

The Grose Law Firm, LLC

404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
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May 23, 2013

Via fax (803) 734-1499 and US Mail

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED

MAY 23 2013

S.C. Supreme Court

Re: William O. Dickerson v. State of South Carolina
Capital PCR, Case No. 2012-CP-10-3216

Dear Mr. Shearouse:

This letter follows my letter of May 17, 2013 providing the Court with a status report and filing Mr. Dickerson Petition for Court to Review the Assignment of the PCR Judge and the appendix. Please allow me to provide some additional information.

Mr. Dickerson provided the Honorable Edgar W. Dickson and the Attorney General's Office with notice of his petition by email dated May 17, 2013 at 2:49 p.m.

Although not acknowledging Mr. Dickerson's filing with this Court, Judge Dickson responded by continuing the evidentiary hearing "indefinitely," scheduling the Motion for the Court to Withdraw for "the week of June 17, 2013," and staying all other rulings and motions. By email dated May 17, 2013 at 5:32 p.m., Judge Dickson's law clerk transmitted a copy of Judge Dickson's order of the same date. Through additional emails dated May 17, 2013 at 6:35 p.m., 6:48 p.m., and 8:33 p.m., the Attorney General's Office sought clarification and obtained amendment of Judge Dickson's order.

On May 23, 2013, Mr. Dickerson moved for Judge Dickson to reconsider certain portions of his order dated May 12, 2013.

Copies Judge Dickson's order, the five emails, and motion to reconsider are enclosed.

Mr. Dickerson continues to believe this Court's intervention is necessary.

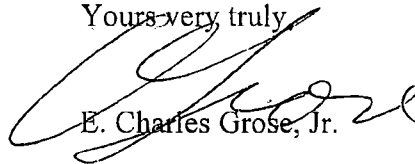
By copy of this letter to the Honorable Edgar W. Dickson and Ms. Brown, Mr. Dickerson is informing the PCR Court and the Attorney General's Office of this

communication. A copy of this letter is being emailed to Judge Dickson and Ms. Brown prior to faxing it to this Court.

Thank you for your attention to these matters. Please let me know if I can provide additional information.

With kindest regards, I am

Yours very truly

A handwritten signature in black ink, appearing to read "E. Charles Grose, Jr.", written over the typed name.

E. Charles Grose, Jr.

cc: The Honorable Edgar W. Dickson (via email and US Mail)
Elizabeth A. Franklin-Best, Esquire (via email only)
Melody Brown, Esquire (via email and US Mail)

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 William O. Dickerson, #6030,)
)
 Applicant,)
 vs.)
)
 State of South Carolina,)
)
 Respondent.)
 _____)

IN THE COURT OF COMMON PLEAS

C/A No. 2012-CP-10-3216

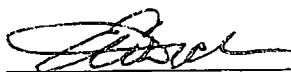
**ORDER GRANTING
MOTION TO CONTINUE HEARING**

This matter comes before the Court pursuant primarily to a Motion to Continue the Evidentiary Hearing herein, filed by the Applicant, ~~and subsequently joined by the Respondent.~~

Due to the number of outstanding matters and Motions in this case and the inability of both the parties and the Court to be adequately prepared in time, the Post-Conviction Relief Hearing herein, which has previously been scheduled for the week of June 17, 2013 in Charleston, SC is hereby continued indefinitely. The Court finds, for the aforementioned reasons, there is good cause to deviate from the Scheduling Order. The parties will enter an Amended Scheduling Order by 6/17/13.

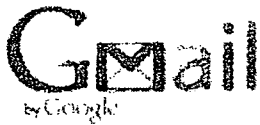
The Court will convene the week of June 17, 2013 to hear the Applicant's Motion to for the Court to Withdraw. All further Motions and rulings are hereby stayed until the Court rules on Applicant's aforementioned Motion.

AND IT IS SO ORDERED!



Edgar W. Dickson
 Presiding Judge, Ninth Judicial Circuit
 By Special Assignment of the Supreme Court

May 17, 2013.
 Orangeburg, South Carolina.



William O. Dickerson, Jr. v. State

Charles Grose <chasgrose@gmail.com>

Fri, May 17, 2013 at 2:49 PM

To: "Dickson, Edgar W. Secretary (Peggy Smith)" <edicksonsc@sccourts.org>, "Dickson, Edgar W. Law Clerk (Andrew C. Evans)" <edicksonlc@sccourts.org>, Melody Brown <MBrown@scag.gov>, Brendan McDonald <bmcDonald@scag.gov>
Cc: "Elizabeth A. Franklin-Best" <elizabeth.a.franklin@gmail.com>





Dear all,

Attached please find my letter of this date to Mr. Shearouse, Petition for Court to Review Assignment of PCR Judge (Expedited Consideration Requested), Appendix coversheet, and Appendix. Please let me know if you have any problems with the attachments. These are being mailed this afternoon for filing with the Supreme Court.

Thank your for your attention to this matter.

Best,
Charles

4 attachments

-  **Shearouse, May 17, 2013.pdf**
31K
-  **Petiton, SCSCt, May 17, 2013.pdf**
1666K
-  **Appendix, cover sheet, May 17, 2013.pdf**
98K
-  **Appendix, SCSCt petition, May 17, 2013.pdf**
4678K



Dickerson v. State, 2012-CP-10-3215, Motion to Continue Evidentiary Hearing

Dickson, Edgar W. Law Clerk (Andrew C. Evans) <edicksonlc@sccourts.org> Fri, May 17, 2013 at 5:32 PM
To: "Melody Brown (MBrown@scag.gov)" <MBrown@scag.gov>, "Elizabeth Franklin-Best (elizabeth.a.franklin@gmail.com)" <elizabeth.a.franklin@gmail.com>, "Charles Grose (chasgrose@gmail.com)" <chasgrose@gmail.com>, "Brendan McDonald (bmcdonald@scag.gov)" <bmcdonald@scag.gov>
Cc: "Dickson, Edgar W. Secretary (Peggy Smith)" <edicksonsc@sccourts.org>

Counsel,

I apologize for not responding to anyone sooner this week—we have been in a very long jury trial in Dorchester County that has just gone to the jury.

Please find attached an Order Granting the Motion to Continue the Evidentiary Hearing in the above-referenced case. Please also note that the Court will still convene the week of the previously-scheduled Hearing to hear the Applicant's Motion for the Court to Withdraw. All further Motions and rulings shall be stayed until then.


We will send the original Order to Mr. Grose via US Mail to file on Monday.

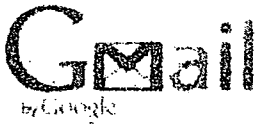
Hope everyone has a good weekend!

Thank you. Kind regards,

Drew Evans

Andrew C. Evans
Law Clerk, Hon. Edgar Warren Dickson
First Judicial Circuit
P. O. Box 1949
Orangeburg, S. C. 29116
803-535-2187 (phone)
803-535-2188 (fax)

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58K



Dickerson v. State, 2012-CP-10-3215, Motion to Continue Evidentiary Hearing

Melody Brown <MBrown@scag.gov>

Fri, May 17, 2013 at 6:35 PM

To: "Dickson, Edgar W. Law Clerk (Andrew C. Evans)" <edicksonlc@sccourts.org>, "Elizabeth Franklin-Best (elizabeth.a.franklin@gmail.com)" <elizabeth.a.franklin@gmail.com>, "Charles Grose (chasgrose@gmail.com)" <chasgrose@gmail.com>, Brendan McDonald <bmcDonald@scag.gov>

Cc: "Dickson, Edgar W. Secretary (Peggy Smith)" <edicksonsc@sccourts.org>, Melissa Vail <MVail@scag.gov>

Dear Mr. Evans,

Please be advised we have received the Order of Continuance. I understand you will mail the signed Order Monday. I respectfully request the opportunity to ask the Judge to reconsider indicating that Respondent joined in the motion to continue the evidentiary hearing. Essentially, we would submit we requested expedited hearing on the motion to withdraw but have not joined in the motion to continue the evidentiary hearing. I would appreciate your guidance.

Also, we have an outstanding request via letter dated today regarding a transcript. Though not a motion, am I correct in understanding that the Judge would prefer not to respond given the stay of the proceedings otherwise?

Thank you for your assistance. I am advising opposing counsel of this communication by copy of this e-mail.

Sincerely,

Melody J. Brown
Senior Assistant Attorney General
Capital Litigation Section
Office of the Attorney General
State of South Carolina
P.O. Box 11549
Columbia, SC 29211-1549
P (803) 734-6305
F (803) 734-4035
mbrown@scag.gov

-----Original Message-----

From: Dickson, Edgar W. Law Clerk (Andrew C. Evans) [mailto:edicksonlc@sccourts.org]

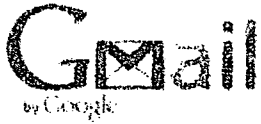
Sent: Friday, May 17, 2013 5:33 PM

To: Melody Brown; Elizabeth Franklin-Best (elizabeth.a.franklin@gmail.com); Charles Grose (chasgrose@gmail.com); Brendan McDonald

Cc: Dickson, Edgar W. Secretary (Peggy Smith)

Subject: Dickerson v. State, 2012-CP-10-3215, Motion to Continue Evidentiary Hearing

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Dickerson v. State, 2012-CP-10-3215, Motion to Continue Evidentiary Hearing

Dickson, Edgar W. Law Clerk (Andrew C. Evans) <edicksonlc@sccourts.org> Fri, May 17, 2013 at 6:48 PM
To: Melody Brown <MBrown@scag.gov>, "Elizabeth Franklin-Best (elizabeth.a.franklin@gmail.com)" <elizabeth.a.franklin@gmail.com>, "Charles Grose (chasgrose@gmail.com)" <chasgrose@gmail.com>, Brendan McDonald <bmcDonald@scag.gov>
Cc: "Dickson, Edgar W. Secretary (Peggy Smith)" <edicksonsc@sccourts.org>, Melissa Vail <MVail@scag.gov>

Ms. Brown,

I apologize. I was under the impression that the State had concurred in that request.

The Court has stricken that clause from the Order that will be sent to Mr. Grose.

Thank you. Kind regards,

Drew Evans

Andrew C. Evans
Law Clerk, Hon. Edgar Warren Dickson
First Judicial Circuit
P. O. Box 1949
Orangeburg, S. C. 29116
803-535-2187 (phone)
803-535-2188 (fax)

[Quoted text hidden]



Dickerson v. State, 2012-CP-10-3215, Motion to Continue Evidentiary Hearing

Melody Brown <MBrown@scag.gov>

Mon, May 20, 2013 at 8:33 AM

To: "chasgrose@gmail.com" <chasgrose@gmail.com>, "elizabeth.a.franklin@gmail.com"

<elizabeth.a.franklin@gmail.com>

Cc: Brendan McDonald <bmcDonald@scag.gov>

Dear Charles and Betsy -

I understand the Judge will not rule on my request to review the March 6, 2013 transcript until after the June hearing.

I consider it still ex parte until the Judge tells me otherwise. Do you want me to forward my copy to you, shred, or keep (separate and un-reviewed) until the June hearing?

Melody

-----Original Message-----

From: Dickson, Edgar W. Law Clerk (Andrew C. Evans) [mailto:edicksonlc@sccourts.org]

[Quoted text hidden]

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON)	
)	
William O. Dickerson, #6030)	Cases Number: 2012-CP-10-3216
)	
v.)	
)	
State of South Carolina,)	Motion to Reconsider Order Dated
Defendant)	May 17, 2013

The applicant, William O. Dickerson, Jr., moves the Court to reconsider and clarify the order dated May 17, 2013 continuing "indefinitely" the evidentiary hearing. This motion is based on the following grounds:

1) The Court ordered, "The parties will enter an amended Scheduling Order by 6/17/2013." Mr. Dickerson is confused about the necessity to enter into a new scheduling order "by 6/17/2013" prior to when "[t]he Court will convene the week of June 17, 2013 to hear the Applicant's Motion for the Court to Withdraw." If this Court or our Supreme Court grants Mr. Dickerson's motion, then the next Circuit Court Judge assigned to preside over Mr. Dickerson's capital post-conviction case should address scheduling issues. Additionally, as pointed out during the February 8, 2013 hearing in St. George, Mr. Dickerson requires access to investigative and expert resources to investigate post-conviction claims outside the trial court record. *See* Tr. (2/8/2013) 45-50, 55. Mr. Dickerson's ability to discuss scheduling in a meaningful way, therefore, depends on his access to investigative and expert resources and consultations with the experts.

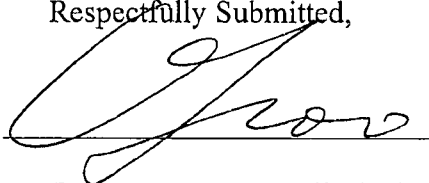
2) The Court's order scheduled Mr. Dickerson's Motion for the Court to Withdraw for "the week of June 17, 2013." Counsel's motion stated, "Mr. Dickerson is

not requesting a hearing on this motion. If the Court deems a hearing necessary, then Mr. Dickerson moves the Court for an order transporting him to the hearing.” Mr. Grose met with Mr. Dickerson on May 21, 2013 and confirmed that Mr. Dickerson still wants to be present at this hearing. The Court, therefore, should amend the order and grant Mr. Dickerson’s motion to present for this hearing.

IT IS SO MOVED.

Respectfully Submitted,

By



E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 992-3433

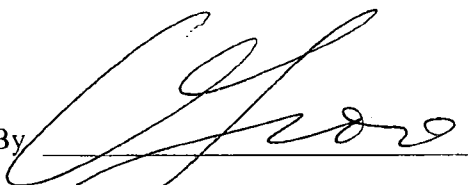
Elizabeth A. Franklin-Best
Blume Norris & Franklin-Best, LLC
900 Elmwood Ave, Ste. 101
Columbia, SC 20201
(803) 765-1044

May 23, 2013

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON)	
)	
William O. Dickerson, #6030)	Cases Number: 2012-CP-10-3216
)	
v.)	
)	
)	
State of South Carolina,)	
Defendant)	
_____)	

I certify that I have served a copy of this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on date reflected below, addressed as follows:

Melody J. Brown, Esquire
 Office of the Attorney General
 P.O. Box 11549
 Columbia, SC 29211

By 

E. Charles Grose, Jr.
 The Grose Law Firm, LLC
 404 Main Street
 Greenwood, SC 29646
 (864) 538-4466

May 23, 2013
 Greenwood, South Carolina