



After a thorough review of the record and Applicant's filing, this Court reasserts its finding in the Conditional Order of Dismissal that the current PCR application must be dismissed because it is untimely, barred by the statute of limitations, successive to Applicant's previous PCR action, and for failing to comply with the Uniform Post-Conviction Procedures Act, S.C. Code Ann. § 17-27-10 *et seq.* (2014). Before the Court will hold an evidentiary hearing, Applicant must make a *prima facie* showing that he is entitled to relief. Welch v. MacDougall, 246 S.C. 258, 143 S.E.2d 455 (1965); Blandshaw v. State, 245 S.C. 385, 140 S.E.2d 784 (1965). Applicant has failed to make such a showing based on the information before this Court, and, therefore, he is not entitled to an evidentiary hearing in this matter. Accordingly, this Court finds no reason why the Conditional Order of Dismissal should not become final.

**IT IS THEREFORE ORDERED** that for the reasons set forth in the Court's conditional order of dismissal, the Application for post-conviction relief is hereby **DENIED AND DISMISSED WITH PREJUDICE**.

This Court hereby advises Applicant he must file and serve a notice of appeal within thirty days of the service of this Order to secure appellate review. See Rule 203, SCACR. Applicant's attention is directed to Rule 243, SCACR, for the procedures following the filing and service of the notice of appeal.

AND IT IS SO ORDERED this 17<sup>th</sup> day of April, 2025.



GRACE GILCHRIST KNIE  
Chief Administrative Judge  
Seventh Judicial Circuit

Spartanburg, South Carolina.

FILED IN OFFICE OF  
CLERK OF COURT  
CHEROKEE COUNTY, S.C.  
2025 APR 21 A 10:56  
BRANDY W. MOBEE

RECEIVED

MAR 26 2025

GENERAL COUNSEL

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
Post Office Box 21787 - Columbia, South Carolina 29221

Pursuant to Rule 4(d)(2) of the South Carolina Rules of Civil Procedure, the Director of the South Carolina Department of Corrections has designated Gwen Hall (*Server*) as his duly authorized agent for the purpose of making service of the process on the below named individual.

STATE OF SOUTH CAROLINA )  
COUNTY OF Sumter )

AFFIDAVIT OF PERSONAL SERVICE

On this 25 day of March 2025, I served the Conditional Order of Dismissal (2022-CP-11-00247), on Inmate Leonard Lee Foster SCDC Inmate #179576 by delivering personally and leaving a copy of the same at WATEREE RIVER Correctional Institution. Deponent is not a party to this action.

s/ [Signature]  
SCDC Server

SWORN TO AND SUBSCRIBED BEFORE ME

this 25<sup>th</sup> day of March, 2025  
Pamela D Hetfield (L.S.)

Notary Public for South Carolina  
My Commission Expires: 04/08/2032

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CHEROKEE COUNTY, S.C.  
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ADMISSION OF SERVICE

Service of a copy of the within Conditional Order of Dismissal (2022-CP-11-00247) is admitted at the South Carolina Department of Corrections (Waterree River Correctional Institution), Rembert County, SC this 25 day of March, 2025.

s/ [Signature]  
Inmate  
SCDC Inmate #: 179576



ALAN WILSON  
ATTORNEY GENERAL

April 14, 2025

The Honorable Grace Gilchrist Knie  
180 Magnolia Street  
Spartanburg, SC 29306

**Re: Leonard L. Foster, #179576 v. State of South Carolina**  
**Case No: 2022-CP-11-00247**

Dear Judge Knie:

Enclosed, please find the proposed **Final Order of Dismissal** in the above-captioned case for your consideration. If you approve of this order, please sign it and forward it to the Cherokee County Clerk of Court for filing.

Should you need anything further, please let me know.

Sincerely,

D. Russell Barlow, II  
Senior Assistant Deputy Attorney General

DRB/jh

cc: Leonard L. Foster, #179576

Enclosures

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