

**RECEIVED**

**May 31 2023**

**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Certiorari to York County

Honorable R. Scott Sprouse, Circuit Court Judge

---

TRAVIS HUTCHINSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-000752

---

SUPPLEMENTAL APPENDIX

---

SARAH E. SHIPE  
Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-1330

MARK FARTHING  
Assistant Attorney General  
Rembert Dennis Building  
1000 Assembly Street, Room 519  
Columbia, SC 29201  
(803)734-4117

ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

INDEX

INDEX ..... i

AMENDED APPLICATION FOR POST-CONVICTION RELIEF ..... 1

FILED-RECEIVED

STATE OF SOUTH CAROLINA )

2022 APR 25 AM 10:35 IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

DAVID HAMILTON  
C.G.P. & GS SIXTEENTH JUDICIAL CIRCUIT

TRAVIS HUTCHINSON )

YORK COUNTY, SC CASE NO.: 2020-CP-46-00338

Applicant, )

v. )

**AMENDED**

) **POST CONVICTION RELIEF**

STATE OF SOUTH CAROLINA, )

**APPLICATION**

Respondent. )


\_\_\_\_\_ )

Applicant, by and through his undersigned attorney, hereby amends his application for Post-Conviction Relief filed January 29, 2020. This amended complaint adopts and includes all grounds in the original application. Applicant further alleges as additional grounds regarding his claim of ineffective assistance of counsel as to Devon R. Nelson as follows:

1. Prior to the guilty plea, Applicant's counsel failed to explain the details of the Applicants guilty plea and sentencing and the elements of each offense.
2. Applicant's counsel failed to provide a copy of the states evidence to the Applicant
3. Applicant's plea counsel, failed to discuss a defense strategy with applicant or to properly review evidence with Applicant.
4. Applicant's counsel failed to meet with the Applicant a sufficient number of times to review the evidence.

5. Applicant's counsel failed to move to withdraw the guilty plea when the solicitor enhanced the Possession Cocaine and the PWID Heroin charge from a 2nd to a 3rd offense.
6. Applicant's counsel failed to request a continuance as Applicant stated to the court that he was just "coming down off of heroin" (page 12) and the Applicant was unable to voluntarily waive his rights and enter a guilty plea.
7. Applicant's counsel failed to object and to move to withdraw the guilty plea when the solicitor recommended a sentence for the Applicant after informing the defense and the court there was no negotiation or recommendation as reflected in the sentencing sheets (page 23).
8. Applicant's counsel failed to notify the solicitor that the defendant had accepted the states offer of 2 years incarceration at a meeting witnessed by the Applicants wife Latisha Williams and failed to contact the Applicant regarding a deadline for the offer (page 27).
9. Furthermore, the Applicant requests that he be permitted to Amend his PCR application to conform to the evidence presented at the PCR hearing should any new or unaddressed issues arise during the course of the hearing that have not been specifically addressed in the Application. See Simpson v. Moore, 367 S.C. 587, 627 S.E.2d 701 (2006).

Respectfully submitted,



---

**OLA JOHNSON**

Attorney for Applicant

P.O. Box 549

Lexington, SC 29071

This 31 day of March, 2022.