

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas
HONORABLE WILLIAM A. MCKINNON
2021-CP-11-00615

ROBERT HOLLIS, SCDC# 323035

APPELLANT,

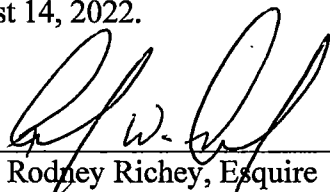
vs.

STATE OF SOUTH CAROLINA,

RESPONDENT.

NOTICE OF APPEAL

Robert Hollis appeals the denial of his Post-Conviction Relief. The Post-Conviction Relief Action was heard and denied by the Honorable William A. McKinnon, Circuit Judge on June 7, 2022 an Order issued on July 11, 2022 and filed on August 9, 2022. The Appellant received notice of the judgment on August 14, 2022.



Rodney Richey, Esquire
Attorney for the Appellant
33 Market Point Drive
Post Office Box 10916
Greenville, SC 29603
(864) 467-0503
(864) 467-0646 fax

Other Counsel of Record:
Chelsey Marto, Esquire
Office of Attorney General State of SC
Post Office Box 11549
Columbia, SC 29211-1549

RECEIVED

AUG 17 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA)
 COUNTY OF CHEROKEE)
)
 Robert Hollis, #323035,)
 Applicant,)
))
 v.)
))
 State of South Carolina,)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FOR THE SEVENTH JUDICIAL CIRCUIT

Case No.: 2021-CP-11-00615

ORDER OF DISMISSAL

FILED IN OFFICE OF
 CLERK OF COURT
 CHEROKEE COUNTY, S.C.
 2022 AUG -9 AM 9:35
 BRANDY W. HOBEE

This matter comes before this Court by way of Applicant’s post-conviction relief application filed September 17, 2021. Respondent made its return on November 24, 2021, requesting an evidentiary hearing be convened. An evidentiary hearing was held on June 7, 2022, at the Spartanburg County Courthouse. Rodney W. Richey, Esquire, represented Applicant. Assistant Attorney General Chelsey F. Marto represented Respondent.

Applicant testified on his own behalf at the evidentiary hearing. Counsel Steven Epps, Esquire, also testified. After reviewing all records and evidence before this Court, this Court finds Applicant cannot meet his requisite burden of proof of establishing he is entitled to post-conviction relief and denies and dismisses this application with prejudice. Findings of fact and conclusions of law are set forth below.

Procedural History

Applicant is presently confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Cherokee County Clerk of Court. During its March 2019 term, the Cherokee County Grand Jury indicted Applicant for murder (count one) and possession of a weapon during the commission of a violent crime (count two) (2019-GS-11-0410) and attempted murder (count one) and possession of a weapon during the commission of a violent crime (count two) (2019-GS-11-00411). Applicant was represented by Steven D. Epps, Esquire. Deputy

Solicitor Derrick B. Balsa of the Seventh Circuit Solicitor's Office prosecuted the case. On May 11, 2021, Applicant appeared before the Honorable Grace Gilchrist Knie, circuit court judge, and entered an *Alford* plea to the lesser included offenses of voluntary manslaughter and assault and battery of a high and aggravated nature. He pled to one count of possession of a weapon, as indicted. All remaining charges were dismissed. Applicant pled to negotiated sentences of twenty-five years' imprisonment for voluntary manslaughter, twenty years' imprisonment for assault and battery of a high and aggravated nature, and five years' imprisonment for possession of a weapon in commission of a violent crime. Judge Knie sentenced Applicant in accordance with the negotiated sentences, sentences running concurrently. Applicant did not pursue a direct appeal.

Summary of Relevant Facts

State's Version of the Facts

On December 1, 2018, the police received a 911 call from Christopher Poole, a victim, who had been shot. (Tr. 18). The victim stated that three armed men arrived and, during the incident, he as well as another victim, Janet Smith, were hit and shot. (Tr. 18). Smith lived at the residence and Poole was visiting her and slept on her couch earlier in the evening as she left the residence and came back. (Tr. 18). Poole stated that he was awoken by a noise at the door, and he described a forceful entry in the residence and money demanded from Smith by the three men. (Tr. 18). He identified one of the men as Red, who was Dewayne Lipscomb. (Tr. 18). Lipscomb was located by the police with other individuals that Lipscomb was with earlier that evening. (Tr. 18). Lipscomb confronted Smith at another residence, demanding money at that residence as well. (Tr. 18-19).

The police connected Applicant and Covatrice Ford to the incident. (Tr. 19). Applicant

was located by the police and interviewed. (Tr. 19). Applicant admitted to being on scene but tried to downplay his involvement. (Tr. 19). He admitted to having 9-millimeter pistol, which he had in hand. (Tr. 19).

The house was cluttered, and only four shell casings found. (Tr. 19). Poole had five wounds on him, some believed to be through and through. (Tr. 19). He still has shrapnel remaining inside him. (Tr. 19). No bullet was pulled from him that was matched with any weapon. (Tr. 19).

The round pulled from Smith's head was determined to be most likely from a 9-millimeter pistol. (Tr. 19). The shooter was not identified, but all co-defendants, including Applicant, were indicted under hand of one hand of all. (Tr. 19).

Lipscomb was arrested with a 9-millimeter in his possession in North Carolina. (Tr. 19). The State stated they could not determine that Applicant fired the weapon, but in the statement, Applicant gave, he stated he had a 9-millimeter and his co-defendants had a .40 caliber and .45 caliber, respectively. (Tr. 19-20). Applicant did not describe another 9-millimeter being present. (Tr. 20). The police located Ford, who did not give a police statement, but later spoke with prosecution. (Tr. 20). Ford pled guilty and was awaiting sentencing by the time of Applicant's plea. (Tr. 20). Applicant cooperated with the State, but his testimony was not used at Lipscomb's trial because his narrative of who had what gun changed over time. (Tr. 20).

Defense's Version of the Facts

Counsel stated that Applicant seemingly gave a police statement while visibly intoxicated, to give his version of the story. (Tr. 21-22). Three people were in the home. (Tr. 22). Smith, the deceased, was shot one time. (Tr. 22-23). Poole was shot multiple times. (Tr. 23). Applicant was in the home at the time, and the other two individuals in the home were also

armed. (Tr. 23). Applicant stated during the police interview he had a 9-millimeter gun and evidence shows that a 9-millimeter was likely involved in both shootings. (Tr. 23). Applicant was steadfast leading up to the plea that he did not shoot either victim. (Tr. 23-24). Still, he entered an *Alford* plea. Applicant stated he agreed with Counsel's statements.

Current Action Before this Court

In his current PCR application, Applicant alleges he is being held in custody unlawfully because of ineffective assistance of counsel in that:

1. Ineffective assistance of counsel
 - a. Threatened by my attorney that I, by being present on scene, could be convicted under hand of one hand of all.
 - b. Counsel stated that he would receive the same amount of time as his co-defendants if he pled, but one co-defendant received less time.
 - c. Threatened with going to trial if he did not plead under *Alford*.

At the PCR hearing, Applicant proceeded forward on the following allegations:

1. Ineffective assistance of counsel:
 - a. For failure to file a motion to reconsider the sentence because one of his co-defendants received a lesser sentence.
2. Involuntary plea:
 - a. Applicant was afraid he would receive life imprisonment if he went to trial.
 - b. Counsel failed to convey what a negotiated plea means.

All other allegations raised in his initial application and amendments are deemed waived and abandoned and, accordingly, will not be addressed in this order.

Summary of the Testimony

Applicant Testimony

Applicant testified that the State alleged that he and his co-defendants traveled somewhere, and someone was shot and killed by them. He stated that he was home at the time and had nothing to do with the shooting. The other two men claimed that he was the shooter. He stated he received a twenty-five-year sentence, but that one of his co-defendants only received eighteen years' imprisonment. Applicant testified that his other co-defendant also received a

twenty-five-year sentence. Applicant stated that he did not understand what a negotiated plea was at the time of the plea. When questioned by the Court, Applicant stated he thought that the Court could sentence Applicant between zero- and twenty-five years' imprisonment. He stated he was not in the house when the shots were fired. He stated he was promised everyone involved would receive the same sentence. Applicant stated that he thought Counsel should have filed a motion to reconsider the sentence after Applicant's co-defendant received a lesser sentence.

On cross-examination, Applicant stated he decided to plead because he was afraid, he would receive life imprisonment if he went to trial. Applicant stated that he knew the rights he was waiving by pleading. He stated that he knew the Court had to impose a twenty-five-year sentence, based upon the negotiations. Applicant stated that he thought everyone should have received the same sentence because, under the hand of one hand of all theory, they are all equally culpable under the law. Accordingly, Applicant stated that because they are equally culpable, they should each receive equal punishment, whether that be eighteen- or twenty-five years' imprisonment. He stated that imposition of different sentence lengths is unfair and Counsel, being an attorney, should have discovered and acted upon this by moving to reconsider the sentence.

Counsel Testimony

Counsel testified that there were three defendants involved in this incident. He stated that they were being charged under the hand of one hand of all theory. He stated that Applicant was the oldest of the three and was high on methamphetamine when picked up by the police. He stated that Applicant had a nine-millimeter gun, which was the type of gun used to kill the victim. Counsel testified he was surprised Applicant's co-defendant received eighteen years' imprisonment. He testified that he thought he would have received twenty years' imprisonment.

Counsel testified he has considered whether he should have filed a motion to reconsider the sentence but was unsure whether that would have been successful.

On cross-examination, Counsel testified that he has seen co-defendants receive different sentence lengths, even when charged and convicted under the hand of one hand of all theory. He stated that he understood why Applicant's co-defendant received a lesser sentence. Specifically, he cooperated with law enforcement early on and was not the shooter. Counsel testified that he thought the plea was in Applicant's best interest. He stated he did not think Applicant would receive a lesser sentence if he filed a motion to reconsider the sentence based upon Applicant's co-defendant receiving a lesser sentence.

Findings of Fact and Conclusions of Law

This Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. Before this Court are the Spartanburg County Clerk of Court Records, Applicant's South Carolina Department of Corrections Records, the plea transcript, and this PCR action's records. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusion of law as required by South Carolina Code Annotated Section 17-27-80 (2003).

Ineffective Assistance of Counsel

In a PCR action, the applicant bears the burden of proving allegations contained in the application. *Butler v. State*, 286 S.C. 441, 334 S.E.2d 813 (1985). When an applicant asserts ineffective assistance of counsel as a ground for relief, the applicant must show "counsel's conduct so undermined the proper functioning of the adversarial process that [it] cannot be relied upon as having produced a just result." *Strickland v. Washington*, 466 U.S. 668, 686 (1984);

Butler, 286 S.C. at 442, 334 S.E.2d at 814. Ineffective assistance of counsel is governed by the Sixth Amendment, as explained by the United States Supreme Court in *Strickland v. Washington*.

Pursuant to the first prong of the *Strickland* analysis, the applicant must prove defense counsel's performance was deficient. *Id.* at 686; *Cherry v. State*, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989). To show deficiency, the applicant must prove by a preponderance of the evidence that counsel's actions fell outside of the zone of "reasonableness under prevailing professional norms." *Strickland*, 466 U.S. at 688. See also Rule 71.1(e), SCRCP ("The applicant has the burden of establishing his entitlement to relief by a preponderance of the evidence."). Reasonableness is determined by the "variety of circumstances faced by defense counsel or the range of legitimate decisions regarding how to best represent a criminal defendant," and the scope of the reasonableness inquiry is limited to facts counsel had available at the time of representation. *Id.* at 689. "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." *Yarborough v. Gentry*, 540 U.S. 1, 5 (2003) (citing *Strickland*, 466 U.S. at 690). Judicial scrutiny of counsel's performance remains highly deferential towards defense counsel with a strong presumption that counsel acted competently, because competent representation may be executed in virtually "countless" ways. *Strickland*, 466 U.S. at 688-89.

Second, counsel's deficient performance must have prejudiced the applicant so that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Cherry*, 300 S.C. at 117-18. "A reasonable probability is a probability sufficient to undermine confidence in the outcome." *Strickland*, 466 U.S. at 694. The court makes this determination based upon the totality of the evidence. *Id.* at 695.

Realistically, this matters “only in the rarest case” because “[t]he likelihood of a different result must be substantial, not just conceivable.” *Harrington v. Richter*, 562 U.S. 86, 111-12 (2011) (quoting *Strickland*, 466 U.S. at 697).

The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. *Strickland*, 466 U.S. at 696. A court need not first determine whether counsel’s performance was deficient before examining the prejudice suffered by the defendant because of the alleged deficiencies; if it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, that course should be followed. *Id.* at 696-97.

Involuntary Plea

Applicant also implies in ^{his} her application that her plea was invalid. For a guilty plea to be valid, the record must establish the defendant had a full understanding of the consequences of ^{his} her plea and the charges against ^{him} her. *Dalton v. State*, 376 S.C. 130, 138, 654 S.E.2d 870, 874 (Ct. App. 2007) (citing *Boykin v. Alabama*, 395 U.S. 238, 242 (1969)). Further, an applicant can attack the voluntary, knowing, and intelligent character of a guilty plea entered on advice of counsel by showing counsel’s advice in taking the plea fell below an objective standard of reasonableness. *Porter v. State*, 368 S.C. 378, 629 S.E.2d 353 (2006). “That a guilty plea must be intelligently made is not a requirement that all advice offered by the defendant’s lawyer withstand retrospective examination in a post-conviction hearing.” *McMann v. Richardson*, 397 U.S. 759, 770 (1970). Rather, “whether a plea of guilty is unintelligent . . . depends as an initial matter, not on whether a court would retrospectively consider counsel’s advice to be right or wrong, but on whether that advice was within the range of competence demanded of attorneys in criminal cases.” *Id.* at 771.

Respondent contends that the plea was entered voluntarily, freely, knowingly, and intelligently. After the State recited the charges pled to, Counsel stated that was his understanding of what Applicant would be pleading to. (Tr. 5). The Court, upon review of the sentencing sheets, confirmed with Counsel what the negotiated sentences were. (Tr. 5-6). Counsel confirmed Applicant would receive credit for time served. (Tr. 6). The Court confirmed with Counsel that the plea was entered under *Alford* without objection from the State. (Tr. 6).

The Court spoke with Applicant, after confirming he was placed under oath. (Tr. 7). Applicant confirmed his understanding was he would be pleading to lesser included offenses for a couple of the charges as well as one possession of a weapon during commission of a violent crime, with the other weapons possession charge being dismissed. (Tr. 8-9). He confirmed he knew the purpose of the hearing was to enter a plea to three charges, as opposed to having a jury or bench trial on the charges. (Tr. 9). He stated he understood he was waiving his rights to trial by jury, to remain silent, and call and confront witnesses. (Tr. 9). He stated he understood that if he went forward to a trial, the burden of proof would be on the State to prove every element against him beyond a reasonable doubt and that he would be presumed innocent until proven guilty and that every jury would have to agree on a guilty verdict before he was proven guilty. (Tr. 9-10). He stated he wanted to waive these rights to plead. (Tr. 10). He stated no one forced, promised, or threatened him into pleading and that he was not under the influence of anything that would impair his judgment. (Tr. 10). He stated he did not have a mental or physical disability impairing his ability to understand what he was doing and that he was not on prescribed medication. (Tr. 10-11). He stated he was satisfied with Counsel and that Counsel did everything he asked him to do on the case. (Tr. 11). He stated he understood the charges, lesser included offenses pled to, and the sentencing ranges. (Tr. 11-14). He stated he understood the

voluntary manslaughter offense is classified as violent and most serious and that assault and battery of a high and aggravated nature is classified as both violent and serious. (Tr. 12-13). He stated he understood the second weapons possession charge would be dismissed. (Tr. 14). He stated he understood the negotiated sentences and that she could not reduce the negotiated sentences in any way. (Tr. 14-15). Applicant stated he understood that if the Judge determined she was unwilling to accept the plea, he had the option to withdraw it. (Tr. 15-16). He stated he understood he was entering an *Alford* plea. (Tr. 16).

The Court again asked Counsel questions. Counsel stated that he remembered reviewing evidence and discovery with Applicant, that they discussed his options between pleading and going to trial, and that they discussed the trial and potential plea aspects of the case and he informed Applicant of what a plea is. (Tr. 16). Applicant stated he remembered discussing the evidence and discovery with Counsel and his options between pleading and going to trial. (Tr. 16-17). Applicant stated that he believed that, based on the evidence, a jury would more likely than not determine he was guilty. (Tr. 17). He stated he was entering the plea freely, knowingly, and voluntarily. (Tr. 17). He stated he understood he had ten days to appeal the plea after the hearing. (Tr. 17). Thus, Respondent contends that the plea was entered freely, knowingly, intelligently, and voluntarily.

Additionally, at the PCR hearing, Applicant testified that he pled because he was afraid, he would receive life imprisonment if he did not plead. Additionally, Counsel testified that he thought the plea was in Applicant's best interest. Thus, this Court finds that the plea was entered freely, voluntarily, intelligently, and knowingly and cannot be withdrawn now.

Failure to File Motion to Reconsider the Sentence

Applicant's allegation that Counsel was ineffective for failure to move to reconsider the sentence because he was sentenced differently than Applicant's co-defendant. The underlying argument Applicant wanted advanced through a post-trial motion is without merit. *See State v. Follin*, 352 S.C. 235, 257, 573 S.E.2d 812, 824 (Ct. App. 2004)("[W]hen the record clearly reflects an appropriate basis for a disparate sentence, the sentencing judge may impose a different sentence on a co-defendant in a criminal trial."); *State v. Charping*, 333 S.C. 124, 131, 508 S.E.2d 851, 855 (1998) (explaining sentencing judges may consider a codefendant's sentence but they are not required to do so).

Counsel was not deficient for failing to advance an unsuccessful argument, particularly considering his PCR hearing testimony that he did not think the motion would be successful. This Court concurs with Counsel finds that the post-trial motion on this basis would not have been successful in the case. Thus, no prejudice is found, and relief is denied on this allegation accordingly.

Trial Tax

Applicant claims he was coerced into pleading because he was told if he did not plead, he would likely face life in prison. Being informed that if he went to trial, he would face more time in prison does not rise to the level of coercion and is not enough to render the plead invalid. Accordingly, relief is denied on this ground.

Negotiated Plea

Applicant's claim that he did not understand what a negotiation plea is without merit. Despite his remark during direct examination indicating he did not understand what a negotiated sentence meant, Applicant testified during cross-examination at the PCR hearing that he knew

the Court had to impose a twenty-five-year sentence, based upon the negotiations. Additionally, at the plea hearing, Applicant was informed by the Court that the Court could only either accept or reject the plea, but if the plea was accepted, the Court was bound to the negotiations. (Tr. 14-16). To this, Applicant stated he understood. (Tr. 14-16). Accordingly, because this claim is refuted by the record and Applicant's testimony, relief is denied on this ground.

Conclusion

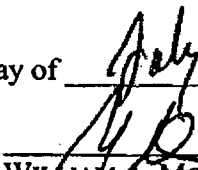
Based on all the foregoing, this Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this PCR application must be denied and dismissed with prejudice.

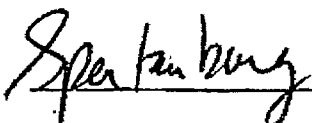
This Court notifies the Applicant that he must file and serve a notice of appeal within thirty days of receipt by counsel of the judgment entry's written notice to secure appropriate appellate review. See Rule 203, SCACR. Pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991), an Applicant has the right to appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1(g), SCRCR provides that if the Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Your attention is directed to South Carolina Appellate Court Rule 243 for appropriate appellate procedures.

IT IS THEREFORE ORDERED:

1. The PCR application be denied and dismissed with prejudice; and
2. Applicant be remanded to the custody of Respondent.

AND IT IS SO ORDERED this 11 day of July, 2022.


WILLIAM A. MCKINNON
Presiding Judge
Seventh Judicial Circuit

, South Carolina.

RECEIVED

AUG 17 2022

S.C. SUPREME COURT

FORM 4

**STATE OF SOUTH CAROLINA
COUNTY OF CHEROKEE
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE
CASE NUMBER 2021CP1100615**

Robert B Hollis Jr

State Of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

FILED IN OFFICE OF
 CLERK OF COURT
 CHEROKEE COUNTY, SC
 2022 AUG -9 PM 4: 5
 BRANDY W. MCBEE

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

S/ William A. McKinnon
Circuit Court Judge

2761
Judge Code

8/9/2022
Date

For Clerk of Court Office Use Only

This judgment was entered on 08/09/2022, and a copy mailed first class or placed in the appropriate attorney's box on 08/09/2022, to attorneys of record or to parties (when appearing pro se) as follows:

Rodney Wade Richey PO Box 10916 Greenville, SC
29603-0916

Alan McCrory Wilson S.C. Attorney General's Office PO
Box 11549 Columbia, SC 29211-1549

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Brandy W. McBee

Court Reporter

Brandy W. McBee - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA
COUNTY OF CHEROKEE
IN THE COURT OF COMMON PLEAS

ROBERT HOLLIS, #323035

Applicant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Order of Dismissal has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Mr. Rodney Richey, Esquire.
Richey and Richey Law Firm
Post Office Box 10916
Greenville, South Carolina 29603**

This 10th day of August 2022.


Jennifer Jennison
Legal Assistant for Respondent

RECEIVED
AUG 17 2022
S.C. SUPREME COURT