

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT  
APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas  
HONORABLE BRIAN M. GIBBONS  
2022-CP-11-00311

RECEIVED

MAR 22 2023

S.C. SUPREME COURT

CARL STONE, SCDC# 380019

APPELLANT,

vs.

STATE OF SOUTH CAROLINA,

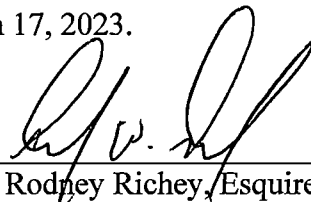
RESPONDENT.

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**NOTICE OF APPEAL**

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Carl Stone appeals the denial of his Post-Conviction Relief. The Post Conviction Relief Action was heard and denied by the Honorable Brian M. Gibbons, Circuit Judge on October 17, 2022 an Order issued on March 7, 2023 and filed on March 15, 2023. The Appellant received notice of the judgment on March 17, 2023.



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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

STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG

Carl Stone, #380019,  
Applicant,

v.

State of South Carolina,  
Respondent.

IN THE COURT OF COMMON PLEAS  
FOR THE SEVENTH JUDICIAL CIRCUIT

Case No. 2022-CP-11-00311

RECEIVED  
MAR 22 2023

S.C. SUPREME COURT

ORDER OF DISMISSAL

BRANDY W. MCBEE

2023 MAR 15 A 11:49

FILED IN OFFICE OF  
CLERK OF COURT  
CHEROKEE COUNTY, S.C.

This matter comes before this Court by way of Applicant's post-conviction relief application filed on May 5, 2022. Respondent filed its return on July 18, 2022, requesting an evidentiary hearing be convened. An evidentiary hearing was held on October 17, 2022, at the Spartanburg County Courthouse. Applicant was present and represented by Rodney Richey, Esquire. Assistant Attorney General Chelsey Marto represented Respondent.

Applicant testified on his own behalf at the evidentiary hearing. Counsel Robin File, Esquire, also testified. After reviewing all records of evidence before this Court, this Court finds Applicant cannot meet his burden of proof of establishing he is entitled to post-conviction relief and denies 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 Spartanburg County Clerk of Court. In March 2021, Applicant was indicted by the Spartanburg County Grand Jury for trafficking in methamphetamine (2021-GS-11-00350). Waiving presentment, Applicant was charged with possession of a firearm or ammunition by person convicted of a violent felony (2021-GS-11-01444) and trafficking in

methamphetamine (count one) and possession of a weapon during the commission of a violent crime (count two) (2021-GS-11-01445). Applicant was represented by Robin C. File, Esquire. Assistant Solicitor Matt Kendall of the Seventh Circuit Solicitor's Office prosecuted the case. On November 29, 2021, Applicant appeared before the Honorable J. Derham Cole, circuit court judge, and pled guilty to a negotiated fifteen years' imprisonment sentence on both trafficking methamphetamine charges and to a negotiated five years' imprisonment on both weapons charges. Judge Cole sentenced Applicant in accordance with the negotiations, sentences running concurrently. Applicant did not pursue a direct appeal.

#### Summary of Relevant Facts

On December 8, 2020, law enforcement was looking for a stolen vehicle. (Tr. 23). Pursuant to a tip received of a location, an individual was encountered someone sitting in his van. (Tr. 23-24). Upon being approached, he attempted to drive away while speaking to law enforcement, almost striking a police vehicle when doing so. (Tr. 24). Applicant was recognized by an officer upon leaving the residence. (Tr. 24). They spoke to Applicant outside the home. (Tr. 24).

No one claimed ownership over the home, which was known as a drug house. (Tr. 24). Police did a protective sweep and found scales with residue and syringes in Applicant's possession. (Tr. 24). A search warrant was obtained and over a hundred grams of methamphetamine found inside. (Tr. 24-25). A bag containing eighty-two grams of methamphetamine was claimed by Applicant. (Tr. 25).

On March 29, 2021, officers responded to a GPS detention check on Applicant. (Tr. 25-26). Through GPS monitoring officers observed that Applicant was frequenting drug houses on a regular basis where several individuals were arrested for methamphetamine. (Tr. 26). After being



removed, Applicant admitted to having several ounces of methamphetamine in the building where he was running a fake business. (Tr. 26). He gave the officer a key to a blue toolbox containing forty-seven grams of methamphetamine. (Tr. 26).

### **Current Action before the 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. Failure to file motion to suppress.
  - b. Failure to file an appeal.
  - c. Failure to inform Applicant of his rights.

At the PCR hearing, Applicant proceeded forward on:

1. Ineffective Assistance of Counsel.
  - a. Failure to move to suppress the drugs and to discuss this option with Applicant.
  - b. Failure to obtain a better plea deal.
  - c. Failure to file an appeal.
  - d. Failure to challenge the amount of drugs.
2. Invalid Plea.
  - a. Applicant pled because he was afraid of receiving a harsher sentence at trial.

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 he was incarcerated in SCDC for trafficking methamphetamine. He stated he was represented by Counsel and that he did not think Counsel effectively represented him. He stated that officers went to his house because of a stolen car and, upon seeing the officers, he went inside the home. He stated that the officers followed him while pointing their Glock at him. He stated that a bag of syringes was found on him. He stated that the



other people in the home were taken out and handcuffed. He stated that the drugs were in plain view. He stated that a search warrant was needed but the officers entered the home anyway. He stated they did not have bodycams. He stated he was charged with trafficking one- to two-hundred grams of methamphetamine, but only eighty-four grams of it belonged to him. He stated that his co-defendant threw the drugs out the window. He stated he was charged with trafficking one- to two-hundred grams because everyone else's drugs were combined with his to reach that amount. He stated he wanted a better deal. He stated he pled to trafficking between twenty-eight and one-hundred grams. He stated he wanted Counsel to move to suppress the drugs. He stated Counsel told him to plead. He stated he was afraid of facing more time if he went to trial.

#### ***Counsel Testimony***

Counsel testified that he represented Applicant in his underlying criminal matter. He stated that he discussed a motion to suppress with Applicant, but that that motion would necessitate he proceed to trial. He stated he did not think this was a winnable case at trial. He stated that Applicant faced two trafficking charges. He stated he did not think the motion to suppress was winnable. He stated that he was facing a twenty-five mandatory minimum sentence on one charge and seven to thirty years on the other. He stated that Applicant was looking at receiving the higher end of the sentencing range if he went to trial. He stated that he attempted to obtain a better plea deal, but the State would not budge. He stated Applicant was facing a harsher sentence at trial. He stated that the drugs were tested. He stated that Applicant did not have a good reputation with the officers and the prosecutor. He stated that Applicant decided to plead when he was coming up on the trial docket.

#### **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 decide upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by the 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 by a preponderance of the evidence. Rule 71.1(e), SCRPC, *Butler v. State*, 286 S.C. 441, 334 S.E.2d 813 (1985). The Sixth Amendment of the U.S. Constitution guarantees a defendant the right to effective assistance of counsel. U.S. Const. amend. VI; *Strickland v. Washington*, 466 U.S. 668 (1984).

Nevertheless, the counsel of an attorney simply functions as an assistant to the accused. See *Strickland* at 689. *Strickland* does not guarantee perfect representation, only a "reasonably competent attorney". 466 U.S. 687 (quoting *McMann v. Richardson*, 397 U.S. 759, 770 (1970)). Therefore, a representative's overarching duty is to advocate on Applicant's behalf and to inform them of important developments during the course of prosecution. *Id.* The purpose of the Sixth Amendment guarantee to effective assistance of counsel is simply to ensure that criminal defendants [applicants] receive a fair trial. *Id.*

Thus, when an applicant asserts ineffective assistance of counsel as a ground for relief, the applicant must so 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." *Id.* At 686.;



*Butler*, at 442, 334 S.E.2d at 814. The Court uses a two-prong test set forth in *Strickland* when evaluating ineffective assistance of counsel.

Pursuant to the first prong of the *Strickland* analysis, an applicant must prove that counsel's performance was deficient. *Id.*; *Cherry v. State*, 300 S.C. 115,116, 386 S.E.2d 624,625 (1989). Under this prong, attorneys are held to an objective standard of "reasonably effective assistance" under "prevailing professional norms". *Cherry*, 300 S.C. at 117, 386 S.E.2d at 625 (quoting *Strickland*, 466 U.S. at 690). The Scope of the reasonableness inquiry is limited to facts counsel had available at the time of the representation. *Strickland*, 466 U.S. at 689. "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgement." *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 to towards defense counsel with a strong presumption that counsel acted competently, because competent representation may be executed in virtuously "countless" ways. *Strickland*, 466 U.S. at 688-89.

Second, the applicant must not only show that counsel's assistance was constitutionally deficient, but also that applicant was prejudiced by the deficiency so severely that it produced a "reasonable probability that before for counsel's unprofessional errors, the result of the proceeding would have been different". *Cherry*, 300 S.C. at 117-118, 386 S.E.2d at 625. The court makes this determination based on the totality of the evidence. *Strickland*, 466 U.S. at 695. The "likelihood of a different result must be substantial, not just conceivable" which occurs "only in the rarest case". *Harrington v. Richter*, 562 U.S. 86, 111-12 (2011) (quoting *Strickland*, 466 U.S. at 697).

These standards do not establish mechanical rules; the ultimate focus of this inquiry is 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 as a result 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. As such, this Court finds Applicant has failed to satisfy the requirements under the *Strickland* test.

#### *Invalid Plea*

In the context of a guilty plea, the applicant must show there is a reasonable probability that, but for ineffective assistance of counsel, he or she would not have pled guilty but, instead, would have insisted on going to trial. *Hill v. Lockhart*, 474 U.S. 52, 59 (1985). Applicant's right to contest the validity of a plea is usually, but not invariably, foreclosed because of the inherent solemnity and truthfulness included in the guilty plea process. *See Blackledge v. Allison*, 431 U.S. 63, 73-74 (1977) ("Solemn declarations in open court carry a strong presumption of verity. The subsequent presentation of conclusory allegations unsupported by specifics is subject to summary dismissal, as are contentions that in the face of the record are wholly incredible."). Absent valid reasons why the applicant is entitled to depart from previous judicial admissions made at the plea hearing, statements made during the original proceeding remain conclusive. *Dalton v. State*, 376 S.C. 130, 137-38, 654 S.E.2d 870, 874 (Ct. App. 2007) (citing *Crawford v. United States*, 519 F.2d 347, 350 (4th Cir. 1975)).

For a plea to be valid, the applicant must have been aware of the nature and crucial elements of the offense the maximum and minimum penalties, and the rights he is waiving by accepting the plea. *Boykin v. Alabama*, 395 U.S. 238 (1969); *Roddy v. State*, 339 S.C. 29 (2000). A plea is not knowing or voluntary if a defendant "lacks knowledge of material evidence in the



prosecution's possession." *Gibson v. State*, 334 S.C. 515, 523, 514 S.E.2d 320, 324 (1999).

A defendant's knowing and voluntary waiver of statutory or constitutional rights must be established by a complete record, and "may be accomplished by colloquy between the court and defendant, between the court and defendant's counsel, or both." *Roddy v. State*, 339 S.C. at 34, 528 S.E.2d at 421 (citing *State v. Ray*, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993)). "[T]he voluntariness of a guilty plea is not determined by an examination of the specific inquiry made by the sentencing judge alone, but is determined from both the record made at the time of the entry of the guilty plea and the record of the post-conviction hearing." *Dalton*, 376 S.C. at 138, 654 S.E.2d at 874 (quoting *Harres v. Leeke*, 282 S.C. 131, 133, 318 S.E.2d 360, 361 (1984)). Further, "guilty pleas, freely and voluntarily entered, act as a waiver of all non-jurisdictional defects and defenses, including claims of a violation of a constitutional right prior to the plea." *Whetsell v. State*, 276 S.C. 295, 297, 277 S.E.2d 891, 892 (1981).

This Court finds that plea was entered freely, knowingly, intelligently, and voluntarily. At the plea, the State called the case. (Tr. 4-5). Applicant stated he understood the charges, elements, sentencing ranges, and violent classification, if applicable, on each charge. (Tr. 5-9, 16). Applicant stated he told Counsel everything he knew about the facts of the cases and that Counsels discussed and shared the indictments, allegations, and sentencing ranges. (Tr. 10). Applicant stated he did not know of a defense to any charges. (Tr. 10-11). Applicant stated he understood he was waiving his rights to remain silent, call and confront witnesses, and to a jury trial. (Tr. 11-14). Applicant stated he was not promised anything beyond the negotiated sentence. (Tr. 14-17). Applicant stated he understood that the Court could not promise he could receive parole and that he should expect to serve up to one hundred percent of the sentence. (Tr. 15-16). He stated he was not threatened or coerced into pleading, that he was pleading freely and



voluntarily, that it was his own decision, and that he was pleading guilty because he is guilty. (Tr. 17-18). After they were recited, Applicant agreed with the facts. (Tr. 27). Applicant indicated he still wanted to plead guilty. (Tr. 27). The plea was thereafter accepted upon Applicant's request. (Tr. 27). Thus, this Court finds that the plea was entered freely, knowingly, intelligently, and voluntarily and cannot be withdrawn now.

#### ***Failure to File Appeal***

Applicant claims Counsel was ineffective for failing to file an appeal. Counsel is required to make certain the defendant is made fully aware of the right to appeal following a trial. *White v. State*, 263 S.C. 110, 208 S.E.2d 35 (1974). However, absent extraordinary circumstances, there is no constitutional requirement that a defendant be informed of the right to a direct appeal from a guilty plea. *Weathers v. State*, 319 S.C. 59, 459 S.E.2d 838 (1995). The bare assertion that a defendant was not advised of appellate rights is insufficient to grant relief. *Id.* Instead, there must be proof that extraordinary circumstances exist such that the defendant should have been advised of the right to appeal. *Id.* Extraordinary circumstances may exist when there is reason to think that a rational defendant would want an appeal, such as when non-frivolous grounds for an appeal exist, or when the defendant reasonably demonstrates an interest in appealing. *Id.*; *Roe v. Flores-Ortega*, 528 U.S. 470 (2000).

Applicant has failed to show any extraordinary circumstances in his case. Accordingly, Applicant has failed to show why he was entitled to an appeal or how Counsel was ineffective for failure to file one. Accordingly, relief is denied on this ground.

#### ***Favorable Offer***

Applicant claims Counsel was ineffective for failure to secure a more favorable plea deal. Applicant had no constitutional right to a plea offer. "Prosecutors have broad powers in the plea



bargain process[.]” *Reed v. Becka*, 333 S.C. 676, 684, 511 S.E.2d 396, 400 (Ct. App. 1999). *See Collins v. State*, 422 S.C. 250, 261, 810 S.E.2d 871, 877 (2018) (“[T]he decision whether to revive the expired plea offer rested exclusively with the solicitor.”); *State v. Langford*, 400 S.C. 421, 436 n.6, 735 S.E.2d 471, 479 n.6 (2012) (stating “[u]ndoubtedly, the solicitor has discretion in choosing how to proceed with a case, including whether to prosecute in the first place and whether he brings it to trial or offers a plea bargain”); *see also Weatherford v. Bursey*, 429 U.S. 545, 561 (1977) (finding “there is no constitutional right to plea bargain; the prosecutor need not do so if he prefers to go to trial”).

“Prosecutors may pursue a case to trial, or they may plea bargain it down to a lesser offense, or they can simply decide not to prosecute the offense in its entirety.” *Reed*, 333 S.C. at 684, 511 S.E.2d at 400-01. “The Judicial Branch is not empowered to infringe on the exercise of this prosecutorial discretion; however, on occasion, it is necessary to review and interpret the results of the prosecutor’s actions.” *Id.* Yet, plea offers must be analyzed within the bounds of judicial restraint. *Id.*

“[A] defendant has no constitutional right to plea bargain,” *id.* (citing *State v. Easter*, 322 S.C. 333, 471 S.E.2d 745 (Ct. App. 1996), *aff’d as modified*, 327 S.C. 121, 489 S.E.2d 617 (1997)), and “a trial judge is not required to accept a plea. *Id.* (citing *Santobello v. New York*, 404 U.S. 257 (1971)). “A plea agreement is only an ‘offer’ until the defendant enters a court-approved guilty plea. A defendant accepts the ‘offer’ by pleading guilty. Thus, until formal acceptance of the plea by the court has occurred, the plea binds no one, not the defendant, the State, or the court.” *Id.*, 333 S.C. at 688, 511 S.E.2d at 402 (citing *Harden v. State*, 453 So.2d 550 (Fla. Dist. Ct. App. 1984); *see also State v. Nesbitt*, 411 S.C. 194, 201 n.7, 768 S.E.2d 67, 71 n.7 (2015) (finding that “if the defendant enters into a negotiated plea agreement prior to the



court's acceptance of his guilty plea, that agreement is a mere executory promise that, standing alone, has no constitutional significance, as it binds neither the government nor the defendant."").

Counsel credibly testified that he attempted to secure a better plea deal, but the State would not budge. The State has no duty to accept Applicant's counteroffer for a more lenient sentence. Accordingly, relief is denied on this ground.

#### *Challenge the Amount of Drugs*

Applicant claims that Counsel was ineffective for failure to challenge the amount of drugs. However, this was waived by entry of an otherwise valid plea. Additionally, this Court finds that this defense was seemingly known to Applicant before he pled and this Court has been presented with no reason why this defense would change Applicant's decision regarding the plea, especially because it would not be successful.<sup>1</sup>

#### *Motion to Suppress*

Applicant claims Counsel was ineffective for failure to discuss a motion to suppress the drugs with him and for failure to argue this motion in Court. Counsel credibly testified that he discussed this motion with Applicant but cautioned him that this motion was only available if he decided to proceed to trial. This Court finds Applicant waived this motion by entering an otherwise valid plea. Accordingly, relief is denied on this ground.

#### *Trial Tax*

Applicant claims his plea was coerced because he was afraid if he did not plead and proceeded to trial instead, he would face life imprisonment. Fear of receiving more time if he

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<sup>1</sup> Applicant, by his own admission, personally possessed eighty-four grams of meth and the remaining amount that brought the range between one-and two-hundred grams came from Applicant's co-defendants, thereby putting him on the hook for all the drugs under hand of one, hand of all.



went to trial is not enough to undermine the validity of the plea. Accordingly, relief is denied on this ground.

**Conclusion**

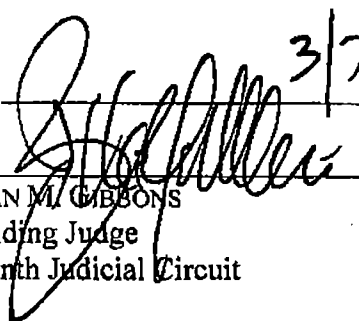
Based on all the foregoing, this Court finds and concludes that Applicant has not established any constitutional violations or deprivations that would require this Court to grant his application. Therefore, this PCR application must be denied and dismissed with prejudice.

This Court notifies 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), SCRCP 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 \_\_\_\_\_ day of September<sup>3/7</sup>, 2023.

  
\_\_\_\_\_  
BRIAN M. GIBBONS  
Presiding Judge  
Seventh Judicial Circuit

  
\_\_\_\_\_, South Carolina.

FORM 4

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

JUDGMENT IN A CIVIL CASE  
 CASE NUMBER 2022CP1100311

Carl Anthony Stone		State Of South Carolina	
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<b>PLAINTIFF(S)</b>	<b>DEFENDANT(S)</b>
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> 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: \_\_\_\_\_

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: \_\_\_\_\_

FILED IN OFFICE OF  
 CLERK OF COURT  
 CHEROKEE COUNTY, S.C.  
 2023 MAR 15 PM 2:20  
 BRANTLEY W. MCBEE

**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)
N/A		

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/Brian M. Gibbons	2168	3/15/2023
Circuit Court Judge	Judge Code	Date

**For Clerk of Court Office Use Only**

This judgment was entered on 03/15/23, and a copy mailed first class or placed in the appropriate attorney's box on 03/15/23, to attorneys of record or to parties (when appearing pro se) as follows:

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ATTORNEY(S) FOR THE PLAINTIFF(S)

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ATTORNEY(S) FOR THE DEFENDANT(S)

*Brandy W. McBee*

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Brandy W. McBee Clerk of Court

Court Reporter

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 judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

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**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.

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