

SUPREME COURT OF SOUTH CAROLINA

State v. Taylor

355 S.C. 392 (2003) · Decided August 11, 2003

SUMMARY

The South Carolina Supreme Court reviewed the reinstatement of Linda Taylor’s convictions for issuing fictitious driver’s licenses. The court held that the State’s failure to object below waived the procedural argument concerning use of a verdict in arrest of judgment, but affirmed the reversal because the evidence was sufficient to support the convictions. The court construed the statute to include knowingly processing fictitious licenses issued through the DMV.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Justice Moore; Chief Justice Toal; Justice Waller; Justice Burnett; Justice Pleicones
JURISDICTION	South Carolina
DECIDED	August 11, 2003
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Supreme Court of South Carolina granted Linda Taylor's petition for a writ of certiorari to review the Court of Appeals' reversal of a trial-court acquittal entered after a jury convicted Taylor of two counts of issuing a fictitious driver's license.
STANDARD OF REVIEW	Because the trial court's arrest-of-judgment ruling essentially granted a belated directed verdict, the court applied the directed-verdict standard: whether there was evidence sufficient to submit the charge to the jury.
PRECEDENTIAL VALUE	Published opinion; precedential value under South Carolina law.
PARTIES	Linda Taylor v. State of South Carolina

TOPICS

- statutory interpretation
- criminal procedure
- appellate procedure
- preservation of error
- evidence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court properly granted a verdict in arrest of judgment based on the insufficiency of the evidence.
2. Whether a DMV employee can unlawfully issue a fictitious driver's license under S.C. Code section 56-1-515(1) when the license is issued under the DMV's authority.
3. Whether the evidence was sufficient to support Taylor's convictions.

HOLDINGS

1. Because the State did not argue in the trial court that a verdict in arrest of judgment was procedurally improper on insufficiency-of-the-evidence grounds, that procedural issue was not preserved for appeal.
2. A DMV employee who processes and physically issues a driver's license may violate section 56-1-515(1), even though the license is issued under the authority of the DMV.
3. Section 56-1-515(1) requires that the defendant knowingly issue a fictitious driver's license; a DMV employee who processes a license based on information she knew or should have known was fictitious may be guilty under the statute.
4. The evidence was sufficient to submit the charges to the jury and support Taylor's convictions for issuing fictitious driver's licenses.

KEY QUOTATIONS

“Accordingly, a DMV employee who processes a driver’s license based on information she knew or should have known was fictitious is guilty under § 56-1-515(1) for issuing a fictitious license.” (395)

“This evidence was sufficient to support Taylor’s convictions under § 56-1-515(1).” (396)

FACTUAL BACKGROUND

While managing a South Carolina Division of Motor Vehicles office, Linda Taylor processed driver's licenses for two applicants without requiring identification, written examinations, or driving tests. The applicants testified that they received licenses after providing only their names and birthdates and paying the application fee. Neither applicant provided a Social Security number or address corresponding to the license, and the evidence indicated that Taylor fabricated information necessary to complete the applications.

PROCEDURAL HISTORY

Taylor was convicted by a jury on two counts. The trial court denied her directed-verdict motion but later granted her motion for a verdict in arrest of judgment and entered an acquittal. The State appealed, and the Court of Appeals reversed and reinstated the convictions. The Supreme Court affirmed in result, holding that the Court of Appeals properly reversed the acquittal because the evidence was sufficient.

DISPOSITION

affirmed

CASES CITED

- State v. Dasher, 278 S.C. 395, 297 S.E.2d 414 (1982)
- State v. Syphrett, 27 S.C. 29, 2 S.E. 624 (1887)
- State v. Hamilton, 17 S.C. 462 (1882)
- State v. Ferguson, 302 S.C. 269, 395 S.E.2d 182 (1990)
- State v. Rothschild, 351 S.C. 238, 569 S.E.2d 346 (2002)
- State v. McKnight, 353 S.C. 238, 577 S.E.2d 456 (2003)
- State v. McGowan, 347 S.C. 618, 557 S.E.2d 657 (2001)
- 348 S.C. 152, 558 S.E.2d 917 (Ct. App. 2001)