

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

JUDGMENT IN A CIVIL CASE - PCR

FILED  
AM/PM

CASE NO. 2022-CP-25-00238

Johnnie L. McKNIGHT,

The STATE of South Carolina,

Applicant,

Respondent.

MAY 13 2024

MYLINDA D NETTLES  
CLERK OF COURT  
HAMPTON COUNTY SC

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.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  *Strickland v. Washington*, 466 US 668 (1984) and *Cherry v. State*, 300 SC 115 (1989).
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j) SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other

**IT IS ORDERED AND ADJUDGED:**  See formal order to follow;  Statement of Judgment by the Court:

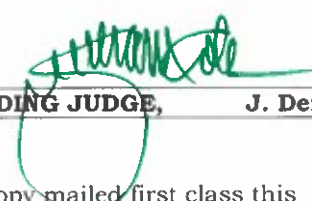
This matter came before this court for an evidentiary hearing on an application for post-conviction relief filed pursuant to *South Carolina Code Annotated Section 17-27-10 et seq.* The applicant proceeded on grounds of (1) ineffective assistance of trial counsel in several particulars, (2) prosecutorial misconduct in several particulars, and (3) ineffective assistance of appellate counsel.

Based upon the record of the case, the evidence presented at the evidentiary hearing held in this matter, the argument of counsel, and consideration of the applicable statutory and case law, this court finds that;

The applicant's request for **POST-CONVICTION** relief should be and **IS** therefore **DENIED** and the **APPLICATION DISMISSED WITH PREJUDICE**. The applicant has failed to establish; any deficient performance on the part of counsel under prevailing professional norms; and/or any prejudice resulting from counsel's performance as there is no reasonable probability that, but for counsel's performance, the result of the proceeding would have been different, *Strickland v. Washington*, 466 US 668 (1984) and *Cherry v. State*, 300 SC 115 (1989), and/or any other cognizable claim.

Respondent's counsel is instructed to prepare and submit a proposed formal order for the court's consideration.

Dated at Beaufort, South Carolina, this 9<sup>TH</sup> day of **MAY, 2024**.


---

**PRESIDING JUDGE, J. Derham Cole**

This judgment was entered on the \_\_\_\_\_ day of **MAY, 2024**, and a copy mailed first class this \_\_\_\_\_ day of **MAY, 2024** to attorneys of record or to parties (when appearing pro se) as follows:

**CHELSEY F. MARTO, Esq.**  
Post Office Box 8795  
Columbia, South Carolina 29201  
  
ATTORNEY(S) FOR THE APPLICANT

**DANIELLE DIXON, AAG**  
Post Office Box 11549  
Columbia, South Carolina 29211-1549  
  
ATTORNEY(S) FOR THE RESPONDENT

**MYLINDA D. NETTLES, CLERK OF COURT**