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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Post Conviction Relief

J. Durham Cole, Circuit Court Judge

Lower Case No.: 2020-CP-23-05112

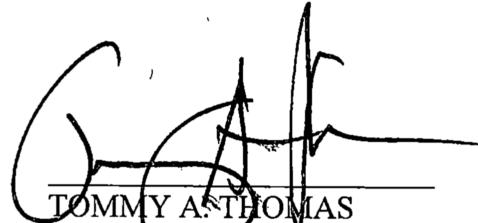
Demond D. Burgess #304353,...................................... Petitioner,

vs.

State of South Carolina, ...Respondent.

NOTICE OF APPEAL

Demond D. Burgess #304353 appeals the order of the Honorable J. Durham Cole dated January 22, 2024 and filed January 31, 2024. Appellant received written notice of entry of this order on January 31, 2024.



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February 1, 2024

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) THIRTEENTH JUDICIAL CIRCUIT
COUNTY OF GREENVILLE

Demond D. Burgess, #304353, Applicant,
v.
State of South Carolina, Respondent.

Case No.: 2020-CP-23-05112

ORDER OF DISMISSAL

This matter comes before the Court by way of an application for post-conviction relief filed by Applicant Demond D. Burgess, through counsel, on November 9, 2020. An evidentiary hearing was held July 25, 2023, in the Greenville County Courthouse. Applicant was present and represented by counsel, Tommy A. Thomas, Esq. Senior Assistant Deputy Attorney General Melody J. Brown represented Respondent, the State. At the close of the hearing, the undersigned took the matter under advisement. By a conditional Form 4 order issued on July 28, 2023, this Court indicated it would deny relief and directed Respondent's counsel to prepare and submit a proposed order.[1] After consideration of the testimony received, and after reviewing and considering the record, arguments presented by counsel, and the controlling case law, this Court finds that Applicant has failed to carry his burden of proof. Consequently, this Court DENIES relief for the specific reasons set out in this order.

General Procedural History

Applicant is presently confined in the South Carolina Department of Corrections in

[1] The proposed order was circulated among counsel prior to this Court's acceptance. *See Fishburne v. State*, 427 S.C. 505, 516, 832 S.E.2d 584, 589 (2019) (providing a "proposed order should be transmitted to opposing counsel" for review and that counsel "should ... alert preparing counsel and the PCR court as to any deficiencies in the proposed order.").

Kershaw Correctional Institution pursuant to orders of commitment of the Greenville County Clerk of Court. A Greenville County Grand Jury indicted Applicant in February 2019 for possession of a weapon during the commission of a violent crime (2019-GS-23-001238); possession of a stolen firearm (2019-GS-23-007199); trafficking in cocaine (2019-GS-23-001242); three counts of possession of a controlled substance with intent to distribute (2019-GS-23-001240, 001241, and 001243); and, possession of methamphetamine (2019-GS-23-001239). In a subsequent term in September of 2019, the Grand Jury also indicted Applicant for trafficking in cocaine (2019-GS-23-007201); unlawful carrying of a handgun (2019-GS-23-007202); driving under suspension (2019-GS-23-007200); trafficking in heroin (2019-GS-23-007306); and, possession of a weapon during the commission of a violent crime (2019-GS-23-007201). William G. Yarborough, III, Esq., represented Applicant on the charges.

On December 5, 2019, Applicant appeared before the Honorable Letitia H. Verdin and pleaded guilty to trafficking in cocaine, 12-28 grams, second offense (2019-GS-23-007201), and trafficking in heroin, 4-14 grams, first offense (2019-GS-23-07306). The State placed on the record that "this is a negotiated 15-year sentence," and the provided the following recitation of facts:

> [F]or the first incident, on or about June 1, 2019, in Greenville County, law enforcement observed [Applicant] driving a vehicle and had prior knowledge of him having a suspended license. Law enforcement performed a lawful traffic stop, and he was found to be in possession of a handgun in his waistband. He did not have his CWP. Also, after a search [Applicant] was found to be in possession of 17.23 grams of cocaine which were packaged into 24 separate baggies. He was also in possession of $464 in cash, primarily $20 bills wrapped in a rubber band. Post-Miranda [Applicant] admitted he knew the substance was cocaine and that he had a lot.
>
> Then the second incident happened the next day . . . on June 2, 2019, in Greenville County. Law enforcement was listening to [Applicant's] jail calls from the detention center. On these calls [Applicant] was talking about narcotics at his father's residence in

> Greenville County. Law enforcement obtained a search warrant and located 10.76 grams of a heroin-fentanyl mixture that was located exactly where [Applicant] described.

(Return Attachment, Tr. 9-10).

The State also set out that Applicant had a prior record that included a "2001, possession with intent to distribute cocaine base, possession of a controlled substance, UCAP, forgery, resisting arrest; 2002, FTC fraud," and, during the recitation, the Judge Verdin interjected with a question to confirm that the sentence had been negotiated between the State and Applicant, which the State confirmed. (Return Attachment, Tr. 10). Judge Verdin then stated "I think we're good," and turned to Applicant to confirm that he wished to plead guilty in light of the factual basis provided, and Applicant confirmed that he did. (Return Attachment, Tr. 10). Defense counsel offered that Applicant has a "drug problem," and "although it certainly does appear" from the State's evidence that "he was distributing," counsel suggest that "it all really goes to the fact that he was doing whatever he could to kind of maintain that ability to be able to do stuff." (Return Attachment, Tr. 11). Counsel asked for leniency, and recognized that Applicant was looking at significant time:

> ... We've gone over the time and everything that he's involved. He just wants you to know, Judge, it's really important for him to let you know that he really is ... a good guy. ... He's always worked with me hard. And we looked at this case. This case was on the trial docket. And we talked about it. He is not - - he's always maintained he's an addict, and he wants you to know that. And his father tells me that too. His father says he really needs some help in the long run. This is going to give him a chance to get cleaned up. He's going to have to do some time, and we just urge the Court to be as lenient on him as you can under the circumstances.

(Return Attachment, Tr. 11).

Judge Verdin, noting that "in light of the circumstance," that plea counsel had secured a favorable deal for him, and following the terms of the negotiation, Judge Verdin sentenced

Applicant to imprisonment for fifteen years for each offense, concurrent. The State, in keeping with the plea deal, dismissed the charges for two counts of possession of a weapon during the commission of a violent crime (2019-GS-23-007201 and 001238); possession of methamphetamine (2019-GS-23-001239); three counts of possession of a controlled substance with intent to distribute (2019-GS-23-001240, 001241, and 001243); trafficking in cocaine (2019-GS-23-001242); possession of a stolen firearm (2019-GS-23-007199); driving under suspension (2019-GS-23-007200); and, unlawful carrying of a handgun (2019-GS-23-007202). Applicant timely appealed.

The South Carolina Court of Appeals found that plea counsel failed to file a sufficient explanation for the appeal to continue.[2] *State v. Burgess*, S.C. Ct. App. Order dated January 14, 2020 (Appellate Case No. 2019-002051). The remittitur was issued on January 30, 2020.

Post Conviction Relief Allegations

In his initial application, Applicant generally raised ineffective assistance and asserted his plea was not voluntary. However, Applicant, through counsel, filed amendments to the application to expand and explain those claims. By amendment dated July 17, 2023, Applicant alleged:

> 1. Failure to properly investigate the case;
>
> 2. That Applicant plead to trafficking heroin. The drug tested positive for fentanyl. The Applicant is informed and believes that there was no appropriate statute to address the illegality of fentanyl at the time;
>
> 3. That the driving under the suspension charge was the basis for the search of his vehicle. That the applicant was not driving the vehicle, nor was he in possession of the keys to the vehicle. Based upon this fact, the Applicant is informed and believes that the seizure of any evidence from his car should have been suppressed.

[2] Plea counsel included argument and citations to authority in the notice of appeal, but did not file any response to the Court of Appeals' letter requesting further explanation as required by Rule 203(d)(1)(B)(iv), SCACR.

> That this action was an unreasonable search and seizure;
>
> 4. That Applicant plead guilty to a fifteen (15) year negotiated sentence. That the Applicant did not understand the negotiated plea. He found out the night before that he was going to Court, by one of the officers in the detention center. He thought that the plea was for twelve years, and it turned out to be fifteen years;
>
> 5. The Applicant is informed and believes that his plea was not freely and voluntarily, nor knowingly or intelligently given.

In a second amendment dated July 18, 2023, Applicant alleged ineffective assistance as follows:

> That Applicant plead guilty to a fifteen (15) year negotiated sentence. That the Applicant did not understand the negotiated plea. He found out the night before that he was going to Court, by one of the officers in the detention center. He thought the plea was for the minimum on each charge (5 years and 7 years) to run concurrent for a total of 7 years. It turned out to be fifteen years.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In addition to carefully considering the record and the arguments presented by counsel, this Court has also had the opportunity to consider the testimony presented at the PCR evidentiary hearings and has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. §17-27-80 (2003).

Ineffective Assistance Claims

For claims that trial counsel provided ineffective assistance, this Court is guided by the familiar test: To show a violation of the Sixth Amendment, an applicant must show that counsel's representation fell below an objective standard of reasonableness, and but for counsel's error, there is a reasonable probability that the outcome of the trial would have been different. *Strickland v. Washington,* 466 U.S. 668, 694 (1984); *Simpson v. Moore,* 367 S.C. 587, 595–96, 627 S.E.2d 701, 706 (2006). "A reasonable probability is a probability sufficient to undermine confidence in the

outcome" of the trial. *Strickland,* at 694. It is presumed that counsel made all decisions in exercise of reasonable judgment. *Strickland,* at 689. It is an applicant's burden to prove, by a preponderance of the evidence, that he is entitled to relief. Rule 71.1 (e), SCRCP. *See also Speaks v. State*, 377 S.C. 396, 399, 660 S.E.2d 512, 514 (2008) ("the burden of proof is on the applicant to prove the allegations in his application"). For a guilty plea, the analysis varies slightly as the issue is, at bottom, the voluntariness of the plea.

"Where, as here, a defendant is represented by counsel during the plea process and enters [the] plea upon the advice of counsel, the voluntariness of the plea depends on whether counsel's advice 'was within the range of competence demanded of attorneys in criminal cases.' " *Hill v. Lockhart*, 474 U.S. 52, 56 (1985) (quoting *McMann v. Richardson*, 397 U.S. 759, 771 (1970)). Indeed, "[a] defendant who enters a plea on the advice of counsel may only attack the voluntary and intelligent character of the plea by showing that counsel's representation fell below an objective standard of reasonableness and that there is a reasonable probability that, but for counsel's errors, the defendant would not have pled guilty, but would have insisted on going to trial." *Kolle v. State*, 386 S.C. 578, 588, 690 S.E.2d 73, 78 (2010) (quoting *Rolen v. State*, 384 S.C. 409, 413, 683 S.E.2d 471, 474 (2009)); *Burket v. Angelone*, 208 F.3d 172, 189 (4th Cir. 2000) (same). This is the *Strickland* test as applied in the guilty plea context.

Notably, statements made during a guilty plea should be considered true: "… accuracy and truth of an accused's statements at … his guilty plea … are 'conclusively' established by that proceeding unless and until he makes some reasonable allegation why this should not be so." *Crawford v. United States*, 519 F.2d 347, 350 (4th Cir. 1975), *overruled on other grounds by United States v. Whitley,* 759 F.2d 327 (4th Cir. 1985); *Dalton v. State*, 376 S.C. 130, 137–38, 654 S.E.2d 870, 874 (Ct. App. 2007) (same).

The record here supports that the plea was a voluntary choice among alternatives and that choice was guided by counsel against which Applicant had no complaints at the time of the plea. (*See* Return Attachment, Tr. 4-5). This Court finds Applicant's testimony that he understood he would receive only the minimum on each charge, whether concurrent or not, is not credible. The recommendation was plainly placed on the record and there was no objection or challenge to that recommendation at the time of the plea. Further, Applicant has shown no deficiency in counsel's investigation or advice, and certainly none that would support a finding that but for the advice, Applicant would not have pled guilty. Lastly, this Court finds that Applicant's claims regarding the search and seizure may not be heard on the merits as the knowing and voluntary plea acts as a waiver and bar to all non-jurisdictional errors and complaints.

Allegation Counsel Failed to Properly Investigate

Applicant testified at the hearing that counsel did not properly investigate the case, specifically, he did not consider the drug report that indicated the presence of fentanyl, and did not fully investigate the search and seizure. Counsel testified at the hearing that was not the case, and that he had investigated and considered his client's statements regarding the car and was also cognizant that trafficking in illegal drugs could be shown by a mixture that included heroin, and heroin was included in the mixture that Applicant had. In light of the contemporaneous record of the plea, this Court credits plea counsel's testimony.

"Counsel has a duty to undertake reasonable investigations or to make a decision that renders a particular investigation unnecessary." *Taylor v. State*, 404 S.C. 350, 363, 745 S.E.2d 97, 104 (2013) (citing *Strickland,* at 691). However, "[i]n the context of a guilty plea," it remains that "the deficiency prong inquiry turns on whether the plea was voluntarily, knowingly, and intelligently entered." *Taylor v. State*, 404 S.C. 350, 360, 745 S.E.2d 97, 102 (2013).

Moreover, the "prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." *Stalk v. State*, 383 S.C. 559, 563, 681 S.E.2d 592, 595 (2009). Notably, the Supreme Court has instructed: "Courts should not upset a plea solely because of *post hoc* assertions from a defendant about how he would have pleaded but for his attorney's deficiencies. Judges should instead look to contemporaneous evidence to substantiate a defendant's expressed preferences." *Lee v. United States,* 582 U.S. 357, 369 (2017).

Our Supreme Court has similarly found that "*Hill* makes clear that th[e] prejudice prong ordinarily requires more than simply a defendant's assertion that but for counsel's deficient performance he would not have pled but would have gone to trial." *Stalk*, at 563, 681 S.E.2d at 595; *see also Taylor v. State,* 404 S.C. 350, 362, 745 S.E.2d 97, 103 (2013) ("Despite Petitioner's assertions to the contrary, there is probative evidence in the Record before us that he would not have chosen to proceed to trial"); *Goins v. State*, 397 S.C. 568, 575, 726 S.E.2d 1, 4 (2012) ("Although Goins testified at the PCR hearing that he accepted the plea because of the erroneous advice on the suppression of the evidence, his testimony specifically was found not to be credible. We therefore find evidence to support the PCR court's finding that Goins failed to prove he was prejudiced by counsel's ineffective assistance because he has not demonstrated he would have gone to trial absent the erroneous advice.").

"To find a guilty plea is voluntarily and knowingly entered into, the record must establish the defendant had a full understanding of the consequences of his plea and the charges against him." *Dalton v. State*, 376 S.C. 130, 138, 654 S.E.2d 870, 874 (Ct. App. 2007). "A defendant's knowing and voluntary waiver of the constitutional rights which accompany a guilty plea may be accomplished by colloquy between the Court and the defendant, between the Court and

defendant's counsel, or both." *Id.,* (quoting *Pittman v. State*, 337 S.C. 597, 600, 524 S.E.2d 623, 625 (1999)). Consequently, "[i]n determining guilty plea issues, it is proper to consider the guilty plea transcript as well as evidence at the PCR hearing." *Suber v. State*, 371 S.C. 554, 558, 640 S.E.2d 884, 886 (2007).This Court has considered Applicant's allegations against counsel in light of all the evidence, both at the plea and that presented in the PCR hearing.

Here, the terms of the agreement were fully set out on the record including the fifteen- year sentence – a negotiated sentence that Judge Verdin accepted. During the plea, Applicant directly addressed Judge Verdin but gave no indication of any misunderstanding or complaint against the State's evidence, counsel's representation, or the terms of the negotiation. This Court finds, especially considering the contemporaneous record made of the plea proceedings, that Applicant's PCR testimony regarding error or deficiency by counsel is not credible. Applicant's testimony that he did not know about the plea and did not know about the negotiated sentence, but nonetheless believed he would receive a lesser amount of time is inconsistent. Moreover, the plea record demonstrates that Applicant was aware that he was pleading to trafficking in heroin, 4 to 14 grams, first offense, with a sentencing exposure of 7 to 25 years, and trafficking in cocaine, 10 to 28 grams, second offense, with a sentencing exposure of 5 to 30 years. (Return Attachment, Tr. 3-4). He denied any promise made to him to induce the plea. (Return Attachment, Tr. 5). Applicant acknowledged that he would be giving up his trial rights by pleading guilty, including specifically the right to have the State prove guilt to the jury beyond a reasonable doubt. (Return Attachment, Tr. 5-6). Applicant confirmed that he wished to plead guilty. (Return Attachment, Tr. 7). Further, after hearing the State's recitation of facts, he confirmed again that he wished to plead guilty. (Return Attachment, Tr. 10). Counsel was not ineffective in any way regarding the terms of the

agreement. Simply, Applicant "received the benefit of the agreement for which he bargained and cannot now complain." *Rollison v. State*, 346 S.C. 506, 511–12, 552 S.E.2d 290, 293 (2001).

However, Applicant's testimony does support this Court's finding that Applicant cannot meet his burden of showing prejudice. At its base, Applicant's testimony is that he still wishes to plead guilty, just with less time. This cannot demonstrate *Strickland/Hill* prejudice.

To the extent that Applicant's testimony could be construed as an expectation or hope of a lesser sentence, that neither shows any deficiency in plea counsel's representation nor the possibility of an involuntary plea. *Wolfe v. State*, 326 S.C. 158, 485 S.E.2d 367 (1997) (fact that defendant "hoped" and "expected" to get reduced sentence does not render plea invalid); *Harres v. Leeke*, 282 S.C. 131, 318 S.E.2d 360 (1984) (fact that defendant "thought" judge would give lighter sentence was not a basis for relief). At any rate, the detailed information conveyed by Judge Verdin should have cured any misunderstanding Applicant may have held on his own. In fact, had counsel made an error in advice regarding the terms of the negotiated sentence, which this Court finds he did not, any such error would have been cured by Judge Verdin's express and clear explanation. *Moorehead v. State*, 329 S.C. 329, 333, 496 S.E.2d 415, 416 (1998) ("When considering an allegation on PCR that a guilty plea was based on inaccurate advice of counsel, the transcript of the guilty plea hearing will be considered to determine whether any possible error by counsel was cured by the information conveyed at the plea hearing.").

As to counsel's investigation of the drugs, again, this Court credits counsel's testimony. It appears that Applicant's claim falls into two parts – counsel's alleged failure to determine and advise Applicant of a possible defense to the trafficking charge as to knowledge of the type of drugs, and counsel's alleged failure to determine and advise Applicant of a possible defense as to State's ability to meet the elements of the offense. Both lack merit.

As an initial matter, this Court finds plea counsel's testimony on his investigation of the facts, including having received and reviewed the testing report, and that he had an understanding of the relevant criminal statute in regard to mixtures, is credible. The chemical report reflected a drug mixture. That mixture contained heroin. The State noted at the plea, in describing the facts supporting guilt, that "10.76 grams of a heroin-fentanyl mixture ... was located exactly where the defendant described." (Return Attachment, Tr. 10). Applicant did not contest that fact at the plea. (Return Attachment, Tr. 10). Applicant has failed in his burden of proof of showing deficient performance regarding investigation. In the alternative, this Court could also resolve the allegation on lack of prejudice alone as there is no merit to Applicant's position that the presence of some fentanyl in the mixture is somehow a defense for the charge.

As to knowledge, *State v. Miles*, 421 S.C. 154, 805 S.E.2d 204 (Ct. App. 2017), is instructive. In *Miles*, the Court of Appeals considered the "knowing" portion of the trafficking statute. The Court of Appeals resolved that "the Legislature did not intend to require the State to prove a defendant knew the specific type of illegal drug he was trafficking." *Id.*, at 161, 805 S.E.2d at 208. Relatedly, explaining the exact chemical analysis of all substances to ensure Applicant's understanding of the presence and approximate weight of each and every substance, given the statutory provision, would not be necessary for reasonable representation.

As far as meeting the requirements of the crime itself, the statute firmly addresses the point by providing that the crime is established by "four grams or more of any mixture containing these substances...." S.C. Code Ann. § 44-53-370 (e)(3).

Moreover, in failing to meet his burden of showing prejudice, Applicant has the persistent problem that he faced greater sentencing exposure on the remaining charge alone (*see* Return Attachment, Tr. 4, trafficking in cocaine, 5-30). Again, he cannot show a reasonable probability

that he would not have pled guilty in these circumstances; thus, cannot demonstrate sufficient prejudice. In particular, this Court credits counsel's testimony that Applicant wanted a seven-year sentence and that he had refused an original plea offer for upwards of twenty years. This Court also credits counsel's testimony that Applicant did not want to go to trial, but they were preparing for trial. Counsel noted, during the plea proceedings, that they had been on the docket at that time. (Return Attachment, Tr. 11). This Court further credits counsel's testimony that in light of the number of charges, Applicant was facing a life sentence if he should be convicted. Again, this Court finds that Applicant voluntarily and knowingly accepted the best negotiation that was offered. He cannot now complain. *Rollison, supra.*

Search and Seizure Claim

"Few principles of South Carolina criminal law are as ingrained as the notion that a knowing, voluntary, and intelligent guilty plea 'constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights.'" *State v. Sims*, 423 S.C. 397, 400, 814 S.E.2d 632, 633 (2018) (quoting *State v. Rice*, 401 S.C. 330, 331-32, 737 S.E.2d 485, 485 (2013)). "[A] guilty plea represents a break in the chain of events which has preceded it in the criminal process. When a criminal defendant has solemnly admitted in open court that he is in fact guilty of the offense with which he is charged, he may not thereafter raise independent claims relating to the deprivation of constitutional rights that occurred prior to the entry of the guilty plea. He may only attack the voluntary and intelligent character of the plea . . . ." *Rice*, at 332, 737 S.E.2d at 486 (brackets in original) (quoting *Tollett v. Henderson*, 411 U.S. 258 (1973)).

"It is beyond dispute that a guilty plea must be both knowing and voluntary." *Parke v. Raley*, 506 U.S. 20, 29 (1992). It is also clear the record should reflect that voluntary choice. *Boykin v. Alabama*, 395 U.S. 238 (1969) ("a guilty plea should only be accepted where the record

evidences 'an affirmative showing that it was intelligent and voluntary.'"). That record is established "by colloquy between the court and defendant, between the court and defendant's counsel, or both." *Roddy v. State*, 339 S.C. 29, 34, 528 S.E.2d 418, 421 (2000) (citing *State v. Ray*, 310 S.C. 431, 437, 427 S.E.2d 171, 174 (1993)).

Applicant affirmed under oath to Judge Verdin that he understood his trial rights and that he would be waiving those rights in pleading guilty. (Return Attachment, Tr. 5-6). The judge advised of the potential sentence for the crimes. (Return Attachment, Tr. 3-4). Judge Verdin also inquired if Applicant was satisfied with counsel, and Applicant indicated he was. (Return Attachment, Tr. 4-5). The judge also ensured that Applicant was not coerced, or promised anything, or under the influence of anything when making the critical decision to plead guilty. (Return Attachment, Tr. 5). After listening to the solicitor's recitation of facts, Applicant affirmed that he wished to plead guilty. (Return Attachment, Tr. 10). The record supports a voluntary plea. Consequently, Applicant cannot challenge the search at this point. *Sims, supra.*

Even so, this Court credits plea counsel's testimony that he discussed the facts with Applicant and had prepared (or perhaps even filed) a motion to suppress. This appears consistent with part of Applicant's testimony at the PCR hearing. Though Applicant maintains the plea was a complete surprise (which this court does not find credible), Applicant did suggest that he thought he was going to court on a motion to suppress. On the point of a motion for suppression, there seems to be common ground. However, the plea necessarily blocked counsel's ability to make the argument or obtain a ruling on a motion. It is also a waiver of Applicant's ability to revive complaints about the search and seizure.

But again, Applicant has failed to show counsel was ineffective in his advice concerning sentencing. Further, the record demonstrates a knowing and voluntary plea entered with the

assistance of counsel. Consequently, Applicant may not now challenge the statement as that ability was waived by entry of the knowing and voluntary plea. *Sims, supra.*

CONCLUSION

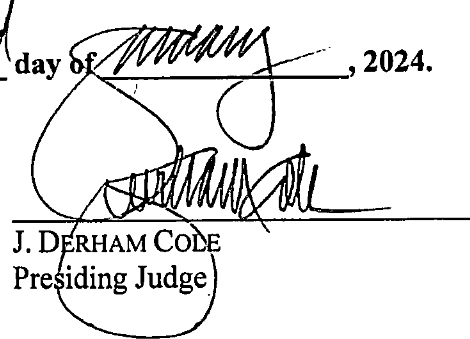
For the above stated reasons, this Court finds that Applicant failed to carry his burden of proof. Therefore, this application for post-conviction relief must be denied and dismissed with prejudice.

IT IS THEREFORE ORDERED:

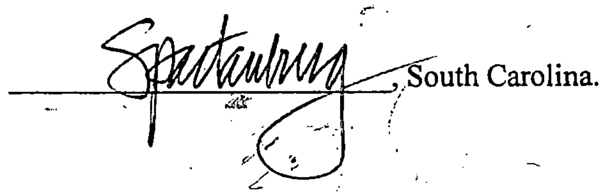
1. Applicant's application for post-conviction relief is denied and dismissed with prejudice; and

2. Applicant is remanded to the custody of Respondent for completion of her sentence.

AND IT IS SO ORDERED this 22nd day of January, 2024.



J. DERHAM COLE
Presiding Judge



Spartanburg, South Carolina.

Copy mailed to
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