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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM ORANGEBURG COUNTY
Kristi Curtis, Circuit Court Judge

2015-CP-38-1257

Danny Ryant, Jr., # 344191,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Danny Ryant, Jr., # 344191, appeals the Order of Dismissal denying his Application for Post-Conviction Relief filed May 30, 2025, issued by the Honorable Kristi Curtis, Presiding Judge, First Judicial Circuit.

Jonathan D. Waller

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ATTORNEY FOR PETITIONER

June 12, 2025

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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

May 27, 2025

The Honorable Winnifa Brown-Clark
Orangeburg County Clerk of Court
PO Box 9000
Orangeburg, SC 29115-9000

Re: **Danny Ryant, Jr., #344191 v. State of South Carolina**
2015-CP-38-01257

Dear Ms. Brown-Clark:

Enclosed please find the original signed Order of Dismissal to Applicant's PCR Application, in the above captioned case, for filing in your office.

Sincerely,

Danielle Dixon
Assistant Attorney General

BTH/wjc

cc: Jonathan D. Waller, Esquire (with enclosure)

ATTEST: TRUE COPY
Winnifa B Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Danny Ryant, Jr., #344191,

Applicant,

v.

State of South Carolina,

Respondent.

COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT

Case No. 2015-CP-38-01257

ORDER OF DISMSISAL

This matter is before the Court by way of an application for post-conviction relief filed by Danny Ryant, Jr. (Applicant) on October 13, 2015. On August 12, 2024, an evidentiary hearing convened before the Honorable Kristi Curtis.[1] Applicant was present and represented by Jonathan Waller, Esquire. Assistant Attorney General Danielle Dixon represented Respondent. Applicant testified at the hearing and called as a witness trial counsel Douglas Mellard, Esquire. Additionally, Applicant proffered two affidavits from Patrick Tyler purportedly recanting his trial testimony. The State called former Assistant Solicitor Donald N. Sorenson. Following a thorough review of the records before this Court and the testimony and evidence presented at the evidentiary hearing, this Court finds Applicant did not meet his burden of proof. Thus, this Court denies and dismisses this application with prejudice.

[1] This hearing was previously continued on October 16, 2016; on March 22, 2018, to appoint an attorney for purported recanting witness Patrick Tyler; on July 16, 2018, because an attorney had not yet been appointed for Tyler; on February 8, 2022, after counsel for Applicant objected to the hearing proceeding virtually due to the COVID pandemic; on June 6, 2022, after Tyler refused to be transported by the South Carolina Department of Corrections for the hearing; on January 25, 2023, due to the unavailability of a necessary witness for the State; on May 9, 2023, due to the unavailability of necessary witnesses for the State; and on September 5, 2023, due to the unavailability of a necessary witness for the State.

ORANGEBURG

ATTEST: TRUE COPY
Winnie B Clark
CLERK OF COURT
ORANGEBURG COUNTY, SC

PROCEDURAL HISTORY

Applicant is presently confined in the South Carolina Department of Corrections serving an aggregate forty-year sentence. In May 2010, the Orangeburg County Grand Jury indicted Applicant for murder (2010-GS-38-0817), armed robbery (2010-GS-38-0819), and first-degree burglary. (2010-GS-38-0818). These charges arose from a home invasion that resulted in the fatal shooting of Charles Pringle on March 12, 2012. Ashley Parsley, a surviving victim, later identified co-defendants Ralph Coleman and Walter Harris ("Pete") from lineups.

On December 10-17, 2010, Applicant proceeded to a jury trial with four co-defendants before the Honorable Edgar Dickson. Douglas Mellard, Esquire, represented Applicant. Solicitor David M. Pascoe and Assistant Solicitor Donald N. Sorenson prosecuted the case. At trial, Patrick Tyler—a fifth co-defendant—testified for the State and implicated Applicant in the home invasion. The jury convicted Applicant as indicted, and Judge Dickson sentenced him concurrently to forty years each for murder and burglary, and thirty years for armed robbery.

Applicant filed a timely notice of appeal, which was perfected by Appellate Defender Kathrine Hudgins. On appeal, Applicant argued the trial court erred in (1) denying his motion to sever and (2) finding he was not entitled to the criminal records checks the State had compiled on prospective jurors. The South Carolina Court of Appeals affirmed on the merits. State v. Ryant, Op. No. 2012-UP-647 (Dec. 5, 2012). Applicant filed a petition for writ of certiorari to the Supreme Court, which was initially granted but later dismissed as improvidently granted. The remittitur was sent February 3, 2015.

CURRENT APPLICATION

On October 13, 2015, Applicant timely filed this application alleging:

1. Ineffective Assistance of Counsel
   a. Counsel failed to object to prosecutor's statements and introduction of photographs regarding an uncalled witness, which presented the jury with testimony as if the witness had taken the stand himself.
   b. Counsel failed to object to the hearsay testimony on behalf of the prosecution also failing to object to the inadmissible evidence being the photos of the green Explorer.
   c. Counsel failure to object to the solicitor's statements regarding the uncalled witness was pre se prejudicial.

2. "Denial of Due Process"
   a. Applicant discovered after his trial that he was denied a fundamental right to a fair trial by his trial judge's plea negotiation with his alleged co-defendant;
   b. The trial judge's illegal negotiation of Tyler's plea agreement is evidenced by his acceptance of Tyler's guilty plea to a lesser included offense of voluntary manslaughter without a signed waiver of the indictment for presentation of this charge to the grand jury.

At the hearing, Applicant proceeded only on issues related to (1) affidavits of Patrick Tyler allegedly recanting his trial testimony and (2) trial counsel's failure to object to hearsay testimony about Ronnie Washington, the getaway driver. This Court finds Applicant failed to present testimony or evidence to support his remaining allegations and thus waived those claims.[2]

[2] This Court likewise finds Applicant did not present any credible evidence that the trial judge entered into an illegal plea negotiation with Tyler; that claim is thus denied.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has had the opportunity to review the records before it, including the Orangeburg County Clerk of Court records of the underlying convictions, Applicant's records from the South Carolina Department of Corrections, the trial transcript, Applicant's appellate records, and the records from this PCR action. This Court has further had the opportunity to observe the witnesses presented at the hearing, closely pass upon their credibility, and weigh their testimony accordingly. After a careful review based on the Strickland standard set forth below, this Court finds Applicant has failed to carry his burden of proof. Below are this Court's findings of fact and conclusions of law as required by section 17-27-80 of the South Carolina Code (2017).

Ineffective Assistance of Counsel

In a PCR action, an applicant bears the burden of proving the allegations in his application. Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985). To prove ineffective assistance of counsel, the applicant must show counsel was deficient, and the deficiency prejudiced applicant. Strickland v. Washington, 466 U.S. 668 (1984). When evaluating deficiency, courts measure an attorney's performance by its "reasonableness under prevailing professional norms." "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Butler, 286 S.C. at 442, 334 S.E.2d at 814 (citing Strickland, 466 U.S. at 690). The applicant must overcome this presumption to receive relief. Cherry, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989). To prove prejudice, an applicant must prove counsel's deficient performance prejudiced the applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." Id. at 117-18, 386 S.E.2d at 625.

Patrick Tyler

Applicant first contends Patrick Tyler signed two affidavits recanting his trial testimony. This Court frames this an allegation that Applicant is entitled to a new trial based on after-discovered evidence and finds Applicant did not prove this ground.[3]

> In order to warrant the granting of a new trial on the ground of after-discovered evidence, the movant must show the evidence (1) is such as will probably change the result if a new trial is granted; (2) has been discovered since the trial; (3) could not have been discovered before the trial by the exercise of due diligence; (4) is material to the issue; and (5) is not merely cumulative or impeaching.

State v. Harris, 391 S.C. 539, 545, 706 S.E.2d 526, 529 (Ct. App. 2011) ***"Recantation of testimony ordinarily is unreliable and should be subjected to the closest scrutiny when offered as ground for a new trial."*** Id.

At the PCR hearing, Applicant entered an affidavit of Patrick Tyler dated February 5, 2014, attesting:

> I want this statement to be used for all my co-defendants. I just want to come and tell the truth about the time. I was the one that had the three guns that y'all didn't get. I was the one that shot the victim with the (SKS). When all this took place and we got lock up of the crime I was the youngest out of everyone. The police, solicitor and my lawyer took that in consideration and lead me in what to say. I told lies on my co-defendants so that I won't go to jail but the whole time I was the one killed the victim. Everything that I said on the stand was lies. I was told to do that, or else go to jail & get life. I never was in to nothing with the law until that day. So I done what I was told what to do which I would like to correct in this statement. I just want to let all party's know what really happen. Any hearing my codefendants that's coming up I would come and tell the court that I was the one who shot and killed the victim & hide the three weapons that killed the victim.

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[3] To the extent this is an allegation of ineffective assistance of counsel, this Court finds credible trial counsel's testimony that Tyler's attorney probably would not have allowed him to speak to Tyler. It is very common for an attorney to not allow a client to speak to a co-defendant's attorney. In light of this, counsel was not deficient for not interviewing Tyler or procuring similar affidavits before trial.

The other affidavit, prepared by a private investigator for co-defendant Ralph Coleman and notarized October 6, 2021, primarily addressed Coleman. Pertinent to this case, however, Tyler averred:

> It was actually me, Patrick Tyler, who pulled the gun out on the female. The persons in the house with me, Patrick Tyler, was Little Chris, Mario, and Walter Harris. Danny Ryant and Ralph Coleman were not in the house. Mario and Chris had a SKS rifle. Walter Harris did have a gun at the apartment. Walter Harris did not give or let Ralph Coleman use his, Walter Harris's gun. Mario Shivers and Ralph Coleman did not plan this robbery; unlike I stated in my testimony. The statement that I gave investigator Shumpert was not a true statement. I told investigator Shumpert that Pete, Little M, Poke,[4] and Ralph Coleman did have guns. This is not a true and accurate statement. The reason I gave my testimony and statement in this case is because I was given a more favorable sentence for my testimony. Ralph Coleman and I did not walk into the apartment together. Ralph Coleman was never there in the apartment.

This Court finds the foregoing recanting affidavits NOT credible—especially here where Tyler refused to attend the PCR hearing and offer such testimony, notwithstanding his affidavit stating, "Any hearing my codefendant that's coming up I would come and tell the court that I was the one who shot and killed the victim & hide the three weapons that killed the victim."[5] In fact, while Tyler was still incarcerated with the South Carolina Department of Corrections, he refused to be transported to a previously-scheduled hearing in this case—prompting Applicant to request a continuance. Based on Tyler's refusal to attend the PCR hearing to offer this testimony, this

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[4] At trial, Tyler testified Applicant's nickname was Poke. (Tr. 300).

[5]Counsel for Applicant filed a Rule to Show Cause against Tyler based on his refusal to be transported after being served the subpoena. On August 31, 2023, Judge Taylor issued a Rule to Show Cause.

Court finds the affidavits NOT credible.[6] This Court further finds that based on Tyler's refusal to be involved in this PCR hearing, it is not reasonably probable he would attend any subsequently-scheduled trial to offer different testimony. Applicant thus has not met his burden of showing he is entitled to a new trial based on Tyler's alleged recantation.

Even if he did appear and testify consistent with his notarized statement, the statement that he was the sole shooter is not credible given the other evidence presented at trial that all six co-defendants came into the victim's home, multiple different firearms were used to shoot the victim 24 times, and witness Ashley Parsley heard "a lot" of gunfire. Finally, the affidavits are merely impeaching and do not set forth a sufficient basis for a new trial, especially here where Tyler was extensively cross-examined by five defense attorneys regarding inconsistent statements he made to law enforcement and any benefit he hoped to receive by testifying. (Tr. 343-69, 384-424, 433-41). Applicant has not met his burden of proof in this regard, and this claim is denied.

Ronnie Washington

Applicant contends counsel was ineffective for not objecting to hearsay testimony about Ronnie Washington, the getaway driver. Applicant did not prove this ground.

During opening argument, the solicitor stated,

> You're also going to hear from a young man by the name of Ronnie Washington. He's going to also identify the five of them as being the individuals that he picked up that night along with Mr. Tyler and ultimately took them over to that apartment for the purpose of going to, he thought to go buy some marijuana, and how when they came running he'll tell you where he ended up taking them and dropping them off that night.

[6] Tyler's repeated assertions in the second affidavit that co-defendant Ralph Coleman was not present at the home invasion contradicts not only Tyler's trial testimony but the surviving victim's identification of Coleman as the shooter from a photographic lineup. Based on these blatant contradictions, this Court finds the recanting affidavits not creditable.

(Tr. 163). However, the State never called Washington as a witness.[7]

During Tyler's testimony, the following exchange occurred:

> Q. Now, you testified you knew Chris back then, but did you know who Chris's friend was, the driver?
> A. No sir.
> Q. Had you ever seen him before?
> A. No, sir.
> Q. Do you remember anyone saying his name?
> A. No, sir.
> Q. Did you ever know anyone by the name of Ronnie Washington back then?
> A. No, sir.
> Q. Can you just describe him for the jury, what he looked like as best you can remember?
> A. Heavy set, had an afro I think, and light skin.
> Q. And he was the driver of the vehicle?
> A. Yes, sir.
> Q. Okay. Did you ever really get a good look at him?
> A. No, sir.

(Tr. 309-10). During Lieutenant James Shumpert's direct examination, the following exchange occurred:

> Q. Let me ask you, what was the first time you came into physical contact with a young man by the name of Ronnie Washington?
> A. Two weeks ago, I believe it probably would be November Thirtieth.
> Q. And did you take a statement from him at that time?
> A. I did.
> Q. Let me show you State's exhibits number twenty, twenty-eight and twenty-nine. Have you seen those photographs before?
> A. Yes, sir.
> Q. And whose, whose Ford Explorer, who does that Ford Explorer belong to?
> A. Ronnie Washington.
> Q. And who was driving this back on March the twelfth of two thousand and ten?
> A. Ronnie Washington.
> Q. Now, has Mr. Washington at this time been charged with anything, Lieutenant?

[7] The pretrial discussions indicate the State had notified the defendants of Washington's statement to law enforcement and named him as a potential witness at trial. (Tr. 22, 25, 27-30).

A. Not at this time.
Q. And is that something the sheriff's office is still evaluating?
A. We are.
Q. And yet again, he just came to your attention two weeks ago?
A. Two weeks ago.

(Tr. 724-25). The following exchange occurred during Christian Coleman's cross-examination of Lieutenant Shumpert:

Q. Did you, did you have any supplemental report as far as, I think you testified when you found the unknown driver did you make a supplemental report on that?
A. No, I just took a statement from him because, like I said, I hadn't even got a chance to interview, I mean, finish investigating that part of the investigation.
Q. Okay. So you took a statement from him?
A. That's all I did, took a statement from him, correct.
Q. And what was his name?
A. Ronnie Washington.
Q. Okay. So, you took the statement from him, ***did he admit to being the driver in the statement?***
A. Yes, he did.
Q. So you charged him at that time?
A. No, I did not.
Q. And why is that?
A. Well, he said that he was the driver, from what he told me that, he states that—
[Co-defendant's counsel]: Objection, your Honor, he's getting into what Ronnie Washington said in his statement and he's certainly not here for me to cross-examine him.
The Court: The objection is sustained.
Q. Okay. But you didn't arrest him?
A. Not yet.
Q. Not yet?
A. Not yet.
Q. Not from two weeks agon?
A. Two weeks ago, correct.
Q. And did he, didn't he, or ***did he say he knew my client?***
A. Yes, sir.
Q. And how did he know my client [Christian Coleman]?
A. He said they used to work together at Burger King.
Q. Uh-huh.
A. And I think they went to school together, but he used to run errands for him.

Q. Okay. As far as, as far as the arrest or non-arrest, from your experience as a law enforcement officer you didn't feel at the time that you could charge him with any charge?
A. Well, it's a matter of—well, I don't go by what I feel. Do I think he probably participated in it? Yes. But can I prove it? At this time I can't. And that's why it's still a further investigation.
Q. Okay. So—
A. The statement I took from him is not enough to place him under arrest at this time, I've got to continue my investigation, I've been in court all week, so....
Q. But that was two weeks ago?
A. Two weeks, correct.
Q. November thirtieth, is that correct?
A. Yes, sir.
Q. Did you consult the solicitor's office about making that arrest?
A. I told them that I talked to the driver of the vehicle, if that's what you're asking me.
Q. Did y'all talk about a possible arrest?
A. I was more focused on this case. I—like I told them, I would continue the investigation. I went out on my own and conducted another lineup, took it to Mr. Tyler, and he couldn't pick him out. So, I didn't have enough to go seek probable cause to get an arrest at this time.
Q. So you said you were more focused on this case, but he's part of this case, is he not?
A. Yes, now he is.

(Tr. 774-77, emphasis added). Later, counsel for co-defendant Ralph Coleman cross-examined Lieutenant Shumpert as follows:

Q. Lieutenant, Mr. Lackey asked you if you arrested Ronnie Washington, and you said you hadn't?
A. Correct.
Q. But you would agree with me, wouldn't you, that if you believed everything Patrick Tyler said, he was guilty of this crime, he was a part of this whole crime?
A. Yes.
Q. If you believed Patrick Tyler?
A. Correct.
Q. Okay. When you spoke to Patrick Tyler initially, did he tell you the things about Ronnie Washington that he testified to in this trial? Did he tell you that information?
A. I'm not sure what you're asking, but—
Q. Okay.

A. —if it's the way you're asking me, he didn't tell me nothing about Ronnie Washington because he said he didn't know the driver.
Q. Okay. But let me be more specific.
A. Okay.
Q. If you—he obviously, then, it's your testimony that he didn't tell you that when they were in the car that they were talking about the robbery, he didn't tell you that, did he?
A. No, he didn't.
Q. Okay. He didn't tell you that Ronnie Washington drove them there?
A. He said an unknown driver drove them there.
Q. Okay. He didn't tell you that on the way there that discussions were taking place in the car about what was going to happen at the robbery, he didn't tell you that, did he?
A. No.
Q. Okay. I may have asked you this, he didn't tell you that there were guns in the car when he talked to you and wrote that statement, he didn't tell you that there were guns in the car?
A. Not at the time, no, he did not.
Q. Okay. And he didn't—
A. But he did also say that he had, they needed another strap, so by him saying another strap, and them going to pick up Walter Harris I assumed there were guns already in the car.
Q. Well, here's the point. You heard him testify to the guns being in the car earlier this week, right?
A. Yes.
Q. Okay. Alright. So, if you believed that what he said is true, wouldn't you arrest Ronnie Washington?
A. Not at this time. Like I stated earlier, when I learned of Mr. Washington I showed him a photo lineup of him, and he wasn't able to pick him out. And so, nobody else really have came forward and said, yeah, this is the guy that was with us. So, like I said, it's a further investigation still going on at this time.

(Tr. 798-801).

During closing argument, the solicitor made the following references to Ronnie Washington:

The worst of Orangeburg County was when Patrick Tyer, Mario Shivers, and Ralph Coleman got together at Ralph Coleman's family's home on Woodbine and decided to commit an armed robbery of Charles Pringle, who Mario Shivers knew. Chris Coleman shows up with his buddy, Ronnie Washington. They've got a ride now, they're involved in it. They go and pick up Walter

> Harris who has a forty caliber hand gun, a black pistol. Walter Harris goes inside, scopes it out, they then go to the Corner Pocket which is about a half a mile from the victim's home, and they pick up Danny Ryant.

(Tr. 1012-13).

> Assertions like, Where is Ronnie Washington? Well, let's talk about Ronnie Washington. Where is he? Why isn't he charged with murder yet? Someone said in their closing statement, I assume it's because the prosecution in their defense of maybe mere presence. Well, I appreciate their indignation towards the get away driver, Ronnie Washington, it proves that the Defendants are guilty. I appreciate that. But let's talk about Ronnie. It is not reasonable, he came forth, as you heard, two weeks ago, while we were getting ready for this trial, Ronnie Washington goes to the sheriff's office, this came out, and admitted, I was the get away driver, and I'm friends with Chris Coleman, just like Patrick Tyler told you on the witness stand. How does that help them? But how is it reasonable for Ronnie Washington to drive those six individuals armed with SKS's, armed with pistols, duct tape, as Patrick Tyler told you, talking about the robbery in the car, how would it be reasonable for Ronnie Washington not to know what's going to happen? I submit, it's not. Well, what does that mean? It means, as they said, he needs to be charged. How can I ethically call a witness if I'm about to charge him with a crime? I can't. That's why Ronnie Washington is not here. That's the truth. Well, how can Ronnie Washington in any way help them? Not at all. It kills them. He corroborates Patrick Tyler from the testimony you got to hear about Ronnie Washington. He was the get away driver, that's the only evidence in this case, he's friends with Christopher Coleman, and he drove an SUV, a Jeep type car, an Explorer. And they accurately point out the law with regard to Ronnie Washington, I really appreciated that again. You do not have to be the gunman, you do not even have to go in the house to be guilty of murder, armed robbery, and burglary, that's exactly right.

(Tr. 1018-19).[8]

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[8] At the PCR hearing, counsel also questioned Mellard about why he didn't object to Lieutenant Shumpert's testimony that Patrick Tyler identified Christian Coleman from a lineup (Tr. 735); Mellard credibly testified his primary objection was to keep out information that would hurt Applicant—not the co-defendants. This Court finds counsel articulated a valid reason for not objecting and was not deficient. Further, co-defendant Ralph Coleman *did* object to this testimony.

This Court finds Applicant did not prove counsel was ineffective for not objecting to testimony about Washington. The trial transcript reflects the State initially identified Washington as a potential witness, and this Court finds credible Mellard's and Sorenson's PCR testimony that Washington was on the State's witness list. Thus, there was no basis for counsel to object to the State's mention of Washington during opening argument. See Strickland, 466 U.S. at 689 ("A fair assessment of attorney performance requires that every effort be made to eliminate the distorting effects of hindsight, to reconstruct the circumstances of counsel's challenged conduct, and to evaluate the conduct from counsel's perspective at the time." (emphasis added)).

When questioned at the PCR hearing about the foregoing testimony related to Washington, Mellard credibly testified Washington did not identify or implicate Applicant as a participant or pick him out of a lineup, and he thus did not believe testimony about Washington was damaging to Applicant's case. This Court agrees with counsel's assessment and finds counsel articulated a valid reason for not objecting. At most, the testimony established Washington (1) drove the vehicle and (2) knew Christopher Coleman. The name of the getaway driver was not material to Applicant's guilt or innocence—especially here where the driver never implicated Applicant. Counsel thus was not deficient for failing to object. Further, Applicant has not articulated any legal objection to this testimony other than hearsay.[9] This Court finds the only hearsay above—that Washington drove the vehicle and knew Coleman from work and school—was not material to Applicant's guilt or innocence. Because this testimony was not material to Applicant's guilt or

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(Tr. 733-35). Applicant has not articulated a different legal objection that would have reasonably excluded this testimony and thus did not meet his burden of deficiency or prejudice in this regard.

[9] Applicant likewise did not articulate any valid legal objection to the State's closing argument and thus did not meet his burden in this regard.

innocence, counsel was not deficient for failing to object based on hearsay. Applicant has not set forth any other valid, legal objection counsel should have raised and thus has not shown deficiency.

Finally, it is not reasonably probable the outcome would have been different had counsel objected. In other words, if counsel had successfully excluded testimony that Washington (1) gave a statement, (2) drove the vehicle, and (3) knew Coleman, it is not reasonably likely the outcome of Applicant's trial would have been different. Applicant thus did not prove this ground.

CONCLUSION

Based on the foregoing, this Court concludes Applicant has not established any constitutional violations that would require this Court to grant relief. Thus, this application is denied and dismissed with prejudice.

Should Applicant wish to secure appellate review, he must file and serve a notice of appeal within thirty days of receipt by counsel of written notice of entry of judgment. See Rule 203, SCACR. Applicant has the right to an appellate counsel's assistance in seeking review of the denial of PCR. Austin v. State, 305 S.C. 453, 409 S.E.2d 395 (1991). If Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on applicant's behalf. Rule 71.1(g), SCRCP. Attention is directed to Rule 243, SCACR, for appropriate procedures for appeal.

IT IS THEREFORE ORDERED:

1. This application for PCR is denied and dismissed with prejudice; and

2. Applicant shall be remanded to and remain in the custody of the State.

AND IT IS SO ORDERED THIS 7th day of May, 2025.

Kristi Curtis

KRISTI CURTIS
Presiding Judge
First Judicial Circuit

Columbia, South Carolina