appeal bond be denied and dismissed.

Respectfully submitted,

ALAN WILSON
Attorney General

LINDSEY A. MCCALLISTER
Assistant Deputy Attorney General
SC Bar No. 79054

A handwritten signature in black ink, appearing to read 'L. McCallister', written over a horizontal line.

ATTORNEYS FOR PETITIONER
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211
(803) 734-3737

January 31, 2020

Attachment 1

To Whom It May Concern:

1-29-2020

The mere fact that I am having to write this baffles me. I would like to start this by saying that in no way, shape, or form does Stewart Randall Ard deserve to be let out on bond. As a victim of one of his numerous violent crimes, simply writing that makes me sick to my stomach. No one who reads this knows me, but it is important to understand what this man caused in my life, as well as the lives of numerous other people.

On the night of Stewart's crimes that resulted in him receiving the sentence of life without the opportunity of parole, I was simply working like any other night. I did not go to work that night thinking that my night would end watching my friend lay face down in a puddle of blood after some maniac stabbed him multiple times in the back.

As I was sitting at the front door of my bar, several patrons walked by saying there was some sort of altercation outside of the bar next door, Group Therapy. My coworker and I decided to go take a look as we were not busy. As we jogged down there, we checked the alley to make sure no one was hurt and that is the first time we made contact with Mr. Ard. Stewart Ard came out of a car that was leaving wielding a knife in his hand screaming at my coworker, Joseph Molina, and I.

Stewart charged Joe who was able to run into the street, and then turned to me. As he came running at me, I had no other choice other than to back pedal. Stewart caught up to me and actually made contact grabbing at my shirt as luckily for me I fell to the ground. As I was falling, I vividly remember it was like slow motion watching him try to stab me with a sweeping motion with his knife. It is an image I have tried to block out over the years, but I have had zero luck. When he missed me, I was able to run off and he ran back to his car and left.

At this point in time, Joe ran back up and we started discussing how crazy what had just transpired was. We still had no clue how serious the situation was. Upon going back to Group Therapy to see what happened and why that man just tried to kill us we saw Jesse Patterson, our friend, laying face down on the floor in a pool of blood. I could live a million years and never forget the smell of all that blood. Jesse lay there moaning in pain as he wasn't even able to scream because of the injuries he sustained. I then saw "Hollywood" the previous owner of the bar, and noticed he had also been stabbed. It was one of the worst scenes that I have ever seen and I pray that I never have to go through something like that again.

After seeing this scene and Jesse being carried away, I turned my attention to find out what happened. Surely something had to have happened to have caused this. Then the facts came in that this waste of oxygen, Stewart Randall Ard, was upset that he had been asked to leave the bar where he and his friends were breaking the rules. That simple request lead to all of this when he came back about fifteen minutes later.

I say all of that because this was not a heat of the moment reaction. This was a calculated measure that had no other reasoning behind it than to try to take the life of a young man who was not even involved with the initial altercation. This reckless human being, Stewart Ard, came back and stabbed multiple people, and tried to stab two more because he was asked to leave a bar.

The system did not let this man down. The system did the job that it was put in place to do. The many videos and testimonies show that easily. This was not this man's first offense; this was another violent act in a string of violent acts. Stewart Randall Ard is a man who has no regard for human life, and will never have any regard for human life.

As a victim of this man's crimes, I Gabriel Michael McDaniel am begging you not to allow this man time out of prison on bond. This man does not deserve to be out from behind bars. Allowing him out on bond will put the entire public at risk including his own family. This man came back to a bar to attempt to kill someone for asking him to leave a bar. As a victim, I can't imagine what he would try to do to us or the community for him being locked up for the last seven years. He is an absolute danger not only to the victims, but to his family and the community as well.

Also, if my records serve me correctly, since being behind bars Mr. Ard was also caught "smuggling/conspiracy to smuggle contraband" on 10-30-2016 and having "possession of a weapon" on 02-21-2017. Possession of a weapon sure sounds familiar. This is a man who even behind bars refuses to follow the law and continuously shows exactly why he is in there in the first place. Thank you for your time and please do not grant Stewart Randall Ard bond.

Regards,

Gabriel Michael McDaniel

Gabriel McDaniel
Gabriel McDaniel

1-29-20

Attachment 2

Trisha Allen

From: Paul Paterson [REDACTED]
Sent: Tuesday, January 28, 2020 9:45 AM
To: Trisha Allen
Subject: Ard's request for Bond

On July 28th, 2013 the life of my Son was altered forever. He was brutally and maliciously attacked by Steward Ard and his acquaintences without provocation. This wasn't a push and shove match or a verbal altercation. It was an cowardly attempt to maim, mutilate and even kill my Son while he was performing his job in Five Points checking identification cards at a local establishment. At the time, my Son was 22 years of age. Let me state that again, HE WAS ONLY 22. Ard, a known convicted felon with a well established arrest record entered the establishment earlier that evening only to be asked to leave due to his misconduct and aggravation towards other patrons of the bar. Ard, an all ready convicted felon had willfully and purposefully carried a very large knife with him that evening while they cruised the streets of Five Points. The employees of the establishment had to remove Ard and his associates from the bar, they were kicked out. MY SON HAD NO KNOWLEDGE OF THE EVENTS GOING ON INSIDE AT THE TIME! He was simply standing outside, doing his job checking ID cards.

As displayed on the CCTV films recoverd that evening, ARD and his associates left the bar, walked and drove around the area and then came back to the establishment, parked and exited their vehicle. This is not hear say, this is well documented video and testimony from his trial. They exited the vehicle and in a fit of rage and purpose, approached the front door of the establishment where my Son of 22 years of age and the owner were standing. In less than 10 seconds Ard and his associates viciously attacked my Son and the owner. Four men, including ARD attacked my Son without warning. This wasn't a push or shove match. This wasn't an argument. ARD REMOVED A KNIFE, WALKED UP TO MY SON WHILE HIS ASSOCIATES STARTED TO BEAT HIM WITH THEIR FISTS AND MADE A CALCULATED DECISION TO STRIKE, STABB AND ATTEMPT TO KILL MY SON. Ard struck my Son three times with his blade. He struck him with a down ward blow to his shoulder and as the knife entered I learned later from the surgeon that it missed my Sons heart by only a few centimeters He struck him with such force that my Son's shoulder was dislocated. He struck him with a 6" plus blade. After that ARD continued to attack my Son. He struck him in his back. HE STRUCK HIM IN HIS BACK!!!! The blade went in all the way and punctured my Son's lung. My Son's lung collapsed. While he was on the ground, ARD sliced his arm, ARD turned to the Owner of the establishment and continued his attack by cutting him up as well. My Son laid on the ground in his own pool of blood being kicked by ARD's associates, left to die by a man that displayed no concern for what he just did. No remorse, no emotion, no concern for a persons life. Prior to this attack, my Son had absoultly no contact with this convicted criminal or his associates. He was standing outside, doing his job when he was attacked from the back!!

After Ard's vicious attempt on my Son's life, he and his associates fled. They ran like cowards. They ran. Some observers attempted to stop him and his associates, but again ARD with no concern for life or bodily harm, viscosly swung his blade at them while they eventually made it to a car and sped off. They ran away after trying to kill my SON. It is said that ARD made statements to the fact that his reputation as a convict was on the line and that NO ONE was going to punk him out. He and his friends thought this out after the initial confrontation inside the bar. They drove around Five Points calculating, getting their nerve, getting mad and then attacked. He and his associates tried to kill my Son on that night, becuase he was mad about getting kicked out of a bar!

Stewartd.Ard is asking for bond while his appeal process is reviewed. Stewart Ard was sentenced to LIFE IN PRISON WITHOUT PAROLE! I wonder why? Actually I don't wonder why, I KNOW WHY. Stewart Ard has an arrest record that could wall paper an office. His life's choices have effected men and women negatively his entire life. He has made victims of everyone he as ever associated himself with. He tried to kill my Son.

Over the past years I have stood by my Son. I am a 25 year Army Combat Veteran. I have seen more than my share of death and destruction. I have witnessed Soldiers lose everything due to homelessness, Post Traumatic Stress Disorder (PTSD), alcohol and drug abuse, and more. Their choice to serve our Country was THEIR choice. They willingly accepted the potential of PTSD, coping with years of deployments and emotional ups and downs. MY SON IS A CIVILIAN. In the blink of an eye he now deals with and still continues to deal with some of the most severe PTSD I have ever seen. In less than a minute, my Son's life changed forever due to ARDs attempt to kill him. My Son has struggled with alcohol and drug abuse. He deals to this day with severe anxiety and an inability to deal with crowds. He deals with the fear of some one standing behind him. He deals with a shoulder that will never be the same because of the sheer force ARD struck him with. He has had pins inserted in his shoulder, but again that has effected his life forever. He has drifted in and out of jobs, constantly speaks to me about ARDS attempt to kill him on the night of July 28th, 2013. He has consitently had nightmares. My Son has gone to counseling, but he cannot forget the incident of July 28th, 2013. ARD is sentenced to LIFE in prison for his numerous crimes while my Son is sentenced to a life of mental turmoil and instability. My Son is a good kid, he was a baseball player, he was an athlete. He enjoyed the outdoors, family outings and everything a man of 22 years of age should enjoy. Ever since the attempted murder by Stewart ARD, my Son struggles with leaving his apartment. ARD lives his life under the care of the state. ARD watches TV, gets fed everyday, probably works out and maybe works on his education and understands the life of a convicted felon. My Son dropped out of the University of South Carolina because he couldn't cope with almot being killed. He will never play baseball again!!!! Ard's life in prison is the only thing he has ever had or understood and for that reason ARD should NEVER be allowed out of prison . He is a threat to our society of law abiding citizens because he does not care about the law. Stewart Ard needs to remain in detention for the rest of his life, appeal pending or not. Stewart ARD is a threat to our society and it is because of individuals like him our prison system exists. He is currently sentenced to LIFE without parole and I was told he is pending appeal of his case because of a legal technicality. Let our system do what it needs for this individual, but there is absoulty no justification what so ever for him to be released on bond while our courts discuss his case. His record speaks for itself. He is a theif, a drug user, a convicted felon. He is not a man of honor. He has had his opportunity to change his life, but all he understands is crime and inflicting pain on innocent families. He is sentenced to life!!! If he is allowed bond I assure you he would absoulty be a flight risk. What else does he have to lose. If he is released on bond, he would most likely figure out a way to inflict more pain on another family due to his criminal background. He cannot be allowed out on bond while his case is pending. He will disappear. He will hurt and victimize another family. That thought alone, the thought of that man being out free in society has terrified my Son more than anything. After 7 years of rehabilitation, my Son is again faced with mental anguish and depression. It terrifies me as a Father knowing that the man that tried killing my Son would be free in my neighborhood. My Son has relapsed into a state of severe depression because of this current situation with ARD and his request for bond and a retrail. MY SON DOES NOT FEEL SAFE AGAIN AFTER 7 years of ARDS conviction. Everytime we make progress with my Son and his emotional stability, ARD pops back up reinflicting the pain, the horror and the memories of almost dying on a sidewalk in Five points at the age of 22.

I appeal to your sense of decency and the effect ARD has had not only on my Son, but on our entire family ARD thinks this is a joke. He only plays games with our laws because he has nothing else to do. He thought it was all a joke during his trial. My Son is being punished for the rest of his life and can only hope that our legal system will see the true evil Steward Ard is. Do not release him on bond. Do not allow him to mingle with the innocent people on the street. Do not give him the opporuntiy to flee and endanger any one that would have to be tasked to hunt him down. Leave him in his cell, let him wait for his appeals, but keep him away from me, my Son and everyone else he has or will continue to effect. Stewart Ard truely belongs in a dentention center and to serve his life sentence while the rest of us attempt to fix our own lives due to his attempted murder of my Son. PLEASE DENY HIS BOND REQUEST!!

THANK YOU

**Roger P. Paterson
My Son's loving Father.**

STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

CERTIORARI TO RICHLAND COUNTY
Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge

Appellate Case No. 2019-001925

Stewart Randall Ard,.....Respondent,

v.

State of South Carolina,.....Petitioner.

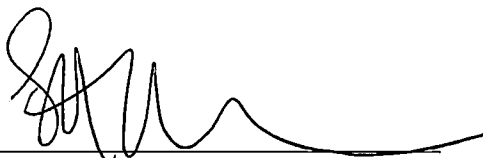
CERTIFICATE OF SERVICE

I, Lindsey A. McCallister, certify that I have today served the within **Return to Motion for Appeal Bond** upon Respondent by depositing a copy of the same in the U.S. mail and addressed to:

E. Charles Grose, Jr.
Grose Law Firm
404 Main Street
Greenwood SC 29646

I further certify that all parties required by Rule to be served have been served.

This 31st day of January, 2020.



LINDSEY A. MCCALLISTER
S.C. Bar # 79054

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ATTORNEY FOR RESPONDENT

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Supreme Court of South Carolina

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