

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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**Jun 24 2025**

APPEAL FROM LAURENS COUNTY  
Court of Common Pleas  
Post Conviction Relief

**S.C. SUPREME COURT**

J. Derham Cole, Circuit Court Judge

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Lower Court Case No.: 2021-CP-30-00351

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Stephen Trase Fincher SCDC #321427,..... Petitioner,

vs.

State of South Carolina, .....Respondent.

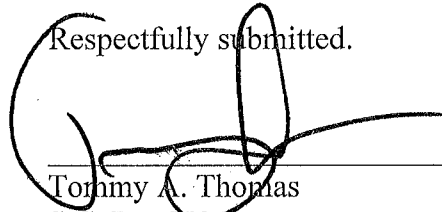
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NOTICE OF APPEAL

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The Petitioner, Stephen Trase Fincher #32427, appeals the Order of Dismissal signed by the Honorable J. Derham Cole, on June 4, 2025 and filed on June 10, 2025. Applicant received a copy of this Order of Dismissal on June 23, 2025.

Respectfully submitted.



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June 24, 2025

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF LAURENS	)	FOR THE EIGHTH JUDICIAL CIRCUIT
	)	
Stephen Trase FINCHER, SCDC #321427,	)	
	)	
Applicant,	)	
	)	
v.	)	<b>ORDER OF DISMISSAL</b>
	)	
The STATE of South Carolina,	)	Civil Action No. 2021-CP-30-00351
	)	
Respondent,	)	

INTRODUCTION

This matter came before the Court on application for post-conviction relief (PCR) commenced by Stephen Trase Fincher (“Applicant”) on March 23, 2021. An evidentiary hearing was held at the Laurens County Courthouse on August 20, 2024. Applicant was present and represented by Tommy A. Thomas, Esq. Assistant Attorney General T. Cruise Mitchell represented the State. Testimony was taken from Applicant and trial counsel Lawrence W. Crane, Esq. (“Counsel”).

After a full review and consideration of the record in this case, the Court finds Applicant’s allegations regarding ineffective assistance of counsel are without merit. For the reasons discussed below, this Court denies relief and dismisses this action with prejudice.

MICHELLE SIMMONS  
 2025 JUN 10 10 33 AM  
 LAURENS COUNTY  
 CLERK OF COURT

PROCEDURAL HISTORY

Applicant is presently incarcerated with the South Carolina Department of Corrections. In May 2016 the Laurens County Grand jury returned indictments against Applicant for two counts of Burglary, First Degree (2016-GS-30-00757, 2016-GS-30-00759), and Grand Larceny value more than \$2,000 but less than \$10,000 (2016-GS-30-00758). Applicant was represented at trial by Lawrence W. Crane, Esq. Deputy Circuit Solicitor C. Dale Scott and Assistant Circuit Solicitors A. Lyon Bixler, III, and James Todd, prosecuted the case.

Applicant was tried on the two Burglary-First Degree indictments before Circuit Judge Benjamin H. Culbertson and a jury on March 27, 2017 *in absentia*. Applicant was found guilty on one and acquitted on the other. Judge Culbertson sealed Applicant's sentence. At a May 26, 2017 hearing after Applicant was apprehended, the Honorable Donald B. Hocker unsealed and published Judge Culbertson's sentence. Applicant was sentenced to imprisonment for a term of twenty-five years. Applicant through counsel filed a "Motion to Dismiss Charges or In the Alternative Grant a New Trial" on June 1, 2017. Judge Culbertson denied this motion by Order dated November 7, 2017. Following Judge Culbertson's Order, Applicant timely filed a notice of appeal.

Applicant's appeal was perfected by Elizabeth Franklin-Best, Esquire. Applicant raised the following issues on appeal:

1. Did the trial court err in allowing the trial to proceed in Applicant's absence without finding that Applicant voluntarily waived his right to be present;
2. Did the trial court err in denying Applicant's motion for a directed verdict on the Metric Road instruction because the garage was not a "dwelling" for purposes of Burglary 1<sup>st</sup> degree statute because the garage was detached from the house, and was used as a wood-working workshop for the owner?

In an unpublished opinion, the South Carolina Court of Appeals affirmed Applicant's conviction, finding neither of Applicant's issues were properly preserved for appellate review. *State v. Fincher*, 2020-UP-141, (S.C. Ct. App. filed May 20, 2020). The case was remitted back to the circuit court on July 8, 2020.

#### STATEMENT OF FACTS

On March 9, 2016, Brittany Childress woke up to the sound of someone trying to break into her home. (R. p. 80) Childress testified that she was home for Spring Break and was home alone while her mother was at work. (R. p. 81) At first, Childress heard knocking on the door. (R. p. 83) Childress then stated the knocking stopped; however, shortly thereafter she heard drawers opening and closing in the kitchen. (R. pp. 83-84) Childress began to panic and called her aunt, who lived next door to her. (R. pp. 84-85) Esther Shell, Brittany's aunt, testified she received a call from Childress where she whispered that

someone was in the house with her. (R. p. 109) Shell told her son and daughter to come with her and they began walking towards Childress's home. (R. p. 108) By the time Shell and her children reached the edge of their yard, they saw a white male walking across Childress's yard. (R. p. 109) Shell confronted the man and asked what he was doing there. (R. p. 108) The man replied he was trying to ascertain if the house was for sale. (R. p. 109) Shell testified the man then ran to his car and "took off." (R. p. 109) Shell stated that the man did not want to talk to her. Shell noticed that the man was driving a white car and was wearing a light-colored shirt and baseball cap. (R. pp. 110-11) Shell's son, Xavier Johnson, described the car as a white sports-looking car with a spoiler on the back. (R. p. 127) Childress noted she was unable to observe the culprit because she was hiding in her bedroom. (R. p. 87)

Also, on the morning on March 9, 2016, Darlan Hampton was home sick. (R. pp. 191, 193) Ms. Hampton testified she specifically remembers the date because it was her sixteenth birthday. (R. p. 191) Ms. Hampton stated that she spent the morning in bed watching Netflix. (R. p. 193) While she was in bed, Ms. Hampton heard her dog barking, which normally indicated someone was at the house that should not be there. (R. p. 194) Concerned, Ms. Hampton walked to the window and observed a white Pontiac car she did not recognize. (R. pp. 194-195) Ms. Hampton observed a man exit the vehicle wearing a baseball cap, a shirt, and jeans. (R. p. 196) She described the man as "taller" with reddish hair, a beard, and a tattoo on his arm. (R. p. 195) Ms. Hampton watched the man walk to the front porch and look in the window. (R. p. 196) The man then knocked on the door and looked through the door's peephole. (R. p. 196) Ms. Hampton let her dogs out of her room, which she believed led the man to decide not to enter the home. (R. p. 196) Ms. Hampton saw the man walk to the back of the home, and she subsequently heard the home's alarm system beep, which indicated the man entered the garage. (R. p. 197) She testified the garage served as a workshop and it contained all of her father's power tools. (R. p. 198) Ms. Hampton promptly called 911 and her mother. (R. pp. 198-199) She provided law enforcement with a description of the car as well as the intruder. (R. p. 199) Ms. Hampton observed the individual make several trips from the garage to his car while carrying power tools and boxes of items he was intending to take. (R. p. 199) Law enforcement subsequently arrived and Ms. Hampton provided a statement. (R. p. 200) On March 22, 2016, Investigator

Chris Martin of the Laurens County Sheriff's Office showed Ms. Hampton a lineup of individuals and she identified Appellant as the man she observed on her property. (R. pp. 200-201).

Teddy Hampton, Darian's father, testified he used the garage for woodworking a couple of hours a week. (R. pp. 211-212). Mr. Hampton stated the garage was treated as a "bonus" room and that he re-did furniture and worked on knickknacks. (R. pp. 212) Mr. Hampton noted the garage, while detached from the house, was only about eight feet away from the house. (R. p. 217) Mr. Hampton testified he worked at Gen III in Fountain Inn and that he was at work at the time of the robbery. (R. p. 212). After being informed there had been a break in at his house, Mr. Hampton jumped in his truck and headed home. (R. p. 212) Upon arriving home, Mr. Hampton noticed the door to the bonus room above the garage was kicked in. (R. p. 213) Mr. Hampton discovered a variety of power tools had been stolen from the room, including a Dewalt drill, a Kobalt air tool, a sawzall, and a power grinder. (R. p. 214)

Deputy Robbie Haupfer of the Laurens County Sheriff's Office responded to a burglary call at the Hampton's address. (R. p. 231) While he was en route, the dispatcher advised him that the caller said the culprit's vehicle was leaving the residence. (R. p. 231) Deputy Haupfer then attempted to catch up with the suspect's vehicle. (R. p. 232) Deputy Haupfer eventually caught up with the vehicle, activated his blue lights, and conducted a stop. (R. p. 232) Appellant was driving the vehicle. (R. p. 233) After being Mirandized, Appellant admitted he was at the Hampton residence and went into a building, but he did not go into the house. (R. p. 233) A search of the vehicle revealed a variety of tools in the back seat, including a Skil saw, a Kobalt box, a Dewalt box, and a grinder. (R. p. 235)

#### CURRENT APPLICATION

In his application for post-conviction relief, Applicant alleges he is being detained unlawfully for the following reasons:

- i. Trial counsel's performance fell below professional norms in violation of *Strickland v. Washington*, 466 U.S. 668 (1984) because trial counsel did not perform an adequate investigation into the facts and circumstances of the crime. Applicant was prejudiced by his lawyers' inadequate performance.
  - ii. Trial counsel failed to object to Applicant's trial being held in his absence.

- b. Trial counsel failed to argue that a directed verdict was appropriate regarding the Metric Road building because the garage was not a dwelling within the meaning of the statute.
- c. That trial counsel admitted Applicant's guilt and/or guilty conduct without any benefit to Applicant in furtherance of an articulable trial strategy.
- d. That trial counsel failed to engage in meaningful plea negotiations before trial.

On November 21, 2023, Applicant filed a second amended application alleging the following additional claims of ineffective assistance of counsel:

1. That defense counsel failed to object to the Solicitor's introduction of sentencing sheets of prior convictions before the Jury (Tra. p. 96, March 29, 2017) Counsel's failure to object allowed improper introduction of prior bad acts and as a result prejudiced the applicant.
2. The Solicitor sent an email to the trial Judge during the Applicant's Trial (Tra. p. 114, March 29, 2017). As a result of this email, the Trial Judge changed his proposed jury charge to the detriment of the Applicant. This contact was an ex parte communication. That Defense Counsel made an objection and Motion for sanctions against the prosecutor. That the proper Motion would have been a Motion for a Mistrial, as the action of the Solicitor prejudiced the Applicant.
3. That in discussing the proper charges to submit to the Jury (Tra. P. 111, March 29, 2017) both the Court and the Solicitor note that it is not contested by the defense that the Applicant entered a) the Childress residence, and b) the Hampton Garage, and c) upon entering the Hampton Garage that the Applicant stole tools. Defense Counsel was ineffective for improperly addressing these issues.

Before this Court are the Laurens County Clerk of Court Records regarding the Applicant's conviction, the Applicant's records from the South Carolina Department of Corrections, the record from Applicant's direct appeal, and the current application for relief.

#### INEFFECTIVE ASSISTANCE OF COUNSEL, GENERALLY

In a PCR action, Applicant bears the burden of proving the allegations in his application by a preponderance of the evidence. *Butler v. State*, 286 S.C. 441, 334 S.E.2d 813 (1985); Rule 71.1(e), SCRCP. Where the application alleges ineffective assistance of counsel as a ground for relief, Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that [it] cannot be relied upon as having produced a just result." *Strickland v. Washington*, 466 U.S. 668, 686 (1984); *Butler*, 286 S.C. at 442, 334 S.E.2d at 814.

In evaluating allegations of ineffective assistance of counsel, the reviewing court applies the two-pronged test outlined in *Strickland*. First, Applicant must prove that counsel's performance was deficient.

*Strickland*, 466 U.S. at 687; *Cherry v. State*, 300 S.C. 115, 117, 386 S.E.2d 624, 625 (1989). Under this prong, the court measures an attorney's performance by its "reasonableness under prevailing professional norms." *Cherry*, 300 S.C. at 117, 386 S.E.2d at 625 (quoting *Strickland*, 466 U.S. at 690). The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. *Buller*, 286 S.C. at 442, 334 S.E.2d at 814. "Counsel is strongly presumed to have rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." *Id.* (citing *Strickland*, 466 U.S. at 690). "When counsel focuses on some issues to the exclusion of others, there is a strong presumption that he [or she] did so for tactical reasons rather than through sheer neglect." *Yarborough v. Gentry*, 540 U.S. 1, 5 (2003) (citing *Strickland*, 466 U.S. at 690). The Court, in determining deficiency, must affirmatively entertain the range of possible reasons counsel may have had for proceeding as they did. *Cullen v. Pinholster*, 563 U.S. 170, 196 (2011); *Harrington v. Richter*, 562 U.S. 86, 109-10 (2011). "[E]ven if an omission is inadvertent, relief is not automatic. The Sixth Amendment guarantees reasonable competence, not perfect advocacy judged with the benefit of hindsight." *Yarborough*, 540 U.S. at 6; *see also* *Murphy v. Davis*, 901 F.3d 578, 592 (5th Cir. 2018) ("[C]ounsel's performance need not be optimal to be reasonable.").

Second, counsel's deficient performance must have prejudiced Applicant such that "there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Cherry*, 300 S.C. at 117-18, 386 S.E.2d at 625 (quoting *Strickland*, 466 U.S. at 694). "This does not require a showing that counsel's actions 'more likely than not altered the outcome,' but the difference between *Strickland's* prejudice standard and a more-probable-than-not standard is slight and matters 'only in the rarest case.'" *Harrington*, 562 U.S. at 111-12 (quoting *Strickland*, 466 U.S. at 697). "The likelihood of a different result must be substantial, not just conceivable." *Id.* at 112.

The standards do not establish mechanical rules; the ultimate focus of inquiry must be on the fundamental fairness of the proceeding whose result is being challenged. *Strickland*, 466 U.S. at 696. A court need not first determine whether counsel's performance was deficient before examining the prejudice suffered by the defendant as a result of the alleged deficiencies; if it is easier to dispose of an ineffectiveness

claim on the ground of lack of sufficient prejudice, that course should be followed, *Id.* at 696-97.

#### FINDINGS OF FACT & CONCLUSIONS OF LAW

This Court has reviewed the testimony presented at the PCR hearing, observed the witnesses, passed upon their credibility, and weighed their testimony. Upon consideration of the evidence presented and legal argument by counsel, as well as the record in this action incorporated by way of the State's return, this Court finds each of the Applicant's claims to be without merit. Pursuant to S.C. Code Ann. § 17-27-80, this Court makes the following findings of facts and conclusions of law based upon the probative evidence in the record.

#### **Failure to Object to Applicant's Trial Being Held in His Absence**

Applicant alleges Counsel was ineffective for failing to object to Applicant's trial being held in his absence. This Court finds this allegation is without merit. At the evidentiary hearing, Applicant testified he was not present at trial because he was working in Asheville. Applicant explained that neither Counsel or his dad could get in touch with him because he sold his phone for a boat. Applicant testified he believed the trial would be continued, because Counsel had another trial that week. On cross-examination, Applicant testified he signed a bond form which stated he would be tried in his absence. Applicant admitted he was aware the trial was scheduled for that Monday, but he was in Asheville. Applicant testified he explained that he thought it was just a "roll call." Counsel testified that Applicant had notice of his trial date.

This Court finds Applicant has failed to prove he was prejudiced by Counsel's alleged failure to object to a continuance. "A trial judge must determine a criminal defendant voluntarily waived his right to be present at trial in order to try the defendant in his absence, and as such, judge must make findings of fact on the record that the defendant (1) received notice of his right to be present and (2) was warned he would be tried in his absence should he fail to attend." *State v. Ravenell*, 387 S.C. 449, 692 S.E.2d 554 (Ct. App. 2010). "Bond form that provides notice that a defendant can be tried in absentia may serve as the requisite warning that he may be tried in his absence should he fail to appear." *Ravenell*, 387 S.C. 449.

Here, Applicant has failed to show he did not voluntarily waive his right to be present at trial. Applicant admitted that he was aware of his trial date and he signed a bond form stating he would be tried in his absence if he failed to appear. Applicant's own testimony demonstrates he was voluntarily out of the state at the time of trial despite receiving adequate notice of the trial date. Furthermore, Applicant was warned on his bond sheets that he would be tried in his absence if he failed to appear. Counsel credibly testified Applicant had notice of his trial date.

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.

#### **Failure to Argue the Metric Road Garage Was a Dwelling in Directed Verdict Motion**

Applicant alleges Counsel was ineffective for failing to argue that a directed verdict was appropriate regarding the Metric Road building because the garage was not a dwelling within the meaning of the statute. This Court finds this allegation is without merit. S.C. Code Ann. § 16-11-10 provides, "with respect to the crime[] of burglary... and to all criminal offenses which are constituted or aggravated by being committed in a dwelling house, any house, outhouse, apartment, building, erection, shed or box in which there sleeps a proprietor, tenant, watchman, clerk, laborer or person who lodges there with a view to the protection of property shall be deemed a dwelling house, and of such a dwelling house or of any other dwelling house *all houses, outhouses, buildings, sheds and erections which are within two hundred yards of it and are appurtenant to it* or to the same establishment of which it is an appurtenance shall be deemed parcels." (emphasis added).

Here, the State presented overwhelming evidence Applicant entered a building appurtenant to the victim's residence. Although the detached garage was primarily used as a workshop, the statute is clear that all buildings within two hundred yards of a building in which a person sleeps or lodges is considered a dwelling for the purposes of burglary. *Pudgett v. State*, 324 S.C. 22, 29 n. 2, 484 S.E.2d 101, 104 n. 2 (1997). The State presented testimony that the detached garage was only eight feet from the victim's main residence. (R. p. 217). Had Counsel argued a directed verdict would have been appropriate on the basis the detached garage was a dwelling, the motion would have almost certainly been denied. *See State v. Buckmon*,

347 S.C. 316, 555 S.E.2d 402 (2001) ("If there is any direct evidence or substantial circumstantial evidence reasonably tending to prove the guilt of the accused, the appellate court must find the case was properly submitted to the jury").

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.

#### **Failure to Object to the Introduction of Sentencing Sheets from Applicant's Prior Convictions**

Applicant alleges Counsel was ineffective for failing to object to the Solicitor's introduction of sentencing sheets of prior convictions before the Jury. Counsel's failure to object allowed improper introduction of prior bad acts and as a result prejudiced the applicant. This Court finds this allegation is without merit.

"[A] person is guilty of burglary in the first degree if the person enters a dwelling without consent and with intent to commit a crime in the dwelling, and... the burglary is committed by a person with a prior record of two or more convictions for burglary or housebreaking or a combination of both." S.C. Code Ann. § 16-11-311(A)(2). "Introduction of evidence that first-degree burglary defendant had two prior burglary convictions did not violate 'other crimes' rule; prior burglary convictions were offered to prove statutory element of current first-degree burglary charge, not to suggest defendant was bad person or committed present burglary because he had committed prior burglaries." *State v. Benton*, 338 S.C. 151, 526 S.E.2d 228 (2000). Here, the State introduced Applicant's sentencing sheets from his prior convictions to prove an essential element of first-degree burglary not to demonstrate Applicant's propensity to commit crimes. Thus, the sentencing sheets were admissible.

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.

#### **Failure to Make Motion for Mistrial on Basis of *Ex Parte* Communication**

Applicant alleges Counsel should have made a motion for a mistrial after the solicitor allegedly engaged in *ex parte* email communication with the trial court. This Court finds this allegation is without merit. As an initial matter, Counsel raised the issue of the alleged *ex parte* communication at trial. The trial

court found no *ex parte* communication occurred as Counsel was copied on the email in question. This Court agrees. A copy of the email proves Counsel was in fact copied on the email. (R. p. 343). Thus, any motion for mistrial on this basis would have been frivolous.

Furthermore, Counsel was given an opportunity to argue that Applicant should be entitled to a third-degree burglary jury charge following his motion for mistrial. After hearing arguments from Counsel, the trial court ruled a third-degree burglary charge was not warranted in this case. (R. p. 279-280).

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.

#### **Failure to Engage in Meaningful Plea Negotiations**

Applicant alleges Counsel was ineffective for failing to engage in meaningful plea negotiations. This Court finds the record from Applicant's trial and Counsel's credible testimony refute this allegation.

Applicant testified he informed Counsel he wanted a guilty plea in drug court. Counsel testified he communicated this to the Solicitor. Counsel attempted to get them to lower the charge to Burglary 3<sup>rd</sup> Degree, but the Solicitor refused due to Applicant's criminal history. During Applicant's sentencing Counsel informed the trial court "we attempted to do a drug-court situation, which the Solicitor chose not to do." (R. p. 168). This Court finds Applicant has failed to show what additional actions Counsel should have taken during plea negotiations. Applicant avers he wanted a plea in drug court; however, Counsel credibly testified he made this request to the Solicitor and it was rejected by the Solicitor in the exercise of his discretion.

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.

#### **Failing to Address Trial Court and Solicitor's Comments Regarding Applicant's Guilty Conduct**

Applicant alleges "that in discussing the proper charges to submit to the Jury (Tr. P. 111, March 29, 2017) both the Court and the Solicitor note that it is not contested by the defense that the Applicant entered a) the Childress residence; and b) the Hampton Garage, and c) upon entering the Hampton Garage

that the Applicant stole tools. Defense Counsel was ineffective for improperly addressing these issues. This Court finds this allegation is without merit.

The alleged comments referred by Applicant occurred during the jury charge conference where the Solicitor and Counsel were arguing over the lesser included offenses to be charged. Notably, these arguments occurred outside the presence of the jury. After hearing arguments, the trial court ruled he would charge the jury only on Burglary First Degree regarding the Childress residence, and first- and second-degree burglary regarding the Hampton residence. Applicant has failed to demonstrate how Counsel should have further addressed these comments; thus, this Court finds Counsel was not deficient.

Additionally, Applicant was acquitted of burglary at the Childress residence so he was not prejudiced by any performance of Counsel as it relates to that charge. Regarding the Hampton garage, the State presented overwhelming evidence that Applicant burglarized the residence. Ms. Hampton personally witnessed Applicant stealing the tools from the Hampton garage and identified him in a photo lineup presented by law enforcement. Deputy Haupter testified he initiated a traffic stop of Applicant's vehicle following the burglary where he found a variety of tools in the back seat. Furthermore, Applicant admitted at the evidentiary hearing that he entered the garage and stole the tools.

Applicant has failed to establish Counsel was ineffective or that Applicant was prejudiced by Counsel's performance in this regard and therefore relief based upon this allegation is denied.


#### CONCLUSION

This Court finds and concludes Applicant has not established any constitutional violation or deprivation that would entitle him to post-conviction relief. This Court finds Counsel was not deficient in any manner, nor was Applicant prejudiced by Counsel's representation.

Based upon the foregoing, this Court finds the **APPLICATION** for post-conviction relief should be and **IS** therefore **DENIED** and **DISMISSED** with prejudice.

Applicant is noticed that he must file and serve a notice of appeal within thirty days from PCR counsel's receipt of written notice of entry of judgment to secure the appropriate appellate review pursuant to Rule 203, SCACR. Applicant has a right to 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). Rule 71.1(g), SCRCP, provides that if Applicant wishes to seek appellate review, PCR counsel must serve and file a notice of appeal on Applicant's behalf. Applicant is directed to Rule 243, SCACR, for appropriate procedures for appeal.

AND IT IS SO ORDERED this 4th day of June, 2025.

  
\_\_\_\_\_  
J. DERHAM COLE, PRESIDING JUDGE  
The Eighth Judicial Circuit Court

STATE OF SOUTH CAROLINA  
COUNTY OF LAURENS  
IN THE COURT OF COMMON PLEAS FOR THE EIGHTH JUDICIAL CIRCUIT

STEPHEN T. FINCHER, #321427

Applicant,

v.

STATE OF SOUTH CAROLINA,

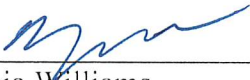
Respondent.

**AFFIDAVIT OF SERVICE**

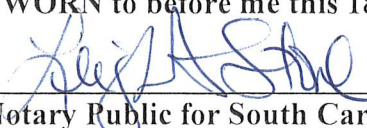
The undersigned hereby certifies that a true copy of the filed Order of Dismissal has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Tommy A. Thomas, Esquire  
Post Office Box 88  
Irmo, SC 29063**

This 18<sup>th</sup> day of June, 2025.

  
\_\_\_\_\_  
Zilcia Williams  
Legal Assistant for Respondent

**SWORN to before me this 18<sup>th</sup> day of June, 2025.**

  
\_\_\_\_\_  
Notary Public for South Carolina.

My Commission Expires: May 16, 2025