

07-CP-466-2256

STATE OF SOUTH CAROLINA

County of Richland

Tiffany J. Jeffcoat 306630
Full name and prison number (if any) of Applicant,

vs.

Richland County
Name of Respondent.

South Carolina

In the Court of Common Pleas

RICHLAND COUNTY
FILED
07 APR 10 PM 3:04
BARBARA A. SCOTT
C.C.C.

APPLICATION FOR
POST-CONVICTION RELIEF

INSTRUCTIONS — READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make it clear to which question any such continued answer refers.

Since every application must be sworn to under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken *in forma pauperis*, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which applicant was convicted.

1. Place of detention Camille Griffin Graham Correctional Institution
4450 Broad River Rd., Columbia, SC 29210
2. Name and location of Court which imposed sentence Richland County General Sessions
1701 Main Street, Columbia, SC 29201
3. The indictment number or numbers (if known) upon which and the offense or offenses for which sentence was imposed:
 - (a) 03-GS-40-6366 Homicide by Child Abuse
 - (b) _____
 - (c) _____
4. The date upon which sentence was imposed and the terms of the sentence:
 - (a) December 13, 2004; 23 years
 - (b) _____
 - (c) _____

11. Prior to this application have you filed with respect to this conviction

- (a) any petition in a State Court under South Carolina Law? yes
- (b) any petitions in State or Federal Courts for habeas corpus or post-convictions relief? no
- (c) any petitions in the United States Supreme Court for certiorari other than petitions, if any, already specified in (7)? no
- (d) any other petitions, motions or applications in this or any other Court? no

12. If you answered "yes" to any part of (11), list with respect to each petition, motion or application:

(a) the specific nature thereof:

- i. to follow through to seek relief of my sentence
- ii. _____
- iii. _____
- iv. _____

(b) the name and location of the Court in which each was filed:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

(c) the disposition thereof:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

(d) the date of each such disposition:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

13. Has any ground set forth in (9) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

yes

County of Richland

VERIFICATION

I, Tiffany J. Jeffcoat # 306630, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Tiffany J. Jeffcoat

SWORN to and subscribed before me this 3rd

day of April, 19 2007

Kathy R. Barner (L.S.)
Notary Public

My Commission Expires: My Commission Expires August 12, 2015

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF COSTS AND AFFIDAVIT IN SUPPORT THEREOF

I, Tiffany J. Jeffcoat # 306630, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security therefor.

Tiffany J. Jeffcoat
Applicant

SWORN or affirmed to and subscribed before me this

3rd day of April, 19 2007

Kathy R. Barner
Notary Public

My Commission Expires My Commission Expires August 12, 2015

STATE OF SOUTH CAROLINA)
 COUNTY OF Richland)
 STATE VS.)
Tiffany J. Jeffcoat)
 AKA:)
 Race: B Sex: F Age: 25)
 DOB: 10/7/79 SS#:)
 Address: 1814 Lower Richland Blvd)
 City, State, Zip: Hopkins, SC 29061)
 DL# SID#)

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 03 -GS- 40 - 6366
 A/W#: H479396
 Date of Offense: 8/10/03
 S.C. Code §: 16-3-85(A)(1)
 CDR Code #: 2 1 3 1 5 1 6
 CASE RESTORED
 SENTENCE
 PLEA TRIAL

In disposition of the said indictment comes now the Defendant who was CONVICTED OF or PLEADS
 TO: Homicide by Child Abuse
 in violation of § 16-3-85(A)(1) of the S.C. Code of Laws, bearing CDR Code # 2 1 3 1 5 1 6
 NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
 The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State
 ATTEST:
[Signature] Solicitor [Signature] Defendant [Signature] Attorney for Defendant

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
 for a determinate term of 23 days/months/years or under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____
 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation,
 which are incorporated by reference.
 CONCURRENT or CONSECUTIVE to sentence on: _____
 The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by the State
 Department of Corrections.

SPECIAL CONDITIONS:

RESTITUTION: Heard, Waived, Ordered
 Total: \$ _____ plus 20% fee: \$ _____
 Payment Terms: _____
 set by SCDPPPS _____

PTUP _____ days/hours Public Service Employment
 Obtain GED _____
 Attend Voc. Rehab. or Job Corp. _____
 May serve W/E beginning _____
 Substance Abuse Counseling _____
 Random Drug/Alcohol Testing _____
 Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____
 \$ _____ paid to Public Defender Fund
 Other: _____

Recipient: _____

*Fine:	\$	_____
§14-1-206 (Assessments 107.5%)	\$	_____
§14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ _____
§14-1-211(A)(2) (DUI Surcharge)	\$100	\$ _____
§56-5-2995 (DUI Assessment)	\$12	\$ _____
§ 35.13 (Public Def/Prob)	\$500	\$ _____
§73.3, 1B TP (Law Enforce. Funding)	\$25	\$ _____
§33.7, 1B TP (Drug Court Surcharge)	\$100	\$ _____
§50-21-114(BUI Breath Test Fee)	\$50	\$ _____
§56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ _____
3% to County (if paid in installments)	\$	\$ _____
TOTAL	\$	\$ _____

Appointed PD or appointed other counsel, \$35.13 TP
 Requires \$500 be paid to Clerk during probation.

Barbara A. Scott
 Clerk of Court/ Deputy Clerk
 Court Reporter: [Signature]

PRESIDING JUDGE [Signature]
 Judge Code: _____
 Sentence Date: 12-13-04

ATTEST
 TRUE COPY
Barbara C. Seaton

Exhibit C

WITNESSES

R. S. Smith, CPD / 5

DOCKET NO. 2003-GS-40-6366

The State of South Carolina

County of Richland

52

COURT OF GENERAL SESSIONS

OCTOBER TERM 2003

ARREST WARRANT NUMBER
H479396

THE STATE
vs.

TIFFANY J. JEFFCOAT

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury

Date: OCT 23 2003

VERDICT

Foreperson of Petit Jury

Date:

Indictment for

HOMICIDE BY CHILD ABUSE

SC Code: 16-3-85 (B)(1)

CDR Code: 2356

Class: E/FELONY(V)

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

A F F I D A V I T
A TRUE COPY

Richard C. Sexton
RICHARD C. SEXTON

Amendment - True Billed

NOV 19 2004

Tara Brown
TARA BROWN

"Foreman, R.C. Grand Jury"

213 1/19/04

SC Code: 16-3-85 (B)(1)

ARREST WARRANT

4479396 H-479396 0324120

STATE OF SOUTH CAROLINA

County/ Municipality of COLUMBIA

THE STATE against

TIFFANY J JEFFCOAT

Address: 918 HANCOCK ST COLUMBIA SC 00000

Phone: SSN: Race: B Height: 5 07 Weight: 170 DL#: DOB: 0/07/1979 Agency ORI#: SC0400100 Prosecuting Agency: CITY OF COLUMBIA Prosecuting Officer: SMITH RS/CAMPBELL L Offense: HOMICIDE BY CHILD ABUSE Offense Code: MAC Code/Ordinance Sec. 16-3-85 (A)(1)

This warrant is CERTIFIED FOR SERVICE in the County/ Municipality of COLUMBIA. The accused is to be arrested and brought before me to be dealt with according to law.

Signature of Judge (L.S.)

RETURN

A copy of this arrest warrant was delivered to defendant TIFFANY J. JEFFCOAT on 08-11-03

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

CITY OF COLUMBIA MUNICIPAL COURT P.O. BOX 644 COLUMBIA, SC 29202

STATE OF SOUTH CAROLINA

County/ Municipality of COLUMBIA

AFFIDAVIT

Form Approved by S.C. Attorney General July 26, 1990 SCCA 518

Personally appeared before me the affiant RS SMITH who being duly sworn deposes and says that defendant TIFFANY J JEFFCOAT did within this county and state on 08/10/2003 violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) in the following particulars:

DESCRIPTION OF OFFENSE: HOMICIDE BY CHILD ABUSE 16-3-85 (A)(1)

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

THE DEFENDANT, TIFFANY JEFFCOAT DID ON OR ABOUT AUGUST 10, 2003 WHILE AT 918 HANCOCK STREET WITHIN THE CITY LIMITS OF COLUMBIA, S.C. RICHLAND COUNTY CAUSED THE DEATH OF A CHILD EIGHTEEN MONTHS OLD VICTIM, AKIDRHA JEFFCOAT WHILE COMMITTING CHILD ABUSE OR NEGLECT AND THE DEATH OCCURED UNDER CIRCUMSTANCES MANIFESTING AN EXTREME INDIFFERENCE TO HUMAN LIFE.

Sworn to and subscribed before me on 08/11/2003 Signature of Issuing Judge (L.S.)

Signature of Affiant RS Smith Affiant's Address #1 JUSTICE SQ COLA, S.C. 29201 Affiant's Telephone 5453500

STATE OF SOUTH CAROLINA

County/ Municipality of COLUMBIA

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that on 08/10/2003 defendant TIFFANY J JEFFCOAT did violate the criminal laws of the State of South Carolina (or ordinance of County/ Municipality of COLUMBIA) as set forth below:

DESCRIPTION OF OFFENSE: HOMICIDE BY CHILD ABUSE 16-3-85 (A)(1)

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Signature of Issuing Judge (L.S.) Judge's Address CITY OF COLUMBIA, SC MUNICIPAL COURT, P.O. BOX 644 29202 Judge's Telephone

Issuing Court: Magistrate Municipal Circuit

ORIGINAL

Vertical stamps and signatures on the right side of the page, including 'A TRUE COPY' and a signature.

Exhibit C