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Jun 20 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
APPEAL FROM COLLETON COUNTY
Court of Common Pleas
The Honorable Frank Addy, Jr., PCR Action Judge
2023-CP-15-00859

RICHARD CAMPODONICO, #288910,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

NOTICE OF APPEAL

Richard Campodonico appeals the denial of his post-conviction relief application. The post-conviction relief action was heard and denied by the Honorable Frank Addy, circuit court judge, on April 15, 2025, and was denied by written order issued filed on June 2, 2025. Applicant received notice of the judgement on June 2, 2025.

/s Chelsey F. Marto
Chelsey F. Marto, Esquire
Attorney for the Applicant
The Law Office of Chelsey F. Marto, LLC
P.O. Box 8795
Columbia, SC, 29201
(864)-404-5583

Other Counsel of Record:
Kylee Kanealey, Esquire
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P.O. Box 11549
Columbia, SC, 29211-1549

Jun 20 2025

S.C. SUPREME COURT

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2023-CP-15-00859

RICHARD CAMPODONICO

STATE OF SOUTH CAROLINA

APPLICANT

DEFENDANT

Submitted by: COURT

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (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); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

JUN 2 2025 AM 10:58
COLLETON CO CP, GARY HALE

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court on April 15, 2025 for a trial on Applicant's petition for Post-Conviction Relief. Mr. Campodonico was present and represented by Chelsey Marto, Esq. The State was represented by Assistant Attorney General Kylee Kanealey. The Court finds as follows:

Applicant pled guilty to murder and associated charges and received a life sentence. The Colleton plea was part of a package deal with his Charleston charges where he also received a life sentence for burglary first degree. Applicant's stated grounds are 1) Lack of subject matter jurisdiction, no bond hearing, no true billed indictments; 2) No mental evaluation and lack of communication with counsel prior to plea and; 3) Missed direct appeal and wants a belated appeal.

Concerning the first ground, the indictments were true billed, the court clearly had subject matter jurisdiction, and only thirty days transpired between the offense and the plea. Bond is a matter of grace by the court, and in light of the fact that he was out on bond on the Charleston charges, Mr. Campodonico's odds of getting bond were, as a practical matter, nil.

Regarding the second ground, Mr. Matthews indicated at the PCR hearing that he did feel like the plea was rushed, but entering the plea is what Applicant wanted because the State had agreed to dismiss the charges against his wife. The plea transcript speaks for itself on this issue.

Additionally, there is no indication in the record that Applicant needed any mental evaluation, and page 10 of the transcript reflects that Applicant denied any issues with mental health.

Finally, with regard to the third ground, Mr. Matthews testified that Mr. Campodonico did not request an appeal. The Court finds this testimony credible, and having reviewed the plea transcript, no appellate issue exists.

Although not raised at the hearing or in his Application, the Court notes that Mr. Campodonico received a 5 year concurrent sentence on the weapons charge while also receiving life on the murder conviction. Under 16-23-490(A), if a life sentence is imposed, the 5 year sentence should not be imposed on the weapons offense. This Court will leave it to the appellate courts as to how to address this issue since it was not raised at the hearing.

Accordingly, the Court finds that trial Counsel was not ineffective, and Mr. Campodonico's application for PCR is denied. In light of the procedural nature of this PCR and the underlying plea, this form 4 order shall constitute the final order.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.


Circuit Court Judge

2159
Judge Code

May 6, 2025
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or

placed in the appropriate attorney's box on this day of , 20 to attorneys of record or to parties (when appearing pro se) as follows:

Chelsey Marto, Esq.

Kylee Kanealey, Esq.

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: Cathy Young

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.