



OPINIONS
OF
THE SUPREME COURT
AND
COURT OF APPEALS
OF
SOUTH CAROLINA

ADVANCE SHEET NO. 39
October 3, 2018
Daniel E. Shearouse, Clerk
Columbia, South Carolina
www.sccourts.org

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27723 - City of Columbia v. Marie-Therese Assa'ad-Faltas	Pending
27768 - The State v. Lamont Samuel	Pending
27774 - The State v. Stepheno J. Alston	Pending
27814 - The State v. Lamar Sequan Brown	Pending
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2016-002541 - In the Matter of Marie Therese Assa'ad-Faltas, M.D., MPH	Pending

**EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI
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27802 - The State v. Stephanie I. Greene	Granted until 11/23/2018
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PETITIONS FOR REHEARING

27827 - SCDOT v. David Franklin Powell	Denied 9/28/2018
27834 - The State v. Shannon Scott	Pending
27835 - The Callawassie Island v. Ronnie Dennis	Pending
27841 - Allen Patterson v. Herb Witter	Pending
2018-MO-029 - Hector Fragosa v. Kade Construction	Pending

The South Carolina Court of Appeals

PUBLISHED OPINIONS

None

UNPUBLISHED OPINIONS

None

PETITIONS FOR REHEARING

5550-Brian Morin v. Innegrity, LLC	Pending
5562-Raymond Farmer v. CAGC Insurance	Pending
5578-In Re: The Estate of James Brown	Pending
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5583-Leisel Paradis v. Charleston County	Pending
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5587-In the matter of Tynslee Elizabeth Fields	Pending
5588-Brad Walbeck v. The I'On Company	Pending
5589-State v. Archie M. Hardin	Pending
5590-State v. Michael L. Mealar	Pending
5591-State v. Michael Smith	Pending
5593-Lori Stoney v. Richard Stoney	Pending
2018-UP-178-Callawassie Island Members Club v. Gregory Martin	Pending
2018-UP-179-Callawassie Island Members Club v. Michael Frey	Pending

2018-UP-180-Callawassie Island Members Club v. Mark Quinn	Pending
2018-UP-244-Albert Henson v. Julian Henson	Pending
2018-UP-323-Cheryl Burch v. Thomas Burch	Pending
2018-UP-329-John Alden Bauer, III v. Beaufort County Sch. Dist.	Pending
2018-UP-338-John Rakowsky v. Law Office of Adrian Falgione	Pending
2018-UP-339-State v. James Crews	Denied 10/01/18
2018-UP-340-Madel Rivero v. Sheriff Steve Loftis	Pending
2018-UP-348-Frederick Tranfield v. Lily Tranfield	Pending

PETITIONS-SOUTH CAROLINA SUPREME COURT

5511-State v. Lance L. Miles	Pending
5535-Clair Johnson v. John Roberts (MUSC)	Pending
5537-State v. Denzel M. Heyward	Granted 09/21/18
5546-Paul Boehm v. Town of Sullivan's Island	Granted 09/21/18
5548-James Dent v. East Richland County	Denied 09/21/18
5554-State v. Antwan J. Jett	Pending
5556-BLH by parents v. SCDSS	Pending
5557-Skywaves v. Branch Banking	Pending
5559-Commissioners v. City of Fountain Inn	Pending
5561-Innovative Waster v. Crest Energy	Pending
5563-Angel Gary v. Lowcountry Medical	Pending
5564-J. Scott Kunst v. David Loree	Pending

5572-State v. Steven Otts	Pending
2017-UP-338-Clarence Winfrey v. Archway Services, Inc. (3)	Pending
2017-UP-425-State v. Esaiveus F. Booker	Denied 09/21/18
2018-UP-011-Charles Hobbs v. Fairway Oaks	Pending
2018-UP-031-State v. Arthur William Macon	Pending
2018-UP-078-David Wilson v. John Gandis	Pending
2018-UP-080-Kay Paschal v. Leon Lott	Pending
2018-UP-081-State v. Billy Phillips	Pending
2018-UP-083-Cali Emory v. Thag, LLC	Pending
2018-UP-085-Danny B. Crane v. Raber's Discount Tire Rack	Pending
2018-UP-087-David Rose v. SCDOT	Pending
2018-UP-099-Shaul Levy v. Carolinian, LLC	Pending
2018-UP-109-State v. Nakia Johnson	Pending
2018-UP-111-State v. Mark Lorenzo Blake, Jr.	Pending
2018-UP-147-State v. Courtney Ray Mitchell	Pending
2018-UP-169-State v. Marquez Glenn	Pending
2018-UP-176-State v. Terry Williams	Pending
2018-UP-182-Bank of America v. Carolyn Deaner	Pending
2018-UP-183-S.C. Community Bank v. Carolina Procurement	Pending
2018-UP-185-Peggy D. Conits v. Spiro E. Conits	Pending
2018-UP-187-State v. Rodney R. Green	Pending
2018-UP-191-Cokers Commons v. Park Investors	Pending

2018-UP-193-Mark Ostendorff v. School Dt .of Pickens Cty.	Pending
2018-UP-201-Knightsbridge Property Owners v. Paul Nadeau	Pending
2018-UP-211-Hamilton Duncan v. Roy Drasites	Pending
2018-UP-214-State v. Tavarious Settles	Pending
2018-UP-216-Nicholas Geer v. SCDPPPS	Pending
2018-UP-231-Cheryl DiMarco v. Brian A. DiMarco	Pending
2018-UP-237-Harold F. Jones v. State Farm Mutual	Pending
2018-UP-242-Linda Estrada v. Andrew Marshall	Pending
2018-UP-260-Kenneth Shufelt v. Janet Shufelt	Pending
2018-UP-268-Holly Lawrence v. Jennifer Brown	Pending
2018-UP-269-Carleton Cantrell v. Aiken County	Pending
2018-UP-273-State v. Maurice A. Odom	Pending
2018-UP-275-Ronald Jarmuth v. The International Club	Pending
2018-UP-280-Scott Ledford v. Department of Public Safety	Pending
2018-UP-281-Philip Ethier v. Fairfield Memorial	Pending
2018-UP-287-S.C. Farm Bureau v. Michael Harrelson	Pending

The Supreme Court of South Carolina

In the Matter of Frank Barnwell McMaster, Petitioner.

Appellate Case No. 2017-001225

ORDER

By opinion dated January 11, 2017, this Court suspended petitioner from the practice of law for thirty months, retroactive to the date of his interim suspension.¹ *In the Matter of McMaster*, 419 S.C. 37, 795 S.E.2d 853 (2017). Petitioner filed a petition for reinstatement pursuant to Rule 33 of the Rules for Lawyer Disciplinary Enforcement, contained in Rule 413 of the South Carolina Appellate Court Rules. After referral to the Committee on Character and Fitness (the Committee), the Committee has filed a report and recommendation recommending the Court reinstate petitioner to the practice of law.

We find petitioner has met the requirements of Rule 33(f), RLDE. Accordingly, we grant the petition for reinstatement upon the conditions that petitioner (1) continue his treatment and sobriety; (2) follow all requests and recommendations of Lawyers Helping Lawyers, including appropriate monitoring for depression and anxiety; and (3) continue to renew his two-year monitoring contract with Lawyers Helping Lawyers and file annual reports of his contract compliance with the Commission on Lawyer Conduct for as long as he remains a member of the South Carolina Bar or until such time as Lawyers Helping Lawyers finds monitoring no longer necessary.

s/ Donald W. Beatty C.J.

s/ John W. Kittredge J.

s/ Kaye G. Hearn J.

¹ Petitioner was placed on interim suspension on March 4, 2014. *In the Matter of McMaster*, 407 S.C. 213, 755 S.E.2d 107 (2014).

s/ John Cannon Few J.

s/ George C. James, Jr. J.

Columbia, South Carolina

September 21, 2018

The Supreme Court of South Carolina

In the Matter of Ronald Wade Moak, Respondent.

Appellate Case Nos. 2018-001706
2018-001709

ORDER

The Office of Disciplinary Counsel asks this Court to place respondent on interim suspension pursuant to Rule 17(b) of the Rules for Lawyer Disciplinary Enforcement (RLDE) contained in Rule 413 of the South Carolina Appellate Court Rules (SCACR). The petition also seeks appointment of the Receiver pursuant to Rule 31, RLDE, Rule 413, SCACR.

IT IS ORDERED that respondent's license to practice law in this state is suspended until further order of this Court. However, pursuant to Rule 17(d), RLDE, Rule 413, SCACR, respondent may apply to this Court for reconsideration of the order.

IT IS FURTHER ORDERED that Peyre Thomas Lumpkin, Esquire, is hereby appointed to assume responsibility for respondent's client files, trust account(s), escrow account(s), operating account(s), and any other law office accounts respondent may maintain. Mr. Lumpkin shall take action as required by Rule 31, RLDE, Rule 413, SCACR, to protect the interests of respondent's clients. Mr. Lumpkin may make disbursements from respondent's trust account(s), escrow account(s), operating account(s), and any other law office accounts respondent may maintain that are necessary to effectuate this appointment.

This Order, when served on any bank or other financial institution maintaining trust, escrow and/or operating account(s) of respondent, shall serve as an injunction to prevent respondent from making withdrawals from the account(s) and shall further serve as notice to the bank or other financial institution that Peyre Thomas Lumpkin, Esquire, has been duly appointed by this Court.

Finally, this Order, when served on any office of the United States Postal Service, shall serve as notice that Peyre Thomas Lumpkin, Esquire, has been duly appointed by this Court and has the authority to receive respondent's mail and the authority to direct that respondent's mail be delivered to Mr. Lumpkin's office.

Mr. Lumpkin's appointment shall be for a period of no longer than nine months unless an extension of the period of appointment is requested.

s/ Donald W. Beatty C.J.
FOR THE COURT

Columbia, South Carolina

October 2, 2018