

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

William Jeffrey Young, Circuit Court Judge

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S.C. Supreme Court

BARRY REYNOLD STYLES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000868

A P P E N D I X

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Sentencing 23

Certificate of Reporter 23

1 THE CLERK: Your Honor, this is indictment
2 2009-GS-23-9897, Barry Reynolds Styles, indicted for
3 murder and possession of a weapon during the commission of
4 a violent crime. Pleading to voluntary manslaughter and
5 possession of weapon during a violent crime. It is a true
6 bill.

7 Indictment 2010-GS-23-2698, Tracy Denise
8 Hollingsworth, indicted for manufacturing methamphetamine,
9 pleading to the same. It is a waiver.

10 Indictment 2009-GS-23-2224, Paula C. Bright,
11 indicted for possession of cocaine base, crack cocaine,
12 with intent to distribute, pleading to possession of
13 cocaine base. It is a waiver. Indictment
14 2009-GS-23-2226, indicted for possession of cocaine with
15 intent to distribute, pleading to possession of cocaine.
16 It a waiver.

17 Indictment 2009-GS-23-1131, Joshua Heath Lister,
18 indicted for assault and battery with intent to kill,
19 pleading to assault and battery of a high and aggravated
20 nature. It is a true bill. And there is an Order of
21 Restitution.

22 Indictment 2009-GS-23-5511, Willie Charles
23 McCullough, indicted for shoplifting, third or above,
24 pleading to the same, it is a waiver. Indictment
25 2009-GS-23-5512, indicted for assault with intent to kill,

1 pleading to assault of a high and aggravated nature. And
2 it is a waiver.

3 Please raise your right hand.

4 (WHEREUPON, all the defendants were sworn.)

5 THE COURT: Any jail days?

6 MS. SUSTAKOVITCH: Mr. Styles 50, Hollingsworth
7 76, Paula Bright 82, Joshua Lister, one day and Willie
8 McCullough, none.

9 THE COURT: Willie McCullough's in jail.

10 MS. SUSTAKOVITCH: That's interesting. Sorry,
11 Your Honor, we will check that. That cannot be right.
12 I'm misreading it, it's 315 days.

13 THE COURT: All right.

14 EXAMINATION

15 THE COURT: All right, in the last 24 hours have
16 you had any drugs, alcohol, medication?

17 Mr. Styles?

18 MR. STYLES: No, sir.

19 THE COURT: Ms. Hollingsworth?

20 MS. HOLLINGSWORTH: No, sir.

21 THE COURT: Ms. Bright?

22 MS. BRIGHT: No, sir.

23 THE COURT: Mr. Lister?

24 MR. LISTER: No, sir.

25 THE COURT: Mr. McCullough?

1 MR. MCCULLOUGH: No, sir.

2 THE COURT: Have you ever been treated for the
3 abuse of alcohol, drugs or mental illness or emotional
4 problems?

5 Mr. Styles?

6 MR. STYLES: No, sir.

7 THE COURT: Ms. Hollingsworth?

8 MS. HOLLINGSWORTH: No, sir.

9 THE COURT: Ms. Bright?

10 MS. BRIGHT: No, sir.

11 THE COURT: Mr. Lister?

12 MR. LISTER: No, sir.

13 THE COURT: Mr. McCullough?

14 MR. MCCULLOUGH: No, sir.

15 THE COURT: Ms. Hollingsworth, Ms. Bright,
16 Mr. McCullough, you each have an indictment that has not
17 been presented to the Grand Jury. You have an absolute
18 right to require the State to present the case to the
19 Grand Jury where they would have to prove more probably
20 than not that a crime was committed and you did it. You
21 want to give that right up which would allow you to go
22 forward today?

23 Ms. Hollingsworth?

24 MS. HOLLINGSWORTH: Yes, sir.

25 THE COURT: Ms. Bright?

1 MS. BRIGHT: Yes, sir.

2 THE COURT: Mr. McCullough?

3 MR. MCCULLOUGH: Yes, sir.

4 THE COURT: Mr. Styles, you're up here on
5 Indictment 09-9897, count one alleges you did Greenville
6 County, October 25, '08, unlawfully with malice
7 aforethought kill Anthony Thompson by means of a gunshot.
8 He died as a proximate result thereof. Involuntary
9 manslaughter carries two to 30 years, this is a violent
10 offense, a most serious offense. It means no parole and
11 it means if you get convictions for two or most serious
12 offenses you're eligible for life in prison without
13 parole. Do you understand that?

14 MR. STYLES: Yes, sir.

15 THE COURT: Count two alleges you did Greenville
16 County, October 25, '08, possess or visibly display a
17 handgun during the commission of murder. That's five
18 years, do you understand that?

19 MR. STYLES: Yes, sir.

20 THE COURT: Ms. Hollingsworth, you're up here on
21 2010-2698, alleges you did January 14, 2010, knowingly
22 manufacture methamphetamine or provide assistance to do
23 that. Fifteen years, \$25,000.00 fine, no suspended
24 sentence, no probation. It's a violent offense, no
25 parole, do you understand that?

1 MS. HOLLINGSWORTH: Yes, sir.

2 THE COURT: Ms. Bright, you're up here on
3 09-2224, alleges you did Greenville County, September 25,
4 '08, possession with intent to distribute a quantity of
5 crack, pleading to possession. Three years, \$5,000.00, do
6 you understand that?

7 MS. BRIGHT: Yes, sir.

8 THE COURT: You're also here on 09-2226, alleges
9 you did Greenville County, September 25, '08, possess with
10 intent to distribute a quantity of cocaine. Possession of
11 cocaine, three years, \$5000.00; do you understand that?

12 MS. BRIGHT: Yes, sir.

13 THE COURT: Mr. Lister, you're here on 09-1131,
14 alleges you did Greenville County, September 2, '08,
15 unlawfully with malice aforethought commit an assault and
16 battery on Brandon Pierson. Aggravated assault and
17 battery carries 10 years, do you understand, that?

18 MR. LISTER: Yes, sir.

19 THE COURT: Speak up.

20 MR. LISTER: Yes, sir.

21 THE COURT: Mr. McCullough, you here on 09-5511,
22 alleges you did Greenville County, April 20, '09, with two
23 prior property offense convictions you shoplifted a pack
24 of steaks from Bi-Lo, do you understand that?

25 MR. MCCULLOUGH: Yes, sir.

1 THE COURT: You're also here on 09-5512, alleges
2 you did Greenville County, April 20, '09, with malice
3 aforethought commit an assault on Shawn Rig, an employee
4 of Bi-Lo. Assault high and aggravated is 10 years, do you
5 understand that?

6 MR. MCCULLOUGH: Yes, sir.

7 THE COURT: All right, understanding the nature
8 of the charges against you, the maximum possible
9 punishment, how do you want to plea?

10 Mr. Styles?

11 MR. STYLES: Guilty.

12 THE COURT: Ms. Hollingsworth?

13 MS. HOLLINGSWORTH: Guilty.

14 THE COURT: Speak up.

15 MS. HOLLINGSWORTH: Guilty.

16 THE COURT: Ms. Bright?

17 MS. BRIGHT: Guilty.

18 THE COURT: Mr. Lister?

19 MR. LISTER: Guilty, Your Honor.

20 THE COURT: Mr. McCullough?

21 MR. MCCULLOUGH: Guilty.

22 THE COURT: Has anybody forced you in any way or
23 coerced you, threatened you or promised you anything to
24 get you to enter that plea?

25 Mr. Styles?

1 MR. STYLES: No, sir.

2 THE COURT: Ms. Hollingsworth?

3 MS. HOLLINGSWORTH: No, sir.

4 THE COURT: Ms. Bright?

5 MS. BRIGHT: No, sir.

6 THE COURT: Mr. Lister?

7 MR. LISTER: No, sir.

8 THE COURT: Mr. McCullough?

9 MR. MCCULLOUGH: No, sir.

10 THE COURT: Do you each understand you have an
11 absolute right to a trial by jury where you would be
12 presumed innocent unless and until the State could prove
13 you guilty beyond any reasonable doubt of each and every
14 element of each offense that you are charged with. You
15 would have the right to confront and cross-examine the
16 witnesses and the evidence put up against you by the
17 State. You'd have the right to compel in court all
18 relevant and competent evidence in your own defense. Or
19 you could remain silent. Your silence could not be held
20 against you. And you could never be compelled to
21 incriminate yourself. Do you understand all those rights?

22 Mr. Styles?

23 MR. STYLES: Yes, sir.

24 THE COURT: Ms. Hollingsworth?

25 MS. HOLLINGSWORTH: Yes, sir.

1 THE COURT: Ms. Bright?

2 MS. BRIGHT: Yes, sir.

3 THE COURT: Mr. Lister?

4 MR. LISTER: Yes, sir.

5 THE COURT: Mr. McCullough?

6 MR. MCCULLOUGH: Yes, sir.

7 THE COURT: You want to give up all those rights
8 and enter this plea?

9 Mr. Styles?

10 MR. STYLES: Yes, sir.

11 THE COURT: Ms. Hollingsworth?

12 MS. HOLLINGSWORTH: Yes, sir.

13 THE COURT: Ms. Bright?

14 MS. BRIGHT: Yes, sir.

15 THE COURT: Mr. Lister?

16 MR. LISTER: Yes, sir.

17 THE COURT: Mr. McCullough?

18 MR. MCCULLOUGH: Yes, sir.

19 THE COURT: Are you guilty?

20 Mr. Styles?

21 MR. STYLES: Yes, sir.

22 THE COURT: Ms. Hollingsworth?

23 MS. HOLLINGSWORTH: Yes, sir.

24 THE COURT: Ms. Bright?

25 MS. BRIGHT: Yes, sir.

1 THE COURT: Mr. Lister?

2 MR. LISTER: Yes, sir.

3 THE COURT: Mr. McCullough?

4 MR. MCCULLOUGH: Yes, sir.

5 THE COURT: Are you totally satisfied with your
6 lawyer?

7 Mr. Styles?

8 MR. STYLES: Yes, sir.

9 THE COURT: Ms. Hollingsworth?

10 MS. HOLLINGSWORTH: Yes, sir.

11 THE COURT: Ms. Bright?

12 MS. BRIGHT: Yes, sir.

13 THE COURT: Mr. Lister?

14 MR. LISTER: Yes, sir.

15 THE COURT: Mr. McCullough?

16 MR. MCCULLOUGH: Yes, sir.

17 THE COURT: Have you had enough time to review
18 the evidence the State has against you?

19 Mr. Styles?

20 MR. STYLES: Yes, sir.

21 THE COURT: Ms. Hollingsworth?

22 MS. HOLLINGSWORTH: Yes, sir.

23 THE COURT: Ms. Bright?

24 MS. BRIGHT: Yes, sir.

25 THE COURT: Mr. Lister?

1 MR. LISTER: Yes, sir.

2 THE COURT: Mr. McCullough?

3 MR. MCCULLOUGH: Yes, sir.

4 THE COURT: All right, tell us about it.

5 MS. SUSTAKOVITCH: Your Honor, I believe
6 Mr. Fretwell is doing this first one.

7 MR. FRETWELL: May it please the Court, Your
8 Honor.

9 THE COURT: All right.

10 MR. FRETWELL: On the evening of October 25th,
11 2008, Greenville County Sheriff's Deputies responded to
12 in Greenville County to
13 investigate reports of shots fired in that location. Upon
14 arrival deputies found the victim, Tony Thompson, lying on
15 the ground near his vehicle with multiple gunshot wounds
16 and no pulse. The defendant, Barry Styles, was identified
17 as the shooter and taken into custody at the scene.

18 The defendant rented an area of the victim's
19 property to operate a tire store. So the victim was the
20 defendant's landlord at the time of the victim's death.
21 According to witnesses the two were seen arguing with the
22 defendant opening fire immediately thereafter. One
23 witness who observed the shooting heard the victim tell
24 the defendant to get his punk ass out of there. Although
25 the witnesses differed on whether the two were facing each

1 other, they appeared to have been some distance apart when
2 the shooting began. One witness saw the defendant go to
3 the victim's body and return to it several times before
4 asking anyone to call police.

5 The defendant told police that he didn't want to
6 shoot the victim but told them that the victim had a
7 knife. The victim was known to carry several pocket
8 knives in his auto repair line of work that he used to
9 strip wires, etcetera. Initial responding officers
10 located an opened pocket knife near the victim's body and
11 kicked (sic) it away. Two additional pocket knives were
12 recovered from the victim's pants pocket.

13 The dispute between the two men seems to have
14 involved the sell of some tires to the victim's father.
15 And whether the victim's dogs were unable to get out of
16 the fence at the property. One witness told police the
17 victim had told the defendant he was tired of his shit and
18 to get his shit out of there. The defendant appeared to
19 be in shock or in a daze immediately after the shooting
20 and asked one of the witnesses to call 911 even though he
21 was carrying a cell phone in his hand.

22 Your Honor, the autopsy results indicated the
23 defendant struck the victim six times. Five of those
24 shots were in the victim's back. The defendant does have
25 a prior record and there is a recommendation in this case.

1 There's also victim family members that are present and
2 wish to address the Court at the appropriate time.

3 THE COURT: All right, what's his record?

4 MR. FRETWELL: Your Honor, he has a 19 -- he has
5 two 1984 convictions for assault and battery of a high and
6 aggravated nature. 1985, conviction for driving under the
7 influence. 1986, conviction or littering. And 1993
8 conviction for unlawful carrying of a pistol.

9 THE COURT: Recommendation?

10 MR. FRETWELL: Thirty years, Your Honor.

11 THE COURT: All right, be happy to hear from the
12 victim's family.

13 MR. FRETWELL: Your Honor, just to let the Court
14 know, the victim's parents, Matthew and Julia Rosemond are
15 here, along with his ex wife, Stacy Spurgeon. Chavez
16 Thompson, who is his daughter. Cavasio (sp) Thompson, who
17 his son. Zeria (sp) Petterson, who is the victim's
18 granddaughter. Patricia Woody and Melinda Conner, who are
19 both aunts. Evelyn Brown, who is an ex mother-in-law.
20 And I also believe I saw the victim's uncle here and some
21 other family members.

22 Ms. Julia Rosemond, the victim's mother and
23 Chavez Thompson, the victim's daughter, would like to
24 address the Court.

25 THE COURT: All right, I'll hear from them.

1 MS. ROSEMOND: My name is Julia Rosemond. My
2 son was an amazing person and the father of five children.
3 The one thing I'm sorry my son got killed but for one
4 thing God spared me -- (inaudible) two years old. Because
5 she couldn't live every night without him. For she ask
6 about her father and I tell her, He in heaven. And it's
7 hard for us sometime around the house, looking at the
8 children, aunts and aunts (sic) and some of the people
9 that he tries to help to get jobs for. If they need
10 anything. He always was there for them. It is kind --
11 it's very hard but sometime we can't live at night
12 thinking about it.

13 But little things, car fixing, little lady comes
14 say she needs this done, he try to take her to store. And
15 if anybody needed a job, he had a home at the detail shop.
16 But he also -- if he didn't have enough work, he also went
17 and worked for other people. Like Mr. Larry Crane, Jay
18 Prince, selling houses, pick up rent. He always stayed
19 busy. He was a loving person. He didn't care who whether
20 you was white, black or purple. If he could help you any
21 kind of way.

22 Don't think this man should have not killed my
23 son that many times. An animal don't get it. I'm sorry.
24 But I have to deal with these grandchildren. And sometime
25 I'm very stressed out. Especially the one that's two

1 years old. She can't understand why this man shot my
2 daddy. He fell down to the ground. Like I said, this
3 man -- my daughter came and she saying, This man was right
4 there shooting at my daddy. He fell. And it's hard. And
5 when she's at my house, she have to sleep in the bed and
6 she have nightmares. I have to say, her daddy's in heaven
7 so look at the stars. I got my grandson, he don't
8 understand, he stays with me and my grandchildren. And
9 then all the other people around that they can't just --
10 it's heart breaking.

11 If anything he could do for someone he did. Out
12 of the goodness of his heart. If he didn't have no money
13 he would say, Momma, let me have some money, so and so
14 ain't got no food or they need something or try to help.
15 Just like when he say I got this man in the front to sell
16 tires because he had a place for a while. He always -- he
17 was the kind of person he goes pay people lawyers,
18 anybody, something that they asks for. But right now the
19 hard part for me when I go home, I'm sick because I'm a
20 cancer victim. In which he would come home and he always
21 watched over me. Seeing what we need, cook his daddy a
22 meal, fixing the car or anything.

23 But Mr. Barry and Tony the only one that knows
24 really what truly happened. In which matter of fact, he
25 gave Mr. Barry a family reunion. He fix Mr. Barry and

1 other people food at took to them. I cooks a lot. And I
2 took food to him. Not to mention I'm not poor. But if I
3 got a piece of bread, I would give it to him. He had just
4 two weeks took Mr. Barry food into -- up to his shop and
5 talk to him. All this here altercation should have not
6 happened. Because his daddy went to the shop and told him
7 what the deal was. And the man just sat there --

8 THE COURT: Okay, I know it's hard for you,
9 ma'am. I think I get the underlying concept of what
10 you're trying to convey. Thank you, very much for being
11 here.

12 Daughter want to speak?

13 MS. SPURGEON: My name is Angie Spurgeon, I'm
14 the mother of Cavasio and Chavez Thompson, Tony's oldest
15 children. And my daughter is upset and my daughter was
16 going to speak today but I'm going to speak on her behalf.
17 I just like to say that this hold thing has been really
18 hard for our family. Mr. and Mrs. Rosemond, they're just
19 really good people. Even after Tony and I were no longer
20 together, they've always embraced myself and my children.
21 Not only us but his other three kids, he has three other
22 children who are younger than my children, who aren't
23 fortunate to have their father with them to be able to see
24 them graduate high school or see them go to the proms. My
25 children, they were fortunate enough to they have that.

1 It's just been really hard because as the mother
2 of these two kids, there's nothing that I can do or say to
3 them that's going to make this any better. And I'm sorry,
4 that all this happened. And I'd just like to say to
5 Mr. Styles, and his family, I'm sorry for them too because
6 I know that this is hard for them. But even with that, I
7 think that his crime does deserve punishment. And I just
8 hope that he will get the punishment that he deserves so
9 my family and I can have some kind of closure. And maybe
10 my children and the rest of the children and
11 Mr. and Ms. Rosemond can go on with our lives whatever we
12 can.

13 THE COURT: All right. Thank you, ma'am, I
14 appreciate that.

15 All right, Mr. Farnsworth.

16 MR. FARNSWORTH: Judge, thank you, Your Honor,
17 may it please the Court. Your Honor, just what's been
18 said, these are very difficult cases sad. And very hard
19 on the families. Particularly the family of the victim in
20 this case. Judge, just a little bit as to the facts.
21 Mr. Styles moved into this property that the victim owned
22 there out on Whitehorse Road. He had a tire company
23 there. And they actually weren't that far from each
24 other, you know, as far as proximity.

25 But just from my investigation of the case and

1 you've heard Mr. Fretwell tell you there was some
2 problems, arguments, this type thing. It seemed like
3 these things would go on and one of them would say, Well
4 I'm going to move out. The other one -- a couple of days
5 would go by and it was over. And then a few days go by
6 and they'd start at it again. But the situation as to the
7 date of the incident, Mr. Styles had come back from home
8 with his wife to work and he was fixing the breaks on his
9 truck. She sat in the car while he had it pushed up and
10 he was under the car and that's when Mr. Rosemond --
11 Mr. Thompson, excuse me, came down there and there were
12 some words. And he got up and said, You better not be
13 here when I get back. This type thing. So then when he
14 came back he did have a knife. It was found there at the
15 scene by him.

16 The case was not a perfect by any means
17 self-defense case but I went over all that with Mr. Styles
18 several times since he hired me on this case. And he --
19 he is as sorry as anybody that it did happen. He can't
20 take it back now. It just happened in a matter of
21 seconds. He thought that at that point his life was in
22 danger himself. We again, sorry it happened. But this
23 thing has gone -- you can just see and I'm not downgrading
24 anybody, I'm just -- you can just -- if you read this file
25 and I think Mr. Fretwell would see it too that you could

1 just see something coming between them because they just
2 didn't get along, apparently. And this last thing was
3 about a set of tires that he -- that Mr. Styles sold for
4 the victim's father. And he -- the arrangements made that
5 he would keep \$50.00 of it. Well, Mr. Thompson, when he
6 heard that, didn't like that. That was really the
7 argument that day. I think.

8 In any event, Your Honor, Mr. Styles is 50 years
9 old. He went to the 11th grade, he worked construction.
10 The tire business he had, at the date of this incident out
11 there on Whitehorse Road and he had been in that business
12 for 12 years. He's married for 17 years. They have no
13 children. His wife is standing right there. Some other
14 family members and friends. And she is here in support of
15 him as they are. I don't know --

16 Ms. Styles, do you have anything you'd like to
17 say to the family or to the Court?

18 MS. STYLES: I'm sorry all this happened but I
19 was fearful of my life as much as his life. That's what
20 happened.

21 THE COURT: All right.

22 MR. FARNSWORTH: Your Honor, just in finishing,
23 again, most of the ones I've heard about the arguments,
24 were down at my client's store, his property. They was
25 arguments over the dogs being let out, things like that.

1 He -- his record you heard he had two assault
2 and battery, high and aggravated back in 1984. And since
3 then he had a, like a littering or possession of a weapon.
4 And one other charge. So it's been a long time since any
5 serious stuff has happened. We talked a long time about
6 trying this case. But I think Mr. Styles probably has
7 done the right thing, he thinks he's doing the right
8 thing. And I would just ask, Your Honor, to consider and
9 Mr. Fretwell when he told me what the recommendation was
10 going to be from the family that our understanding that I
11 would have right a to talk under that. And I just, based
12 on everything, Your Honor, I just don't feel this is a 30
13 year case. And I would ask, Your Honor, to consider
14 something less.

15 THE COURT: All right. Anything you want to
16 say?

17 MR. STYLES: Yes, sir, it is. First of all, I'm
18 sorry about what happened. I feel like I tried everything
19 I could to prevent this. I even closed the shop down and
20 I went to the park. And me and Tony we would be gone by
21 1:30, no later than 2:00. And I usually -- so I left, I
22 didn't come back to the shop until late that evening.
23 thinking Tony was gone. And, you know, I offered
24 \$250.00 --

25 THE COURT: Well, Mr. Styles, talk to me, not to

1 the family.

2 MR. FARNSWORTH: You can't talk to them.

3 MR. STYLES: Well, Your Honor, I'm sorry, I'm
4 sorry that this happened. I wish it hadn't had happened.
5 I wish I could have just had the opportunity to leave.
6 When I tried to but I didn't. Your Honor, I'm saying I'm
7 sorry. It just shouldn't had happened.

8 THE COURT: All right. Anything else?

9 MR. FRETWELL: Judge, he has 56 days jail time.

10 THE COURT: Fifty or 56?

11 MR. FRETWELL: Fifty-six.

12 SENTENCING

13 THE COURT: All right, I appreciate everything
14 everybody said. These are tragic cases, this in
15 particular. And take into account prior record, his age,
16 and the circumstances of the offense, I'm going to give
17 him 20 years on the manslaughter and five on the gun case.
18 Thank you, very much.

19 MR. FRETWELL: Thank you, Judge.

20 (WHEREUPON, the requested portion of the
21 proceedings were concluded.)
22
23
24
25

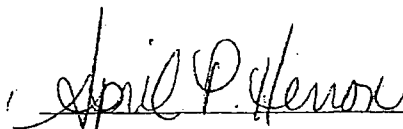
CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, APRIL P. HERRON, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and partial Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 31st day of March, 2010.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

September 27, 2010



APRIL P. HERRON, Court Reporter

STATE OF SOUTH CAROLINA

2012 NOV 27 PM 2:39

COUNTY OF GREENVILLE

FILED-CLERK OF COURT
GREENVILLE CO S.C.
PAUL B. WICKENSINERBarry Reynolds Styles,
S.C.D.C. No. 123115,

Applicant,

vs.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS

Case No. 2010-CP-23-5554

**SUPPLEMENTAL AND/OR
AMENDED APPLICATION FOR
POST CONVICTION RELIEF**

Applicant Barry Styles (hereafter "Applicant"), by and through his undersigned counsel, hereby submits this Supplemental and/or Amended Application for Post Conviction Relief. Applicant's initial Application for Post Conviction Relief, filed July 9, 2010, is attached hereto as **Exhibit 1**. Applicant incorporates that initial Application by reference as if set forth fully herein. Applicant's Amendment to the initial Application for Post Conviction Relief, filed February 27, 2012, is attached hereto as **Exhibit 2**. Applicant incorporates that Amendment to the initial Application by reference as if set forth fully herein. Included with Applicant's Amendment to the initial Application for Post Conviction Relief are the affidavits of Lila M. Styles, Raymond Taylor and Orlando Fuller that are attached as exhibits A, B, and C, respectively, to Applicant's Amendment to the initial Application for Post Conviction Relief. Applicant incorporates those affidavits by reference as if set forth fully herein. Applicant further incorporates by reference, as if set forth fully herein, the Memorandum in Support of Application for Post Conviction Relief that was filed in this matter on February 27, 2012 and is attached hereto as **Exhibit 3**.

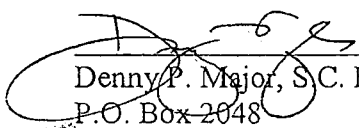
As Applicant has previously set forth, Applicant is currently confined at Lee Correctional

Institution in Bishopville, South Carolina, after being indicted for murder and possession of a weapon during the commission of a violent crime (2009-GS-23-9897), and subsequent to the entry of a guilty plea to voluntary manslaughter and possession of a weapon during the commission of a crime. Daniel J. Farnsworth represented Applicant. The grounds for Applicant's application are set forth in the exhibits and affidavits attached hereto, which are incorporated by reference as if set forth fully herein. As further grounds in support of Applicant's application for post-conviction relief, Applicant submits that Mr. Farnsworth represented Applicant in the criminal matter despite having previously represented the victim of the alleged crime and the longtime girlfriend of the victim of the alleged crime. Due to this prior representation, Mr. Farnsworth's representation of Applicant was deficient in that the prior representation caused Mr. Farnsworth to advise Applicant to enter a guilty plea, to fail to object to the entry of a guilty plea for voluntary manslaughter as opposed to involuntary manslaughter, to fail to ensure that Applicant entered a knowing and voluntary plea, to fail to present character witnesses on behalf of the Applicant at the plea hearing, and to fail to properly investigate Applicant's self-defense defense and present Applicant's self-defense grounds at the plea hearing. Applicant's grounds are further based on the documents attached as **Exhibit 4**.

Counsel for Applicant has consulted with opposing counsel regarding the filing of this Supplemental and/or Amended Application and opposing counsel has informed the undersigned counsel for Applicant that she has no objection to the filing of this Supplemental and/or Amended Application.

Respectfully Submitted,

HAYNSWORTH SINKLER BOYD, P.A.



Denny P. Major, S.C. Bar No. 74907

P.O. Box 2048

Greenville, SC 29602

Telephone: 864-240-3200

Facsimile: 864-240-3336

Attorneys for Applicant

November 26, 2012
Greenville, South Carolina

FORM 5

STATE OF SOUTH CAROLINA)

County of Greenville)

SCDC#00123115)

Barry Reynolds Styles)

Full name and prison number (if any) of Applicant)

v.)

State of South Carolina)

IN THE COURT OF COMMON PLEAS

APPLICATION FOR

POST-CONVICTION RELIEF

2010-CP-23- 5554

INSTRUCTIONS B READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly handwritten or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make clear to which question any such continued answer refers.

Since every application must be sworn under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicants should, therefore, exercise care to assure that all answers are true and correct.

If the application is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which the applicant was convicted.

1. Place of detention Lee Correctional Institution
990 Wilsack Hwy Bishopville S.C 29010
2. Name and location of Court which imposed sentence General Sessions
Court Greenville S.C
3. Name(s) of co-defendant(s) (if any) N/A
4. The indictment number or numbers (if known) upon which and the offenses for which sentence was imposed:
(a) VOLUNTARY Manslaughter 20 years

EXHIBIT

1

- (b) _____
- (c) _____
5. The date upon which sentence was imposed and the terms of the sentence:
- (a) March 30, 2010
- (b) _____
- (c) _____
6. Check whether a finding of guilty was made:
- (a) after a plea of guilty ✓
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____
7. Did you appeal from the judgment of conviction or the imposition of sentence?
~~NO - I TOLD MY LAWYER I WANTED TO APPEAL BUT I~~
~~DID NOT APPEAL OR GIVE ANY NOTICES IN MY BEHALF~~
8. If you answered Ayes@ to (7), list:
- (a) the name of each Court to which you appealed:
- i. N/A
- ii. _____
- iii. _____
- (b) the result in each such Court to which you appealed:
- i. N/A
- ii. _____
- iii. _____
- (c) the date of each such result:
- i. N/A
- ii. _____
- iii. _____
- (d) if known, citations of any written opinion or orders entered pursuant to such results:
- i. N/A
- ii. _____
- iii. _____
9. If you answered Ano@ to (7), state your reasons for not so appealing:
- (a) MY LAWYER FAILED TO APPEAL AFTER I REQUESTED IT.

- (b) _____
- (c) _____
10. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:
- (a) SEE ATTACHED AND COUNSEL
- (b) FAILED TO NOTIFY MY APPEAL OR GIVE NOTICE
- (c) _____
11. State concisely and in the same order the facts which support each of the grounds set out in (10):
- (a) SEE ATTACHED
- (b) SEE # 7 ABOVE
- (c) _____
12. Prior to this application have you filed with respect to this conviction: NO
- (a) any petition in a State Court under South Carolina Law? NO
- (b) any petition in State or Federal Courts for habeas corpus or post-convictions relief? NO
- (c) any petition in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? NO
- (d) any other petitions, motions or applications in this or any other Court? NO
13. If you answered Ayes@ to any part of (12), list with respect to each petition, motion or application:
- (a) the specific nature thereof:
- i. N/A
- ii. _____
- iii. _____
- iv. _____
- (b) the name and location of the Court in which each was filed:
- i. N/A
- ii. _____
- iii. _____

iv. _____

(c) the disposition thereof:

i. N/A

ii. _____

iii. _____

iv. _____

(d) the date of each such disposition:

i. N/A

ii. _____

iii. _____

iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. N/A

ii. _____

iii. _____

iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed?

NO

15. If you answered "yes" to (14) identify:

(a) which grounds have been presented:

i. N/A

ii. _____

iii. _____

(b) the proceedings in which each ground was raised:

i. N/A

ii. _____

iii. _____

16. If any ground set forth in (10) has not previously been presented to any Court, State or Federal, set forth the ground and state concisely the reasons why such ground has not previously been presented:

(a) DID NOT KNOW HOW TO!
 (b) _____
 (c) _____

17. Were you represented by an attorney at any time during the course of:

(a) your arraignment and plea? YES
 (b) your trial, if any? YES
 (c) your sentencing? YES
 (d) your appeal, if any, from the judgment of conviction or the imposition of sentence? N/A
 (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed? N/A

18. If you answered Ayes@ to one or more parts of (17), list:

(a) the name and address of each attorney who represented you:

i. DANIEL J. FARNSWORTH 414A-Pettigru St PA
Greenville S.C. or P.O. Box 10196 Greenville S.C. 29603

ii. _____

 iii. _____

(b) the proceedings at which each such attorney represented you:

i. PLEA SENTENCING ECT

 ii. _____

 iii. _____

19. State clearly the relief you seek in filing this application:

A NEW TRIAL, BELATED APPEAL, REDUCED
SENTENCE ADJUST SENTENCE TO LESSER SENTEN

20. Are you now under sentence from any other court that you have not challenged?

NO

Revised 3/2003

STATE OF SOUTH CAROLINA)

County of Bishopville)

VERIFICATION

I, Danny Reynolds Styles SCDC# 00123115, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Danny R. Styles

SWORN to and subscribed before me this 6
 day of July, 2010.

Bracey Simon (L.S.)
 Notary Public

My Commission Expires: 5-16-11

APPLICATION TO PROCEED WITHOUT PAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF

I, Bruce Reynolds Styles, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security thereof.

Bruce Reynolds Styles
Applicant

SWORN or affirmed to and subscribed before me this

6 day of July, 2010.

[Signature]
Notary Public

My Commission Expires: 5-16-11

OFFICE OF THE CLERK OF COURT

Clerk of Court

- 1 I'm Being held in Custody Unlawfully For The Following Reason: Ineffective Assistance of Couns.
- 1A My lawyer Prejudiced me for Failing to show profes norms AS a Counsel Therefore he was ineffective an his Counsel performance was way below Counsel's Representation and Standards as a Counsel

2A

See State Case - Strickland - v - Washington 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984) Judge - v - State 321 S.C. 554, 471 S.E.2d 146 (1996)

3A

Counsel was Ineffective for Advising me to ta Guilty Plea without Regard for Principle to la Therefore his Standard AS Counsel was way below and he was in error because, I would Have insist on Going to Trial i Hill - v - Lockhart 474 U.S. 52, 106 S.Ct. 366, 99 L.Ed.2d 203 (1985) Alexander - v - State, 303 S.C. 539, 402 S.E.2d 484 (1991)

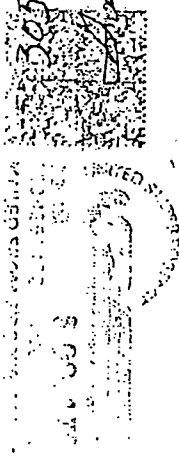
Berry & Styles #500123115

Sumter #1131T Southside
Lee Corr, Inst+
990 Wisconsin Hwy. 1
Bishopville S.C. 29010

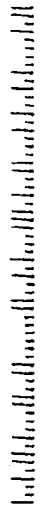
COLUMBIA SC 29501
06 JUL 2010 PM 3 14



Paul B. Wickensmire
Greenville County Clerk of Court
305 East North Street
Greenville S.C. 29601



29501+2130



STATE OF SOUTH CAROLINA }
 COUNTY OF GREENVILLE }
 Barry R. Styles, #123115 }
 Applicant, }
 vs. }
 State of South Carolina, }
 Respondent. }

IN THE COURT OF COMMON PLEAS
 IN THE THIRTEETH JUDICIAL CIRCUIT
 CASE NUMBER: 2010-CP-23-5554
 AMENDMENT TO PCR APPLICATION

A M E N D M E N T

The Applicant comes before the Court to respectfully amend the Applicant's Application For Post Conviction Relief filed on July 9, 2010 in Greenville County.

Page 2 (9)

The Applicant met with retained Counsel, Daniel J. Farnsworth, Esquire at his office for a pre trial lawyer/client conference. When Attorney Farnsworth asked the Applicant, "did he have any concerns or questions?", the Applicant "inquired if things did not turn out the way that he expected, would the Applicant be able to receive an appeal?". Attorney Farnsworth advised the Applicant that an appeal would be automatic and that the Applicant should let him worry about these matters, because it is his job. The Applicant was clearly expecting to receive a term less than twenty (20) years. The Applicant lost his constitutional right to appeal, because Attorney Farnsworth failed to timely file an Notice of Appeal.

EXHIBIT

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
Barry Reynolds Styles #123115)
Applicant,)
v.)
State of South Carolina,)
Respondent.)

IN THE CASE OF COMMON PLEAS
CASE NUMBER: 2010-CP-23-5554

AMENDMENT

AMENDMENT

The Applicant comes before the Court to respectfully amend

1. After the Preliminary Hearing Atty advised the ~~Plaintiff~~ ^{App} that they were going to ~~the~~ strategy use the ~~defense of self~~ "self defense" at trial. → strategy

The ~~Plaintiff~~ was
 Atty called you & told you to find as many witnesses and have them
 Applicant told Atty come to his law office on Sunday.
 Your son & Ray came to the office. Atty did not
 Orlando Fuller seek written notarized statements. These
 step son two witnesses came to court and Atty failed
 to have address the court
 wanted to Applicant's
 Defense

2. Ray Taylor & Orlando Fuller
 present themselves as witnesses

During sentencing, ^{phase} ~~char~~ character witness Lila Mae Styles
 was testifying that the victim had clearly made her feel that her
 life was in danger and Atty cut her off by addressing
 The Court. _____ was denied an opportunity to show the Court
 that the Applicant because of the ~~character~~ potential threat to his
 spouse acted to defend himself as well

4 a) When my Atty asked me did I have any questions
 during our lawyer / client conference? I asked my Atty, if things
 did not turn out the way that he expected, would I be able to
 receive an Appeal? Atty responded "that an appeal would be automatic,
 to let him worry about that, it's his job."

EXHIBIT-A-

Lila M. Styles


March 17, 2011

To Whom It May Concern:

I, Lila M. Styles was present on Sunday, March 21, 2010 at Attorney Daniel Farnsworth's law office when the information below was discussed. Attorney Farnsworth assured Barry Styles that by pleading guilty to involuntary manslaughter, he would only receive 1 to 5 years in prison. I also witnessed the court proceeding on March 31, 2010 in which Attorney Farnsworth did not address the judge or the court on Barry Styles behalf. He had requested the presence of several people to be character witnesses for Mr. Styles, but only allowed me to speak. His lack of presentation did not provide Mr. Styles with an adequate defense. During the course of these preceding, Attorney Farnsworth advised that he knew the victim's mother. At this point, Attorney Farnsworth should have declined to present Mr. Styles as this would be a conflict of interest. This information that I have provided is true and factual.

Sincerely,

Lila M. Styles

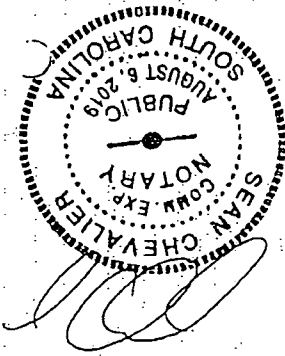


EXHIBIT-B-

Raymond Taylor

March-5-2011

To Who Every it May Concern:

I, Raymond Taylor, went with Barry Styles to meet with Attorney Daniel Farnsworth, in his office on March 21, 2010, along with several other people. From my understanding, what I heard was Attorney Farnsworth and Barry talking and Attorney Farnsworth told Barry that he would receive any where from one to five years if he would plead guilty to Involuntary Manslaughter. I also went to court to speak in Barry's behalf as a character witness and Attorney Farnsworth failed to let me address the court.

I swear this information is true.

Sincerely,

Notary Public
Dora F. Dargatzis
6-30-2018

Raymond Taylor

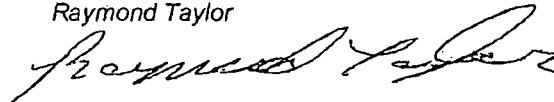


EXHIBIT-C-

41

Arolanda Fuller



March 17, 2011

To Whom It May Concern:

I, Arolanda Fuller accompanied Barry Styles on Sunday, March 21, 2010 to the law offices of Attorney Daniel Farnsworth. Attorney Farnsworth advised that I along with several others would be needed to speak as character witnesses for Mr. Styles in court. I agreed to speak and was present on March 31, 2010 for the hearing. At no point during this hearing was allowed to address the judge or the court as a character witness.

Sincerely,

Arolanda Fuller

Arolanda Fuller

*Witnessed by me, Grace B Schlenker, a notary for the state of
South Carolina on this 24th of March 2011
Grace B Schlenker*

My Commission Expires
May 6, 2015

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE 2012 FEB 27 P 3:38

Barry Reynolds Styles,
S.C.D.C. No. 123115,FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B WICKENS JR

Case No. 2010-CP-23-5554

Applicant,

vs.

State of South Carolina,

Respondent.

MEMORANDUM IN SUPPORT OF
APPLICATION FOR
POST CONVICTION RELIEF

Applicant Barry Reynolds Styles, by and through his undersigned counsel, hereby submits this memorandum in support of his Application for Post Conviction Relief.

RELEVANT BACKGROUND

Mr. Styles is currently confined at Lee Correctional Institution in Bishopville, South Carolina, after being indicted for murder and possession of a weapon during the commission of a violent crime (2009-GS-23-9897), and subsequent to the entry of a guilty plea to voluntary manslaughter and possession of a weapon during the commission of a crime.

Subsequent to his indictment, Mr. Styles retained Daniel Farnsworth for his defense. Mr. Styles met with Mr. Farnsworth to discuss his case strategy, and the two discussed the advantages and disadvantages of taking Mr. Styles' case to trial. After weighing various factors, including the potential pursuit of a colorable self-defense claim, Mr. Farnsworth suggested that Mr. Styles plead guilty to a charge of involuntary manslaughter, which carries a maximum penalty of five (5) years of incarceration. This conversation occurred in the presence of three witnesses, including Arolanda Fuller, Raymond Taylor, and Lila Mae Styles. In light of Mr. Farnsworth's recommendation, Mr. Styles agreed to plead guilty to involuntary manslaughter.

EXHIBIT

3

tabbies

On March 31, 2010, a guilty plea was entered before the Honorable Edward W. Miller for *voluntary* manslaughter – despite Mr. Styles’ intention to plead to voluntary manslaughter – and possession of a weapon during the commission of a violent crime. Judge Miller sentenced Mr. Styles to confinement for concurrent terms of twenty (20) years for voluntary manslaughter, and five (5) years for possession of a weapon during the commission of a violent crime.

DISCUSSION

Mr. Styles is entitled to post conviction relief on two primary grounds. First, Daniel Farnsworth rendered ineffective assistance of counsel by causing Mr. Styles to enter a guilty plea to voluntary manslaughter, while convincing him that he would plead guilty to involuntary manslaughter. Second, Mr. Farnsworth failed to render effective assistance of counsel by failing and refusing to file an appeal on behalf of Mr. Styles, despite repeated requests to do so.

South Carolina courts have adopted a two-pronged test to determine the sufficiency of the assistance of counsel. Under the test, the PCR applicant bears the burden of demonstrating that “(1) counsel’s performance was deficient, and (2) the deficient performance prejudiced the defendant.” Holden v. South Carolina, 393 S.C. 565, 572, 713 S.E.2d 611, 615 (2011) (citing Strickland v. Washington, 466 U.S. 668 (1984)). This test applies “to challenges to guilty pleas based on ineffective assistance of counsel.” Id. With regards to guilty pleas,

[a] defendant who enters a plea on the advice of counsel may only attack the voluntary and intelligent character of a plea by showing that counsel’s representations fell below an objective standard of reasonableness and that there is a reasonable probability that, but for counsel’s errors, the defendant would not have pled guilty, but would have insisted on going to trial.

Id. (citing Rolen v. State, 384 S.C. 409, 413, 683 S.E.2d 471, 474 (2009)).

For a court to find that the guilty plea was voluntarily and knowingly entered, “the record must establish that the defendant had a full understanding of the consequences of his plea and the

charges against him.” *Id.* at 572, 713 S.E.2d at 615. Furthermore, “[t]he longstanding test for determining the validity of a guilty plea is ‘whether the plea represents a voluntary and intelligent choice among the alternative course of action open to the defendant.’” *Id.* (citing *Hill v. Lockhart*, 474 U.S. 52, 58 (1985)).

Based upon the representations of counsel, Barry Styles believed he was going to plea guilty to involuntary manslaughter, which carries a maximum penalty of five (5) years incarceration, with eligibility for parole. Two witnesses corroborate this understanding, including Lila Mae Styles and Raymond Taylor. Both witnesses, through affidavits attached hereto as Exhibits A and B, testified that Farnsworth assured Mr. Styles that he would plead to involuntary manslaughter, and that he would receive between one and five years in prison on the charge. Mr. Styles agreed to plead guilty to involuntary manslaughter based upon these assurances.

The proceedings at the plea hearing, conducted by the Honorable Edward W. Miller (the transcript of which is attached hereto as Exhibit C), further support Mr. Styles’ contention that he believed he was pleading guilty to involuntary manslaughter. When addressing Mr. Styles concerning his plea, Judge Miller stated the follows:

Mr. Styles, you’re up here on Indictment 09-9897, ’08, unlawfully with malice aforethought kill Anthony Thompson by means of a gunshot. He died as a proximate cause thereof. *Involuntary* manslaughter carries two to 30 years, this is a violent offense, a most serious offense. It means no parole and it means if you get convictions for two or most serious offenses you’re eligible for life in prison without parole, do you understand that?

(Hr’g Tr. 6, March 31, 2010) (emphasis added). Judge Miller very clearly indicated that Mr. Styles was pleading guilty to *involuntary*, as opposed to voluntary manslaughter.

Crain v. South Carolina, 2010 S.C. Unpub. LEXIS 39 (Dec. 20, 2010). a South Carolina

Supreme Court case, is directly on point. In that case, the Court affirmed the grant of post conviction relief on the grounds that the applicant believed he was pleading guilty to a different crime than the plea ultimately entered. In that case, the applicant pled guilty to second degree criminal sexual conduct (CSC) with a minor. Id. at *1. The applicant had been separately indicted on similar charges involving two different minors. Id. At the plea hearing, the solicitor recited the facts concerning the wrong case, the case in which the applicant consistently maintained his innocence. Id. at *2. The Court held that

[b]ecause there is evidence respondent would not have pled guilty had he known he was not pleading to the CSC with [the correct minor], the record supports the finding that counsel was deficient in failing to ensure respondent entered a knowing and voluntary plea to the charge involving [the correct minor]. . . .

Id.

Like the mistaken applicant in Crain, Mr. Styles believed he was pleading guilty to involuntary, as opposed to voluntary, manslaughter. Attorney Farnsworth assured him that he would plead to the lesser offense, and that he would receive a maximum of five (5) years in prison. Judge Miller's statement regarding involuntary manslaughter further assured Mr. Styles that he was pleading to the lesser offense. But for Attorney Farnsworth's assurances, and but for Judge Miller's indication of a plea to involuntary manslaughter, Mr. Styles would not have agreed to plead guilty. Based on these factors, the plea ultimately entered at the hearing was not a voluntary plea, and Mr. Styles clearly lacked "a full understanding of the consequences of his plea and the charges against him." Holden, 393 S.C. at 572, 713 S.E.2d at 615. By indicating to Mr. Styles that he would plead to involuntary manslaughter, and by failing to object to the entry of the voluntary plea, Mr. Farnsworth's performance was deficient, and the deficiency in his performance substantially prejudiced Mr. Styles.

Mr. Farnsworth's performance was likewise deficient in that Mr. Farnsworth failed to appropriately inform Mr. Styles of appellate procedure, and failed and refused to timely file an appeal on his behalf. "All defendants who have been found guilty of a crime have a right to be informed of the possibility of appeal and the method for taking an appeal." Frazier v. South Carolina, 306 S.C. 158, 161, 410 S.E.2d 572, 574 (1991). Moreover, "[r]etained counsel¹ possess the express duty to assist their clients to properly perfect their appeals." Id.

As noted in Mr. Styles Amendment to his Application, Mr. Farnsworth indicated to Mr. Styles that, if the plea hearing did not go as anticipated, an appeal would be "automatic." (Amend. to Application, Exhibit D). Moreover, he assured Mr. Styles that he would file an appeal, that doing so was "his job," and that Mr. Styles should not worry about it. (Id.) Obviously, appealing a guilty plea is not automatic, and Mr. Farnsworth never filed the appeal – despite the fact that Mr. Styles requested that he do so. As a direct and proximate result of the misinformation concerning the appellate process, and as a direct and proximate result of Mr. Farnsworth's failure to file a notice of appeal, Mr. Styles has been denied his constitutional right to appeal.

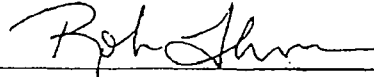
CONCLUSION

But for the assurances of Mr. Farnsworth, and Judge Miller's indication that he was pleading guilty to involuntary manslaughter, Mr. Styles would not have entered a guilty plea. Moreover, Mr. Styles was denied his right to an appeal by Mr. Farnsworth's misinformation concerning the appellate process, and due to Mr. Farnsworth's failure and refusal to file a notice of appeal. As a direct result thereof, the Applicant respectfully requests that this court grant this Application for Post Conviction Relief.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

¹ Mr. Styles retained Mr. Farnsworth for his representation.

Respectfully submitted,



Robert DeWitt Thomas, S.C. Bar No. 79116
HAYNSWORTH SINKLER BOYD, P.A.
75 Beattie Place, 11th Floor
Greenville, SC 29601-2119
864.240.3200

Attorneys for Applicant
Barry Reynolds Styles,
S.C.D.C. No. 123115

EXHIBIT-A-

Lila M. Styles

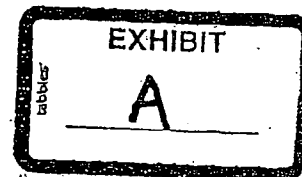
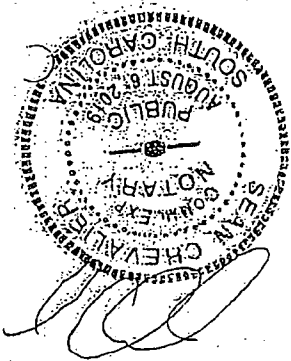
March 17, 2011

To Whom It May Concern:

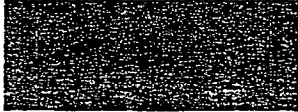
I, Lila M. Styles was present on Sunday, March 21, 2010 at Attorney Daniel Farnsworth's law office when the information below was discussed. Attorney Farnsworth assured Barry Styles that by pleading guilty to involuntary manslaughter, he would only receive 1 to 5 years in prison. I also witnessed the court proceeding on March 31, 2010 in which Attorney Farnsworth did not address the judge or the court on Barry Styles behalf. He had requested the presence of several people to be character witnesses for Mr. Styles, but only allowed me to speak. His lack of presentation did not provide Mr. Styles with an adequate defense. During the course of these preceding, Attorney Farnsworth advised that he knew the victim's mother. At this point, Attorney Farnsworth should have declined to present Mr. Styles as this would be a conflict of interest. This information that I have provided is true and factual.

Sincerely,

Lila M. Styles

Lila Styles

Raymond Taylor



March-5-2011

To Who Every it May Concern:

I, Raymond Taylor, went with Barry Styles to meet with Attorney Daniel Farnsworth, in his office on March 21, 2010, along with several other people. From my understanding, what I heard was Attorney Farnsworth and Barry talking and Attorney Farnsworth told Barry that he would receive any where from one to five years if he would plead guilty to Involuntary Manslaughter. I also went to court to speak in Barry's behalf as a character witness and Attorney Farnsworth failed to let me address the court.

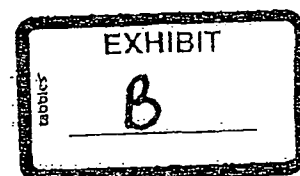
I swear this information is true.

Sincerely,

Notary Public
Dora F. Dejesus
6-30-2018

Raymond Taylor

A handwritten signature in cursive script, appearing to read "Raymond Taylor".



STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

COURT OF GENERAL SESSIONS
2009-GS-23-9897

ORIGINAL

STATE OF SOUTH CAROLINA
PLAINTIFF
vs.

PARTIAL
TRANSCRIPT OF RECORD.

BARRY REYNOLDS STYLES
DEFENDANT

March 31, 2010
Greenville, South Carolina

B E F O R E:

THE HONORABLE EDWARD W. MILLER, Judge.

A P P E A R A N C E S:

CHRISTY SUSTAKOVITCH, ASSISTANT SOLICITOR
ALLEN FRETWELL, ASSISTANT SOLICITOR
Attorneys for the State

DANIEL FARNSWORTH, ESQ.
Attorney for the Defendant

APRIL HERRON
Official Court Reporter

EXHIBIT

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Sentencing 23

Certificate of Reporter 23

1 THE CLERK: Your Honor, this is indictment
2 2009-GS-23-9897, Barry Reynolds Styles, indicted for
3 murder and possession of a weapon during the commission of
4 a violent crime. Pleading to voluntary manslaughter and
5 possession of weapon during a violent crime. It is a true
6 bill.

7 Indictment 2010-GS-23-2698, Tracy Denise
8 Hollingsworth, indicted for manufacturing methamphetamine,
9 pleading to the same. It is a waiver.

10 Indictment 2009-GS-23-2224, Paula C. Bright,
11 indicted for possession of cocaine base, crack cocaine,
12 with intent to distribute, pleading to possession of
13 cocaine base. It is a waiver. Indictment
14 2009-GS-23-2226, indicted for possession of cocaine with
15 intent to distribute, pleading to possession of cocaine.
16 It a waiver.

17 Indictment 2009-GS-23-1131, Joshua Heath Lister,
18 indicted for assault and battery with intent to kill,
19 pleading to assault and battery of a high and aggravated
20 nature. It is a true bill. And there is an Order of
21 Restitution.

22 Indictment 2009-GS-23-5511, Willie Charles
23 McCullough, indicted for shoplifting, third or above,
24 pleading to the same, it is a waiver. Indictment
25 2009-GS-23-5512, indicted for assault with intent to kill,

1 pleading to assault of a high and aggravated nature. And
2 it is a waiver.

3 Please raise your right hand.

4 (WHEREUPON, all the defendants were sworn.)

5 THE COURT: Any jail days?

6 MS. SUSTAKOVITCH: Mr. Styles 50, Hollingsworth
7 76, Paula Bright 82, Joshua Lister, one day and Willie
8 McCullough, none.

9 THE COURT: Willie McCullough's in jail.

10 MS. SUSTAKOVITCH: That's interesting. Sorry,
11 Your Honor, we will check that. That cannot be right.
12 I'm misreading it, it's 315 days.

13 THE COURT: All right.

14 EXAMINATION

15 THE COURT: All right, in the last 24 hours have
16 you had any drugs, alcohol, medication?

17 Mr. Styles?

18 MR. STYLES: No, sir.

19 THE COURT: Ms. Hollingsworth?

20 MS. HOLLINGSWORTH: No, sir.

21 THE COURT: Ms. Bright?

22 MS. BRIGHT: No, sir.

23 THE COURT: Mr. Lister?

24 MR. LISTER: No, sir.

25 THE COURT: Mr. McCullough?

1 MR. MCCULLOUGH: No, sir.

2 THE COURT: Have you ever been treated for the
3 abuse of alcohol, drugs or mental illness or emotional
4 problems?

5 Mr. Styles?

6 MR. STYLES: No, sir.

7 THE COURT: Ms. Hollingsworth?

8 MS. HOLLINGSWORTH: No, sir.

9 THE COURT: Ms. Bright?

10 MS. BRIGHT: No, sir.

11 THE COURT: Mr. Lister?

12 MR. LISTER: No, sir.

13 THE COURT: Mr. McCullough?

14 MR. MCCULLOUGH: No, sir.

15 THE COURT: Ms. Hollingsworth, Ms. Bright,
16 Mr. McCullough, you each have an indictment that has not
17 been presented to the Grand Jury. You have an absolute
18 right to require the State to present the case to the
19 Grand Jury where they would have to prove more probably
20 than not that a crime was committed and you did it. You
21 want to give that right up which would allow you to go
22 forward today?

23 Ms. Hollingsworth?

24 MS. HOLLINGSWORTH: Yes, sir.

25 THE COURT: Ms. Bright?

1 MS. BRIGHT: Yes, sir.

2 THE COURT: Mr. McCullough?

3 MR. MCCULLOUGH: Yes, sir.

4 THE COURT: Mr. Styles, you're up here on
5 Indictment 09-9897, count one alleges you did Greenville
6 County, October 25, '08, unlawfully with malice
7 aforethought kill Anthony Thompson by means of a gunshot.
8 He died as a proximate result thereof. Involuntary
9 manslaughter carries two to 30 years, this is a violent
10 offense, a most serious offense. It means no parole and
11 it means if you get convictions for two or most serious
12 offenses you're eligible for life in prison without
13 parole. Do you understand that?

14 MR. STYLES: Yes, sir.

15 THE COURT: Count two alleges you did Greenville
16 County, October 25, '08, possess or visibly display a
17 handgun during the commission of murder. That's five
18 years, do you understand that?

19 MR. STYLES: Yes, sir.

20 THE COURT: Ms. Hollingsworth, you're up here on
21 2010-2698, alleges you did January 14, 2010, knowingly
22 manufacture methamphetamine or provide assistance to do
23 that. Fifteen years, \$25,000.00 fine, no suspended
24 sentence, no probation. It's a violent offense, no
25 parole, do you understand that?

1 MS. HOLLINGSWORTH: Yes, sir.

2 THE COURT: Ms. Bright, you're up here on
3 09-2224, alleges you did Greenville County, September 25,
4 '08, possession with intent to distribute a quantity of
5 crack, pleading to possession. Three years, \$5,000.00, do
6 you understand that?

7 MS. BRIGHT: Yes, sir.

8 THE COURT: You're also here on 09-2226, alleges
9 you did Greenville County, September 25, '08, possess with
10 intent to distribute a quantity of cocaine. Possession of
11 cocaine, three years, \$5000.00; do you understand that?

12 MS. BRIGHT: Yes, sir.

13 THE COURT: Mr. Lister, you're here on 09-1131,
14 alleges you did Greenville County, September 2, '08,
15 unlawfully with malice aforethought commit an assault and
16 battery on Brandon Pierson. Aggravated assault and
17 battery carries 10 years, do you understand, that?

18 MR. LISTER: Yes, sir.

19 THE COURT: Speak up.

20 MR. LISTER: Yes, sir.

21 THE COURT: Mr. McCullough, you here on 09-5511,
22 alleges you did Greenville County, April 20, '09, with two
23 prior property offense convictions you shoplifted a pack
24 of steaks from Bi-Lo, do you understand that?

25 MR. MCCULLOUGH: Yes, sir.

1 THE COURT: You're also here on 09-5512, alleges
2 you did Greenville County, April 20, '09, with malice
3 aforethought commit an assault on Shawn Rig, an employee
4 of Bi-Lo. Assault high and aggravated is 10 years, do you
5 understand that?

6 MR. MCCULLOUGH: Yes, sir.

7 THE COURT: All right, understanding the nature
8 of the charges against you, the maximum possible
9 punishment, how do you want to plea?

10 Mr. Styles?

11 MR. STYLES: Guilty.

12 THE COURT: Ms. Hollingsworth?

13 MS. HOLLINGSWORTH: Guilty.

14 THE COURT: Speak up.

15 MS. HOLLINGSWORTH: Guilty.

16 THE COURT: Ms. Bright?

17 MS. BRIGHT: Guilty.

18 THE COURT: Mr. Lister?

19 MR. LISTER: Guilty, Your Honor.

20 THE COURT: Mr. McCullough?

21 MR. MCCULLOUGH: Guilty.

22 THE COURT: Has anybody forced you in any way or
23 coerced you, threatened you or promised you anything to
24 get you to enter that plea?

25 Mr. Styles?

1 MR. STYLES: No, sir.

2 THE COURT: Ms. Hollingsworth?

3 MS. HOLLINGSWORTH: No, sir.

4 THE COURT: Ms. Bright?

5 MS. BRIGHT: No, sir.

6 THE COURT: Mr. Lister?

7 MR. LISTER: No, sir.

8 THE COURT: Mr. McCullough?

9 MR. MCCULLOUGH: No, sir.

10 THE COURT: Do you each understand you have an
11 absolute right to a trial by jury where you would be
12 presumed innocent unless and until the State could prove
13 you guilty beyond any reasonable doubt of each and every
14 element of each offense that you are charged with. You
15 would have the right to confront and cross-examine the
16 witnesses and the evidence put up against you by the
17 State. You'd have the right to compel in court all
18 relevant and competent evidence in your own defense. Or
19 you could remain silent. Your silence could not be held
20 against you. And you could never be compelled to
21 incriminate yourself. Do you understand all those rights?

22 Mr. Styles?

23 MR. STYLES: Yes, sir.

24 THE COURT: Ms. Hollingsworth?

25 MS. HOLLINGSWORTH: Yes, sir.

1 THE COURT: Ms. Bright?

2 MS. BRIGHT: Yes, sir.

3 THE COURT: Mr. Lister?

4 MR. LISTER: Yes, sir.

5 THE COURT: Mr. McCullough?

6 MR. MCCULLOUGH: Yes, sir.

7 THE COURT: You want to give up all those rights
8 and enter this plea?

9 Mr. Styles?

10 MR. STYLES: Yes, sir.

11 THE COURT: Ms. Hollingsworth?

12 MS. HOLLINGSWORTH: Yes, sir.

13 THE COURT: Ms. Bright?

14 MS. BRIGHT: Yes, sir.

15 THE COURT: Mr. Lister?

16 MR. LISTER: Yes, sir.

17 THE COURT: Mr. McCullough?

18 MR. MCCULLOUGH: Yes, sir.

19 THE COURT: Are you guilty?

20 Mr. Styles?

21 MR. STYLES: Yes, sir.

22 THE COURT: Ms. Hollingsworth?

23 MS. HOLLINGSWORTH: Yes, sir.

24 THE COURT: Ms. Bright?

25 MS. BRIGHT: Yes, sir.

1 THE COURT: Mr. Lister?

2 MR. LISTER: Yes, sir.

3 THE COURT: Mr. McCullough?

4 MR. MCCULLOUGH: Yes, sir.

5 THE COURT: Are you totally satisfied with your
6 lawyer?

7 Mr. Styles?

8 MR. STYLES: Yes, sir.

9 THE COURT: Ms. Hollingsworth?

10 MS. HOLLINGSWORTH: Yes, sir.

11 THE COURT: Ms. Bright?

12 MS. BRIGHT: Yes, sir.

13 THE COURT: Mr. Lister?

14 MR. LISTER: Yes, sir.

15 THE COURT: Mr. McCullough?

16 MR. MCCULLOUGH: Yes, sir.

17 THE COURT: Have you had enough time to review
18 the evidence the State has against you?

19 Mr. Styles?

20 MR. STYLES: Yes, sir.

21 THE COURT: Ms. Hollingsworth?

22 MS. HOLLINGSWORTH: Yes, sir.

23 THE COURT: Ms. Bright?

24 MS. BRIGHT: Yes, sir.

25 THE COURT: Mr. Lister?

1 MR. LISTER: Yes, sir.

2 THE COURT: Mr. McCullough?

3 MR. MCCULLOUGH: Yes, sir.

4 THE COURT: All right, tell us about it.

5 MS. SUSTAKOVITCH: Your Honor, I believe
6 Mr. Fretwell is doing this first one.

7 MR. FRETWELL: May it please the Court, Your
8 Honor.

9 THE COURT: All right.

10 MR. FRETWELL: On the evening of October 25th,
11 2008, Greenville County Sheriff's Deputies responded to
12 in Greenville County to
13 investigate reports of shots fired in that location. Upon
14 arrival deputies found the victim, Tony Thompson, lying on
15 the ground near his vehicle with multiple gunshot wounds
16 and no pulse. The defendant, Barry Styles, was identified
17 as the shooter and taken into custody at the scene.

18 The defendant rented an area of the victim's
19 property to operate a tire store. So the victim was the
20 defendant's landlord at the time of the victim's death.
21 According to witnesses the two were seen arguing with the
22 defendant opening fire immediately thereafter. One
23 witness who observed the shooting heard the victim tell
24 the defendant to get his punk ass out of there. Although
25 the witnesses differed on whether the two were facing each

1 other, they appeared to have been some distance apart when
2 the shooting began. One witness saw the defendant go to
3 the victim's body and return to it several times before
4 asking anyone to call police.

5 The defendant told police that he didn't want to
6 shoot the victim but told them that the victim had a
7 knife. The victim was known to carry several pocket
8 knives in his auto repair line of work that he used to
9 strip wires, etcetera. Initial responding officers
10 located an opened pocket knife near the victim's body and
11 kicked (sic) it away. Two additional pocket knives were
12 recovered from the victim's pants pocket.

13 The dispute between the two men seems to have
14 involved the sell of some tires to the victim's father.
15 And whether the victim's dogs were unable to get out of
16 the fence at the property. One witness told police the
17 victim had told the defendant he was tired of his shit and
18 to get his shit out of there. The defendant appeared to
19 be in shock or in a daze immediately after the shooting
20 and asked one of the witnesses to call 911 even though he
21 was carrying a cell phone in his hand.

22 Your Honor, the autopsy results indicated the
23 defendant struck the victim six times. Five of those
24 shots were in the victim's back. The defendant does have
25 a prior record and there is a recommendation in this case.

1 There's also victim family members that are present and
2 wish to address the Court at the appropriate time.

3 THE COURT: All right, what's his record?

4 MR. FRETWELL: Your Honor, he has a 19 -- he has
5 two 1984 convictions for assault and battery of a high and
6 aggravated nature. 1985, conviction for driving under the
7 influence. 1986, conviction or littering. And 1993
8 conviction for unlawful carrying of a pistol.

9 THE COURT: Recommendation?

10 MR. FRETWELL: Thirty years, Your Honor.

11 THE COURT: All right, be happy to hear from the
12 victim's family.

13 MR. FRETWELL: Your Honor, just to let the Court
14 know, the victim's parents, Matthew and Julia Rosemond are
15 here, along with his ex wife, Stacy Spurgeon. Chavez
16 Thompson, who is his daughter. Cavasio (sp) Thompson, who
17 his son. Zeria (sp) Petterson, who is the victim's
18 granddaughter. Patricia Woody and Melinda Conner, who are
19 both aunts. Evelyn Brown, who is an ex mother-in-law.
20 And I also believe I saw the victim's uncle here and some
21 other family members.

22 Ms. Julia Rosemond, the victim's mother and
23 Chavez Thompson, the victim's daughter, would like to
24 address the Court.

25 THE COURT: All right, I'll hear from them.

1 MS. ROSEMOND: My name is Julia Rosemond. My
2 son was an amazing person and the father of five children.
3 The one thing I'm sorry my son got killed but for one
4 thing God spared me -- (inaudible) two years old. Because
5 she couldn't live every night without him. For she ask
6 about her father and I tell her, He in heaven. And it's
7 hard for us sometime around the house, looking at the
8 children, aunts and aunts (sic) and some of the people
9 that he tries to help to get jobs for. If they need
10 anything. He always was there for them. It is kind --
11 it's very hard but sometime we can't live at night
12 thinking about it.

13 But little things, car fixing, little lady comes
14 say she needs this done, he try to take her to store. And
15 if anybody needed a job, he had a home at the detail shop.
16 But he also -- if he didn't have enough work, he also went
17 and worked for other people. Like Mr. Larry Crane, Jay
18 Prince, selling houses, pick up rent. He always stayed
19 busy. He was a loving person. He didn't care who whether
20 you was white, black or purple. If he could help you any
21 kind of way.

22 Don't think this man should have not killed my
23 son that many times. An animal don't get it. I'm sorry.
24 But I have to deal with these grandchildren. And sometime
25 I'm very stressed out. Especially the one that's two

1 years old. She can't understand why this man shot my
2 daddy. He fell down to the ground. Like I said, this
3 man -- my daughter came and she saying, This man was right
4 there shooting at my daddy. He fell. And it's hard. And
5 when she's at my house, she have to sleep in the bed and
6 she have nightmares. I have to say, her daddy's in heaven
7 so look at the stars. I got my grandson, he don't
8 understand, he stays with me and my grandchildren. And
9 then all the other people around that they can't just --
10 it's heart breaking.

11 If anything he could do for someone he did. Out
12 of the goodness of his heart. If he didn't have no money
13 he would say, Momma, let me have some money, so and so
14 ain't got no food or they need something or try to help.
15 Just like when he say I got this man in the front to sell
16 tires because he had a place for a while. He always -- he
17 was the kind of person he goes pay people lawyers,
18 anybody, something that they asks for. But right now the
19 hard part for me when I go home, I'm sick because I'm a
20 cancer victim. In which he would come home and he always
21 watched over me. Seeing what we need, cook his daddy a
22 meal, fixing the car or anything.

23 But Mr. Barry and Tony the only one that knows
24 really what truly happened. In which matter of fact, he
25 gave Mr. Barry a family reunion. He fix Mr. Barry and

1 other people food at took to them. I cooks a lot. And I
2 took food to him. Not to mention I'm not poor. But if I
3 got a piece of bread, I would give it to him. He had just
4 two weeks took Mr. Barry food into -- up to his shop and
5 talk to him. All this here altercation should have not
6 happened. Because his daddy went to the shop and told him
7 what the deal was. And the man just sat there --

8 THE COURT: Okay, I know it's hard for you,
9 ma'am. I think I get the underlying concept of what
10 you're trying to convey. Thank you, very much for being
11 here.

12 Daughter want to speak?

13 MS. SPURGEON: My name is Angie Spurgeon, I'm
14 the mother of Cavasio and Chavez Thompson, Tony's oldest
15 children. And my daughter is upset and my daughter was
16 going to speak today but I'm going to speak on her behalf.
17 I just like to say that this hold thing has been really
18 hard for our family. Mr. and Mrs. Rosemond, they're just
19 really good people. Even after Tony and I were no longer
20 together, they've always embraced myself and my children.
21 Not only us but his other three kids, he has three other
22 children who are younger than my children, who aren't
23 fortunate to have their father with them to be able to see
24 them graduate high school or see them go to the proms. My
25 children, they were fortunate enough to they have that.

1 It's just been really hard because as the mother
2 of these two kids, there's nothing that I can do or say to
3 them that's going to make this any better. And I'm sorry,
4 that all this happened. And I'd just like to say to
5 Mr. Styles, and his family, I'm sorry for them too because
6 I know that this is hard for them. But even with that, I
7 think that his crime does deserve punishment. And I just
8 hope that he will get the punishment that he deserves so
9 my family and I can have some kind of closure. And maybe
10 my children and the rest of the children and
11 Mr. and Ms. Rosemond can go on with our lives whatever we
12 can.

13 THE COURT: All right. Thank you, ma'am, I
14 appreciate that.

15 All right, Mr. Farnsworth.

16 MR. FARNSWORTH: Judge, thank you, Your Honor,
17 may it please the Court. Your Honor, just what's been
18 said, these are very difficult cases sad. And very hard
19 on the families. Particularly the family of the victim in
20 this case. Judge, just a little bit as to the facts.
21 Mr. Styles moved into this property that the victim owned
22 there out on Whitehorse Road. He had a tire company
23 there. And they actually weren't that far from each
24 other, you know, as far as proximity.

25 But just from my investigation of the case and

1 you've heard Mr. Fretwell tell you there was some
2 problems, arguments, this type thing. It seemed like
3 these things would go on and one of them would say, Well
4 I'm going to move out. The other one -- a couple of days
5 would go by and it was over. And then a few days go by
6 and they'd start at it again. But the situation as to the
7 date of the incident, Mr. Styles had come back from home
8 with his wife to work and he was fixing the breaks on his
9 truck. She sat in the car while he had it pushed up and
10 he was under the car and that's when Mr. Rosemond --
11 Mr. Thompson, excuse me, came down there and there were
12 some words. And he got up and said, You better not be
13 here when I get back. This type thing. So then when he
14 came back he did have a knife. It was found there at the
15 scene by him.

16 The case was not a perfect by any means
17 self-defense case but I went over all that with Mr. Styles
18 several times since he hired me on this case. And he --
19 he is as sorry as anybody that it did happen. He can't
20 take it back now. It just happened in a matter of
21 seconds. He thought that at that point his life was in
22 danger himself. We again, sorry it happened. But this
23 thing has gone -- you can just see and I'm not downgrading
24 anybody, I'm just -- you can just -- if you read this file
25 and I think Mr. Fretwell would see it too that you could

1 just see something coming between them because they just
2 didn't get along, apparently. And this last thing was
3 about a set of tires that he -- that Mr. Styles sold for
4 the victim's father. And he -- the arrangements made that
5 he would keep \$50.00 of it. Well, Mr. Thompson, when he
6 heard that, didn't like that. That was really the
7 argument that day. I think.

8 In any event, Your Honor, Mr. Styles is 50 years
9 old. He went to the 11th grade, he worked construction.
10 The tire business he had, at the date of this incident out
11 there on Whitehorse Road and he had been in that business
12 for 12 years. He's married for 17 years. They have no
13 children. His wife is standing right there. Some other
14 family members and friends. And she is here in support of
15 him as they are. I don't know --

16 Ms. Styles, do you have anything you'd like to
17 say to the family or to the Court?

18 MS. STYLES: I'm sorry all this happened but I
19 was fearful of my life as much as his life. That's what
20 happened.

21 THE COURT: All right.

22 MR. FARNSWORTH: Your Honor, just in finishing,
23 again, most of the ones I've heard about the arguments,
24 were down at my client's store, his property. They was
25 arguments over the dogs being let out, things like that.

1 He -- his record you heard he had two assault
2 and battery, high and aggravated back in 1984. And since
3 then he had a, like a littering or possession of a weapon.
4 And one other charge. So it's been a long time since any
5 serious stuff has happened. We talked a long time about
6 trying this case. But I think Mr. Styles probably has
7 done the right thing, he thinks he's doing the right
8 thing. And I would just ask, Your Honor, to consider and
9 Mr. Fretwell when he told me what the recommendation was
10 going to be from the family that our understanding that I
11 would have right a to talk under that. And I just, based
12 on everything, Your Honor, I just don't feel this is a 30
13 year case. And I would ask, Your Honor, to consider
14 something less.

15 THE COURT: All right. Anything you want to
16 say?

17 MR. STYLES: Yes, sir, it is. First of all, I'm
18 sorry about what happened. I feel like I tried everything
19 I could to prevent this. I even closed the shop down and
20 I went to the park. And me and Tony we would be gone by
21 1:30, no later than 2:00. And I usually -- so I left, I
22 didn't come back to the shop until late that evening
23 thinking Tony was gone. And, you know, I offered
24 \$250.00 --

25 THE COURT: Well, Mr. Styles, talk to me, not to

1 the family.

2 MR. FARNSWORTH: You can't talk to them.

3 MR. STYLES: Well, Your Honor, I'm sorry, I'm
4 sorry that this happened. I wish it hadn't had happened.
5 I wish I could have just had the opportunity to leave.
6 When I tried to but I didn't. Your Honor, I'm saying I'm
7 sorry. It just shouldn't had happened.

8 THE COURT: All right. Anything else?

9 MR. FRETWELL: Judge, he has 56 days jail time.

10 THE COURT: Fifty or 56?

11 MR. FRETWELL: Fifty-six.

12 SENTENCING

13 THE COURT: All right, I appreciate everything
14 everybody said. These are tragic cases, this in
15 particular. And take into account prior record, his age,
16 and the circumstances of the offense, I'm going to give
17 him 20 years on the manslaughter and five on the gun case.
18 Thank you, very much.

19 MR. FRETWELL: Thank you, Judge.

20 (WHEREUPON, the requested portion of the
21 proceedings were concluded.)
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, APRIL P. HERRON, Official Court Reporter for the Thirteenth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and partial Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Greenville County, South Carolina, on the 31st day of March, 2010.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

September 27, 2010



APRIL P. HERRON, Court Reporter

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
Barry R. Styles, #123115)
Applicant,)
vs.)
State of South Carolina,)
Respondent.)

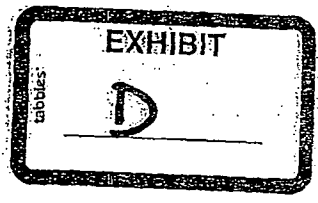
IN THE THIRTEETH JUDICIAL CIRCUIT
CASE NUMBER: 2010 -CP- 23 - 5554
AMENDMENT TO PCR APPLICATION

A M E N D M E N T

The Applicant comes before the Court to respectfully amend the Applicant's Application For Post Conviction Relief filed on July 9, 2010 in Greenville County.

Page 2 (9).

The Applicant met with retained Counsel, Daniel J. Farnsworth, Esquire at his office for a pre trial lawyer/client conference. When Attorney Farnsworth asked the Applicant, "did he have any concerns or questions?", the Applicant "inquired if things did not turn out the way that he expected, would the Applicant be able to receive an appeal?". Attorney Farnsworth advised the Applicant that an appeal would be automatic and that the Applicant should let him worry about these matters, because it is his job. The Applicant was clearly expecting to receive a term less than twenty (20) years. The Applicant lost his constitutional right to appeal, because Attorney Farnsworth failed to timely file an Notice of Appeal.



STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Barry Reynolds Styles #123115

Applicant,

v.

State of South Carolina,

Respondent.

CASE NUMBER: 2010 - CP - 23 - 5507

AMENDMENT

AMENDMENT

The Applicant comes before the Court to respectfully amend

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

NIKKI R. HALEY
Governor



MARK A. KEEL
Chief

CRIMINAL RECORD CHECK

(Please print your completed form and submit to SLED. You may want to print a copy for your records.)

FULL NAME (with middle name):

Horace Anthony Thompson

AKA and/or MAIDEN NAMES:

524036

DOB

SSN:

(Federal law permits governmental agencies to require a social security number in order to conduct official business; however, private entities may only obtain social security numbers if given voluntarily).

NAME OF CHARITABLE ORGANIZATION (if applicable):

CHARITABLE VERIFICATION ACCOUNT # (if applicable):

MAILING ADDRESS:

Since neither name nor identifying number was indexed in our files accompanied your request. SLED cannot guarantee in any manner that this material concerns the individual in whom you are interested.

ARREST RECORD
SC LAW ENFORCEMENT DIVISION

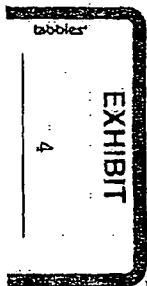
(A self addressed stamped envelope is required for the return of background check)

PLEASE NOTE:

The fee is twenty-five dollars (\$25) unless you are a charitable organization approved for a fee of eight dollars (\$8). A charitable organization must include its name and account number or the request may not be processed. Payment must be business check, certified/cashier's check or money order payable to SLED. **PERSONAL CHECKS WILL NOT BE ACCEPTED.** This report contains records of arrests and convictions made by state/local agencies in South Carolina only. Alteration of a completed criminal records check may subject a person to criminal prosecution. A completed criminal records check should not be accepted unless it bears an original SLED stamp. ***PLEASE ENCLOSE A SELF ADDRESSED STAMPED ENVELOPE FOR THE RETURN OF YOUR RECORD CHECK.**

SLED RECORDS SECTION HAS BEEN CLOSED TO THE PUBLIC SINCE DECEMBER 15, 2008.

(CJ-022) 08/12/11



2012 JUN 18 AM 10:06
RECEIVED SLED/CJCS



TO: REC01A-01717 Mon Jun 18, 2012 10:04:12 0PJH6VF2J95D
 FROM: SCCH-00029 Mon Jun 18, 2012 10:04:12

ICHR REQUEST FOR RAP SHEET
 ORI-SCLED0000 SID-524036 PUR-E
 ATN-SELF, AC

Since neither fingerprints nor bi-
 identifying number which is indexed
 in our files accompanied your re-
 quest, SLED cannot guarantee in any
 manner that this material concerns
 the individual in whom you are
 interested

AUTHORIZED USE ONLY. ***** CONTACT CONTRIBUTING
 AGENCY FOR SPECIFIC/MORE DATA ABOUT CHARGES AND/OR DISPOSITIONS.
 BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME A NEW COPY
 SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE

ARREST RECORD
S.C. LAW ENFORCEMENT DIVISION

PAGE-01 DATE-06/18/2012 TIME-10:04:12
 REQ ORI-SCLED0000 S C LAW ENF DIV
 SID-SC00524036 FBI-
 NAME-THOMPSON, HORACE ANTHONY SEX-M RACE-B
 HEIGHT-510 WEIGHT-205 EYES-BRO HAIR-BLK SKIN-MBR BORN-SC
 FPC-171204TT131209120612 HENRY-17 L 1 U-T- 13
 M 1 U

PHOTOGRAPH AVAILABLE AUTHORIZED USE ONLY
 I-FINGERPRINT IMAGES ON THIS SUBJECT ARE STORED ON SCAFIS

DATE RECORD ENTERED--02/21/1986 DATE OF LAST UPDATE--07/09/2010

ADDITIONAL IDENTIFIERS	BIRTH				
NAME	DATES	MARKS	SOC	SEC	MISC NUM
THOMPSON, TONY					

CONTRIBUTOR/SUBJECT	DOA/RCVD CHARGE/DISPOSITION/ETC
THOMPSON, HORACE ANTHONY	02/02/1986
SC0230000 GREENVILLE CNTY SO	
CASE-79-583	

THOMPSON, HORACE ANTHONY 02/02/1986
 SC0230000 GREENVILLE CNTY SO
 CASE-79-583

WARR-01564FZ

ARREST CHARGE 01-DISORDERLY
 CONDUCT
 OFFENSE DATE-02/02/1986
 PHOTOGRAPH AVAILABLE
 COURT CHARGE 01-DISORDERLY
 CONDUCT
 COURT DISP-CONVICTED;\$56 FINE

THOMPSON, HORACE ANTHONY 05/10/1989
 SC0230000 GREENVILLE CNTY SO
 CASE-79583
 WARR-C444835

WARR-C444835

ARREST CHARGE 01-GRAND LARCEN
 Y - AUTO
 PHOTOGRAPH AVAILABLE
 COURT CHARGE 01-GRAND LARCENY
 COURT DISP-CONVICTED;SY SUSP;
 SY PROB; 200 HRS PUB SER
 EMP \$150 PUBL DEF FUND;
 INT PROB

THOMPSON, HORACE ANTHONY 12/27/1990

SC0230000 GREENVILLE CNTY SO
CASE-79583
WARR-9004437

ARREST CHARGE 01-FAILURE TO
PAY SUPPORT
PHOTOGRAPH AVAILABLE

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-79583
WARR-D069549

05/18/1991

ARREST CHARGE 01-ACCESSORY
TO STRONG ARMED ROBBERY

WARR-D069549

PHOTOGRAPH AVAILABLE
COURT CHARGE 01-ACCESSORY TO
STRONG ARMED ROBBERY
COURT DISP-NON-CONVICTION;
DISMISSED
COURT DATE-11/25/1992

THOMPSON, HORACE ANTHONY
SC0230200 GREENVILLE PD
CASE-79583
WARR-D22832

06/05/1991

WARR-D022832

ARREST CHARGE 01-KIDNAPPING
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-KIDNAPPING
COURT DISP-NON-CONVICTION;
DISMISSED
COURT DATE-11/19/1992

THOMPSON, HORACE ANTHONY
SC0230200 GREENVILLE PD
CASE-78583
WARR-0169889

12/14/1991

ARREST CHARGE 01-POINTING A

WARR-1616988

FIREARM

CIT-16-23-410 FELONY
WARR-0169889

ARREST CHARGE 02-MALICIOUS
DAMAGE OVER \$50

WARR-1616988

COURT CHARGE 01-POINTING A
FIREARM
COURT DISP-CONVICTED;5 YEARS
CONCURRENT WITH FEDERAL
SENTENCE
COURT DATE-11/12/1992
COURT CHARGE 02-MALICIOUS
DAMAGE OVER \$50
COURT DISP-CONVICTED;5 YEARS
CONCURRENT WITH FEDERAL
SENTENCE
COURT DATE-11/12/1992

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-79583
WARR-D435450

02/23/1992

ARREST CHARGE 01-THREATENING

WARR-D435450

A PUBLIC OFFICIAL
PHOTOGRAPH AVAILABLE
COURT CHARGE 01-THREATS TO
JUDGE WITNESS
COURT DISP-NON-CONVICTION;
NOL PROS
COURT DATE-05/22/1992

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-79583
WARR-F305158

07/21/1997

ARREST CHARGE 01-POSS W/INT
DIST CRACK COCAINE 1/2
MILE SCHOOL
PHOTOGRAPH AVAILABLE

WARR-F305157

ARREST CHARGE 02-TRAFFICKING
CRACK COCAINE

CIT-44-53-375(C)(A) FELONY
DOC-986S2302071
WARR-F305157

COURT CHARGE 01-TRAFFICKING
ICE,CRANK,CRACK,>10G BUT<2
8G-1ST

CIT-44-53-445(B)(2) FELONY
DOC-98652302072
WARR-F305158

COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/30/1998

COURT CHARGE 02-DIST,SELL,ETC
,CRACK,COCAINE,OR PWID,
NR SCHOOL
COURT DISP-NON-CONVICTION;
NOLLE PROSSED
COURT DATE-09/30/1998

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231400025889
WARR-H018545
CIT-16-3-620(2)-FELONY

08/26/2002

ARREST CHARGE 01-ASSAULT AND
BATTERY WITH INTENT TO
KILL
OFFENSE DATE-08/26/2002
PHOTOGRAPH AVAILABLE

WARR-HH01854

CIT-16-3-620(2)-FELONY

ARREST CHARGE 02-ASSAULT AND
BATTERY WITH INTENT TO
KILL
OFFENSE DATE-08/26/2002

CIT-16-3-620(2) FELONY
DOC-006523
WARR-H018545

COURT CHARGE 01-ASSAULT AND
BATTERY WITH INTENT TO
KILL
COURT DISP-NON-CONVICTION;NO
BILL
COURT DATE-11/18/2002
ATN-231400025889

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231600064224
WARR-I355205
CIT-16-25-20-MISDEMEANOR

12/23/2003

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE

OFFENSE DATE-12/23/2003
PHOTOGRAPH AVAILABLE

CIT-16-25-20(A)-MISDEMEANOR
DOC-R84
WARR-I355205

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 1ST
OFFENSE

COURT DISP-CONVICTED:PD \$425
COURT DATE-01/22/2004
ATN-231600064224

THOMPSON, HORACE ANTHONY 05/19/2004
SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231500075195
WARR-H667318
CIT-16-23-410-FELONY

ARREST CHARGE 01-POINTING
AND PRESENTING FIREARMS
AT A PERSON
OFFENSE DATE-05/19/2004
PHOTOGRAPH AVAILABLE

82

CIT-16-23-410-FELONY
DOC-006623

COURT CHARGE 01-POINTING AND

WARR-H667318

PRESENTING FIREARMS AT A
PERSON
COURT DISP-NON-CONVICTION;NO
BILL
COURT DATE-07/26/2004
ATN-231500075195

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231600082562
WARR-H667614
CIT-16-25-20(B)-MISDEMEANOR

08/20/2004

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 2ND
OFFENSE
OFFENSE DATE-08/20/2004
PHOTOGRAPH AVAILABLE

CIT-16-25-20(C)-MISDEMEANOR
DOC-R84
WARR-H667614

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 2ND
OFFENSE
COURT DISP-CONVICTED;PD \$500

COURT DATE-11/01/2004
ATN-231600082562

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-079583
END OF PAGE

01/18/2005

01 - PAGE 02 TO FOLLOW

IN Mon Jun 18, 2012 10:04:12
OUT Mon Jun 18, 2012 10:04:21

REC01A MSG# 01717

000212247770/771
SAN: 0PJH6VF2J95D

TO: REC01A-01718 Mon Jun 18, 2012 10:04:21 0PJH6VF2J95D
FROM: SCCH-00030 Mon Jun 18, 2012 10:04:13

PAGE-02 DATE-06/18/2012 TIME-10:04:12
REQ ORI-SCLED0000 S C LAW ENF DIV
SID-SC00524036 FBI-

CONTRIBUTOR/SUBJECT DOA/RCVD CHARGE/DISPOSITION/ETC

ATN-231600093815
WARR-I467507
CIT-16-25-40-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 3RD OR
SUB
OFFENSE DATE-01/18/2005

CIT-16-25-40-MISDEMEANOR
DOC-00GS23
WARR-I467507

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 3RD OR
SUB
COURT DISP-NON-CONVICTION;NO
BILL

83

COURT DATE-03/21/2005
ATN-231600093815

THOMPSON, HORACE ANTHONY

06/09/2005

SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231600105830
WARR-H916223
CIT-16-25-40-MISDEMEANOR

ARREST CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 3RD OR
SUB
OFFENSE DATE-06/09/2005
PALM PRINTS AVAILABLE

CIT-16-25-20-MISDEMEANOR
DOC-05682306800
WARR-H916223

COURT CHARGE 01-CRIMINAL
DOMESTIC VIOLENCE 3RD OR
SUB
COURT DISP--NON-CONVICTION;
DISM/NOL PROS/PROS ENDED
COURT DATE-08/31/2006
ATN-231600105830

THOMPSON, HORACE ANTHONY
SC0230000 GREENVILLE CNTY SO
CASE-079583
ATN-231600158756
WARR-I363969
CIT-16-11-600-MISDEMEANOR

06/01/2007

ARREST CHARGE 01-ENTRY ON
ANOTHERS LANDS AFTER NOTIC
E
OFFENSE DATE-06/01/2007
PALM PRINTS AVAILABLE

WARR-I363970
CIT-22-5-150,03-560 MISDEMEANOR

ARREST CHARGE 02-BREACH OF
PEACE
OFFENSE DATE-06/01/2007

CIT--MISDEMEANOR
DOC-23
WARR-I363970

COURT CHARGE 01-BREACH OF
PEACE
COURT DISP-CONVICTED
COURT DATE-05/05/2008
ATN-231600158756

CIT--MISDEMEANOR

DOC-23
WARR-I363969

COURT CHARGE 02-ENTERING
PREMISES AFTER WARNING
COURT DISP--NON-CONVICTION;
NOT GUILTY/BENCH TRIAL
COURT DATE-05/05/2008

BASED ON SEARCH OF SCLED CJIS CCH FILE USING SID/SC00524036
THIS CRIMINAL HISTORY RECORD IS FOR SOUTH CAROLINA ARRESTS AND
CONVICTIONS ONLY AND IS BASED ON THE INFORMATION PROVIDED. SINCE
CHANGES MAY OCCUR DAILY A NEW INQUIRY SHOULD BE MADE AND NO SUBSEQUENT
USE OF THIS RECORD IS ALLOWED.

INQUIRY WILL BE FORWARDED TO: N C I C W A N T E D P E R S O N S

85

INDIVIDUAL PROHIBITED FROM POSSESSING OR ACQUIRING FIREARM OR AMMUNITION
PURSUANT TO FEDERAL GUN CONTROL ACT OF 1968

INFORMATION SUBMITTED TO SLED CCH INDICATES THIS INDIVIDUAL HAS BEEN
CONVICTED OF A MISDEMEANOR IN WHICH AN OFFENDER COULD RECEIVE IN EXCESS OF
TWO (2) YEARS OF CONFINEMENT, ACCORDING TO THE SOUTH CAROLINA CODE OF LAWS.

THEREFORE, THIS PERSON IS INELIGIBLE TO SHIP, TRANSPORT OR RECEIVE ANY
FIREARMS OR AMMUNITION, AFFECTED BY INTERSTATE OR FOREIGN COMMERCE AS

DEFINED BY THE GUN CONTROL ACT OF 1968 (18.U.S.C. 922(G)).

** S C CJIS END OF RECORD **

IN: Mon Jun 18, 2012 10:04:13
OUT: Mon Jun 18, 2012 10:04:22

REC01A MSG# 01718

000212250300/771
SAN: 0PJH6VF2J95D

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.

Shannon Page

AKA:

Race: W Sex: F Age: 27

DOB: SS#: 000-00-0000

Address:

DL#: SID#:

In disposition of the said indictment comes now the Defendant who was
TO: TRAFFIC HABITUAL TRAFFIC OFFENDER (GS)

in violation of § 56-01-1100 of the S.C. Code of Laws, bearing CDR Code # 0057

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Solicitor:

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 3 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of (CT) days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 2 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. (Dey)

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ set by SCDPPPS

Recipient: _____

*Fine: \$ _____

§ 14-1-206 (Assessments 107.5 %) \$ _____

§ 14-1-211(A)(1) (Conv Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 35.13 (Public Def/Prob) \$500 \$ _____

§ 73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25

§ 33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____

§ 50-21-114(BUI Breath Test Fee) \$50 \$ _____

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ _____

TOTAL \$ _____

Clerk of Court/Deputy Clerk

Court Reporter: Jenkins

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#:

2003GS2304091

A/W#: 56426CJ

Date of Offense: 03-11-2003

S.C. Code § : 56-01-1100

CDR Code #: 0057

☐ CASE RESTORED
SENTENCE☒ PLEA ☐ TRIAL☐ CONVICTED OF or ☒ PLEADS

in violation of § 56-01-1100 of the S.C. Code of Laws, bearing CDR Code # 0057

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ 17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST:

Solicitor:

Defendant

Attorney for Defendant

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of 3 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of (CT) days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for 2 months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: _____☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections. (Dey)

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Heard, ☐ Waived, ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ set by SCDPPPS

Recipient: _____

*Fine: \$ _____

§ 14-1-206 (Assessments 107.5 %) \$ _____

§ 14-1-211(A)(1) (Conv Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 35.13 (Public Def/Prob) \$500 \$ _____

§ 73.3, 1B TP (Law Enforce. Funding) \$25 \$ 25

§ 33.7, 1B TP (Drug Court Surcharge) \$100 \$ _____

§ 50-21-114(BUI Breath Test Fee) \$50 \$ _____

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) \$ _____

TOTAL \$ _____

Clerk of Court/Deputy Clerk

Court Reporter: Jenkins

PTUP

5 days/hours Public Service Employment

Obtain GED

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling _____

Random Drug/Alcohol testing _____

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel, § 35.13 TP
Requires \$500 be paid to Clerk during probation.PRESIDING JUDGE E. W. M. J.Judge Code: 2111310Sentence Date: 2/4/04

SCCA/217 (7/2003)

probation begins today

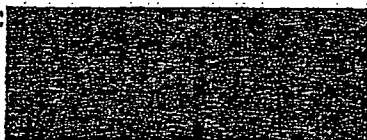
General Sessions Docket
GS-23

Name: HORACE ANTHONY
 THOMPSON

Warrant/Ticket #: H018545

AKA:

Date of Arrest: 8/26/2002

Address: 

Date of Offense: 8/24/2002

Date Rec. by Clerk:

SSN#: 

Magistrate: 5531

Counts: Code:

Sex: M Race: B

DOB: 

DL#: 

Disposition Information

1. Transmitted to SOL & SCCA:

2. Disp Received by Clerk:

3. Date of Disposition: 10-17-02

NOV 18 2002

Disposition: 1 Guilty Plea
2 Trial Guilty
3 Trial Not Guilty
4 Dism/Nol Pros/Pros Ended Explain: _____
5 PTI Explain: _____
5 Judicial Commitment Explain: _____
6 Judicial Dismissal
7 Remanded Explain: _____
8 Dismissed at Prelim
8 No Bill
9 Failure to Appear Explain: _____
0 Other Explain: _____

Judge: _____

Court Reporter: _____

Defense Atty: _____

Solicitor: Bryana S. Scay

Counts: _____ Code: _____

Sentence: _____

General Sessions Tracking Sheet
H667318

Name: Thompson, Horace Anthony

Warrant/Ticket # H667318

AKA:

Date of Arrest: 05/19/2004

Addr: [REDACTED]

Date of Offense: 05/06/2004

Date Rcv by Clerk 06/07/2004

Magistrate: Cagle, Diane D.

Counts: Code: 0122/Weapons / Pointing and
presenting firearms at a person

SSN# [REDACTED]

Sex: M Race: B

DOB: [REDACTED]

DI # [REDACTED]

Indictment # 0000GS23

Disposition Information

1. Transmitted to SOL & SCCA:

2. Disp Received by Clerk:

3. Date of Disposition: 6-30-04

JUL 26 2004

- Disposition
- ☐ 1. Guilty plea
 - ☐ 2. Trial - guilty
 - ☐ 3. Trial - not guilty
 - ☐ 4. Dism/Not Pros/Pros Ended
 - ☐ 5. PTI
 - ☐ 5. Judicial Commitment
 - ☐ 6. Judicial Dismissal
 - ☐ 7. Remanded
 - ☒ 8. Dismissed at Prelim
 - ☐ 8. No Bill
 - ☐ 9. Failure to Appear
 - ☐ 10. Other

Explain: _____

Explain: _____

Explain: _____

Explain: Dismissed at Prelim By Judge Hudson

Explain: _____

Judge: _____

Court Reporter: _____

Defense Atty: _____

Solicitor: DRW

Counts: _____ Code: _____

Sentence: _____

GENERAL SESSIONS DOCKET TRACKING SHEET

Name: HORACE A THOMPSONIndictment #: 2005GS2302336Address: [REDACTED]Warrant/Ticket #: 2005GS2302336City: [REDACTED] State: [REDACTED] ZIP: [REDACTED]

No Warrant: _____

SS#: [REDACTED] Sex: M Race: BOffense Code: 0685Date of Birth: [REDACTED]Offense Name: Domestic / Criminal DomesState: SC Driver's License #: [REDACTED]Date of Arrest: March 15, 2005DATE OF DISPOSITION: 0.0 8/30/06AUG 31 2006

DISPOSITION:

 1. Guilty Plea* 7. Remanded 2. Trial (Guilty) 8. Dismissed at Prelim 3. Trial (Not Guilty) 8. No Bill* ✓ 4. Dism/Not Pros/Pros Ended* 9. Failure to Appear* 5. Judicial Commitment* 10. Other 6. Judicial Dismissal* Explain: ✓ Uncooperative

Judge: _____

Ct. Reporter: _____

Defense Attorney: CRANE, LARRY W.Solicitor: Rachel BroughOffense Code: 0685 Offense Name: Domestic / Criminal Domes

Sentence: _____

GENERAL SESSIONS DOCKET

STATE VS
THOMPSON, HORACE ANTHONY

92 GS23 3935 -

AKA

STREET ADDRESS

D - 169859
WARRANT/TICKETY
WARRANT?

CITY

STATE ZIP

01 122 POINTING A FIREARM
COUNTS CODE OFFENSE NAMEM 8
SEX RACE12/14/91
DATE OF ARRESTSC
DOB STATE DR-LIC01/10/92 TAYLOR
DATE RECEIVED MAGISTRATE1. TRANSMITTED TO SOL AND SCCA: 01/22/92
2. DISP RECEIVED BY CLERK:3. DISPOSITION SENT TO SCCA:
4. TRANSMITTED TO SUMMARY CT:

DATE OF DISPOSITION NOV 12 1992

DISPOSITION: ☒ 1 GUILTY PLEA
☐ 2 TRIAL (GUILTY)
☐ 3 TRIAL (NOT GUILTY)
☐ 4 DISM/NOL PROS/PROS ENDED
☒ 5 PTI
☒ 5 JUDICIAL COMMITMENT
☐ 6 JUDICIAL DISMISSAL
☒ 7 REMANDED
☐ 8 DISMISSED AT PRELIM
☐ 8 NO BILL
☒ 9 FAILURE TO APPEAR
☒ 0 OTHER

*EXPLAIN:

JUDGE: *Spencer*REPORTER: *Galati*DEFENSE ATTORNEY *D. Farnsworth**M. Smith*
SOLICITOROFFENSE OF
CONVICTION COUNTS CODE OFFENSE NAMESENTENCE: *5 yrs conc w/ feed*CAROLINE W MATTOS
CLERK OF COURT

GENERAL SESSIONS DOCKET TRACKING SHEET

Name: SHANNON MARIE PAGE

Indictment # : _____

Address: _____

Warrant/Ticket # 1560948

City: _____ State: _____ ZIP: _____

No Warrant: _____

SS#: 0 Sex: F Race: WOffense Code: 0528

Date of Birth: _____

Offense Name: Shoplifting, <\$1000 (3rdState: SC Driver's License # _____Date of Arrest: September 4, 2007DATE OF DISPOSITION: 0_0

FEB 19 2009

DISPOSITION:

____ 1. Guilty Plea

* ____ 7. Remanded

____ 2. Trial (Guilty)

____ 8. Dismissed at Prelim

____ 3. Trial (Not Guilty)

____ 8. No Bill

* x ____ 4. Dism/Nol Pros/Pros Ended

* ____ 9. Failure to Appear

* ____ 5. Judicial Commitment

* ____ 10. Other

____ 6. Judicial Dismissal

* Explain: Prosecutor's discretion

Judge: _____

Cl. Reporter: _____

Defense Attorney: CRANE, LARRY W.Solicitor: Jeff Weston *JW*Offense Code: 0528Offense Name: Shoplifting, <\$1000 (3rd

Sentence: _____

GENERAL SESSIONS DOCKET

STATE VS
THOMPSON, HORACE ANTHONY92CS23 3936

AKA

[REDACTED]
STREET ADDRESSD - 169858
WARRANT/TICKETY
WARRANT?[REDACTED]
CITY STATE ZIP01 109 HALICIOUS INJURY TO PERSONA
COUNTS CODE OFFENSE NAME[REDACTED] M B
SSNO SEX RACE12/14/91
DATE OF ARREST[REDACTED] SC [REDACTED]
DOB STATE DR-LIC01/10/92 TAYLOR
DATE RECEIVED MAGISTRATE1. TRANSMITTED TO SOL AND SCCA: 01/22/92
2. DISP RECEIVED BY CLERK:3. DISPOSITION SENT TO SCCA:
4. TRANSMITTED TO SUMMARY CT:

DATE OF DISPOSITION: NOV 12 1992

DISPOSITION: ☒ 1 GUILTY PLEA
☐ 2 TRIAL (GUILTY)
☐ 3 TRIAL (NOT GUILTY)
☐ 4 DISM/NOL PROS/PROS ENDED
☒ 5 PTI
☒ 5 JUDICIAL COMMITMENT
☐ 6 JUDICIAL DISMISSAL
☒ 7 REMANDED
☐ 8 DISMISSED AT PRELIM
☐ 8 NO BILL
☒ 9 FAILURE TO APPEAR
☒ 0 OTHER

*EXPLAIN:

JUDGE: *Eppe*REPORTER: *Galati*DEFENSE ATTORNEY *D. Farnsworth**M. Amato*
SOLICITOROFFENSE OF
CONVICTION COUNTS CODE OFFENSE NAMESENTENCE: *5 yrs conc w/fel*CAROLINE W HAYTOS
CLERK OF COURT

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

Barry Reynolds Styles,
S.C.D.C. No. 123115,

Case No. 2010-CP-23-5554

Applicant,

CERTIFICATE OF SERVICE

vs.

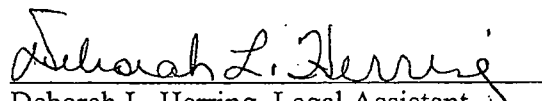
State of South Carolina,

Respondent.

2012 NOV 27 PM 2:38
FILED-CLERK OF COURT
GREENVILLE CO S.C.
P. B. WICKENS

This is to certify that the foregoing Supplemental and/or Amended Application for Post Conviction Relief was served in the above-referenced case by placing a copy of same in the United States mail on this the 27th day of November, 2012, upon the following:

Karen C. Ratigan, Esq.
Assistant Deputy Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, SC 29211


Deborah L. Herring, Legal Assistant
HAYNSWORTH SINKLER BOYD, P.A.
Post Office Box 2048
Greenville, SC 29602-2048
864.240.4567

November 27, 2012
Greenville, SC

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	C.A. No. 2010-CP-23-5554
COUNTY OF GREENVILLE	)	
	)	
Barry Reynolds Styles,	)	
S.C.D.C. No. 123115,	)	
	)	
Applicant,	)	
	)	RETURN
v.	)	
	)	
State of South Carolina,	)	
	)	
Respondent.	)	
_____	)	

In response to the post-conviction relief application filed July 9, 2010, the Respondent would show this Court:

I.

The Applicant is incarcerated with the South Carolina Department of Corrections pursuant to the Greenville County Clerk of Court's orders of commitment. The Greenville County Grand Jury indicted the Applicant at the December 2009 term of General Sessions for murder (2009-GS-23-9897, count 1) and possession of a weapon during commission of a violent crime (2009-GS-23-9897, count 2). Daniel J. Farnsworth, Esquire represented the Applicant.

On March 31, 2010, the Applicant pled guilty to voluntary manslaughter and possession of a weapon during commission of a violent crime. The Honorable Edward W. Miller sentenced the Applicant to concurrent terms of twenty (20) years for voluntary manslaughter and five (5) years for possession of a weapon during commission of a violent crime. The Applicant did not appeal.

Attached herewith and incorporated herein by reference are the records of the Greenville County Clerk of Court regarding the subject convictions, the Applicant's records from the South

Carolina Department of Corrections, and the guilty plea transcript.

II.

In his application for post-conviction relief the Applicant alleges he is being held in custody unlawfully for the following reason:

1. Ineffective assistance of counsel:
 - a. Failed to file a notice of appeal.
 - b. Advised the Applicant to plead guilty "without regard for principle to law."

III.

The Respondent asserts the Applicant's allegation that his attorney was ineffective is without merit. The Respondent asserts the Applicant's attorney rendered effective assistance well within the standard of "reasonableness within professional norms" for a criminal defense attorney.

Where ineffective assistance of counsel is alleged as a ground for relief, the Applicant must prove that "counsel's conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied on as having produced a just result." Strickland v. Washington, 466 U.S. 668, 686, 104 S. Ct. 2052, 2064 (1984); Butler v. State, 286 S.C. 441, 442, 334 S.E.2d 813, 814 (1985).

The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. The courts presume counsel "rendered adequate assistance and made all significant decisions in the exercise of reasonable professional judgment." Strickland, 466 U.S. at 690, 104 S. Ct. at 2066. The Applicant must overcome this presumption in order to receive relief. See Cherry v. State, 300 S.C. 115, 118, 386 S.E.2d 624, 625 (1989).

A two-pronged test is used in evaluating allegations of ineffective assistance of counsel. First, the applicant must prove counsel's performance was deficient. Under this prong, attorney performance is measured by its "reasonableness under prevailing professional norms." Cherry v. State, 300 S.C. at 117, 386 S.E.2d at 625 (quoting Strickland, 466 U.S. at 688, 104 S. Ct. at 2065). Second, counsel's deficient performance must have 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." Cherry, 300 S.C. at 117-18, 386 S.E.2d at 625. "A reasonable probability is a probability sufficient to undermine confidence in the outcome of trial." Johnson v. State, 325 S.C. 182, 186, 480 S.E.2d 733, 735 (1997) (citing Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984)).

The Respondent submits the Applicant cannot satisfy either requirement of the Strickland v. Washington test. However, the allegation of ineffective assistance of counsel probably raises questions of fact that cannot be conclusively refuted by the record. The Respondent requests an evidentiary hearing to fully resolve this issue. See Sharper v. State, 279 S.C. 264, 265, 305 S.E.2d 247, 248 (1983) (citing Norman v. State, 276 S.C. 278, 277 S.E.2d 707 (1981)).

IV.

The Respondent denies each allegation not expressly admitted, qualified or explained.

V.

WHEREFORE, having made its Return, the Respondent requests that a hearing be held and counsel appointed to represent the Applicant.

Respectfully submitted,

HENRY DARGAN McMASTER
Attorney General

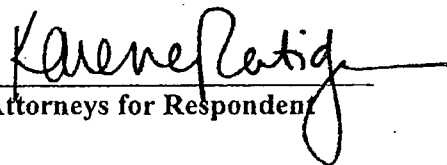
JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

KAREN C. RATIGAN
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211

By:


Attorneys for Respondent

December 22, 2010

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

BARRY REYNOLDS STYLES, 123115

Applicant,

vs

STATE OF SOUTH CAROLINA,

Respondent.

IN THE COURT OF COMMON PLEAS

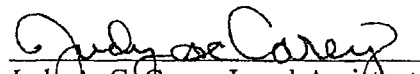
2010-CP-23-5554

AFFIDAVIT OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the **Return** in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

**Barry Reynolds Styles, 123115
 Lee Correctional Institution
 990 Wisacky Highway
 Bishopville SC 29010**

DATED this 22nd day of December, 2010.


 Judy A. C. Carey, Legal Assistant
 For Respondent

STATE OF SOUTH CAROLINA COURT OF GENERAL SESSIONS
COUNTY OF GREENVILLE 2010-CP-23-05554

BARRY REYNOLDS STYLES,

-VS-

THE STATE of SOUTH CAROLINA,
Defendant.

TRANSCRIPT OF RECORD

February 14, 2013
Greenville, South Carolina

Ordered: May 12, 2013

Delivered: June 9, 2013

B E F O R E:

THE HONORABLE W. JEFFREY YOUNG, Presiding Judge.

A P P E A R A N C E S:

MS. KAREN C. RATIGAN, Esquire
Assistant Attorney General Appearing for the State

MR. DENNY P. MAJOR, Esquire
Attorney Appearing for the Applicant

Pamela Faucette
Circuit Court Reporter

PAMELA FAUCETTE, CVR - 864-574-9534 or 336-260-2864

I N D E X**Barry R. Styles PCR****Page:**

Ms. Ratigan's Recitation of Procedural Background.....3

Mr. Major's Comments.....4

W I T N E S S E S**Mr. Lyla Mae Styles (Phonetic):****Page:**

Direct by Mr. Major.....5

Cross by Ms. Ratigan.....7

Mr. Orlando Fuller:**Page:**

Direct by Mr. Major.....8

Cross by Ms. Ratigan.....9

Mr. Barry Styles:**Page:**

Direct by Mr. Major.....10

Cross by Ms. Ratigan.....24

Redirect by Mr. Major.....26

E X H I B I T S**Applicant's Exhibits:****Marked:****Received:**1 - (Documentation of
Representation)

23

23

Respondent's Exhibits:**Marked:****Received:**

(None)

Court's Exhibits:**Marked:****Received:**

(None)

Reporter's Certification.....31

Reporter's Note: This transcript may contain quoted material. Such material is reproduced as read or quoted by the speaker.

February 14, 2013

10:02 A.M.

(Off-The-Record Comments)

THE COURT: All right, Ms Ratigan?

MS. RATIGAN: Thank you, Your Honor. May it please the Court?

This is the case of *Barry Styles vs. The State of South Carolina*. The docket number is 2010-CP-23-5554.

Mr. Styles was indicted for murder and possession of a weapon during the commission of a violent crime. He was represented on these charges by Dan Farnsworth (phonetic).

On March 31st of 2010, he pled guilty to the reduced charge of voluntary manslaughter and possession of a weapon. Judge Miller sentenced him to concurrent terms of twenty (20) years for voluntary manslaughter and five (5) years for the weapons charge. He did not file an appeal.

I'll go into just a couple of things for Your Honor's information. First of all, we've got members of the victim's family seated behind me to my left. They're here to observe today.

The second thing I would notice is, as Your Honor would note, we do not have Mr. Farnsworth today. And, just for the record, I would explain that Mr. Farnsworth had a series of neurological issues last year. He had several medical orders of protection.

And I have explained to Mr. Major, you know, I couldn't scheduled these cases -- I -- I couldn't schedule the case while he had these orders of protection.

Then last fall Mr. Farnsworth had a stroke. He is medically unable to

1 practice law or appear. So, I went ahead and put the case on the roster and
2 informed Mr. Major that we would not be able to have Mr. Farnsworth here
3 but that, since it was a guilty plea, we'd just go forward based on — you
4 know, basically — essentially the four corners of the plea transcript.

5 THE COURT: Right.

6 MS. RATIGAN: So just, with that information on the record, I will
7 turn it over to Mr. Major.

8 THE COURT: All right. Mr. Major?

9 MR. MAJOR: May it — may it please the Court, Your Honor?

10 THE COURT: Yes, sir.

11 MR. MAJOR: I'm Denny Major. I — we are going to have a
12 couple of witnesses. The primary argument here is that, while the plea was
13 entered for voluntary manslaughter, he believed he was pleading to
14 involuntary manslaughter.

15 I'm going to present Mr. Styles, Ms. Styles, and his son-in-law who
16 were present for some meetings with Mr. Farnsworth where they discussed
17 involuntary manslaughter as being the plea.

18 And also the plea transcript itself, on the first page, when the clerk was
19 reading out the — the plea, "It's involuntary manslaughter." (Phonetic).

20 On page — I believe it's Page 6 of the transcript, when Judge Miller
21 was addressing Mr. Styles, he — he read it out as involuntary manslaughter.
22 And we'll hear ----

23 THE COURT: Well, he — he knew he was up on a murder
24 charge, though, right?

25 MR. MAJOR: He understood he was indicted for murder, but, as

1 to the — the plea hearing, when he was there, he understood he was there
2 to ----

3 **THE COURT:** But he knew he could get up to thirty (30) years as
4 well?

5 **MR. MAJOR:** He — he — based on the ----

6 **THE COURT:** Call your first witness.

7 **MR. MAJOR:** I'd like to call Lyla May Styles (phonetic).

8 **THE COURT:** All right.

9 (The witness stepped forward to be sworn.)

10 (Off-The-Record Comments)

11 (Whereupon,

12 **LYLA MAE STYLES**

13 first being duly sworn, testified as follows:)

14 (Off-The-Record Comments)

15 **MADAM CLERK:** Please, state your full name for the record.

16 **THE WITNESS:** Lyla Mae Styles

17 (Off-The-Record Comments)

18 **THE COURT:** You may proceed.

19 **DIRECT EXAMINATION by MR. MAJOR:** 10:04 A.M.

20 **Q.** Ms. Styles, tell me your relationship to Barry Styles.

21 **A.** He's my husband.

22 **Q.** And you understand that we're here for his post-conviction relief

23 application that -- that arises originally out of an -- an incident that occurred -- a

24 shooting that occurred of Tony Thompson on October 25th, 2008?

25 **A.** Yes.

1 Q. Okay. And do you recall who you retained — who Mr. Styles retained
2 to represent him in that — in that charge?

3 A. Yes.

4 Q. Who was it?

5 A. (No Response)

6 Q. Who was his attorney?

7 A. Dan Farnsworth.

8 Q. Okay. And did you ever meet with Mr. Styles and Mr. Farnsworth
9 where it was just you three?

10 A. Yes.

11 Q. Okay. And when was that in relation to the plea hearing if you recall?

12 A. That was — that's the last weekend in March, like on the 22nd.

13 (Off-The-Record Comments)

14 THE COURT: Okay. You're going to speak up, ma'am. It is
15 important that we get a transcript of what you're saying.

16 Q. (By Mr. Major) Can you repeat what you said?

17 A. It was like the last week in March.

18 Q. Okay. And — and what do you recall discussing at that time with Mr.
19 Farnsworth?

20 A. We went to Mr. Farnsworth's office and he said that — asked him
21 would he plead to involuntary manslaughter at that time.

22 Q. Okay.

23 A. And he said "yes."

24 Q. So your understanding was that a plea deal had been reached for
25 involuntary manslaughter?

1 A. Yes.

2 Q. Okay. Do you recall any discussion of the sentencing for that crime?

3 A. No.

4 Q. Do you recall any conversations that you had with Mr. Styles about the
5 sentencing and his understanding of the sentencing?

6 A. Well, he said it would be lesser time that the time he got. So, he
7 asked me if he should plea and I told him yeah.

8 Q. Okay. Do you recall what his understanding of the maximum
9 sentence would be based on your conversations with Mr. Styles?

10 A. No.

11 Q. Okay.

12 MR. MAJOR: And that's — that's the only questions I have for
13 you, Ms. Styles.

14 THE COURT: Do you have questions?

15 MS. RATIGAN: Yes, just a couple of quick questions.

16 CROSS EXAMINATION by MS. RATIGAN:

10:06 A.M.

17 Q. Mrs. Styles, did Mr. Farnsworth tell you the State had made a
18 recommendation for thirty (30) years?

19 A. No.

20 Q. Okay. Did Mr Farnsworth tell you that, when your husband went to
21 pled guilty that day, the judge could give him anywhere between two (2) years and
22 thirty (30) years?

23 (Brief Pause)

24 A. No, he didn't.

25 Q. Okay. So the only thing he told you was that your husband was

1 pleading guilty to involuntary?

2 A. Yes.

3 MS. RATIGAN: Okay. That 's all I have, Your Honor.

4 THE COURT: Thank you. Any redirect?

5 MR. MAJOR: No, sir.

6 THE COURT: Thank you. You may step down.

7 (Witness complied with the Court's request.)

8 MR. MAJOR: Your Honor, for our next witness, I'd like to call
9 Orlando Fuller (phonetic).

10 THE COURT: All right. Come forward, please, and be sworn.

11 (The witness stepped forward to be sworn.)

12 (Off-The-Record Comments)

13 (Whereupon,

14 ORLANDO FULLER

15 having been first duly sworn, testified as follows:)

16 (Off-The-Record Comments)

17 MADAM CLERK: Please state your full name for the record.

18 THE WITNESS: Orlando Fuller.

19 DIRECT EXAMINATION by MR. MAJOR: 10:08 A.M.

20 Q. Mr. Fuller, what is your relationship to Mr. Styles?

21 A. I'm a stepson or son-in -- yeah, stepson.

22 Q. Okay. Did you ever attend any meetings where Mr. Styles and Mr.
23 Farnsworth were present?

24 A. Yes.

25 Q. When was that?

Mr. Orlando Fuller - Cross by Ms. Ratigan

Page 9

1 A. It was in March. The date, I can't remember.

2 Q. March of 2010? The same month as the plea hearing?

3 A. Yes, sir.

4 Q. Okay. Did you ever have any conversations with Mr. Farnsworth
5 regarding the charge to which Mr. Styles was pleading?

6 A. Yes, sir.

7 Q. And what was that?

8 A. Well, he told me — I was the last one to come in on that meeting. And
9 he was telling me that he was pleading — trying to get him to involuntary
10 manslaughter.

11 Q. Okay. Any discussion of the sentencing?

12 A. No, sir.

13 MR. MAJOR: Okay. That 's all the questions I have for him.

14 CROSS EXAMINATION by MS. RATIGAN:

10:09 A. M.

15 Q. So your testimony is that Mr. Farnsworth said that he was trying to get
16 him to involuntary or was it — that's what he said?

17 A. That's what he said.

18 MS. RATIGAN: Okay. That 's all I have, Your Honor.

19 THE COURT: All right. Is there any redirect?

20 MR. MAJOR: No redirect. Thank you.

21 THE COURT: Thank you. You may step down.

22 (Witness complied with the request.)

23 MR. MAJOR: Our last witness is Mr. Styles.

24 THE COURT: All right. Mr. Styles, come forward and be sworn.

25 (The witness stepped forward to be sworn.)

(Off-The-Record Comments)

(Whereupon,

BARRY REYNOLDS STYLES

having been first duly sworn, testified as follows:)

(Off-The-Record Comments)

MADAM CLERK: Please state your full name for the record.

THE WITNESS: Barry Reynolds Styles.

(Off-The-Record Comments)

DIRECT EXAMINATION by MR. MAJORS:

10:10 A.M.

Q. Mr. Styles, what's your current age?

A. I'm fifty-two (52).

Q. So you were fifty (50) years old at the time of the plea hearing?

A. Yes, sir.

Q. At the plea hearing March 31st, 2010?

A. Uh-huh (affirmative).

Q. Okay. Try to state "yes" or —

A. Yes, yes, sir.

Q. — for the court reporter we try to do that. Tell me briefly how you knew

Tony Thompson.

A. I was selling tires at the — at the jockey lot up above the house. And him and his girlfriend that I know now come through and asked me would I like to come and sell tires at his location, that he was — he was a — a detailer.

And I told him I would think about it. And I went and looked at it and — and liked what his — his setup was and decided to go and move there.

Q. Okay. Tell me about October 25th, 2008 starting from the time that

1 you are -- well do you recall October 25th, 2008?

2 A. Yes, sir.

3 Q. Okay. And was that the date of the -- of the incident where you shot
4 Mister -- Mr. Thompson?

5 A. Yes, sir.

6 Q. Okay. I want to talk about the time that you are at -- in the parking lot
7 there before that where you were working on the car. Tell me about starting -- tell
8 me about that day starting at that time.

9 A. Me and my wife was -- was -- we come up there to bleed the brakes
10 on the -- on the truck to move the stuff out because I had sold some tires for Tony's
11 step-daddy.

12 And he didn't like it because his dad -- his step-daddy told me I could
13 have fifty dollars (\$50) for selling the tires. And Tony didn't -- didn't feel like it was
14 right.

15 And so I gave -- so I -- me and my wife was up there to -- to bleed
16 the brakes. And, when I looked at Tony -- when we got up there, we was in the
17 process of bleeding them. And Tony and his girlfriend was leaving.

18 And, when I looked, Tony had stopped in the -- at the entrance of the
19 -- of the -- of the property. And he came over there and approach me and told me
20 he didn't like it because I got fifty dollars (\$50).

21 Q. Okay. You mentioned fifty dollars (\$50) that he -- you're talking about
22 fifty dollars (\$50) that you retained from the sale of -- of his father-in-law's tires?

23 A. Yeah.

24 Q. Did you give his father-in-law any money?

25 A. Yeah. I gave it to Tony. He -- Tony got two hundred and ten dollars

1 (\$210) out of the two hundred and sixty (\$260).

2 Q. Okay. You mentioned that -- that Tony came up there and -- and I
3 think you said stopped at the entrance. Is that what you said?

4 A. Correct.

5 Q. Okay. Well, what you mean? Was it just him personally or his truck
6 or...?

7 A. Him -- him and his -- he had a -- an SUV called -- a big SUV van --

8 Q. Okay.

9 A. -- type of like truck (phonetic).

10 Q. Okay. Were there any other ways to get --- was the parking lot you
11 were in fenced in?

12 A. Yes, sir.

13 Q. Other than the exit that Mr. Thompson parked his truck, was there any
14 way to get in or out of the --

15 A. No, there wasn't.

16 Q. Okay.

17 (Brief Pause)

18 Q. Okay. So what happened after he stopped the truck there?

19 A. And after he -- after I looked, and he -- he had stopped the truck, and
20 I noticed that he -- he -- he -- he was -- I was up under the truck bleeding the
21 brakes and my wife was inside the truck.

22 And I looked and his foot was right at the front of the truck. And he
23 said, "I -- I don't like the way you -- what you done to my dad, took -- took the job
24 from my dad."

25 And I told him, I said, "Tony just go home." I say -- I say, "That's all

1 settled." I said, "If you want the money..." I said, "I'll give you the money."

2 So I rolled out from up under the truck because I was on a -- a dollie.

3 And, when I went to -- got up and went to reach to give Tony the money, and turned
4 around, then, that's when Tony had the knife.

5 Q. Okay. So he pulled out a knife?

6 A. Yes, sir.

7 Q. What happened after that?

8 A. And I told him to put the -- I said "Tony, put the knife up." I said, "Put
9 the knife up, man." I said, "Put the knife up and go home."

10 And, then, that's when he said, "I ain't going to do..." He cussed and
11 said, "I ain't going to do a -- a damn thing," like that. And he say, "I'm -- I'm going
12 to mess you up because of what you just did."

13 And he went to -- swung the knife at me. And -- but he missed and
14 he went to swing again. And that's when I hit him in the arm with the -- with the --
15 that's when I fired the -- the shot and hit him in the arm.

16 Q. When did you -- you pulled a gun out?

17 A. Yes, sir.

18 Q. When -- when did you pull the gun out?

19 A. As he was swinging, the -- the -- the -- as he was swinging the -- the
20 knife, the -- the knife was on my -- I had an ankle holster gun, a ankle holster, and
21 --- that was -- that belonged to my wife. And I -- when I -- when I went back, I
22 reached up and grabbed out and -- and shot him.

23 Q. You recall shooting him one time?

24 A. Yes, sir.

25 Q. Did you subsequently learn that he was shot multiple times?

1 A. Yes, I found out later on that I did.

2 Q. But you don't recall doing that?

3 A. No, I didn't. I really didn't.

4 Q. All right. At the time that you -- you pulled the trigger, what was your
5 feelings at that time?

6 A. I -- I -- I don't know. All I know is, is that my wife was screaming. He
7 was ----

8 (Phone heard ringing.)

9 Q. Let me ask you this: When ----

10 THE COURT: Take the phone. Take it.

11 (Off-The-Record Comments)

12 (Bailiff complied with the Court's request.)

13 THE COURT: You may proceed.

14 Q. (By Mr. Majors) Thank you.

15 THE COURT: After the rude interruption.

16 Q. (By Mr. Major) When Mr. Thompson pulled the knife out, what were
17 you feeling?

18 A. I just --- I just --- I just -- I just knew he was going to -- I -- I just knew
19 he was going to -- I felt threatened. I felt he was going to hurt me.

20 Q. Did you fear for you life?

21 A. Yes, I did, sir.

22 Q. Did you fear for your wife's life?

23 A. Yes, sir.

24 Q. Were you trying to defend yourself and your wife?

25 A. Yes, sir, I was.

1 Q. Is there anything else you would like to say about the underlying
2 incident, Mr. Styles?

3 A. If that -- I just don't -- I just -- I'm just so, so -- I just hate that it -- it --
4 it happened. I just...

5 Q. Okay. Let's move onto your meetings with Mr. Farnsworth. You
6 retained Dan Farnsworth as your counsel for that shooting that we just discussed?

7 A. Yes, sir.

8 Q. How many times did you meet with Mr. Farnsworth?

9 A. About seven (7) times.

10 Q. All right. During most of those meetings, did you believe that you were
11 going to trial?

12 A. Yes, sir.

13 Q. At some point, did Mr. Farnsworth mention that he was trying to work
14 out a plea deal?

15 A. Yes, sir. He -- well, all the way up to about the sixth -- about the sixth
16 visit he brought up -- to about the sixth visit he said we was -- he was going to try to
17 work out a deal.

18 Q. Okay. Well tell me about that sixth visit.

19 A. The sixth visit he said that he was -- he had done met with the solicitor
20 and they was coming up with my deal. He say he was going to get -- try to get me
21 involuntary manslaughter.

22 Q. Did you meet with him during that sixth visit personally?

23 A. Yes, sir.

24 Q. Who all -- who -- who was present?

25 A. Me and my wife.

1 Q. Okay. Just you, your wife, and Mr. Farnsworth?

2 A. Yeah.

3 Q. Okay. What else did Mr. Farnsworth say that you recall during that
4 meeting?

5 A. And he also said that --- he say that he -- he said was -- he say he
6 had -- he was meeting with him. He was going to try to get me -- was going to try
7 to talk to him. He said he was going to try to work out a deal and try to get me a -- a
8 -- a -- involuntary manslaughter.

9 He said it only carried from -- from one (1) to five (5) years. Or -- he
10 said or he say, "You can..." -- he said, "Because, if you go up for murder, and get
11 caught for murder," he said, "You can get thirty (30) to life."

12 (Brief Pause)

13 Q. Had he discussed with you at all your -- your self-defense, defense?

14 A. He -- he didn't -- no, he did not really.

15 Q. Okay. And he -- and were you thinking at that time --- were you trying
16 to evaluate whether to go to trial with your self-defense, defense versus pleading to
17 involuntary manslaughter?

18 A. Yeah. But, then, after he -- after he said that -- that, if -- if I go for
19 involuntary manslaughter, he said that I would -- I would come out better because
20 he said that --- because I'd be out in about three (3) or four (4) years.

21 He said he didn't know what they would give me on the gun charge.

22 He say, "But ain't nobody never come to my office and I got a deal like this and they
23 turned it down." So...

24 Q. Did you sign a -- a sentencing sheet at that time? Do you recall?

25 A. Yeah, but I didn't know at the time it was. It didn't have anything on it.

1 He said, "Well, you need to sign this paper right there, so, I can go ahead and —
2 and — if I can make the deal, I can go ahead and — and get it — get it on the roster."
3 So I thought it was a roster paper. I never thought it was a sentencing sheet really.

4 Q. Did you see the term "involuntary manslaughter" anywhere on the
5 sentencing sheet?

6 A. No. There wasn't anything on there.

7 Q. I was just blank?

8 A. Just a blank paper.

9 (Brief Pause)

10 Q. What else did Mr. Farnsworth tell you that day? Anything that you
11 recall?

12 A. Nothing -- nothing else.

13 Q. Okay. Didn't tell you anything about getting character witnesses?

14 A. Yeah, he told me to see — see if I could get some — some witnesses
15 to come and meet with him on our next visit.

16 Q. Okay. And the next visit was the -- was the final visit; is that right?

17 A. Yes, sir.

18 Q. And that was — when was that; do you recall?

19 A. That was -- that was in March. That was the last week in March.

20 Q. Was that on Sunday?

21 A. Yes, sir.

22 Q. Who was present at that meeting?

23 A. At that meeting it was my stepson, Linda Boyle (phonetic), my wife,
24 Lyla, and a -- a -- and another guy was there. He just passed. This man, he just
25 passed away, Raymond Taylor. And ---

1 Q. Who is Raymond Taylor?

2 A. Huh?

3 Q. Who was Raymond Taylor?

4 A. Oh, Raymond -- Raymond Taylor is -- it's one of my -- it's a -- it's a
5 landlord of mine in the past. And there was a customer also.

6 (Brief Pause)

7 Q. At that meeting, did Mr. Farnsworth say anything about your past
8 record?

9 A. Yeah, but he said but it wouldn't make -- he said that they wouldn't
10 bring it up because it's been so long ago. And I haven't got into anything in such a
11 long time that they wouldn't even -- they wouldn't even mention it.

12 Q. All right. Well let's talk about the hearing itself. And I believe you
13 mentioned that was March 31st 2010; is that right?

14 A. Yes, sir.

15 Q. And were the character witnesses that were at that last meeting also
16 present at that hearing?

17 A. Yes, they was.

18 Q. Okay. Well tell me about the hearing.

19 (Brief Pause)

20 A. Such as...?

21 Q. Well, what do you recall about the hearing?

22 A. We met there and -- anything specific? I mean...?

23 Q. Do you recall whether the judge said anything about voluntary
24 manslaughter or involuntary manslaughter? What -- what -- what did he say
25 during that ----

1 A. Well, what he -- the -- the judge -- the judge said involuntary
2 manslaughter would carry two (2) to thirty (30). And, then, when he said that, I
3 looked at Mr. Farnsworth because Mr. Farnsworth told me that it was only going
4 carry five (5).

5 **(Brief pause while document retrieved and shown to witness.)**

6 Q. I'm showing you a copy of the partial transcript of record. Flip it over to
7 Page 6 for me if you would.

8 **(Witness complied with the request.)**

9 Q. Do you see Lines four (4) through thirteen (13) there?

10 **(Brief Pause)**

11 A. Four (4)?

12 Q. Yeah.

13 A. Yes, sir.

14 Q. Do you see in there -- well, first of all, are those lines, are they
15 consistent with your memory of what was said to you during the -- the plea hearing?

16 **(Brief pause while witness reviews document.)**

17 A. Yes, it is.

18 Q. Okay. And it says there, "involuntary manslaughter." Do you recall
19 involuntary manslaughter being what the judge said?

20 A. Yes, I do.

21 Q. Do you also see -- it mentions that -- that the sentence for involuntary
22 manslaughter is two (2) to thirty (30) years. Do you see that?

23 A. Uh-huh (affirmative).

24 Q. Do you recall that being said during that hearing?

25 A. Yeah, I remember him saying that.

1 Q. What was your thought at that time when you heard that?

2 A. Well, when he said that, I looked at Mr. Farnsworth when he said that.
3 And Mr. Farnsworth said, "Don't worry about it." "Don't worry about it."

4 Q. Okay. Did Mr. Farnsworth indicate to you that, that would be
5 corrected?

6 A. Yeah. He told me he would -- he would -- he would come to -- he
7 said -- he told me, after it was over, he said this: "I will come to you and I will explain
8 to you what that --- what that means."

9 MR. MAJOR: Your Honor, I move to admit this into evidence if
10 it's necessary as a ----

11 THE COURT: The transcript?

12 MR. MAJOR: Yeah. And it's already part of his record.

13 THE COURT: It's in. It's part of the record.

14 MR. MAJOR: Okay. And we're -- okay. That's fine.

15 (Brief Pause)

16 Q. (By Mr. Major) Your understanding, then, was that the involuntary
17 manslaughter that you believed you were pleading to carried a maximum sentence
18 of five (5) years?

19 A. Correct, right, yes, sir.

20 Q. Was the issue, as to the thirty (30) year maximum sentence that was
21 mentioned there -- you think you asked Mr. Farnsworth about it. Was that ever
22 corrected during the hearing?

23 A. No, huh-uh (negative).

24 Q. What was your sentence?

25 A. Twenty (20) years voluntary manslaughter.

1 Q. Okay.

2 A. And five (5) years on the weapon.

3 Q. Concurrent?

4 A. Yes.

5 Q. All right. Would you have pled guilty to the voluntary manslaughter
6 had you known that, that was the charge that you were pleading to?

7 A. No, sir., I wouldn't.

8 Q. Would have taken your case to trial rather than plead guilty to
9 voluntary manslaughter?

10 A. Yes, I would've.

11 Q. Okay. You believed that you were pleading to involuntary
12 manslaughter; is that right?

13 A. Yes, I did. I really did.

14 Q. Okay. Would you have pled guilty to voluntary manslaughter if Mr.
15 Farnsworth had not reassured you about the 30-year maximum sentence that was
16 mentioned during that and that, that would be corrected?

17 A. Correct. No, I would just have went on -- I would have went on to trial.

18 Q. Okay. Did you intend to plead guilty to voluntary manslaughter?

19 A. Huh-uh (negative). The -- the ---

20 Q. You need to say "yes" or "no."

21 A. No.

22 (Brief Pause)

23 Q. Did Mr. Farnsworth tell you anything about an appeal or did you
24 discuss it with him before the plea, that hearing?

25 A. Yeah. At the -- at the -- at the sixth (6th) visit, he said that, if -- if it

1 doesn't go the way that --- that he's --- that he got it --- that he was telling me it
2 would go, he said, "I will automatically put in an appeal for you."

3 Q. "I" being Mr. Farnsworth would?

4 A. Yes, sir.

5 Q. Did Mr. Farnsworth ever file an appeal?

6 A. No, sir --- no, sir, he hasn't.

7 Q. At the plea hearing, who was called as character witnesses?

8 A. Just my wife.

9 Q. Okay. None of the others that he had asked you ----

10 A. No.

11 Q. Okay. When you retained Mr. Farnsworth, were you aware that he
12 had represented Tony Thompson in the past?

13 A. No, I had no idea.

14 Q. Did he disclose anything about the representation of Mr. Thompson or
15 what that meant?

16 A. Say what now?

17 Q. Did he disclose anything to you about the --- about his representation
18 Mr. Farnsworth --- I mean of --- of Mr. Thompson?

19 A. No, he didn't.

20 Q. Okay. Did he --- did he ever talk to you about --- did Mr. Farnsworth
21 talk to you about self defense and the evidence regarding the victim's reputation and
22 knowledge may be relevant?

23 A. No.

24 Q. Okay. Have you since learned that Mr. Farnsworth represented Mr.
25 Thompson in --- in matters prior to this?

1 A. Uh-huh (affirmative).

2 Q. Okay.

3 (Brief pause while documents retrieved and shown to Ms.
4 Ratigan.)

5 MR. MAJOR: Your Honor, I have two documents which indicate
6 that Mr. Farnsworth represented Mr. Thompson in the past. They were
7 made attachments to this transcript.

8 THE COURT: Ms. Ratigan, do you have any objection to those?

9 MS. RATIGAN: I have no objection. They appear to be what they
10 claim to be.

11 THE COURT: Okay.

12 Q. (By Mr. Major) Are those examples of — of events based on what you
13 can tell from that record where Mr. Farnsworth represented Mr. Thompson in the
14 past?

15 (Brief pause while witness examines documents.)

16 A. Yes, yes, it is.

17 THE COURT: Could I see them, please?

18 (Documents handed up to the Court.)

19 (Off-The-Record Comments)

20 MR. MAJOR: And they're marked as Exhibits 2 and 3. I'll have
21 the court reporter needs to mark them for...

22 (Brief Pause)

23 MR. MAJOR: You can mark them as one exhibit if you'd like.

24 (Whereupon, Applicant's Exhibit Number 1 was marked and
25 admitted without objection.)

1 (Brief Pause)

2 Q. (By Mr. Major) Did Mr. Farnsworth ever talk to you at all about the
3 prior record of Mr. Thompson or anything like that?

4 A. Yeah. He told me that -- he told me that -- that Tony had a record, but
5 he said it wasn't nothing real -- nothing -- it wasn't nothing to really mention about.

6 Q. Okay. Mr. Styles, is there anything else that -- that you would like to
7 say for your release as a witness regarding this matter?

8 A. No.

9 Q. Okay. Is there anything else that I could have done -- are you
10 satisfied with my performance in -- in handling this post-conviction relief matter?

11 A. Yes, sir. I -- I really -- I am really blessed that -- that you are on this
12 case with me. And I really appreciate you for all of the efforts and -- that you have
13 done ---

14 Q. In representing you, is there anything else that I could have done that
15 you are aware of that -- that -- that -- to help this case?

16 A. No.

17 MR. MAJOR: Okay. I'm going to turn you over to Ms. Ratigan. I
18 may have followup.

19 THE COURT: Ms. Ratigan?

20 MS. RATIGAN: Thank you, Your Honor.

21 CROSS EXAMINATION by MS. RATIGAN:

10:29 A.M.

22 Q. So, Mr. Styles, you had seven (7) different meetings with Mr.
23 Farnsworth?

24 A. Yes, ma'am.

25 Q. And you were out on bond, so, it was a little bit easier to meet with

1 him?

2 A. Yes, ma'am.

3 Q. Okay. And over the course of these meetings, you reviewed all the
4 State's evidence?

5 A. Yes, ma'am.

6 Q. Okay. And, is that — when you all reviewed the autopsy report, is that
7 when you discovered the victim had actually been shot six (6) times and not the one
8 time?

9 A. Yes, ma'am.

10 Q. Okay. And you told Mr. Farnsworth your version of what had
11 happened with the victim that day?

12 A. Yes, ma'am.

13 Q. All right. And did you never discuss self defense with Mr. Farnsworth?

14 A. Yeah. He said — yes, he did say that he — he was going — we was
15 going to trial, when we was at my plea — my — my preliminary, that we was going to
16 go for self defense.

17 Q. So basically, if the case had gone to trial, you all would have argued
18 self defense? Is that —

19 A. Yes, ma'am.

20 Q. Okay. And Mr. Farnsworth told you at some point that the original
21 murder charge you were facing thirty (30) to life; is that correct?

22 A. He said — he said — yes, ma'am.

23 Q. Okay. And — and I believe you testified he told you the sentence you
24 could get for involuntary was up to five (5) years; is that correct?

25 A. Up to five (5), yes, ma'am.

1 Q. All right.

2 (Brief Pause)

3 Q. Did Mr. Farnsworth ever tell you the State's offer that day when you
4 plead guilty was for thirty (30) years?

5 A. No.

6 Q. So, when you went into court that day, you had no idea there was any
7 kind of a plea offer?

8 A. No, ma'am.

9 Q. And I believe you testified at that sixth meeting, Mr. Farnsworth told
10 you he was going to try and get you that involuntary manslaughter?

11 A. Yes, ma'am.

12 Q. Did he ever specifically tell you that he had, in fact, worked out a deal
13 for involuntary or just that he was going to keep trying to get it?

14 A. Well, the -- the -- his -- his words was that he had met with the
15 solicitor. And the solicitor said that they would -- they would -- they would consider
16 a lesser charge of involuntary manslaughter, which would carry one (1) to five (5)
17 years.

18 (Brief Pause)

19 Q. So you just kept working on the State trying to get that involuntary
20 manslaughter?

21 A. Yes, ma'am.

22 Q. Okay.

23 A. Uh-huh (affirmative).

24 Q. So, when you went to court that day, you thought that Mr. Farnsworth
25 was successful in getting you that involuntary manslaughter?

1 A. Yes, ma'am.

2 Q. Okay.

3 (Brief Pause)

4 Q. And I believe you testified that, when Judge Miller stated it was
5 involuntary between two (2) and thirty (30), that's when Mr. Farnsworth told you not
6 to worry about it?

7 A. Right.

8 Q. Okay. Well, when the State made a recommendation, but it was a 30-
9 year recommendation, and you thought you were pleading guilty to something where
10 you could on get up to five (5), why didn't you say something at that time?

11 A. Because he told me -- he told me to -- he told me to be -- he say -- he
12 say "shhhh," like that. So I just fell back.

13 Q. Okay. And, again, when Mr. Farnsworth, when he was speaking on
14 your behalf to the judge, he told the judge he did not think it was a 30-year case.
15 And you didn't think you should say something at that point either?

16 A. I was putting my total trust in him that he was -- he knew what he was
17 doing. I mean, I'm just -- I'm paying him to -- to do a job, you know?

18 Q. Okay.

19 A. So I figured he -- he had everything under control.

20 Q. Okay. And, at the very end of the plea, when you spoke to the judge,
21 why didn't you, at that time, tell the Court: "You know, I'm here today on involuntary
22 manslaughter. I've heard a lot of talk about thirty (30) years, but I thought it was
23 only going to be five (5) years." Why didn't you take that opportunity to talk to the
24 judge at that point?

25 A. Because he had told me that -- he had told me he would see it

1 through to -- to the trial; that he would -- he would -- he would get with -- he would
2 get with me on it. So...

3 And I didn't think to even mention it to the judge anyway.

4 Q. Okay. And are you stating now that you would have wanted Mr.
5 Farnsworth to file an appeal for you?

6 A. Yes, ma'am.

7 Q. And why did you want an appeal?

8 A. Because I don't think that I should -- for one thing, I don't think I
9 should be doing that much time on this. I mean, it wasn't nothing that I intended to
10 do or anything like that.

11 You know, it's just...

12 Q. So you wanted the Court to evaluate whether or not you got too much
13 time?

14 A. Yes, ma'am.

15 Q. Okay.

16 (Brief Pause)

17 MS. RATIGAN: That's I have, Your Honor

18 THE COURT: All right. Thank you. Any redirect?

19 MR. MAJOR: Very briefly.

20 REDIRECT EXAMINATION by MR. MAJOR:

10:33 P.M.

21 Q. You wanted the Court to -- to evaluate whether you got too much time
22 because it was you understanding that involuntary manslaughter was what you were
23 supposed to be pleading to and that, that carried a maximum sentence of five (5)
24 years?

25 A. Yes, yes, sir.

1 Q. Okay.

2 (Brief Pause)

3 MR. MAJOR: That's all.

4 THE COURT: Any recross?

5 MS. RATIGAN: No, Your Honor.

6 THE COURT: All right. Thank you.

7 MR. MAJOR: I do, Your Honor, have a couple of additional
8 items of potential evidence.

9 One is —

10 THE COURT: What witnesses do you have to put the—

11 MR. MAJOR: Yeah. I'm sorry. I'm — I'm finished with Mr.
12 Styles.

13 THE COURT: You may step down.

14 (Witness complied with the Court's request.)

15 MR. MAJOR: There are no witnesses. One of them I
16 understand — but my based on my research there's — in a PCR the judge has
17 discretion to consider affidavits.

18 THE COURT: I'm not going to consider affidavits.

19 MR. MAJOR: Okay. And he's further deceased, Mister — Mr.
20 Fuller — I mean Mr. Taylor.

21 THE COURT: An affidavit from the — the deceased?

22 MR. MAJOR: Well an affidavit from the gentleman who would
23 have been at that meeting right before, one of the character witnesses.

24 THE COURT: Well, I'm not going to accept those. Anything
25 further?

1 (Brief Pause)

2 MR. MAJOR: Your Honor, my client has asked if we pull a -- a
3 criminal records check from SLED regarding Mr. Thompson.

4 We would argue it goes to ----

5 THE COURT: Mr. Thompson is not on trial here.

6 MR. MAJOR: I -- I agree Your Honor. He -- Mr. Styles ----

7 THE COURT: I'm not going to retry this case. This is a post-
8 conviction hearing.

9 MR. MAJOR: I under -- I understand that, Your Honor. My --
10 my client has asked that -- since it may be relevant in self defense --

11 THE COURT: Denied. Anything further?

12 MR. MAJOR: Nothing further, Your Honor.

13 THE COURT: Thank you. I'll take this matter under advisement.
14 And I'll let you know when I make my ruling.

15 MS. RATIGAN: Thank you, Your Honor.

16 (WHEREUPON, the hearing concluded at 10:35 a.m.)

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REPORTER'S CERTIFICATE

I, the undersigned, **PAMELA S. FAUCETTE**, Official Court Reporter for the Seventh Judicial Circuit of the State of South Carolina, do hereby certify that I acted as the Court reporter at the foregoing proceeding; that the foregoing pages, numbered 1 through 30, were transcribed by me and represent a complete and accurate transcription of said proceeding to the best of my knowledge and belief.

I do further certify that I am not of counsel for or in the employment of either of the parties to this action, nor am I interested in the results of this action.

June 5, 2013

A handwritten signature in cursive script, reading "Pamela S. Faucette", written over a horizontal line.

Pamela S. Faucette
Official Court Reporter
Seventh Judicial Circuit

RECEIPTS FOR EXHIBITS

CASE NO 2010-CP-23-5554JUDGE W. Jeffrey YoungPLAINTIFF Barry StylesPLT ATTY Henry MajorDEFENDANT The State of I.C.DEF. ATTY Karen RalstonTRIAL START DATE 2/14/13TRIAL END DATE 2/14/13

RECEIVED OF PAM FAUCETTE, COURT REPORTER FOR THE ABOVE CASE, THESE EXHIBITS:

Applicant's

PLT'S EXHIBITS

DEF'S EXHIBITS

- EV 1. Documentation of Representation 1. _____
2. _____ 2. _____
3. _____ 3. _____
4. _____ 4. _____
5. _____ 5. _____
6. _____ 6. _____
7. _____ 7. _____
8. _____ 8. _____
9. _____ 9. _____
10. _____ 10. _____
11. _____ 11. _____
12. _____ 12. _____
13. _____ 13. _____
14. _____ 14. _____
15. _____ 15. _____

COURT'S EXHIBITS

1. _____ 2. _____
3. _____ 4. _____
5. _____ 6. _____
7. _____ 8. _____

Pamela S. Faucette
PAMELA FAUCETTE

Jan White
CLERK OF COURT

PAGE 1 OF 1DATE 2-14-13

GENERAL SESSIONS DOCKET

STATE VS
THOMPSON, HORACE ANTHONY92 GS23 3935 -

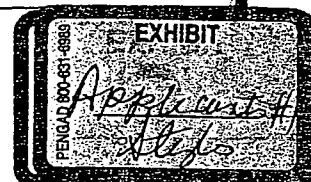
AKA

[REDACTED]
STREET ADDRESSD - 169859
WARRANT/TICKETY
WARRANT?[REDACTED]
CITY[REDACTED] [REDACTED]
STATE ZIP01 122 POINTING A FIREARM
COUNTS CODE OFFENSE NAME[REDACTED] M B
SEX RACE12/14/91
DATE OF ARREST[REDACTED] SC [REDACTED]
DOB STATE OR-LIC01/10/92 TAYLOR
DATE RECEIVED MAGISTRATE1. TRANSMITTED TO SOL AND SCCA: 01/22/92
2. DISP RECEIVED BY CLERK:3. DISPOSITION SENT TO SCCA:
4. TRANSMITTED TO SUMMARY CT:

DATE OF DISPOSITION NOV 12 1992

DISPOSITION: ☒ 1 GUILTY PLEA
☐ 2 TRIAL (GUILTY)
☐ 3 TRIAL (NOT GUILTY)
☐ 4 DISM/NOL PROS/PROS ENDED
☒ 5 PTI
☒ 5 JUDICIAL COMMITMENT
☐ 6 JUDICIAL DISMISSAL
☒ 7 REMANDED
☐ 8 DISMISSED AT PRELIM
☐ 8 NO BILL
☒ 9 FAILURE TO APPEAR
☒ 0 OTHER

*EXPLAIN:

JUDGE: *Spencer*REPORTER: *Galati*DEFENSE ATTORNEY *J. Farnsworth**M. Smith*
SOLICITOROFFENSE OF
CONVICTION COUNTS CODE OFFENSE NAMESENTENCE: *5 yrs conc w/ prob*CAROLINE W MATTOS
CLERK OF COURT

GENERAL SESSIONS DOCKET

STATE VS
THOMPSON, HORACE ANTHONY92 GS23 3936

AKA

[REDACTED]
STREET ADDRESSD - 169858
WARRANT/TICKETY
WARRANT?[REDACTED]
CITY STATE ZIP01 109 HALICIOUS INJURY TO PERSONA
COUNTS CODE OFFENSE NAME[REDACTED] M B
SEX RACE12/14/91
DATE OF ARREST[REDACTED] SC [REDACTED]
DOB STATE DR-LIC01/10/92 TAYLOR
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*EXPLAIN:

JUDGE: *Eyles*REPORTER: *Galati*DEFENSE ATTORNEY *D. Farnsworth**N. Smith*
SOLICITOROFFENSE OF
CONVICTION COUNTS CODE OFFENSE NAMESENTENCE: *5 yrs conc w/fel*CAROLINE W HATTOS
CLERK OF COURT

EXHIBIT

3

tabbles

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE)

C.A. No. 2010-CP-23-5554

Barry Reynolds Styles,)
S.C.D.C. No. 123115,)

Applicant,)

ORDER OF DISMISSAL

v.)

State of South Carolina,)

Respondent.)

2013 APR - 2 P 1:1

This matter comes before the Court by way of an application for post-conviction relief (PCR) filed July 9, 2010. The Respondent made its return on December 22, 2010. An evidentiary hearing was convened on February 14, 2013 at the Greenville County Courthouse. The Applicant was present and represented by Denny P. Major, Esquire. Karen C. Ratigan, Esquire of the South Carolina Office of the Attorney General represented the Respondent.

The Applicant testified on his own behalf at the PCR hearing. Also testifying were Lila Mae Styles and Orlando Fuller. The Court had before it the transcript of the guilty plea hearing, the records of the Greenville County Clerk of Court, the Applicant's records from the South Carolina Department of Corrections, the PCR application and subsequent amendments, the return, and the Applicant's Exhibit 1.

PROCEDURAL HISTORY

The Applicant is confined in the South Carolina Department of Corrections pursuant to orders of commitment from the Greenville County Clerk of Court. The Applicant was indicted at the December 2009 term of the Greenville County Grand Jury for murder (2009-GS-23-9897, count 1) and possession of a weapon during commission of a violent crime (2009-GS-23-9897,

count 2). He was represented by Daniel J. Farnsworth, Esquire.

On March 31, 2010, the Applicant pled guilty to the lesser-included offense of voluntary manslaughter and possession of a weapon during commission of a violent crime. The Honorable Edward W. Miller sentenced the Applicant to concurrent terms of twenty (20) years for voluntary manslaughter and five (5) years for possession of a weapon during commission of a violent crime. The Applicant did not appeal.

ALLEGATIONS

In his application, the Applicant alleges he is being held in custody unlawfully for the following reasons:

1. Ineffective assistance of counsel:
 - a. Failed to file a notice of appeal.
 - b. Advised the Applicant to plead guilty "without regard for principle to law."

Counsel for the Applicant filed a Motion to Amend Application for Post Conviction Relief on February 27, 2012. This filing contained various items already submitted by the Applicant (such as his PCR application and affidavits), as well as the guilty plea transcript and a Memorandum in Support of Application for Post Conviction Relief. In the Memorandum, the Applicant raised the following issues:

1. Ineffective assistance of counsel:
 - a. Told the Applicant he would plead guilty to involuntary manslaughter.
 - b. Failed to file an appeal.

Counsel for the Applicant filed a Supplemental and/or Amended Application for Post Conviction Relief dated November 26, 2012. The filing contained various items already submitted in either the original PCR application or the February 27, 2012 amendment. In addition, the Applicant raised the following issues:

WJF 2

1. Ineffective assistance of counsel:
 - a. Represented the victim in an earlier matter.
 - b. Failed to object to entry of a guilty plea for voluntary manslaughter instead of involuntary manslaughter.
 - c. Failed to present character witnesses.
 - d. Failed to properly investigate self-defense and present these findings at the plea hearing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Court has had the opportunity to review the record in its entirety and has heard the testimony and arguments presented at the PCR hearing. This Court has further had the opportunity to observe each witness who testified at the hearing, and to closely pass upon their credibility. This Court has weighed the testimony accordingly. Set forth below are the relevant findings of fact and conclusions of law as required by S.C. Code Ann. § 17-27-80 (2003).

Ineffective Assistance of Counsel

The Applicant alleges he received ineffective assistance of counsel. In a PCR action, "[t]he burden of proof is on the applicant to prove his allegations by a preponderance of the evidence." Frasier v. State, 351 S.C. 385, 389, 570 S.E.2d 172, 174 (2002).

For an applicant to be granted PCR as a result of ineffective assistance of counsel, he must show both: (1) that his counsel failed to render reasonably effective assistance under prevailing professional norms, and (2) that he was prejudiced by his counsel's ineffective performance. See Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052 (1984); Porter v. State, 368 S.C. 378, 383, 629 S.E.2d 353, 356 (2006). When there has been a guilty plea, the applicant must prove that counsel's representation was below the standard of reasonableness and that, but for counsel's unprofessional errors, there is a reasonable probability that he would not have pled guilty and would have insisted on going to trial. Hill v. Lockhart, 474 U.S. 52, 58-59, 106 S. Ct. 366, 370 (1985); Roscoe v. State, 345 S.C. 16, 20, 546 S.E.2d 417, 419 (2001).

The Applicant stated he had seven meetings with plea counsel and that they reviewed the State's evidence, his version of events, the autopsy report indicating the victim had been shot six times, and the elements of self-defense. The Applicant stated he did not know at the time that plea counsel had previously represented the victim. The Applicant stated plea counsel told him at their sixth meeting that he would "try to get him" a plea to involuntary manslaughter. The Applicant stated plea counsel explained the sentence range for involuntary manslaughter was 1-5 years. The Applicant stated plea counsel told him that he would "try" to get a plea offer for involuntary manslaughter and that the State was considering it. The Applicant testified he believed he was pleading guilty to involuntary manslaughter on the day of the plea hearing. The Applicant testified that, while the plea judge mentioned he was facing a sentence of 2-30 years, plea counsel told him not to worry about that. The Applicant stated plea counsel told him that he would file an appeal if things did not go well, but that he never filed one. The Applicant stated he wanted to appeal because (1) his sentence was too harsh and (2) he believed he was pleading guilty to involuntary manslaughter.

Lila Mae Styles, the Applicant's wife, stated plea counsel told them the Applicant was pleading guilty to involuntary manslaughter. Mrs. Styles stated she did not know the plea recommendation was for a thirty year sentence. Orlando Fuller, the Applicant's stepson, stated plea counsel said he was "trying to get [the Applicant] to involuntary manslaughter."

Regarding the Applicant's claims of ineffective assistance of counsel, this Court finds the Applicant has failed to meet his burden of proof. The Applicant admitted to the plea judge that he was guilty. (Plea transcript, p.10). The Applicant also told the plea judge that he understood the trial rights he was waiving in pleading guilty, was satisfied with counsel, and had not been coerced in any way. (Plea transcript, pp.8-11).

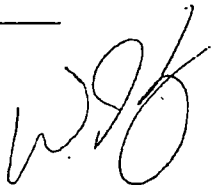


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This Court finds the Applicant failed to meet his burden of proving plea counsel was deficient because he did not divulge he had previously represented the victim. The Applicant entered two docket sheets into evidence from November 1992 that indicate plea counsel represented the victim.¹ The Applicant stated plea counsel never told him of this prior representation. This Court finds plea counsel was not ineffective in failing to disclose he had represented the victim twenty years earlier. This Court finds the Applicant has failed to meet his burden of showing that a potential conflict of interest actually materialized into a realized conflict adversely affecting plea counsel's performance. See Jackson v. State, 329 S.C. 345, 354, 495 S.E.2d 768, 773 (1998) (citing Cuyler v. Sullivan, 446 U.S. 335, 100 S. Ct. 1708, 64 L. Ed. 2d 333 (1980)); Padgett v. State, 324 S.C. 22, 27, 484 S.E.2d 101, 103 (1997).

This Court finds the Applicant failed to meet his burden of proving plea counsel had advised he would be pleading guilty to involuntary manslaughter. Mrs. Styles testified plea counsel told them the Applicant would plead guilty to involuntary manslaughter. This Court find Mrs. Styles' testimony is not credible. This finding is supported by the fact that both the Applicant and Mr. Fuller stated plea counsel merely said he would "try" to get a recommendation for involuntary manslaughter. Rather, this Court finds the plea offer from the State was for a thirty year sentence on voluntary manslaughter and that plea counsel conveyed this offer to the Applicant. The Applicant's contention that he believed he was pleading guilty to involuntary manslaughter is both not credible and not supported by the facts of the case. See State v. Rivera, 389 S.C. 399, 404, 699 S.E.2d 157, 159 (2010) ("Involuntary manslaughter is defined as: (1) the unintentional killing of another without malice, but while engaged in an unlawful activity not naturally tending to cause death or great bodily harm; or (2) the

¹ Applicant's Exhibit 1.

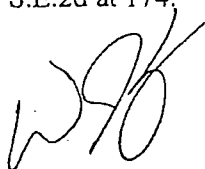


unintentional killing of another without malice, while engaged in a lawful activity with reckless disregard for the safety of others.”). As recited at the plea hearing, the Applicant shot the victim (who was armed with a knife) six times after they had an argument. (Plea transcript, pp.12-14). Further, the Applicant’s own testimony at the PCR hearing was that he shot the victim after the victim pulled out a knife. These facts do not constitute involuntary manslaughter. See id. Further, the Applicant’s contention that he was pleading guilty to involuntary manslaughter is not supported by the plea record. When the case is called, it is noted the Applicant is pleading guilty to voluntary manslaughter. (Plea transcript, p.3). The plea judge advises the sentence range was 2-30 years. (Plea transcript, p.6). The State noted it made a recommendation for thirty years but plea counsel stated this was not “a 30 year case.” (Plea transcript, p.14; p.21). The record itself refutes any allegation the Applicant would have believed he was pleading guilty to involuntary manslaughter – especially when he knew that charge carried 1-5 years. See Stalk v. State, 375 S.C. 289, 300, 652 S.E.2d 402, 407 (Ct. App. 2007); see also Rayford v. State, 314 S.C. 46, 48-49, 443 S.E.2d 805, 806 (1994) (where transcript of guilty plea proceeding refuted applicant’s claim that he did not understand the terms of a plea bargain, grant of PCR was inappropriate notwithstanding applicant’s claim lawyer misadvised him). While the plea transcript indicates the plea judge stated “[i]nvoluntary manslaughter carries two to 30 years,” any error in this regard was cured by the remainder of the plea colloquy. (Plea transcript, p.6). See Holden v. State, 393 S.C. 565, 575, 713 S.E.2d 611, 616 (2011); Burnett v. State, 352 S.C. 589, 593-94, 576 S.E.2d 144, 246 (2003). This Court further finds that, while the Applicant stated plea counsel told him not to worry about these alleged issues during the plea hearing, this testimony is both not credible and not persuasive.

This Court finds the Applicant failed to meet his burden of proving plea counsel should

have filed an appeal. Plea counsel has a constitutionally imposed duty to consult with the defendant about an appeal only when there is reason to think either: (1) that a rational defendant would want to appeal or (2) that this defendant reasonably demonstrated to counsel that he was interested in appealing. Roe v. Flores-Ortega, 528 U.S. 470, 480, 120 S. Ct. 1029, 1036 (2000). In order to make this determination, "courts must take into account all the information counsel knew or should have known." Id. (citing Strickland, 466 U.S. at 690, 104 S. Ct. at 2066). Although not determinative, a highly relevant factor will be whether the conviction follows a trial or a guilty plea, both because a guilty plea reduces the scope of potentially appealable issues and because a plea may indicate the defendant seeks an end to judicial proceedings. Id. Petitioner made a clear, informed choice to plead guilty that day. See Boykin v. Alabama, 395 U.S. 238, 243-44, 89 S. Ct. 1709, 1712 (1969). Petitioner did not indicate at any point that he was doing so based on a promise of a plea to involuntary manslaughter or a sentence of less than five years. Based on the nature of the case and a thorough and complete guilty plea colloquy, it is unlikely a rational defendant would have wanted to appeal. See Roe v. Flores-Ortega, 528 U.S. at 480, 120 S. Ct. at 1036.

Accordingly, this Court finds the Applicant has failed to prove the first prong of the Strickland test – that plea counsel failed to render reasonably effective assistance under prevailing professional norms. The Applicant failed to present specific and compelling evidence that plea counsel committed either errors or omissions in his representation of the Applicant. This Court also finds the Applicant has failed to prove the second prong of Strickland – that he was prejudiced by plea counsel's performance. This Court concludes the Applicant has not met his burden of proving counsel failed to render reasonably effective assistance. See Frasier v. State, 351 S.C. at 389, 570 S.E.2d at 174.



All Other Allegations

As to any and all allegations that were raised in the application or at the hearing in this matter, and not specifically addressed in this Order, this Court finds the Applicant failed to present any evidence regarding such allegations. Accordingly, this Court finds the Applicant waived such allegations and failed to meet his burden of proof regarding them. Therefore, they are hereby denied and dismissed.

CONCLUSION

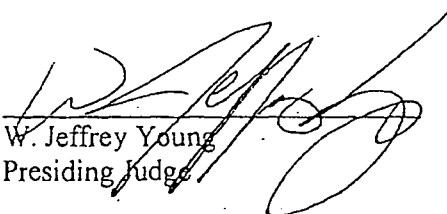
Based on all the foregoing, this Court finds and concludes the Applicant has not established any constitutional violations or deprivations before or during his guilty plea and sentencing proceedings. Counsel was not deficient in any manner and the Applicant was not prejudiced by counsel's representation. Therefore, this PCR application must be denied and dismissed with prejudice. This Court advises the Applicant that he must file a notice of intent to appeal within thirty (30) days from the receipt of this Order if he wants to secure appropriate appellate review. His attention is also directed to Rules 203, 206, and 243 of the South Carolina Appellate Court Rules for the appropriate procedures to follow after notice of intent to appeal has been timely filed.

A handwritten signature in black ink, appearing to be 'WJB', is written over the bottom of the text.

IT IS THEREFORE ORDERED:

1. That the application for post-conviction relief be denied and dismissed with prejudice; and
2. That the Applicant be remanded to the custody of the Respondent.

AND IT IS SO ORDERED this 15 day of March, 2013.


W. Jeffrey Young
Presiding Judge

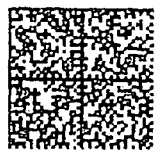
Sumter, South Carolina.

Haynsworth
Sinkler Boyd, PA

ATTORNEYS AND COUNSELORS AT LAW

POST OFFICE BOX 2048
GREENVILLE, SOUTH CAROLINA 29602-2048

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
1231 Gervais Street
Columbia, South Carolina 29201



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DOCKET NO. 2009-GS-23-
AOF 009897

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

December TERM 2009

THE STATE

VS.

BARRY REYNOLDS STYLES

Indictment for

0116 and 0549

MURDER and POSSESSION OF A WEAPON
DURING THE COMMISSION OF A VIOLENT
CRIME

VIOLATION §16-03-0010 and §16-23-0490

WITNESSES

John Divittorio

Greenville County Sheriffs Office

10/26/2008

ARREST WARRANT NUMBER

1803693 and 1803694

ACTION OF GRAND JURY
TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Date:

Foreperson of Petit Jury

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GREENVILLE)

INDICTMENT FOR
 MURDER and POSSESSION OF A WEAPON DURING THE
 COMMISSION OF A VIOLENT CRIME

At a Court of General Sessions, convened on **DEC 15 2009** the Grand Jurors of Greenville
 County present upon their oath:

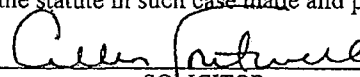
COUNT 1 — Murder

That BARRY REYNOLDS STYLES did in Greenville County, on or about the 25th day of October 2008, unlawfully and with malice aforethought kill ANTHONY "TONY" THOMPSON by means of gunshot, and that ANTHONY "TONY" THOMPSON died as a proximate result thereof. This is in violation of §16-3-10 of the South Carolina Code of Laws (1976) as amended.

COUNT 2 — Possession of a Weapon During The Commission of a Violent Crime

That BARRY REYNOLDS STYLES did in Greenville County, on or about the 25th day of October 2008, possess or visibly display a handgun during the commission or attempted commission of a violent crime, to wit: MURDER. This is in violation of §16-23-490 of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


 SOLICITOR

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
STATE VS.
Barry Reynolds Styles

AKA:

Race: Sex: M Age: 50

DOB: SS#:

Address:

City, State, Zip: GREENVILLE, SC 29605

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Voluntary Manslaughter

INDICTMENT/CASE#: 2009GS2309897

A/W#: 1803693

Date of Offense: 10/25/2008

S.C. Code §: 16-03-0010, 0020

CDR Code #: 0116

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADSin violation of § 16-03-0050 of the S.C. Code of Laws, bearing CDR Code # 0217
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC ☐ §17-25-45
w/minor 1st or 2nd Act)The charge is: ☐ As Indicted. ☒ Lesser Included Offense. ☐ Defendant Waives Presentment to Grand Jury (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation. ☐ Negotiated Sentence. ☒ Recommendation by the State.

ATTEST:

Fretwell, Allen

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center,
for a determinate term of 20 days/months/years or ☐ under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$: provided that upon the service of days/months/years and/or payment
of \$: plus costs and assessments as applicable*; the balance is suspended with probation formonths/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections. 56 DAYS☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)

§ 14-1-211(A)(1) (Conv. Surcharge)

§ 14-1-211(A)(2) (DUI Surcharge)

§ 56-5-2995 (DUI Assessment)

§ 56-1-286 (DUI Breath Test)

§ 47.12 (Public Def/Prob)

§ 14-1-212 (Law Enforce. Funding)

§ 14-1-213 (Drug Court Surcharge)

§ 50-21-114 (BUI Breath Test Fee)

§ 56-5-2942(J) (Vehicle Assessment)

§ 90.7 (SCCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (11/2009)

PTUP

days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp.

May serve W/E beginning

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning

\$ paid to Public Defender Fund

Other:

☐ Appointed PD or appointed other counsel,
§ 47.12 requires \$500 be paid to Clerk
during probation.

Presiding Judge

Judge Code: 2130

Sentence Date: 3-31-10

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Greenville
 STATE VS.
Barry Reynolds Styles

AKA: _____

Race: _____ Sex: M Age: 50

DOB: _____

SS#: _____

Address: _____

City, State, Zip: Piedmont, SC 29673-6549

DL#: _____

SID#: _____

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Possessing a Weapon During a Violent Crime

INDICTMENT/CASE#: 2009GS2309897A/W#: 1803694Date of Offense: 10/25/2008S.C. Code §: 16-23-0490CDR Code #: 0549

SENTENCE SHEET

☐ CONVICTED OF or ☒ PLEADS
in violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS (CSC ☐ § 17-25-45
 w/minor 1st or 1st Act)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials) BR5
 The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.

ATTEST: _____

Fretwell, Allen

SC Bar# 17016Defendant Barry R. StylesAttorney for Defendant JDSC Bar# 1957WHEREFORE, the Defendant is committed to the ☐ State Department of Corrections, ☐ County Detention Center;

for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years
 and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment
 of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
 by the State Department of Corrections. 56 DA-73

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
 Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine: \$ _____

§ 14-1-206 (Assessments 107.5%) \$ _____

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§ 56-5-2995 (DUI Assessment) \$12 \$ _____

§ 56-1-286 (DUI Breath Test) \$25 \$ _____

§ 47.12 (Public Def/Prob) \$500 \$ _____

§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25

§ 14-1-213 (Drug Court Surcharge) \$100 \$ _____

§ 50-21-114 (BUI Breath Test Fee) \$50 \$ _____

§ 56-5-2942(J) (Vehicle Assessment) \$40/ca \$ _____

§ 90.7 (SCCJA Surcharge) \$5 \$ 5

3% to County (if paid in installments) \$ _____

TOTAL \$ _____

Clerk of Court/ Deputy Clerk _____

Court Reporter: W. W. Wick

SCCA/217 (1/2009)

PTUP _____

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly
 pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Presiding Judge W. W. WickJudge Code: 2130Sentence Date: 3-31-10