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S.C. SUPREME COURT

**APPELLANT'S
EXHIBIT 3**

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

JIMMY A. RICHARDSON, II, SOLICITOR
FOR THE FIFTEENTH JUDICIAL CIRCUIT,
ON BEHALF OF THE HORRY COUNTY
POLICE DEPARTMENT,

Petitioner,

vs.

ONE THOUSAND FIVE HUNDRED NINETY
AND 00/100 DOLLARS, (\$1,590.00) U.S.
CURRENCY, ONE AGOLD COIN AND ONE
GOLD BAR,

Respondent Property,

TYLER MAURICE HARRIS,

Respondent.

This matter is before the Court on a proposed Consent Order of Forfeiture (attached hereto as "Exhibit") for forfeiture under Code of Laws of South Carolina, 1976 §44-53-530, as amended.

Notwithstanding the parties' consent, this court notes that the South Carolina Forfeiture Statutes have been found unconstitutional by a circuit court of this state and that decision is now pending appeal. Therefore, this court finds that the within action should be stayed pending an appellate ruling in *Jimmy Richardson, II, Solicitor v. \$20,771.00 and Travis Lee Green* (Civil Action No. 2017CP2607411).

NOW, THEREFORE, it is hereby

ORDERED, that this case is STAYED pending appeal of *Jimmy Richardson, II, Solicitor v. \$20,771.00 and Travis Lee Green* (Civil Action No. 2017CP2607411).

AND IT IS SO ORDERED.

April 22, 2020



Benjamin H. Culbertson
Resident Circuit Court Judge

EXHIBIT

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

FOR THE FIFTEENTH JUDICIAL CIRCUIT
IN THE COURT OF COMMON PLEAS
CASE NO.: 2019-CP-26-01622

JIMMY A. RICHARDSON, II, SOLICITOR
FOR THE FIFTEENTH JUDICIAL CIRCUIT,
ON BEHALF OF THE HORRY COUNTY
POLICE DEPARTMENT,

Petitioner,

CONSENT ORDER OF FORFEITURE

vs.

ONE THOUSAND FIVE HUNDRED
NINETY AND 00/100 DOLLARS,
(\$1,590.00) U.S. CURRENCY, ONE GOLD
COIN AND ONE GOLD BAR,

Respondent Property,

TYLER MAURICE HARRIS,

Respondent.

This matter is before the Court on the Petitioner's action for forfeiture under §44-53-530, Code of Laws of South Carolina, 1976, as amended. The Complaint asked for forfeiture of ONE THOUSAND FIVE HUNDRED NINETY AND 00/100 DOLLARS, (\$1,590.00) U.S. CURRENCY, ONE GOLD COIN AND ONE GOLD BAR to the Horry County Police Department. The property was seized by the Horry County Police Department on November 14, 2018.

Under §§44-53-520 and 44-53-530 of the Code of Laws of South Carolina, 1976, as amended, the properties are subject to forfeiture to the Horry County Police Department.

It appears that the parties have reached an agreement to all issues raised in the appropriate pleadings in this matter.

Based upon the consent and agreement of the parties:

IT IS, THEREFORE, ORDERED:

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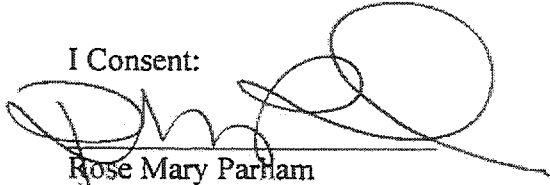
1. The parties are properly before the Court;
2. The parties have reached a settlement on all issues;
3. A forfeiture is hereby declared of the Respondent Property;
4. The Horry County Police Department is the seizing agency;
5. The Respondent property is to be disposed of in the following manner:
 - (a) SEVEN HUNDRED AND NINETY-FIVE AND 00/100 DOLLARS (\$795.00), ONE GOLD BAR AND ONE GOLD COIN to be returned to the Respondent's, Attorney Rose Mary Parham, PO Box 1514, Florence SC 29503.
 - (b) Seven hundred ninety-five and 00/100 dollars (\$795.00) to the Petitioner;
 - (c) Petitioner's funds shall be distributed in accordance with S.C. Code § 44-53-530.
6. This is a full and final settlement of the Respondent Property.
7. This Order ends this action.

JUDGE OF THE FIFTEENTH JUDICIAL
CIRCUIT

_____, 2020
Conway, South Carolina
I Consent:

James R. Battle
Attorney for Petitioner

I Consent:



Rose Mary Parham
Attorney for Respondent

1. The parties are properly before the Court;
2. The parties have reached a settlement on all issues;
3. A forfeiture is hereby declared of the Respondent Property;
4. The Horry County Police Department is the seizing agency;
5. The Respondent property is to be disposed of in the following manner:
 - (a) SEVEN HUNDRED AND NINETY-FIVE AND 00/100 DOLLARS (\$795.00), ONE GOLD BAR AND ONE GOLD COIN to be returned to the Respondent's, Attorney Rose Mary Parham, PO Box 1514, Florence SC 29503.
 - (b) Seven hundred ninety-five and 00/100 dollars (\$795.00) to the Petitioner;
 - (c) Petitioner's funds shall be distributed in accordance with S.C. Code § 44-53-530.
6. This is a full and final settlement of the Respondent Property.
7. This Order ends this action.

JUDGE OF THE FIFTEENTH JUDICIAL
CIRCUIT

_____, 2020
Conway, South Carolina

I Consent:

s/James R. Battle
James R. Battle
Attorney for Petitioner

I Consent:

Rose Mary Parham
Attorney for Respondent



Horry Common Pleas

Case Caption: Jimmy A Richardson II , plaintiff, et al VS Tyler Maurice Harris

Case Number: 2019CP2601622

Type: Order/Forfeiture Consent Order

Resident Circuit Court Judge, 15th Judicial Circuit

s/Benjamin H. Culbertson, Judge Code 2148