

STATE OF SOUTH CAROLINA )  
 COUNTY OF RICHLAND )  
 )  
 William McLaughlin, #368667, )  
 )  
 Applicant, )  
 )  
 v. )  
 )  
 State of South Carolina, )  
 )  
 Respondent. )

IN THE COURT OF COMMON PLEAS  
 FOR THE FIFTH JUDICIAL CIRCUIT

Case No.: 2016-CP-40-06348

**ORDER OF DISMISSAL**  
 (withdrawal)

2018 JAN 30 PM 2:19  
 JAMES P. GOS.  
 RICHLAND COUNTY

This matter comes before the Court by way of an Application for Post-Conviction Relief filed October 25, 2016. Respondent made its Return on July 28, 2017, requesting an evidentiary hearing be held, as well the dismissal of several grounds. A hearing was convened at the Richland County Courthouse on January 25, 2018, at which time Applicant was present in court and represented by his attorney Leah B. Moody, Esquire. Respondent was represented by Assistant Attorney General Jessica E. Kinard of the South Carolina Attorney General's Office. At the hearing, Applicant testified and provided the basic information of why he was presenting his application; however, after further questioning, his attorney informed this Court that Applicant wished to withdraw his application for post-conviction relief with prejudice.

Applicant was questioned by the Court about his withdrawal request to ensure that the withdrawal of the application was free and voluntary and that Applicant had not been promised anything or threatened, coerced, or induced into withdrawing the application. Applicant stated that he had enough time to discuss this matter thoroughly with counsel. Applicant was also advised by the Court of the consequences of a withdrawal of the application, including forfeiture of any appellate or federal actions regarding collateral attack on his conviction. Following this

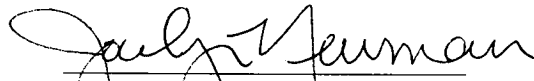
Court's colloquy with Applicant regarding withdrawal of the application, Applicant requested the Court withdraw the application for post-conviction relief.

Based upon Applicant's testimony, this Court finds that the dismissal of this application for post-conviction relief is voluntary and that Applicant has knowingly and intelligently elected to have his application dismissed with prejudice.

**IT IS THEREFORE ORDERED:**

1. That the application for post-conviction relief be dismissed with prejudice; and
2. That Applicant is remanded to the custody of the Respondent.

**AND IT IS SO ORDERED** this 30<sup>th</sup> day of January, 2018.

  
JOELYN NEWMAN  
Presiding Judge  
Fifth Judicial Circuit

Columbia, South Carolina

William McLaughlin, #368667

State of South Carolina

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Judge Jocelyn Newman

Attorney for :  Plaintiff  Defendant  
or  
 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

2018 JAN 30 PM 2:18  
RICHLAND COUNTY

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.

*Jocelyn Newman*  
Circuit Court Judge

2757

Judge Code

1/30/18

Date

