

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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MAY 24 2013

APPEAL FROM UNION COUNTY
Court of Common Pleas
Post Conviction Relief

S.C. Supreme Court

Honorable Lee S. Alford, Circuit Court Judge

Case No.: 2011-CP-44-0331

Christopher Pride,

Petitioner,

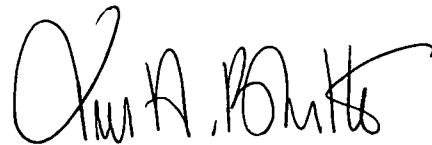
vs.

State of South Carolina,

Respondent.

NOTICE OF APPEAL

Christopher Pride, through counsel, appeals the Amended Order of Dismissal and Order issued by the Honorable Lee S. Alford on April 22, 2013, which was filed on April 25, 2013. Petitioner, through counsel, received notice of the entry of the Amended Order of Dismissal and Order on April 26, 2013.



Tricia A. Blanchette
PO Box 12725
Columbia, SC 29211
(803) 988-0008
Attorney for Petitioner

Other Counsel of Record:

J. Rutledge Johnson
Assistant Attorney General
PO Box 11549
Columbia, SC 29211

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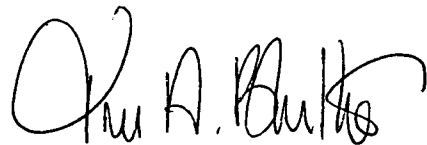
State of South Carolina,

Respondent.

CERTIFICATE OF SERVICE

I, Tricia A. Blanchette, Attorney for Petitioner, hereby certify that I that I hand delivered this 24th day of May 2013, a copy of a Notice of Appeal to J. Rutledge Johnson of the Attorney General's Office, at:

Office of the Attorney General
Att: J. Rutledge Johnson, Ast. AG
1000 Assembly Street, Room 519
Columbia, SC 29201



Tricia A. Blanchette
PO Box 12725
Columbia, SC 29211
(803) 988-0008
Attorney for Petitioner



LAW OFFICE OF TRICIA A. BLANCHETTE **RECEIVED**

May 21, 2013

MAY 24 2013

Michael R. Watts
489 Edgewater Drive
Gaffney, SC 29340

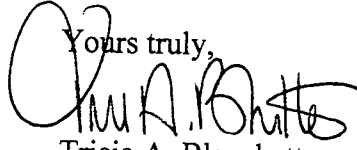
S.C. Supreme Court

RE: Christopher Pride v. State; Docket No.: 2011-CP-44-0331

Dear Mr. Watts:

I am writing to request the transcript from the Post Conviction Relief hearing held in York County in front of the Honorable Lee S. Alford on February 8, 2013. Please prepare the transcript in accordance with the format requirements as set forth in the Court Reporter Manual. Please note that amended Rule 227(e)(3), SCACR, now requires as detailed an index for PCR hearings as for trial transcripts. Please include all exhibits in the index.

Upon receipt of your statement for this transcript, I will remit payment. Please contact me if any additional information is needed. Thank you for your assistance with this matter.

Yours truly,

Tricia A. Blanchette
Attorney at Law

cc: South Carolina Supreme Court
South Carolina Court Administration
J. Rutledge Johnson, Assistant Attorney General

RECEIVED

FILED FOR RECORD

MAY 24 2013

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS)
2013 APR 25 PM 1:00) FOR THE SIXTEENTH JUDICIAL CIRCUIT)
S.C. Supreme Court

COUNTY OF UNION)
WILLIAM F. GAULT)
CLERK OF COURT)
UNION, SC)

Christopher Pride, #281240)

2011-CP-44-0331

Applicant,)

vs.)

AMENDED ORDER OF DISMISSAL

State of South Carolina)

Respondent.)

This matter comes before the Court by way of an Application for Post Conviction Relief filed August 23, 2011. The Respondent made its Return and Motion to Dismiss on December 19, 2011. This Court signed a Conditional Order of Dismissal on the grounds of failure to file with the statute of limitations on January 4, 2011. The Applicant filed a response alleging Fletcher Smith (Counsel Smith) advised him he had one year from the denial of certiorari from the United States Supreme Court to file his application. The Respondent agreed with the Applicant's prior PCR Counsel, Elizabeth Wiygul, to allow the Applicant an evidentiary hearing. The Applicant subsequently hired Tricia Blanchette as PCR Counsel. The applicant, through Counsel, filed an amended PCR application on November 29, 2012. An evidentiary hearing into the matter was convened on February 8, 2013, at the Moss Justice Center in York, S.C. Tricia Blanchette, Esquire, represented the Applicant. J. Rutledge Johnson, Esquire, of the South Carolina Attorney General's Office, represented the Respondent.

At the hearing, the Applicant testified on his own behalf. Fletcher Smith, Esquire, and Bill All, Esquire, also testified. This Court had before it a copy of the records of the uk

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Union County Clerk of Court, records from the South Carolina Department of Corrections, and the trial and sentencing transcripts.

PROCEDURAL HISTORY

The Applicant is presently confined in the South Carolina Department of Corrections Pursuant to orders of commitment of the Union County Clerk of Court. The Applicant was indicted at the June 2003 term of the Union County Court of General Sessions for Possession of Crack Cocaine with Intent to Distribute (PWID) (2003-GS-44-0519) and PWID Crack Cocaine within proximity of a school (2003-GS-44-0523). He was originally represented by Fletcher Smith, Esquire. On September 13, 2004, the Honorable J. Cordell Maddox, Jr. relieved Counsel Smith from representation. The Applicant subsequently applied to the 16th Circuit Public Defender's Office, and Bill All (Counsel All) was appointed to represent the Applicant.

According to the trial transcript, the Applicant was scheduled to meet with Counsel All on two occasions, but failed to show up due to work obligations. On October 1, 2004, Counsel wrote the Applicant a letter, stressing the importance of meeting with him to discuss the case and prepare for trial, which was scheduled for the week of October 11, 2004. The Applicant rescheduled an appointment for October 7, 2004, but failed to show and/or call Counsel All's office. The day before the scheduled trial, the Applicant appeared for roll call, met with Counsel All and stated he needed to meet with Counsel Smith. Counsel All then attempted to contact Counsel Smith concerning representation. The solicitor informed Counsel All that Counsel Smith's office had contacted the solicitor and stated Counsel Smith did not represent the Applicant.

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On October 13, 2004, the case proceeded to trial. During pre-trial discussions and motions, the solicitor introduced a bond form, signed by the Applicant, that informed the Applicant that if he failed to show for trial, he would be tried in his absence. The State then moved to try the Applicant in his absence. Immediately following this motion, there was a discussion about Counsel All's representation of the Applicant, and the Honorable John C. Hayes, III relieved Counsel All from representation. The Applicant, *pro se*, was tried by a jury *in absentia* and convicted of PWID Crack Cocaine, 2nd offense, and PWID Crack Cocaine with proximity of a school. The sentence was sealed until the Applicant was located.

On January 18, 2005, the Applicant appeared for a sentencing hearing before the Honorable G. Thomas Cooper, Jr. Counsel All was reappointed for sentencing and for the primary purpose of filing an appeal. Judge Cooper unsealed the sentence by which Judge Hayes sentenced the Applicant to confinement for twenty-five (25) years for PWID Crack Cocaine, 2nd offense, and fifteen (15) years, concurrent, for the proximity charge.

Thereafter, the Applicant appealed his conviction and sentence. After full briefing, the South Carolina Court of Appeals affirmed his conviction. State v. Pride, 2007-UP-544 (S.C. Ct. App. filed December 5, 2007). The Applicant then appealed to the South Carolina Supreme Court who granted certiorari. Subsequently, the S. C. Supreme Court dismissed the Applicant's appeal as improvidently granted. State v. Pride, Op. No. 2009-MO-064 (S.C. filed December 14, 2009). The Remittitur was issued on December 30, 2009.

The Applicant then appealed to the United States Supreme Court. The Supreme Court denied his petition for writ of certiorari on June 21, 2010.

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In his original Application, the Applicant alleged that he is being held in custody unlawfully for the following reasons:

1. "Ineffective Assistance of Counsel"
2. "Violation of S. C. Const. Article 1, Section 3 and U.S. Const. 14"

In his amended Application, the Applicant alleged that he is being held in custody unlawfully for the following reasons:

1. "As to representation by William All, Esquire:"
 - a. "Ineffective assistance of counsel for failure to effectively argue against trial in absence."
 - b. "Ineffective assistance of counsel for failure to protect client's right to counsel during trial in absence."
 - c. "Ineffective assistance of counsel for failure to file a Motion pursuant to Rule 29 (a), SCRCrimP, following his reappointment during Applicant's sentencing hearing."
2. "As to representation rendered by Fletcher Smith, Esquire:"
 - a. "Ineffective assistance of counsel for failure to act on guilty plea offer communicated to Applicant."
 - b. "Ineffective assistance of counsel for failure to appear in court at trial or sentencing to address the existence of an attorney/client relationship with Applicant."

SUMMARY OF TESTIMONY

Counsel Smith testified he was retained to represent the Applicant in this matter. Counsel stated he attended a bond hearing in the Applicant's behalf and met with the solicitor about the case. Counsel testified he had a disagreement with the Applicant and that the Applicant had not paid the entire retainer fee. Subsequently, the Applicant fired Counsel, and Judge Maddox relieved Counsel. Counsel also testified he did not recall a

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plea offer from the State, and there was no record in his file concerning a plea offer. Additionally, Counsel stated the Applicant would not cooperate with him, but did attend roll call. After being relieved, Counsel sent the Applicant to apply for the public defender's office. Counsel further testified he was retained by the Applicant on the appeal and raised the issue of issue of waiver of right to counsel. Counsel lastly testified that theoretically he could have raised the trial in absence issue and the Rule 29 SCRCrimP issue had Counsel All made objections at the trial and sentencing.

The Applicant testified he wanted a new trial and understood he could get the maximum sentence which would be forty (40) years. He testified he was arrested on April 3, 2003 and retained Counsel Smith, who was later relieved by the court. He asserted there was a ten-year plea offer from the State, and he wanted to accept the plea offer, but was unable to do so. The Applicant again admitted Counsel Smith was relieved by the court on September 13, 2004, although he claimed he still thought Counsel Smith was his counsel because he continued to meet with Counsel Smith. He then testified he only had one meeting with Counsel All and had to cancel the other meetings because he was working to be able to pay Counsel Smith. During this meeting, the Applicant testified he and Counsel All did not discuss the discovery. He also stated he always showed up to roll call, but did not attend court the morning of his trial because Counsel Smith allegedly told the Applicant he was in court in Anderson.

The Applicant additionally testified that prior to Counsel being relived, there was no objection to a trial in absence or request for a continuance. He also testified to a plethora of reasons he felt he was prejudiced, including: no objection made to two jurors who

allegedly had connections with the State, no defense witnesses called at the Jackson v. Denno¹ hearing, no objection to a redacted statement which included the Applicant's admission that "[Applicant] started selling crack again," no objection to the chain of custody, no questioning of the chemist's qualifications and no objection to the reasonable doubt jury charge. In addition, the Applicant asserted when Counsel All was reappointed for the sentencing hearing that he failed to move to reconsider the sentence. He once again testified he thought Counsel Smith represented him and that he was not "trying to play the system," but that he wanted counsel at trial.

On cross-examination, the Applicant admitted he knew Counsel Smith had been relieved by the court one month before his trial and that he was appointed Counsel All. He also admitted his trial would have been different had he shown up to it, but was not informed by Counsel All of the trial date. However, Counsel All stated on the record that someone in the courtroom had seen the Applicant in the parking lot that day. When the bailiff called the Applicant's name three times on the courthouse steps and in the hall of the courthouse, there was no answer. The Applicant admitted he had no proof of the ten-year offer from the state.

This Court questioned the Applicant and he admitted that he fired Counsel Smith and knew Counsel Smith did not represent him. He also admitted he did not meet with Counsel All because he wanted Counsel Smith to represent him. He further admitted he did not cooperate with Counsel All even though the court records show Counsel All was the attorney of record.

¹ 378 U.S. 368 (1964).

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The Applicant lastly admitted he had five prior convictions and that this was "not his first rodeo" with the criminal justice system.

Counsel All testified he was appointed to this case after Counsel Smith was relieved. While he was aware of an offer from the State, Counsel stated the State had withdrawn the offer before he could present it to Applicant. Applicant failed to get in touch with him when requested. He received trial notification for the week of October 11, 2004. Counsel All testified he attempted to contact the Applicant, but was unable to do so. He sent a letter to the Applicant explaining that he needed to meet with the Applicant and discuss this case in preparation for trial. In this letter, Counsel All also apprised the Applicant that his trial was set for the week of October 11, 2004. Counsel All testified he actually met with the Applicant at roll call when the Applicant was arrested on October 11, 2004 for Driving under Suspension at the Union County Courthouse. At that time, the Applicant apparently told Counsel All that Counsel Smith represented him, so Counsel All tried to contact Counsel Smith's office. Counsel All testified the Applicant did not show up to his trial, and Counsel All was relieved after a discussion on the record of the Applicant's absence and Counsel All's attempts to locate him. He also stated if the Applicant would have shown up, he would have represented the Applicant. Counsel further stated had he not been relieved, he would have sought a continuance, conducted a Jackson v. Denno, *supra*, and filed a suppression motion.

Counsel All further testified there was a discussion about the Applicant's absence, and based on the facts of the case, the trial judge suggested that he would relieve Counsel All due to the Applicant's conduct. Counsel lastly asserted he would have requested a

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continuance but did not have a chance to do so as the trial court relieved him immediately after the State moved to try the Applicant in his absence.

It is clear from the record that the trial court concluded Applicant was seeking to prevent his case from being heard. The trial court granted the State's motion for trial *in absentia*. Upon learning that Applicant had refused to cooperate with Counsel All and would not assist him in preparation for trial, the trial judge relieved Counsel All from representation of Applicant. The undersigned has served in the same judicial circuit with the trial judge for 15 years and takes judicial notice that it was his policy at that time to relieve a defense attorney before a trial in absence when the defendant was totally uncooperative and refused to cooperate with preparation for trial. Counsel All, the Public Defender, would have been aware of this policy. Once he was relieved as counsel, he had no duty or right to make any motions on behalf of Applicant. It would have been patently obvious that even if he had been able to do so, the trial judge was going forward with the trial that day and such motions would have been denied. Counsel All did not render ineffective assistance in not making such motions.

Additionally, Counsel All testified he was reappointed to the Applicant's case during the sentencing hearing and for the purpose of filing a Notice of Appeal. Counsel also stated, although he is familiar with a Rule 29 SCR CrimP motion for a new trial, he could not remember any successful Rule 29 motions. The only grounds for a new trial which had any merit would have been Applicant's trial *in absentia* without an attorney and without a Faretta warning. These issues were heard on direct appeal and denied. Applicant was not prejudiced because those issues were heard and denied by the S. C. Court of Appeals.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The court had the opportunity to observe the witnesses on the witness stand and hear their testimony. The Court also has read the trial transcript and the sentencing transcript, all of which assists the Court in judging their credibility. The court finds the testimony of the Applicant's testimony concerning ineffective assistance of counsel not credible while finding the testimony of Counsel Smith and Counsel All credible.

Set forth below are the relevant findings of facts and conclusions of law as required pursuant to S. C. Code Ann. §17-27-28 (2003).

Facts at Trial

The following facts were on the record:

The Applicant was released from prison on January 5, 2003, after serving a nine (9) month sentence for distribution of crack cocaine. In February 2003, he started selling crack cocaine again. He purchased crack cocaine two times a week from the same person in the amount of two or three ounces each time. The Applicant paid \$1,650.00 for two ounces and \$2,200.00 for three ounces. He then sold the crack cocaine in various amounts from \$20.00 to \$450.00 per sale.

On April 2, 2003, law enforcement served a search warrant on the Applicant's girlfriend's apartment. After service of the search warrant and after being advised of his Miranda² rights, the Applicant admitted to officer's he had crack cocaine in his pants pockets in the bedroom. Law enforcement then checked his pants pockets and found a clear bag of crack cocaine. They also found \$1,850.00 in his pants pockets which he admitted was from the sale of crack cocaine. The apartment search was located within

² Miranda v. Arizona, 384 U.S. 436 (1966).

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one-half mile of Buffalo elementary School. The Applicant took full responsibility for the drugs and the money. He advised law enforcement that his girlfriend had nothing to do with the drugs or the money. The Applicant was arrested and taken to the police station where he was again advised of his Miranda rights. He then signed a written statement which admitted the drug dealing.

A Jackson v. Denno hearing was held pre-trial. The trial court found that the oral and written statements were made by the Applicant freely and voluntarily after he was advised of his fifth and sixth amendment constitutional rights. The solicitor agreed, voluntarily, to redact that part of the Applicant's statement which talked about getting out of prison after serving a nine (9) month sentence on another distribution of crack cocaine charge. The trial court admitted the statement into evidence and properly instructed the jury on the State's burden of proving the statement was made freely and voluntarily after being advised of his constitutional rights beyond a reasonable doubt before they could consider it.

Ineffective Assistance of Counsel

The Applicant alleges he received ineffective assistance of counsel. In a PCR action, "[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence." Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002) (citing Rule 71.1(e), SCRCP). Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result." Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 2064 (1984); Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985).

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The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Courts presume that counsel rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment. Butler, Id. The Applicant must overcome this presumption to receive relief. Cherry v. State, 300 S.C. 115, 386 S.E.2d 624 (1989).

First, the Applicant must prove that counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under professional norms." Cherry, 300 S.C. at 117, 385 S.E.2d at 625, citing Strickland. Second, counsel's deficient performance must have prejudiced the Applicant such 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, 386 S.E.2d at 625.

Plea offer

The Applicant alleged Counsel Smith was ineffective for failing to act on a plea offer from the State. This allegation is without merit.

The Applicant initially engaged Counsel Smith to represent him. There was a disagreement between Counsel Smith and the Applicant, resulting in Counsel Smith being fired by the Applicant, and Counsel Smith was relieved of his representation by Court order. Counsel Smith had not been paid as promised, and Counsel Smith did not believe the Applicant had the financial ability to retain an attorney to represent him. He advised the Applicant to apply for the public defender. The Applicant applied, and Counsel All was appointed to represent him.

The solicitor handling the case thereafter directed his communications about the case to Counsel All, the attorney of record. The Applicant would not communicate with

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Counsel All. He did not show up for several appointments, did not return some phone calls, and did not cooperate with Counsel All in any way to prepare for his upcoming trial of which the Applicant was aware. A plea bargain offer was made to Counsel All, but due to the Applicant's refusal to communicate, the offer was withdrawn by the new solicitor on the case before Counsel All could discuss it with the Applicant.

The Applicant alleges that a plea bargain offer was made to Counsel Smith and that Counsel Smith did not tell him about it. In his testimony at the PCR hearing, Counsel Smith did not remember any plea offer from the State. The Applicant provided no proof other than his naked allegation and did not testify as to how he learned of such an offer from Smith. It is more likely that the offer was made to his attorney, Counsel All, by the solicitor, but that the offer was withdrawn before it could be communicated to him by Counsel All. It is clear from the applicant's testimony that he never considered Counsel All his attorney, even though up to the day before his trial, Counsel Smith's office informed the solicitor he did not represent the Applicant. The Applicant further admitted he knew Counsel Smith was relieved by a Court order the month before his trial.

The Applicant would have had an opportunity to accept a plea bargain if he had communicated and been cooperative with his attorney, Counsel All. Unless he accepted a plea bargain offer, he would almost certainly have been convicted by a jury, even with the representation of an attorney at trial.

This Court finds there is no credible evidence that Counsel Smith received a plea bargain offer from the solicitor and failed to communicate the offer to the Applicant. Counsel Smith testified he did not remember any offer from the State. The Court does not find the Applicant's self-serving testimony credible on this issue. The Applicant has failed

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to prove that Counsel Smith rendered ineffective assistance and accordingly, this allegation is denied.

Motion for a new trial

The Applicant also alleged Counsel All rendered ineffective assistance in failing to make a motion for a new trial at the Applicant's sentencing hearing before the Honorable G. Thomas Cooper, Jr., who was not the trial judge that issued the sealed sentences.

This Court observed from the record of the sentencing hearing that Counsel all volunteered to be reappointed as counsel for the Applicant during the sentencing hearing for the primary purpose of filing a Notice of Appeal so Indigent Defense could perfect an appeal on the Applicant's behalf.

This Court finds a motion for a new trial would not have been granted and would not have preserved any issues which were not addressed in the direct appeal. A trial *in absentia* without an attorney (*pro se*) and without Faretta³ warnings was addressed by the S. C. Court of appeals and is the law of the case. Counsel Smith was retained by the Applicant to help with the appeal.

Neither Judge Cooper nor Counsel All had a trial transcript at the sentencing hearing. The Applicant could have testified concerning the voluntary statement, but he did not testify at the PCR hearing as to anything that would make his statement inadmissible. He has a substantial criminal record and has had previous experience with the criminal justice system.

Additionally, there was overwhelming evidence of the Applicant's guilt. Where there is overwhelming evidence of guilt, a trial counsel's deficient representation will not be

³ Faretta v. California, 422 U.S. 806 (1975).

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prejudicial. Ford v. State, 314 S.C. 245, 442 S.E.2d 604 (1994); *see also* Humbert v. State, 345 S.C. 332, 548 S.E.2d 862 (2001); Geter v. State, 305 S.C. 365, 409 S.E.2d 344 (S.C. 1991). Additionally, had the Applicant taken the stand in his own defense, he could have and most likely would have been impeached with his prior convictions.

This Court finds Counsel All was not ineffective for not making a motion for a new trial as Counsel All's main purpose during the sentencing hearing was to file a Notice of Appeal. Further, a motion for a new trial would not have been successful as Judge Cooper was not the trial judge and was not going to overturn another circuit judge's sentence. The Applicant has failed to meet his burden of proving Counsel All was ineffective or that he was prejudiced in this case as there was overwhelming evidence of his guilt. Accordingly, this allegation is denied.

CONCLUSION

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

This Court notifies the Applicant that he must file and serve a notice of appeal within thirty (30) days from the receipt by counsel of written notice of entry of judgment to secure the appropriate appellate review. See Rule 203, SCACR. Pursuant to Austin v. State, 305 S.C. 453 (1991), an Applicant has a right to an appellate counsel's assistance in seeking review of the denial of PCR. Rule 71.1 (g), SCRCP, provides that if the applicant wishes to seek appellate review, PCR counsel must serve and file a Notice of Appeal on the Applicant's behalf. Your attention is directed to South Carolina Appellate Court Rule 243

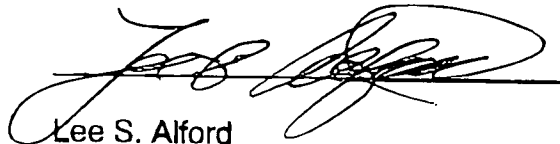
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for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. That the application for Post Conviction Relief must be denied and dismissed with prejudice; and
2. The Applicant must be remanded to the custody of the Respondent.

IT IS SO ORDERED.



Lee S. Alford
Resident Judge
of the Sixteenth Judicial Circuit

York, South Carolina

April 22, 2013

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STATE OF SOUTH CAROLINA)
)
 COUNTY OF UNION)
)
 Christopher Pride, #281240)
)
 Applicant,)
 vs.)
 State of South Carolina)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FOR THE SIXTEENTH JUDICIAL CIRCUIT

2011-CP-44-0331

ORDER

WILLIAM F. GAULT
 CLERK OF COURT
 UNION, SC

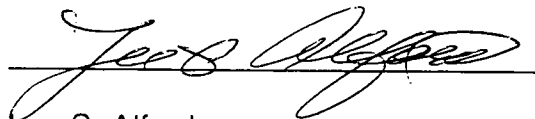
2013 APR 25 PM 1 23

FILED FOR RECORD

This matter is before the Court on a Rule 59, SCRCP, Motion filed by Applicant. The Court has amended its Order, dated March 25, 2013, in the above entitled matter to further address the issues raised in the Motion. The Court finds that the Amended Order, dated April 22, 2013, adequately addresses the grounds raised in the Post Conviction Relief Application and the issues raised in the Rule 59 Motion.

The Court therefore declines to further amend the Order in response to the Rule 59 Motion. The Court finds that the issues are adequately addressed in the Amended Order, dated April 22, 2013.

IT IS SO ORDERED.



Lee S. Alford
 Resident Judge
 of the Sixteenth Judicial Circuit

York, South Carolina

April 22, 2013



LAW OFFICE OF TRICIA A. BLANCHETTE

RECEIVED

May 24, 2013
VIA HAND DELIVERY

MAY 24 2013

S.C. Supreme Court

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211

RE: Christopher Pride v. State; Docket No.: 2011-CP-44-0311

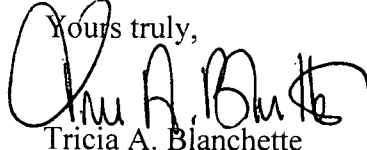
Dear Sir:

Enclosed for filing is a Notice of Appeal for the above PCR case. Also enclosed are the following:

- (1) Proof of service on the Respondent.
- (2) A copy of the Order and Amended Order of Dismissal.

I have been retained to represent Mr. Pride on his appeal. I have enclosed a copy of the letter that was sent to the court reporter to obtain a copy of his transcript.

Thank you for your assistance with this matter. Please contact my office with any questions.

Yours truly,

Tricia A. Blanchette
Attorney at Law

cc: J. Rutledge Johnson, Assistant Attorney General
Christopher Pride